



AGENDA REQUEST FORM

THE SCHOOL BOARD OF BROWARD COUNTY, FLORIDA

ITEM No.:

AA-1.

MEETING DATE	2018-12-04 12:35 - School Board Operational Meeting
AGENDA ITEM	ITEMS
CATEGORY	AA. RESOLUTIONS
DEPARTMENT	Facility Planning and Real Estate

Special Order Request <input type="radio"/> Yes <input checked="" type="radio"/> No
Time
Open Agenda <input checked="" type="radio"/> Yes <input type="radio"/> No

TITLE:

Resolution #19-103 for the Waiving of School Impact Fees for Proposed Low and Very Low Income Affordable Housing Units

REQUESTED ACTION:

Adopt Resolution #19-103 regarding the waiving of school impact fees for proposed low and very low income affordable housing units.

SUMMARY EXPLANATION AND BACKGROUND:

School Board Growth Management Policy 1161 provides authorization for the School Board to waive school impact fees for proposed affordable housing units certified by Broward County as low and/or very low income units.
See Supporting Docs for continuation of Summary Explanation and Background.

SCHOOL BOARD GOALS:

Goal 1: High Quality Instruction Goal 2: Continuous Improvement Goal 3: Effective Communication

FINANCIAL IMPACT:

There is a potential financial impact to the School District from not realizing up to \$375,000 annually in revenues from school impact fees that would otherwise have been collected from proposed low and very low income affordable housing units.

EXHIBITS: (List)

(1) Continuation of Summary Explanation and Background (2) Executive Summary (3) Resolution

BOARD ACTION:

ADOPTED

(For Official School Board Records Office Only)

SOURCE OF ADDITIONAL INFORMATION:

Name: Chris O. Akagbosu

Phone: 754-321-2162

Name:

Phone:

THE SCHOOL BOARD OF BROWARD COUNTY, FLORIDA
Senior Leader & Title

Leslie M. Brown - Chief Portfolio Services Officer

Signature

Leslie M. Brown

11/26/2018, 10:13:50 AM

Electronic Signature

Form #4189 Revised 08/04/2017
RWR/ LMB/COA/LW:lh

Approved In Open
Board Meeting On:

DEC 04 2018

Heather P. Brinkworth

School Board Chair

Continuation of Summary Explanation and Background

In accordance with the Policy, the School Board must adopt by Resolution, a maximum annual amount that will be designated for the school impact fee waiver program and a maximum amount that may be available to individuals eligible certified low and/or very low-income projects.

This Resolution maintains \$375,000 as the annual allocation amount and establishes \$50,000 as the maximum amount available for any individual project. The Resolution further establishes a sixty (60) day validity period for an applicant to redeem a school impact fee waiver, once issued.

The Resolution was generated by staff in coordination with School Board Cadre Attorney Alan Gabriel, and the Board item was subsequently reviewed by Mr. Gabriel and approved as to form and legal content by the Office of the General Counsel. Therefore, it is recommended that the School Board should adopt the Resolution regarding the waiving of school impact fees for proposed low and very low-income affordable housing units.

Executive Summary

Resolution #19-103 for the Waiving of School Impact Fees for Proposed Low and Very Low Income Affordable Housing Units

Proposed amendments to School Board Growth Management Policy 1161 (Policy) modifies the District's school impact fee waiver (SIFW) program for proposed affordable housing units. The District administered a SIFW program from 1981 to 2011, in various iterations, until the program was suspended due to the economic recession. In 2015, the SIFW was reinstated in response to the update of the District's school impact fee study, which increased the County's school impact fees. Therefore, to offset the potential negative effect of the fee increases on affordable housing, the District reinstated the SIFW program, utilizing an accompanying Resolution to establish program parameters in conjunction with the Policy. This approach enables this program's parameters to be changed without necessitating an amendment to the Policy. Since 2015, the SIFW annual allocation amount has remained \$375,000 available to provide a 100% waiver of school impact fees for very-low income affordable housing projects, up to \$25,000 for a single project.

At the November 28, 2017, School Board Workshop, the District's SIFW program was presented and assessed. In preparation for this Workshop, staff convened a stakeholder group comprised of for profit and non-profit developers, various affordable housing advocates and local government partners to provide input on different options to augment the SIFW program as well as to suggest other affordable housing initiatives for consideration.

Since 2015, the annual \$375,000 allocation has not yet been fully exhausted, due in large part to the paucity of very low income units proposed that are eligible to take advantage of the District's program. The stakeholder group recommended mimicking Broward County's impact fee waiver program to include low income units as well as very low income units and doubling the per project maximum from \$25,000 to \$50,000 and the validity period of the SIFW issued from thirty (30) days to sixty (60) days. It should be noted that very low income is defined in the Broward County Land Development Code as one or more persons or a family, not including students, that has a total annual anticipated income for the household that does not exceed 50% of the area median income (AMI), and low income is up to 80% AMI. These new parameters of the program garnered the support of the stakeholder group as well as the School Board.

The parameters established by Resolution are needed to limit the financial liability shouldered by the District in a given year and to prevent all available funds from being taken by a single project. The set parameters also enable the waivers to be issued administratively in lieu of requiring each request to go before the School Board for approval.

THE SCHOOL BOARD OF BROWARD COUNTY, FLORIDA
RESOLUTION #19-103

RESOLUTION REGARDING THE WAIVING OF SCHOOL IMPACT FEES FOR PROPOSED LOW AND VERY LOW INCOME
AFFORDABLE HOUSING UNITS

WHEREAS, Broward County Board of County Commission Code of Ordinances, Chapter 5, Article IX, Land Development Code, requires land dedication and/or the payment of school impact fees from developers in the incorporated areas and unincorporated areas of Broward County, to provide for adequate school sites and school buildings; and

WHEREAS, Section 5-184 (b)(4) of the Broward County Land Development Code provides that the Broward County Board of County Commissioners may waive the fee, upon request, for proposed projects or developments that will provide affordable housing for very low income and/or low income, as defined in Division 6, of the Broward County Land Development Code Definitions, and that any such waiver shall be only for that portion of the development that qualifies as affordable housing; and

WHEREAS, Section 5-184 (b)(4) of the Broward County Land Development Code further states that a waiver of school impact fees shall not be granted unless the School Board of Broward County, Florida ("School Board") has approved said waiver and identifies the source of funds; and

WHEREAS, School Board Growth Management Policy 1161 provides authorization for the School Board to waive school impact fees for proposed affordable housing certified by Broward County as very low and/or low income units and to utilize Capital Funds in a fund that will be used to mitigate the impact for the very low and/or low income units that are granted school impact fee waivers.

NOW, THEREFORE, BE IT RESOLVED, The School Board of Broward County, Florida, finds as follows:

- Section 1. The above recitals are true and correct and are specifically incorporated herein.
- Section 2. Does hereby establish \$375,000 as the total annual allocation of Capital Funds, designated beginning each Fiscal Year for The School Board of Broward County, Florida school impact fee waiver program, for 100% waiver of school impact fees up to a maximum allocation of \$50,000 for any individual proposed affordable housing project certified by Broward County as very low income and low income units.
- Section 3. The period for an applicant to redeem a granted school impact fee waiver shall be sixty (60) calendar days from the date of issuance.
- Section 4. The Superintendent is authorized to take all necessary action to effectuate the terms of this Resolution.
- Section 5. This Resolution shall become effective upon adoption.

Given at Fort Lauderdale, Florida this 4th day of December 2018.

THE SCHOOL BOARD OF BROWARD COUNTY, FLORIDA

BY: Heather P. Brinkworth
Heather P. Brinkworth, Chair

Attest: Robert W. Runcie
Robert W. Runcie, Superintendent of Schools