

End to impact fee dispute could open door to new St. Lucie projects

By Derek Simmons

Saturday, May 24, 2008

ST. LUCIE COUNTY — A settlement reached Friday between Port St. Lucie and the county has paved the way for several major projects that have been delayed for years, including widening Midway Road and expanding a high school sports complex.

The biggest impact will be on the South County Regional Football Soccer Stadium in St. Lucie West, which will be worked on this fall and should be ready for games this spring, said County Administrator Doug Anderson. Football games are being played elsewhere this fall, but the stadium will be ready for the 2009 football season.

"The county is pleased with the outcome," Anderson said.

The projects were tied up over a dispute about impact fees, the money developers pay for the effect they have on roads, parks and county buildings. The county originally was trying to get the state's permission for \$43 million worth of bonds to be paid for with impact fees, but Anderson said Friday that amount has been reduced to \$30 million.

The other projects to be paid for with the bond are widening Midway Road between 25th Street and Florida's Turnpike and creating a minimum security facility/work farm at the St. Lucie County Jail, along with expansions to its medical wing. The county is in the process of acquiring right-of-ways for the Midway Road project, and the \$16.7 million work should begin in early 2009.

The jail facility will hold 100 non-violent, minimum-security inmates who also perform duties around the jail and sometimes work on county projects, such as landscaping. That will leave an extra 100 beds at the jail for violent and serious offenders, Anderson said. Expanding the medical wing was a requirement of a settled federal lawsuit filed by the Public Defender over conditions at the jail.

The dispute between the two governments began after the city began collecting its own impact fees and claimed the county fees amounted to an invalid double charge. City attorneys have questioned how the county determines its fees and argued in court the system was flawed, making it impossible for the bonds to be financed using them.

Several developers and builders joined the lawsuit, but the county settled with all of them. Testimony in the case began Thursday and was to have continued Friday, but

the two sides announced their agreement in the morning.

It came at the urging of Circuit Judge Ben Bryan, who told the two sides they should settle and pointed out Port St. Lucie taxpayers were actually paying for both sides in the lawsuit through their tax money. The Port St. Lucie City Council and St. Lucie County Commission still need to sign off on the agreement.

Port St. Lucie City Manager Don Cooper referred calls to City Attorney Roger Orr, who could not be reached Friday for comment. The city and county have agreed to discuss in more detail how county impact fees will be collected within Port St. Lucie in the future and how they will be used, Anderson said.

"We had preliminary discussions on that this morning," Anderson said. "I'm comfortable we'll be able to work out these interlocal agreements."



© 2008 Scripps Treasure Coast Newspapers