

## Final Park Impact Fee Update-Part 4

By Annette Kniola Posted September 25, 2012 at 1 p.m.

The most important thing I would like to say today other than this important park impact fee report is that the Packer's won!

Now moving on to my conclusion as far as District 5 park impact fees and that \$23 million it has brought in since 1997.

Steve Carnell and Barry Williams have been very helpful along the way giving me a much better understanding of where all of this money went. I am sure Steve along with the rest of this staff are exhausted from my efforts, but at least now we have all come to terms with just about everything. And I do understand the county staff is doing their best, sometimes none of it being in their control. It's all about working together and I thank him and Barry for that.

Peter Gaddy and I met with Dwight Brock, Derek Johnssen, and Crystal Kinzel just before I left for Wisconsin. We set up the meeting with them so they could give us their interpretation of the impact fee ordinances and studies. These ordinances governs how these expenditures are made and accounted for.

According to Dwight, after reviewing the ordinances and studies during this meeting, he said that Steve Carnell was correct. The county can commingle all park funds as long as they are separated into funds 345 and 346 (Unincorporated and Incorporated Funds). And that these ordinances do not focus on commission districts, which I assumed they did. They are separated by unincorporated and incorporated districts. But I must say this. I stand by the fact that these ordinances and studies must be clarified and rewritten in order to serve the area they were intended for. Here's why.

Off the Parks Impact Fee Ordinance for Collier County, it reads this:

Parks and recreational: The county hereby establishes or reaffirms the establishment of two separate trust funds, one entitled "Regional Park Impact Fee Trust Fund" (into which the portion of the impact fee allocated to parks and recreational services paid by development located in municipalities within the county will be deposited), and a second entitled "Unincorporated Park Impact Fee Trust Fund" (into which the portion of the impact fee allocated to parks and recreational services paid by development located in the unincorporated areas of the county will be deposited).

Each of these impact fee trust funds shall be maintained separate and apart from each other and from all other funds of the county. Each fund shall account for all collections, revenues and expenditures, and shall be regularly reported to the board of county commissioners. The portion of the impact fee allocated to each public facility under sections 74-302 through 74-311, inclusive, shall be deposited into the corresponding impact fee trust fund immediately upon receipt. Each of the foregoing impact fee trust funds shall be further separated or divided based upon benefit districts established pursuant to the respective sections 74-302 through 74-311. No impact fee in any trust account shall be loaned to any other impact fee trust account, but may be utilized in adjacent districts as set forth herein.

This ordinance is very gray actually. Yes, they need to be placed into the funds to benefit districts, but it really does not define districts in this whole ordinance. I feel commission districts should be the case in order to serve the people fairly. The parks are built in different districts, right? And why would they even write that no impact fee in any trust account shall be loaned to

any other impact fee trust account, but may be utilized in adjacent districts as set forth. If there were only two districts, then why write that at all? Bunch of phooey to me! This needs to change or we here in District 5 will continue this path and that ends without a park.

Now moving on to the Park Impact Fee Study as it reads this:

Collier County provides parks services and recreation facilities to all Collier County residents and visitors. However, regional parks are larger and typically have more facilities targeting residents throughout Collier County. On the other hand, community parks are smaller in size and typically draw visitors from the unincorporated County, as municipalities in Collier County have similar types of community and neighborhood parks targeting residents within their immediate geographic area. To ensure that new growth is receiving direct benefit from the parks and recreation impact fee, the impact fee for regional parks is developed on a countywide basis and is charged to all new

development throughout Collier County while the impact fee for community parks is charged only to development within the unincorporated county.

So now after reading this, do you feel our District 5 has benefited from that \$23 million dollar park impact fee money we collected and were we ensured new growth? I don't think so. Also during this meeting, this question was asked to Dwight.

"If a resident of Immokalee pays a community park impact fee to build their house, does it stay in Immokalee or can it go to Marco Island?"

The answer from Dwight is it can go anywhere. Yes, it can go to Marco Island. It's not the ordinances and the studies, nor the staff not doing their job, it is simply politics and those who have basically given it all away. And that my friend, is our commission