

EXECUTIVE SUMMARY

Presentation to Collier County Board of County Commissioners (BCC) of 2012 combined Annual Update and Inventory Report (AUIR) on Public Facilities and Capital Improvements Element (CIE) amendment as provided for in Chapter 6.02.02 of the Collier County Land Development Code and Section 163.3177(3)(b), Florida Statutes.

OBJECTIVE: Request that the BCC review and approve the combined 2012 AUIR/CIE on public facilities and the corresponding specific projects and associated funding sources for inclusion in the Schedule of Capital Improvements within the Capital Improvement Element during the FY12/13 annual update (only Category “A” Public Facilities are included in the CIE).

BACKGROUND: Chapter 163, Part II, Florida Statutes requires the County to adopt certain Land Development Regulations (LDR’s) to implement its Growth Management Plan (GMP) adopted on January 10, 1989. Section 6.02.00 of the LDC requires the County to, “Provide that public facilities and services meet or exceed the standards established in the CIE required by Section 163.3177 and are available when needed for the development...” This Section of Chapter 163, Part II, Florida Statutes is commonly known as the concurrency requirement. Accordingly, on March 21, 1990, the Board adopted the Collier County Adequate Public Facilities Ordinance No. 90-24. This Ordinance was subsequently codified in Chapter 6.02.02 of the Land Development Code (LDC).

Chapter 6.02.02 of the LDC established a management and monitoring program for public facilities, which provides for an annual determination of Level of Service Standard (LOSS) concurrency for Category “A” facilities and identification of additional facilities needs. Category “A” facilities are roads, solid waste, drainage canals and structures, parks and recreation, potable water, schools and sewer collection and treatment. The AUIR also provides analysis and recommendations on Category “B” facilities for which the County has adopted LOSS and collects impact fees. The Category “B” facilities are Jails, Law Enforcement, Libraries, Emergency Medical Services, Government Buildings and the two dependent fire districts, Ochopee and Isle of Capri. Adoption of Category “B” facilities LOSS are necessary in order to legally validate impact fees for these facilities. Additionally, this year’s process will ask the BCC to provide direction on maintaining Schools within the Capital Improvement Element and the concurrency management system. HB7202, signed by the Governor on June 3, 2011, grants the County the option of excluding components of the CIE.

GROWTH MANAGEMENT IMPACT: The preparation and presentation of the AUIR to the CCPC and BCC meets the requirements of Chapter 6.02.02 of the Land Development Code for an annual determination of the status of public facilities. Board direction to include the projects identified in the AUIR in a financially feasible FY12-13 Annual CIE Update and Amendment will establish and maintain concurrency for Category “A” public facilities, except roads, for the next twelve (12) months. Road projects needed to remedy LOS deficiencies must be in the first or second year of the Schedule of Capital Improvements.

The CIE is no longer statutorily required to be financially feasible and as such there is greater flexibility in the placement of capital projects within the five year schedule. It should be noted, there is still the local requirement to provide a financially feasible CIE, dictated by the CIE, with

the conceptual understanding that as projects migrate closer to year one of the five year CIE, the funding for the projects has been identified.

Schools - While the Schools component is included as part of the Category “A” facilities which dictate the concurrency management system, concurrency management for schools is administered by the School District. School concurrency runs parallel with the County’s concurrency management system, but is separated by the fact that it is administered by the School District. The action sought from the Board related to the School District’s proposed Capital Improvement Plan (CIP) is for a motion to include the District’s CIP by reference within the CIE and that no inconsistencies are contained within the District’s CIP and the other planned capital improvements within the AUIR. It should be noted that during the 2011 AUIR/CIE, the BCC direct staff to work with the School District staff and the municipalities to explore the merits of maintaining school concurrency. **The School District has indicated a desire to maintain school concurrency at this time.**

Population - The population projections utilized with the 2012 AUIR are based upon prior BCC policy direction. The population method utilizes Bureau of Economic and Business Research (BEBR) Medium Range projections for the entire projection period, with a 20 percent seasonal adjustment factor. The below chart is a comparison of the past six years of projected population growth.

AUIR Year	BEBR Estimate	Following 5-Year BEBR Growth Projections					5 Year Growth Percent	Growth Percent Annualized
2007	326,358	339,068	351,950	365,321	379,200	390,665	19.70%	3.94%
2008	333,858	340,409	347,089	353,900	363,809	373,996	12.02%	2.40%
2009	332,854	331,800	337,874	344,058	350,356	356,770	7.19%	1.44%
2010	333,600	339,786	346,087	352,505	359,042	365,700	9.62%	1.92%
2011	327,062	332,699	338,433	344,267	350,200	356,788	9.08%	1.81%
2012	328,339	332,893	337,446	342,000	348,720	355,440	8.25%	1.65%

From review of the above table, which depicts the permanent population projections utilized for the past six years, 2012 provides a fourth year in which the annualize growth rate is projected at under two percent of the total population. This continued outlook has emerged as the new growth reality for the County. Whether this lower projected growth rate proves appropriate will only be determined by time. One fact that is being provided for by this year’s AUIR/CIE is that currently within most AUIR/CIE components, the adopted level of service standards are being met and can be maintained longer than previously projected. The recalibration of Collier County’s population through the 2010 Census has provided additional capacity to each of the AUIR/CIE population

based systems. This decrease results in extending the time before the next unit of improvement is needed. *This fact is reflected in that Transportation and Stormwater are the only two concurrency management components with projects scheduled within the five year CIE.*

One final note related to population and demand for public infrastructure and services relates to the County's current vacancy rate. The demands being placed upon County systems are below what the number of dwelling units available would expect to exert upon those systems, due primarily to the County's vacancy rate. With a higher vacancy rate, a smaller percentage of available units are demanding service from the County systems. When these units begin to become absorbed back into the permanent or seasonal population bases, they will again begin to exert demands upon the systems available. What is noteworthy about this fact is that those demands will not be accompanied by the impact fee revenue associated with units newly added to the market and therefore, additional funds will not be generated to satisfy the increased demands placed upon the systems as units become occupied.

LEGAL CONSIDERATIONS: House Bill 7207 of 2011, now known as the Community Planning Act, revised Section 163.3177(3)(b), FS to provide that "...Modifications to update the 5-year capital improvement schedule may be accomplished by ordinance and may not be deemed to be amendments to the local comprehensive plan." Since the modification to the capital improvement schedule is not a Growth Management Plan amendment, a majority vote of the Board is needed for adoption. This item is ready for Board consideration and approval.—HFAC

FISCAL IMPACT: Revenues are required to fund the CIE projects proposed in the 2012 AUIR/CIE for the FY12-13 thru FY16-17 planning period to maintain a financial feasibility of the CIE for category "A" facilities. Current and Proposed revenues needed to fund public facility construction/expansion for the FY12-13 thru FY16-17 CIE planning period are set forth in each respective capital facilities section of the 2012 AUIR/CIE. Project expenditures in excess of estimated impact fee, gas tax, and user fee revenues receipts and funded bonds, are reflected as being augmented by General Fund Revenues in the body of this document.. "General Fund Revenues" are defined as existing sales tax revenues and other state shared revenues, or ad valorem allocations at the discretion of the BCC. It should be noted that all projects identified within the Category "A" facilities have identified funding for the improvement. Additionally, spreadsheets detailing the revenue and debt service for the divisions/departments for the 5-year CIE period, as well as the long term debt financing schedules have been provided within the AUIR/CIE book appendix.

CCPC RECOMENDATION: The CCPC provided the BCC a recommendation of unanimous approval of all sections of the 2012 AUIR/CIE as presented. *Additionally, the CCPC recommended to the BCC to maintain school concurrency.*

REQUESTED ACTION: That the Board of County Commissioners:

1. Find based on the 2012 AUIR that adequate Drainage Canals and Structures, Potable Water, Sewer Treatment and Collection, Solid Waste, Public Schools and Parks and Recreation facilities will be available, as defined by the Collier County Concurrency Management System, as implemented by Chapter 6.02.02 of the LDC, to support development order issuance until presentation of the 2013 AUIR.
2. Provide a motion that there is sufficient road network capacity in the Transportation Concurrency Management Database for continued operation of the real-time declining balance ledger to support development order issuance.

3. Provide a motion for the School District's CIP to be included by reference within the FY12-13 Schedule of Capital Improvements of the Annual CIE Update.
4. Approve the Ordinance relating to the Capital Improvement Element of the Collier County Growth Management Plan to incorporate projects based on the 2012 Annual Update and Inventory Report on Public Facilities (AUIR), including updates to the 5-Year Schedule of Capital Improvements (for Fiscal Years 2013 – 2017) and the Schedule of Capital Improvements for Future 5-Year Period (for Fiscal Years 2018 – 2022).
5. Provide direction to maintain School Concurrency.

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Attachments

1. CIE Approval Ordinance
2. AUIR/CIE Adoption Notebooks.*

* It should be noted that due to the importance of viewing color maps and figures found in the AUIR/CIE adoption notebook, the full notebook is being provided to Commissioners in both hard copy format [in full color] and as an upload into the “workflow” side of the SIRE (Agenda Central) viewing system [grey-tones only].

A Public View Copy has been provided for public viewing opportunities during office hours at the following locations: the County Manager's Office at Building “F”, Second Floor, Administration Building, Collier County Main Government Center, 3299 Tamiami Trail East, Naples FL, 34112; the Comprehensive Planning Office, Growth Management Division, 2800 North Horseshoe Drive, Naples FL, 34014; the County Clerk's Office at Building “F”, Fourth Floor, Administration Building, Collier County Main Government Center, 3299 Tamiami Trail East, Naples, 34112; and, at the North Collier Government Center, 2335 Orange Blossom Drive, Naples, FL, 34109. **The full Report can be found on-line at <http://www.colliergov.net/index.aspx?page=1581>**