

**A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO THE DOWNTOWN REDEVELOPMENT INITIATIVE; AUTHORIZING THE VILLAGE MANAGER TO ENTER INTO A PROJECT AGREEMENT AND TO NEGOTIATE A FINAL COST WITH KIMLEY-HORN AND ASSOCIATES, INC., IN AN AMOUNT NOT TO EXCEED \$60,000; TO COMPLETE A CONCURRENCY REVIEW AND CAPACITY STUDY, AND TO PREPARE ANY AMENDMENTS NECESSARY TO THE VILLAGE'S COMPREHENSIVE PLAN ELEMENTS AND FUTURE LAND USE MAP CONSISTENT WITH THAT STUDY AND ANY OTHER SUPPORTING STUDIES THERETO, AS RECOMMENDED BY THE DOWNTOWN REDEVELOPMENT TASK FORCE, AS APPROVED BY THE VILLAGE COUNCIL; AND PROVIDING AN EFFECTIVE DATE.**

WHEREAS, in May of 2013, the Village embarked on an effort to create a livable, walkable downtown in the Village's southwest corner along US-1, with the creation of the Manager's Downtown Redevelopment Task Force; and,

WHEREAS, on September 18, 2013, the Mayor and Village Council adopted the FY 2013-14 Operating & Capital Budget which included funding necessary to commence implementation of tasks and projects critical to implementing the preliminary planned improvements in the downtown redevelopment area; and,

WHEREAS, a concurrency and capacity study of the Village's Comprehensive Plan elements is critical in identifying available infrastructure capacity for future development; and,

WHEREAS, the Village desires to utilize the services of its ongoing service provider Kimley-Horn and Associates to complete the concurrency and capacity study; and,

WHEREAS, the scope of services to be performed by Kimley-Horn and Associates, Inc., shall include preparation of amendments to the Comprehensive Plan's elements and map, as further described in Attachment A, reflective of the findings of that study, together with other study's performed in the fulfillment of the DRTF charge, as approved by the Mayor and Village Council; and,

WHEREAS, Kimley-Horn and Associates, Inc., is one of three pre-qualified firms selected to provide planning services on a rotating basis for the Village of Palmetto Bay; and,

WHEREAS, the Village of Palmetto Bay has funding available in the Economic Development Fund in an amount not to exceed \$60,000 during Fiscal Year 2013-14.

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

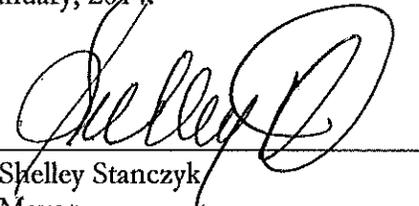
**Section 1:** The above whereas clauses are hereby incorporated into this resolution by reference.

**Section 2:** The Village Manager is authorized to enter into a project agreement and to negotiate a final cost for planning services with Kimley-Horn and Associates, Inc., in an amount not to exceed \$60,000, to perform a concurrency and capacity study of the Village's Comprehensive Plan elements and to prepare amendment(s) to the Village's Comprehensive Plan's elements and Future Land Use Map as deemed necessary to further the downtown initiative.

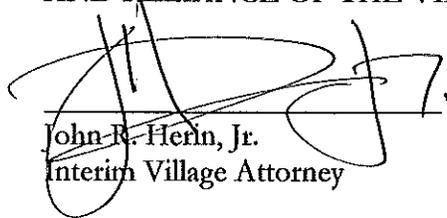
**Section 3:** This resolution shall take effect immediately upon approval.

PASSED AND ADOPTED this 23<sup>rd</sup> day of January, 2014.

Attest:   
Meighan J. Alexander  
Village Clerk

  
Shelley Stanczyk  
Mayor

APPROVED AS TO FORM AND LEGAL SUFFICIENCY FOR THE USE  
AND RELIANCE OF THE VILLAGE OF PALMETTO BAY, FLORIDA ONLY:

  
John R. Herin, Jr.  
Interim Village Attorney

FINAL VOTE AT ADOPTION:

|                              |               |
|------------------------------|---------------|
| Council Member Patrick Fiore | <u>NO</u>     |
| Council Member Tim Schaffer  | <u>Absent</u> |
| Council Member Joan Lindsay  | <u>YES</u>    |
| Vice-Mayor John DuBois       | <u>Absent</u> |
| Mayor Shelley Stanczyk       | <u>YES</u>    |



## I. SCOPE OF SERVICES

### A. Preparation of Summary Land Use Analysis

#### 1. Development Potential/Land Use

Kimley Horn and Associates, Inc., (Kimley-Horn) will work with the Village to complete an assessment of the redevelopment potential of the area identified through the Village and the Downtown Redevelopment Task force (DRTF), that will be used as the guiding document to help the Village develop new goals and objectives for the Land Use Analysis and basis for accompanying Comprehensive Plan amendments. The tasks associated with this are described below.

*Tasks to be completed:*

- Data and inventory analysis (capacity analysis) of Village's Comprehensive Plan pertaining to the Housing, Infrastructure (Potable Water Sub-Element, Sanitary Sewer Sub-Element, Stormwater Management (Drainage) Sub-Element, and Solid Waste Sub-Element), Recreation and Open Space, Educational Facilities, and Water Supply Facilities Elements.

#### 2. Land Use Strategy

Kimley-Horn will work with the Village in the development of recommended land use changes following completion of the capacity analysis and the market analysis assessment (prepared under separate agreement) to determine the correct balance of mixed land uses for the Special Area Plan (SAP). Principles from the Comprehensive Plan and Market Assessment will be incorporated into the development of the land use scenarios.

#### 3. Land Use Template

Kimley-Horn will meet with Village staff to identify and confirm the existing Village of Palmetto Bay Comprehensive Plan and Zoning Code recommended changes before moving forward with the development of the land use template. Utilizing the results of the capacity analysis and Market Study, Kimley-Horn will prepare draft land use policies that reflect the Village's objectives for future development within the downtown study area. This template will be incorporated in the Comprehensive Plan Amendment document that will be submitted for adoption into the Village's Future Land Use Element and Map. This deliverable will be based on the Village of Palmetto Bay's



Comprehensive Plan, Kimley-Horn's observation of conditions within and adjoining the planning area, and Kimley-Horn's recommendations based on current standard practice in the planning and zoning field.

***Tasks to be completed:***

- Development of recommended land use modifications and strategies in support of the Market Study that will be used in the proposed Comprehensive Plan Amendment process for the Village.

**4. Infrastructure and Other Public Facilities**

Kimley-Horn will develop a summary memorandum that will address the ability of the Village's current infrastructure and facilities as further described in Section I.A.1 above, to serve the study area and proposed land uses. This study will involve reviewing the Village's current Utility and Stormwater Master Plans specifically in the proposed development area. It is understood the Village's utilities are addressed and maintained by an outside entity and assistance from the Village in support of the coordination efforts and data collection will be required. This memorandum will include an evaluation of the existing studies that have been completed to date and summarize any improvements that may be required to assure the success and compliance of the developed areas.

**Task I.A Deliverable:**

- Draft Land Use Analysis Report for one (1) round of Village review and comments
- Conference call with Village staff to review the Plan.
- Attend work session with Village Commission to discuss SAP (Optional; Additional Service)
- Final draft Land Use Analysis Report

**B. Comprehensive Plan Amendment**

1. The project will result in the development of new Future Land Use Map (FLUM) designation specifically for the downtown study area to be adopted as part of the Village's Comprehensive Plan.
2. Kimley-Horn will analyze the Village's existing Comprehensive Plan and its respective Elements in concert with the Land Use Analysis Report prepared in Task I.A. and the Market Analysis, prepared by



Task Assignment No. xx

Village of Palmetto Bay

Page 3

others, to identify recommended amendments that can support and encourage development within the downtown study area (i.e. summary matrix).

3. Kimley-Horn will assist staff to produce a summary of alternative provisions to improve the internal consistency of the development policies, objectives, and design compatibility framework. This summary will be based on the Village's Comprehensive Plan and our recommendations based on current standard practice in the planning and zoning field.
4. Kimley-Horn will assist the Village of Palmetto Bay staff to prepare and present the proposed amendments to the Village's Comprehensive Plan, as may be necessary, in support of the Comprehensive Plan Amendment. Kimley-Horn will assist Village staff in the preparation of data and analysis supportive of a text and/or land use amendment. It is understood, Village Staff will prepare the required public notices. Kimley-Horn will assist the Village staff to present the Comprehensive Plan Amendment at one (1) meeting of the local planning agency (LPA) (transmittal) and one (1) meeting of the LPA (adoption). Kimley-Horn will assist the Village staff to prepare the transmittal package for submittal to the Florida Department of Economic Opportunity (DEO). Kimley-Horn will assist the Village to respond to one (1) set of comments through the objections, recommendations and comments (ORC) report.

**Task I.B. Deliverable:**

- Based upon these analyses, Kimley-Horn will assist staff to prepare a summary memorandum and table of recommended Comprehensive Plan amendments (i.e., summary matrix) to support the development within the downtown study area. Kimley-Horn will assist Village staff in the preparation, presentation and submittal of a CPA. Kimley-Horn will also assist staff to respond to the ORC Report. Additional responses and/or coordination with DEO will be performed as an additional service and only upon request by the Village.

If requested at optional meetings (additional service), Kimley-Horn is available to conduct public outreach meetings to present the findings and recommendations of the technical memorandums and the CPA. Location and securing of venues for any such meetings will be provided by the Village of Palmetto Bay.



Task Assignment No. xx  
Village of Palmetto Bay  
Page 4

**II. ADDITIONAL SERVICES**

Any services not specifically provided for in the above scope will be considered additional services and can be performed at our then current hourly rates. Additional services we can provide include, but are not limited to, the following:

- Additional revisions beyond those referenced in the above scope of services.
- Planning Board and Village Commission meetings and workshops beyond those identified above.
- Revisions to additional sections of the Zoning Code not specifically reflected in this scope of services.
- Any additional community planning, urban design, economic and engineering studies and plans other than prescribed in this scope.
- Market Study, Fiscal Analysis.
- Development review of individual sites.
- Transportation analysis and modeling.
- Development of design and or architectural standards.
- Meetings, workshops, charrettes and public hearings not specifically referenced in the above scope of services.
- Additional reproduction needs for draft/final documents referenced in the above scope of services.

**III. INFORMATION PROVIDED BY CLIENT**

The Consultant shall be entitled to rely on the completeness and accuracy of all information provided by the Client or the Client's consultants or representatives. The Client shall provide all information requested by Kimley-Horn during the project as necessary and in support of the project.

**VI. SCHEDULE**

This Task Assignment shall commence upon Notice to Proceed. Our anticipated (tentative) schedule for the project would be (dates and time frames below are cumulative):

- |  |                  |
|--|------------------|
| • Notice to Proceed by Village Commission:         | January 22, 2014 |
| • Land Use Analysis Report                         | 45-60 days       |
| • Final draft of Report delivered to Village staff | 60-75 days       |
| • Comprehensive Plan Amendment                     | 60-90 days       |
| • LPA hearings                                     | TBD              |



Kimley-Horn  
and Associates, Inc.

Task Assignment No. xx  
Village of Palmetto Bay  
Page 5

In the event of unforeseen conflicts or delays, schedule modifications will be made with Village approval. This schedule does not constitute Kimley-Horn attendance at all events, but acknowledgement of the timeline.

#### **VII. FEE AND BILLING**

The Consultant will perform the services in Tasks identified above for the lump sum labor fees identified below. The Consultant will perform the services in the Optional Tasks only upon written authorization from the Client for the lump sum labor fees identified below:

For the services and tasks requested through this scope of services, Kimley-Horn proposes the following fees:

#### **TASK FEE**

Preparation of Land Use Analysis Report  
Preparation of Comprehensive Plan Amendment  
Meetings

|                                  |                 |
|----------------------------------|-----------------|
| <b>Total Fees &amp; Expenses</b> | <b>\$60,000</b> |
|----------------------------------|-----------------|