



~~PO 07-54~~
INQ 07-170

MIAMI-DADE COUNTY
COMMISSION ON ETHICS & PUBLIC TRUST

October 29, 2007

Honorable Rebeca Sosa, County Commissioner
District 6
Stephen P. Clark Center
111 N.W. 1st Street, Suite 220
Miami, FL 33128

Dear Commissioner Sosa:

I understand you wish to know whether a conflict of interest exists if you participate in a discussion and vote on matters tied to a proposed school impact fee, which, if adopted, will be implemented by the Miami-Dade School Board and the Miami-Dade Public Schools. You are currently employed with the Miami-Dade Public Schools as a Curriculum/Program Facilitator for services related to South Florida Workshop.

The voting conflict section of the county's Conflict of Interest and Code of Ethics ordinance applies when an elected official has a special relationship with a party or entity that might be directly or indirectly affected by any action of the Board of County Commissioners or if an elected official is distinctly affected by Board action. In this particular case, any impact fee that is proposed or adopted does not affect you any differently than it would affect the public-at-large. Moreover, any change in the impact fee that could translate into programmatic benefits to those employed by Miami-Dade Public Schools would cover many programs and would not confer an isolated benefit to your employment. Therefore, you are free to discuss the issues surrounding the school impact fee and may vote on any items addressing this matter without violating the county ethics ordinance.

If you have any additional questions or wish to discuss the above, please do not hesitate to contact me at your convenience.

Sincerely,

Robert Meyers, Executive Director
Miami-Dade Commission on Ethics and Public Trust



September 14, 2007

Honorable Carlos Alvarez, Mayor
Miami-Dade County
Stephen P. Clark Center
111 N.W. 1st Street, Suite 2910
Miami, Florida 33128

Jessica
Please find out if I have conflict

Dear Mayor Alvarez, and City Commissioners:

We are writing today to express the concerns of both Associations' members, about the proposed school impact fee ordinance. Although this measure will not come before your city for a vote, municipalities are being asked to adopt resolutions supporting the proposed impact fee ordinance. **We think it is important that you know the facts from all sides of this issue if you are asked to consider a city resolution regarding this matter.**

Respectfully, we think the proposed fee increase and formula changes will have a negative impact on home buyers in your city. We set forth our reasons below.

The School Board is seeking to triple the impact fee, from its current \$2,500 to an average of \$8,400 for any single family home with three or more bedrooms. In addition to the skyrocketing costs for homeowner's insurance, taxes and gasoline, this is the wrong time for any prospective home-buying consumer to be saddled with very high fee increase.

School fees need to be updated – but not this way, and not all at once

After 12 years, our members agree that the school impact fee needs to be updated. However, to impose a fee increase of over 300% immediately would be overwhelming to consumers who need to rent an apartment or want to buy their first town home.

No phase-in proposed – Since their adoption in the early-1990's, all County-imposed impact fee increases have been phased in over several years. The purpose of a phase-in is clear: to reduce the impact of the fee increase on the homebuyer. Proposing the outright adoption of a very high, government-generated price increase onto the cost of a new home is unwarranted, especially during this difficult time. However, at this time, the School Board has not proposed a phase-in of this high fee thus far.

New formula being proposed – but old formula is still more equitable

The School Board is proposing changes to the existing formula which are very expensive and regressive. The formula is being changed so that any size home - with three or more bedrooms – pays the same \$8,400 average fee. A modest (1,300 square-foot) middle-class home, with 3 bedrooms or more, would pay the same \$8,400 fee as the largest custom home with the same number of bedrooms or more. **The cost burden of paying \$8,400 for a school impact fee hurts the middle class buyer much more than those who can afford to buy a much larger home.**

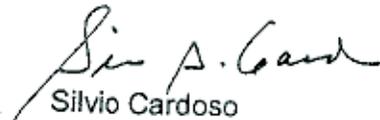
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Industry working hard to resolve issues – we ask for your support

Please rest assured that industry representatives are working closely with the District staff on concurrency issues. **But, we may face even less capacity than we have today, due to possible school closures and the possibility of building permit moratoria if closures are implemented.** We respectfully ask that you take into account these important facts in the course of this debate.

This is a critically important issue to our industry and to the people we build for: the residents of all cities and the county. If you have additional questions, please feel free to contact either of us at our respective Association offices. Thank you for considering our Associations' views.

Sincerely,


Silvio Cardoso
2007 President - BASF


Ovi Vento
2007 President - LBA

Attachments

xc: City Manager