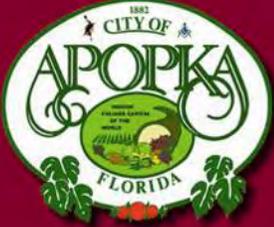


# City of Apopka

## Comprehensive Plan 2030



### Capital Improvements Element



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# CAPITAL IMPROVEMENTS ELEMENT

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## **CAPITAL IMPROVEMENTS ELEMENT**

### **INTRODUCTION**

#### **PURPOSE AND SCOPE**

The purpose of the Capital Improvements Element (CIE) is:

- a. to evaluate the need for public facilities as identified in the other comprehensive plan elements;
- b. to estimate the cost of improvements for which the City of Apopka has fiscal responsibility;
- c. to analyze the fiscal capability of the City to finance and construct improvements;
- d. to adopt financial policies to guide the funding of capital improvements and schedule the funding and construction of improvements consistent with the City's Concurrency Management System (CMS);
- e. to ensure that an adequate CMS will be implemented by the City.

The CIE differs from the City's Capital Improvement Program (CIP) in that the CIE is limited only to those improvements identified in the other elements of the comprehensive plan. The CIE demonstrates the economic feasibility of the comprehensive plan, focusing on the capital outlay required to meet existing deficiencies and maintain level of service (LOS) standards adopted in the plan.

The City's CIP is a schedule of all future capital improvements required to maintain current facilities and to expand facilities as necessary to provide services to new development in accordance with adopted LOS standards. The CIP is a direct input into the annual budgeting process, providing a list of capital improvements, including cost estimates and anticipated means of financing, and provides a detailed funding schedule for a five-year period. The priority and schedule for CIP projects are amended annually to ensure consistency with the comprehensive plan and to ensure adequate funding.

This element provides the framework the City of Apopka shall use to prioritize capital improvements, allocate financial resources, determine the timing and location of capital improvements and monitor compliance with the comprehensive plan. Discussion of local policies and practices as well as a detailed fiscal assessment are provided.

## **PUBLIC FACILITY NEEDS IDENTIFIED IN OTHER PLAN ELEMENTS**

The applicable elements have identified various capital improvements necessary to meet the recommended level of service standards. In addition, Rule 9J-5.016, Florida Administrative Code (F.A.C.) requires the City to assure adequate public facilities to service public health and education needs. An assessment of the required public facilities is presented below.

### **TRANSPORTATION**

Orange County and the Florida Department of Transportation (FDOT) are responsible for maintaining and improving county and state roads, respectively. The City's Five-Year Schedule of Capital Improvements adopts by reference the five-year Transportation Improvement Program (TIP) adopted annually by MetroPlan that identifies funding for county and state roads to address present or expected deficiencies. The City shall continue to participate in the MetroPlan planning process and in the development of the TIP and the five-year Transit Development Plan (TDP).

A portion of US 441 is listed as an FDOT "Constrained Facility" and a portion is listed as an FDOT "Backlogged Facility." US 441 is one of only two roadways in the City that are currently operating at or below the adopted LOS standard. US 441, from Park Avenue to SR 436, is operating at a LOS "F." The segment of Welch Road from Rock Springs Road to Thompson Road is operating at a LOS "E.". The City is coordinating with FDOT's consultant in the preparation of a corridor plan for US 441 to address these issues.

With the 2009 passage of Senate Bill 360, Apopka has been designated a "Dense Urban Land Area" (DULA) and, therefore, is exempt from state-mandated transportation concurrency. The City's entire municipal limits are designated as a Transportation Concurrency Exception Area (TCEA) and the City is required to adopt land use and transportation strategies that support and fund mobility. The DULA designation allows the City to address any transportation system concerns using a variety of comprehensive, multi-modal programs and facilities rather than focusing on individual roadway segments having to meet concurrency standards.

### **SOLID WASTE**

The City of Apopka provides solid waste collection services to residential and commercial customers. The City has curbside pick-up service for residential solid waste collection and also provides collection services for recyclable waste. The City does not collect hazardous household waste. Orange County collects the hazardous waste or the citizens may dispose of the residential

hazardous waste at the landfill or at community pickup sites on advertised days throughout the year. All items collected by the City of Apopka are delivered to the Orange County Landfill.

Based on projections presented in the Solid Waste Element, Orange County currently has adequate landfill capacity to meet the City's needs through the planning timeframe.

#### **STORMWATER MANAGEMENT**

The City's Drainage Master Plan was updated in April 2009. The master plan has identified one problem area that needs to be addressed, the flooding that occurs within the Lake Avenue/Main Street Drainage Basin during heavy rainfall events. Recommended improvements for correcting this flooding problem include installation of two manholes, two junction boxes, and approximately 1,800 feet of 30-inch drainage pipe.

In order to address future development impacts upon the City's drainage system, the City will incorporate sustainable stormwater management principles into its Land Development Code (LDC). Sustainable stormwater management principles require or encourage the use of natural features and/or environmentally-friendly concepts to reduce flooding and waste rather than structural alternatives. The City will revise its LDC to include requirements or guidelines for sustainable stormwater management, including the use of swales and grassy channels, bioretention, infiltration, retention/detention ponds, and porous pavements and other pervious materials

#### **POTABLE WATER**

The City of Apopka owns, operates and maintains five water plants and a water distribution system. The City has not identified any current LOS standard deficiencies within the potable water treatment and distribution system; however, In order to meet the potable water consumption needs through 2030, the City will need one additional water plant. The City's CIP identifies various projects scheduled in the next five years, which represent facility upgrades or ongoing maintenance requirements.

All of the City's water treatment plants have consistently operated in compliance with criteria established by the Florida Department of Environmental Protection (FDEP) with respect to public water supplies. The City operates and maintains each plant in good operating condition and performs repairs and/or upgrades to each plant as required on an individual basis. Overall, the performance of the distribution system is adequate, provided the City performs regular maintenance.

## RECREATION AND OPEN SPACE

As of December 2009, the Apopka public park system included nine City parks and four Orange County parks encompassing 291.92 acres. These park and recreation facilities provide approximately 273.22 acres of community parks and 18.7 acres of neighborhood parks.

The inventory of recreation and open space facilities indicates that the City of Apopka currently provides more than the established LOS standard of three acres of park land per 1,000 residents and will have no deficiencies through 2010. Based on population projections, by 2030 the City will have a deficit of 84.69 acres of parkland.

## PUBLIC EDUCATION AND HEALTH SYSTEMS

### PUBLIC EDUCATIONAL FACILITIES

The City of Apopka is served by- eleven elementary schools, three middle schools and two high schools. An inventory of these public education facilities, including enrollment and capacity information is presented in **Table 7-1** and their locations shown on **Map 7-1**.

**TABLE 7 - 1: INVENTORY OF PUBLIC SCHOOLS**

Name of School	2007-08 Enrollment	Adj. FISH Capacity	2007-08 LOS Adjusted. FISH Capacity.	Projected Enrollment 2011-12	Future LOS 2011-12
Elementary					
Apopka	524	944	56%	801	90%
Clay Springs	863	656	132%	788	120%
Clarcona	1,017	558	182%	1,518	272%
Dream Lake	829	612	135%	823	134%
Lakeville	909	596	153%	861	144%
Lovell	768	482	159%	867	180%
Rock Springs	764	550	139%	1,012	184%
Wheatley	398	815	49%	651	80%
Wolf Lake	930	828	112%	1,193	144%
Middle					
Apopka					
Piedmont Lakes	976	1,020	96%	1,200	118%
Wolf Lake	984	1,109	89%	1,210	109%
High Schools					
Apopka	2,941	3,329	133%	3,178	143%
Wekiva	1,746	2,449	98%	2,449	89%

**Source:** Orange County PSFE, 2008 (for 2007-08 School Year)

The City of Apopka adopted a Public School Facilities Element (PSFE) in July 2008. The PSFE sets forth a comprehensive approach to school planning in coordination with the Orange County School Board and other municipalities in the county. The City is a party

to the "Interlocal Agreement for Public School Facility Planning and School Concurrency," which was executed in July 2006 and amended in 2008. The other parties to the agreement are the Orange County Public Schools, Orange County and the municipalities.

As the Orange County School District works through the development of its FY 2009/10 to 2013/14 Five-Year Plan, the utilization of any school above 100% capacity will be redistributed to meet the requirements of concurrency. With boundary adjustments, program changes, and the additional capacity projects identified in the proposed five-year capital plan, the number of schools utilized over 100% will be reduced even further. **Table 7-2** identifies the schools that are projected to exceed the LOS standard by 2011-12 and the solutions for addressing the deficiencies. New construction will be funded using Certificates of Participation (COP).

**TABLE 7 - 2: ORANGE COUNTY SCHOOLS DEFICIENT IN 2011-12**

School Names by CSA <sup>1</sup>	2011 LOS	Seats Needed	Solution
Elementary Schools			
Apopka/Wolf Lake	136%	525	Current 10-Year Plan contains a relief school for Wolf Lake/Zellwood
Dream Lake, Rock Springs	158%	500	Add new school to 10-Year Plan to relieve CSA
Clarcona	136%	625	Add new school to 10-Year Plan to relieve CSA
Clay Springs/ Lakeville/ Lovell/Wheatley			Rezone or move programs from Clay Springs, Lakeville or Lovell into another CSA
Middle Schools			
Apopka	118%	175	Current 10-Year Plan contains a relief school for Wolf Lake that will also relieve Apopka
Wolf Lake	109%	100	Current 10-Year Plan contains a relief school for Wolf Lake
High Schools			
Apopka	110%	175	Rezone or move programs

<sup>1</sup> Concurrency Service Area

**Source:** Orange County PSFE, 2008

## **PUBLIC HEALTH FACILITIES**

There are no public health facilities located within the City limits of Apopka. The City is primarily served by Florida Hospital Apopka, a private institution.

The Apopka Fire Department provides the emergency operations center, including the 911 communications center for the cities of Apopka, Maitland and Eatonville. The City provides emergency management services (EMS) and generally transports patients to Florida Hospital in Apopka.

## **EXISTING REVENUE SOURCES AND FUNDING MECHANISMS**

The following is an inventory of the revenue sources available to the City to fund capital improvements. The inventory includes all major financial resources available to the City and is not limited to only those sources that will be used for capital improvement projects.

### **MUNICIPAL REVENUES**

**Ad Valorem Property Taxes** - are based on the assessed value of all real property and tangible personal property located within the City, less any authorized exemptions. The assessed value is determined by the Orange County Property Appraiser. The tax rate or millage is set by the City Council each fiscal year. One mill equals \$1 tax per each \$1,000 of taxable assessed value. There is generally no restriction on what property taxes can be spent. They can be used to fund personnel costs, operating expenses and capital expenditures. The 2009 City millage rate is 3.5168 mills. The City has traditionally used property taxes as one of the major funding sources for operating the general fund. In budget year 2008/09 property taxes accounted for approximately 27.5 percent of general fund revenue.

**Local Option Gas Tax** - are based on the City's share of the local six-cent option gas tax levied in Orange County. In accordance with Section 336.025, Florida Statutes (F.S.) all expenditures from this tax must be transportation-related.

**Municipal Utility Taxes** - are assessed on the purchase of electricity, water, natural gas and propane within the City. Section 166.231, F.S. authorizes cities to levy these taxes, but sets the maximum rate at ten percent. The City's current rate is ten percent

**Telecommunication Taxes** - are levied on telephone and cable users and right-of-way permit fees.

**Franchise Fees** - are levied on a utility or company in return for the privilege of doing business within the City's jurisdiction and/or for utilizing municipal rights-of-way. The rates are specified in the individual franchise agreements. The City currently collects franchise fees on electric, cable television, gas, water and sewer.

**Licenses and Permits, Fines and Forfeits** - This category primarily consists of: City occupational licenses, for which the rates have been limited by Florida Statutes; building and inspection permits; and court fines.

**Charges For Services and User Fees** - are charges for services provided by the City that are paid by the users of those services and are designed to fully or partially recover the costs incurred by the City in providing for the service. The primary sources of this revenue are the water, sewer and sanitation utility service charges received by the City's enterprise funds. There are also some general fund charges for services such as ambulance fees, recreation fees and zoning fees. As a general fund source, these revenues have relatively minor significance.

**Interest Income** - is revenue earned on funds invested by the City. These investments come from two sources, cash temporarily invested until it is to be spent and cash reserves maintained by the City in accordance with prudent fiscal policy. This is an important source of revenue both in the general and enterprise fund. Interest income can be a volatile revenue stream as it depends on factors such as current interest rates, the amount of cash available and federal regulations.

**Miscellaneous Revenue** - consists of such items as rental of City property, sale of surplus City property and contributions and donations from private sources. This is considered a very minor revenue source and an unstable revenue stream for future projections.

#### **INTERGOVERNMENTAL REVENUES**

This category is often referred to as "revenue sharing." These revenues are collected by one government and shared with other governmental units.

#### **State Sources**

Due to the steady decline of federal grant-in-aid programs over the past several years, as well as the elimination of federal revenue sharing in 1986, state-shared revenue programs have become the most important intergovernmental revenue source. Apopka, similar to

other cities in Florida, depends on annual disbursements from the state government to supplement its operating and capital budget revenues. Some of the specific programs are:

Local government half-cent sales tax - a percentage of the sales tax collected by the state is returned to the counties and cities and is distributed according to population.

State Revenue Sharing - the municipal portion of this is funded by sales tax and the municipal gas tax.

Other State Shared Sources - include mobile home licenses, alcoholic beverage licenses and motor fuel tax rebate.

### **Federal and State Grants and Loans**

Federal funds are currently either allocated to state agencies that administer block grants or reserved at the federal agency level and are disbursed as block grants directly to state and local agencies or other eligible organizations and individuals. The purpose of the block grant program is to enable greater latitude by recipients in actual use of the funds, although recipients are still required to use the funds for specific categories of projects. These funds are not distributed by allocation, but rather require competitive applications. Consequently, these grant monies are generally a non-recurring source of funds, and as such, cannot be accurately projected for budgeting purposes.

Other grants are administered at the state level, with state executive departments acting as "pass-through agencies" for federally-funded project grants. An example of this type of grant program is the Community Development Block Grant (CDBG). The U.S. Department of Housing and Urban Development, which administers the program, allocates 70 percent of its CDBG funds for "entitlement communities," or the larger urban areas. The remaining 30 percent of the funds are disbursed to state pass-through agencies. In Florida, the Department of Community Affairs (DCA) administers these grants for infrastructure improvements, housing projects and commercial revitalization, but restricts their availability to "small cities" and counties.

In addition to block grants, several federal agencies offer direct loan programs; however, their applicability to capital improvement projects is extremely limited. State loans, on the other hand, are usually available to finance such capital projects as land acquisition for low-income housing. The DCA Bureau of Housing administers loans and grants for these purposes through eligible local governments.

## **OTHER SPECIAL LOCAL SOURCES**

Depending upon priorities assigned by the City Council and the availability of other revenue sources, it may be necessary to seek additional funding mechanisms. The following sources of revenue represent options available to the City of Apopka to finance required capital improvements.

Capital Facilities Fees or Impact Fees - are charges to developers at the time of development for construction of facilities to meet additional needs resulting from growth. These fees are charged in advance of new development and are designed to pay for infrastructure needs, but not ongoing operating costs. These funds must be equitably allocated to the specific group(s) which will directly benefit from the capital improvement, and the assessment levied must fairly reflect the true costs of these improvements. Sometimes developers are also required to construct infrastructure and donate it to the City. This can be in lieu of or in addition to paying impact fees. Impact fees can be an important revenue source for financing capital improvements. The City currently levies water, sewer and reuse impact fees. This is not a steady, reliable revenue source as it depends on the amount of growth and development that takes place within the City.

Special Assessments - are usually capital in nature and enhance the utility, accessibility or aesthetic value of the affected properties and generally provide improvements or additions to a government's general fixed assets or infrastructure. Examples are streets, sidewalks, parking facilities and curbs and gutters. Like impact fees, special assessments are levied against residents, agencies or districts which directly benefit from the new service or facility. For example, street paving for an existing neighborhood can be financed through a special assessment of that neighborhood's homeowners, rather than through the city's general fund. The City currently has no special assessments.

## **LONG-TERM DEBT**

The high cost of many capital improvements sometimes requires local governments to resort to borrowing, either through short-term or long-term financing. Short-term financing, perhaps through local banks, is one option available to raise required revenue for periods of one to five years. It is more customary, however, to issue long-term bonds. The normal maturity on these is from five to forty years. The following are examples of long-term financing which the City might use:

General Obligation (GO) bonds - are also known as full faith and credit bonds because their repayment is backed by the general credit of the issuing local government. General obligation bond

issues are required to be approved by voter referendum. They usually carry lower interest rates than other bonds, as they are, in effect, secured by the taxing powers of the government. Revenues collected from real estate ad valorem taxes and other sources of general revenue are used to service the debt. Capital improvements financed through GO bonds should benefit the City as a whole rather than particular areas or groups. As GO bonds are generally not supported directly by the projects they finance, there is often not a direct correlation between the amount of borrowing and the value or useful life of the project. The City has issued no general obligation bonds.

Revenue Bonds - are financed by those directly benefitting from the capital improvements. They may be defined as obligations in which debt service requirements are payable exclusively from the earnings of a public enterprise. Proceeds of these bonds are used to finance publicly-owned facilities such as water and wastewater facilities. Charges collected from the users of these facilities are used to retire the bond obligations. Revenue bonds do not count against some legal debt limits and they may be approved by the City Council without voter referendum. Revenue bond interest rates tend to be higher than for general obligation bonds.

Loan Pools - is a technique in which a group of local governments form a joint financing agency. The agency then borrows money through some type of financing instrument. The proceeds go into the pool, from which individual governments can make long-term loans, to be used primarily for capital improvements. The City has no debt related to loan pools at this time.

Lease/Purchase Financing - is when the vendor or a third party purchases or constructs the asset and then leases it to the local government. At the end of the lease the City obtains ownership of the capital item. The lease/purchase is secured by a mortgage on the leased property. Furthermore, the lessor may sell Certificates of Participation in the lease (similar to tax-exempt bonds) to investors. Technically, the city is only obligated on a yearly basis, when the City Council appropriates the funds for the annual lease payments. Lease/purchase arrangements do not require voter approval and generally are not subject to legal debt restrictions; however, the interest rates are usually slightly higher than bonds and the project must have a high degree of essentiality to the city to be approved. The only lease/purchase agreements the City currently has are for the purchase of various types of equipment.

Other - The City carries from time to time notes payable to local banks and individuals for the purchase of real estate. The total amount of these loans is a very small portion of the City's indebtedness.

## **CURRENT PRACTICES FOR FUNDING CAPITAL IMPROVEMENTS**

Revenues have generally been used to meet mandatory or essential operating expenses in the past. The City utilizes its CIP to identify needed improvements and projects and guide fund allocation to ensure the adequate provision of public facilities and infrastructure. To provide a means to determine the relative priority of each capital project necessary to address existing deficiencies and provide facility expansion to meet projected growth, the City will decide whether the project:

- Is necessary to meet established levels of service
- Increases the efficiency of existing facilities or infrastructure
- Represents a logical extension of facilities within the urban service area
- Is coordinated with major projects of other agencies
- Implements the policies of the comprehensive plan as they pertain to concurrency requirements
- Eliminates a public hazard
- Is financially feasible

## **TIMING AND LOCATION OF CAPITAL IMPROVEMENTS**

Capital projects planned through fiscal year 2013/2014 will occur in various locations throughout the City. The timing of new infrastructure takes into account the criteria for prioritizing capital projects and the proper phasing of projects so that construction activities that overlap are undertaken in the proper sequence. The numerous elements of this plan require City departments to provide an assessment of the City's infrastructure annually at budget time. The City is required to adopt an ordinance and transmit the revised Five-Year Schedule of Capital Improvements to the DCA on an annual basis.

## **IMPACTS OF PUBLIC SCHOOLS AND HEALTH FACILITIES ON PROVISION OF INFRASTRUCTURE**

Impacts placed on public facilities and infrastructure serving school sites and public health care facilities will be addressed on a case-by-case basis and are not anticipated to have any significant effects on current or proposed levels of service for short- and long-range planning periods. As additional public school student stations are added to existing schools, or new schools are built, demand for and consumption of public services can be expected to increase proportional with the increase in student stations. The City includes future school demands when analyzing its transportation, water and sewer infrastructure needs. In addition, school demands on the City's water and sewer infrastructure are included in the level of service calculations for those services.

## **CITY'S ABILITY TO FINANCE CAPITAL IMPROVEMENTS**

For purposes of assessing the City's financial capability to fund the capital projects identified in this element, projected revenue sources and expenditures through budget year 201314 are identified in this section.

## **PROJECTION OF DEBT SERVICE OBLIGATIONS**

The City currently utilizes debt service financing to pay for capital projects including potable water, sanitary sewer and stormwater facilities. The City utilizes general fund revenues, water fund revenues, wastewater impact fees, stormwater fund revenues, infrastructure surtax fund revenues and impact fee revenues to fund their respective debt service payments. **Table 7-3** shows debt service obligations for the City. The following debt service indicators are monitored by the Finance Department and reviewed annually:

- (a) Ratio of total debt service to total revenue should not exceed 1:5.23
- (b) Ratio of total capital indebtedness to property tax should not exceed 1:250.

## **PROJECTION OF REVENUE AND EXPENSES**

A schedule of the City's projected ad valorem taxes and special funds revenue projections are provided in **Table 7-4**. The revenues and expenses extracted from funds that provide revenues for each of the City's capital facilities are provided in **Table 7-5**.

**TABLE 7 -3: PROJECTIONS OF DEBT SERVICE OBLIGATIONS**

Fiscal Year Ending	Governmental Activities		Business-Type Activities		Total
	Principal	Interest	Principal	Interest	
2009	1,203,585	467,092	793,566	567,104	3,031,337
2010	1,006,681	425,309	822,425	1,029,911	3,031,337
2011	900,942	385,688	862,720	993,516	3,142,866
2012	935,374	351,165	757,849	968,028	3,012,416
2013	870,296	316,164	645,000	925,892	2,757,352
<b>5-Year Total</b>	<b>4,916,878</b>	<b>1,945,418</b>	<b>3,881,550</b>	<b>4,484,451</b>	<b>\$15,228,297</b>
<b>2014-2032</b>	<b>6,964,500</b>	<b>1,261,882</b>	<b>19,615,000</b>	<b>10,060,016</b>	<b>37,901,398</b>
<b>Total Debt Service</b>	<b>\$11,881,378</b>	<b>\$3,207,300</b>	<b>\$23,496,550</b>	<b>\$14,544,467</b>	<b>\$53,129,695</b>

**Source:** City of Apopka, Annual Budget Fiscal Year 2009/10

**TABLE 7 -4: PROJECTION OF REVENUE BY CAPITAL IMPROVEMENT FUND**

<b>Special Fund</b>	<b>FY 2009/10</b>	<b>FY 2010/11</b>	<b>FY 2011/12</b>	<b>FY 2012/13</b>	<b>FY 2013/14</b>	<b>5 Year Total</b>
Traffic Impact Fund	711,500	1,500,000	4,280,000	1,680,000	3,180,000	11,351,500
Utility Impact Fee - Reuse	275,300	275,300	2,875,000	1,100,000	3,640,000	8,165,600
Utility Impact Fee - Reuse	780,600	780,600	16,100,000	16,100,000	77,000	33,838,200
Utility Impact Fee - Reuse	175,600	175,600	173,007,315	24,484,675	1,253,930	43,397,120
Sanitation Fund	230,000	2,30,000	480,000	240,000	360,000	1,540,000
Stormwater Fund	350,000	3,50,000	3,50,,000	350,000	350,000	1,750,000
Recreation & Open Space	52,000	52,000	52,,000	52,000	52,000	260,000
<b>TOTAL FUNDS</b>	<b>\$2,575,000</b>	<b>\$3,363,500</b>	<b>\$41,444,315</b>	<b>\$4,406,675</b>	<b>\$8,912,930</b>	<b>\$100,302,420</b>

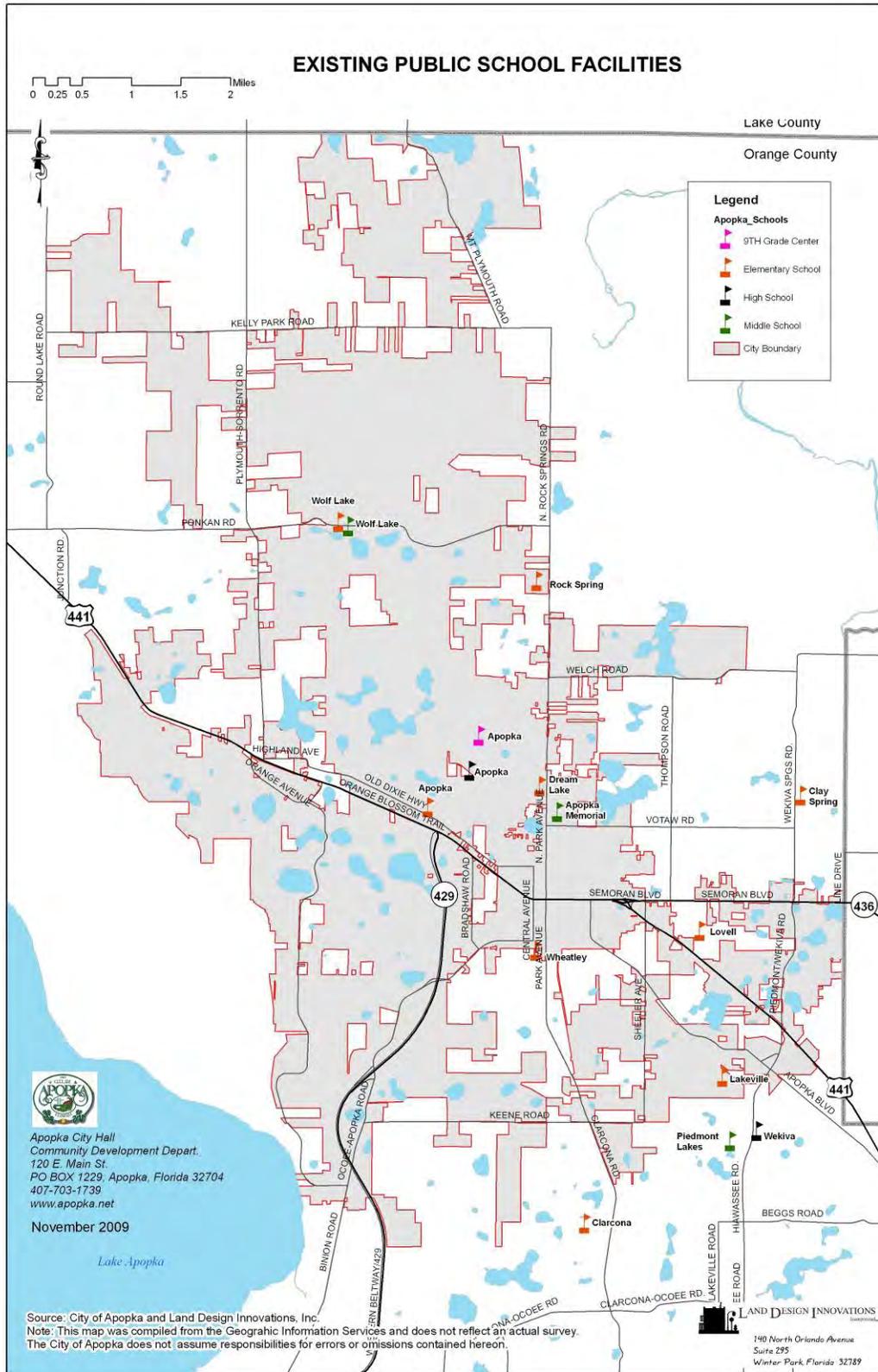
**SOURCE:** APOPKA FINANCE DEPARTMENT, 2009

**TABLE 7 -5: PROJECTION OF GENERAL FUND REVENUES AND EXPENDITURES**

	<b>FY09/10</b>	<b>FY10/113</b>	<b>FY11/12</b>	<b>FY12/13</b>	<b>FY13/14</b>
<b>REVENUES:</b>					
Taxes	12,920,100	13,178,502	13,442,072	13,710,913	13,985,132
Licenses & Permits	4,267,300	4,309,973	4,353,073	4,396,603	4,440,569
Intergovernmental Revenue	5,915,400	6,004,131	6,094,193	6,185,606	6,278,390
Charges for Service	1,891,450	1,986,023	2,085,324	2,189,590	2,299,069
Fines & Forfeits	294,700	300,594	306,606	312,738	318,993
Miscellaneous Revenue	751,750	759,268	766,860	774,529	782,274
Transfers & Other	3,312,500	3,478,125	3,652,031	3,834,633	4,026,364
<b>TOTAL REVENUE:</b>	<b>\$29,353,200</b>	<b>\$30,016,615</b>	<b>\$30,700,159</b>	<b>\$31,404,612</b>	<b>\$32,130,791</b>
<b>EXPENDITURES:</b>					
General Government Serv	3,899,925	3,938,924	3,978,313	4,018,097	4,058,278
Public Safety	18,041,300	18,593,128	19,135,050	19,695,875	20,276,388
Community Development	1,395,950	1,402,930	1,409,944	1,416,994	1,424,079
Public Works	1,395,950	2,186,448	2,230,177	2,274,780	2,320,276
Culture/Recreation	1,380,825	1,387,729	1,401,606	1,415,622	1,429,779
Transfers/Debt Service	2,470,400	2,507,456	2,545,068	2,583,244	2,621,993
<b>TOTAL EXPENDITURES:</b>	<b>\$29,353,200</b>	<b>\$30,016,615</b>	<b>\$30,700,159</b>	<b>\$31,404,612</b>	<b>\$32,621,993</b>

Source: City of Apopka, Human Resource/Budget Department, 2009

MAP 7- 1 LOCATION OF PUBLIC SCHOOLS SERVING APOPKA - 2009



**APPENDIX 7-1: FIVE-YEAR SCHEDULE OF CAPITAL IMPROVEMENTS**

Comprehensive Plan Element/Project	Source of Funding	FY 09-10	FY 10-11	FY 11-12	FY 12-13	FY 13-14
<b>SOLID WASTE</b>						
Auto Loader Mack				\$240,000		
Auto Loader Mack					\$240,000	\$240,000
Auto Loader Mack	Sanitation Fund	\$230,000				
Claw Truck (replacement unit)						\$120,000
Front End Loader (replacement unit)		\$230,000				
<b>TOTAL SOLID WASTE</b>		<b>\$230,000</b>	<b>\$230,000</b>	<b>\$490,000</b>	<b>\$240,000</b>	<b>\$360,000</b>
<b>STORMWATER MANAGEMENT</b>						
Drainage Upgrades - Citywide	Stormwater Fund	\$350,000	\$350,000	\$350,000	\$350,000	\$350,000
<b>TOTAL STORMWATER MANAGEMENT</b>		<b>\$350,000</b>	<b>\$350,000</b>	<b>\$350,000</b>	<b>\$350,000</b>	<b>\$350,000</b>
<b>SANITARY SEWER</b>						
Binion Rd – 36” RWM from Lust Rd to Harmon Rd	Reclaimed Impact Fund	\$1,097,550				
Binion Rd – 30” RWM from Lust Rd to Old Dixie Hwy		\$2,600,000				
Rogers Rd – 30” RWM from Lester Rd to Ponkan Rd		\$872,100				
Boy Scout Rd – 16” RWM from Binion Rd to Bronson Property		\$176,000				
Clarcona Rd – 48” RWM from Keene Rd to WWTP		\$1,514,596				
Keene Rd – 48” RWM from Marden Rd to Clarcona Rd		\$2,177,856				
Kelly Park – RWM II from Jason Dwellley to Plymouth Sorrento Rd						
Kelly Park – RWM from Jason Dwellley Pkwy to Mt. Plymouth Rd						\$677,760

Comprehensive Plan Element/Project	Source of Funding	FY 09-10	FY 10-11	FY 11-12	FY 12-13	FY 13-14
Lake Apopka Plant - NSRA			\$1,000,000	\$4,900,000	\$5,900,000	
Lester Rd – RWM from Vick Rd to Rock Springs Ridge						\$317,000
Lust Road – 36” RWM from Binion Rd to Lake Apopka Plant				\$473,040		
Marden Rd – 20” RWM from Keene Rd to Emerson Park	Reclaimed Impact Fund				\$542,200	
Miscellaneous RWM		\$50,000	\$50,000	\$50,000	\$50,000	\$50,000
Reclaim Master Plant Update			\$50,000			
Schopke Rd – RWM from Schopke-Lester Rd to Plymouth Rd						\$288,000
<b>TOTAL RECLAIMED IMPACT FUND</b>		\$3,747,550	\$5,790,552	\$5,473,040	\$6,492,200	\$1,332,760
Miscellaneous Sewer Mains		\$100,000	\$100,000	\$100,000	\$100,000	\$100,000
Plymouth Sorrento Rd. FM, Ponkan Rd. to Yothers Rd., 5,840 LF 12”			\$350,400			
WWTP Expansion to 8 MGD			\$13,000,000	\$18,500,000		
Sewer Master Plan Update				\$50,000		
Plymouth Rd. FM, Ponkan Rd to Kelly Park, 1,095 LF 12”	Sewer Impact Fund				\$657,060	
Junction Rd. FM, US 441 to Sadler Rd, 13,025 LF 16”						\$651,250
<b>TOTAL SEWER IMPACT FUND</b>		\$1,000,000	\$13,450,400	\$18,650,000	\$757,060	\$751,250

Comprehensive Plan Element/Project	Source of Funding	FY 09-10	FY 10-11	FY 11-12	FY 12-13	FY 13-14
<b>TOTAL SANITARY SEWER</b>						
<b>POTABLE WATER</b>						
Lester Road Water Main – Vick Rd to Rock Springs Ridge						\$350,000
Miscellaneous Water Mains		\$100,000	\$100,000	\$100,000	\$100,000	\$100,000
Plymouth Water Plant HSP Upgrade		\$125,000				
Northwest WTP High Speed Pump		\$170,000				
Northwest WTP (IMG Storage Tank)					\$750,000	
Plymouth Sorrento Rd WM, Yothers Rd to Ponkan Rd.	Water Impact Fund					\$390,744
Plymouth Water Plant – Well and IMG Storage Tank			\$1,900,000			
Water Master Plan Update-				\$50,000		
<b>TOTAL POTABLE WATER</b>		<b>\$270,000</b>	<b>\$225,000</b>	<b>\$2,050,000</b>	<b>\$850,000</b>	<b>\$840,744</b>
<b>PROJECT TOTALS</b>		<b>\$5,597,550</b>	<b>\$20,045,952</b>	<b>\$27,013,040</b>	<b>\$8,689,260</b>	<b>\$3,634,754</b>

**Note 1:** The City of Apopka adopts by reference the Transportation Improvement Program (TIP) for Fiscal Years 2009/2010-2013/14 as formally adopted by MetroPlan Orlando on July 8, 2009, as amended, into the City's Five-Year Schedule of Capital Improvements.

**Note 2:** The City of Apopka adopts by reference the District Capital Outlay Plan (DCOP) for FY 2009/2010-2013/14 as formally adopted by the Orange County School Board on September 8, 2009, as amended, into the City's Five-Year Schedule of Capital Improvements.

**Source:** City of Apopka Budget for Fiscal Year 2009/2010

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## **CAPITAL IMPROVEMENTS ELEMENT**

### **GOALS, OBJECTIVES AND POLICIES**

#### **GOAL:**

To develop a financially feasible capital facilities improvement strategy which prioritizes improvements to meet existing deficiencies, accommodates future facility needs and equitably apportions the costs among the beneficiaries. *[Note: Since the City of Apopka is not located within a coastal high-hazard area, the objective regarding limitation of public expenditures that subsidize development in high-hazard coastal areas does not apply.]*

#### **Objective 1**

The City of Apopka shall schedule and provide capital improvements to meet existing deficiencies, accommodate desired future growth, and to replace obsolete or worn-out facilities. This objective shall be made measurable by the following policies.

##### **Policy 1.1**

The City of Apopka shall prepare an annual Capital Improvements Program (CIP), comprised of physical improvements with a minimum cost of \$50,000 and minimum useful life of 5 years, to guide the timing and location of capital expenditures.

##### **Policy 1.2**

The capital improvement budget shall be adopted and incorporated into the annual City budget and utilized to monitor the implementation of the Capital Improvements Element (CIE).

##### **Policy 1.3**

The City of Apopka shall evaluate all new capital facility proposals based on the following criteria in the order shown below:

1. An immediate hazard to public health or safety
2. Correction of deficiencies not previously identified

3. Consistency with the adopted Comprehensive Plan
4. Financial feasibility and local budget impact
5. Support of central area redevelopment
6. Support of new development within the corporate City limits or the utility service area as depicted on Map 4-1 of the Infrastructure Element.
7. Consistency with plans of state agencies and surrounding jurisdictions

**Policy 1.4**

The Capital Improvement Program (CIP) will be prepared and reviewed annually by a committee consisting of at least one staff representative from the following departments: Public Services, Community Development, Police, Fire and Finance. The CIP shall be reviewed and adopted by the City Council as part of the comprehensive planning process.

**Policy 1.5**

Capital improvements proposed in the CIP shall be consistent with those identified in each individual element of the comprehensive plan and with other master plans applicable to City facilities.

**Policy 1.6**

The City shall plan and schedule the correction of any existing deficiencies within one year of identification of the problem.

**Policy 1.7**

Sources of revenue identified within the CIE shall provide direction in expenditures for capital improvements, and efforts shall be made to secure grants whenever available to supplement these revenue sources.

**Policy 1.8**

The City shall maintain all its assets at a level adequate to protect the city's capital investment and to minimize future maintenance and replacement costs.

## **Objective 2**

The City of Apopka shall maintain the development permit management system adopted in the Land Development Code (LDC) which ensures that minimum levels of service standards are maintained.

### **Policy 2.1**

The City of Apopka hereby adopts the following level of service standards as the basis for capital facility improvements:

#### **a. Sanitary Sewer**

1. The minimum level of service standard for the City's wastewater system, expressed as a per capita flow to be collected, treated and reclaimed, shall be 81 gallons per capita per day. This level of service is an average daily flow based on the population served by the system and the system-wide flows generated within the utility service area.
2. Peak design flows for the wastewater collection facilities shall range from 2.5 to 4.0 times the average daily flow.
3. Peak hydraulic design flows for wastewater treatment facilities shall be no less than 2.0 times the average daily flow as calculated using the minimum level of service standard.

#### **b. Potable Water**

1. The minimum level of service standard for the potable water system expressed as a per capita flow to be supplied, treated and distributed shall be 177 gallons per capita per day. This level of service is an average daily flow based on the population served by the system and the system-wide flows generated within the utility service area, including water demands for commercial, residential and unaccounted-for water.
2. The City shall seek to reduce the level of service standard from 177 gpcd to 166 gpcd in 2015; 154 gpcd in 2020; 144 gpcd in 2025; and 137 gpcd in 2030.
3. The minimum level of service standard for system pressure, under normal operating conditions, shall be 30 pounds per square inch (psi), as measured in

the water main. During emergency conditions, power failures and/or fire flow conditions, water pressure shall be maintained at a minimum level of 20 psi or greater.

4. The City of Apopka shall provide sufficient water storage facilities to store a fire volume equal to four hours of fire flow, plus necessary operational storage. Operational storage shall be equal to the volume of water equivalent to the difference between peak hour and maximum day flow over a period of eight hours.

c. Solid Waste

The City of Apopka shall use a level of service standard of 4 pounds per capita per day for residential and 2 pounds per capita per day per 1,000 square feet for commercial development.

d. Stormwater Management

1. The City of Apopka shall continue to require that the post-development peak rate of discharge must not exceed the pre-development peak rate of discharge for the 25-year, 24-hour storm (8.6 inches of rainfall).
2. The City of Apopka shall continue to require that pollution abatement be accomplished by retention of one-inch of runoff from the developed site with filtration into the soil through the bottom of the retention pond or through an approved filtering media. Stormwater treatment facilities shall be designed so that the quality of the stormwater runoff will not degrade the receiving water quality below the minimum conditions necessary to assure the suitability of the water body for the designated use in accordance with the classifications established in rules 17-302 and 62-302.400, F.A.C.
3. The City of Apopka shall continue to require, where a positive outfall is not available for stormwater discharge, the 100-year, 24-hour storm (10.6 inches of rainfall) be retained on the site of the development. The retention pond shall be designed to percolate the total runoff volume within 72 hours following the rainfall event.

4. The City of Apopka shall continue to require, when runoff from a project is to be discharged to a landlocked lake with no positive outfall, that the on-site stormwater facilities be designed to detain the 25-year, 96-hour storm (12 inches of rainfall).

e. Recreation and Open Space

The City of Apopka hereby adopts the following level of service standards for land and recreation facilities: Park Land - 3.0 acres per 1,000 population.

f. Public School Facilities

The adopted LOS standard, except for backlogged facilities, shall be as follows:

- a. Elementary School LOS - 110% of Adjusted FISH Capacity
- b. K through 8 - 110% of Adjusted FISH Capacity
- c. Middle School LOS - 100% of Adjusted FISH Capacity
- d. High School LOS - 100% of Adjusted FISH Capacity

The adopted LOS standard shall be used to determine the available capacity of elementary, middle and high schools within the designated Concurrency Service Area (CSA). The adopted LOS standard must be achieved in all CSAs by April 1, 2013, except for deficient CSAs where improvements are needed to achieve adequate classroom capacity, as specifically identified in the Orange County Public Schools Ten-Year District Capital Outlay Plan for funding by April 1, 2018. For the aforementioned deficient CSAs, the adopted LOS must be achieved by April 1, 2018.

g. TRANSPORTATION

~~(1) Through adoption of this Transportation Element, for planning purposes only, the City of Apopka shall establish that all road should operate at LOS "E" or better on a daily and peak hour basis within the city. and the maximum service volumes established in Table 4-4, the City of Apopka shall establish the following daily and peak hour Level of Service standards for roads within the city:~~

- ~~a. All city "local" facilities shall operate at LOS "C" or better on a daily and peak hour basis.~~
- ~~b. All city collector facilities (minor and major) shall operate at LOS "D" or better on a daily and~~

~~peak hour basis.~~

- ~~c. All county minor arterial and collector facilities that are within the city and are not designated as backlogged shall operate at LOS "E" or better on a daily and peak hour basis.~~
- ~~d. All state principal arterial facilities that are within the city and are not classified as backlogged or constrained within a proposed Special Transportation Area shall operate at LOS "D" or better on a daily and peak hour basis.~~
- ~~e. All backlogged and constrained facilities shall operate according to the standards set forth in Policies 2.3 and 2.4. of the Transportation Element.~~
  - ~~1. For county maintained facilities that may be designated as backlogged, the City of Apopka shall coordinate with Orange County to establish maximum percentage increases in peak hour traffic volumes, or, if available, maximum percentage decreases in peak hour travel speeds.~~
  - ~~3. For state maintained facilities designated as backlogged, the city shall not approve developments generating more than 15 percent total increase in peak hour traffic volumes over the most recent peak hour traffic count taken prior to adoption of this element. State maintained facilities designated as backlogged by the city include:  
US 441 from Errol Pkwy. to Bradshaw Rd. (LOS E)~~
  - ~~4. Prior to January, 2005, the city will conduct an operational study on US 441. The city shall reanalyze the road network and amend Policy 2.3 to reflect altered conditions.~~
  - ~~5. For state maintained facilities that are designated as constrained, the city shall not approve developments generating a more than 15 percent increase in peak hour traffic volumes over the most recent peak hour traffic count taken prior to adoption of the Comprehensive Plan. State maintained facilities designated as constrained by the city and within a proposed Special Transportation Area include:  
US 441 from SR 436 to Bradshaw Rd.~~

## **Policy 2.2**

The City of Apopka will continue to implement the concurrency management system which includes a determination of compliance with the level-of-service standards prior to the initiation of the permitting process.

- a) For potable water supplies and facilities, sewer, solid waste, and drainage, at a minimum, the following standards will satisfy the concurrency requirements:
1. The necessary facilities and services are in place at the time a development permit is issued; or
  2. A development permit is issued subject to the condition that the necessary facilities and services will be in place when the impacts of the development occur; or
  3. The necessary facilities are under construction at the time a permit is issued; or
  4. The necessary facilities and services are guaranteed in an enforceable development agreement that includes the provisions of Rule 9J-5.0055(2)(a)1.-3, F.A.C. An enforceable development agreement may include, but is not limited to, development agreements pursuant to Section 163.3220, F.S., or an agreement or development order issued pursuant to Chapter 380, F.S.. The agreement must guarantee that the necessary facilities and services will be in place when the impacts of the development occur.
  5. With respect to potable water, the Concurrency Management System will also require consultation with all applicable water suppliers, including internal coordination within the City of Apopka, prior to approval of a building permit, to determine if adequate water supplies will be available to serve the development by the anticipated issuance date of the certificate of occupancy or functional equivalent.
- b) For parks and recreation, the concurrency requirement shall be met by complying with the above standards, Policy 2.2.a. 1 through 4, or by ensuring that the following standards will be met:
1. At the time the development permit is issued, the necessary facilities and services are the subject of a binding executed contract which provides for the commencement of the actual construction of the required facilities or the provision of services within one year of the issuance of the development permit; or

2. The necessary facilities and services are guaranteed in an enforceable development agreement which requires the commencement of the actual construction of the facilities or the provision of services within one year of the issuance of the applicable development permit. An enforceable development agreement may include, but is not limited to, development agreements pursuant to Section 163.3220, Florida Statutes, or an agreement or development order issued pursuant to Chapter 380, Florida Statutes.

### **Policy 2.3**

Concurrency determination shall be made prior to issuance of a final development order which shall be defined as the last order or approval in the City's development permit process as defined by Chapter 380.04, Florida Statutes, or as otherwise required by State Statutes, the interlocal agreement or policies of the City's comprehensive plan.

### **Policy 2.4**

Projects which have received a final development order must initiate construction within twelve months and be at least substantially completed within thirty-six months unless there is an executed developer's agreement which provides otherwise.

## **Objective 3**

The City shall require all development to bear a fair, equitable and proportionate share of facility improvements required to maintain the adopted minimum level of service standards.

### **Policy 3.1**

All new developments will be assessed a pro rata share of the costs necessary to ensure the public facility improvements generated are available at the time the impacts of the development occur, including consistency with the City's Transportation Proportionate Fair Share Ordinance.

### **Policy 3.2**

The City of Apopka shall evaluate impact fees every five years, at a minimum, to ensure the rates are consistent with the required construction costs for public facility needs generated by new development.

**Policy 3.3**

The City of Apopka shall continue to use the stormwater utility as authorized by the City Council using the non-ad valorem fee collection method, as provided in Section 403.0893, F.S., as the source to fund stormwater capital improvement projects.

**Policy 3.4**

The City of Apopka shall evaluate the need for additional fees for public facility needs generated by new development at least every five years. Such new fees may require review by an ad-hoc citizens' advisory committee and at least one public hearing by the local planning agency before the additional fees are adopted by the city.

**Policy 3.5**

The City of Apopka shall evaluate, on an annual basis, the use of mandatory dedication or fees in lieu of financing systems for public facilities.

**Policy 3.6**

The City of Apopka will accept dedications, or construction in lieu of, as an alternative to the payment of all, or a portion of any, required fees provided there is an executed developer's agreement.

**Objective 4**

The City of Apopka will at least annually establish financial indicators in order to ensure the ability to fund the City's share of needed improvements is within acceptable limits.

**Policy 4.1**

In no case shall the City incur debt for those capital facilities which exceed the capacity to issue bonds or other financial mechanisms as determined in part by the indicators described below, which shall be monitored by the Finance Department and reviewed annually:

1. The ratio of total debt service to total revenue shall not exceed 1:5.23.
2. The ratio of total capital indebtedness to property tax shall not exceed 1:250.

## **Objective 5**

In order to maintain adopted LOS standards, the City of Apopka shall coordinate land use decisions and available or projected fiscal resources to correct existing deficiencies identified in the comprehensive plan, accommodate desired future growth and replace worn out or obsolete facilities through the annual adoption of a Five-Year Schedule of Capital Improvements.

### **Policy 5.1**

Capital projects included in the Five-Year Schedule of Capital Improvements shall be defined as those projects identified within the comprehensive plan that are necessary to maintain adopted LOS standards, including increasing the capacity or efficiency of existing facilities and/or replacing failing facilities.

### **Policy 5.2**

The City adopts by reference the Five-Year Facilities Master Plan FY 2009-2013 as formally adopted by Orange County Public Schools, as amended, into the City's Five-Year Schedule of Capital Improvements.

### **Policy 5.3**

The City hereby adopts the Five-Year Schedule of Capital Improvements included as **Appendix A** of this element, which will be updated on an annual basis.

### **Policy 5.4**

The City of Apopka will utilize the following list of proposed improvements within the Wekiva Parkway Interchange Vision Plan as a working list for the 5-Year and 10-Year Capital Improvement Schedule for when future development occurs within this area.

#### **Proposed Water Main Improvements**

- Haas Road, from Plymouth-Sorrento Road to Foliage Way
- Ponkan Road, from Round Lake Road to Foliage Way
- Round Lake Road, from Ponkan Road to Ondich Road
- Golden Gem Road and Effie Drive, from Ponkan Road to Ondich Road
- Plymouth-Sorrento Road, from Kelly Park Road to Ondich Road
- Foliage Way, from Kelly Park Road to Haas Road

#### **Proposed Sanitary Sewer System Improvements**

- Round Lake Road, Pump Station #30 to from U.S. 441
- Golden Gem Road, from Pump Station #29 to Ponkan Road
- Ponkan Road, between Junction Road and Golden Gem Road
- Ponkan Road, between Golden Gem Road and east side of Zellwood Station
- East side of Zellwood Station, from Ponkan Road to Yothers Road
- Yothers Road, from Zellwood Station site to Plymouth-Sorrento Road
- Kelly Park Road, from Pump Station #22 to Plymouth-Sorrento Road
- From Pump Station #28 to Plymouth-Sorrento Road
- Kelly park Road, from east of Plymouth-Sorrento Road to Foliage Way
- From Pump Station 17 to Foliage Way

## PROGRAMS TO ENSURE IMPLEMENTATION

The following implementation measures will ensure that level of service standards will be maintained:

### 1. Development Order and Building Permit Review

As part of the review of all applications for development orders and/or building permits, the City will determine whether or not there will be sufficient capacity of public facilities to meet the standards for levels of service for the existing population and for the proposed development in accordance with the requirements of the concurrency management system.

### 2. Annual Report

The mandatory semiannual report to the Department of Community Affairs concerning amendments to the comprehensive plan due to emergencies, developments of regional impact and selected small developments will report on changes, if any, to adopted goals, objectives and policies in the Capital Improvements Element.

### 3. Update of Capital Improvement Element

Beginning in April of each year, the CIE shall be updated in conjunction with the City's budget process and the release of the official Bureau of Economic and Business Research (BEBR) population estimates and projections. The update will include:

1. Update of facilities inventory
2. Update of unit costs
3. Update of facilities requirements analysis to project five year needs (by fiscal year) in order to program projects to meet adopted LOS standards
4. Update of revenue forecasts in order to evaluate financial feasibility and the City's ability to finance capital improvements needed to meet adopted LOS standards
5. Revise and develop capital improvements projects for the next five years. The first year's schedule of projects will be incorporated into the City's budget effective October 1 each year.
6. Update of the public school and health facilities analysis

### 4. Concurrency Management System

The City shall maintain, by ordinance, a concurrency

management system. The system shall consist of the following components:

- A. Annual monitoring report on the capacity and levels of service of public facilities compared to the standards for levels of service adopted in this element. The report shall summarize the actual capacity of existing public facilities and forecast the capacity of existing and planned public facilities for each of the five succeeding fiscal years. For the purposes of long range capital facility planning, a ten year forecast of projected needed capacity will also be done. These forecasts will be based on the most recently updated schedule of capital improvements in this Capital Improvement Element. This annual report will constitute the evidence of the capacity and levels of service of public facilities for the purpose of issuing development orders during the 12 months following completion of the annual report.
- B. Review of changes in planned capacity of public facilities. The City shall review each amendment to this Capital Improvement Element, in particular any changes in standards for levels of service and changes in the schedule of capital improvements in order to enforce the policies of this element.

5. Evaluation and Appraisal

The required evaluation and appraisal report will address the implementation of the goals, objectives and policies of the Capital Improvements Element. The monitoring procedures necessary to enable the completion of the evaluation and appraisal include:

- a. Review of annual reports of the concurrency management system.
- b. Review of annual reports to DCA concerning amendments to the Apopka Comprehensive Plan.
- c. Review of annual updates of this Capital Improvements Element, including updated supporting documents.