

RESOLUTION #2018-08

**A RESOLUTION OF THE IMMOKALEE FIRE CONTROL DISTRICT OF COLLIER COUNTY
FLORIDA, IMPOSING THE TENTATIVE IMPACT FEE RATES FOR THE IMMOKALEE FIRE
CONTROL DISTRICT FOR FISCAL YEAR 2018-2019, PROVIDING FOR AN EFFECTIVE DATE**

WHEREAS, impact fees are a funding mechanism that a local government may utilize to pay for public improvements that are necessary to serve new growth; and

WHEREAS, impact fees must satisfy a dual rational nexus test to be constitutional; and

WHEREAS, the dual rational nexus test requires a local government to show a reasonable nexus between the local government's need for additional capital facilities and the new construction and that a special benefit is conferred upon the fee payers; and

WHEREAS, Subsection 6 of chapter 2001-330, Laws of Florida, authorizes the Immokalee Fire Control District to assess impact fees for capital improvements on new construction within its boundaries; and

WHEREAS, the calculation of impact fee rates assessed effective for the 2018--2019 fiscal year was based upon the most recent and localized data, as evidenced by the Fire/Rescue Service Impact Fee Update Study dated January 2006; and

WHEREAS, the accounting of the impact fee revenues and are provided for and reported in a separate and segregated special revenue fund entitled Impact Fee Fund; and

WHEREAS, the impact fees adopted by the Board of Fire Commissioners of the Immokalee Fire Control and Rescue District for the 2018-2019 fiscal year are imposed in compliance with Section 163.31801, Florida Statutes; and

WHEREAS, the tentative impact fee rates adopted by the Board of Fire Commissioners were adopted at a Public Meeting held on September 12, 2018;

NOW, THEREFORE, BE IT RESOLVED by the BOARD OF FIRE

COMMISSIONERS OF THE IMMOKALEE FIRE CONTROL DISTRICT of Collier County Florida, that the tentative charges for impact fees of \$1.11 per square foot of defined living area for residential development and \$0.32 per square foot of useable area for commercial and industrial structures as defined in Subsection 6 of chapter 2001-330, Laws of Florida,, are adopted in the Immokalee Fire Control District to be used for capital improvements that are necessary to serve new growth in accordance with Florida law. No reduction in the assessed impact fee charge is authorized;

This resolution shall take effect immediately upon its adoption.

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The foregoing resolution was offered by Commissioner Olesky,

who moved its adoption.

The motion was seconded by Commissioner Keen, and the

Vote was as follows:

Commissioner Patricia Anne Goodnight	<u>nee</u>
Commissioner Joseph Brister	<u></u>
Commissioner Edward Olesky	<u></u>
Commissioner Bonnie Keen	<u>BK</u>
Commissioner Robert Halman	<u>RH</u>

Duly passed and adopted on this 12th day of September, 2018.

Board of Commissioners of the Immokalee Fire Control District

By: PA Goodnight
Patricia Anne Goodnight, Chair