

**RESOLUTION #17-21**

**A RESOLUTION OF THE SCHOOL BOARD OF CLAY COUNTY, FLORIDA, FINDING THE CURRENT METHODS OF IMPOSITION OF IMPACT FEES TO FUND LONG AND SHORT RANGE CAPITAL OUTLAY NEEDS OF THE SCHOOL DISTRICT MEET THE STATUTORY REQUIREMENTS OF F.S.163.31801; FINDING THE CURRENT METHOD OF IMPOSING IMPACT FEES IS CONSISTENT WITH THE ANALYSIS AND METHODOLOGY UTILIZED IN THE IMPLEMENTATION OF CONCURRENCY; ADOPTING THE IMPACT FEE TECHNICAL REPORT-SCHOOL DISTRICT OF CLAY COUNTY, FLORIDA DATED APRIL 2017; FINDING THAT INCREASING EDUCATIONAL IMPACT FEES ABOVE THEIR PRESENT LEVEL WOULD PRESENT A HARDSHIP TO THE COMMUNITY; FINDING THAT DECREASING THE EDUCATION IMPACT FEES BELOW THE CURRENT LEVEL WOULD PRESENT A SEVERE HARDSHIP TO THE SCHOOL DISTRICT; AND PROPOSING AN AMENDMENT TO THE CURRENT IMPACT FEE ORDINANCE WHICH ALIGNS THE IMPOSED IMPACT FEES WITH THE CURRENT DATA, PRESENTS NO INCREASED HARDSHIP TO THE COMMUNITY AND PRESERVES THE ABILITY OF THE SCHOOL DISTRICT TO MAINTAIN ITS FUNDING LEVEL IN THE FACE OF CONTINUED DECLINING STATE REVENUE.**

**WHEREAS**, the Board of County Commissioners of Clay County, Florida, implemented an ordinance which established public school impact fees on all new residential construction and

**WHEREAS**, the legislature of the state of Florida passed F.S.163-31801; Florida Impact Fee Act, which statute imposes upon those governmental bodies which impose impact fees the duty to insure the requirements set forth in the statute are met; and

**WHEREAS**, said statute requires the calculation of impact fees be based on the most recent and localized data. A requirement, which necessitates periodic analysis of the data upon which an impact fee is based and a re-calculation of the impact fee if data has changed; and

**WHEREAS**, the School Board of Clay County Florida (“SBCC”) and the Clay County Board of County Commissioners (“BCC”) have both implemented concurrency, a part of which is school concurrency; and

**WHEREAS**, the analysis used by the SBCC in implementing concurrency includes the use of FDOE data for per student cost analysis and Florida Statutes require adoption of a five year financially feasible facility work plan to project capacity needs and to insure that those needs are met; and

**WHEREAS**, the SBCC has retained URBANOMICS, INC. for the purpose of updating the analysis of the data used to determine the appropriate level of impact fees to be imposed. The result of which is the generation of the School Impact Fee Technical Report School District of Clay County, Florida dated April 2017, (“the Report”) a copy of which is attached hereto as “Exhibit A”

**WHEREAS**, the data contained in the Report uses FDOE data and extrapolated 2010 census data to satisfy the statutory requirement of “most recent and localized” data; and

**WHEREAS**, the methodology used to determine credit for the new residential development includes credit for that portion of the 1.5 mill ad valorem tax on a unit of new residential development which will be allocated to growth related uses, which amount is capitalized, per the Report, over a period of 20 years with a 5% discount rate; and

**WHEREAS**, the technical analysis contained in the Report indicates the need to amend the local impact fee ordinance in order to comply with F.S.163.31801 and to insure that the educational impact fees imposed on new development are set at appropriate levels,

**NOW, THEREFORE, BE IT RESOLVED** by the School Board of Clay County, Florida:

1. The School Board of Clay County, Florida, hereby adopts the School Impact Fee Technical Report-School District of Clay County, Florida dated April 2017 which report is attached hereto as Exhibit A, in its entirety.
2. The School Board of Clay County, Florida, hereby finds the impact fees, which are supported by the School Impact Fee Technical Report, would, if implemented to the maximum extent allowable; present an economic hardship to the community as a whole considering the current economic climate.
3. The School Board of Clay County, Florida, hereby finds that a reduction of the impact fees below the level, which is currently imposed by ordinance, would present a severe economic hardship on the Clay County School District in light of substantial reductions in capital funding imposed on the School District by the State of Florida.
4. The school Board of Clay County, Florida requests the Board of County Commissioners amend the current educational impact fee ordinance to reflect the changes set forth in the School Impact Fee Technical Report and the Findings of the School Board of Clay County, Florida and to maintain the educational impact fees imposed by ordinance at their current level, which would be at 65.54% of the maximum allowed.

5. The School Board of Clay County, Florida, requests said amendments be made immediately and imposed at the earliest date allowable by law.

**DULY ADOPTED AND APPROVED** this 4th day of May, 2017, by the School Board of Clay County, Florida.

**SCHOOL BOARD OF CLAY COUNTY,  
FLORIDA**

By \_\_\_\_\_  
JANICE KEREKES, Chairman

By \_\_\_\_\_  
MARY BOLLA

By \_\_\_\_\_  
BETSY CONDON

By \_\_\_\_\_  
ASHLEY GILHOUSEN

By \_\_\_\_\_  
CAROL STUDDARD

ATTEST:

\_\_\_\_\_  
ADDISON G. DAVIS, Superintendent