

**BOARD OF GOVERNORS
STATE UNIVERSITY SYSTEM OF FLORIDA
Facilities and Real Estate Committee
January 28, 2009**

SUBJECT: Authorize release of funds from the University Concurrency Trust Fund in accordance with the Campus Development Agreement between the Florida Gulf Coast University Board of Trustees and Lee County.

PROPOSED BOARD ACTION

Approve allocation and authorize the Department of Education to release funds in the amount of \$9,705,893 to Lee County, Florida as full payment negotiated in the Campus Development Agreement between the Florida Gulf Coast University Board of Trustees and Lee County. The parties have signed the Campus Development Agreement consistent with this action.

AUTHORITY FOR BOARD OF GOVERNORS ACTION

Section 1013.63, Florida Statutes, which defines the purpose and use of the University Concurrency Trust Fund.

BACKGROUND INFORMATION

Following the adoption of a campus master plan, the University Board of Trustees is required to enter into a Campus Development Agreement with each affected host local government. The Campus Development Agreement is important for two reasons. First, all concurrency management responsibilities of the university are fulfilled if the University Board of Trustees pays its fair share for off-campus improvements as identified in the agreement. Second, once the agreement is executed, all on-campus development may proceed without further review by the host local government as long as it is consistent with the adopted campus master plan and the Campus Development Agreement.

The Campus Development Agreement, in accordance with Section 1013.30(11), Florida Statutes, identifies the geographic area covered by the agreement; establishes the duration of the agreement from 2005 through 2015; identifies the level of service standards for public facilities and services, the entity which provides these facilities and services, and any financial arrangements between the University Board of Trustees and the facility/service providers; determines the impact of proposed campus development on identified public facilities and services, and any deficiencies likely to occur as a result of proposed campus development; identifies facility improvements necessary to correct identified deficiencies; identifies the University Board of Trustees' fair share of

the costs of necessary improvements; and must be consistent with the adopted campus master plan and the host local government's comprehensive plan.

The executed Campus Development Agreement recognizes that the development identified in the adopted Florida Gulf Coast University Campus Master Plan will cause or contribute to the degradation of the operating conditions on the following level of service standards adopted by the host community:

- Improvements to mass transit facilities identified in the Campus Development Agreement.
- Improvements to off-campus potable water facilities identified in the Campus Development Agreement.

By approving this agreement, the Department of Education will provide funding from the University Concurrency Trust Fund in the amount of \$9,705,893 to Lee County, which shall constitute the full amount of the Florida Gulf Coast University Board of Trustees' total fair share as described in the executed Campus Development Agreement.

This agreement was approved at the October 20, 2008 Florida Gulf Coast University Board of Trustees meeting. The host community has complied with their requirements under the law by approving this agreement on December 9, 2008 and is consistent with this recommended action.

Supporting Documentation Available: Campus Development Agreement
between the Florida Gulf Coast University
Board of Trustees and Lee County

Facilitators/Presenters: Mr. Chris Kinsley, Director, Finance and Facilities