



ORANGE COUNTY IFC MEETING APPLICATION

Impact Fee Committee
Public Works Department, Transportation Planning Division
4200 South John Young Parkway, Orlando, Florida 32839
ImpactFeeCommittee@ocfl.net

Submittal Date: _____

IFC Date: _____
(To be determined by the Transportation Planning Division)

- | | | |
|---|--|--|
| Impact Fee Type: | Request Type: | Attachments: |
| <input type="checkbox"/> Road | <input type="checkbox"/> Preliminary Project Review (No charge) | <input type="checkbox"/> Agent Authorization Form |
| <input type="checkbox"/> Parks and Recreation | <input type="checkbox"/> Appeal of Staff Determination (\$213) | <input type="checkbox"/> Specific Project Expenditure Report |
| <input type="checkbox"/> Fire/Rescue | <input type="checkbox"/> Appeal of Good Faith Refund Denial (\$213) | <input type="checkbox"/> Relationship Disclosure Form |
| <input type="checkbox"/> Law Enforcement | <input type="checkbox"/> Review of New Study Methodology (\$2,735)
(AIF Application # _____) | <input type="checkbox"/> Site Plan |
| <input type="checkbox"/> School | <input type="checkbox"/> Review of Transfer Request (\$1,571)
(AIF Application # _____) | |
| | <input type="checkbox"/> Review of Alternative Impact Fee Study (included in application fee)
(AIF Application # _____) | |
| | <input type="checkbox"/> Review of Alternative Impact Fee Agreement (included in application fee)
(AIF Application # _____) | |

Project Information:

Project Name: _____ Parcel ID #: _____

Parcel Owner/Developer: _____

Project Address/Location: _____

Project Description: _____

Impact Fees Paid?

Yes No

Impact Fees Deferred?

Yes No

Impact Fees Paid or Deferred Under Protest?

Yes No

PLEASE SPECIFY BELOW, IN DETAIL, YOUR REQUEST FOR CONSIDERATION BY THE IFC (OR ATTACH A LETTER)

Contact Name: _____ Phone: _____ Email: _____

Address: _____

FEE SCHEDULE

The IFC Application, supporting documents, and fees shall be delivered or mailed to Orange County Fiscal and Operational Support Division (FOS), 201 S. Rosalind Avenue, Second Floor, Orlando, FL 32801.
Make checks payable to Orange County BCC.

A sufficient IFC application must be submitted within eight business days prior to the next IFC meeting.

IFC Meeting Application Directions:

1. **Submittal Date:** Fill in the date that the meeting application is submitted.
2. **IFC Meeting Date:** This date will be determined by the Transportation Planning.
3. **Impact Fee Type:** Check the box that corresponds to the type of impact fee that is in dispute.
4. **Request Type:** Check the box that corresponds to the applicant's request.
5. **Preliminary Project Review** – The purpose is to generally discuss a project and to gain a better understanding of the applicant's options. This meeting is held with Transportation Planning, prior to going before the Committee.

Appeal of Staff Determination – If an applicant disagrees with a staff determination related to impact fees, the applicant may request that the IFC review the project and make a determination by the Committee.

Appeal of Good Faith Refund Denial – This occurs when an owner of record pays impact fees, but should have had them debited from a credit account and then requests a refund of impact fees paid. If an applicant has received a letter from the Concurrency Management Official which denied a refund of impact fees due to a determination that the error was not in good faith, the applicant may appeal the denial to the IFC.

Review of New Study Methodology/Review of Transfer Request – An applicant who wishes to conduct an alternative impact fee study or to transfer the results of a previously approved alternative impact fee study must submit a study methodology or transfer request to the IFC for review. Please contact the IFC Coordinator for requirements. The alternative impact fee application number must be indicated on the meeting application form, unless this is a preliminary project review and only guidance is requested. However, unless an application number is indicated, no Committee vote for approval/denial will be conducted.

Review of Alternative Impact Fee Study – After the applicant has completed the study, a report summarizing the study results must be submitted to the IFC for review. Please contact the IFC Coordinator for requirements. The alternative impact fee application number must be indicated on the meeting application form.

Review of Alternative Impact Fee Agreement – Once an applicant's alternative impact fee study or transfer request has been approved by the IFC, the applicant must submit an alternative impact fee agreement for review by the IFC. Please contact the IFC Coordinator for the agreement template. The alternative impact fee application number must be indicated on the meeting application form.

6. Attachments:

Agent Authorization Form – Check the box if this form is being submitted. This form should be submitted if the person conducting business with the County is not the property owner, indicating that the owner authorizes the consultant/attorney/developer to sign any documents related to the project as an agent on his/her behalf.

Specific Project Expenditure Report – This form is required in order to be placed on an IFC meeting agenda.

Relationship Disclosure Form – This form is required in order to be placed on an IFC meeting agenda.

Site Plan – Attach a site plan with your application.

6. Project Information:

Impact Fees Paid? – Have you already paid the impact fees in dispute?

Impact Fees Deferred? – Has payment of your impact fees been deferred? This applies to projects valued at over \$1,000,000.

Impact Fees Paid Under Protest – Check the box if you have already paid the impact fees in dispute and indicated on your check or transportation credit assignment letter that the fees were “paid under protest”.

*If the impact fees in dispute have been paid, but were not “paid under protest” before obtaining a building permit (or Certificate of Occupancy if the fees were deferred) the case is not eligible to be heard by the IFC.

AGENT AUTHORIZATION FORM



FOR PROJECTS LOCATED IN ORANGE COUNTY, FLORIDA

I/WE, (PRINT PROPERTY OWNER NAME) _____, AS THE OWNER(S) OF THE REAL PROPERTY DESCRIBED AS FOLLOWS, _____, DO HEREBY AUTHORIZE TO ACT AS MY/OUR AGENT (PRINT AGENT'S NAME), _____, TO EXECUTE ANY PETITIONS OR OTHER DOCUMENTS NECESSARY TO AFFECT THE APPLICATION APPROVAL REQUESTED AND MORE SPECIFICALLY DESCRIBED AS FOLLOWS, _____, AND TO APPEAR ON MY/OUR BEHALF BEFORE ANY ADMINISTRATIVE OR LEGISLATIVE BODY IN THE COUNTY CONSIDERING THIS APPLICATION AND TO ACT IN ALL RESPECTS AS OUR AGENT IN MATTERS PERTAINING TO THE APPLICATION.

Date: _____
 _____ Signature of Property Owner Print Name Property Owner

Date: _____
 _____ Signature of Property Owner Print Name Property Owner

STATE OF FLORIDA :
 COUNTY OF _____ :

I certify that the foregoing instrument was acknowledged before me this ____ day of _____, 20__ by _____. He/she is personally known to me or has produced _____ as identification and did/did not take an oath.

Witness my hand and official seal in the county and state stated above on the ____ day of _____, in the year _____.

(Notary Seal)

 Signature of Notary Public
 Notary Public for the State of Florida

My Commission Expires: _____

Legal Description(s) or Parcel Identification Number(s) are required:
PARCEL ID #:
LEGAL DESCRIPTION:

For Staff Use Only:
Initially submitted on _____
Updated on _____
Project Name (as filed) _____
Case Number _____

RELATIONSHIP DISCLOSURE FORM
FOR USE WITH DEVELOPMENT RELATED ITEMS, EXCEPT THOSE WHERE THE
COUNTY IS THE PRINCIPAL OR PRIMARY APPLICANT

This relationship disclosure form must be submitted to the Orange County department or division processing your application at the time of filing. In the event any information provided on this form should change, the Owner, Contract Purchaser, or Authorized Agent(s) must file an amended form on or before the date the item is considered by the appropriate board or body.

For
staff
use
only

Part I

INFORMATION ON OWNER OF RECORD PER ORANGE COUNTY TAX ROLLS:

Name: _____

Business Address (Street/P.O. Box, City and Zip Code): _____

Business Phone () _____

Facsimile () _____

INFORMATION ON CONTRACT PURCHASER, IF APPLICABLE:

Name: _____

Business Address (Street/P.O. Box, City and Zip Code): _____

Business Phone () _____

Facsimile () _____

INFORMATION ON AUTHORIZED AGENT, IF APPLICABLE:
(Agent Authorization Form also required to be attached)

Name: _____

Business Address (Street/P.O. Box, City and Zip Code): _____

Business Phone () _____

Facsimile () _____

For Staff Use Only:
Initially submitted on _____
Updated on _____
Project Name (as filed) _____
Case Number _____

Part II

**IS THE OWNER, CONTRACT PURCHASER, OR AUTHORIZED AGENT A
RELATIVE OF THE MAYOR OR ANY MEMBER OF THE BCC?**

___ YES ___ NO

**IS THE MAYOR OR ANY MEMBER OF THE BCC AN EMPLOYEE OF THE
OWNER, CONTRACT PURCHASER, OR AUTHORIZED AGENT?**

___ YES ___ NO

**IS ANY PERSON WITH A DIRECT BENEFICIAL INTEREST IN THE OUTCOME
OF THIS MATTER A BUSINESS ASSOCIATE OF THE MAYOR OR ANY
MEMBER OF THE BCC? (When responding to this question please consider all
consultants, attorneys, contractors/subcontractors and any other persons who may have
been retained by the Owner, Contract Purchaser, or Authorized Agent to assist with
obtaining approval of this item.)**

___ YES ___ NO

If you responded "YES" to any of the above questions, please state with whom and
explain the relationship:

(Use additional sheets of paper if necessary)

For Staff Use Only:
Initially submitted on _____
Updated on _____
Project Name (as filed) _____
Case Number _____

Part III
ORIGINAL SIGNATURE AND NOTARIZATION REQUIRED

I hereby certify that information provided in this relationship disclosure form is true and correct based on my knowledge and belief. If any of this information changes, I further acknowledge and agree to amend this relationship disclosure form prior to any meeting at which the above-referenced project is scheduled to be heard. In accordance with s. 837.06, Florida Statutes, I understand and acknowledge that whoever knowingly makes a false statement in writing with the intent to mislead a public servant in the performance of his or her official duty shall be guilty of a misdemeanor in the second degree, punishable as provided in s. 775.082 or s. 775.083, Florida Statutes.

Signature of Owner, Contract Purchaser
or Authorized Agent

Date: _____

Print Name and Title of Person completing this form: _____

STATE OF FLORIDA :
COUNTY OF _____ :

I certify that the foregoing instrument was acknowledged before me this ____ day of _____, 20__ by _____. He/she is personally known to me or has produced _____ as identification and did/did not take an oath.

Witness my hand and official seal in the county and state stated above on the ____ day of _____, in the year _____.

(Notary Seal)

Signature of Notary Public
Notary Public for the State of Florida
My Commission Expires:

Staff signature and date of receipt of form

Staff reviews as to form and does not attest to the accuracy or veracity of the information provided herein.

For Staff Use Only:
Initially submitted on _____
Updated On _____
Project Name (as filed) _____
Case or Bid No. _____

ORANGE COUNTY SPECIFIC PROJECT EXPENDITURE REPORT

This lobbying expenditure form shall be completed in full and filed with all application submittals. This form shall remain cumulative and shall be filed with the department processing your application. Forms signed by a principal's authorized agent shall include an executed Agent Authorization Form.

**This is the initial Form: _____
This is a Subsequent Form: _____**

For
staff
use
only

**Part I
Please complete all of the following:**

Name and Address of Principal (legal name of entity or owner per Orange County tax rolls): _____

Name and Address of Principal's Authorized Agent, if applicable: _____

List the name and address of all lobbyists, consultants, contractors, subcontractors, individuals or business entities who will assist with obtaining approval for this project. (Additional forms may be used as necessary.)

1. Name and address of individual or business entity: _____
Are they registered Lobbyist? Yes ___ or No ___
2. Name and address of individual or business entity: _____
Are they registered Lobbyist? Yes ___ or No ___
3. Name and address of individual or business entity: _____
Are they registered Lobbyist? Yes ___ or No ___
4. Name and address of individual or business entity: _____
Are they registered Lobbyist? Yes ___ or No ___
5. Name and address of individual or business entity: _____
Are they registered Lobbyist? Yes ___ or No ___
6. Name and address of individual or business entity: _____
Are they registered Lobbyist? Yes ___ or No ___
7. Name and address of individual or business entity: _____
Are they registered Lobbyist? Yes ___ or No ___
8. Name and address of individual or business entity: _____
Are they registered Lobbyist? Yes ___ or No ___

For Staff Use Only:
 Initially submitted on _____
 Updated On _____
 Project Name (as filed) _____
 Case or Bid No. _____

**Part II
 Expenditures:**

For this report, an "expenditure" means money or anything of value given by the principal and/or his/her lobbyist for the purpose of lobbying, as defined in section 2-351, Orange County Code. This may include public relations expenditures including, but not limited to, petitions, fliers, purchase of media time, cost of print and distribution of publications. However, the term "expenditure" **does not** include:

- Contributions or expenditures reported pursuant to chapter 106, Florida Statutes;
- Federal election law, campaign-related personal services provided without compensation by individuals volunteering their time;
- Any other contribution or expenditure made by or to a political party;
- Any other contribution or expenditure made by an organization that is exempt from taxation under 26 U.S.C. s. 527 or s. 501(c)(4), in accordance with s.112.3215, Florida Statutes; and/or
- Professional fees paid to registered lobbyists associated with the project or item.

The following is a complete list of all lobbying expenditures and activities (including those of lobbyists, contractors, consultants, etc.) incurred by the principal or his/her authorized agent and expended in connection with the above-referenced project or issue. **You need not include de minimus costs (under \$50) for producing or reproducing graphics, aerial photographs, photocopies, surveys, studies or other documents related to this project.**

Date of Expenditure	Name of Party Incurring Expenditure	Description of Activity	Amount Paid
TOTAL EXPENDED THIS REPORT			\$

For Staff Use Only:

Initially submitted on _____

Updated On _____

Project Name (as filed) _____

Case or Bid No. _____

Part III

ORIGINAL SIGNATURE AND NOTARIZATION REQUIRED

I hereby certify that information provided in this specific project expenditure report is true and correct based on my knowledge and belief. I acknowledge and agree to comply with the requirement of section 2-354, of the Orange County code, to amend this specific project expenditure report for any additional expenditure(s) incurred relating to this project prior to the scheduled Board of County Commissioner meeting. I further acknowledge and agree that failure to comply with these requirements to file the specific expenditure report and all associated amendments may result in the delay of approval by the Board of County Commissioners for my project or item, any associated costs for which I shall be held responsible. In accordance with s. 837.06, Florida Statutes, I understand and acknowledge that whoever knowingly makes a false statement in writing with the intent to mislead a public servant in the performance of his or her official duty shall be guilty of a misdemeanor in the second degree, punishable as provided in s. 775.082 or s. 775.083, Florida Statutes.

Date: _____

Signature of Principal or Principal's Authorized Agent
(*check appropriate box*)

PRINT NAME AND TITLE: _____

STATE OF FLORIDA :
COUNTY OF _____ :

I certify that the foregoing instrument was acknowledged before me this _____ day of _____, 20____ by _____ . He/she is personally known to me or has produced _____ as identification and did/did not take an oath.

Witness my hand and official seal in the county and state stated above on the _____ day of _____, in the year _____ .

(Notary Seal)

Signature of Notary Public
Notary Public for the State of Florida
My Commission Expires: _____

Staff signature and date of receipt of form _____
Staff reviews as to form and does not attest to the accuracy or veracity of the information provided herein.

FREQUENTLY ASKED QUESTIONS (FAQ)
ABOUT THE
SPECIFIC PROJECT EXPENDITURE REPORT

Updated 3-1-11

WHAT IS A SPECIFIC PROJECT EXPENDITURE REPORT (SPR)?

A Specific Project Expenditure Report (SPR) is a report required under Section 2-354(b) of the Orange County Lobbying Ordinance, codified at Article X of Chapter 2 of the Orange County Code, reflecting all lobbying expenditures incurred by a principal and his/her authorized agent(s) and the principal's lobbyist(s), contractor(s), subcontractor(s), and consultant(s), if applicable, for certain projects or issues that will ultimately be decided by the Board of County Commissioners (BCC).

Matters specifically exempt from the SPR requirement are ministerial items, resolutions, agreements in settlement of litigation matters in which the County is a party, ordinances initiated by County staff, and some procurement items, as more fully described in 2.20 of the Administrative Regulations.

Professional fees paid by the principal to his/her lobbyist for the purpose of lobbying need not be disclosed on this form. (See Section 2-354(b), Orange County Code.)

WHO NEEDS TO FILE THE SPR?

The principal or his/her authorized agent needs to complete and sign the SPR and warrant that the information provided on the SPR is true and correct.

A principal that is a governmental entity does not need to file an SPR.

HOW ARE THE KEY RELEVANT TERMS DEFINED?

Expenditure means “a payment, distribution, loan, advance, reimbursement, deposit, or anything of value made by a lobbyist or principal for the purpose of lobbying. This may include public relations expenditures (including but not limited to petitions, flyers, purchase of media time, cost of print and distribution of publications) but does not include contributions or expenditures reported pursuant to Chapter 106, Florida Statutes, or federal election law, campaign-related personal services provided without compensation by individuals volunteering their time, any other contribution or expenditure made by or to a political party, or any other contribution or expenditure made by an organization that is exempt from taxation under 26 U.S.C. s. 527 or s. 501(c)(4).” (See Section 112.3215, Florida Statutes.) Professional fees paid by the principal to his/her lobbyist for the purpose of lobbying are not deemed to be “expenditures.” (See Section 2-354, Orange County Code.)

Lobbying means seeking “to encourage the approval, disapproval, adoption, repeal, rescission, passage, defeat or modification of any ordinance, resolution, agreement, development permit, other type of permit, franchise, vendor, consultant, contractor, recommendation, decision or other foreseeable action of the [BCC],” and “include[s] all communications, regardless of whether initiated by the lobbyist or by the person being lobbied, and regardless of whether oral, written or electronic.” (See Section 2-351, Orange County Code.) Furthermore, *lobbying* means communicating “directly with the

County Mayor, with any other member of the [BCC], or with any member of a procurement committee.” (See Section 2-351, Orange County Code.) *Lobbying* also means communicating “indirectly with the County Mayor or any other member of the [BCC]” by communicating with any staff member of the Mayor or any member of the BCC, the county administrator, any deputy or assistant county administrator, the county attorney, any county department director, or any county division manager. (See Section 2-351, Orange County Code.) *Lobbying* does not include the act of appearing before a Sunshine Committee, such as the Development Review Committee or the Roadway Agreement Committee other than the BCC.

Principal means “the person, partnership, joint venture, trust, association, corporation, governmental entity or other entity which has contracted for, employed, retained, or otherwise engaged the services of a lobbyist.” *Principal* may also include a person, partnership, joint venture, trust, association, corporation, limited liability corporation, or other entity where it or its employees do not qualify as a lobbyist under the definition set forth in Section 2-351 of the Orange County Code but do perform lobbying activities on behalf of a business in which it has a personal interest.

DOES THE SPR NEED TO BE UPDATED IF INFORMATION CHANGES?

Yes. It remains a continuing obligation of the principal or his/her authorized agent to update the SPR whenever any of the information provided on the initial form changes.

WHERE DO THE SPR AND ANY UPDATES NEED TO BE FILED?

The SPR needs to be filed with the County Department or County Division processing the application or matter. If and when an additional expenditure is incurred subsequent to the initial filing of the SPR, an amended SPR needs to be filed with the County Department or County Division where the original application, including the initial SPR, was filed.

WHEN DO THE SPR AND ANY UPDATES NEED TO BE FILED?

In most cases, the initial SPR needs to be filed with the other application forms. The SPR and any update must be filed with the appropriate County Department or County Division not less than seven (7) days prior to the BCC hearing date so that they may be incorporated into the BCC agenda packet. (See Section 2-354(b), Orange County Code.) When the matter is a discussion agenda item or is the subject of a public hearing, and any additional expenditure occurs less than 7 days prior to BCC meeting date or updated information is not included in the BCC agenda packet, the principal or his/her authorized agent is obligated to verbally present the updated information to the BCC when the agenda item is heard or the public hearing is held. When the matter is a consent agenda item and an update has not been made at least 7 days prior to the BCC meeting or the update is not included in the BCC agenda packet, the item will be pulled from the consent agenda to be considered at a future meeting.

WHO WILL BE MADE AWARE OF THE INFORMATION DISCLOSED ON THE SPR AND ANY UPDATES?

The information disclosed on the SPR and any updates will be a public record as defined by Chapter 119, Florida Statutes, and therefore may be inspected by any interested person. Also, the

information will be made available to the Mayor and the BCC members. This information will accompany the other information for the principal's project or item.

CONCLUSION:

We hope you find this FAQ useful to your understanding of the SPR. Please be informed that in the event of a conflict or inconsistency between this FAQ and the requirements of the applicable ordinance governing specific project expenditure reports, the ordinance controls.

Also, please be informed that the County Attorney's Office is not permitted to render legal advice to a principal, his/her authorized agent, or any other outside party. Accordingly, if after reading this FAQ the principal, his/her authorized agent or an outside party has any questions, he/she is encouraged to contact his/her own legal counsel.