

RESOLUTION OF THE LOCAL PLANNING AGENCY OF THE
TOWN OF FORT MYERS BEACH, FLORIDA
RESOLUTION NUMBER 2009-17

WHEREAS the existence of the Local Planning Agency (LPA) is mandated by Florida Statutes Section 163.3174 and the specific functions, powers, and duties of the LPA are set forth in Chapter 163, Florida Statutes, the Town of Fort Myers Beach Land Development Code (LDC) Section 34-120, and the Town Comprehensive Plan; and

WHEREAS Policy 11-A-2 of the Comprehensive Plan requires the Town Manager to develop annually a proposed capital improvement program (CIP) which is based on a review of existing Town facilities, level of service standards, current and projected deficiencies, and capital needs as identified in the Comprehensive Plan; and

WHEREAS pursuant to Comprehensive Plan Policy 11-A-2 and LDC Section 34-120(5) the LPA is required to review the proposed CIP on an annual basis and make a recommendation to the Town Council as to whether it is consistent with the Comprehensive Plan; and

WHEREAS following proper notice as required by law at its regularly scheduled meeting of August 11, 2009, the LPA conducted its required review of the Town Manager's proposed 2009-2010 CIP, attached hereto as Exhibit A and incorporated herein by reference;

NOW, THEREFORE, BE IT RESOLVED, AS FOLLOWS:

1. The LPA hereby recommends that the Town Council find that all of the items on attached proposed 2009-2010 CIP is consistent with the Town of Fort Myers Beach Comprehensive Plan. **OR**
2. The LPA finds that the following items from the 2009-2010 CIP are not consistent with the Town of Fort Myers Beach Comprehensive Plan: _____
3. The LPA further finds that _____.

The foregoing resolution was adopted by the LPA upon a motion by LPA member _____ and second by LPA member _____, and upon being put to a vote, the result was as follows:

Dennis Weimer, Chair	_____	Alan Mandel, Vice Chair	_____
Joanne Shamp	_____	Rochelle Kay	_____
Bill Van Duzer	_____	Carleton Ryffel	_____

DULY PASSED AND ADOPTED THIS 11th day of August, 2009.

LPA of the Town of Fort Myers Beach

By: _____
Dennis Weimer, Chair

Approved as to legal sufficiency:

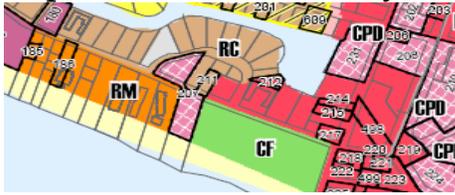
Attest:

By: _____
Anne Dalton, Esq., LPA Attorney

By: _____
Michelle Mayher, Town Clerk

DRAFT

**Town of Fort Myers Beach
Department of Community Development**



MEMORANDUM

To: Local Planning Agency
From: Frank Shockey, Interim Community Development Director
CC: Jack Green, Town Manager
Anne Dalton, LPA Attorney
Cathie Lewis, Interim Public Works Director
Evelyn Wicks, Finance Director
Theresa Schober, Cultural Resources Director
Date: August 3, 2009
RE: Capital Improvements Plan FY09/10 through FY13/14

Each year during the budget process, the Local Planning Agency (LPA) is required to review the Town's Capital Improvements Program (CIP), and "consider the consistency of all proposed CIP expenditures with this comprehensive plan." (Comprehensive Plan Policy 11-A-2(ii)).

Land Development Code (LDC) Section 34-120, which specifies the LPA's functions, powers, and duties, implements this policy:

The functions, powers, and duties of the [LPA] as to comprehensive planning and adoption of land development code regulations shall be to... [r]ecommend to the town council annually whether the proposed capital improvements program is consistent with the comprehensive plan." (LDC Section 34-120(5)).

On August 11, the LPA will be asked to review the schedule of capital improvements contained in the current proposed budget (Table 11-7, copy attached) and approve a resolution finding the Capital Improvements included in the Proposed Budget for 2009-10 consistent with the Comprehensive Plan. Draft copies of the Resolution and Table 11-7 revisions are attached for your ready reference.

An amendment to the Comprehensive Plan CIP element is currently pending before Town Council, with the second and final hearing scheduled for August 17. In part the amendment will update Table 11-7, which contains the 5-year schedule of capital improvements.

Comparing the updated Table 11-7 to the 2009-2010 budget worksheet, you will note that all of the projects identified in Table 11-7 are present in the 2009-2010 budget. The revenue detail shows that the expenditures identified in both Table 11-7 and in the 2009-2010 CIP budget worksheet are financially feasible. Staff recommends that the LPA find that the 2009-2010 CIP budget is **consistent** with the Town of Fort Myers Beach Comprehensive Plan.

EXHIBIT (A)

Town of Fort Myers Beach Capital Improvement Plan FY 2010 through FY 2015

Transportation Capital Improvements	FY 09/10 Projected	FY 10/11 Projected	FY 11/12 Projected	FY 12/13 Projected	FY 13/14 Projected
Basin Based Project HMPG 1609	\$ 650,000	\$ -	\$ -	\$ -	\$ -
Stormwater Master Plan Implementation	125,000	-	-	-	-
North Estero improvements	4,159,556	-	-	-	-
Solid Waste Transfer Station	42,900	-	-	-	-
Transportation/Canals	-	-	-	-	-
Estero Blvd., Safety Project	-	-	-	-	-
Congestion mitigation initiatives	-	-	-	-	-
Side street resurfacing	-	-	-	-	-
Trolley stop improvements	-	-	-	-	-
Alternating lights	-	-	-	-	-
Parking meter improvements	-	-	-	-	-
Total of proposed annual expenditures	\$ 4,977,456	\$ -	\$ -	\$ -	\$ -
<i>Transportation reserves carried forward from prior years:</i>	2,767,870	-	-	-	-
<i>Anticipated annual transportation & related revenue:</i>	2,209,586	-	-	-	-
<i>Anticipated year-end transportation reserve:</i>	-	-	-	-	-
Non-Transportation Capital Improvements	FY 09/10 Projected	FY 10/11 Projected	FY 11/12 Projected	FY 12/13 Projected	FY 13/14 Projected
Beach Nourishment	\$ 1,000,000	-	-	-	-
Newton Park	500,297	-	-	-	-
Mound House Improvements	1,163,398	-	-	-	-
Neighborhood landscaping (matching funds for Street trees)	12,500	-	-	-	-
Neighborhood Landscape	-	-	-	-	-
Office remodeling/Town Hall	-	-	-	-	-
Truck and maintenance crew equipment	-	-	-	-	-
Public dock below Sky Bridge	-	-	-	-	-
Impact fee study	-	-	-	-	-
Beach access improvements (restrooms)	128,475	-	-	-	-
Beach restoration	-	-	-	-	-
Emergency Operations/Communications Trailer	-	-	-	-	-
Land Acquisition	-	-	-	-	-
Capital repairs to Water Utility system	-	-	3,000,000	3,000,000	-
Total of proposed annual expenditures	\$ 2,804,670	\$ -	\$ 3,000,000	\$ 3,000,000	\$ -
<i>Reserves carried forward from prior years:</i>	1,000,000	-	-	-	-
<i>Anticipated annual other revenue:</i>	1,804,670	-	3,000,000	3,000,000	-
<i>Anticipated year-end transportation reserve:</i>	-	-	-	-	-
Total Annual projects	\$ 7,782,126	\$ -	\$ -	\$ -	\$ -

**Town of Fort Myers Beach
Fiscal Year 2009-10
Revenue Detail Worksheet**

Department Capital Projects - 13
 Division _____
 Division # _____

#	Computation/Explanation	Amount
Project	No. Estero Improvements	
	South Florida Water Management District	300,000
	FEMA Grant	879,186
	Transfer from Road Impact Fund	500,000
	Transfer from Gas Tax Fund	2,480,370
Project	Stormwater Implementation of Master Plan	
	Transfer from Gas Tax Fund	125,000
Project	Basin Based HMPG 1609	
	Transfer from Gas Tax Fund	162,500
	FEMA (75%)	487,500
Project	Solid Waste Transfer Station	
	Transfer from General Fund	42,900
	<i>Sub-total Transportation</i>	\$ 4,977,456
Project	Beach Renourishment	
	Transfer from Beach Renourishment Fund	1,000,000
Project	Neighborhood Landscape	
	Transfer from General Fund	12,500
Project	Mound House	
	Grants	1,113,831
	Park Impact Fees	49,567
Project	Newton Park	
	Grants	336,297
	Park Impact Fund	164,000
Project	Beach Access Comfort Stations	
	Grants	128,475
	<i>Sub-total non-transportation</i>	\$ 2,804,670
	Total Capital Budget	\$ 7,782,126

Table 11-7 — Revised Five-Year Schedule of Capital Improvements, FY 08/09 to 12/13

	Reduce level of service deficiency	Maintain adopted LOS?	Meet future LOS after growth?	Replace facility to maintain LOS?	Desirable but not related to LOS	FY 08/09	FY 09/10	FY 10/11	FY 11/12	FY 12/13
TRANSPORTATION CAPITAL IMPROVEMENTS:						(Capital budget)	(Projected in CIP)	(Projected in CIP)	(Projected in CIP)	(Projected in CIP)
Transportation: stormwater master plan & early implementation	-	-	-	-	✓	\$265,000	\$0	\$0	\$0	\$0
Transportation: dredging at Laguna Shores	-	-	-	-	✓	\$475,000	\$0	\$0	\$0	\$0
Transportation: stormwater plan from Carolina to Tropical Shores	-	-	-	-	✓	\$175,000	\$175,000	\$0	\$0	\$0
North Estero Blvd. improvements (Times Square to Bowditch Point)	-	-	-	-	✓	\$2,570,000	\$710,415	\$0	\$0	\$0
Total of proposed annual expenditures:						\$3,485,000	\$885,415	\$0	\$0	\$0
Transportation reserves carried forward from prior year:						\$2,138,255	\$0	(\$755,415)	(\$630,415)	(\$510,415)
Anticipated annual transportation & related revenue for capital improvements:						\$1,346,745	\$130,000	\$125,000	\$120,000	\$115,000
Anticipated year-end transportation reserves after proposed expenditures:						\$0	(\$755,415)	(\$630,415)	(\$510,415)	(\$395,415)
NON-TRANSPORTATION CAPITAL IMPROVEMENTS:										
Conversion of Newton property (funded largely by TDC grant)	-	-	-	-	✓	\$544,000	\$0	\$0	\$0	\$0
Beach access improvements (restrooms)	-	-	-	-	✓	\$0	\$100,000	\$0	\$0	\$0
Mound House improvements (funded by state, federal & TDC grants, plus park impact fees carried forward from prior years)	-	-	-	-	✓	\$1,247,337	\$0	\$0	\$0	\$0
Beach restoration	-	-	-	-	✓	\$1,000,000	\$0	\$0	\$0	\$0
Land acquisition	-	-	-	-	✓	\$225,000	\$0	\$0	\$0	\$0
Neighborhood landscaping (matching funds for street trees)	-	-	-	-	✓	\$12,500	\$10,000	\$10,000	\$0	\$0
Capital repairs to water utility system	-	-	-	-	✓	\$0	\$0	\$0	\$3,000,000	\$3,000,000
Acquire property and renovate existing town hall	-	-	-	-	✓	\$0	\$3,800,000	\$500,000	\$0	\$0
Total of proposed annual expenditures:						\$3,028,837	\$3,910,000	\$510,000	\$3,000,000	\$3,000,000
Non-transportation reserves carried forward from prior year if not listed on Table 11.5:						\$0	\$0	(\$2,795,340)	(\$2,190,680)	(\$4,076,020)
Anticipated annual revenue for non-transportation capital improvements:						\$3,028,837	\$1,114,660	\$1,114,660	\$1,114,660	\$1,114,660
Anticipated year-end non-transportation reserves after proposed expenditures:						\$0	(\$2,795,340)	(\$2,190,680)	(\$4,076,020)	(\$5,961,360)