

**ST. PETE BEACH CITY COMMISSION  
WORKSHOP MEETING  
MINUTES**

**Monday, August 25, 2008  
6:00 p.m.**

**THOSE PRESENT:**

**Mayor Mike Finnerty  
Commissioner Al Halpern  
Commissioner Christopher Leonard  
Commissioner Harry Metz  
Commissioner Linda Chaney  
City Attorney Mike Davis  
City Clerk Teri McMaster**

**[Impact Fees & Special Assessments](#)**

City Manager Bonfield explained the reason for the meeting and that City Attorney Davis and his partner Mark Lawson will be taking the lead on the discussion. Mr. Davis stated that there was no need to take action today.

Mr. Davis introduced Mr. Lawson.

Mr. Lawson gave a brief background of his education and experience.

Mr. Lawson pointed out that revenue sources such as taxes, impact fees, and special assessments all have State law constraints to be considered. He further stated that pledged taxes for a particular project have to be approved by the voters.

There was a general discussion regarding revenue sources and what the goals and objectives are for assessing additional fees as well as identifying the list of projects.

Mr. Lawson explained the requirements of Florida Statute 163 as it relates to generating funding for a Community Redevelopment Area and the process to

follow for imposing special fees and assessments. He explained the Commission's authority for assessing fees and taxes. He stated that there has to be a public purpose to impose additional taxes or fees. He stated that if it does not meet a public purpose the City could be legally challenged.

There was a general discussion regarding impact fees for water and sewer that can be imposed on a new development that increases their density. Mr. Lawson explained the process for private - public partnerships. He told the Commission that they have home rule power, which he explained.

Ms. Chaney stated that she was interested in Special Taxing Districts.

Mr. Lawson recommended that if the City has a project that needs to be done and they want to impose a special assessment they need to sell the project to the citizens, hold public hearings, get input and their buy-in, which is the easiest way to go about the assessment process.

Commissioner Halpern pointed out that the Commission just refused raising the current millage rate and now we are talking about imposing additional taxes. Mr. Lawson explained that if there is a specific project sold to the citizens they may vote for the tax for that project.

Mr. Davis disclosed that a Special Taxing District was created for the City of Sarasota by his law firm.

Mr. Lawson stated that the City can do the same thing that was accomplished in Sarasota and that he can assist the City if they desire to explore that option.

Mr. Lawson explained the Tax Equity Process and the Municipality Service Taxing Unit which the City could also explore.

Commissioner Chaney inquired about a Tourist Develop Tax being imposed by the City. Mr. Lawson explained this process and its rules and regulations. He stated that this matter can be investigated.

Mr. Lawson disclosed that the Commission is going to need a consultant and suggested Owen Bietch was a good consultant.

Mr. Davis advised that the fast procedure was to file an advertisement in the newspaper and then you get a hearing within about 60 days and if there is an appeal, then it is an expedited appeal directly to the Supreme Court.

Mr. Davis talked about some of the cases that went to the Supreme Court.

There as a general discussion of having the Court validate any proposed assessments or special taxes prior to the public input process.

There was a general discussion regarding Fire activities that could be assessed to citizens.

Commissioner Chaney stated that she would like to know about a Resort Fee.

Mr. Lawson informed the Commission that they would need to advise him of what they actually wanted to do and then he would facilitate them getting to the end result. He stated that the project has to be defined and then the process begins.

Mayor Finnerty stated that he felt that Mr. Lawson and his firm were professionals in regarding to these types of issues and he would like to get something established and continue this discussion with this firm.

Mike Bonfield pointed out that there is no sales tax collected that goes directly to the cities. There was a general discussion of local resort taxes.

There was a discussion of grants and how they play a part in the special assessments or taxes.

Commissioner Halpern inquired about a room tax. Mr. Lawson stated that he would have to read the law and then he could review what the City of Key West has regarding this matter.

Commissioner Halpern spoke about ways to raise revenue and suggested a Municipal Marina at the new Community Center.

Mr. Lawson informed the Commission that they don't have to do assessment by vote there are other ways. He stated that an assessment for beautification is not as easy to sell to the residents as sewer repairs.

Mr. Lawson stated that he would research the resort fee and provide the information to the City Manager.

There was a general discussion regarding a wish list of items. Mayor Finnerty stated that he would need more time to get his list together.

Mr. Lawson outlined the following items that he gathered from this discussion: parking, beautification, sewer matters, parks, and libraries. He stated that they Commission needs to find out what will be supported by the citizens.

#### **Audience Comments**

There were none.

#### **Adjournment**

Being no further business, the meeting was adjourned.

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Theresa B. McMaster, City Clerk

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Mike Finnerty, Mayor

Minutes approved on

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