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OFFICE OF THE CITY MANAGER

NO. LTC # 072-2009

LETTER TO COMMISSION

TO: Mayor Matti H. Bower and Members of the City Commission

FROM: Jorge M. Gonzalez, City Manager

DATE: March 17, 2009

SUBJECT: **CITY OF OPA-LOCKA RESOLUTION EXPRESSING OPPOSITION AND STRONG CONCERNS REGARDING SENATE BILL 630 AND SIMILAR LEGISLATION WOULD IMPOSE A MORATORIUM ON THE COLLECTION OF IMPACT FEES BY LOCAL GOVERNMENTS.**

Attached is Opa-Locka Resolution 09-7445 expressing opposition and strong concerns regarding Senate Bill 630 and similar legislation that would impose a moratorium on the collection of impact fees by local governments and urging the Florida Legislature not to pass such legislation.

JMG/REP

Cc: Hilda Fernandez, Assistant City Manager
Tim Hemstreet, Assistant City Manager
Robert Middaugh, Assistant City Manager
Jose Smith, City Attorney
Kevin Crowder, Economic Development Director

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Sponsored by: Mayor J. Kelley

RESOLUTION NO. 09-7445

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, EXPRESSING OPPOSITION AND STRONG CONCERNS REGARDING SENATE BILL 630 AND SIMILAR LEGISLATION THAT WOULD IMPOSE A MORATORIUM ON THE COLLECTION OF IMPACT FEES BY LOCAL GOVERNMENTS; URGING THE FLORIDA LEGISLATURE NOT TO PASS SUCH LEGISLATION AND FURTHER DIRECTING THE CITY CLERK TO TRANSMIT THIS RESOLUTION AS SET FORTH HEREIN

WHEREAS, Senate Bill 630 has been filed for consideration during the 2009 state legislative session by Senator Mike Bennett (R-Bradenton); and

WHEREAS, Senate Bill 630 would impose a three (3) year moratorium on the imposition and collection of impact fees for any purpose by a county or municipality form October 1, 2009 through September 30, 2012; and

WHEREAS, road and school impact fees collected by Miami-Dade County are countywide in nature and serve to enhance the quality of life for all residents of the County; and

WHEREAS, Senate Bill 630 or similar legislation would have a substantial fiscal impact on Miami-Dade County, including more than $20 Million for road impact fees alone, as well as on the City of Opa-locka ("City"); and

WHEREAS, passage of Senate bill 630 or similar legislation would mean that fewer funds are available for new infrastructure projects, with corresponding losses in potential jobs; and

WHEREAS, passage of Senate bill 630 or similar legislation also could have the effect of stopping infrastructure projects already planned or being contracted, with further corresponding job losses; and

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WHEREAS, a moratorium on impact fees for infrastructure improvement would create concurrency deficiencies and therefore have the unintended consequence of impeding development; and

WHEREAS, studies have shown that reducing government spending by reducing fees and taxes does not stimulate the economy and that the opposite is actually true; spending government funds on needed infrastructure projects helps to stimulate the economy; and

WHEREAS, passage of Senate bill 630 or similar legislation would result in reduced infrastructure projects and a loss of construction jobs at a time when stimulus packages are being proposed at the federal, state and local levels to increase infrastructure funding associated jobs.

NOW, THEREFORE, BE IT DULY RESOLVED BY THE CITY COMMISSION OF THE CITY OF OPA-LOCKA:

Section 1. The recitals to the preamble herein are incorporated by reference.

Section 2. The City Commission of the City of Opa-locka hereby expresses opposition and strong concerns regarding Senate Bill 630 and similar legislation that would impose a moratorium on the imposition and collection of impact fees by local governments and further urges the Florida legislature not to pass such legislation.

Section 3. The City Clerk is hereby directed to transmit a certified copy of this resolution to the Governor, Senate President, House Speaker, the Chair and Members of the Miami-Dade County State Legislative Delegation, Senator Mike Bennett, the Presiding Officer and Council Members of the municipalities in Miami-Dade County, and the Executive Director of the Miami-Dade County League of Cities.

Resolution No. 09-7445

Section 4. This resolution shall take effect immediately upon adoption.

PASSED AND ADOPTED this 11 day of MARCH, 2009.

JOSEPH L. KELLEY
MAYOR

Attest:

Deborah S. Irby
City Clerk

Approved as to form and legal sufficiency:

Burnadette Norris-Weeks
City Attorney

Moved by:	JOHNSON
Seconded by:	TAYLOR
Commission Vote:	5-0
Commissioner Tydus:	YES
Commissioner Holmes:	YES
Commissioner Johnson:	YES
Vice-Mayor Taylor:	YES
Mayor Kelley:	YES

I, D. Irby, Deputy City Clerk of the City of Opa-locka, Dade County, Florida do hereby certify that this is a true and correct copy of Resolution 09-7445 as shown in the official records of the City of Opa-locka, Dade County, Florida.
Given under my hand and seal, this 16th day of March, 2009.

City Clerk