

**Town of Surfside
Town Commission Meeting
February 8, 2011
7 p.m.**

Town Hall Commission Chambers - 9293 Harding Ave, 2nd Floor
Surfside, FL 33154

1. Opening

- A. Call to Order**
- B. Roll Call of Members**
- C. Pledge of Allegiance**
- D. Mayor and Commission Remarks – Mayor Daniel Dietch**
- E. Agenda and Order of Business Additions, deletions and linkages**
- F. Community Notes – Mayor Daniel Dietch**
- G. Special Presentation – Ruth K. Broad Bay Harbor K-8 Center 100th Birthday Celebration – Roger M. Carlton, Town Manager**
- H. Special Presentation - Police Civilian of the Year – Elinor Joseph and Police Officer of the Year – Sgt. Rory Alberto, Police Chief David Allen**
- I. Call for Executive Session – Lynn Dannheisser, Town Attorney**
- *J. Water, Sewer, Drainage Project Plan of Finance Presentation – Roger M. Carlton, Town Manager (*linked with 5B and 5C*) (30 minutes) Page 1-15**

2. Quasi-Judicial Hearings (None)

3. Consent Agenda (*Set for approximately 8:00 p.m.*)

All items on the consent agenda are considered routine or status reports by the Town Commission and will be approved by one motion. Any Commission member may request, during item 1E Agenda and Order of Business, that an item be removed from the Consent Agenda and discussed separately.

Recommended Motion: To approve all consent agenda items as presented below.

- A. Minutes – December 14, 2010 Regular Commission Meeting Page 16-28**

**Denotes agenda items as “must haves” which means there will be significant impacts if the item is not addressed tonight. If these items have not been heard by 10 p.m., the order of the agenda will be changed to allow them to be heard.*

- *B. Resolution Unsafe Structures – Paul Gioia, Building Official Page 29-33**
A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA DECLINING THE ESTABLISHMENT OF ADMINISTRATIVE PROCESSES TO ADDRESS UNSAFE STRUCTURES WITHIN MUNICIPAL BOUNDARIES AND TO CONTINUE TO PROCESS UNSAFE STRUCTURES THROUGH THE MIAMI-DADE COUNTY UNSAFE STRUCTURES BOARD AND PROCESSES PURSUANT TO SECTION 8-5 OF THE MIAMI-DADE COUNTY CODE; PROVIDING FOR AN EFFECTIVE DATE.
- C. Parks and Recreation Committee Appointment – Barbara McLaughlin – Commissioner Edward Kopelman**
- D. Budget to Actual Summary as of November 30, 2010 – Martin Sherwood, Finance Director Page 34-35**
- *E. Town Manager’s Report (Points of Light) – Roger M. Carlton, Town Manager Page 36-47**
- *F. Town Attorney’s Report – Lynn M. Dannheisser, Town Attorney
(To be delivered under Separate Cover)**
- G. Projects Progress Report – Calvin, Giordano and Associates, Inc. Page 48-50**

4. Ordinances

(Set for approximately 9:00 p.m.) (Note: Good and Welfare must begin at 8:15)

A. Second Readings (Ordinances and Public Hearing)

- *1. Outside Employment Ordinance – Lynn Dannheisser, Town Attorney
Page 51-54**

**AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA AMENDING CHAPTER 2 “ADMINISTRATION” AND SPECIFICALLY CRATING SECTION 2-152 “OUTSIDE EMPLOYMENT BY TOWN EMPLOYEES” OF THE TOWN OF SURFSIDE CODE OF ORDINANCES PROVIDING FOR INCLUSION IN THE CODE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.
[This Ordinance prohibits outside employment unless approved by the Town Manager. It is based on the Code of Miami-Dade County.]**

- *2. Curb Cuts – Sarah Sinatra Gould, Town Planner Page 55-65**
AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA AMENDING SECTION 90.61 CURB CUTS OF THE

TOWN OF SURFSIDE CODE OF ORDINANCES; PROVIDING FOR INCLUSION IN THE CODE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR AN EFFECTIVE DATE.

[This Ordinance places curb cut regulations currently in the building code into the zoning code and allows for additional curb cuts on large single family lots.]

B. First Readings Ordinances

(Set for approximately 9:15 p.m.) (Note: Good and Welfare must begin at 8:15)

***1. Boat Storage - Sarah Sinatra Gould, Town Planner Page 66-71**

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA AMENDING SECTION 90.65 BOAT STORAGE, INCLUDING ZONING CODE DEFINITIONS OF "SETBACKS" AND "YARDS" OF THE TOWN OF SURFSIDE CODE OF ORDINANCES; PROVIDING FOR INCLUSION IN THE CODE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR AN EFFECTIVE DATE.

[This Ordinance permits boats to be parked in the front, side and rear yards of a lot, but not in the side or rear setbacks and requires screening of boats in the side or rear yard from neighboring properties.]

5. Resolutions and Proclamations

(Set for approximately 9:30 p.m.) (Note: Depends upon length of Good and Welfare)

***A. Resolution Approving Copier Lease – Debra Eastman, Town Clerk Page 72-78**

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, WAIVING THE BID PROCESS AND APPROVING A PURCHASE ORDER FOR A 36 MONTH TERM WITH DELTA BUSINESS SOLUTIONS, PIGGYBACKING ON THE STATE OF FLORIDA CONTRACT NO. 600-000-11-1, AUTHORIZING EXECUTION OF PURCHASE ORDERS; AND PROVIDING FOR AN EFFECTIVE DATE.

***B. Resolution Approving List of Pre Qualified Contractors and Authorization to Continue the Bid Process – Roger M. Carlton, Town Manager Page 79-82**

A RESOLUTION OF THE TOWN OF SURFSIDE, FLORIDA APPROVING THE LIST OF PRE QUALIFIED CONTRACTORS FOR THE INFRASTRUCTURE REHABILITATION PROJECT; AND PROVIDING FOR AN EFFECTIVE DATE. *(linked with 1J)*

***C. Infrastructure Rehabilitation Project Public Meeting – Chris Giordano, Calvin, Giordano & Associates, Inc. Page 83-87**

A RESOLUTION OF THE TOWN OF SURFSIDE, FLORIDA APPROVING THE WATER, SEWER AND STORMWATER FACILITIES PLAN AFTER A PUBLIC MEETING ON SAME. *(linked with 1J) The Water, Sewer and Storm Water Facilities Plan will be distributed under separate cover.*

6. Good and Welfare (Set for approximately 8:15 p.m.)

Public comments for subjects or items not on the agenda. Public comment on agenda items will be allowed when agenda item is discussed by the Commission.

7. Town Manager and Town Attorney Reports

Town Manager and Town Attorney Reports have been moved to the Consent Agenda – Item 3.

All items on the Consent Agenda are considered routine or status reports by the Town Commission and will be approved by one motion. Any Commission member may request, during item 1E Agenda and Order of Business, that an item be removed from the consent agenda and discussed separately.

8. Unfinished Business and New Business – None

9. Mayor, Commission and Staff Communications (Set for approximately 9:45 p.m.)

A. Bottle Bill Resolution – Vice Mayor Joe Graubart Page 88-92

***B. Five Year Financial Forecast for the Town of Surfside - Roger M. Carlton, Town Manager (linked with 9G and 9H) Page 93-122**

***C. Land Acquisition of Two Parcels Immediately South of Town Hall - Assistant Police Chief John DiCenso Page 123-124**

***D. Acquisition of Single Family Home at 9333 Harding Avenue Property – Roger M. Carlton, Town Manager Page 125-126**

***E. Surfside Beach Maintenance – Tim Milian, Parks and Recreation Director and Bill Evans, Director of Public Works Page 127-129**

F. Household Dry Cell Battery Recycling at Town Hall – Bill Evans, Director of Public Works Page 130-132

***G. Budget High Level Direction – Roger M. Carlton, Town Manager (linked with 9B and 9H) Page 133-145**

H. (i) Report from Esslinger-Wooten- Maxwell (EWM) Realty Report on Sales in The Town of Surfside

(ii) Report from Esslinger-Wooten- Maxwell (EWM) Realty Report on Short Sales in Surfside

(iii) Report from Esslinger-Wooten- Maxwell (EWM) Report on Foreclosures In Surfside – Roger M. Carlton, Town Manager

(To be delivered under separate cover) (linked with 9B and 9G)

I. Sustainable Initiatives – Bill Evans, Director of Public Works Page 146-149

10. Adjournment

Respectfully submitted,



Roger M. Carlton

Town Manager

THIS MEETING IS OPEN TO THE PUBLIC. IN ACCORDANCE WITH THE AMERICANS WITH

DISABILITIES ACT OF 1990, ALL PERSONS ARE DISABLED; WHO NEED SPECIAL ACCOMMODATIONS TO PARTICIPATE IN THIS MEETING BECAUSE OF THAT DISABILITY SHOULD CONTACT THE OFFICE OF THE TOWN CLERK AT 305-893-6511 EXT. 226 NO LATER THAN FOUR DAYS PRIOR TO SUCH PROCEEDING. HEARING IMPAIRED PERSONS MAY CONTACT THE TDD LINE AT 305-893-7936.

IN ACCORDANCE WITH THE PROVISIONS OF SECTION 286.0105, FLORIDA STATUTES, ANYONE WISHING TO APPEAL ANY DECISION MADE BY THE TOWN OF SURFSIDE COMMISSION, WITH RESPECT TO ANY MATTER CONSIDERED AT THIS MEETING OR HEARING, WILL NEED A RECORD OF THE PROCEEDINGS AND FOR SUCH PURPOSE, MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE WHICH RECORD SHALL INCLUDE THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED.

AGENDA ITEMS MAY BE VIEWED AT THE OFFICE OF THE TOWN CLERK, TOWN OF SURFSIDE TOWN HALL, 9293 HARDING AVENUE. ANYONE WISHING TO OBTAIN A COPY OF ANY AGENDA ITEM SHOULD CONTACT THE TOWN CLERK AT 305-861-4863. A COMPLETE AGENDA PACKET IS ALSO AVAILABLE ON THE TOWN WEBSITE AT www.townofsurfsidefl.gov

TWO OR MORE MEMBERS OF OTHER TOWN BOARDS MAY ATTEND THIS MEETING.

THESE MEETINGS MAY BE CONDUCTED BY MEANS OF OR IN CONJUNCTION WITH COMMUNICATIONS MEDIA TECHNOLOGY, SPECIFICALLY, A TELEPHONE CONFERENCE CALL. THE LOCATION 9293 HARDING AVENUE, SURFSIDE, FL 33154, WHICH IS OPEN TO THE PUBLIC, SHALL SERVE AS AN ACCESS POINT FOR SUCH COMMUNICATION.



Town of Surfside, Florida

Water, Sewer & Drainage Projects

Plan of Finance

prepared by
Public Financial Management, Inc.
2121 Ponce de Leon Boulevard
Suite 510
Coral Gables, FL 33134
305-448-6992 (tel)
305-448-7131 (fax)



Introduction to PFM

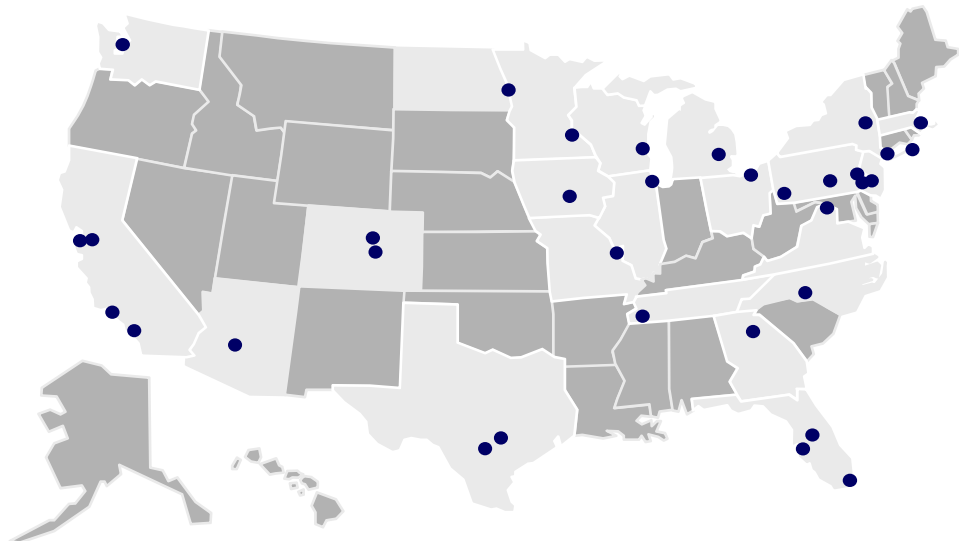


PFM was founded in 1975 on the principle of providing sound *independent* financial advice to state and local governments. Today PFM is the nation's leading advisory firm with 34 offices strategically located throughout the United States.

PFM's Mission Statement

“Our goal is to provide the highest quality advice to our clients so they are able to raise, invest and manage the resources they need in the most cost-effective manner possible.”

- | | |
|-------------|---------------|
| Albany | Miami |
| Ann Arbor | Milwaukee |
| Arlington | Minneapolis |
| Atlanta | Newport Beach |
| Austin | New York |
| Boston | Oakland |
| Charlotte | Orlando |
| Chicago | Philadelphia |
| Cleveland | Phoenix |
| Denver | Pittsburgh |
| Des Moines | Princeton |
| Fargo | San Antonio |
| Harrisburg | San Francisco |
| Lafayette | Seattle |
| Long Island | St. Louis |
| Los Angeles | Tampa |
| Malvern | |
| Memphis | |



**PFM is the Nation's Leading
Financial and Investment
Advisor to Public Agencies**

PFM's Market Stature



PFM is Continually Ranks as a Leader in Public Finance

Rankings provide a shorthand method of measuring success; however the length of service and level of satisfaction we provide is a better measure of true success. PFM's decade-long association with many of our clients is an affirmation of our ability to service their needs thoughtfully and efficiently. Whether calculated based on the number or the size of transactions, PFM is the most experienced player in the capital markets.

2010 Year End Overall Long-Term Municipal New Issues

National Municipal Financial Advisory Ranking
Source: The Bond Buyer/Securities Data Company

	# transactions	dollars in millions
PFM	988	57,534.9
Public Resources Advisory Group	165	31,091.7
FirstSouthwest	721	27,855.4
Montague, DeRose & Associates LLC	40	9,753.0
Govt. Development Bank for Puerto Rico	16	9,512.5

2010 Year End Florida Overall Long-Term Municipal New Issues

National Municipal Financial Advisory Ranking
Source: The Bond Buyer/Securities Data Company

	# transactions	dollars in millions
PFM	77	4,412.8
Raymond, James & Associates	3	2,575.9
FirstSouthwest	21	2,250.0
Public Resources Advisory Group	13	1,156.3
Spectrum Municipal Services	4	809.5

2000 – 2009 Florida Overall Long-Term Municipal New Issues

National Municipal Financial Advisory Ranking
Source: The Bond Buyer/Securities Data Company

	# transactions	dollars in millions
PFM	562	35,677.1
Raymond, James & Associates Inc.	12	14,826.2
FirstSouthwest	129	10,334.6
Fidelity Financial Services	76	7,876.6
Public Resources Advisory Group	84	7,032.4

PFM's Florida Market Presence



PFM has a large and diverse Florida Presence

PFM's Florida practice includes every type of issuer, ensuring our clients that we are up to date on the most recent trends in public finance.

PFM has been the financial advisor for over 562 transactions in Florida amounting to over \$35 billion since 2000. PFM is in the market so often that we have experience with and have helped develop numerous innovative advanced refunding techniques, such as forward swaps and forward settlement bonds and contingent bond purchase agreements.

PFM's Florida Clients

Cities

Alachua
 Bay Harbor Island
 Boca Raton
 Boynton Beach
 Brooksville
 Clermont
 Coral Gables
 Crystal River
 Dade City
 Delray Beach
 Doral
 Flagler Beach
 Fort Lauderdale
 Gainesville
 Golden Beach
 Jacksonville
 Jupiter
 Key West
 Lake Wales
 Longboat Key
 Melbourne
 Melbourne Beach
 Miami
 New Port Richey
 Ormond Beach
 Oviedo
 Panama City Beach
 Plant City
 Pompano Beach
 St. Cloud
 St. Petersburg
 Sanibel
 Sebring
 Stuart
 Sunrise
 Surfside
 Tallahassee
 Tarpon Springs
 Titusville
 West Palm Beach
 Winter Haven
 Winter Garden
 Winter Springs

Counties

Alachua
 Brevard
 Broward
 Clay
 Collier
 Flagler
 Glades
 Hendry
 Highlands
 Hillsborough
 Leon
 Marion
 Miami-Dade
 Monroe
 Orange
 Osceola
 St. Johns
 St. Lucie
 Volusia

School

Districts

Broward
 Citrus
 Columbia
 Flagler
 Hernando
 Lake
 Manatee
 Marion
 Martin
 Miami-Dade
 Orange
 Palm Beach
 Sarasota
 Santa Rosa
 Seminole
 Volusia

Other Authorities

First Florida Governmental
 Financing Commission
 South Florida Water Management
 District
 Sunshine State Governmental
 Financing Commission
 Tampa Bay Water

Healthcare

Health Central
 Jackson Health System
 North Broward Hospital District
 Orange County Health Facilities
 Authority

Transportation

Central Florida Regional
 Transportation Authority
 Florida High Speed Rail
 Authority
 Jacksonville Aviation Authority
 Jacksonville Seaport Authority
 Jacksonville Transportation Authority
 Tampa Port Authority

The State of Florida

Florida Department of
 Transportation
 Division of Bond Finance



Higher Education

Broward County Educational
 Facilities Authority
 Embry-Riddle Aeronautical
 University
 Flagler College
 Jacksonville University
 New College
 Nova Southeastern University
 Ringling School of Art
 and Design
 Rollins College
 Saint Leo University
 Stetson University
 University of South Florida
 University of West Florida

Utilities

Bonita Springs Utilities
 Gainesville Regional Utilities
 Jacksonville Electric
 Authority
 Orlando Utilities Commission

Special Districts

Alachua Library District
 Blueprint 2000
 Sun 'n Lake of Sebring Improvement District

Introduction to Bryant Miller Olive P.A.



- ▶ Bryant Miller Olive was founded by former Governor C. Farris Bryant, Wilton R. Miller, W. Robert Olive and Benjamin H. Dickens.
- ▶ Bryant Miller Olive started as a public finance firm in 1970. We are the first existing Florida law firm to be listed in the Red Book.
- ▶ We have a history and a legacy in public finance and are known for completing complex transactions.



1914 - 2002

About the Firm



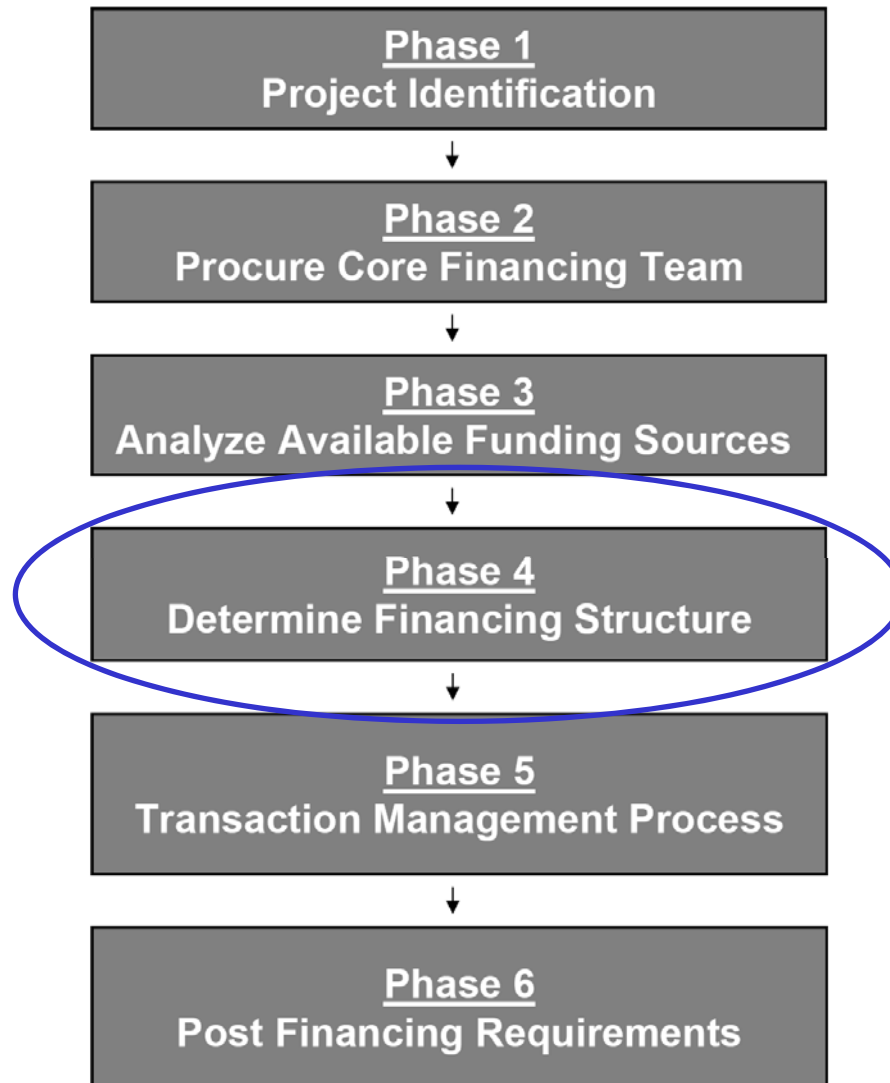
- ▶ Bryant Miller Olive has expanded into the following specialty areas:
 - Public Policy Group
 - Public Private Partnership
 - Real Property
 - State and Local Government
 - Governmental Consulting
 - Affordable Housing
 - Energy & Utility
 - Corporate Trust & Default
 - Land Use
 - Labor & Employment
 - Government Procurement
 - Litigation
 - Environment & Climate Change

Bond Counsel Experience



- ▶ Served as Bond Counsel, Disclosure Counsel, Underwriter's Counsel, Special Counsel or Swap Counsel on more than 1,000 financings aggregating over \$50 billion in principal amount of debt.
- ▶ With 22 public finance attorneys, Bryant Miller Olive has more Florida-based bond attorneys than most major law firms.
- ▶ Bryant Miller Olive has two public finance attorneys which concentrate their practices in the tax area and we do not subcontract with other firms for tax law expertise.
- ▶ We are under continuing contract with over 70 governmental entities.

Debt Issuance Process Flow Chart



Structuring the Deal



- ▶ **Decide on the scope of the project and the cost.**

- ▶ **Hold an initial meeting with the Financial Advisor, Engineer, the Town Attorney and Bond Counsel to discuss the following:**
 - project and its viability
 - structuring the deal
 - purpose of the borrowing
 - use of the proceeds
 - timing
 - pending litigation
 - other pertinent issues

Overview of Financing Options – Publicly Offered Bonds



<u>Type of Financing</u>	<u>Pros</u>	<u>Cons</u>
Publicly Offered Bond	<ul style="list-style-type: none"> • Can issue bonds out to 30-years • Very efficient for longer term transactions – 30 years (rates fixed for entire term) • Can accommodate innovative and creative financial solutions beneficial to the issuer • Risk of future changes in tax laws passed in investors (i.e., no “gross up” language) • Sold either competitively or negotiated • Flexible call features (10 year par call is standard) 	<ul style="list-style-type: none"> • Need ratings or credit enhancement • Higher costs of issuance • Greater administrative requirements • Highest cost of issuance • Debt rating and/or credit enhancement (bond insurance) may be required. Less so in today’s market versus pre-credit crisis. • Funding of Debt Service Reserve Fund required for most credits • Continuing disclosure required after bonds are sold • Initial disclosure requirements (official statement) can be burdensome

Overview of Financing Options – Bank Loan



<u>Type of Financing</u>	<u>Pros</u>	<u>Cons</u>
<p>Bank Loan</p>	<ul style="list-style-type: none"> • Does not require that transaction be rated or insured • No offering documents or registration required • Banks usually do not require a Debt Service Reserve Fund • Disclosure usually limited to receipt of CAFR and budget (no official statement) • Minimal cost of issuance • The purchase of tax-exempt loans by non-bank subsidiaries and affiliates of commercial banks debt has resulted in more efficient “nonbank qualified” pricing (Leasing Corporation) 	<ul style="list-style-type: none"> • Typically longest allowable term is 15-20 years • Interest rate subject to increase if tax laws change or loan is deemed taxable in the future • Risk of future tax law changes retained by the issuer. Bank loans usually contain interest rate “gross up” language; providing the bank the right to increase the loan rate should tax law changes negatively impact the bank’s after tax yield • Term limited to 20 years and some banks will not provide a fixed rate for the entire term. Instead, the bank would have a “put” option during the term of the loan (5 , 10, or 15 years). This gives the bank the option to “put” the loan back to the issuer and force them to refinance at the then current market rates.

Financing Options – Estimated Rates



- Below is a summary of the estimated rates and Annual Debt Service on a \$16MM transaction. It compares publicly offered bonds and privately placed bank loans. All numbers are estimates and are for discussion purposes only.

<u>Type of Financing</u>	<u>15-Year</u>	<u>20-Year</u>
Privately Placed Bank Loan (Tax-Exempt)	<ul style="list-style-type: none"> TIC = 4.82% All-In TIC = 4.89% Avg. Annual DS = \$1,522,195 	<ul style="list-style-type: none"> TIC = 5.11% All-In TIC = 5.17% Avg. Annual DS = \$1,295,734
Publically Offered Bond Issue (Tax-Exempt)	<ul style="list-style-type: none"> TIC = 4.96% All-In TIC = 5.15% Avg. Annual DS = \$1,522,783 	<ul style="list-style-type: none"> TIC = 5.49% All-In TIC = 5.65% Avg. Annual DS = \$1,325,225

Ordinance



- ▶ **To authorize the Bonds, the Town will need to do the following:**
 - enact an ordinance authorizing the issuance and providing details of the bonds
 - enactment will require two readings of the ordinance with a public hearing
 - ordinance will need to be advertised in a newspaper or general circulation in the municipality at least 10 days prior to second reading
 - adopt a resolution containing the provisions requested by the Bank and details of the transaction

Closing



► **After the ordinance has been enacted and the resolution adopted:**

- Bond Counsel will circulate drafts of the proposed closing documents
- Bond Counsel, Bank's Counsel and the Town Attorney will receive all applicable documentation and determine that the bonds are valid in State of Florida
- pre-closing is scheduled the day prior to the actual "closing date"
- Bond Counsel will hold all the documents in escrow until the day of closing when they will be released upon Bond Counsel's satisfaction that everything that is required to happen, has happened according to Florida law.
- On the day of the closing, the Bank will wire the funds into the appropriate accounts in accordance with the Closing Memorandum
- When Bond Counsel has official notification that all funds have been wired and received by the City, they will declare the transaction officially closed.

Transaction Management



- ❑ Develop Financing Timetable (*see key dates below*)
- ❑ Procure bank loan
- ❑ Draft and Review Financing Documents
- ❑ Finalize Financing Documents
- ❑ Final Council Approval for Financing
- ❑ Establish Closing Date
- ❑ Close Financing/Receive Project Funds

Tentative Financing Schedule – Key Milestones

February 2011: Draft Bank Loan RFP; prepare attachments

March 1, 2011: Circulate Request for Proposals to Loan Providers

March 2011: Town Council Meeting –

1st Ordinance Reading

April 1, 2011: Received Bank Proposals; Evaluate Responses

April 2011: Town Council Meeting –

2nd Ordinance Reading, Approve Loan Documents

May 1, 2011: Close Financing



**Town of Surfside
Town Commission Meeting
December 14, 2010
7 p.m.**

Town Hall Commission Chambers - 9293 Harding Ave, 2nd Floor
Surfside, FL 33154

MINUTES

1. Opening

A. Call to Order: Mayor Daniel Dietch called the meeting to order at 7:05 pm.

B. Roll Call of Members: Town Clerk Debra Eastman called the roll and the following members of the Commission were present upon roll call: Commissioner Michael Karukin, Commissioner Edward Kopelman, Commissioner Marta Olchyk, Vice Mayor Joe Graubart and Mayor Daniel Dietch.

C. Pledge of Allegiance: Police Chief David Allen led the Pledge of Allegiance.

D. Mayor and Commission Remarks – Mayor Daniel Dietch thanked Town Manager Roger Carlton and the Town staff for coming together with so many initiatives for the town. He also thanked the Planning and Zoning and Design Review Boards for their work on the challenges of the zoning codes. The Mayor also thanked the residents of the Town of Surfside for all their suggestions and involvement in the town.

E. Agenda and Order of Business Additions, deletions and linkages – Vice Mayor Joe Graubart requested to link agenda items 9(C) and 9(L), which relates to making information more available to the public. Town Manager Roger Carlton noted that item 9 (C) is done and briefly discussed that item 9(L) relates to the requirement for the town to post 5 years worth of budgets and audits for residents to review.

Town Clerk Debra Eastman briefly discussed the changes to the agenda that resulted in the amended agenda.

F. Community Notes – Mayor Daniel Dietch spoke about the winter camp and the second Surfside Police Department blood drive. The Mayor also thanked Duncan Tavares for the work done to clean out the library. The Mayor also noted to residents that there are coupons for residents to claim library books in the Gazette and on the website. Vice Mayor Graubart also added that the K-8 Center chorus will be performing downtown on December 15th and December 16th. He further reminded the residents about the Surfside Business Association and the Tourist Board holiday lights competition. He also added that business list is in production.

G. Special Recognition – Assistant Chief John DiCenso – Chief David Allen

Chief David Allen reminded the residents about the holiday toy collection drive in the Police Department.

Chief Allen was presented Assistant Chief John DiCenso a plaque for taking the lead and following through on town wide programs for the parking pay stations. Assistant Chief John DiCenso recognized Sgt. William, Elinor Joseph, the three parking enforcement officers and the weekend volunteers for their assistance. Assistant Chief DiCenso also noted that the police department will continue improvements in the parking lots.

H. Legislative Update – Fausto Gomez, Town Lobbyist

Town Lobbyist Fausto Gomez spoke about the changing environment in Tallahassee. He also noted that the coming year will see reapportionment and all these delegates will have to run again in districts that they do not currently represent with the approval of amendment 5 and 6.

Mr. Gomez noted that he has prepared draft items for the commission to consider along with a set of legislative principles.

I. Presentation Traffic Calming on Collins and Harding Avenues – Luis Ajamil, Bermello Ajamil

Town Manager Roger Carlton spoke about the paving that will be done on Collins and Harding that will be a transformational opportunity. He added that he will be meeting with FDOT to talk about the intersection where kids will be crossing from the new community center to see what can be done to make it safer.

Mr. Bermello Ajamil made a presentation on thoroughfares in downtown area. He noted that there is a way to leverage traffic.

Mr. Carlton expressed to the commission that there is no reason why Collins and Harding cannot be much better. He mentioned that he will be working closely with FDOT to achieve more innovative things and make that part of town more pedestrian-friendly.

I. Census Final Report – Barbara Cohen

Ms. Barbara Cohen reported that 74% of US households filled out and returned the census. She added that in Miami-Dade County 72% of households filled out and returned the census and that 63% of Surfside residents filled out and returned the census.

2. Quasi-Judicial Hearings

3. Consent Agenda

All items on the consent agenda are considered routine or status reports by the Town Commission and will be approved by one motion. Any Commission member may request,

during item 1E Agenda and Order of Business, that an item be removed from the Consent Agenda and discussed separately.

Recommended Motion: To approve all consent agenda items as presented below.

A. Minutes -

September 14, 2010 First Budget Hearing
September 22, 2010 Second Budget Hearing
September 22, 2010 Special Commission Meeting
September 27, 2010 Executive Session
November 4, 2010 Special Commission Meeting with Planning and
Zoning Board
November 9, 2010 Regular Commission Meeting

B. Monthly Budget to Actual Summary as of September 30, 2010 - Martin Sherwood, Finance Support Services Department Head

C. Town Manager's Report- "Points of Light"

D. Town Attorney's Report

E. Projects Progress Report – Calvin, Giordano & Associates, Inc.

F. Resolution Certifying Charter Amendment Election Results from November 2, 2010 Election

G. Administrative Grievance Policy on Non-Bargaining Unit Employees

H. Communications Ad Hoc Committee Progress Report – Commissioner Michael Karukin

I. Code Enforcement Ad Hoc Committee Progress Report – Paul Gioia, Building Official

J. Proclamation – Janice Thomas, Ruth K. Broad Bay Harbor K-8

K. Code Enforcement Update Report – Michael Garcia, Code Enforcement Officer

L. Community Center Concession Report – Tim Milian, Parks and Recreation Director

Commissioner Karukin made a motion to approve the consent agenda. Commissioner Kopelman seconded the motion, which carried unanimously.

4. Ordinances

A. Second Readings (Ordinances and Public Hearing)

1. Off-Street Parking Ordinance – Shelley Eichner, Town Planner

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA AMENDING CHAPTER 90, DIVISION 1. OFF-STREET PARKING, SECTION 90-82 "DESIGN STANDARDS" OF THE TOWN OF SURFSIDE CODE OF ORDINANCES TO CLARIFY THE STANDARDS USED FOR VEHICULAR QUEUING, ACCESS TO STATE ROADWAYS; AND ON-SITE CIRCULATION; PROVIDING FOR INCLUSION IN THE CODE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

[This Ordinance clarifies the standards utilized by Town Staff to review site plans for onsite and offsite vehicular circulation; it restates Miami-Dade and FDOT standards as well as giving Staff the flexibility to impose stricter standards when County standards do not result in adequate queuing and circulation space.]

Town Clerk Debra Eastman read the Ordinance by title into the record.

Commissioner Karukin made a motion to adopt the ordinance on second reading. Commissioner Kopelman seconded the motion.

Mayor Dietch opened the public hearing. Being that no residents wished to speak, the Mayor closed the public hearing.

Upon roll call, the motion carried 4-1 with Vice Mayor Graubart voting in opposition.

B. First Readings Ordinances

**1. Commercial Vehicle Ordinance – Lynn Dannheisser, Town Attorney
AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA AMENDING CHAPTER 74 AND SPECIFICALLY SECTION 74-1 “COMMERCIAL VEHICLES” CREATING SECTION 74-2 “USE OF COMMERCIAL VEHICLES” AND SECTION 74-3 “ISSUANCE OF COMMERCIAL VEHICLE PARKING PERMIT” OF THE TOWN OF SURFSIDE CODE OF ORDINANCES PROVIDING FOR INCLUSION IN THE CODE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.**

[This Ordinance regulates the parking of commercial vehicles on residential streets, allowing one commercial vehicle to be parked in a residential driveway provided the resident has obtained a commercial vehicle parking permit from the Town and delineating issuance and revocation procedures.]

Town Clerk Debra Eastman read the ordinance by title into the record.

Commissioner Kopelman made a motion to approve the ordinance on first reading. Commissioner Olchyk seconded the motion.

Town Manager Roger Carlton noted that the direction from the commission was to find a balance between people with commercial vehicles used to make a living. He added that many folks registered complaints about the aesthetics. Mr. Carlton then explained the process to register a vehicle and noted that only one vehicle can be registered. He further added that this vehicle must be parked in the driveway and not on the street.

Alan Gourme stated that he attended the code enforcement meetings. He stated that the ordinance is well thought out and noted that he agrees with it.

Peter Glynn inquired if a person who brought their work truck home for the night would get a ticket. Mr. Carlton stated that if the person registers the car and parks it in the driveway, he will not have a problem. He added that the weight limit for the vehicle is one ton. Mr. Glynn expressed concern about moving trucks. Mr. Carlton stated that if the commission wants an exception he can bring back an amendment.

Ken Arnold inquired about the current code. Mayor Dietch noted that this goes beyond the current code and added that this helps with enforcement issue.

Upon roll call the motion to approve carried 4-1 with Vice Mayor Graubart voting in opposition.

2. Amend Town Code to add Psychic Reading and Consultation As a Permitted Use – Lynn Dannheisser, Town Attorney

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA AMENDING CHAPTER 90 AND SPECIFICALLY SECTION 90-41 “REGULATED USES” OF THE TOWN OF SURFSIDE CODE OF ORDINANCES TO ADD “PSYCHIC READING AND CONSULTATION” AS PERMITTED USE; PROVIDING FOR INCLUSION IN THE CODE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

[Per the Settlement Agreement approved at the last Commission meeting, we amend the code to allow psychic reading and consultation as a permitted use in SD-B40 (Downtown Business) District as a second floor use and subject to all other regulations.]

Town Clerk Debra Eastman read the ordinance by title into the record.

Attorney Lynn Dannheisser explained the amendment. Mayor Dietch passed the gavel to make the motion.

Mayor Dietch made a motion to approve the ordinance. Commissioner Olchyk seconded the motion. The motion carried three to two with Commissioner Kopelman and Vice Mayor Graubart voting in opposition.

3. Change in Town Commission Rules of Procedure – Commissioner Marta Olchyk

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA AMENDING RULE 4.01 OF ARTICLE VI. “RULES OF PROCEDURE FOR TOWN MEETINGS”; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE;

PROVIDING FOR CONFLICTS AND PROVIDING FOR AN EFFECTIVE DATE.

Town Clerk Debra Eastman read the ordinance by title into the record.

Commissioner Olchyk made a motion to approve the ordinance. Vice Mayor Graubart seconded the motion.

Manager Carlton explained the ordinance. Commissioner Olchyk stated that the change will make for more manageable and brief meetings. She added that this will give people an incentive to watch or attend the meetings and know they will be efficient and brief. She added that she does not want the meetings extended after 11 pm.

Vice Mayor Graubart expressed concern. He noted that the agendas are long, but can perhaps be shortened. Commissioner Kopelman agreed with the Vice Mayor. Vice Mayor Graubart asked that the agendas be kept short. Manager Carlton mentioned that this is just a recommendation from the attorney, the manager and the clerk. He added that an emergency provision would be needed for the meetings to be limited to 11 pm.

Upon roll call, the motion failed to carry with Commissioner Olchyk casting the sole vote in favor.

5. Resolutions and Proclamations

Employment Agreement for Town Manager - Mayor Daniel Dietch (Page 81-98)

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, APPROVING AN EMPLOYMENT AGREEMENT BETWEEN TOWN MANAGER, ROGER M. CARLTON AND THE TOWN; AND PROVIDING AN EFFECTIVE DATE.

Town Clerk Debra Eastman read the resolution by title into the record.

Commissioner Kopelman moved to approve the resolution. Commissioner Karukin seconded the motion.

Mayor Dietch explained the process of meeting and recommending a town manager. He noted that now he is seeking the acceptance of his contract.

Vice Mayor Graubart spoke about the former town manager's agreement. He noted that this agreement is comparable. He also spoke about the date of evaluation. He added that it was done in July and now 15 days prior to yearly contract. Mayor Dietch noted that it can be done on or before anniversary date. Vice Mayor Graubart also noted that the conflict of interest prohibition that was in the previous contract is not in this new one.

Vice Mayor Graubart stated that there might be philosophical differences regarding bond issues, garages and a view of Surfside that Mr. Carlton might not share.

Commissioner Olchyk mentioned that she is impressed with Mr. Carlton and added that he has done marvelously dealing with her. She spoke about lowering Town expenses as being a priority and asked the manager to look into the budget to see how expenses can be diminished. Commissioner Olchyk also stated that she would have preferred a one year contract with a possible extension of a second year.

Commissioner Kopelman mentioned that his only comparison is with the former Town Manager. He added that he is impressed, pleased and excited about the future with the current town manager and noted that he is in favor of the contract.

Commissioner Karukin stated that they should hire the expert and thanked Mr. Carlton and Attorney Dannheisser for helping deal with items.

Upon roll call the motion to approve the resolution carried 4-1 with Vice Mayor Graubart voting in opposition.

B. Keep America Beautiful Report – Tim Milian, Parks and Recreation Director
A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA AUTHORIZING THE TOWN TO COMPLETE THE TRAINING AND CERTIFICATION TO BECOME AN AFFILIATE OF “KEEP AMERICA BEAUTIFUL” AND TO BE DESIGNATED AS “KEEP SURFSIDE BEAUTIFUL” AND PROVIDING FOR AN EFFECTIVE DATE.

Town Clerk Debra Eastman read the resolution by title into the record.

Commissioner Karukin made a motion to approve the resolution. Vice Mayor Graubart seconded the motion.

Town Manager Roger Carlton explained that the program gives guidance in beautifying the community. He stated that it has upfront and annual fees, but added that it is a good thing to become part of national network because the town can gain a lot of knowledge on what other people do. He mentioned that he has been working closely with the beautification committee on this.

Commissioner Olchyk stated that she has no problem with this, but does have a problem with the beautification on the beach. She added that the town needs to give it more importance since it is our biggest resource. She suggested that the waste baskets be changed. She noted that the town needs to spend money to do this and that can cost approximately \$2,000.00. Commissioner Olchyk added that she has been told that Bay Harbor, Bal Harbor and Sunny Isles have purchased their own baskets. She inquired why it is easy to spend money on beautification and not spend money on the beach containers. Town Manager Roger Carlton expressed agreement with Commissioner Olchyk and stated that he had breakfast with the county official who oversees the beaches. Manager

Carlton mentioned that if the town receives a fair share of baskets from the county, it will replace the rest. He noted that he will bring a proposal to the commission for the new baskets.

The motion to approve the resolution carried unanimously.

C. Parking Trust Fees – Roger M. Carlton, Interim Town Manager

Attorney Lynn Dannheisser explained that the Commission passed a parking trust ordinance. She spoke about the shortage of parking in certain areas of town and added that there has not been a methodical way to deal with fulfillment of parking requirements in the downtown district. She noted that the new ordinance allows for the town to create a special fund into which new approvals can satisfy parking requirements by paying a fee to be used to create a garage for additional parking. Ms. Dannheisser mentioned that the ordinance allows the Manager to set by Resolution the amount of the contribution.

Lou Cohen spoke before the Commission and suggested that the town give businesses tax incentives to build garages. He added that he was unable to find a space to park today.

The motion to approve carried 4-1 with Vice Mayor Graubart voting in opposition.

***D. Drug and Alcohol Free Workplace – Roger M. Carlton, Interim Town Manager**

A RESOLUTION OF THE TOWN COMMISSION FOR THE TOWN OF SURFSIDE, FLORIDA, APPROVING REVISED ADMINISTRATIVE POLICY NUMBER 102, DRUG AND ALCOHOL FREE WORKPLACE AND SUBSTANCE ABUSE TESTING PROCEDURES; PROVIDING FOR AN EFFECTIVE DATE.

Town Clerk Debra Eastman read the resolution by title into the record.

Vice Mayor Graubart made a motion to approve the resolution. Commissioner Olchyk seconded the motion.

Town Manager Roger Carlton mentioned that this resolution will save approximately \$8,000 per year by implementing the new regulations.

Upon roll call, the motion carried unanimously.

E. Code Enforcement Officers – Roger M. Carlton, Interim Town Manager

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA AUTHORIZING THE TOWN MANAGER TO APPOINT CODE ENFORCEMENT OFFICERS FOR THE TOWN WHO MAY INCLUDE LAW ENFORCEMENT OFFICERS; PROVIDING FOR AN EFFECTIVE DATE.

Town Clerk Debra Eastman read the resolution by title into the record.

Town Manager Roger Carlton stated that this resolution relates to commercial vehicles, for example, but other cases as well. He added that this results from limitatiempowers police in limited situations. He added that the police will be used as back up.

Vice Mayor Graubart asked Chief Allen if other communities do this. Chief Allen noted that while Miami Beach does not do this because they have a large code enforcement department, Bal Harbor does this.

Mayor Dietch inquired if the town has the equipment necessary to enforce noise limits after hours. Chief Allen responded that the police can do this.

Building and Zoning director Paul Gioia stated that he attended 3 roll call training and stressed quality of life type problems.

Vice Mayor Graubart stated that he wants to amend the resolution to sunset in two years as a trial.

Commissioner Karukin stated that he is not in favor of the resolution as written and added that it can use officers to enforce any code, even if they have a policy.

Vice Mayor Graubart inquired if the provisions can be adopted as amended and made to sunset by next commission. Town Manager Roger Carlton suggested that the commission require quarterly reports on agenda and if they are dissatisfied they can rescind the resolution by motion. He further mentioned that a list with 7 items be included as an amendment that defines items for police.

Vice Mayor Graubart recommends that the resolution sunset February, 2012. Commissioner Karukin agreed.

Attorney Lynn Dannheisser read the amendment to the resolution to Amend section 2, requiring authorization and requiring for an effective date to sunset at the Commission meeting February 2012.

Motion as amended and acceptable to seconder Commissioner Karukin.

Lou Cohen spoke before the commission and mentioned that he agrees with the amendment, but added that the wording is vague. He added that it needs a distinction between civil disobedience and code enforcement.

Commissioner Karukin requested to defer the item. Vice Mayor Graubart withdrew his motion.

Vice Mayor Graubart amended his motion to add that the resolution sunset February 2012 and specify authority of officers and come before the Commission next time. Commissioner Kopelman seconded the motion. All were in favor and the motion carried.

F. Retainer Agreement with Weiss Serota Helfman Pastoriza Cole and Boniske, P.A. – Lynn Dannhessier, Town Attorney

A RESOLUTION OF THE TOWN COMMISSION FOR THE TOWN OF SURFSIDE, FLORIDA, APPROVING AN AGREEMENT WITH WEISS SEROTA HELFMAN PASTORIZA COLE & BONISKE, P.A. TO REPRESENT THE TOWN IN THE CASE CAPTIONED YOUNG ISRAEL OF BAL HARBOUR, INC. V. TOWN OF SURFSIDE CASE NO. 10-CV-24392 IN THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT FLORIDA; PROVIDING FOR AN EFFECTIVE DATE.

Town Clerk Debra Eastman read the resolution by title into the record.

Attorney Lynn Dannheisser stated that the town was served by Young Israel and added that they need to respond in 20 days. She suggests Weiss, Serota, Helfman, Pastoriza, Cole and Boniske because of their historical involvement in the process and will come back with other issues not addressed by Weiss, Serota, Helfman, Pastoriza, Cole and Boniske.

Commissioner Karukin made a motion to approve the resolution. Commissioner Kopelman seconded the motion.

Mark Blumstein stated that he was involved as a representative for the commission the first time. He stated that litigation of this matter can cost a million dollars or more. He did not know if the Manager had inquired of any other firm or sought enlargement of time.

Vice Mayor Graubart explained that Weiss, Serota, Helfman, Pastoriza, Cole and Boniske were involved the first time and helped with RLUIPA Map. Attorney Lynn Dannheisser added that they have experience and that is why she is recommending them.

The motion carried 4-1 with Vice Mayor Graubart voting in opposition.

Town Attorney Lynn Dannheisser requested an Executive Session to secure advice concerning Young Israel vs. Surfside case number in the US District Court for Southern District. She suggested that it be approximately one hour outside counsel in attendance. She suggested January 6th at 6:30 pm.

All were in favor.

6. Good and Welfare

Public comments for subjects or items not on the agenda. Public comment on agenda items will be allowed when agenda item is discussed by the Commission.

7. Town Manager and Town Attorney Reports

Town Manager and Town Attorney Reports have been moved to the Consent Agenda – Item 3.

All items on the Consent Agenda are considered routine or status reports by the Town Commission and will be approved by one motion. Any Commission member may request, during item 1E Agenda and Order of Business, that an item be removed from the consent agenda and discussed separately.

8. Unfinished Business and New Business

January, 2011 Town Commission Meeting Date Change – Debra Eastman, Town Clerk

Commissioner Kopelman made a motion to approve changing the January 11, 2011 Town Commission Meeting to January 18, 2011. Commissioner Karukin seconded the motion. The motion carried unanimously.

9. Mayor, Commission and Staff Communications

A. Amendments to Agenda Process to Increase Efficiency – Roger M. Carlton, Interim Town Manager, Lynn Dannheisser, Town Attorney and Debra Eastman, Town Clerk

Commissioner Kopelman made a motion to accept the report. Commissioner Karukin seconded the motion which carried unanimously.

B. Beautification Committee Appointment, Adam Markow – Commissioner Michael Karukin

The appointment was so acknowledged.

C. Accounts Payable on Website – Vice Mayor Joe Graubart

As the Manager mentioned in the commencement of the meeting, this item is done. Vice Mayor Graubart mentioned that he is hoping to expand the website during election time and cited campaign finance reporting.

Commissioner Karukin mentioned that the website committee has already adopted it as a recommendation.

D. Garbage Collection Reduction of One Day Per Week – Commissioner Marta Olchyk

Commissioner Olchyk stated that she does not want the garbage to be picked up on Fridays and added that she would like to use the crew to clean up the beach while being supervised. Mayor Dietch stated that he would like to see an analysis of what kind of impact this will have.

Town Manager Roger Carlton noted that these are two items and promised the report for January. He will discuss the pros and cons of one less collection and a second broad base report on the beach.

E. Livable Streets and Pedestrian Safety – Roger M. Carlton, Interim Town Manager

This item is tied to Bermello Ajamil’s presentation earlier in the evening. Town Manager Roger Carlton expressed safety concerns as community center opens. He noted that the crossing needs to be made safer. He added that he will make a more global report soon.

F. Countrywide Real Estate Facts and Trends – Roger M. Carlton, Interim Town Manager

Town Manager Roger Carlton mentioned that he will get an exact report for Surfside. He also directed the commission to the financial report and noted that the town finished the year with additional money generated in almost every fund. He asked to save money to smooth the impact on the millage rate. Town Manager Roger Carlton further stated that he would like to start the budget process next month and would also like to address policy alternatives.

G. Ensuring the Survival of the Surfside Post Office – Roger M. Carlton, Interim
Town Manager

Manager Carlton reported that the Surfside Post Office will stop Saturday deliveries. He also noted that he wants to work with the Congressional Delegation to keep the post office open.

H. Beach Maintenance Report – Tim Milian, Parks and Recreation Director

Town Manager Roger Carlton recommended attention to detail and to ensure that the agencies all work together.

I. Environment Florida Community Solar Letter – Mayor Daniel Dietch and Vice
Mayor Joe Graubart

Mayor Dietch and Vice Mayor Graubart presented the item asking to join Environment Florida to sign onto a letter to keep rebates going for solar initiatives.

Vice Mayor Graubart made a motion to approve the item. Commissioner Karukin seconded the motion. All were in favor.

**J. AECOM Modification Number 4 Design and Permit Additional Space for
Community Center** – Roger M. Carlton, Interim Town Manager

Town Manager Roger Carlton gave preliminary direction to go forward with the additional space. Mr. Paul Gioia mentioned that he estimated the prices and the prices from AECOM are fair and came in under his estimate.

Commissioner Karukin moved to accept amendment number 4 from AECOM. Commissioner Kopelman seconded the motion.

All were in favor and the motion carried unanimously.

**K. West Construction, Inc. Change Order #2 – Approval to construct 1,000 sf of
additional multipurpose room space at the Community Center** – Roger M.
Carlton, Interim Town Manager

Town Manager Roger Carlton mentioned that he would like authority on this item.

Commissioner Karukin made a motion to approve the item. Commissioner Olchyk seconded the motion, which carried unanimously.

L. Resolution Sponsored by County Commissioner Carlos Jimenez - Roger M.
Carlton, Interim Town Manager

Town Manager Roger Carlton will report back next month on this item.

M. Photo/Film Permit Program – Roger M. Carlton, Interim Town Manager

Town Manager Roger Carlton spoke about the photo shoot policy. He asked if the town should try to generate more activity.

Peter Glynn spoke in favor of this item and suggested a multi-tier permit fee structure to generate \$30,000 to \$50,000 per year. He mentioned that he interviewed people on Biscayne Drive and they all want to see films being made to make money.

Vice Mayor Graubart expressed concern about the benefits to the residents. Mr. Glynn suggested that the town make the permit fees high enough, rent parking spaces and hire police officers.

Town Manager Roger Carlton mentioned that if the Town would like to look at the Film Commissioner idea, he will review it and come back with a more detailed ordinance.

Mayor Dietch noted that he will be out of town and needs a volunteer for the Planning and Zoning Board on Thursday. Vice Mayor Graubart will take his place.

10. Adjournment

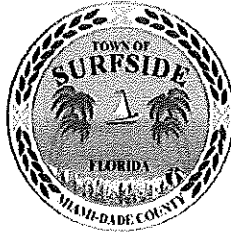
The meeting adjourned at 10:25 pm.

Accepted this ____ day of _____, 2011

Daniel Dietch, Mayor

Attest:

Debra E. Eastman, MMC
Town Clerk



Town of Surfside Commission Communication

Agenda Item #: 3B

Agenda Date: February 8, 2011

Subject: Miami-Dade Unsafe Structures Option

Objective: Miami Dade County has given the Town of Surfside the option to implement an "Unsafe Structures Board".

Background: Miami Dade County has provided this service satisfactorily for the Town of Surfside for over 50 years. Our code enforcement responsibilities do not extend to citing Unsafe Structures cases. Code enforcement deals with zoning and maintenance code only. The responsibility of dealing with unsafe structures cases is exclusively a building official activity, as set forth in the Florida Building Code. In the past 10 years the Town of Surfside has not had an Unsafe Structures case.

Analysis: All costs are the responsibility of the Town of Surfside, whether the case is developed by the County or the Town of Surfside. Since there are no savings and there would be additional cost to the Town to manage each case, it's recommended that we do not assume the responsibility.

Budget Impact: None if we continue with the present arrangement and allow the County to provide this service.

Growth Impact: N/A

Staff Impact: N/A

Recommendation: It is recommended that the Surfside Town Commission instruct the Town Manager to continue to utilize Miami-Dade County to provide this service.

Department Head

Roger M. Carlton, Town Manager

RESOLUTION NO. 11- _____

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA DECLINING THE ESTABLISHMENT OF ADMINISTRATIVE PROCESSES TO ADDRESS UNSAFE STRUCTURES WITHIN MUNICIPAL BOUNDARIES AND TO CONTINUE TO PROCESS UNSAFE STRUCTURES THROUGH THE MIAMI-DADE COUNTY UNSAFE STRUCTURES BOARD AND PROCESSES PURSUANT TO SECTION 8-5 OF THE MIAMI-DADE COUNTY CODE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, pursuant to Section 8-5 of the Miami-Dade County Code, the Unsafe Structures Board and Unsafe Structures Appeal Panels has jurisdiction in the unincorporated areas of Miami-Dade County and within the municipalities; and

WHEREAS, the Town of Surfside declines to adopt an ordinance to establish its own administrative processes to address unsafe structures within its municipal boundaries, including a process for appeal of a decision from the Building Official that structures are unsafe; and

WHEREAS, it is in the best interest of the Town to continue to process unsafe structures through the Miami-Dade County Unsafe Structures Board pursuant to Section 8-5 of the Miami-Dade County Code.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA,

Section 1. **Recitals.** That the above and foregoing recitals are true and correct and are incorporated herein.

Section 2. **Authorization.** The Town Commission hereby authorizes the Town Manager to continue to utilize the processes of the Miami-Dade County Unsafe Structures Board in accordance with Section 8-5 of the Code and to decline to establish independent town processes in accordance with the newly adopted exception to said code section.

Section 3. Direction to Town Clerk. The Town Clerk is hereby directed to send a certified copy of this Resolution to the Miami-Dade County Clerk.

Section 4. Effective Date. This Resolution shall become effective immediately upon its adoption.

Motion by Commissioner _____, Second by Commissioner _____.

PASSED AND ADOPTED this _____ day of _____, 2011

FINAL VOTE ON ADOPTION

Commissioner Michael Karukin _____
Commissioner Edward Kopelman _____
Commissioner Marta Olchyk _____
Vice Mayor Joseph Graubart _____
Mayor Daniel Dietch _____

Daniel Dietch, Mayor

ATTEST:

Debra E. Eastman, MMC
Town Clerk

**APPROVED AS TO FORM AND LEGALITY FOR THE USE
AND BENEFIT OF THE TOWN OF SURFSIDE ONLY:**

Lynn M. Dannheisser
Town Attorney

RESOLUTION NO. 11- _____

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA DECLINING THE ESTABLISHMENT OF ADMINISTRATIVE PROCESSES TO ADDRESS UNSAFE STRUCTURES WITHIN MUNICIPAL BOUNDARIES AND TO CONTINUE TO PROCESS UNSAFE STRUCTURES THROUGH THE MIAMI-DADE COUNTY UNSAFE STRUCTURES BOARD AND PROCESSES PURSUANT TO SECTION 8-5 OF THE MIAMI-DADE COUNTY CODE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, pursuant to Section 8-5 of the Miami-Dade County Code, the Unsafe Structures Board and Unsafe Structures Appeal Panels has jurisdiction in the unincorporated areas of Miami-Dade County and within the municipalities; and

WHEREAS, the Town of Surfside declines to adopt an ordinance to establish its own administrative processes to address unsafe structures within its municipal boundaries, including a process for appeal of a decision from the Building Official that structures are unsafe; and

WHEREAS, it is in the best interest of the Town to continue to process unsafe structures through the Miami-Dade County Unsafe Structures Board pursuant to Section 8-5 of the Miami-Dade County Code.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA,

Section 1. **Recitals.** That the above and foregoing recitals are true and correct and are incorporated herein.

Section 2. **Authorization.** The Town Commission hereby authorizes the Town Manager to continue to utilize the processes of the Miami-Dade County Unsafe Structures Board in accordance with Section 8-5 of the Code and to decline to establish independent town processes in accordance with the newly adopted exception to said code section.

Section 3. Direction to Town Clerk. The Town Clerk is hereby directed to send a certified copy of this Resolution to the Miami-Dade County Clerk.

Section 4. Effective Date. This Resolution shall become effective immediately upon its adoption.

Motion by Commissioner _____, Second by Commissioner _____.

PASSED AND ADOPTED this _____ day of _____, 2011

FINAL VOTE ON ADOPTION

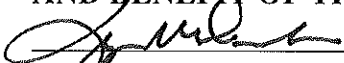
Commissioner Michael Karukin _____
Commissioner Edward Kopelman _____
Commissioner Marta Olchyk _____
Vice Mayor Joseph Graubart _____
Mayor Daniel Dietch _____

Daniel Dietch, Mayor

ATTEST:

Debra E. Eastman, MMC
Town Clerk

APPROVED AS TO FORM AND LEGALITY FOR THE USE AND BENEFIT OF THE TOWN OF SURFSIDE ONLY:



Lynn M. Dannheisser
Town Attorney

TOWN OF SURFSIDE, FLORIDA
MONTHLY BUDGET TO ACTUAL SUMMARY
FISCAL YEAR 2010/2011
As of NOVEMBER 30, 2010
17% OF YEAR EXPIRED (BENCHMARK)

Agenda Item # 3D

Page 1 of 2

Agenda Date: February 8, 2011

GOVERNMENTAL FUNDS	ACTUAL	ANNUAL BUDGETED	% BUDGET	
GENERAL FUND				
REVENUE	\$911,227	\$8,769,081	10%	A
EXPENDITURES	\$846,984	\$8,769,081	10%	B
Net Change in Fund Balance	\$64,243			
Fund Balance-Beg. of Fiscal Year (unaudited)	\$3,081,807			
Fund Balance-November 30, 2010	<u>\$3,146,050</u>			
RESORT TAX				
REVENUE	\$8,144	\$123,010	7%	C
EXPENDITURES	\$10,867	\$123,010	9%	D
Net Change in Fund Balance	-\$2,723			
Fund Balance-Beg. of Fiscal Year (unaudited)	\$178,096			
Fund Balance-November 30, 2010	<u>\$175,373</u>			
POLICE FORFEITURE/CONFISCATION				
REVENUE	\$22	\$25,000	0%	E
USE OF RESTRICTED FUND BALANCE	N/A	\$20,000	N/A	
EXPENDITURES	\$7,547	\$45,000	17%	
Net Change in Fund Balance	(7,525)			
Fund Balance-Beg. of Fiscal Year (unaudited)	\$71,823			
Fund Balance-November 30, 2010	<u>\$64,298</u>			
TRANSPORTATION SURTAX				
REVENUE	\$12,682	\$175,100	7%	F
USE OF RESTRICTED FUND BALANCE	N/A	\$48,161	N/A	
EXPENDITURES	\$15,571	\$223,261	7%	
Net Change in Fund Balance	(2,889)			
Fund Balance-Beg. of Fiscal Year (unaudited)	\$416,500			
Fund Balance-November 30, 2010	<u>\$413,611</u>			
CAPITAL PROJECTS				
REVENUE (excluding Transfers)	\$180	\$139,660	0%	
USE OF COMMITTED FUND BALANCE	N/A	\$4,000,000	N/A	
EXPENDITURES	\$596,372	\$4,139,660	14%	
Net Change in Fund Balance	(596,192)			
Fund Balance-Beg. of Fiscal Year (unaudited)	\$4,888,357			
Fund Balance-November 30, 2010	<u>\$4,292,166</u>			

NOTES:

- A. Timing Difference - FY 2011 ad valorem property tax revenues are not remitted to the Town until mid-November. The actual revenues shown are primarily non-ad valorem.
- B. Timing Difference - Departmental discretionary purchases are ordered in Oct/Nov then paid in December.
- C. Timing Difference - Includes only Oct - the Nov resort taxes are collected starting in December.
- D. Timing Difference - Nov commencement of resort promotion activities paid in December.
- E. Timing Difference - Revenue received to date reflects interest income only.
- F. Timing Difference - Includes only Oct - the Nov CITT revenue is not received until late Feb 2011.

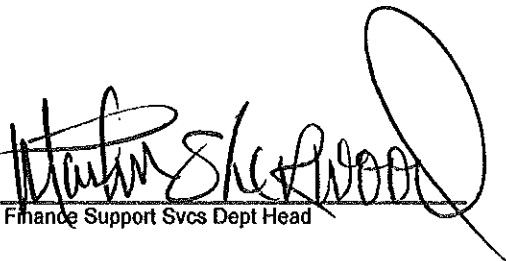
ENTERPRISE FUNDS	ACTUAL	ANNUAL BUDGETED	% BUDGET
WATER & SEWER			
REVENUE	\$451,229	\$3,331,303	14%
USE OF NET ASSETS/LOAN PROCEEDS	N/A	\$8,138,300	N/A
EXPENDITURES	\$233,856	\$11,469,603	2%
Change in Net Assets*	\$217,372		
Unrestricted Net Assets-Oct 1 (unaudited)	\$440,000		
Unrestricted Net Assets-Nov 30, 2010	<u>\$657,372</u>		
MUNICIPAL PARKING			
REVENUE	\$59,369	\$305,600	19%
USE OF NET ASSETS	N/A	\$2,179,836	N/A
EXPENDITURES	\$35,950	\$2,485,436	1%
Change in Net Assets*	\$23,419		
Unrestricted Net Assets-Oct 1 (unaudited)	\$1,942,364		
Unrestricted Net Assets-Nov 30, 2010	<u>\$1,965,783</u>		
SOLID WASTE			
REVENUE	\$546,853	\$1,291,343	42%
EXPENDITURES	\$145,113	\$1,291,343	11%
Change in Net Assets*	\$401,740		
Unrestricted Net Assets-Oct 1 (unaudited)	\$77,312		
Unrestricted Net Assets-Nov 30, 2010	<u>\$479,051</u>		
STORMWATER			
REVENUE	\$83,993	\$487,000	17%
USE OF NET ASSETS/LOAN PROCEEDS	N/A	\$1,353,442	N/A
EXPENDITURES	\$31,726	\$1,840,442	2%
Change in Net Assets*	\$52,266		
Unrestricted Net Assets-Oct 1 (unaudited)	\$40,622		
Unrestricted Net Assets-Nov 30, 2010	<u>\$92,888</u>		

NOTES:(con't)

* the change in net assets excludes financial impact from Capital Assets

G. Underage due to delay in commencement of Infrastructure/Capital Outlay projects (\$8.1 mill for water/sewer, \$1.4 mill for stormwater, \$2.1 mill for parking)

H. Timing difference: Billing (and the resulting revenue) for the entire fiscal year pertaining to Residential (non-condominium) customers are recorded in October


 Finance Support Svcs Dept Head


 Town Manager



Town of Surfside
Town Commission Meeting
February 8, 2011 - 7:00 p.m.
Town Hall Commission Chambers - 9293 Harding Ave, 2nd Fl
Surfside, FL 33154

AFTER ACTION ITEMS
"Points of Light"

1. City of Excellence: At the request of Mayor Daniel Dietch, Town Manager, Roger Carlton designated Tourist Bureau Director, Duncan Tavares and Parks and Recreation Director, Tim Milian, to prepare a report on the process the Town will take to become a "City of Excellence". The report is to be on the agenda for the November Town Commission meeting. Dennis Giordano, CGA, offered to assist Mr. Tavares. Town Clerk, Debra Eastman will help prepare the draft.

Current Status: The Florida League of Cities is still in the process of changing this program. It will now be the Municipal Achievement Awards and is still scheduled to be rolled out in February 2011 with an application deadline of May 2011. Staff will review the regulations and report to the Town Commission as soon as the application materials become available.

2. Downtown Vision project: Tourist Bureau Director, Duncan Tavares will prepare a report for the November Commission agenda with recommendations on how to move the Downtown Vision project forward.

Current Status: The report establishing the outline of the process and the members of the committee was accepted by the Town Commission on the January 18, 2011 agenda. The first meeting of the advisory committee is scheduled for February 15, 2011 at 7 p.m. in the Chambers. The meeting is open to the public and there will be a portion of the agenda for the public to speak.

3. Maranon property: In order to accelerate the sale of the Maranon property as previously directed by the Town Commission, Finance Director, Martin Sherwood and Building Official, Paul Gioia will order an update to the appraisal of the Maranon property. Town Manager, Roger Carlton will move forward with the sale process subject to final approval of the sale when the bids are received.

Current Status: The Town Commission approved the sale in the amount of \$288,000 during the January 18, 2011 Town Commission meeting. Town Attorney Lynn Dannheisser is moving forward with the closing to be scheduling during March 2011. A recommendation regarding use of the proceeds will be made by the Town Manager after closing when the funds are in hand.

4. Vacant lot: Finance Director, Martin Sherwood and Building Official, Paul Gioia will order a new appraisal of the two pieces of property south of the Town Hall trailers and an updated appraisal of the vacant lot which the Town currently rents and is used for the parking of police cars. A strategy recommendation will appear on the November 9, 2010 Town Commission meeting agenda.

Current Status: Appraisals have been received. A meeting was held with the owner of the property the Town rents for police vehicles on December 6, 2010. A verbal offer in the amount of \$296,500 was made and appeared to be accepted. A few days later, the owner got cold feet and stated that he would retain a real estate agent to market the property. Based on the owner's bad faith, a strategic lower offer was made

in the amount of \$278,710. Staff is still in discussions with the owner and the real estate agent has not been retained. We have also received an appraisal for the single family home located between 94th and 93rd on Harding and will soon make an offer. Further, we have made an offer for the two parcels located immediately south of Town Hall which are in foreclosure. All of the land acquisitions will be funded with parking fund reserves and the cost of all four parcels should be within the \$1.05 million set aside in the FY 10/11 budget. The Town Commission should be aware that all acquisitions are subject to your final approval.

5. Town Commission and Planning and Zoning Board joint meeting: A resolution of the Town of Surfside, Florida, calling for a joint meeting between the Town Commission and Planning and Zoning Board to create a process to identify the issues to be reconsidered in the Zoning Code (Ordinance no. 10-1558); authorizing Commissioner Michael Karukin to enter into negotiations with the Petition Committee challenging Ordinance no. 10-1558; authorizing the Town Manager and Town Attorney to do all things necessary to effectuate the terms of this resolution; providing for an effective date.

Current Status: The first joint meeting was held November 4, 2010. After substantial discussion, the Town Manager, Town Attorney and Town Planner were directed to prepare specific recommendations for action at the second joint meeting scheduled for December 9, 2010. The detailed changes to the code resulting from the joint meeting were presented to the Planning and Zoning Board during their January 27, 2011 meeting. The result was a deferral to the February 24, 2011 meeting in order to allow Staff time to answer questions presented by citizens and Board members at the Planning and Zoning meeting. The Planning and Zoning Board stated that they wanted to make their final recommendations to the Town commission in February.

6. Water, Sewer and Storm Drainage project: Town Manager, Roger Carlton will report to the Town Commission at the November 9, 2010 meeting on financing the water, sewer and storm drainage project. Mayor, Vice Mayor and Commissioners to provide names for a citizen review committee to assist the Town Manager in the review of the alternatives.

Current Status: The second meeting of the Water/Sewer and Drainage Project Citizen Oversight Committee (Gerald Chenevert, Walter Lugo, Irving Levine, Jason Nevader, Marty Oppenheimer, Pete Hernandez, and Bertha Goldenberg) was held January 27, 2011 and a detailed presentation regarding the financing element of this project was made. The Town Commission approved five design orders during the January 18, 2011 meeting which will allow engineering completion of the project. There are a number of items related to the project appearing on the February 8, 2011 Town Commission meeting. These include a presentation regarding project financing by the Town financial advisor, Sergio Masvidal and the bond counsel, Jolinda Herring and a public meeting to discuss the partial project financing using the State of Florida Revolving Loan Fund. Staff and the consultants may use the public meeting as the vehicle to explain the entire project in a single session by reviewing what steps have already been approved by the Town Commission, what steps are currently being completed and what additional steps are necessary. Finally, there is an item on the February 8, 2011 Town Commission meeting approving a short list of prequalified contractors and authorizing the bid process to move forward.

We are also working with Bal Harbour to determine the feasibility of cooperating with the Village in the construction of a new sewer force main on Collins Ave from the Bal Harbour town limit to the northern limit of Miami Beach. A more detailed report on this will be made to the Town Commission in the near future.

7. Concession stand: Town Manager Roger Carlton provided an advertisement for an RFP for a concession stand to Parks and Recreation Director, Tim Milian for review. Tim Milian to obtain the RFP for use in the selection of the vendor for the Community Center. Timing of the procurement to coincide with planned opening of the facility.

Current Status: Retaining a vendor for operating the concession stand with Town employees was recommended by the Parks and Recreation Committee in their December 2010 meeting. Staff has concluded that the best approach is to obtain a vendor through the competitive selection process. The RFP is nearly complete and will be advertised by mid February. It is projected that the award will be recommended in the April Town Commission meeting.

8. Red light cameras: Police Chief David Allen and Assistant Chief John DiCenso will manage the implementation of red light cameras now reduced to five for completion by February 1, 2011 and the installation of parking meter pay stations which will be completed by early December, 2010.

Current Status: The following implementation requirements have been completed or are underway:

Completed Milestones:

- Warning period January 1 -31, 2011 (two intersections live 88 and Harding, 88 and Collins)
- Press Release, Warning Period, Frequently Asked Questions, and How Red Light Cameras Work placed on website and in the Gazette
- Video of red light runners with resultant near miss or actual accidents placed on website police link
- Last three intersections (90, 93, 96 and Collins) went live on January 24, 2011
- Chief Allen appointed to Miami-Dade Chiefs of Police Association red light camera committee to review legal questions with Miami-Dade County court officials
- Citizen complaints of camera flash resolved by using strobe shields installed on cameras at 93 and Collins and 90 and Collins
- Enforcement (citation issuance) begins February 1, 2011 on all five cameras
- Chief Allen to attend legal issues conference on red light camera on February 3

Multi-Space Meters – Status Report

- Staff is responding to issues as they arise but overall the pay stations are performing very well
- Staff has ordered five (5) additional pay stations with a delivery date of mid February. The vendor has agreed to the same pricing as the first machines the Town purchased. The pay stations will be installed at the following locations:
 - 200 block of 95th Street (south side)
 - 9500 block of Abbott Avenue (3 machines) – these will serve the on street spaces as well as the West row of spaces in the lot
 - 9450 Collins Avenue (new parking lot)
- Staff has ordered a language software program for each machine at a onetime cost of \$340 per machine. The program will provide instructions in several languages including: English, Spanish and French
- The maintenance and collection service from LAZ Parking has not been satisfactory and we are working with the vendor to determine if improvements can be made rapidly. If not, Staff will determine the advisability of taking over the LAZ functions and make a recommendation to the Town Commission in March

9. Bal Harbour Comprehensive Plan Amendment hearing: Town Manager, Roger Carlton and Commissioner Edward Kopelman will attend the Comprehensive Plan Amendment hearing at the Village of Bal Harbour on October 19, 2010 at 7 pm. A report to the Town Commission will be made after the Bal Harbour meeting.

Current Status: In a recent meeting with Bal Harbour Village Manager Al Trepedda, information was provided that this project is on hold until the land acquisition necessary seems more realistic. A public meeting to discuss the project has been scheduled by Bal Harbour for March 1, 2011 at 7 p.m. Staff will attend and all members of the Town Commission are invited to join.

10. Photo/film permit program: Town Manager, Roger Carlton will prepare a policy for the photo/film permit program in conjunction with input from Surfside citizens. A report will be prepared by Parks and Recreation Director Tim Milian, Police Chief David Allen and Tourist Bureau Director, Duncan Tavares for the December 14, 2010, Town Commission agenda.

Current Status: A meeting was held with Peter Glynn on January 10, 2011 and the provisions of a program were blocked out. A recommended ordinance will be presented in the March 8, 2011 Town Commission meeting.

11. Circulator bus: Town Manager, Roger Carlton will review the potential linking of the Surfside circulator bus with other communities to allow residents transportation to the Sunny Isles library and possible other destinations. A report will be made to the Town Commission at their November meeting.

Current Status: The Managers of Bal Harbour, Surfside, Bay Harbor Islands and Sunny Isles Beach met in December 2010 to discuss potential linkages of their respective bus systems. The consensus was that a coordinated routing system would benefit all communities. A final report on the new system has been delayed due to the transition of leadership in Sunny Isles Beach which had agreed to accept the lead analytical role.

12. Water saving program: Town Manager, Roger Carlton instructed former Public Works Director, Fernando Rodriguez with the assistance of John Messarian, Engineer with Calvin, Giordano and Associates to obtain information regarding a water saving program that would provide reduced water usage in toilets. A report will be presented to the Town Commission at their November meeting.

Current Status: The program has been expanded to include other "green" issues. A report from the Town's consultant, Calvin Giordano and Associates appears on this agenda.

13. Prepare a Five Year Financial Plan

Current Status: The Five Year Financial Plan appears on the February 8, 2011 Town Commission meeting agenda. Staff will move forward as directed by the Town Commission. Item completed, however, the process has just begun.

14. Study of Impact Fees

Current Status: Imposition of impact fees is being reviewed to estimate cost and funding of required studies. Based on the outcome of the combined Planning and Zoning/Town Commission meeting, it may be more appropriate to have the proposed Development Impact Committee negotiate the off-site improvements to be funded by significant developments.

15. Seek permission to use Bal Harbour basketball court and Sunny Isles skate park

Current Status: Town Manager Roger Carlton will add this goal to the discussion mentioned in earlier item regarding cooperative opportunities for the bus systems and a sewer force main. With the resignation of the Sunny Isles city manager the skate park item will be deferred for a brief time.

16. Community garden and farmers market

Current Status: The Tourist Bureau Director met with Miami-Dade County Office of Community Health and Planning on December 21, 2010. The county has received a Federal Stimulus Grant to initiate community gardens and farmers markets. Staff believes that Surfside could participate in the grant program. Further updates will be forthcoming as the Town works with the County on being included in their plan of action.

- On December 23, 2010 the Tourist Bureau Director met with The Green Market Management Company about the possibility of reinstating the Surfside Farmers Market. A proposal was received in mid-January. Possible tri-community sponsorship of the market with Bal Harbour and Bay Harbor Islands is being explored.

- Discussions ongoing with Farm Fresh Miami produce buying club about a possible Surfside branch. The club distributes fresh produce from area farms to a fee paying subscriber base. A visit and review of an existing program in Miami Beach was made on February 3, 2011. More information will be forthcoming.

- Met with the Director of Public Works regarding the possibility of turning one of the Town's Pump Station areas into a Community Garden. The site was reviewed. Two residents suggested by Mayor Dietch will be contacted for input regarding a Community Garden and Garden Club. More information will be forthcoming.

17. Explore broadcasting Channel 77 on ATT U-Verse

Current Status: Town Manager Roger Carlton met with AT&T officials to discuss bringing ATT U-verse to the Town. This will be a long process that may require more detailed discussion with the Town Commission in the future. Item completed until AT&T responds.

18. Feral cat and dog feces concerns

Current Status: A report will be provided to the Town Commission in the March 8, 2011 meeting. Staff did not have sufficient time to schedule meetings with appropriate groups on both issues before the February meeting.

19. Recycle containers for glass and aluminum in downtown and beach areas and used small battery containers at Town Hall

Current Status: Eight recycle containers have been installed downtown. Staff will work on an expanded public information program to ensure that the containers are not used for non recyclables. Staff has reviewed the potential of a battery recycling container program. A report will be made on the battery recycling program on the February 8, 2011 Town Commission agenda.

20. Canine feces bag receptacles installation

Current Status: Duncan Tavares will coordinate the process to obtain sponsorships. Receptacles have been placed in Veterans Park at the 93rd Street entrance to the beach behind the Community Center. In the clean-up of the Public Works storage area by Acting Director John DiCenso, four additional new receptacles were found. These receptacles have been installed, two at the lift station at 93rd and Byron Avenue, and 89th and Dickens and one at the Hawthorne Tot lot. One more will be installed at a beach entrance to be determined.

21. PILOTS – Payments In Lieu of Taxes

Current Status: Town Attorney and Town Manager will complete research and report regarding cost and potential funding sources for required studies to implement a PILOT program. Report will be provided in March 8, 2011 Town Commission meeting.

22. Mobility Study: This project is allocated \$75,000 in the FY 10/11 Budget

Current Status: Shelley Eichner and Sarah Sinatra of Calvin Giordano and Associates, will review and report in March 2011. The work will be awarded to the one of new engineering contractor(s) and should commence in Spring, 2011. The Mobility Study requirement came from Senate Bill 360. However, the Court found Senate Bill 360 unconstitutional. It is now going through the appeal process and all municipalities are waiting to hear the decision of the Appellate Court. If they uphold the decision that SB 360 is unconstitutional, then the Mobility Study will not be applicable.

23. Community Center Supporters “Buy a Brick” program

Current Status: A sample brick was shown to the Town Commission during the December 14, 2010 meeting. Residents Cheryl Arnold and Pamela Behar agreed to volunteer to head up this program with Commissioner Karukin as the Town Commission liaison. We are behind on this program and the volunteer committee will redouble its efforts to ensure that the bricks are funded and installed before the May 15, 2011 proposed opening date. Commissioner Michael Karukin has expressed concern that the \$250 proposed cost per brick is too high. There is more to follow subsequent to a meeting Commissioner Karukin will work with the volunteers.

The following section of the Point of Light Report relates to items funded in the budget which are on-going. If a budgeted item has been completed, it will not appear in the report:

24. Establish a reserve policy for all fund types for capital outlay projects and smoothing rate increases

Current Status: This will be analyzed in the Five Year Financial Plan and recommendations will be made. The Plan appears on the February 8, 2011 Town Commission agenda in draft form.

25. Complete open permit closeout in the Building Department

Current Status: Owners have been notified and closeout effort is underway. Approximately 45 percent of the open permits have been closed out by the Building Department.

26. Lien Special Counsel: This will help in meeting the goal of placing and collecting liens for extreme violations

Current Status: Report provided by Town Attorney Lynn Dannheisser during the December 14, 2010 Town Commission meeting. Item completed.

27. Flag replacement: There is an allocation of \$1000 with the Parks and Recreation Department FY 10/11 Budget

Current Status: The funds will be utilized for the reinstallation of the three flag poles at the Community Center. Item completed.

28. Tourist Resort Tax Auditor program received a \$6000 allocation in the FY 10/11 Budget

Current Status: After consulting with the Finance Director and the Town's Audit firm, three proposals will be sought the beginning of February for an 'Agreed Upon Procedure Audit' to commence as soon as possible.

29. Municipal parking lot renovation program: \$428,000 has been allocated in the FY 10/11 Budget for paving, sealing, restriping, concrete curb repairs, litter receptacles, improved lighting and landscaping and drainage services.

Current Status: This project will be awarded to the new engineering/architectural vendor(s) after a mini competition. Work should commence during Spring 2011.

30. Interior and exterior repainting of Town Hall

Current Status: Changer Order No. 3 to the Community Center project was approved during the November Town commission meeting. Color selection was approved upon advice from the Beautification Committee. The interior project will be accomplished on weekends and weekday evenings. The exterior painting is nearly completed with a slight delay to seal the planter on 93rd Street. The cost has been increased by approximately \$5600 to completely clean and paint the Public Works/Motor Pool area after significant rust was found on roof trusses and other areas.

31. Solid waste collection vehicles: Staff was directed to prepare the RFB for October 2011 delivery of a new collection vehicle.

Current Status: Commissioner Olchyk requested the Town Manager to review the frequency of solid waste collection on the December 14, 2011 agenda. A report appears on the February 8, 2011 Town Commission agenda and a more detailed review of service levels will be incorporated in the FY 11/12 Budget development process.

32. Document imaging and scanner software: This \$26,500 project was funded in the FY 10/11 Budget

Current Status: Due to more pressing procurement items, (VOIP, Maranon property and expiration of photocopier lease) this project has been delayed until Summer 2011.

33. Bike Racks/Bus Benches/Shelters

Current Status: Town Manager Roger Carlton and Parks and Recreation Director Tim Milian have met to discuss the development of a comprehensive bicycle program for Surfside. We also have the bus benches and shelters on our horizon and will report on all three amenities within 90 days.

34. Whitefly

Current Status: An inspection of Surfside was conducted on January 7, 2011 with the Commercial Urban Horticulture agent for Miami-Dade. The Vice Mayor attended. The determination: Surfside presently does not have whitefly but will in the near future. Public Works Director Bill Evans is including an inspection and treatment clause in the Town's landscaping RFP. He will also bring a resolution regarding infested plants on private property before the Town Commission in April.

35. Library Assets

Current Status: On Saturday January 22, 2011, Beach High Community Service Volunteer Students and the Boy Scouts helped pack 400 boxes of books earmarked for Miami Dade Library and Goodwill. These were distributed on February 2, 2011.

- January 26, 2011 the six pods of stored Library books were loaded onto a Better World Books truck and the contract with Neighbors Storage in Pompano Beach was terminated.
- Library shelving units were dismantled the week of January 31, 2011
- The Library Modular is set for removal the week of February 22, 2011

36. Set a "Meet the Town Manager" date

Current Status: The Mayor and Dana Kulvin are working to find a date for this event.

37. FAQ's related to what a resident can expect during a permit inspection

Current Status: A draft is being prepared by Paul Gioia.

38. Clean up/update/enhance Town Website content

Current Status: Calvin Giordano and Associates has been given direction to clean up old information. The Communication Committee is working on the larger issue of improving the site and will most likely recommend a new RFP to procure web content/web management services.

39. Future of independent Employee Holiday Fund

Current Status: Town Manager Roger Carlton met with Julia Magnani on January 21, 2011 to discuss alternative methods to reward Town Employees during the holiday season. A number of items were discussed. A report will follow within 60 days.

40. Status of Surfside's Santa Claus (currently at the Log Cabin Nursery)

Current Status: Investigation completed. The Town Commission approved "loaning" the Santa Claus to the Log Cabin Nursery. The Town Manager recommends that the loan become permanent and if funds become available, we update our holiday decorations.

41. Explore development of local preference provision in service-related solicitations

Current Status: There is already a procedure in place which will be reinforced. Town Clerk/Procurement Director Debbie Eastman will be responsible to ensure that this requirement is met whenever practical.

42. Respond to inquiry related to the history of Surfside's volunteer fire department

Current Status: See attached research regarding the Volunteer Fire Department. Item completed.

43. Electric car charging stations

Current Status: Staff has obtained the City of Sunny Isles Beach RFP and will meet with the selected vendor to determine if we should use the Sunny Isles Beach contract. A report will be presented in the March 8, 2011 Town Commission meeting.

Additional Points of Light added in February:

44. Crossing Barrier at 96th and Harding

Current Status: Surfside and Bal Harbour have joined in opposition to the lack of a crosswalk at the south side of the intersection. Meetings have been held with FDOT District Engineer Gus Pego and the issue has been sent back for further study.

45. Crossing Safely at 93rd and Collins/Harding

Current Status: Assistant Chief of Police John DiCenso, Public Works Director Bill Evans and Town Manager Roger Carlton met with FDOT pedestrian safety coordinator Carlos Sarmento to seek an immediate pedestrian safety upgrade to the two intersections prior to opening of the Community Center. The request was well received and a project is being planned.

The following items have been completed. Items have been deleted from the February 2011 Points of Light.

8. Part time Maintenance Worker: Human Resources Coordinator, Yamileth Slate-McCloud reported that a new position of part time Maintenance Worker II, will be posted in order to hire by mid November. The position will address cleaning parking lots and when time available, downtown areas and the beach.

Current Status: This item has been completed and this work provided by the employee is excellent.

14. Salary increases/performance review: Town Manager, Roger Carlton and Human Resources Coordinator, Yamileth Slate-McCloud will review the request of Commissioner Marta Olchyk to tie salary increases to a performance review and will report back by January, 2011.

Current Status: A report was presented on the January 18, 2011 Town Commission meeting agenda. Staff will move forward with various elements of the performance measurement improvement program and report as appropriate. Item completed.

15. Investigate whether it is worthwhile to employ a grant coordinator

Current Status: A report appeared on the January 18, 2011 Town Commission meeting agenda. Staff was directed to move forward with the eCivis grant search engine and retain grant writing assistance when feasible. Item completed.

18. Install on-line utility payment system

Current Status: A report appeared on the January 18, 2011 Town Commission meeting agenda and was accepted. Staff will move forward as directed. Item completed.

20. Pension audits

Current Status: Audits for FY 08/09 were distributed to Town Commission. Audits for FY 09/10 have been completed by Alyce Jones, CPA and a Valuation Report (determines the Town's contribution to the Pension Plan) and were accepted at the January 27, 2011 Pension Board meeting. These audit and valuation report will be presented to the Town Commission in the near future with the goal of creating greater knowledge of how the Town and employees costs are determined. Item completed.

24. First reading of Commercial Vehicle Restricted Parking Ordinance

Current Status: The Town Commission adopted the ordinance on second reading during the January 18, 2011 Town commission meeting. The Town manger has met with the Police Chief and Assistant Police Chief regarding implementation and a report will be provided in the near future. Item completed.

25. Keep America Beautiful

Current Status: A resolution was adopted by the Town Commission in December, 2010. The Parks and Recreation Director presented the program at the January 11, 2011 meeting of the Beautification Committee. The Beautification Committee endorsed the program. Staff will now move forward to implement the program (Keep Surfside Beautiful). Item completed.

27. Baynanza – yearly event in need of new chairperson

Current Status: A volunteer Chairperson has been found for this year's Baynanza to be held on Saturday, April 16, 2011 from 9:00 - Noon. The Chairperson is Surfside Resident and Beautification Committee Member Adam Markow. Item completed.

28. PACE program – special assessment districts for home energy efficiency improvements

Current Status: Based on the Federal Housing Agency's position negative to this type of financing, staff will monitor any revision of their position before any further pursuit of this concept. Item completed.

35. Parking Study

Current Status: The Town Manager recommended \$22,500 per space and the Town Commission adopted the recommendation in the December 14, 2011 meeting. Item completed.

36. Review property and casualty insurance coverage

Current Status: Finance Director Marty Sherwood and Town Manager Roger Carlton met with and requested price quotations from the Florida League of Cities program to increase coverage levels. Staff will ensure that adequate coverage levels are provided for all facilities. Item completed.

44. Phone system upgrade: This \$54,000 project was funded in the FY 10/11 Budget

Current Status: Town Clerk Debra Eastman and Town Manager Roger Carlton have reviewed the RFP. This project is assisted by Calvin Giordano and Associates. The RFP has been reviewed by the Miami Dade County Procurement Department and many valuable comments were made. Our thanks to Director Miriam Singer and her staff for this pro bono assistance. Contract award is expected in Spring 2011. Item completed until bid award comes back to the Town Commission.

46. Illegal right turns on red – Harding Ave

Current Status: Three No Right Turn on Red signs in the center of 95th, 94th and 93rd streets have been installed and the problem has been greatly reduced. Item completed.

48. Florida National Guard Statement of Support

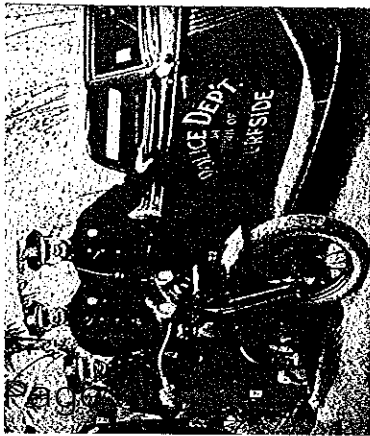
Current Status: Postponed from the December Commission agenda. This item appeared on the January 18, 2011 Town Commission meeting agenda. Item completed.

49. National Day of Service (MLK Jr. Birthday Public Holiday)

Current Status: The Police Department utilized their Senior Assistance Program database to produce a list of projects to help the Town's seniors. The students from Ruth K Broad K-8 Center will complete the tasks through the coordination of residents Richard Jacobacci and Dana Kulvin, Ruth K Broad K-8 Center PTA Chair. The Tourist Bureau Director will work with the Parks and Recreation Director on integrating an annual event on this date into the America the Beautiful initiative. Item completed.

54. Status of distribution of Ruth K. Broad K-8 Center District Boundary Resolution

Current Status: Debbie Eastman has sent out all required copies. Item completed.



Stalwart and true were the boys in blue—circa 1935 Surfside's police force included 4 men, a motorcycle, and a souped-up convertible.

The Men Who Guard Our Town

The Police Department

Safeguarding life and property of the townspeople of Surfside is a first-rate police force, led by Chief Andrew Murcia, Jr., a retired Lieutenant of the New York City police department.

Organized originally by Alfred Barton, one of the Town's founders 25 years ago, the Surfside police force has increased in number from three in 1935 when the municipality was chartered to a complement today of 14, including Chief Murcia, three sergeants, nine patrolmen and one parking meter supervisor.

Barton relinquished the chief's post in 1938 when Frank Hackett was appointed. Hackett, formerly with the police department of Washington, D. C. held the position until 1954 when he retired and was succeeded by Murcia.

Chief Murcia served as a criminal investigator and Deputy Sheriff with the Dade Sheriff's department for a number of years and is a member of the International Chiefs of Police and Dade County Chiefs Association and of the Police Benevolent Association.

Serving with him in the department are Sergeants William F. Terry, Wiley B. Barefoot and George Curti and Patrolmen Alfred Mayo, Willis Riggs, Warren A. Dalrymple, James Armstrong, Kenneth Gusha, Michael Stabika, Morton Arno, Joseph Daziel and John Oakley, and the supervisor of parking meters, Norma Fay Johnson. Two radio-equipped patrol cars are on duty in Surfside around-the-clock.

The Fire Department

The Surfside Fire Department, organized in 1954, boasts of one of the finest records in fire prevention of any South Florida community.

Consisting of a complement of regulars, including Chief Peter Nilsen, Lt. Vincent F. Shea and Fireman Raymond F. Diederich, and backed up by an effective and skilled team of 39 volunteers, the Surfside Fire Department has an enviable six-year record of being called upon to bring under control only three major blazes within the Town's boundaries, testifying to the effectiveness of fire prevention education.

With the establishment of the regular Fire House Station and the acquisition of fire-fighting apparatus including a Sea-grave pumper the same year, the municipality's fire insurance rate was cut in half effecting a general saving for the community of an estimated \$50,000 annually.

Chief Nilsen is a veteran Miami firefighter serving with the City of Miami Fire Department for 28 years. He also instructed at the Miami Fire College for eight years. He is past president of the Dade County Fire Chiefs' Association, the City of Miami Retired Employees Association and Miami Quarter Century Club.

He and his wife, Elizabeth, and son, Norman, live in Miami.

The Volunteer Fire Department

Remember the old-fashioned volunteer fire department of yesteryear?

It plays as integral a part of community life in Surfside today as a daily constitutional along any of the Town's busy thoroughfares.

Surfside's volunteer fire fighting force in reality is a highly trained and readily prepared group of 39 distinguished citizens whose ranks include lawyers, bankers, doctors, contractors, merchants, etc.

Drills for the entire group are held every second and fourth Monday night of the month. A force of at least six volunteers is on call every night for standby duty in case of emergency.

The volunteers also contribute to community life in other fields and list among their pet projects help to the local Boy Scout troops and Muscular Dystrophy Association, and spearheading observance of Fire Prevention Week.

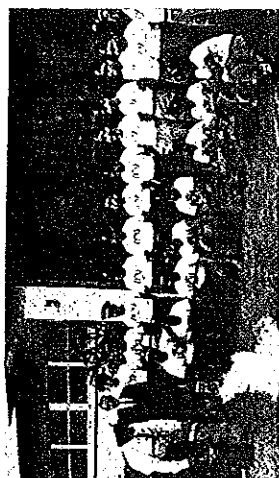
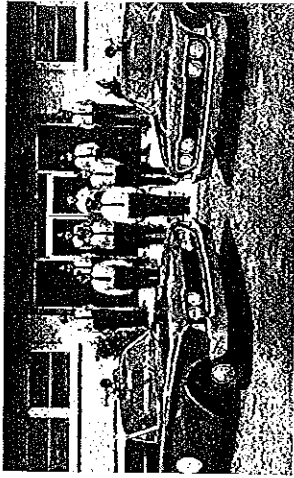
Heading the volunteer force is Chief Alvin Schlesinger, assisted by Deputy Chief Martin Kurzwel, Captains Howard Betz and Robert Bloch, Lieutenants Sam Berger and Sidney Friedman, Secretary George Valentine and Chief-of-Training Frank Nankin, J. E. Barber, Jack Elich and John Fontana.

And, if there is any doubt as to the seriousness of the task at hand, the volunteers have responded to emergency and fire calls each month since organizing in 1954.

Top photo (l. to r., top row) are Patrolmen Morton Arno, Michael Stabika, Willis Riggs, parking meter supervisor Norma Johnson, Patrolmen Kenneth Gusha and Joseph Daziel; (second row) Sergeants Wiley Barefoot, William Terry and George Curti and in the foreground (center) Captain Andrew Murcia, Jr.

Middle picture, above, (l. to r.) are Fire Chief Peter Nilsen, Capt. Sam W. Richmond, Lt. Vincent F. Shea and Fireman Raymond Diederich.

Pictured (l. to r., standing) are Fire Chief Peter Nilsen, Mayor Irving Schulman, Joe Rich, Mel Levin, Lt. Sidney Friedman, Sampson D. Winn, Rauben Pfaffenman, K. A. Wolf, Bernard Joyce, Lt. Sam Berger, Frank Nankin, Capt. Robert Bloch, Julius Goldberg and Jack Elich, kneeling (l. to r.) includes volunteer chief Alvin Schlesinger, H. R. Coopman, Eugenio Beck, Dr. Saul Purcell, Judge Louis Stallman, David Davis, J. E. Barber and John Fontana. Not pictured are Capt. Howard Betz, M. Beckerman, Bernard Edelstein, Norman Epstein, George Valentine, Joe Hecht, Arthur Kahn, Martin Kurzwel, Sidney Lobbvitz, Bob Mendelson, W. Oppenheimer, Jack Patimen, Benjamin Patrick, Alton Seavey, Larry Justin and Myron Zeisant.





TOWN OF SURFSIDE PROJECTS PROGRESS REPORT FEBRUARY, 2011

1. **Community Center** – The shoring for the roof slab pour has been removed. Installation of the glass curtain wall has begun. Framing of the interior walls, interior plumbing, and interior electric have also all begun. The excavation and rough plumbing of both pools is now complete. The Activity Pool has been poured and is now being finished for tile installation. The structural steel for the Main Pool is now being installed.
2. **Planning and Community Development** – Staff prepared the ordinance text for the zoning changes resulting from the December 9, 2010 Joint Meeting. This was presented to the Planning and Zoning Board on January 27, 2011 and the Town Commission on February 8, 2011. Staff also prepared ordinances relating to changes for boats and curb cuts on lots resulting from the code hearing in August. Planning staff continues to answer general zoning calls and emails from the public and to review building permits for conformance with the zoning code.
3. **Website, Information Technology, TV Broadcasts** - The Town has ordered three network switches to replace the switches currently installed that belong to Calvin, Giordano & Associates (CGA). The IT Department investigated the possibility of adding AT&T's U-Verse service to the broadcast feed and we are continuing to work with the Town Manager to determine the cost and possibility for making the town channel available for U-Verse broadcast. The Communications Committee is meeting with the Town Clerk to develop new ideas for the website and the electronic communication used by the Town. IT staff is gathering quotes for wireless lapel microphones for the commissioners to use for meetings, as instructed by the Town Clerk. The RFP for the Voice Over Internet Protocol (phone replacement) as funded in the FY 10/11 budget has been completed and was advertised on the website in January, 2011. The IT Department will begin working on replacing the existing e-mail records system with an in-house solution this month.

4. Public Utilities / Engineering –

Stormwater System

Construction plans and specifications – 100% complete.

Permits – All permits obtained except contractor DERM permit and contractor FDEP well permit.

Construction schedule – Advertisement goal of February 2011 with anticipated construction duration goal of 15 months. CGA and staff are studying the option of an “early bonus system” to achieve this ambitious schedule.

Grant status - FDEP \$873,500	– In place
FDEP \$125,000	– In place
FDEP \$100,000	– In place
FDEP \$2,949,550	– In process.
SFWMD \$570,000	– In process

Sanitary Sewer Collection System

Construction plans and specifications – 95% complete for collection system upgrades and sewage lift station refurbishment.

Permits – Permit waiver request was approved, letter to be issued this week.

Construction schedule – Advertisement goal of February 2011 with anticipated construction duration goal of 15 months. CGA and staff are studying the option of an “early bonus system” to achieve this ambitious schedule.

Water Distribution System

Construction plans and specifications – 95% complete.

Permits – WASD and HRS approval. Waiting for final sign off from DERM.

Construction schedule – Advertisement goal of February 2011 with anticipated construction duration goal of 15 months. CGA and staff are studying the option of an “early bonus system” to achieve this ambitious schedule.

Grant status - Building Better Community Bonds \$829,000 – In place

Stormwater Master Maintenance

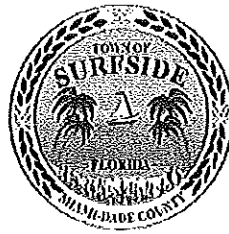
The stormwater drainage system is being cleaned and maintained on a yearly basis as required by the National Pollution Discharge Elimination System Permit. Repairs and replacement program coincide with the Florida Department of Environmental Protection Stormwater project and grants

Florida Department of Transportation Local Agency Program

CGA assisted the Town with the Florida Department of Transportation Local Agency Program (LAP), which allows access to additional funding within the State right of ways, such as the replacement of handicap ramps, bus stop pads and solar lights along 92nd Street between Harding and Collins Avenue. This project is under construction with no matching funds required from the Town.

- 5. Neighborhood Improvements** - CGA prepared initial cost summaries and preliminary strategies for implementing a street tree/tree canopying program for the Town. The goal is to enhance the quality of the residential districts by employing the benefits of street trees, including added property values, shade, and micro-climate/heat island impacts. The provision of street trees have been conceptualized so that they also provide for opportunities with traffic calming, particularly at the street corners and at the mid-blocks, so as to further the livability of the streets and potentially protect both pedestrians and children who may be playing, bicycling or transiting in the street. The initial, suggested strategy seeks to use trees as a neighborhood wayfinding, and community branding element, where specific trees would be used as typical plantings on north-south streets, different from those east-west and potentially flowering trees at the intersections. These, essentially, will constitute the fundamentals of a tree master plan that seeks to continue and further the neighborhood enhancement goals expressed in the community charrette document and already begun through zoning and design guidelines regulation adoptions. The approach will be further developed pending a walk-through with Town Staff to assess the existing conditions, existing constraints, and potential opportunities. The project will be presented to the Town Commission before the bid award for the water/sewer/storm drain project is awarded and will be implemented if funds are available in the bond issue.

CGA is also developing designs for more attractive street signs and improvements to the traffic calming devices throughout the single family neighborhood. The possibility of laying conduit for the undergrounding of FPL and other above ground lines is being reviewed. All these improvements could be included as additive alternates to the water, sewer, storm drainage project.



TOWN OF SURFSIDE
Office of the Town Attorney

MUNICIPAL BUILDING
9293 HARDING AVENUE
SURFSIDE, FLORIDA 33154-3009

Lynn M. Dannheisser
Town Attorney

Telephone: 305 993-1065

MEMORANDUM

TO: Town Commission

FROM: Lynn M. Dannheisser, Town Attorney *LD*

cc: Roger Carlton, Town Manager
Debra E. Eastman, M.M.C., Town Clerk

DATE: January 18, 2011

RE: Prohibition of Outside Employment Ordinance

Recommendation: It is recommended the Commission pass this ordinance prohibiting any employee of the Town Manager from accepting outside employment where the Town's time, equipment or material is used.

Reasons: It has recently come to our attention that in past years, some Town employees have accepted outside employment that has had, in several instances, serious adverse consequences to the Town. This ordinance tracks the Miami-Dade County prohibition on outside employment. One allowable exception is where that employment is not adverse to the Town and the Manager gives his prior approval. Failure to observe the dictates of this prohibition shall result in dismissal.

ORDINANCE NO. 11- _____

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA AMENDING CHAPTER 2 "ADMINISTRATION" AND SPECIFICALLY CREATING SECTION 2-152 "OUTSIDE EMPLOYMENT BY TOWN EMPLOYEES" OF THE TOWN OF SURFSIDE CODE OF ORDINANCES PROVIDING FOR INCLUSION IN THE CODE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, several instances have come to the attention of the Town Manager where employees of the Manager have accepted outside employment that have been detrimental to the Town; and

WHEREAS, the Town of Surfside ("Town") proposes to amend its Code of Ordinances to establish guidelines for outside employment by Town employees and to prohibit outside employment conflicting with Town business except as otherwise determined by the Town Manager; and

WHEREAS, The Town Commission concurs with this policy and finds the proposed change to the Code necessary and in the best interest of the community.

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. **Code Amendment.** The code of the Town of Surfside, Florida is hereby amended as follows:

Sec. 2-152. Outside employment by Town employees.

a. **Generally prohibited.**

1.) **No full-time employee of the Town Manager shall accept outside employment, either incidental, occasional or otherwise, where Town time, equipment or material is to be used or where such employment or any part thereof is to be performed on Town time.**

Ordinance No. _____

- 2.) No part-time employee shall accept outside employment during such hours and times that are committed to employment by the Town of Surfside, nor shall equipment or material belonging to the Town of Surfside be used by any part-time employee for employment outside the Town of Surfside.
- b. When permitted. A full-time Town employee may accept incidental or occasional outside employment so long as such employment is not contrary, detrimental or adverse to the interest of the Town or any of its departments and the approval required in subsection (c) is obtained.
- c. Approval of Town Manager required. Any outside employment by any full-time Town employee must first be approved in writing by Town Manager who shall maintain a complete record of such employment.
- d. Penalty. Any employee convicted of violating any provision of this section shall be punished as provided in Section 1-8, and, in addition thereto, shall be subject to dismissal by the Town Manager.

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 Town of Surfside Code of Ordinances in conflict herewith are intended to be repealed to the extent of such conflict.

Section 5. Inclusion in the Code of Ordinances. 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 Town of Surfside Code of Ordinances, 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 ten (10) days after adoption on second reading.

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

PASSED and ADOPTED on second reading this ____ day of _____, 2011.

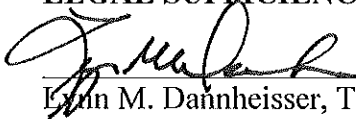
Daniel Dietch, Mayor

Ordinance No. _____

Attest:

Debra E. Eastman, M.M.C., Town Clerk

**APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:**



Lynn M. Dannheisser, Town Attorney

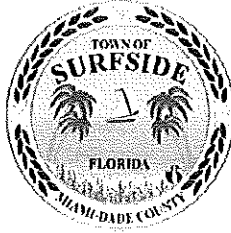
On First Reading Moved by: _____

On Second Reading Seconded by: _____

Vote:

Mayor Dietch	yes	_____	no	_____
Vice Mayor Graubart	yes	_____	no	_____
Commissioner Karukin	yes	_____	no	_____
Commissioner Kopelman	yes	_____	no	_____
Commissioner Olchyk	yes	_____	no	_____

Ordinance No. _____



Town of Surfside Commission Communication

Agenda Item #: 4A2

Agenda Date: February 8, 2011

Subject: Text Amendment to Section 90.61 Paving in front and rear yards in H30 and H40 Districts.

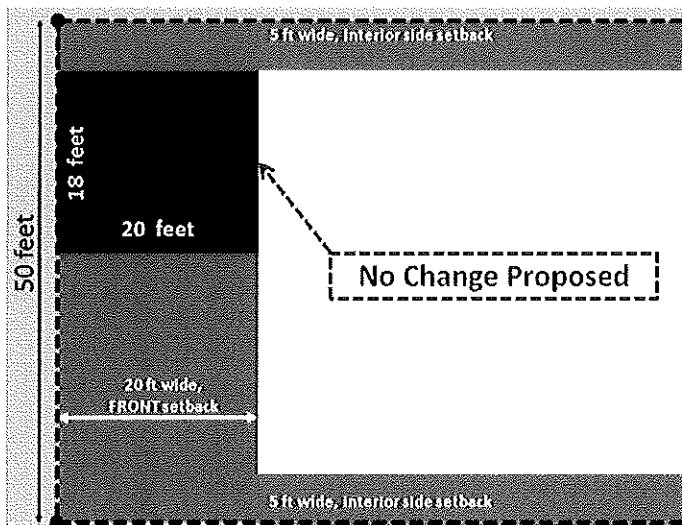
Objective: To allow for additional curb cuts for single family properties with larger lot widths and to include curb cut regulations that are currently in the Building Code in the Zoning Code.

Background: Regulations regarding curb cuts are contained in both the Building Code and the Zoning Code and are not consistent with each other. Staff is recommending that curb cut regulations contained in Section 14-32 of the Building Code be moved into the Zoning Code and the Zoning code be amended to reflect the inclusion of the Building Code requirements and the provision for additional curb cuts on larger lots.

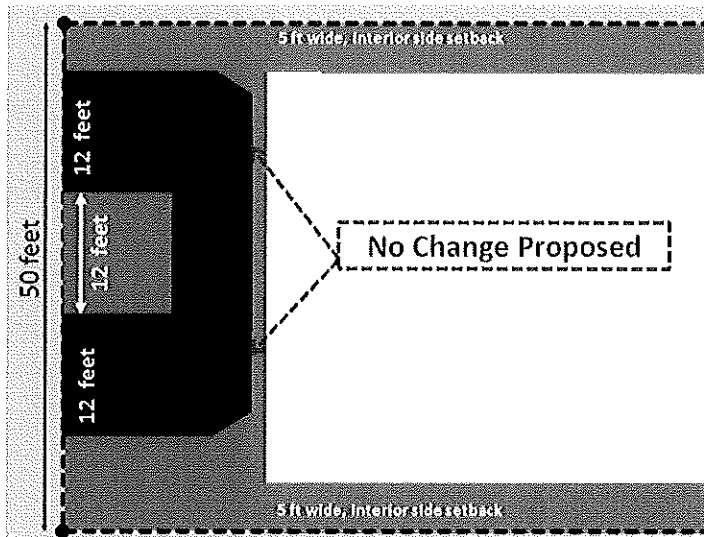
Analysis: In the H30A District, H30B District, and H30C District west of Harding Avenue the number of curb cuts and the width of the curb cuts for properties whose width is LESS than 100 feet has NOT changed. A homeowner has two options is their lot is less than 100 feet.

NO CHANGE:

Option 1: One curb cut not more than 18 feet in width:



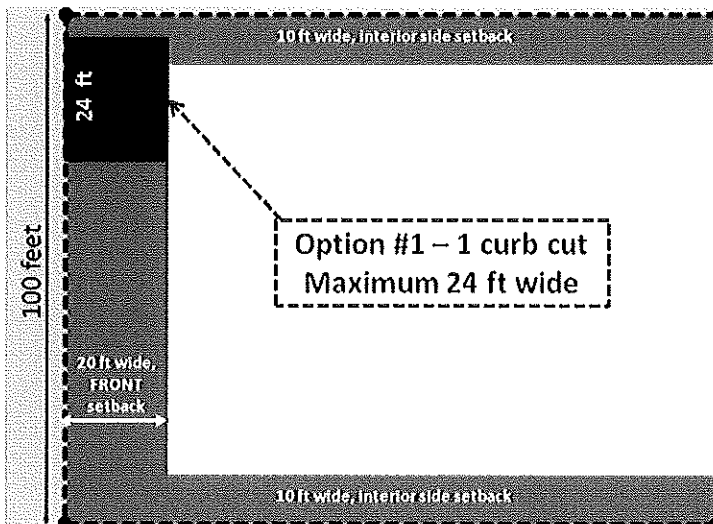
Option 2: Two curb cuts not exceeding 12 feet in width each with at least 12 feet in between the curb cuts:



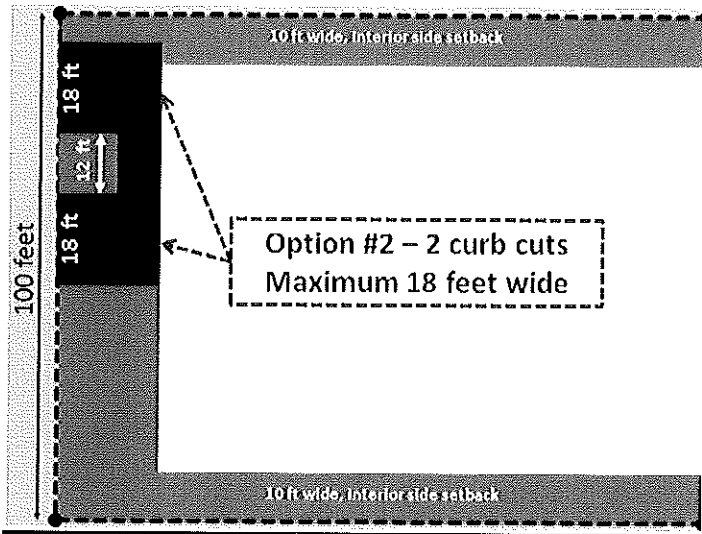
PROPOSED CHANGES:

It is recommended that the number of curb cuts permitted and curb cuts widths be increased for properties whose width is 100 feet or greater as demonstrated by the following options:

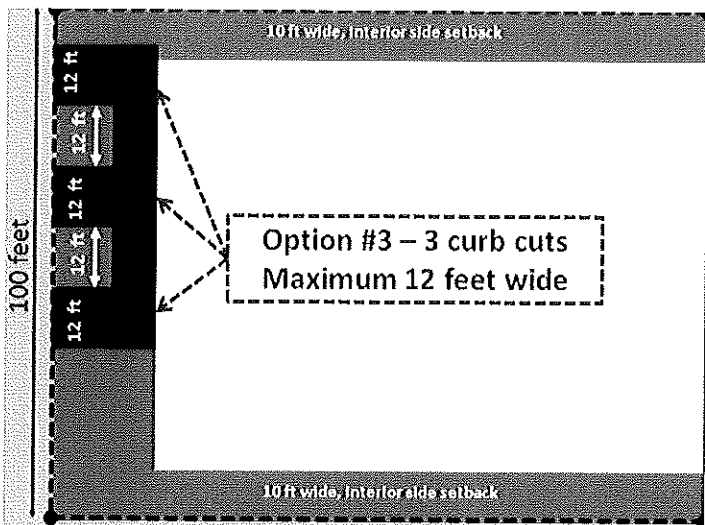
Option 1: One curb cut not more than 24 feet in width:



Option 2: Two curb cuts not exceeding 18 feet in width each with at least 12 feet in between the curb cuts:



Option 3: Three curb cuts not exceeding 12 feet in width each with at least 12 feet in between the curb cuts:



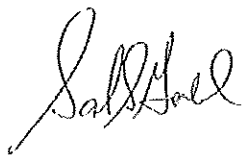
For properties fronting on Collins Avenue, Harding Avenue and every East-West Street in between Collins Avenue and Harding Avenue the Building Code regulations that control the number of curb cuts permitted and curb cuts widths are limited to properties the abut Harding Ave, Collins Ave, and the east/west streets in between are being moved into the zoning code. These requirements also include properties in the H30C zoning district west of Harding, H40, H120, and SDB40 zoning districts. However, this portion of the regulations is not applicable to H30B properties that abut Harding Avenue.

Budget Impact: Planning Staff's time was funded under the general services contract between the Town and CGA. Therefore the Town did not incur an additional budget impact for CGA's time.

Growth Impact: N/A

Staff Impact: N/A

Recommendation: The Planning and Zoning Board, sitting as the Local Planning Agency, recommended approval to the Town Commission at its December 16, 2010 meeting. It is recommended that the Surfside Town Commission adopt on second reading the attached Ordinance, amending sections 90.61 of the Town of Surfside Zoning Code.



Sarah Sinatra Gould, Town Planner



Roger Carlton, Town Manager

ORDINANCE NO. 11- _____

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA AMENDING SECTION 90.61 CURB CUTS OF THE TOWN OF SURFSIDE CODE OF ORDINANCES; PROVIDING FOR INCLUSION IN THE CODE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town of Surfside ("Town") proposes to amend its Code of Ordinances to allow additional curb cuts for single family properties with larger lot widths; and

WHEREAS, the Town regulations regarding curb cuts are contained in both the Building Code and the Zoning Code and are not consistent with each other; and

WHEREAS, Town staff is recommending that curb cut regulations contained in Section 14-32 of the Building Code be moved into the Zoning Code and the Zoning code be amended to reflect the inclusion of the Building Code requirements and the provision for additional curb cuts on larger lots.

WHEREAS, the Planning and Zoning Board, as the Local Planning Agency for the Town, held its hearing on the proposed amendments to the district regulations on December 16, 2010 with due public notice and input; and

WHEREAS, the Town Commission held its first public reading on January 18, 2011 and recommended approval of the proposed amendments to the Code of Ordinances having complied with the notice requirements by the Florida Statutes; and

WHEREAS, the Town Commission has conducted a second duly noticed public hearing on these regulations as required by law on February 8, 2011 and further finds the proposed change to the Code necessary and in the best interest of the community.

Ordinance No. _____

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. Code Amendment. The code of the Town of Surfside, Florida is hereby amended as follows:

~~Sec. 14-32. Limitations on driveway connections (curb cuts).~~

~~(a) The following table governs and applies to all property fronting on Collins Avenue (AIA North), Harding Avenue (AIA South) and every East-West Street in between Collins Avenue and Harding Avenue:~~

~~PROJECT FRONTAGE
TABLE INSET:~~

- Collins -	Harding -	East-West Street	Driveway Connections (Curb Cuts) Allowed and Direction
X	X	X	One Two-way on Harding Avenue and One Two-way on Collins Avenue or One Two-way on either Collins Avenue or Harding Avenue and one Two-way mid-block on East West Street or One one-way on Collins Avenue, one one-way on Harding Avenue and one two-way mid block on East West Street
X	X	—	One two-way on either Collins Avenue or Harding Avenue or One one-way on Collins Avenue and one one-way on Harding Avenue
X	—	X	One two-way on Collins Avenue or One one-way on Collins Avenue and one one-way on East West Street
—	X	X	One two-way on Harding Avenue or one one-way on Harding Avenue and one one-way on East West Street
X	—	—	One two-way
—	X	—	One two-way

Ordinance No. _____

~~(b) One-way driveway connections (curb cuts) shall not exceed 12 feet in width. Two-way driveway connections (curb cuts) shall not exceed 24 feet in width.~~

~~(c) Except where expressly provided otherwise, driveway connections (curb cuts) on East-West Streets shall be as far away from intersections as practicable.~~

~~(d) If a property fronts on Collins Avenue, Harding Avenue and two East-West Streets, for purposes of the foregoing table, it shall be deemed to front on Collins Avenue, Harding Avenue and one East-West Street.~~

Sec. 90-61. Paving in front and rear yards in H30 and H40 districts.

Front setbacks in the H30A, H30B, H30C or H40 districts shall not be more than 50 percent paved over with any type of material that is not readily permeable by rainwater and groundwater. Pavers and pervious hard materials, including pervious concrete, shall not be utilized for the calculation of pervious area.

(1) Not less than 30 percent of the front yard shall be landscaped.

(2) Not less than 20 percent of the rear yard shall be landscaped.

(3) No front yard shall be accessible by vehicles from a public street by more than two curb cuts.

(4) No curb cut shall be located within five feet of a side lot line.

~~(5) Where there is a single curb cut for any one property, the curb cut shall not be more than 18 feet in width.~~

~~(6) Where there are two curb cuts for any one property, the curb cuts shall not be more than 12 feet in width, and there shall be at least 12 feet between curb cuts. Where a driveway is installed with two curb cuts, a landscaped island containing at least 60 square feet shall be provided between the curb cuts in the front yard area, extending from the front property line to the paved area.~~

(5) On corner lots where vehicular access and off-street parking are provided in a side secondary frontage yard, these same regulations shall apply also to the side secondary frontage yard. Such side secondary frontage yards shall not be more than 50 percent paved over with any type of material that is not readily permeable by rainwater and groundwater and not less than 30 percent of the side secondary frontage yard shall be landscaped.

(6) Driveway materials are limited to the following:

a. Pavers.

b. Color and texture treated concrete, including stamped concrete as long as it is permeable.

c. Painted concrete shall not be permitted.

Ordinance No. _____

d. Asphalt shall not be permitted.

(7) The width of the curb cut shall be measured from the terminus of the driveway entry, not including the taper.

90.61.1 Curb Cuts for properties located in the H30A District, H30B District, and H30C District west of Harding Avenue.

(a) No curb cut shall be located within five feet of a side or rear lot line. For corner lots, no curb cut shall be located within 25 feet of the intersection of the front and secondary frontage lot lines.

(b) Where a driveway is installed with two curb cuts, a landscaped island containing at least 60 square feet shall be provided between the curb cuts in the front yard area, extending from the front property line to the paved area.

(c) The maximum number and location of curb cuts that may be provided for a property shall be determined in accordance with the following table.

	<u>Maximum Driveway Connections (Curb Cuts) Allowed and Location</u>
<u>Front Lot Line Width is less than 100 feet</u>	<u>1. One curb cut, not more than 18 feet in width; Or</u> <u>2. Two curb cuts, each curb cut shall not be more than 12 feet in width, and there shall be at least 12 feet between curb cuts</u>
<u>Front Lot Line Width is 100 feet or greater</u>	<u>1. One curb cut, not more than 24 feet in width; Or</u> <u>2. Two curb cuts, each curb cut shall not be more than 18 feet in width, and there shall be at least 12 feet between curb cuts; Or</u> <u>3. Three curb cuts, each curb cut shall not be more than 12 feet in width, and there shall be at least 12 feet between curb cuts</u>

90.61.2 Curb Cuts for properties fronting on Collins Avenue, Harding Avenue and every East-West Street in between Collins Avenue and Harding Avenue, excluding H30B District properties.

(a) No curb cut shall be located within five feet of a side or rear lot line. For corner lots, no curb cut shall be located within 25 feet of the intersection of the front and secondary frontage lot lines.

(b) One-way driveway connections (curb cuts) shall not exceed 12 feet in width. Two-way driveway connections (curb cuts) shall not exceed 24 feet in width.

(c) Except where expressly provided otherwise, driveway connections (curb cuts) on East-West Streets shall be as far away from intersections as practicable.

Ordinance No. _____

(d) If a property fronts on Collins Avenue, Harding Avenue and two East-West Streets, for purposes of the foregoing table, it shall be deemed to front on Collins Avenue, Harding Avenue and one East-West Street.

(e) The maximum number and location of curb cuts that may be provided for a property shall be determined in accordance with the following table. All curb cuts on Harding Avenue and Collins Avenue are subject to review and approval by the Florida Department of Transportation.

<u>Roadway frontage</u>			<u>Maximum Driveway Connections (Curb Cuts) Allowed and Location.</u>
<u>Collins Ave</u>	<u>Harding Avenue</u>	<u>East-West Street</u>	
<u>X</u>	<u>X</u>	<u>X</u>	<ol style="list-style-type: none"> 1. <u>One two-way on Harding Avenue and One two-way on Collins Avenue; Or</u> 2. <u>One two-way on either Collins Avenue or Harding Avenue and one two-way mid-block on East-West Street; Or</u> 3. <u>One one-way on Collins Avenue, one one-way on Harding Avenue and one two-way mid-block on East-West Street</u>
<u>X</u>	<u>X</u>		<ol style="list-style-type: none"> 1. <u>One two-way on either Collins Avenue or Harding Avenue; Or</u> 2. <u>One one-way on Collins Avenue and one one-way on Harding Avenue.</u>
<u>X</u>		<u>X</u>	<ol style="list-style-type: none"> 1. <u>One two-way on Collins Avenue; Or</u> 2. <u>One one-way on Collins Avenue and one one-way on East-West Street</u>
	<u>X</u>	<u>X</u>	<ol style="list-style-type: none"> 1. <u>One two-way on Harding Avenue; Or</u> 2. <u>One one-way on Harding Avenue and one one-way on East-West Street</u>
<u>X</u>			<u>One two-way on Collins Avenue</u>
	<u>X</u>		<u>One two-way on Harding Avenue</u>

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 Town of Surfside Code of Ordinances in conflict herewith are intended to be repealed to the extent of such conflict.

Ordinance No. _____

Section 5. Inclusion in the Code of Ordinances. 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 Town of Surfside Code of Ordinances, 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 ten (10) days after adoption on second reading.

PASSED and ADOPTED on first reading this 18 day of Jan., 2011.


PASSED and ADOPTED on second reading this ____ day of _____, 2011.

Daniel Dietch, Mayor

Attest:

Debra E. Eastman, M.M.C., Town Clerk

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:



Lynn M. Dannheisser, Town Attorney

Moved by: _____

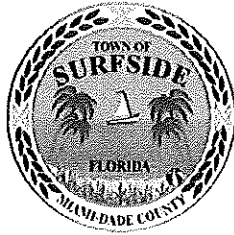
On Second Reading Seconded by: _____

Ordinance No. _____

Vote:

Mayor Dietch	yes _____	no _____
Vice Mayor Graubart	yes _____	no _____
Commissioner Karukin	yes _____	no _____
Commissioner Kopelman	yes _____	no _____
Commissioner Olchyk	yes _____	no _____

Ordinance No. _____



Town of Surfside Commission Communication

Agenda Item #: 4B1

Agenda Date: February 8, 2011

Subject: Text Amendment to Section 90.65 - Boat Storage

Objective: Revise boat parking regulations by permitting boats to be parked in the side and rear yards, while requiring screening to the neighboring properties.

Background: At the July 7, 2010 Special Commission meeting a resident indicated that he would like the issue of boat storage to be revisited to allow boats, trailers and personal watercraft in side and rear setbacks, while prohibiting boats in the front yard within single family properties. This issue was a discussion item on the August 26, 2010 Planning and Zoning Board meeting and was placed on the September 30, 2010 Planning and Zoning agenda as an ordinance. However, staff completed a further analysis and discovered that prohibiting boats could result in a hardship for approximately 64 property owners who continually park boats in the single family area. Staff therefore requested an additional review by the Planning and Zoning Board at their December 16, 2010 meeting. The Town Commission heard the proposed ordinance on first reading at their January 18, 2011 meeting. The Commission voted 3-2 to approve this ordinance on first reading. The Planning and Zoning Board heard this item at their January 27, 2011 meeting and after much discussion by the public, the Board voted to delete all new provisions from the first reading ordinance except the following:

(b) No boat, or boat trailer shall be parked ~~or stored~~ within the required interior side yard setback and/or required rear yard setback, or projected or encroach on any public right-of-way.

(c) A boat trailer and personal watercraft may be parked in the front, side, or rear yards. If parked in the side or rear yard, the boat trailer and personal watercraft shall not be visible to the neighboring property. A fence, wall or hedge, consistent with the code, shall be installed in order to limit visibility to the maximum extent possible.

Analysis: By removing the term “yard,” the proposed changes will continue to permit boats to be parked in the front, side and rear of a lot, but not in required interior side setback, rear setback or encroach into the street or right-of-way. Also, if a boat is parked in the side or rear yard, the proposed changes require screening from neighboring properties to help conceal the boat from view.

Budget Impact: Planning Staff’s time was funded under the general services contract between the Town and CGA. Therefore the Town did not incur an additional budget impact for CGA’s time.

Growth Impact: N/A

Staff Impact: N/A

Recommendation: It is recommended that the Town Commission approve the attached Ordinance, amending sections 90.65 of the Town of Surfside Zoning Code.



Sarah Sinatra Gould, Town Planner



Roger M. Carlton, Town Manager

ORDINANCE NO. 11- _____

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA AMENDING SECTION 90.65 BOAT STORAGE, INCLUDING ZONING CODE DEFINITIONS OF “SETBACKS” AND “YARDS” OF THE TOWN OF SURFSIDE CODE OF ORDINANCES; PROVIDING FOR INCLUSION IN THE CODE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town of Surfside (“Town”) proposes to amend its Code of Ordinances to amend the boat storage regulations to permit boat trailers and personal watercraft in the side or rear setbacks, including Zoning Code definitions of “Setbacks” and “Yards;” and

WHEREAS, subsequent to the Planning and Zoning Board meeting of October 28, 2010, the Town Manager suggested additional provisions; and

WHEREAS, the Town Commission held its first public reading on January 18, 2011 and recommended approval of the proposed amendments to the Code of Ordinances having complied with the notice requirements by the Florida Statutes; and

WHEREAS, the Planning and Zoning Board, as the Local Planning Agency for the Town, held its hearing on the proposed amendments to the district regulations on January 27, 2011 with due public notice and input; and

WHEREAS, the Town Commission has conducted a second duly noticed public hearing on these regulations as required by law on February 8, 2011 and further finds the proposed change to the Code necessary and in the best interest of the community.

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

Ordinance No. _____

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. Code Amendment. The code of the Town of Surfside, Florida is hereby amended as follows:

Sec. 90-65. Boat storage-parking.

In the following section the term "boat" shall include every description of watercraft or airboat used or capable of being used as a means of transportation on water, including personal watercraft, but shall not include kayaks or canoes or similar non-motorized watercraft. No more than one boat may be parked on any lot in the H30A or H30B districts subject to the following conditions:

- (a) Boats shall not be used for living or sleeping quarters, and shall be placed on and secured to a transporting trailer.
- (b) No boat, or boat trailer shall be parked ~~or stored~~ within the required interior side yard setback and/or required rear yard setback, or projected or encroach on any public right-of-way.
- (c) A boat trailer and personal watercraft may be parked in the front, side, or rear yards. If parked in the side or rear yard, the boat trailer and personal watercraft shall not be visible to the neighboring property. A fence, wall or hedge, consistent with the code, shall be installed in order to limit visibility to the maximum extent possible.
- (~~ed~~) When parked or stored in the front or secondary frontage yard the place of parking shall be parallel with and immediately adjacent to or on the driveway and shall be at least five feet from the interior side or rear property line.
- (~~de~~) The parking, storage or keeping of any boat or boat trailer shall not obstruct driveways or impede the ability of the abutting property owner to maintain the right-of-way clearance. The parking, storage or keeping of any boat or boat trailer shall not cause other vehicles to be parked in rights-of-way so as to create a hazard. The parking or storage of a boat or boat trailer shall not be in conflict with the provisions of 90-52.
- (~~ef~~) If covers are provided for the open part of all boats, the covers for any items must fit to the contours of the boat. The color of the cover should be complimentary to the exterior color of the boat. No tarps shall be used.
- (~~fg~~) Boats, boat trailers, and places of parking shall be kept in a clean, neat and presentable condition. Boats and boat trailers shall not be inoperable, wrecked, junked, partially dismantled or abandoned.
- (~~gh~~) No boat which does not have a valid registration and a valid license plate decal properly displayed, as required by state law, shall be kept on any lot for more than 30 days, unless they are stored inside a totally enclosed building.
- (~~hi~~) It shall be unlawful to park a boat or boat trailer on any lot, unless such lot contains a residential dwelling and the boat belongs to the occupant of such dwelling, a member of his immediate family, a resident of the household residing on the property, or a bona fide guest or visitor thereof.
- (~~ij~~) No major repairs or overhaul work shall be made or performed on the premises.

Ordinance No. _____

(jk) Boats and boat trailers stored on any lot in the H30A or H30B districts shall be secured or removed immediately upon the issuance of a hurricane warning by a recognized governmental agency.

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 Town of Surfside Code of Ordinances in conflict herewith are intended to be repealed to the extent of such conflict.

Section 5. Inclusion in the Code of Ordinances. 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 Town of Surfside Code of Ordinances, 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 ten (10) days after adoption on second reading.

PASSED and ADOPTED on first reading this 18th day of January , 2011.

PASSED and ADOPTED on second reading this ____ day of _____, 2011.

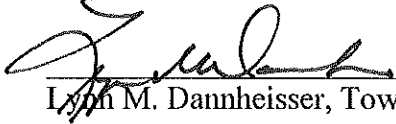
Daniel Dietch, Mayor

Attest:

Debra E. Eastman, M.M.C., Town Clerk

Ordinance No. _____

**APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:**



Lynn M. Dannheisser, Town Attorney

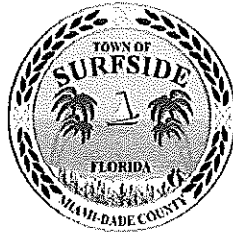
On First Reading Moved by: _____

On Second Reading Seconded by: _____

Vote:

Mayor Dietch	yes	_____	no	_____
Vice Mayor Graubart	yes	_____	no	_____
Commissioner Karukin	yes	_____	no	_____
Commissioner Kopelman	yes	_____	no	_____
Commissioner Olchyk	yes	_____	no	_____

Ordinance No. _____



Town of Surfside Commission Communication

Agenda Item # 5A

Agenda Date: February 8, 2011

Subject: Konica Copier

Objective: 36 Month Lease of Konica Minolta Photocopier.

Recommendation: It is recommended that the Town of Surfside piggyback off the State of Florida bid (Contract No. 600-000-11-1) to lease a Konica Minolta copier for a term of 36 months. The copier will replace the currently expired Toshiba copier contract from 2005. The Toshiba copier is located on the first floor of Town Hall.

Background: The Toshiba copier located on the first floor of Town Hall is a high performance, heavy duty copier and scanner. The copier was leased from Toshiba and the lease expired in December, 2010. Priscilla Krutules, Record Technician and Assistant to the Town Clerk and Jose Feliz, IT System Support Specialist researched three companies with State contracts for a high performance and heavy duty copier that would fit the needs of the various Departments that use the machine on a daily basis (including preparation of agenda packets). Their recommendation is based upon matching the current features used, compared pricing and the inclusion of recurring copier expenses (toner, staples, etc.). They selected Delta Business Solution's, Konica bizhup 751 which will copy 75 pages per minute and has scanner and fax capability.

The monthly lease will include parts, preventative maintenance and even toner and staples. Two municipalities were contacted to obtain references. Both the City of Miramar and the City of Hialeah gave Delta Business Solutions positive reviews. The City of Miramar leases 47 machines and the City of Hialeah leases more than 70 copiers from Delta Business Solutions.

Analysis: The monthly lease payment will be \$246.82. Two other copiers (Toshiba), also on state contracts, were quoted with similar features and cost \$260.63 and \$286.06.

Budget Impact: The lease payment on the old machine was \$330.00 based on 2005 pricing. The lease payment on the proposed lease will be \$291.82 and includes additional items such as toner, staples and a fax function. The funds were approved in the FY 2010/2011 budget under code number 001-2000-512.4601.

Growth Impact: N/A

Staff Impact: N/A



Department Head



Town Manager

Maintenance



Ultimate Solution :

- Additional output
- All Service Checks
- All Preventative Maintenance
- All Replacement Parts
- All Drums
- All Labor
- All Toner
- Includes Quality Assurance Calls
- Guaranteed Service Response Time
- Includes Assigned Technical Specialist
- Guaranteed Loaner

Performance Guarantees

EQUIPMENT GUARANTEE - The equipment is conditionally warranted by Delta Business Solutions for as long as the customer owns the equipment, provided that the equipment is covered by an Omni maintenance and support program.

EMERGENCY RESPONSE TIME GUARANTEE We guarantee to respond to an emergency call within an average 6 hours.

REPLACEMENT GUARANTEE - If the equipment is covered by Delta maintenance agreement, and cannot be repaired, we will replace it with a piece of similar or like equipment at no additional charge.

LOANER PROTECTION PLAN - If we are unable to repair your equipment covered under the Delta maintenance agreement within 8 hours of our arrival, we will provide a loaner to you at no additional cost.

RESOLUTION NO. 11-____

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, WAIVING THE BID PROCESS AND APPROVING A PURCHASE ORDER FOR A 36 MONTH TERM WITH DELTA BUSINESS SOLUTIONS; PIGGYBACKING ON STATE OF FLORIDA CONTRACT No. 600-000-11-1, AUTHORIZING EXECUTION OF PURCHASE ORDERS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, The Town Commission wishes to procure the use of a Konica bizhub 751 photocopier; and

WHEREAS, after conducting a good faith review of available sources, it is recommended that the Town piggyback this bid on the State of Florida Contract No. 600-000-11-1; it is in the Town's best interest to waive the competitive bidding procedures; and

WHEREAS, the State of Florida selected Delta Business Solutions to provide similar products and services to the State of Florida.

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

Section 1. Recital Adopted. The above-stated recitals are hereby adopted and confirmed.

Section 2. Purchase Order Approved. The Purchase Order, is attached hereto as (Attachment "A"), is hereby approved, and the Town Manager is hereby authorized to execute the Purchase Order on behalf of the Town.

Section 3. Implementation. The Town Manager is hereby authorized to take any action which is necessary to implement the purpose this Resolution.

Section 4. Effective Date. This Resolution shall be effective immediately from adoption hereof.

PASSED and **ADOPTED** on this 8th day of February, 2011.

Motion by Commissioner _____, Second by Commissioner _____.

FINAL VOTE ON ADOPTION

Commissioner Michael Karukin _____
Commissioner Edward Kopelman _____
Commissioner Marta Olchyk _____
Vice Mayor Joe Graubart _____
Mayor Daniel Dietch _____

Daniel Dietch, Mayor

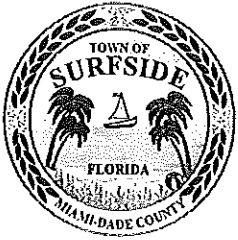
ATTEST:

Debra E. Eastman, MMC
Town Clerk

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:



Lynn M. Dannheisser, Town Attorney



PURCHASE ORDER
TOWN OF SURFSIDE
 9293 HARDING AVENUE • SURFSIDE, FL 33154
 TELEPHONE: 305.861.4863
 FAX: 305.861.1302

ATTACHMENT A

No 10190

This Number Must Be
 Shown on Delivery Ticket,
 Invoice and Statement.

Check # _____
 Check Date _____

Konica Minolta Business Solutions U.S.A., Inc.
 c/o Delta Business Solutions/C.F. Ramsay
 500 Day Hill Road
 Windsor, CT 06095
 ATTN: Cheryl Kruschwitz

Date _____

SHIP VIA

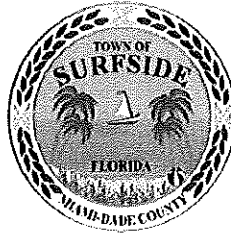
F.O.B.

TERMS:

QUANTITY	DESCRIPTION AND SPECIFICATIONS	UNIT PRICE	TOTAL
1	Konica Bizhup 751 Copier with options \$246.82 Per Month X 36 Months Per Copy Rate .0045 (Based on State Contract) State Contract No. 600-000-11-1 DEPT. <u>Non-Departmental</u> ACCT. # <u>001-7900-590-46-01</u> VENDOR # _____ I CERTIFY THERE ARE FUNDS IN THE ABOVE ACCOUNT. _____ DEPARTMENT HEAD	\$246.82	\$8,885.52

IMPORTANT: Mail Invoice showing Purchase Order number to Accounting Department,
 Town Hall, immediately upon delivery of goods (Statement monthly).

 Town Manager



Town of Surfside Commission Communication

Agenda Item #: 5B

Agenda Date: February 8, 2010

Subject: Acceptance of Pre Qualification Shortlist for Infrastructure Rehabilitation Project and authorization to continue bid process.

Objective: To perform a pre qualification check on all prime contractors and major subcontractors who intend to submit a competitive bid price for the Infrastructure Rehabilitation Project. This pre qualification ensures that the Contractors submitting a bid are qualified, safe, responsible firms. Further, to authorize that that this bid process using the pre-qualified firms proceed.

Background: The Infrastructure Rehabilitation Project will be a challenging project which should only be performed by a Contractor with experience in this specific type of work, within residential areas, and in a near shore tidal area. To ensure the Town adheres to the competitive bidding guidelines and contracts with a qualified firm, the Town is performing a pre-qualification process.

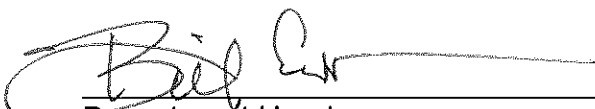
The pre qualification package was advertised for 30 calendar days and a mandatory pre-qualification meeting was held on January 13, 2011.

Analysis: The Town received pre qualification packages from ten (10) Prime Contractors. Of these Prime Contractors the Town's Consultant, Calvin, Giordano & Associates, has performed a review and determined that seven (7) firms meet all requirements. See Attachment 1 for the list of firms which submitted and those that meet our requirements.

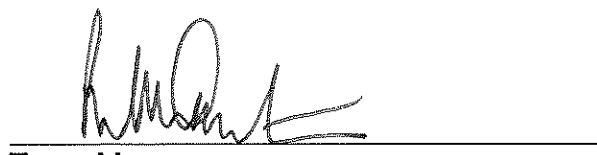
Budget Impact: The approval of the Consultant's qualified Contractor's list does not affect the Town's budget.

Staff Impact: N/A

Recommendation: It is recommended that the Surfside Town Commission approve this resolution which creates a list of pre-qualified Contractors and authorizes the competitive procurement process to proceed.



Department Head



Town Manager

RESOLUTION NO. 2011-____

A RESOLUTION OF THE TOWN OF SURFSIDE, FLORIDA APPROVING THE LIST OF PRE QUALIFIED CONTRACTORS FOR THE INFRASTRUCTURE REHABILITATION PROJECT; AND AUTHORIZING THE TOWN MANAGER TO SEEK COMPETATIVE BIDS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town of Surfside has prepared and advertised a Request for Qualification Package (RFQ) for Contractors who desire to submit bid packages for the Infrastructure Rehabilitation Project to improve the Town’s utility services.

WHEREAS, the need to pre qualify Contractors is particularly important with this project due to its aggressive schedule, multiple phases and relative location throughout the Town; and

WHEREAS, the Town Clerk received packages from ten (10) firms by the deadline of January 31, 2011 at 2:00 PM; and

WHEREAS, the Committee has recommended the pre qualification of seven (7) Contractors; and

WHEREAS, the Town Manager recommends that the Town Commission approve the list of pre qualified Contractors and authorize the competitive bid process to move forward.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COMMISSION OF SURFSIDE, FLORIDA:

SECTION 1: The Infrastructure Rehabilitation Project Qualified Contractors list attached hereto as Exhibit “A” be and the same is hereby approved.

SECTION 2. The Town Manager is authorized to seek competitive bids with the award to be approved by the Town Commission.

SECTION 3. That this resolution shall be in full force and effect immediately upon its passage and adoption.

Motion by Commissioner _____, Second by Commissioner _____
PASSED AND ADOPTED this 8th day of February, 2011.

FINAL VOTE ON ADOPTION

Commissioner Michael Karukin _____
Commissioner Edward Kopelman _____
Commissioner Marta Olchyk _____
Vice Mayor Joseph Graubart _____
Mayor Daniel Dietch _____


Daniel Dietch, Mayor

ATTEST:

Debra E. Eastman, MMC
Town Clerk

APPROVED AS TO FORM AND LEGALITY

For use and reliance of the
Town of Surfside, Florida.



Lynn M. Dannheisser, Town Attorney



Town of Surfside

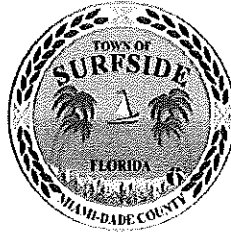
Infrastructure Rehabilitation Project Pre Qualified Contractors List

EXHIBIT A

Ranking	Contractor	Average Score
1	Lanzo Construction, Inc	169
2	Man-Con, Inc	163
3	Ric-Man International Inc.	161
4	Southeastern Engineering Construction	156
5	Intercountry Engineering, Inc	147
6	GlobeTech Construction	138
7	SAK Construction	112
8	Reynolds, Inc. dba John Reynolds & Sons, Inc.	102
9	Metro Equipment Service	96
10	Metro Express, Inc	82

The top seven firms are deemed to be prequalified to submit bids on the Town of Surfside Infrastructure Rehabilitation Project.

The 8-10 ranked firms are not deemed prequalified to submit bids on the Town of Surfside Infrastructure Rehabilitation Project.



Town of Surfside Commission Communication

Agenda Item #: 5C

Agenda Date: February 8, 2010

Subject: Infrastructure Rehabilitation Project Public Meeting

Objective: To publicly discuss and approve the water, sewer and storm water facilities plan necessary to keep open the potential for a State Revolving Fund Loan.

Background: The Town's focus is on improvements to the water main distribution system, sanitary sewer collection system and storm water improvements. In addition, the Town is mandated to comply with a Consent Agreement to avoid fines due to sanitary sewer infiltration inflow and high pump station run times. To obtain Florida Department of Environmental Protection - State Revolving Fund (SRF) loans, the Town will submit a Facilities Plan, construction documents, and supporting exhibits that demonstrate the Town's intent to improve the Level of Service for each of the services listed. A Water, Sewer and Stormwater Facilities Plan has been prepared to update the planning status for the Town of Surfside's utility systems, and is based on recent planning for major improvements. To support the Town's efforts the Plan covers the current status of the water main distribution system, sewer collection / pump station system, and stormwater collection system. The current capital improvement plan and the needs for the next 10 years are also summarized as a part of the Facilities Plan.

Analysis: The SRF interest rates are slightly lower than the competitive private placement rates we anticipate. The application requires a submittal of the Commission approved Facilities Plan, which addresses the current state or status of the utility system and the reasons the project is needed. The Facilities Plan must be approved in an advertised public meeting.

Budget Impact: The fiscal impact has been clearly defined in the rate study by Tischler Bise and the Town Commission has adopted the new rates and the rate increase has been implemented.

Staff Impact: N/A

Recommendation: Approve this resolution which is a requirement of maintaining the Town's eligibility for the State Revolving Loan Fund (SRF). This does not mean that we will actually take down the loan until market conditions, bid processes, timing factors and other events ensure that this program is the best strategy. All options have been discussed with the Citizen's Oversight Committee and they are in concurrence with maintaining eligibility but not making the final decision at this time. This will be explained in more detail during the advertised public meeting on February 8, 2011.



Department Head



Town Manager

RESOLUTION NO. R-2011-____

**A RESOLUTION OF THE TOWN OF SURFSIDE, FLORIDA
APPROVING THE WATER, SEWER AND STORMWATER
FACILITIES PLAN AFTER A PUBLIC MEETING ON SAME.**

WHEREAS, the Town of Surfside has pursued an update to its utility systems and has developed a Water, Sewer and Storm Water Facilities Plan as a way to help facilitate long-term decision-making on the water, sewer and storm water systems.

WHEREAS, planning is a function which all enterprises should participate in to anticipate needs, clarify organizational goals and provide direction to pursue; and

WHEREAS, this need is particularly important with water and wastewater utility systems, as many necessary improvements and changes in direction take many years to implement and/or complete; and

WHEREAS, an adopted Facilities Plan is needed to enter the State Clearinghouse review procedure or to pursue State Revolving Fund loan monies for water, wastewater and stormwater projects; and

WHEREAS, the proposed Facilities Plan has been created in contemplation of dealing with the expected improvements that may be required over the next 10 years on the water, wastewater and stormwater systems, including plant, pipeline and infiltration improvements; and

WHEREAS, the Town Manager recommends that the Town Commission approve the Facilities plan after due public meeting.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COMMISSION OF SURFSIDE, FLORIDA:

SECTION 1: The Water, Sewer and Storm water Facilities Plan attached hereto as Exhibit "A" be and the same is hereby approved.

SECTION 2. That this resolution shall be in full force and effect immediately upon its passage and adoption.

Motion by Commissioner _____, Second by Commissioner

PASSED AND ADOPTED this 8th day of February, 2011.

FINAL VOTE ON ADOPTION

Commissioner Michael Karukin	_____
Commissioner Edward Kopelman	_____
Commissioner Marta Olchyk	_____
Vice Mayor Joseph Graubart	_____
Mayor Daniel Dietch	_____

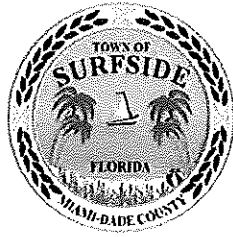
Daniel Dietch, Mayor

ATTEST:

Debra E. Eastman, MMC
Town Clerk

APPROVED AS TO FORM AND LEGALITY
For use and reliance of the
Town of Surfside, Florida.

Lynn M. Dannheisser, Town Attorney



**THE WATER, SEWER
AND STORM WATER
FACILITIES PLAN
WILL BE
DISTRIBUTED
UNDER SEPARATE
COVER**



**Town of Surfside
Town Commission Meeting
February 8, 2011
7 p.m.**

DISCUSSION ITEM MEMORANDUM

Title: "Bottle Bill Resolution"

Objective: To have the Town of Surfside lead the way environmentally by: increasing the amounts of all types plastic beverage bottles being recycled – and thus protecting Florida's most precious assets – Beaches, Parks, Gulf, Ocean, Bays, Rivers, etc. by passing a resolution in favor of the State of Florida adopting a "Bottle Bill" similar to that of Massachusetts original 1982 "Bottle Bill" and amended to date.

Consideration: (1) States with deposit laws have higher residential recycling rates of beverage containers than those of non-deposit states, and; (2) Litter decrease in states with Bottle Bills averages 70 – 85%, and; (3) Through the Massachusetts Bottle Bill, [they] recycle nearly 80% of containers of deposit containers, but only 20% on non-deposit containers.

Approximate Cost: Minimal

Action: I am asking this Commission to direct the Town Attorney to draft a resolution in favor of a "Bottle Bill" for Florida.

Additional Info: Note: Apparently the 'industry' tried to repeal the Massachusetts Bottle Bill and it survived, by a referendum effort by a 60% to 40% vote.

Thank you for your consideration;

Respectfully,

Joe Graubart, Vice Mayor

Print this page [Return to bottlebill.org](http://www.bottlebill.org)
[Return to bottlebill.org](http://www.bottlebill.org)

Massachusetts Bottle Bill History

	Original Law	1989 Amendment	2003	Current Law
Name	Beverage Container Recovery Law			
Purpose	To provide an economic incentive for consumers to return used beverage containers and encourage conservation of materials and energy through recycling and reuse			
Enacted	Legislative override of governor's veto, 6/4/81	1989		
Implemented	1/1/1983	1990		
Beverages Covered	Beer, malt, carbonated soft drinks, & mineral water			Beer, malt, carbonated soft drinks, & mineral water
Containers Covered				any sealable bottle, can, jar, or carton of glass, metal, plastic, or combo. Excludes biodegradables.
Amount of Deposit	5¢			5¢
Redemption Rate	overall 68.6% (h)			72.3% as of May 2010 (i)
Reclamation System	Retail stores and redemption centers			Retail stores and redemption centers
Unredeemed Deposits	All unredeemed deposits become property of state (since '95)	Property of the state, for MSW education	Sent to state general fund	Property of state general fund
Handling Fee	1¢			2.25¢
View Legislation				
Notes	Wholesalers must file monthly reports w/Dept. of Revenue regarding deposit & refund.			Survived repeal by referendum effort in 1982 by a 60% to 40% vote.
Footnotes				
[h]Source: Massachusetts Department of Environmental Protection, MA Bottle Bill Return Rates Chart (Jan.-Sept., 2004).				
[i] Source: Source: Sean Sylver, of MA DEP				

**RESOLUTION IN SUPPORT OF UPDATING THE MASSACHUSETTS
BOTTLE BILL**

Whereas The Massachusetts Bottle Bill, enacted in 1982 has allowed (your city/town) residents to enjoy a cleaner environment by creating an incentive for users of certain beverage containers to recycle those used containers; and,

Whereas, states with deposit laws have higher residential recycling rates of beverage containers than those of non-deposit states, and;

Whereas litter decrease in states with Bottle Bills averages 70-85%, and,

Whereas, through the Massachusetts Bottle Bill, we recycle nearly 80% of containers of deposit containers, but only 20% on non-deposit containers, and

Whereas the Governor of the Commonwealth, and members of the Massachusetts Senate and House of Representatives have recognized that the original bottle bill does not take into account those beverages such as bottled water, sports drinks, and teas.

Whereas the addition of bottled water, sports drinks and teas to the Bottle Bill will decrease the total volume of municipal solid waste that is needed to be collected, thus saving disposal fees and landfill space.

Be It Resolved

That we, the (members of your city/town's council, board of alderman, etc. or mayor) commemorate the 27th anniversary of the implementation of the Massachusetts Bottle Bill.

Furthermore, Be It Resolved That: the City/Town of _____ be placed on record as being in support of the Massachusetts Beverage Container Deposit Law and encourages it's strengthening through expanding the list as recommended by the Governor in his proposed budget and currently being considered by the House and Senate Joint Committee on Telecommunications, Utilities and Energy.

Furthermore, Be It Resolved that the (City/Town) goes on record in supporting programs that encourage residents and visitors to return or recycle all beverage containers and other recyclable materials to fully utilize the currently available recycling programs.

Be it Further Resolved that the City instructs our state representatives and state senators, and our governor to support and vote in favor of updating the Massachusetts Container Beverage Law.

Mayor/ Chairman, Board of Selectmen

Town of

Date

What is a bottle bill?

Definition

The term "bottle bill" is actually another way of saying "container deposit law." A container deposit law requires a minimum refundable deposit on beer, soft drink and other beverage containers in order to ensure a high rate of recycling or reuse.

How a bottle bill works

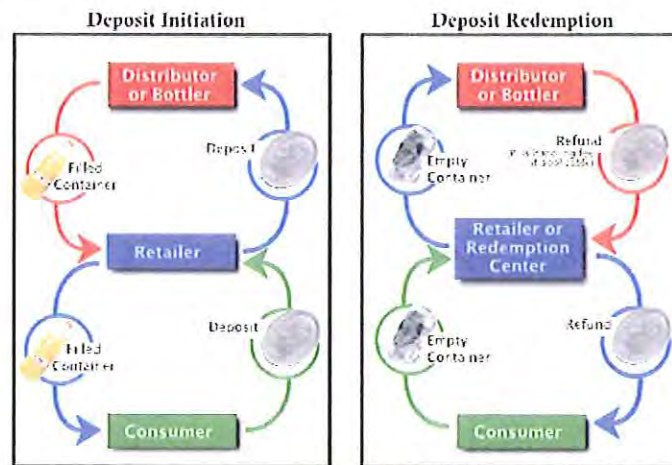
Deposits on beverage containers are not a new idea. The deposit-refund system was created by the beverage industry as a means of guaranteeing the return of their glass bottles to be washed, refilled and resold.

When a retailer buys beverages from a distributor, a deposit is paid to the distributor for each can or bottle purchased. The consumer pays the deposit to the retailer when buying the beverage. When the consumer returns the empty beverage container to the retail store, to a redemption center, or to a reverse vending machine, the deposit is refunded. The retailer recoups the deposit from the distributor, plus an additional handling fee in most U.S. states. The handling fee, which generally ranges from 1-3 cents, helps cover the cost of handling the containers.

The costs to distributors and bottlers can be offset by the sale of scrap cans and bottles and by short-term investments made on the deposits that are collected from retailers. In addition to this income, distributors and bottlers realize windfall profits on beverage containers that consumers fail to return for the refund.

All about bottle bills

No time to read this whole website? View the PowerPoint presentation instead. [Container Deposit Legislation: Past, Present, Future](#) provides a quick look at the most important facts about bottle bills. This presentation is also a great tool for activists needing to present information in support of a bottle bill.



Full-page figure

© 2007 Container Recycling Institute

These "unclaimed" or "unredeemed" deposits remain the property of the distributors and bottlers in most states, and amount to millions of dollars a year. In Michigan and Massachusetts, the courts have ruled that because these unclaimed deposits are "abandoned" by the public, they rightfully belong to the state, and they are now used to fund environmental programs in those states. In Hawaii and California as well, the state collects all of the unredeemed deposits, which are then used to administer the deposit system. [Learn more about unclaimed deposits.](#)

Why bottle bills?

In short, bottle bills create a privately-funded collection infrastructure for beverage containers and make producers and consumers (rather than taxpayers) responsible for their packaging waste. There are many other reasons to institute a bottle bill, which are described in the section "[Benefits of Bottle Bills.](#)"

Why beverage containers?

With so many recyclable materials out there, people wonder why it's worthwhile to focus on beverage containers only. One reason is that beverages compose 40-60% of litter. A deposit encourages people to return these containers, keeping them off the streets and out of the waterways and wilderness. According to industry estimates, one-third of beverages are consumed on the go—away from the home recycling bin and often in places where recycling is not available. The refundable deposit helps ensure that these containers are saved and recycled. In addition, recycling beverage containers rather than manufacturing new ones prevents the consumption of enormous amounts of energy and the emission of great quantities of greenhouse gas emissions.

History of bottle bills

For decades we drank our beer and soda from refillable glass bottles that were reused dozens of times before



being discarded. Then, in the 1930's, the steel beverage can was introduced on the market, revolutionizing the beverage market. Unbelievably, consumers were encouraged to toss their empty beer cans out wherever they happened to be.

It was not until after World War II that cans began replacing glass bottles in the beer industry. The convenience and disposability of cans helped boost sales at the expense of refillable glass bottles, and by 1960 approximately 47 percent of beer sold in the U.S. was packaged in cans and no-return bottles. Soft drinks, however, were still sold almost exclusively in refillable glass bottles requiring a deposit. Can market share was just 5 percent. With the centralization of the beverage industry, and a more mobile and convenience-oriented society, the decade of the sixties witnessed a dramatic shift from refillable soft drink 'deposit' bottles to 'no-deposit, no-return, one-way' bottles and cans.

The gradual demise of refillable beer and soft drink bottles in the fifties and sixties and the rise in one-way, no-deposit cans and bottles resulted in an explosion of beverage container litter. This prompted environmentalists to propose bottle bills in their state legislatures that would place a mandatory refundable deposit on beer and soft drink containers.

The first bottle bill was passed in Vermont in 1953. However, it did not institute a deposit system. It merely banned the sale of beer in non-refillable bottles. The law subsequently expired four years later after strong lobbying from the beer industry.

By 1970, cans and one-way bottles had increased to 60 percent of beer market share, and one-way containers had grown from just 5 percent in 1960 to 47 percent of the soft drink market. British Columbia enacted the first beverage container recovery system in North America in 1970.

In 1971, Oregon passed the first bottle bill (also known as a deposit law) in the United States, requiring refundable deposits on all beer and soft drink containers. By 1986, ten states (over one-quarter of the U.S. population) had enacted some form of beverage container deposit law or bottle bill.

The so-called "bottle bills" were intended not only to reduce beverage container litter, but to conserve natural resources through recycling and reduce the amount of solid waste going to landfills. They proved to be extremely successful in achieving those goals.

Seven states reported a reduction of beverage container litter ranging from 70 to 83 percent, and a reduction in total litter ranging from 30 to 47 percent after implementation of the bottle bill. High recycling rates were also achieved.

Today, eleven states and eight Canadian provinces have a deposit law requiring refundable deposits on certain beverage containers ([Delaware's](#) deposit law will come to an end in 2011). Although bottle bills meet with [opposition](#) from many members of the beverage and grocery industry, several states and provinces have expanded their laws to cover beverages such as juice and sports drinks, teas and bottled water—beverages that did not exist when most bottle bills were passed.

[Benefits of Bottle Bills](#)

© 2007 - 2010 Container Recycling Institute | [About Us](#)



Town of Surfside Commission Communication

- Agenda Item #** 9B
- Agenda Date:** February 8, 2011
- Subject:** Five Year Financial Forecast for the Town of Surfside, Florida
- Objective:** To initiate a policy direction discussion regarding general long-term financial strategy after receiving and understanding the analysis and assumptions developed by the Administration concerning future financial alternatives for the Town of Surfside.
- Recommendation:** It is recommended that the Town Commission receive the FY 2012 - 2016 Five Year Financial Forecast Summary (Attachment A) and provide direction for further discussion and analysis. Staff is not requesting or expecting closure on this document during the February 8, 2011 Town Commission Meeting.
- Background:** As with many municipalities, the Town of Surfside has faced a series of increasing limitations to expenditures (through unfunded mandates) and revenues (through modifications to State law regarding property tax limits). Additional reductions to revenue have resulted from declining property values and a nearly stagnant international economy (sales tax revenues, tourism revenues, etc). As a result, an increased need to forecast future conditions arises. It is Administration's intention to incorporate a recurring five year financial projection into the budget process. The attached report represents the first of those projections and covers the Fiscal Years 2012 through 2016.
- Analysis:** Financial consideration of the next five years reflects two possible futures with many variables. One possibility assumes that the development of three key sites will be in-filled with tourism related facilities. The other assumes that none of the three sites will be developed. We have not analyzed the in-fill of these sites with residential. Comments made at the end of the first joint meeting of the Town Commission and Planning and Zoning Board were far ranging but generally in favor of hotel development.

The in-fill hotel scenario and use of some unassigned reserves allows for little, if any, property tax increases above the rolled-back rates for the next several years. It also anticipates significant accompanying Tourist Bureau revenue growth which impacts both the Tourism Fund and the General Fund.

The no in-fill scenario anticipates the need for upward tax levy adjustments each year as well as the depletion of unassigned reserve funds. This scenario anticipates only a slight growth in Tourist Bureau revenues (three percent – 3% annually). Even this growth may be optimistic as the fund's history shows a steady decline in revenues for the past several years.

Both of the projections (with in-fill and without in-fill) assume a modest (2% to 3%), increase in general expenditures over the next five years and higher annualized increases for energy costs (particularly electricity and fuel). Both also assume an increase to personnel salaries of 1.5% annually and that operating efficiencies of 2% annually will be identified and implemented.

The general conclusions for these models are that with in-fill of key sites, the Town of Surfside is reasonably well situated to meet the policy goals of: 1) create and maintaining a healthy reserve in each fund; 2) reducing the burden of property taxation on residential properties; 3) smoothing rate changes in all funds; and 4) continuing with existing service level commitments. Without in-fill: 1) reserves may be grown provided they are not utilized to offset anticipated property tax or user fee rate swings; 2) the property tax burden on residential properties will remain at nearly 90% of the total property tax burden; 3) property tax rates will approach 7 mills; 4) further modifications (reductions) to service levels may well result; and 5) tourism funding available for Town quality of life programs will remain relatively flat.

The paragraph above presents the stark differences. While it is clear that in-fill is financially preferable for the Town's long-term economic health, the manner in which this is accomplished is critically important to maintain our small town life style and residential quality of life.

By presenting this material, the Administration desires to accomplish a variety of goals: 1) introducing a new level of analysis – the 5 year financial forecast; 2) identifying to the Town Commission anticipated challenges for the next several years under two alternative scenarios (and initiating policy discussion); 3) identifying to the Town Commission comparative information regarding the portion of the Town's total property tax burden paid by residential properties (and seeking policy discussion regarding the equity of this distribution); 4) identifying to the Town Commission information regarding reserve targets for all funds (and seeking policy discussion), and 5) having all the above guidance available for preparation of the Fiscal Year 2011/2012 budget.

Budget Impact:

Accepting this document and beginning discussions, has no immediate budget impact per se. Conclusions drawn from policy discussions will impact development of the FY 2011/2012 and future budgets.

Growth Impact: If the in-fill strategy becomes the stated goal of the Town Commission, there will be an impact related to growth. The key will be managing the process in a manner that maintains and enhances the unique quality of life in the Town of Surfside.

Staff Impact: The policy impacts anticipated to grow from further discussions are expected to impact budgeting, service levels, administrative goals and personnel decisions for the next several years.



Finance Support Services Dept.



Town Manager

Five Year Financial Forecasting for
The Town Of Surfside, Florida
Fiscal Years 2012 – 2016

Requested by and Presented to:

Mayor Daniel Dietch

Vice Mayor Joe Graubart

Commissioner Marta Olchyk

Commissioner Michael Karukin

Commissioner Edward Kopelman

Prepared and Written

Roger M. Carlton, Town Manager

Martin D. Sherwood, Finance Support Services Director

Carl A. Berkey-Abbott, Budget and Management Consultant

February 8, 2011

Table of Contents

Brief Description of Document	3
Brief History	3
Steps Toward Resiliency	4
Long Range Forecasting	4
General Assumptions	4
General Findings	5
Notes on Presentation	6
General Operating Fund	7
Millage Impact to Property Owners	12
Capital Projects Fund	15
Tourist Bureau Fund	16
Police Forfeiture Fund	17
Municipal Transportation Fund	18
Water and Sewer Fund	20
Municipal Parking Fund	22
Solid Waste Fund	23
Stormwater Fund	25
Appreciation	27

Brief Description of Document:

This document contains a forecast of revenues and expenditures for the Town of Surfside, Florida for the period October 1, 2011 through September 30, 2016. These dates cover the five fiscal years of Fiscal Year 2011/12 through 2015/16. This document is based upon the current expenditure and revenue histories of the Town along with certain assumptions about forthcoming or continuing external trends. It serves as a baseline forecast against which the effects of certain policy and/or funding decisions may be compared. It generally assumes the intent to continue on course with current service delivery goals, although, continued declines in the property values may cause the need for contraction in operations if new revenue sources are not developed. The document is intended to become an element of the annual budget deliberations so that decisions are made both on an annual and long term basis. This is an initial effort and will be modified after Town Commission discussion on February 8, 2011.

Brief History:

The State of Florida has averaged at least one substantial tax reform per decade for the past few decades. In general these "reforms" tend to limit the flexibility and autonomy of local governments while expanding inequities in the property tax payments made by our citizens. At the same time, Florida remains a low wage, moderately high living cost state for its residents. The combination of these realities coupled with a substantial international economic decline, have resulted in an environment of declining property values and rising costs for such staples as fuel.

To address financial difficulty, the typical candidates for analysis are analyzed. On the expenditure side, these steps include: reviewing pension and benefits, examining technology opportunities, reviewing office and janitorial supply expenditures, reducing energy consumption, reviewing risk management policies, reviewing contractual expenditures, restricting overtime usage, reviewing organizational structure, examining purchasing practices, and negotiating health care costs. On the revenue side, staff has sought: to improve billing and collection practices, to develop and meet fee for services policies, to address fee for services subsidies, and looked for opportunities for intergovernmental cooperation.

Consequently, this analysis has also incorporated a move toward sustainability of programs. All Capital Improvement Projects and program modifications now include a statement of anticipated recurring costs and benefits associated with the adoption of programs/projects. Not using non-recurring revenues to support recurring operating expenditures is another way in which the Town of Surfside has moved toward financial sustainability. This document seeks to answer the important question: Will current policies be sustainable financially over the next five years? The answer unfolds in this document.

Steps toward Resiliency:

These and other practices to be introduced in the Fiscal Year 2011/12 budget should ensure the Town of Surfside remains financially stable in a steady state of service levels. The corollary question to the one above is: Will the economy and our evolving population allow a steady state to be the underlying philosophy of the next five years of budget development or do we need to develop strategies that increase non ad valorem revenues and move our ad valorem (property tax) revenues to a more equitable balance between residential and commercial sources?

Long-range Forecasting:

To achieve a resilient financial position, long-term financial planning is critical as is institutionalizing financial policies related to: debt, reserves, ad valorem goals, property tax burden distribution, and diversification of alternative revenue sources. Institutionalizing long-term financial planning provides a number of advantages, including:

- Helps prioritize services
- Involves and focuses employees
- Decentralizes budget responsibilities and holds Department Heads accountable
- Stabilizes services and service levels which can be consistently funded
- Encourages consensus from stake holders
- Plays a role in optimizing public investments
- Aids in avoiding potential emergencies / unanticipated challenges.

Given the potential for changes in elected and appointed officials, policy direction, intergovernmental relationships, and a variety of other influences, it is tempting to discount the value of this process. It should be noted, however, the more successful local governments utilize long range financial planning.

General Assumptions:

A variety of assumptions have been made regarding each of the nine funds analyzed in this report and a detailed list of all assumptions is appended to the end of this document. Some assumptions, however, apply to multiple funds and are articulated here:

1. *If no action is taken, the Town of Surfside's revenue streams will remain relatively flat or continue declining.*
2. *Interest yields on reserves will continue to remain low .*
3. *Real and personal property value assessments will continue to decline through at least January 1, 2012 (impacting through at least Fiscal Year 2012/13).*
4. *At current benefit levels, the Town of Surfside costs for employee health and life insurance may continue to increase at approximately 5% annually for the length of the forecast.*
5. *Town of Surfside contributions to meet defined benefits pension payments could continue at their historic rate of increase of approximately 8% annually after an identified adjustment in FY 2012. Note: this increase is predominantly attributable to fund performance rather than increases in salaries or the number of employees.*

6. *Increases to costs of living will make their way to the United States resulting in inflationary pressures for general consumable goods of approximately three percent (3%) annualized in FY 2014 and beyond and 2.5% annually in Fiscal Years 2012 and 2013.*
7. *General and bargaining unit employees could receive a salary increase of approximately 1.5% annually. This assumption is subject to change based on the economy and the financial status of the Town each year. It should not be viewed as the bases of future budget or collective bargaining negotiations. Simply, we need to project something to complete the report.*
8. *Worker's Compensation costs will increase by approximately 3% annually.*
9. *Electric Costs will outpace general inflation at a rate of approximately 2.5% annually.*
10. *Fuel Costs will outpace other costs at an increase of approximately 5% annually for two years and then 3% thereafter.*
11. *Existing programs are assumed to continue at current service levels.*

General Findings:

To fund the same level of services over the next five years, the Town of Surfside should consider concerted action to the following funds:

General Governmental Funds:

General Operating Fund: Increases to taxable valuation (through well designed and environmentally sensitive infill of major sites), increases to non ad valorem revenues, and/or identifying substantial efficiencies in existing operational expenditures will be required to maintain existing service levels.

Capital Projects Fund: Projects within the currently adopted plan will need to be have corollary operational funding sources that do not burden the General Operating Fund before a "go/no-go" decision is made.

Special Revenue Governmental Funds:

Tourist Bureau Fund: Funding available for Tourism related activities and quality of life programs will be limited and generally continue to decline unless/until additional resort units are added and existing units are upgraded.

Police Forfeiture Fund: With the reduction of fund reserves, future funding is substantially limited unless a major unforeseen crime is solved and the Town of Surfside receives a major share. The key issue with the fund is to be extremely careful to control the use of reserves for recurring expenditures.

Municipal Transportation Fund: This fund has a healthy reserve and will continue in this mode through the next several years. The key issue will be to use the revenues available prudently to enhance the downtown area and the residential neighborhoods within the constraints of the enabling legislation.

Enterprise Funds:

Water / Sewer Fund: Rate adjustments as projected in the rate study completed for the Town of Surfside by TichlerBise and adopted by the Town Commission as part of the Fiscal Year 2010/11 budget should be anticipated. The key issue will be to stabilize these increases by holding down operational costs wherever possible.

Municipal Parking Fund: There is a need to analyze and prioritize potential projects to keep the fund's earnings growing. There is also a need to adjust rates in accord with market factors. This fund could become a financial engine to support downtown improvements that are carefully selected to maintain our small Town feeling yet generate opportunities for existing and new businesses.

Solid Waste Fund: Rates may need modification in relation to the Town's costs for tipping fees. The key to this fund is to review and adjust service levels which are very high in relation to peer cities and to determine if there are efficiencies that should be implemented through technology.

Stormwater Fund: Maintenance of existing rates for the next five years, with a possible downward rate adjustment in the last two years, is the most likely occurrence for this fund.

Notes on Presentation:

The Five Year Financial Forecast is designed to achieve these major goals:

- 1) Modernize the Town's annual budget development process to incorporate a best practice of including a five year projection of revenues and expenditures by fund,
- 2) Assist the Town Commission in establishing reserve policies for each fund that allow smoothing of any potential rate increases and ensure that necessary repairs are made with available reserves to avoid the need for total replacement such as are currently needed for the water, sewer, and stormwater drainage projects,
- 3) Analyze the financial impact of various decisions regarding economic/tourism investments such as downtown improvements on the property tax burden of our residents and the future economic base of our business community, and
- 4) Analyze the property tax burden reduction potential to our residents if in-fill development occurs in the remaining three significant sites located along the Harding / Collins corridors.

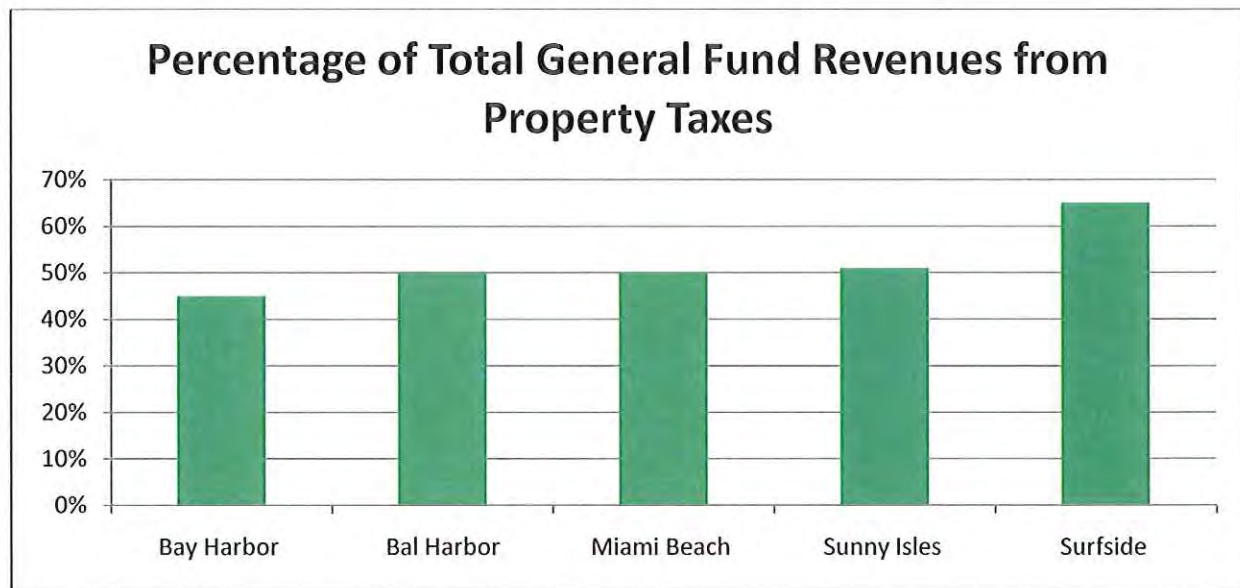
Each fund's information includes the following elements:

- Introduction to Fund
 - Trends in the Fund
 - Assumptions Specific to the Fund
 - Forecast Chart
 - Forecast Chart Explanation
 - Funding Requirements on Current Course in Relation to Alternative Strategies
-

General Operating Fund

Fund Introduction: The General Fund (or General Governmental Operating Fund) is the primary fund that supports governmental operations and services. The General Fund makes up 34% percent of the total FY 2011 budget net of capital items. The primary revenue supporting these services is ad valorem (property taxes) which account for approximately 65% of revenues to be received in the fund this year. By way of comparison, this percentage is 45% in Bay Harbor, 50%¹ in Bal Harbour², 50% in Miami Beach³, and 51% in Sunny Isles Beach⁴.

Figure 1: Percentage of Total General Fund Revenues from Property Taxes



Fund Trends: Many of the pressures impacting all local governments impact the General Fund. Revenues are declining or generally flat. Taxable valuations are declining. Inflationary pressures are expected. Services have already been adjusted in departments and we will continue to seek out efficiencies.

Fund Assumptions: Assumptions specific to this fund are: 1) property valuation will decline approximately 7% for Fiscal Year 2012 and an additional 3% for Fiscal Year 2013 before they begin to recover at a rate of 1.5 – 2% annually, 2) the forecast assumes that even with the decrease in valuation, the same level of revenues will be approved in the “roll-back” rate, and 3) a factor of 2 percent in operating cost has been forecast for further service level adjustments.

With the forecasted reduction in property valuation in Fiscal Year (FY) 2012 and FY 2013, roll-back millage rates of 6.025 and 6.211 mills respectively would be needed to generate the same amount of revenue as the current year (5.6030 mills). In FY 2014 – FY 2016, those rates would be approximately

¹ E-mail from Alan Short, Finance Director of Bay Harbor

² From Adopted Budget Book on Town’s Official Website

³ From Proposed Budget Book on Miami Beach Website

⁴ From Adopted FY 2009 – 2010 Budget Book of Sunny Isles

6.120, 6.0, and 5.882 mils respectively. These millage rates are based on projections and assumptions which may be modified considerably once actual numbers are known and the Town Commission has provided policy guidance.

Figure 2, below, reflects what would happen to millage rates under four different scenarios. “In-fill” means that three significant undeveloped, or underdeveloped, properties are built out with hotel projects. “Unassigned Reserves” are monies available in the General Fund above the \$2 million in reserves assigned for hurricanes and other emergencies. Drawing down these reserves allows the millage rate to be lower. The most likely scenario where we can control millage significantly over the next five years is with environmentally sensitive in-fill development.

While line 2 (No In-Fill / Use of Unassigned Reserves) increases greatly after 2013, this is the result from running out of unassigned reserves.

Figure 2: Predicted Millage Rates With and Without In-fill:

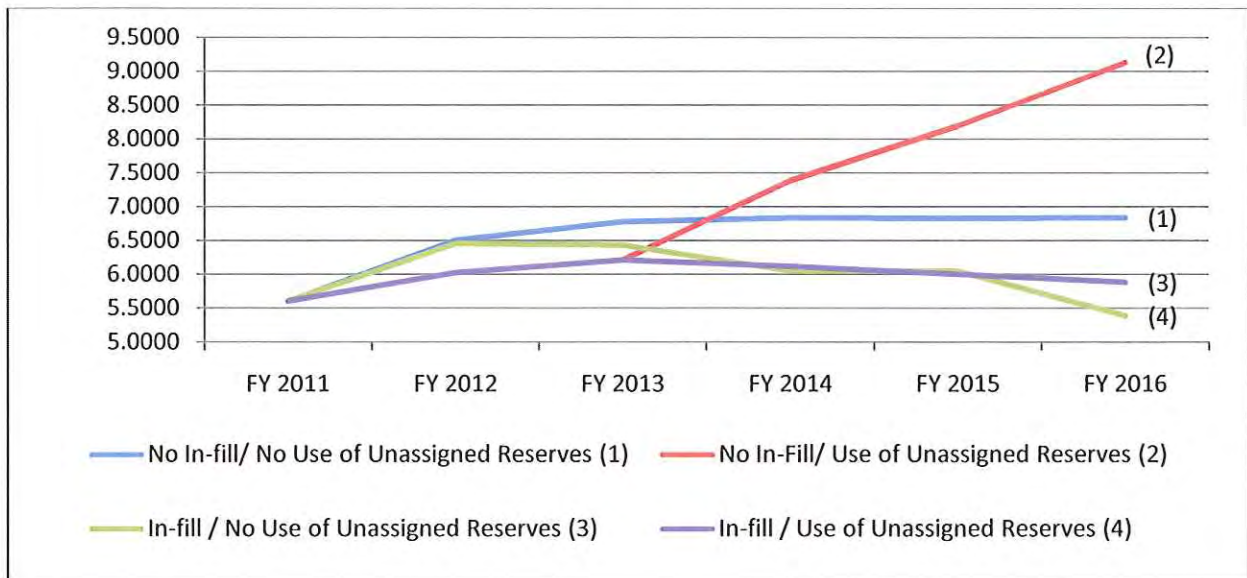
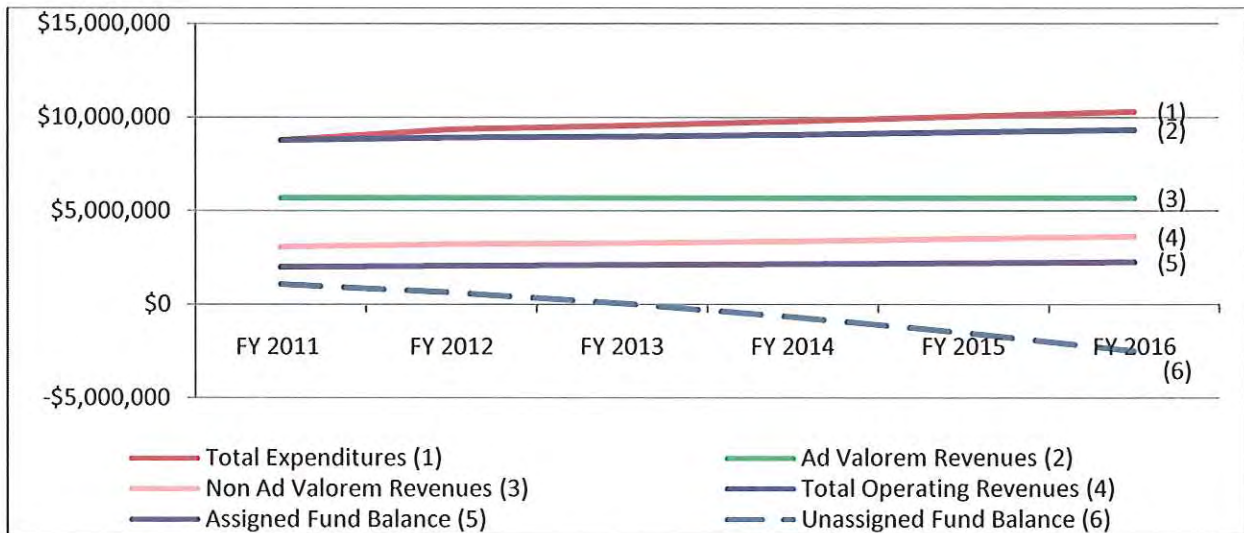


Figure 3, below, shows that difficult decisions may emerge for the Town no later than Fiscal Year 2013 if the identified in-fill projects do not occur. At that point, the portion of unassigned reserves available to offset increases to a roll-back millage rate for property taxes will not be sufficient. This condition is likely to result in service level cuts and creates the potential for millage rate increases beyond the roll back rate.

Figure 3: Predictable Effect of Current Policies and Goals Without In-fill on the General Fund:



The chart below (Figure 4) demonstrates the effects that in-fill of three properties will have on ad valorem (property taxes) within the Town of Surfside. The bottom line assumes the roll-back millage rate will be utilized each year. The top line (with in-fill) shows the total property tax revenues when the roll-back rate is applied to the anticipated new property values then added to the “without in-fill” amount.

Figure 4: Predictable Effect on Property Tax Revenues With and Without In-fill:

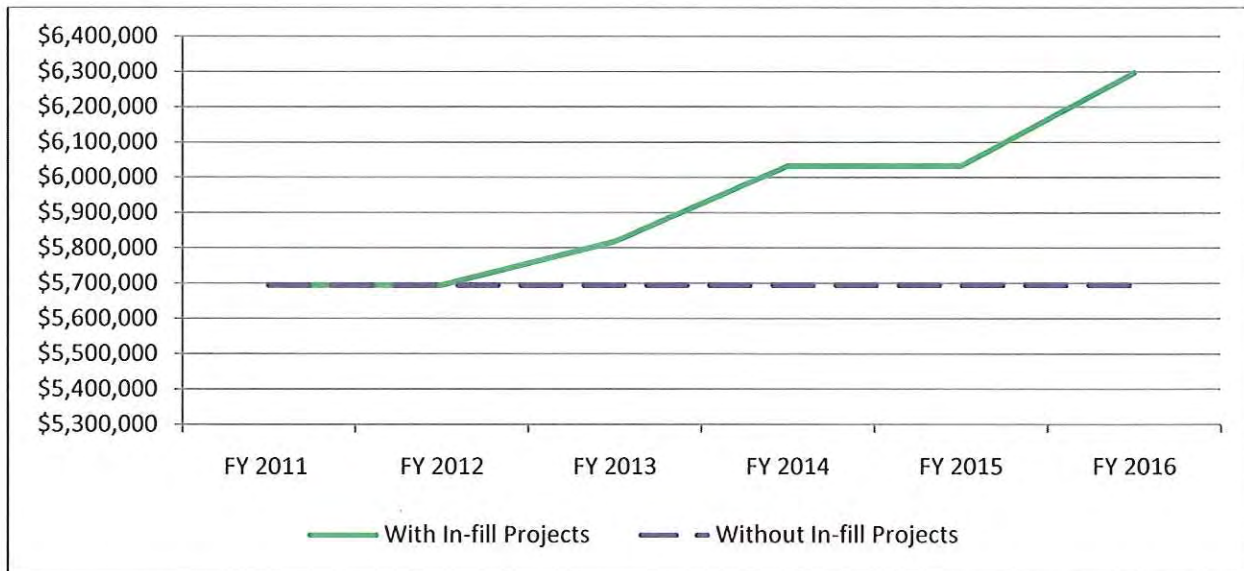


Figure 5, below, shows that with in-fill and use of the “unassigned fund balance” to close the forecasted budget gap, service levels can be preserved while aggregate property taxes are modified only by the value added through in-fill development. The \$2 million assigned for emergencies would be preserved while utilizing the additional unassigned fund balance to close the forecasted budget gap.

Figure 5: Predictable Effect of Current Policies and Goals With In-fill on the General Fund:

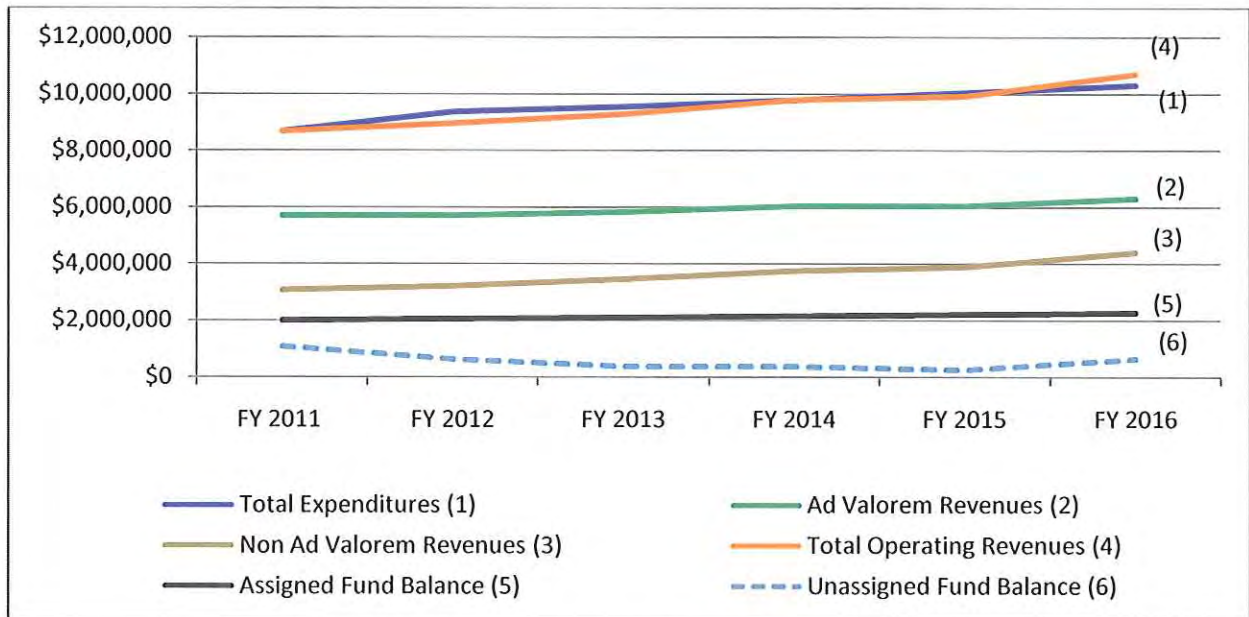


Figure 6, below, (in contrast to Figure 5) shows that without in-fill the strategy of using “unassigned fund balance” to fund the forecasted budget gap could only be utilized through Fiscal Year 2013. This strategy is not recommended as it is not sustainable and soon depletes funding which could be utilized to maintain services.

Figure 6: Predictable Effect of Current Policies and Goals on General Governmental Fund Balance Percentages of Operating Budget Without In-fill:

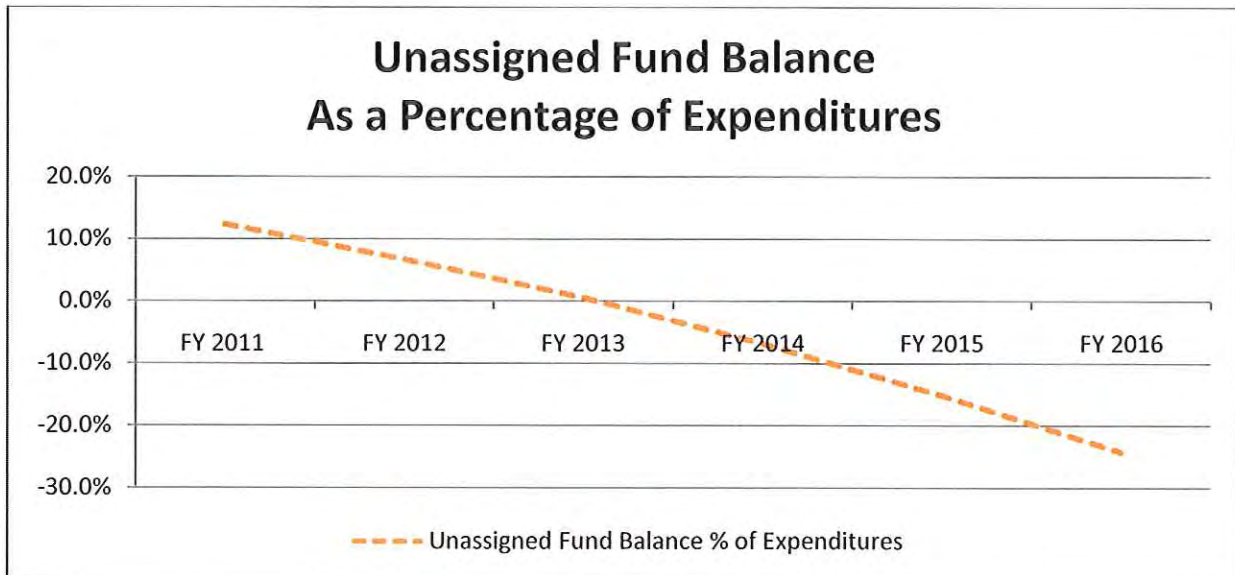
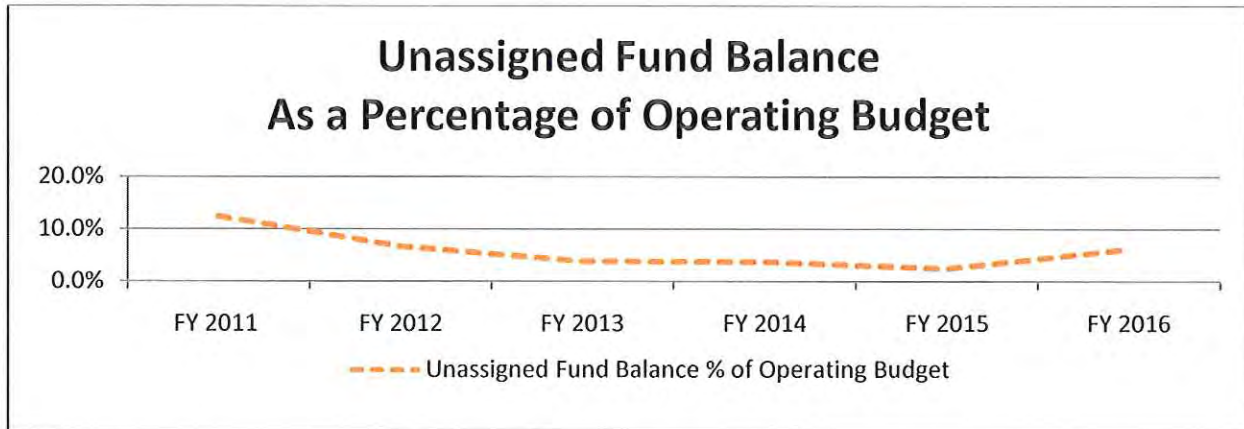


Figure 7, below, demonstrates the predictable effect on fund balance percentages should in-fill occur. The assigned fund balance portion would remain at approximately \$2.0 million dollars. The unassigned fund balance would be utilized to smooth any revenue to expenditure differences over the projection

period. As a result, the unassigned portion would fluctuate between 4.6% and 12.6% of expenditures. In the final year, this percentage begins to grow again from a low of 4.6% in FY 2015 to 8.8% in FY 2016.

Figure 7: Predictable Effect of Current Policies and Goals on General Governmental Fund Balance Percentages of Operating Budget With In-fill:



Fund Forecast Chart Explanation: As the Figures 6 and 7 illustrate, expenditures are forecast to exceed revenues consistent with the assumptions in the next several years if certain outcomes to increase the tax roll are not achieved. This includes: 1) a new commercial project at 92nd Street, 2) new construction at the Beach House property, and 3) replacement or upgrade of the Best Western Hotel at 94th Street. As shown in the chart, if these projects become a reality the General Fund will continue to grow its surplus and / or the millage rate may be held or reduced depending upon actions in future years.

Funding Requirements on Current Course: From FY 2012 through FY 2016 revenues are less than expenditures by \$406,019; \$523,116; \$667,744; \$788,357; and \$922,699 respectively over the next five years without the in-fill projects. To make up these differences through a millage rate increase, the needed millage rates would be approximately: 6.6567, 6.9940, 7.0521, 7.0464, and 7.0523 mills respectively for years FY 2012 – FY 2016. For forecasting purposes, the “in-fill” alternative includes three possible projects: 1) a new commercial project at 92nd Street, 2) the proposed project at the Beach House Property, and 3) the creation of a new or upgraded hotel at the Best Western site. The increases in ad valorem revenues would be \$124,000, \$214,000, and \$264,690 respectively based on expected building costs of \$20,000,000, \$35,000,000, and \$47,732,000 at the roll-back millage rate. While these numbers are not precise, the analysis should be viewed as indicative of the difference between a “do nothing” strategy and a strategy which recognizes that supporting good, environmentally sound and community sensitive projects on the few remaining sites available in the Town of Surfside makes sense from a financial planning and tax equity standpoint.

Millage Impact to Property Owners:

The number of residential properties in the Town comprises 93.91% of the total number of parcels representing 88.5% of real property tax revenues received. For Miami-Dade County the number of residential properties comprises 84.85% of the total number of properties and 66.60% of property tax revenues received. The difference in property type percentage burden in the Town is 5.11% while the difference in property percentage burden in Miami-Dade County is 18.25%. This information establishes that the tax burden for residences within the Town is greater than the tax burden for residences in Miami-Dade County at large.

The following table represents the portion of total ad valorem payments which are made by residential property owners in certain other Miami-Dade municipalities. It shows that in the municipalities that are similar to the Town of Surfside in composition (commercial to residential), it is much more typical for residential property owners to carry closer to 80% of the ad valorem burden. Our residents carry 88.5% of the burden.

Municipality	Total Real Property Taxable Value	Residential Taxable Value	Res. % of Total
West Miami	\$296,100,075	\$192,020,416	64.85%
M-D County (At Large)	\$182,073,857,313	\$121,255,264,254	66.60%
North Bay Village	\$672,564,043	\$539,311,130	80.19%
Bal Harbour	\$2,334,443,814	\$1,882,407,198	80.64%
Sunny Isles Beach	\$4,754,229,343	\$3,928,659,788	82.64%
Bay Harbor Islands	\$594,127,026	\$496,153,081	83.51%
Surfside	\$1,057,460,764	\$936,026,978	88.52%

The percentage of ad valorem taxes paid for residential property in the Town of Surfside is not only higher than in similar communities and Miami-Dade County at large, but the percentage is growing. As Figure 8 (below) shows, the Town's residential property portion of the ad valorem burden has gone from approximately 83% in Fiscal Year 1995 to nearly 90% in three of the past four years. Should this trend continue without strategic interventions by the Town's leadership at all levels, residential property owners may be carrying as much as 92% of the total property tax burden by Fiscal Year 2016.

Figure 8: Percentage of Town Property Taxes Paid For Residential Properties:

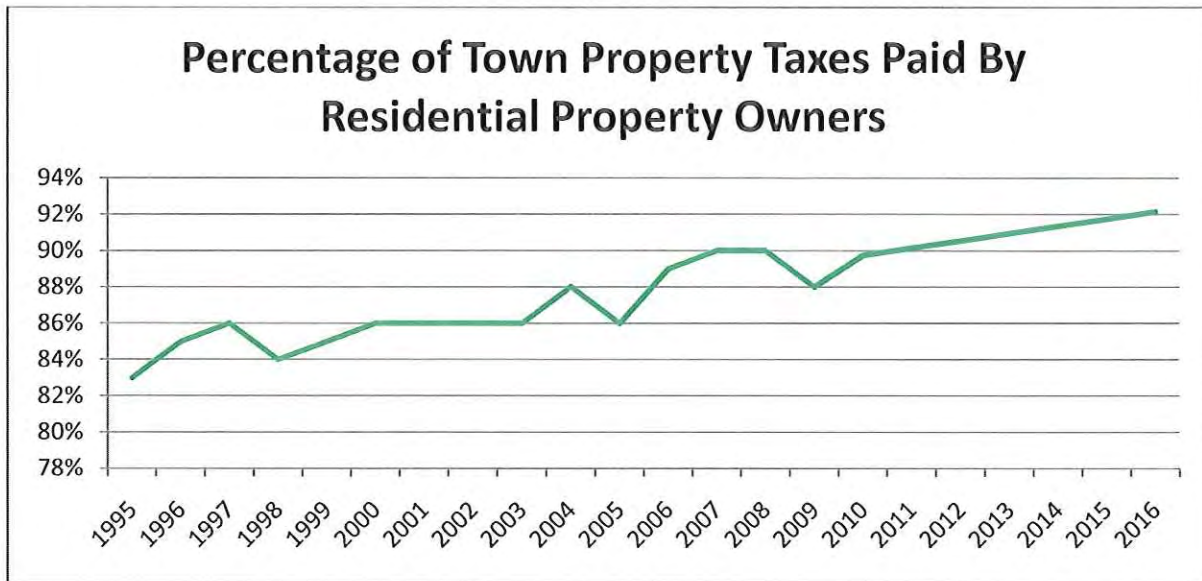
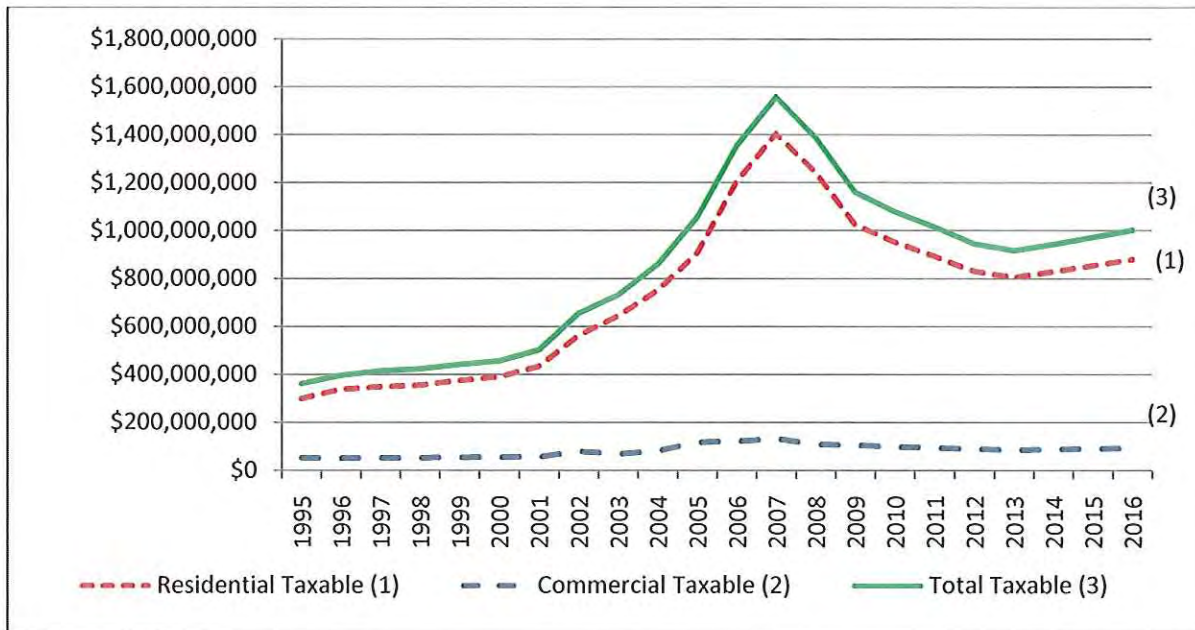


Figure 9 demonstrates that the Commercial Taxable value over the past ten years has experienced some increasing valuation, but compared to the significant increases in residential valuations has remained relatively flat. The “Residential” category has experienced the most growth and comprises approximately 90% of all taxable valuation within the Town.

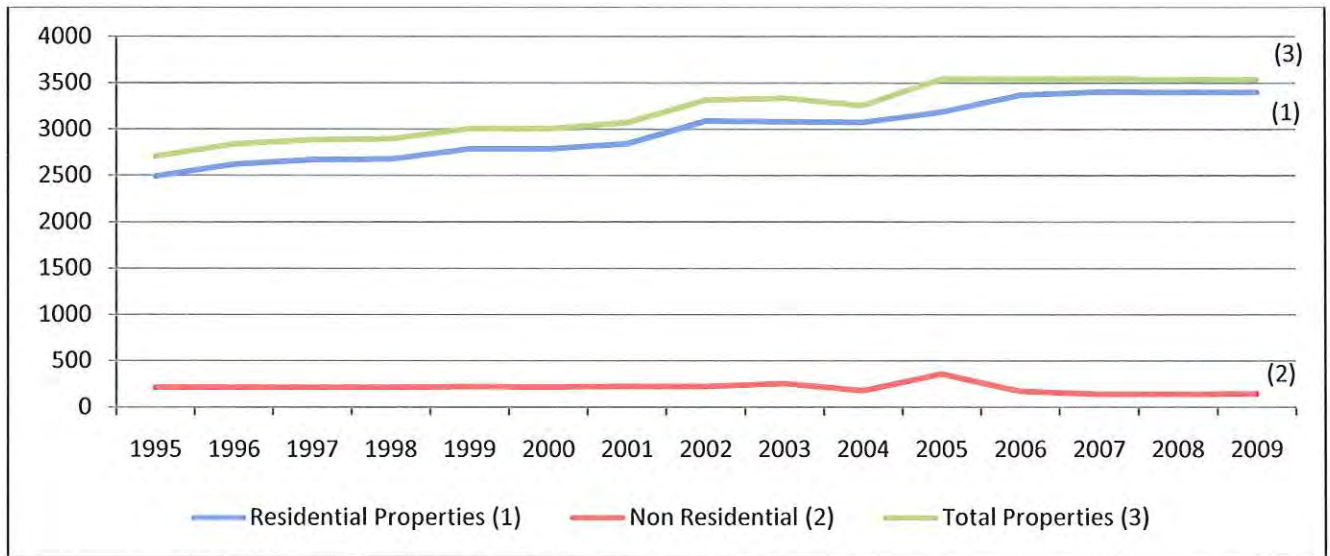
Figure 9: Town Commercial To Residential Value Comparisons:



Part of the reason for this increase in burden to residential property owners is that the number of folios for commercial properties has decreased. As Figure 10 (below) demonstrates, the number of residential properties has increased while the number of non-residential properties (combined

“Commercial” and “other”) has decreased in the past ten years. Part of this shift results from the conversion of commercial rental properties to condominiums.

Figure 10: Town of Surfside History of Properties by Type:



Despite the complex reason for the shift, residential property owners are carrying an unusually large portion of the total ad valorem tax burden in the Town of Surfside. Ideally, the balance of responsibility would be re-distributed such that residential property owners would not carry more than 80% of total ad valorem burden. The reduction in burden to residential property owners could provide relief to a significant portion of the Town’s population.

To accomplish the reduction in burden for residential property owners while continuing to provide municipal services at desired levels, the most immediate solution is expanding the taxable value of commercial properties. The difference in taxable value between the 89 - 90% residential percentage of total ad valorem payments and the target of 80% is \$100,632,975 in value. In other words, to restore a balance between commercial and residential tax burdens consistent with similar communities, the Town would need to add approximately \$101 million in commercial property value. Coincidentally, the estimated net value of the three in-fill properties listed earlier would be approximately \$102,732,000 which would close this gap. Further upgrades to the downtown area and certain public-private partnership projects could move the residential portion below the 80% target should that become a goal of the Town Commission.

Should the \$101 million in commercial property development be accomplished, the residential property portion would meet the 80% target. In other words, the class of residential property owners would be paying a smaller percentage of total Town taxes and there would likely be no need for a tax increase beyond the roll-back rate in the foreseeable future. If the Town Commission wishes to adopt future budgets below the roll back rate additional strategies will be necessary.

Capital Projects Fund

Fund Introduction: The Capital Projects Fund is a governmental fund type without its own revenue stream(s) unless grants are received. The Town Commission recently took action to increase grants through approval of the eCivis grant search engine. Further, the financial forecast for the General Fund provides for \$150,000 in transfers to the Capital Project Fund in each year for projects to be determined throughout the budget process. The Capital Projects Fund reflects expenditures and funding for those projects greater than \$25,000 which create enduring capital assets. The capital assets accounted for in this fund cannot be associated with other enterprise and/or special revenue funds, hence, their general governmental nature. In FY 2011, the fund accounts for the Phone System Upgrade, Public Safety Vehicle Replacements, and the completion of construction of the Community Center.

The Capital Projects Fund is a general governmental fund as is the General Operating Fund. The governmental funds (General Operating Fund and Capital Projects Fund) share their reserves so a separate reserve is allowed, but not required for this fund. Currently, there is a fund balance for this fund sufficient to pay for the remainder of the Community Center Construction. Transfers from the General Operating Fund will pay for the balance of approved projects.

A supplemental vehicle to fund these projects is through impact fees from developers. The manner in which these fees are calculated and collected is the subject of a separate future report.

Figure 11: Fund Revenue to Expenditure Chart for Capital Projects :

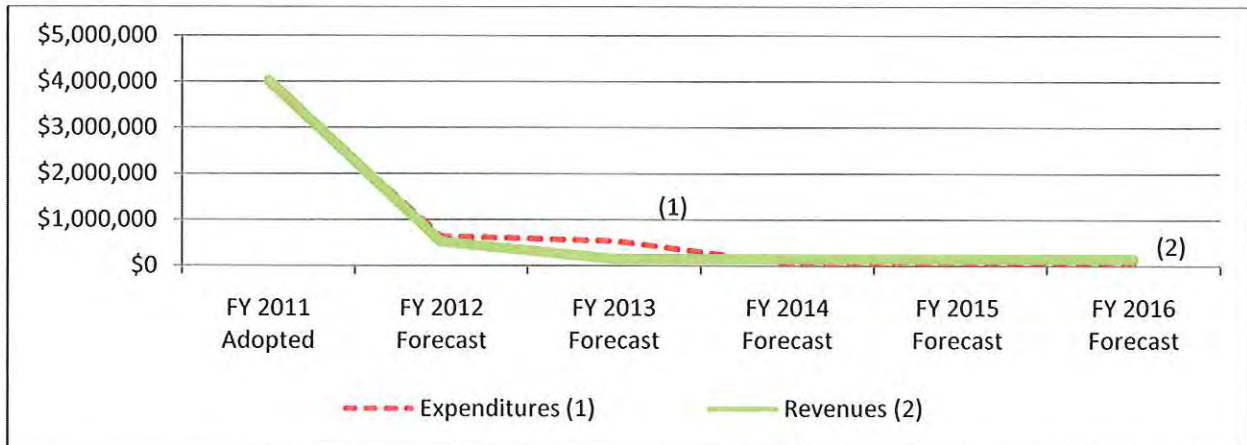


Figure 11 shows an anticipated reduction in most general governmental capital projects spending after completion of the Community Center in the current year. To fund projects proposed for FY 2013 (Beachwalk Lighting and Police Vehicle Replacement) additional income will be required (either appropriations from the unassigned General Fund reserves, impact fees or General Fund revenues).

Tourist Bureau Fund

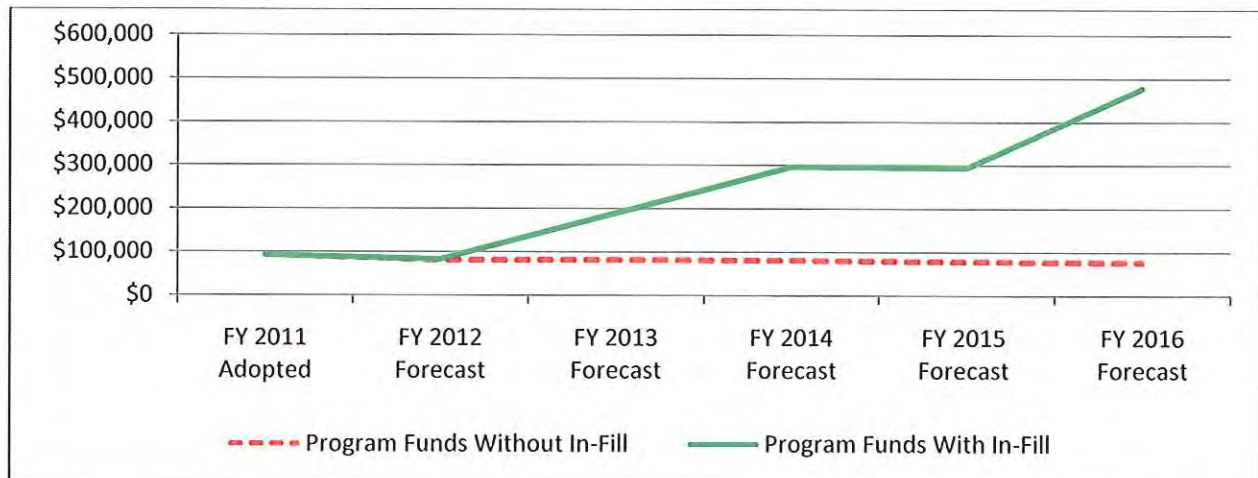
Fund Introduction: The Tourist Bureau Fund is a general governmental fund which accounts for special revenues generated through (and restricted by) Florida Statute. The funds are generated by a 4% charge on certain resort properties and a 2% tax on certain food service establishments. The funds are intended for tourism related promotional events and their use is articulated in and governed by the Town of Surfside Town Charter and State law. This special revenue fund is encouraged to spend its funds to comply with funding requirements and maintenance of a fund balance is not required.

Fund Trends: The Revenues for this fund have decreased by an average of 5.6% annually for the past six years and are forecast to continue on this trajectory. While the revenues for this fund are directly tied to tourism, there is historically no discernible correlation between revenue declines and changes in the economic climate as one might expect. Factors which account for the declining revenues are: 1) reduction in qualified resort properties through conversion to condominium properties, 2) failure of qualified business owners to remit proper payment, and 3) not enforcing the tax on all eligible sources. To address the second concern, a resort tax auditor position was funded in Fiscal Year 2011.

Fund Assumptions: Assumptions specific to this fund are: 1) 25% of the Director’s position will continue to be funded in this fund, 2) the historical declines will continue or at least one more year, 3) condo conversions have generally stopped at this point stabilizing some of the decline, 4) the policy of reducing expenditures to match projected revenues will continue, and 5) no attempt to create unassigned reserves will be pursued.

Clearly the continued decline in revenues is unacceptable and action must be taken to reverse the trends and accelerate revenue creation. Those actions include the retention of the auditor (which will have a small to medium impact), the energizing of the downtown visioning process (which will have a major impact on the 2% food service tax) and creation of more environmentally sensitive hotel product (which will have significant impact on the 4% resort tax).

Figure 12: Tourism Bureau Promotional Funds Forecast Chart:



Fund Forecast Chart Explanation: Like other special revenue funds, the expenditures made from this fund must fall into the conditions set for receiving the income/revenue. As such, there is no need for the maintenance of reserves. The excess of revenue over on-going expenditures is the amount available for program operations. The above chart shows the forecasted changes in funding available for tourism promotion under two scenarios.

Figure 12 shows the difference that in-fill can make on the funds available for enhancing the quality of life in the Town of Surfside. Without in-fill these funds are anticipated to stabilize after a slight decline. With in-fill of the properties previously identified, the funding available for eligible activities may well be hundreds of thousands of dollars more. It should be noted, that Figure 12 accounts for only the projected increases to the 4% Tourism Tax (applied to beds). An increase to the 2% Tourism Tax (applied to food and beverages) is not included in the revenue estimates.

The bottom line represents the continuation of declining revenues in this fund. Forecast funding for eligible activities in this scenario falls from just over \$83,000 in FY 2012 to a forecasted \$76,755 in FY 2016. As a reference, in Fiscal Years 2007 and 2008, \$145,255 and \$105,853 respectively were available for eligible activities in Surfside. This line forecasts the fund's position if no new hotel rooms are added within the Town.

The upper line represents the impact of completion of the three in-fill projects. In this scenario, the excess of revenues over on-going expenditures represents the funding available for eligible activities in the Town of Surfside increasing to \$189,797 by Fiscal Year 2012 – 2013 and approximately \$400,000 in Fiscal Year 2016. As a reference, Miami-Dade County has estimated that Bal Harbour will receive approximately \$1,860,700 for tourism revenues in Fiscal Year 2011.⁵ The increase assumes unit numbers comparable to newer developments and an occupancy rate of approximately 60%.⁶

Police Forfeiture Fund

Fund Introduction: The Police Forfeiture Fund is a general governmental fund which accounts for special revenues generated through (and restricted by) Florida Statue. Once a forfeiture occurs at the task force level, funds are used to pay for expenses of the task force. The remainder is distributed based upon the number of officers each municipality has assigned to the Task Force. Other funds may come from the Surfside Police Department conducting its own investigations that may result in seizures. Funds may also come from Surfside's participation in a joint investigation with a Federal agency that results in asset forfeiture⁷. The primary limitation on the expenditures is that they provide for a new / non-operational program and/or project aimed at reducing crime, drug awareness program and/or supporting new or expanded police initiatives.

⁵ E-mail including payment from St. Regis in lieu of resort tax. E-mailed Appendix E: Transient Lodging and Food and Beverage Taxes for Tourist Development, Convention Development, and Homeless and Domestic Violence Programs and Facilities - \$967,000 (p. 154).

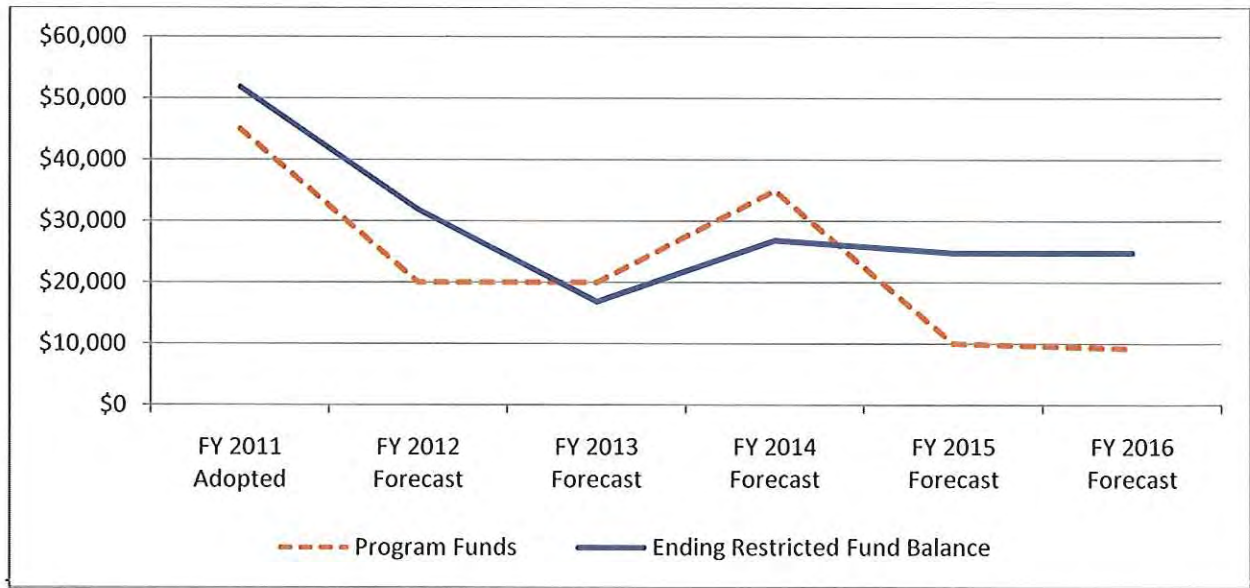
⁶ A 61% – 62.7% occupancy rate is projected by HVS (a leading consultant to the hotel industry).

⁷ E-mail from Chief David Allen January 2011

Fund Trends: The Town of Surfside has utilized the accumulated reserves in the past several years. Historically, revenues are very sporadic. Recently, more assets (illegal drugs, modified weapons, etc) have been seized rather than cash⁸. Since the illegal drugs cannot be liquidated and turned into cash, the revenues available for distribution have declined.

Fund Assumptions: Assumptions specific to this fund are: 1) revenue collections will continue to be sporadic, and 2) the Town will continue to fund, through the General Fund, an Officer who participates in the Task Force.

Figure 13: Forecasted Forfeiture Program Funds:



Fund Forecast Chart Explanation: As a special revenue fund, the expenditure of the revenues is restricted to specific uses. Figure 13 above shows a decline in program funding from the current year which utilized fund balance to fund nearly half of the programs.

Funding Requirements on Current Course: To increase the revenues and provide for additional qualified expenditures, additional seizures of cash (or assets which can be legally converted to cash) would be required. As revenues decline and the once much more robust reserves are reaching their end, a periodic evaluation of receipts to all true costs should be pursued.

Municipal Transportation Fund

Fund Introduction: The Municipal Transportation Fund is a general governmental fund which results from restricted revenues from the Citizen’s Initiative Transportation Trust (CITT) program. As with other

⁸ Based on discussions with Chief Allen during Departmental Budget Workshop meetings for FY 2011.

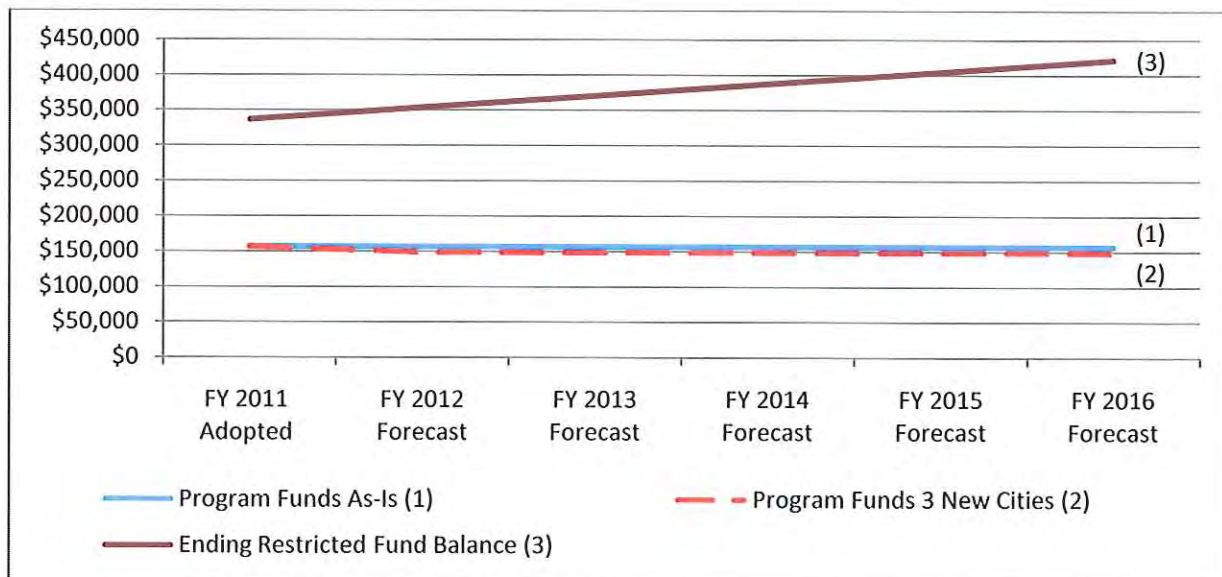
special revenues funds, revenues are only received if they are spent on particular types of qualified projects. These projects generally include projects which will improve traffic safety or benefit or encourage the use of mass transit services. Some elements of downtown and residential transportation projects are likely qualified expenditures.

A Maintenance of Effort (MOE) is also required from the Town to continue to qualify for funding. The MOE is a level of expenditure which the Town must dedicate to transportation purposes from other funding sources. To receive the approximately \$163,000 for transportation projects, the Town spends just over \$62,000 from the General Operating Fund. The recent proposals from Miami Dade County to resolve litigation from Miami Gardens and possibly Doral and Cutler Bay may diminish the MOE expenditures.

Fund Trends: The revenues for this fund result from the distribution of a one-half penny tax on each gallon of gasoline sold in Miami-Dade County. Since Fiscal Year 2008 revenues have fallen. Over the past several years, the Town has accumulated a positive fund balance in this fund resulting from receiving more restricted revenues than real expenditures on qualified projects. Staff is studying all qualified opportunities to utilize these funds to improve transportation and will be making a presentation on potential uses to the Town Commission in the near future.

Fund Assumptions: Assumptions specific to this fund include: 1) revenues will continue to be limited, 2) the declining trend in revenues will continue through FY 2013 then begin to rebound modestly (3% annually), and 3) the debate regarding how the three cities incorporated since the tax was enacted will be resolved either by negotiation or litigation within the next two years.

Figure 14: Municipal Transportation Program Funds Forecast Chart:



Fund Forecast Chart Explanation: Figure 14 shows that the current expenditure plan does not adequately provide for the use of surpluses in this fund. As previously mentioned, a comprehensive presentation will be made soon to resolve this concern. While a fund balance can be carried for a few

years to pre-pay portions of a project cost, administrators of these funds (CITT) may request repayment of the funds if they are not utilized.

Funding Requirements on Current Course: Adequate funding is available for qualified and needed projects.

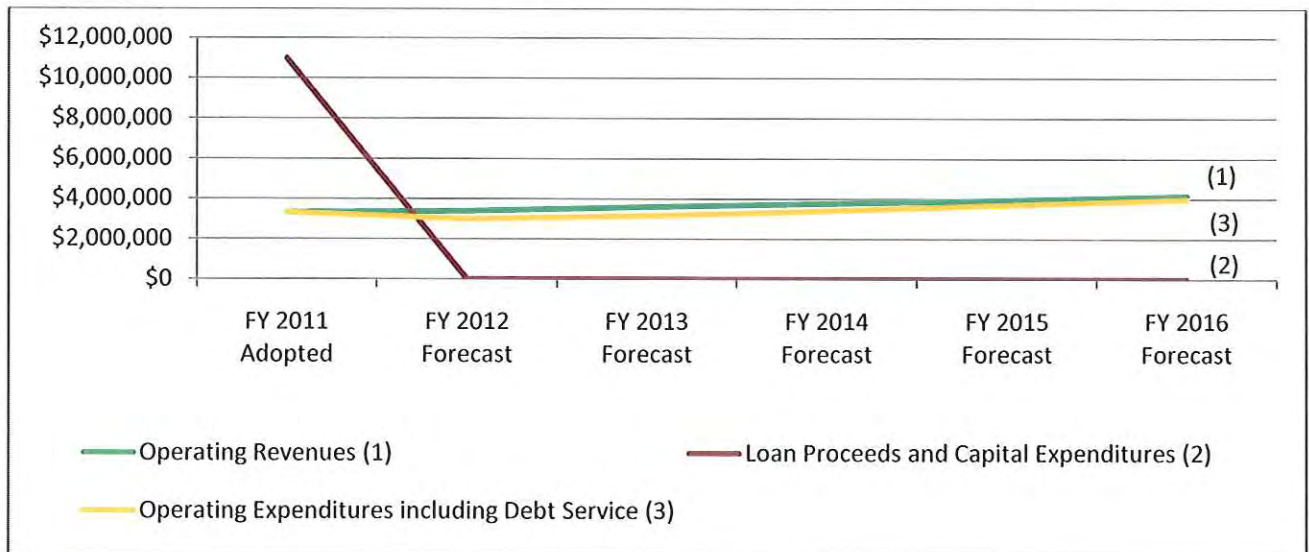
Water and Sewer Utility Fund

Fund Introduction: The Water and Sewer Utility Fund is an enterprise fund which relies upon user fees for revenues and borrowing for major capital projects. The fund is established to provide for independent water and sanitary sewer planning, operations, and improvements.

Fund Trends: South Florida water experts have said: “the cheapest potable water from now on in South Florida is the water that isn’t used”. Clean water sources are becoming more scarce in South Florida and are likely to continue to do so. Costs for water supply and waste water treatment have been increasing and are passed on to municipalities that distribute water and collect sewage. As a result of these costs and the implementation of overdue infrastructure repairs, combined with insufficient retained net assets, this fund has been strained in the past several years.

Fund Assumptions: The Town of Surfside commissioned a rate study in Fiscal Year 2010 with TichlerBise; Fiscal, Economic & Planning Consultants. The study was utilized during the FY 2010/11 budget process and has been incorporated for this forecast. Assumptions specific to this fund are: 1) water costs are forecasted to increase an average of 12% annually, 2) sewage treatment costs are forecasted to increase an average of 15% annually, 3) revenues have been adjusted in the forecast to adopt the rate adjustments proposed in the rate study, 4) retained net assets will be replenished, and 5) financing for capital projects will close without changes to the anticipated terms. The anticipated debt service costs have been included in the expenditure projections. While we are using the TichlerBise study for this report, the Administration is working with our Financial Advisor to develop strategies to help manage the need for the projected rate increases.

Figure 15: Water and Sewer Fund Revenue to Expenditure Chart (including debt service payments):



Fund Forecast Chart Explanation: Figure 15, above, shows the impact of expenditures for capital improvement projects (water system repair and sanitary sewer repairs) on Fiscal Year 2011. The timing for borrowing is expected in FY 2010/11 pending the Financial Advisor’s recommendations. By Fiscal Year 2013 these projects should be completed.

Figure 16: Water and Sewer Fund Net Assets Information:

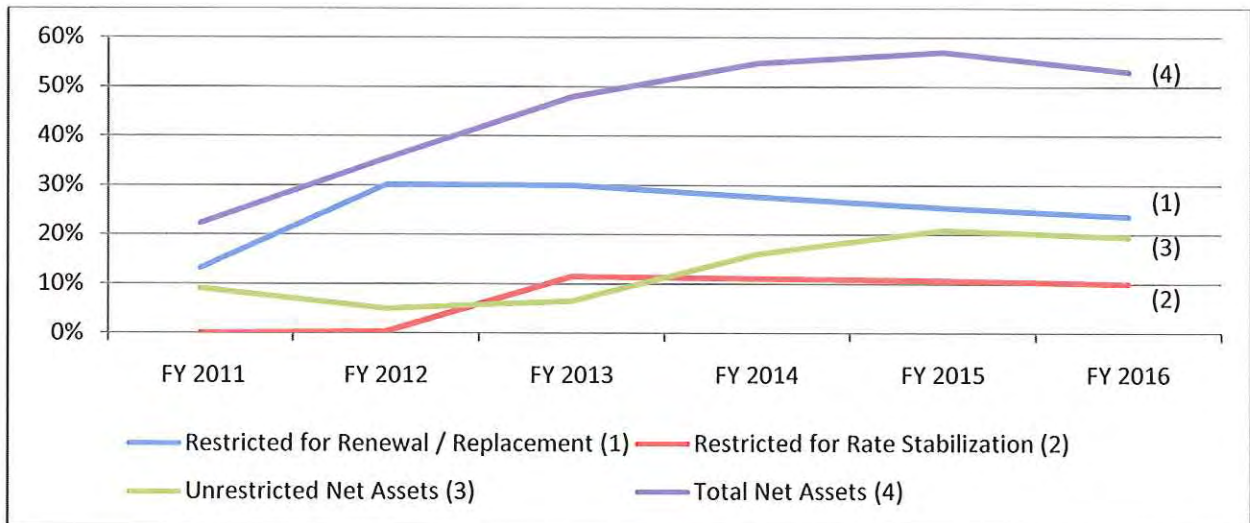


Figure 16, above, shows the complete plan for restricted and un-restricted net assets. These percentages are based on the TischlerBise rate study and show the reservation of net assets for future replacement, and reservation for rate stabilization, as well as the unrestricted net assets percentages of the anticipated operating budgets.

Funding Requirements on Current Course: With the rate study recommended rates adopted, this fund meets the revenue to expenditure test of liquidity. There will be more detail provided as the financial advisors for the water, sewer, and storm drainage bond issue provides their recommendations.

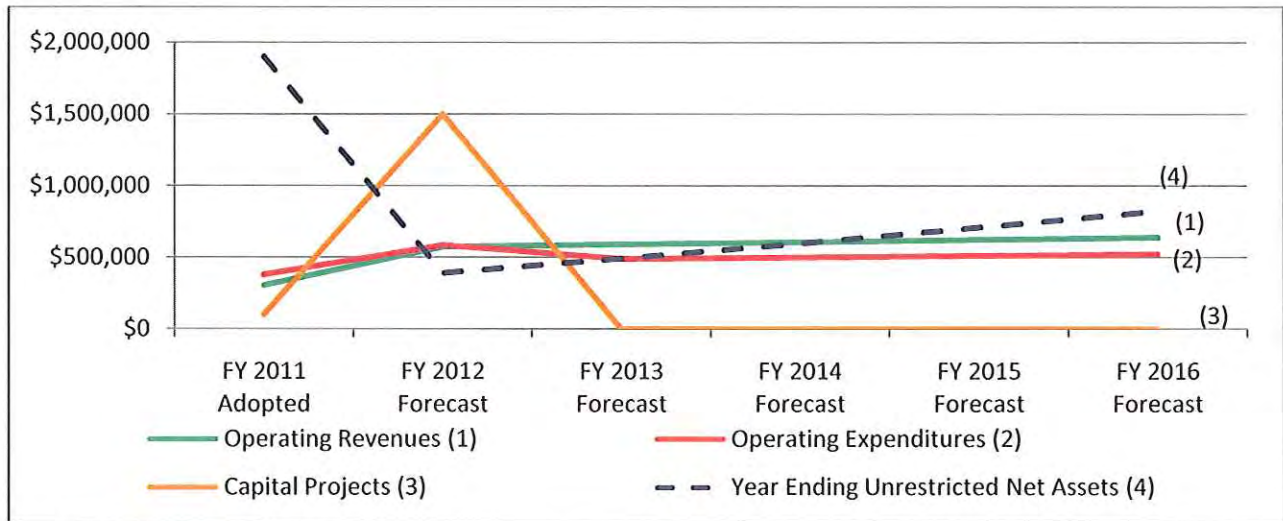
Municipal Parking Fund

Fund Introduction: The Municipal Parking fund is an enterprise fund which relies upon user fees for parking spaces and facilities as well as parking violations for revenues. The fund is established to provide for public parking planning, operations, and improvements.

Fund Trends: The operations of this fund have been stable for a number of years and have kept pace with revenues over expenditures. The retained net assets have begun to be utilized in recent years to make infrastructure improvements or acquire land related to parking. Requested improvement costs exceed retained net assets. Careful consideration and prioritization of these requests will need to be undertaken. The operating revenue to expenditure comparison for this fund remains strong for the foreseeable future and in fact will increase greatly with the installation of the electronic multi-space meters.

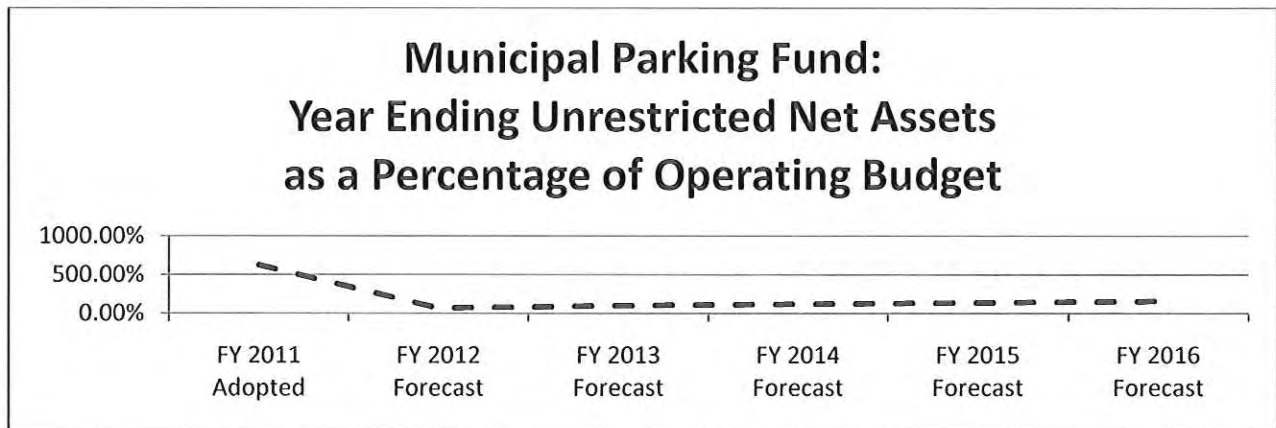
Fund Assumptions: Assumptions specific to this fund are: 1) the additional parking spaces at the 95th Street lot will add revenue to the parking system annually, 2) the electronic multi-space meters will add \$112,000 in revenue to the parking system annually, 3) capital needs for renovation of existing lots will require approximately \$100,000 in Fiscal Years 2011 and 2012, 4) subject to substantial community input and policy discussion by the Town Commission, public private joint venture upgrades to the Abbott lot and the Harding and 94th Street lot may be included in the fund, and 5) additional land may be acquired to link the 94th and 93rd/Harding lots as well as properties near Town Hall. For purposes of this report, it is assumed that the larger projects may require revenue bonds and that the smaller projects will be funded with reserves.

Figure 17: Municipal Parking Fund Revenue to Expenditure Chart:



Fund Forecast Chart Explanation: Figure 17 shows that operating revenues for this fund will continue to outperform anticipated expenditures thereby increasing unrestricted net assets. Figure 18 highlights the strength of the unrestricted net assets in this fund and the availability of same for capital investment. Both Figures 17 (above) and Figure 18 (below) anticipate expansion of the available parking facilities during Fiscal Year 2012. Specific recommendations will be provided in subsequent discussions.

Figure 18: Municipal Parking Fund Year End Unrestricted Net Assets as a Percentage of Operating Budget:



Solid Waste Fund

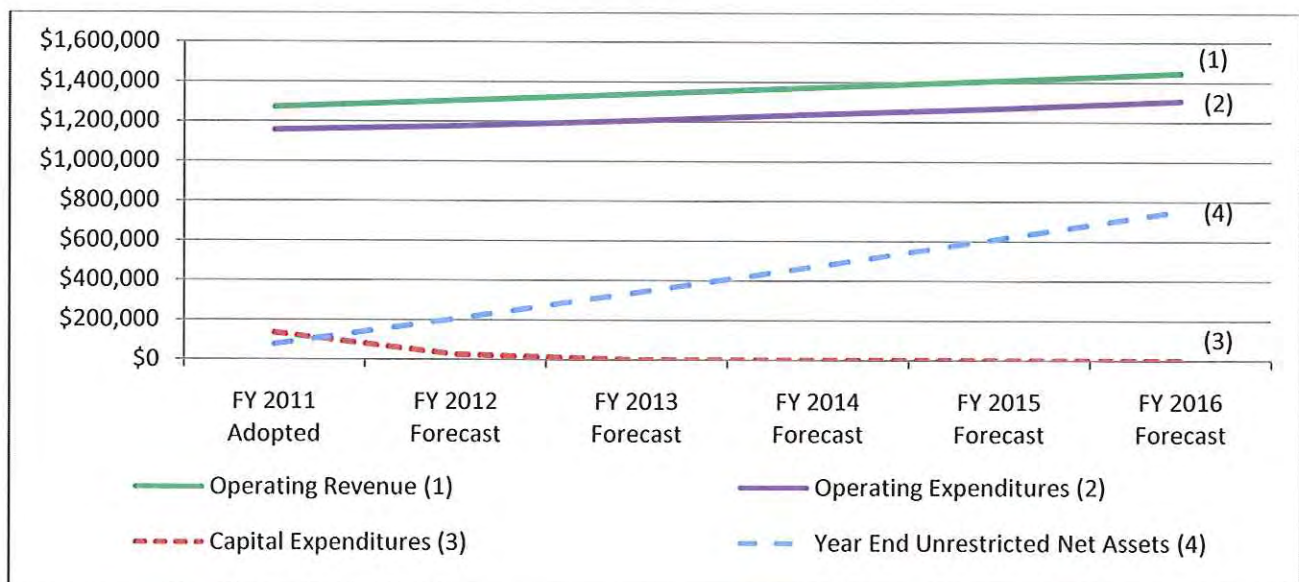
Fund Introduction: The Solid Waste fund is an enterprise fund which relies upon user fees for revenues. The fund is established to provide for solid waste planning, operations (collections), disposal at landfill sites, recycling and equipment replacement.

Fund Trends: During Fiscal Year 2010 this fund achieved a gain which removed the negative net assets which it had been carrying. The operations of this fund are becoming more stable. Revenues are projected to exceed expenditures and provide for well considered equipment replacement.

Fund Assumptions: Assumptions specific to this fund are: 1) waste disposal fees and recycling costs to the Town will not increase more than 3% on an annualized basis, 2) retained net assets will be replenished to achieve fifty (50%) of operating costs within the covered five year cycle, 3) increased operating costs to the Town will be passed on to end users, and 4) it is possible to smooth the need for increases by creating sufficient net assets each fiscal year to allow for the prudent use of those reserves to reduce or eliminate the need for annual rate increases. Savings from new technology for collection or reduced collection day(s) are not included in the analysis.

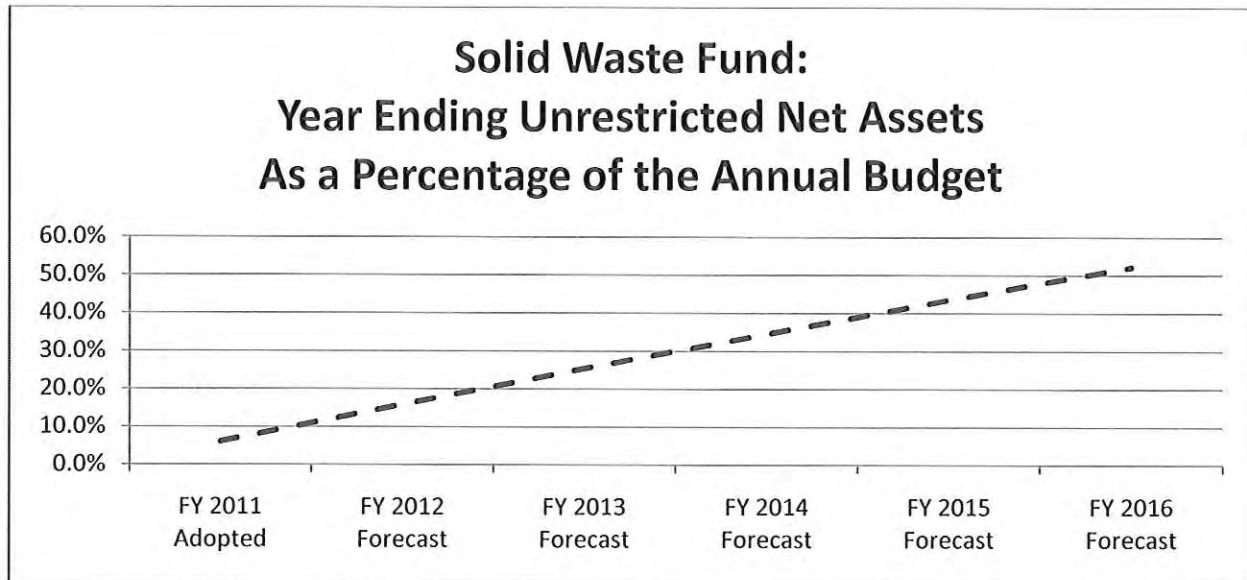
A note to assumption 4 above: to meet the 3% annualized increases to the Town, a 3% annual rate increase is assumed.

Figure 19: Solid Waste Fund Revenue to Expenditure Chart:



Fund Forecast Chart Explanation: Figure 19, above, shows the revenues outpacing expenditures in each year and the building of the net asset amount. Figure 20, below, identifies the retained net assets amount as a percentage of the annual operating budget. This progressive building of same is the device which better ensures sufficient funds to smooth future increased costs to the Town and reduce or eliminate the need to pass the rate increase to residents.

Figure 20: Solid Waste Fund Year Ending Unrestricted Net Assets as a Percentage of the Operating Budget:



Funding Requirements on Current Course: Without implementation of the rate increase to meet increased costs to the Town of Surfside for recycling and waste tipping fees, expenditures would exceed revenues every year. If the Town increases its rates by the same percentage increase the Town has to pay, it should remain in a net positive position. When the revenue to expenditure ratio is favorable the addition of more customers will have a positive benefit to this fund. Ultimately, this benefit can be shared with all solid waste customers.

Stormwater Fund

Fund Introduction: The Stormwater fund is an enterprise fund which relies upon user fees for revenues. The fund is established to provide for stormwater drainage planning, operations and improvements.

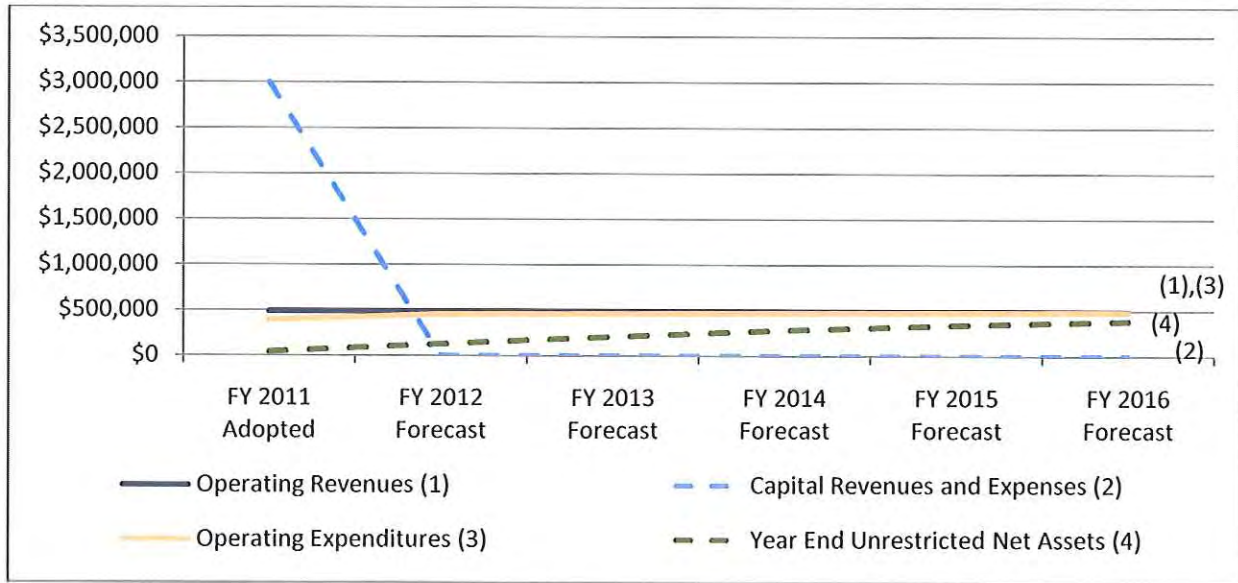
Fund Trends: The operations of this fund are generally stable. The need to implement stormwater improvements (and meet the requirements of a Consent Decree with Miami Dade County DERM) has created a spike in capital expenditures utilizing revenue bond funds in FY 2011 and FY 2012 and resulted in the need to increase the stormwater assessment. The spikes are related to capital infrastructure improvements. Bonds will be issued for this project and the debt service on those bonds is included in the expenditure numbers.

Fund Assumptions: Assumptions specific to this fund are: 1) the stormwater project will be completed as planned, 2) the new recurring operating costs (most particularly electric use related to running and maintaining the pumps stations and debt service payments) will occur, and 3) reserves are identified to exceed a preliminary target of fifty percent of operating by the end of the covered five year cycle. As

with the water and sewer bond issue, this planned growth of reserves may be utilized to smooth possible future rate increases.

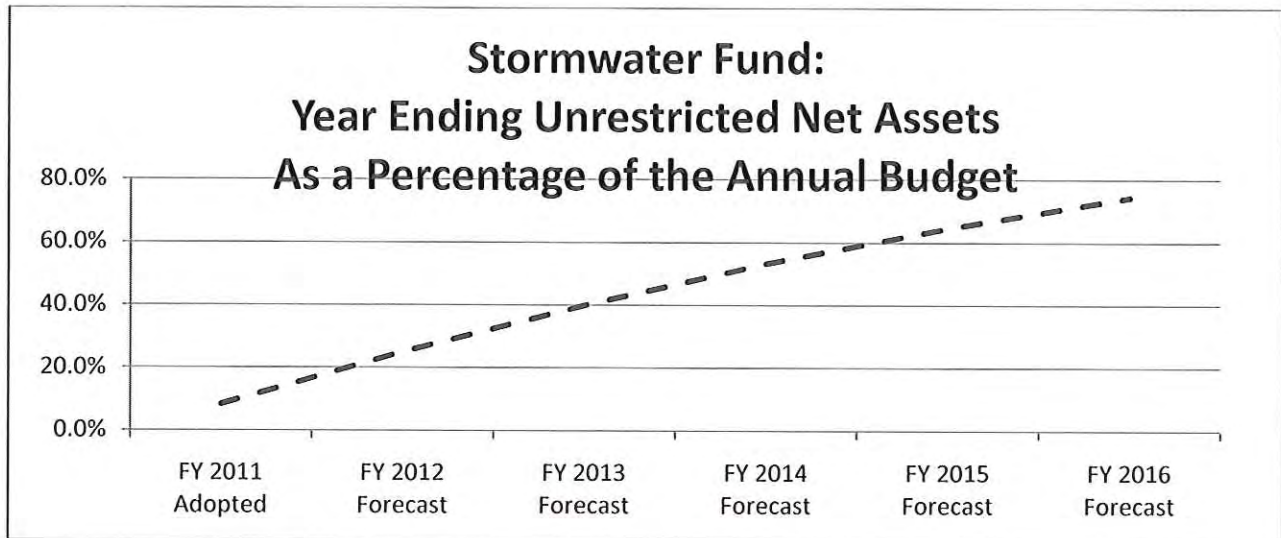
Figure 21 shows that very little change is anticipated in either the revenues or expenditures for this fund. The expenditures are budgeted to include re-building the fund balance to smooth potential future increases and potentially secure better borrowing terms for the revenue bond.

Figure 21: Stormwater Fund Revenue to Expenditure Chart (including debt service payments):



Fund Forecast Chart Explanation: Figure 22, below demonstrates the growth of the reserves as a percentage of the annual budget. The preliminary target of 50% reserves is met at the end of Fiscal Year 2013 (September 30, 2013). It may be possible to lower rates if this projection proves true.

Figure 22: Stormwater Fund Year Ending Unrestricted Net Assets as a Percentage of the Operating Budget:



Funding Requirements on Current Course: On the current course, the operating revenue to expenditure ratio in this fund is forecast to be slightly favorable for the next several years. As with the other enterprise funds, the addition of new customers in a favorable environment increases profitability and ultimately provides an opportunity for future relief for all stormwater customers.

Appreciation: It is necessary to thank Finance Director Martin D. Sherwood and Budget and Management Consultant Carl A. Berkey-Abbott for their efforts in creating this document. We collectively wish to thank the Town Commission for their foresight and strategic thinking that requested this document to be prepared.



Town of Surfside Commission Communication

Agenda Item # 9C

Agenda Date: February 8, 2011

Subject: Land Acquisition of Two Parcels Immediately South of Town Hall

Background: At the October 12, 2010 Town Commission meeting staff was directed by the Town Commission to secure appraisals on the vacant lots contiguous to Town Hall and to report back with a recommendation. This is to inform the Commission that staff has met with the principal owner of two of the adjacent parcels of property. These properties are in foreclosure and a mediation session with BankUnited before former Chief Supreme Court Justice Gerald Kogen is scheduled for February 8, 2011. Due to a Town Commission meeting being held on the same day, staff is moving forward with negotiations. Realizing that we do not have the authority to purchase the properties it is my intent to enter into conversation with BankUnited regarding a short sale to include short term financing.

In March 2006 the two parcels sold for \$2.2 million. In January 2007, the Town Commission directed the Town Manager to continue to look into the purchase of potential properties and the current principal owner of the property stated there was discussion with the Town to purchase the parcels for \$1.9 million.

In October 2010 an appraisal was done on the parcels and the market value was determined to be \$1.06 million. Both parcels have a total taxable and assessed value for 2010 and 2009 of approximately \$676,000 and \$848,000 respectively.


The FY 10/11 Parking budget includes \$1.205 million for land acquisition (see exhibit A) with a total of \$1.9 million in unrestricted net assets (reserves) in the Municipal Parking Fund. The staff strategy is to make an offer of \$676,000 for both parcels of property including as an all cash transaction. The Administration believes this is a unique opportunity and that these two parcels of property may never be available at a lower price.

Analysis: N/A


Budget Impact: The FY 10/11 Parking budget includes \$1.205 million for land acquisition. This will leave enough funding to acquire two additional parcels (one south of the 94th Street lot and one where the police department vehicles are parked) depending on the final price of the two parcels included in this Commission Communication.

Staff Impact: N/A

Recommendation: It is recommended that the Surfside Town Commission give authorization to continue negotiations for the two parcels of property.



Department Head



Town Manager

Funded

Town of Surfside, FL

Capital Improvement Project

Project:	Parking Acquisition and Development						
Priority:	2	Project Manager:		Assistant Police Chief			
Department:	Public Safety	Division:		Municipal Parking			
Project Location:	To Be Determined						
Fiscal Year:	FY 11	FY 12	FY 13	FY 14	FY 15	Total	Prior FYs
Plans and Studies:							
Engineering/Architecture:							
Land Acquisition/Site Preparation:	\$1,205,000					\$1,205,000	
Construction:							
Equipment/Furnishings:							
Transaction Costs:	\$45,000					\$45,000	
TOTAL COST:	\$1,250,000					\$1,250,000	
Revenue Source:	MPF						

Description (Justification and Explanation)

This project seeks to address the shortage of municipal parking within the Town's commercial district. Funding from the Municipal Parking Fund's reserve is requested to pursue the purchase of additional lands and the land's development as parking space.

The costs are estimated based on the amount of acreage desired and the current average market value of acreage according to recent sales information.

This revenue positive project would pay for itself in not more than 11 years.

Future Annualized Impact on Operating Budget

Personnel		The Town anticipates additional revenue to result from the fee based service being provided. Incremental recurring operating costs will also be involved. Generally, the fee based program covers the costs of operation. As a result, the only long term recurring operating costs associated with this item would be the prorated maintenance of the lot itself (approximated at \$15,000 annualized). These costs would be more than recovered by increased parking revenues. The anticipated net increase in funding is projected at \$95,000.
Operating:	\$15,000	
Replacement Costs:		
Revenue/Other:	(\$110,000)	
Total:	(\$95,000)	



Town of Surfside Commission Communication

Agenda Item # 9D

Agenda Date: February 8, 2011

Subject: Acquisition of Single Family Home at 9333 Harding Avenue

Background: There are two single family homes on the east side of the 9300 block of Harding Avenue that are situated between two municipal parking lots. One of the homes, 9333 Harding Avenue, is for sale with an asking price of \$298,000. This is to inform the Commission that staff has met with the real estate agent representing the property owner. According to the realtor, the owner recently refused an offer of \$250,000.

Staff had an appraisal done on the home and the market value was determined to be \$253,000. The home has a taxable and assessed value for 2010 and 2009 of approximately \$87,269 and \$83,548 respectively. It is this low because the owner has lived in the home for many years and enjoys a variety of exemptions.

The FY 10/11 parking budget includes \$1.205 million for land acquisition (see Exhibit A) with a total of \$1.9 million in unrestricted net assets (reserves) in the Municipal Parking Fund. Staff has made an offer of \$275,000 for the home as an all cash transaction.

Analysis: N/A


Budget Impact: The FY 10/11 Parking budget includes \$1.205 million for land acquisition. This shall leave enough funding to acquire three additional parcels (two directly south of Town Hall and one where the Police Department vehicles are parked) depending on the final price of the home included in this Commission Communication.

Staff Impact: N/A

Recommendation: It is recommended that the Surfside Town Commission give authorization to continue negotiations for the single-family home located at 9333 Harding Avenue.



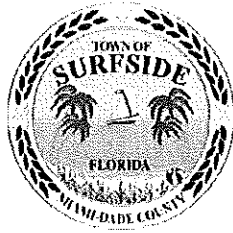
Department Head



Town Manager

Funded

Town of Surfside, FL							
Capital Improvement Project							
Project:	Parking Acquisition and Development						
Priority:	2	Project Manager:		Assistant Police Chief			
Department:	Public Safety	Division:		Municipal Parking			
Project Location:	To Be Determined						
Fiscal Year:	FY 11	FY 12	FY 13	FY 14	FY 15	Total	Prior FYs
Plans and Studies:							
Engineering/Architecture:							
Land Acquisition/Site Preparation:	\$1,205,000					\$1,205,000	
Construction:							
Equipment/Furnishings:							
Transaction Costs:	\$45,000					\$45,000	
TOTAL COST:	\$1,250,000					\$1,250,000	
Revenue Source:	MPF						
Description (Justification and Explanation)							
<p>This project seeks to address the shortage of municipal parking within the Town's commercial district. Funding from the Municipal Parking Fund's reserve is requested to pursue the purchase of additional lands and the land's development as parking space.</p> <p>The costs are estimated based on the amount of acreage desired and the current average market value of acreage according to recent sales information.</p> <p>This revenue positive project would pay for itself in not more than 11 years.</p>							
Future Annualized Impact on Operating Budget							
Personnel:		The Town anticipates additional revenue to result from the fee based service being provided. Incremental recurring operating costs will also be involved. Generally, the fee based program covers the costs of operation. As a result, the only long term recurring operating costs associated with this item would be the prorated maintenance of the lot itself (approximated at \$15,000 annualized). These costs would be more than recovered by increased parking revenues. The anticipated net increase in funding is projected at \$95,000.					
Operating:	\$15,000						
Replacement Costs:							
Revenue/Other:	(\$110,000)						
Total:	(\$95,000)						



Town of Surfside Commission Communication

Agenda Item # 9E

Agenda Date: February 8, 2011

Subject: Beach Maintenance

Objective: To provide a plan as requested by Commissioner Olchyk to improve maintenance along the areas of the beach that are the Town of Surfside's responsibility.

Recommendation: In a careful manner invasive plant species and debris will be removed and a small area around the sea grapes will be cleared to allow more detail raking of the dead leaves. This would be implemented gradually with the goal of completing one block per week and then maintaining the entire beach cleaning weekly.

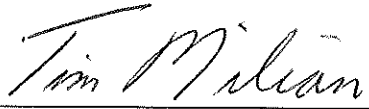
Background: Parks and Recreation, Public Works and Parking Department employees began an enhanced maintenance program in December 2010. Since such time we have been warned in writing by FDEP to adjust our cleaning efforts within the dunes. Attachment

Analysis: The Parks and Recreation Department along with the Public Works Department have implemented a joint program to provide maintenance to the areas on the beach and beach walkway that are the responsibility of Town of Surfside. Feral animal feeding containers are collected on a daily basis. With the addition of the new maintenance worker provided by the Parking Department the dunes and hard-pack are cleaned once a week. The edging, weed removal and weed spraying are done on a quarterly basis. Miami Dade County provides this service to the east side of the dunes. FDEP will be consulted with as needed to insure we remain compliant with the State regulations. Per an agreement with Miami Dade County existing trash receptacles on the beach will be replaced with new receptacles by the end of February. A new receptacle will be placed at each beach entrance off the hard pack to ensure that trash may be disposed of easily by beachgoers. We also intend to locate a dog feces receptacle at every other beach access as funds become available.

Budget Impact: The cost for contracting out the quarterly weed removal, spraying and trimming on an annual basis is \$6,000. The estimated cost for rope repairs on an annual basis is \$1,200. Additional miscellaneous repairs are estimated to be \$750 annually. At this time the additional costs are budgeted within the Public Works Department and Parks and Recreation Department.

Growth Impact: N/A

Staff Impact: Analysis to be developed.



Department Head



Town Manager



Florida Department of Environmental Protection
 Office of Beaches and Coastal Systems
 3900 Commonwealth Boulevard - MS 300
 Tallahassee, FL 32399-3000
 (850) 487-4475
 (850) 414-7772

TO: (name) TOWN OF SURFSIDE

(address) 9293 HARDING AVENUE

(city /state /zip) SURFSIDE, FL 33154

- Property Owner
- Contractor
- Agent
- Other

(305) 868-7287
 (specify)

WARNING NOTICE
POSSIBLE VIOLATION
CHAPTER 161, FLORIDA STATUTES

You are hereby notified that it appears that you are in violation of Chapter 161, The Beach and Shore Preservation Act, and thus, may be liable for civil and criminal penalties as prescribed by law, and may be ordered to remove unauthorized structures and restore damaged topography and vegetation. You are requested to cease all activities including excavation, construction, and damage to the beach or dunes and the vegetation growing thereon, seaward of the coastal construction control line until a determination regarding the apparent violation can be made. Work which has occurred as of the date of this inspection and which appears to be in violation of Chapter 161, Florida Statutes, includes:

THE UNAUTHORIZED, NON-PERMITTED TRIMMING, REMOVAL, ETC. OF VEGETATION,
PRIMARILY CONSISTING OF SEA OATS (UNIOLOA PANICULATA), ALONG THE LANDWARD
PORTION OF THE WESTERN DUNE FEATURE ADJACENT TO THE SERVICE VEHICLE LANE.

As an exception to the above request, for the limited purpose of securing construction or public safety, you may proceed with the following without incurring additional liability:

This written report will be transmitted to the Department's professional and legal staff. The staff will make a prompt determination of whether or not a violation of Chapter 161, Florida Statutes, exists, and will advise you directly of its findings.

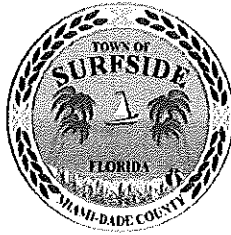
Further construction shall be at your own risk and shall not give vested rights in equity or give any estoppel of equity rights in consideration of a possible permit application pursuant to Chapter 161, Florida Statutes, and may result in additional civil fines.

Enquiries concerning this notice should be directed to the address or telephone number shown above.

Wesley C. Kim - Wes Kim
 Engineer/Area Inspector

01/10/11
 Date of Inspection and Notice

COPIES - WHITE: File YELLOW: Person Notified PINK: Inspector



Town of Surfside Commission Communication

Agenda Item # 9F

Agenda Date: February 8, 2011

Subject: Household dry cell battery recycling station at Town Hall

Objective: To provide to the citizens of Surfside a drop off point for household dry cell batteries to be recycled.

Recommendation: Place a recycling container in the lobby of Town Hall where citizens of the community can drop off their used household dry cell batteries to be recycled. A picture of the proposed container is attached.

Background: The Mayor and Commission are in the process of considering actions to become more environmentally friendly. Providing this recycling opportunity to the citizens of Surfside is an element of that process.

Analysis: For very little cost, the citizens of Surfside can make a positive impact on the environment by reducing the amount of batteries that go into the landfill.

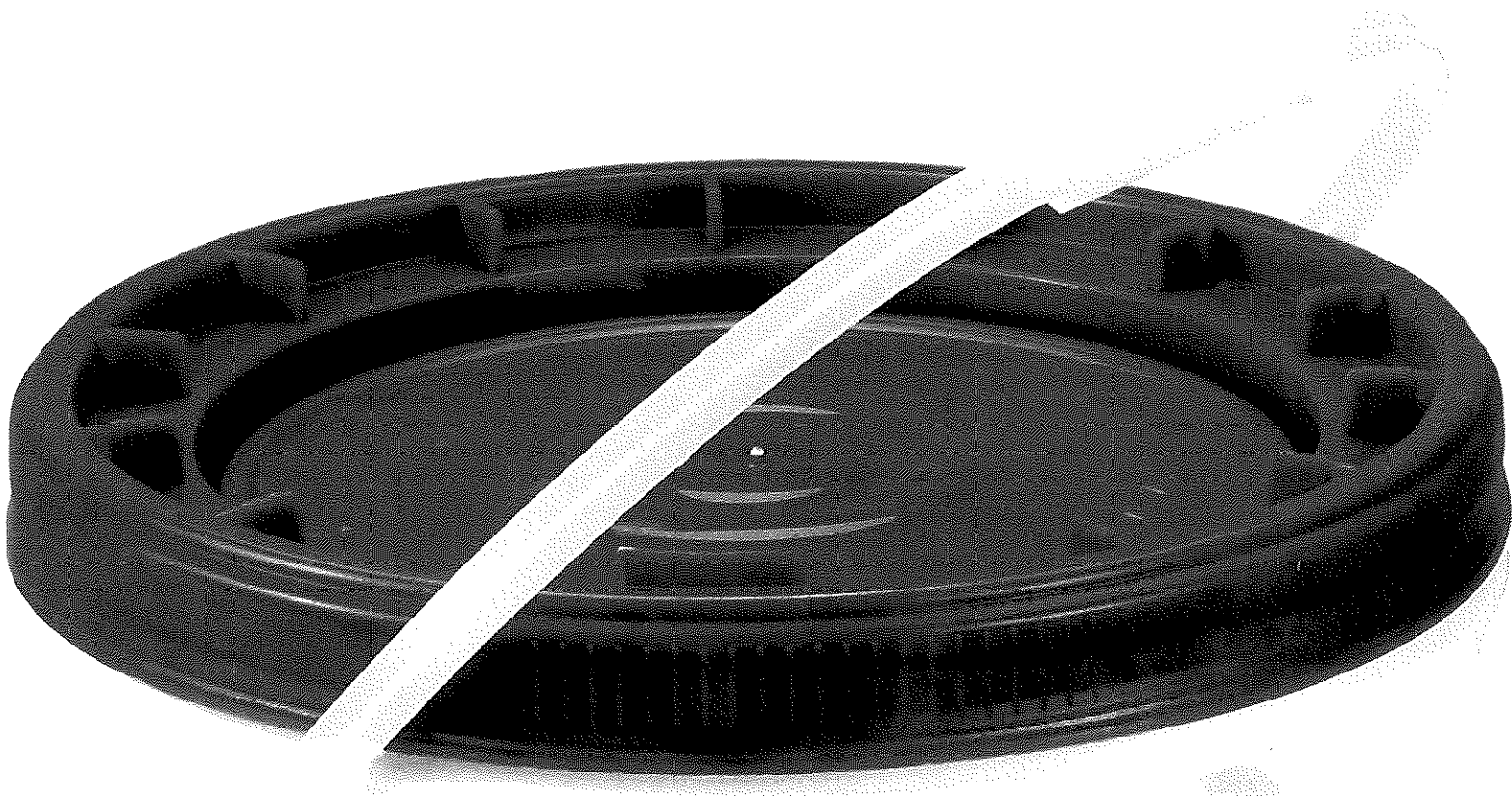
Budget Impact: The cost is \$107 for each container which is 3.5 gallons in size and holds up to 55lbs of dry cell batteries. This price includes the shipping cost to the recycling center when the container is full. We cannot predict the frequency of filling the container; however, we will publish this new initiative in the Gazette and on the Town's website.

Growth Impact: N/A

Staff Impact: A minimal effort to remove the shipping container when full will be required. This will be accomplished with existing staff.

Department Head

Town Manager



ORDER ONLINE TODAY!
WWW.LAMPRECYCLING.COM



EASYPAK
Recycling Made Easy

BATTERY RECYCLING CONTAINER

WWW.LAMPRECYCLING.COM

888.640.6700

Dry cell batteries include AA, AA, C, D, 9-volt, lantern and types such as mercury, nickel cadmium, magnesium, nickel metal hydride, alkaline, iron, zinc carbon and silver.



Recycling Made Easy

Air Cycle Corporation
 2200 Ogden Avenue, Suite 100
 Lisle, IL 60532
 Phone: (800)909-9709
 Fax: (866)909-6725
 sima@aircycle.com

QUOTE

Date	Quote #	Revision
01/31/2011	125198	A

Bill To:
 Surfside Town
 Bill Evans
 9293 Harding Ave
 Bal Harbour, FL 33154

Ship To:
 Surfside Town
 Bill Evans
 9293 Harding Ave
 Bal Harbour, FL 33154

PO #	Terms	Sales Rep	Ship Via	Comments
	Net 30 Days	SIMA	UPS GROUND	*Shipping will be pre-paid and added to invoice

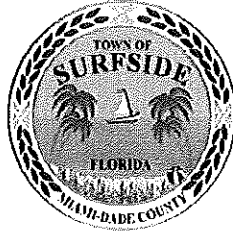
Item	Description	Qty	List	Actual	Discount	Extended
330-140	EasyPak Battery Recycling Container	5	107.00	107.00	0.00	535.00
	FREE shipping!		0.00			

Subtotal	535.00
Tax	0.00
Shipping*	TBD
Total	535.00

PLEASE NOTE OUR NEW ADDRESS

Thank You!

This quote is valid for 45 days – All parts included are covered by a one year limited warranty (filters excluded)



Town of Surfside Commission Communication

Agenda Item # 9G
Agenda Date: February 8, 2011
Subject: Budget High Level Direction

In January 18, 2011 Town Commission meeting, the Administration presented the Town Commission with a preliminary budget calendar for the Fiscal Year (FY) 2011/2012 budget. During the presentation and discussion the Town Commission expressed a keen interest in being more involved in the process at an early stage. The item presented provides the first of several opportunities for the Town Commission to provide input and direction to the Administration.

Two documents are provided to begin to shape budget discussion. The first contains a very preliminary projection of revenues and expenditures for each fund for the current year (FY 2010/11). Based on these early projections a tentative carryover amount has been identified for each of the Town's funds. Initial projections suggest that five of the Town's nine funds may end the current fiscal year with an excess of revenues over expenditures. They are:

- General Fund (\$239,587)
- Water and Sewer Fund (\$15,000)
- Municipal Parking Fund (\$215,000)
- Solid Waste Fund (\$10,700)
- Stormwater Fund (\$5,100)

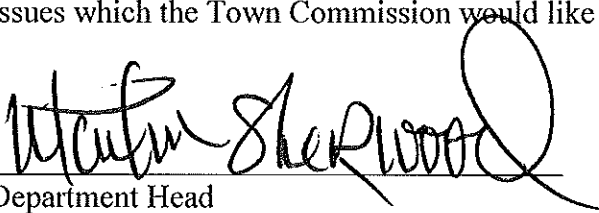
Should these very early projections for the current fiscal year prove true, the excess could be utilized to assist with funding service levels in the coming year (FY 2011/12), building reserves, initiating projects/services, reducing rates/taxes or a combination of all these outcomes.

Attachment 1 begins with these preliminary estimates of carry over for the current fiscal year, adds all likely revenues, and identifies likely expenditures for maintenance of current service levels for next year. The net effect of these resources and expenses is that three of the Town's nine funds are preliminarily projected to have greater expenditures than revenues to maintain existing service levels next fiscal year. The funds are:


- General Fund (\$338,135)
- Capital Projects Fund (\$278,000)
- Police Forfeiture Fund (\$20,000)

This is a manageable situation if we complete the current year conservatively, limit capital expenses next year and adjust the Forfeiture Fund to expend only the funds available. At the end of the day, it is far better to put these projections on the table when we start the budget process, then when you get a draft three or four months from now.

Some initial ideas for policy direction are provided in Attachment 2 regarding some of the issues which will be discussed during formation of the FY 2011/12 budget. Staff seeks the input of the Town Commission early in the process regarding these issues, and any additional issues which the Town Commission would like to direct Staff to consider.



Department Head



Town Manager

General Fund Preliminary Estimates – Fiscal Year 2011/2012

Fund Revenues

Fiscal Year 2010/2011 Carryover	\$239,587
Property Taxes (Rollback)	\$5,693,987
Non Ad-Valorem	\$3,118,197
Total Available Revenue	\$9,051,771

Fund Expenditures

Salary / Fringe	\$6,637,992
Operating	\$2,495,914
Capital Outlay and Projects	\$59,000
Transfers / Non-operating	\$197,000
Total Expenditures	\$9,389,906

Shortfall (Excess of Expenditures Over Revenues)	(\$338,135)
---	--------------------

Possible Sources to Address Shortfall

<i>Unassigned Reserves – [\$1,081,807]</i>	
<i>Increases to Revenues</i>	

Total Increases to Revenues	
------------------------------------	--

<i>Decreases to Expenditures</i>	
----------------------------------	--

Total Decreases to Expenditures	
--	--

Total Possible Modifications	
-------------------------------------	--

Difference (Shortfall to Possible Sources)	
---	--

Capital Projects Fund Preliminary Estimates – Fiscal Year 2011/2012

Fund Revenues

Fiscal Year 2010/2011 Carryover	\$0
Transfers from General Fund	\$150,000
Miscellaneous Revenues	\$0
Total Available Revenue	\$150,000

Fund Expenditures

Vehicle Replacement Program	\$58,000
Town-wide Software Replacement Project	\$295,000*(lease)
Technology Replacement Program (lease)	\$75,000
Total Expenditures	\$428,000

Shortfall (Excess of Expenditures Over Revenues)	(\$278,000)
---	--------------------

**Note: This number may be adjusted easily by deferring a portion of leasing the software*

Possible Sources to Address Shortfall

<i>Unassigned Reserves [\$561,000]</i>	
<i>Increases to Revenues</i>	
Total Increases to Revenues	
<i>Decreases to Expenditures</i>	
Total Decreases to Expenditures	
Total Possible Modifications	
Difference (Shortfall to Possible Sources)	

Tourist Bureau Fund Preliminary Conditions – Fiscal Year 2011/2012

Fund Revenues

Fiscal Year 2010/2011 Carryover	\$0
Tourist Tax Revenues	\$113,479
Miscellaneous Revenues	\$1,545
Total Available Revenue	\$115,024

Fund Expenditures

Salary / Fringe	\$17,066
Operating	\$97,958
Capital Outlay and Projects	\$0
Total Expenditures	\$115,024

Excess of Revenues over Expenditures	\$0
---	------------

Possible Additional Sources:

<i>Restricted Reserves [\$174,221]</i>	
<i>Increases to Revenues</i>	

Total Increases to Revenues	
<i>Decreases to Expenditures</i>	

Total Decreases to Expenditures	
--	--

Total Possible Modifications	
-------------------------------------	--

Difference (Shortfall to Possible Sources)	
---	--

Police Forfeiture Fund Preliminary Conditions – Fiscal Year 2011/2012

Fund Revenues

Fiscal Year 2010/2011 Carryover	\$0
Forfeitures	\$15,000
Miscellaneous Revenue	\$0
Total Available Revenue	\$15,000

Fund Expenditures

Salary / Fringe	\$15,000
Operating	\$20,000
Capital Outlay and Projects	\$0
Total Expenditures	\$35,000

Shortfall (Excess of Expenditures Over Revenues)	(\$20,000)
---	-------------------

Possible Sources to Address Shortfall

<i>Restricted Reserves [\$68,332]</i>	
<i>Increases to Revenues</i>	

Total Increases to Revenues	
------------------------------------	--

<i>Decreases to Expenditures</i>	
----------------------------------	--

Total Decreases to Expenditures	
--	--

Total Possible Modifications	
-------------------------------------	--

Difference (Shortfall to Possible Sources)	
---	--

Municipal Transportation Fund Preliminary Conditions – Fiscal Year 2011/2012

Fund Revenues

Fiscal Year 2010/2011 Carryover	\$0
CITT Funding	\$151,000
Miscellaneous Revenues	\$0
Total Available Revenue	\$151,000

Fund Expenditures

Salary / Fringe	\$0
Operating	\$91,850
Capital Outlay and Projects	\$0
Transfers / Non-operating	\$5,255
Total Expenditures	\$97,105

Excess of Revenues over Expenditures	\$53,895
---	-----------------

Possible Additional Sources:

<i>Restricted Reserves [\$408,316]</i>	
<i>Increases to Revenues</i>	
Total Increases to Revenues	

<i>Decreases to Expenditures</i>	
Total Decreases to Expenditures	

Total Possible Modifications	
-------------------------------------	--

Difference (Shortfall to Possible Sources)	
---	--

Water and Sewer Fund Preliminary Conditions – Fiscal Year 2011/2012

Fund Revenues

Fiscal Year 2010/2011 Carryover	\$15,000
Services Revenues	\$3,395,414
Miscellaneous Revenues	\$0
Total Available Revenue	\$3,410,414

Fund Expenditures (including debt service)

Salary / Fringe	\$305,258
Operating	\$2,609,794
Capital Outlay (not incl. rehab. project)	\$11,760
Transfers / Non-Operating	\$133,500
Total Expenditures	\$3,057,312

Excess of Revenues over Expenditures	\$353,102
---	------------------

Possible Additional Sources:

<i>Unrestricted Net Assets[\$367,287]</i>	
<i>Increases to Revenues</i>	

Total Increases to Revenues

Decreases to Expenditures

Total Decreases to Expenditures

Total Possible Modifications

Difference (Shortfall to Possible Sources)

Municipal Parking Fund Preliminary Conditions - Fiscal Year 2011/2012

Fund Revenues

Fiscal Year 2010/2011 Carryover	_____	\$215,000
Parking Revenues	_____	\$575,600
Miscellaneous Revenues	_____	\$0
Total Available Revenue	=====	\$790,600

Fund Expenditures

Salary / Fringe	_____	\$213,267
Operating	_____	\$197,014
Capital Outlay (not incl. Land Acquisition)	_____	\$0
Transfers / Non-Operating	_____	\$76,028
Total Expenditures	=====	\$486,309

Excess of Revenues over Expenditures	=====	\$304,291
---	-------	------------------

Possible Additional Sources:

<i>Unrestricted Net Assets[\$1,953,899]</i>	_____	
<i>Increases to Revenues</i>	_____	

Total Increases to Revenues

Decreases to Expenditures

Total Decreases to Expenditures

Total Possible Modifications

Difference (Shortfall to Possible Sources)

Solid Waste Fund Preliminary Conditions – Fiscal Year 2011/2012

Fund Revenues

Fiscal Year 2010/2011 Carryover	\$10,700
Garbage Service Collections	\$1,271,343
Miscellaneous Revenues	\$0
Total Available Revenue	\$1,282,043

Fund Expenditures

Salary / Fringe	\$488,185
Operating	\$579,831
Capital Outlay (not incl. Replacement Vehicles)	\$25,000
Transfers / Non-Operating	\$106,802
Total Expenditures	\$1,199,818

Excess of Revenues over Expenditures	\$82,225
---	-----------------

Possible Additional Sources:

<i>Unrestricted Net Assets[\$77,312]</i>	
<i>Increases to Revenues</i>	
Total Increases to Revenues	
<i>Decreases to Expenditures</i>	
Total Decreases to Expenditures	
Total Possible Modifications	
Difference (Shortfall to Possible Sources)	

Stormwater Fund Preliminary Conditions - Fiscal Year 2011/2012

Fund Revenues

Fiscal Year 2010/2011 Carryover	\$5,100
Stormwater Utility Fees	\$487,000
Miscellaneous Revenues	\$0
Total Available Revenue	\$492,100

Fund Expenditures (including debt service)

Salary / Fringe	\$72,201
Operating	\$81,668
Capital Outlay (not incl. Rehab. Project)	\$0
Transfers / Non-Operating	\$314,190
Total Expenditures	\$468,059

Excess of Revenues over Expenditures	\$24,041
---	-----------------

Possible Additional Sources:

<i>Unrestricted Net Assets [\$35,214]</i>	
<i>Increases to Revenues</i>	
Total Increases to Revenues	
<i>Decreases to Expenditures</i>	
Total Decreases to Expenditures	
Total Possible Modifications	
Difference (Shortfall to Possible Sources)	

Budget Development Issues by Department

General Concerns:

- Revenue Constraints from State
- Program Mandates
- Property Valuations
- Development of Commercial / Hotel Properties
- Insurance Rates

Town Attorney

- Costs of Litigation

Town Clerk's Office

- Minutes for Committees
- Codification update

Building Services Department

- Code Enforcement Program
 - Succession Plan for Code Enforcement Officer
 - Fees and charges and fines
 - Special Master
 - Levels of Enforcement
 - Areas of Enforcement

Human Resources

- Conversion of Salary Adjustments to Performance

Police Department

- Service level / response time
- Replacement of fleet – program
- Reopening Collective Bargaining: April 1, 2011
- Forfeiture Fund – cost/benefit ratio for special task force participation
- Red Light Program – revenues

Public Works

Beautification Programs

Use of CITT Surplus

Solid Waste Service Standards and Operational Processes / Solid Waste Study

Charges for Single Family/Multi-Family and Commercial Equity

Capital Improvement Projects:

- General Fund Allocation
- Downtown Visioning Process
- Impact Fees (Negotiated)

Water Rates / Sewage Rates/ Storm drainage fees

Costs for water purchases and sewage treatment

Parks Department

Full year Community Center operations

- Raising revenues / fee schedule / marketing use of facility
- Allowing non-resident use (fees)
- Concession Stand Revenue

Level of cleaning and maintenance of beach area

Tennis Center Discussion

Turf Replacement with Artificial Turf

Tourism Bureau

Auditing program

Sort term rental revenues

Parking Fund

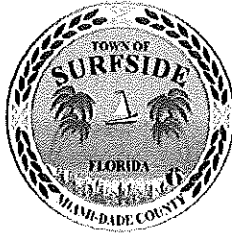
Parking Rate Increase

Increased Revenue from Multi-space Meters

Capital Program (Renovation and Land Acquisition)

Enforcement Revenues go to General Fund

Phase Down of Free Resident Parking



Town of Surfside Commission Communication

Agenda Item #: 9I

Agenda Date: February 8, 2011

Subject: Sustainable Initiatives

Objective: Provide a list of realistic, low cost sustainable initiatives that could be incorporated into Surfside's "green effort" for the commission to review and provide feedback on.


Background: Many municipalities in South Florida and around the country are taking action to become increasingly sustainable. Accordingly, Miami Dade recently released "GreenPrint", or the counties roadmap to become a more sustainable County. Many other municipalities have their own plans to become more "green". The attached memo is a summary of a sample of low-impact programs that will help increase the overall sustainability of the Town of Surfside.

Analysis: There are a wide range of options available to the Town to accomplish the goal of becoming more sustainable. However, many of these items are unrealistic for Surfside based on their cost or their scope. The attached memo provides a list of realistic alternatives for the Town.

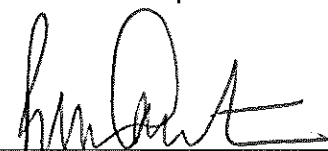
Budget Impact: The budget impact will vary depending on which solutions are chosen. Many of these alternatives can be implemented with no impact to the Town's budget.

Staff Impact: N/A

Recommendation: Each Commissioner should review the attached memo and indicate which initiatives they feel are appropriate for the Town. Once all initiatives are identified staff will provide a detailed memorandum on what it would take to implement each, including staff and budgetary impacts.



Department Head



Town Manager



Calvin, Giordano & Associates, Inc.
EXCEPTIONAL SOLUTIONS

Fort Lauderdale Office - 1800 Eller Drive, Suite 600, Fort Lauderdale, Florida 33316
Phone: 954.921.7781 • Fax: 954.921.8807
 Palm Beach Office - 560 Village Blvd, Suite 340, West Palm Beach, Florida 33409
Phone: 561.684.6161 • Fax: 561.684.6360

Memorandum

DATE: 01/18/11
TO: Roger Carlton, Town Manager
FROM: Shaun Bamforth, Project Manager
SUBJECT: Sustainable Initiatives
PROJECT: 06-5355
CC: Chris Giordano, CGA

Introduction

Miami Dade County recently released "GreenPrint" - their guide to a sustainable future. This plan suggests hundreds of sustainable initiatives that will reduce Green House Gasses (GHG), reduce water and energy usage, increase water and energy efficiency, develop future "green" leaders, and protect our environment. Many of these initiatives would be considered ambitious for Surfside, as they require a considerable investment, however there are a number of things the Town can do in the short term that are cost effective.

If the Town wishes to go further and be a frontrunner in the sustainable movement, a complete analysis of the Towns current policies and procedures would need to be undertaken. Furthermore, if the Town wishes to be recognized for their sustainability, there are rating systems through agencies such as the Florida Green Building Coalition that could potentially certify the Town of Surfside as a "Green Local Government".

The Town already has a number of sustainable programs either in place or in the planning stages. The Town already recycles. The Town is moving towards electronic utility billing that will cut down on the amount of paper used in that process. The implementation of a tiered water rate structure promotes efficiency in water use. These are all positive steps the Town has taken to becoming sustainable. This report will outline some additional low impact alternatives the Town should consider to become more "green". Some of these are initiatives that are presented in GreenPrint and others are methods commonly utilized by other South Florida municipalities in their pursuit to become a more sustainable community.

Sustainable Initiatives

Water Saver Program – A number of municipalities around the world are participating in water saver programs that aim to reduce the overall consumption of water by their residents and businesses. These programs vary widely in scope from educational programs for children and adults to rebate programs for residents to purchase low flow, dual flush toilets. Some of these programs are funded by local, national and private grants and if the Town is interested in pursuing a water saver program, a comprehensive search for grant funds should be undertaken. Below is a summary of some of the items commonly found in water saver programs.

- Support the South Florida Water Management District (SFWMD) residential water restrictions by actively fining residents for violating these restrictions. Fines should be set high enough to actively discourage residents from breaking the rules.
- Provide a self- Audit on the Web Site that residents can do for their home or business that will allow users to properly assess their current water usage and determine ways to reduce their consumption.
- Implement an educational component into community events and summer camps to teach children the importance of water conservation.
- Provide complete or partial rebates to residents for the purchase of a low flow toilet. This can also be accomplished by providing residents with replacement low-flow hardware for their toilets. These programs can reduce the water used by toilets by up to 75%.
- Provide rebates for upgrades to irrigation systems including the installation of wells, rain sensors and rain barrels.

Energy Saver Programs

- Provide residents with information on how to be more energy efficient. There is a vast amount of information that can be provided to residents about reducing electricity use through energy efficient appliances and light fixtures, by turning off lights and computers when leaving a room, by producing (or purchasing) “clean energy” produced by solar and other sustainable energy sources, and by educating residents on the importance on properly sealing your home, to name a few.
- Provide home energy audits to residents so they can analyze their current energy usage and determine ways to reduce their usage.
- Create a light fixture swap program where residents can exchange old fixture with more efficient ones. This also ensures that the old light bulbs are disposed of properly, eliminating potentially toxic waste from our landfills.

Promote use of Electric and Hybrid Vehicles.

- Electric Cars will be introduced to the South Florida Market in the next couple years, however without the infrastructure in place to recharge these vehicles this program will not be successful. The Town could provide electric car recharging stations in Town Lots to ensure it is doing its part to allow for this technology in this area. There is currently one company that will install the infrastructure and hardware for a charging station at no cost to

the entity providing the space. The Town would only need to dedicate one of its parking spaces for electric car recharging and all remaining costs would be picked up by the group offering this service.

Help Create the next generation of green leaders

- Implement sustainable education programs into Town programs and events. There are a number of ways to accomplish this goal however the easiest would be to develop partnerships with non-profit organizations that already provide this service. In many circumstances the Town could educate its youth at no cost by developing these relationships.
- Educate residents about the realities of global climate change.

Promote Sustainable Development within the Town

- Promote sustainable Development by offering incentives in the building code for developing a home or business so to achieve a certain level of sustainable certification. For example, provide a provision to relax certain setback requirements for any developments that achieve LEED silver or better.