



VILLAGE OF PALMETTO BAY

Mayor Shelley Stanczyk
Vice Mayor John DuBois
Council Member Patrick Fiore
Council Member Tim Schaffer
Council Member Joan Lindsay

Village Manager Ron E. Williams
Village Attorney Eve A. Boutsis
Village Clerk Meighan J. Alexander

In accordance with the Americans with Disabilities Act of 1990, persons needing special accommodation, a sign language interpreter, or hearing impaired to participate in this proceeding should contact the Village Clerk at (305) 259-1234 for assistance no later than four days prior to the meeting.

VILLAGE SPECIAL COUNCIL MEETING AGENDA

Wednesday, September 18, 2013 - 7 p.m.

Village Hall Chambers
9705 E. Hibiscus Street
(305) 259-1234

1. **CALL TO ORDER, ROLL CALL, PLEDGE OF ALLEGIANCE**
2. **DECORUM STATEMENT**
3. **REQUESTS, PETITIONS AND PUBLIC COMMENTS**
4. **RESOLUTIONS (PUBLIC HEARING REQUIRED)**
 - A. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO THE ADOPTION OF CAPITAL IMPROVEMENTS PROGRAM (CIP) FOR THE VILLAGE OF PALMETTO BAY; AND PROVIDING AN EFFECTIVE DATE.
 - B. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, ACTING IN ITS CAPACITY AS THE LOCAL PLANNING AGENCY, RELATING TO AN UPDATE OF THE CAPITAL IMPROVEMENTS ELEMENT (CIE) AND PROJECTS OF THE VILLAGE'S COMPREHENSIVE PLAN; PROVIDING FOR TRANSMITTAL OF THE CIE PLAN AMENDMENTS TO OTHER UNITS OF LOCAL GOVERNMENT AND TO OTHER REVIEW AGENCIES AS REQUIRED BY LAW; AND PROVIDING FOR AN EFFECTIVE DATE.

5. ADJOURNMENT

PURSUANT TO FLORIDA STATUTES 286.0105, THE VILLAGE HEREBY ADVISES THE PUBLIC THAT IF A PERSON DECIDES TO APPEAL ANY DECISION MADE BY THIS COUNCIL WITH RESPECT TO ANY MATTER CONSIDERED AT ITS MEETING OR HEARING, HE OR SHE WILL NEED A RECORD OF THE PROCEEDINGS, AND THAT FOR SUCH PURPOSE, THE AFFECTED PERSON MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDING IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED. THIS NOTICE DOES NOT CONSTITUTE CONSENT BY THE VILLAGE FOR THE INTRODUCTION OR ADMISSION OF OTHERWISE INADMISSIBLE OR IRRELEVANT EVIDENCE, NOR DOES IT AUTHORIZE CHALLENGES OR APPEALS NOT OTHERWISE ALLOWED BY LAW.



To: Honorable Mayor and Village Council

Date: September 10, 2013

From: Ron E. Williams, Village Manager

RE: Village of Palmetto Bay -
Capital Improvements Program

A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO THE ADOPTION OF CAPITAL IMPROVEMENTS PROGRAM (CIP) FOR THE VILLAGE OF PALMETTO BAY; AND PROVIDING AN EFFECTIVE DATE.

BACKGROUND AND ANALYSIS

The Five-Year Capital Improvements Program (hereinafter "the CIP") is a multi-disciplinary document that serves multiple functions. This document provides a blueprint for investing in the capital infrastructure needed to support and enhance the existing and future infrastructure development of a local government. The CIP also serves as both a capital budget (i.e. spending plan for capital items for Fiscal Year 2013-14) and capital program (i.e. a plan for capital expenditure that extends five years beyond the base year) that are used by local governments in Florida to annually update the Capital Improvement Element (hereinafter "the CIE") of their Comprehensive Plan.

The Village of Palmetto Bay's (hereinafter "the Village") CIP serves multiple functions to ensure compliance with municipal budgeting principles and program management best practices. The Village's CIP is prepared annually through a coordinated team effort that includes the Planning, Finance, Building and Capital Projects, Parks and Recreation, and the Public Works Departments. As part of this process, each department head submits an annual CIP to the Village Manager that is consistent with the immediate and long-term infrastructure needs of the Village. The projects programmed to address immediate infrastructure needs are scheduled for years one (1) and two (2) of the CIP and have committed funding sources so that the project start date is not compromised by funding issues. The projects scheduled for years three (3) through five (5) of the CIP are considered planned projects given, in some cases, the Village has not identified a funding source. This is typical of projects that may be funded from grants or other potential sources which funding authorization is pending. Once this document is finalized and approved by the Village Manager, it is then transmitted to the Mayor and Council for approval as part of the Village's annual budget.

In Florida, local governments have a variety of revenue sources to finance their CIP's, which are authorized by the State Constitution, Home Rule Authority, and legislative mandates. The authorized revenue sources are available to fund both small and major capital infrastructure needs, as well as other services needed to maintain an adequate LOS (Lever of Service). In the case of the Village, the Administration primarily relies on grants (Federal, State and County) and revenue

sources allowed by “Home Rule Authority.” Under Home Rule Authority, there are three types of funding sources available to local governments for capital infrastructure improvements. These funding sources are:

1. proprietary fees (admissions fees, franchise fees, user fees, and utility fees);
2. regulatory fees that may be imposed pursuant to a local government’s police powers in the exercise of a sovereign function (building permit fees, impact fees, inspection fees, and stormwater fees); and
3. special assessments used to construct and maintain capital facilities and to fund certain services (Note: In order for a special assessment to be deemed valid, the assessed property must derive a special benefit from the improvement or service provided, and the assessment must be fairly and reasonably apportioned among the properties that receive the special benefit).

Overview of the Village Five-Year Schedule of Capital Improvements (Fiscal Year 2012-2013):

In Fiscal Year 2013-14, the Village’s CIP programmed 35 projects at a cost of approximately \$7.36 million. Fourteen of the 35 projects were approved for funding and initiation during Fiscal Year 2012-13 and their balance of funds is rolling into this year’s budget. The following provides a summary of the CIP budget by Department.

1. Parks and Recreation Department - \$3,808,684 or 51.74 percent of total CIP budget.
2. Public Works Department - \$3,552,453 or 48.62 percent of total CIP budget.

These projects are financed through a combination of grants and Village funds. These projects were selected and prioritized by each Department’s Director and approved by the Village Manager and Council, as they are essential to maintaining or expanding the current infrastructure and adopted LOS Standards. Table 4 in the enclosed CIP provides a summary of Fiscal Year 2013-14 capital projects funding sources and budget, and distribution of each project’s budget as a percentage of the Department budget and total CIP budget. It is important to note, that all the projects adopted in Fiscal Year 2013-14 have a dedicated funding source(s).

FISCAL/BUDGETARY IMPACT

All of the proposed projects listed in the CIP are either already budgeted, funds appropriated and/or revenue sources determined for the current Fiscal Year 2013-2014.

RECOMMENDATION

The Administration recommends that the Village Council approve of the proposed CIP.

1 RESOLUTION NO. _____
2

3 A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE
4 VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO THE
5 ADOPTION OF CAPITAL IMPROVEMENTS PROGRAM (CIP) FOR
6 THE VILLAGE OF PALMETTO BAY; AND PROVIDING AN
7 EFFECTIVE DATE.
8

9 WHEREAS, the Comprehensive Plan for the Village of Palmetto Bay was adopted on
10 August 1st, 2005; and amended in December 2010, to ensure that the development patterns for
11 future land uses within the Village match the community vision and quality-of-life expectations of its
12 residents; and,
13

14 WHEREAS, the CIP provides a blueprint for investing in the capital infrastructure needed
15 to support and enhance the existing and future infrastructure development of a local government;
16 and,
17

18 WHEREAS, the Village adopted its first CIP on February 7, 2011; and,
19

20 WHEREAS, the Village's CIP is updated annually through a coordinated team effort that
21 includes the Planning, Finance, Building and Capital Projects, Parks and Recreation, and the Public
22 Works Departments, and is submitted as a part of the Villages annual budgeting process; and,
23

24 WHEREAS, the projects programmed to address immediate infrastructure needs are
25 scheduled for years one (1) through two (2) of the CIP and the projects scheduled for years three (3)
26 through five (5) of the CIP are considered planned; and,
27

28 WHEREAS, in Florida, local governments have a variety of revenue sources to finance
29 their CIPs, which are authorized by the State Constitution, Home Rule Authority, and legislative
30 mandates.
31

32 NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND VILLAGE
33 COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, AS FOLLOWS:
34

35 Section 1. Recitals. The above referenced whereas clauses are true and correct and are
36 incorporated into this resolution by reference.
37

38 Section 2. Authorization. The Village Council, acting in its capacity as the Village's
39 governing body, approves the CIP, which is attached to this resolution.
40

41 Section 3. Effective date. This resolution shall take effect immediately upon enactment.
42
43
44
45

1 PASSED AND ENACTED this _____ day of September, 2013.
2
3

4 Attest: _____

5 Meighan Alexander
6 Village Clerk

Shelley Stanczyk
Mayor

7
8 APPROVED AS TO FORM:
9

10 _____
11 Eve a. Boutsis
12 Village Attorney
13

14
15 FINAL VOTE AT ADOPTION:
16

17 Council Member Patrick Fiore _____
18

19 Council Member Tim Schaffer _____
20

21 Council Member Joan Lindsay _____
22

23 Vice-Mayor John DuBois _____
24

25 Mayor Shelley Stanczyk _____



To: Honorable Mayor and Village Council

Date: September 10, 2013

From: Ron E. Williams, Village Manager

RE: Comprehensive Plan - CIE
Annual Update

A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, ACTING IN ITS CAPACITY AS THE LOCAL PLANNING AGENCY, RELATING TO AN UPDATE OF THE CAPITAL IMPROVEMENTS ELEMENT (CIE) AND PROJECTS OF THE VILLAGE'S COMPREHENSIVE PLAN; PROVIDING FOR TRANSMITTAL OF THE CIE PLAN AMENDMENTS TO OTHER UNITS OF LOCAL GOVERNMENT AND TO OTHER REVIEW AGENCIES AS REQUIRED BY LAW; AND PROVIDING FOR AN EFFECTIVE DATE.

BACKGROUND AND ANALYSIS:

The Village Council was designated the Local Planning Agency for the Village pursuant to section 163.3174, Florida Statutes. Village of Palmetto Bay's Comprehensive Plan, adopted on August 1st, 2005 and amended in December 2010, seeks to ensure that development patterns for future land uses within the Village match the community vision and quality-of-life expectations of its residents. Pursuant to Chapter 163, Florida Statutes, the Village is responsible for preparing a Capital Improvement Element (CIE). The intent of the CIE is to reflect the timing of capital projects (Five-Year Schedule of Capital Improvements) to meet or maintain adopted Level of Service (LOS) standards, and implement the goals, objectives, and policies of the Comprehensive Plan. The law also requires that the CIE be updated annually concurrent with the development of the Village's Capital Improvements Program (CIP) and Annual Budget to ensure that the capital facility projects are consistent with the goals of the Comprehensive Plan. The CIE update completed by ordinance on March 7, 2011, (Ordinance No. 2011-01), provided for future updates to the CIE be completed by resolution concurrent with the Annual Village Budget and CIP processes.

FISCAL/BUDGETARY IMPACT:

All proposed projects listed in the CIE are either already budgeted, funds appropriated and/or revenue sources determined for Fiscal Year 2013-14.

RECOMMENDATION:

The Administration requests that the Village Council approve the proposed CIE annual update to its Comprehensive Plan and that the document be transmitted to other units of local government and to other review agencies as required by law. Approval of the attached resolution is recommended.

1 RESOLUTION NO. _____
2

3 A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE
4 VILLAGE OF PALMETTO BAY, FLORIDA, ACTING IN ITS CAPACITY
5 AS THE LOCAL PLANNING AGENCY, RELATING TO AN UPDATE
6 OF THE CAPITAL IMPROVEMENTS ELEMENT (CIE) AND
7 PROJECTS OF THE VILLAGE'S COMPREHENSIVE PLAN;
8 PROVIDING FOR TRANSMITTAL OF THE CIE PLAN AMENDMENTS
9 TO OTHER UNITS OF LOCAL GOVERNMENT AND TO OTHER
10 REVIEW AGENCIES AS REQUIRED BY LAW; AND PROVIDING FOR
11 AN EFFECTIVE DATE.
12

13 WHEREAS, the Village Council has been designated as the Local Planning Agency for the
14 Village pursuant to section 163.3174, Florida Statutes; and,
15

16 WHEREAS, the Comprehensive Plan for the Village of Palmetto Bay was adopted on
17 August 1st, 2005; and amended in December 2010, to ensure that the development patterns for
18 future land uses within the Village match the community vision and quality-of-life expectations of its
19 residents; and,
20

21 WHEREAS, pursuant to Chapter 163, of the Florida Statutes the Village is to annually
22 update its Capital Improvements Element (CIE) concurrent with the development of the Capital
23 Improvements Program and Annual Budget; and,
24

25 WHEREAS, on March 7, 2011, the Village passed Ordinance No. 2011-01, which updated
26 the CIE through the FY 2010-11 budget year, and provided for future updates to the CIE be
27 approved by resolutions concurrent with the annual Village Budget process; and,
28

29 WHEREAS, on November 24, 2012, the Village updated the CIE through the FY 2012-13
30 budget year; and,
31

32 WHEREAS, the Five-Year Schedule of Capital Improvements must include capital projects
33 necessary to achieve and maintain Level of Service (LOS) standards, reduce existing deficiencies,
34 provide for necessary replacements, and meet future demand during the time period covered by the
35 Schedule; and,
36

37 WHEREAS, the Village Council acting in its capacity as the Local Planning Agency has
38 acted in accordance with state law, and in specific compliance with Florida Statutes and has reviewed
39 and recommends approval of the FY 2013-14 update to the CIE of the Village's Comprehensive
40 Plan to the Village Council and transmittal to other units of local government and to other review
41 agencies as required by law.
42

43 NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND VILLAGE
44 COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, ACTING IN ITS

1 CAPACITY AS THE LOCAL PLANNING AGENCY OF THE VILLAGE OF
2 PALMETTO BAY, FLORIDA, AS FOLLOWS:
3

4 **Section 1.** Recitals. The above referenced whereas clauses are true and correct and are
5 incorporated into this ordinance by reference.
6

7 **Section 2.** Authorization. The Village Council, acting in its capacity as the Local
8 Planning Agency, approves the amendment to the Comprehensive Plan CIE, which amendments are
9 attached to this resolution.
10

11 **Section 3.** Transmittal. The Village Council, acting in its capacity as the Local Planning
12 Agency, further recommends to the Village Council that it authorizes the Village Clerk to transmit
13 the attached amendments to the Comprehensive Plan all other governmental bodies, agencies, or
14 private individuals as required by State law.
15

16 **Section 4.** Effective date. This resolution shall take effect immediately upon adoption.
17

18
19 **PASSED AND ADOPTED** this _____ day of September, 2013.
20

21 First Reading: _____

22 Second Reading: _____
23

24 Attest: _____

25 Meighan Alexander
26 Village Clerk

27 Shelley Stanczyk
28 Mayor

29 APPROVED AS TO FORM:
30

31 Eve Boutsis
32 Village Attorney
33

34 **FINAL VOTE AT ADOPTION:**
35

36 Council Member Patrick Fiore _____
37

38 Council Member Tim Schaffer _____
39

40 Council Member Joan Lindsay _____
41

42 Vice-Mayor John Dubois _____
43

44 Mayor Shelley Stanczyk _____