

THE SCHOOL BOARD OF SARASOTA COUNTY, SARASOTA FLORIDA
FINANCIAL ADVISORY COMMITTEE MEETING MINUTES
08/19/2021

ATTENDEES: Taylor Collins, Shon Ewens, Susan Hines, Paula Ippolito, Scott Pinkerton, Pam Truitt

STAFF: Dr. Brennan Asplen, Mitsi Corcoran, Jody Dumas

ABSENT: Sandra Terry

GUESTS: Jane Goodwin, Pat Gardener, Patrick Duggan

HANDOUTS:

Meeting called to order at 8:04 a.m.

I. Welcome

Quick introduction of present FAC members.

II. Discussion of Public Records/Sunshine Laws

Attorney Patrick Duggan was introduced to provide a brief overview of the Florida Sunshine Laws (Open Meeting Laws) and Public Record Laws, both of which impact FAC.

- **Open Meeting Laws (Sunshine Law):** The general rule is that no actions are binding unless they occur in an open meeting and any actions that occur in violation of that are void. If a defect occurs, you can essentially have a “do-over” to correct the situation by having a subsequent meeting. The issue becomes what constitutes a “meeting”. A meeting is defined as when any 2 FAC members are talking about an item that is on an agenda or could reasonably be on an agenda. The policy behind it is to allow the public to be a participant and to create transparency. Any time 2 members are talking via phone, email or text, you may be potentially violating the Sunshine Law. Patrick advised that if there is communication via email from 1 individual to the group, do not reply all because that could be considered a violation. The Sunshine Laws apply to advisory boards just as they would apply to the School Board. There is no exception to volunteers and the obligations apply even when FAC is making recommendations, providing reports to the Board that are getting adopted without much consideration, giving advisory opinion, or making any type of tentative decision. Law is encouraging transparency and allowing the public to act as a watchdog of government activities.
 - Obligations of FAC/Best Practices:
 1. Agenda required for all meetings
 2. Must have meetings in an adequate location. There are some rules for Zoom that permit a little more leeway.
 3. Must keep minutes of meetings – summary of what happened at the meeting
 4. Provide reasonable notice of all meetings – time and place of the meeting (7 days advance notice)
 5. Provide the public with reasonably opportunity to be heard
 6. Cannot restrict recordings of a meeting and cannot deny access to the press

7. Cannot use anything to conceal what you are talking about during a meeting
8. Every member must vote, except when there is a conflict of interest/no proxy votes/no secret ballots

Patrick further explained that no FAC member can use a “third-party” person to communicate through to avoid Sunshine Laws. A “third-party” person can have 1:1 conversations with FAC members but cannot then communicate what each person has discussed with the other FAC members. Informal polling is allowed but be cautious so as not to violate the law.

- **Public Records Laws:** The Public Records Laws also apply to FAC. The Florida Constitution creates a right for the public to have access to government records. This is also an area of lot of litigation and the rules apply to FAC.
 - What is a public record vs. what is not a public record? Not everything that is sent from a government email is a public record. A public record is something made or received by a government agency in connection with official business which are designed to perpetuate, communicate or formalize a thought. Thus, emails, notes taken, phone records, documents or reports, etc. can be public record if they are in connection with official business. These do not have to be on government devices. These can be personal phone records, personal emails, etc. The person, or organization requesting the records can be anonymous and they are not required to say why they want the records or how they are going to be using them.
 - There are certain records that are considered confidential and are exempt from public records. Some examples are educational records, records related to litigation while the litigation is still ongoing, etc. Confidential records are never released but exempt records do not have to be released but can be released. Recommendation is if FAC gets a Public Records request, filter it through the Communications Department. Drafts of documents become public record when they are distributed amongst the group, in addition to the final document or any emails related to the documents.
 - Best practice for email is to use district email for official FAC communication so in case there is a public records request, IT department can easily retrieve the email and maintains the email on a server for the length necessary according to public records law. However, note that personal email is not exempt from public records and neither are texts.

III. Overview of Capital

Jody Dumas introduced himself and provided a brief overview of his role in the district. Mr. Dumas is the Chief Operating Officer of the district and accordingly he runs operations, overseeing Transportation, Food Service, Construction, Planning, Facilities, etc. The Capital Budget is really a planning cycle and the various operational departments together with the small project’s teams are involved in building the Capital Budget throughout the year. We typically go back to the School Board a few times throughout the year to discuss the Capital Budget and related projects, pricing of materials and timelines. The result of these meetings is the development of a Capital Improvement Plan completed over the summer. This is a Five-Year Plan and the School Board adopts year one of the Plan and the rest of the four years is a look-ahead or forecast of projects coming up.

Mr. Dumas continued with a discussion of what is currently in the Five-Year Capital Improvement Plan. He noted that as we continue to see a rise in development of new housing, we are seeing some more capacity projects built into the Plan. The district’s Planning department keeps a close

eye on development throughout the County and pays close attention to new housing developments and new students in the district. Wellen Park and Palmer Ranch are seeing continued growth so those are the areas we are currently focused on when developing the Plan.

In the current Plan, we have a new K through 8 school to be built off Lorraine Road in the Palmer Ranch area. The plan is to enter intodesign contracts for this school in early January 2022. This is to help relieve some of the overcrowded schools such as Ashton Elementary, Lakeview Elementary, Laurel Nokomis and Sarasota Middle. The funding for this project is in the current year. Another growth project funded in the current year is a portable replacement project at Gocio Elementary.

A couple of years out is a project at Wellen Park, where we have purchased some land and are looking at building a K through 8 school and a high school, trying to relieve Taylor Ranch and Venice high school. For these future growth projects, we must continually monitor development and the economy to make sure the need is still there for a new facility. We cannot just build a new school; we must make sure the students exist to populate the school and timing of the project is essential working closely with the State of Florida as well.

From the revenue perspective for these future growth projects, we are looking at using Certificate of Participation (COP) to fund them. We have a lot of debt capacity and it makes a lot of sense for us for these new schools to borrow money especially with the current interest rates. We do not borrow the money until we are in design and starting to “turn dirt”, reimbursing ourselves for soft costs.

Most of the rest of the capital budget is dedicated to “asset preservation” projects. Some of these asset preservation projects include: HVAC renovation at Bay Haven Elementary; renovation of Building 5 at Fruitville Elementary; Reroofing projects throughout the district (Booker Middle, Sarasota Middle and Laurel Nokomis). All these asset preservation projects are based on data using a Facilities Condition Assessment. This allows us to drive our money into the schools that need it the most.

Mitsi Corcoran explained that if we use COPs funding for new facilities one of the benefits is that you do not need state approval so you can build it without having the students. FAC will be asked to review the documents once we begin the borrowing process.

Pam Truitt brought up a question about the sales surtax and about how much money it generates for us given that there are efforts on way for its renewal. Mitsi responded that annually we get about \$19 or \$20 million from the surtax. It is in the process of becoming Surtax IV up for renewal in November of 2022. These dollars help support capital projects that cannot be funded with capital millage. We have been working with Sarasota County and have a rough draft of the projects to be included and these have been vetted by the School Board. We have 3 upcoming Community Events, one in North County, Mid-County and South County.

IV. COVID Dashboard

Since school has begun, we have seen a rise in Covid cases and Covid positives. This has resulted in a lot of quarantines over the first few weeks of school. We have district staff involved in contract tracing and typically at the schools, the Assistant Principals are helping to pull seating charts, etc. to determine who needs to be quarantined based on contact with a positive case. We take all our information and pass it along to the Department of Health (DOH) acting as a conduit and the DOH then makes the determination of who needs to quarantine and for how long based on the Center for Disease Control (CDC) guidelines. The Covid Dashboard was shared with FAC,

which is updated at 3:00 p.m. and 5:00 a.m.

There was a discussion about what are the factors that are leading to the large spike in cases. The common theme is less mitigation factors (i.e. no masks, no social distancing, more kids in school since remote learning is no longer an option) and this is both in schools and throughout the community in general. Further discussion ensued about the option for remote learning for a couple of months, but that really is not an option for various reasons, most notably funding impact from the State of Florida.

V. Roundtable

Discussion of Pam's FAC presentation to the School Board and their approval of developing a "policy" on how to add or remove projects from the Referendum list. Mitsi and Dr. Asplen to be working on this and possibly have a draft by the next meeting. FAC's role in relation to the Referendum, in the past, has been to present to various community organizations about the benefits of the Referendum and to be available to answer public questions (typically use the FAC presentation that is given to the School Board). At the next FAC meeting, Jane Goodwin will be present to update the members on the status of the Referendum.

The next Financial Advisory Committee meeting is scheduled for Thursday, November 18, 2021 at 8:00 a.m. in conference room 221 of the blue awning building.
Meeting Adjourned.

Respectfully submitted,
Lisa Damschroder