From:	Michael Brough
To:	Damon Seils; Jacquie Gist; Lydia Lavelle; Michelle Johnson; Randee Haven-O"Donnell; Sammy Slade
Cc:	David Andrews; Catherine Wilson; Patricia J. McGuire
Subject:	OWASA and School Impact Fees for Affordable Housing
Date:	Monday, February 03, 2014 8:28:59 PM

Members of the Board:

I confirmed with Orange County Attorney John Roberts that the county's school impact fee ordinance does not provide for a reduction or waiver of school impact fees for affordable housing projects. However, he did point out that, on some occasions, the county has agreed to appropriate funds to a nonprofit housing provider (e.g. Habitat) in an amount equivalent to the amount of school impact fees paid by that provider.

I also confirmed with OWASA Attorney Bob Epting that his opinion has not changed – i.e. both by virtue of the Purchase and Sales agreements and various bond orders, OWASA is obligated to follow a "no free service" policy, which precludes the waiver of fees for affordable housing projects.

Mike