

**Lee County Board of County Commissioners
Agenda Item Summary**

DATE CRITICAL ✓
Blue Sheet No. 20040258

1. REQUESTED MOTION:

ACTION REQUESTED: Review and approve the Lee County School District Capital Improvements Plan for educational facilities for Fiscal Year 2003-2004.

WHY ACTION IS NECESSARY: Lee County Land Development Code (LDC) requires that the Lee County School Board present the Capital Improvements Program for educational facilities to the Board of County Commissioners for approval.

WHAT ACTION ACCOMPLISHES: Compliance with LDC provisions governing the use of School Impact Fee revenues.

**2. DEPARTMENTAL CATEGORY:
COMMISSION DISTRICT C**

C12A

3. MEETING DATE:

03-16-2004

4. AGENDA:

- CONSENT
- ADMINISTRATIVE
- APPEALS
- PUBLIC
- WALK ON
- TIME REQUIRED:

**5. REQUIREMENT/PURPOSE:
(Specify)**

- STATUTE
 - ORDINANCE LDC 2-409(b)
 - ADMIN. CODE
 - OTHER
- (School Impact Fee Ordinance)

6. REQUESTOR OF INFORMATION:

- A. COMMISSIONER
 - B. DEPARTMENT County Attorney
 - C. DIVISION
- BY: *Donna Marie Collins*
Donna Marie Collins
Chief Assistant County Attorney

7. BACKGROUND:

In January 2001, the School Board requested the Board of County Commissioners to endorse the School Board's pursuit of a School Impact Fee Study with the understanding that the study would subsequently be presented to the Board in the form of a School Impact Fee Ordinance. The Board of County Commissioners adopted a Countywide School Impact Fee Ordinance later that year.

The School Impact Fee Ordinance was challenged by the BIA and others shortly thereafter and is currently in litigation. Until recently, all school impact fees collected pursuant to the Ordinance were held in escrow by the County pending the resolution of the lawsuit. However, the Board has recently authorized the disbursement of 50 percent of all fees collected to the School District. Quarterly disbursements of 50 percent of fees collected will continue until the resolution of the pending litigation challenging the imposition of the fee.

8. MANAGEMENT RECOMMENDATIONS:

9. RECOMMENDED APPROVAL:

A Department Director	B Purchasing or Contracts	C Human Resources	D Other	E County Attorney	F Budget Services				G County Manager
n/a	n/a	n/a	n/a	<i>DMC 03/10/04</i>	<i>OA RK 3/4</i>	<i>OM 3/4/04</i>	<i>RISK 08 3/4/04</i>	<i>GC 3/4/04</i>	<i>[Signature]</i>

10. COMMISSION ACTION:

- APPROVED
- DENIED
- DEFERRED
- OTHER

CO. ATTY.
FORWARDED TO:
*11:00 a.m.
ADM. 3/4/04*

RECEIVED BY
COUNTY ADMIN:
03/04/04
11:05 a.m. 17
COUNTY ADMIN
FORWARDED TO: *RK*
3/4/04
9:30 p.m.

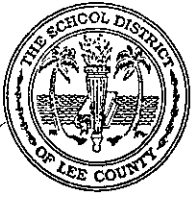
Subject: Lee County School District Capital Improvements Plan for educational facilities for Fiscal Year 2003-2004.

The School Impact Fee Ordinance includes a provision that requires the School Board to present a proposed Capital Improvements Program for educational facilities each fiscal period to the Board of County Commissioners. The purpose of the program is to assign funds, including accrued interest from School Impact Fee Capital Fund, to specific educational facility projects. The ordinance provides that school impact fee funds may only be expended according to a Capital Improvements Program that has been approved by the Board of County Commissioners.

To date, the School District Capital Improvements Programs have not been presented to the Board because all fees collected were maintained in escrow. Given the Board's recent decision to disburse 50 percent of fees held in escrow, as well as the decision to make future disbursements on a quarterly basis, it is necessary for the Board to review and approve the Capital Improvements Program for the School District.

Attachment: Lee County School District Capital Plan Summary Fiscal Year 2003-2004

TJ
FII
9/11



THE SCHOOL DISTRICT OF LEE COUNTY.

COPY

James W. Browder, Ed.D.
Superintendent
2055 Central Avenue, Fort Myers, Florida 33901-3916
Phone (239) 337-8301 • Fax (239) 337-8378 • Suncom 759-8301 • TTD/TTY (239) 335-1512

December 5, 2003

Mr. Ray Judah, Chairman
Board of County Commissioners
Post Office Box 398
Fort Myers, FL 33902-0398

2003 DEC - 8 AM 8:02
RECEIVED BY
LEE CO. ATTORNEY

Re: Impact Fees

Dear Mr. Judah:

Attached is a copy of the Lee County School District's Capital Improvements Plan for educational facilities for fiscal year 2003-2004. This document is provided pursuant to Section 2.419 of Lee County Ordinance 01-21. This report has not been previously submitted to the Board of County Commissioners due to the fact the funds are being held in escrow while litigation challenging the constitutionality of the ordinance continues. Due to this continuing litigation, line 5 of page one indicates zero projected revenue from impact fees for fiscal year 03/04 and each subsequent year. I understand that school impact fees collected total \$36,067,292.29 as of December 4, 2003. The fees include \$15,144,596.12 collected in the West Zone; \$6,885,968.47 collected in the East Zone and \$14,036,727.70 collected in the South Zone. Page six of the plan shows \$366,293,707 of unfunded capital need for fiscal years 2004-2008. This amount reflects the need for new student stations in each zone caused by growth in the student population. If impact fees were presently available, they would be spent in the zones collected to address these unfunded needs.

Sincerely,

James W. Browder, Ed.D.
Superintendent

JWB:cm

Attachment

cc: Mr. James Moore
Mr. Michael Olliff
✓ James G. Yeager, Esq.

CAPITAL PLAN SUMMARY

	Actual	03/04	04/05	05/06	06/07	07/08	SIX-YEAR TOTAL
1 ESTIMATED REVENUE							
2 Current Revenue	71,108,656	82,828,627	93,596,000	105,763,000	119,512,000	135,049,000	607,857,283
3 Taxes							
4 Impact Fees							
5 CO & DS	494,701	439,000	452,170	465,735	479,707	494,000	2,825,313
6 PECC New Construction	5,815,177	3,392,118	1,697,837	2,906,221	2,934,363	3,000,654	19,746,370
7 PECC Maintenance	1,736,356	3,181,187	2,616,241	2,554,884	2,710,261	2,844,450	15,643,379
8 SIT Awards							
9 Charter Schools Revenue	256,188	393,840					650,028
10 Class Size Reduction Capital	20,557,312						20,557,312
11 Misc.	213,639	100,000	100,000	100,000	100,000	100,000	713,639
12 Interest	2,090,289	2,731,800	1,378,000	1,623,000	1,673,000	1,953,000	11,449,089
13 Current Revenue sub-total	81,715,006	113,623,884	99,840,248	113,412,840	127,409,331	143,441,104	679,442,413
14 Additional Revenue							
15 Fund Balance - Allocated	64,011,294	146,149,722					
16 Fund Balance - Unallocated	747,736	4,766,201	39,663,183	50,806,730	41,864,265	57,055,536	
17 Prior Year Refund	(35,231)						(35,231)
18 DEBT PROCEEDS							
19 SBE BOND	83,035,408						83,035,408
20 237.161 LOAN		1,390,000					1,390,000
21 FY03 COPs							
22 FY04 COPs							
23 Debt Proceeds - sub-total	83,035,408	148,000,000					148,000,000
24 TOTAL ESTIMATED REVENUE	229,474,213	413,929,807	139,503,431	164,219,570	169,273,596	200,496,640	976,591,620
25 APPROPRIATIONS							
26 EAST ZONE CONSTRUCTION PROJECTS	5,697,483	55,910,529		17,645,300	27,078,550	55,345,796	161,677,658
27 SOUTH ZONE CONSTRUCTION PROJECTS	6,512,030	85,524,858	17,317,600	17,813,300	18,946,600	18,946,600	146,114,388
28 WEST ZONE CONSTRUCTION PROJECTS	13,661,485	94,691,629		17,729,300	18,266,300	18,850,600	163,199,314
29 SUPPORT FACILITIES PROJECTS	1,952,628	26,252,955					28,205,583
30 OTHER CAPITAL PROJECTS	15,301,037	54,393,478	21,796,090	18,759,578	18,596,565	19,119,369	147,966,117
31 TECHNOLOGY	1,783,657	10,578,885	2,612,453	2,743,075	2,880,229	3,024,240	23,622,539
32 EQUIPMENT/BUSES	4,083,651	5,909,273	5,985,500	6,279,700	6,588,600	6,913,100	35,759,824
33 TRANSFERS	3,276,673	7,348,350	7,371,781	7,814,087	8,282,933	8,779,909	42,873,732
34 DEBT SERVICE	26,289,646	33,656,667	33,613,278	33,570,964	30,524,884	30,518,722	188,174,161
35 TOTAL APPROPRIATIONS	78,558,290	374,266,624	88,696,701	122,355,305	112,218,061	161,498,336	937,593,316
36 ALLOCATED FUND BAL CARRYFORWARD	146,149,722						
37 CARRYFORWARD/RESERVE FUTURE PROJ. **	4,766,201	39,663,183	50,806,730	41,864,265	57,055,536	38,998,304	
38 ADJUSTMENTS TO FUND BALANCE							
39 TOTAL APPROPRIATIONS AND RESERVES	229,474,213	413,929,807	139,503,431	164,219,570	169,273,596	200,496,640	976,591,620
40 ** is not an indication of available funding due to restrictions applicable to various sources of capital funding.							

Notes: This plan does not include any provision for the addition of classrooms for Pre-K. The priority of building new schools shown in this plan could change due to shifts in student population within each zone. Projects are currently being identified for the Class Size Reduction revenue stream. Once this occurs, the carryforward (line 42) will decrease by \$20.5 million.

SCHOOL PROJECTS

Pj #	PROJECT	STUDENT SEATS	Actual						Six Year Total
			02/03	03/04	04/05	05/06	06/07	07/08	
46 A.	EAST ZONE CONSTRUCTION PROJECTS								
47	7241 LEHIGH SENIOR BUILDOUT	336	286,558						286,558
48	7591 RIVERDALE SAFETY RENOVATIONS		1,524,696	989,616					2,514,312
49	LAND EAST ZONE SCHOOLS		280,937	2,987,791					3,268,728
50	7271 LEE MIDDLE	50	67,925						67,925
51	7242 VARSITY LAKES MIDDLE	1,260	2,887,857	19,016,991					21,904,848
52	7851 VETERANS PARK ELEMENTARY	500	227,383	7,580,417					7,807,800
53	7852 VETERANS PARK MIDDLE	776	422,127	13,471,377					13,893,504
54	7594 RIVERDALE MODULARS	220		1,864,337					1,864,337
55	EAST ZONE ELEMENTARY	1,000		10,000,000					10,000,000
56	EAST ZONE MIDDLE	1,000			17,645,300				17,645,300
57	EAST ZONE MIDDLE	1,334							17,078,550
58	EAST ZONE HIGH	2,000				27,078,550			27,078,550
59						55,345,796			55,345,796
60 L28	SUB-TOTAL EAST ZONE CONSTRUCTION PROJECTS		5,697,483	55,910,529		17,645,300	27,078,550		161,677,858
61									
62									
63 B.	SOUTH ZONE CONSTRUCTION PROJECTS								
64									
65	7831 DUNBAR HIGH	1,132	665,352	491,914					1,157,266
66	7832 DUNBAR ATHLETIC FACILITIES		265,647						265,647
67	7961 THE SANIBEL SCHOOL	394	957,503	7,358,739					8,316,242
68	7321 BONITA ELEM MODULAR	75		750,000					750,000
69	7841 LAND-BONITA SITE		1,390,139						1,390,139
70	LAND SOUTH ZONE SCHOOLS		3,233,389	8,924,205					12,157,594
71	SOUTH ZONE MIDDLE SCHOOL	1,334		18,000,000					18,000,000
72	COMPREHENSIVE HIGH SCHOOL	2,106		50,000,000					50,000,000
73	SOUTH ZONE ELEMENTARY	1,000			17,317,600				17,317,600
74	SOUTH ZONE ELEMENTARY	1,000							17,813,300
75	SOUTH ZONE ELEMENTARY	1,000					17,813,300		17,813,300
76 L29	SUB-TOTAL SOUTH ZONE CONSTRUCTION PROJECTS		6,512,030	85,524,858	17,317,600	17,813,300	18,946,600		146,114,388

SCHOOL PROJECTS - CONTINUED

Pri #	PROJECT	STUDENT SEATS	Actual						Six Year Total
			02/03	03/04	04/05	05/06	06/07	07/08	
77	C. WEST ZONE CONSTRUCTION PROJECTS								
78	7814 HIGH TECH CENTRAL		2,885,789	5,217,878					8,103,667
79	7721 MARINER HIGH		41,453						41,453
80	7621 CAPE CORAL HIGH	70	286,673	753,216					1,039,889
81	7601 NFM ACADEMY FOR THE ARTS		8,641,730	2,397,412					11,039,142
82	7673 NEW ELEMENTARY Q	500	413,906	7,514,642					7,928,548
83	7722 MARINER MIDDLE	776	511,938	13,402,148					13,914,086
94	7762 TRAFALGAR ELEMENTARY	500	757,790	7,292,205					8,049,995
85	LAND WEST ZONE SCHOOLS		122,206	8,114,128					8,236,334
86	COMPREHENSIVE HIGH SCHOOL	2106		50,000,000					50,000,000
87	WEST ZONE ELEMENTARY	1000					17,729,300		17,729,300
88	WEST ZONE ELEMENTARY	1000						18,266,300	18,266,300
89	WEST ZONE ELEMENTARY	1000							18,850,600
90	L30 SUB-TOTAL - WEST ZONE PROJECTS		13,661,485	94,691,629		17,317,600	53,187,900	45,344,850	163,199,314
91	TOTAL - SCHOOL CONSTRUCTION PROJECTS		25,870,998	236,127,016	17,317,600	53,187,900	93,142,996		470,991,360
92	D. SUPPORT FACILITIES PROJECTS								
93	7806 REFUELING FACILITY		1,876,368	322,623					2,198,991
94	7808 ANCILLARY TRANSPORTATION DEPOT EAST*		28,314	1,974,982					2,003,296
95	7810 ANCILLARY TRANSPORTATION DEPOT SOUTH*		47,946	3,955,350					4,003,296
96	SCHOOL/ADMINISTRATIVE COMPLEX**			20,000,000					20,000,000
97	L32 TOTAL SUPPORT FACILITIES PROJECTS		1,952,628	26,252,955					28,205,583
99	TOTAL CONSTRUCTION PROJECTS		27,823,626	262,379,971	17,317,600	53,187,900	93,142,996	45,344,850	499,196,943

*The District plans to build two ancillary transportation depots for a total cost of \$6 million. These depots will provide an enclosed work area for full bus repairs, bus fueling facilities, repair parts inventories, and parking for 450 school buses (150 east, 300 south).

**The District plans to acquire administrative office space funded through the FY04 COPs issue. The issue will be repaid using local capital tax revenues shown on line 4 of this plan.

OTHER CAPITAL PROJECTS

Prj #	PROJECT	STUDENT SEATS	Actual						Six Year Total
			02/03	03/04	04/05	05/06	06/07	07/08	
100	E. SMALL CAPITAL PROJECTS								
101	7182 PORTABLES		1,565,676	8,246,005	2,300,000	240,000	240,000	240,000	12,831,681
102	7143 COUNTYWIDE ROOF REPLACEMENT		787,248	1,859,615	1,250,000	1,325,000	1,405,000	1,500,000	8,126,863
103	7142 COUNTYWIDE HVAC		1,606,808	5,998,655	3,155,000	3,250,000	3,348,000	3,583,000	20,941,463
104	7189 MAINTENANCE PROJECTS		4,031,903	11,192,515	8,410,000	8,294,500	8,665,110	8,872,675	49,466,703
105	7064 SAFETY TO LIFE		1,996,602	22,712,598	3,540,000	3,295,000	2,101,000	2,161,000	35,806,200
106	7188 CONSTRUCTION & PLANNING PROJECTS		799,671	3,312,829	2,153,200	1,293,400	1,735,800	1,597,200	10,892,100
107	9105 SAFETY & INSPECTIONS		150,531	181,976	139,250	161,400	147,000	153,200	933,357
108	9145 TECHNOLOGY REPAIR			89,500					88,500
109	F. CAPITALIZED PERSONNEL								
110	7993 NETWORK SUPPORT		191,844						191,844
111	7994 SAFETY COORDINATION		284,079						284,079
112	7995 SERVER SUPPORT		80,867						80,867
113	7996 PRINTING SERVICES		28,912						28,912
114	7997 TECHNOLOGY REPAIR		365,885						365,885
115	7998 BUILDING MAINTENANCE & RENOVATION		3,411,011						3,411,011
116	7999 FACILITIES PROJECT MANAGEMENT			800,785	848,640	900,278	954,655	1,012,294	4,516,652
117									
118	L33 TOTAL SMALL PROJECTS & PERSONNEL		15,301,037	54,393,478	21,796,090	18,759,578	18,596,565	19,119,369	147,966,117
119									
120	G. TECHNOLOGY								
121	TECH CARRYOVER			90,835					90,835
122	9132 TECH EQUIPMENT/SOFTWARE		1,783,657	2,488,050	2,612,453	2,743,075	2,880,229	3,024,240	15,531,704
123	7105 DISTRICT SOFTWARE SYSTEMS*			8,000,000					8,000,000
124	L34 TOTAL - TECHNOLOGY		1,783,657	10,578,885	2,612,453	2,743,075	2,880,229	3,024,240	23,622,539

*Comprehensive software solutions to address the Student Information and the Business Applications needs of the School District are needed. A total cost of \$8 million is projected, which will include the software for both major system replacements, required hardware for central data warehousing as well as upgraded hardware for distributed processing at over 70 sites, and all installation associated with both the hardware and software acquisitions.

OTHER CAPITAL PROJECTS

Pj #	PROJECT	STUDENT SEATS	Actual 02/03	03/04	04/05	05/5	06/07	07/08	Six Year Total
125	H. EQUIPMENT AND BUSES								
126	7145&6 SCHOOL/DEPT. EQUIPMENT		1,556,620	2,385,568	1,496,700	1,566,500	1,639,800	1,716,800	10,361,988
127	7192 PURCHASE OF BUSES		2,527,031	3,523,705	4,488,800	4,713,200	4,948,800	5,196,300	25,397,836
128	L35 TOTAL - EQUIPMENT/BUSES		4,083,651	5,909,273	5,985,500	6,279,700	6,588,600	6,913,100	35,769,824
129									
130	I. TRANSFERS								
131	TRANSFER FOR CHARTER SCHOOLS		231,620	393,840					
132	9600 TRANSFER FOR MAINTENANCE		3,045,053	6,954,510	7,371,781	7,814,087	8,282,933	8,779,909	625,460
133	L36 TOTAL TRANSFERS		3,276,673	7,348,350	7,371,781	7,814,087	8,282,933	8,779,909	42,248,272
134									
135									
136	J. DEBT SERVICE								
137	FY93 COPs		4,395,847	2,035,320	2,038,730	2,038,080			4,395,847
138	FY94 COPs		2,040,665	7,593,190	7,593,200	7,593,500			8,152,795
139	FY95A REFUNDING COPs		7,610,854	2,050,446	2,049,210	2,048,810	7,590,500	7,595,400	45,576,644
140	FY97 COPs		2,054,764	2,826,628	2,825,134	2,825,134	2,049,910	2,047,160	12,300,300
141	FY99 REFUNDING COPs		2,841,284	2,833,528	9,012,766	9,019,066	4,862,508	10,126,508	26,315,500
142	FY03 COPs		3,723,397	9,004,566	7,000,000	7,000,000	9,021,966	3,749,654	43,531,415
143	FY04 COPs								
144	FY98 - 1011.13 LOAN		89,435	7,000,000	7,000,000	7,000,000	7,000,000	7,000,000	35,000,000
145	FY01- 1011.13 LOAN		3,533,400	3,139,617	3,092,744	3,046,374			89,435
146	L37 TOTAL DEBT SERVICE		26,289,646	33,656,667	33,613,278	33,570,964	30,524,884	30,518,722	12,812,135
147	Value of 1.0 Mill		35,554,328	41,414,314	46,798,000	52,881,500	59,756,000	67,524,500	188,174,161
148	Debt Service as % of 1.0 Mill		63.8%	81.3%	71.8%	63.5%	51.1%	39.6%	

ATTACHMENT A

PROJECT FUNDING NEEDS NOT MET BY THIS PLAN

Pj #	PROJECT	STUDENT SEATS	Six Year Total						
			02/03	03/04	04/05	05/06	06/07	07/08	
149	WEST ZONE								
150	HIGH SCHOOL	2106			51,228,915				51,228,915
151	MIDDLE SCHOOL	1334			23,827,024				23,827,024
152	HIGH SCHOOL	2106					54,053,223		54,053,223
153	MIDDLE SCHOOL	1334					25,412,038		25,412,038
154	SOUTH ZONE								
155	MIDDLE SCHOOL	1334			25,815,409				25,815,409
156	ELEMENTARY SCHOOL	1000			17,317,600				17,317,600
157	ELEMENTARY SCHOOL	1000			17,317,600				17,317,600
158	HIGH SCHOOL	2106			47,333,495				47,333,495
159	MIDDLE SCHOOL	1334					25,532,838		25,532,838
160	MIDDLE SCHOOL	1334						26,487,065	26,487,065
161	EAST ZONE								
162	ELEMENTARY SCHOOL	1000			17,161,600				17,161,600
163	ELEMENTARY SCHOOL	1000			17,161,600				17,161,600
164	ELEMENTARY SCHOOL	1000					17,645,300		17,645,300
165	TOTAL UNFUNDED NEED			217,163,243		104,998,099		26,487,065	366,293,707