EXECUTIVE SUMMARY

Recommendation to review and approve the 2017 combined Annual Update and Inventory Report on Public Facilities and Schedule of Capital Improvements as provided for in Section 6.02.02 of the Collier County Land Development Code and Section 163.3177(3)(b), Florida Statutes and adopt a Resolution that updates the 5-year Capital Improvement Schedules.

(PL-20170000596/CPSP-2017-1)

OBJECTIVE: For the Board of County Commissioners (Board) to review and approve (adopt) the combined 2017 Annual Update and Inventory Report (AUIR)/Capital Improvement Element (CIE) on public facilities and the corresponding specific projects and associated funding sources for inclusion in the Schedule of Capital Improvements within the CIE during the FY17/18 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) to implement its Growth Management Plan adopted on January 10, 1989. Land Development Code (LDC) Section 6.02.00 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 LDC Section 6.02.02.

Statutory changes initiated by HB7207 in 2011 [which is now Chapter 2011-139, Laws of Florida] only require from each local government that they maintain concurrency management for its Stormwater Management System, Potable Water System, Wastewater Collection and Treatment System and Solid Waste Disposal services and facilities. During the 2011 AUIR/CIE process, the County decided to maintain concurrency for the optional facilities of Schools, Arterial and Collector Roads and Bridges, and Parks and Recreation facilities, based upon the perspective that maintaining concurrency management for the optional facilities is necessary to sustain the currently identified levels of service for the respective facilities and to ensure that the demands of new development are provided for by system expansion corresponding to those demands.

As noted, LDC Section 6.02.02 establishes the management and monitoring program for public facilities, which provides for an annual determination of Level of Service (LOS) Standard concurrency for Category “A” public facilities and identification of need for additional facilities. Category “A” facilities are arterial and collector roads, drainage system and stormwater management, potable water supply and distribution, wastewater collection and treatment, solid waste disposal, public schools, and parks. The AUIR also provides analysis and recommendations on Category “B” facilities for which the County has adopted LOS Standards and collects impact fees. Category “B” facilities are jail and correctional facilities, law enforcement, library buildings and collections, emergency medical services, and government buildings. Adoption of LOS Standards for Category “B” facilities legally validate impact fees for these facilities.

At the direction of the County Manager, Coastal Zone beach re-nourishment and inlet management projects were added to the AUIR in 2013, within a new Category “C”. This addition allows the Board to formally and predictably evaluate the condition of each project for their respective capital programming. Category “C” areas (coastal zone beaches and inlets) are not subject to concurrency management or coupled to impact fee funding. The quality and usability of these features are sustained through periodic surveys, and maintenance and management programs, funded with tourist development taxes and other revenue sources.

GROWTH MANAGEMENT IMPACT: Preparation and presentation of the AUIR to the CCPC and Board meets the requirements of LDC Section 6.02.02 for an annual determination of the status of public facilities. Board direction to include the projects identified in the AUIR in a financially feasible Schedule of Capital Improvements will establish and maintain concurrency for Category “A” public facilities, except roads, for the next twelve months. Road projects needed to remedy levels of service deficiencies must be in the first or
second year of the Schedule of Capital Improvements.

Based upon statutory changes initiated in 2011, the CIE Schedule of Capital Improvements is no longer required to be sent to the State Land Planning agency and requires only a single public hearing before the Collier County Planning Commission (sitting in its official role as the County’s land planning agency) and a single public hearing before the governing board (Board) as an adoption hearing. This single hearing process allows for concurrent hearings of the AUIR and CIE.

**Dependent Fire Protection Districts** – Prior to 2016, the County supported two dependent fire protection districts; the Ochopee Fire Control and Isles of Capri Fire Rescue Services. The Isles of Capri service area was officially annexed into the reconfigured, independent “Greater Naples Fire Rescue District” as of October 1, 2016. As an interim measure until annexation can be effected, effective November 1, 2016, the Ochopee service area is currently operating under a management services contract with the Greater Naples Fire Rescue District and their update and inventory are no longer components of the AUIR.

**Schools** – The Schools section of the AUIR stands as a unique component. A summary of the School District Five-Year Capital Improvement Plan is being provided for review by the CCPC. But when the AUIR is reviewed, the School District’s Capital Improvement Program (CIP) will already have been approved by the School Board, as required by the Florida Department of Education. The proposed School CIP has been reviewed by County staff in conjunction with School District staff to ensure no inconsistencies exist with the timing of new facilities and required infrastructure. The District’s five-year CIP includes the construction of an addition and renovations to the existing Immokalee High School (’22) and the planning, engineering and construction phases for a new high school (’23). While the Schools component is included as part of the Category “A” facilities which dictate the concurrency management system for the County, concurrency management for schools is administered by the School District.

The CIE was amended earlier in 2017, and requirements have changed for updating references to School District documents. Each year, the County adopts, by reference, into its CIE, the School District’s annually updated financially feasible Five-Year Capital Improvement Plan and the District Facilities Work Program to achieve and maintain the adopted level of service standards for Public School Facilities. The School District Five-Year Capital Improvement Plan identifies the financially feasible school facility capacity projects necessary to address existing deficiencies and future needs based on achieving and maintaining adopted LOS standards for schools. The District Facilities Work Program, prepared by the School District pursuant to Section 1013.35(1)(b), F.S., is adopted as part of the data and analysis in support of the School District’s Five-Year Capital Improvement Plan. Adoption by the County, of the School District’s Capital Improvement Plan and the District Facilities Work Program now occurs, without requiring separate action, with approval of the annual update to the Schedule of Capital Improvements.

The action sought related to the School District’s proposed CIP is to include the District’s Capital Improvement Plan by reference within the CIE and that no inconsistencies are contained within the District’s Capital Improvement Plan compared to the other planned capital improvements within the AUIR or CIE.

**Level of Service Appropriateness** – The AUIR provides the opportunity to evaluate the appropriateness of currently adopted LOS Standards. Within each individual section, the AUIR includes year-to-year demand for service or demands upon the system or facilities to assist the advisory boards and Board in this determination.

The established LOS Standards for most AUIR components are currently satisfied based upon the levels of service and current population levels, but steadily-increasing population growth continues to deplete the available capacity of the respective infrastructure and service providers. Based upon this diminishing capacity, the due diligence process to bring about the next generation of system and facilities’ expansions has begun and requires continued revenue growth needed to maintain the LOS Standards for the system providers.

Unlike Category “A” facilities, LOS Standards for Category “B” facilities are not classified in the CIE. They
are established by, and found only in, the AUIR. This means they may be evaluated here, as well as revised along with the AUIR itself. One such LOS Standard is evaluated and is recommended to be revised - this being the Standard for Law Enforcement Facilities. The current LOS Standard uses population figures to produce a requirement for a specified number of officers [Sheriff’s Deputies] to serve that population - and the building square footage needed for these officers. But the space needed for these personnel is no longer thought to be the best indicator, or Standard, on which to base the level of service. Certainly, the needs of the Sheriff’s Department continue to grow, but this growth is not necessarily correlated to population. Instead, it has changed to correlate more closely with the general changes occurring in the law enforcement profession - such as, the type of vehicles and equipment used (and their storage needs), technological advancements, dealing with aging facilities and the need to meet State standards for a convenient and secure Forensic Sciences Building, and so forth.

With these goals in mind, a revised LOS Standard is proposed; one which recognizes Law Enforcement facilities based on these current and future needs rather than officer counts.

**Population** – The population projections utilized with the 2017 AUIR are based upon prior Board policy direction and acceptance from the State of Florida Department of Economic Opportunity (DEO). 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 applied to permanent population projections. The chart below is a comparison of the past six years of projected permanent population growth.

<table>
<thead>
<tr>
<th>AUIR Year</th>
<th>BEBR Estimate</th>
<th>Permanent Population Following 5-Year BEBR Growth Projections</th>
<th>5 Year Growth Percent</th>
<th>Growth Percent Annualized</th>
</tr>
</thead>
<tbody>
<tr>
<td>2012</td>
<td>330,507</td>
<td>335,060 339,676 345,235 351,767 358,423</td>
<td>8.44%</td>
<td>1.69%</td>
</tr>
<tr>
<td>2013</td>
<td>338,230</td>
<td>343,928 350,296 357,359 364,564 371,914</td>
<td>9.96%</td>
<td>1.99%</td>
</tr>
<tr>
<td>2014</td>
<td>341,914</td>
<td>348,373 354,982 361,717 368,579 375,571</td>
<td>9.84%</td>
<td>1.97%</td>
</tr>
<tr>
<td>2015</td>
<td>346,371</td>
<td>352,771 359,289 365,927 372,688 379,084</td>
<td>9.44%</td>
<td>1.89%</td>
</tr>
<tr>
<td>2016</td>
<td>353,936</td>
<td>360,846 367,892 375,074 381,722 387,814</td>
<td>9.57%</td>
<td>1.91%</td>
</tr>
<tr>
<td>2017</td>
<td>360,825</td>
<td>368,073 375,467 382,465 389,053 395,753</td>
<td>9.68%</td>
<td>1.93%</td>
</tr>
</tbody>
</table>

The above table illustrates 2017 as another successive year in which the annualized growth rate is projected at under two percent of the total population. This outlook continues to reinforce the contemporary growth reality for the County. The recalibration of Collier County’s population through the 2010 Census had provided additional capacity to each of the AUIR/CIE population based systems; but as noted, the population added since 2010 continues to consume this capacity. As such, each of the AUIR providers continue the due diligence process for their next system expansion. The population increase for the five-year population projection period totals 34,928 or 6,986 per year. The 6,986 of annual new population, utilizing the County’s average 2.38 person per household rate, translates to 2,935 new dwelling units (assuming the new population were housed only by new units and not existing inventory). Based upon the CO data compiled by Growth Management for April 2016 through March 2017, approximately 2,776 single-family dwellings were constructed and 980 multi-family units built – for a total of 3,756 units completed. This figure represents an increase over the previous year’s residential construction, when 3,325 units were completed. These figures are provided to better evaluate the market’s response to the demand for new housing units.

In addition, on June 27 by Resolution 2017-123, the Board directed that population projections for Golden Gate City be prepared beginning with fiscal year 2017/18. The expectation is for the County to serve all portions of the Florida Governmental Utility Authority (FGUA) franchise utility service area east of Santa
Barbara Blvd. within the 10-year AUIR planning window. The future service area can be more specifically described as all of Sections 21, 22, 23, and 28 and portions of Sections 15 and 16 in Township 49 S, Range 26 E, as bounded by Green Blvd. on the north, Collier Blvd. on the east, Golden Gate Canal on the south, and Santa Barbara Blvd on the west. The population figures for this area are provided within Appendix I of the AUIR/CIE booklet.

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**Fiscal Impact:** Revenues are required to fund the CIE projects proposed in the 2017 AUIR/CIE for the FY17/18 thru FY21/22 planning period to maintain financial feasibility of scheduled Category “A” facility improvements. These funds must be made available by the Board of County Commissioners or fall within the Board’s statutory general governmental taxing authority. Current and proposed revenues needed to fund public facility construction/Expansion for FY17/18 thru FY21/22 CIE planning period are set forth in each respective capital facilities section of the 2017 AUIR/CIE update. Project expenditures more than estimated impact fee, gas tax, and user fee revenue receipts and funded bonds are reflected as being augmented by general governmental sources in the body of this document. General governmental sources are those existing sales tax revenues and other state shared revenues, or ad valorem allocations at the Board’s discretion. Note that all projects identified within the Category “A” facilities have identified funding for the improvement.

All Category “B” facility improvements require loans from general governmental sources to augment the impact fee, interest, and other revenue sources. Additionally, to fund the proposed five-year improvements contained within this year’s CIE will require the Board to utilize Debt Service, or to initiate other options provided by Policy 2.9 of the CIE to address the situation. The informational tables detailing the revenue and debt service for the AUIR divisions/departments for the five-year capital improvement planning period, as well as the long-term debt financing schedules, are provided within Appendix I of the AUIR/CIE booklet.

Transportation system improvements within this FY2018 five year planning window will require additional capital funding. Funding options will be evaluated by the Board as part of the FY 2019 budget policy discussion.

It should be noted that the revenue required for the improvements identified within this year’s AUIR/CIE will require debt financing.
LEGAL CONSIDERATIONS: Section 163.3711 (3)(b), F.S. provides “The capital improvements element must be reviewed by the local government on an annual basis. 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”. This item is approved as to form and legality. Since the modification of the capital improvement schedule is not a Growth Management Plan amendment, a simple majority vote of the Board is needed for adoption. [HFAC]

COLLIER COUNTY PLANNING COMMISSION (CCPC) RECOMMENDATION: The CCPC heard this petition at their October 19, 2017 meeting. The CCPC provided the Board recommendations of unanimous approval to: accept and approve the attached document as the 2017 Annual Update and Inventory Report on Public Facilities; accept and approve by separate motion and vote the Category “A”, “B” and “C” facilities relative to projects and revenue sources, with Category “A” facilities set forth for inclusion in the Schedule of Capital Improvements of the annual CIE update and amendment; find that no inconsistencies are contained within the School District’s Capital Improvement Plan compared to the other planned capital improvements within the AUIR or CIE; consider alternative levels of service for individual components of the AUIR, where deemed appropriate; and, adopt the CIE Schedule of Capital Improvements update, and by reference, the School District’s Capital Improvement Plan and the District Facilities Work Program.

The CCPC also provided the Board with a recommendation to consider inventorying and showing graphically beach accesses as a component of the Parks and Recreation Facilities section in the AUIR, rather than being reported along with other facilities in an appendix.

STAFF RECOMMENDATION TO THE BOARD OF COUNTY COMMISSIONERS: That the Board of County Commissioners:

1. Find based on the 2017 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 Section 6.02.02 of the LDC, to support development order issuance until presentation of the 2018 AUIR.

2. Provide a motion that sufficient road network capacity in the Transportation Concurrency Management Database is available for continued operation of the real-time declining balance ledger to support development order issuance.

3. Find that no inconsistencies are contained within the School District’s Capital Improvement Plan compared to the other planned capital improvements within the AUIR or CIE.

4. Approve an alternative level of service for the Category “B”, Law Enforcement component of the AUIR, as deemed appropriate.

5. Approve the Resolution relating to the Capital Improvement Element of the Collier County Growth Management Plan to incorporate projects based on the 2017 Annual Update and Inventory Report on Public Facilities (AUIR), including updates to the 5-Year Schedule of Capital Improvements (for Fiscal Years 2017/18 - 2021/22) and the Schedule of Capital Improvements for Future 5-Year Period (for Fiscal Years 2022/23 - 2026/27) and transmit to the Florida Department of Economic Opportunity.

Prepared by: Mike Bosi, AICP, Director, Zoning Division, Growth Management Department

* 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 ACCELA (Minute Traq) viewing system.

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