

## Editorial: Put an end to impact fee duel

By TCPalm Staff

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A • long-running dispute between Port St. Lucie and St. Lucie County over impact fees may be close to ending. All that remains is for the elected officials of the two governments to sign off on a settlement agreement.

They should do so immediately, particularly for the good of Port St. Lucie residents whose leaders initiated the impact fee lawsuit against the county.

Prior to action by the city in 2005, the city collected impact fees on new construction projects within the city on behalf of the county and received a small administrative payment. Claiming the city was not getting sufficient county projects financed by the fees, the city stopped collecting the county fees and started to collect its own impact fees.

As a result, the county started collecting county impact fees itself for new projects within the city. When developers or others failed to pay the county fees, the county placed liens on those properties.

The city filed suit against the county, saying property developers in the city were being unfairly charged impact fees twice.

In general, the settlement reached between the city and the county says the county's impact fees are justified.

That means the county can now spend the impact fees it has collected in Port St. Lucie, which had been frozen pending the lawsuit conclusion, and the county will be able to issue bonds in anticipation of impact fee collections.

While the county "wins" the lawsuit, Port St. Lucie by no means "loses."

The suit had been an economic boon for attorneys hired by the city and county. But, it also resulted in Port St. Lucie residents paying for city attorneys and, as county residents, for county attorneys as well.

The settlement ends that.

And, the projects the county intends to expedite as a result of the settlement will be of

particular benefit to Port St. Lucie residents.

First up will likely be the long-awaited completion of the South County Regional Stadium in St. Lucie West, which includes high school football and soccer fields. County Administrator Doug Anderson said recently the stadium should be completed in time for practices next spring and the start of the 2009 football season.

Also being expedited will be completion of the widening of Midway Road between 25th Street and Florida's Turnpike.

The county also plans creation of a minimum security work farm at the county jail. (Impact fees charged and collected by Port St. Lucie over the past several years did not include those associated with jail facilities.)

Of further benefit to Port St. Lucie, upcoming impact fee collections by the county may be used for road construction projects in areas being annexed in the northwest by the city.

In the eyes of many, the suit filed by the city against the county was on behalf of developers doing projects within the city. Some developers actually joined with the city in its suit. The county, however, individually settled with developers, leaving the city as the final plaintiff in the case.

A lot of the public's time and money have been wasted, not to mention the city-county divisiveness created as a result of the suit.

The parties need to sign the settlement and shake hands.

The people of Port St. Lucie and St. Lucie County deserve no less.



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