



HERNANDO SCHOOL DISTRICT

2025 Interlocal Agreement Update

October 15, 2025

Interlocal Agreement Update Schedule

- 1) School Board Staff made a presentation on the need to update the Interlocal Agreement to the Joint Committee at the following Joint Committee Meetings:
 - March 30, 2023
 - March 14, 2024
- 2) The Joint Committee provided direction at the March 14, 2024, meeting for the School Board and the Local Governments to update the Interlocal Agreement
- 3) The School Board staff have led the effort.



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PRELIMINARY SCOPE OF PROPOSED REVISIONS

- 1) Revise concurrency process to conform to current Florida Statutes
- 2) Streamline school siting processes to conform to current statutes
- 3) Condense or remove verbiage that restates statutes & ordinances
- 4) Add a section for the administration, collection, remittance, and reporting of educational impact fees



INTERLOCAL AGREEMENT – PURPOSE & BENEFITS

- Required by Sections 1013.33, 163.3177, 163.3180(6), Florida Statutes
- Coordinate planning between boards and local governing bodies
- Ensure construction of public schools is coordinated in time and place with residential development
- Encourage efficient use of infrastructure concurrent with development



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WHY REVISIONS ARE NEEDED

- Interlocal Agreement was last amended in 2009 (16 years ago)
- Interlocal Agreement is no longer consistent with current Florida Statutes (F.S. 163.3177, 163.3180(6), 1013.33)
- Interlocal Agreement needs to be made current with the policies set forth in the Hernando County Comprehensive Plan
- Administrative Code referenced in the Interlocal Agreement has been repealed
- Improvements are needed for efficiency of planning processes and workflow



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Interlocal Agreement Revisions:

- I. PLANNING PROCESS***
- II. CONCURRENCY***
- III. IMPACT FEES***

I. PLANNING PROCESS

Section 1 Coordinating and Sharing Information

Section 1.1 (2009 ILA)

Section 1.1 Joint Meetings

1.1.1 Established the **Joint Committee** to meet at least quarterly.

1.1.2 Established joint workshop sessions for the School Board and Local Government Boards to meet for discussion.

1.1.3 Staff representatives provide technical review and recommendations



Section 1.1 (proposed revision)

Section 1 Coordinating and Sharing Information

Establishes the **Working Group**—a group consisting of staff of the School Board and the Local Governments—to facilitate the planning of educational facilities on behalf of the governing bodies and to make recommendations to the **Oversight Committee**.

Working Group is a staff level, fact-finding body not subject to the Sunshine Law.

- Shall meet on the first Thursday of March and September/October (depending on the timing of the Tentative Educational Facilities Plan), and any other times, as necessary.
- Working Group creates Annual Report to go to the Oversight Committee



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I. PLANNING PROCESS

Section 2 Oversight Committee

Section 1.1 (2009 ILA)

Section 1.1 Joint Meetings



1.1.4 Oversight provided by the Joint Committee.

Section 2.1 (proposed revision)

Section 2.1 Oversight Committee.

- Establishes the **Oversight Committee**—a committee comprised of 7 members (3 School Board Members, 2 County Commissioners, 2 City Council Members).
- The Oversight Committee will review the Annual Report of the Working Group and may present the Annual Report to each of their respective boards for review and comment, including any recommendations to amend or supplement the ILA.
- Meets annually
- Subject to the Sunshine Law



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I. PLANNING PROCESS

Section 1.4 Annual Report

- Annual report to be created the Working Group by April 1 of each year.
- Report will address coordination of land use and school facility phasing; including population projection, student projections, school development trends, school needs and all other matters pertaining to school planning.
 - Each Local Government will provide population projections, development trends/data, and any amendments to their comprehensive plans that will modify allowable residential density, or may otherwise affect school enrollment
 - The School Board will provide information regarding current student enrollment and projected student enrollment
- Annual report will also address any planning issues specific to any particular school/school site.



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I. PLANNING PROCESS

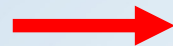
Section 3 School Site Selection

Section 2 & 3 (2009 ILA)

Section 3.1, Section 4

Current language in the ILA is cumbersome and not inline with statutory requirements.

Section 3.2 – Zoning Categories in Which Schools are Allowed



Section 3 (proposed revision)

Sections 3.1, 3.2, 3.3, 3.4

- The School Board will notify the local Government within 60 days prior to acquiring/ leasing a new school site
- Within 45 days the Local Government shall provide the School Board with a preliminary determination as to whether the new school site is consistent with the comprehensive plan
- Once a new school site has been selected within 90 days prior to construction of a new school the school board will request a determination from the Local Government as to whether the site is consistent with the comprehensive plan
- Within 45 days the Local Government shall issue a determination regarding consistency of the site with the comprehensive plan

Section 3.6 No change



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II. CONCURRENCY

Section 6.1 Level of Service

Section 5 (2009 ILA)

Section 5.3

Level-of-Service Standards

- *Elementary* – 100% of Permanent FISH Capacity
- *Middle* – 100% of Permanent FISH Capacity
- *High* – 100% of Permanent FISH Capacity



Section 6 (proposed revision)

Section 6.1

Level-of-Service (LOS) Standards:

- *Elementary* – 100% of Permanent FISH Capacity and long-term relocatable
- *Middle* – 100% of FISH Capacity and long-term relocatable capacity
- *High* – 100% of FISH Capacity and long-term relocatable capacity
- LOS shall be reviewed annually by Oversight Committee



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II. CONCURRENCY

Section 6.2.1 School Concurrency Application

Section 6 (2009 ILA)

Section 6.1 – Concurrency Determinations Following Application – contains a similar process. Updated streamlines process between the School Board and Local Governments.



Section 6.2.1 (proposed revision)

Section 6.2.1 – School Concurrency Application (revision needed)

- The Local Government will direct applicants with projects that include residential development to obtain and file with the School Board a School Concurrency Application along with a fee for same to the School Board.
- The applicant shall submit the approved school concurrency application from the School Board, including confirmation of payment to the School Board, along with its initial application to the Local Government.
- Within 30 days of the Local Government's completeness determination the School Board will either
 - Issue a finding of available school capacity, or
 - Advise the applicant that insufficient capacity exists and mitigation is required



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II. CONCURRENCY

Section 6.2.2 Determining Available Capacity

Section 5 (2009 ILA)

Section 5.2.1 – School
Capacity Calculations



Section 6.2.2 (no change)

Section 6.2.2 – Determining Available Capacity

- Formula for Determining Available Capacity –accounting for the number of student stations held in reserve by the School Board for specific developments which are either vested or have received a Certificate of Concurrency



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II. CONCURRENCY

Section 6.3 Proportionate share mitigation

Section 6 (2009 ILA)

Section 6.1/6.2



Existing timeline and process contain longer lead time on negotiating proportionate share mitigation agreements (up to 270 days) and out-of-date law references

Section 6.3 (proposed revision)

6.3.2

- Formula for calculating Proportionate Share Mitigation

6.3.3

- In accordance with section 163.3180(6), Florida Statutes a residential development not exempt from school concurrency may obtain a Certificate of School Concurrency by entering into a Proportionate Share Mitigation Agreement (PSMA) with the School Board
- The execution of a PSMA, as applicable, shall be a condition of the Conditional Plat approval, Site Plan approval or the functional equivalent
- Payment of the proportionate share mitigation in full shall be a condition of the final plat approval (or the functional equivalent), but no later than the issuance of the first building permit.
- Payment shall be made directly to the School Board



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II. CONCURRENCY

Section 6.4 Credits

Hernando County School Board
Educational Facilities Impact Fee Voucher
[Insert] NAME OF SUBDIVISION OR DEVELOPMENT

1. Date of Finding of Available School Capacity: _____
Number of dwelling units associated with application: _____
Type of dwelling units associated with application: _____
2. Name of Developer/Applicant: _____
3. Address of Developer/Applicant: _____
4. Legal description of subject property: **See Exhibit "A" - Attachment 1.**
5. Subdivision or Master Development Plan name: _____
6. Local Government Development Application Number: _____

The undersigned School Board Official confirms that it has received from the Developer/Applicant named above, Proportionate Share Mitigation for [elementary] [middle] [high] school capacity on the ____ day of _____, 2025, as shown below.

The School Board Official gives notice to Local Government that the following sums should be credited towards the Educational Facilities Impact Fee obligations of the Developer/Applicant.

1. Date of Proportionate Share Payment	
2. Amount of Proportionate Share Payment	
3. Impact Fee per unit at Time of Proportionate Share Payment	
4. Impact Fee Credits issued (Line 2 divided by line 3.)	

By: _____

Print: _____

Title: _____

Section 6.4 (proposed revision)

In accordance with Section 163.31801 ("The Florida Impact Fee Act") the School Board will provide credits on a dollar-for-dollar basis at fair market value in the amount equal to the proportionate share mitigation in the form of the Hernando County Education Facilities Voucher.



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II. CONCURRENCY

Section 6.5 Exemptions

Section 5.4 (2009 ILA)



Section 6.5 (proposed revision)

Section 5.4 – Applicability and Exemptions

Exemptions:

- Single family lots of record have received final plat approval prior to the effective date of the school concurrency ordinance
- Multi-family residential development having received final site plan approval prior to the effective date of the applicable school concurrency ordinance.
- Amendments to residential development approvals issued prior to the effective date of the adopted school concurrency ordinance, which do not increase the number of residential units or change the type of residential units proposed.

Section 6.5 – Exemptions

Includes the other previous exemptions, plus three additional exemptions:

- Age Restricted Communities (55+)
- 10 or less residential units or Class C subdivisions (*de minimus*) - Current *de minimus* threshold is 1 student or less



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II. CONCURRENCY

Section 6. Concurrency Service Areas (CSAs)

Section 5 (2009 ILA)

5.1 Concurrency Service Areas



Section 6 (proposed revision)

6.6 Concurrency Service Areas (CSAs) – No change

5.2 School Capacity Calculations



6.7 School Capacity Calculations as to CSAs – No change



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III. IMPACT FEES

Section 7 Impact Fees

Section 7.1 – Impact Fees Established

- An applicant's payment of Educational Facilities impact fees shall be collected, transmitted, and reported by each Local Government in conformance with and according to the applicable Educational Facilities Impact Fee Ordinance.

Section 7.2 – Collection of Impact Fees

- The permitting Local Government shall be responsible for determining the amount of Impact Fees. Impact Fees are to be collected when a building permit is issued.



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III. IMPACT FEES

Section 7 Impact Fees (continued)

Section 7.3 – Administrative Cost

- Each Local government may retain the actual cost incurred in collecting the Impact Fees

Section 7.4 – Remittance

- Each Local Government will remit the collected impact fees minus the administrative costs (as described above)

Section 7.5 – Reporting of Impact Fees

- Each Local Government will provide a monthly report to the school board accounting for the total amount of educational facilities impact fees collected
- The report will include the number and type of dwelling units and the name and/or location of the development in which the units are located.



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