

THE SCHOOL BOARD OF
ESCAMBIA COUNTY, FLORIDA

MINUTES, DECEMBER 9, 2008

The School Board of Escambia County, Florida, convened in Special Meeting at 4:00 p.m., in the Board Room, at the Dr. Vernon McDaniel Building, 215 West Garden Street, Pensacola, Florida, with the following present:

Chair: Mrs. Patricia Hightower Vice Chair: Mr. Gerald Boone

Board Members: Mr. Jeff Bergosh
Mrs. Linda Moultrie
Mr. Bill Slayton

School Board General Counsel: Mrs. Donna Sessions Waters

Superintendent of Schools: Mr. Malcolm Thomas

Meeting was advertised in the Pensacola News Journal on December 4, 2008 – Legal No. LN1370919

I. CALL TO ORDER/ADOPTION OF AGENDA

Mrs. Hightower called the Special Meeting to order at 4:03 p.m. On motion by Mrs. Moultrie and second by Mr. Boone, adoption of the agenda was approved unanimously.

II. OPERATIONS

(Supplementary Minute Book, Exhibit “A”)

1. Amended Interlocal Agreement for Public School Facility Planning regarding School Concurrency

Background Information/Description: Senate Bill 360 established School Concurrency for all districts. This is an amendment to the existing comprehensive Interlocal Agreement between Escambia County School District, Escambia County, City of Pensacola and the City of Century. The amendments relate to school concurrency requirements based on recent negotiations with local developers and Home Builders Association (HBA) as mandated by Escambia County Planning Board. This Interlocal Agreement was originally approved by the Board on July 18, 2006; revised and approved on August 15, 2006 and September 30, 2008.

(NOTE: Discussion regarding various aspects of this issue took place amongst Board Members, the Superintendent, and staff throughout this meeting.)

The following speakers requested to the address the Board regarding this item:

- J. Dan Gilmore, speaking as an individual. Mr. Gilmore took issue with what he believed to be numerous inconsistencies in the amended Interlocal Agreement (as presented) as it related to the Comprehensive Plan that was passed by the West Florida Regional Planning Council;
- Stephen Moorhead and David Peaden, both representing the Home Builders Association of West Florida, Inc. Mr. Moorhead and Mr. Peaden each stated that while the members of the HBA were not completely satisfied with the amended Interlocal Agreement (as presented), they were appreciative of the spirit of cooperation exhibited by School District personnel during the negotiation process.

Motion was made by Mr. Boone to adopt the amended Interlocal Agreement for Public School Facility Planning (re: School Concurrency). Mr. Bergosh seconded the motion for discussion purposes. Anticipating that there might be additional revisions necessary to bring the Interlocal Agreement into congruency with the Ordinance, Mrs. Hightower requested that the motion be modified as follows: "Motion to adopt the amended Interlocal Agreement for Public School Facility Planning (re: School Concurrency) with the Superintendent's staff making the necessary revisions to bring it into congruency with the Ordinance (re: School Concurrency) that was previously negotiated." Mr. Boone and Mr. Bergosh both agreed to accept that modification. It was noted that both the Interlocal Agreement and the Ordinance were to be presented to the Board of County Commissioners on December 11, 2008.

Mr. Shawn Dennis, Assistant Superintendent for Operations, thoroughly reviewed the various amendments that had been made to the Interlocal Agreement since it was last approved in September 2008.

While Mr. Bergosh had concerns with several of the items outlined in the amended Interlocal Agreement, the one that concerned him most was outlined in *Section 4.6, School Concurrency Service Areas*:

- a. *For the period of the first three (3) years of the requisite ordinance the Concurrency Service Areas for the County shall be district-wide encompassing all attendance zones for each individual school as shown in Maps 4, 5, and 6 in the data and analysis of the PSFE. For special purpose centers, charter schools, and magnet schools the concurrency service area shall also be district-wide. For years four (4) and five (5) of this ordinance the Concurrency Service Areas for the County as agreed in the Interlocal Agreement, shall be district-wide by service level (District-wide: Elementary grades k-5, District-wide: Middle grades 6-8, and District-wide: High grades 9-12).*

Mr. Bergosh pointed out that most of the other counties in Florida had developed concurrency plans that called for Concurrency Service Areas that were less than district-wide. His concern with district-wide Concurrency Service Areas was because theoretically, that would allow a developer to build, with no mandatory mitigation required, new residential units in an area that had schools already over-capacity if there was excess capacity anywhere else in the District.

After reviewing the various amendments that had been made to the Interlocal Agreement, Mrs. Hightower called for the vote. Motion was approved 4 to 1, with Mr. Bergosh voting "No."

III. PUBLIC FORUM

Mrs. Hightower called for public forum; however, there were no individuals who wished to speak.

IV. ADJOURNMENT

There being no further business, the Special Meeting was adjourned at 5:15 p.m.

Attest:

Approved:

Superintendent

Chair