

**School Impact Fee Advisory Group**  
**MINUTES**  
**May 22, 2007**  
**5:30 p.m.**

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**MEMBERS PRESENT**

Lou Roeder  
Dottie Wynn  
Jim Cooper  
Miranda Fitzgerald  
Micky Grindstaff  
Roy Messinger  
Doug Kelly

**MEMBERS ABSENT**

**ORANGE COUNTY STAFF**

Chris Testerman	County Administrator's Office
Vivien Monaco	County Attorney's Office
Nikki Williams	Planning Division

**ORANGE COUNTY PUBLIC SCHOOLS**

Drew DeCandis	OCPS
Bob Wallace	Tindale-Oliver
Elisabeth Shucke	Tindale-Oliver

**OTHERS**

Rick McKee	HBA
Kirk Sorenson	Government Solutions

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**I. CALL TO ORDER**

The meeting was called to order at 5:40 P.M.

**II. ADVISORY GROUP DISCUSSION**

Chairman Roeder noted that he received an email from the Home Builders Association regarding the use of a 5 Year Plan in place of the 10 year planning horizon utilized in the School Impact Fee Study by Tindale -Oliver. As a result, Mr. Roeder inquired as to the best way to handle such correspondence without violating Sunshine Laws. Mr. Testerman explained that requests or correspondence should be routed through the Planning Division staff person and then staff can distribute to the group as appropriate, as it is not a violation of the sunshine laws if everyone receives the information.

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**III. PRESENTATION OF IMPACT FEE STUDY UPDATE METHODOLOGY**

Mr. Bob Wallace of Tindale-Oliver and Associates begin his presentation on the methodology used to perform the School Impact Fee Update Study. Mr. Wallace noted that the study focused on key topics identified by the Advisory Group. The key topics include facility inventory, facility service delivery, cost component, credit component, student generation rate, proposed fee schedule, capacity adjustment versus no capacity adjustment, impact fee comparison, revenue estimates, and indexing.

Mr. Cooper asked a question regarding the relationship between the impact fee rate and construction cost. Mr. Wallace confirmed that if construction cost decreased then that would affect the rate. He noted that Tindale-Oliver used actual construction cost data from OCPS, with cost information as recent as 2006. Drew DeCandis further explained that the impact fees are based on a snapshot in time that generally reflects a trend. Roy Messinger confirmed with Drew DeCandis that once a project is bid and the school board enters into a contract, even if costs decrease, a certain level of funding has already been committed to that project and will not change because costs have decreased.

There was a discussion on the projected growth in Florida and how that is incorporated in the Study. Mr. Wallace acknowledged that the study is based on lower student projections than Tindale-Oliver initially planned to use

There was continued discussion regarding the use of a 5 year plan in place of a 10 year plan, and how the use of a 5 year plan would affect the outcome of the Impact Fee Update Study and if a 10 year plan meets the rational nexus test. Mr. Wallace explained that OCPS adopted a 10 year plan from which OCPS would work and make decisions, which is why the Impact Fee Study Update is also based on this timeframe. Roy Messinger referenced the judicial ruling in the Osceola case and a presentation made by Vivien Monaco to the Advisory Group members of 2005, which served as the foundation for using the plan adopted by the School Board as the planning time frame for which the impact fees would be calculated. Significant discussion on the use of the 5 year plan versus the 10 year planned continued.

Chairman Roeder noted that the primary reason for this meeting was the presentation by Tindale-Oliver and that a list of concerns/issues could be made and discussed at the next meeting. Subsequently, Mr. Wallace continued with the presentation explaining the techniques and methodology used.

More discussion occurred regarding the costs per square foot of schools in comparison to construction for other uses such as offices and high end residential. Mr. Wallace reaffirmed that the data used for the study was based on actual data from the OCPS. Drew DeCandis explained that the construction costs for schools should not be compared to other uses. In addition, he noted that OCPS has a committee that reviews construction cost.

Mr. Messinger and Mr. Wallace briefly discussed Classroom Size Reduction (CSR) monies and the inclusion of these funds as a credit in the Impact Fee calculation. Ms. Fitzgerald asked for clarification on the use of Class Size Reduction monies and further discussion continued on CSR funds.

There was also discussion regarding the calculation of student generation rates and whether the rates used to project the number of students that a housing development will produce is the same or comparable to the student generation rates used in the Impact Fee Study Update

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methodology. Mr. Wallace noted that the School Board decided not to use a tiered approach as part of the School Impact Fee.

Mr. Wallace stated that the School Board prefers the use of indexing. The School Impact Fee Study Update does not include indexing, but it is discussed in the technical report produced by Tindale-Oliver.

Mr. Wallace completed his presentation and answered additional questions related to the School Impact Fee Update Study.

**IV. FUTURE AGENDA ITEMS**

Possible Recommendations

- Construction Costs Data Review- ***policy issue***
- Transfer Tax/Alternative Financing

Discussion Items

- 5 Year versus 10 Year Facilities Plan
- 10 Year Tax Credit
- Classroom Size Reduction Credits
- Indexing/Frequency of Update
- LOS v. Capacity Adjustment (Page 7 of the Presentation)-***clarification***

**V. SCHEDULE FOR FUTURE MEETINGS**

The next meeting date and time is June 5<sup>th</sup>, from 5:30 P.M.-8:00 P.M.

**VI. ADJOURNMENT**

The meeting was officially adjourned at 8:30 P.M.

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Prepared By:

Nikki Williams

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Date

Attest By:

Lou Roeder

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Date