

ORDINANCE NO. 12-1589

**AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, ADOPTING THE ANNUAL UPDATE TO THE CAPITAL IMPROVEMENTS ELEMENT WITHIN THE TOWN'S COMPREHENSIVE PLAN IN ACCORDANCE WITH SECTION 163.3177, FLORIDA STATUTES; PROVIDING FOR SEVERABILITY, CONFLICT, INCLUSION IN THE COMPREHENSIVE PLAN AND AN EFFECTIVE DATE.**

**WHEREAS**, in 2005, the Florida Legislature passed Senate Bill 360, which required, in part, that local governments annually update the Capital Improvements Element contained in their Comprehensive Plans in order to ensure that the required level of service standard for the public facilities listed in Section 163.3180, Florida Statutes is achieved and maintained over the planning period; and

**WHEREAS**, pursuant to Section 163.3177, Florida Statutes, all local governments are required to adopt this update annually; and

**WHEREAS**, the Town of Surfside Planning and Zoning Board, as the local planning agency for the Town of Surfside ("Town"), recommended approval of the proposed amendments to the Capital Improvements Element of the Town of Surfside Comprehensive Plan ("Comprehensive Plan") on May 31, 2012; and

**WHEREAS**, after having received input and participation by interested members of the public and staff, and having considered the recommendation of the Town of Surfside Planning and Zoning Board and staff, the Town Commission found the proposed update to the Capital Improvements Element to be consistent with the Comprehensive Plan; and

**WHEREAS**, the Town Commission has conducted a first and second reading of the proposed ordinance at duly noticed public hearings as required by law and further finds the proposed changes to the Capital Improvements Element of the Comprehensive Plan necessary and in the best interest of the Town.

**NOW THEREFORE, BE IT ORDAINED BY THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, AS FOLLOWS:**

**Section 1. Recitals.** The foregoing "WHEREAS" clauses are ratified and confirmed as being true and correct and are made a specific part of this Ordinance.

**Section 2. Adoption of the Annual Update to the Capital Improvements Element.**

The Town Commission hereby adopts the annual update to the Capital Improvements Element contained in the Town of Surfside Comprehensive Plan, which is attached as Exhibit "A."

**Section 3. Severability.** If any section, subsection, clause or provision of this Ordinance is declared invalid or unconstitutional by a court of competent jurisdiction, the remainder shall not be affected by such invalidity.

**Section 4. Conflict.** All sections or parts of sections of the Comprehensive Plan in conflict herewith are intended to be repealed to the extent of such conflict.

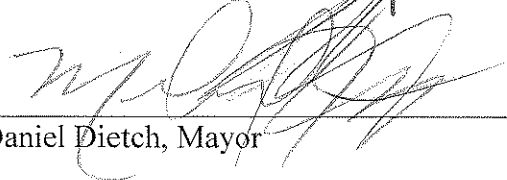
**Section 5. Inclusion in the Comprehensive Plan.** It is the intention of the Town Commission, and it is hereby ordained that the provisions of this Ordinance shall become and made a part of the Comprehensive Plan, that the sections of this Ordinance may be renumbered or re-lettered to accomplish such intentions; and the word "ordinance" may be changed to "Section" or other appropriate word.

**Section 6. Effective Date.**

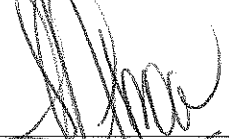
This Ordinance shall be effective immediately upon passage by the Town Commission on second reading, except that the effective date of the Plan Amendment approved by this Ordinance shall be the date a final order is issued by the State Land Planning Agency or Administration Commission finding the Plan Amendment in compliance in accordance with Section 163.3184, Florida Statutes, whichever occurs earlier. The State Land Planning Agency or Administration Commission's notice of intent to find the Plan Amendment in compliance shall be deemed to be a final order if no timely petition challenging the Plan Amendment is filed.

PASSED and ADOPTED on First Reading the 12 day of June, 2012.


PASSED and ADOPTED on Second Reading this 17 day of July, 2012.

  
\_\_\_\_\_  
Daniel Dietch, Mayor

Attest:

  
\_\_\_\_\_  
Sandra Novoa  
Town Clerk

APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY:

  
\_\_\_\_\_  
Lynn M. Dannheisser, Town Attorney

On First Reading Moved by: Kligman

On Second Reading Seconded by: Olchyk

Vote:

Commissioner Kligman	yes <input checked="" type="checkbox"/>	no <input type="checkbox"/>
Commissioner Lisbon	yes <input type="checkbox"/>	no <input type="checkbox"/>
Comissioner Olchyk	yes <input checked="" type="checkbox"/>	no <input type="checkbox"/>
Vice Mayor Karukin	yes <input checked="" type="checkbox"/>	no <input type="checkbox"/>
Mayor Dietch	yes <input checked="" type="checkbox"/>	no <u>Absent</u>

Schedule of Funded Capital Improvements by Category and Funding Sources  
 Tables 9-10A-D make up the Town's schedule of Capital Improvements. Funding sources are shown where applicable.

Table 9-10A  
 Stormwater Projects

Town Stormwater Projects									
Project	Location	FY2014	FY2012	FY2013	FY2014	FY2015	FY2016	Total	
Stormwater Pollution Control Project	Townwide	\$2,771,190	\$668,781					\$668,781 \$2,771,190	
Total Cost of Stormwater Projects		\$2,771,190	\$668,781					\$668,781 \$2,771,190	
Funding Sources	FDEP LP6787 Approved 12/31/08	-\$125,000	-	-	-	-	-	125,000	
	FDEP S0374 Approved 2/30/10	-\$873,500	-	-	-	-	-	873,500	
	State Revolving Loan Fund	\$1,772,690						3,010,092	
	Previous Year Carryover		\$286,990	\$573,980	\$860,700	\$1,147,960		\$2,869,630	
Total Funding Available for Stormwater Pollution Control Project		\$2,771,190	\$286,990	\$573,980	\$860,700	\$1,147,960		\$5,640,820	

Source: Town of Surfside, Calvin, Giordano and Associates, Inc.

Note: The Town Commission approved a stormwater service rate increase to provide debt service for the fund balances for FY11. Funding sources for FY11 result in a carryover/reserve for each year FY12-FY15.

**Table 9-10B  
Wastewater and Potable Water Projects**

Town Wastewater and Potable Water Projects									
Project Name	Location	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015	FY 2016	Total	
Wastewater System Rehabilitation Program	Townwide	3,987,100	\$900,321					\$900,321	
			\$1,049,123					\$5,036,223	
Water System Program	Townwide	4,241,200	\$1,067,433					\$1,067,433	
			\$1,797,371					\$6,038,571	
<b>Total Cost of Projects</b>		<b>8,228,300</b>	<b>\$1,967,754</b>					<b>\$1,967,754</b>	
			<b>\$2,846,494</b>					<b>11,074,794</b>	
Funding Sources	Miami-Dade County Building Better Communities Bond	820,000							820,000
Funding Sources	Water and Sewer Fund	336,690	1,165,690						1,502,380
	State Revolving Fund with non-ad valorem pledge from rate adjustment	7,807,947	1,855,636						9,663,583
	FDEP LP8978 - 3/31/09	100,000							100,000
	FDEP LP8978 - 3/31/09	33,000							33,000
	Previous year carryover			351,056	351,056	351,056			
<b>Total Funding</b>		<b>9,106,637</b>	<b>3,021,326</b>					<b>12,127,963</b>	

Source: Town of Surfside; Calvin, Giordano and Associates, Inc.

Notes: Description of Wastewater Rehabilitation Program: The Wastewater Rehabilitation Plan consists of three phases. Phase I required the placement of full dish gaskets on manhole openings and brings the Town in partial compliance with the mandates from PERA-DEKM. Phase II requires the repair or lining of sanitary sewer lines as detected by the recent cleaning and video project. Phase III (renovating pump stations) will complete the requirements as outlined in the Sanitary Sewer Evaluation Study (SSES).

Description of Water System Program: This project provides for the replacement of about 11 miles of water system pipe known to be in particularly poor condition.

The Miami-Dade County Building Better Communities Bond was approved on July 20, 2004.

The Town Commission approved water and sewer service rate increases to provide debt service and state revolving loan repayment for FY10 and FY11. Funding sources for FY10 and FY11 result in a carryover of \$351,056 for each year FY12-FY15.

Table 9-10C  
FDOT Projects

FDOT Projects								
Project Name	Location	FY-2011	FY 2012	FY 2013	FY 2014	FY 2015	FY 2016	Total
SR A1A/Collins Ave/Harding Ave Resurfacing FDOT Item No: 4198581 and 4198231	Northbound along Collins Avenue from 75 Street to north of 96 <sup>th</sup> Street. Southbound on Harding Avenue from Bal Harbour Shops to 94 Street.		\$3,610,593					\$3,610,593
SR A1A/Collins Avenue Resurfacing FDOT Item No: 4198581	150 feet north of 75th Street to north of 96 <sup>th</sup> Street		\$4,820,000					\$4,820,000
SR A1A/Harding Avenue-Resurfacing FDOT Item No: 4198231	From Bal Harbour Shop Entrance to 94 <sup>th</sup> Street		\$1,315,000					\$1,315,000
SR922/96 St Kane Concourse Resurfacing FDOT Item No. 4274211	From 163 feet east of E. Bay Harbor Drive to SR A1A/Collins Avenue	\$105,000		\$381,089 \$694,000				\$381,089
<b>Total Cost of FDOT Projects</b>		<b>\$105,000</b>	<b>\$3,610,593</b> <b>\$6,135,000</b>	<b>\$381,089</b> <b>\$694,000</b>				<b>\$3,991,682</b> <b>\$6,934,000</b>

**Table 9-10D  
Gas Tax Projects**

Gas Tax/ CITT Projects							
Project Name	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015	FY 2016	Total
Traffic Management Program	\$55,000	\$85,000	\$80,000	\$80,000	\$80,000		\$325,000 \$380,000
Downtown Improvement Master Plan	\$23,500						\$23,500
Mobility Fee Study	\$75,000						\$75,000
<b>Total Cost</b>	<b>\$153,500</b>	<b>\$85,000</b>	<b>\$80,000</b>	<b>\$80,000</b>	<b>\$80,000</b>		<b>\$325,000</b> <b>\$478,500</b>
<b>Funding Source</b>	<b>Municipal Transportation Fund</b>	\$100,181	\$110,918	\$112,480	\$114,168		\$409,187
<b>Balance</b>	<b>\$105,000</b>	<b>\$24,181</b>	<b>\$30,918</b>	<b>\$32,480</b>	<b>\$34,168</b>		<b>\$105,000</b>

Source: Town of Surfside Finance Department.

Note: The Municipal Transportation Fund includes the Second Local Option Gas Tax, funds from the Citizen's Independent Transportation Trust (County gas tax shared with municipalities). The 2011 fund balance includes a balance transfer. FY11-15 projections are based upon a 1.5% increase in revenues years from FY11.

Project Descriptions: The Downtown Improvements Master Plan is a comprehensive study that focuses on Collins Avenue, Harding Avenue, and the surrounding downtown areas. The study is to include analysis and recommendations regarding hard-cape and soft-cape features, way-finding signage, aesthetic enhancements, and other unique elements exclusive to the Town. Additional studies and improvement costs may result from these recommendations.

The Traffic Management Program is a program to implement various traffic calming devices throughout the Town. Traffic calming devices help lower vehicle speed and prevent cut through traffic on local roads. Traffic calming devices can include but are not limited to speed tables, roundabouts, partial road closures, road narrowing, and chicanes. Included in the funding are traffic engineering analysis and construction costs.

The Mobility Fee Study would prepare Surfside for the adoption of transportation impact fee-based upon multi-modal planning (auto, bicycle, pedestrian, mass transit) and the requirements implementing SB366.

**TABLE 9-10E School Facilities Work Program**  
**Miami-Dade Public Schools Five-Year Facilities Work Program for 2011-12 through 2015-16 adopted September 7, 2011**

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Town of Surfside  
Comprehensive Plan

FY12 Update  
Capital Improvements Element

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