

Co-Sponsors: Ms. Monica Colucci, Vice Chair
Ms. Lucia Baez-Geller
Ms. Mary Blanco
Dr. Steve Gallon III
Ms. Luisa Santos

} Added

SUBJECT: COUNTY ENGAGEMENT – EDUCATIONAL FACILITIES IMPACT FEES (EFIF)

COMMITTEE: FISCAL ACCOUNTABILITY & GOVERNMENT RELATIONS

LINK TO STRATEGIC PLAN: EFFECTIVE & SUSTAINABLE OPERATIONAL PRACTICES

At the April 19, 2023, School Board Meeting, the Board unanimously approved Agenda Item H-11 Educational Impact Fees proffered by School Board Member Dr. Steve Gallon III and co-sponsored by Board Chair Ms. Mari Tere Rojas, Board Vice Chair Ms. Monica Colucci and School Board Members Ms. Lucia Baez-Geller, Dr. Dorothy Bendross-Mindingall, Ms. Mary Blanco, and Ms. Luisa Santos. The Board action included directing the Superintendent of Schools to provide a presentation on Educational Facilities Impact Fees (EFIF) at the Fiscal Accountability and Government Relations Meeting which took place on June 14, 2023. At the presentation, the administration provided an overview of the current EFIF Ordinance, a historical review of related legislation since 1995, a historical summary of EFIFs collected, and the administration's anticipated approach to the Board directed review of the EFIF Ordinance/Interlocal Agreement and the Interlocal Agreement for Public School Planning, for Educational Facilities Planning, County Ordinance and State Statutes regarding the frequency of review and/or requests for revision to EFIF rates.

The administration outlined key goals of the review including the engagement of Miami-Dade County and other external stakeholders; an analysis of the current benefit districts, including the number and location of benefit districts to ensure equitable distribution of fees; recommendations to update impact fee to reflect current educational facilities construction costs, assignable and transferable credits, student generation measures and other relevant factors and conditions; and recommendations to update methodology and provide for inflation and periodic cost adjustments.

On September 15, 2023, the School Board entered into a service contract with the consultant, Alfred Benesch and Company ("Benesch"), to conduct the EFIF Study and assess the impact fees currently collected by Miami-Dade County from developers seeking to contribute to the cost of constructing new student stations as a result of new housing units. Areas under review included Miami-Dade County demographics for the last ten years and historical, current and projected enrollment for the District; the 1995 Educational Facilities Impact Fee Methodology and Technical Report; Ordinance 95-79 and the Interlocal Agreement Relating to Educational Facilities Impact Fee Monies; existing case law and current statutory requirements; the methodology used by Miami-Dade County to develop student generation multipliers; school construction data and related costs components and credit components; net impact cost per student; existing inventory and school debt; school impact fee schedule comparison; benefit districts and enrollment; net assessed taxable value of all real property and all residential property from 1994 to present; development trends throughout the County; Miami-Dade County demographics for the last ten years; and the Property Appraiser's database regarding types of housing stock built, number of units and number of bedrooms, etc.

At the Board's direction, the administration has also engaged Miami-Dade County's administration in discussions concerning the process for a review of EFIF rates. The District and County staff have agreed to collaborate in the process of determining if it is feasible to recommend revising the EFIF formula and rates.

Miami-Dade County's Board of County Commissioners (BCC) has recently brought forth a resolution item sponsored by Commissioner Danielle Cohen Higgins to study the efficacy of the EFIF Program including the formula for calculating the fee, the scope and size of the benefit districts wherein impact fee revenues may be expended, and any other matters that may warrant revision by the BCC. The legislation being considered by the BCC also directs the County administration to collaborate with the School Board and its consultants to collect and analyze data required for a statutorily compliant, consumption-based educational facilities impact fee ordinance, and to solicit input from other local governments, affected industries, and County residents as part of the study. Additionally, once the study is complete, the County administration would be directed to negotiate with the School Board on any changes to the EFIF Ordinance that may be necessary or appropriate; prepare a report to the BCC regarding the results of such study and negotiations; and provide recommendations as to any proposed revisions to the EFIF Program.

Therefore, this item seeks to formally support the BCC's commitment to studying the EFIF Program and collaborating with the School Board and its consultants as recommendations are developed for any proposed revisions to the EFIF Program. Furthermore, it authorizes the Superintendent to negotiate with Miami-Dade County, if appropriate, as to any revisions to the EFIF Ordinance, and to prepare a report with recommendations to the Board.

The item has been reviewed and approved by the General Counsel's Office as to form and legal sufficiency.

**ACTION PROPOSED BY CHAIR
MS. MARIA TERESA ROJAS**

That The School Board of Miami-Dade County, Florida:

1. formally support the Miami-Dade Board of County Commissioners' commitment to studying the Educational Facilities Impact Fee (EFIF) Program and collaborating with the School Board and its consultants as recommendations are developed for any proposed revisions to the EFIF Program; and
2. authorize the Superintendent to negotiate with Miami-Dade County, if appropriate, as to any revisions to the EFIF Ordinance, and to prepare a report with final recommendations to the Board.