

EXECUTIVE SUMMARY

Recommendation to review and approve the 2015 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 and adopt an ordinance that updates the 5-year capital improvement schedules.

OBJECTIVE: To have the Board of County Commissioners (BCC) review and approve the combined 2015 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 FY15/16 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 BCC 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.

GROWTH MANAGEMENT IMPACT: The preparation and presentation of the AUIR to the Collier County Planning Commission (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. BCC direction to include the projects identified in the AUIR in a financially feasible FY15-16 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 LOSS 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 BCC 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 directed 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 eliminate school concurrency at this time, but no official position has been adopted by the District.**

Population – The population projections utilized with the 2015 AUIR are based upon prior BCC policy direction. The population method utilizes the 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	Permanent Population Following 5-Year BEBR Growth Projections					5 Year Growth Percent	Growth Percent Annualized
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	9.09%	1.82%
2012	328,339	332,893	337,446	342,000	348,720	355,440	8.25%	1.65%
2013	335,405	341,055	346,800	353,792	360,925	368,202	9.78%	1.96%
2014	338,728	345,100	351,647	358,318	365,116	372,042	9.84%	1.97%
2015	346,371	352,771	359,289	365,927	372,688	379,084	9.44%	1.89%

From review of the above table, which depicts the permanent population projections utilized for the past six years, the annualize growth rate is projected at under two percent of the total population. The recalibration of Collier County’s population through the 2010 Census had provided additional capacity to each of the AUIR/CIE population based systems. This decrease resulted in extending the time before the next unit of improvement was needed, but the population since the 2010 Census has continued to reduce the remaining capacity. This is evident in the fact that five sections are proposing improvements within the first two-years of the five-year Capital

Improvement Program. These sections are: Transportation, Stormwater, Emergency Management Services, Law Enforcement and Government Buildings.

One final note related to population and demand for public infrastructure and services relates to the County's improving vacancy rate. As the vacant units occupied, they have again begun to exert demands upon the systems available capacity, but while those demands will be taxing on the existing capacity, no additional impact fees are required to provide for system expansion, as those impact fees were paid when those units were constructed.

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 approved as to form and legality. – *HFAC*

FISCAL IMPACT: Revenues are required to fund the CIE projects proposed in the 2015 AUIR/CIE for the FY15-16 thru FY19-20 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 FY15-16 thru FY19-20 CIE planning period are set forth in each respective capital facilities section of the 2015 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.

COLLIER COUNTY PLANNING COMMISSION (CCPC) RECOMENDATION: The CCPC provided the BCC recommendations of unanimous approval of all Category "A", "B" and "C" facilities relative to projects and revenue sources of the 2015 AUIR/CIE as presented in each facility's Summary, with Category "A" facilities set forth for inclusion in the FY15-16 Schedule of Capital Improvements of the Annual CIE Update and Amendment. A recommendation that the School District's CIP to be included in the FY15-16 Schedule of Capital Improvements of the Annual CIE Update and Amendment by reference, and to adopt them with the Annual CIE Update and Amendment. The CCPC also provided a recommendation for the Board, related to Stormwater Management, to consider the adoption of a policy for when a boat dock extension is requested in a drainage easement that the Board require that maintenance of the easement be performed by the applicant.

RECOMMENDATION: That the Board of County Commissioners:

1. Find based on the 2015 AUIR that adequate Stormwater Management drainage canals and structures⁺, Potable Water, Wastewater Collection and Treatment, Solid Waste Disposal, 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 2016 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 Capital Improvement Plan (CIP) to be included by reference within the FY15-16 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 2014 Annual Update and Inventory Report on Public Facilities (AUIR), including updates to the 5-Year Schedule of Capital Improvements (for Fiscal Years 2015/16 – 2019/20) and the Schedule of Capital Improvements for Future 5-Year Period (for Fiscal Years 2020/21 – 2024/25).

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Attachments

1. AUIR/CIE CCPC Staff Report
2. CIE Approval Ordinance
3. AUIR/CIE Adoption Notebooks.*

http://www.colliergov.net/ftp/2015BCCMeetings/AgendaNov1015/GrowthMgmt/2015_AUIR_Part_I_of_III.pdf

http://www.colliergov.net/ftp/2015BCCMeetings/AgendaNov1015/GrowthMgmt/2015_AUIR_Part_II_of_III.pdf

http://www.colliergov.net/ftp/2015BCCMeetings/AgendaNov1015/GrowthMgmt/2015_AUIR_Part_III_of_III.pdf

http://www.colliergov.net/ftp/2015BCCMeetings/AgendaNov1015/GrowthMgmt/Master_Plan_Summary_Report.pdf

** 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 as an upload into the "workflow" side of the SIRE (Agenda Central) viewing system [grey-tones only].*

⁺ *Excluding older pre-platted subdivisions for single family homes*