

**TOWN OF DAVIE  
WORKSHOP MEETING  
MAY 16, 2007**

The meeting was called to order at 5:40 p.m. and was followed by the Pledge of Allegiance.

Present at the meeting were Mayor Truex, Councilmembers Crowley, Luis and Starkey. Also present were Town Attorney Cherof, Town Administrator Shimun, and Town Clerk Muniz recording the meeting. Vice-Mayor Caletka was absent.

Acting Planning and Zoning Manager Marcie Nolan explained that the interlocal agreement was required by State Statute and the agreement already in place required modification. She introduced representatives from the Broward County School Board in attendance: Alan Gabriel, Chris Akabuso, and Lisa White. Ms. Nolan informed Council that the State had mandated school concurrency, meaning that Council could not approve development until there were school seats either existing or in the pipeline for the residential units. She provided a PowerPoint presentation describing school concurrency.

Councilmember Crowley asked if the League of Cities had reviewed this. Councilmember Starkey said it had adopted a preliminary version of the interlocal agreement last year. Mr. Akabuso stated that five members of the League of Cities sat on the Interlocal Agreement Oversight Committee and their comments were incorporated into the final document.

Councilmember Starkey asked if the School Board was using the current level of service or a projected level of service. Mr. Akabuso said there had been concern because special programs affected actual student numbers and capacity. They had recommended a change to 110% of permanent Florida Inventory of School Houses (FISH) capacity. Councilmember Starkey asked if portable classrooms and extended programs would count. Mr. Akabuso replied that the State required them to prove they were maximizing utilization of capacity of the school. Portables could be used for emergencies, such as during expansion or for special programs. Councilmember Starkey was concerned that a developer could claim there were program options to avoid overcrowding. She thought program options were now left up to the individual schools. Mr. Akabuso explained that developers could not tell the School Board how to provide additional capacity.

Councilmember Starkey asked Mr. Cherof if he had reviewed the agreement. Mr. Cherof said he had, and had provided an opinion through staff to Council indicating the interlocal agreement was acceptable so far. Ms. Nolan confirmed that the agreement applied only to residential development. Councilmember Starkey asked about municipalities' fiscal responsibility to create school sites, specifically in the Transit Oriented Corridor. Ms. Nolan explained that and use plan amendments would not affect this.

Alan Gabriel, the School Board's attorney, explained that the school concurrency would only apply to site plan and platting reviews. A developer could perform a voluntary review when undergoing land use or another zoning change, and could enter into voluntary mitigation to deal with concurrency then. Mr. Gabriel explained that they were only allowed to apply the mitigation to that concurrency service area or the adjacent concurrency service area. In their case, the concurrency area applied to each school.

Councilmember Crowley asked how they would address water and streets. Ms. Nolan stated that the other capacity requirements were dealt with at the County level.

There being no further business to discuss and no objections, the meeting was adjourned at 6:10 p.m.

Approved \_\_\_\_\_

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Mayor/Councilmember

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Town Clerk