

**Charlotte County Board Of County Commissioners  
Agenda Item Summary**

**Item Number: F- 3**

**1 DEPARTMENT MAKING REQUEST**

Budget and Administrative Services

**2 MEETING DATE**

9/9/2014 9:00:00 AM

**3 REQUESTED MOTION/ACTION**

Adopt a Resolution extending the refund date for West County Parks and Law Enforcement impact fees; Mid County Inter-district Roads and administrative impact fees; and South County Fire, Parks, Sheriff, and administrative impact fees collected through September 30, 2014 by three years.

**4 AGENDA**

Consent

**5 IS THIS ITEM BUDGETED ( IF APPLICABLE ) -**

**Budget Action**

No action needed.

**Financial Impact Summary Statement**

No action needed. Impact fees are budgeted in the Impact Fee Fund.

**Detailed Analysis Attached -**

**Budget Officer-**

**6 BACKGROUND ( Why is this Action Necessary, and What Action will be accomplished )**

Section 3-3.5-8 of the Charlotte County Code requires the Board to refund impact fees if not used in six years. Section 3-3.5-8 also allows the Board on a one time basis by Resolution, to extend the date by which impact fees must be refunded for up to three years. The Resolution authorizes a one- time, three year extension of the six year refund period in which to use the impact fees. In the FY 15 budget the impact fees are planned for use as follows: Law Enforcement Impact Fees – Airport Annex Inter-district Road Impact Fees – Edgewater Corridor Ph2 Administrative Impact Fees – Justice Center Expansion Fire Impact Fees – Fire Training Facility Park Impact Fees (West) – Bay Heights Boat Ramp Park Impact Fees (South) – South County Park Concession

**ATTACHMENTS:**

Name:

Description:

Type:

[2014 Resolution impact fee refund extension.doc](#) Resolution

Exhibit

R E S O L U T I O N  
N U M B E R 2 0 1 4 -

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A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA, EXTENDING THE DATE BY WHICH CERTAIN IMPACT FEES MUST BE REFUNDED PURSUANT TO SECTION 3-3.5-8, CODE OF LAWS AND ORDINANCES, CHARLOTTE COUNTY, FLORIDA.

RECITALS

WHEREAS, the Charlotte County Impact Fee Ordinance is codified at Chapter 3-3-5 of the Code of Laws and Ordinances, Charlotte County, Florida (the "Code"); and

WHEREAS, pursuant to the authority of Section 3-3.5-8 of the Code, the Board of County Commissioners (the "Board") may, on a one-time basis by Resolution, extend the date by which impact fees must be refunded for up to three (3) years from the end of the fiscal year immediately following six years from the date on which the payment of all outstanding impact fees was received by the county; and

WHEREAS, the Code also provides that such an extension shall be made upon a finding that within the three year period certain capital improvements are planned to be constructed that will be of direct benefit to the development against which the fees were assessed; and

WHEREAS, the Board now wishes to extend the refund period for certain impact fees that meet the aforementioned criteria.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Charlotte County, Florida:

1. That the above Recitals are hereby incorporated into and made a part of this Resolution.

2. That the date by which the applicable West County Parks and Law Enforcement impact fees, Mid-County Inter-district Road and Administrative impact

fees, and South County Fire, Parks, Law Enforcement and Administrative impact fees shall be refunded is hereby extended for three years beginning September 30, 2014.

3. That the Board hereby finds that within the three year period of extension certain capital improvements are planned to be constructed that will be of direct benefit to the development against which the fees were assessed including: Law Enforcement Impact Fees – Airport Annex, Inter-district Road Impact Fees – Edgewater Corridor Phase 2, Administrative Impact Fees – Justice Center Expansion, Fire Impact Fees – Fire Training Facility, Park Impact Fees (West) – Bay Heights Boat Ramp, and Park Impact Fees (South) – South County Park Concession.

4. That this Resolution shall become effective upon approval by the Board of County Commissioners of Charlotte County, Florida.

PASSED AND DULY ADOPTED this \_\_\_\_ day of \_\_\_\_\_, 2014.

BOARD OF COUNTY COMMISSIONERS  
OF CHARLOTTE COUNTY, FLORIDA

By: \_\_\_\_\_  
Kenneth W. Doherty, Chairman

ATTEST:  
Barbara T. Scott, Clerk of  
Circuit Court and Ex-Officio  
Clerk to the Board of County  
Commissioners

By: \_\_\_\_\_  
Deputy Clerk

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY:

By: \_\_\_\_\_  
Janette S. Knowlton, County Attorney  
LR14-2983