

CITY OF CORAL GABLES, FLORIDA

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF CORAL GABLES, FLORIDA, AMENDING THE CITY OF CORAL GABLES COMPREHENSIVE LAND USE PLAN, PROVIDING FOR A NEW “EDUCATIONAL ELEMENT” AND ASSOCIATED TEXT AMENDMENTS TO THE INTERGOVERNMENTAL COORDINATION ELEMENT AND CAPITAL IMPROVEMENTS ELEMENT NECESSARY TO MEET STATE-MANDATED PUBLIC SCHOOL CONCURRENCY REQUIREMENTS; AUTHORIZING TRANSMITTAL OF THESE AMENDMENTS TO THE SOUTH FLORIDA REGIONAL PLANNING COUNCIL, FLORIDA DEPARTMENT OF COMMUNITY AFFAIRS, AND OTHER APPLICABLE AGENCIES FOR COMPLIANCE REVIEW AS REQUIRED BY FLORIDA STATUTES; PROVIDING FOR A REPEALER PROVISION, A SAVINGS CLAUSE, A SEVERABILITY CLAUSE, AND CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the State Legislature passed the Local Government Comprehensive Planning and Land Development Regulation Act requiring all counties and cities to prepare a Comprehensive Land Use Plan; and,

WHEREAS, the City of Coral Gables, pursuant to Florida Statutes and the City of Coral Gables Zoning Code, has designated the Planning and Zoning Board as the Local Planning Agency; and,

WHEREAS, in 2005 the Florida Legislature passed a sweeping growth management bill, requiring, among other things, that local governments ensure that adequate public school capacity is available to meet the impacts of new residential development, a concept known as public school concurrency; and,

WHEREAS, the legislation requires that all local governments amend their comprehensive plans to include a new Educational Element and revised Intergovernmental Coordination Element and Capital Improvements Element as necessary to meet the new public school concurrency requirements; and,

WHEREAS, since passage of public school concurrency legislation in 2005, the City of Coral Gables has been participating in a countywide intergovernmental effort to comply with and implement the new requirements; and,

WHEREAS, the statutory deadline for compliance for all local governments in Miami-Dade County is January 1, 2008, after which the City will be prohibited from amending its Comprehensive Land Use Plan (CLUP) or Future Land Use Map, thereby preventing

development projects that require changes to the CLUP text and map from moving forward; and,

WHEREAS, Miami-Dade County has taken the lead in developing model school concurrency regulations for other local governments to utilize, and the City of Coral Gables and other local governments did not proceed forward in order to allow the County's model regulations to be reviewed by the Florida Department of Community Affairs (DCA) for compliance, and to address DCA's concerns prior to transmittal of the City's items; and,

WHEREAS, while the State's requirements for public school concurrency become effective January 1, 2008, the City's regulations will not be in place until March/April 2008, therefore, to allow projects to proceed forward in the interim, transitional rules have been included herein; and,

WHEREAS, the Miami-Dade County School Board presented an overview of school concurrency requirements and proposed regulations at the Planning and Zoning Board meeting of October 10, 2007, and at the City Commission meeting of November 13, 2007; and,

WHEREAS, on October 16, 2007, the City began to provide a notice of these requirements to all prospective applicants for residential development in the City; and,

WHEREAS, after notice of a public hearing being duly published, a public hearing was held before the Local Planning Agency (LPA)/Planning and Zoning Board of the City of Coral Gables on November 14, 2007 at which hearing all interested parties were afforded the opportunity to be heard; and,

WHEREAS, at the November 14, 2007 Local Planning Agency meeting, the Local Planning Agency recommended approval of the proposed CLUP text amendments provided as Attachments A(a), A(b), and A(c), along with the supporting data and analysis provided as Attachment B (vote: 6-0); and,

WHEREAS, after notice of a public hearing being duly published, the City Commission on December 11, 2007 approved on First Reading the proposed CLUP amendments provided as Attachments A(a), A(b), and A(c), along with the supporting data and analysis provided as Attachment B (vote: 5-0); and,

WHEREAS, City Staff pursuant to the request of the City Commission transmitted the approved CLUP amendments to the Florida Department of Community Affairs, South Florida Regional Planning Council, and other applicable agencies, pursuant to State statutes; and,

WHEREAS, the City of Coral Gables requested that the Florida Department of Community Affairs waive the Objections, Recommendations and Comment (ORC) Report regarding the CLUP amendments; and,

WHEREAS, on February 11, 2008, the Florida Department of Community Affairs issued an ORC Report that raised a few minor and technical concerns with the City's proposed CLUP amendments; and,

WHEREAS, the proposed amendments have been revised pursuant to the ORC report recommendations (highlighted in double ~~strikethrough~~ / underline format); and,

WHEREAS, after notice of a public hearing being duly published, the City Commission on March 25, 2008 approved on Second Reading the proposed CLUP amendments provided as Attachments A(a), A(b), and A(c) , along with the supporting documents, data and analysis provided as Attachment B (vote: _____).

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES:

SECTION 1. The foregoing ‘WHEREAS’ clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Ordinance upon adoption hereof.

SECTION 2. The City of Coral Gables Comprehensive Land Use Plan is hereby amended to provide a new Educational Element and revised Intergovernmental Coordination Element and Capital Improvements Element, as provided in Attachments A(a), A(b), and A(c), along with the supporting documents, data and analysis provided as Attachment B.

SECTION 3. The City Manager shall transmit the amendments to the South Florida Regional Planning Council, Florida Department of Community Affairs and other applicable agencies in accordance with State statutes governing the review of Comprehensive Land Use Plan amendments.

SECTION 4. Projects securing preliminary Board of Architects approval prior to January 1, 2008 shall be vested with respect to the applicability of these provisions.

SECTION 5. It is the intention of the City Commission that each provision hereof be considered severable, and that the invalidity of any provision of this Ordinance shall not affect the validity of any other portion of this Ordinance, the Coral Gables Comprehensive Land Use Plan, or the Coral Gables Zoning Code.

SECTION 6. All rights, actions, proceedings and Contracts of the City, including the City Commissioners, the City Manager, or any of its departments, boards or officers undertaken pursuant to the existing code provisions, shall be enforced, continued, or completed, in all respects, as though begun or executed hereunder.

SECTION 7. All ordinance or parts of ordinances that are inconsistent or in conflict with the provisions of this Ordinance are repealed.

SECTION 8. If any section, part of session, paragraph, clause, phrase or word of this Ordinance is declared invalid, the remaining provisions of this Ordinance shall not be affected.

SECTION 9. It is the intention of the City Commission that the provisions of

this Ordinance shall become and be made a part of the City of Coral Gables Comprehensive Land Use Plan, as amended, which provisions may be renumbered or relettered and that the word ordinance be changed to "element", "section", or other appropriate word to accomplish such intention.

SECTION 10. The effective date of this plan amendment shall be the date a final order is issued by the Florida Department of Community Affairs finding the amendment to be in compliance in accordance with Chapter 163.3184, FS, as amended; or the date a final order is issued by the Administration Commission finding the amendment to be in compliance in accordance with Chapter 163.3184, FS, as amended, and further that the Florida Department of Community Affairs notice of intent to find a plan amendment in compliance shall be deemed to be a final order if no timely petition challenging the amendment is filed.

PASSED AND ADOPTED THIS _____ DAY OF _____, A.D. 2008.

APPROVED:

DONALD D. SLESNICK II
MAYOR

ATTEST:

WALTER J. FOEMAN
CITY CLERK

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:

ELIZABETH HERNANDEZ
CITY ATTORNEY

Attachments:

- A(a): Amendments to CLUP -- new Educational Element.
- A(b): Amendments to CLUP Intergovernmental Coordination Element
- A(c): Amendments to CLUP Capital Improvements Element
- B: Supporting Documents, Data and Analysis

New Educational Element

(03.25.08)

GOAL 11-1: EDUCATIONAL ELEMENT. DEVELOP, OPERATE, AND MAINTAIN A SYSTEM OF PUBLIC EDUCATION BY MIAMI-DADE COUNTY PUBLIC SCHOOLS, IN COOPERATION WITH THE CITY AND OTHER APPROPRIATE GOVERNMENTAL AGENCIES, WHICH WILL STRIVE TO IMPROVE THE QUALITY AND QUANTITY OF PUBLIC EDUCATIONAL FACILITIES AVAILABLE TO THE CITIZENS OF THE CITY OF CORAL GABLES AND MIAMI-DADE COUNTY, FLORIDA.

OBJECTIVE 11-1.1: Promote towards the reduction of the overcrowding which currently exists in the Miami-Dade County Public Schools, while striving to attain an optimum level of service pursuant to **OBJECTIVE 11-1.2.** Provide additional solutions to overcrowding so that public school enrollment in the City of Coral Gables will meet state requirements for class size by September 1, 2010.

POLICY 11-1.1.1. Coordinate with Miami-Dade County Public Schools in their efforts to continue to provide new student stations through the Capital Outlay program, in so far as funding is available.

POLICY 11-1.1.2. Collect impact fees from new development for transfer to Miami-Dade County Public Schools to offset the impacts of these additional students on the capital facilities of the school system.

POLICY 11-1.1.3. Coordinate with Miami-Dade County Public Schools in their efforts to develop and implement alternative educational facilities, such as primary learning centers, which can be constructed on small parcels of land and relieve overcrowding at elementary schools, in so far as funding and rules permit.

POLICY 11-1.1.4. Coordinate with Miami-Dade County Public Schools in their efforts to provide public school facilities to the students of Miami-Dade County, which operate at optimum capacity, in so far as funding available. Operational alternatives may be developed and implemented, where appropriate, which mitigate the impacts of overcrowding while maintaining the instructional integrity of the educational program.

POLICY 11-1.1.5. Coordinate with Miami-Dade County Public Schools in their efforts to maintain and/or improve the established level of service (LOS), for Public Educational Facilities, as established for the purposes of school concurrency.

POLICY 11-1.1.6. Miami-Dade County Public Schools' comments shall be sought and considered on residential comprehensive plan and zoning amendments which could impact the school district, to be consistent with the terms of the state mandated Interlocal Agreement pursuant to Sections 1013.33 and 163.31777, Florida Statutes.

POLICY 11-1.1.7. Capital improvement programming by Miami-Dade Public Schools shall be based on future enrollment projections and demographic shifts and targeted to enhance the effectiveness of the learning environment. The future enrollment projections shall utilize student population projections based on information produced by the demographic, revenue, and education estimating conferences pursuant to Section 216.136, Florida Statutes, where available, as modified by Miami-Dade County Public Schools based on development data and agreement with the local governments, the State Office of Educational Facilities and the State SMART Schools Clearinghouse.

Miami-Dade County Public Schools may request adjustment to the estimating conferences'

projections to reflect actual enrollment and development trends. In formulating such a request, Miami-Dade County Public Schools shall coordinate with the Cities and County regarding development trends and future population projections.

POLICY 11-1.1.8. Coordinate with Miami-Dade County Public Schools and applicable local governments through the Staff Working Group of the Interlocal Agreement to review annually necessary revisions to the Educational Element and school enrollment projections.

OBJECTIVE 11-1.2 Coordinate new residential development with the future availability of public school facilities consistent with the adopted level of service standards for public school concurrency, to ensure the inclusion of those projects necessary to address existing deficiencies in the 5-year schedule of capital improvements, and meet future needs based upon achieving and maintaining the adopted level of service standards throughout the planning period.

POLICY 11-1.2.1. Beginning January 1, 2008, the adopted level of service (LOS) standard for all public school facilities within and served by the City of Coral Gables is 100% utilization of Florida Inventory of School Houses (FISH) Capacity (With Relocatable Classrooms). This LOS standard, except for magnet schools, shall be applicable in each public school concurrency service area (CSA), defined as the public school attendance boundary established by Miami-Dade County Public Schools.

The adopted LOS standard for Magnet Schools is 100% of FISH (With Relocatable Classrooms), which shall be calculated on a districtwide basis.

POLICY 11-1.2.2. Although not the established LOS standard, it is the goal of Miami-Dade County Public Schools and the City for all public school facilities to achieve 100% utilization of Permanent FISH (No Relocatable Classrooms) capacity by January 1, 2018. To help achieve the desired 100% utilization of Permanent FISH by 2018, Miami-Dade County Public Schools should continue to decrease the number of relocatable classrooms over time. Public school facilities that achieve 100% utilization of Permanent FISH capacity should, to the extent possible, no longer utilize relocatable classrooms, except as an operational solution to achieve the level of service standard during replacement, remodeling, renovation or expansion of a public school facility. However, the LOS standard for concurrency purposes remains as established in Policy 11-1.2.1.

By December 2010, the City in coordination with Miami-Dade County Public Schools will assess the viability of modifying the adopted LOS standard to 100% utilization of Permanent FISH (no relocatable classrooms) for all Concurrency Service Areas (CSAs).

POLICY 11-1.2.3. In the event the adopted LOS standard of a CSA cannot be met as a result of a proposed development's impact, the development may proceed, provided at least one of the following options is satisfied:

- a) The development's impact can be shifted to one or more contiguous CSAs that have available capacity and is located, either in whole or in part, within the same Miami-Dade County Public Schools designated geographic areas (Northwest, Northeast, Southwest, or Southeast) as the proposed development; or,
- b) The development's impact is mitigated, proportionate to the demand for public schools it created, pursuant to a Proportionate Share Mitigation Agreement through a combination of one or more appropriate proportionate share mitigation options, as defined in Section 163.3180 (13)(e)1, Florida Statutes, as amended. The intent of these options is to provide for the mitigation of residential development impacts on public school facilities, guaranteed by a legal binding agreement, through mechanisms that include, one or more of the following: (1) contribution of land; (2) the construction, expansion, or payment for land acquisition or construction of a permanent public school facility; or (3) the creation of a mitigation bank based on the construction of a permanent public school facility in

exchange for the right to sell capacity credits. The Proportionate Share Mitigation Agreement is subject to approval by Miami-Dade County Public Schools and the City of Coral Gables City Commission and must be identified in the Miami-Dade County Public Schools Facilities Work Program; or,

- c) The development's impacts are phased to occur when sufficient capacity will be available.

If none of the above conditions is met, the development shall not be approved.

POLICY 11-1.2.4. Concurrency Service Areas (CSAs) shall be delineated to: 1) maximize capacity utilization of the facility; 2) limit maximum travel times and reduce transportation costs; 3) acknowledge the effect of court-approved desegregation plans; 4) achieve socio-economic, racial, cultural and diversity objectives; and 5) achieve other relevant objectives as determined by Miami-Dade County Public Schools' policy on maximization of capacity. Periodic adjustments to the boundary or area of a CSA may be made by Miami-Dade County Public Schools to achieve the above stated factors. Other potential amendments to the CSAs shall be considered annually at the Staff Working Group meeting to take place each year no later than April 30 or October 31, consistent with Section 9 of the Interlocal Agreement for Public School Facility Planning.

POLICY 11-1.2.5. Ensure, via the implementation of the concurrency management system and Miami-Dade County Public School Facilities Work Program for educational facilities, that existing deficiencies are addressed and the capacity of schools is sufficient to support residential development at the adopted level of service (LOS) standards throughout the planning period in the 5-year schedule of capital improvements.

POLICY 11-1.2.6. Miami-Dade County Public Schools will provide the City with a copy of its Facilities Work Program annually, pursuant to the timeframes established in the Interlocal Agreement.

POLICY 11-1.2.7. The Miami-Dade County Public Schools Facilities Work Program will be evaluated on an annual basis to ensure that the level of service standards will continue to be achieved and maintained throughout the planning period.

POLICY 11-1.2.7. Pursuant to Chapter 163, Florida Statutes, the Miami-Dade County Public Schools 5-Year District Facilities Work Program, developed by Miami-Dade Public Schools and adopted by the Miami-Dade County School Board on September 5 2007, is incorporated by reference into the City's Capital Improvement Plan, as applicable.

The City of Coral Gables shall coordinate with Miami-Dade County Public Schools to annually update its Facilities Work Program and/or concurrency service area maps to include existing and anticipated facilities for both the 5-year and long-term planning periods, and to ensure that the adopted level of service standard will continue to be achieved and maintained. The City of Coral Gables, through its annual updates of the 5-year Capital Improvements Element and Program, will incorporate by reference the latest adopted Miami-Dade County Public Schools Facilities Work Program for educational facilities. The City of Coral Gables, Miami-Dade County Public Schools, and other local governments will coordinate their planning efforts prior to and during the City's Comprehensive Land Use Plan amendment process, and during updates to the Miami-Dade County Public Schools Facilities Work Program.

The Miami-Dade County Public Schools Facilities Work Program will be evaluated on an annual basis to ensure that the level of service standards will continue to be achieved and maintained throughout the planning period.

OBJECTIVE 11-1.3. Obtain suitable sites for the development and expansion of public education facilities.

POLICY 11-1.3.1. Where possible, Miami-Dade County Public Schools should seek sites for future educational facility development which are adjacent to existing or planned public recreation areas, community centers, libraries, or other compatible civic uses for the purpose of encouraging joint use facilities or the creation of logical focal points for community activity.

POLICY 11-1.3.2. When selecting a site, Miami-Dade County Public Schools will consider if the site meets the minimum size criteria as recommended by the State Department of Education or as determined to be necessary for an effective educational environment.

POLICY 11-1.3.3. When considering a site for possible use as an educational facility, Miami-Dade County Public Schools will review the adequacy and proximity of other public facilities and services necessary to the site such as roadway access, transportation, fire flow and portable water, sanitary sewers, drainage, solid waste, police and fire services, and means by which to assure safe access to schools, including sidewalks, bicycle paths, turn lanes, and signalization.

POLICY 11-1.3.4. When considering a site for possible use as an educational facility Miami Dade County Public Schools will consider whether the present and projected surrounding land uses are compatible with the operation of an educational facility.

POLICY 11-1.3.5. Coordinate with Miami-Dade County Public Schools in the potential use of appropriate public schools as emergency shelters as necessary during emergencies.

POLICY 11-1.3.6. In furtherance of Objective 11-1.3 and its associated policies, the City shall encourage Miami-Dade County Public Schools to submit proposed site plans for public school facilities in the City of Coral Gables to the City for its review and **approval comment**.

POLICY 11-1.3.7. Maps indicating the current and future public school and ancillary facility locations over the planning period (2008 through 2013) shall be included and updated as needed in the CLUP data and analysis.

OBJECTIVE 11-1.4. Coordinate with Miami-Dade County Public Schools towards **avoiding**, minimizing and mitigating adverse impacts of public school facilities on the surrounding communities, particularly as it relates to traffic, infrastructure, landscaping, operational activities, security, **historical resources**, and aesthetics.

POLICY 11-1.4.1. Coordinate with Miami-Dade County Public Schools and other adjoining jurisdictions and agencies in the development of policies and procedures that address the adverse impacts of existing and new public school facilities on the surrounding communities.

POLICY 11-1.4.2. Miami-Dade County Public Schools **shall be encouraged to** develop and operate all of its public school facilities within the framework of the City's established land use regulations, processes, and procedures.

POLICY 11-1.4.3. In furtherance of Objective 11-1.4 and its associated policies, the City shall encourage Miami-Dade County Public Schools to submit proposed site plans for public school facilities in the City of Coral Gables to the City for its review and **approval comment**.

OBJECTIVE 11-1.5. Miami-Dade County Public Schools, in conjunction with the City and other appropriate agencies, will strive to improve security and safety for students and staff.

POLICY 11-1.5.1. Coordinate with Miami-Dade County Public Schools to develop and/or implement programs and policies designed to reduce the incidence of violence, weapons and vandalism on school campuses. Encourage the design of facilities, which do not encourage criminal

behavior and provide clear sight lines from the street.

POLICY 11-1.5.2. Coordinate with Miami-Dade County Public Schools to develop and/or implement programs and policies designed to reduce the number of incidents related to hazardous conditions as reported by the Environmental Protection Agency (EPA), the fire marshal, the State Department of Education (DOE), and other appropriate sources.

POLICY 11-1.5.3. Coordinate with Miami-Dade County Public Schools to provide for the availability of alternative programs for at-risk students at appropriate public educational facilities.

POLICY 11-1.5.4. Coordinate with Miami-Dade County Public Schools and other appropriate agencies to provide for pedestrian and traffic safety in the area of schools, and signalization for educational facilities.

POLICY 11-1.5.5. Coordinate with Miami-Dade County Public Schools' Division of School Police and other law enforcement agencies, where appropriate, to improve and provide for a secure learning environment in the public schools and their vicinity.

OBJECTIVE 11-1.6. Develop programs and opportunities to bring the schools and community closer together.

POLICY 11-1.6.1. Coordinate with Miami-Dade County Public Schools in their efforts to provide "full service" schools, parent resource centers, adult and community schools and programs as appropriate.

POLICY 11-1.6.2. Coordinate with Miami-Dade County Public Schools in their efforts to continue to provide opportunities for community and business leaders to serve on committees and task forces, which relate to the development of improved provision of public educational facilities.

POLICY 11-1.6.3. Coordinate with Miami-Dade County Public Schools to continue to work with the development industry to encourage partnerships in the provision of sites and educational facilities including early childhood centers.

POLICY 11-1.6.4. Coordinate with Miami-Dade County Public Schools through agreement with appropriate agencies to increase medical, psychological, and social services for children and their families as appropriate.

OBJECTIVE 11-1.7. Miami-Dade County Public Schools will continue to enhance effectiveness of the learning environment.

POLICY 11-1.7.1. Miami-Dade County Public Schools is encouraged to continue the design and construction of educational facilities which create the perception of feeling welcome, secure and positive about the students' school environment and experiences.

POLICY 11-1.7.2. Miami-Dade County Public Schools is encouraged to continue to design and construct facilities which better provide student access to technology designed to improve learning, such as updated media centers and science laboratories.

POLICY 11-1.7.3. Miami-Dade County Public Schools is encouraged to continue to improve existing educational facilities, in so far as funding is available, through renovation and expansion to better accommodate increasing enrollment, new educational programs and other activities, both curricular and extra-curricular.

OBJECTIVE 11-1.8. Miami-Dade County Public Schools, the City, and other appropriate jurisdictions shall establish and implement mechanism(s) for on-going coordination and communication, to ensure the adequate provision, compatibility, and quality of public educational facilities.

POLICY 11-1.8.1. Coordinate with Miami-Dade County Public Schools, the State, and other appropriate jurisdictions and agencies to develop or modify rules and regulations in order to simplify and expedite proposed new educational facility developments and renovations.

POLICY 11-1.8.2. The location of future educational facilities should occur where capacity of other public facilities and services is available to accommodate the infrastructure needs of the educational facility.

POLICY 11-1.8.3. Miami-Dade County Public Schools will coordinate school capital improvement plans with the planned capital improvement projects of the City and other jurisdictions and agencies.

POLICY 11-1.8.4. Coordinate with Miami-Dade County Public Schools in their efforts to ensure that they are not obligated to pay for off-site infrastructure in excess of their fair share of the costs.

POLICY 11-1.8.5. Miami-Dade County Public Schools shall periodically review the Educational Facilities Impact Fee Ordinance to strive to ensure that the full eligible capital costs associated with the development of public school capacity (new schools and expansion of existing ones) are identified when updating the impact fee structure. Pursuant to the terms of the state mandated Interlocal Agreement, Miami-Dade County Public Schools shall annually review the Ordinance, its formula, the Educational Facilities Impact Fee methodology and technical report, in order to make recommendations for revisions to the Miami-Dade County Board of County Commissioners.

POLICY 11-1.8.6. Coordinate with Miami-Dade County Public Schools in the annual review of the City's Educational Element, and make amendments as necessary, pursuant to Florida Statutes, the Interlocal Agreement, and other objectives and policies herein.

POLICY 11-1.8.7. Coordinate with Miami-Dade County Public Schools in formalizing criteria for appropriate sharing of responsibility for required off-site facility improvements attributable to construction of new public schools or expansion of existing ones. The criteria should be prepared prior to the next full review of the School Impact Fee Ordinance.

POLICY 11-1.8.8. Coordinate with Miami-Dade County Public Schools and other jurisdictions and agencies as appropriate to eliminate infrastructure deficiencies surrounding existing school sites.

POLICY 11-1.8.9. Coordinate with Miami-Dade County Public Schools to ensure the availability of adequate sites for the required educational facilities.

POLICY 11-1.8.10. Coordinate with Miami-Dade County Public Schools as to the appropriate roles and responsibilities of affected governmental jurisdictions in ensuring the timely, orderly and efficient provision of adequate educational facilities.

POLICY 11-1.8.11. Account for the infrastructure needs of new, planned or expanded educational facilities when formulating and implementing its own capital improvement plans.

OBJECTIVE 11-1.9. Monitor, evaluate, and implement public school-related provisions in the Educational Element, Intergovernmental Coordination Element, and Capital Improvements Element.

POLICY 11-1.9.1. Coordinate with Miami-Dade County Public Schools with reference to the monitoring, evaluation, and implementation of the Educational Element, Intergovernmental Coordination Element, and Capital Improvements Element, in accordance with Florida Statutes and the Interlocal Agreement.

OBJECTIVE 11-1.10. Include and adopt a countywide future conditions map series which depicts the planned general location of proposed educational facilities.

POLICY 11-1.10.1. The map series showing the general location of proposed, existing, and ancillary educational facilities in Miami-Dade County is hereby adopted as part of the supporting documents, data, and analysis associated with the adoption of this element.

Amendment to Intergovernmental Coordination Element

(03.25.08)

POLICY 8-1.1.8: COORDINATION OF PUBLIC SCHOOLS FACILITIES PLANNING. The City of Coral Gables and Miami-Dade County Public Schools shall follow the procedures established in the adopted "Amended and Restated Interlocal Agreement for Public Schools Facilities Planning in Miami-Dade County" and the Comprehensive Land Use Plan's Educational Element and Capital Improvements Element for coordination and collaborative planning and decision making of land uses, public school facilities siting, decision making on population projections, and the location and extension of public facilities subject to concurrency. The City shall execute the Interlocal Agreement with Miami-Dade County Public Schools, Miami-Dade County, and other nonexempt municipalities pursuant to Section 163.3177, Florida Statutes, and shall abide by all of its obligations as set forth in the adopted agreement, Florida Statutes, and the Comprehensive Land Use Plan's Educational Element, Intergovernmental Coordination Element, and Capital Improvements Element. Coordination of the Interlocal Agreement, and the City's obligations therein, shall be achieved via participation in the established Staff Working Group of the Interlocal Agreement.

POLICY 8-1.3.3: ACHIEVING LOS STANDARDS FOR PUBLIC SCHOOLS. The City of Coral Gables shall coordinate with Miami-Dade County Public Schools and other parties to the adopted Interlocal Agreement for Public Schools Facilities Planning to establish, promote, and achieve Level of Service Standards for public school facilities and any amendments affecting public school concurrency.

Amendment to Capital Improvements Element

(03.25.08)

POLICY 9-1.2.1 (H). PUBLIC SCHOOL FACILITIES LEVEL OF SERVICE (LOS): Coordinate new residential development with the future availability of public school facilities consistent with the adopted level of service (LOS) standards for public school concurrency to ensure the inclusion of those projects necessary to address existing deficiencies in the 5-year schedule of capital improvements, and meet future needs based upon achieving and maintaining the adopted level of service standards throughout the planning period. Beginning January 1, 2008, the adopted LOS standard for all Miami-Dade County Public Schools facilities is 100% utilization of Florida Inventory of School Houses (FISH) Capacity (with relocatable classrooms). This LOS standard, except for magnet schools, shall be applicable in each public school concurrency service area (CSA), defined as the public school attendance boundary established by Miami-Dade County Public Schools.

The adopted LOS standard for Magnet Schools is 100% of FISH (With Relocatable Classrooms), which shall be calculated on a districtwide basis.

LOS standards for public school facilities apply to those traditional educational facilities, owned and operated by Miami-Dade County Public Schools, that are required to serve the residential development within their established Concurrency Service Area. LOS standards do not apply to charter schools; however, the capacity of both charter and magnet schools is credited against the impact of development. No credit against the impact of development shall be given for either magnet or charter schools if their enrollment is at, or above, 100% FISH capacity.

Certification of the availability and commitment of capacity by Miami-Dade County Public Schools during the concurrency review process shall be sufficient to demonstrate that such facilities are available to meet the impacts of a residential development, **and shall be consistent with the availability standard in Section 163.3180(13)(e), Florida Statutes.**

POLICY 9-1.3.3 (8). Public school facility capacity improvements programmed in the first three years of the Miami-Dade County Public Schools Facilities Work Program shall be counted as available capacity for purposes of concurrency. The necessary public school facilities must be in place or under actual construction within three years after issuance of final site plan approval.

POLICY 9-1.3.6. PUBLIC SCHOOL FACILITY MITIGATION: The City in coordination with Miami-Dade County Public Schools shall include proportionate share mitigation methodologies and options for public school facilities in its concurrency management program and the Updated and Restated City of Coral Gables and Miami-Dade County School Board Interlocal Agreement for Public School Facility Planning, consistent with the requirements of Chapter 163, Florida Statutes. The intent of these options is to provide for the mitigation of residential development impacts on public school facilities through Public School Mitigation Agreements that provide for one or more of the following: (1) contribution of land; (2) the construction, expansion, or payment for land acquisition or construction of a permanent public school facility; or (3) the creation of a mitigation bank for the right to sell capacity credits.

OBJECTIVE 9-2.2. PUBLIC SCHOOL FACILITIES WORK PROGRAM. Pursuant to Chapter 163, Florida Statutes, the Miami-Dade County Public Schools 5-Year District Facilities Work Program, **developed by Miami-Dade Public Schools and adopted by the Miami-Dade County School Board on adopted September 5 2007, is incorporated by reference into the City's Capital Improvement Plan, as applicable.**

The City of Coral Gables shall coordinate with Miami-Dade County Public Schools to annually update its Facilities Work Program to include existing and anticipated facilities for both the 5-year and long-term planning periods, and to ensure that the adopted level of service standard, including interim standards, will continue to be achieved and maintained. The City of Coral Gables, through its updates of the Capital Improvements Element and Program, will incorporate by reference the latest adopted Miami-Dade County Public Schools Facilities Work Program for educational facilities. The City of Coral Gables and Miami-Dade County Public Schools will coordinate their planning efforts prior to and during the City's Comprehensive Land Use Plan amendment process, and during updates to the Miami-Dade County Public Schools Facilities Work Program.

The Miami-Dade County Public Schools Facilities Work Program will be evaluated on an annual basis to ensure that the level of service standards will continue to be achieved and maintained throughout the planning period.

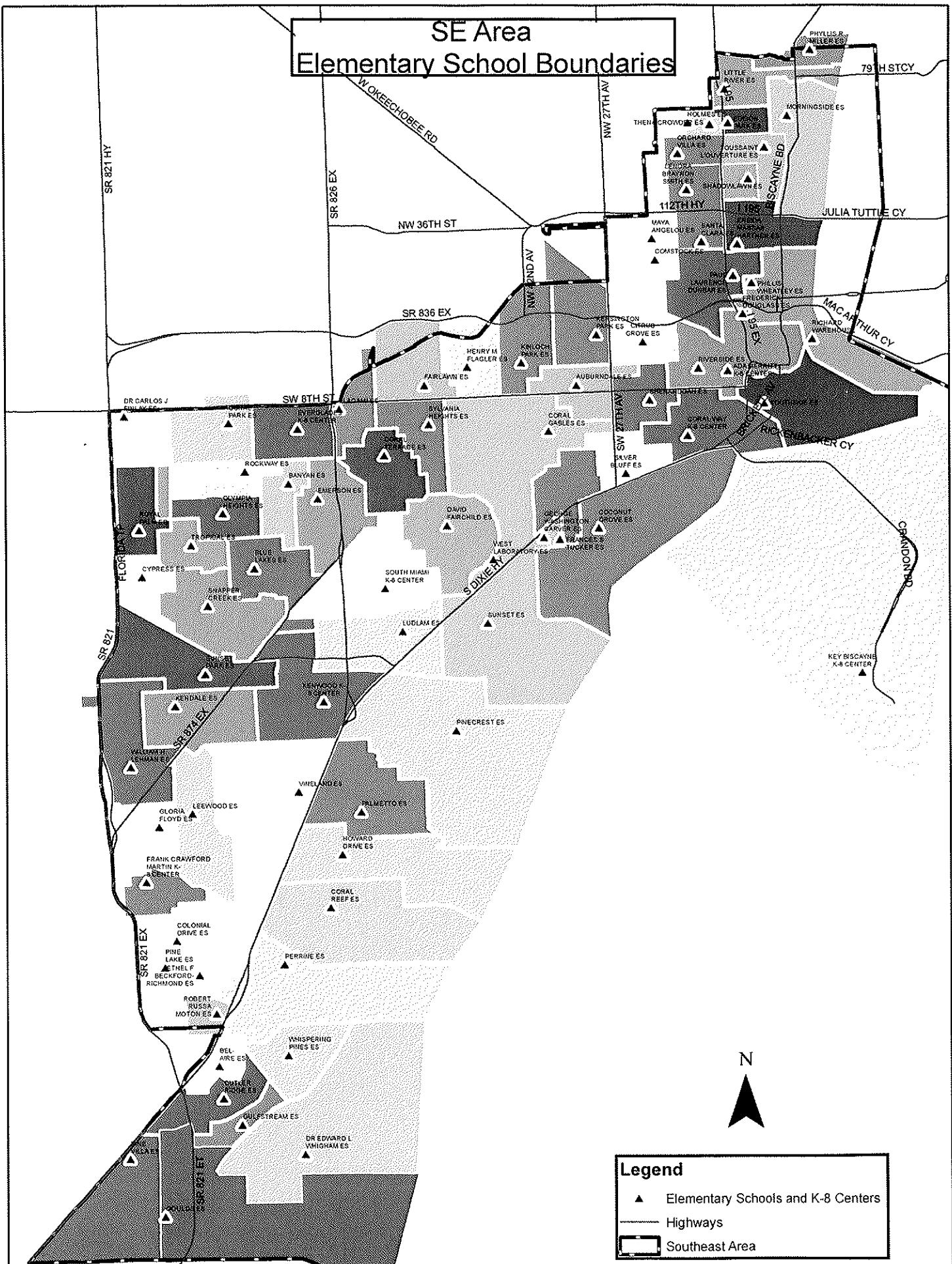
POLICY 9-2.2.1. The City of Coral Gables shall update its Capital Improvements Element and Program annually, to include the annual update of the Miami-Dade County Public Schools 5-Year District Facilities Work Plan.

Supporting Documents, Data and Analysis

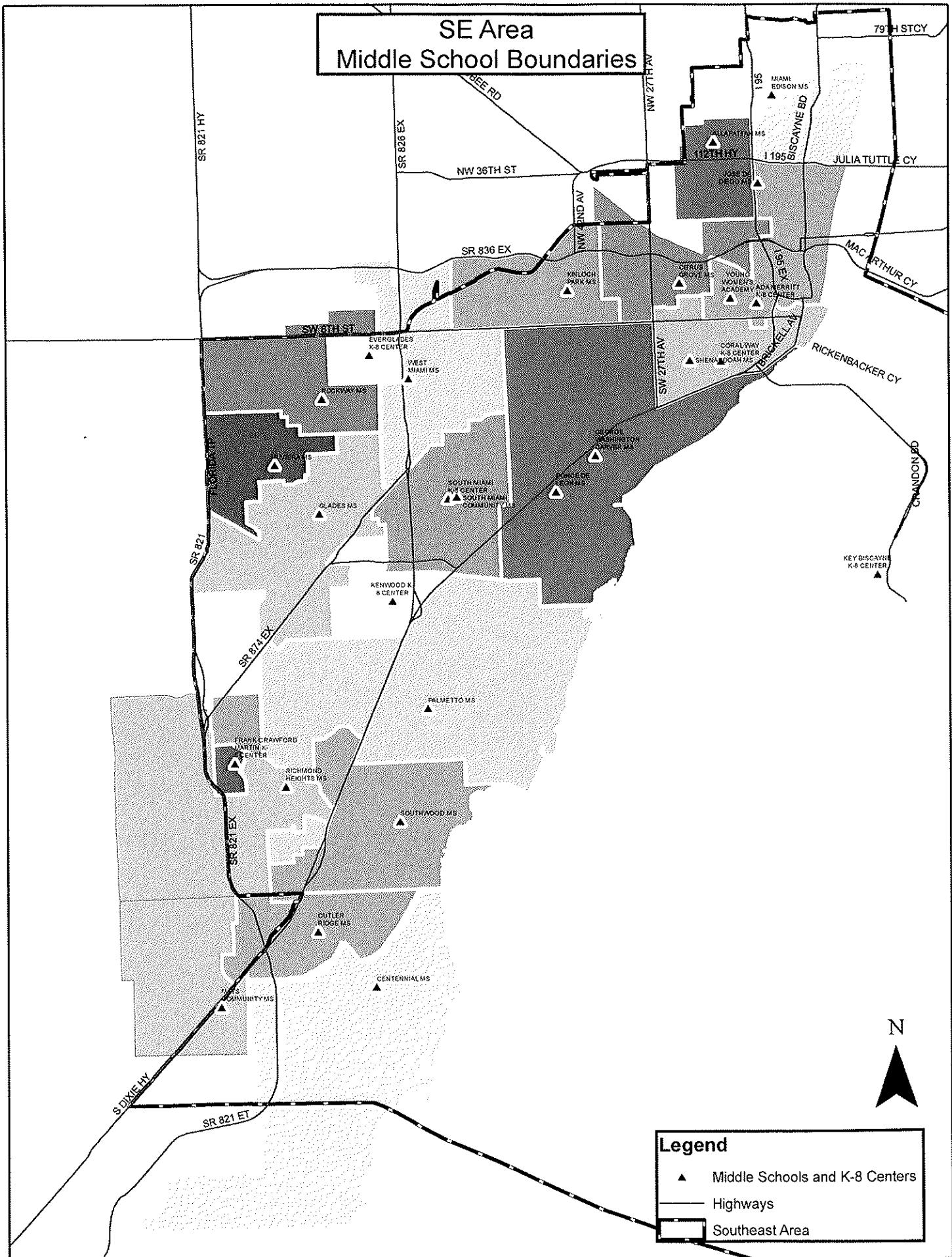
1. Maps: MDCPS School Boundaries
2. Maps: MDCPS Existing Educational Facilities
3. Maps: MDCPS Proposed, Existing, and Ancillary Educational Facilities
4. MDCPS % Utilization Report
5. MDCPS Projected LOS for Educational Facilities
6. Executed "Amended and Restated Interlocal Agreement for Public School Facility Planning in Miami-Dade County"

1. Maps: MDCPS School Boundaries

SE Area Elementary School Boundaries



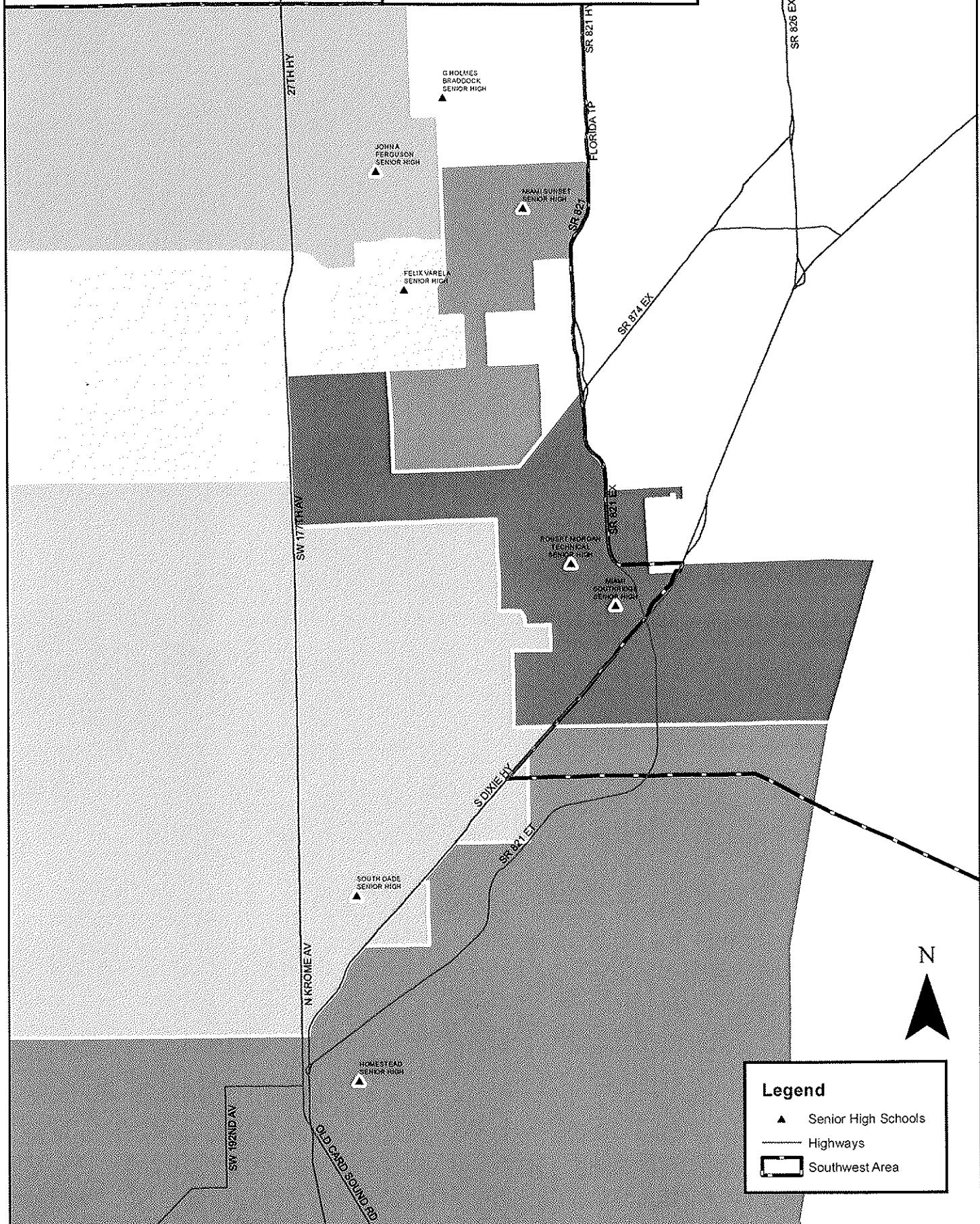
SE Area Middle School Boundaries



SW Area Middle School Boundaries



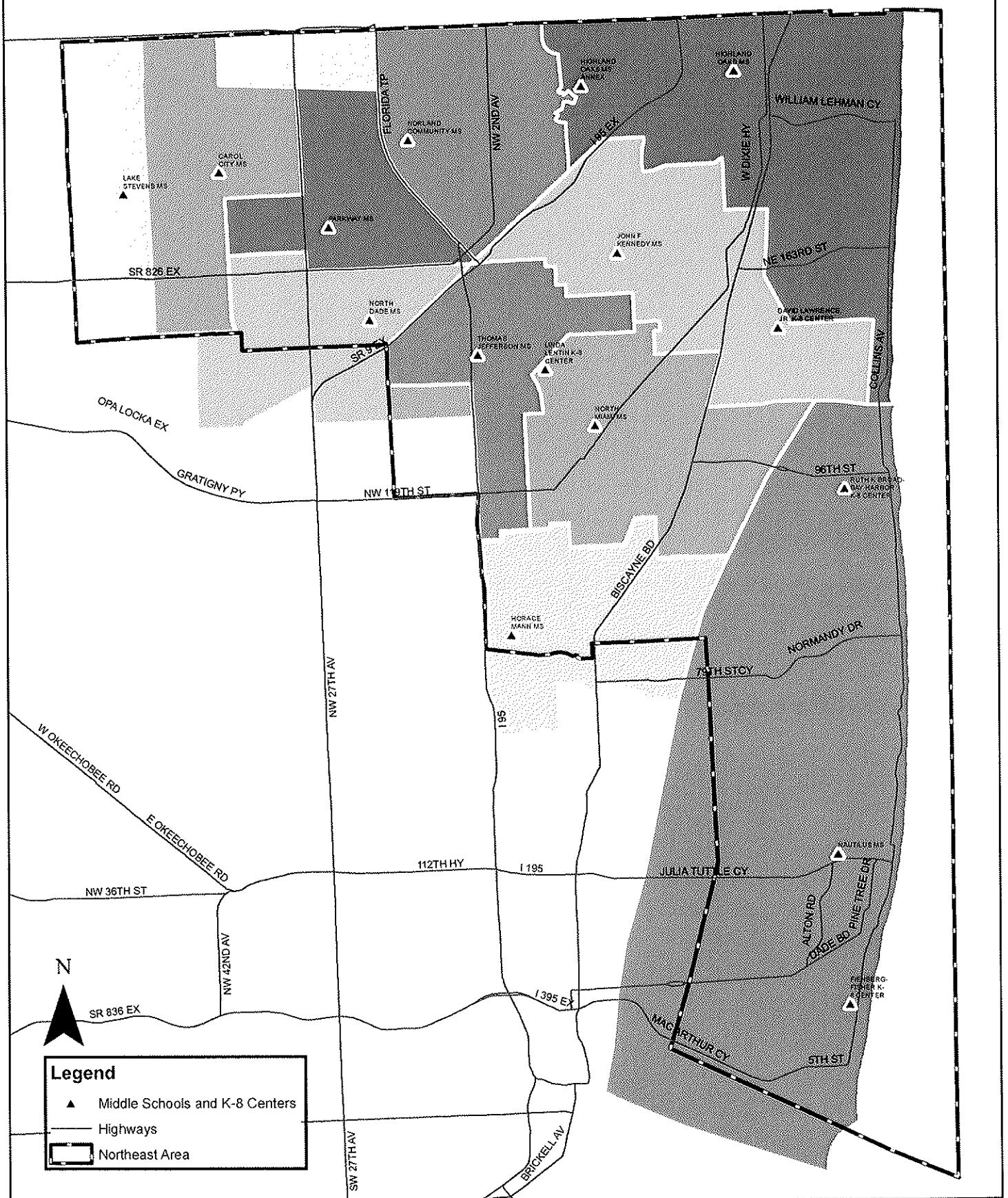
SW Area Senior School Boundaries



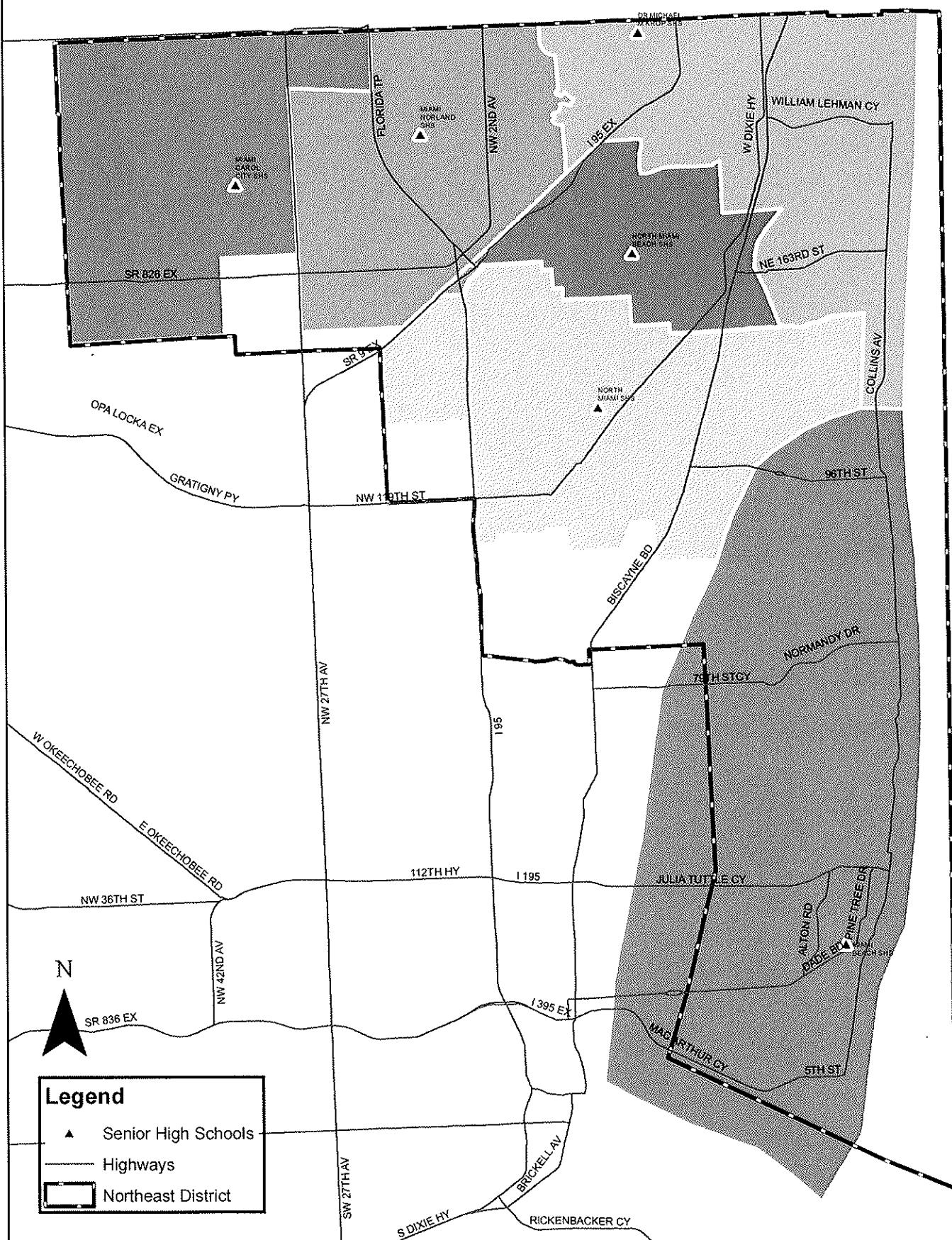
NE Area Elementary School Boundaries



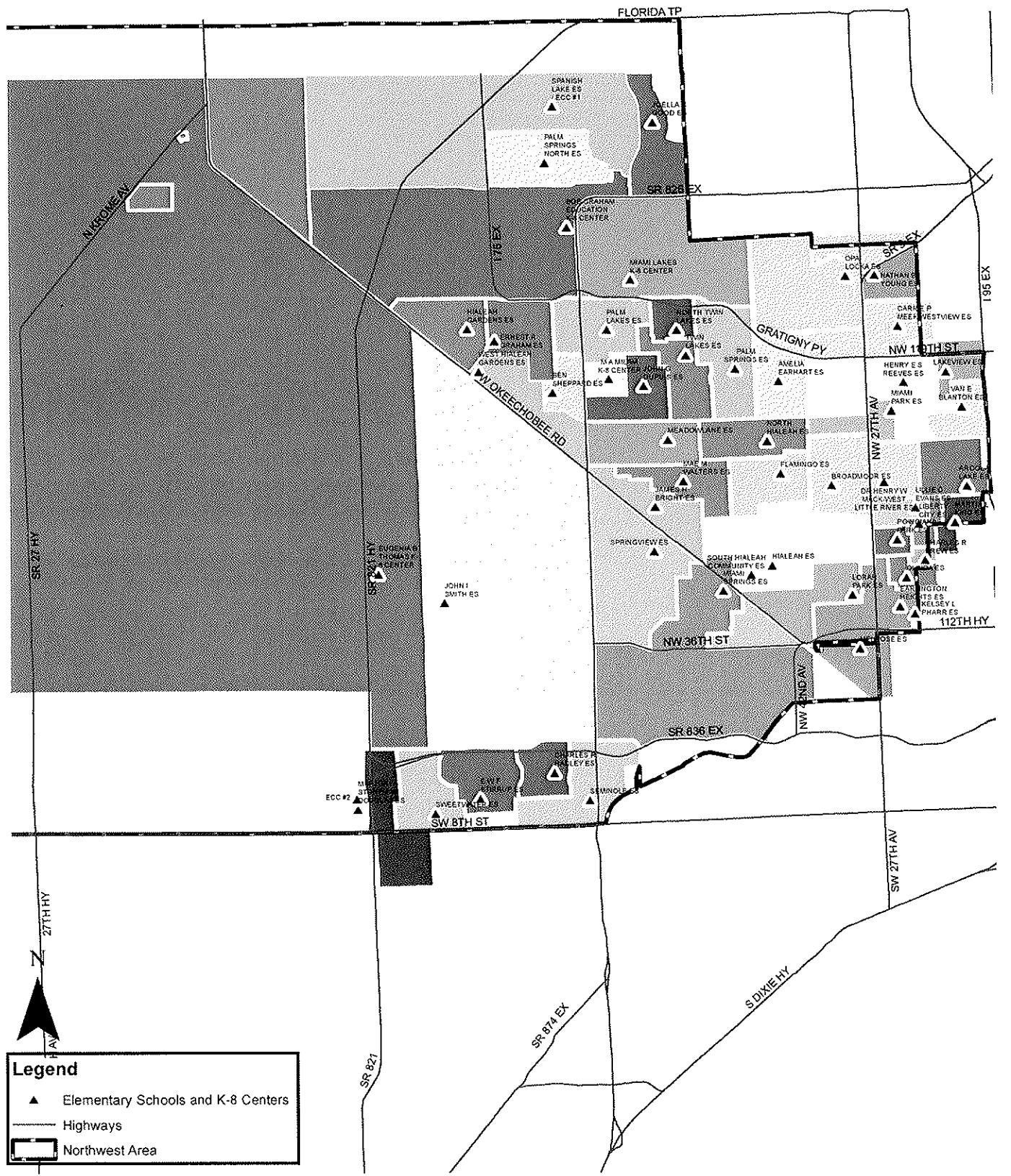
NE Area Middle School Boundaries



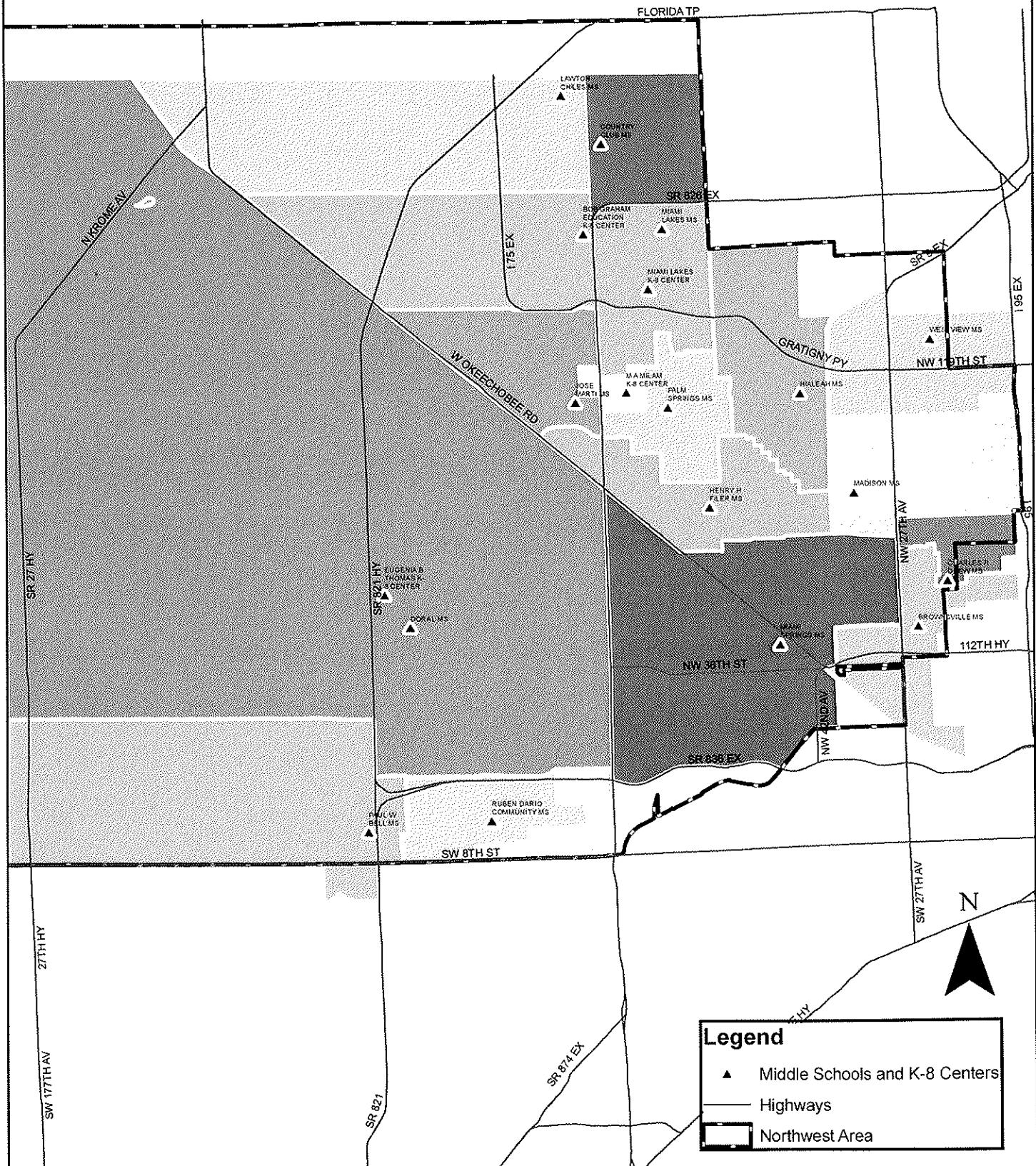
NE Area Senior School Boundaries



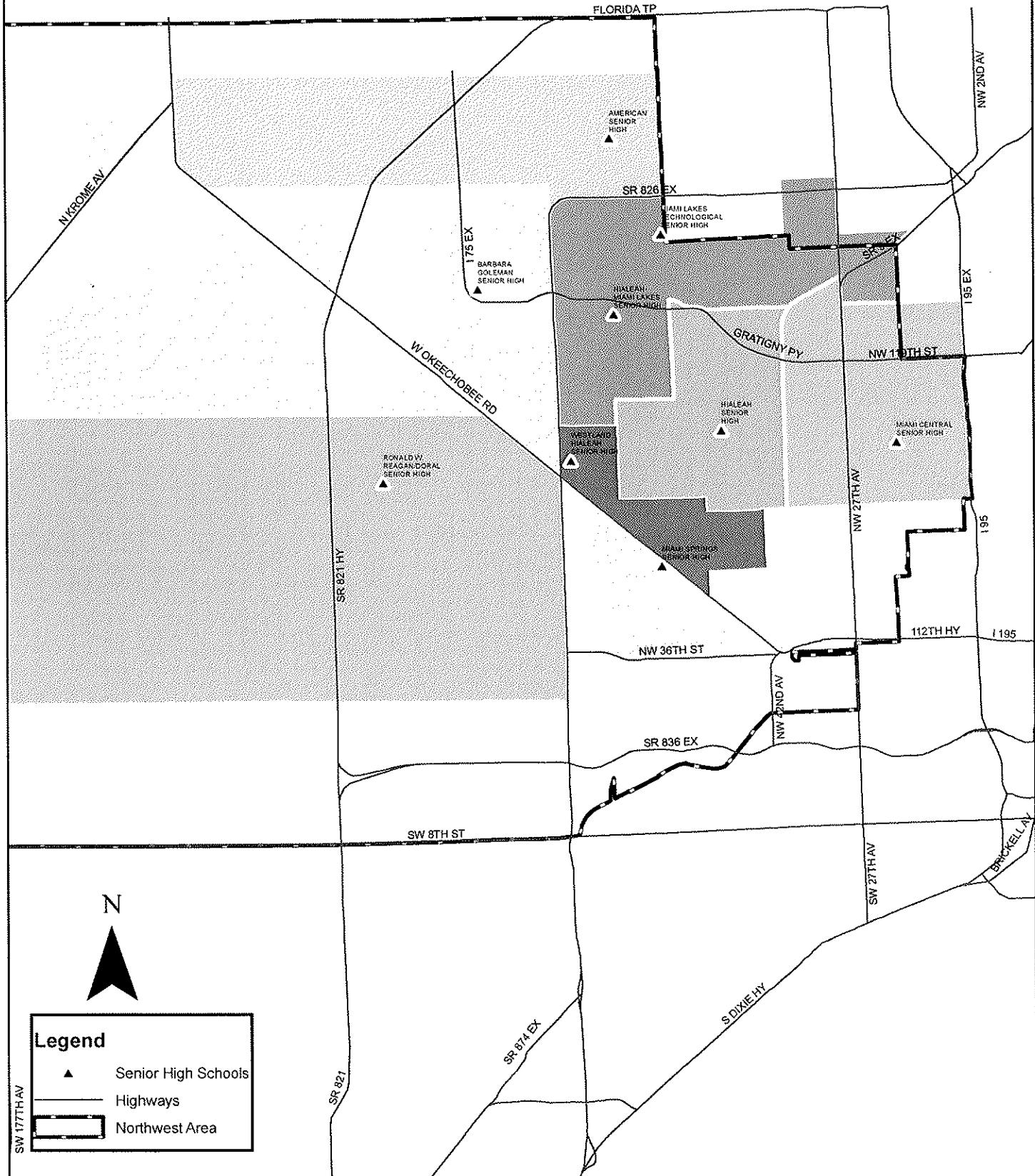
NW Area Elementary School Boundaries



NW Area Middle School Boundaries

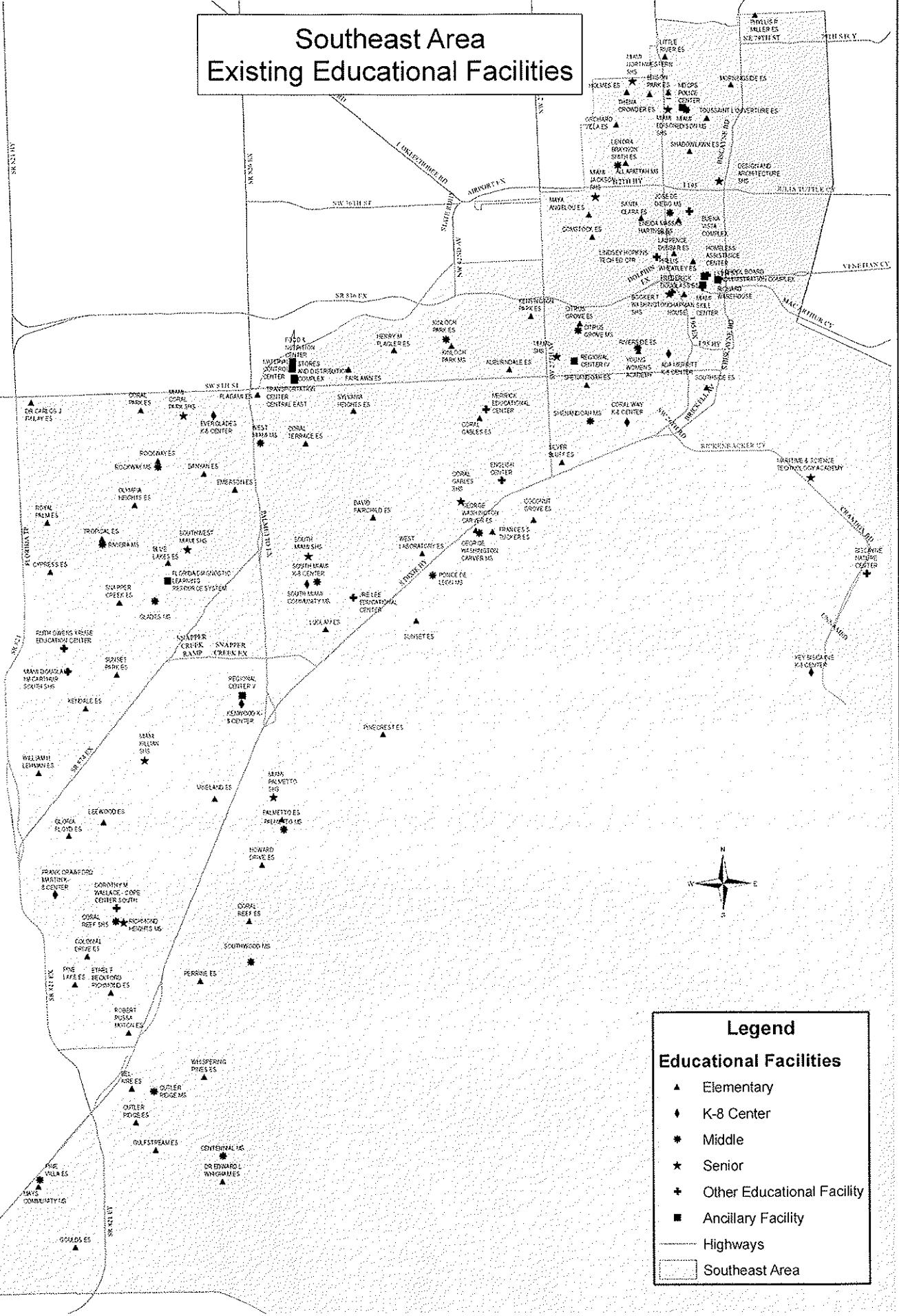


NW Area Senior School Boundaries



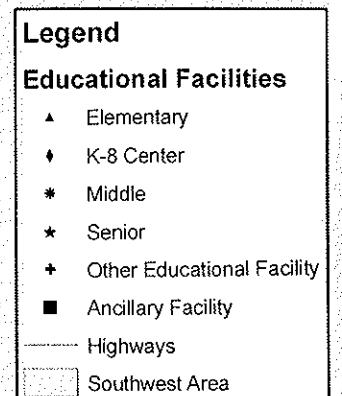
2. Maps: MDCPS Existing Educational Facilities

Southeast Area Existing Educational Facilities

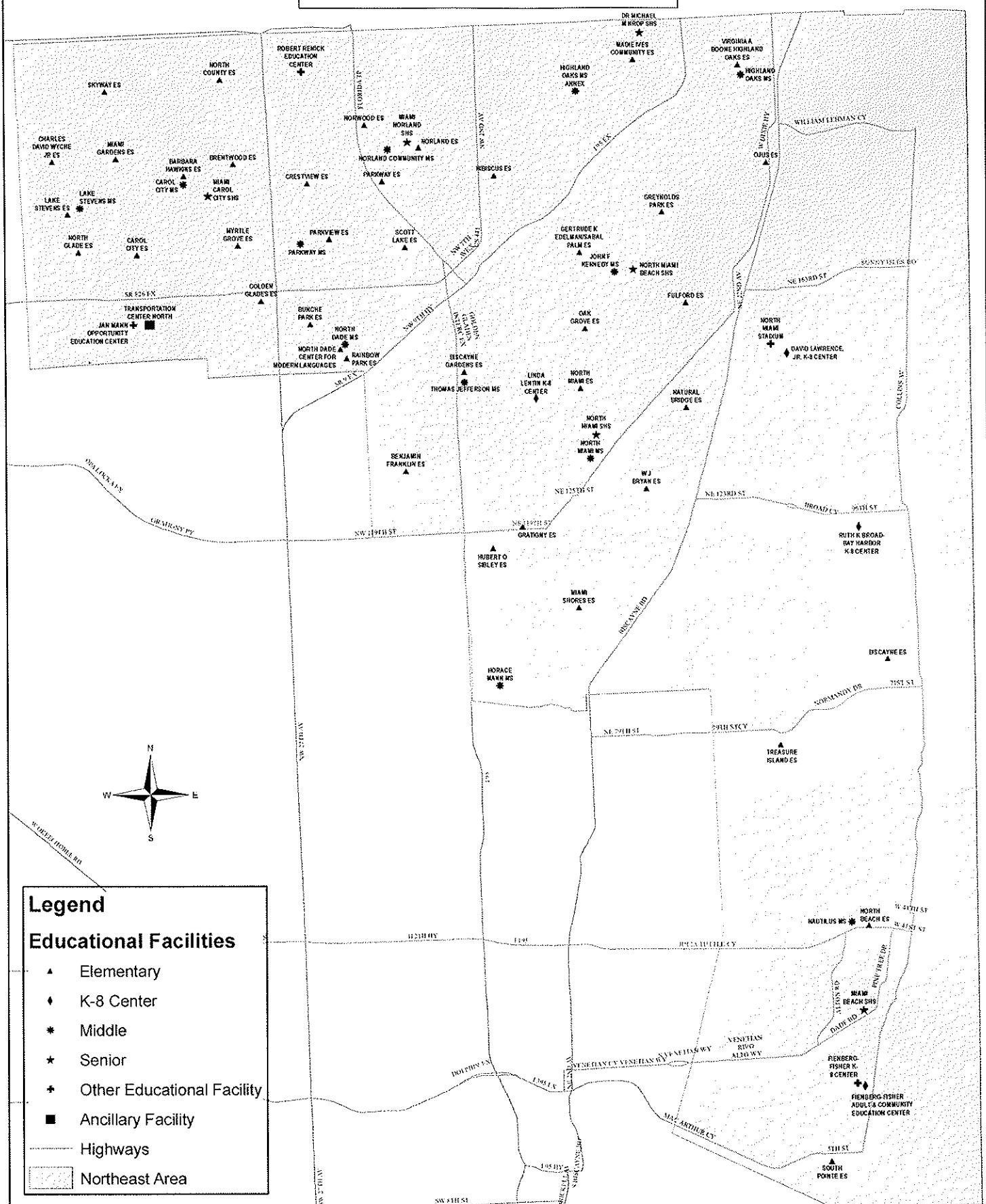


Southwest Area Existing Educational Facilities

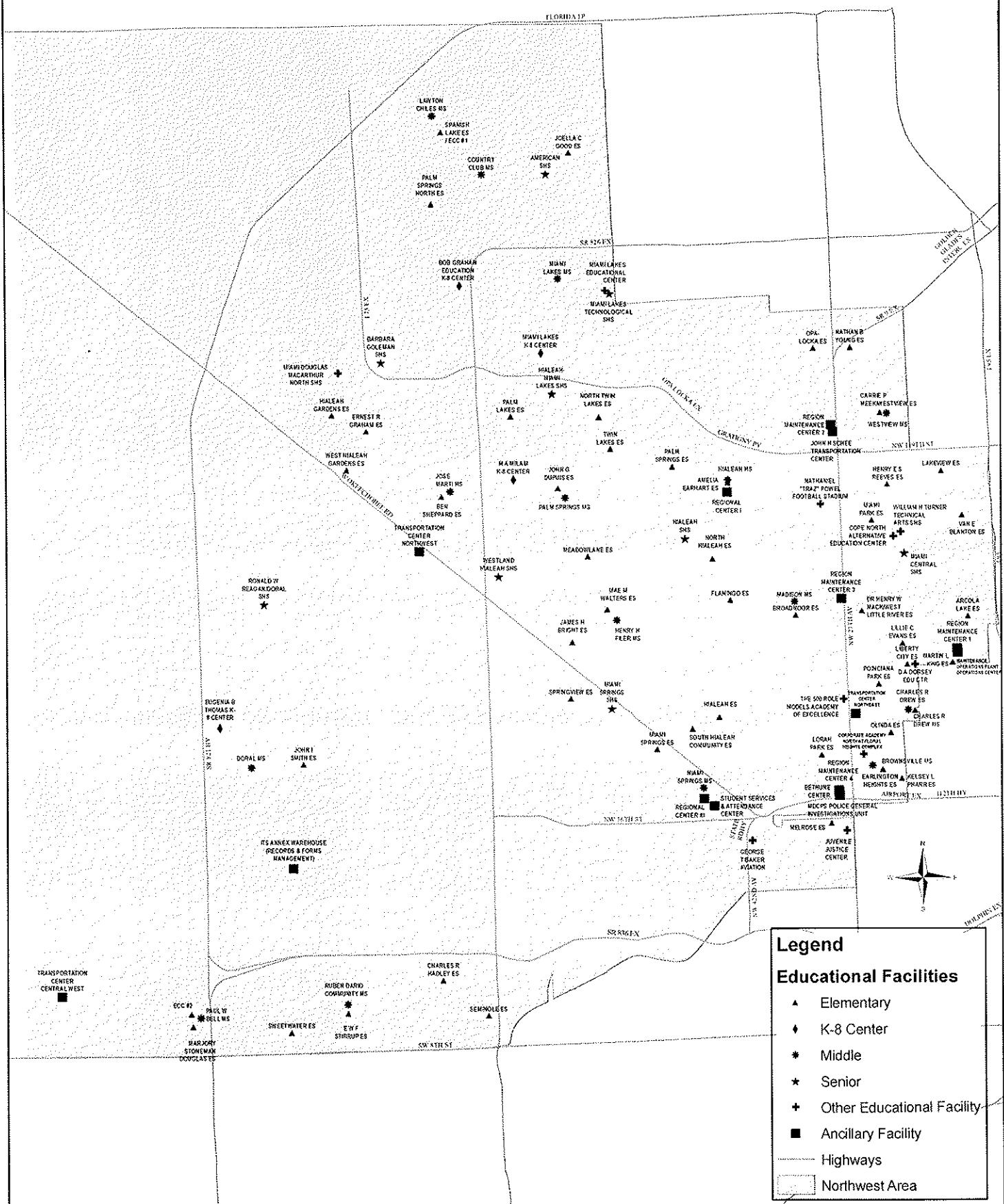
SWAGGERSTWPA



Northeast Area Existing Educational Facilities



Northwest Area Existing Educational Facilities



3. Maps: MDCPS Proposed, Existing,
and Ancillary Educational

Figure 1B - Proposed, Existing, and Ancillary Educational Facilities Located in the Southeast Area - 2012/2013

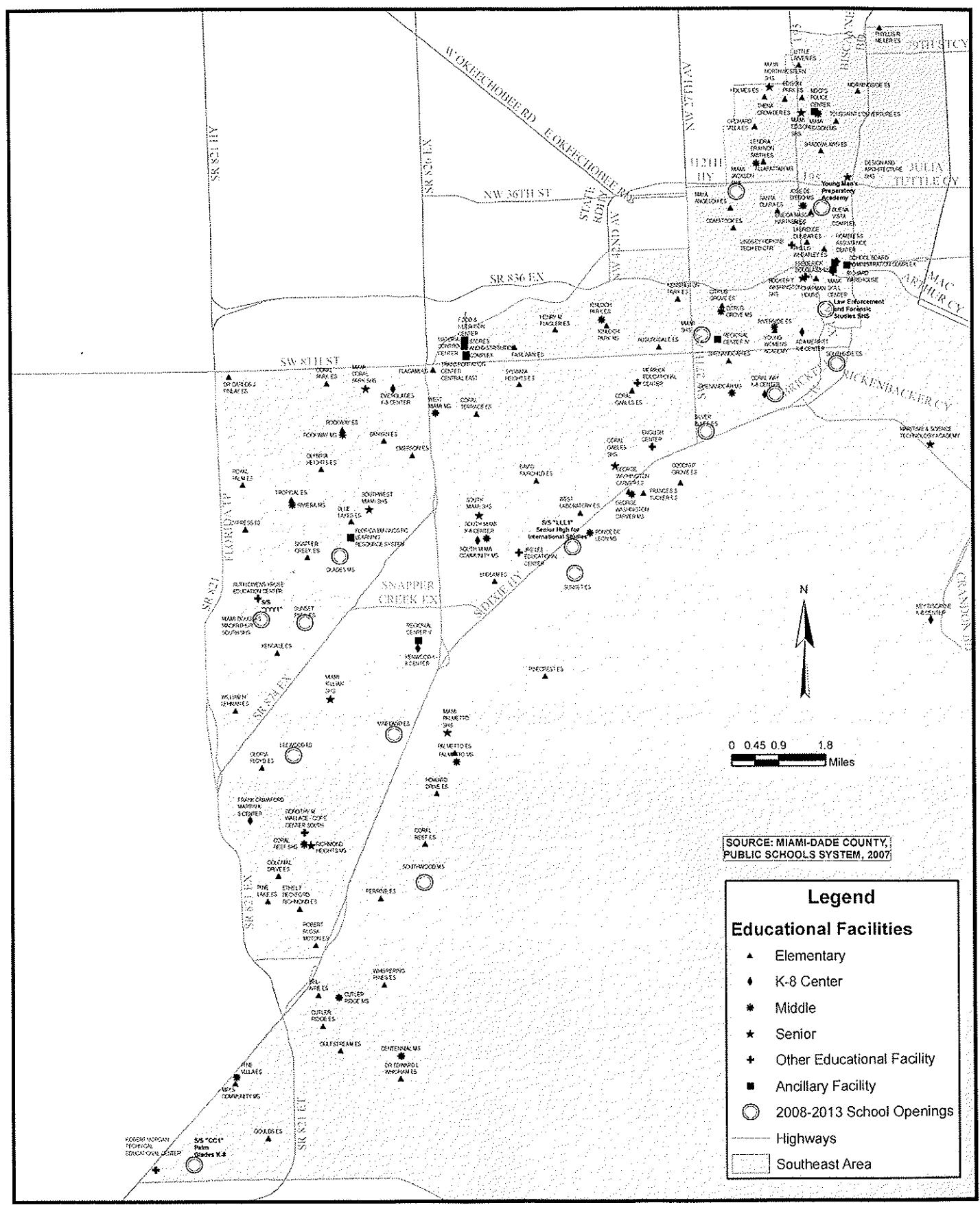


Figure 1B - Proposed, Existing, and Ancillary Educational Facilities Located in the Southwest Area - 2012/2013

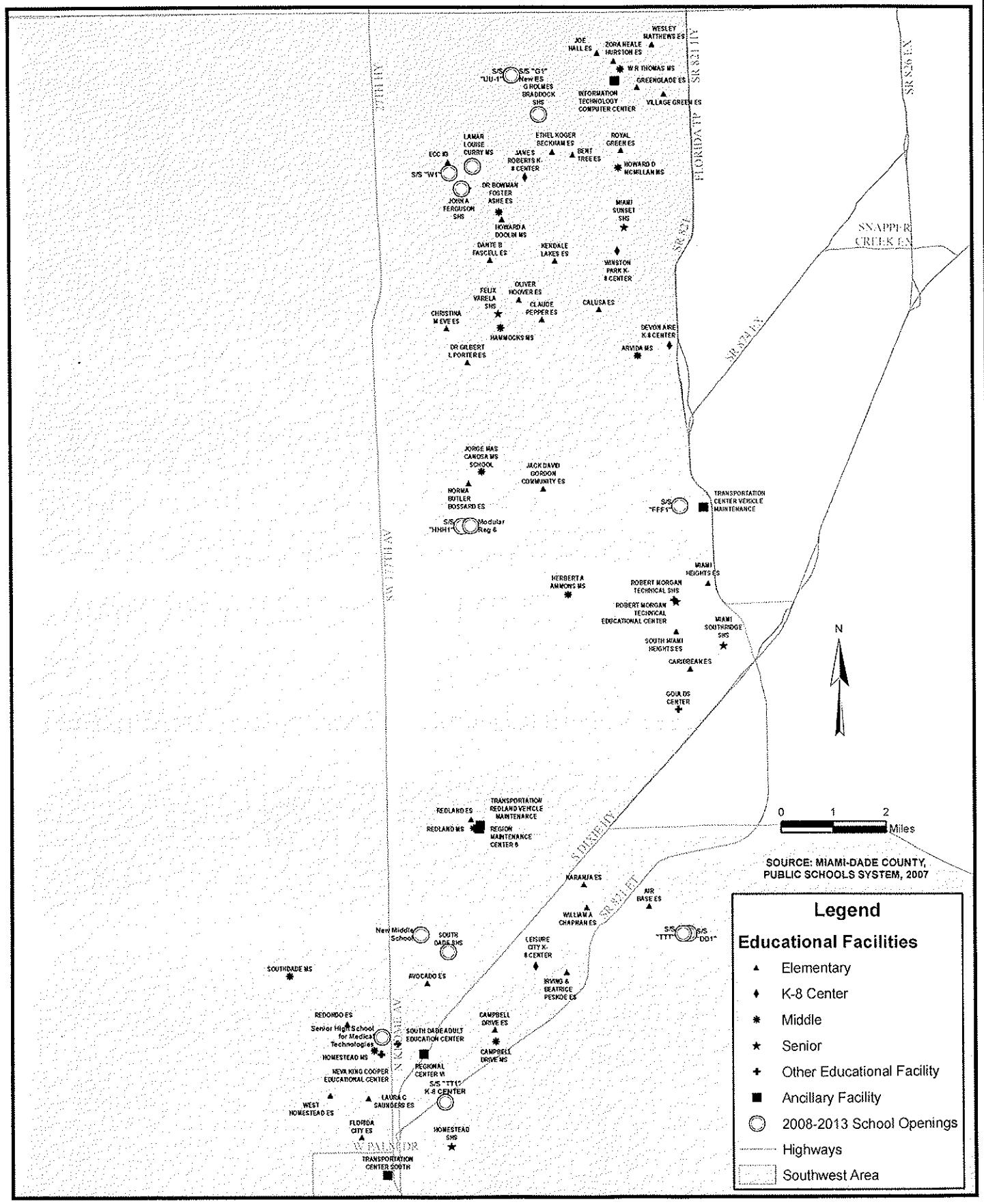


Figure 1B - Proposed, Existing, and Ancillary Educational Facilities Located in the Northeast Area - 2012/2013

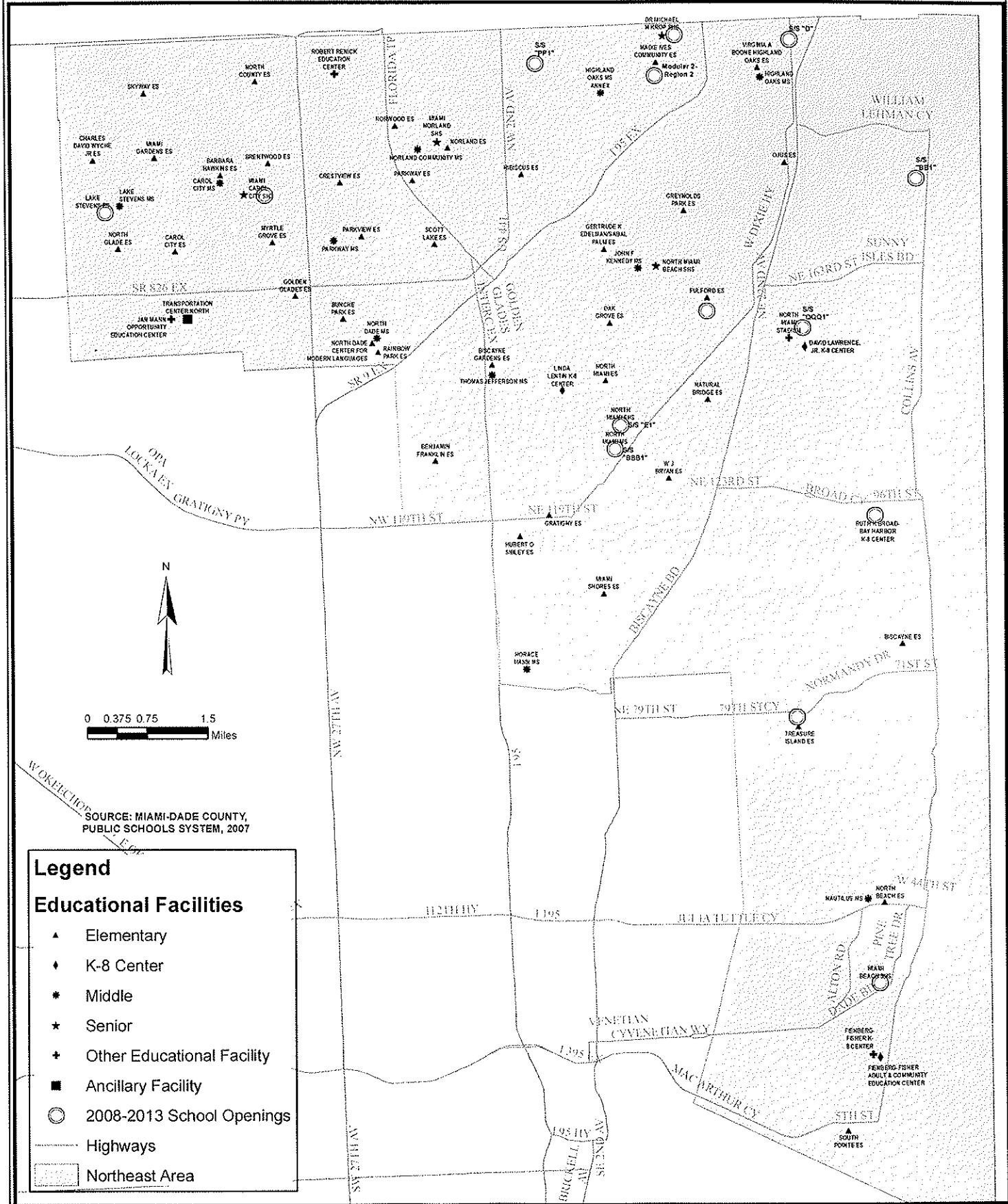
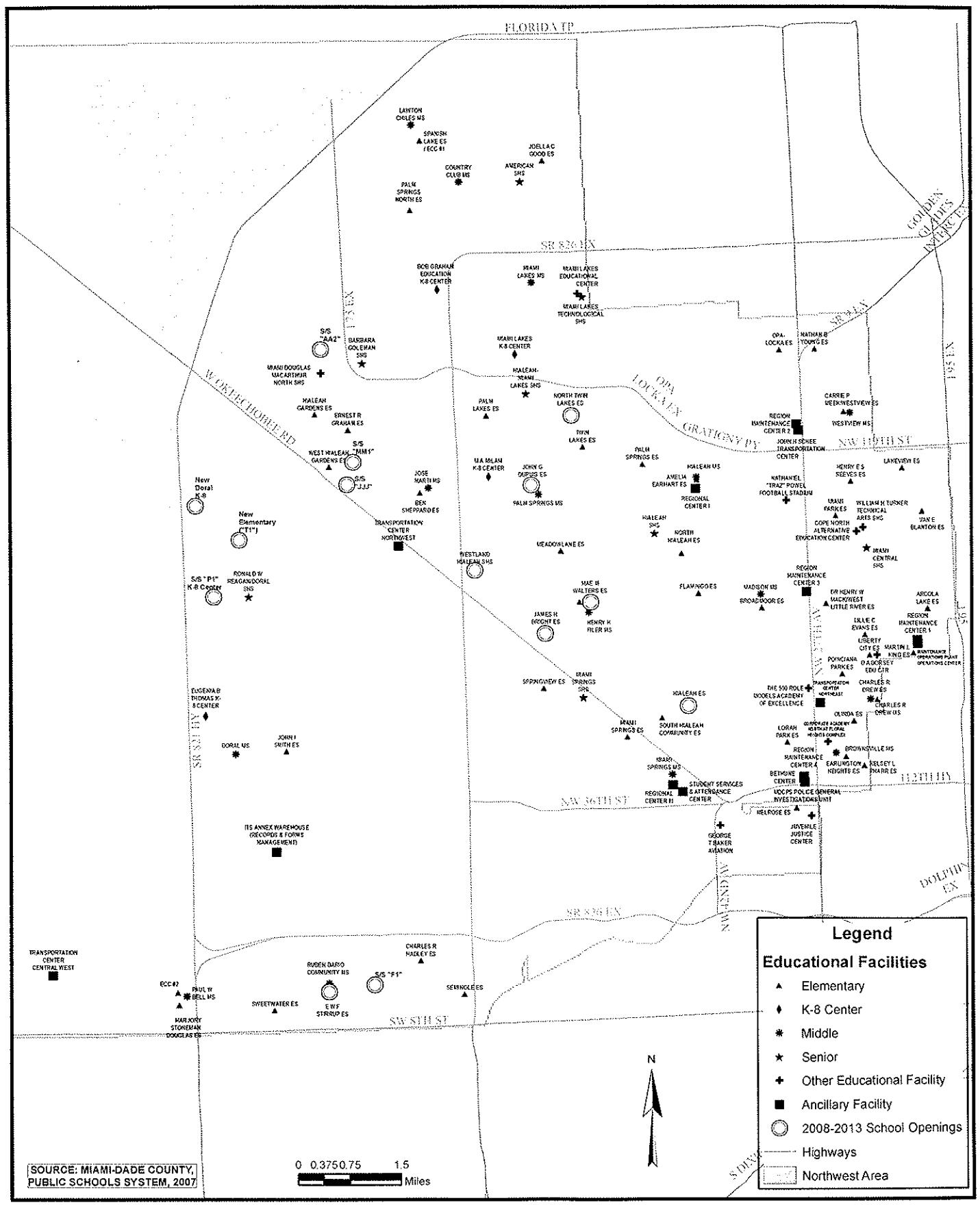


Figure 1B - Proposed, Existing, and Ancillary Educational Facilities Located in the Northwest Area - 2012/2013



4. MDCPS % Utilization Report

%UTILIZATION REPORT 2007

MDCPS	Reg	Facility Name	October FTE Membership	Perm Capacity	% Utilization Perm Only	Reloc Capacity	Total Capacity	% Utilization Total
0091	1	BOB GRAHAM EDUCATION K-8 CENTER	2022	1,402	144%	0	1,402	144%
0461	1	BRENTWOOD ELEMENTARY	850	886	96%	0	886	96%
0481	1	JAMES H BRIGHT ELEMENTARY	796	684	116%	18	702	113%
0641	1	BUNCHE PARK ELEMENTARY	320	691	46%	36	727	44%
0681	1	CAROL CITY ELEMENTARY	658	776	85%	0	776	85%
1481	1	JOHN G DUPUIS ELEMENTARY	827	623	133%	152	775	107%
1521	1	AMELIA EARHART ELEMENTARY	606	556	109%	66	622	97%
1921	1	FLAMINGO ELEMENTARY	900	866	104%	18	884	102%
2111	1	HIALEAH GARDENS ELEMENTARY	1163	865	134%	66	931	125%
2161	1	GOLDEN GLADES ELEMENTARY	395	406	97%	18	424	93%
2181	1	JOELLA C GOOD ELEMENTARY	1002	933	107%	336	1,269	79%
2191	1	SPANISH LAKE ELEMENTARY	1301	1,682	77%	0	1,682	77%
2371	1	WEST HIALEAH GARDENS ELEMENTARY	677	1,241	55%	0	1,241	55%
2801	1	LAKE STEVENS ELEMENTARY	405	362	112%	18	380	107%
3141	1	MEADOWLANE ELEMENTARY	1193	1,052	113%	0	1,052	113%
3241	1	MIAMI GARDENS ELEMENTARY	337	316	107%	18	334	101%
3281	1	MIAMI LAKES K-8 CENTER	1350	1,161	116%	65	1,226	110%
3421	1	M A MILAM K-8 CENTER	1294	1,004	129%	128	1,132	114%
3781	1	BARBARA HAWKINS ELEMENTARY	338	510	66%	18	528	64%
3821	1	NORTH COUNTY ELEMENTARY	378	720	53%	0	720	53%
3861	1	NORTH GLADE ELEMENTARY	528	508	104%	18	526	100%
3901	1	NORTH HIALEAH ELEMENTARY	706	580	122%	164	744	95%
3981	1	NORTH TWIN LAKES ELEMENTARY	692	529	131%	18	547	127%
4121	1	OPA-LOCKA ELEMENTARY	461	558	83%	36	594	78%
4241	1	PALM LAKES ELEMENTARY	903	1,114	81%	138	1,252	72%
4261	1	PALM SPRINGS ELEMENTARY	845	842	100%	102	944	90%
4281	1	PALM SPRINGS NORTH ELEMENTARY	1055	790	134%	324	1,114	95%
4541	1	RAINBOW PARK ELEMENTARY	515	550	94%	18	568	91%
5021	1	BEN SHEPPARD ELEMENTARY	1340	802	167%	532	1,334	100%
5051	1	ERNEST R GRAHAM ELEMENTARY	1793	1,562	115%	326	1,888	95%
5081	1	SKYWAY ELEMENTARY	668	572	117%	0	572	117%
5131	1	NORTH DADE CENTER FOR MODERN LANGUAGES	425	458	93%	0	458	93%
5601	1	TWIN LAKES ELEMENTARY	656	658	100%	0	658	100%
5711	1	MAE M WALTERS ELEMENTARY	819	721	114%	54	775	106%
5971	1	NATHAN B YOUNG ELEMENTARY	370	482	77%	0	482	77%
5991	1	CHARLES DAVID WYCHE JR ELEMENTARY	985	937	105%	0	937	105%
ELEMENTARY TOTAL:			29,573	28,400	104%	2,687	31,086	95%
6051	1	CAROL CITY MIDDLE	871	1,039	84%	0	1,039	84%
6161	1	LAWTON CHILES MIDDLE	1124	1,298	87%	139	1,436	78%
6171	1	HENRY H FILER MIDDLE	1207	1,128	107%	79	1,207	100%
6231	1	HIALEAH MIDDLE	1055	927	114%	139	1,066	99%
6351	1	LAKE STEVENS MIDDLE	908	875	104%	158	1,033	88%
6421	1	JOSE MARTI MIDDLE	1254	1,024	122%	218	1,242	101%
6501	1	MIAMI LAKES MIDDLE	1105	968	114%	178	1,146	96%
6591	1	NORTH DADE MIDDLE	829	769	108%	99	868	96%
6611	1	COUNTRY CLUB MIDDLE	1081	1,493	72%	0	1,493	72%
6681	1	PALM SPRINGS MIDDLE	1398	1,333	105%	59	1,392	100%
MIDDLE TOTAL:			10,832	10,852	100%	1,069	11,921	91%
7011	1	AMERICAN SENIOR HIGH	2682	2,148	125%	119	2,267	118%
7111	1	HIALEAH SENIOR HIGH	3782	3,433	110%	119	3,552	106%
7131	1	HIALEAH-MIAMI LAKES SENIOR HIGH	2569	2,960	87%	48	3,008	85%
7231	1	MIAMI CAROL CITY SENIOR HIGH	2472	2,649	93%	71	2,720	91%
7254	1	MIAMI DOUGLAS MACARTHUR NORTH SENIOR HIGH	174	405	43%	0	405	43%
7391	1	MIAMI LAKES TECHNOLOGICAL SENIOR HIGH	1589	1,229	129%	0	1,229	129%
7751	1	BARBARA GOLEMAN SENIOR HIGH	4246	2,945	144%	570	3,515	121%
SENIOR TOTAL:			17,514	15,769	111%	926	16,696	105%
Region Total:			57,919	55,021	105%	4,682	59,703	97%

%UTILIZATION REPORT 2007

MDCPS	Reg	Facility Name	October FTE Membership	Perm Capacity	% Utilization Perm Only	Reloc Capacity	Total Capacity	% Utilization Total
0241	2	RUTH K BROAD-BAY HARBOR K-8 CENTER	1261	615	205%	99	714	177%
0321	2	BISCAYNE ELEMENTARY	909	822	111%	194	1,016	89%
0361	2	BISCAYNE GARDENS ELEMENTARY	722	691	104%	344	1,035	70%
0561	2	W J BRYAN ELEMENTARY	740	938	79%	278	1,216	61%
0761	2	FIENBERG-FISHER K-8 CENTER	690	864	80%	0	864	80%
1161	2	CRESTVIEW ELEMENTARY	858	884	97%	0	884	97%
2081	2	FULFORD ELEMENTARY	666	500	133%	106	606	110%
2241	2	GRATIGNY ELEMENTARY	725	670	108%	178	848	85%
2281	2	GREYNOLDS PARK ELEMENTARY	1141	732	156%	262	994	115%
2401	2	HIBISCUS ELEMENTARY	544	643	85%	44	687	79%
2441	2	VIRGINIA A BOONE HIGHLAND OAKS ELEMENTARY	915	654	140%	138	792	116%
2581	2	MADIE IVES COMMUNITY ELEMENTARY	1091	647	169%	270	917	119%
2911	2	LINDA LENTIN K-8 CENTER	1267	1,043	121%	0	1,043	121%
3581	2	MYRTLE GROVE ELEMENTARY	385	580	66%	40	620	62%
3661	2	NATURAL BRIDGE ELEMENTARY	666	698	95%	270	968	69%
3701	2	NORLAND ELEMENTARY	653	598	109%	80	678	96%
3741	2	NORTH BEACH ELEMENTARY	996	891	112%	72	963	103%
3941	2	NORTH MIAMI ELEMENTARY	871	754	116%	424	1,178	74%
4001	2	NORWOOD ELEMENTARY	518	542	96%	0	542	96%
4021	2	OAK GROVE ELEMENTARY	753	656	115%	124	780	97%
4061	2	OJUS ELEMENTARY	983	892	110%	0	892	110%
4301	2	PARKVIEW ELEMENTARY	427	414	103%	0	414	103%
4341	2	PARKWAY ELEMENTARY	454	460	99%	62	522	87%
4801	2	GERTRUDE K EDELMAN/SABAL PALM ELEMENTARY	887	696	127%	218	914	97%
4881	2	SCOTT LAKE ELEMENTARY	577	724	80%	80	804	72%
5005	2	DAVID LAWRENCE JR K-8 CENTER	1147	1,214	94%	0	1,214	94%
5091	2	SOUTH POINTE ELEMENTARY	481	428	112%	0	428	112%
5141	2	HUBERT O SIBLEY ELEMENTARY	901	1,072	84%	0	1,072	84%
5481	2	TREASURE ISLAND ELEMENTARY	760	897	85%	84	981	77%
ELEMENTARY TOTAL:			22,988	21,219	108%	3,367	24,586	94%
6241	2	HIGHLAND OAKS MIDDLE	1451	1,020	142%	238	1,257	115%
6281	2	THOMAS JEFFERSON MIDDLE	746	858	87%	158	1,016	73%
6301	2	JOHN F KENNEDY MIDDLE	1980	1,351	147%	317	1,668	119%
6541	2	NAUTILUS MIDDLE	1014	1,047	97%	0	1,047	97%
6571	2	NORLAND COMMUNITY MIDDLE	1284	1,409	91%	158	1,567	82%
6631	2	NORTH MIAMI MIDDLE	917	822	112%	0	822	112%
6721	2	PARKWAY MIDDLE	475	807	59%	0	807	59%
MIDDLE TOTAL:			7,867	7,313	108%	871	8,184	96%
7141	2	DR MICHAEL M KROP SENIOR HIGH	3766	2,290	164%	214	2,504	150%
7201	2	MIAMI BEACH SENIOR HIGH	1958	2,186	90%	0	2,186	90%
7381	2	MIAMI NORLAND SENIOR HIGH	1851	2,354	79%	71	2,425	76%
7541	2	NORTH MIAMI BEACH SENIOR HIGH	2836	2,575	110%	24	2,598	109%
7591	2	NORTH MIAMI SENIOR HIGH	2816	2,268	124%	214	2,481	113%
SENIOR TOTAL:			13,227	11,673	113%	523	12,195	108%
Region Total:			44,082	40,204	110%	4,761	44,965	98%

%UTILIZATION REPORT 2007

MDCPs	Reg	Facility Name	October FTE Membership	Perm Capacity	% Utilization Perm Only	Reloc Capacity	Total Capacity	% Utilization Total
0071	3	EUGENIA B THOMAS K-8 CENTER	2069	1,441	144%	176	1,617	128%
0101	3	ARCOLA LAKE ELEMENTARY	532	802	66%	0	802	66%
0201	3	BANYAN ELEMENTARY	353	540	65%	0	540	65%
0401	3	VAN E BLANTON ELEMENTARY	582	634	92%	54	688	85%
0521	3	BROADMOOR ELEMENTARY	444	708	63%	0	708	63%
1001	3	CORAL PARK ELEMENTARY	1000	760	132%	130	890	112%
1401	3	CHARLES R DREW ELEMENTARY	441	645	68%	98	743	59%
1561	3	EARLINGTON HEIGHTS ELEMENTARY	527	678	78%	18	696	76%
1681	3	LILLIE C EVANS ELEMENTARY	375	696	54%	242	938	40%
1721	3	EVERGLADES K-8 CENTER	1172	1,047	112%	101	1,148	102%
2041	3	BENJAMIN FRANKLIN ELEMENTARY	595	590	101%	102	692	86%
2331	3	CHARLES R HADLEY ELEMENTARY	1042	868	120%	218	1,086	96%
2361	3	HIALEAH ELEMENTARY	911	908	100%	90	998	91%
2501	3	HOLMES ELEMENTARY	350	572	61%	0	572	61%
2761	3	MARTIN L KING ELEMENTARY	194	212	92%	54	266	73%
2821	3	LAKEVIEW ELEMENTARY	557	500	111%	36	536	104%
2981	3	LIBERTY CITY ELEMENTARY	241	620	39%	0	620	39%
3041	3	LORAH PARK ELEMENTARY	483	526	92%	0	526	92%
3181	3	MELROSE ELEMENTARY	556	630	88%	0	630	88%
3301	3	MIAMI PARK ELEMENTARY	469	758	62%	126	884	53%
3381	3	MIAMI SPRINGS ELEMENTARY	703	602	117%	120	722	97%
4071	3	OLINDA ELEMENTARY	356	432	82%	0	432	82%
4171	3	ORCHARD VILLA ELEMENTARY	454	713	64%	0	713	64%
4491	3	HENRY E S REEVES ELEMENTARY	810	721	112%	0	721	112%
4501	3	POINCIANA PARK ELEMENTARY	445	734	61%	138	872	51%
4721	3	ROCKWAY ELEMENTARY	558	558	100%	0	558	100%
4921	3	SEMINOLE ELEMENTARY	600	822	73%	18	840	71%
5101	3	JOHN I SMITH ELEMENTARY	1278	1,205	106%	0	1,205	106%
5201	3	SOUTH HIALEAH COMMUNITY ELEMENTARY	1133	1,274	89%	0	1,274	89%
5361	3	SPRINGVIEW ELEMENTARY	523	442	118%	98	540	97%
5381	3	E W F STIRRUP ELEMENTARY	866	644	134%	98	742	117%
5431	3	SWEETWATER ELEMENTARY	925	931	99%	50	981	94%
5861	3	DR HENRY W MACK/WEST LITTLE RIVER ELEMENTARY	365	646	57%	0	646	57%
5901	3	CARRIE P MEEK/WESTVIEW ELEMENTARY	458	580	79%	43	623	74%
ELEMENTARY TOTAL:			22,367	24,439	92%	2,010	26,449	85%
6031	3	BROWNSVILLE MIDDLE	775	1,324	59%	0	1,324	59%
6121	3	RUBEN DARIO COMMUNITY MIDDLE	878	1,019	86%	158	1,177	75%
6141	3	CHARLES R DREW MIDDLE	704	849	83%	158	1,007	70%
6151	3	DORAL MIDDLE	1265	1,039	122%	0	1,039	122%
6391	3	MADISON MIDDLE	616	798	77%	218	1,016	61%
6521	3	MIAMI SPRINGS MIDDLE	1848	1,288	143%	317	1,605	115%
6821	3	ROCKWAY MIDDLE	1377	1,373	100%	0	1,373	100%
6981	3	WESTVIEW MIDDLE	661	1,007	66%	79	1,086	61%
MIDDLE TOTAL:			8,124	8,696	93%	931	9,626	84%
7049	3	WESTLAND HIALEAH SENIOR HIGH SCHOOL	674	0	0%	0	0	0%
7081	3	DESIGN AND ARCHITECTURE SENIOR HIGH	483	270	179%	0	270	179%
7241	3	RONALD W. REAGAN/DORAL SENIOR HIGH	1413	1,764	80%	0	1,764	80%
7251	3	MIAMI CENTRAL SENIOR HIGH	2082	2,404	87%	309	2,713	77%
7271	3	MIAMI CORAL PARK SENIOR HIGH	3616	3,492	104%	618	4,110	88%
7411	3	MIAMI NORTHWESTERN SENIOR HIGH	2439	2,413	101%	71	2,484	98%
7511	3	MIAMI SPRINGS SENIOR HIGH	2740	2,065	133%	499	2,564	107%
7601	3	WILLIAM H TURNER TECHNICAL ARTS SENIOR HIGH	1801	1,956	92%	0	1,956	92%
SENIOR TOTAL:			15,248	14,365	106%	1,496	15,861	96%
Region Total:			45,739	47,500	96%	4,437	51,937	88%

%UTILIZATION REPORT 2007

MDCPS	Reg	Facility Name	October FTE Membership	Perm Capacity	% Utilization Perm Only	Reloc Capacity	Total Capacity	% Utilization Total
0081	4	LENORA BRAYNON SMITH ELEMENTARY	496	736	67%	0	736	67%
0111	4	MAYA ANGELOU ELEMENTARY	614	703	87%	0	703	87%
0121	4	AUBURNDALE ELEMENTARY	963	1,109	87%	72	1,181	82%
0721	4	GEORGE WASHINGTON CARVER ELEMENTARY	514	442	116%	44	486	106%
0801	4	CITRUS GROVE ELEMENTARY	1002	772	130%	228	1,000	100%
0841	4	COCONUT GROVE ELEMENTARY	297	290	102%	44	334	89%
0881	4	COMSTOCK ELEMENTARY	597	513	116%	90	603	99%
0961	4	CORAL GABLES ELEMENTARY	657	522	126%	18	540	122%
1121	4	CORAL WAY K-8 CENTER	1565	903	173%	283	1,185	132%
1361	4	FREDERICK DOUGLASS ELEMENTARY	523	772	68%	172	944	55%
1441	4	PAUL LAURENCE DUNBAR ELEMENTARY	475	827	57%	0	827	57%
1601	4	EDISON PARK ELEMENTARY	406	642	63%	0	642	63%
1801	4	FAIRLAWN ELEMENTARY	640	630	102%	0	630	102%
1881	4	HENRY M FLAGLER ELEMENTARY	813	956	85%	0	956	85%
2351	4	ENEIDA MASSAS HARTNER ELEMENTARY	693	703	99%	0	703	99%
2531	4	THENA CROWDER ELEMENTARY	172	304	57%	18	322	53%
2661	4	KENSINGTON PARK ELEMENTARY	1185	1,454	81%	0	1,454	81%
2741	4	KEY BISCAYNE K-8 CENTER	1077	981	110%	49	1,030	105%
2781	4	KINLOCH PARK ELEMENTARY	842	818	103%	50	868	97%
3021	4	LITTLE RIVER ELEMENTARY	566	656	86%	44	700	81%
3051	4	TOUSSAINT L'OUVERTURE ELEMENTARY	442	660	67%	62	722	61%
3191	4	ADA MERRITT K-8 CENTER	620	707	88%	0	707	88%
3341	4	MIAMI SHORES ELEMENTARY	761	714	107%	36	750	101%
3431	4	PHYLLIS R MILLER ELEMENTARY	664	703	94%	0	703	94%
3501	4	MORNINGSIDE ELEMENTARY	401	758	53%	58	816	49%
4401	4	KELSEY L PHARR ELEMENTARY	439	454	97%	18	472	93%
4681	4	RIVERSIDE ELEMENTARY	984	749	131%	0	749	131%
4841	4	SANTA CLARA ELEMENTARY	553	703	79%	0	703	79%
4961	4	SHADOLAWN ELEMENTARY	333	434	77%	40	474	70%
5001	4	SHENANDOAH ELEMENTARY	941	882	107%	0	882	107%
5041	4	SILVER BLUFF ELEMENTARY	580	522	111%	44	566	102%
5321	4	SOUTHSIDE ELEMENTARY	465	234	199%	0	234	199%
5401	4	SUNSET ELEMENTARY	1034	790	131%	252	1,042	99%
5561	4	FRANCES S TUCKER ELEMENTARY	379	552	69%	36	588	64%
5831	4	WEST LABORATORY ELEMENTARY	277	318	87%	22	340	81%
5931	4	PHILLIS WHEATLEY ELEMENTARY	280	638	44%	0	638	44%
ELEMENTARY TOTAL:			23,250	24,551	95%	1,679	26,230	89%
6011	4	ALLAPATTAH MIDDLE	656	1,116	59%	119	1,235	53%
6071	4	GEORGE WASHINGTON CARVER MIDDLE	911	874	104%	0	874	104%
6091	4	CITRUS GROVE MIDDLE	1024	1,485	69%	20	1,505	68%
6331	4	KINLOCH PARK MIDDLE	1127	1,273	89%	0	1,273	89%
6361	4	JOSE DE DIEGO MIDDLE	788	1,043	76%	0	1,043	76%
6411	4	HORACE MANN MIDDLE	808	1,399	58%	0	1,399	58%
6481	4	MIAMI EDISON MIDDLE	528	1,234	43%	0	1,234	43%
6741	4	PONCE DE LEON MIDDLE	1184	1,313	90%	139	1,452	82%
6841	4	SHENANDOAH MIDDLE	1098	1,204	91%	0	1,204	91%
7055	4	YOUNG WOMEN'S ACADEMY	185	401	46%	0	401	46%
7901	4	NEW WORLD SCHOOL OF THE ARTS	489	0	0%	0	0	0%
MIDDLE TOTAL:			8,798	11,342	78%	277	11,619	76%
7071	4	CORAL GABLES SENIOR HIGH	3492	2,799	125%	0	2,799	125%
7161	4	MARITIME & SCIENCE TECHNOLOGY ACADEMY	550	419	131%	0	419	131%
7301	4	MIAMI EDISON SENIOR HIGH	1147	1,696	68%	0	1,696	68%
7341	4	MIAMI JACKSON SENIOR HIGH	1550	2,160	72%	48	2,208	70%
7461	4	MIAMI SENIOR HIGH	3116	1,735	180%	143	1,877	166%
7791	4	BOOKER T WASHINGTON SENIOR HIGH	1345	2,270	59%	0	2,270	59%
SENIOR TOTAL:			11,200	11,078	101%	190	11,268	99%
Region Total:			43,248	46,971	92%	2,146	49,118	88%

%UTILIZATION REPORT 2007

MDCPS	Reg	Facility Name	October FTE Membership	Perm Capacity	% Utilization Perm Only	Reloc Capacity	Total Capacity	% Utilization Total
0251	5	ETHEL KOGER BECKHAM ELEMENTARY	731	703	104%	0	703	104%
0271	5	BENT TREE ELEMENTARY	638	623	102%	0	623	102%
0441	5	BLUE LAKES ELEMENTARY	453	724	63%	36	760	60%
0451	5	DR BOWMAN FOSTER ASHE ELEMENTARY	1313	1,157	113%	170	1,327	99%
1041	5	CORAL REEF ELEMENTARY	890	1,005	89%	18	1,023	87%
1081	5	CORAL TERRACE ELEMENTARY	556	650	86%	62	712	78%
1281	5	CYPRESS ELEMENTARY	399	540	74%	18	558	72%
1331	5	DEVON AIRE K-8 CENTER	1298	1,197	108%	0	1,197	108%
1371	5	MARJORY STONEMAN DOUGLAS ELEMENTARY	1192	1,321	90%	0	1,321	90%
1641	5	EMERSON ELEMENTARY	387	576	67%	18	594	65%
1761	5	DAVID FAIRCHILD ELEMENTARY	544	710	77%	18	728	75%
1811	5	DANTE B FASCELL ELEMENTARY	863	703	123%	98	801	108%
1841	5	FLAGAMI ELEMENTARY	508	504	101%	66	570	89%
2021	5	GLORIA FLOYD ELEMENTARY	656	772	85%	18	790	83%
2261	5	GREENGLADE ELEMENTARY	703	528	133%	18	546	129%
2341	5	JOE HALL ELEMENTARY	751	645	116%	18	663	113%
2511	5	ZORA NEALE HURSTON ELEMENTARY	753	1,039	72%	0	1,039	72%
2541	5	HOWARD DRIVE ELEMENTARY	584	764	76%	36	800	73%
2641	5	KENDALE ELEMENTARY	520	724	72%	36	760	68%
2701	5	KENWOOD K-8 CENTER	1132	1,139	99%	16	1,155	98%
2881	5	LEEWOOD K-8 CENTER	554	515	108%	36	551	101%
2891	5	WILLIAM H. LEHMAN ELEMENTARY	728	935	78%	0	935	78%
3061	5	LUDLAM ELEMENTARY	518	464	112%	178	642	81%
3101	5	FRANK CRAWFORD MARTIN K-8 CENTER	1004	1,093	92%	16	1,109	91%
3111	5	WESLEY MATTHEWS ELEMENTARY	683	693	99%	18	711	96%
3541	5	ROBERT RUSSA MOTON ELEMENTARY	479	710	67%	0	710	67%
4091	5	OLYMPIA HEIGHTS ELEMENTARY	544	580	94%	62	642	85%
4221	5	PALMETTO ELEMENTARY	576	580	99%	84	664	87%
4381	5	PERRINE ELEMENTARY	809	840	96%	0	840	96%
4421	5	PINECREST ELEMENTARY	815	1,167	70%	0	1,167	70%
4651	5	ETHEL F BECKFORD-RICHMOND ELEMENTARY	337	470	72%	36	506	67%
4691	5	JANE S ROBERTS K-8 CENTER	1318	1,180	112%	184	1,364	97%
4741	5	ROYAL GREEN ELEMENTARY	780	722	108%	22	744	105%
4761	5	ROYAL PALM ELEMENTARY	612	568	108%	18	586	104%
5061	5	DR CARLOS J FINLAY ELEMENTARY	622	614	101%	0	614	101%
5121	5	SNAPPER CREEK ELEMENTARY	583	658	89%	0	658	89%
5241	5	SOUTH MIAMI K-8 CENTER	708	804	88%	198	1,002	71%
5421	5	SUNSET PARK ELEMENTARY	661	646	102%	36	682	97%
5441	5	SYLVANIA HEIGHTS ELEMENTARY	572	826	69%	18	844	68%
5521	5	TROPICAL ELEMENTARY	447	820	55%	22	842	53%
5641	5	VILLAGE GREEN ELEMENTARY	469	470	100%	36	506	93%
5671	5	VINELAND K-8 CENTER	540	486	111%	101	587	92%
ELEMENTARY TOTAL:			29,230	31,864	92%	1,711	33,574	87%
6021	5	ARVIDA MIDDLE	1364	1,118	122%	79	1,197	114%
6041	5	PAUL W BELL MIDDLE	1143	1,027	111%	158	1,185	96%
6131	5	HOWARD A DOOLIN MIDDLE	838	1,031	81%	79	1,111	75%
6211	5	GLADES MIDDLE	1256	804	156%	119	923	136%
6441	5	HOWARD D MCMILLAN MIDDLE	1145	1,229	93%	40	1,269	90%
6701	5	PALMETTO MIDDLE	1595	1,165	137%	99	1,264	126%
6801	5	RIVIERA MIDDLE	698	1,035	67%	0	1,035	67%
6861	5	SOUTHWOOD MIDDLE	1687	1,181	143%	0	1,181	143%
6881	5	SOUTH MIAMI COMMUNITY MIDDLE	1055	762	138%	40	802	132%
6901	5	W R THOMAS MIDDLE	964	897	107%	0	897	107%
6921	5	LAMAR LOUIS CURRY MIDDLE	1679	1,018	165%	0	1,018	165%
6961	5	WEST MIAMI MIDDLE	1123	1,217	92%	0	1,217	92%
MIDDLE TOTAL:			14,547	12,484	117%	614	13,098	111%
7051	5	G HOLMES BRADDOCK SENIOR HIGH	3856	2,943	131%	926	3,869	100%
7121	5	JOHN A FERGUSON SENIOR HIGH	4084	3,054	134%	0	3,054	134%
7361	5	MIAMI KILLIAN SENIOR HIGH	3410	3,097	110%	238	3,335	102%
7431	5	MIAMI PALMETTO SENIOR HIGH	3305	2,822	117%	214	3,035	109%
7631	5	MIAMI DOUGLAS MACARTHUR SOUTH SENIOR HIGH	179	499	36%	0	499	36%
7721	5	SOUTH MIAMI SENIOR HIGH	2686	2,369	113%	238	2,607	103%
7741	5	SOUTHWEST MIAMI SENIOR HIGH	3035	2,721	112%	285	3,006	101%
SENIOR TOTAL:			20,555	17,505	117%	1,900	19,405	106%
Region Total:			64,332	61,852	104%	4,225	66,077	97%

%UTILIZATION REPORT 2007

MDCPS	Reg	Facility Name	October FTE Membership	Perm Capacity	% Utilization Perm Only	Reloc Capacity	Total Capacity	% Utilization Total
0041	6	AIR BASE ELEMENTARY	650	874	74%	18	892	73%
0125	6	NORMA BUTLER BOSSARD ELEMENTARY	1197	1,032	116%	0	1,032	116%
0161	6	AVOCADO ELEMENTARY	804	869	93%	66	935	86%
0261	6	BEL-AIRE ELEMENTARY	500	736	68%	134	870	57%
0311	6	GOULDS ELEMENTARY	538	802	67%	0	802	67%
0651	6	CAMPBELL DRIVE ELEMENTARY	1228	931	132%	36	967	127%
0661	6	CARIBBEAN ELEMENTARY	780	965	81%	22	987	79%
0671	6	CALUSA ELEMENTARY	784	792	99%	0	792	99%
0771	6	WILLIAM A CHAPMAN ELEMENTARY	821	630	130%	108	738	111%
0831	6	CLAUDE PEPPER ELEMENTARY	949	922	103%	126	1,048	91%
0861	6	COLONIAL DRIVE ELEMENTARY	327	460	71%	0	460	71%
1241	6	CUTLER RIDGE ELEMENTARY	893	960	93%	18	978	91%
1691	6	CHRISTINA M EVE ELEMENTARY	756	710	106%	0	710	106%
2001	6	FLORIDA CITY ELEMENTARY	793	716	111%	148	864	92%
2151	6	JACK DAVID GORDON COMMUNITY ELEMENTARY	1172	1,051	112%	162	1,213	97%
2321	6	GULFSTREAM ELEMENTARY	673	717	94%	54	771	87%
2521	6	OLIVER HOOVER ELEMENTARY	1016	854	119%	172	1,026	99%
2651	6	KENDALE LAKES ELEMENTARY	920	1,248	74%	76	1,324	69%
2901	6	LEISURE CITY K-8 CENTER	1316	1,131	116%	97	1,229	107%
2941	6	LAURA C SAUNDERS ELEMENTARY	878	809	109%	54	863	102%
3261	6	MIAMI HEIGHTS ELEMENTARY	1228	1,291	95%	152	1,443	85%
3621	6	NARANJA ELEMENTARY	607	522	116%	138	660	92%
4391	6	IRVING & BEATRICE PESKOE ELEMENTARY	1065	915	116%	18	933	114%
4441	6	PINE LAKE ELEMENTARY	439	638	69%	18	656	67%
4461	6	PINE VILLA ELEMENTARY	562	834	67%	120	954	59%
4511	6	DR GILBERT L PORTER ELEMENTARY	886	919	96%	18	937	95%
4581	6	REDLAND ELEMENTARY	990	903	110%	0	903	110%
4611	6	REDONDO ELEMENTARY	724	749	97%	40	789	92%
5281	6	SOUTH MIAMI HEIGHTS ELEMENTARY	755	714	106%	62	776	97%
5791	6	WEST HOMESTEAD ELEMENTARY	744	824	90%	36	860	87%
5951	6	WHISPERING PINES ELEMENTARY	732	708	103%	0	708	103%
5961	6	WINSTON PARK K-8 CENTER	1216	1,117	109%	32	1,149	106%
5981	6	DR EDWARD L WHIGHAM ELEMENTARY	782	898	87%	22	920	85%
ELEMENTARY TOTAL:			27,725	28,241	98%	1,948	30,189	92%
5003	6	SOUTH DADE MIDDLE	910	1,480	62%	0	1,480	62%
6001	6	HERBERT A AMMONS MIDDLE	1163	0	0%	990	990	117%
6061	6	CAMPBELL DRIVE MIDDLE	1071	1,447	74%	0	1,447	74%
6081	6	CENTENNIAL MIDDLE	965	1,498	64%	0	1,498	64%
6111	6	CUTLER RIDGE MIDDLE	1012	1,414	72%	99	1,513	67%
6221	6	HAMMOCKS MIDDLE	1601	1,450	110%	218	1,668	96%
6251	6	HOMESTEAD MIDDLE	976	848	115%	158	1,006	97%
6431	6	MAYS COMMUNITY MIDDLE	672	940	72%	99	1,039	65%
6761	6	REDLAND MIDDLE	1161	1,230	94%	79	1,310	89%
6771	6	JORGE MAS CANOSA MIDDLE SCHOOL	1283	2,024	63%	0	2,024	63%
6781	6	RICHMOND HEIGHTS MIDDLE	1005	1,145	88%	158	1,303	77%
MIDDLE TOTAL:			11,819	13,475	88%	1,802	15,277	77%
7101	6	CORAL REEF SENIOR HIGH	3007	2,775	108%	0	2,775	108%
7151	6	HOMESTEAD SENIOR HIGH	2513	2,977	84%	190	3,167	79%
7371	6	ROBERT MORGAN TECHNICAL SENIOR HIGH	2429	2,042	119%	0	2,042	119%
7531	6	MIAMI SUNSET SENIOR HIGH	3043	2,506	121%	428	2,934	104%
7701	6	SOUTH DADE SENIOR HIGH	2588	1,721	150%	404	2,125	122%
7731	6	MIAMI SOUTHRIDGE SENIOR HIGH	3453	2,662	130%	190	2,852	121%
7781	6	FELIX VARELA SENIOR HIGH	3588	2,888	124%	0	2,888	124%
SENIOR TOTAL:			20,621	17,571	117%	1,211	18,782	110%
Region Total:			60,165	59,287	101%	4,961	64,248	94%
District Total:			315,485	310,836	101%	25,211	336,047	94%

5. MDCPS Projected LOS for Educational Facilities

PROJECTED LEVEL OF SERVICE FOR MIAMI-DADE COUNTY PUBLIC SCHOOL FACILITIES, 2010 AND 2013

June 29, 2007

Fac#	MDCPS	USE	SERVICE AREA	REG	Facility Name	Projected Enrollment at of Dec. 31, 2007	Perm. Capacity as of 2007	Projected 2007 % Utilization (Permanent)	Projected 2010 Enrollment	Notes on Projected Enrollment 2010	Adjusted Projected 2010 Enrollment	Projects to open by 2010 and dist of new schools	Projected New Perm Capacity 2010	Projected 2010 Perm Capacity	Reloc Cap 2010	Total Cap 2010	Projected 2010 % Utilization (Permanent)	Projected 2010 % Utilization (Total)	Projected Enrollment 2013	Notes on Projected Enrollment 2013	Adjusted Projected Enrollment 2013	Projects to open by 2013 and dist of new schools	Projected New Perm Capacity 2013	Projected 2013 Perm Capacity	Projected Reloc Cap 2013	Total Cap 2013	Projected 2013 % Utilization (Permanent)	Projected 2013 % Utilization (Total)	Notes (Additions/adjustments and possible new schools)	
0051	1521	4	NW	1	AMELIA EARHART ELEMENTARY	606	556	109%	547		547			556	66	622	98%	88%	573	EI	40 to Miami Park		533			556	0	556	96%	96% adjust
0129	3781	4	NE	1	BARBARA HAWKINS ELEMENTARY	338	510	66%	454	28 from Miami Gardens EI	482			510	18	528	95%	91%	469	Gardens EI	10 from Miami Gardens EI		507			510	0	510	99%	99% adjust
0170	5021	4	NW	1	BEN SHEPPARD ELEMENTARY	1,340	802	167%	1,333	Adjustment made due opening of West Hialeah EI	1,033			802	532	1,334	129%	77%	1,358				1,008			802	532	1,334	126%	76% adjust
0017	461	4	NE	1	BRENTWOOD ELEMENTARY	850	886	96%	971		971			886	0	886	110%	110%	996	Grove EI	110 to Myrtle Grove EI		886			886	0	886	100%	100% adjust
0022	641	4	NE	1	BUNCHE PARK ELEMENTARY	320	691	46%	344	50 from Rainbow Park EI	394			691	36	727	57%	54%	385		20 from Rainbow Park EI; 20 from Golden Glades EI; 40 from Scott Lake EI; 20 from Parkview EI; 60 from Biscayne Gardens EI		595			691	0	691	86%	86% adjust
0026	681	4	NE	1	CAROL CITY ELEMENTARY	658	776	85%	640		640			776	0	776	82%	82%	663		20 from Opa-Locka EI		683			776	0	776	88%	88% adjust
0343	5991	4	NE	1	CHARLES DAVID WYCHE JR ELEMENTARY	985	937	105%	1,123	Adjustment due to West Hialeah EI opening	943			937	0	937	101%	101%	1,166		50 to N. Twin Lakes EI Replac		936			937	0	937	100%	100% North Twin Lakes Replac
0173	5051	4	NW	1	ERNEST R GRAHAM ELEMENTARY	1,793	1,562	115%	2,119	Adjustment due to opening of West Hialeah Elementary	1,771			1,562	326	1,888	113%	94%	2,140		20 to North Hialeah EI		1,792			1,562	326	1,888	115%	95% adjust
1921	4	NW	1	FLAMINGO ELEMENTARY	900	866	104%	929	83 to Mae Walters EI	846			866	18	884	98%	96%	967		20 to Bunche Park EI		864			866	0	866	100%	100% adjust	
0069	2161	4	NE	1	GOLDEN GLADES ELEMENTARY	395	406	97%	396		396			406	18	424	98%	93%	416				396			406	0	406	98%	98% adjust
0337	2111	4	NW	1	HIALEAH GARDENS ELEMENTARY	1,163	865	134%	1,451	Adjustment due to opening of West Hialeah Gardens EI	865	309	S/S "AA2"	865	66	931	100%	93%	1,468				882			865	66	931	102%	95% adjust
0018	481	4	NW	1	JAMES H BRIGHT ELEMENTARY	796	684	116%	827	Adjustment due to opening of West Hialeah Gardens EI	798	186	870	870	18	888	92%	90%	858				829			870	0	870	95%	95% adjust
0280	2181	4	NW	1	JOELLA C GOOD ELEMENTARY	1,002	933	107%	1,515	Adjustment due to opening of Spanish Lake EI	1,065			933	336	1,269	114%	84%	1,573		10 to Twin Lakes EI		1,013			933	336	1,269	109%	80% adjust
0435	2191	4	NW	1	SPANISH LAKE ELEMENTARY	1,301	1,682	77%		1,551			1,682	0	1,682	92%	92%			1,682				1,682	0	1,682	100%	100%		
0050	1481	4	NW	1	JOHN G DUPUIS ELEMENTARY	827	623	133%	884		884	300	923	923	152	1,075	96%	82%	928	Modular (7)	10 to Twin Lakes EI		918			923	0	923	99%	99% adjust
2801	4	NE	1	LAKE STEVENS ELEMENTARY	405	362	112%	485		485			362	18	380	134%	128%	503	198	Modular (7)		503	198		560	560	18	578	90%	87%
0119	3421	4	NW	1	M A MILAM K-8 CENTER	1,294	1,004	129%	1,394	Adjustment due to opening of West Hialeah Gardens EI	1,085	200	S/S "MM1"	1,004	128	1,132	108%	96%	1,394				1,085			1,004	128	1,132	108%	96%
0194	5711	4	NW	1	MAE M WALTERS ELEMENTARY	819	721	114%	830	83 from Flamingo EI and 179 from Meadowlane EI	1,092	366	1,087	1,087	54	1,141	100%	96%	863				1,125			1,087	54	1,141	104%	99% North Twin Lakes Replac
0109	3141	4	NW	1	MEADOWLANE ELEMENTARY	1,193	1,052	113%	1,231		1,052	179	1,087	1,087	1,052	0	1,052	100%	100%	1,280	50 to N. Twin Lakes EI Replac	1,051			1,052	0	1,052	100%	100% North Twin Lakes Replac	
0112	3241	4	NE	1	MIAMI GARDENS ELEMENTARY	337	316	107%	369	28 to Barbara Hawkins EI	341			316	18	334	108%	102%	378	10 to Barbara Hawkins EI and 24 to Modular (7)	316			316	0	316	100%	100% adjust and Modular (7)		
0149	3281	4	NW	1	MIAMI LAKES K-8 CENTER	1,350	1,161	116%	1,253	Adjustment due to K-8 conversion (adding 7th and 8th grade).	1,098	455	S/S "AA2"	1,161	65	1,226	95%	90%	1,282		30 to Carrie Meek		1,127			1,161	0	1,161	97%	97% adjust
0202	5971	4	NW	1	NATHAN B YOUNG ELEMENTARY	370	482	77%	479		479			482	0	482	99%	99%	506	EI	41 from Crestview EI; 20 from Norland EI; 30 from Norwood EI		476			482	0	482	99%	99% adjust
0130	3821	4	NE	1	NORTH COUNTY ELEMENTARY	378	720	53%	432	39 from Crestview EI	471			720	0	720	65%	65%	473		60 to Modular (7) at Lake Stevens EI		603			720	0	720	84%	84% adjust
0209	3861	4	NE	1	NORTH GLADE ELEMENTARY	528	508	104%	563																					

PROJECTED LEVEL OF SERVICE FOR MIAMI-DADE COUNTY PUBLIC SCHOOL FACILITIES, 2010 AND 2013

June 29, 2007

Fac#	MDCPS	USE	SERVICE AREA	REG	Facility Name	Projected Enrollment at Dec. 31, 2007	Perm. Capacity as of 2007	Projected 2007 % Utilization (Permanent)	Projected 2010 Enrollment	Notes on Projected Enrollment 2010	Adjusted Projected 2010 Enrollment	Projects to open by 2010 and dist of new schools	Projected New Perm Capacity 2010	Projected 2010 Reloc Cap 2010	Total Cap 2010	Projected 2010 % Utilization (Permanent)	Projected 2010 Utilization (Total)	Projected Enrollment 2013	Notes on Projected Enrollment 2013	Adjusted Projected 2013 Enrollment	Projects to open by 2013 and dist of new schools	Projected New Perm Capacity 2013	Projected 2013 Reloc Cap 2013	Total Cap 2013	Projected 2013 % Utilization (Permanent)	Projected 2013 Utilization (Total)	Notes (Additions/adjustments and possible new schools)			
0023	4261	4	NW	1	PALM SPRINGS ELEMENTARY	845	842	100%	878		878				842	102	944	104%	93%	919			842	102	944	109%	97%			
0402	4281	4	NW	1	PALM SPRINGS NORTH ELEMENTARY	1,055	790	134%	1,698	Adjustment due to opening of Spanish Lake El	1,086				790	324	1,114	137%	97%	1,741			790	324	1,114	141%	100% adjust			
0155	4541	4	NE	1	RAINBOW PARK ELEMENTARY	515	550	94%	578	50 to Bunche Park El	528				550	18	568	96%	93%	610	20 to Bunche Park El		540			550	0	550	98%	98% adjust
0174	5081	4	NE	1	SKYWAY ELEMENTARY	668	572	117%	716		716				572	0	572	125%	125%	732	170 to Modular (7) @ Lake Stevens El		562			572	0	572	98%	98% adjust
0177	5601	4	NW	1	TWIN LAKES ELEMENTARY	656	658	100%	703	45 to Palm Lakes El	658				658	0	658	100%	100%	740	35 to North Twin Lakes El Replac		660			658	0	658	100%	100% North Twin Lakes Replac
0425	2371	4	NW	1	WEST HIALEAH GARDENS ELEMENTARY	677	1,241	55%			1,017				1,241	0	1,241	82%	82%	1,239			1,241	0	1,241	100%	100%			
0416	91	4	NW	1	BOB GRAHAM EDUCATION CTR	2,022	1,402	144%	2,049		1,378	671	S/S "AA2"		1,402	0	1,402	98%	98%	2,046			1,375			1,402	0	1,402	98%	98%
0207	6051	5	NE	1	CAROL CITY MIDDLE	871	1,039	84%	829		829				1,039	0	1,039	80%	80%	875			875			1,039	0	1,039	84%	84%
0433	6611	5	NW	1	COUNTRY CLUB MIDDLE	1,081	1,493	72%	1,088	Add 8th grade and 100 to Lawton Chiles Mid	1,490				1,493	0	1,493	100%	100%	1,080			1,482			1,493	0	1,493	99%	99% adjust
0215	6171	5	NW	1	HENRY H FILER MIDDLE	1,207	1,128	107%	1,296		1,076	220	S/S "MM1"		1,128	79	1,207	95%	89%	1,250			1,030			1,128	0	1,128	91%	91%
0218	6231	5	NW	1	HIALEAH MIDDLE	1,055	927	114%	1,079		905	174	S/S "MM1"		927	139	1,066	98%	85%	1,041			867			927	0	927	94%	94%
0228	6421	5	NW	1	JOSE MARTI MIDDLE	1,254	1,024	122%	1,259		959	300	S/S "MM1"		1,024	218	1,242	94%	77%	1,212			912			1,024	0	1,024	89%	89%
0224	6351	5	NE	1	LAKE STEVENS MIDDLE	908	875	104%	749		749				875	158	1,033	-	86%	72%	744			875	0	875	85%	85%		
0404	6161	5	NW	1	LAWTON CHILES MIDDLE	1,124	1,298	87%	1,056	100 from Country Club Mid	1,156				1,298	139	1,437	89%	80%	1,049			1,149			1,298	0	1,298	89%	89%
0068	6501	5	NW	1	MIAMI LAKES MIDDLE	1,105	968	114%	1,155		1,155				968	178	1,146	119%	101%	1,140			1,140			968	178	1,146	118%	100% adjust
0186	6591	5	NE	1	NORTH DADE MIDDLE	829	769	108%	808		808				769	99	868	105%	93%	797			797			769	99	868	104%	92%
0239	6681	5	NW	1	PALM SPRINGS MIDDLE	1,398	1,333	105%	1,430		1,330	100	S/S "MM1"		1,333	59	1,392	100%	96%	1,412			1,312			1,333	0	1,333	98%	98%
0254	7011	7	NW	1	AMERICAN SENIOR HIGH	2,682	2,148	125%	2,480		1,980	500	to Barbara Goleman Sr		2,148	119	2,267	92%	87%	2,305	Goleman Sr		1,805			2,148	0	2,148	84%	84% adjust
0284	7751	7	NW	1	BARBARA GOLEMAN SENIOR	4,246	2,945	144%	4,395		2,345	2,550	S/S "JJJ"		2,945	570	3,515	80%	67%	4,291			2,941			2,945	0	2,945	100%	100% adjust
0258	7111	7	NW	1	HIALEAH SENIOR HIGH	3,782	3,433	110%	3,502		3,302	200	S/S "WWW"		3,433	119	3,552	96%	93%	3,583			3,383			3,433	0	3,433	99%	99% adjust
0259	7131	7	NW	1	HIALEAH-MIAMI LAKES SENIOR	2,569	2,960	87%	2,224		2,224				2,960	48	3,008	75%	74%	2,181			2,181			2,960	0	2,960	74%	74%
0263	7231	7	NE	1	MIAMI CAROL CITY SENIOR	2,472	2,649	93%	2,039		2,039				2,649	71	2,720	77%	75%	1,778			1,778			2,649	0	2,649	67%	67%
0144	321	4	NE	2	BISCAYNE ELEMENTARY	909	822	111%	963		963				822	194	1,016	117%	95%	1,017			822	194	1,016	124%	100% 100%			
	361	4	NE	2	BISCAYNE GARDENS ELEMENTARY	722	691	104%	936		691	245	S/S "E1"		691	344	1,035	100%	67%	987	60 to Bunche Park El		682			691	0	691	99%	99% adjust
0041	1161	4	NE	2	CRESTVIEW ELEMENTARY	858	884	97%	923	39 to North County El	884				884	0	884	100%	100%	964	41 to North County El		884			884	0	884	100%	

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0146	4301	4	NE	2	PARKVIEW ELEMENTARY	427	414	103%	469	60 to Scott Lake El	409		414	0	414	99%	99%	488	El	408		414	0	414	99%	99%	adjust	
0142	4341	4	NE	2	PARKWAY ELEMENTARY	454	460	99%	570	72 to Norwood El	498		460	62	522	108%	95%	594		522		460	62	522	113%	100%	adjust	
0007	241	4	NE	2	RUTH K BROAD-BAY HARBOR ELEMENTARY	1,261	615	205%	1,344	600 to S/S "BB1"	1,094	496	S/S "BB1"	1,111	99	1,210	98%	90%	1,385		1,135		1,111	99	1,210	102%	94%	
0166	4881	4	NE	2	SCOTT LAKE ELEMENTARY	577	724	80%	656	60 from Parkview El	716		724	80	804	99%	89%	697	El	717		724	0	724	99%	99%	adjust	
0252	5091	4	NE	2	SOUTH POINTE ELEMENTARY	481	428	112%	520		520		428	0	428	121%	121%	542		422		428	0	428	99%	99%		
0188	5481	4	NE	2	TREASURE ISLAND ELEMENTARY	760	897	85%	799	200 from North Beach El	999		897	84	981	111%	102%	852	180 from North Beach El	1,232	Modular (5)	400	1,297	0	1,297	95%	95%	adjust
0127	2441	4	NE	2	VIRGINIA A BOONE/HIGHLAND OAKS ELEMENTARY	915	654	140%	884	358 to S/S "D" and 100 S/S "BB1"	426		654	138	792	65%	54%	953		495		654	0	654	76%	76%		
0020	561	4	NE	2	W J BRYAN ELEMENTARY	740	938	79%	916		916		938	278	1,216	98%	75%	971		971		938	278	1,216	104%	80%		
0219	6241	5	NE	2	HIGHLAND OAKS MIDDLE	1,449	1,020	142%	2,322		1,005	1,317	S/S "BB1"	1,020	238	1,258	99%	80%	2,169		852		1,020	0	1,020	84%	84%	
0222	6301	5	NE	2	JOHN F KENNEDY MIDDLE	1,980	1,351	147%	1,937		1,308	629	S/S "PP1"	1,351	317	1,668	97%	78%	1,906		1,277		1,351	0	1,351	95%	95%	
0235	6541	5	NE	2	NAUTILUS MIDDLE	1,014	1,047	97%	977		977		1,047	0	1,047	93%	93%	980		960		1,047	0	1,047	92%	92%		
0236	6571	5	NE	2	NORLAND COMMUNITY MIDDLE	1,284	1,409	91%	1,301		1,301		1,409	158	1,567	92%	83%	1,320		1,320		1,409	0	1,409	94%	94%		
	6631	5	NE	2	NORTH MIAMI MIDDLE	917	822	112%	685	100 to Horace Mann Mid	585	651	S/S "E1" - North Miami Mid Replac	651	0	651	90%	90%	741	100 to Horace Mann Mid and 10 from Linda Lentini K-8 Center	641		651	0	651	98%	98%	
0241	6721	5	NE	2	PARKWAY MIDDLE	475	807	59%	670		670		807	0	807	83%	83%	680		680		807	0	807	84%	84%		
0221	6281	5	NE	2	THOMAS JEFFERSON MIDDLE	746	858	87%	580		580		858	158	1,016	68%	57%	646		646		858	0	858	75%	75%		
0376	7141	7	NE	2	DR MICHAEL M KROP SENIOR	3,766	2,290	164%	3,463		2,063	1,400	S/S "QQQ1" Annex	2,290	214	2,504	90%	82%	3,570		2,143		2,290	0	2,290	94%	94%	
0262	7201	7	NE	2	MIAMI BEACH SENIOR	1,958	2,186	90%	1,665		1,665	189		2,375	0	2,375	70%	70%	1,489		1,489		2,375	0	2,375	63%	63%	
0270	7381	7	NE	2	MIAMI NORLAND SENIOR	1,851	2,354	79%	1,509		1,509		2,354	71	2,425	64%	62%	1,504		1,504		2,354	0	2,354	64%	64%		
0276	7541	7	NE	2	NORTH MIAMI BEACH SENIOR	2,836	2,575	110%	2,735		2,535	200	S/S 'QQQ1"	2,575	24	2,599	98%	98%	2,664		2,464		2,575	0	2,575	96%	96%	
0277	7591	7	NE	2	NORTH MIAMI SENIOR	2,816	2,268	124%	2,604		2,604	772	3,040	3,040	214	3,254	86%	80%	2,444		2,444		3,040	214	3,254	80%	75%	
0003	101	4	NW	3	ARCOLA LAKE ELEMENTARY	532	802	66%	557		557		802	0	802	69%	69%	573	60 from Sibley El	633		802	0	802	79%	79%		
0006	201	4	SE	3	BANYAN ELEMENTARY	353	540	65%	365		365		540	0	540	68%	68%	394	El	449		540	0	540	83%	83%	adjust	
0182	2041	4	NE	3	BENJAMIN FRANKLIN ELEMENTARY	595	590	101%	641		641		590	102	692	109%	93%	655		655		590	102	692	111%	95%		
0019	521	4	NW	3	BROADMOOR ELEMENTARY	444	708	63%	459		459		708	0	708	65%	65%	473		473		708	0	708	67%	67%		
0198	5901	4	NW	3	CARRIE P MEEK/WESTVIEW ELEMENTARY	458	580	79%	472	50 from Lakeview El	522		580	43	623	90%	84%	483	30 from Nathan Young El	563		580	0	580	97%	97%	adjust	
0048																												

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0138	4071	4	NW	3	OLINDA ELEMENTARY	356	432	82%	374		374				432	0	432	87%	382	10 from Melrose El			432	0	432	91%	adjust		
0141	4171	4	SE	3	ORCHARD VILLA ELEMENTARY	454	713	64%	591		591				713	0	713	83%	604			713	0	713	85%				
0153	4501	4	NW	3	POINCIANA PARK ELEMENTARY	445	734	61%	453		453				734	138	872	62%	467			734	0	734	64%	adjust			
0161	4721	4	SE	3	ROCKWAY ELEMENTARY	558	558	100%	554		554				558	0	558	99%	584	25 to Banyan El			558	0	558	100%	100% adjust		
0167	4921	4	NW	3	SEMINOLE ELEMENTARY	600	822	73%	651	75 from Charles Hadley El and 80 from Coral Park El	806				822	18	840	98%	696	50 to S/S "F1"			801	822	0	822	97%	Proposed Elem - S/S "F1"	
0178	5201	4	NW	3	SOUTH HIALEAH COMMUNITY ELEMENTARY	1,133	1,274	89%	1,215	85 from Lorah Park	1,300				1,274	0	1,274	102%	1,271	100 to Modular (3)			1,256	1,274	0	1,274	99%	Modular (3)	
0132	5361	4	NW	3	SPRINGVIEW ELEMENTARY	523	442	118%	708	Adjustment due to opening of West Hialeah El	533				442	98	540	121%	741			541			442	98	540	122%	100% adjust
0169	5431	4	NW	3	SWEETWATER ELEMENTARY	925	931	99%	941		941				931	50	981	101%	993	868 (S/S "F1")			125	931	0	931	93%	Proposed Elem - S/S "F1"	
0014	401	4	NW	3	VAN E BLANTON ELEMENTARY	582	634	92%	528		528				634	54	688	83%	542	10 from Lakeview El			552	634	0	634	87%	adjust	
0205	6031	5	NW	3	BROWNSVILLE MIDDLE	775	1,324	59%	872	310 from Miami Springs Mid	1,182				1,324	0	1,324	89%	928	80 from Miami Springs Mid			1,318	1,324	0	1,324	100%		
0214	6141	5	NW	3	CHARLES R DREW MIDDLE	704	849	83%	718		718				849	158	1,007	85%	760			849	0	849	90%	90%			
0397	6151	5	NW	3	DORAL MIDDLE	1,265	1,039	122%	1,620		941	479	E.B. Thomas K-8 Conversion and S/S "P1"		1,039	0	1,039	91%	1,864	150 to new proposed K-8 Center			985	1,039	0	1,039	95%	95%	
0226	6391	5	NW	3	MADISON MIDDLE	616	798	77%	714		714				798	218	1,016	89%	690			690	798	0	798	86%			
0346	6521	5	NW	3	MIAMI SPRINGS MIDDLE	1,848	1,288	143%	1,907	400 to Brownsville Mid	1,507				1,288	317	1,605	117%	1,964			1,564			1,288	317	1,605	121%	97% adjust
0246	6821	5	SE	3	ROCKWAY MIDDLE	1,377	1,373	100%	1,189	130 from Everglades K-8 Center	1,319				1,373	0	1,373	96%	1,130	40 from Everglades K-8 Center			1,300	1,373	0	1,373	95%	95% adjust	
0213	6121	5	NW	3	RUBEN DARIO COMMUNITY MIDDLE	878	1,019	86%	878		878				1,019	158	1,177	86%	830			830	1,019	0	1,019	81%			
0253	6981	5	NW	3	WESTVIEW MIDDLE	661	1,007	66%	652		652				1,007	79	1,086	65%	626			626	1,007	0	1,007	62%			
0264	7251	7	NW	3	MIAMI CENTRAL SENIOR	2,082	2,404	87%	1,291		1,291				2,404	309	2,713	54%	1,183			1,183	2,404	0	2,404	49%			
0266	7271	7	SE	3	MIAMI CORAL PARK SENIOR	3,616	3,492	104%	3,101		3,101				3,492	618	4,110	89%	2,957			2,957	3,492	0	3,492	85%			
0271	7411	7	SE	3	MIAMI NORTHWESTERN SENIOR	2,439	2,413	101%	1,730		1,730				2,413	71	2,484	72%	1,669	200 to S/S "WWW"			1,669	2,413	0	2,413	69%		
0274	7511	7	NW	3	MIAMI SPRINGS SENIOR	2,740	2,065	133%	2,403		2,003	400	S/S "WWW"		2,065	499	2,564	97%	2,528	200 to S/S "WWW"			1,928	2,065	0	2,065	93%	adjust	
0422	7241	7	NW	3	RONALD W. REAGAN/DORAL SR	1,413	1,764	80%	1,520		1,520				1,764	0	1,764	86%	1,626			1,626	1,764	0	1,764	92%			
0004	121	4	SE	4	AUBURNDALE ELEMENTARY	963	1,109	87%	1,045		1,045				1,109	72	1,181	94%	1,083			1,083	1,109	0	1,109	98%			
0093	801	4	SE	4	CITRUS GROVE ELEMENTARY	1,002	772	130%	1,051	Convert to K-3 and move 200 Students to Citrus Grove Mid	851				772	228	1,000	110%	1,083	25 to Kensington Park El			858	772	228	1,000	111%	86% adjust	
0238	841	4	SE	4	COCONUT GROVE ELEMENTARY	297	290	102%	325		325				290	44	334	112%	336	10 to Tucker El			326	290	44	334	112%	98% adjust	
0162	881	4	SE	4	COMSTOCK ELEMENTARY	597	513	116%	654	El	599				513	90	603	117%	673	105 to Dunbar El			513	513	90	603	100%	85% adjust	
0036	961	4	SE	4	CORAL GABLES ELEMENTARY	657	522	126%	694	95 to Fairchild El and 70 to																			

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0360	111	4	SE	4	MAYA ANGELOU ELEMENTARY	614	703	87%	650	55 from Comstock El	705				703	0	703	100%	100%	672	25 to Santa Clara El		702			703	0	703	100%	100%	adjust	
0242	3341	4	NE	4	MIAMI SHORES ELEMENTARY	761	714	107%	789	50 to Gratigny El	739				714	36	750	104%	99%	820	34 Students to Gratigny El		736			714	36	750	103%	98%	adjust	
0122	3501	4	SE	4	MORNINGSIDE ELEMENTARY	401	758	53%	456	80 from Hartner El	456				758	58	816	60%	56%	490	10 from Hartner El and 105 from Comstock El		760			827	0	827	92%	92%	adjust	
0049	1441	4	SE	4	PAUL LAURENCE DUNBAR ELEMENTARY	475	827	57%	542	622					827	0	827	75%	75%	565	20 to West Little River El		357			638	0	638	56%	56%		
0199	5931	4	SE	4	PHILLIS WHEATLEY ELEMENTARY	280	638	44%	333	333					638	0	638	52%	52%	357	25 to Southside El		695			703	0	703	99%	99%	adjust	
0058	3431	4	SE	4	PHYLLIS R MILLER ELEMENTARY	664	703	94%	736	50 to West Little River El	686				703	0	703	98%	98%	765	25 from Maya Angelou El		747			749	0	749	100%	100%	adjust	
0191	4681	4	SE	4	RIVERSIDE ELEMENTARY	984	749	131%	1,053	310 to Southside El Addition	743				749	0	749	99%	99%	1,082	25 to Modular (8) @ Silver Bluff El		656			703	0	703	93%	93%	adjust	
0165	4841	4	SE	4	SANTA CLARA ELEMENTARY	553	703	79%	609	609					703	0	703	87%	87%	631	210 to Modular (8) @ Silver Bluff El		882			882	0	882	100%	100%	adjust	
0168	4961	4	SE	4	SHADOLAWN ELEMENTARY	333	434	77%	316	316					434	40	474	73%	67%	337	60 to Pinecrest El		242			764	0	764	95%	95%	adjust	
0091	5001	4	SE	4	SHENANDOAH ELEMENTARY	941	882	107%	1,039	70 to Coral Way K-8	1,039				882	0	882	118%	118%	1,090	25 from Key Biscayne K-8		880			882	0	882	100%	100%	adjust	
0079	5041	4	SE	4	SILVER BLUFF ELEMENTARY	580	522	111%	627	310 from Riverside El	557				522	44	566	107%	98%	645	25 from Carver El		725			764	0	764	95%	95%	adjust	
0181	5321	4	SE	4	SOUTHSIDE ELEMENTARY	465	234	199%	436	172	304	157			746	592	826	826	90%	90%	445	25 from Kinloch Park Mid		780			826	0	826	94%	94%	adjust
0074	5401	4	SE	4	SUNSET ELEMENTARY	1,034	790	131%	1,096	172	304	157			1,096	500	1,290	1,290	252	1,542	25 from Oliver Hoover El		1,204			1,290	0	1,290	93%	93%	adjust	
0084	2531	4	SE	4	THENA CROWDER ELEMENTARY	172	304	57%	157	157					304	18	322	52%	49%	170	25 from Oliver Hoover El		170			304	0	304	56%	56%		
0105	3051	4	SE	4	TOUSSAINT L'OUVERTURE ELEMENTARY	442	660	67%	467	467					660	62	722	71%	65%	497	25 from Oliver Hoover El		497			660	0	660	75%	75%		
0203	6011	5	SE	4	ALLAPATTAH MIDDLE	656	1,116	59%	813	813					1,116	119	1,235	73%	66%	810	25 from Oliver Hoover El		810			1,116	0	1,116	73%	73%		
0211	6091	5	SE	4	CITRUS GROVE MIDDLE	1,024	1,485	69%	1,135	200 from Citrus Grove El and convert to 4-8	1,335				1,485	20	1,505	90%	89%	1,142	25 from Kinloch Park Mid		1,392			1,485	0	1,485	94%	94%		
0227	6411	5	NE	4	HORACE MANN MIDDLE	808	1,399	58%	743	100 from North Miami Mid	843				1,399	0	1,399	60%	60%	698	25 from Key Biscayne K-8		798			1,399	0	1,399	57%	57%	adjust	
0225	6361	5	SE	4	JOSE DE DIEGO MIDDLE	788	1,043	76%	613	613					1,043	0	1,043	59%	59%	585	25 from Key Biscayne K-8		585			1,043	0	1,043	56%	56%		
0223	6331	5	SE	4	KINLOCH PARK MIDDLE	1,127	1,273	89%	1,231	1,273					1,273	0	1,273	100%	100%	1,255	25 from Oliver Hoover El		1,255			1,273	0	1,273	99%	99%	adjust	
0232	6481	5	SE	4	MIAMI EDISON MIDDLE	528	1,234	43%	465	465					1,234	0	1,234	38%	38%	426	25 from Oliver Hoover El		426			1,234	0	1,234	35%	35%		
0237	6741	5	SE	4	PONCE DE LEON MIDDLE	1,184	1,313	90%	1,280	1,280					1,313	139	1,452	97%	88%	1,303	25 from Key Biscayne K-8		1,328			1,313	139	1,452	101%	101%	adjust	
0247	6841	5	SE	4	SHENANDOAH MIDDLE	1,098	1,204	91%	1,128	1,128					1,204	0	1,204	94%	94%	1,133	35 from Key Biscayne K-8		1,168			1,204	0	1,204	97%	97%	adjust	
0251	7791	7	SE	4	BOOKER T WASHINGTON SENIOR	1,345	2,270	59%	1,030	260 from Miami Sr	1,290				2,270	0	2,270	57%	57%	924	25 from Oliver Hoover El		1,184			2,270	0	2,270	52%	52%		
0256	7071	7	SE	4	CORAL GABLES SENIOR	3,492	2,799	125%	3,105	200 to Jackson Sr	2,705	200	I.S. SR		2,799	0	2,799	97%	97%</													

6. Executed “Amended and Restated Interlocal
Agreement for Public School Facility Planning in
Miami-Dade County”

**AMENDED AND RESTATED
INTERLOCAL AGREEMENT
FOR
PUBLIC SCHOOL FACILITY PLANNING
IN MIAMI-DADE COUNTY**

This Amended and Restated Agreement is entered into between Miami-Dade County, a political subdivision of the State of Florida (hereinafter referred to as "County"), the Municipalities of City of Aventura, Town of Bay Harbor Islands, City of Coral Gables, Town of Cutler Bay, City of Doral, Village of El Portal, City of Florida City, City of Hialeah, City of Hialeah Gardens, City of Homestead, Village of Key Biscayne, City of Miami, City of Miami Beach, Town of Miami Lakes, Village of Miami Shores, City of Miami Springs, City of North Bay Village, City of North Miami, City of North Miami Beach, City of Miami Gardens, City of Opa-Locka, Village of Palmetto Bay, Village of Pinecrest, City of South Miami, City of Sunny Isles Beach, City of Sweetwater, and the City of West Miami (hereinafter collectively referred to as "Cities"), and The School Board of Miami-Dade County, Florida, a political subdivision of the State of Florida (hereinafter referred to as "School Board").

RECITALS

WHEREAS, the County, Cities and the School Board recognize their mutual obligation and responsibility for the education, nurturing and general well-being of the children within their respective communities; and,

WHEREAS, the School Board has the statutory and constitutional responsibility to provide a uniform system of free and adequate public schools on a countywide basis; and,

WHEREAS, the County, Cities, and School Board recognize the benefits that will flow to the citizens and students of their communities by more closely coordinating their comprehensive land use and school facilities planning programs namely: (1) better coordination of new schools in time and place with land development, (2) greater efficiency for the school board and local governments by placing schools to take advantage of existing and planned roads, water, sewer, and parks, (3) improved student access and safety by coordinating the construction of new and expanded schools with the road and sidewalk construction programs of the local governments, (4) better defined urban form by locating and designing schools to serve as community focal points,

(5) greater efficiency and convenience by co-locating schools with parks, ball fields, libraries, and other community facilities to take advantage of joint use opportunities, (6) reduction of pressures contributing to urban sprawl and support of existing neighborhoods by appropriately locating new schools and expanding and renovating existing schools, and (7) improving the quality of education in existing, renovated and proposed schools; and,

WHEREAS, Section 1013.33, Florida Statutes, requires that the location of public educational facilities must be consistent with the comprehensive plan and implementing land development regulations of the appropriate local governing body; and,

WHEREAS, the County has jurisdiction over land use and growth management decisions within its unincorporated boundaries, including the authority to approve or deny comprehensive plan amendments and rezonings, or other development orders that generate students and impact the school system, and the Cities have similar jurisdiction within their boundaries; and,

WHEREAS, Sections 163.3177(6)(h) 1 and 2, Florida Statutes, require each local government to adopt an intergovernmental coordination element as part of their comprehensive plan that states principles and guidelines to be used in the accomplishment of coordination of the adopted comprehensive plan with the plans of the school boards, and describes the processes for collaborative planning and decision-making on population projections and public school siting; and,

WHEREAS, Sections 163.3177 and 1013.33, Florida Statutes, further require each county and the non-exempt municipalities within that county to enter into an interlocal agreement with the district school board to establish jointly the specific ways in which the plans and processes of the district school board and the local governments are to be coordinated; and,

WHEREAS, the 2005 Florida Legislature adopted Chapter 2005-98, Laws of Florida, codified at Sections 163.3177, 163.3180(13) and 1013.33, Florida Statutes, which, in relevant part, required that all school interlocal agreements be updated to reflect a new statutory mandate to implement public school concurrency; and

WHEREAS, the School Board, County and Cities have further determined that it is necessary and appropriate to cooperate with each other to coordinate the approval of residential development with the provision of adequate public school facilities in a timely manner and at appropriate locations, to eliminate any deficit of capacity and provide capacity for projected new growth, as further specified herein; and

WHEREAS, the County and Cities are entering into this Amended and Restated Agreement in reliance on the School Board's obligation to prepare, adopt and implement a financially feasible capital facilities program that will result in public

schools operating at the adopted Level of Service Standard consistent with the timing specified in the School Board's adopted five-year district educational facilities plan (hereinafter referred to as the "District Facilities Work Program"); and

WHEREAS, the School Board has further committed to update and adopt the District Facilities Work Program yearly to add enough capacity in the new fifth year to address projected growth and to adjust the District Facilities Work Program in order to maintain the adopted Level of Service Standard and to demonstrate that the utilization of school capacity is maximized to the greatest extent possible pursuant to Sections 163.3180(13)(d)2 and 1013.35, Florida Statutes; and

WHEREAS, by entering into this Amended and Restated Agreement, the School Board, County, and the Cities are fulfilling their statutory obligations and requirements recognizing the benefits that will accrue to their citizens and students described above.

AGREEMENT

NOW THEREFORE, be it mutually agreed between the School Board, the County and the Cities that the following procedures will be followed in coordinating land use and public school facilities planning:

Section 1. Joint Meetings

1.1 Staff Working Group: A Staff Working Group comprised of the County Mayor/Manager and/or designee, School Board Superintendent and/or designee, and City Mayor/Manager and/or their designees will meet at least on a semi-annual basis to discuss issues and formulate recommendations regarding public education in the School District, and coordination of land use and school facilities planning, including such issues as population and student projections, development trends, a work program for five (5), ten (10) and twenty (20) year intervals and its relationship to the local government comprehensive plans, particularly as it relates to identification of potential school sites in the comprehensive plan's future land use map series, school needs (school capacity and school funding), the implementation of public school concurrency, collocation and joint use opportunities, and ancillary infrastructure improvements needed to support the school and ensure safe student access. Representatives from the South Florida Regional Planning Council, the Latin Builders Association and the Builders Association of South Florida will also be invited to attend and participate. Meetings of the working group shall be held upon at least thirty (30) days written advance notice, and shall be coordinated by the School Board Superintendent, or designee. The Staff Working Group shall meet no later than March 31 each year to address student enrollment projections, and by April 30 and

October 31 of each year to address the public school concurrency management system, and any proposed amendments to the school-related comprehensive plan provisions. The April 30 deadline shall apply where changes are proposed for the County's first comprehensive plan amendment cycle of the following year, and the October 31 deadline shall apply for changes proposed in the second cycle of the following year.

1.2 Elected Officials Forum: The School Board Superintendent and/or designee shall coordinate a joint workshop session at least annually and invite one or more representatives of the County Commission or their designee(s), the governing body of each City or their designee(s), and the School Board or their designee(s). A representative of the South Florida Regional Planning Council will also be invited to attend. The School Board shall provide the meeting invitations with at least thirty (30) days advance written notice of such meeting to the person designated as a contact in this Amended and Restated Agreement. Modifications and amendments shall be considered by each party to this Amended and Restated Agreement in accordance with Section 15, and may be discussed at the joint workshop sessions. The joint workshop sessions provide opportunities for the County Commission, the City Commissions or Councils, and the School Board to hear reports, discuss policy, set direction, and reach understandings concerning issues of mutual concern regarding public education, and coordination of land use and school facilities planning, including population and student growth, development trends, school needs, off-site improvements, public school concurrency, school capacity, school funding, options to reduce the need for additional permanent student stations, and joint use opportunities.

Section 2. Student Enrollment and Population Projections

2.1 In fulfillment of their respective planning duties, the County, Cities, and School Board agree to coordinate their plans upon consistent projections of the amount, type, and distribution of population growth and student enrollment. Countywide five (5)-year population projections shall be updated at least once every two (2) years by the County. The School Board may enter into a separate agreement with the County for the preparation of student enrollment projections. Updated County and School District data shall be provided at least once every two (2) years for review at the Staff Working Group meeting described at Subsection 1.1.

2.2 The School Board shall utilize student population projections based on information produced by the demographic, revenue, and education estimating conferences pursuant to Section 216.136, Florida Statutes, where available, as modified by the School Board based on development data and agreement with the local governments and the Office of Educational Facilities and SMART Schools Clearinghouse. The School Board may request adjustment to the estimating conferences' projections to reflect actual enrollment and development trends using the COHORT Projection Waiver available on the Florida Department of Education website. In formulating such a request, the School Board will coordinate with the Cities and County regarding development trends and future population projections.

2.3 The School Board, working with the County and Cities via the Staff Working Group, will use the information described in subsection 3.4 and any other relevant information provided as part of the requirements of this Amended and Restated Agreement, to allocate projected student enrollment by Minor Statistical Areas.

Section 3. Coordinating and Sharing of Information

3.1 *Tentative District Educational Facilities Work Plan:* By May 31 of each year, the School Board shall submit to the County and Cities the tentative district educational facilities prior to adoption by the Board. The tentative plan will be consistent with the requirements of Section 1013.35, Florida Statutes, and include projected student populations geographically, an inventory of existing school facilities, projections of facility space needs, information on relocatables, general locations of new schools for the five (5), ten (10), and twenty (20) year time periods, and options to reduce the need for additional permanent student stations. The tentative plan will also include a financially feasible district facilities work program for a five (5) year period. The Cities and County shall review and evaluate the tentative plan and comment to the School Board by June 30 on the consistency of the tentative plan with the local comprehensive plan, including its compatibility with the comprehensive plan's future land use

map series, and whether a comprehensive plan amendment will be necessary for any proposed educational facility. The School Board shall provide the District's adopted Facilities Work Program to the County and Cities no later than October 20, and it shall be adopted into the County's and Cities' comprehensive plans each year no later than December 1.

3.2 Educational Plant Survey: The School Board will remain responsible for reporting and submission of updates. The Educational Plant Survey shall be consistent with the requirements of Section 1013.31, Florida Statutes, and include at least an inventory of existing educational facilities, recommendations for new and existing facilities, and the general location of each in coordination with existing land use plans. The Staff Working Group, in accordance with the procedure outlined in Section 3.5, will evaluate and make recommendations regarding the location and need for new, significant renovation or expansion, closures of educational facilities, and the consistency of such plans with the local government comprehensive plans and relevant issues including, but not limited to, those listed in subsections 4.3, 7.6, 7.7 and 8.1 of this Amended and Restated Agreement.

3.3 Educational Facilities Impact Fee Ordinance: The County and the School Board shall perform a review at least every three (3) years of the Educational Facilities Impact Fee Ordinance, its formula, and the Educational Facilities Impact Fee Methodology and Technical Report, and if appropriate, make recommendations for revisions to the Board of County Commissioners. The first review shall be performed within three (3) years after the effective date of the impact fee ordinance, as amended. Among the goals of this review will be the adjustment of impact fee structure to ensure the full eligible capital costs, as allowed by the governing ordinances, associated with development of public school capacity is included. In reviewing the Educational Facilities Impact Fee Ordinance, the County and School Board shall employ their best efforts to evaluate a more equitable distribution of impact fee assessments. The School Board and County will provide for local government, industry and citizen participation and input, prior to submitting recommendations to the Board of County Commissioners for substantive revisions to the Educational Facilities Impact Fee Ordinance, its formula, and/or the Educational Facilities Impact Fee Methodology and Technical Report, including the adjustment of impact fee structure or benefit district boundaries.

3.4 Growth and Development Trends: By September 30 of each year, local governments will provide the School Board with a report on growth and development trends within their jurisdiction, based on the most current available data. This report will be in tabular, graphic, and/or textual formats and will include the following:

- (a) The type, number, and location of residential units, which have received zoning approval, plat approval or site plan approval;
- (b) Information regarding adopted future land use map amendments which may have an impact on school facilities;
- (c) The County shall report to the School Board the school impact fees collected annually on building permit applications. This report shall include the amount of the fee collected and location of the proposed residential development. The School Board shall report to the County and to each City how the impact fee revenue and all other school contributions have been spent within the Benefit District in which it was collected. All data shall include source information for verification and be provided in a format consistent with other capital expenditures;
- (d) Information, if available, regarding the conversion or redevelopment of non-residential structures into residential units that are likely to generate new students and, conversely, information on the number of residential units converted to non-residential uses; and
- (e) The identification of any development orders issued that contain a requirement for the provision of a public school site as a condition of development approval.

If at all possible, data required to be submitted in this section should also be sent in a format that can be loaded into the Geographic Information Systems (GIS) database maintained by the School Board.

3.5 New, Expanded and Renovated School Facilities: The Staff Working Group shall provide recommendations on the planning of new facilities, additions or renovations for consideration by School Board staff and the School Site Planning and Construction Committee ("SSPCC") in formulating the tentative district educational facilities plan. Likewise, the Staff Working Group shall also provide input and comments, recommendations on the update of the Five-Year Educational Plant Survey and any revisions thereto.

CALENDAR OF KEY ANNUAL DATES

March 31 Staff Working Group meeting re enrollment projections

April 30 Staff Working Group Meeting re any proposed amendments to the school-related comprehensive plan provisions proposed for the first County transmittal cycle

May 31 Planning Forum to review Tentative Capital Plan including but not limited to, new schools, additions, closures, and significant renovations, at a Joint Meeting of the Staff Working Group and the School Site Planning and Construction Committee (SSPCC)

June 30 Cities and County provide School Board with written comments on Tentative Educational Facilities Plan introduced at Planning Forum

August 31 School Board provides final proposed Tentative Educational Facilities Plan to County and Cities

September 30 Cities' and County's Growth Reports to School Board

September 30 School Board adoption of District's updated Five Year Plan as a part of the Tentative Educational Facilities Plan

October 20 School Board's provision of copy of adopted version District's updated Five Year Plan to County and Cities

October 31 Staff Working Group meeting re any proposed amendments to the school-related comprehensive plan provisions proposed for the second County transmittal cycle

December 1 District's Updated Five Year Plan adopted into Cities' and County's comprehensive plans, and provision of adopted versions to School Board

3.6 *Public School Facilities Element:*

(a) *Initial comprehensive plan amendments related to the Public Schools Facilities Element to satisfy the requirements of Chapter 2005-98, Laws of Florida:* The amendments to the Public School Facilities Element and related amendments to the Capital Improvements Element and the Intergovernmental Coordination Element in the County's and Cities' comprehensive plans ("school-related element amendments" or "school-related element provisions") required to satisfy Chapter 2005-98, Laws of Florida are being adopted into the comprehensive plans of the County and Cities concurrently with the execution of this Amended and Restated Agreement by the County and Cities. Some provisions relevant to public schools may remain in the Future Land Use Element or other elements as may be appropriate.

(b) *Subsequent school-related element amendments:* Thereafter, the experience with implementing the revised comprehensive plans and the School Board's District Facilities Work Program shall be reviewed by the County and Cities each year, at a Staff Working Group meeting to be held no later than April 30 (County's first comprehensive plan amendment cycle) or October 31 (County's second comprehensive plan amendment cycle), to determine whether updates to the comprehensive plans are required. At a minimum, the District Facilities Work Program shall be updated annually by the addition of a new fifth year as provided in Section 9.3. Any other amendments to the comprehensive plans shall be transmitted in time to allow their adoption concurrently with the update to the District Facilities Work Program, where feasible. Amendments to the comprehensive plans shall be considered in accordance with the County's comprehensive planning cycle.

(c) *School Board review of school-related element amendments:* All school-related element amendments shall be provided to the School Board at least ninety (90) days prior to transmittal (or adoption if no transmittal is required). The School Board shall review the school-related element amendments and provide comments, if any, to the relevant local government either (i) in writing at least thirty (30) days prior to the local planning agency meeting on the school-related element amendment, or (ii) by attending and providing comments at the local planning agency meeting.

(d) *Countywide consistency of school-related element amendments:* The County's and Cities' school-related element provisions must be consistent with the uniform district-wide public school concurrency system, with each other, and with the School Board's facilities, plans and policies. Each City may choose to adopt all or a portion of the County's school-related element provisions into its comprehensive plan by reference, or it may

adopt its own school-related element provisions. If a City adopts its own school-related element provisions, any goal, objective, policy or other provision relevant to the establishment and maintenance of a uniform district-wide public school concurrency system shall be substantially the same as its counterpart in the County comprehensive plan and other Cities' comprehensive plans. If any school-related element amendment is proposed that deviates from the uniform district-wide public school concurrency system, it shall not become effective until the last party adopts it into its comprehensive plan. Such proposals shall be forwarded to the Staff Working Group for review, and the adoption of any such changes shall be timed to coincide with the County's comprehensive plan amendment cycle. Once each City and the County have adopted such a plan amendment and these amendments have all become effective, then the new requirement shall apply countywide. Each City and the County may adopt the District Facilities Work Program into its comprehensive plan either by reference or by restatement of the relevant portions of that Facilities Work Program, but in no event shall a City or the County attempt to modify that Facilities Work Program. The County and Cities agree to coordinate the timing of approval of school-related element amendments, to the extent that it is feasible to do so. To the extent that a proposed school-related element amendment is inconsistent with this Amended and Restated Agreement, an amendment to this Agreement shall also be required before the amended element becomes effective.

(d) Evaluation and Appraisal Report: In addition to the other coordination procedures provided for in this Amended and Restated Agreement, at the time of the Evaluation and Appraisal Report, the County and Cities shall schedule at least one Staff Working Group meeting with the School Board to address needed updates to the school-related comprehensive plan provisions.

Section 4. School Site Selection, Significant Renovations, and Potential School Closures

4.1 The School Board staff has amended Rule 6Gx13-2C-1.083, Section II.D. Membership, to expand the membership of its standing School Site Planning and Construction Committee (SSPCC) by four voting members as follows: "a floating member" designated by the City Manager of the most impacted municipality to which the agenda item relates whenever an agenda item concerns any incorporated area of Miami-Dade County, or if it concerns an unincorporated area, this "floating member" shall be from the geographically nearest municipality most impacted by the agenda item; a representative selected by the Miami-Dade County League of Cities; a Miami-Dade County representative selected by the County Manager or designee; and a member of the residential construction industry. For purposes of this Section, a floating member

from the most impacted local government shall be defined as the local government jurisdiction in which the proposed project is located. The SSPCC shall review potential sites for new schools and proposals for significant renovation, the location of relocatables or additions to existing buildings, and potential closure of existing schools, and make recommendations on these and all other issues within its purview under the Rule for consideration by School Board staff. The SSPCC shall also:

(a) Host a planning forum, by May 31, as a joint meeting of the Staff Working Group and School Site Planning and Construction Committee on an annual basis or more often as may be needed. For purposes of this forum, the SSPCC shall invite a representative from each of the impacted units of government to participate in the proceedings and to provide input and comments, for consideration by the SSPCC in its deliberations. The forum will review the School Board's acquisition schedule and all other relevant issues addressed in this Amended and Restated Agreement and required by statute, and will include appropriate staff members of the School Board, at least one staff member of the County and a representative from each of the affected Cities. Based on information gathered during the review, the SSPCC will submit recommendations to the Superintendent or designee for the upcoming year.

(b) Invite a staff representative from each unit of local government affected by an agenda item at any SSPCC meeting throughout the year to attend that meeting. It shall provide a full opportunity for such local government representatives to provide comments, and shall consider those comments in its deliberations. Based on information gathered during the review, the SSPCC will submit recommendations to the Superintendent or designee on these items.

For purposes of this Sub Section, an affected local government shall be defined as follows:

- a. Any jurisdiction within fifteen hundred (1,500) feet of the property or improvement; and
- b. Any jurisdiction whose utilities are utilized by the School Board property or improvement.

The School Board Superintendent and/or designee shall provide the invitations referenced in this Section 4.1, with at least thirty (30) days advance written notice of such meeting to the person designated as a contact in this Amended and Restated Agreement. The Superintendent or designee shall forward the SSPCC recommendations referenced in this Amended and Restated Agreement to the School Board so that they may be considered by the Board at the time that it deals with the issues to which the recommendations relate.

4.2 When the need for a new school is identified and funded in the District Facilities Work Program, the SSPCC will review a list of potential sites in the area of need. The list of potential sites for new schools and the list of schools identified and funded in the District Facilities Work Program for significant renovation, the location of relocatables, or additions to existing buildings and potential closure and opportunities for collocation will be submitted to the local government with jurisdiction over the use of the land for an informal assessment regarding consistency with the local government comprehensive plan.

4.3 The evaluation of new school sites or significant expansion of student stations at existing schools shall be in accordance with School Board Rule 6Gx13-2C-1.083, as may be amended from time to time and attached hereto as Exhibit 1. Any proposed amendments to this rule, which may impact upon the terms of this Amended and Restated Agreement, shall be submitted to the affected local units of government prior to submission to the SSPCC and to the School Board.

4.4 Pursuant to Section 1013.33(11), Florida Statutes, at least sixty (60) days prior to acquiring or leasing property that may be used for a new public educational facility, the School Board shall provide written notice to the local government with jurisdiction over the use of the land. The local government, upon receipt of this notice, shall notify the School Board within forty-five (45) days if the proposed new school site is consistent with the land use categories as depicted in the future land use map series, as well as the policies of the local government's comprehensive plan. If the site is not consistent, it shall not be used as a school site until and unless otherwise approved by the local government. This preliminary notice does not constitute the local government's determination of consistency pursuant to Section 1013.33(12), Florida Statutes.

Section 5. Supporting Infrastructure

5.1 In conjunction with the preliminary consistency determination described at subsection 4.4 of this Amended and Restated Agreement, the School Board and affected local governments will jointly determine the need for, and timing of, on-site and off-site improvements necessary to support each new school or the proposed significant expansion of an existing school, in those instances where capacity is being added to accommodate new student populations. Significant expansion shall include construction improvements that result in a greater than five (5) percent increase in student capacity, the location of relocatables, or additions to existing buildings for high schools with a capacity of more than 2,000 students. For significant expansions to high schools with a capacity of less than 2,000 and for middle schools, the applicable percentage shall be ten (10) percent, and for significant expansions to elementary schools (including K-8 centers), the applicable percentage

shall be fifteen (15) percent. The School Board and affected local government will enter into a letter of agreement as to the timing, location, and the party or parties responsible for constructing, operating and maintaining the required on-site and off-site improvements related to the expansions and new schools referenced above, respectively.

This section shall not be construed to require the affected local unit of government to bear any costs of infrastructure improvements related to school improvements.

Section 6. Public Education Facilities Site Plan Review

6.1 The School Board and the County will continue to coordinate any and all proposed construction or expansion of public educational facilities, including the general location of new schools in unincorporated Miami-Dade County, with the County's Comprehensive Development Master Plan (CDMP) and local land development regulations in accordance with the review procedures outlined in Miami-Dade County Resolution R-678-06, as adopted on June 6, 2006.

6.2 The School Board will coordinate any and all proposed construction or expansion of public educational facilities, including the location of new schools or relocatables, within any City's jurisdiction with that City's adopted comprehensive plan and land development regulations. This coordination shall be accomplished in accordance with the provisions of Sections 1013.33(12) through (15), Florida Statutes. The affected City shall provide all of its comments to the School Board as expeditiously as feasible, and not later than sixty (60) days after receipt of the complete site plan.

Section 7. Local Planning Agency, Comprehensive Plan Amendments, Rezonings, and Developments of Regional Impact

7.1 In accordance with the requirements of and to the extent required by Section 163.3174(1), Florida Statutes, the County and Cities will invite a staff representative appointed by the School Board to attend meetings, on an as needed basis, of their local planning agencies or equivalent agencies that first consider comprehensive plan amendments and rezonings at which comprehensive plan amendments, rezonings, or Development of Regional Impact proposals or amendments are considered that would, if approved, increase residential density. The County and Cities may appoint such School Board representative to the planning agency, and, at their sole discretion, may grant voting status to the School Board representative.

7.2 The School Board will designate a staff representative to serve in an advisory support capacity on the County's staff development review committee, or equivalent body. In addition, the School Board

representative will be invited to participate at the meetings of the Cities' staff development review committees, or equivalent body, as appropriate, when comprehensive plan amendments, rezonings or Development of Regional Impact proposals or amendments are proposed that would create an increase in the number of residential units. It shall be the responsibility of School Board staff to be prepared to comment in writing to the local staff development review committees at least five (5) days prior to the meeting or development review committee review, for their consideration. These comments shall include a statement that the application will be subject to public school concurrency review at the plat, site plan or functional equivalent stage, consistent with Section 9 of this Amended and Restated Agreement. A copy of the application shall be delivered to the School Board representative at least fifteen (15) working days prior to the proposed meeting date, or on the date the agenda is distributed. The School Board's review shall be conducted in accordance with agreed upon procedures to be developed through a collaborative process with the Staff Working Group.

7.3 The County and the Cities agree to transmit to the School Board copies of proposed comprehensive plan amendments, rezonings, and Development of Regional Impact proposals or amendments that may affect student enrollment, enrollment projections, or school facilities

7.4 Within thirty (30) days after receipt of notification by the local government, which notification shall include development plans, the School Board will advise the local government of the school enrollment impacts anticipated to result from the proposed comprehensive plan amendment, rezoning, or Development of Regional Impact proposals or amendments. The School Board will also include capacity information on approved charter schools that provide relief in the area of impact. The School Board may charge a non-refundable application fee payable to the School Board to reimburse the cost to review comprehensive plans, rezonings and Development of Regional Impact proposals or amendments pursuant to this Section. In that event, payment may be required prior to the commencement of review.

7.5 The review by the School Board staff regarding comprehensive plan amendments, rezonings and Development of Regional Impact proposals or amendments containing residential units shall be classified as "Public Schools Planning Level Review (Schools Planning Level Review)". The Schools Planning Level Review does not constitute public school concurrency review. This Section shall not be construed to obligate a City or County to deny or approve (or to preclude a City or County from approving or denying) an application.

7.6 In the review and consideration of comprehensive plan amendments, rezonings, and Development of Regional Impact proposals

or amendments, and their respective potential school impacts, the County and Cities should consider the following issues:

- a. School Board comments, which may include available school capacity or planned improvements to increase school capacity, including School Board approved charter schools and operational constraints (e.g., establishment of or modifications to attendance boundaries and controlled choice zones), if any, that may impact school capacity within an area, including public-private partnerships. Failure of the School Board to provide comments to the County or Cities within thirty (30) days as specified in Section 7.4 may be considered by the parties as a response of "no comment." In such a scenario, the County and Cities shall not be obligated to delay final action by the County Commission or City Council;
- b. The provision of school sites and facilities within planned neighborhoods;
- c. Compatibility of land uses adjacent to existing schools and reserved or proposed school sites;
- d. The potential for collocation of parks, recreation and neighborhood facilities with school sites;
- e. The potential for linkage of schools, parks, libraries and other public facilities with bikeways, trails, and sidewalks for safe access;
- f. Traffic circulation plans that serve schools and the surrounding neighborhood, including off-site signalization, signage, and access improvements; and
- g. The general location of public schools proposed in the District Facilities Work Program as well as other available information over a ten (10) and twenty (20) year time frame.

7.7 In formulating community development plans and programs, the County and Cities should consider the following issues:

- a. Giving priority to scheduling capital improvements that are coordinated with and meet the capital needs identified in the District Facilities Work Program;
- b. Providing incentives that promote collaborative efforts between the School Board and the private sector to develop adequate school facilities in residential developments;
- c. Targeting community development improvements in older and distressed neighborhoods near existing or proposed School Board

owned and operated public schools and School Board approved charter schools;

- d. Coordination with neighboring jurisdictions to address public school issues of mutual concern; and
- e. Approval and funding of community development districts (CDD) and other available funding mechanisms created by state law.

Section 8. Collocation and Shared Use

8.1 Collocation and shared use of facilities are important to both the School Board and local governments. The School Board, Cities and County will work together, via the Staff Working Group, the SSPCC, and the Citizens Oversight Committee to look for opportunities to collocate and share use of school facilities and civic facilities when preparing the District Facilities Work Program. Likewise, collocation and shared use opportunities will be considered by the local governments when preparing the annual update to the comprehensive plan's schedule of capital improvements and when planning and designing new, or renovating existing, community facilities. For example, potential opportunities for collocation and shared use with public schools will be considered where compatible for existing or planned libraries, parks, recreation facilities, community centers, auditoriums, learning centers, museums, performing arts centers, and stadiums. In addition, the potential for collocation and shared use of school and governmental facilities for joint use by the community will also be considered.

8.2 A separate agreement or an amendment to a master agreement between the School Board and the appropriate local government will be developed for each instance of collocation and shared use, which addresses legal liability, operating and maintenance costs, scheduling of use, and facility supervision or any other issues that may arise from collocation and shared use.

8.3 Collocation and shared use as provided for in this Amended and Restated Agreement may include the sharing of county and municipal facilities for student use, such as use of a park for park purposes by students from a neighboring public school, and similarly may include the use of public school facilities by the community.

8.4 In order to maximize the efficient utilization of public funding and to further the collocation and shared use of county and municipal facilities with School Board-owned and operated public schools, local governments are strongly encouraged not to require the provision or enhancement of charter school facilities as a condition of local development approval.

Section 9. Implementation of Public School Concurrency

9.1 This section establishes the mechanisms for coordinating the development, adoption, and amendment of the District Facilities Work Program, as well as the Public School Facilities Elements and the Intergovernmental Coordination and Capital Improvements Elements of the County and Cities' comprehensive plans, in order to implement a uniform districtwide public school concurrency system as required by law.

9.2 The School Board, County and Cities agree to the following principles for public school concurrency in Miami-Dade County:

(a) *Capacity Methodology and Formula for Availability:* The uniform methodology for determining if a particular school is overcapacity shall be determined by the School Board and adopted into the County's and Cities' comprehensive plans. The School Board hereby selects Florida Inventory of School Houses (FISH) capacity as the uniform methodology to determine the capacity of each school. The capacity and enrollment numbers for a school shall be determined once a year, in October.

The School Board will issue an evaluation report determining whether adequate school capacity exists for a proposed development, based on the adopted Level of Service Standards, concurrency service areas, and other standards set forth in this Amended and Restated Agreement, as follows:

1. Calculate **total school facility capacity** by adding the capacity provided by an existing school facility to the capacity of any planned school facilities programmed to provide relief to that school facility, listed in the first three (3) years of the District Facilities Work Program.
2. Calculate **available school facility capacity** by subtracting from the total school facility capacity the sum of:
 - a. Current student enrollment (school facility capacity consumed by preexisting development);
 - b. The portion of reserved capacity having a valid unexpired certificate of concurrency from the School Board; and
 - c. The portion of previously approved development (vested from concurrency) projected to be developed within three (3) years.

3. Calculate the proposed development's demand for school facility capacity by:

- a. Applying the student generation rate to the proposed development to determine its total demand; and
- b. Subtracting a credit for the total district-wide enrollment of magnet and charter school facilities.

4. Subtract the proposed development's demand for school facility capacity from the available school facility capacity to determine if there is a deficit. If so, repeat the process to determine if school facility capacity is available in any contiguous Concurrency Service Area ("CSA") in the same Geographic Area (Northwest, Northeast, Southwest, or Southeast), which map is attached hereto as Exhibit 2.

The School Board may charge a non-refundable application fee payable to the School Board to reimburse the cost to review matters related to public school concurrency. In that event, payment may be required prior to the commencement of review.

In evaluating a final subdivision, site plan, or functional equivalent for concurrency, any relevant programmed improvements in the current year, or Years 2 or 3 of the District Facilities Work Program shall be considered available capacity for the project and factored into the Level of Service analysis. Any relevant programmed improvements in Years 4 or 5 of the District Facilities Work Program shall not be considered available capacity for the project unless funding to accelerate the improvement is assured through the School Board, through proportionate share mitigation or some other means of assuring adequate capacity will be available within three (3) years. Relocatable classrooms may be used by the Miami-Dade County Public School System as an operational solution during replacement, renovation, remodeling or expansion of a public school facility; and in the event of a disaster or emergency which prevents the School Board from using a portion of the affected school facility.

(b) *Level of Service Standards:* Public school concurrency shall be applied on a less than district-wide basis, to concurrency service areas as described in subsection (c), except for Magnet Schools where public school concurrency shall be applied on a district wide basis. Level of Service standards for public school facilities apply to those traditional educational facilities, owned and operated by Miami-Dade County Public Schools, that are required to serve the residential development within their

established concurrency service area. Level of Service standards do not apply to charter schools. However, the actual enrollment (October Full Time Equivalent (FTE)) of both magnet and charter schools as a percentage of the total district enrollment will be credited against the impact of development.

The uniform, district-wide Level of Service Standards for Public School Facilities are initially set as follows, and shall be adopted in the County's and Cities' Public School Facilities Elements and Capital Improvements Elements:

1. The adopted Level of Service (LOS) Standard for all Miami-Dade County Public School facilities is 100% FISH Capacity (With Relocatable Classrooms). This LOS Standard, except for Magnet Schools, shall be applicable in each public school concurrency service area (CSA), defined as the public school attendance boundary established by the Miami-Dade County Public Schools.
2. The adopted LOS standard for Magnet Schools is 100% of FISH (With Relocatable Classrooms) which shall be calculated on a district-wide basis.
3. It is the goal of Miami-Dade County Public Schools and Miami-Dade County for all public school facilities to achieve 100% utilization of Permanent FISH (No Relocatable Classrooms) by January 1, 2018. To help achieve the desired 100% of permanent FISH utilization by 2018, Miami-Dade County Public Schools should continue to decrease the number of relocatable classrooms over time. Public school facilities that achieve 100% utilization of Permanent FISH capacity (No Relocatable Classrooms) should, to the extent possible, no longer utilize relocatable classrooms, except as an operational solution. Beginning January 1, 2013, the Miami-Dade County Public Schools will implement a schedule to eliminate all remaining relocatable classrooms by January 1, 2018.

By December 2010, Miami-Dade County in cooperation with Miami-Dade County Public Schools will assess the viability of modifying the adopted LOS standard to 100% utilization of Permanent FISH (No Relocatable Classrooms) for all CSAs.

4. Relocatable classrooms may be used by the Miami-Dade County Public School System as an operational solution during replacement, renovation, remodeling or expansion of a public school facility; and in the event of a disaster or emergency which

prevents the School Board from using a portion of the affected school facility.

Potential amendments to these LOS Standards shall be considered at least annually at the Staff Working Group meeting to take place no later than April 30 or October 31 of each year. If there is a consensus to amend any LOS Standard, it shall be accomplished by the execution of an amendment to this Amended and Restated Agreement by all parties and the adoption of amendments to the County's and each City's comprehensive plan. The amended LOS Standard shall not be effective until all plan amendments are effective and the amendment to this Amended and Restated Agreement is fully executed. No LOS Standard shall be amended without a showing that the amended LOS Standard is financially feasible and can be achieved and maintained over the five years of the District Facilities Work Program.

After adoption of the District's first Facilities Work Program which was relied on for public school concurrency requirements, capacity shall be maintained within each year of the District's subsequent Facilities Work Program. If the impact of the project will not be felt until Years 2 or 3 of the District Facilities Work Program, then any relevant programmed improvements in those years shall be considered available capacity for the project and factored into the Level of Service analysis. If the impact of the project will not be felt until Years 4 or 5 of the District Facilities Work Program, then any relevant programmed improvements shall not be considered available capacity for the project unless funding of the improvement is assured, through School Board funding, the proportionate share mitigation process, or some other means, and the project is accelerated into the first three (3) years of the District Facilities Work Program.

(c) *Concurrency Service Areas:* The Concurrency Service Area (CSA) shall be the student attendance boundaries for elementary, middle and high schools. The concurrency service area boundaries shall be part of the data and analysis in support of the County's and Cities' comprehensive plans. Concurrency service areas shall maximize capacity utilization, taking into account transportation costs, limiting maximum student travel times, the effect of court-approved desegregation plans, achieving socio-economic, racial, cultural and diversity objectives, and other relevant factors as determined by the School Board's policy on maximization of capacity.

The School Board shall address how capacity has been maximized in the affected concurrency service area. For purposes of this Amended and Restated Agreement, maximization of capacity shall mean any operational or physical adjustment that increases the available capacity of a school or

a concurrency service area. Maximization may take into account several factors, including transportation costs, student travel times, socio-economic objectives, and recognition of the timing of capacity commitments. These adjustments may include, but are not limited to, physical changes to the school facility such as expansions or renovations, and operational changes such as staggered schedules, floating teachers, or reassignment of students. The types of physical and operational adjustments to school capacity that will be used in Miami-Dade County, and the circumstances under which they are appropriate, will be determined by the School Board's policy on maximization of capacity, as set forth in the Public School Facilities Element.

Potential amendments to the concurrency service areas, other than periodic adjustments to student attendance boundaries, or to redefine the concurrency service area as a different type of boundary or area shall be considered annually at the Staff Working Group meeting to take place each year no later than April 30 or October 31, and shall take into account the issue of maximization of capacity. Other considerations for amending the concurrency service areas may include safe access (including factors such as the presence of sidewalks, bicycle paths, turn lanes and signalization, general walkability), diversity, and geographic or manmade constraints to travel. If there is a consensus to change the concurrency service area to a different type of service area or geographic configuration, it shall be accomplished by the execution of an amendment to this Amended and Restated Agreement. The changed concurrency service area shall not be effective until the amendment to this Amended and Restated Agreement is fully executed and related amendments to the County and Cities' comprehensive plans are adopted. Proposed amendments to the concurrency service areas shall be presented to the Staff Working Group and incorporated as updated data and analysis in support of the County's and Cities' comprehensive plans. No concurrency service area shall be amended or redefined without a showing that the amended or redefined concurrency service area boundaries are financially feasible and can be achieved and that the adopted LOS Standard can be maintained over the five years of the District Facilities Work Program.

If maximization of capacity has not resulted in sufficient capacity, so that the adoption of the development proposal would result in a failure to meet the Level of Service Standard, and if capacity is available in one or more contiguous concurrency service areas within the first three years of the District Facilities Work Program in the same Geographic Area (Northwest, Northeast, Southwest, Southeast) as the development, the School Board, at its discretion, shall determine the contiguous concurrency service area to which the development impacts will be shifted. If there is still not enough capacity to absorb the impacts of the development proposal after maximization of capacity and shifting of impacts, then the School Board

will notify the local government in writing of the finding, and the local government shall then notify the applicant of the finding.

(d) *Student Generation Multipliers:* The School Board staff, working with the County staff and Cities' staffs, have developed and applied student generation multipliers for residential units by type and Minor Statistical Area for schools of each type, considering past trends in student enrollment in order to project school enrollment. The student generation rates shall be determined by the School Board in accordance with professionally accepted methodologies, shall be updated at least every three (3) years inasmuch as possible, and shall be adopted into the County's and Cities' comprehensive plans. The school enrollment projections will be included in the tentative district educational facilities plan provided to the County and Cities each year as specified in Subsection 3.1 of this Amended and Restated Agreement.

(e) *Concurrency Management System:* The County and Cities shall amend the concurrency management systems in their land development regulations to require that all non-exempt new residential units be reviewed for public school concurrency at the time of final plat or site plan (or functional equivalent), using the coordination processes specified in Section 7 above, within one hundred and twenty (120) days of the effective date of the Comprehensive Plan amendment(s) implementing public school concurrency. In the event that the Comprehensive Plan amendment(s) or amendment(s) to this Amended and Restated Agreement, which are necessary to implement public school concurrency are challenged, the land development regulations shall be adopted within one hundred and twenty (120) days after the resolution of such challenge. The County or any City may choose to request from the School Board's staff and provide an informational assessment of public school concurrency at the time of preliminary plat or subdivision, but the test of concurrency shall be at final subdivision, site plan (or functional equivalent). The assessment of available capacity by the School Board shall consider maximization of capacity and shifting of impacts as further detailed above. The County and Cities shall not deny a final subdivision or site plan (or functional equivalent) for the failure to achieve and maintain the adopted Level of Service Standard for public school capacity where:

- (i) adequate school facilities will be in place or under actual construction within three (3) years after the issuance of the final subdivision or site plan (or functional equivalent); or
- (ii) the developer executes a legally binding commitment to provide mitigation proportionate to the demand for public school facilities to be created by the actual development of

the property subject to the final plat or site plan (or functional equivalent) as provided in Section 9.2(g) below.

However, this Amended and Restated Agreement shall not be construed to limit the authority of any City or the County to deny the final plat or site plan (or functional equivalent) for reasons other than failure to achieve and maintain the adopted Level of Service Standard for public school capacity. The County and Cities, in consultation with the School Board, shall also amend their concurrency management systems in their land development regulations to address public school facilities, so that the annual monitoring reports provided to their governing bodies shall cover schools as well as the other concurrency facilities within one hundred and twenty (120) days of the effective date of this Amended and Restated Agreement.

Upon final action by the City or County regarding the application for final plat, site plan or functional equivalent, the City or County shall send written notice to the School Board indicating that the application was granted final approval or denied. If the application received final approval, the school concurrency approval for the development and anticipated students shall be valid for up to two (2) years, beginning from the date the application received final approval from the City or County, except as may be provided by federal law and as further specified in the applicable concurrency management system regulations, unless otherwise released by the appropriate governing body in which case, within ten (10) business days of the release the appropriate governing body shall notify the School Board of such and request the capacity reservation be cancelled. An extension of the reservation period may be granted when the applicant demonstrates that development has commenced on a timely basis and is continuing in good faith, provided that the total reservation period does not exceed six (6) years, as further specified in the applicable concurrency management system regulations. If the application was denied, the School Board's staff shall deduct from its database the students associated with the application.

(f) *Proportionate Share Mitigation:* The School Board shall establish within the District Facilities Work Program the following standards for the application of proportionate share mitigation:

1. *Student Generation Multipliers* for single family, multi family and mobile home housing types for elementary, middle and high schools. Student Generation Multipliers shall be based upon the best available district-specific data and derived by a professionally acceptable methodology acceptable to the School Board;

2. *Cost per Student Station* estimates for elementary, middle and high schools. Such estimates shall include all cost of providing instructional and core capacity including, without limitation, land, design, buildings, equipment and furniture, and site improvements. The cost of ancillary facilities that generally support the School Board and the capital costs associated with the transportation of students shall not be included in the Cost per Student Station estimate used for proportionate share mitigation;

3. *The capacity* of each school; and
4. *The current and reserved enrollment* of each school.

The above factors shall be reviewed annually and certified for application for proportionate share mitigation purposes during the period that the District Facilities Work Program is in effect.

In the event that there is not sufficient capacity in the affected or contiguous concurrency service area to address the impacts of a proposed development, the following steps shall apply. Either (i) the project must provide capacity enhancement sufficient to meet its impacts through proportionate share mitigation; or (ii) a condition of approval of the site plan or final plat (or functional equivalent) shall be that the project's impacts shall be phased and building permits shall be delayed to a date when capacity enhancement and Level of Service can be assured; or (iii) the project must not be approved. The school board and the affected local government shall coordinate on the possibility of mitigation.

Options for providing proportionate share mitigation for any approval of additional residential dwelling units that triggers a failure to meet the Level of Service Standard for public school capacity will be specified in the County's and Cities' Public School Facilities Elements. Options shall include the following:

1. Money – Contribute full capital cost of a planned project, or project proposed to be added to the first three (3) years of the District Facilities Work Program, in the affected concurrency service areas, providing sufficient capacity to absorb the excess impacts of the development, on land owned by the School Board or donated by another development.
2. Land - Donate land to and/or capital dollars equal to the cost of impact to the School Board needed for construction of a planned project, or project proposed to be added to the first three (3) years of the District Facilities Work Program in the affected concurrency service areas, and

the School Board or some other entity funds the construction of or constructs the project.

3. Construction - Build a planned project, or project proposed to be added to the first three (3) years of the District Facilities Work Program, on land owned by the School Board or donated by another development, with sufficient capacity to absorb the excess impact of the development in the affected concurrency service area. (Usually, projects are more than one classroom).
4. Mix and Match - Combine two or more of these options to provide sufficient capacity to mitigate the estimated impact of the residential development on the affected concurrency service areas.
5. Mitigation banking - Mitigation banking within designated areas based on the construction of a public school facility in exchange for the right to sell capacity credits. Capacity credits shall only be transferred to developments within the same concurrency service area or a contiguous concurrency service area. Mitigation banking shall be administered by the School Board in accordance with the requirements of the concurrency mitigation system.

Proportionate-share mitigation must be acceptable to the School Board. Mitigation shall be directed to projects in the first three (3) years of the District Facilities Work Program that the School Board agrees will satisfy the demand created by that development approval.

The amount of mitigation required shall be calculated based on the cost per student station, as defined above, and for each school type (elementary, middle and high) for which there is not sufficient capacity. The Proportionate Share for a development shall be determined by the following formulas:

Number Of New Student Stations Required For Mitigation (By School Type) =

[Number Of Dwelling Units Generated By Development Proposal, By Housing Type x

Student Generation Multiplier (By Housing Type And School Type)] – Credit for Districtwide Capacity of Magnet Schools and Charter Schools –

Number of Available Student Stations

Cost of Proportionate Share Mitigation =

Number Of New Student Stations Required For Mitigation (By School Type) x Cost Per Student Station (By School Type).

The full cost of proportionate share mitigation shall be required from the proposed development.

The local government and the School Board shall consider the evaluation report and the options that may be available for proportionate share mitigation including the amendment of the District Facilities Work Program. If the local government and the School Board find that options exist for proportionate share mitigation, they shall authorize the preparation of a development agreement and other documentation appropriate to implement the proportionate share mitigation option(s). A legally binding development agreement shall be entered into between the School Board, the relevant local government, and the applicant and executed prior to issuance of the final plat, site plan or functional equivalent. In that agreement, if the School Board accepts the mitigation, the School Board must commit to place the improvement required for mitigation on the first three (3) years of the Five Year Plan. This development agreement shall include the landowner's commitment to continuing renewal of the development agreement until the mitigation is completed as determined by the School Board. This agreement shall also address the amount of the impact fee credit that may be due for the mitigation, and the manner in which it will be credited.

Upon execution of a development agreement among the applicant, the local government and the School Board, the local government may issue a development order for the development. The development order shall condition approval upon compliance with the development agreement.

9.3 Updates to Public School Concurrency: The School Board, County and Cities shall use the processes and information sharing mechanisms outlined in this Amended and Restated Agreement to ensure that the uniform district-wide public school concurrency system is updated, the District Facilities Work Program remains financially feasible in the future, and any desired modifications are made. The District's updated Five-Year Plan will be adopted into the County's and Cities' capital improvement elements no later than December 1 of each year.

The School Board shall not amend the District Facilities Work Program as to modify, delay or delete any project that affects student capacity in the first three (3) years of the Five Year Plan unless the School District staff, with the concurrence of a majority of the School Board members, provides written confirmation that:

1. The modification, delay or deletion of a project is required in order to meet the School Board's constitutional obligation to provide

a county-wide uniform system of free public schools or other legal obligations imposed by state or federal law; or

2. The modification, delay or deletion of a project is occasioned by unanticipated change in population projections or growth patterns or is required in order to provide needed capacity in a location that has a current greater need than the originally planned location and does not cause the adopted LOS standard to be exceeded in the Concurrency Service Area from which the originally planned project is modified, delayed or deleted; or

3. The project schedule or scope has been modified to address local government concerns, and the modification does not cause the adopted LOS standard to be exceeded in the Concurrency Service Area from which the originally planned project is modified, delayed or deleted; and

4. The Staff Working Group has had the opportunity to review the proposed amendment and has submitted its recommendation to the Superintendent or designee.

The School Board may amend the District Facilities Work Program at any time to add necessary capacity projects to satisfy the provisions of this Agreement. For additions to the District Facilities Work Program, the School Board must demonstrate its ability to maintain its financial feasibility.

9.4 Exemptions and Vested Development: The following types of developments shall be exempt from the requirements of public school concurrency:

- a. Developments that result in a total impact of less than one (1) student in any level or type of school; and
- b. Development with covenants restricting occupancy to exclude school age children (e.g., 55 and over).

The following types of developments shall be considered vested from the requirements of public school concurrency:

- a. Developments with a valid, unexpired site plan or final plat or functional equivalent, as of December 31, 2007;
- b. Developments that have executed and recorded covenants or have provided monetary mitigation payments, as of December 31,

2007, under the School Board's current voluntary mitigation procedures;

c. Any Development of Regional Impact for which a development order was issued, pursuant to Chapter 380, Florida Statutes, prior to July 1, 2005. Also, any Development of Regional Impact for which an application was submitted prior to May 1, 2005.

Section 10. Resolution of Disputes

10.1 If the parties to this Amended and Restated Agreement are unable to resolve any issue in which they may be in disagreement covered in this Amended and Restated Agreement, the applicable parties to the dispute will employ dispute resolution procedures pursuant to Chapter 164 or Chapter 186, Florida Statutes, as amended from time to time, or any other mutually acceptable means of alternative dispute resolution. Each party shall bear their own attorney's fees and costs.

Section 11. Oversight Process

11.1 The School Board shall appoint up to nine (9) citizen members, the County and the Miami-Dade County League of Cities shall each appoint up to five (5) citizen members to serve on a committee to monitor implementation of this Amended and Restated Agreement. The School Board shall organize and staff the meetings of this Citizens Oversight Committee, calling on the Staff Working Group for assistance as needed. It shall provide no less than seven (7) days written notice of any meeting to the members of the Citizens Oversight Committee, the Staff Working Group, the SSPCC, County, Cities and to the public. Citizens Oversight Committee members shall be invited by the School Board to attend all meetings referenced in Sections 1 and 4 and shall receive copies of all reports and documents produced pursuant to this Amended and Restated Agreement. The Citizens Oversight Committee shall appoint a chairperson, meet at least annually, and report to participating local governments, the School Board and the general public on the effectiveness with which the interlocal agreement is being implemented. At least sixty (60) days prior to the annual meeting of the Citizens Oversight Committee, the Staff Working Group and the SSPCC shall each submit an annual report regarding the status of the implementation and effectiveness of the Agreement. These annual reports shall additionally be distributed to all parties to this Amended and Restated Agreement. Meetings of the Citizens Oversight Committee shall be conducted as public meetings, and provide opportunities for public participation. The Citizens Oversight Committee shall adopt bylaws that shall govern its operation.

Section 12. Effective Date and Term

This Amended and Restated Agreement shall take effect upon the date of publication of a Notice of Intent to find it consistent with the requirements of Section 163.31777(2), Florida Statutes. This Amended and Restated may be executed in any number of counterparts, each of which will be deemed an original, but all of which together will constitute one and the same instrument and be the agreement between the parties. The failure of any party to execute the Agreement by January 1, 2008 may subject that party to penalties as provided by statute. This Amended and Restated Agreement may be amended by mutual adoption by all parties, at the yearly joint meeting or as the situation warrants. This Amended and Restated Agreement may be earlier cancelled by mutual agreement of individual Cities or County and the School Board, unless otherwise cancelled as provided or allowed by law. In such a case, the withdrawing party/ies and the School Board may be subject to sanctions from the Administration Commission and the Florida Department of Education, unless they enter into a separate agreement within 30 days that satisfies all of the relevant requirements of Florida Statutes. Any separate agreement must be consistent with the uniform district-wide public school concurrency system.

Section 13. Severability

If any item or provision of this Amended and Restated Agreement is held invalid or unenforceable, the remainder of the Agreement shall not be affected and every other term and provision of this Amended and Restated Agreement shall be deemed valid and enforceable to the extent permitted by law.

Section 14. Notice and General Conditions

- A. All notices which may be given pursuant to this Amended and Restated Agreement, except notices for meetings provided for elsewhere herein, shall be in writing and shall be delivered by personal service or by certified mail return receipt requested addressed to the parties at their respective addresses indicated below or as the same may be changed in writing from time to time. Such notice shall be deemed given on the day on which personally served, or if by mail, on the fifth day after being posted or the date of actual receipt, whichever is earlier.

City Manager
City of Aventura
19200 West Country Club Drive
Aventura, Florida 33180

Town Manager
Town of Bay Harbor Islands
9665 Bay Harbor Terrace
Bay Harbor Islands, Florida 33154

City Manager
City of Coral Gables
P.O. Box 141549
Coral Gables, Florida 33114-1549

Town Manager
Town of Cutler Bay
10720 Caribbean Blvd., Suite 105
Cutler Bay, FL 33189

City Manager
City of Doral
8300 NW 53rd Street, Suite 100
Doral, FL 33166

Mayor
Village of El Portal
500 N.E. 87 Street
El Portal, Florida 33138-3517

Mayor
City of Florida City
P.O. Box 343570
Florida City, Florida 33034-0570

Mayor
City of Hialeah
P.O. Box 110040
Hialeah, Florida 33011-0040

Chief Zoning Official
City of Hialeah Gardens
10001 N.W. 87 Avenue
Hialeah, Gardens, Florida 33016

City Manager
City of Homestead
790 North Homestead Boulevard
Homestead, Florida 33030

Village Manager
Village of Key Biscayne
85 West McIntyre Street
Key Biscayne, Florida 33149

City Manager
City of Miami
3500 Pan American Drive
Miami, Florida 33133

City Manager
City of Miami Beach
City Hall
1700 Convention Center Drive
Miami Beach, Florida 33139

City Manager
City of Miami Gardens
1515 NW 167th Street, Suite 200
Miami Gardens, FL 33169

Town Manager
Town of Miami Lakes
6853 Main Street
Miami Lakes, Florida 33014

Village Manager
Village of Miami Shores
10050 N.E. Second Avenue
Miami Shores, Florida 33138

City of Miami Springs
201 Westward Drive
Miami Springs, Florida 33166-5259

City Manager
City of North Bay Village
7903 East Drive
North Bay Village, Florida 33141

City Manager
City of North Miami
776 N.E. 125 Street
North Miami, Florida 33161

City Manager
City of North Miami Beach
17011 N.E. 19 Avenue
North Miami Beach, Florida 33162

Director of Community Development and Planning
City of Opa-Locka
777 Sharazad Boulevard
Opa-Locka, Florida 33054

Village Attorney
The Village of Palmetto Bay
3225 Aviation Avenue, Suite 301
Miami, Florida 33133

Planning Director
Village of Pinecrest
12645 Pinecrest Parkway
Pinecrest, Florida 33156

City Manager
City of South Miami
6130 Sunset Drive
South Miami, Florida 33143

Deputy City Attorney
City of Sunny Isles Beach
17070 Collins Avenue
Sunny Isles Beach, Florida 33160

Mayor
City of Sweetwater
500 S.W. 109 Avenue
Sweetwater, Florida 33174-1398

City Manager
City of West Miami
901 S.W. 62 Avenue
West Miami, Florida 33144

Miami-Dade County
Director Department of Planning & Zoning
111 N.W. First Street
Miami, Florida 33128

Superintendent
The School Board of Miami-Dade County, Florida
1450 N. E. 2 Avenue, Room 912
Miami, Florida 33132

B. Title and Paragraph headings are for convenient reference and are not intended to confer any rights or obligations upon the parties to this Amended and Restated Agreement.

Section 15. Merger Clause

This Amended and Restated Agreement, together with the Exhibits hereto, sets forth the entire agreement between the parties and there are no promises or understandings other than those stated therein. It is further agreed that no modification, amendment or alteration of this Amended and Restated Agreement shall be effective unless contained in a written document executed with the same formality and of equal dignity herein. The Exhibits to this Amended and Restated Agreement will be deemed to be incorporated by reference as though set forth in full herein. In the event of a conflict or inconsistency between this Amended and Restated Agreement and the provisions in the incorporated Exhibits, then Amended and Restated Agreement will prevail.

Any amendment to this Amended and Restated Agreement requested by a local legislative body of the County or a participating municipality will be placed on a School Board Agenda for consideration within sixty (60) days of the School Board's receipt of such request. Likewise, any amendments to this Amended and Restated Agreement requested by the School Board will be placed on the agenda of the local legislative body of the County and participating municipalities for consideration, within sixty (60) days of receipt of the request.

Section 16. Counterparts Clause

This Amended and Restated Agreement may be executed in counterparts and facsimiles shall constitute best evidence for all purposes.

Section 17. Supplementary Agreements

All parties to this Amended and Restated Agreement stipulate that the School Board may enter into Supplementary Agreements with individual municipalities to address individual circumstances. Any such Supplementary Agreement shall be consistent with the statutes governing this Amended and Restated Agreement.

Section 18. Favored Nations

Should the School Board enter into an agreement with another municipality or County, separate or otherwise, which provides more beneficial terms than those agreed to herein, the School Board shall offer the same terms to all other parties to this Amended and Restated Agreement.

Section 19. Exempt or Waived Municipalities

19.1. In cases where a municipality or other unit of local government (that is not a party to this Amended and Restated Agreement by virtue of statutory exemption or waiver) and whose decisions and/or actions with respect to development within the municipality's or unit of local government's jurisdiction, may impact on municipalities or units of local government which are parties to this Amended and Restated Agreement, the School Board agrees to contact, through its representatives or appropriate designees, these non-parties and invite them to become signatories to this Amended and Restated Agreement. Failure to secure a response or to have non-signatories become signatories to this Amended and Restated Agreement shall neither constitute, nor be considered, a breach of this Amended and Restated Agreement.

19.2. This section shall not be interpreted to prevent exempt or waived municipalities from participating in the processes under this Amended and Restated Agreement as they may relate to any public school facilities located in unincorporated Miami-Dade County.

Section 20. No Third Party Beneficiaries.

The parties expressly acknowledge that it is not their intent to create or confer any rights or obligations in or upon any third person or entity under this Amended and Restated Agreement. None of the parties intend to directly or substantially benefit a third party by this Amended and Restated

Agreement. The parties agree that there are no third party beneficiaries to this Amended and Restated Agreement, and that no third party shall be entitled to assert a claim against any of the parties based upon this Amended and Restated Agreement. Nothing herein shall be construed as consent by any agency or political subdivision of the State of Florida to be sued by third parties in any matter arising out of any contract.

IN WITNESS WHEREOF, this Amended and Restated Interlocal Agreement has been executed by and on behalf of Miami-Dade County, the Cities of City of Aventura, Town of Bay Harbor Islands, City of Coral Gables, Town of Cutler Bay, City of Doral, Village of El Portal, City of Florida City, City of Hialeah, City of Hialeah Gardens, City of Homestead, Village of Key Biscayne, City of Miami, City of Miami Beach, City of Miami Gardens, Town of Miami Lakes, Village of Miami Shores, City of Miami Springs, City of North Bay Village, City of North Miami, City of North Miami Beach, City of Opa-Locka, Village of Palmetto Bay, Village of Pinecrest, City of South Miami, City of Sunny Isles Beach, City of Sweetwater, and the City of West Miami, and the School Board of Miami-Dade County, Florida, on this 12 day of December, 2007.

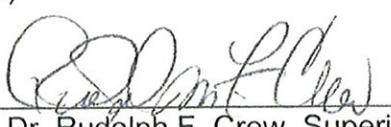
The School Board of Miami Dade County, Florida

Attest: Ivan M. Rodriguez (print)

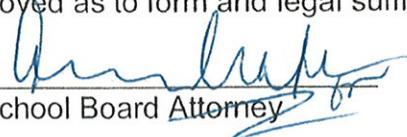
Attest: Augustin J. Barrera (print)

By: , Chair
Augustin J. Barrera, Chair

Attest: Rudolph F. Crew (print)

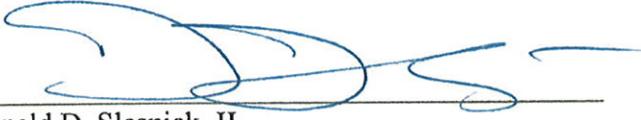
By: , Secretary
Dr. Rudolph F. Crew, Superintendent

Approved as to form and legal sufficiency:

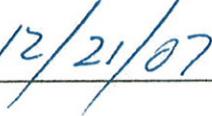

School Board Attorney

CITY OF CORAL GABLES, FLORIDA

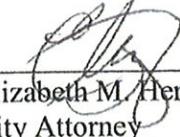
By:

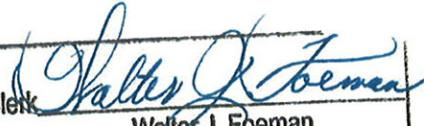

Donald D. Slesnick, II
Mayor

Date:


12/21/07

Approved as to form and legal sufficiency:


Elizabeth M. Hernandez
City Attorney


City Clerk 
Walter J. Foeman

GLOSSARY

Contiguous Concurrency Service Areas: Concurrency Service Areas which are contiguous and touch along one side of their outside geographic boundary.

Affected Local Government: Any jurisdiction within 1,500 feet of, or whose utilities are utilized by the property or improvement under consideration by the School Board.

Ancillary Facilities: The building, site and site improvements necessary to provide support services to the School Board's educational program including, but not limited to vehicle storage and maintenance, warehouses or administrative buildings.

Applicant: For the purposes of school concurrency, any person or entity undertaking a residential development.

Attendance Boundary: The geographic area which is established to identify the public school assignment of students residing within that area.

Available Capacity: Existing school capacity which is available within a Concurrency Service Area including any new school capacity that will be in place or under actual construction, as identified in the first three years of the School District's Five Year Capital Plan.

Cities: The municipalities within Miami-Dade County, except those that are exempt from the Public School Facilities Element, pursuant to Section 163.3177(12), F.S.

Comprehensive Plan: As provided by Section 163.3164(4), F.S., as amended, a plan that meets the requirements of 163.3177 and 163.3178, F.S.

Concurrency: As provided for in Florida Administrative Code Rule 9J-5.003, the necessary public facilities and services to maintain the adopted level of service standards are available when the impacts of development occur.

Concurrency Service Area (CSA): A geographic area in which the level of service for schools is measured when an application for residential development is reviewed for school concurrency purposes.

Consistency: See Section 163.3194, F.S.

Development Order: As provided by Section 163.3164(7), F.S., as amended, any order granting, or granting with conditions, an application for a development permit.

Educational Facility: The buildings and equipment, structures and special educational use areas that are built, installed or established to serve educational purposes only.

Educational Plant Survey: a systematic study of schools conducted at least every five years and submitted to the DOE for review and validation. The survey includes an inventory of existing educational and ancillary plants, and recommendations for future needs.

Evaluation Report: A report prepared by the School District, identifying if school capacity is available to serve a residential project, and if capacity exists, whether the proposed development is conceptually approved or vested.

Exempt Local Government: A municipality which is not required to participate in school concurrency when meeting all the requirements for having no significant impact on school enrollment, per Section 163.3177(12)(b), F.S., or because it has received a waiver from the Department of Community Affairs per Section 163.31777(1)(c), F.S.

Financial Feasibility: As provided in Section 163.3164(32), F.S., as amended, sufficient revenues are currently available or will be available from committed funding sources for the first 3 years, or will be available from committed or planned funding sources for years 4 and 5, of a 5-year capital improvement schedule for financing capital improvements, such as ad valorem taxes, bonds, state and federal funds, tax revenues, impact fees, and Applicant contributions, which are adequate to fund the projected costs of the capital improvements identified in the comprehensive plan necessary to ensure that adopted level of service standards are achieved and maintained within the period covered by the 5-year schedule of capital improvements.

Five Year Plan: School District's annual comprehensive capital planning document, that includes long range planning for facility needs over a five-year, ten-year and twenty-year planning horizon. The adopted School District's Five-Year Work Program and Capital Budget as authorized by Section 1013.35, F.S.

Florida Inventory of School Houses (FISH) – Permanent Capacity: The report of the permanent capacity of existing public school facilities. The FISH capacity is the number of students that may be housed in a facility (school) at any given time based on a percentage of the total number of existing student stations and a designated size for each program.

Geographic Area: One of four quadrants (Northwest, Northeast, Southwest, Southeast) of Miami-Dade County as depicted in Exhibit 2 (attached).

Level of Service (LOS) Standard: As provided for in the Florida Administrative Code Rule 9J-5.003, an indicator of the extent or degree of service provided by, or proposed to be provided by, a facility based on and related to the operational characteristics of the facility.

Local Governments: Miami-Dade County and/or the Cities located within its boundary.

Maximize Capacity Utilization: The use of student capacity in each CSA to the greatest extent possible, based on the adopted level of service and the total number of permanent student stations according to the FISH inventory, taking into account special considerations such as, core capacity, special programs, transportation costs, geographic impediments, court-ordered desegregation, and class size reduction requirements to prevent disparate enrollment levels between schools of the same type (elementary, middle, high) and provide an equitable distribution of student enrollment district-wide.

Permanent School District Facilities: An area within a school that provides instructional space for the maximum number of students in core-curricula courses which are assigned to a teacher based on the constitutional amendment for class size reduction and is not moveable.

Permanent Student Station: The floor area in a permanent classroom required to house a student in an instructional program, as determined by the FDOE.

Proportionate Share Mitigation: An Applicant improvement or contribution identified in a binding and enforceable agreement between the Applicant, the School Board and the Local Government with jurisdiction over the approval of the plat, site plan or functional equivalent provide compensation for the additional demand on public school facilities caused by the residential development of the property, as set forth in Section 163.3180(13)(e), F.S.

Public School Facilities: Facilities for the education of children from pre-kindergarten through twelfth grade operated by the School District.

School Board: The governing body of the School District, a political subdivision of the State of Florida and a body corporate pursuant to Section 1001.40, F.S.

School District of Miami-Dade County: The School District created and existing pursuant to Section 4, Article IX of the State of Florida Constitution.

Student Generation Multiplier (SGM): A rate used to calculate the number of students by school type (elementary, middle, high) and housing type (single-family, multifamily, etc.) that can be anticipated from a new residential development.

Type of School: Schools providing the same level of education, i.e. elementary, middle, high school, or other combination of grade levels.

Utilization: A ratio showing the comparison of the total number of students enrolled to the overall capacity of a public school facility within a Concurrency Service Area (CSA).

Administrative Operations

**EDUCATIONAL FACILITIES PLANNING, SITE SELECTION AND ACQUISITION,
AND CONSTRUCTION**

- I. Intent --The intent of the School Board is:
 - A. To establish a broad-based, external educational facilities committee, to be called School Site Planning and Construction (SSPC) Committee, to advise the School Board on the implementation of the District's adopted five-year work program, and to make independent recommendations to the School Board and the Superintendent of Schools, which promote internal accountability and facilitate efficient and effective delivery of public educational facilities throughout Miami-Dade County.
 - B. To establish an internal, interdisciplinary staff committee, to be called Technical Review (TR) Committee to provide staff coordination, accountability and oversight of the formulation and implementation of the District's adopted educational facilities plan.
 - C. To establish policies, procedures and assign responsibilities for the planning, site selection and acquisition and construction of educational facilities that will provide for public educational plant needs throughout Miami-Dade County in accordance with School Board policy and State law as set forth in Chapter 1013, Florida Statutes (F.S.).
 - D. To ensure that all priority educational facility projects are included in the District's adopted educational facilities plan as provided in Section 1013.35, F.S. and that any changes to the adopted educational facilities plan are supported by identified needs and priorities and approved by the School Board.
 - E. To integrate the District's planning, site selection and acquisition and construction functions so that educational facilities are available on a timely and cost-effective basis in accordance with the District's adopted educational facilities plan.
 - F. To establish policies and procedures for land acquisition in accordance with Chapter 1013, Florida Statutes.
 - G. To establish effective procedures for obtaining appraisals pursuant to Section 253.025, Florida Statutes, and for reviewing said appraisals.

H. To establish procedures and assign responsibilities to provide full information to the School Board on all recommended land purchases including the estimated cost of any work that must be performed on an unimproved site to make it usable for the desired purpose, appraisals of market value obtained in connection with the proposed acquisition, and any other material information.

II. School Site Planning and Construction Committee

A. Establishment -- The School Board shall establish as a standing, external committee, an educational facilities committee, to be called the School Site Planning and Construction (SSPC) Committee, which shall include parents, business community representatives, construction, appraisal and real estate professionals and other community stakeholders, which shall serve in an advisory capacity and report directly to the School Board.

B. Purpose -- The purpose of the SSPC Committee shall be as follows:

1. To advise the School Board on the formulation, priorities and implementation of the District's adopted five-year work program for educational plants and other related matters;
2. To make recommendations to the School Board on site acquisitions, including alternatives, if any; and,
3. To make independent recommendations to the School Board and to the Superintendent of Schools which promote internal accountability and facilitate more efficient and effective delivery by the District of public educational facilities throughout Miami-Dade County.

C. Responsibilities -- The responsibilities of the SSPC Committee shall be as follows:

1. Provide input, priorities and monitor the formulation, amendment and implementation of the District's educational facilities plan and other long-range plans as prescribed by Section 1013.35, F.S.;
2. Provide input and monitor the District's educational plant survey as prescribed by Section 1013.31, F.S.;
3. Provide input, monitor and make recommendations including priorities, to the School Board on the District's annual capital outlay budget, as prescribed by Section 1013.61, F.S.;

4. Provide input, monitor and make recommendations to the School Board on the District's site facilities planning, site selection and acquisition, and construction programs and alternatives, to ensure they are cost-effective and timely;
5. Review and transmit reports to the School Board, which provide recommendation(s) on site acquisitions, and contain all relevant site analysis and supporting documentation for the School Board's review and final action;
6. Review quarterly and forward to the School Board, status reports on site selection and acquisition activities;
7. Evaluate annually and provide to the School Board a year-end report on the progress of site acquisition activities and facility planning and construction programs, and where appropriate provide recommendations for improved accountability, efficiency and cost-effectiveness;
8. Provide such other advice or input as may become necessary to ensure compliance with applicable state statutes and the adopted educational facilities plan, and respond in writing to requests from the School Board or the Superintendent of Schools.
9. Review potential sites for new schools, as well as proposals for significant renovation, location of relocatables or additions to existing buildings, and potential closure of existing schools, and make recommendations on these and all other issues within its purview under this Rule for consideration by School Board staff. As part of its deliberations, the SSPC Committee shall ensure that the affected local governments, as defined under the Interlocal Agreement for Public School Facility Planning in Miami-Dade County, and any Supplemental Agreements hereto, are afforded an opportunity to provide comments and shall consider those comments in its deliberations.
10. Host a planning forum on an annual basis or more often as may be needed, to review the School Board's acquisition schedule and all other relevant issues stipulated under that certain Interlocal Agreement that was entered into by the School Board, Miami-Dade County, and all non-exempt local governments, in accordance with Section 1013.33, Florida Statutes. The SSPC Committee shall invite a representative from each of the impacted units of government to participate in the proceedings and to provide input and comments for

consideration by the SSPC Committee in its deliberations. The forum will review the School Board's acquisition schedule and all other relevant issues required by statute, and will include appropriate staff members of the School Board, at least one staff member of the County, and a representative from each of the affected non-exempt local governments. Based on information gathered during the review, the SSPC Committee will submit recommendations to the Superintendent or designee.

11. Assign one member to the Historic Schools Working Group (Working Group) to provide a communications link between the Working Group and the Committee. The SSPC will review planning strategies and funding initiatives of the Working Group for coordination with other district planning and budget documents as provided, and will receive an annual planning and progress report from the Working Group for transmittal to the School Board.

D. Membership -- The SSPC Committee shall be composed of the following voting members:

A business community representative appointed by the Board of Trustees of the Greater Miami Chamber of Commerce;

The president of the Dade County PTA/PTSA, or designee;

The chair of the Diversity, Equity and Excellence Advisory Committee (DEEAC) or designee;

The chair of the Attendance Boundary Committee, or designee;

A real estate appraiser appointed by the Florida Real Estate Appraisal Board and practicing in Miami-Dade County;

Two real estate experts, one of whom is appointed by the Realtor Association of Greater Miami and the Beaches, Commercial Section, and one appointed by the Realtor Association of Miami-Dade County. One appointee shall represent the commercial real estate market and one appointee shall represent the residential real estate market;

A registered surveyor, architect or engineer appointed by the Chair of the School Board;

A School Board Member appointed on an annual basis by the Chair of the School Board;

A Miami-Dade County representative selected by the County Manager or designee;

A representative selected by the Miami-Dade County League of Cities;

A floating member designated by the City Manager of the most impacted municipality to which an SSPC agenda item relates, or if it concerns an unincorporated area of Miami-Dade County, this floating member shall be from the geographically nearest municipality most impacted by the agenda item;

A member of the residential construction industry appointed by the Builders Association of South Florida.

A member of the residential construction industry appointed by the Latin Builders Association.

E. Operation -- The SSPC Committee shall operate as follows:

- a. Term of appointments and special conditions: Effective April 7, 2004, the term for fifty percent (50%) of the appointees of the SSPC Committee shall be three (3) years, and fifty percent (50%) of the appointees of the SSPC Committee shall be two (2) years; the Chair shall delegate which appointees shall serve two (2) year terms and three (3) year terms. Effective April 7, 2006, and thereafter, the term for all appointments and reappointments shall be two (2) years. Prior to the expiration of each appointment, the respective appointing entity shall be requested to make an appointment or reappointment;
- b. Quorum and Committee Chair: A quorum shall consist of a majority of the membership. The SSPC Committee shall elect a Chair and Vice-Chair every year;
- c. Meetings: Meetings shall be held regularly on a monthly basis, unless there is no business to be conducted. Meetings shall be conducted as prescribed in Section 286.011, F.S., and shall be advertised at least five working days prior to the regularly scheduled meeting date. A notice of the meeting shall be posted at the Citizen Information Center. The meetings shall be recorded and summary minutes distributed with the subsequent meeting's agenda packet;
- d. Staff Support: The Administrative Director, Facilities Planning, and the Executive Director, Facilities Planning, shall provide primary staff support to the SSPC Committee, including preparation of agenda packets and meeting minutes, analytical

reports and supporting documentation. The Office of the School Board Attorney shall provide legal support to the SSPC Committee. The SSPC Committee may from time to time, as required, request support from other District personnel;

- e. Code of Ethics: The SSPC Committee is an advisory body to the School Board. As such, as provided by F.S. 112.313(1), the members of the SSPC Committee are subject to the provisions of the Code of Ethics for Public Officers and Employees, set forth in Chapter 112, Part III of the Florida Statutes.
- f. Lobbyists: Any and all lobbyists, as defined in School Board Rule 6Gx13- 8C-1.21, present at an SSPC Committee meeting, who wish to speak on an item being considered by the SSPC Committee, shall first execute and file the required form with the School Board Clerk's Office. A copy of the executed form shall be made part of the official record for the SSPC Committee meeting at which the lobbyists are present, and shall be attached to the minutes of the meeting.
- g. Lobbying: In the event that a SSPC Committee member is contacted directly by a lobbyist in connection with any matter that may foreseeably come before the Committee for action, the Committee member shall orally disclose such contact at the meeting in which the matter is up for consideration, and file a memorandum of voting conflict, if applicable, as may be required by in the State Code of Ethics for Public Officers and Employees.

III. Technical Review Committee

- A. Establishment -- The School Board shall establish the Technical Review (TR) Committee, which shall be comprised of District staff members and which shall serve in an advisory capacity and report directly to the Superintendent of Schools.
- B. Purpose -- The purpose of the TR Committee shall be to provide staff coordination, accountability and oversight of the formulation and implementation of the District's adopted educational facilities plan.
- C. Responsibilities -- The responsibilities of the TR Committee shall be as follows:
 1. To formulate and recommend to the Superintendent of Schools and to the SSPC Committee a tentative District facilities educational facilities plan, as provided in Section 1013.35, F.S.;

2. To review and provide oversight of the annual capital outlay budget report, to include: expenditures, encumbrances and balances by fund, and a mid-year budget evaluation of project status of all funded and unfunded projects, against the approved budget and the undistributed capital contingency, for possible recommendation for Board action to amend the budget and educational facilities plan;
3. To review the District's educational plant survey prepared and submitted by Facilities Planning and Construction, as prescribed in Section 1013.31, F.S., and transmit same to the SSPC Committee for review and a recommendation to the School Board;
4. To submit annually to the SSPC Committee a progress report on the District's facilities planning and construction programs;
5. To expeditiously review and recommend to the Superintendent of Schools and the SSPC Committee on any construction change orders, which exceed the total appropriation for the particular project;
6. To expeditiously review and recommend to the Superintendent of Schools and to the School Board on construction change orders if funds are available in project contingency, except that change orders of less than \$50,000 may be approved administratively by the Superintendent or his designee and subsequently confirmed by the TR Committee;
7. To review and recommend to the Superintendent of Schools the award or rejection of construction bids, which exceed the project budget by 5%;
8. To review and recommend to the Superintendent of Schools, based upon recommended awards of construction bids, amendments to the affected project budget. Project budgets should be reduced when construction awards are less than the amount budgeted or increased when the construction award is more than the amount budgeted. The source or destination of such budget amendments should be undistributed contingency in each affected fund;
9. To review administrative procedures and perform other functions as assigned by the Superintendent of Schools.

D. Membership -- The TR Committee shall be comprised of the following voting members, or their designees:

Chief Business Officer - Chair;

Administrative Director, Facilities Planning;

Administrative Director, Facilities Operations and Legislative Support;

Chief Financial Officer;

Administrative Director - Maintenance;

Associate Superintendent of School Operations;

Associate Superintendent - Education.

E. Operation -- A quorum of the TR Committee shall consist of a majority. Meetings shall be held as called by the Chair. Minutes shall be kept of all meetings and upon approval by the TR Committee a copy shall be distributed to the Superintendent of Schools and to the School Board.

IV. Site Selection

A. Use of District's Adopted Educational Facilities Plan -- Only those sites for projects included within the District's adopted educational facilities plan shall be investigated and evaluated for potential purchase by the School Board.

B. Criteria -- Criteria for evaluating and selecting sites for locating educational facilities shall include or address the following elements:

1. Size and shape of site;
2. Expansion capacity of site;
3. Whether the site is adequate to relieve overcrowding in existing schools;
4. Whether there are pending or approved charter school applications which would impact the proposed educational facility or the site search;
5. Whether the site is reserved in a recorded subdivision, or set aside for donation or purchase by the School Board as a result of Developmental Impact Committee (DIC) or Development of Regional Impact (DRI) approvals;

6. Location of site in relation to both the intended service area, as well as major traffic arteries and accessibility to school buses and private vehicles for student drop-off and pickup;
7. Site location should seek to the extent practicable to promote diverse school enrollments, reflecting the broad mix of cultures, experiences and ideas to be found in the community, through the consideration of various factors, including but not limited to the socioeconomic circumstances, unique language needs and abilities, race and ethnicity of the students to be served;
8. Location of site and potential impact on the attendance boundaries of surrounding schools;
9. Occupancy of the site, specifically whether any residents will require relocation;
10. Location of site in relation to existing or planned public recreation sites, which might make possible the joint use of facilities;
11. Whether there are any existing or anticipated land uses in the area, which could adversely affect the site due to traffic generation, noise, odor, safety or other factors;
12. Whether there are any major street improvements or expressways planned in the vicinity, which could affect the site or the intended service area;
13. Whether there are adequate traffic control devices and sufficient road capacity for the intended use of the site;
14. Whether site access requires crossing a canal, railroad, major street or other physical barrier or hazard;
15. Whether there are any archeological or historical designations or any biological, zoning or environmental problems (e.g., incinerators, active or inactive dump sites, toxic soil, underground storage tanks) on the property that could adversely impact the timely use of the property for the intended purpose;
16. The extent of site development work that must be done on an unimproved site in order to make it usable for the intended purpose;
17. The condition of title to the site or any known title defects;

18. The compatibility or incompatibility of present and projected uses of adjacent properties with the intended use.
- C. Site Selection Procedures -- The Chief Business Officer or his/her designee shall ensure that thorough site selection procedures are followed, including the following seven-step due process, as described below. The Chief Business Officer shall have the option to secure the services of a third party or parties, under contract with the District, to identify sites and/or negotiate conditional agreements for purchase and sale of real property on behalf of the School Board, as may be deemed appropriate.
 1. Identify through the appropriate school district regions, the general search boundaries for the proposed educational facility, any relevant educational, recreational, and community requirements that may be applicable, minimum required site size, and the educational facilities to be relieved;
 2. Inventory available sites that meet the search parameters, including School Board-owned sites, properties designated for donation to the School Board, properties set aside by developers or property owners for purchase, as approved by the School Board, and properties owned by public entities which may be available under cooperative partnerships;
 3. Conduct preliminary due diligence and with input from School Operations and Transportation staff, identify the sites most suitable for the intended purpose;
 4. Submit to the SSPC Committee the record of all suitable sites for direction. Pursuant to this direction, authorize the Superintendent, his designee, or the third party, to execute conditional purchase and sale agreements based on a not to exceed purchase price, to be determined by the SSPC Committee based on a restricted use appraisal report generated by District authorized licensed appraiser. This shall be subject to additional due diligence, to include environmental assessments, site preparation and development costs, appraisals and any other reviews deemed necessary. As part of the conditional agreements, a fully refundable deposit not to exceed 10% of the purchase price, may be deposited in escrow with the School Board Attorney, as earnest money;
 5. Present the results of negotiations for the selected sites to the SSPC Committee for final ranking if necessary, including any adjustments of the not to exceed price and a recommendation to the School Board for approval of the negotiated agreements. The SSPC Committee shall also consider the need for eminent domain where negotiations prove unsuccessful;

6. Submit recommendation to the School Board for approval of a purchase and sale agreement, or upon a recommendation by the SSPC Committee to authorize eminent domain proceedings;
7. Upon review of the sites and recommended ranking, the School Board shall accept the sites as ranked or re-rank them and authorize acquisition. If none of the sites are acceptable, the School Board shall reject them.

V. Site Acquisition

A. Criteria for Acquisition of Sites for School Facilities

1. Overall suitability of a site for the intended purpose;
2. Total estimated costs to place a site in use for the intended purpose, including acquisition cost and cost of necessary site improvements; and
3. The reasonableness of the total cost to acquire and place a site into use, as compared to other sites or options.

B. Criteria for Determining "Reasonableness" of Costs of Site Acquisition and Improvements

1. The foundation, or starting point, for determining what is a reasonable price for the School Board to pay for the acquisition of land is an appraisal(s) of market value of sites as provided in Section 253.025, F.S.;
2. Adjustment downward or upward of the appraised market value of a site based upon the following:
 - a. Total costs, other than the cost of acquisition, to place the site in use;
 - b. Availability of alternative, suitable sites for the project;
 - c. Both the general real estate market conditions and the specific real estate market conditions in the geographic area of the project; and
 - d. Any other identified factors which may impact the reasonableness of site acquisition costs, including but not limited to the total estimated costs of the eminent domain process to acquire the site as provided by

Sections 73.091 and 73.092, F.S., and for the District's costs for attorneys' fees and other expenses of the eminent domain.

C. Appraisal Procurement and Review Process -- The Chief Business Officer or his/her designee shall ensure the following is provided:

1. Initiating, overseeing and documenting the procurement of professional appraisals of market value of the sites determined by the School Site Planning and Construction Committee to be suitable for projects in the District's adopted educational facilities plan or long-range plan, as required by Section 1013.35, F.S.;
2. Where two appraisals are required under state law, request in writing a formal professional review appraisal from an appraiser selected in accordance with Section 253.025(6)(b), F.S. The reviewing appraiser's certification of the recommended or approved value of the property shall be set forth in a signed statement which identifies the specific appraisal reports reviewed and explains the basis for such recommendation or approval.

D. Negotiations and Authorization for the Voluntary Purchase and Sale of Sites -- The Chief Business Officer or his/her designee shall ensure of the following:

1. Conducting negotiations within the authorization granted by the SSPC Committee for the voluntary purchase and sale of sites suitable for projects included within the District's adopted educational facilities plan or long-range plan and maintaining a written record of all such negotiations;
2. Reporting to the SSPC Committee the results of such negotiations for further input as may be needed;
3. Preparing for presentation to the School Board an item with full information for the voluntary purchase and sale of a school site as contained in the site list as ranked by the SSPC Committee, suitable for the projects included within the District's adopted educational facilities plan or long-range plan within the price parameters established by the SSPC Committee, based upon the criteria for "reasonableness" of cost of site acquisition and improvements established herein;
4. Ensuring that where the agreed to purchase price exceeds the appraised value where only one appraisal is required by state law, or the reviewed appraised value in all other instances, and

the School Board finds that the agreed price is reasonable under the criteria established herein, said purchase is approved by an extraordinary vote. Extraordinary vote, for purposes of this section, means a majority vote plus one additional vote of the members of the School Board present at the meeting where such action is taken.

E. Acquisition by Eminent Domain

1. In the event that negotiations for voluntary sale of a site for a reasonable price are unsuccessful, then the SSPC Committee shall formulate and forward to the School Board an item recommending the commencement of eminent domain proceedings as authorized by Section 1013.24, F.S.
2. The item recommending the commencement of eminent domain proceedings shall include the full record of the site selection and investigation process;
3. Upon School Board approval, eminent domain proceedings shall be initiated as provided for in Section 73.015, F.S.

Specific Authority: 1001.41(1)(2); 1001.42(22); 1001.43(10) F.S.
Law Implemented, Interpreted, or Made Specific: 73.015; 73.091; 73.092; 112.313(1); 112.3143; 253.025(6)(b); 286.011; 1013.24; 1013.31; 1013.33; 1013.35; 1013.36; 1013.61, F.S.

History: THE SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA

New: 12-12-01

Amended: 4-17-02; 6-19-02; 9-12-02; 5-14-03; 7-14-04

Geographic Areas

