



TOWN OF CUTLER BAY

Mayor Edward P. MacDougall
Vice Mayor Ernest N. Sochin
Councilmember Peggy R. Bell
Councilmember Mary Ann L. Mixon
Councilmember Sue Ellen Loyzelle

Town Attorney Mitchell Bierman
Town Attorney Chad Friedman
Town Manager Steven Alexander
Town Clerk Esther B. Coulson

This meeting is open to the public. In accordance with the Americans with Disabilities Act of 1990, persons needing special accommodations to participate in this proceeding should contact the town clerk at (305) 234-4262 for assistance no later than four days prior to the meeting.

LOCAL PLANNING AGENCY MEETING AGENDA

Wednesday, February 16, 2011, 7:00 p.m.
South Dade Regional Library
10750 SW 211th Street
Cutler Bay, Florida 33189

- I. **CALL TO ORDER, ROLL CALL, AND PLEDGE OF ALLEGIANCE**
- II. **ADDITIONS, DELETIONS AND DEFERRALS**
- III. **CONSENT AGENDA**
Approval of Minutes – January 19, 2011
- V. **ACTION ITEMS**
First Reading
 - A. **(1) Urban Center District**

AN ORDINANCE OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, AMENDING ORDINANCE 06-06 RELATING TO THE URBAN CENTER DISTRICT; PERMITTING ENTERTAINMENT CENTER USES WITHIN THE DISTRICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE. (MacDougall)

TAB 1

(2) Lakes By-the-Bay South Commons Development

A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, APPROVING AN INTERLOCAL AGREEMENT

TAB 2

BETWEEN MIAMI-DADE COUNTY AND THE TOWN REGARDING THE BUILDING BETTER COMMUNITIES GENERAL OBLIGATION BOND PROGRAM FOR LAKES BY THE BAY PARK; AUTHORIZING THE TOWN MANAGER TO TAKE ANY AND ALL STEPS NECESSARY TO EFFECTUATE THE INTENT OF THIS RESOLUTION; AND PROVIDING FOR AN EFFECTIVE DATE.

Second Reading

B. Capital Improvements Element

AN ORDINANCE OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, ADOPTING THE ANNUAL UPDATE TO THE CAPITAL IMPROVEMENTS ELEMENT WITHIN THE TOWN'S COMPREHENSIVE PLAN; PROVIDING FOR THE ADOPTION OF THE ANNUAL UPDATE TO THE MIAMI-DADE COUNTY PUBLIC SCHOOLS FACILITIES WORK PROGRAM; PROVIDING FOR SEVERABILITY, AND PROVIDING FOR AN EFFECTIVE DATE.

TAB 3

VI. PUBLIC COMMENTS

THE PRESIDING OFFICER SHALL HAVE THE DISCRETION TO LIMIT THE LENGTH OF PUBLIC COMMENTS IN THE INTEREST OF TIME IN ORDER TO ALLOW ALL PERSONS WHO WISH TO SPEAK AN OPPORTUNITY TO DO SO.

VII. MAYOR AND COUNCIL COMMENTS

VIII. OTHER BUSINESS

VIX. ADJOURNMENT

PURSUANT TO FLORIDA STATUTES 286.0105, THE TOWN 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 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 TOWN FOR THE INTRODUCTION OR ADMISSION OF OTHERWISE INADMISSIBLE OR IRRELEVANT EVIDENCE, NOR DOES IT AUTHORIZE CHALLENGES OR APPEALS NOT OTHERWISE ALLOWED BY LAW.

LOCAL PLANNING AGENCY MINUTES

Wednesday, January 19, 2011, 7:00 p.m.
South Dade Regional Library
10750 Southwest 211 Street
Cutler Bay, Florida 33189

Mayor Edward P. MacDougall
Vice Mayor Ernest N. Sochin
Councilmember Peggy R. Bell
Councilmember Mary Ann L. Mixon
Councilmember Sue Ellen Loyzelle

Town Attorney Mitchell Bierman
Town Manager Steven Alexander
Town Clerk Esther B. Coulson

I. **CALL TO ORDER, ROLL CALL, AND PLEDGE OF ALLEGIANCE**

The mayor called the meeting to order at 7:02 p.m., requested that Ms. Coulson call the roll and with a quorum present, led in the Pledge of Allegiance to the flag.

II. **PUBLIC COMMENTS**

There were no members of the public to come before the council at this time.

III. **ADDITIONS, DELETIONS, AND DEFERRALS**

There were no changes to submit before the council at this time.

IV. **CONSENT AGENDA - Minutes**

The February 17, 2010 minutes were postponed to a future meeting.

V.&VI. **ACTION ITEM AND PUBLIC COMMENTS - ANNUAL UPDATE – CAPITAL IMPROVEMENTS ELEMENT**

Upon the Mayor's request, Ms. Coulson read into the record the title of the proposed ordinance, the substance of which is as follows:

AN ORDINANCE OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, ADOPTING THE ANNUAL UPDATE TO THE CAPITAL IMPROVEMENTS ELEMENT WITHIN THE TOWN'S COMPREHENSIVE PLAN; PROVIDING FOR THE ADOPTION OF THE ANNUAL UPDATE TO THE MIAMI-DADE COUNTY PUBLIC SCHOOLS FACILITIES WORK PROGRAM; PROVIDING FOR SEVERABILITY, AND PROVIDING AN EFFECTIVE DATE.

After Mr. Alexander reviewed the annual update and revisions to the CIE, the the mayor called for the public to be heard.

There being no comments from the public and **on motion of Vice Mayor Sochin, seconded by Councilmember Mixon and unanimously carried, the council approved staff's recommendation to adopt the amendment to the Capital Improvement Element of the Town of Cutler Bay Growth Management Plan in compliance with state**

requirements to update the capital improvement schedule on an annual basis and recommended the enactment of the proposed ordinance.

VII. ADJOURNMENT

There being no further business to come before the council, and on motion made, seconded and unanimously carried, the meeting adjourned at 7:12 p.m.

The minutes were approved at the February 16, 2011 Local Planning Agency meeting.

Signed _____
Esther B. Coulson, Town Clerk

Signed _____
Edward P. MacDougall, Mayor

DRAFT

TAB 1

ORDINANCE NO.

AN ORDINANCE OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, AMENDING ORDINANCE 06-06 RELATING TO THE URBAN CENTER DISTRICT; PERMITTING ENTERTAINMENT CENTER USES WITHIN THE DISTRICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on April 6, 2006, the Town Council of the Town of Cutler Bay (“the Council”) enacted Ordinance 06-06 creating the Urban Center District (the “District”) within the Town; and

WHEREAS, currently entertainment center uses are not allowed within the District; and

WHEREAS, the Town Council desires to permit such uses within the District; and

WHEREAS, the Town Council, sitting in its capacity as the Local Planning Agency, has reviewed the proposed Ordinance and recommends approval; and

WHEREAS, the Town Council finds these changes to be in the best interest and welfare of the Town.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY AS FOLLOWS:

Section 1. **Findings.** The foregoing “Whereas” clauses are hereby ratified and incorporated as the legislative intent of this Ordinance.

Section 2. **Ordinance 06-06.** The Town Council hereby amends Ordinance 06-06 as follows:

Section 2. **Uses.** The following uses are permitted within the UCD:

A. Permitted Uses. Except as provided herein, all permitted, conditionally permitted, and temporary uses within the UCD shall comply with Section 33-284.83 of the County Code. An entertainment center use may be permitted if: (1) the use is no larger than 20,000 square feet; and (2) the use is internal to an enclosed mall and has no external access to and from the parking lot. In addition to all uses permitted in the Industrial District (ID) under Section 33-284.83 of the County Code, all uses permitted in the Mixed-Use Corridor (MC) shall be permitted within the Industrial District (ID).

Section 3. **Severability.** If any section, clause, sentence, or phrase of this Ordinance is for any reason held invalid or unconstitutional by a court of competent jurisdiction, the holding shall not affect the validity of the remaining portions of this Ordinance.

Section 4. Conflict. All Sections or parts of sections of the code of ordinances, all ordinances or parts of ordinances, and all resolutions, or parts of resolutions, in conflict with this ordinance are repealed to the extent of such conflict.

Section 5. Effective Date. This ordinance shall be effective immediately upon adoption on second reading.

PASSED on first reading this _____ day of _____, 2011.

PASSED AND ADOPTED on second reading this ___ day of _____, 2011.

EDWARD P. MACDOUGALL, Mayor

Attest:

ESTHER B. COULSON
Town Clerk

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY FOR THE
SOLE USE OF THE TOWN OF CUTLER BAY:

WEISS SEROTA HELFMAN PASTORIZA
COLE & BONISKE, P.L.
Town Attorney

Moved By:
Seconded By:

FINAL VOTE AT ADOPTION:

Mayor Edward P. MacDougall _____

Vice Mayor Ernest N. Sochin _____

Councilmember Peggy R. Bell _____

Councilmember Mary Ann Mixon _____

TAB 2



Steven J. Alexander
Town Manager

MEMORANDUM

To: Mayor and Town Council

From: Steven Alexander

Date: February 7, 2011

Re: Lakes by the Bay South Commons

In 2003, Miami-Dade County (the "County") adopted Zoning Resolution Z-17-03, which modified the development order governing the Lakes by the Bay South Commons development.

After the Town was established, the Town Council adopted Resolution 06-74, in 2006, supporting the creation of a special taxing district for security guard gates within the South Commons, subject to the condition that a traffic study be conducted in order to determine if a development order condition relating to the connection of S.W. 97th Avenue and S.W. 224 Street (the "Traffic Study") could be removed as a means to further protect the existing linear park along S.W. 97th Avenue. The Town staff has reviewed the Traffic Study prepared by David Plummer and Associates Inc. dated March 2008 and recommends the removal of the above referenced condition.

RECOMMENDATION:

Staff recommends adoption of the amendment to the Lakes by the Bay South Commons Development Order as per the attached resolution.



RESOLUTION 11-

A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, AMENDING THE DEVELOPMENT ORDER FOR THE LAKES-BY-THE BAY SOUTH COMMONS DEVELOPMENT GENERALLY LOCATED NORTH OF SOUTHWEST 232 STREET, SOUTH OF SOUTHWEST 216 STREET, EAST OF OLD CUTLER ROAD, AND WEST OF SOUTHWEST 87 AVENUE; DELETING A DEVELOPMENT ORDER ROADWAY CONDITION, AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, in 2003, Miami-Dade County (the “County”) adopted Zoning Resolution Z-17-03, which modified the development order governing the Lakes By-The-Bay South Commons development (the “South Commons”); and

WHEREAS, in 2006, the Town Council adopted Resolution 06-74, supporting the creation of a special taxing district for security guard gates within the South Commons, subject to the condition that a traffic study be conducted in order to determine if a development order condition relating to the connection of Southwest 97 Avenue and Southwest 224 Street (the “Traffic Study”) could be removed as a means to further protect the existing linear park along Southwest 97 Avenue; and

WHEREAS, Town staff has reviewed the Traffic Study prepared by David Plummer and Associates Inc. in March 2008 and recommends the removal of the above referenced condition; and

WHEREAS, the Town Council finds that this resolution is in the best interest and welfare of the residents of the Town.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, AS FOLLOWS:

Section 1. Recitals. The above recitals are true and correct and are incorporated herein by this reference.

Section 2. Modification of Lakes By-The-Bay South Commons Development Order. The Town Council hereby amends the Lakes By-The-Bay South Commons Development Order as follows:

<u>LOCATION SCHEDULE</u>	<u>DESCRIPTION</u>	<u>PHASING</u>
S.W. 224 Street from S.W. 93 Path to existing southern terminus of S.W. 97 th Avenue at the southern boundary of Lakes by the Bay Section	Two Lane Two Way Roadway	Upon construction of residential dwelling units in Parcel D or Parcel E

five (Plat book 131, page 75)

Section 3. Effective Date. This resolution shall take effect immediately upon adoption.

PASSED and ADOPTED this _____ day of _____, 2011.

EDWARD P. MACDOUGALL, Mayor

Attest:

ESTHER B. COULSON
Town Clerk

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY FOR THE
SOLE USE OF THE TOWN OF CUTLER BAY:

WEISS SEROTA HELFMAN PASTORIZA
COLE & BONISKE, P.L.
Town Attorney

Moved By:
Seconded By:

FINAL VOTE AT ADOPTION:

Mayor Edward P. MacDougall	_____
Vice Mayor Ernest N. Sochin	_____
Councilmember Peggy R. Bell	_____
Councilmember Mary Ann Mixon	_____
Councilmember Sue Ellen Loyzelle	_____

TAB 3



Office of the Town Manager

Steven J. Alexander
Town Manager

MEMORANDUM

To: Mayor and Town Council

From: Steven Alexander

Date: November 8, 2010

Re: Growth Management Plan Amendment / Capital Improvement Element

Section 163.3177 of the Florida Statutes requires local governments to update the Capital Improvements Schedule of the Growth Management Plan (GMP) on an annual basis. The attached amendment has been updated (starting on page 11) to reflect planned and programmed project revisions for the five year period beginning 2010 through 2014. The amendment updates project lists from the 2009 schedule in strikethrough and underline formatting to reflect current funding levels, sources, and construction timetables.

The amendment also includes a revision to the Educational Facilities Element Policy EDU-2F to adopt the September, 2010 version of the Miami-Dade County Public Schools District Facilities Work Program. This modification is shown on the bottom of page 15 of the amendment.

The primary purpose of the CIE update is to stay abreast of the facility needs of the community and to ensure that the deficiencies as well as the improvements identified in the other elements of the GMP are programmed and corrected accordingly over time. The Town's Growth Management Plan was determined by the State to be fully in compliance on October 28, 2008.

RECOMMENDATION:

Staff recommends adoption of the amendment to the Capital Improvement Element of the Town of Cutler Bay Growth Management Plan in compliance with State requirements to update the capital improvement schedule on an annual basis.



ORDINANCE NO. 10-

AN ORDINANCE OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, ADOPTING THE ANNUAL UPDATE TO THE CAPITAL IMPROVEMENTS ELEMENT WITHIN THE TOWN'S COMPREHENSIVE PLAN; PROVIDING FOR THE ADOPTION OF THE ANNUAL UPDATE TO THE MIAMI-DADE COUNTY PUBLIC SCHOOLS FACILITIES WORK PROGRAM; PROVIDING FOR SEVERABILITY, AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, local governments are annually required to 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 are achieved and maintained over the planning period, and

WHEREAS, the Town of Cutler Bay (the "Town") Town Council, sitting in its capacity as the Local Planning Agency, has recommended approval of the proposed amendments to the Capital Improvements Element and Miami-Dade County Public School Facilities Work Program within the Town's Comprehensive Plan ("Comprehensive Plan"), and

WHEREAS, the Town Council finds that this ordinance is consistent with the Comprehensive Plan; and

WHEREAS, the Town Council hereby finds that adoption of this ordinance is in the best interest and welfare of the residents of the town.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA:

Section 1. Recitals Adopted. The recitals set forth above are true and correct and incorporated herein by this reference.

Section 2. Adoption of the Capital Improvements Element and Miami-Dade County Public Schools Facilities Work Program Update. The Town Council hereby adopts the annual update to the Capital Improvements Element and Miami-Dade County Public School Facilities Work Program, which is attached to this Ordinance as Exhibit "A."

Section 3. Conflicts. All ordinances or code provisions in conflict herewith are hereby repealed.

Section 4. Severability. The provisions of this ordinance are declared to be severable, and if any section, sentence, clause or phrase of this ordinance shall for any

reason be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this ordinance but they shall remain in effect, it being the legislative intent that this ordinance shall stand notwithstanding the invalidity of any part.

Section 5. Effective Date. This ordinance shall be effective immediately upon passage by the Town Council on second reading, except that the effective date of these plan amendments approved by this ordinance shall be the date a final order is issued by the Department of Community Affairs or Administration Council finding the plan amendments in compliance in accordance with Section 163.3184, Florida Statutes, whichever occurs earlier. The Department of Community Affairs notice of intent to find the plan amendments in compliance shall be deemed to be a final order if no timely petition challenging the plan amendments is filed.

PASSED on first reading this 14th day of November, 2010.

PASSED and ADOPTED on second reading this ____ day of _____, 2010.

EDWARD P. MACDOUGALL, Mayor

Attest:

ESTHER LEWIN-COULSON
Town Clerk

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY FOR THE
SOLE USE OF THE TOWN OF CUTLER BAY:

WEISS SEROTA HELFMAN PASTORIZA
COLE & BONISKE, P.L.
Town Attorney

Moved By:
Seconded By:

FINAL VOTE AT ADOPTION:

Mayor Edward P. MacDougall _____

Vice Mayor Ernest N. Sochin _____

Councilmember Peggy R. Bell _____

Councilmember Mary Ann Mixon _____

Councilmember Sue Ellen Loyzelle _____

**Town of Cutler Bay
Capital Improvement Element Amendment**

November 9, 2010

Introduction

The following amendment application consists of proposed revisions to the Capital Improvements Element for the Town of Cutler Bay. The Town was incorporated in November 2005 and adopted its first Growth Management Plan in April 2008. The plan was determined by the State to be fully in compliance on October 28, 2008. This is the second update to the Capital Improvements Element since the plan was adopted.

This amendment consists of updates to the data and analysis required by Florida law and revisions to the Capital Improvement Schedule. The data and analysis consists of the public facilities capacity analysis and revenue and expenditure projections. The amendment includes copies of the current Capital Improvement Schedule with strikethrough formatting to indicate the table is being updated with new information.

This amendment also consists of a revision to Educational Facilities Element Policy EDU-2F to adopt the most recent version of the Miami-Dade County Public Schools 5-Year District Facilities Work Program.

Public Facilities Capacity Analysis

Ensuring the availability of services and infrastructure to serve the existing and future population and land uses is an important function of the Growth Management Plan. The Growth Management Plan establishes levels of service for key facilities and infrastructure, including roadways, mass transit, potable water, sanitary sewer, drainage, and parks and recreation. The Capital Improvements Schedule identifies planned and programmed capital improvements that will be implemented by the Town and other agencies in order to meet or exceed the Level of Service standards, or otherwise implement the Growth Management Plan. In order to be financially feasible, revenues adequate to fund the projects identified as “funded” on the Capital Improvements Schedule must be demonstrated.

The following analysis of facility capacity demonstrates that the proposed capital improvements will maintain the LOS standards of the Town.

Potable Water

LOS Standard – The Town’s Level of Service Standard for potable water is as follows:

Regional Treatment – System shall operate with a rated capacity that is no less than 2% above maximum daily flow for the preceding year.

User LOS – Maintain capacity to produce and deliver 155 gallons per capita per day (gpd).

Water Quality – Meet all County, State and federal primary potable water standards.

Countywide storage – Storage capacity for finished water shall equal no less than 15% of Countywide average daily demand.

With the exception of a few enclaves that remain on private wells, the Town is provided with potable water services through the Miami-Dade Water and Sewer Department (WASD). The Town shall coordinate with WASD on an ongoing basis in the delivery of potable services within its boundaries, and with the South Florida Water Management District in the management of the regional water supply.

The Alexander Orr Water Treatment Plant serves the Town of Cutler Bay. This plant has a capacity of 172 million gallons per day, which will increase to 205 million gallons per day by 2020 as a result of programmed improvements. Tables INF-2 and INF-3 in the support component of the Infrastructure Element provides potable water supply and demand analysis through 2020 for demand and 2030 for supply. This analysis indicates that the Town will meet its Level of Service standard for potable water through the planning period. The Town has not programmed any capital improvements related to water facilities.

Sanitary Sewer

LOS Standard – 100 gallons per capita per day (gpd).

With the exception of a few enclaves that remain on septic tanks, the Town is provided with sanitary sewer services through the Miami-Dade Water and Sewer Department (WASD). The Town shall coordinate with WASD on an ongoing basis in the delivery of sewer services within its boundaries.

The Town is located in WASD’s South Sewer Service District. The South Sewer District Plant has a design flow capacity of 112 million gallons per day. By 2010 the plant’s capacity will increase to 131 million gallons per day as a result of programmed improvements. Table INF-5 in the support component of the

Infrastructure Element documents the Town's existing and projected wastewater demand through the planning period. As demonstrated, the Town will meet its Level of Service standard for sanitary sewer service through the planning period. The Town has not programmed any capital improvements related to sanitary sewer facilities.

Drainage

LOS Standard – The Town's Level of Service Standard for stormwater drainage is as follows:

Quality - The drainage and performance standards established in Chapter 62-25, 25.015, F.A.C., as amended with treatment of the first inch of rainfall to meet water quality standards required by Chapter 62-302, 862-302.500, F.A.C., as amended.

Quantity – Post-development runoff should not exceed the pre-development runoff for a 25-year storm event, up to and including an event with 24-hour duration. In addition, the Standard requires onsite treatment of the first inch of rainfall or the first half-inch of runoff, whichever is greater.

Most of the Town is located within Zone AE, the 100-year floodplain. The purchase of flood insurance is mandatory in these areas. The Town also includes areas within Zone X and Zone X-500. Zone X corresponds to areas outside of the 100 year floodplain, areas where 100 year sheetflow flooding at a depth of one foot or less may occur, or areas protected from 100 year floods by levees. Zone X-500 corresponds to the 500 year floodplain.

Stormwater drainage has been an ongoing challenge in the Town, particularly the areas of marl and muck soils east of Old Cutler Road. In 2007, the Town completed a Stormwater Master Plan and in 2008 assumed stormwater drainage responsibilities from the County. The Stormwater Master Plan includes a detailed inventory of the stormwater system and projected deficiencies, and a program to correct these deficiencies.

The Town has recently completed two new stormwater drainage improvement projects financed in fiscal year 2009/10. The Caribbean Boulevard stormwater drainage project received funding through the County PTP Funds as part of an overall upgrade to this roadway. The Saga Bay and Bel Aire neighborhoods received funding from FDEP in addition to being funded by the stormwater utility fee which was transferred from Miami-Dade County to the Town.

Solid Waste

LOS Standard – A collection capacity of 9.9 lbs. per capita per day, and disposal capacity sufficient to accommodate waste flows committed to the system through long-term interlocal agreements and contracts and non-committed solid waste flows for a period of five years.

The Town of Cutler Bay is provided with collection and disposal service through the Miami-Dade County Department of Solid Waste Management. The Town's solid waste is disposed of at the South Dade Landfill, which is located south of the Town Limits, or is processed through the Resources Recovery facility. As noted in the Infrastructure Element support component, the County's collection and disposal capacity will be sufficient to meet the Town's Level of Service Standard through 2015. The County has programmed \$75.83 million in capital solid waste disposal projects to address existing and projected demand, and to further expand capacity. The Town therefore does not anticipate any problems in meeting its solid waste Level of Service standard through the planning period and beyond. The Town has not programmed any capital improvement projects related to solid waste facilities.

Transportation

Level of Service Standard – The Town’s adopted Level of Service standard for roadways is as follows:

- LOS D for principal arterial, collector, and local roads without available transit;
- LOS E for minor arterials without local transit;
- LOS E for roads within ½ mile of transit service with 20 minute headway;
- 120 % of capacity where extraordinary transit service (commuter rail or bus service) is available;
- LOS D for limited and controlled access Florida Interstate Highway System roads;
- LOS E on limited access facilities where exclusive through lanes exist;
- LOS E on controlled access facilities with exclusive through lanes or that are parallel to exclusive transit.

The Town’s existing and programmed transportation system, including existing and projected Levels of Service and programmed improvements, is described in the adopted and support components of the Transportation Element. Due to the fact that the Town is substantially built out, there is little opportunity for the construction of new roadways or expansion of existing roadways except local roads in developing areas. Transit and non-motorized transportation options need to be maximized in order to reduce congestion of the roadway system, particularly given the challenges presented by continued population growth. The Growth Management Plan’s emphasis on mixed-use and transit-oriented development patterns, as envisioned by the Future Land Use Map and districts, is intended to reflect this focus and promote viable multi-modal transportation options.

The Capital Improvement Schedule includes funding from other agencies for numerous local transportation projects such as improvements to various intersections and new traffic circles on Old Cutler Road. Additionally, there is funding programmed for regional projects such as two new park-and-ride facilities along the busway (at SW 112 Avenue and at SW 200th Street), the South Dade Greenway bike path, pedestrian underpasses, and additional lanes to the Homestead Extension to the Florida Turnpike (HEFT).

While the Town’s capital improvements budget includes projects that are funded by other agencies, including Federal stimulus grants. The Town has recently completed it’s first Transportation Master Plan in order to provide a detailed analysis of the current traffic conditions and specific projects to address the failing roadways. Projects from the Transportation Master Plan are included in this update of the Capital Improvement Element. The projects include upgrades to various roadways, adding lanes and funding to start a Town operated trolley. The following transportation capacity analysis describes other potential improvements that are recommended for the Town to reach and maintain adopted LOS standards.

Transportation Capacity Analysis

Roadway	Limits	Facility Type	LOS Standard			Potential Improvement	Comments
			2007	2015	2030		
SW 184 St	Franjo Rd to SW 92 Ave	2L	D	D	E	Traffic Operations and Safety including traffic signal phasing / timing, intersection improvements and transit improvements.	Widening of roadway is not recommended and will create significant negative impact to the residential community. Improvement will concentrate on Traffic Operations and transit improvements as part of Transportation Master plan. This is a County facility.
	SW 92 Ave to SW 87 Ave	2L	D	D	E		
Caribbean Blvd	SW 117 Ave to SW 110 Ave	2LD	F	F	F	Traffic Operations and Safety including traffic signal phasing / timing, intersection improvements and transit improvements.	Widening of roadway is not recommended and will create significant negative impact to the residential community. Improvement will concentrate on Traffic Operations and transit improvements as part of Transportation Master plan. This is a County Facility.
	SW 110 Ave to US-1	4LD	F	F	F		
	US-1 to Fla TKP	4LD	< C	D	F		
	Fla TKP to SW 97 Ave	2L	F	F	F		
	SW 97 Ave to Marlin Rd	2L	D	D	E	- Further analyses to determine feasibility of intersection operational and safety improvements. - Perform studies to determine feasibility of Enhancement / Beautification project recommendations.	
SW 211 St	SW 112 Ave to SR 821	6LD	D	D	F	Traffic Operations and Safety including traffic signal phasing / timing, intersection improvements and transit improvements.	Widening of roadway is not recommended and will create significant negative impact to the residential community. Improvement will concentrate on Traffic Operations and transit improvements as part of Transportation Master plan. This is a County facility.
SW 216 St	SR 821 to Old Cutler Rd	4LD	D	D	F	Traffic Operations and Safety including traffic signal phasing / timing, intersection improvements and transit improvements.	Widening of roadway is not recommended and will create significant negative impact to the residential community. Improvement will concentrate on Traffic Operations and transit improvements as part of Transportation Master plan. This is a County facility.
	Old Cutler Rd to SW 87 Ave	4LD	D	D	F		
Old Cutler Rd	SW 216 St to SW 97 Ave	2L	F	F	F	Traffic Operations and Safety including traffic signal phasing / timing, intersection improvements and transit improvements.	Designated as a Historical roadway which prohibits roadway widening. This is a County facility.
	SW 97 Ave to Marlin Rd.	2L	F	F	F		
	Marlin Rd to SW 87 Ave	2L	F	F	F	Traffic Operations and Safety including traffic signal phasing / timing, intersection improvements and transit improvements.	

	SW 87 Ave to SW 184 St	2L	F	F	F	- Two-Lane Roundabout at SW 87 Ave. - Replace and install pavement markings and traffic signs as appropriate.	
	SW 184 St to SW 77 Ave	2L	F	F	F	Replace and install pavement markings and traffic signs as appropriate and traffic operations improvements.	
SW 97 Ave	Franjo Rd to SW 184 St	2L	F	F	F	Traffic Operations and Safety including traffic signal phasing / timing and intersection improvements.	Widening of roadway is not recommended and will create significant negative impact to the residential community. Improvement will concentrate on Traffic Operations and transit improvements as part of Transportation Master plan. This is a County facility.
	SW 184 St to SW 174 St	2L	E	F	F		
Marlin Rd	Old Cutler Rd. to Caribbean Blvd	2L	D	E	E	- Traffic Operations and Safety including traffic signal phasing / timing and intersection improvements. - Perform studies to determine feasibility of Enhancement / Beautification project recommendations. - Transit improvements.	Widening of roadway is not recommended and will create significant negative impact to the residential community. Improvement will concentrate on Traffic Operations and transit improvements as part of Transportation Master plan. This is a County facility.
	Caribbean Blvd to SW 97 Ave	2L	F	F	F		
	US-1 to SW 107 Ave	4LD	F	F	F		
Franjo Rd.	Old Cutler Rd. to Caribbean Blvd	2L	E	F	F	- Traffic Operations and Safety including traffic signal phasing / timing and intersection improvements. - Perform studies to determine feasibility of Enhancement / Beautification project recommendations. - Transit improvements.	Widening of roadway is not recommended and will create significant negative impact to the residential community. Improvement will concentrate on Traffic Operations and transit improvements as part of Transportation Master plan. This is a County facility.
	Caribbean Blvd to SW 97 Ave	2L	F	F	F		
SW 87 Ave	SW 216 St to Old Cutler Rd.	2L	D	E	D	Work with the MPO to pursue the following: - Traffic Operations and Safety including traffic signal phasing / timing and intersection improvements. - Perform studies to determine feasibility of Enhancement / Beautification project recommendations.	This is a County facility.
	Old Cutler Rd to Caribbean Blvd	2L	D	F	D		
	Caribbean Blvd to SW 184 St	2L	E	F	D		
	SW 184 St to SW 174 St	2LD	F	F	E		
US-1	Caribbean Blvd to Marlin Rd.	6LD	E	E	E	Work with the MPO and FDOT to develop incentives to increase usage of the Bus-Lane and consideration of other multimodal projects including providing park-n-ride lots, among others. In the interim, request FDOT to conduct the necessary studies to determine potential traffic operations improvements.	This is a State facility.
	Marlin Rd to SW 184 St	6LD	D	E	E		

Recreation and Open Space

LOS Standard – 1.2 acres of active public parks, 0.9 acres of private open space, 0.9 acres of conservation open space per 1,000 residents.

Parks provide numerous social, recreational, educational, environmental, and health benefits, and are an important component of quality of life. The Town of Cutler Bay is committed to providing recreation and open space to current and future residents through the development, operation and maintenance of its park system, and coordination with other agencies.

The Town currently owns and operates a total of 33 acres of parkland in one community park, two neighborhood parks, two single-purpose parks and two mini-parks. The locations and a more detailed description of these parks are included in the support component of the Recreation and Open Space Element and Exhibit ROS-1. Moreover, Lakes-by-the-Bay Park, a 92-acre park that will be located in the Town's boundaries, is programmed to open this year. The Town recently took over 49.3 acres of this park which consist of 24.7 acres of active recreation space and 24.6 of passive recreation space/lake/preservation area.

Based on the 2010 population of approximately 41,000, the Town requires 49 acres of active public parks to meet its Level of Service Standard. Based on the recently acquisition of Lakes by the Bay parkland, the Town will exceed the LOS for active parks. Based on the projected 2020 population of 60,000, the Town will require 72 acres of parks.

As noted in the Recreation and Open Space Element support component, there is currently an inventory of 390 acres of private recreation and open space that is considered in measuring the Level-of-Service Standard for private recreation and open space. Based on its 2010 population, the Town requires 37 acres to meet the Level of Service Standard for private recreation and open space. The Town therefore has a surplus of 353 acres of private recreation and open space. Finally, as noted in the Recreation and Open Space Element support component, there is currently an inventory of 1,663 acres of conservation open space that is considered in measuring the Level of Service Standard for conservation open space. Based on its 2010 population, the Town requires 37 acres to meet the Level of Service Standard for conservation open space. The Town therefore has a surplus of 1,626 acres of conservation open space. The Town will require 54 acres of private recreation and open space and conservation lands to meet its Level of Service Standard in 2020. Therefore, the Town does not anticipate any problem in meeting this Standard during the current planning period.

To further the Town's goal of providing quality active public parks for the residents, the Town has programmed numerous projects in the current fiscal year's budget. These projects include improvements to existing parks such as upgrading ball fields, installing new landscaping, installing ADA compliant facilities and improvements to walkways and various park amenities for Bel Aire, Sage Lake and Saga Bay Parks. The Town is not budgeted money for land acquisition to purchase additional park land this fiscal year due to the recent acquisition of Lakes by the Bay park.

Public Schools

Level of Service Standard – Beginning January 1, 2008, 100 % utilization of Florida Inventory of School Houses (FISH) capacity with relocatable classrooms. Public schools that achieve 100 % of FISH capacity without relocatable classrooms should no longer utilize relocatable classrooms except as an operational solution.

Cutler Bay Growth Management Plan includes an Educational Facilities Element, including a Level of Service Standard, to address school planning requirements. As demonstrated in the support component of the Educational Facilities Element, the Town anticipates that it will meet its Level of Service Standard for public schools through the planning period. The Town has not programmed any capital improvement projects related to public school facilities since none have been programmed in the Miami-Dade County Public Schools Facilities Work Program, dated September 2010.

Sources of Revenue and Forecast of Expenditures

The Capital Improvement Budget represents the expenditures that the Town will incur in the current fiscal year. Projects may be one year or more likely are multi-year projects that are part of the multi-year Capital Improvement Plan. The Town's Capital Improvement Plan serves the dual role of a planning document for future year expenditures and a component of the Growth Management Plan.

The Town receives revenue to fund the Capital Improvement Budget from numerous sources. In addition to funding from other agencies, the Town receives funding for Capital Projects through grants, impact fees, the Town's general fund and utility fees.

The FY 10/11 proposed budget includes a transfer from the Special Revenue Fund of \$989,000, Federal and State grants and County Carryover funds, and \$120,000 of local option gas taxes to the Capital Projects Fund to fund park and transportation capital projects.

The Capital Improvement projects funded through the Town's Capital Improvement Budget include three categories, 1) Park Improvements; 2) Transportation/Roadway Improvements; and 3) Contingency Reserves

Park Improvements

Sources of funding for park improvements include Quality Neighborhood Improvement Program, Safe Neighborhood Parks Program, State Grants, Town General Fund and Park Impact Fees.

Transportation/Roadway Improvements

Various projects are accounted for using Special Revenue Funds. These projects are funded from revenues that require specific uses. The Town has budgeted several revenue sources under this category in FY 2010/11 and has been awarded several grants that are accounted for in these type funds. Special Revenue Funds are established in this fiscal year budget for transportation/roadway improvements and transit services, both are funded in substantial part by grants. The FY 2010/11 budget reflects \$418,000 of transportation and transit projects being funded by the Federal Stimulus legislation with a contribution by the Town just under \$400,000. The budget also reflects approximately \$7 million being funded by Miami-Dade County primarily for improvements to Caribbean Blvd and Old Cutler Road, including the traffic circles.

Contingency Reserves

The Town has set aside reserves from the general fund to finance future projects in the event that State grants or other funds are not sufficient for the various projects. The FY 2010/11 budget provides \$3,800,000 in Contingency Reserves.

The following table illustrates the forecasted revenues through FY 13/14. The forecast is based on the expectation that tax revenue and impact fees will remain relatively flat for the near term due to the general downturn in the economy which has affected local property values and is slowing the pace of new development. The projections have stayed relatively consistent with the exception of the revenue related to park improvements. While the Town intends to apply for State grant funds to supplement impact fee revenues, the future projections do not include grant funding sources. The Town anticipates revenue from the County to fund improvements at Lakes by the Bay Park in FY 11/12. Table CI-3 of the Capital

Improvement Element is updated as part of this analysis and illustrates the Town's forecasted expenditures through FY 13/14.

**Summary of Revenues
FY 10/11 through FY 14/15**

	FY 10/11	FY 11/12	FY 12/13	FY 13/14	FY 14/15
Park Improvements	\$7,583,000	\$1,060,000	\$450,000	\$0	\$0
Transportation/Roadway Improvements	\$7,595,000	\$10,410,000	\$0	\$0	\$0

Detailed Revenue Source

Park Improvements	
Interest earned	\$9,000
State 1839A	\$200,000
Safe Neighborhood Parks Bond Program	\$742,500
County Park Impact Fees	\$3,357,500
Park Impact Fees	\$250,000
County GOB Funds	\$4,500,000
Total	\$9,059,000

Detailed Revenue Source

Transportation/Roadway Projects	
Transfer from Special Revenue Fund	\$379,000
Federal Stimulus (Transit)	\$418,028
County Funding	\$17,658,000
Total	\$18,455,028

Capital Improvement Schedule

The following tables include the current Capital Improvement Schedule (Tables CI-3, and CI-4) with strikethrough formatting and the updated tables with underline to indicate that these tables are being replaced with updated information.

Table CI-3 Cutler Bay Departments Capital Improvement Plan (Committed and Planned Sources) FY 09/10 <u>10/11</u> through 13/14 <u>14/15</u>										
Dept.	Project Name	Description	Funding Source	Previous Years Funding	Fiscal Year					Total
					09/10 <u>10/11</u>	10/11 <u>11/12</u>	11/12 <u>12/13</u>	12/13 <u>13/14</u>	13/14 <u>14/15</u>	
Parks and Recreation Department	Cutler Ridge Park and Pool ²	Parking lot Improvements, new athletic field, pool improvements	SN, QNIP	\$330 <u>\$172</u>	\$172					\$172
	Park Property Acquisition ^{1(R)}	Appraisals, legal fees, land acquisition	State 1839A,	\$424 <u>\$0</u>	\$200					\$200 <u>\$0</u>
	Bel Aire Park ²	Re-sod & relighting or sports field, irrigation, bleachers, fencing	SN, Park Impact Fees	\$269 <u>\$220</u>	\$359 <u>\$138</u>					\$359 <u>\$358</u>
	Saga Lake Park ²	New baseball & soccer fields, walkways, shade trees & landscape, pavilion, vita course	Park Impact Fees, SN	\$148 <u>\$35</u>	\$226 <u>\$191</u>					\$226
	Saga Bay Park ²	New lighted tennis courts, new playground equipment, ADA improvements, Parking lot, restrooms & vita course	FRDAP State 1839A, General Fund	\$470 <u>\$139</u>	\$387 <u>\$331</u>					\$387 <u>\$470</u>
	Lakes by the Bay Park ^{1(R)}	Park Master Plan Improvements	Park Impact Fees, County, SN	\$826	\$6,914	\$860	\$1,000 <u>\$250</u>			\$1,000 <u>\$8,850</u>
	Other Park Projects ²	Various	Special Reserve		\$9					\$9
	Cutler Bay Wetlands ^{1(R)}	Observation platforms, walkways, parking	Park Impact Fees, FCT			\$200	\$200			\$400

Note: Amount in Thousands

SN: Safe Neighborhood Parks Bond Program

QNIP: Quality Neighborhood Improvements Program

FRDAP: Florida Recreation Development Assistance Program

FCT: Florida Communities Trust Grant Program

^{1(R)}: Project will contribute to achieving the LOS standard for Recreation and Open Space

²: Project will otherwise further the achievement of the Growth Management Plan and its goals, objectives and policies

**Table CI-3 (Cont.)
Cutler Bay Departments
Capital Improvement Plan (Committed and Planned Sources)
FY 09/10 10/11 through 13/14 14/15**

Dept.	Project Name	Description	Funding Source	Previous Years Funding	Fiscal Years					Total
					09/10 10/11	10/11 11/12	11/12 12/13	12/13 13/14	13/14 14/15	
Public Works Department	208 th Street Improvements	Median improvements & traffic calming	Local option gas tax	\$392	\$683					\$683\$392
	FHWA Road Resurfacing Project	Transportation Improvement	Federal Stimulus (ARRA)	\$941	\$941					\$941
	Purchase of Circulator Bus/Trolley ^{1(T)}	Transit Improvements	Federal Stimulus (ARRA)		\$418					\$418
	Old Cutler Roadway Improvement Project (JPA) ^{1(T)}	Traffic Circles (SW 87 Ave & SW 97 Ave), drainage Improvements, bike path improvements, lighting installation, sidewalk installation, and roadway resurfacing.	Miami-Dade County PTP funds	\$450	\$450 \$4,481	\$4,200 \$2,874	\$2,874			\$7,524 \$7,805
	Caribbean Blvd Roadway Improvement Project (JPA) ^{1(D)}	Drainage Improvements, lighting installation, and roadway resurfacing	Miami-Dade County PTP funds		\$2,696	\$7,536				\$10,232
	Cutler Ridge Elementary ^{1(D)}	Improvements to Storm Drainage System	FDEP & Town Stormwater Utility Fund	\$140 \$400						\$400
	Saga Bay Neighborhood ^{1(D)}	Improvements to Storm Drainage System	FDEP & Town Stormwater Utility Fund	\$500	\$500					\$500
	Bel-Aire Neighborhood ^{1(D)}	Improvements to Storm Drainage System	SFWMD & Town Stormwater Utility Fund	\$386	\$386					\$386
	Town-wide Sidewalk Improvements ²	Sidewalk Replacement and Install ADA Ramps	Second local option gas tax	\$400						\$400

Note: Amount in Thousands

FDEP: Florida Department of Environmental Protection

SFWMD: South Florida Water Management District

^{1(D)}: Project will contribute to achieving the LOS standard for Stormwater Drainage

^{1(T)}: Project will contribute to achieving the LOS standard for Transportation

²: Project will otherwise further the achievement of the Growth Management Plan and its goals, objectives and policies

**Table CI-4
Other Agencies
Capital Improvement Plan (Committed and Planned Sources)
FY 09/10 10/11 through 13/14 14/15**

Agency	Proj. No.	Project Name	Description	Funding Source	Activity/Phase	Previous Years Fund-ing	Fiscal Year					Total
							09/10 10/11	10/11 11/12	11/12 12/13	12/13 13/14	13/14 14/15	
PTP	000442	Caribbean from Coral Sea to SW 87 Ave ^{1(T)}	Widen Roadway, 2 to 3 lanes	PTP	PE, CST	\$1,000	\$4,000 \$5,000	\$5,000 \$5,190	\$5,190			\$11,186 \$11,190
		Old Cutler Road ^{4(T)}	Bike Path Construction								\$30	\$30
		Caribbean Blvd @ C-1N Canal ^{1(D)}	Drainage Improvements	SU			\$200	\$180	\$1,030			
FDOT	4060961	HEFT ^{1(T)}	Add lanes & reconstruct between SW 216 St to Eureka Dr	PE	PE, Const	\$268,500						\$268,500
	4251401	US-1 at Caribbean Blvd ^{1(T)}	Intersection Improvements	DS	PE	\$18	\$18					\$18
MPO	2512651	South Dade Greenway Bike Path ^{1(T)}	Black Creek Canal	SE	PE, Const	\$510 \$120	\$420 \$780					\$900
	4183331	Black Creek & Biscayne Trail Bridges ^{1(T)}	Pedestrian Underpass	SE		\$450 \$550	\$450					\$1,000 \$450
Miami-Dade County Parks & Recreation Dept.	63	Lakes by the Bay Park ^{1(R)}	New Park (92 acres of active park)	BBCBP	Planning	\$160		\$1,250	\$2,250		\$10	\$3,510
MD County WASD		Alexander Orr Water Treatment Plant ^{1(W)}	Expansion			\$4,430 \$10,250	\$10,250 \$22,290	\$22,290 \$33,160	\$33,160 \$5,610	\$5,610 \$1,200	\$1,200	\$72,510
MD County Waste Management		South Dade Landfill ^{1(SW)}	Cell 5 Construction			\$1,110 \$570	\$570 \$3,750	\$3,750 \$7,490	\$7,490			\$11,810
		South Dade Landfill ^{1(SW)}	Cell 3 Closure			\$11,680 \$1,860	\$1,860 \$190	\$190				\$2,050
		South Dade Landfill ²	Ground Water Remediation			\$490 \$150	\$150 \$50	\$50 \$30	\$30 \$20	\$20 \$10	\$10	\$260

Note: Amount in Thousands
 CM: Congestion Management
 DS: State Primary Highways
 LF: Local Funds
 PE: Preliminary Engineering
 CST: Construction
 DIH: State In-House Project Support
 SE: Surface Transportation Enhancements
 PTPBP: People's Transportation Plan Bond Program
 SN: Safe Neighborhood Parks Bond Program
 QNIP: Quality Neighborhood Improvements Program
 BBCBP: Building Better Communities Bond Program
 SU: Stormwater Utility
^{1(T)}: Project will contribute to achieving the LOS standard for Transportation
^{1(R)}: Project will contribute to achieving the LOS standard for Recreation and Open Space
^{1(W)}: Project will contribute to achieving the LOS standard for Potable Water
^{1(D)}: Project will contribute to achieving the LOS standard for Stormwater Drainage
^{1(SW)}: Project will contribute to achieving the LOS standard for Solid Waste Management
 2: Project will otherwise further the achievement of the Growth Management Plan and its goals, objectives and policies

Text Amendment

The following Educational Facilities policy EDU-2F is amended as follows:

EDU-2F: The Miami-Dade County Public School Facilities Work Program dated September ~~2009~~ 2010, will be evaluated on an annual basis to ensure that the level of service standards will continue to be achieved and maintained throughout the planning period.