

Lee County Board Of County Commissioners
Agenda Item Summary

Blue Sheet No. 20061468

1. ACTION REQUESTED/PURPOSE: Update current Interlocal Agreements between Lee County and the City of Fort Myers regarding the exemption from certain impact fees provided to residential development within the Fort Myers/Lee County Enterprise Zone.

2. WHAT ACTION ACCOMPLISHES: Exempts residential development within the expanded boundaries of the Fort Myers/Lee County Enterprise Zone from certain impact fees.

3. MANAGEMENT RECOMMENDATION: Execute interlocal agreement.

4. Departmental Category: County Attorney **A12A**

5. Meeting Date: 11/14/06

6. Agenda: **7. Requirement/Purpose: (specify)**

<input checked="" type="checkbox"/> Consent	<input type="checkbox"/> Statute
<input checked="" type="checkbox"/> Administrative	<input type="checkbox"/> Ordinance
<input type="checkbox"/> Appeals	<input type="checkbox"/> Admin. Code
<input type="checkbox"/> Public	<input checked="" type="checkbox"/> Other <input type="checkbox"/> Interlocal
<input type="checkbox"/> Walk-On	<input type="checkbox"/> Agreement with City of Fort Myers

8. Request Initiated:
 Commissioner _____
 Department County Attorney
 Division _____
 By: *Donna Marie Collins*
 Donna Marie Collins
 Assistant County Attorney
Mary Gibbs
 Mary Gibbs
 Director, DCD

9. Background:
 Since the late 1980's, the County and the City of Fort Myers have maintained several interlocal agreements providing for, amongst other things, exemption from the payment of certain impact fees for residential development within enterprise zone areas. The exemption has extended to roads, parks, and fire/EMS fees. In November 2005, the City and County petitioned to expand the boundaries of what was formerly known as the Dunbar Enterprise Zone. The interlocal agreements currently in place do not include the geographical boundaries of the expanded zone. They must be amended to recognize the new boundaries of the expanded zone so that the expanded land area can also benefit from the fee waiver intended to stimulate/benefit residential development.

The City Council of Fort Myers will vote on the interlocal on November 20, 2006.

Attachment: Draft Interlocal Agreement dated 10/10/06

10. Review for Scheduling:

Department Director	Purchasing or Contracts	Human Resources	Other	County Attorney	Budget Services				County Manager/P.W. Director
					Analyst	Risk	Grants	Met.	
<i>Mary Gibbs</i>	N/A	N/A	N/A	<i>Samuel</i>	<i>11/2/06</i>	<i>11/2/06</i>		<i>11/2/06</i>	<i>HS 11/2/06</i>

11. Commission Action:

- Approved
- Deferred
- Denied
- Other

RECEIVED BY
 COUNTY ADMIN:
 11/1/06 3:40
 COUNTY ADMIN
 FORWARDED TO:
 11/1/06 AK
 11/2/06 P. Res 2:16

CO. ATTY.
 FORWARDED
 TO CO. ADMIN.
 11/1/06 3:30

FORT MYERS/LEE COUNTY ENTERPRISE ZONE
INTERLOCAL AGREEMENT
PERTAINING TO IMPACT FEES

This agreement is made and entered into this ___ day of _____ 2006, between the City of Fort Myers, a municipal corporation within Lee County, herein after referred to as "City", and Lee County, a political subdivision of the State of Florida, herein after referred to as "County."

WHEREAS, Chapter 163, Florida Statutes, has been established to encourage and ensure cooperation between and among municipalities and counties and to provide services in a manner that would accord best with geographic, economic, population, and other factors influencing the needs and development of local communities; and,

WHEREAS, Lee County adopted impact fee ordinances pertaining to roads, regional parks, and fire/EMS. Those ordinances have been amended several times; and,

WHEREAS, the City and County entered into several interlocal agreements regarding the effectiveness of those impact fee programs within the City; and,

WHEREAS, the City and County desire to enter into a revised interlocal agreement for the purposes of acknowledging that roads, regional parks, and fire/EMS impact fees will not be collected on building permits for residential development within the newly defined boundaries of the Fort Myers/ Lee County Enterprise Zone, which includes both incorporated and unincorporated lands; and,

WHEREAS, both the City and the County believe it is in the best interest of the citizens of the City and County to enter into this agreement amending the impact fee interlocal agreement first adopted in 1989 and later amended.

Now, therefore, in consideration of the foregoing and mutual covenant contained herein, the City and the County do hereby agree as follows:

1. The City and the County agree that roads, regional parks, and fire/EMS impact fees will not be collected on residential building permits within the boundaries of the Fort Myers/Lee County (formerly known as Dunbar) Enterprise Zone as that area is described in Exhibit "A" hereto.

2. The City and the County will not collect roads, regional parks, or fire/EMS impact fees imposed by the Lee County Land Development Code on residential development within the Fort Myers/Lee County Enterprise Zone.

3. This agreement, once fully executed by both parties, will be filed with the Clerk of the Circuit Court of Lee County, Florida.

In witness to this agreement, the undersigned parties hereby affix their signatures.

Attest:

Board of County Commissioners of
Lee County, Florida

Charlie Green, Clerk of Court

By: _____
Tammara Hall
Chairwoman

Approved as to form:

By: _____
Donna Marie Collins
Office of the County Attorney

Attest:

City of Fort Myers

Marie Adams, City Clerk

By: _____
Anthony Shoemaker, City Manager

Approved as to form:

Grant Alley, City Attorney

Attachment: Exhibit "A" - Legal Description of the Fort Myers/Lee County Enterprise
Zone with Sketch

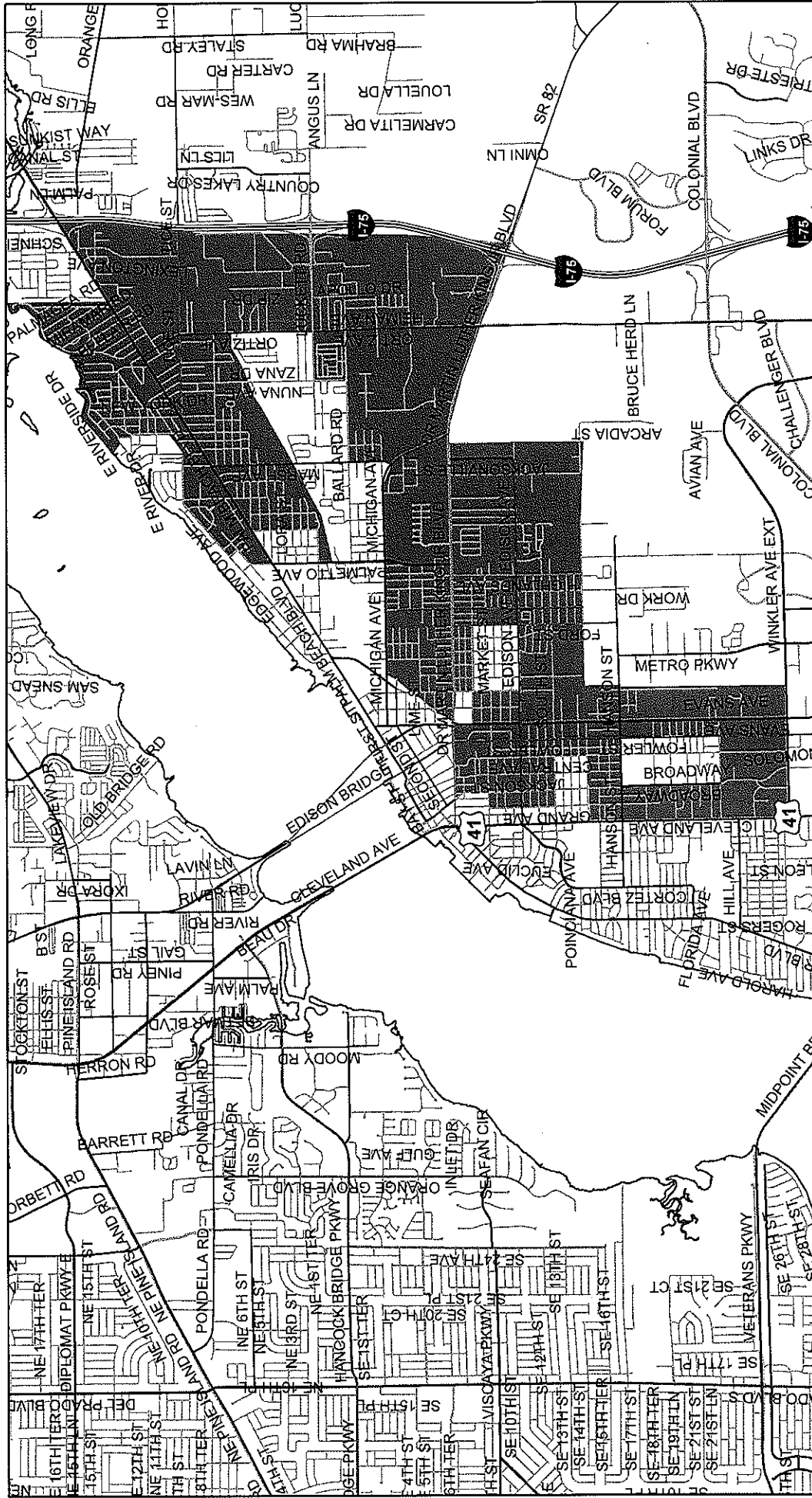
Exhibit "A"
Page 1 of 2
Description
Fort Myers/Lee County Enterprise Zone
(formerly the Dunbar Enterprise Zone)

The Fort Myers/Lee County Enterprise Zone Program Area includes the entire geographic area of Census Block Groups Numbered: 0003013, 0003022, 0003023, 0003024, 0004013, 0005021, 0005022, 0005023, 0005024, 0005026, 0005041, 0005042, 0005043, 0006001, 0006003, 0006004, 0007002, 0007003, 0011001, 0011002, 0011004, 0011005.

The Area includes that portion of Census Block Group Numbered 0003014 from Palm Beach Boulevard to the southern bank of the Caloosahatchee River.

The Area includes that portion of Census Block Group Numbered 0004011 from Palm Beach Boulevard to the southern bank of the Caloosahatchee River.

Enterprise Zone Boundary 2006 Street Map



LEE COUNTY
 SOUTH WEST FLORIDA
 Economic Development Office

Legend

- Road Centerline
- 2006 Boundary