

RESOLUTION NO. 25-

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, AMENDING SECTION 3 OF RESOLUTION NO. 24-199 TO MODIFY THE USE AND METHODOLOGY FOR THE EXPENDITURE OF PARK IMPACT FEES COLLECTED PRIOR TO OCTOBER 1, 2024; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CORRECTION OF SCRIVENER'S ERRORS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Florida Legislative enacted the Florida Impact Fee Act, Section 163.31801, Florida Statute (2024) (herein "The Act") finding that impact fees are an important source of revenue for a local government to use in funding infrastructure necessitated by new growth; and

WHEREAS, The Act requires that local governments ensure that the impact fee is proportional and reasonably connected to, or has a rational nexus with, the need for additional capital facilities and increased impact generated by the new residential or commercial construction; and

WHEREAS, The Act requires that local governments ensure that the impact fee is proportional and reasonably connected to, or has a rational nexus with, the expenditures of the funds collected and the benefits accruing to the new residential or commercial construction; and

WHEREAS, the City of Fort Lauderdale adopted Ordinance C-06-14, codified in the City of Fort Lauderdale, Florida, Unified Land Development Regulations ("ULDR"), Section 47-38A, finding and determining that growth and development activity within the city will create additional demand and need for parks, open space and recreational facilities within the city and that growth and development activity should pay a proportionate share of the cost of such facilities needed to serve the growth and development activity; and

WHEREAS, on October 1, 2024, the City Commission approved Resolution 24-199, adopting a policy for an equitable distribution for the expenditure of park impact fees collected on the basis of the population served, notwithstanding other lawful considerations; and

WHEREAS, on December 3, 2024, during the City Commission Conference Meeting, staff provided an update on the status of the Parks Bond Program (CAM #24-0791), with a portion of the presentation focused on financials, inflationary impacts, and potential balancing strategies, and the City Commission provided general direction to split the park impact

fees received before October 1, 2024, evenly between the four (4) City Commission Districts for city-wide and special use facilities parks projects; and

WHEREAS, the City Commission desires to amend Section 3 of Resolution No. 24-199 to modify the use and methodology for the expenditure of park impact fees collected prior to October 1, 2024, to finance signature parks projects, as well as city-wide and special use facilities parks projects, as defined therein;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA:

SECTION 1. That the recitals set forth above are incorporated in this Resolution.

SECTION 2. That Section 3 of Resolution No. 24-199 is hereby amended as follows:

SECTION 3. That park impact fee funds collected pursuant to Section 47-38A shall be expended in the following manner:

- a. Park impact fees received prior to October 1, 2024, (herein "Pre-2024 Fees") shall be expended or encumbered by the city for signature parks projects as well as city-wide or special use facilities parks projects, as the terms are herein defined. Pre-2024 Fees shall be allocated in even amounts to each commission district.
- b. Park impact fees collected on or after October 1, 2024, shall be expended or encumbered by the city for 50% of the funds for city-wide and special use facilities parks projects, and the other 50% of the funds for parks projects in the City Commission District in which the park impact fee was generated.

SECTION 3. That the City Attorney is authorized to correct any non-substantive scrivener's errors in this Resolution without the need for a public hearing.

SECTION 4. That if any clause, section or other part of this Resolution shall be held invalid or unconstitutional by any court of competent jurisdiction, the remainder of this Resolution shall not be affected thereby but shall remain in full force and effect.

SECTION 5. That all resolutions or part(s) of resolutions in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 6. That this Resolution shall be in full force and effect upon final adoption.

ADOPTED this ____ day of _____, 2025.

Mayor
DEAN J. TRANTALIS

ATTEST:

City Clerk
DAVID R. SOLOMAN

APPROVED AS TO FORM
AND CORRECTNESS:

Interim City Attorney
D'WAYNE M. SPENCE

Dean J. Trantalis _____

John C. Herbst _____

Steven Glassman _____

Pamela Beasley-Pittman _____

Ben Sorensen _____