

**ORDINANCE NO. 13- \_\_\_\_\_**

**AN ORDINANCE RELATING TO THE CAPITAL IMPROVEMENT ELEMENT OF THE COLLIER COUNTY GROWTH MANAGEMENT PLAN, ORDINANCE 89-05, AS AMENDED, PROVIDING FOR THE ANNUAL UPDATE TO THE SCHEDULE OF CAPITAL IMPROVEMENT PROJECTS, WITHIN THE CAPITAL IMPROVEMENT ELEMENT OF THE COLLIER COUNTY GROWTH MANAGEMENT PLAN BASED ON THE 2013 ANNUAL UPDATE AND INVENTORY REPORT ON PUBLIC FACILITIES (AUIR), AND INCLUDING UPDATES TO THE 5-YEAR SCHEDULE OF CAPITAL PROJECTS CONTAINED WITHIN THE CAPITAL IMPROVEMENT ELEMENT (FOR FISCAL YEARS 2014 – 2018) AND THE SCHEDULE OF CAPITAL PROJECTS CONTAINED WITHIN THE CAPITAL IMPROVEMENT ELEMENT FOR THE FUTURE 5-YEAR PERIOD (FOR FISCAL YEARS 2019 – 2023), PROVIDING FOR SEVERABILITY, AND PROVIDING FOR AN EFFECTIVE DATE. [CPSP-2013-5]**

WHEREAS, the Collier County Board of County Commissioners adopted the Collier County Growth Management Plan (“GMP”) on January 10, 1989; and

WHEREAS, the Community Planning Act of 2011 requires the local government to review the Capital Improvement Element of the GMP on an annual basis and to update the 5-year Capital Improvement Schedule in accordance with Section 163.3177(3)(b), F.S.; and

WHEREAS, staff initiated a petition updating the Schedule of Capital Improvements within the Capital Improvement Element of the GMP based on the 2013 Annual Update and Inventory Report on Public Facilities (AUIR), and additional staff analysis, including update to the 5-year Schedule of Capital Projects contained within the Capital Improvement Element (for Fiscal Years 2014 – 2018) and the Schedule of Capital Projects contained within the Capital Improvement Element for Future 5-year Period (for Fiscal Years 2019 – 2023); and

WHEREAS, the Board of County Commissioners of Collier County did take action in the manner prescribed by law and did hold a public hearing concerning the adoption of this Ordinance to update the Schedule of Capital Improvement Projects on November 12, 2013; and

WHEREAS, the Collier County Planning Commission held a public hearing on September 27, 2013 and provided a recommendation of approval; and

WHEREAS, all applicable substantive and procedural requirements of law have been met.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF COLLIER COUNTY, FLORIDA, that:

SECTION ONE: APPROVAL OF ANNUAL UPDATE TO THE SCHEDULE OF CAPITAL IMPROVEMENT PROJECTS

The Board of County Commissioners hereby adopts this update to the Schedule of Capital Improvement Projects in accordance with Section 163.3177, F.S. The Capital Improvement Projects are attached hereto as Exhibit "A" and are incorporated by reference herein.

SECTION TWO: SEVERABILITY

If any phrase or portion of this Ordinance is held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portion.

SECTION THREE: EFFECTIVE DATE

The effective date of this update shall be upon filing with the Florida Secretary of State.

PASSED AND DULY ADOPTED by the Board of County Commissioners of Collier County, Florida this \_\_\_\_\_ day of \_\_\_\_\_, 2013.

ATTEST:  
DWIGHT E. BROCK, CLERK

BOARD OF COUNTY COMMISSIONERS  
COLLIER COUNTY, FLORIDA

By: \_\_\_\_\_  
Deputy Clerk

By: \_\_\_\_\_  
GEORGIA A. HILLER, ESQ.  
Chairwoman

Approved for form and legality:

**DRAFT**

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Heidi Ashton-Cicko  
Managing Assistant County attorney

Attachment: Exhibit A – Capital Improvement Projects

13-CMP-008952