

RESOLUTION NO. 25-03-26

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE A FIRST AMENDMENT TO THE INTERLOCAL AGREEMENT FOR THE COLLECTION OF TRANSPORTATION CAPACITY IMPACT FEES WITH PALM BEACH COUNTY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS this First Amendment to the Interlocal Agreement (the “Agreement”) is being made between **Palm Beach County, Florida**, a political subdivision of the State of Florida (hereinafter the "County") and **Town of LAKE PARK**, a municipality created pursuant to Laws of Florida, (hereinafter the "Town"), (collectively the “Parties”); and

WHEREAS, the Board of County Commissioners adopted countywide impact fees pursuant to Section 1.3 of the Palm Beach County Charter; and

WHEREAS, the Town has adopted Town-wide mobility fees pursuant to Section 163.3180, Florida Statutes; and

WHEREAS, § 163.3180, Florida Statutes provides that if a county and municipality charge a developer of a new development or redevelopment a fee for transportation capacity impacts, the county and municipality must create and execute an interlocal agreement to coordinate the mitigation of their respective transportation capacity impacts; and

WHEREAS, this Agreement is intended to account for the collection and distribution of all County impact fees within the Town’s jurisdiction; and

WHEREAS, the Parties agree that this Agreement provides for the proportionate mitigation of new development or redevelopment impact on the County’s transportation facilities capacity and the distribution of revenue to address transportation capacity impacts based on the Parties’ respective transportation fees; and

WHEREAS, the Parties agree that the Town’s Mobility Fees do not account for the impact new development or redevelopment will have on County transportation facilities within its jurisdiction; and

WHEREAS, the Parties agree that the County’s Road Impact Fees do not account for the impact new development or redevelopment will have on Town transportation facilities; and

WHEREAS, therefore the Parties agree that requiring the Town’s building permit applicant’s to pay County Road Impact Fees will not result in applicant’s paying twice for

the same transportation capacity impacts; and

WHEREAS, the Parties agree that the collection and distribution of the Town’s Mobility Fees shall be the sole responsibility of the Town; and

WHEREAS, Section 13.A.7.A.2 of the Palm Beach County Unified Land Development Code (ULDC) provides that the Town may require direct payment of impact fees to the County pursuant to this Agreement; and

WHEREAS, pursuant § 163.3180, Florida Statutes, Parties to agree that County is authorized to collect its road impact fees directly from Town building permit applicants; and

WHEREAS, the Parties agree to use the method of collection provided in 13.A.7.A.2 of the ULDC to authorize the Town to require that all building permit applicants make direct payment of all County impact fees directly to the County for collection; and

WHEREAS, this first amendment to the interlocal agreement is adopted pursuant to Section 13.A.7A.2 of the ULDC and § 163.3180, Fl. Stat. and shall be valid through April 1, 2027.

NOW, THEREFORE, BE IT RESOLVED by the Town Commission of the Town of Lake Park, Florida

Section 1: The whereas clauses are incorporated herein.

Section 2: The Mayor is hereby authorized and directed to execute a First Amendment to the Interlocal Agreement enabling a 12-month extension through April 1, 2027 for the collection of transportation capacity impact fees with Palm Beach County, a copy of which is incorporated herein and attached hereto as Exhibit “A”.

Section 3: This Resolution shall take effect April 2, 2026.