

THE SCHOOL BOARD OF BROWARD COUNTY, FLORIDA
OFFICE OF THE SUPERINTENDENT

August 2, 2011
Tuesday, 5:00 p.m.

MINUTES OF SPECIAL MEETING

The School Board of Broward County, Florida, met in special session at 6:16 p.m., Tuesday, August 2, 2011, in the Board Room of the Kathleen C. Wright Administrative Center, 600 Southeast Third Avenue, Fort Lauderdale, Florida. Present were: Chair Benjamin J. Williams; Vice Chair Ann Murray; Members, Robin Bartleman, Maureen S. Dinnen, Patricia Good, (Jennifer Leonard Gottlieb was absent), Laurie Rich Levinson, Nora Rupert, David Thomas; Interim Superintendent Donnie Carter, and J. Paul Carland, II., Esq.

Call to Order The call to order was followed by the Pledge of Allegiance to the Flag of the United States of America.

Close Agenda Upon motion by Ms. Dinnen, seconded by Mrs. Rupert and carried, the Agenda was approved and declared closed. Mrs. Gottlieb was absent. (8-0 vote)

1. Tentative District Educational Facilities Plan For the Five Years Ending June 30, 2016 (Approved)

Motion was made by Mrs. Bartleman, seconded by Ms. Dinnen and carried, that The School Board of Broward County, Florida, approve the Tentative District Educational Facilities Plan. Mrs. Gottlieb was absent. Mrs. Rupert voted "no." (7-1 vote)

Pursuant to Section 1013.35 F.S., annually, prior to the adoption of the district school budget, each district school board shall prepare a Tentative District Educational Facilities Plan that includes long-range planning for facilities needs.

The plan must also include a financially feasible work program for a five-year period. The work program must include:

- * a schedule of major repair and renovation projects necessary to maintain educational facilities and ancillary facilities of the district;
- * a schedule of capital outlay projects necessary to ensure the availability of satisfactory student stations for the projected student enrollment in K-12 programs;
- * the projected cost for each project identified in the District Educational Facilities Plan;
- * a schedule of estimated capital outlay revenues from each currently approved source which is estimated to be available for expenditures on the projects;
- * projected student populations apportioned geographically at the local level;

- * an inventory of existing school facilities; projections of facilities space needs;
- * information on leased, loaned and donated space and relocatables used for conducting the district's instructional programs;
- * the general location of public schools proposed to be constructed, including a listing of the proposed schools' site needs and anticipated capacity and maps showing the general locations;
- * the identification of options deemed reasonable and approved by the School Board which reduces the need for additional permanent student stations;
- * the criteria and method, jointly determined by the local government and the School Board, for determining the impact of proposed development to public school capacity.

The public is invited to give input to the Tentative District Educational Facilities Plan. During the public hearing, the Board may amend the Tentative District Educational Facilities Plan. All amendments will be incorporated into the District Educational Facilities Plan to be submitted to the Board on September 8, 2011, at which time the Board will be requested to adopt the District Educational Facilities Plan.

The first year of the District Educational Facilities Plan will be incorporated into the annual budget.

Announcement by Chair

Welcoming the audience to the first public hearing for the 2011-2012 to 2015-2016 District Educational Facilities Plan (DEFP), Mr. Williams stated that the District Educational Facilities Plan is to keep the public and the School Board informed as to whether the district is using sound policies and practices that meet the needs of students and warrant public confidence in the district's operation.

Explaining the procedure to be followed for this hearing, Mr. Williams stated that the public will be given another opportunity to provide input to the School Board on September 8, 2011 when the District Educational Facilities Plan is presented to the School Board for adoption. Individuals wishing to speak about the plan are required to sign in as a speaker. At the end of the presentation speakers will be called to the floor and will be given three minutes to address the Board.

Statement by Interim Superintendent

Mr. Carter informed that the District Educational Facilities Plan provides the School Board and the public with a detailed plan that is approximately \$1.3 billion in capital revenues over the next five-year period ending on June 30, 2016.

Mr. Carter informed that school districts throughout the state have been put under great pressure. Sharp declines in property values and a 25 percent reduction of the taxing rate used for the capital budget has required Broward Schools to change the focus of its capital budget. As a direct result of these conditions, the district has shelved over \$1.8 billion in projects, computers and buses.

Now, the major emphasis is the maintenance and upkeep of schools and educational facilities. Instead of replacing older facilities or major renovation projects, the focus is to keep schools safe and accessible, and to keep vital components of the building running, including air conditioning systems, plumbing systems and roofing systems, to any indoor air quality issues. This is done to continue to meet the School Board's mission of being dedicated to meeting the educational needs of all students in a safe learning environment.

Mr. Carter further stated that the process of reviewing the district's capital plan included key stakeholders, Facilities and Maintenance, and several other district departments, staff meeting with individual Board Members, consultation with the Executive Leadership Team, and presenting the issues to the Facilities Task Force to gather feedback. During this process, Mr. Carter stated that the district developed benchmarks for prioritizing, which included Health and Safety issues, Americans with Disabilities Act (ADA) Plan, Indoor Air Quality, and funding to preserve the district's assets as well as replacing obsolete vehicles, equipment and technology.

Most of the limited revenue remaining is committed to pay for debt on prior construction financing as well as many of the critical fixed capital costs, such as the maintenance of the facilities and salaries of employees that support the capital program. Projects that were shelved have been memorialized so that a record can be kept, and as the economy improves they can be revitalized based on the Board's priorities.

Staff Presentations

Mr. Omar Shim, Director, Capital Budget, stated that the presentation is an illustration of the impact of the decline in revenues and summarizes the plan, a quiet year that included minor adjustments when compared to last year's plan. Mr. Shim stated that the district's plan is stable and sustainable because of the strategic decisions the Board has made to reduce projects in the past, to move expected revenues and focus on the district's priorities.

Mr. Shim provided an overview of the District Educational Facilities Plan, \$1.8 billion reduction: Summarizing the Recapping Losses to the 5-Year Capital Plan; School Taxable Values and Capital Millage Revenues; 5-Year Estimated Revenue and Financing Sources; 5-Year Estimated Appropriations; Technology funding; Other Changes to the District Plan; and State Reduction to Public Education Capital Outlay Funding.

Mr. Shim stated that the reductions were due to the Legislature reducing the Capital Outlay tax rate from \$2 per \$1,000 of property values to \$1.50, which was compounded by the negative swing of property value projections of -46.3 percent. This year, the taxable value will fall by 2.6 percent in 2012 and gradually rebound. Even though taxable values are projected to rebound to 2009 levels within 8 years, the capital millage will not attain 2009 levels as a result of the 25 percent Legislative reduction in the millage rate.

Continuing, Mr. Shim reported that the millage levels account for almost 80 percent of the funds in the 5-Year Plan for a total of \$1 billion of the \$1.3 billion plan. Because of the tax rate, staff does not recommend any additional COPs issuances or borrowings over the 5-year period. Mr. Shim stated that the district still sustains a debt ratio below 75 percent, as required by state law and despite the reductions in the tax rate. Sale of Land that has been surplus is expected to yield approximately \$12,200 in 2012. Public Education Capital Outlay (PECO) funding was projected to be about \$89 million in the tentative plan. It is projected that the Federal Emergency Management Agency (FEMA) will finalize its reimbursements to the district for Hurricane Wilma and other storms for approximately \$2 million. The district has canceled projects and closed out purchase orders to strategically build up its capital reserves, totaling \$93.5 million. This will help to bridge the gap between incremental decreases in future revenues to match the cuts that were made in appropriations and achieve a balanced plan.

Mr. Shim further stated that the majority of the funding allocated in this plan is to pay for debt service commitments for projects that were already financed and to maintain safe and accessible schools in funding the maintenance program and capital improvements. Appropriations in this plan sustain funding for all ongoing funding in the 5-Year Plan from last year's plan and adds some of the high priority projects discussed in the DEFP workshop in May 2011. Mr. Shim stated that staff has since met with the district's technology director to review a plan to increase funding for approximately \$6.7 million for additional student and teacher laptops to meet all end-of-the-year testing requirements and to enhance the learning environment. Technology funding was also increased to replace outdated radios used at the schools for communication during routine operations and emergencies, and to meet the mandate by the Security Exchange Commission (SEC).

Continuing, Mr. Shim stated that other changes to the plan include the close-out of the new projects and having to return funds back to the capital projects reserve. Also, the Physical Plant Operations department has implemented deficiencies that resulted in more than expected expansion levels, which has resulted in an increase to the capital reserves by an additional \$25 million. Mr. Shim noted that for the first time the state has withheld all PECO dollars from school districts and shifted those funds to charter schools. Based on the Department of Education's (DOE) advice, PECO dollars over the next five years will have a negative impact of \$35 million. The additional \$25 million in capital reserves will help to offset the decrease in PECO funding but there will remain a \$9 million gap in which the loss in PECO funds exceeds what was recovered, and the increases in the revenue.

Mr. I. Benjamin Leong, Chief Financial Officer, Office of the Chief Financial Office, thanked Mr. Shim and staff for working together with Mr. Tom Lindner, Acting Deputy Superintendent, Facilities and Construction Management, in strategically planning the 5-Year Plan; closing out projects and strategically funding the first two years of the plan without a problem and buying time in the hope that property values will increase. Mr. Leong opined that this year will be the worst year in terms of property values, which will stabilize in the 5-Year Plan.

Ms. Dinnen remarked that the district's school buildings are aging and project replacements and refurbishments on those buildings have been put on hold, including technology and hardware. Ms. Dinnen stated that the 5-Year Plan construction dollars has been hit hard by the decrease in taxes and also by the decision of the state Legislature to take that money out of construction and place it in the Operating Fund. She explained that these are two separate funding sources; once a designation is made it cannot be taken from the operating budget.

Mrs. Rich Levinson thanked Mr. Shim for his explanation of the technology piece, after she brought it up at the workshop and Board Members agreed that more money was needed in technology. Mrs. Rich Levinson stated that staff needs to look further in the next two years where more money can be shifted into technology.

Concurring, Mr. Leong stated that best efforts are made to fund technology. He stated that the Technology department has a good plan to provide during these difficult times.

Mrs. Bartleman inquired about the portables reduction in the first year of the plan, whether money is being spent to remove those portables.

Mr. Lindner responded that during the first year, second and third year of the plan the intent is to remove them from Florida Inventory of School Houses (FISH) and secure them so that there will be no access to the portables, take them off the electrical grid, remove the air conditioning systems and seal them until funding is received to start demolishing them.

Ms. Murray inquired whether there will be enough money to meet all the schools' needs, as the district approaches the end-of-the-year course examinations and with additional moneys going to technology.

Mr. Carter responded that \$2 million will be required this year for out-of-warranty equipment primarily designed for middle and senior high schools. Currently, Mr. Carter stated that the district is "limping along" in terms of being able to maintain the computers in an operational fashion. He said the district is quickly approaching the point where some computers will need to be replaced, and this could be the pivotal year.

Ms. Angela Coluzzi, Director, Network Integration, informed the Board that staff worked with all the schools to ensure that the middle and high schools could do end-of-course testing, and with Race to the Top funds the equipment was secured to use primarily for this purpose.

Ms. Coluzzi stated that the additional funds will help to assist with elementary schools as they start to doing their testing and the equipment that they need in some of the textbook adoptions, that would help with projectors and like equipment. She informed that the plan was developed to secure next year as it was this year, as the equipment is repaired and it goes back out. Parts of older equipment is taken to keep some other pieces up and running, and it is being done within the district's inventory rules and guidelines. Ms. Coluzzi further stated that this has assisted in helping schools help each other to move equipment around.

Mrs. Rupert inquired about the Capital Outlay Funding Priorities (page 3) regarding construction projects for media centers and why layoffs are being made to media specialists. Mrs. Rupert voiced concern over approving an item where there is no one to man these media centers that money is placed into.

Mr. Shim responded that the top priorities relates to Safety, ADA and IAQ, followed by technology and vehicles. Mr. Shim explained that in the future there needs to be a review of the district's core capacities and the condition of some of the older schools, how the district will maintain that.

Remarking that there is not enough money for technology, Mr. Leong stated that these are the priorities but until they are funded there are no replacements being made.

Mrs. Rupert inquired whether the indication in the 5-Year Plan that \$1.5 million will be used to demolish and upgrade a media center will occur in year 2015.

Responding that it might happen in 2015-2016, Mr. Lindner stated that the projects referred by Mrs. Rupert (Appendix E) are finishing up this year. Banyan Elementary is 90 percent complete and the Boyd Anderson media center is done; some pieces of the projects are not yet completed. Mr. Lindner further stated that these projects are in progress this year and the budget numbers are included for that whole project.

Mrs. Bartleman noted that Boyd Anderson was promised a new library which they did not get. The school received renovations.

Mr. Williams stated that the \$7 million library originally planned for Boyd Anderson has been changed. The renovation of the library is being done now, but the new library has been put on hold.

Concurring, Mr. Lindner stated that the project has been memorialized.

Mrs. Rupert discussed the level of service for middle and high school boundaries and stated that five-year projections are going down, especially for Parkway Middle School, 49.3 percent capacity, and it appears \$25 million is being provided for construction projects. Mrs. Rupert stated that she could not vote with a good conscience for any kind of construction project in a large amount for a school that is less than 50 to 51 percent capacity.

Mr. Williams informed that the projection for Parkway is up this year because the city program that was held at Arthur Ashe Middle School moved to Parkway. For this year, Parkway's enrollment will be far reaching than what the plan indicates.

Mr. Lindner stated that the \$23 million has already been done; there is \$1.5 million in this year's budget to allow the district to occupy the new building. Phase II and Phase III of that project was canceled. Phase I was completed and to occupy Phase I demolition is required of a building on the site because it is so close to the new building, which is what the funding is for. Mr. Lindner further stated that staff is currently working on the final plans, for which the \$1.5 million is slated. The previously budgeted piece is already completed and the amount put in this year is to allow the occupancy of the new building.

Responding to Mrs. Rupert's inquiry, Mr. Lindner stated that \$25.2 million was previously budgeted and the building was completed. A covered parkway is needed and the adjacent building needs to be demolished to allow access.

Mr. Lindner concurred that enrollment projections are up at the school. He explained that a new building was constructed and an old building is being taken down so it does not add additional capacity.

Mrs. Rupert stated that the district cannot miss out again when repurposing some of the schools or using them in another capacity if the schools are under-enrolled. She stated that the conversation needs to take place now.

Mr. Lindner informed that staff will meet next week to discuss this issue.

Mrs. Rupert questioned whether the money will benefit the most amount of children at schools who are at 50 percent capacity and going downward over a 5-year projection.

Ms. Dinnen stated that this conversation needs to be continued at a workshop, including the community input, before a decision is made by the Board.

Remarking that the maps indicate gross capacity, Mrs. Bartleman stated that permanent capacity needs to be reviewed. She said that the numbers do not reflect the current situation because a push is made to year 2018 with the elimination of portables. Mrs. Bartleman further stated it looks bad at Parkway but it is unknown how many portables there are at that location.

Mrs. Rich Levinson stated that the maps should be based on actually 110 percent of permanent capacity because that is what the district is moving to.

Remarking that the document is prepared for the state, Mr. Lindner responded that it does not go into effect until 2018-2019 and what the state is looking at is what is in current force right now. Mr. Lindner stated that all this data is kept on FISH until it is removed and the 110 percent permanent is used for planning purposes, which is 7 to 8 years in the future and adjustments are made each year as portables are retired. Mr. Lindner further stated that the number the district has to work with is the gross capacity until the second amendment to the Interlocal Agreement (ILA) is put into effect in the 2018-2019 school year.

Mrs. Bartleman stated there would be no harm in putting in extra sets of maps with permanent capacity. She said if the school at 49 percent had any kind of gross capacity on its site, that is not an actual number and the public will wonder why the district is wasting money because the actual count of the school is not known. Mrs. Bartleman further stated that she is making decisions on year 2018 because it is coming and the portables will be gone.

Mr. Lindner responded that the actual count is known but it is not displayed in the document.

Mrs. Bartleman stated that it needs to be added for the next time.

Concurring, Mr. Shim stated that the Level of Service (LOS) plan is in order to meet what is required in the ILA.

Mrs. Rich Levinson discussed the critically overcrowded schools in her district. She stated, for the record, that it cannot be indicated in the 5-Year Plan to increase capacity at these schools because the state will not allow any more building in this district. Mrs. Rich Levinson further stated those schools should have been addressed five, six and seven years ago, and they were not and now the state is not allowing any more building because of the empty seats that exist. She said these schools have nothing in the 5-Year Plan.

Remarking that Cooper City High is one of the few schools that is having some renovations and indoor air quality issues resolved, Mrs. Good inquired whether the project will be conducted in various phases.

Responding affirmatively, Mr. Lindner stated that two phases are planned, and the final Design Bid package came in. This will be one of the issues that will be discussed as part of the design criteria and how to phase that project. Mr. Lindner stated there were a lot of Requests for Information (RFI) when the bid package went out on that specific issue.

Ms. Murray requested an explanation as to why the district is spending \$27 million for Cooper City High School that was due to an unsafe structure. Ms. Murray remarked that some schools in her district are old and the air quality is poor.

Remarking that the project has been on the books a long time, Mr. Lindner stated there have been significant structural issues at the school and a Castaldi report was done maybe five or six years ago. He said the Maintenance department re-did several of the support beam systems on the second floor building that were in danger of collapsing. Mr. Lindner further stated there are other projects in the queue but the timeline to get them designed and built by the deadline date was too tight.

Ms. Murray stated that the Safety department was considering closing that section of the school. She stated that even though this school is not as old as some of the schools in the east, because of structural issues the district had to move forward on this project.

Mrs. Rupert stated that Parkway's permanent capacity is 2,215 and they are under 1,055. She stated if renovations are to be made, the district needs to get busy and pull those children into the school. She stated that kids should be on the waiting list for 10 years to get into Dillard.

Mrs. Good stated that efforts have to be on focusing on recruiting students to the programs at Parkway, which are phenomenal. She stated that the principal is doing a great job in trying to initiate further participation within that school and the program.

Mr. Lindner responded that the community has done a good job of that. He stated that he has met with the principal and the community a few times and they have a very aggressive program at the school.

Mrs. Good stated she does not want the public to think the district is spending dollars there when the dollars have already been spent; what is there will be demolished so the district can utilize what is there.

Mrs. Rich Levinson stated that the city program is a unique program for academically talented youth and anyone from the district can go there. She concurred that recruitment needs to begin for the programs.

The following individuals addressed this item:

Charlotte Greenbarg
Katherine Owens
Ursula Gerstenberger

Mrs. Good stated that the district is trying to do a better job of marketing its schools but it does need to improve the communication link on how to get the word out. She assured the public that departments and Schools of Choice staff, as limited as they are, are promoting There's No Place Like Home, sending postcards to parents and neighborhood schools to advise them of open houses and what programs are available in the schools so that parents can make informed decisions before placing their children in whatever school they feel meets the needs of their child. Mrs. Good further stated that the district can only do so much with the funding available but the district is taking very seriously to provide the community at large with as much information as possible.

Mrs. Good requested an explanation of the Cooper City project and why the dollars are necessary.

Mr. Lindner responded that to replace a building the district needs to explain to the state why that building needs to be replaced, either it does not meet the current state requirements for an educational facility or it has some type of structural issue, or it can be upgraded without significant changes that would cost more to upgrade it than it would to replace it. Mr. Lindner stated that the state would authorize replacement of that building. He explained that funding used for the two projects are funds that had to be tied to construction and they could not be used for renovation. Most projects that the district is doing have to be collateralized, using the building as collateral for the loan from the government, which is interest free.

Mr. Lindner further stated that any type of restructuring is very complex and time consuming. The district is on a short timeline with Cooper City and Fort Lauderdale projects, as well as projects that are being closed out, one of which is the Zone 4 PPO project. Those funds are tied to a timeline and they are also tied to the ability to collateralize those funds.

Mrs. Good noted that the Cooper City reinforcement had to be done because the second floor was collapsing.

Concurring, Mr. Lindner stated that the walkway covers were also collapsing. There were significant leakage issues in the building's walls.

Mrs. Good stated that there was serious safety, structural issues at Cooper City.

Ms. Dinnen stated that Fort Lauderdale High School is the oldest high school in Broward County, the oldest physical facility is Stranahan High School, but it has been on the current site 47 years and at downtown Fort Lauderdale for 63 years before that. Ms. Dinnen stated that the community has been told since 1987, and when she came on the School Board in 2004 there was a lack of trust in the district, that anything would be done because it had been reconfigured many times. Ms. Dinnen informed that three sharettes were held at the school and parents have kept up the pressure and persisted throughout the years to get the buildings rebuilt. Acknowledging that there are a lot of areas in the county that have legitimate concerns about their needs, Ms. Dinnen stated that Fort Lauderdale had a legitimate need across the board in many buildings.

Noting that Dillard High School has the number one jazz band in the nation, Mrs. Bartleman stated that the Dillard magnet is under-enrolled and the district needs to continue to market all the good things going on at the school. Mrs. Bartleman further stated it needs to be part of the principal's evaluation, being held accountable for the magnet's enrollment.

Mrs. Bartleman requested an explanation about the previously budgeted pool at Fort Lauderdale and why it is being built.

Mr. Lindner responded that this is an example of the smaller projects whereby funding was left over but not enough to do a major project. Mr. Lindner informed that in the early 2000s the district had a lot of problems with their pools and a consultant came in 2005 and recommended replacing athletic complex pools. These projects were placed in the DEFP and when funding was available from the Build America bonds the pools were put in the queue, one of which is Fort Lauderdale High School, and the last pool will be South Broward High School. Pools were also done at Northeast and Nova schools.

Mrs. Bartleman noted that South Broward has the Marine Magnet program that needs a pool.

Mr. Lindner further stated there was an issue at Fort Lauderdale regarding crossing the street; everyone would park their cars across the street and walk across the street to go to school, but there is not a curriculum there as part of the high school to use the pool. The pool will be used for athletic events under a mutual use agreement with the city, which is currently used with the current pool. Mr. Lindner said that the current pool is in need of replacement and will be demolished as part of the building project.

Mrs. Bartleman stated that the Nova High School pool is going to be utilized for Swim Central.

Mr. Lindner responded that the Sun-Sentinel article is incorrect. They have an instructional pool at these facilities which can be used to teach people to swim.

Mrs. Bartleman stated that news articles go out and the other side of the story is not known.

Ms. Dinnen stated that a building will be placed where the current pool is located, one of the buildings to be replaced when they re-position the campus. Ms. Dinnen said that Fort Lauderdale High School does not have a stadium and they have been using Lockhart stadium for their games. Their extra-curricular swimming activities are a "big deal" as part of their sports program. Ms. Dinnen further stated when something is taken away it needs to be replaced. She said that not as many people will be walking across the street to go to a pool as will be going back to their car from class.

Mr. Williams stated that two years ago the district awarded a construction company to rebuild Stranahan High School but due to a lack of funds the project was pulled. Voicing concern that the plan for Stranahan is a 10 and 20 year plan, Mr. Williams stated that should any money come in for construction a priority needs to be set to move up Stranahan High School, the oldest high school in Broward County.

Mr. Lindner responded that this was moved to the right based on what projected revenues would be and knowing what the district would be running into regarding the capability to fund another \$50 million project. Mr. Lindner stated that Stranahan is one of the most self-sufficient schools in the entire district, from a maintenance perspective.

Motion (Carried)

Motion was made by Mrs. Good, seconded by Ms. Murray and carried, to approve the agenda item. Mrs. Gottlieb was absent. Mrs. Rupert voted "no." (7-1 vote)

Regarding the lack of PECO dollars to the district for maintenance and potential renovations, Mrs. Good stated that it is important to send information to the governor regarding the impact this has to the district. Mrs. Good stated that facts needs to be corrected when misinformation is presented to the public. She stated there are many schools that need desperate renovations and repairs, but the district has been left out totally and not being able to utilize the dollars. She requested the Chair and the Interim Superintendent to draft a letter with back-up documentation with regard to the district's schools.

Concurring, Mrs. Bartleman stated that the governor may not be aware that a lot of the charter schools are in leased buildings and permanent capital dollars are put into facilities that are not owned by anyone. Mrs. Bartleman referenced the three or four charter schools that the district has closed over the last couple of years, stating that they are closing themselves, and there is not a return on that investment when money is put into a leased building.

Mrs. Good stated that regardless of how the governor felt, those dollars should be utilized; the district has a purpose for those dollars and it not accurate that those dollars are only utilized for new construction. Concurring that there are empty seats, Mrs. Good stated that the Board needs to state the district's position because schools are in need of repair and there are air quality issues.

Adjournment: This meeting was adjourned at 7:28 p.m., by way of motion by Mrs. Good and seconded by Ms. Dinnen.

RT