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**Guest columnist**

## **Sarasota district hasn't honored vow to update school impact fees**

Allies of the Sarasota County School Board and superintendent successfully urged voters to "Keep the Promise" last Tuesday by approving a quarter-billion dollars in more taxes for schools over the next four years.

However, the School Board and superintendent have for more than a year broken their promise to update school impact fees so that growth pays its own way for the schools required by growth.

It's no idle promise. Its part of an interlocal agreement (a contract) between the School Board and the Sarasota County Commission.

On Feb. 10, 2004, the County Commission entered into an interlocal agreement with the School Board to adopt a school impact fee, which charges new growth for the costs of new school facilities required by that growth.

The agreement provides that prior to Jan. 1 of each year, the superintendent of schools shall prepare a report to the County Commission that includes an update of all of the information which determines how the impact fee is calculated and any needed change in the impact fee amount.

The superintendent of schools has failed to provide the school-impact-fee-update report that has been required and due since Jan. 1, 2005. It is now well over one year late. Two required annual reports and impact-fee updates are now missing.

Did the superintendent's dog eat the reports? Or does this failure by the superintendent and School Board reflect more concern for the pocketbooks and political power of developers (who, incidentally, heavily funded the tax campaign) than for the needs of the school system or the interests of the taxpayers?

Although one report on the collection of impact fees was submitted in December, it clearly is not the report required by the interlocal agreement. That is because it does not include any update of the data upon which the school impact fee is based and as such does not provide the basis for an impact fee update, as required.

Annual changes in the school impact fee are inevitably justified and appropriate, just as they have been in other Sarasota County impact fees. That is because the data that drives the methodology changes from year to year and in some cases even more frequently.

Indeed, when the school impact fee was adopted two years ago, it was already based on old data and as such was way too low. The adopted fee is \$2,032 for a single-family home rather than the updated figure of \$2,675 that the school district's consultant said was justified two years ago.



The fact that the fee needs updating is reflected by a March 15 Herald-Tribune report that the cost of school construction has doubled in the past three years. Land costs also have risen sharply. All of this aggravates the school district's deficit of hundreds of millions of dollars in capital needs, none of which will be funded by the recent tax extension.

This lack of diligence compares unfavorably with Manatee County, where school and county officials have adjusted their school impact fee from \$2,588 for a single-family home (at the time Sarasota County first adopted its school impact fee), to \$4,080 and again recently to \$5,886. Other counties are much higher, including several from about \$7,000 to \$10,000 per dwelling.

The consequence of this continuing neglect by the superintendent, School Board and County Commission is that growth is falling further and further behind in paying its fair share of the schools and other education facilities required by that growth. The result is more inadequacy of school facilities, more subsidies of growth by the taxpayers, or both.

There is also reason for concern about a recent announcement by the superintendent that he will appoint a panel of "community leaders" to develop a plan to bond future taxes, that is borrow against taxes with interest, to build schools. You can bet that development interests will favor deeper debt and squandering of taxes to build schools required by growth rather than making growth pay its own way.

It's time for an impact fee update. It's past time.

Why should the public be required to pay more and more taxes for schools while our politicians and officials give the developers a free ride?

Dan Lobeck is a Sarasota attorney and president of Control Growth Now.

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