

Snubbed: Collier commissioners say they won't meet with legislators

By I.M. STACKEL

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COLLEGE PARK, Md. — For the first time that anyone can remember, the Collier County Commission will not hold a post-legislative workshop with the county's Southwest Florida delegation.

Commissioners are so ticked off by how legislators voted in the Tallahassee session that just ended, that they say they no longer have anything to say to the seven state representatives.

At Tuesday's commission meeting, Deputy County Manager Leo Ochs asked commissioners if they wanted him to schedule the traditional session, and the resounding answer was no.

"I see no need for a post-legislation workshop. We had one," said Commissioner Fred Coyle.

Chairwoman Donna Fiala agreed.

"I kind of thought staff covered it all," Fiala said of a May 26 briefing by Debbie Wight, County Manager Jim Mudd's legislative liaison.

The reason for the animosity is this. Collier County has lived by one fundamental philosophy for many years: growth pays for growth.

At the May 26 meeting, commissioners realized their tools for maintaining their philosophy took some serious hits.

The first piece of legislation, which addresses impact fees, was already written into law, so there's nothing they can do about that, except register their protests, said Wight told them, speaking of House Bill 227.

Written into law, that bill places the burden on local government to prove that its impact fees are just.

"The governor already signed this bill, and then, did a ceremonial signing here," Wight said.

That act may have thrilled community leaders focused on economic development, especially Collier's strong construction industry, but left several commissioners disgusted with their Southwest Florida legislative delegation, and Tallahassee in general.

Commissioners Fred Coyle, Donna Fiala and Frank Halas all expressed outrage at what they called the betrayal by their legislators and the state's approach to local authority.

All of Southwest Florida's seven legislators ignored Collier Commission's most important priorities, Wight said.

The new law, which takes effect July 1, is expected to cost local governments more money, Wight said, noting that Gov. Charlie Crist already signed the bill, and did a ceremonial signing in Naples.

Fiala was incensed.

"The one we didn't want?" Fiala asked, looking and sounding frustrated as she scanned the audience. "In a big ceremony here?"

County impact fee and economic development manager Amy Patterson said the new law undermines 25 years of case law.

"It is profoundly negative," Patterson said.

Commissioner Tom Henning, who attended the governor's visit and ceremonial signing, questioned why the new law is negative.

"I think government should always have the burden of proof for fees. What's wrong with that?" Henning asked.

Commissioner Fred Coyle said it is one more step in the continuing trend of the state to intrude on local government and erosion of home rule power.

County Attorney Jeff Klatzkow acknowledged that there does appear to be a state trend toward abolishing impact fees.

Patterson reminded commissioners that there was an impact fee task force in Tallahassee in 2005.

The task force voted not to change the then-existing policy, but was overridden by legislators this year, Patterson said.

"Is the public aware of this report?" Fiala asked.

Halas asked a few questions, also clearly frustrated, but didn't comment.

The impact fee defeat was painful, but there's more, Wight said May 26.

With Senate Bill 360, known as the growth management bill, the state is intruding on a county's ability to control and monitor its own growth, Wight said.

Instead of impact fees, the state wants to impose mobility fees, she said.

Fiala noted that other counties -- and the Florida Association of Counties -- object to all of this.

"Impact fees right now pay for our infrastructure: roads, sewer, water schools," Fiala said, adding that Jacksonville has already abolished impact fees and is passing those costs on to all residents through taxes on services.

"In our county, our residents want growth to pay for growth," Fiala said.

Growth or lack thereof due to the struggling economy was a major issue in Tallahassee this year, and Wight pointed out that Senate Bill 360, which has not yet been signed by Crist, presents problems that cannot be predicted.

"It eliminates transportation concurrency, one of our main items that we're so proud of in Collier County, which is working," said Fiala.

Coyle was especially disgusted with this year's session, stating emphatically that commissioners must help stop the continuing trend for state to erode home rule power.