

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS  
OF SARASOTA COUNTY, FLORIDA

2007 JUN 11 PM 12:40

RE: ESTABLISHMENT OF SERVICE CHARGES FOR LAW ENFORCEMENT, JUSTICE AND GENERAL GOVERNMENT IMPACT FEE ORDINANCES ADMINISTRATIVE EXPENSES PURSUANT TO ORDINANCE NOS. 2007-038, 2007-039 AND 2007-040.

WHEREAS, Ordinance Nos. 2007-038, 2007-039 and 2007-040 provides in Section 12 for the imposition and collection of a service charge upon issuance of a Certificate of Occupancy subject to Law Enforcement, Justice and General Government impact fees; and

WHEREAS, said service charge shall be imposed solely for the purpose of defraying expenses associated with the establishment, amendment and annual updates of the Law Enforcement, Justice and General Government impact fee ordinances and, for expenses associated with the Certificate of Occupancy and financial administration of the Law Enforcement, Justice and General Government impact fee ordinances; and

WHEREAS, the service charge shall be established by Resolution of the Board as part of the annual review provided for in Section 15 of Ordinance Nos. 2007-038, 2007-039 and 2007-040 or at such other times as deemed necessary, based upon information submitted by the County Administrator; and

WHEREAS, the service charge shall be collected at the time of Certificate of Occupancy issuance by the applicable County or municipal "collecting agency"; and

WHEREAS, the service charge shall be transferred to the County Finance Department for placement in a separate account; and

WHEREAS, the service charge shall be disbursed by the County, in the percentages set forth herein, to:

- (a) the collecting agency to defray the additional costs of Certificate of Occupancy administration associated with the Law Enforcement, Justice and General Government impact fee ordinances;
- (b) the County Finance Department to defray the additional costs of financial administration and accounting associated with the Law Enforcement, Justice and General Government impact fee ordinances; and
- (c) The County General Fund, or other appropriate account, to defray the additional costs associated with the establishment, amendment and annual review and update of the Law Enforcement, Justice and General Government impact fee ordinances, including the fee-setting methodologies; and

WHEREAS, said service charge shall, to the maximum extent possible, reflect the actual costs associated with collection, financial administration and the establishment, amendment and annual review and update of the Law Enforcement, Justice and General Government impact fee ordinances; and

WHEREAS, the County has a study currently underway to identify the actual cost of it's administrative charge in conformance with F.S. 163.31801(3)(c), but will not have the study results in time for the effective date of the ordinances; and

WHEREAS, experience gained in the administration of Sarasota County Public Facilities Financing Ordinance No. 83-24, the Sarasota County Road Impact Fee Ordinance No. 89-97 and the Sarasota County Park Impact Fee Ordinance No. 89-99 demonstrates that a service charge rate of 2 ¼ percent of the impact fees reasonably reflects, but does not exceed, the cost associated with collection, financial administration and the establishment, amendment and annual review and update of the Sarasota County Impact Fee systems.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Sarasota County, Florida, in public meeting assembled:

1. That pursuant to Section 12 of Ordinance Nos. 2007-038, 2007-039 and 2007-040, the service charge shall be temporarily established at the rate of 2 ¼ percent of the impact fee due until such time as the County's Administrative Charge Study provides an updated figure.
2. That the service charge shall be allocated as follows:
  - (a) 1 percent to the collecting agency;
  - (b) 1 percent to the County Finance Department; and
  - (c) ¼ percent to the County General Fund (or other appropriate County fund account).
3. This Resolution shall take effect immediately upon adoption.

PASSED AND DULY ADOPTED BY THIS BOARD OF COUNTY COMMISSIONERS  
OF SARASOTA COUNTY, FLORIDA, this 10th day of July, 2007.

**BOARD OF COUNTY COMMISSIONERS  
OF SARASOTA COUNTY, FLORIDA**

By: Nana Patterson  
Chairman

ATTEST:  
KAREN E. RUSHING  
Clerk of the Circuit Court  
And Ex Officio Clerk of the  
Board of County Commissioners  
Of Sarasota County, Florida

By: [Signature]  
Deputy Clerk