



# City of Marco Island Florida

51 Bald Eagle Drive  
Marco Island, Florida  
cityofmarcoisland.com

## Certified Copy

Resolution: ID 21-1427

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**File Number: ID 21-1427**

Resolution - Approving the Alternative Water and Wastewater Impact Fee Calculation for the Mainsail Apartments Project

### **BACKGROUND:**

SKC Marco Shores, LLC, has submitted a request to determine the water and wastewater impact fee by using the alternative fee calculation for its Mainsail Apartments project. Staff has prepared the alternative calculation to determine the water and wastewater impact fee as requested. The City's Water and Wastewater Utility's Professional Engineer, Mr. Justin Martin, has accepted the calculation as accurate. The request and calculation have been submitted to the City Manager as required by the City's Code. The City Manager has determined that the reduction in cost is substantially different from the normal impact fees and warrants City Council review and approval.

The Mainsail Apartments project located at 1771 Mainsail Drive falls within the Marco Island Water and Wastewater Utility System's service area. The Mainsail Apartments at Marco Shores project, a multi-family building, will create one hundred (100) units, which includes fifty-one (51) one-bedroom apartments, and forty-nine (49) two-bedroom apartments.

The amount of the impact fee reduction is \$256,562.11. The regular impact fee amount for a Multi-Family project of this size would be \$621,492. The alternative impact fee for a Multi-Family project of this size is \$364,429.89

Section 52-141, of the City of Marco Island Code of Ordinances states the following:

(a) The impact fee may be determined by an alternative fee calculation of the fiscal impact of the development on the water and wastewater facilities if:

(1) Any person commencing a development which increases demand on the water and wastewater facility chooses to have the impact fee determined by the alternative fee calculation; pays to the city in full the impact fee calculated pursuant to the applicable impact fee rate schedule; pays a nonrefundable alternative fee calculation review fee of \$2,500.00 initially, and the actual cost upon completed review if in excess of \$2,500.00; or any other review fee amount then established by the city council by ordinance or resolution; and

(2) The applicant believes that the nature, timing or location of the proposed development makes it likely to generate impacts costing less than the amount of the impact fee rate calculations in appendix "A", as applicable for the water and wastewater facilities at issue; and

(3) The applicant commences the alternative fee calculation process by requesting in writing to the city manager, and attends a pre-application meeting within 180 days of the issuance of the building permit for the development.

(b) The alternative fee calculation shall be undertaken through the submission of an impact analysis for the water and wastewater facilities, which shall be based on data, information, methodology and assumptions contained in this division and/or the impact fee studies incorporated herein, or an independent source, including local studies for alternative impact fee calculations performed by others within the immediately preceding three years, provided that the independent source is a local study supported by a data base adequate for the conclusions contained in such study performed pursuant to a methodology generally accepted by professionals in the field of expertise for the water and wastewater facilities and based upon standard sources of information relating to facilities planning, cost analysis and demographics and generally accepted by professionals in the field of expertise for the water and wastewater facilities. Technical details of approach, methodology, procedures, and other matters relating to the alternative fee calculation may be addressed in an administrative procedures manual.

(c) The alternative fee calculation shall be submitted by the applicant for the proposed development and shall be prepared and certified as accurate by persons accepted by the city as qualified professionals in the field of expertise for the water and wastewater facilities, and shall be submitted to the city manager.

(d) If the city manager determines that the alternative fee calculation is acceptable, and the city's cost to accommodate the proposed development is substantially different than the impact fee established pursuant to section 52-137, the amount of the impact fee shall be reduced to a dollar amount consistent with the amount determined by the alternative fee calculation and presented to city council for review and approval.

(e) In the event the applicant disagrees with a decision of the city manager that effectively results in a denial of the alternative fee calculation, the applicant may file a written appeal petition with the city council not later than 30 days after receipt of notice of such a decision by the city manager. In reviewing the decision, the city council shall use the standards established herein. The appeal petition must advise the city council of all issues and shall explain the precise basis the applicant asserts that the decision(s) of the city manager is/are alleged to be incorrect.

There are two main components to the impact fee calculation:

**Water System Impact Fee Assessment:** Through previous action, the City adopted an impact fee program which funds growth related or expansion related capital projects.

The impact fee assessments include two parts for each development at a charge relative to its Equivalent Residential Connection (ERC). The water amounts are:

1. \$446 water main extension/connection assessment charge
2. \$3,740 water plant capacity assessment charge

**Wastewater System Impact Fee Assessment:** The rationale and methods used in the wastewater system impact fee assessment is similar to the water system as described above.

The wastewater amounts are:

- 3. \$480 wastewater main extension/connection assessment charge
- 4. \$4,610 wastewater plant capacity assessment charge

**FUNDING SOURCE / FISCAL IMPACT:** The \$364,429.89 in funds generated from the impact fee assessment will be used for future water and wastewater system improvements that increase capacity.

**RECOMMENDATION:** Consider and approve the alternative water and wastewater impact fee calculation resolution.

**POTENTIAL MOTION:**

“I move approval of Resolution 21-15.”

I, , certify that this is a true copy of Resolution No. ID 21-1427, passed by the City Council on 3/15/2021.

**Attest:** \_\_\_\_\_

\_\_\_\_\_  
**Date Certified**