



Budget Advisory
Committee
Presentation on
Impact Fees and
Interlocal Agreements

PORT ST. LUCIE

CITY COUNCIL

DECEMBER 14, 2020

WHAT ARE IMPACT FEES?

Impact fees are payments required by local governments of new development for the purpose of providing new or expanded public capital facilities required to serve that development.

FLORIDA IMPACT FEES ACT

MANDATED BY STATE STATUTES
163.31801

The *Florida Impact Fees Act* requires that *impact fees* be based on recent and local data.

Recent Amendment HB 207 – “The local government may not require payment of the impact fee before the date of issuance of the building permit for the property that is subject to the fee.”

HB 207 - The impact fee must be reasonably connected to, or have a rational nexus with, the need for additional capital facilities and the increased impact generated by the new residential or commercial construction.

IMPACT FEES THE CITY COLLECTS

County

- Roads
- Parks
- Libraries
- Public Building
- Fire
- School District

City

- Roads
- Parks
- Public Buildings
- Law Enforcements

WHAT IS AN INTERLOCAL AGREEMENT?

A written contract between local government agencies to spell out cooperation on joint operations.

Authorized in Florida Statute 163. 01, also known as the Florida Interlocal Cooperation Act of 1969. The Act allows local governments to enter into agreements on matters of common interest and community benefit.

Some interlocal agreements are required by Statute; for example, interlocal agreements for joint planning and school siting.

Interlocal agreements must be approved by a vote of the elected bodies that are parties to the agreement.

WHAT INTERLOCAL AGREEMENTS EXIST ON IMPACT FEES?

The City of Port St. Lucie and St Lucie County have interlocal agreements for:

Libraries,

Parks,

Public Buildings and

Roads



LIBRARIES AND PARKS

The Library interlocal agreement is dated September 2005. The County will try to use fees collected on development within Port St. Lucie to fund library facilities that benefit the City.

The Parks interlocal agreement is dated September 2011. The County will try to use fees collected on development within Port St. Lucie to fund expansion, construction or debt service for the following facilities:

- St. Lucie County Region a I Football-Soccer Stadium Ravenswood Pool,
- St. Lucie County Fairgrounds,
- Oxbow Eco-Center,
- Savannas Campgrounds and
- River Park Marina

ALLOCATION OF IMPACT FEE FUNDS, FY 15-16 THROUGH FY 19-20

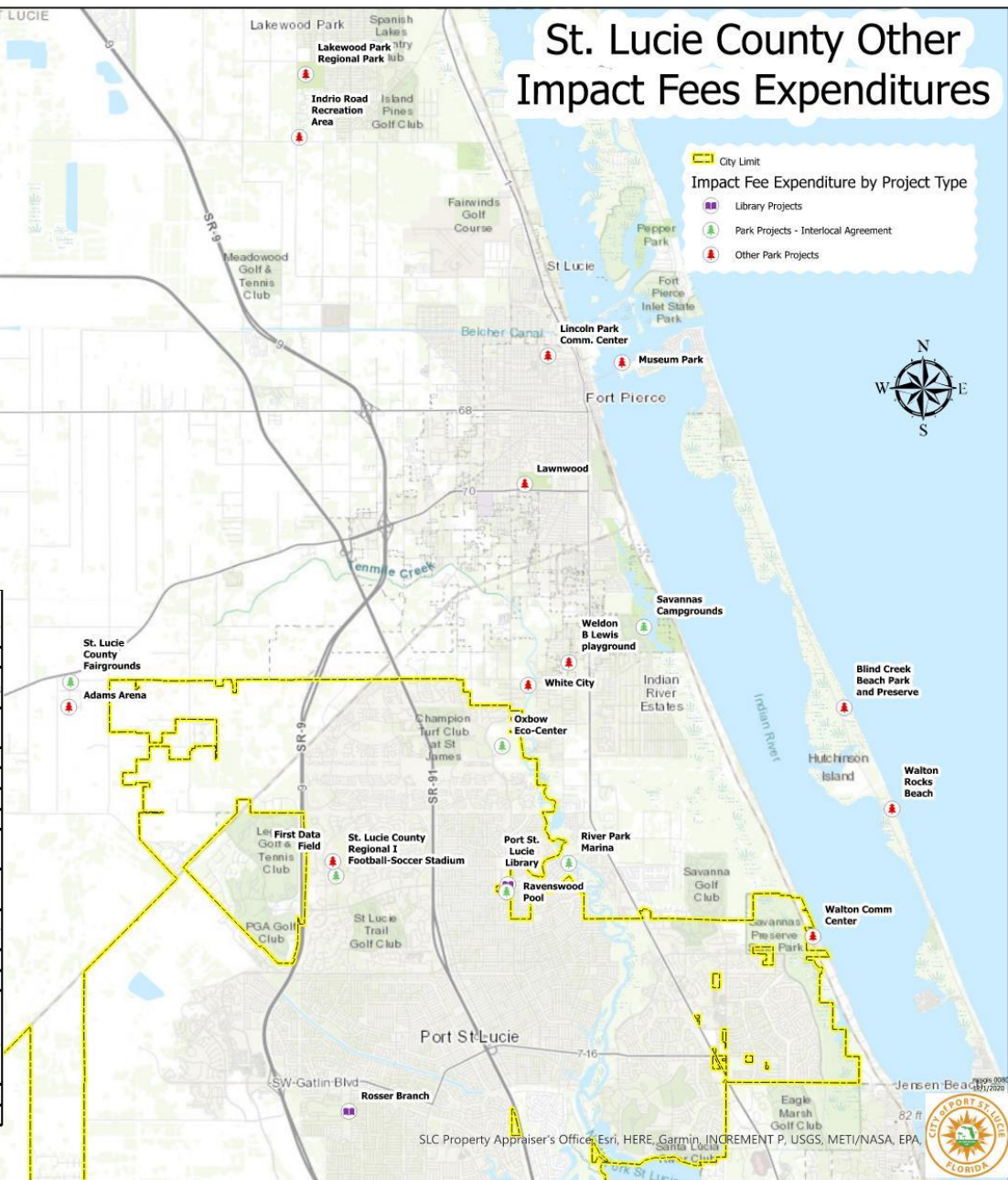
Fees spent on parks by Fiscal Year	FY 15-16	FY 16-17	FY 17-18	FY 18-19	FY 19-20
Parks listed in Interlocal	0	\$480,000	\$400,000	\$977,134	\$144,766
Other Park Facilities	\$97,283	\$332,159	\$136,116	\$313,568	\$1,319,084

St. Lucie County Other Impact Fees Expenditures

Allocation of Impact Fees within the St. Lucie County CIP for Library Projects by Fiscal Year						
Project	FY 15-16	FY 16-17	FY 17-18	FY 18-19	FY 19-20	JUSTIFICATION
Rosser Branch	\$2,108,890	\$1,947,832	\$108,844	0	0	Renovation work also funded by General Fund
Port St. Lucie Library	-	0	0	0	\$200,000	N/A
TOTAL	\$2,108,890	\$1,947,832	\$108,844	0	\$200,000	

Allocation of Impact Fees within the St. Lucie County CIP for Park Projects listed in the Interlocal Agreement, by Fiscal Year						
Project	FY 15-16	FY 16-17	FY 17-18	FY 18-19	FY 19-20	JUSTIFICATION
St. Lucie County Regional I Football-Soccer Stadium (South County Regional Sports Complex)	0	0	0	0	0	N/A
Ravenswood Pool	0	0	0	0	0	N/A
St. Lucie County Fairgrounds	0	\$450,000	\$400,000	\$902,134	0	Funding is primarily for replacement of bathrooms with additional funding in FY 18/19 for upgrades to the generator and parking lot. Funding beginning in FY 17/18 is carry forward.
Oxbow Eco-Center	0	0	0	0	0	N/A
Savannas Campgrounds	0	\$30,000	0	\$75,000	\$144,766	Funding for wifi and electrical upgrades. Funding in FY 19/20 is all carry forward.
River Park Marina	0	0	0	0	0	N/A
Total	0	\$480,000	\$400,000	\$977,134	\$144,766	

Allocation of Impact Fees within the St. Lucie County CIP for Other Park Projects by Fiscal Year						
Project	FY 15-16	FY 16-17	FY 17-18	FY 18-19	FY 19-20	JUSTIFICATION
Adams Arena	0	\$120,000	\$110,000	0	\$12,000	PA system and electrical upgrades
Blind Creek Beach Park and Preserve	\$64,433	\$62,159	0	0	\$250,030	FY 19-20 is for restrooms
Indrio Road Recreation Area	0	\$75,000	0	0	\$61,040	N/A
Lawnwood	0	0	0	0	\$100,000	Pickleball Courts
Lincoln Park Comm. Center	\$32,850	0	\$26,116	\$8,568	\$8,568	N/A
Museum Park	0	0	0	\$25,000	\$113,920	Parking improvements
Parks restrooms	0	0	0	\$75,000	0	Replacement
Weldon B Lewis playground	0	0	0	0	\$179,704	ADA renovations
Walton Comm Center	0	0	0	\$130,000	\$130,000	Renovations; Expansion Study
Walton Rocks Beach	0	0	0	\$75,000	0	N/A
White City	0	0	0	0	\$150,000	Playground
Upgrades to Electrical Panel	0	\$75,000	0	0	0	N/A
Lakewood Park Regional	0	0	0	0	\$292,840	Water connection
First Data Field	0	0	0	0	\$20,982	N/A
TOTAL	\$97,283	\$332,159	\$136,116	\$313,568	\$1,319,084	



SLC Property Appraiser's Office; Esri, HERE, Garmin, INCREMENT P, USGS, METI/NASA, EPA,...



PUBLIC BUILDINGS

84% Correction/Detention
16% Court/Constitutionals

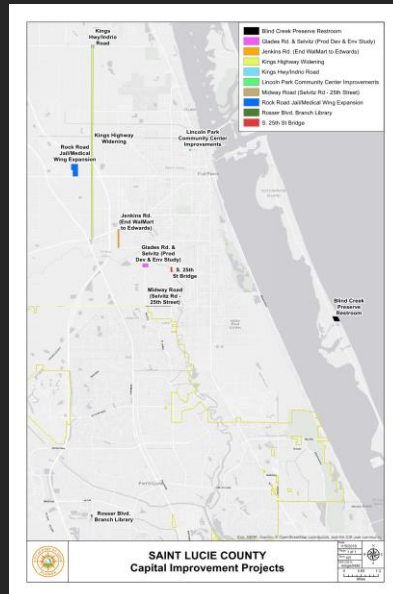
The Public Buildings Interlocal agreement was also approved September 2011.

Funds retained by the County shall be expended for capital improvements, land acquisition or debt service payments related to the County's public building needs as follows:

- Eighty-four (84%) percent of the collection amount received by the County shall be spent on County correction/detention facilities.
- Sixteen (16%) percent of the collection amount received by the County shall be spent on court facilities or county/constitutional officer facilities.

ROADS

adopted in September 2011



The agreement requires the County to inform the City regarding the expenditure of any impact fee funds collected by City and remitted to County and, where possible, expend the impact fee funds to construct part or all of road improvement project or for debt service payments for:

Midway Road,

Prima Vista Boulevard,

Glades Cutoff Road,

Range Line Road,

Walton Road and

St. James/ S. 25th Street

The County is also required to submit an annual report every December indicating the amount of impact fees collected and the expenditure of impact fees for the prior fiscal year.

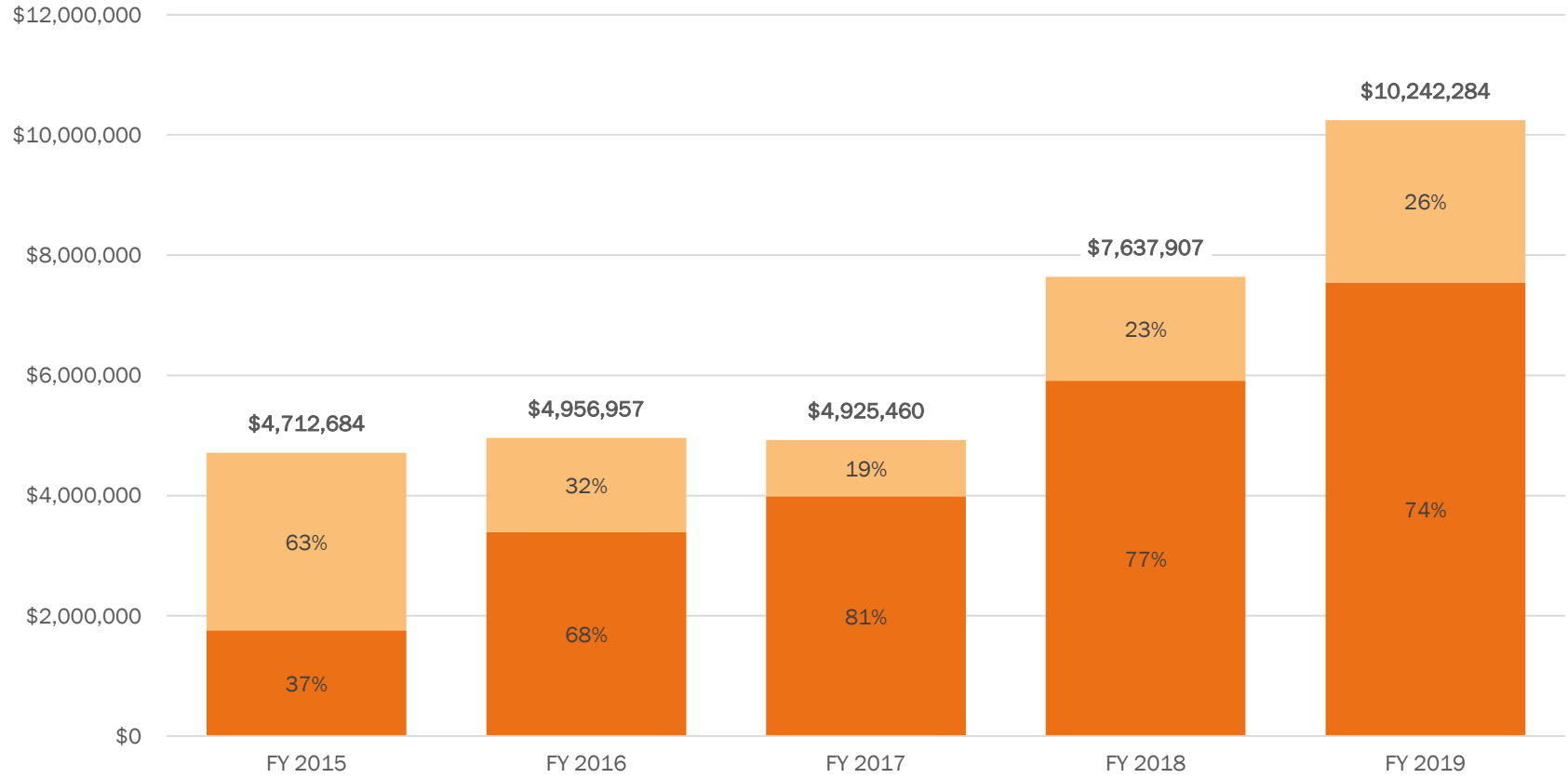
ST. LUCIE COUNTY ROAD IMPACT FEES COLLECTED IN PORT ST. LUCIE

FISCAL YEAR	ST. LUCIE COUNTY COLLECTION	AMOUNT COLLECTED ON PSL DEVELOPMENT
FY 2015	\$ 4,712,684	\$1,760,131
FY 2016	\$4,956,957	\$3,393,501
FY 2017	\$4,925,460	\$3,989,874
FY 2018	\$7,637,907	\$5,909,130
FY 2019	\$10,242,284	\$7,542,487
TOTAL	\$32,475,292	\$22,595,122

Sources: Source: Memorandum 20-6, County Road Impact Fees - City of Port St. Lucie Requests, Engineering Division, St. Lucie County Public Works Department, February 5, 2020. (Attachment B to July 7, 2020 memo cited below). Impact Fee Collections from the City of Port St. Lucie and Fort Pierce, (FY12-19), attachment to Memo on City and County Road Impact Fees Additional Information, Planning and Zoning Department, Port St. Lucie, July 7, 2020.

SLC Road Impact Fees Collected

PSL AMOUNT COLLECTED NON PSL AMOUNT COLLECTED



ALLOCATION OF IMPACT FEE FUNDS, FY 15-16 THROUGH FY 19-20

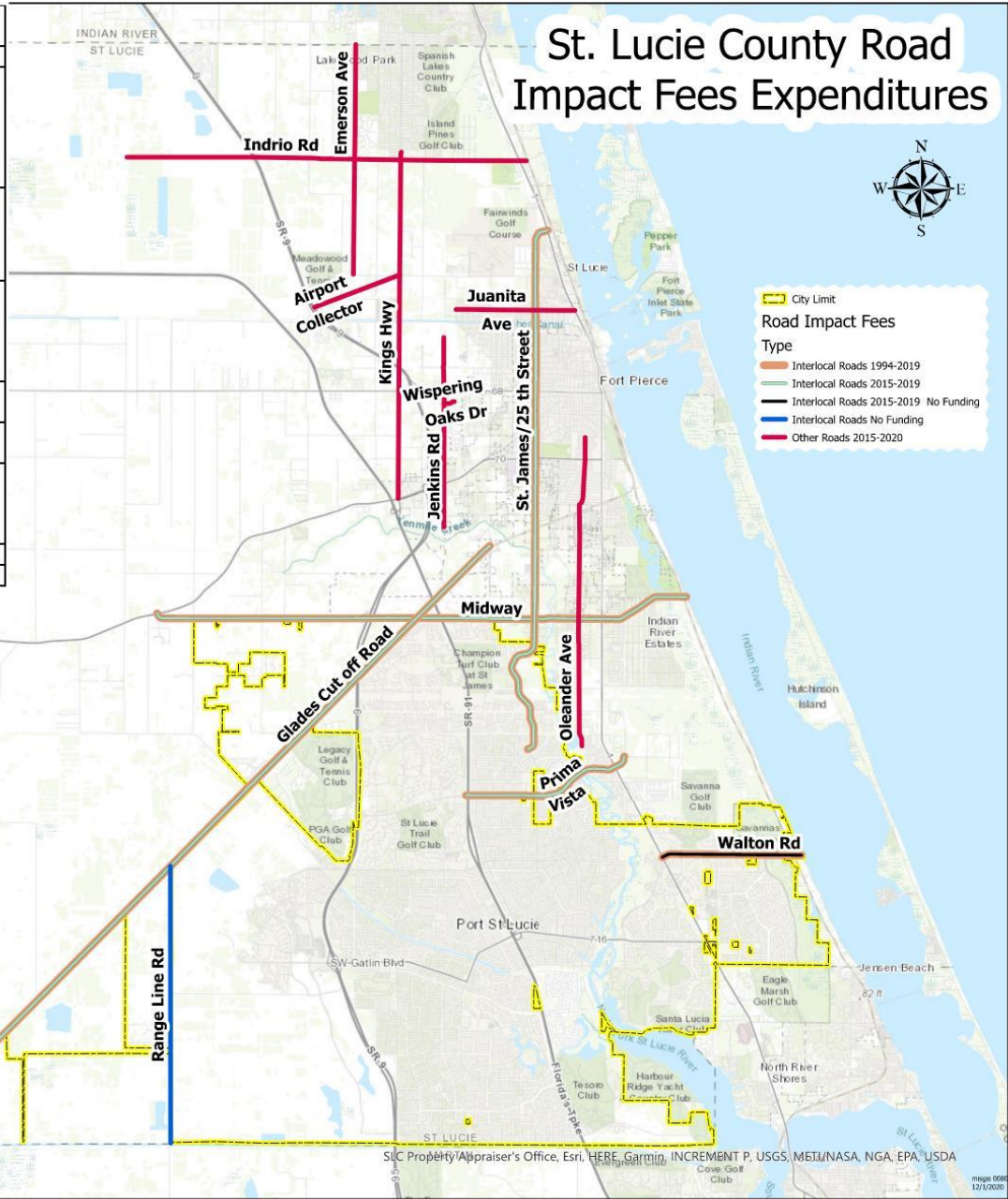
Fees spent on roads by Fiscal Year	FY 15-16	FY 16-17	FY 17-18	FY18-19	FY 19-20
Roads listed in the Interlocal	\$15,706,766	\$9,788,033	\$2,011,306	\$2,009,526	\$457,380
Other Roads	\$2,667,218	\$8,763,201	\$3,389,104	\$0.00	\$6,918,485

Source: St. Lucie County Final Budget Book for the Fiscal Years 2015-16 through FY 19-20.

Allocation of Impact Fees within the St. Lucie County CIP for roads listed in the STC/PSL Interlocal Agreement, by Fiscal Year and Dollar Amount						
ROADS	FY 15-16	FY 16-17	FY 17-18	FY 18-19	FY 19-20	JUSTIFICATION
Midway Road; including adjacent improvements	\$15,450,208	\$9,531,475	\$1,494,748	\$992,968	\$822	FY 18-19 shows \$992,296 with \$672 carry forward.
Prima Vista	0	0	0	\$500,000	0	Non-impact Fee sources used: Gas Tax, Half -cent Sales Tax, others.
Glades Cut-off Road	\$156,558	\$156,558	\$156,558	\$156,558	\$456,558	FY 15-16 is for Glades and Selvitz PD&E & Design. Amount is carry over with additional funding allocated in FY 18-19.
Range Line Road	0	0	0	0	0	N/A
Walton Road	0	0	0	0	0	N/A
St. James/25 St. James SW	\$100,000	\$100,000	\$360,000	\$360,000		FY 19 -20 shows different funding source.
TOTAL	\$15,706,766	\$9,788,033	\$2,011,306	\$2,009,526	\$457,380	

Use of Road Impact Fees for Six Roads Specified in the St. Lucie County and Port St. Lucie Interlocal Agreement, By Time Frame and Funding			
Roads	Time Frame 1994-2019	Amount of Impact Fees	Total Project Costs
Midway	\$31,898,622	\$20,210,332	\$31,898,622
Prima Vista	\$6,090,356	\$2,268,510	\$6,090,356
Glades Cut off Road	0	0	0
Range Line Rd.	0	0	0
Walton Road	\$8,114,970	\$3,114,496	\$8,141,970
St. James/25 th Street	\$4,939,402	\$3,023,660	\$4,939,402

Amount of Impact Fees on Other Road Projects, By Fiscal Year				
FY 15-16	FY 16-17	FY 17-18	FY 18-19	FY 19-20
\$2,667,218	\$8,763,201	\$3,389,104	0	\$6,918,485



0 1 2 4 6 Miles

SLC Property Appraiser's Office, Esri, HERE, Garmin, INCREMENT P, USGS, METI/NASA, NGA, EPA, USDA

mips 0004 12/1/2009

PORT ST. LUCIE AND ST. LUCIE COUNTY INTERLOCAL AGREEMENT ON ROADS

Requires the County to inform the City regarding the expenditure of any impact fee funds collected by City and remitted to County.

Where possible, expend the impact fee funds to construct or pay debt service for six roads.

Requires the County to submit an annual report every December indicating the amount of impact fees collected and the expenditure of impact fees.

THE SIX ROADS IN THE INTERLOCAL AGREEMENT

Midway

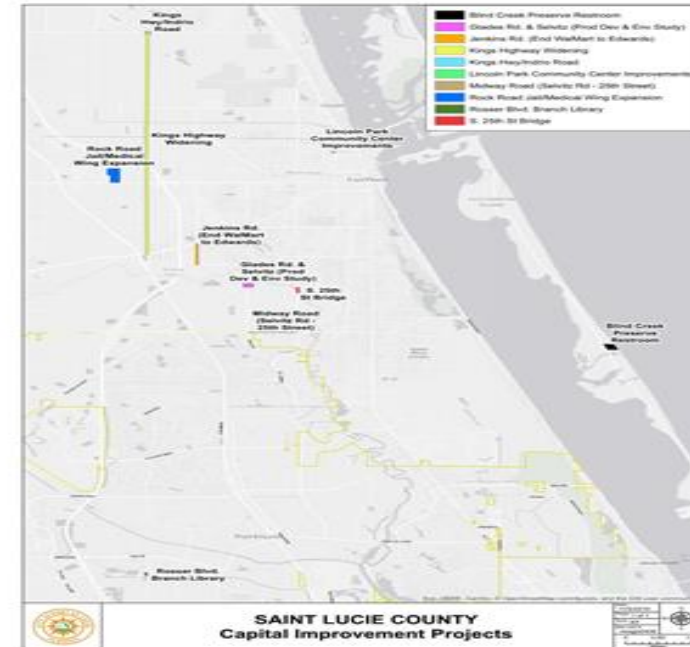
Prima Vista Boulevard

Glades Cutoff Road

Range Line Road

Walton Road

St. James/ S. 25th Street



PERCENTAGES OF NOTE

Port St. Lucie comprises over 60 percent of St. Lucie County.

Development within Port St. Lucie accounts for 69 percent of all St. Lucie County Impact fees collected between FY 2015 through FY 2019.

TWO OF THE SIX ROADS IN THE INTERLOCAL AGREEMENT HAVE NOT RECEIVED IMPACT FEE FUNDING TO DATE

Range Line Road

Walton Road



\$22.5 MILLION
DOLLARS

ST. LUCIE COUNTY IMPACT FEE RESERVES

BAC RECOMMENDATIONS

The Port St. Lucie Budget Advisory Committee reviewed the white paper on St. Lucie County's use of Impact Fees collected on development in Port St. Lucie, at its meetings on October 21st, November 4th, and November 18th, 2020.

BAC will offer their recommendations to City Council at the conclusion of this presentation.

Interlocal agreements are the keystone in providing opportunities for improvement and solutions that benefit all of the citizens represented by the multiple jurisdictions involved.

Annual Impact Fee Report – St. Lucie County (SLC) should provide an Annual Impact Fee Report to Port St. Lucie (PSL) by a certain date each year. Refine the annual report to provide explicit documentation of revenues and expenditures for SLC impact fees collected on PSL development.

1. Renegotiate Interlocal Agreements:

- a. Port St. Lucie (PSL) should consider a performance-based contract with an experienced negotiator to assist in negotiating the terms of all interlocal agreements.
- b. All interlocal agreements should be revisited and specific to the category. Boilerplate from roads may not fit the category of Fire, Libraries, etc.
- c. Consider a broader interlocal agreement between PSL and SLC regarding the provision of roads by multiple funding sources.
- d. Remove language from the interlocal agreements that provide broad discretion to SLC.
- e. Add language incorporating the annual budget process that includes PSL approval of SLC use of PSL impact fees.
- f. PSL should review the interlocal agreement with the School Board for school siting and planning and with the St. Lucie County Fire District and determine if renegotiation is necessary.
- g. Consider using 100 percent of funding that must be spent on City road needs as another method of allocating impact fee funding, rather than a list of roads, and update the list of roads within the interlocal agreement based upon the change in traffic patterns that have resulted from the opening of the Cross-Town Parkway, and the use of Prima Vista, and other completed road projects, and the new revenue sources of the County.
- h. Administrative fees should reflect actual costs and may be reassessed each fiscal year.

2. Reserves – SLC needs to document any reserves. Reserve balances should be negotiated and specific to negotiated projects (currently at \$22.5 million). PSL should review the City project “wish” list to determine if impact fees can be dedicated to those projects that are required by and benefit the new development.

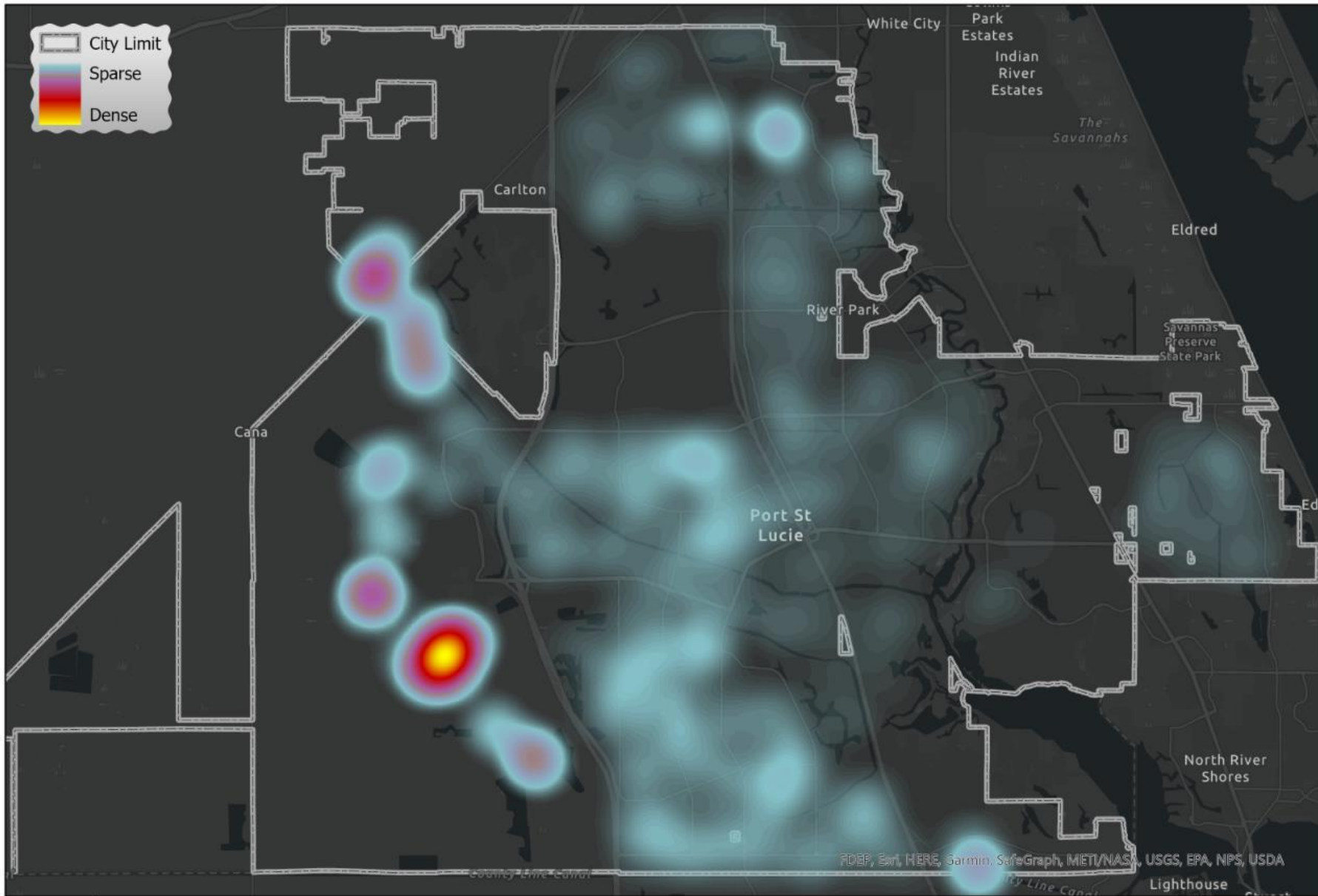
3. Intergovernmental Coordination between PSL and SLC – Consider structuring a procedure that requires cooperation during the jurisdiction’s budget preparation process annually, and a provision that the County’s expenditures of Port St. Lucie impact fees be submitted to the City’s.

4. Representation on County Citizen Budget Development Committee

- a. PSL should have an equal or proportionate amount of city residents on the County Citizens Budget Development Committee.
- b. They should be recommended by City Council.
- c. Representation should be based proportionately on population.

5. Impact Fee Study (in progress) - PSL may want to adjust its impact fees based on the results of the Impact Fee Study currently underway.

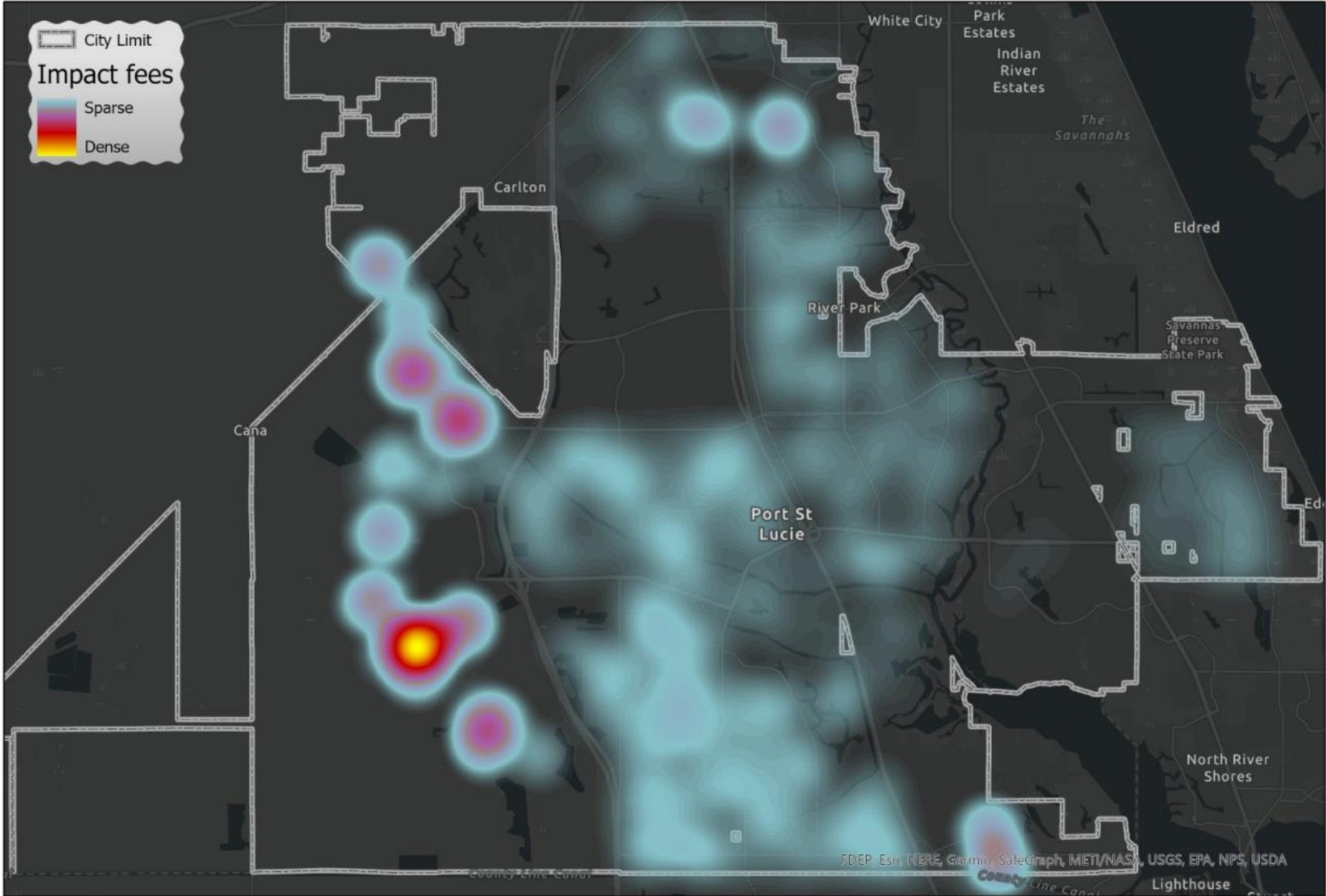
6. Mobility Fee - PSL may wish to contract with a Consultant to prepare a study on the use of Mobility Fees.



City of Port St Lucie
Impact fees for 2019
\$36,360,549.51

Date:	12/7/2020
Page:	1 of 1
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**City of Port St Lucie
Impact fees for 2020
\$48,843,570.79**

Date:	12/4/2020
Page:	1 of 1
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QUESTIONS?

PORT ST. LUCIE

CITY COUNCIL

DECEMBER 14, 2020