



**Town of Surfside  
Town Commission Meeting  
AGENDA  
April 8, 2014  
7 p.m.**

Town Hall Commission Chambers - 9293 Harding Ave, 2<sup>nd</sup> 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. Presentation from Miami Dade County Commissioner Sally Heyman** – Michael P. Crotty, Town Manager
- H. Employee of the Quarter Award** – Joe Damien, Code Compliance Director – Michael P. Crotty, Town Manager
- I. Recognition of Legal Intern Vitaliy Usten** – Linda Miller, Town Attorney

**2. Quasi-Judicial Hearings (None)**

**3. Consent Agenda (*Set for approximately 7:30 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.

*\* 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.*

- A. Minutes – March 11, 2014 Regular Town Commission Meeting Page 1 - 11
- B. Budget to Actual Summary as of January 30, 2014 – Donald Nelson, Finance Director Page 12 - 16
- \*C. Town Manager’s Report – Michael P. Crotty, Town Manager Page 17 - 37
- \*D. Town Attorney’s Report – Linda Miller, Town Attorney Page 38 - 42
- \*E. Projects Progress Report – Calvin, Giordano and Associates, Inc. Page 43-45
- F. Committee Reports – Michael P. Crotty, Town Manager Page 46 - 53

- January 27, 2014 Downtown Vision Advisory Committee
- February 10, 2014 Parks and Recreation Committee Meeting Minutes

- G. Approval of Improvements to the Town Hall Unimproved Parking Lot – Michael P. Crotty, Town Manager Page 54 - 59

**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, AUTHORIZING THE IMPROVEMENT PROJECT FOR THE TOWN HALL SOUTHEAST UNIMPROVED PARKING LOT IN AN AMOUNT NOT TO EXCEED \$23,850; AUTHORIZING AN AMENDMENT TO THE 2013-2014 BUDGET AND APPROPRIATION OF \$23,850 TO ACCOUNT NO. 107-8500-541-6310 FOR THE UNIMPROVED SOUTHEAST PARKING LOT IMPROVEMENTS; PROVIDING AUTHORIZATION AND PROVIDING AN EFFECTIVE DATE.**

- H. Proposed Memorandum of Understanding for the Miami-Dade County New 700/800 MHz Regional Radio System – David Allen, Chief of Police Page 60 - 72

**A RESOLUTION OF THE TOWN OF SURFSIDE, FLORIDA ACKNOWLEDGING THE MEMORANDUM OF UNDERSTANDING BETWEEN THE TOWN OF SURFSIDE AND MIAMI-DADE COUNTY; AUTHORIZING THE TOWN MANAGER AND CHIEF OF POLICE TO EXECUTE AND IMPLEMENT THE TERMS AND CONDITIONS OF THE MOU; AND PROVIDING FOR AN EFFECTIVE DATE.**

- I. Central Everglades Planning Project Support– Mayor Daniel Dietch Page 73 - 84

**A RESOLUTION OF THE TOWN OF SURFSIDE, FLORIDA SUPPORTING CONSTRUCTION OF THE CENTRAL EVERGLADES PLANNING PROJECT; PROVIDING FOR AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE.**

**4. Ordinances**

*(Set for approximately N/A p.m.) (Note: Good and Welfare must begin at 8:15)*

**A. Second Readings (Ordinances and Public Hearing)**

*(Set for approximately 7:45 p.m.) (Note: Good and Welfare must begin at 8:15)*

**B. First Reading Ordinances**

**1. Dock Projection Ordinance – Sarah Sinatra, Town Planner Page 85 - 89**

**AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA AMENDING CHAPTER 90 “ZONING” OF THE CODE OF THE TOWN TO AMEND SECTION 90-57 “MARINE STRUCTURE” TO EXTEND THE LENGTH OF THE DOCK PROJECTION INTO BISCAYNE BAY AND TO PROVIDE FOR A COURTESY NOTIFICATION PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.**

**2. Ordinance Amending Section 66-7 “Disposal of grass cuttings and hedge trimmings.” – Joseph Kroll, Public Works Director Page 90 - 96**

**AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA AMENDING SECTION 66-7, “DISPOSAL OF GRASS CUTTINGS AND HEDGE TRIMMINGS” OF THE CODE OF ORDINANCES TO; PROVIDING FOR INCLUSION IN THE CODE BY; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.**

**5. Resolutions and Proclamations**

*(Set for approximately 9:00 p.m.) (Note: Depends upon length of Good and Welfare)*

- A. Certification of Municipal election Results – March 18, 2014 – Sandra Novoa, Town Clerk** Page 97 - 102

**RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA CERTIFYING AND DECLARING THE RESULTS OF THE TOWN OF SURFSIDE GENERAL MUNICIPAL ELECTION HELD ON MARCH 18, 2014 TOWN COMMISSION; AND PROVIDING FOR AN EFFECTIVE DATE.**

- B. Approval to Award Contract for the Tennis Center Hut Mitigation and Building Hardening – Joseph Kroll, Public Works Director** Page 103 - 114

**A RESOLUTION OF THE TOWN OF SURFSIDE, FLORIDA AUTHORIZING THE TOWN ADMINISTRATION TO RETAIN DECON ENVIRONMENTAL AND ENGINEERING, INC. TO PROVIDE MOLD REMEDIATION AND RESTORATION SERVICES FOR THE SURFSIDE TENNIS CENTER; AUTHORIZING THE TOWN MANAGER AND TOWN ATTORNEY TO EXECUTE AN AGREEMENT WITH DECON ENVIRONMENTAL AND ENGINEERING INC., BY PIGGYBACKING OFF OF A COMPETITELY BID AGREEMENT FOR THE SAME SERVICES AWARDED BY THE BROWARD COUNTY SCHOOL BOARD; AUTHORIZING THE AMENDMENT TO THE 2013/2014 BUDGET AND APPROPRIATION NOT TO EXCEED \$50,755 TO ACCOUNT 310-4400-572-3191; PROVIDING FOR AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE.**

**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**

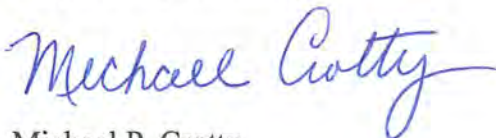


## 9. Mayor, Commission and Staff Communications

- A. **Initial Report on Development Impact Coordination** – David Allen Chief of Police Page 115 - 118
- B. **Presentation of Report: Parking Solution: The next Step** - Michael P. Crotty, Town Manager Page 119
- C. **Committee/Board Members Appointment** – Sandra Novoa, Town Clerk Page 120 -122
- D. **Town Attorney Expense Authority** – Commissioner Marta Olchyk Page 123
- E. **Recognition/Awards: Scheduled for 6:30pm?** – Michael P. Crotty, Town Manager Page 124
- F. **Community Center Expansion (Second Story)** – Michael P. Crotty, Town Manager Page 125
- G. **Miami Dade County League of Cities Director Designation (Verbal)**– Michael P. Crotty, Town Manager

## 10. Adjournment

Respectfully submitted,



Michael P. Crotty  
Town Manager

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THIS MEETING IS OPEN TO THE PUBLIC. IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT OF 1990, ALL PERSONS THAT ARE DISABLED; WHO NEED SPECIAL ACCOMMODATIONS TO PARTICIPATE IN THIS MEETING BECAUSE OF THAT DISABILITY SHOULD CONTACT THE OFFICE OF THE TOWN CLERK AT 305-861-4863 EXT. 226 NO LATER THAN FOUR DAYS PRIOR TO SUCH PROCEEDING.

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](http://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  
Town Commission Meeting  
MINUTES  
March 11, 2014  
7 p.m.**

Town Hall Commission Chambers - 9293 Harding Ave, 2<sup>nd</sup> Floor  
Surfside, FL 33154

**1. Opening**

**A. Call to Order**

Mayor Dietch called the meeting to order at 7:04 P.M

**B. Roll Call of Members**

Town Clerk Sandra Novoa called the roll with the following members present: Mayor Dietch, Vice Mayor Karukin, Commissioner Graubart, Commissioner Kligman and Commissioner Olchyk.

**C. Pledge of Allegiance**

Chief David Allen led the Pledge of Allegiance

**D. Mayor and Commission Remarks – Mayor Daniel Dietch**

Commissioner Graubart said it was his honor to have represented the Town of Surfside for the past four years as Vice Mayor and Commissioner. However, he expressed his disappointment with Mayor Dietch and the positions he has taken in not preserving the small town atmosphere he said he would when first elected. Commissioner Graubart also expressed his regrets that the Mayor is running unopposed.

Commissioner Kligman who will not be running again, was very emotional as she expressed what a privilege it was serving on the Commission and it was an honor representing the citizens of the town.

Commissioner Olchyk said she will very much miss both Commissioner Graubart and Commissioner Kligman. Commissioner Olchyk said she has asked them to reconsider and run again. Commissioner Olchyk thanked both Commissioners for their friendship and support.

Mayor Dietch said although they have not always agreed on some of the issues he expressed his appreciation to both Commissioner Graubart and Commissioner Kligman for their service.

Mayor Dietch indicated at the Awards Ceremony he forgot to thank the staff for their dedication and hard work.

**E. Agenda and Order of Business** Additions, deletions and linkages  
Items 4A4 and 5B were linked.

**F. Community Notes** – Mayor Daniel Dietch

Mayor Dietch announced the upcoming community events which can be found on the Town's website. The Mayor gave recognition to former elected officials in the audience. The Mayor gave updates on projects in progress and reminded that the meetings are live streaming.

Commissioner Graubart gave an update on the Tourist Board report.

**G. Proclamation to Officer Maryhelen McCarthy from Newtown, Connecticut** –  
Mayor Daniel Dietch

Mayor Dietch gave an overview of Surfside's donation of Ruth the Turtle to Newton and how much it meant to the Newton community in their healing process. He acknowledged Officer McCarthy of Newton and how she became associated with the Town of Surfside.. Mayor Dietch presented Officer McCarthy with a proclamation and thanked her for her connection to the town of Surfside. Officer McCarthy gave an emotional speech about her association with Surfside and the healing of Newton.

**H. Award for Bay Harbor Island K-8 Center PTA President Julia Magnani** –  
Commissioner Joe Graubart

Commissioner Graubart presented PTA President Julia Magnani with a plaque thanking her for her dedication to the community.

**I. Presentation: Brian Flynn from Miami Dade County on Beach Issues and 2015 Beach Nourishment** – Michael P. Crotty, Town Manager

Brian Flynn gave an update report and answered questions from the Commission.

**J. Presentation to Commissioner Graubart** – Mayor Daniel Dietch

Mayor Dietch presented Commissioner Graubart with a plaque for his dedication and service to the Town.

**K. Presentation to Commissioner Kligman** – Mayor Daniel Dietch

Mayor Dietch presented Commissioner Kligman with a plaque for her dedication and service to the Town.

Town Manager Crotty presented a special recognition to Commissioner Graubart and Commissioner Kligman.

**L. Special Presentation to Town Mayor, Vice Mayor and Commissioners \$1.00 Annual Salary** – Michael P. Crotty, Town Manager

Town Manager Crotty presented the Mayor, Vice Mayor and Commissioners each with their yearly salary of \$1.00.

**2. Quasi-Judicial Hearings (None)**

**Consent Agenda (Set for approximately 7:30 p.m.)**

Mayor Dietch pulled the following items:

- Item 10 Sidewalk Ordinance Implementation
- Item 13 95<sup>th</sup> Street End Project
- Item 14 Seawall Project
- Item 21 Town Hall and Tennis Hut Improvements
- Item 30 Forty Year Building Certification
- Item 37 Beach Management Agreement

Vice Mayor Karukin pulled the following items:

- Item 3D Canal Dock/Point Lake – Budget to Actual
- Item 3 Bus Service
- Item 34 Online Bill Pay
- Item 9 Downtown Vision Project

Commissioner Kligman made a motion to approve the consent agenda minus the pulled items. The motion received a second from Vice Mayor Karukin and all voted in favor.

Vice Mayor Karukin made a motion to accept the pulled items from the February 11, 2014 Commission Meeting. The motion received a second from Commissioner Kligman and all voted in favor.

**A. Minutes** – February 11, 2014 Regular Town Commission Meeting

**B. Budget to Actual Summary as of December 31, 2013** – Donald Nelson, Finance Director – Items pulled by Vice Mayor Karukin who asked for a report on where monies are coming from to support the item.

**\*C. Town Manager's Report** – Michael P. Crotty, Town Manager

Item 10 Sidewalk Ordinance Implementation - Mayor Dietch asked for status

Item 13 95<sup>th</sup> Street End Project –update given by Town Manager Crotty

Item 14 Seawall Project update given by Chris Giordano of CGA

Item 21 Town Hall and Tennis Hut Improvements - asked for date of completion and cost. Town Manager Crotty gave update.

Item 30 Forty Year Building Certification deferred by Mayor Dietch

Item 37 Beach Management Agreement – Tim Milian said the item is on hold and gave update

Item 3 Bus Service – Town Manager Crotty gave update

Item 34 Online Bill Pay – Vice Mayor Karukin thanked Finance Director Nelson for allowing people to now pay their bills online.

Item 9 Downtown Vision Project – Vice Mayor Karukin asked that as discussed at last meeting, a statement be added for consideration that TVAC and DVAC be combined into a single entity for operational efficiency.

At 11:28 p.m. Vice Mayor Karukin made a motion to extend the meeting 10 minutes. The motion received a second from Mayor Dietch. Voting to extend the meeting were Vice

Mayor Karukin and Mayor Dietch and opposing was Commissioner Graubart with Commissioner Kligman and Commissioner Olychk absent.

Vice Mayor Karukin made a motion to accept the pulled Items. The motion received a second from Commissioner Graubart and all voted in favor with Commissioner Olchyk and Commissioner Kligman absent.

**\*D. Town Attorney's Report** – Linda Miller, Town Attorney

**\*E. Projects Progress Report** – Calvin, Giordano and Associates, Inc.

**F. Committee Reports** – Michael P. Crotty, Town Manager

- **November 19, 2013 Pension Board Meeting Minutes**
- **January 13, 2014 Parks and Recreation Committee Meeting Minutes**
- **February 3, 2014 Tourist Board Meeting Minutes**
- **February 18, 2014 Charter Review Board Meeting Minutes**

**G. Supporting the Expansion of the School Nurse System** – Michael P. Crotty, Town Manager

**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA (“TOWN”) SUPPORTING THE EXPANSION OF THE SCHOOL NURSE SYSTEM IN THE TOWN OF SURFSIDE; JOINING THE TOWN OF BAY HARBOR ISLANDS, NORTH BAY VILLAGE, BAL HARBOUR VILLAGE AND THE CITY OF MIAMI BEACH IN FUNDING, NOT TO EXCEED \$3667.00 FROM THE FY BUDGET 2014-2015, A NURSE AND MEDICAL ASSISTANTS FOR RUTH K. BROAD K-8 CENTER, NORTH BEACH ELEMENTARY, AND TREASURE ISLAND ELEMENTARY; PROVIDING FOR AN EFFECTIVE DATE.**

Approved on consent

**H. Approval of Expenditure of Forfeiture Funds to Replace a Research Investigative Tool** – David Allen, Chief of Police

**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, PROVIDING FOR THE FISCAL YEAR 2013/2014 POLICE CONFISCATION FUND EXPENDITURE IN THE AMOUNT OF \$2,901.00 FROM THE FORFEITURE FUND TO REPLACE A RESEARCH INVESTIGATIVE TOOL; PROVIDING FOR AUTHORIZATION AND APPROVAL; PROVIDING FOR AN EFFECTIVE DATE.**

Approved on consent.

### 3. Ordinances

*(Set for approximately 7:45 p.m.) (Note: Good and Welfare must begin at 8:15)*

#### A. Second Readings (Ordinances and Public Hearing)

##### 1. Ordinance Amending Chapter 54 Prohibited and Restricted Noises – Commissioner Joe Graubart

**AN ORDINANCE OF THE TOWN OF SURFSIDE, FLORIDA AMENDING CHAPTER 54 “PROHIBITED NOISES”; SPECIFICALLY AMENDING SECTIONS 54-78 “PROHIBITED NOISES”, 54-79 “RESTRICTED NOISES—CLASSIFIED; ENUMERATED”; AND DELETING SECTIONS 54-80 “SAME—WHEN CONSIDERED ENCLOSED”, 54-81 “SAME—DIVISION OF YEAR INTO PERIODS FOR PURPOSE OF CONTROL”, 54-82 “SAME—WHEN PROHIBITED”, AND 54-83 “SAME—PROHIBITED NEAR HOTELS AND APARTMENTS DURING PERIOD NO. 1”, BY REVISING THE HOURS FOR CONTROLLING PROHIBITED AND RESTRICTED NOISES; PROVIDING FOR INCLUSION IN THE CODE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.**

Town Clerk Sandra Novoa read the title of the ordinance.

Building Official Rosendo Prieto presented the item to the Town Commission.

Commissioner Graubart indicated that the new ordinance is more in line with other communities. Vice Mayor Karukin had an issue with the restriction regarding when one could mow their lawn without being in violation as the ordinance would prohibit mowing of lawns on Sundays and federal holidays. He indicated that people who work would only have a Sunday or holiday to do so. Commissioner Graubart spoke in support of the ordinance and felt it would be nice to have quiet on these days.

Mayor Dietch opened the public hearing.

Public Speaker Randall King of Grand Beach Hotel spoke and said that this ordinance will be costly to the construction in progress.

No one else wishing to speak Mayor Dietch closed the public hearing.

Commissioner Graubart made a motion to accept. Vice Mayor Karukin made a friendly amendment to remove the language “and shall be prohibited on Sundays and federal holidays.” Commissioner Graubart did not accept the friendly amendment. The motion received a second from Commissioner Olchyk. The motion carried 4-1 with Vice Mayor Karukin voting in opposition.

**2. Planning and Zoning Board Membership – Linda Miller, Town Attorney**

**AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA AMENDING CHAPTER 90 “ZONING” SPECIFICALLY AMENDING SECTIONS 90-15 “MEMBERSHIP/QUORUM, MINIMUM QUALIFICATIONS, OFFICERS, TERMS OF OFFICERS, VACANCIES, GENERAL REGULATIONS, RECOMMENDATIONS, EXPENDITURES, INDEBTEDNESS”, 90-16 “MEETINGS: BOARD YEAR; TIMEFRAME; LOCATION”, 90-17 “POWERS AND DUTIES”, 90-18 “DESIGN REVIEW BOARD”, 90-19 “SINGLE-FAMILY AND TWO-FAMILY DEVELOPMENT REVIEW PROCESS”, 90-20 “DEVELOPMENT REVIEW REQUIREMENTS FOR SUBMITTALS OTHER THAN SINGLE-FAMILY AND TWO-FAMILY”, 90-23 “CONDITIONAL USES”, AND 90-70 “SIGN PERMITS”, ESTABLISHING THE DESIGN REVIEW BOARD AND RESPONSIBILITIES OF SUCH BOARD; CHANGING MEMBERSHIP REQUIREMENTS OF THE PLANNING AND ZONING BOARD; ALLOWING FOR AN APPEAL OF DESIGN REVIEW BOARD DECISION; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.**

Town Clerk Sandra Novoa read the title of the ordinance.

Town Planner Sarah Sinatra presented the item to the Town Commission.

Commissioner Graubart made a motion to accept for discussion purposes. The motion received a second from Commissioner Olchyk.

Commissioner Graubart questioned the hiring of outside architects and how much influence they may have. Both the Mayor and Town Planner Sinatra addressed Commissioner Graubart’s concerns to his satisfaction. Town Attorney Miller clarified some issues of concern.

Mayor Dietch opened the public hearing. No one wishing to speak, Mayor Dietch closed the public hearing.

Commissioner Graubart made a motion to approve. The motion received a second from Commissioner Olchyk. The motion carried 5-0.

**3. Electric Vehicle Car Charging Station – Sarah Sinatra, Town Planner**

**AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA AMENDING CHAPTER 90 “ZONING”, AND SPECIFICALLY AMENDING SECTION 90.2 “DEFINITIONS”; SECTION 90-41 “REGULATED USES”; SECTION 90-71.2 “H30C, H40, MU AND H120 DISTRICTS”; AND SECTION 90-77 “OFF-STREET PARKING REQUIREMENTS”; TO ALLOW FOR THE**



**INSTALLATION OF ELECTRIC VEHICLE CAR CHARGING STATIONS; PROVIDING FOR INCLUSION IN THE CODE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.**

Town Clerk Sandra Novoa read the title of the ordinance.

Town Planner Sarah Sinatra presented the item to the Town Commission.

Commissioner Kligman made a motion for discussion purposes only. The motion received a second from Commissioner Graubart.

Commissioner Kligman indicated that as written the charging station has to be completely concealed inside a garage. Her concern was for those homes that do not have a garage and it was suggested that the language be changed to provide landscaping or such to conceal the wires for those without garages.

Commissioner Graubart asked if older multi-family residences would be required to have an electric charging station. Commissioner Olchyk asked who pays for the electricity when a charging station is used. Vice Mayor Karukin had questions regarding parking spaces as there is a shortage of parking spaces in the town.

Mayor Dietch opened the public hearing. No one wishing to speak, Mayor Dietch closed the public hearing.

Town Planner Sinatra made a friendly amendment that (1) all new multi-family dwellings of 20+ should provide access for a 220 volt station and (2) wall mounted in private homes be concealed from view such as landscaping or other materials.

Commissioner Kligman accepted the amendment and made a motion to approve. The motion received a second from Commissioner Olchyk. The motion carried 5-0.

**4. Amendments to the Chapter 70 Article IV “Resort Tax” Ordinance –  
Duncan Tavares, TEDACS Director {LINKED TO ITEM 5B}  
**Amended Item****

**AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA AMENDING CHAPTER 70 “TAXATION” AND SPECIFICALLY AMENDING SECTIONS 70-109 “IMPOSITION; AMOUNT”, SECTION 70-124 “COMPOSITION; APPOINTMENT; VACANCIES; COMPENSATION; REMOVAL FROM OFFICE, ETC.”, SECTION 70-125 “ORGANIZATION”, SECTION 70-126 “POWER AND DUTIES”, AND CREATING SECTION 70-128 “BUDGET AND EXPENDITURE OF FUNDS” 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.**

Town Clerk Sandra Novoa read the title of the ordinance. Duncan Tavares, TEDACS Director presented the item to the Town Commission.

Commissioner Olchyk made a motion to accept and the motion received a second from Commissioner Graubart.

Vice Mayor Karukin indicated that the amended ordinance was received last night and there was no chance to review it. Mr. Tavares said the changes were minimal and explained the amended text. Commissioner Kligman also was not comfortable with the changes. There was some discussion regarding the proposed Board. The Commission had issues with some of the language of the ordinance.

Mayor Dietch opened the public hearing.

Tourist Board Vice Chair Barbara Cohen spoke on the item.

No one else wishing to speak, Mayor Dietch closed the public hearing.

Commissioner Olchyk withdrew the motion to accept and referred it back to the new Tourist Board. The motion received a second from Commissioner Graubart.

Vice Mayor Karukin made a motion to defer the item. The motion received a second from Commissioner Kligman. Motion to defer carried 4-1 with Mayor Dietch voting in opposition.

*(Set for approximately 7:45 p.m.) (Note: Good and Welfare must begin at 8:15)*

**B. First Reading Ordinances**

**5. Resolutions and Proclamations**

*(Set for approximately 9:00 p.m.) (Note: Depends upon length of Good and Welfare)*

**A. Harding Avenue Improvement District (BID): Resolution Establishing A Special Assessment District – Duncan Tavares, TEDACS Director**

**A RESOLUTION OF THE TOWN OF SURFSIDE, FLORIDA, WITH ATTACHMENT(S), ESTABLISHING A SPECIAL ASSESSMENT DISTRICT AREA TO BE KNOWN AS THE SURFSIDE BUSINESS IMPROVEMENT DISTRICT (“BID”) AND AUTHORIZING THE LEVY AND COLLECTION OF A SPECIAL ASSESSMENT FOR A PERIOD OF FIVE (5) YEARS SUBJECT TO THE APPROVAL OF A**

**MAJORITY OF AFFECTED PROPERTY OWNERS; PROVIDING FOR THE NATURE AND ESTIMATE OF BENEFITS TO BE PROVIDED; PROVIDING DETAILS OF ASSESSMENT PROCEDURES, PAYMENTS, AND STATUTORY LIENS; PROVIDING FOR PUBLICATION OF LEGAL NOTICE, AUTHORIZING AND DIRECTING THE TOWN MANAGER, TOWN CLERK, AND ALL OTHER NECESSARY TOWN OF SURFSIDE STAFF, AFTER CONSULTATION WITH THE TOWN ATTORNEY, TO UNDERTAKE ALL NECESSARY ACTIONS AND PROCEDURES TO ACCOMPLISH THE PURPOSE SET FORTH IN THIS RESOLUTION IN ACCORDANCE WITH CHAPTER 170, FLORIDA STATUTES; PROVIDING FOR AUTHORIZATION; AND PROVIDING AN EFFECTIVE DATE.**

Duncan Tavares explained the item.

Commissioner Kligman made a motion to approve. The motion received a second from Commissioner Olchyk.

Vice Mayor Karukin had some questions, which Mr. Tavares was able to answer satisfactorily.

A vote was taken and the motion carried 5-0 with all voting in favor.

- B. **Amendment to the Chapter 70 Article IV “Resort Tax”** – Duncan Tavares, TEDACS Director *{LINKED TO ITEM 4A4}* **Amended Item**

**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, ADOPTING THE RESORT TAX BOARD CONFLICT OF INTEREST AND ETHICS POLICY AND OPERATING PROCEDURES; PROVIDING FOR POLICIES, PRINCIPLES, STANDARDS OF CONDUCT, AND OPERATING PROCEDURES; PROVIDING FOR AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE.**

Vice Mayor Karukin made a motion to defer item 5B linked to 4A4. The motion received a second from Commissioner Kligman. The motion carried 4-1 with Mayor Dietch voting in opposition.

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

Mayor Dietch opened Good and Welfare

Public Speaker Eli Tourgeman spoke and said he very much appreciated the service of Commissioner Kligman and the incredible support she has given the Business District. Mr. Tourgeman said he was deeply sorry that Commissioner Kligman is not seeking to run again and will miss her. He also thanked Commissioner Graubart for his dedication and service to the community.

No one else wishing to speak the Mayor closed Good and Welfare.

**7. Town Manager and Town Attorney Reports**

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

**8. Unfinished Business and New Business**

**9. Mayor, Commission and Staff Communications**

**A. Final Report of the Charter Review Board** – Linda Miller, Town Attorney  
[TIME CERTAIN 7:45PM]

Chair Lou Cohen presented the item to the Town Commission and introduced outside Counsel Jean Olin to speak on the item. Chair Cohen thanked staff for all their help especially Town Clerk Sandra Novoa and Town Attorney Linda Miller. Counsel Olin gave an overview of the report.

Commissioner Kligman made a motion to accept the report of the Charter Review Board. The motion received a second from Commissioner Graubart and all voted in favor.

**B. Infrastructure Rehabilitation Project – Close Out Update** – Michael P. Crotty, Town Manager

Chris Giordano from CGA provided a report on the item. Commissioner Olchyk thanked CGA for saving the town money.

**C. Status Report on Code Compliance Fines** – Joe Damian, Code Compliance Director

Town Manager Crotty said the item will be reported back in April.

**D. Report on Canal/Dock/Point Lake Issue** – Michael P. Crotty, Town Manager

Town Manager Crotty said the item will be reported back in April.

**E. Town Manager's Evaluation** – Mayor Daniel Dietch

Commissioner Olchyk thanked Town Manager Crotty for all his work and said she was very happy working with him. Commissioner Graubart also expressed he was pleased with Mr. Crotty and indicated all his past and present positive evaluations. Commissioner Graubart made a motion that Mr. Crotty be given a one-time bonus, non pensionable, in the amount of \$7,500. The motion received a second from Commissioner Olchyk. Mayor Dietch expressed some of his concerns and is not supportive of a bonus. The motion carried 4-1 with Mayor Dietch voting in opposition.

At 10:59 p.m. Vice Mayor Karukin made a motion to extend the meeting 30 minutes. The motion received a second from Commissioner Graubart. The motion passed 3-2 with Commissioner Kligman and Commissioner Olychk voting in opposition.

**F. Stop Sign and Crosswalks Plan along Collins and Harding Avenue (Verbal)** – David Allen, Chief of Police

**G. Smoking Ban for “Municipal Use” Property** – Commissioner Joe Graubart  
Commissioner Graubart on the issue and would like the Town to consider.

**H. Bus Service Update** – Michael P. Crotty, Town Manager  
Town Manager Michael P. Crotty provided an update on the bus service.

**I. Miami Dade County League of Cities Director Designation (Verbal)**– Mayor  
Daniel Dietch - Appointment will be made next month

**J. Sight Line Triangle Compliance** – Mayor Daniel Dietch  
Vice Mayor Karukin indicated there have been over 125 meetings on the books  
regarding this issue and said increasing the hedge height to 48 inches may solve  
the problem. There have been problems in scheduling a special meeting.  
Vice Mayor Karukin made a motion to put it on the agenda at the May 2014  
Commission Meeting. The motion received a second from Commissioner  
Kligman and all voted in favor.

**K. Residential Solid Waste Set Out Compliance** – Mayor Daniel Dietch  
Commissioner Graubart spoke on the issue. Public Works Director Joseph Kroll  
also spoke on the item.

Commissioner Olychk left the meeting at 11:15 p.m.

Commissioner Kligman left the meeting at 11:22 p.m.

## 10. Adjournment

There being no further business to come before the Commission, the meeting adjourned  
at 11:39 p.m.

Accepted this \_\_\_\_\_ day of \_\_\_\_\_, 2014

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

Attest:

\_\_\_\_\_  
Sandra Novoa, CMC  
Town Clerk

**TOWN OF SURFSIDE, FLORIDA**  
**MONTHLY BUDGET TO ACTUAL SUMMARY**  
**FISCAL YEAR 2013/2014**  
**January 31, 2014**

AS OF

33% OF YEAR EXPIRED (BENCHMARK)

Agenda Item #

Page

1 of 3

Agenda Date: April 8, 2014

GOVERNMENTAL FUNDS	ACTUAL	ANNUAL BUDGETED	% BUDGET
<b>GENERAL FUND</b>			
REVENUE	\$ 6,302,480	\$12,197,616	52%
EXPENDITURES	3,570,287	\$12,197,616	29%
Net Change in Fund Balance	2,732,193		
Fund Balance-September 30, 2013 (unaudited)	5,304,042 <b>A</b>		
Fund Balance-January 31, 2014 (Reserves)	<u>\$ 8,036,235</u>		
<b>RESORT TAX (TEDAC SHARE)</b>			
REVENUE	\$ 49,116 <b>B</b>	\$287,471	17%
EXPENDITURES	104,753	\$287,471	36%
Net Change in Fund Balance	(55,637)		
Fund Balance-September 30, 2013 (unaudited)	94,497		
Fund Balance-January 31, 2014 (Reserves)	<u>\$ 38,860</u>		
<b>POLICE FORFEITURE/CONFISCATION</b>			
REVENUE	\$ 11,588	\$46,000	25%
EXPENDITURES	23,174	\$46,000	50%
Net Change in Fund Balance	\$ (11,586)		
Fund Balance-September 30, 2013 (unaudited)	138,143		
Fund Balance-January 31, 2014 (Reserves)	<u>\$ 126,557</u>		
<b>TRANSPORTATION SURTAX</b>			
REVENUE	\$ 286,857	\$196,916	146%
EXPENDITURES	45,972	\$196,916	23%
Net Change in Fund Balance	240,885		
Fund Balance-September 30, 2013 (unaudited)	131,475		
Fund Balance-January 31, 2014 (Reserves)	<u>\$ 372,360</u>		
<b>CAPITAL PROJECTS</b>			
REVENUE	\$ 247,549	\$1,054,770	23%
EXPENDITURES	1,102,450	\$1,054,770	105%
Net Change in Fund Balance	(854,901)		
Fund Balance-September 30, 2013 (unaudited)	255,263		
Fund Balance-January 31, 2014 (Reserves)	<u>\$ (599,638)</u>		

**NOTES:**

\* Many revenues are received in subsequent months (timing difference) and are recorded on a cash basis in the month received.

**A.** Includes \$2,000,000 available for hurricane/emergencies. The balance of \$3,304,042 is unassigned fund balance (reserves).

**B.** Resort Tax Revenues for January 2014 are received in February 2014, the (Total collected through January 2014 is \$122,470) (\$49,116 is for TEDAC and \$73,354 is the General Fund).

ENTERPRISE FUNDS	ACTUAL	ANNUAL BUDGETED	% BUDGET
<b>WATER &amp; SEWER</b>			
REVENUE	\$ 917,814	\$3,190,000	29%
EXPENDITURES	830,270	\$3,190,000	26%
Change in Net Assets	87,544		
Unrestricted Net Assets-September 30, 2013 (unaudited)	(5,912,477) C1		
Restricted Net Assets	1,911,920 C2		
Capital Project Expenses to date for Water & Sewer	(99,796)	\$0	
Unrestricted Net Assets-January 31, 2014 (Reserves)	<u>\$ (4,012,809) C</u>		
<b>MUNICIPAL PARKING</b>			
REVENUE	\$ 335,661	\$1,052,185	32%
EXPENDITURES	295,143	\$972,185	30%
Change in Net Assets	40,518		
Unrestricted Net Assets-September 30, 2013 (unaudited)	1,066,574		
Capital Project Expenses to date for Municipal Parking	-	\$80,000	94%
Unrestricted Net Assets-January 31, 2014 (Reserves)	<u>\$ 1,107,092</u>		
<b>SOLID WASTE</b>			
REVENUE	\$ 659,620	\$1,336,241	49%
EXPENDITURES	430,909	\$1,336,241	32%
Change in Net Assets	228,711		
Unrestricted Net Assets-September 30, 2013 (unaudited)	227,274		
Unrestricted Net Assets-January 31, 2014 (Reserves)	<u>\$ 455,985</u>		
<b>STORMWATER</b>			
REVENUE	\$ 165,437	\$505,000	33%
EXPENDITURES	158,469	\$505,000	31%
Change in Net Assets	6,968		
Unrestricted Net Assets-September 30, 2013 (unaudited)	2,520,513		
Restricted Net Assets	347,140 C3		
Capital Project Expenses to date for Storm Water	(30,808)	\$0	
Unrestricted Net Assets-January 31, 2014 (Reserves)	<u>\$ 2,843,813</u>		

**NOTES:(con't)**

C. The reserves balance of (\$4,012,809) is the result of a change in current net assets as of January 2014 of \$87,544, net assets as of September 30, 2013 of (\$5,912,477), plus Restricted Net Assets of \$1,911,920, less Capital Project expenses of \$99,796 paid through January 2014 on the Utility Project.

C1. The Unrestricted Net Assets as of September 30, 2013 (Unaudited) of (\$5,912,477) is the result of the timing of the receipts of the State Revolving Loan of \$9,310,000, and payments for the water/sewer and stormwater project.

C2. The Restricted Net Assets of \$1,911,920 includes \$1,017,776 for renewal and replacement, \$243,000 for State Revolving Loan reserves and \$651,144 for rate stabilization.

C3. The Restricted Net Assets of \$347,140 includes \$266,140 for renewal and replacement, \$81,000 for State Revolving Loan reserves.

  
Donald G. Nelson, Finance Director

  
Michael P. Crotty, Town Manager

\*\*ATTACHMENT

**Town of Surfside**  
**Fund Balance (Reserves)**  
**January 31, 2014**

FUND	9/30/2011	9/30/2012	9/30/2013	1/31/2014
General	\$ 4,256,315	\$ 5,266,374	\$ 5,304,042	\$ 8,036,235
Resort Tax	184,867	171,496	94,497	38,860
Police Forfeiture	117,889	122,272	136,143	126,557
Transportation Surtax	239,760	122,302	131,475	372,360
Capital	399,754	132,783	255,263	(599,638)
Water & Sewer	2,692,379	(1,931,707)	(5,912,477)	(4,012,809)
Parking	1,385,581	1,258,325	1,066,574	1,107,092
Solid Waste	207,462	228,437	227,274	455,985
Stormwater	342,240	104,651	2,520,513	2,843,813
<b>Total</b>	<b>\$ 15,301,180</b>	<b>\$ 9,300,237</b>	<b>\$ 3,825,304</b>	<b>\$ 8,368,455</b>

**TOWN OF SURFSIDE, FLORIDA**

**STATEMENT OF REVENUES, EXPENSES AND CHANGES IN NET POSITION  
PROPRIETARY FUNDS**

**FOR THE FISCAL YEAR ENDED SEPTEMBER 30, 2013**

	Business-type Activities - Enterprise Funds				Totals
	Water and Sewer	Municipal Parking	Sanitation	Stormwater Utility	
<b>Operating Revenues</b>					
Charges for services:					
Water sales	\$ 1,348,490	\$ --	\$ --	\$ --	\$ 1,348,490
Sewer charges	1,278,483	--	--	--	1,278,483
Parking fees	--	1,056,467	--	--	1,056,467
Solid waste fees	--	--	1,125,947	--	1,125,947
Recycling fees	--	--	85,151	--	85,151
Drainage fees	--	--	--	499,705	499,705
Miscellaneous	5,073	--	27,844	--	32,917
<b>Total Operating Revenues</b>	<u>2,632,046</u>	<u>1,056,467</u>	<u>1,238,942</u>	<u>499,705</u>	<u>5,427,160</u>
<b>Operating Expenses</b>					
Personal services	279,292	369,214	579,253	67,348	1,295,107
Administrative	50,783	431,712	134,515	50,199	667,209
Water system	483,868	--	--	--	483,868
Sewer system	971,156	--	--	--	971,156
Solid waste system	--	--	400,285	--	400,285
Depreciation and amortization	3,162	87,576	17,627	13,496	121,861
<b>Total Operating Expenses</b>	<u>1,788,261</u>	<u>888,502</u>	<u>1,131,680</u>	<u>131,043</u>	<u>3,939,486</u>
<b>Operating Income</b>	<u>843,785</u>	<u>167,965</u>	<u>107,262</u>	<u>368,662</u>	<u>1,487,674</u>
<b>Nonoperating Revenues (Expenses)</b>					
FDEP grant	--	--	--	986,000	986,000
Interest earnings	2,605	--	--	265	2,870
Interest expenses	--	--	--	(57)	(57)
Principal	--	--	--	--	--
Issuance costs	(66,007)	--	--	(13,955)	(79,962)
<b>Total Nonoperating Revenues (Expenses)</b>	<u>(142,895)</u>	<u>--</u>	<u>--</u>	<u>945,755</u>	<u>802,860</u>
<b>Income Before Capital</b>					
Contributions and Transfers	700,890	167,965	107,262	1,314,417	2,290,534
Capital contributions	100,000	-	-	-	100,000
Transfers in	-	-	-	-	-
Transfers out	(64,554)	(147,272)	(112,193)	(78,259)	(402,278)
<b>Total Contributions and Transfers</b>	<u>35,446</u>	<u>(147,272)</u>	<u>(112,193)</u>	<u>(78,259)</u>	<u>(302,278)</u>
<b>Change in Net Position</b>	736,336	20,693	(4,931)	1,236,158	1,988,256
<b>Net Position - Beginning</b>	<u>5,657,827</u>	<u>3,325,301</u>	<u>297,973</u>	<u>1,618,269</u>	<u>10,899,370</u>
<b>Net Position - Ending</b>	<u>\$ 6,394,163</u>	<u>\$ 3,345,994</u>	<u>\$ 293,042</u>	<u>\$ 2,854,427</u>	<u>\$ 12,887,626</u>

*The accompanying notes are an integral part of these financial statements.*



**TOWN OF SURFSIDE, FLORIDA**

**STATEMENT OF NET POSITION  
PROPRIETARY FUNDS**

**SEPTEMBER 30, 2013**

	Business-type Activities - Enterprise Funds				Totals
	Water and Sewer	Municipal Parking	Sanitation	Stormwater Utility	
<b>Assets</b>					
<b>Current Assets</b>					
Cash and cash equivalents	\$ 38,012	\$ 189,725	\$ 271,463	\$ --	\$ 499,200
Accounts receivable, net	647,746	15,661	87,610	96,705	847,722
Due from other funds	--	916,291	--	2,860,408	3,776,699
Prepaid items	17,180	2,950	6,575	885	27,590
<b>Total Current Assets</b>	<u>702,938</u>	<u>1,124,627</u>	<u>365,648</u>	<u>2,957,998</u>	<u>5,151,211</u>
<b>Noncurrent Assets</b>					
Investments	5,873	--	--	--	5,873
Restricted cash and cash equivalents	1,906,402	--	--	1,526,621	3,433,023
<b>Capital Assets</b>					
Construction in progress	22,346,507	--	--	2,936,375	25,282,882
Land	--	1,358,011	--	--	1,358,011
Infrastructure	1,273,252	1,427,934	--	267,828	2,969,014
Equipment	157,215	468,019	378,200	--	1,003,434
	23,776,974	3,253,964	378,200	3,204,203	30,613,341
Less: accumulated depreciation	(1,299,278)	(894,544)	(312,432)	(100,278)	(2,606,532)
<b>Total Capital Assets, Net</b>	<u>22,477,696</u>	<u>2,359,420</u>	<u>65,768</u>	<u>3,103,925</u>	<u>28,006,809</u>
<b>Total Noncurrent Assets</b>	<u>24,389,971</u>	<u>2,359,420</u>	<u>65,768</u>	<u>4,630,546</u>	<u>31,445,705</u>
<b>Total Assets</b>	<u>25,092,909</u>	<u>3,484,047</u>	<u>431,416</u>	<u>7,588,544</u>	<u>36,596,916</u>
<b>Liabilities</b>					
<b>Current Liabilities</b>					
Accounts payable	407,449	29,678	28,006	23,365	488,498
Accrued liabilities	50,857	10,604	17,980	2,848	82,289
Due to other funds	3,776,699	--	--	--	3,776,699
Due to other governments	69,838	--	--	--	69,838
Interest payable	183,502	--	--	61,167	244,669
Retainage payable	355,474	--	--	36,485	391,959
Current portion note payable	--	80,000	--	--	80,000
Current portion of revenue bonds payable	410,055	--	--	136,685	546,740
Current portion of state revolving loan payable	158,987	--	--	52,996	211,983
Compensated absences	2,101	727	6,791	39	9,658
<del>Payable from restricted assets</del>	--	--	--	--	--
Customer deposits	169,825	--	--	--	169,825
<b>Total Current Liabilities</b>	<u>5,584,787</u>	<u>121,009</u>	<u>52,777</u>	<u>313,585</u>	<u>6,072,158</u>
<b>Noncurrent Liabilities</b>					
Net OPEB obligation	11,341	3,636	15,864	2,573	33,414
Compensated absences	18,917	6,548	61,122	353	86,940
<del>Note payable</del>	--	--	--	--	--
Revenue bonds payable	7,781,967	--	--	2,656,641	10,438,608
State revolving loan payable	5,282,895	--	--	1,760,965	7,043,860
<b>Total Noncurrent Liabilities</b>	<u>13,095,120</u>	<u>10,184</u>	<u>76,986</u>	<u>4,420,532</u>	<u>17,602,822</u>
<b>Total Liabilities</b>	<u>18,679,907</u>	<u>131,193</u>	<u>129,763</u>	<u>4,734,117</u>	<u>23,674,980</u>
<b>Deferred Outflows</b>					
Unearned revenue	18,839	6,860	8,611	--	34,310
<b>Net Position</b>					
Net investment in capital assets	10,394,720	2,279,420	65,768	(13,226)	12,726,682
Restricted for renewal and replacement	1,017,776	--	--	266,140	1,283,916
Restricted for loan reserve	240,000	--	--	81,000	321,000
Unrestricted	(5,258,333)	1,066,574	227,274	2,520,513	(1,443,972)
<b>Total Net Position</b>	<u>\$ 6,394,163</u>	<u>\$ 3,345,994</u>	<u>\$ 293,042</u>	<u>\$ 2,854,427</u>	<u>\$ 12,887,626</u>

*The accompanying notes are an integral part of these financial statements.*



## **Town of Surfside**

Town Hall Commission Chambers - 9293 Harding Ave, 2<sup>nd</sup> Fl  
Surfside, FL 33154

### **TOWN MANAGER'S REPORT APRIL 2014**

#### **COMMUNITY PROGRAMS/INITIATIVES/ENHANCEMENTS**

##### **1. Sister Cities**

The concept of Surfside entering into Sister City relationships with other towns/cities was first discussed within the Administration due to the success of such programs in Surfside's neighboring communities of Miami Beach and Sunny Isles Beach. The idea was recently proposed at the August, 2013 Town Commission meeting by resident Peter Neville as an initiative the Tourist Board might consider given the advent of the revitalization of the Town's tourism economy. Becoming a Sister City (or Town Twinning) creates a broad-based relationship and partnership between two communities nationally or internationally. Traditionally this relationship requires a cooperative agreement between the two towns that often promotes cultural and commercial ties. Possible programs could be established with communities such as Newtown, CT, given the established relationship created by the gift of Ruth the Turtle, with those that have an historical tourism connection (i.e. Canada), as well as with towns based on the heritage of Surfside's population (e.g. those in Israel, Latin and South America) or with those communities that are vested in turtle conservation. The Tourist Board endorsed the idea at their October 7, 2013 meeting but feels that it should be a collaborative effort with the Town Commission. At the January 6, 2014 Tourist Board meeting, the Board unanimously endorsed recommending Newtown, CT as the first Surfside sister city to the Town Commission. The Tourist Board met with members of the Town Commission at the regular monthly Tourist Board meeting on February 3, 2014.

A recommendation on the details of a Sister Cities program for the Town will be vetted by the Tourist Board over the next couple of months and will be provided to the Town Commission as part of the FY 14/15 budgetary review process. Find more information at: <http://sister-cities.org>.

##### **2. Bullying Program**

Anti-bully events along with staff and community training will be an ongoing process per the Town Resolution adopted in February, 2013. Item completed.

##### **3. Bus Service**

Following the Town Manager and TEDACS Director meeting with the Jewish Community Services (JCS) team on May 30, 2013 regarding transportation options and related costs, JCS staff prepared a

bus proposal. This information was presented to the Town Commission in the FY 13/14 budget process. A subsequent meeting on June 24, 2013 explored further partnership options to mutually benefit Town residents and JCS clients. A Program Modification addressing transportation to Mount Sinai in conjunction with JCS was included in the proposed FY 13/14 budget. Following budget adoption, the Town Manager met with JCS on a proposal that would address the request for a Mount Sinai route and also provide additional services to the Town's seniors through the Surf/Bal/Bay Club. In late November, the Town was notified that JCS has made a financial decision to close the Surf/Bal/Bay Club.

Recently, general discussions have been held to address bus service in the 33154 zip code. These discussions have identified an interest on part of the communities to pursue opportunities to improve bus service and to do so more economically. On March 3, a meeting with Bal Harbour was held to discuss a number of issues including bus service.

Each of these communities provides bus service for its residents using Citizens Initiative Transportation Tax (CITT) funds. The funds are generated through a Miami-Dade County gasoline tax and results from a citizens' initiative to improve transportation throughout the County. [Note: A minimum of 20% of the receipts are required to be spent on mass transit and the Town of Surfside exceeds this obligation. For FY 13/14, \$134,366 (including gas) is budgeted for the community bus service in Surfside].

In order to address this issue on a regional basis (Surf/Bal/Bay), a request has been made to the CITT to have a transportation planner conduct an analysis of existing bus routes; ridership and recommended bus transportation routes within the three municipalities in order to make bus service more efficient; responsive to community needs and more cost effective. The transportation planner will be asked to review the establishment of bus service/route to Mt. Sinai as part of the overall analysis. Staff also has initiated discussion with North Miami transportation officials who are currently exploring piggybacking on a Broward County bus transportation contract.

#### **4. Joint Skate Park with City of Miami Beach**

The proposal of a skate park located between 86th and 87th streets through a partnership between the Town of Surfside and Miami Beach was presented by Miami Beach Parks and Recreation Department to the Miami Beach Commission on January 15, 2014. The Miami Beach Commission requested staff to prepare a comprehensive Master Plan for the considerable amount of land in the very extreme north area of Miami Beach owned by the City. The City Commissioners indicated that this area should be developed as part of an overall plan. Miami Beach staff reports that the recreational master planning process for the North Beach area is moving forward and a skate park is included in the project; however, the location will likely be several blocks to the south and incorporated near or in the development of a recreation complex at the Log Cabin site. It is anticipated that the Master Plan will move forward through the Miami Beach public process (either Neighborhood Meeting or Commission) in April timeframe. This will be updated as the status changes and notifications are received from Miami Beach.

## **5. MAST Academy – Miami-Dade County Public Schools Maritime and Science Technology Academy (FIU Biscayne Bay Campus)**

Miami-Dade County Public School District is currently in the process of finalizing the startup of a District operated secondary program in environmental sciences at the FIU Biscayne Bay Campus (3000 NE 151<sup>st</sup> Street, North Miami) for School Year 13/14.

Mayor Daniel Dietch and the Town Manager received a briefing on June 18, 2013 from County School District officials on the start-up of the Environmental Science Program and longer range plans to fund and permanently establish a facility. Commissioner Michelle Kligman also received a briefing from the Superintendent's Office on the proposal.

In a number of locations through the County, municipalities partner with the School District to invest in educational opportunities for its residents particularly as it relates to MAST academies. On September 9th, Surfside and Miami-Dade County School District hosted an information meeting at Town Hall regarding the Environmental Sciences at Florida International University (FIU), located at 3000 NE 151 Street in North Miami. The meeting took place in the Commission Chambers. The agenda and meeting information was posted on the Town's website under Town News. Elected Officials and staff from Bal Harbour and Bay Harbor Islands were invited to attend the September 9th meeting to hear about this opportunity to expand educational opportunities for local students. The Commission was provided with a written report on the September 9th Community meeting. An open house tour of the MAST Academy at FIU was held on October 17. There were approximately 25 attendees at the open house and the Town was represented by Linda Jain, Web and Special Projects Coordinator.

A conference call was held on December 12 with Assistant Superintendent Iraidia Mendez-Cartaya, CPA to follow-up on Fausto Gomez's suggestions on possible funding options. The following is a summary of our discussions:

- Student stations that would be eligible for Surfside students would cost \$20,000 per student station. These student stations would be on-going and not just assigned to initial students. Surfside students would have to meet eligibility requirements and the number of seats purchased for Surfside students would be assigned and if the number of eligible Surfside students exceeded the number of student stations, then a lottery would be used.
- Initial estimates for finalizing an agreement on student stations would need to be in place prior to the school year 17/18.
- A number of municipalities have entered into agreements with the County for similar endeavors where direct educational benefit is provided to students in that municipality. Ms. Mendez-Cartaya has provided us agreements between the School District and: 1. Key Biscayne, 2. Cutler Bay; and 3. Sunny Isles.

An added benefit for students from Surfside to attend the MAST@FIU would be for the student to have the ability to complete up to an AA degree at the time of graduation from high school with the cost funded by the School District.

Ms. Mendez-Cartaya will initiate an analysis of student numbers and projected growth to provide input to the Town regarding a recommended number of student stations for the Town to consider.

The Town Manager will follow-up with area Managers regarding their jurisdiction's position on the MAST@FIU.

On February 10, Staff met with School District officials to discuss minimum and future projections for student stations for MAST@FIU and associated anticipated costs.

It was reported that there were 563 applicants for MAST@FIU for 14/15 with 29 from zip code 33154 and twelve from Surfside. The District further indicated there are approximately 700 Surfside students in the public schools (K-12).

The minimum number of student stations needed to have the MAST@FIU function as a high school is 400 – 500. By comparison, the MAST at Virginia Key has approximately 1000 students.

For the School District to build the high school (currently MAST@FIU is working out of temporary facilities) it will be necessary to have funding support from the nearby municipalities (including Bal Harbour, Bay Harbor, Aventura, Sunny Isles Beach, North Miami Beach, Golden Beach and Surfside). Funding of a MAST is not an eligible expenditure from the District's Capital Projects fund/budget. Student stations, once purchased are dedicated from the perpetual use by a Surfside student in accordance with admission policies. [Note: each student station is valued at \$20,000].

Based on input from the School District officials, the success of MAST@FIU is dependent upon financial support from the community and the above listed municipalities. At this point, financial commitments have not been made by the municipalities. Prior to scheduling a presentation to the Town Commission, discussion/meeting(s) with representatives of these municipalities will be held.

As the Commission addresses the allocation of resources from development activities (see Five Year Financial Forecast), a modest, annual educational investment presents a unique opportunity that would benefit current and future generations of Surfside students and have a positive impact on the desirability of raising a family in Surfside and enhance property values.

## **6. Turtles Project – Art in Public Places**

The Tourist Bureau continues to leverage the iconic Turtles in promoting Surfside. With the Tourist Board's decision to keep the remaining Turtles and leave them on 93<sup>rd</sup> Street ("Turtle Walk"), the department can now focus on including them in marketing initiatives. An item requested by the Vice Mayor regarding small turtle statues was presented to the Town Commission on the February 11, 2014. The decision on procuring Turtle souvenirs, etc. was referred to the Tourist Board for a decision

at the March 3, 2014 meeting. The Tourist Board voted to defer a decision on all merchandising to be included in their FY 14/15 budgetary process. Also at that meeting, the Tourist Board discussed honoring the late Sandra Suarez (artist of the Love Turtle). A memorial plaque will be placed on the Turtle (date tbd) and the Board voted to contact the family of the Turtle before selling/disposing of the sculpture if that decision is ever made in the future.

## **7. Newcomers Packet**

A “newcomers packet” is in the final review stage and will be presented to new residents.

The theme of the packet is “Welcome to the Neighborhood” and will provide a variety of information to new residents acclimating them to Surfside and inform them of the many and varied services and amenities available to them in their new town.

This new initiative will be rolled out at the same time another new initiative begins. The FY 13/14 funded Neighborhood Resource Officer (NRO) program was scheduled to begin in February; however it has been delayed due to personnel issues that could not be avoided or anticipated. When the NRO program is up and running, the Neighborhood Resource Officer will personally deliver a newcomer packet to new residents. They will be identified through a number of sources: opening new utility account; acquiring a Town ID/parking sticker; word of mouth, etc. In the interim, Staff will take the lead in providing the packets.

The newcomer packet will be focused on identifying web based Town information. When the NRO delivers the packet, an assessment will be made if the new resident has the availability to successfully obtain the necessary resident information via web or if Staff needs to follow-up with hard copy information.

## **8. Climate Change Forum**

The Town in conjunction with the CLEO Institute (Climate Leadership Engagement Opportunities) is sponsoring an educational forum on Climate Change, April 23, 2014 from 1:00 pm to 4:00 pm at the Community Center.

The purpose of the forum is three-fold. First, it will be an informational session for our residents to learn more about the topic and impacts going forward. Second, it will serve as a training opportunity for the Commission and Town staff to better position the Town for future decisions including land development regulations and infrastructure planning/improvements. Third, it is an opportunity to collaborate with elected officials and staff from our neighboring as climate change/sea level rise challenges are not limited to municipal boundaries and any comprehensive solution logically should include a regional approach.

The agenda for the Climate Change forum includes: 1) a presentation on the science of climate change and the rates of change; 2) identification of opportunities for local/regional mitigation and adaptation

solutions; and 3) examples of local initiatives that have been implemented in response to climate change/sea level rise.

## **9. Relay for Life**

Once again, Surfside will participate in the Relay for Life even scheduled for Saturday, May 31. A kick-off party for this year's Relay for Life took place at Ruth K. Broad Bay Harbor K-8 Center on April 1, at 6pm, 1155 93rd Street in Bay harbor Islands.

The Relay will include the communities of Surfside, Bal Harbour and Bay Harbor Islands and will raise funds for the American Cancer Society.

You can help TEAM SURFSIDE reach their goal by becoming a sponsor and/or donating to the American Cancer Society Surfside/Bal Harbour/Bay Harbor Relay. Contact Yamileth Slate-McCloud at 305-861-4863 x227.

## **DOWNTOWN BUSINESS DISTRICT AND TOURISM**

### **10. Harding Avenue Streetscape Plan**

The construction portion of the project is complete. The architectural feature (decorative fence) has been installed at the intersection of 96th and Harding to prevent pedestrians from illegally crossing Harding Avenue. The foot path through the landscaping which was destroyed by pedestrians crossing has been re-landscaped. Awaiting delivery of furniture (benches are due the end of April/beginning of May). The Ribbon Cutting ceremony was held on February 20. [Note: a section of the new fence and landscaping were damaged as a result of a traffic accident on March 31].

### **11. Downtown Vision Project**

The following BID schedule was presented to the Town Commission on February 11, 2014 with the second reading of the BID enabling ordinance:

- *A local planning ordinance allowing for the authorization of a BID in a subsequent ordinance passed on second reading on February 11, 2014 after going to Planning & Zoning on January 30, 2014. As an enabling legislation, this is the first step in the statutorily prescribed process for the creation of a specific district and levying an assessment for the created district.*
- *A resolution declaring intent to assess a special assessment, creating the actual district, providing for the nature and estimate of benefits for the district and authorizing the Town Administration to prepare a preliminary assessment roll was adopted by the Town Commission on March 11, 2014.*
- *Upon the passage of this resolution, the Town Clerk now has on file an assessment plat of the proposed area with plans and specifications as well as an estimate of the associated assessment. This resolution will condition creation of the specific BID on a referendum approval of affected property owners (those property owners in the proposed district,) specify the boundaries, and name the proposed district, etc.*

- *This referendum must then be held within 120 days. Within 5 days of the close of voting for the referendum the Town Clerk shall present the results to the Town Commission.*
- *Upon an affirmative majority vote of approving the special assessment district and certification of the referendum results, the Town Commission shall also adopt a second resolution fixing a time and place for the special assessment to be heard based on the results of the election.*
- *A second ordinance outlining the BID's governance, purpose, powers and duties, and annual reporting guidelines is then required at this juncture as a more effective means of coordinating the multitude of steps and timelines in this process. This ordinance is contingent upon a referendum approval of the affected district property owners.*
- *Staff is preparing an "outreach" process leading up to the BID referendum. More information will be available by mid-April.*

### Tentative Sign Code Review Timeline

March: DVAC - completed  
May: P&Z/Commission Joint Meeting  
July: DVAC  
October: Commission  
October: P&Z  
December: Commission

The DVAC meeting held on March 24, 2014 addressed such items as the Town Manager's recommendation on moving the parking structure forward, the sign code revisions were discussed (DVAC provided recommendations), and a possible color palette for downtown, as suggested by P&Z was discussed. Commissioner Karukin's request to investigate the possibility of merging DVAC and the Tourist Board was also discussed. DVAC's recommendations will be provided in the Town Managers report on this item. DVAC members will assist the TEDACS Director on outreach to the downtown property owners and business operators on the BID ballot process. The Town Planner presented plans on the upcoming improvements to the AmTrust building. The owners will open bids on April 4 for the improvements.

### 12. Sidewalk Ordinance Implementation

The Town has received the signed copies of the Sidewalk Café Agreement with FDOT. The Building Department will oversee the roll out and management of this with the assistance of Code Compliance, Public Works and TEDACS. Door to door outreach to the downtown restaurants was conducted the week of February 24, 2014 and March 3, 2014:

- *Letters on ADA Path of Travel:* Code Compliance staff hand delivered letters signed by the Town Manager to all restaurants requesting their assistance in keeping the sidewalk open for pedestrians and informing them of their responsibility to clean their sidewalk each evening.
- *Sidewalk Furniture:* Once all applications for sidewalk cafes are received and processed, Code Compliance expects to follow the Ordinance requirements which have very specific



enforcement procedures, including removal of furnishings if warranted. However, the Town has yet to begin enforcement associated with "leaving furniture on the sidewalk outside of business hours", as the new sidewalk café ordinance procedures, including application, have yet to be fully implemented.

A survey of the sidewalks, that includes the new downtown streetscape, is in the process of being completed. Once receiving the survey, the Building Department will be meeting with each business individually to assist with the Sidewalk Café Application and to determine what furniture can be accommodated and where it can be placed. Once these determinations are made, the businesses must comply or face stringent code enforcement that could result in removal of the furniture or closure of the outside seating by FDOT.

### **13. Parking Structure Feasibility Study**

In April, 2013, the Parking Structure Feasibility Study by Rich & Associates (March 2013) was presented to the Town Commission.

At its October meeting, the Commission provided direction to move this process forward including:

- Acknowledging the parking deficiencies in the business district; (shortage of parking spaces presents unacceptable conditions for business and customers and needs a comprehensive solution).
- Supporting the outreach effort to develop a final report to be prepared no later than April 1, 2014 containing: detailed recommendations on parking facility improvements to address deficiencies including location; financing options and construction timeframes.
- Recognition that the Commission retains the ultimate decision making authority in how the recommendations of the report are implemented, including method of approval.

The report entitled "Parking Solution: The Next Step" was presented to the Commission on April 1, 2014 and is an agenda item for the April 8 Commission meeting (**Agenda Item**)

### **14. Five Year Tourism Strategic Plan**

Staff is working on implementing the first year identified in the plan (FY 13/14). The Tourist Board finalized the ethics, conflict of interest, policies and procedures as well as governance policies after several months of work. Suggested changes to the Town's Resort Tax Ordinance were passed on first reading by the Town Commission on February 11, 2014. On second reading at the March 11, 2014 Town Commission meeting, none of the recommendations passed even with the endorsement from the majority of the Tourist Board (except the Chair), the Administration, the adopted 5 Year Tourism Plan, the Grand Beach and Mr. Meyers (the consultant). The Town Commission has sent the initiative back to the Tourist Board to be readdressed once the new Board is established by the new Town Commission.

## **INFRASTRUCTURE AND UTILITIES**

### **15. 95th Street End Project**

The project is in its final stages. Since the February Manager's report, the lighted bollards at the end of 95th and street light poles on the north side of 95th were installed. The actual lights will be installed by April 7. A meeting on site for the Phase 2 (east of the bulkhead) took place with FDEP on February 6, 2014. It was discussed to make Phase 2 part of Phase 1 which will speed up the permit process. The permit should be issued within the next two weeks. Once issued, Phase 2 will be required to be completed within one year.

[Note: A major focus of the 95th Street project was to adjust the elevation of the 95th Street to accommodate access into the garages of the newly constructed townhomes. Even though the elevations of the new street were established with the concurrence of the owner/developer in order to provide proper access, the resulting conditions still present an obstacle for proper access. Staff continues to work with the owner/developer to find a solution as eventually the units will be sold to the new owners who will be residents and this problem needs to be resolved. It is anticipated that an arrangement will be finalized by April 7 outlining the details and protecting the Town's interest].

### **16. Seawall Project**

Miami-Dade County Regulatory and Economic Resources (RER) (formerly DERM) has completed the Biological Opinion (BO). The results of the BO were submitted to the Town and CGA has incorporated the BO permit requirements into our final plans. The US Army Corps of Engineers (USACE) permit was obtained in late February 2013 and the FDEP permit was obtained in April 2013. The SFWMD and RER final permits have been received. The Town received final authorization from Florida Inland Navigation District (FIND) and the Commission approved a resolution to allocate the Town's matching funds at the December 2013 Commission meeting. At the January, 2014 meeting, the Commission again stated its support of the original implementation schedule and its desire to replenish the reserves during the FY 14/15 budget process to replace the amount of the reserves utilized on the seawall project as the source of the Town's local match (\$494,445). CGA will have the project out to bid April, 2014.

The Town Commission has directed that language be included in the specifications that the contractor selected for this project extend the contract unit prices to homeowners who desire to undertake seawall improvements on their private seawalls concurrently with the Town's project. While this would be a private transaction between the contractor and the homeowner, this could present an opportunity for the homeowner to undertake seawall improvements at a competitive price as the contractor is already mobilized in Surfside.

Last year, the Town Commission joined the Coastal Corridor PACE Program (Property Assessed Clean Energy). This program provides upfront financing for energy conservation and efficiency, renewable energy and other qualifying improvements. Seawall improvements have been reported as eligible due to protection from storm/hurricane events. The PACE program could assist homeowners

in financing seawall improvements—either through the Town's contractor or a different contractor selected by the homeowner.

The information was included in the April Gazette and two residents have already inquired about this opportunity.

## **17. Beach Renourishment**

Hurricane Sandy and high full moon tides and wind caused significant erosion on our beach. Due to the storm, Surfside lost up to 75 feet of beach (with nearly 25 feet returning by natural drift of sand) and was one of the least damaged segments of beach countywide. Staff has begun work on many fronts to ensure that various agencies with authority and funding initiate a re-nourishment program. A meeting was held with Miami-Dade County staff on December 20, 2012 and the County accepted responsibility for coordinating the re-nourishment. Town Staff will be kept updated as Miami-Dade County moves forward with any re-nourishment project.

Congresswoman Debbie Wasserman Shultz sponsored a Coastal Community Roundtable on April 4, 2013. Governmental representatives from Miami-Dade and Broward Counties heard presentations from U.S. Army Corps of Engineers in Jacksonville, Florida. Of local interest, Corps representatives presented an overview of the sand re-nourishment project scheduled in Bal Harbour (Contract G: August, 2013 Award and start date at the conclusion of Sea Turtle Season). After this project, compatible sand sources for re-nourishment will be depleted.

The Corps began an outreach pertaining to their planned sand source study (Contract J: tentative date August, 2014). The study attempted to locate compatible sand (non-County borrow area) for future projects and the initial findings indicate that the sources of compatible sand is located north of Miami-Dade as far north as Martin/St. Lucie counties.

Brian Flynn, Special Projects Administrator, Miami-Dade DERM spoke at the March, 2014 Commission meeting giving the Commission an update on the Town of Surfside's upcoming beach re-nourishment project which is anticipated to start June, 2015.

Mr. Flynn at the March meeting presented information on the upcoming sand transfer operation at the Surf Club project. The project is currently underway and sand is being transferred from their construction site to other areas of the beach as per Section 161.053 of Florida Statutes. These regulations state that any sand that is excavated east of the Coast Construction Control Line must be re-used in the same area. The sand was tested and found to be compatible with Surfside beach sand. It will provide a little over a foot of new sand and will be spread throughout the whole beach from 96th Street to 94th Street.

The project will continue until turtle nesting season begins on May 1. At the excavation site, the sand is cleaned and transported to the beach where it will be spread by earth moving equipment. Smaller vehicles and personnel will escort the machinery up and down the beach with Surfside Police vehicles

stationed near the entry point and the public right of way. The work will take place Monday-Saturday, 8 am – 6pm.

Public input has been received expressing concern about the dark color of the transferred sand when compared with the lighter color of existing sand. There are several projects in Miami-Dade whose developments are involved in similar transfer operations. The Chateau (formerly Best Western) anticipates a similar operation for their excavated sand.

Finally, the Surf club was required to post a bond for their transfer project to ensure restoration of dunes, hard pack and walking path.

### **18. Surfside Community Center Dune Renourishment Project**

Public Works in conjunction with the Youth Environmental Alliance Group have partnered for a Dune Restoration Project which was held on March 15, 2013 with several volunteer groups, Surfside residents, Town Employees and volunteers from surrounding communities. Re-nourished beaches protect sea turtle nesting areas and counteract beach erosion negative impacts. Approximately, 1300 plants were re-established into the dune in a three hour period. With over 100 volunteers it was a successful first restoration project for the Town and it encourages future restoration projects. Item completed.



### **19. Pedestrian Crosswalk at Harding Avenue and 96th Street**

As reported in the February Manager's report, Staff considers the possible re-establishment of this crosswalk as a completed/closed item.

The Harding Avenue Streetscape project, has an architectural feature (fence) which was installed to serve as a barrier to prevent pedestrians from crossing at this unauthorized/unsafe location. This feature/fence runs from 96<sup>th</sup> street on the east and west side of Harding about 80 feet south. Item completed.

## **20. Community Center Expansion: Second Floor Addition**

During the December 17, 2012 Parks and Recreation Committee meeting, the second floor of the Community Center was listed by the Committee as the top priority for the Parks and Recreation Infrastructure Plan. The FY 13/14 proposed budget contains \$100,000 funding from voluntary proffers to undertake conceptual planning and design of projects including the second story addition to the Community Center. This funding is subject to the Commission approving a Five Year Capital Parks and Recreation Plan. The Resolution adopting the Five Year Capital Parks and Recreation Plan was approved at the September 17 Commission meeting. Also, the resolutions authorizing engineering and architectural services have sunset and will need to be reviewed.

Finally, since this project contains varied components (structural analysis of an existing facility to determine expansion capability; public outreach to determine features to be included; design and permitting, bidding and construction services) the option of competitively selecting a firm which would be retained for "design build" or "best value". Based on demands of existing projects, Staff has identified an initial report to the Commission in the May timeframe following the completion of the Parking Structure Report/Recommendation due April 1. (**Agenda Item**)

## **21. Biscaya Drainage**

At the November 2013 meeting, the Commission approved the Biscaya Drainage Project in the total amount of \$230,858.81 with a substantial portion of the project being completed by Public Works thus reducing the cost of the project by approximately \$90,000. The "in-house" capability to undertake this project is due to the acquisition of the front loader/back hoe funded in the FY 13/14 budget. The savings to the Town by using Public Works to undertake the project exceeds the purchase cost of the front loader/back hoe.

The project will increase the outfall culvert size (pipe diameter) through replacing the existing outfall running north-south which discharges into the northern canal opening.

This design option will serve to provide increased storm water run-off conveyance and an increased level of service for the affected/identified portion of road Right-of-Way. It is anticipated that using 18" and 24" diameter piping for replacing the existing longitudinal drainage culverts in this area will increase the outfall capacity to meet the 10 year – 1 day rainfall event (meeting Miami-Dade County standards) for the contributing Right-of-Way area and crown of roadway protection. The hydraulic capacity of the pipe size increases shall be verified for the 3 year - 1 hour storm event. Additional elements to be incorporated into the project include adding manatee grates on the islands three outfalls, and installing backflow prevention devices on the three outfalls.

The proposed design will include backflow prevention devices to be installed on the island's three outfalls. These devices are intended prevent tidal water from backing up into the roadway drainage system and subsequently onto the roadway surface through the existing drainage catch basins during extreme high tide events. The current proposal would utilize a single backflow prevention device (in-

line or sea wall mounted check valves including but not limited to a duck bill/Red Valve, Tide Flex or flap gate) on each of the three outfalls.

When the Commission approved the project, Staff was requested to meet with Biscaya residents to ensure on-going communication throughout the project.

A meeting was held on November 26 with residents of Biscaya to discuss the project. The following was discussed:

1. Town's approach in planning and addressing the drainage issues including options considered; cost considerations; permitting requirements/variance for upsizing pipe; and safeguards included in the project to address water rise from high tides.
2. Estimated timeframes for the project.
3. Question/Answer session with residents. Resident concerns centered primarily with the impact of water rise/tidal action and the importance of regular maintenance to help offset this impact.
4. Future communications and meetings regarding the project including sending an invitation to residents to attend the pre-construction meeting--estimated to be during May.

The meeting was attended by 5 Biscaya residents and attending from the Town were the Mayor; Town Manager; Public Works Director; and representatives from CGA (Chris Giordano and Bob McSweeney, P.E.).

The plans have passed the 30% QC review (which are now under review by the utilities) and the team is now completing the 60% drawings.

The second neighborhood meeting was held in the Commission Chambers on February 6.

Project engineer Bob McSweeney provided a status of the design of the project; permitting issues and schedule.

Several significant issues were discussed:

- Valves: Bob McSweeney discussed the selection criteria; the valves to be utilized; and the functioning/positioning of the valves.
- Need for a Pump Station: A resident at the meeting inquired about upgrading the project to include a pump station. Bob McSweeney detailed the analysis and options that were considered before a final recommendation was made on how to address the drainage problem on Biscaya. He presented the three options considered by staff and the Commission leading up to the approval of the project.
- Why wasn't Biscaya included in the original W/S/D Project? Following the completion of the W/S/D project, the drainage patterns on Biscaya were altered and slowed. This was due, in significant

part, to the tightening to the sanitary system which prior to the W/S/D project accommodated a significant portion of the drainage load. This has necessitated the need to now address the resulting drainage conditions on Biscaya.

The next neighborhood meeting will be held prior to the start of construction (May timeframe, depending on permitting) and will be held on site with the neighbors (on Biscaya).

The 60% plans have been prepared and are under review/contract. CGA has commenced work on the 90% plans. The Town has issued payment to DERM to begin the permitting. Also, on March 13 the SFWMD notified the Town that a permit from the Water Management District is not required for this project.

## **22. Town Hall and Tennis Hut Improvements**

Recently, the Police Department floors in certain areas were replaced and during this process mold was discovered under the old tile. Prior to the floor replacement, the Chief reported complaints from personnel about excessive coughing and watery eyes. In response to the personnel input and the identification of apparent mold during the floor replacement, an environmental company was retained to perform an indoor air quality test in Town Hall and at the tennis hut (which also previously had substantial water intrusion).

The testing was performed in early December 2013. A report by CIH Environmental Solutions Inc., has been submitted detailing several locations in Town Hall and tennis hut that were infected with mold and bacterial spores that needed to be removed.

As background information, Town Hall has been experiencing water intrusion from the roof and/or A/C units for several years and this leakage is the main contributor for the presence of mold. The Town has made numerous attempts to rectify these problems with patching areas of the roof and most recently recoating the roof last year and relining the A/C pans which are located on the Town Hall roof. With all these repairs being done we are still experiencing leaks during rain events. These efforts over the past years have proven to be relatively unsuccessful. Prior to the installation of the new roof, the tennis hut experienced similar prolonged exposure to water intrusion.

The following is a summary of the findings/recommendations from CIH Environmental Solutions report:

1. Correct the water intrusion areas affecting the areas of concern in Town Hall, Police Station and tennis hut.
2. Room 129 (Police Chief) remove west wall gypsum board below the window and replace.
3. Replace water damaged ceiling tiles on the second floor hallway.
4. Room 226 (Code Enforcement) replace water damaged tile, replace affected carpet and replace damaged A/C insulation.
5. Training room - replace water damaged tile and A/C insulation.
6. Treat and remove mold infested areas at appropriate stages during repairs.

Tennis hut:

1. Remove all baseboards and gypsum board at least the bottom 2 feet on the east and north walls and replace.
2. Clean and sanitize the wall mounted A/C unit.
3. Replace carpeting.
4. Remove the south and west gypsum board below the windows.
5. Remove the ceiling gypsum board.
6. Treat and remove mold infested areas at appropriate stages during repairs.
7. Remove and replace windows to impact glass.

[Note: This option will harden the building and improve its ability to better withstand storm events].

Following review, Staff is proceeding with a proposal for the Commission's consideration including:

1. The Town Hall roof is flat and drains to the middle with down spouts that drain thru the middle of the building which leak. To fix this, Staff is recommending to re-roof that section with a built up roof system that will drain the water off to one side which will eliminate any standing water and give Town Hall some insulation.
2. The A/C units are scheduled for replacement 2014 (2 units) and 2015 (3 units). The existing units are experiencing excessive deterioration in all areas of the units. Water intrusion is continuing through the bottom of the pans despite applying an epoxy coating on them on at least three occasions. A proposal is being prepared to eliminate the five (5) independent units and replace with a chiller system. This type of system will be more efficient and economical than the current units and will serve Town Hall's 18,000 sqft much more efficiently. The savings on energy to operate this type of system will be substantial. This system should pay for itself in several years as a result of energy savings. Also, this system will eliminate five (5) roof mounted A/C units which are currently exposed to the elements of a corrosive ocean environment.

[Note: To move forward on #1 (roof) and #2 (chiller), professional assistance (architectural/mechanical and engineering) are in the process of being completed. A cost study will be included to illustrate pay-back on the cost of a proposed chiller system].

3. The tennis hut roof was replaced several years ago and the water intrusion has stopped. The solution to remove the mold in the hut will involve replacing the walls and ceiling areas infected. The Devcon Company is meeting with Staff on February 25 to go over the tennis center remediation.

The Devcon Company met with Staff on February 25 and a proposal for the Tennis Hut for mold remediation and improvements was presented. Public Works has prepared an agenda item for the April 8, 2014 Commission meeting to approve the Tennis Hut proposal and move forward with the repairs. (**Agenda Item**)



## **PLANNING, ZONING AND DEVELOPMENT**

### **23. The Shul Project**

The Shul application was heard at the February 27, 2014 Planning and Zoning Board meeting and will be scheduled for a Special Town Commission meeting pending the appeal/administrative hearing on the recently Town Commission approved Comp Plan Amendment.

### **24. Massing and Zoning Discussion**

At its May 15, 2013 meeting, the Town Commission directed the Town Manager to set up a Joint Workshop with the Planning and Zoning Board to discuss zoning issues. Those issues were clarified at the July 25, 2013 Planning and Zoning Board meeting and the Manager announced that the public is encouraged to provide comments regarding the zoning code on a form provided on the website.

Vice Mayor Karukin clarified his concerns in a July, 2013 meeting with the Town Attorney and Staff and these specific issues have been discussed at the August, 2013 Planning and Zoning Board meeting. The Planning and Zoning Board has asked Staff to look at side setbacks as a percentage of the lot width to increase the current setbacks, removing the side setback requirement, require parking below grade, requiring building lengths to be no greater than 150 with 30 feet of separation, explore breezeways and consider building platforms no greater than 30 or 40 feet in height without a break similar to the conditions at the Surf Club.

A presentation with follow-up discussion was made at the October, 2013 Planning and Zoning meeting. Staff prepared a rendering for the December 19, 2013 Planning and Zoning Board meeting demonstrating three options for building length modification. The renderings demonstrated that the building separations were not adequate for meeting the intent of the Board, therefore Staff prepared additional revisions to the renderings and language for the ordinance, which will be presented at the March 27, 2014 Planning and Zoning Board meeting. The Town Commission will be presented with an ordinance at an upcoming meeting.

## **TOWN COMMISSION**

### **25. Legislative Priorities**

The Commission adopted its 2014 Legislative Priorities at the January Commission meeting. Top priorities included securing a reduction in the interest of the State Revolving Loan for the Water/Sewer/Storm Drainage Project and to again secure funding for seawalls in the amount of \$75,000 which had been included in the legislatively approved budget but vetoed by the Governor.

### **26. Charter Review Board (CRB)**

The Charter Review Board presented a final report on Phase I Charter Review for election issues to the Town Commission on March 11, 2014.

## **TOWN DEPARTMENTS**

### **Town Attorney**

#### **27. Options to Mitigate Inadequate Number of Parking Spaces at Multi-family Establishments along the Collins Avenue Corridor**

On March 28, 2014, Howard Weinberg, Esq. submitted a preliminary parking plan by Klaus Parking Systems Atlantic, Inc. Mr. Weinberg was advised that the preliminary drawings would serve as a field reference to verify the actual parking but that it would not substitute the revision process required by the FBC and the Building Department. Signed and sealed plans are required for the formal revision process to begin.

### **Building Department**

#### **28. FEMA National Flood Insurance Program (NFIP)**

The final property on the CAV is 9415 Harding Avenue, The Harbor Grill Restaurant was a site that was determined to be substantially improved and therefore required compliance with FEMA flood proofing for commercial properties. The remodeling took place and a TCO was issued in November 2012. The flood panel, design, permits and installation was the only item pending for CO. The project management had presented a sample of the panel plans and a copy of a deposit check to the panel manufacturer to the Building Official who, in good faith, issued the TCO. The TCO expired in February 2013. A violation was issued for this infraction and required compliance or exclusion from NFIP's FEMA subsidized flood insurance coverage. Due to the requirements placed on the parties by the language in the violation and subsequent conversations, they have decided to comply. The panel manufacturer was contacted and confirmed that the balances owed have been paid and the process will continue through to compliance. The panel manufacturer has submitted an application for permit and has scheduled installation of the panels to be completed the week ending April 4, 2014. The approved plans, engineering, inspection records and photos of the panels will be forwarded to Dr. Prasad Inmula, FEMA Region IV, Atlanta in order to close this final item of the CAV.

#### **29. Community Rating System (CRS)**

The second and final meeting of the Program for Public Information has been postponed due to scheduling conflicts. The meeting is tentatively re-scheduling for the first week of April.

#### **30. Forty Year Building Certification – Collins, Harding, Abbott Avenues and Surfside Blvd**

The 40 Year Building Certification Program is making steady progress toward completion as follows:

- Reported certifications: 118 in present case file
- Completed certifications: 37

- Time extensions granted: 4
- Exempt from Certification: 3
- Vacant commercial properties: 11
- Sent to Code Enforcement for non-compliance: 6

## **Code Compliance Department**

### **31. Code Compliance Priorities**

The priorities for code compliance have been established by the Town Commission. The Administration was asked to bring the compliance periods and fine schedule back in the form of a resolution. The resolution, along with an accompanying general Ordinance amendment that will remove fines from the Town Code and provide for all fines and compliance periods to be reflected in the newly proposed resolution will be presented at the April Commission meeting. (**Action Item**)

### **32. Sight Triangle (Hedges) and Corner Visibility**

On August 20, 2013, Staff met with Miami-Dade County Traffic Engineer and looked at several intersections in the single family residential neighborhood. After much discussion, the County's position was that the Florida Green Book was the required minimum standard for all municipalities. The County recommended adoption of same into Town Code. Based on the discussions, it appears that compliance with Green Book requirements may not be easily attainable Town-wide, as many corner properties (due to limited width of easements and lack of sidewalks) may not be able to meet the minimum standards. These minimum standards include multiple "sight triangle" scenarios, some that address minimum sight clearances immediately after stop signs, as well as others that address visibility clearances that are related to cross traffic which are based on speed limits. It was also confirmed that many property owners have planted hedges and shrubs in the easement (in many cases, right up to the curb) that also hinder visibility. It was recommended that the most easily achievable resolution to compliance was to cut the hedges and shrubs back. Additional issues were also identified by County staff, such as the traffic circle at 95th & Byron, 4-way stop signs, stop sign locations, and speed limit signs, some of which may have been placed without County review or authorization. At the March meeting, the Town Commission directed that this item be placed on the May Commission Regular meeting agenda to discuss future policy, available alternatives, and request direction from the Commission.

## **Finance Department**

### **33. Online Bill Pay**

The online payment by credit card of the water, sewer and storm water utility bill by residential and commercial customers was implemented as part of the water bill that was mailed in mid-June, 2013. The online bill pay went live on the website July 1, 2013. SunTrust Bank provides daily notifications to the Town on customer accounts that have been paid by credit card.

The online payment of water, sewer and storm water bills by electronic check (e-check or transfer of bank funds) will be operational in May, 2014 by SunTrust Bank, Municode (utility bill preparer) and CBoss (credit card processor who will also be the processor for e-checks). These three companies are testing the e-check process to ensure security and complete transaction processing of a utility payment by e-check. SunTrust Bank has completed the link between the bank account and the ACH (Automated Clearing House) service, an electronic network to process credit and debit transactions.

A credit card terminal and a customer facing PIN pad device has been ordered from First Data through SunTrust Bank. The equipment is to be received the first week of April, 2014. These terminals will be installed at the Front Desk of Town Hall in April, 2014 and will allow customers to make payments securely by credit and debit card.

#### **34. IT/Channel 77 (SCALA)/Video Streaming/Communication/Mobile Application/ERP/Online Agenda Packets (Bookmarks)**

1. Bookmarks and file size of Agenda Packets
  - a. Bookmarks were enabled for all future Agenda Packets uploaded to the internet.
  - b. Training provided on how Agenda Packets can now be saved as a reduced file size. This will increase the download time when trying to open Agenda Packets over the internet.
2. Agenda / video integration – indexing Agenda Packet Items with video. This will enable residents to fast-forward video to a specific Agenda item in a pre-recorded meeting from the internet.
  - a. The Town currently has the software in place to index the video with specific Agenda items through E-Cities.
  - b. The Town Clerk will begin the indexing process manually by jotting down the time the Agenda item was discussed during the next meeting. The Clerk would then index the video after the meeting is adjourned.
  - c. Representatives from E-Cities will provide training on the how to use the video indexing software.
3. SCALA – Channel 77 content
  - a. Uniform branding style templates to be used specifically by Town departments have been created to be posted on Channel 77. Training of department staff has been completed.
  - b. These graphic templates have been designed to be used for different event types and the new graphics are in use.
  - c. The SCALA project is complete.
4. SeeClickFix operational February 11, 2014
5. ERP – project goals are to find a qualified vendor that will meet the Town's enterprise-wide operational needs for all departments
  - a. Item discussed - Conversion of existing data is a priority. Department Heads will be again provided with functional requirements.

b. The 2013/14 budget includes \$13,190 for the cost of the planning analysis and preparation of specifications for systems upgrade. A draft of the RFP is currently being reviewed. The cost of system upgrades has not yet been determined. Implementation of the ERP will be submitted as a Program Modification in the FY 14/15 budget].

### **35. Tourist/Resort Tax Audit**

There are currently three businesses that are behind in their monthly payment of Tourist/Resort Tax, two businesses are making payments and the other is in the process of complying through Code Enforcement. The Finance Director and Staff are working with the businesses to ensure compliance. If payment is not received, these businesses will go through the Code Enforcement process and the Special Master hearing if necessary.

### **Parks and Recreation**

#### **36. Beach Management Agreement**

Any progress on a Town/Miami-Dade County Beach Management Agreement is dependent upon the County receiving specific authorization from FDEP permitting the County to assign certain management responsibilities to local municipalities. The County sent a letter to FDEP on March 17 requesting a determination that the County can assign maintenance/regulations to local governments.

#### **37. Pool Tot Lot Repairs - Community Center**

Work is still in progress in Phase III of the repairs and continues to move forward and the water playground continues to remain open. Due to the complexity of the playground apparatuses, special issue items are in need of minor repairs and will be replaced as the parts are received. The amount anticipated and budgeted for this project remains the same, not to exceed the retainer amount of \$22,600.

#### **38. Tennis Programing**

The Parks and Recreation Department has assumed the operations of the Tennis Center as of March 17, 2014. The facility will be staffed with existing Parks and Recreation staff and resident volunteers. The facility will be staffed week nights and weekend mornings and nights. The Parks and Recreation Department has also started a full scale youth tennis program for ages 4-14 and an adult doubles program to be held on Monday nights. The courts will also be open for resident recreational play 7 days a week. After the renovation of the existing tennis building and the budget process results for FY 14/15 the Parks and Recreation Department will look at expanding the operations to include court rentals.

### **39. Pilot Spring Adventure Camp**

In March of 2014, the Parks and Recreation Department introduced the start of a new Spring Adventure Camp to fill the need requested by town residents for spring break supervision and activities. The response to the camp has been outstanding with over 45 kids registered. The camp will be housed at the Community Center and will be included as an annual camp with Parks and Recreation. The staff used will be existing Parks and Recreation staff and will be a carryover from expenditures not utilized during winter camp.

### **Police Department**

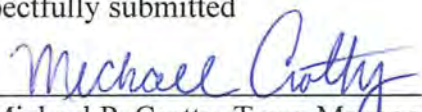
#### **40. Individual Patrol Officer Kit (IPOK)**

In March, the Surfside Police Department issued and trained all police officers with Individual Patrol Officer Kit (IPOK). The kit contains: Combat Application Tourniquet (C-A-T), Emergency Trauma Dressing, Combat Gauze - Hemostatic Dressing, and Black Talon Nitrile Trauma Gloves. The IPOK is designed to provide officers with a compact and durable individual hemorrhage control kit to treat bleeding from penetrating and other traumatic injuries. These kits are packaged to allow officers to keep a compact bleeding control kit on their person, where it is needed most, for critical emergencies as they await the arrival of the Miami-Dade Fire Rescue Department. The Dallas and Indianapolis Police Departments also recently issued their police officers similar type kits.

#### **41. Dog Tag Program**

The Police Department is providing special tags to be attached to the collar of their pets. The dog tag will have the Police telephone number and a registration number. The registration number will enable the Police to contact the owner of lost or loose dogs without calling Miami-Dade Animal Control. The tag does not replace the County dog tag. This is a free service.


Respectfully submitted

by:   
Michael P. Crotty, Town Manager



**TOWN OF SURFSIDE**  
**Office of the Town Attorney**  
 MUNICIPAL BUILDING  
 9293 HARDING AVENUE  
 SURFSIDE, FLORIDA 33154-3009  
 Telephone (305) 993-1065

**TO:** Town Commission

**FROM:** Linda Miller, Town Attorney 

**CC:** Michael P. Crotty, Town Manager  
 Sarah Johnston, Assistant Town Attorney

**DATE:** April 8, 2014

**SUBJECT:** Office of the Town Attorney's Report for April 2014

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**This Office attended/prepared and/or rendered advice for the following Public Meetings:**

March 14, 2014	Pre-Bid Conference RFQ 2014-002 - Engineering & Architectural Services
March 17, 2014	Parks and Recreation Meeting
March 18, 2014	Town Canvassing Board
March 19, 2014	Swearing In Ceremony of the Newly Elected Officials
March 27, 2014	Planning and Zoning Board Meeting
March 24, 2014	DVAC Meeting
April 2, 2014	Town Commission Orientation Presentation
April 7, 2014	Tourist Board Meeting
April 8, 2014	Town Commission Meeting

**Ordinances prepared and reviewed for First Reading:**

- Dock Projection in Biscayne Bay
- Ordinance Amending Disposal of grass cuttings and hedge trimmings



**Resolutions prepared and reviewed:**

- Resolution approving MOU with Miami-Dade County for Regional Radio System
- Resolution certifying and declaring the results of the Town of Surfside General Municipal Election held on March 18, 2014
- Resolution approving award contract for the Tennis Center Building Mold Mitigation
- Resolution approving the unimproved Town Hall parking lot project.
- Resolution Supporting Central Everglades Planning Project

**Town Commission:**

- Prepared Welcome Packet which included Rules of Procedure for the Town Meetings, 2014 Edition of the Government In The Sunshine Manual, *A Reference For Compliance with Florida's Public Records and Open Meetings Laws*, Pamphlet provided by the Miami-Dade County Commission on Ethics and Public Trust on the Conflict of Interest and Code of Ethics Ordinance with amendments, 2014 Florida Commission on Ethics *Guide to the Sunshine Amendment and Code of Ethics for Public Officers and Employees and Conflict of Interest and Code of Ethics Laws of the Town of Surfside.*
- Prepared Orientation PowerPoint for Elected Officials.

**Town Manager:**

- Finalized and followed-up RFQs for Architectural & Engineering Services
- Prepare Driveway Modification Plan Agreement for 9501 Collins Ave Project
- Continued follow-up with Spiaggia for parking spaces deficiency
- Follow-up "Triad Meetings" with Town Manager, Public Works Director, Building Official and Code Enforcement Director
- Review of conditions of approval on all ongoing development projects
- On-going review of Shul plans/conditions
- Review conditions for Grand Beach compliance
- Ongoing review of 9200 Collins Avenue hotel project
- Ongoing review and research for Public Private Partnership
- Continued follow-up with Code Enforcement regarding code compliance issues
- Ongoing research for dock issue



**Town Clerk:**

- Research Florida Statutes for election laws
- Opined on Notice requirements
- Review updated ethics law requirements
- Review and follow-up for public records requests
- Follow-up research for Sunshine Law issues

**March 27, 2014 Planning and Zoning Board:**

- Request of the Owner of Property located at 901 89th Street to build a wood fence at the front corner lot.
- Request of the Owner of Property located at 9115 Byron Avenue to install a carport canopy.
- Request of the Owner of Property located at 9232 Dickens Avenue to build a study room addition.
- Request of the owner of Property located at 8827 Emerson Avenue to build a new single- family home.
- Request of the Owner of Property located at 9507 Harding Avenue to renovate and existing storefront.
- Request of the Owner of Property located at 9494 Harding Avenue to install a new sign.
- Massing (Deferred)
- Solar Panels
- Tree Canopy (Deferred)
- Single Family Paint Color Palette (Deferred)
- Dumpster Enclosures

**Finance Department:**

- Follow-up research for Special Assessment District
- Review litigation and claims for follow-up to auditor request
- Continuing preparation for FY 14/15 Budget documents

**Building Department/Code Enforcement/Planning:**

- Continued research and follow-up on analysis of Pointe Lake and North Canal issues.
- Continued followed-up with Building Official regarding FEMA for follow-up for CAV response
- Research and review development permit language for compliance.

- Research and review lien laws
- Research permitted uses for business district.

**Parks and Recreation:**

- Follow-up with Miami-Dade County regarding the Beach Management Agreement

**Tourist Bureau/Downtown Vision Advisory Board/Tourist Board:**

- Follow-up preparation to establish a special assessment district area to be known as the Surfside Business Improvement District (“BID”) and authorizing the levy and collection of a special assessment for a period of five (5) years
- Follow up and research for Conflict of Interest and Ethics policy and Operating Procedures and revision to Resort Tax Ordinance
- Continued follow-up re: post Tourist Board requests
- Continued research on parking issues

**Public Works:**

- Prepare amendment of Code to prohibit for preparation of a non-compliance notice for solid waste disposal of hedge trimmings.
- Review for revisions to the Stormwater Utility Fees Ordinance and follow up and research request for garbage disposal and placement of garbage container
- Follow up Bal Harbour Force Main Project and Agreement

**Police Department:**

- Review MOU – Miami-Dade Interlocal for Regional Radio System

**Legal Matters:**

Pieter Bakker and Shirley Bakker vs. Town of Surfside Case No. 14-1026 State of Florida Division of Administrative Hearings (“DOAH”). Mr. and Mrs. Bakker filed a Petition for Formal Administrative Hearing and seek to have the Comprehensive Plan Amendment adopted by Ordinance No. 2014-1613 rejected as failing to be “in compliance” with Chapter 163, Florida Statutes. Discovery is on-going and a hearing before the Administrative Law Judge is scheduled for April 17 and 18, 2014 in the Town Hall Chambers.

**Florida Municipal Insurance Trust (“FMIT”)** investigates claims and provides legal representation for the Town on the following matters:

1. Surfside Police Incident Report dated September 1, 2013 states that a resident was walking on the north most sidewalk in the 200 block of 93<sup>rd</sup> Street when she tripped on a raised portion of the

sidewalk and fell to the ground. The Report indicates the resident sustained a contusion on her right elbow and abrasions to her chin and both knees. FMIT is investigating this matter. Based on the medical records obtained FMIT is waiting on finalization of medical treatment to determine Medicare set aside.

2. Surfside Police Incident Report dated August 28, 2013 states a resident fell in the rear of CVS (9578 Harding Avenue). The resident claims she tripped on an uneven section of the sidewalk behind the store and hurt her right knee and right hand. FMIT is investigating this matter.

3. A Notice of Intent to file suit (Alfonso v. Surfside Police) regarding an incident on November 3, 2013 with the police and Mr. Alfonso. FMIT is in the process of investigating to determine liability.

**Litigation:**

Legal representation is provided by the ("FMIT") in the following matter:

Pieter Bakker vs. Town Of Surfside, a municipal corporation of the State of Florida and Young Israel of Bal Harbour, Inc. On May 30, 2012, Pieter Bakker filed a complaint in State Court against the Town which alleges counts against the Town including contract zoning, Charter violations, and a request for a writ of certiorari to quash Resolution 12-Z-2078 approving a Site Plan Application to permit Young Israel to build a synagogue on 9580 Abbott Avenue. On September 30, 2013, the Court ordered this matter to be transferred to the Appellate Division. Petitioner, Mr. Bakker filed an Amended Petition for Writ of Certiorari and De Novo Complaint and a Motion for Summary Judgment. The Appellate Division issued an order for the Town and Young Israel to show cause why the Petition for Writ should not be granted. The Town filed a Motion to Dismiss the Amended Petition for Writ of Certiorari and De Novo Complaint. The Court issued an order for Respondents (the Town and Young Israel) to address various jurisdictional issues. The Town filed a jurisdictional brief and responded that Mr. Bakker failed to invoke the Circuit Court's Appellate jurisdiction in a proper fashion with respect to the claim for certiorari relief and that the Appellate Division of the Circuit Court is entirely without jurisdiction to consider evidence and adjudicate the claims. The Court has issued an order requiring Mr. Bakker to file a brief on the jurisdictional issues raised by the Town of Surfside and Young Israel.

**Special Matters:** Continued monitoring of new case law and legislation on Federal, State, and County.



TOWN OF SURFSIDE  
 PROJECTS PROGRESS REPORT  
 CALVIN, GIORDANO & ASSOCIATES, INC.  
 April, 2014

1. **Planning and Community Development** – Planning and Community Development – In August 2012, the Shul submitted a site plan application for an expansion. Staff met with the applicant to discuss the review comments and the applicant resubmitted the plans on January 25, 2013. Staff held Development Review Group meetings on February 13, 2013, March 28, 2013 and July 18, 2013. A Development Impact Committee meeting was held October 17, 2013. Due to the amount of outstanding items, a second DIC meeting was held on January 9, 2014. The application was heard and unanimously approved at the February 27, 2014 Planning and Zoning Board meeting and will be heard at an upcoming Special Town Commission meeting. The Planning Department has prepared graphics and text relating to the length of buildings which were discussed at the August Planning and Zoning Board meeting. The Board provided feedback and the item was placed back on the October 2, 2013 and October 23, 2013 Planning and Zoning Board meetings. Staff was directed by the Town Commission to prepare additional graphics to explain the concept. These graphics were discussed at the December 19, 2013 Planning and Zoning Board meeting and additional feedback was provided. A revised graphic was provided at the February Planning and Zoning Board meeting, but deferred to an upcoming Planning and Zoning Board meeting. Planning Department Staff prepared a timeline for the items discussed at the joint Town Commission and Planning and Zoning Board meeting starting in November through May. Planning Staff has also prepared a spreadsheet for each development project to continually track the conditions of approval. This spreadsheet identifies the department responsible for the item and confirmation of completion. A number of ordinances have already been discussed at Planning and Zoning and will be heard by the Town Commission in the upcoming months. Staff continues to answer approximately 85-100 zoning questions monthly and reviews permit applications.
  
2. **Information Technology & TV Broadcasts** - The mail server has been up and running without interruption for 626 days. The last downtime was for routine maintenance and occurred on July 11, 2012. IT has provided 3 quotes for surveillance cameras for the Police Department to place around the Town and is awaiting approval of Triad Security's proposal as the chosen vendor. The upgraded SCALA system has been installed, and town staff has been trained as of February 25<sup>th</sup>, 2014. The Police Department requested quotes to upgrade the ID badge card readers and after acquiring quotes, they have decided to put the project on hold due to pricing. Onsite IT staff completed the certification process for FCIC/NCIC in order to allow access to work on Police laptops and servers. The Finance Department and Badger are working with SunGard on integrating the water meter reading system with billing. The Finance Department and IT are working on integration between the RecTrac software for Parks and Recreation and Sungard. An upgrade of the Town's internet circuit to 50MB

has been approved by the Finance Director to alleviate speed issues with Town software, VPN, video streaming, and e-mail and AT&T has completed the site survey in preparation for installation to be completed by the end of April 2014. The IT Department will be replacing the battery backups used in the server room, which will require after hours downtime during the replacement. SeeClickFix was launched on February 11<sup>th</sup> and IT is working with the vendor on some remaining questions and issues before undergoing a community outreach and marketing campaign. The microphone vendor came to troubleshoot the table top microphones and found them to be defective. The vendor replaced the faulty equipment and the microphones are now up and operational. IT has ordered a desktop computer to be used in the lobby for resident access. The IT Staff continues to receive approximately 300 support requests monthly via phone and email.

3. **Public Utilities / Engineering – Public Utilities / Engineering** – The sanitary pump station control panels are being replaced the first week in April by CC Controls. The 1 year warranty video of the sanitary sewer mains is currently scheduled to commence in June 2014.

**Funding Summary –**

<b><u>Funding Status:</u></b>	<b><u>Amount</u></b>	<b><u>Amount Received</u></b>
FDEP Grant	\$873,500	\$873,500
FDEP Grant	\$125,000	\$125,000
FDEP Grant	\$100,000	\$100,000
FDEP State Revolving Fund Loan	\$9,312,881	\$7,339,928 ***
BBC Bond	\$859,000	\$817,500 *
<b>TOTAL</b>	<b>\$11,270,381</b>	<b>\$9,225,928</b>

**\*As-builts have been received, which will allow Town to request final portion.**

**\*\*\*Request # 3 has been submitted for the full \$9,312,881**

4. **Town-Owned Seawall Repair** – The bid packages are being advertised in April 2014 and bids will be due 30 days after advertisement. Once bids are received, CGA will review for discrepancies or irregularities and recommend award of the apparent low bidder at the following Commission Meeting.
5. **Biscaya Drainage Project** – Multiple community outreach meetings were held. At the request of the Town Manager, CGA engineers had a conference call with a third party engineer who resides within Surfside to review the design prior to completing 60% drawings. The 60% plans were submitted to Town Staff for review and comments. CGA obtained a permit exemption notice from SFWMD and has applied for the DRER permit.

The 90% plans will be completed and submitted to the Town in April 2014. Once the DRER permit is obtained the 100% plans will be prepared.



**TOWN OF SURFSIDE  
DVAC**

**Monday January 27, 2014 – 7:00 p.m.  
Commission Chambers**

Town Hall 9293 Harding Avenue, 2<sup>nd</sup> Floor  
Surfside, FL 33154

**MINUTES**

**I. Call to Order and Roll Call**

The meeting was called to order by Michael Crotty, Town Manager at 7:06pm.

Also in attendance: Jackie Murphy, Marty Oppenheimer, Peter Bakker, Ken Arnold, Louis Cohen, Barbara Cohen, Sarah Johnston, Assistant Town Attorney, Linda Miller, Town Attorney, Duncan Tavares, TEDACS Director, Meredith Beattie, Commissioners Joseph Graubart and Michelle Kligman (Entered at 7:27pm).

**II. Introduction by Town Manager Michael Crotty  
N/A**

**III. Approval Meeting Minutes: November 25, 2013**

Louis Cohen made a motion to approve the minutes; Ken Arnold seconded the motion. The motion passed unanimously. The minutes were approved.

**IV. Parking Structure Update**

An outreach was done in November.

On December 18, 2013 a community outreach meeting was held.

Town staff completed an analysis of land use.

The owner of the post office was notified and a discussion was held regarding the use of the Post Office lot.

A discussion with private developers who are interested in a public/private partnership for parking was also held.

A report will be provided to the Town Commission in April.

Arthur Noriega from Miami Parking Authority (MPA) provided input to the Town Manager regarding the parking structure. MPA will provide the Town a list of contacts/vendors used by the MPA to structure their garage in order to piggyback off the contract if at all possible.

Peter Bakker presented analysis on his parking study and concluded that a parking garage is not necessary.

**V. BID Process Update**

Duncan advised that the results for the straw votes for the BID were in.

There were 21 votes in favor of the BID, but 24 votes were needed.

There were no returned ballots with a “no” vote.

During the week of January 14 – 21, 2014 property owners were in favor of a BID and the first reading of the enabling ordinance took place at the Town Commission meeting on January 14, 2014. On January 30, 2014 the item moves on to Planning and Zoning to vet the enabling ordinance.

The Town Commission will have the 2<sup>nd</sup> reading of the enabling ordinance and the 1<sup>st</sup> reading of a Downtown BID creation item on February 11, 2014.

On March 11, 2014 the 2<sup>nd</sup> reading of the downtown BID creation ordinance and the intent to assess a special assessment and prepare the preliminary assessment resolution.

A referendum of property owners has to be conducted within 120 days.

The Town has 5 days to present vote results to Town Commission.

The Town Commission has 30 days to appoint BID Board.

Setting a time and place for the special assessment resolution to be heard.

The BID is then created upon affirming the majority vote.

There is support from business owners and others that are non-business owners.

Lou Cohen inquired if there is an estimated cost to property owners. Duncan Tavares advised that there is but it varies per property, but the cost seems very minimal in comparison to what it can leverage for the business district.

Lou Cohen also inquired if there was a conflict with Surfside Business Association. Duncan Tavares advised that the president of SBA, Eli Tourgeman, fully supports the BID.

Marty Oppenheimer inquired as to what kind of things are envisioned for the funds for downtown. Originally it was thought to be put towards marketing, but what the general consensus wants in addition to this is advocacy on parking and other issues.

## **VI. Sign Code Process Update**

The tentative sign code review timeline is:

The March DVAC meeting will be the first meeting pertaining to the sign code.

In May it will head to a joint Planning and Zoning and Commission meeting

It will come back to DVAC in July

It October will go before the Town Commission and another Planning and Zoning Meeting.

In December it returns to the Town Commission for its second reading.



**VII. Downtown Streetscape Update**

On February 20, 2014 at 7pm, there will be a “Ribbon Cutting” Ceremony as well as a Third Thursday event.

The lights are currently being installed. The furniture has been ordered but it may not make in time for the ceremony.

A separate ceremony for the 95<sup>th</sup> Street End project will be determined at a later date.

The sidewalk ordinance will be implemented very shortly.

Ken Arnold inquired if the bus stop at Publix can be moved back however Michael Crotty advised that it’s on FDOT property and may be very difficult to move it.

Lou Cohen inquired moving the 94<sup>th</sup> street/Collins Ave bus stop back into the Chateau’s property however moving it may be difficult as it is one of the most used stops on Collins Ave.

**VIII. Action Item ~ TBD**

The Planning and Zoning Board wants the DVAC committee to start looking into color palettes for Downtown.

**IX. Public Comment**

**X. Next meeting: Monday February 24, 2014**

**XI. Adjournment**

Lou Cohen made a motion to adjourn the meeting; Commissioner Kligman seconded the motion. The motion passed unanimously. The meeting ended at 8:06pm.

Accepted this 24 day of March, 2014

NANCY RAETMAN  
Member (Print)  
Nancy Raetman  
Signature

Attest:

Frantza Duval  
Frantza Duval  
Recording Clerk



## **TOWN OF SURFSIDE**

MUNICIPAL BUILDING  
9293 HARDING AVENUE  
SURFSIDE, FLORIDA 33154-3009

### **PARKS AND RECREATION ADVISORY COMMITTEE MEETING**

7:00 pm

Monday February 10, 2014

Community Center  
9301 Collins Avenue

### **MINUTES**

1. Roll Call of Committee Members

The meeting was called to order by Retta Logan at 7:03pm.

Also in attendance: Louisa Agresti, Arnie Notkin, Veronica Lupinacci, Michael Crotty, Town Manager, Tim Milian, Parks and Recreation Director, Marta Olchyk, Commission Liaison, Sarah Johnston Assistant Town Attorney, Frantza Duval, Recording Clerk, Michael Karukin, Eliana Salzhauer (Entered at 7:14pm).

2. Approval of minutes from 1/13/14

Louisa Agresti made a motion to approve the minute; Veronica Lupinacci seconded the motion. The motion passed unanimously. The minutes were approved.

3. Miami Beach Skate Park Update

Miami Beach Commission reviewed the Skate Park agenda item at its last Commission meeting and directed their Parks and Recreation department to come up with a comprehensive plan to include the skate park for that area. It is currently on hold.

Miami Beach has held neighborhood meetings that have residents in favor of the skate park.

Marta Olychk inquired what the alternative is if Miami Beach no longer wants to move forward with the Skate Park. Michael Crotty advised that if Miami Beach no longer wants to do the Skate Park ; then the Town will have to look at alternative resources, and at the current moment the Town doesn't have the land space.

4. 96th street park parking plan

Tim Milian advised that if Town went ahead with the rendering for the parking at 96<sup>th</sup> street park it would lose 1200 square feet of green space.

Tim Milian recommends to looking at the parking in the planning of 96<sup>th</sup> street park study.

Veronica Lupinacci made a motion to hold off on the discussion of the parking at the 96<sup>th</sup> street park until general park renovations are being discussed; Louisa Agresti seconded the motion The motion passed unanimously.

Michael Karukin advised that if the fence is moved it'll create between 16-18 parking spaces.

5. 96<sup>th</sup> street park behavioral problems

Tim Milian advised that the average age for staff at the park is 24 years old. Parks and recreation need people who can relate to the kids.

Veronica Lupinacci notices that kids are moving from the park into the downtown business district. Business owners are also noticing that the kids are hanging out in downtown near 94<sup>th</sup> street.

Veronica Lupinacci advised that the layout of the park plays a major factor.

Retta Logan advised that a game room for the teens is needed.

Eliana Salzhauer suggested a teen scene safety program.

Veronica Lupinacci agreed that the park does need to be improved.

The behavior at the park has changed drastically.

The re-vamp of the park has to be geographically placed so that it separates both small from young children.

6. Tennis Courts Renovation Update

The center opened February 5, 2014.

The landscape will be finished this week.

There has been nothing but compliments on the courts.

Veronica Lupinacci wants to see programming of for tennis.

Margarette will still be handling the booking of the courts.

Youth programming will be scheduled to be open at the end of February.

\*The time frame for the new equipment to arrive will be in March, which will include new monkey bars.

Tim Milian will continue to look into the mulch.

#### 7. Community Input

Pablo Casel inquired about public access of non-motorized marine being able to access from a surfside launch sit.

The Town Manager wants the Committee to start looking into it.

Eliana Salzhauer inquired if any spots have been identified and the park was one of the identified spots, but it was advised that it poses a liability.

Town Manager advised that an FDEP permit for lighting at the pool is required. The Town Manager will follow-up with recommendations.

Tim Milian is looking at the North Miami Community concert band for an End of school/start of summer beach party.

#### 8. Meeting Adjournment

Veronica Lupinacci made a motion to adjourn the meeting; Louisa Agresti seconded the motion. The motion passed unanimously. The meeting ended at 7:48pm.

Accepted this 17 day of March, 2014

ELIANA S ALOHA  
Member (Print)

  
Signature

Attest:  
  
Frantza Duval  
Recording Clerk





## Town of Surfside Commission Communication

**Agenda Item #** 3G

**Agenda Date:** April 8, 2014

**Subject:** Approval of Improvements to the Town Hall Unimproved Parking Lot

**Background:** Last year, Staff requested Lynx Construction Management to submit a proposal to improve and reconfigure the Town Hall parking lot(s) to include the unimproved parking lot in the southeast corner of the Town Hall complex. This proposal was sought under the design/build contract utilized for the Post Office Lot.

The proposal received from Lynx included design, surveying permitting, construction, etc. The cost estimate was based on a design to accommodate exiting operations (Town hall, Public Works and Police needs). The design build proposal was \$425,441.

It was recommended that no action be taken on this design build proposal. The ultimate parking solution for this area should be included in the proposed improvements to the Community Center (second floor option).

However, there still exists a need to address the unimproved (dirt) parking lot. This lot has a high usage and because of the dirt base, cars transfer dirt/dust out of the parking area. This is noticed more during rain and wind events. Once the dirt/dust leaves the parking area, it will wash into the Town's storm drains and gutter systems. In addition, sand and dirt/dust consistently blow or get tracked into Town Hall and or neighboring properties.

**Analysis:** Because of the nature of the parking lot base is dirt, a harder surface would allow marked parking lanes instead of random parking as we currently have. Marked spaces would allow the Town to lay out parking spaces and properly monitor/control usage. Public Works Staff would plan and construct the parking improvements.

**Project Budget:**

8" lime rock base	\$ 4,400.00
1" asphalt S-III	\$11,750.00
"D" curb on north and west side	\$ 3,600.00
Contingency	\$ 1,500.00
Car stops 36	\$ 800.00
<u>Roller and dozer</u>	<u>\$ 1,800.00</u>
Total	\$23,850.00

**Budget Impact:** The total cost to pave and install curbing on the unimproved Town Hall southeast parking lot is \$23,850.00 and can be funded from the Municipal Transportation Reserve Fund.

It is recommended that the Town Commission authorize an amendment to the 2013/2014 Budget and appropriate \$23,850.00 to Account 107-8500-541-6310 for the Town Hall southeast parking lot improvements and authorize the Town Manager to expend funds in the total amount of \$23,850.00 for this project.

**Recommendation:** Adopt the Resolution approving the improvements to the Town Hall unimproved parking lot in the amount of \$23,850.00.



Public Works Director



Town Manager



RESOLUTION NO. 14-\_\_\_\_\_

**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, AUTHORIZING THE IMPROVEMENT PROJECT FOR THE TOWN HALL SOUTHEAST UNIMPROVED PARKING LOT IN AN AMOUNT NOT TO EXCEED \$23,850; AUTHORIZING AN AMENDMENT TO THE 2013-2014 BUDGET AND APPROPRIATION OF \$23,850 TO ACCOUNT NO. 107-8500-541-6310 FOR THE UNIMPROVED SOUTHEAST PARKING LOT IMPROVEMENTS; PROVIDING AUTHORIZATION AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS,** the southeast portion of the Town Hall parking lot is unpaved; and

**WHEREAS,** it is the desire of the Town Commission to improve said portion of the Town Hall parking lot with asphalt, curbing, and certain other upgrades; and

**WHEREAS,** the Public Works Director has prepared a construction plan utilizing Public Works personnel to improve said portion of the Town Hall parking lot in an amount not to exceed \$23,850; and

**WHEREAS,** the Town Commission has decided it is in the best interest of the Town to proceed with the Town Hall parking lot improvement project.

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

**Section 1.    Recitals.** The above recitals are true and correct and incorporated into this Resolution by this reference.

**Section 2.    Approval.** The Town Commission approves the amendment to the 2013-2014 Budget and appropriation of \$23,850 to Account No. 107-8500-541-6310 for the project to improve the southeast portion of the Town Hall parking lot as outlined in the April 8, 2014 Commission Communication attached hereto as Exhibit "A".

**Section 3.    Authorization.** The Town Commission authorizes the Town Manager to execute and take all actions necessary to implement the Town Hall parking lot improvements as outlined in the Commission Communication attached as "Exhibit A."

**Section 4.    Effective Date.** This Resolution shall take effect immediately upon adoption.

PASSED AND ADOPTED this \_\_\_\_ day of \_\_\_\_\_, 2014.

Motion by \_\_\_\_\_, second by \_\_\_\_\_.

FINAL VOTE ON ADOPTION

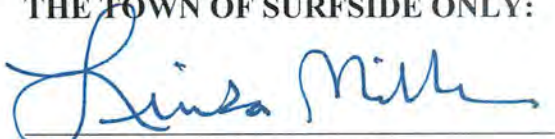
Commissioner Barry Cohen \_\_\_\_\_  
Commissioner Michael Karukin \_\_\_\_\_  
Commissioner Marta Olchyk \_\_\_\_\_  
Vice Mayor Eli Tourgeman \_\_\_\_\_  
Mayor Daniel Dietch \_\_\_\_\_

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

**ATTEST:**

\_\_\_\_\_  
Sandra Novoa, CMC  
Town Clerk

**APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY FOR  
THE TOWN OF SURFSIDE ONLY:**

  
\_\_\_\_\_  
Linda Miller, Town Attorney

Resolution No. \_\_\_\_\_



## Town of Surfside Commission Communication

### **Agenda Item #**

**Agenda Date:** April 8, 2014

**Subject:** Approval of Improvements to the Town Hall Unimproved Parking Lot

**Background:** Last year, Staff requested Lynx Construction Management to submit a proposal to improve and reconfigure the Town Hall parking lot(s) to include the unimproved parking lot in the southeast corner of the Town Hall complex. This proposal was sought under the design/build contract utilized for the Post Office Lot.

The proposal received from Lynx included design, surveying permitting, construction, etc. The cost estimate was based on a design to accommodate exiting operations (Town hall, Public Works and Police needs). The design build proposal was \$425,441.

It was recommended that no action be taken on this design build proposal. The ultimate parking solution for this area should be included in the proposed improvements to the Community Center (second floor option).

However, there still exists a need to address the unimproved (dirt) parking lot. This lot has a high usage and because of the dirt base, cars transfer dirt/dust out of the parking area. This is noticed more during rain and wind events. Once the dirt/dust leaves the parking area, it will wash into the Town's storm drains and gutter systems. In addition, sand and dirt/dust consistently blow or get tracked into Town Hall and or neighboring properties.

**Analysis:** Because of the nature of the parking lot base is dirt, a harder surface would allow marked parking lanes instead of random parking as we currently have. Marked spaces would allow the Town to lay out parking spaces and properly monitor/control usage. Public Works Staff would plan and construct the parking improvements.

**Project Budget:**

8" lime rock base	\$ 4,400.00
1" asphalt S-III	\$11,750.00
"D" curb on north and west side	\$ 3,600.00
Contingency	\$ 1,500.00
Car stops 36	\$ 800.00
Roller and dozer	\$ 1,800.00
<u>Total</u>	<u>\$23,850.00</u>

**Budget Impact:** The total cost to pave and install curbing on the unimproved Town Hall southeast parking lot is \$23,850.00 and can be funded from the Municipal Transportation Reserve Fund.

It is recommended that the Town Commission authorize an amendment to the 2013/2014 Budget and appropriate \$23,850.00 to Account 107-8500-541-6310 for the Town Hall southeast parking lot improvements and authorize the Town Manager to expend funds in the total amount of \$23,850.00 for this project.

**Recommendation:** Adopt the Resolution approving the improvements to the Town Hall unimproved parking lot in the amount of \$23,850.00.

  
Public Works Director

  
Town Manager



## Town of Surfside Commission Communication

**Agenda Item #** 3H

**Agenda Date:** April 8, 2014

**Subject:** Proposed Memorandum of Understanding for the Miami-Dade County New 700/800 MHz Regional Radio System

**Objective:** The Memorandum of Understanding specifies County protocols, procedures, and obligations under which jurisdictions are authorized to use County licensed radio channels.

**Background:** The agreement is being implemented between the Town of Surfside by and through its department, the Surfside Police Department and Miami-Dade County under the partnership of the Miami-Dade Police Department, which operates these systems in the performance of its law enforcement responsibilities for the County, and the Information Technology Department, which manages these systems for the County as the licensed user.

**Analysis:** This agreement is required for the Surfside Police Department to participate and utilize the new Miami-Dade County police radio system. It is critical for the public safety of the Town of Surfside.

**Recommendation:** It is recommended that the Surfside Town Commission approve the resolution authorizing the Memorandum of Understanding for the Miami-Dade County 700/800 MHz Regional Radio.

David Allen, Chief of Police

Michael Crotty, Town Manager

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION OF THE TOWN OF SURFSIDE, FLORIDA ACKNOWLEDGING THE MEMORANDUM OF UNDERSTANDING BETWEEN THE TOWN OF SURFSIDE AND MIAMI-DADE COUNTY; AUTHORIZING THE TOWN MANAGER AND CHIEF OF POLICE TO EXECUTE AND IMPLEMENT THE TERMS AND CONDITIONS OF THE MOU; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the Surfside Police Department strives to provide the highest level of police service to the Surfside residents; and

**WHEREAS**, the Memorandum of Understanding (attached hereto as Exhibit "A") that is being implemented under the partnership of the Miami-Dade Police Department will authorize the Surfside Police Department to utilize the County 700/800 MHz Regional Radio System for voice radio communication; and

**WHEREAS**, the Memorandum of Understanding specifies County protocols, procedures, and obligations under which jurisdictions are authorized to use County licensed radio channels; and

**WHEREAS**, in response to the continued need of providing the highest level of public safety; and

**WHEREAS**, the Commission of the Town of Surfside feels it is in the best interests of the Town to enter into this Memorandum of Understanding due to the indispensable need for public safety.

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

**Section 1. Recitals Adopted.** That each of the above stated recitals are hereby adopted, confirmed, and incorporated herein.

**Section 2. Authorization and Approval.** The Town Commission authorizes and approves the Town Manager and Chief of Police to execute and implement this Memorandum of Understanding.

**Section 3. Effective Date.** This Resolution shall become effective immediately upon its adoption.

**PASSED AND ADOPTED** this \_\_\_\_ day of April 8, 2014.  
Motion by Commissioner \_\_\_\_\_, second by Commissioner \_\_\_\_\_.

**FINAL VOTE ON ADOPTION**

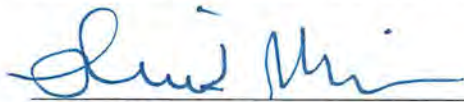
Commissioner Barry Cohen \_\_\_\_\_  
Commissioner Michael Karukin \_\_\_\_\_  
Commissioner Marta Olchyk \_\_\_\_\_  
Vice Mayor Eli Tourgeman \_\_\_\_\_  
Mayor Daniel Dietch \_\_\_\_\_

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

**ATTEST:**

\_\_\_\_\_  
Sandra Novoa, CMC. Town Clerk

**APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY FOR THE TOWN OF SURFSIDE ONLY:**

  
\_\_\_\_\_  
Linda Miller, Town Attorney





Integrity • Respect  
Service • Fairness

**Miami-Dade Police Department**  
Office of the Director  
Police Legal Bureau  
9105 NW 25th Street • Room 3069  
Miami, Florida 33172-1500  
T 305-471-2550

[miamidade.gov](http://miamidade.gov)

March 21, 2014

Chief David Allen  
Surfside Police Department  
9293 Harding Avenue  
Surfside, FL 33154

Dear Chief Allen:

Subject: Memorandum of Understanding for the  
County 700/800 MHz Regional Radio System

Enclosed is the Memorandum of Understanding that specifies County protocols, procedures, and obligations under which jurisdictions are authorized to use County licensed radio channels. This agreement is being implemented under the partnership of the Miami-Dade Police Department, which operates these systems in the performance of its law enforcement responsibilities for the County, and the Information Technology Department, which manages these systems for the County as the licensed user.

We are providing you with four documents to sign. Please return two documents to our office with original signatures from your agency so that we may finalize this Memorandum of Understanding and ensure that the day-to-day operations of these systems are not impacted.

We look forward to working together to strengthen our law enforcement communications. If you have any questions regarding this matter, please contact Ms. Susan Windmiller at (305) 471-3197.

Sincerely,

A handwritten signature in blue ink that reads "Janet Lewis".

Janet Lewis  
Senior Bureau Commander

Enclosure



**MEMORANDUM OF UNDERSTANDING  
BETWEEN THE TOWN OF SURFSIDE  
AND  
MIAMI-DADE COUNTY**

This Memorandum of Understanding is made this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, between the Town of Surfside by and through its department, the Surfside Police Department (hereinafter "AGENCY"), and Miami-Dade County by and through its departments, the Information Technology Department (hereinafter, ITD) and the Miami-Dade Police Department (hereinafter, MDPD). This agreement will be implemented under the partnership of the Miami-Dade Police Department, which operates these systems in the performance of its law enforcement responsibilities for the County, and the Information Technology Department, which manages the radio channels for the County (as the licensed user).

**WHEREAS** Miami-Dade County (County) formally establishes a Memorandum of Understanding (MOU) with the AGENCY allowing it to utilize the County 700/800 MHz Regional Radio System for voice radio communications, the County imposes certain protocols, procedures, and obligations upon jurisdictions hereby authorized to use County-licensed radio channels. The parties hereto agree to the requirements detailed in this MOU.

The parties shall follow all policies and standard operating procedures in place at the time of this agreement as well as those developed in the future and issued by ITD.

**Definitions**

- a) AGENCY- Authorized entity utilizing County 700/800 MHz Regional Radio System to conduct Law Enforcement communications.
  
- b) Encryption - The process of encoding messages in such a way that eavesdroppers or hackers cannot read it, but authorized parties can.
  
- c) LMR – Land Mobile Radio.
  
- d) Personality Lock – A P25 feature to restrict access to radio personality stored in the unit.
  
- e) Authorized Reseller – Equipment reseller authorized to perform repairs, sales, training, support, and programming of radios.
  
- f) LID – Logical Identification
  
- g) RF – Radio Frequency

**ITD Responsibilities as related to the County Radio system:**

- Provide 24/7 support to radio infrastructure related emergencies. Restore services to 700/800 Radio Infrastructure including equipment, environmental systems, towers, antennas, county-wide microwave system, and operating system software.
  
- Provide maintenance, troubleshooting, repairing, upgrading, replacing, and servicing all 700/800 Radio infrastructure hardware and software applications.
  
- Physical and logistical security of sites, radio system and network.

- Perform preventive system maintenance and administration per vendor's recommendations.
- Provide back-up communication services in the event of an emergency on the 700/800 Radio system.
- Create and coordinate communications talk groups.
- Monitor systems for capacity and performance issues and take corrective action to mitigate problems affecting capacity and/or performance.
- Manage all applicable Federal Communications Commission (FCC) licenses authorized to the County.
- Prepare bids and Request for Proposal (RFP) documents for the procurement of goods and services relating to radio communications technology.
- Prepare and maintain all system documentation.
- Evaluate new technology for possible cost reduction or service enhancements.
- Set and maintain standards of "Approved Equipment" that access County radio systems.
- Identify and correct private carrier Radio Frequency (RF) related interferences affecting public safety systems.

**ITD Services provided at additional costs:**

- Maintenance & support of AGENCY microwave or land line link used to connect AGENCY system to the County network.
- AGENCY Dispatch Consoles maintenance & repairs.
- Purchase of new radio equipment including software-licensing requirements by manufacturers for software installed in the field subscriber equipment including but not limited to portable radios, mobile radios, control stations, and dispatch consoles.
- Radio Depot maintenance and repairs of subscriber radios, control stations, dispatch consoles, or other terminal devices that connect to the County 700/800 MHz systems.
- Installation services.
- Drive-in repair service.
- AGENCY may exercise an option to have all radio repairs completed by the ITD Radio Shop at mutually agreed to terms.

While operating on the County Public Safety 700/800 MHz radio system, AGENCY is subject to the following guidelines:

1. Use shall be limited solely to communications relating to matters of law enforcement.

2. The use of frequencies on the Miami-Dade Regional Public Safety Network requires strict encryption adherence.
3. Be on the Look Out (BOLOs) or active emergencies, which need to be broadcasted across shared talk groups, will require the approval of the approved active dispatcher via an intercom connection. If the talk groups are patched, each agency may request the release of the patch and the other will honor it.
4. AGENCY agrees to comply with all County enforcement actions required by policy or procedure for misuse or abuse of the radio system.
5. AGENCY agrees to use the Personality Lock feature on all LMR subscriber radios connecting to the County Radio System to prevent unauthorized users from programming radios or accessing the system.
6. AGENCY agrees that encryption keys remain under the control of MDPD, managed by ITD, and shall not be shared with private contractors without prior consent from the County.
7. Use of the County Radio System shall be limited solely to communications relating to matters of law enforcement. Proper FCC and County radio protocols must be adhered to at all times.
8. AGENCY must obtain written authorization from ITD in order to utilize "other agency" Talk Groups on AGENCY radios. This authorization will be communicated to ITD Radio Administration prior to programming Talk Groups into subscriber radio equipment. All radio personality changes/modifications must be approved by ITD prior to deployment. New Talk Group names, Aliases, and LIDs must be assigned by ITD prior to changing, adding, or deleting subscriber equipment on the County system. All radio personality changes/modifications must be approved by ITD prior to deployment. New Talk Group names, Aliases, and LIDs must be assigned by ITD prior to changing, adding, or deleting subscriber equipment on the County system.
9. AGENCY shall not utilize duplicate LID numbers already issued to a specific subscriber radio including retiring subscriber equipment. All change requests must be communicated to ITD. AGENCY is not authorized to program radios for any other County agency or municipality having radios connected to the County Public Safety Radio System.
10. AGENCY will only utilize LIDs/ID numbers assigned by ITD as part of this agreement. AGENCY shall provide ITD with a list of personnel authorized to request activation or deactivation to existing subscriber units or adding new subscriber radios.
11. In the course of sharing information, AGENCY may receive certain access codes, frequencies, system parameters, etc., to the County's 700/800 MHz radio system to enable the talk groups to be programmed into their subscriber equipment. The access code and other information are to be treated as confidential information and AGENCY is responsible for safeguarding the code information from release. AGENCY is not authorized to release this information to anyone including outside agencies, non-AGENCY employees, internet blogs, web sites, publications or to amateur radio operators or amateur radio clubs.

12. All written and oral information not in the public domain or not previously known, and all information and data obtained, developed, or supplied by ITD will be kept confidential by AGENCY and will not be disclosed to any other party, directly or indirectly, unless such disclosure is required by law or lawful order. In no case shall the information be released without ITD's prior written consent. All of the information as described above shall be and remains the County's property and may only be reproduced or distributed with written permission of ITD on behalf of Miami-Dade County.
13. Access and programming codes will only be released to service staff employed by ITD Radio Communications Division who has received factory training in programming radios. AGENCY agrees to initiate action against the respective employee if the employee releases this confidential radio information.
14. ITD may approve programming of subscriber equipment by an authorized reseller or manufacturer of subscriber equipment compatible on the County Radio System upon review of whether the contract terms between the AGENCY and the commercial service provider, are adequate to protect the County's 700/800 MHz Regional Radio System from misuse, harm, or release of access and programming codes and radio use.
15. Programming of radio personalities including original, changes, deletions, or modifications to radios operating on the County system will be performed by service staff employed by ITD Radio Communications Division who have received factory training in programming radios.
16. AGENCY will be responsible for ensuring that the commercial service provider adheres to the terms of this agreement pertaining to the proper use of access/programming codes and radio use.
17. AGENCY agrees to take responsibility for all equipment connected to the County Radio System by ensuring that the necessary measures are taken to safeguard the equipment from loss, theft, or damage.
18. AGENCY agrees that use of the 700 MHz system is only for unencrypted special and emergency events as authorized by the MDPD and ITD. Prioritized use of the 700 MHz Intercity System is limited to the following forms of use:
  - a. Emergency or urgent operation involving imminent danger to life or property.
  - b. Disaster or extreme emergency operation requiring extensive interoperability and inter-agency communications.
  - c. Pre-planned Special events.
  - d. Joint training exercises.
  - e. Inter-agency communications.
  - f. Catastrophic failure of the County's 800 MHz system.
  - g. Communications with agencies not on MDC System.
19. During the annual Miami-Dade County Radio Inventory, a physical inspection of all County-loaned assets may be necessary and such inspections shall be allowed by AGENCY. Additionally, each agency will provide a database file, which will be used for reconciliation purposes.
20. AGENCY will be responsible for maintaining a current account of all personnel who are assigned and possess a radio that operates on the County 700/800 MHz Radio System and to forward that information within 24 hours or as reasonably as possible to the

Miami-Dade County Information Technology Department, Radio Shop at 305-596-8900 for proper aliasing of the radio. AGENCY will also provide a 24/7 contact point for the MDPD Shift Commander in the event that there is an emergency declared on the radio. All verbal communications shall be confirmed in writing.

21. In the event that a radio programmed with the 700/800 MHz personality is lost, stolen, or missing, the ITD Radio Administrator shall be notified immediately at (305) 596-8176 outside of normal working hours and (305) 596-8900 during normal working hours. ITD Radio System management personnel will disable the affected radio.
22. AGENCY will be responsible for all programming, maintenance, and/or repair costs to any radio equipment owned by AGENCY. Private contractors hired to perform the services described above, will be required to sign an agreement not to disclose the radio personalities the AGENCY is authorized to utilize.
23. AGENCY agrees not to sublet their subscriber radios with the County template to any individual, agency, or organization without prior written consent from ITD Radio Communications.
24. Private calls shall not be allowed under any circumstances on the County radio system.
25. ITD shall be advised within 24 hours when new radios are added or deleted by AGENCY. This notification is required to be made in writing. ITD will acknowledge receipt of the request within 24 hours in writing as well.
26. ITD Radio Management personnel will develop the County radio personality, which will not be altered or changed when issued to AGENCY. Radio personalities must be mutually agreed by AGENCY and ITD before being loaded into any AGENCY radio. All minor changes and global changes will be completed in a mutually agreed time frame. As it relates to changes, the time frames are reciprocal to both agencies. AGENCY agrees to follow proper FCC and County radio protocols at all times.
27. Approval of additional radio unit activation shall include but not be limited to the outcome of Grade of Service (GOS) studies, which shall be performed by the County's Radio Communications Division of ITD. The GOS is a way of assuring that the additional devices will not adversely affect current communications on the County system.
28. At the County's sole discretion, improper use of radio that is discovered as affecting system performance or in an unauthorized manner may result in the suspension of subscriber radio or console. AGENCY management will be notified immediately upon discovery of improper radio use in writing.
29. AGENCY shall not perform two-way radio interconnecting or connecting subscriber radios and/or system Gateways, conventional or Internet Protocol (IP) based, to other radio systems, telephone systems, cellular systems, or any other communication system with the County 700/800 MHz Radio System without prior written approval by ITD Radio Communications Division.
30. AGENCY shall not connect 700/800 MHz radio system audio to any external source including telephony, or internet for monitoring purposes.
31. Only equipment authorized by ITD is approved to operate on the MDC 700/800 MHz P25 systems. In order for equipment to be added to the authorization list, equipment

must undergo testing to ensure its compatibility and its impact on the system and the other users. Currently, the following radio types are authorized for use on the County system:

- a. Harris P5100 / P5400 800 MHz
- b. Harris P7100 / M7100 800 MHz
- c. Harris P7200 / M7200 700/800 MHz
- d. Harris P7300 700/800 MHz
- e. Harris M7300 700/800 MHz
- f. Harris Unity Multi-Band

32. Any other radio subsequently approved by ITD must adhere as indicated below in "a" and "b" to ITD's testing methodology and programming specifications as defined for each type of subscriber radio equipment prior to putting equipment into actual operation.

- a) Provide ITD with four test radios for testing and certification of operation.
- b) Provide ITD including all costs associated with programming software, cables, keys, etc., offered by manufacturer to program subscriber equipment.

**Special Requirements:**

Not Applicable (N/A) will be indicated for each requirement not exercised.

1. AGENCY is responsible for the cost and support to maintain and operate their own radio infrastructure.
2. Agency is authorized to interface the AGENCY P25 system via standard PD Link to the County's 700/800 MHz trunked radio communications system.
3. Exclusive use and the number of talkgroups used by AGENCY are approved in accordance with MDPD and ITD concurrence and vary from one agency to another.
4. MDPD will allot working space within the Integrated Command Facility Building for Agency to AGENCY to establish a remote backup site for their operations, in the event of an emergency or other situation that renders their site inoperable. The cost of connecting to any AGENCY specific application would be funded by AGENCY.

This MOU is not intended, and should not be construed, to create any right or benefit, substantive or procedural, enforceable by law or otherwise by any third party against the Parties, the United States, the State of Florida, Miami-Dade County, or the officers, employees, agents, or other associated personnel thereof.

To the extent permitted by law and as limited by §768.28, Florida Statutes, each party shall assume the liability arising from acts taken by its personnel pursuant to this MOU. In no event shall a party be liable for acts, omissions, or conduct of the officers, employees or agents of the other participating party of this MOU and neither party intends a waiver of sovereign immunity or the limits provided by §768.28, Florida Statutes.

This MOU shall be effective from the date specified in the opening paragraph until terminated at any time by either Party upon a 90-day advanced written notice to the other party. This MOU may be modified at any time by the mutual written consent of the Parties.

Agency Name: Surfside Police Department

  
Signature

Date: 4-8-14

David Allen, Chief  
Print Name and Title

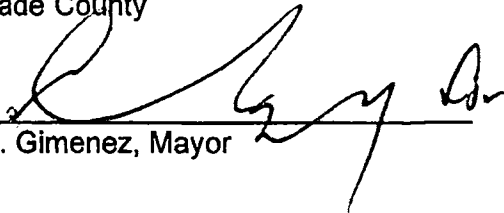
\_\_\_\_\_  
Signature

Date: \_\_\_\_\_

\_\_\_\_\_  
Print Name and Title




Miami-Dade County

  
\_\_\_\_\_  
Carlos A. Gimenez, Mayor

Date: 2/19/14

Information Technology Department

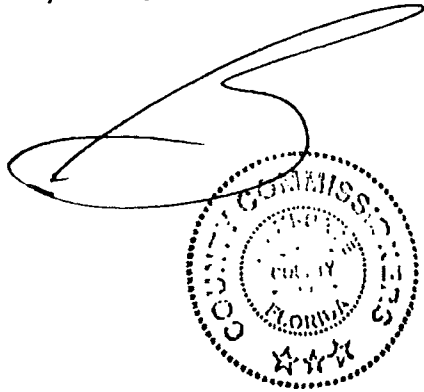
  
\_\_\_\_\_  
Angel Petisco, Director

Date: 1/30/2014

Miami-Dade Police Department

  
\_\_\_\_\_  
J.D. Patterson, Director

Date: 1/27/14





**Town of Surfside  
Town Commission Meeting  
April 8, 2014  
7:00 pm**

Town Hall Commission Chambers - 9293 Harding Avenue, 2<sup>nd</sup> Floor  
Surfside, FL 33154

**RESOLUTION COVER MEMORANDUM**

**Title:** Central Everglades Planning Project Support

**Submitted by:** Daniel Dietch, Mayor

**Objective:** To approve the Central Everglades Planning Project Support Resolution.

**Consideration:** The Comprehensive Everglades Restoration Plan (CERP) was developed in the 1990s with widespread public interest and support. Many public meetings were held and thousands of people provided input into the final plan – resulting in a widely supported plan that balances many competing interests.

In 2000, Congress authorized CERP, the largest environmental restoration effort in history. CERP will enhance Everglades wetlands and associated lakes, rivers, and bays in the 16-county region of south Florida. CERP projects will capture and store much of the 1.7 billion gallons of water a day currently lost to the Atlantic Ocean and Gulf of Mexico, to revitalize South Florida's natural environment.

Surfside approved a resolution supporting the CERP on August 15, 2012. The attached resolution addresses the next step in the process, namely the Central Everglades Planning Project (CEPP). Some of the benefits of CEPP include, but are not limited to:

- Protecting and enhancing drinking water supply; increasing water flow to the central Everglades will help recharge the Biscayne Aquifer that is the source drinking water for more than 7 million people;
- Increasing water flow south of Lake Okeechobee to improve critical habitat in the central Everglades and Florida Bay;
- Increasing water flows to help redirect water away from the coastal estuaries which have suffered from freshwater releases from Lake Okeechobee;
- Improving habitat to benefit the diversity of wildlife that calls the Everglades home - including 67 species of endangered plants and animals; and
- Providing flood control for the developed areas to the east of the Everglades by increasing storage and improving seepage management.

Specifically, this resolution supports the approval of the South Florida Water Management District (SFWMD) Letter of Support by the SFWMD Governing Board so that expedient progress can be made towards the ultimate goal of authorization and construction of CEPP. Through approval of this resolution, the Town of Surfside will demonstrate its continued commitment to and support of both CERP and CEPP.

RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION OF THE TOWN OF SURFSIDE,  
FLORIDA SUPPORTING CONSTRUCTION OF THE  
CENTRAL EVERGLADES PLANNING PROJECT;  
PROVIDING FOR AUTHORIZATION; AND PROVIDING  
FOR AN EFFECTIVE DATE.**

**WHEREAS**, the Greater Everglades Ecosystem is a globally imperiled habitat and the primary source of drinking water for the Town of Surfside; and

**WHEREAS**, Everglades National Park is critical to South Florida's tourism with over one million people visiting each year; and

**WHEREAS**, the Everglades ecosystem has continued to decline in the face of restoration delays and an expedited solution is needed to increase the quality, quantity, timing and distribution of freshwater flows into the central Everglades, Everglades National Park and Florida Bay; and

**WHEREAS**, increased deliveries of water south of Lake Okeechobee will reduce damaging discharges to the Caloosahatchee and St. Lucie estuaries; and

**WHEREAS**, the Central Everglades Planning Project (CEPP) will protect regional water supply, create much needed jobs and strengthen the local economy; and

**WHEREAS**, full support by the South Florida Water Management District (SFWMD) is needed to implement this project.

**NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, THAT:**

**Section 1. Recitals Adopted.** The above and foregoing recitals are true and correct and incorporated herein by reference.

**Section 2. Support by the Town of Surfside Town Commission.** The Town Commission supports the approval of the SFWMD Letter of Support by the SFWMD Governing Board so that expedient progress can be made towards the ultimate goal of authorization and construction of CEPP.

**Section 3. Authorization and Approval.** The Town Commission authorizes and approves the Town Manager and/or his designee to take all actions necessary to implement this Resolution.

**Section 4. Direction to the Town Clerk.** The Town Clerk is hereby directed to transmit a copy of this Resolution to the South Florida Water Management District Governing Board.

**Section 5. Effective Date.** This Resolution shall become effective immediately upon its adoption.

**PASSED AND ADOPTED** this \_\_\_ day of \_\_\_\_\_, 2014.

Motion by \_\_\_\_\_, second by \_\_\_\_\_.

**FINAL VOTE ON ADOPTION**

Commissioner Barry R. Cohen	_____
Commissioner Michael Karukin	_____
Commissioner Marta Olchyk	_____
Vice Mayor Eli Tourgeman	_____
Mayor Daniel Dietch	_____

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

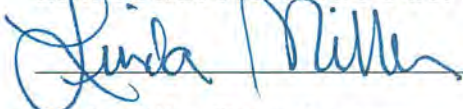
**ATTEST:**

\_\_\_\_\_  
Sandra Novoa, CMC

Town Clerk

**APPROVED AS TO FORM AND**

**LEGAL SUFFICIENCY FOR THE TOWN OF SURFSIDE ONLY:**

  
\_\_\_\_\_  
Linda Miller, Town Attorney



# CENTRAL EVERGLADES PLANNING PROJECT TENTATIVELY SELECTED PLAN WITH FEATURE DETAILS

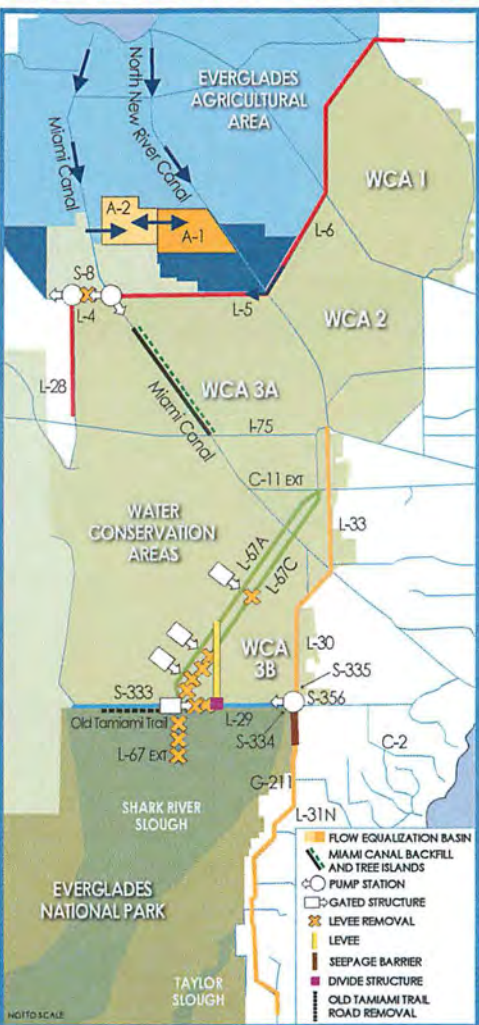
## CENTRAL EVERGLADES PLANNING PROJECT (CEPP) SPATIAL PERSPECTIVE

**North of Redline | Storage and Treatment**  
Construction and operations to divert, store, and treat Lake Okechobee regulatory releases

**South of Redline | Distribution and Conveyance**  
Conveyance features to deliver and distribute existing flows and the redirected Lake Okechobee water through Water Conservation Area (WCA) 3A

**Green and Blue Lines | Distribution and Conveyance**  
Conveyance features to deliver and distribute water from WCA 3A to WCA 3B and Everglades National Park (ENP)

**Yellow Line | Seepage Management**  
Features primarily for seepage management, which are required to mitigate for increased seepage resulting from the additional flow into WCA 3B and ENP



## CENTRAL EVERGLADES PLANNING PROJECT (CEPP) PLAN FEATURES

- North of Redline | Storage and Treatment**
  - Construct A-2 FEB and integrate with A-1 FEB operations
  - Lake Okechobee operational refinements
- South of Redline | Distribution and Conveyance**
  - Division of L-4 flows, infrastructure, and L-4 canal improvements
  - Remove ~2.9 miles of L-4 levee west of S-8 (3,600 cfs capacity)
  - Construct 360 cfs pump station at western terminus of L-4 levee removal
  - Backfill Miami Canal and Soil Mound Removal from ~1.5 miles south of S-8 to S-75
- Green & Blue Lines | Distribution and Conveyance**
  - Increase S-333 capacity to 2,500 cfs
  - One 500 cfs gated structure in L-47A levee north of Blue Shanty levee and 8,000-foot gap in L-47C levee
  - Two 500 cfs gated structures in L-47A, 0.5 mile east removal west of L-47A canal north and south of three L-47A structures
  - Remove ~8 miles of L-47C levee in Blue Shanty Rowway (no canal backfill)
  - Construct ~4.5 mile levee (Blue Shanty levee) in WCA 3B, connecting L-47A to L-29
  - Remove ~4.3 miles of L-29 levee in Blue Shanty Rowway; divide structure east of Blue Shanty levee at terminus of Tamiami Trail Modifications Heat Steps western bridge
  - Remove entire 5.5 miles of L-47 Extension levee; backfill L-47 Extension canal
  - Remove ~4 miles of Old Tamiami Trail road (south of L-29 western levee from L-47 Extension levee to EHP Tram Road)
- Yellow Line | Seepage Management**
  - Increase S-356 pump station to ~1,000 cfs
  - Construct ~2 mile partial depth seepage barrier south of Tamiami Trail (along L-31N)
  - G-211 operational refinements; use coastal canals to convey seepage

## NORTH OF THE REDLINE | STORAGE AND TREATMENT



#	STRUCTURE	STRUCTURE/FEATURE TYPE	CFS	TECHNICAL NOTES
1	L-24	Levee		Perimeter Levee (~20 miles, 11.3 feet high, 14 feet wide, 3:1 side slope)
2	L-23	Levee		Interior Levee (~4 miles, 11.3 feet high, 12 feet wide, 3:1 side slope)
3	S-423	Gated Spillway	3700	Delivers water from Miami Canal to existing G-373 pump station
4	S-424	Gated Spillway	1550	Receives water from existing pump station G-373 via STA 3/4 Supply Canal and delivers it to C-424 Flow Equalization Basin (FEB) inflow canal
5	C-424	FEB Inflow Canal	1550	Conveys water from FEB inflow structure S-424 to FEB C-424E seepage canal (length: ~4 miles)
6	C-424E	FEB Seepage Canal		Distributes FEB inflows across northern FEB; sheetflow within FEB is generally north to south (length: ~4 miles)
7	C-425E	FEB Collection Canal	400	Existing seepage canal for STA 3/4 Supply Canal; used to supplement FEB sheetflow during normal operating conditions
8	S-425	Gated Culverts	1550	Delivers water to FEB outflow canal (C-425W)
9	C-425W	FEB Outflow Canal	1550	FEB Outflow Canal is the extended seepage canal for the STA 3/4 Supply Canal; delivers water via existing G-373 pump station to STA 3/4 for water quality treatment
10	S-426	Gated Culvert	930	Delivers water in both directions between A-2 FEB and A-1 FEB for operational flexibility
11	S-427	Emergency Overflow Weir	445	
A-2 FEB design also includes an exterior seepage collection system (not illustrated):				
	C-426	Seepage Canal	400	
	S-426	Seepage Pump Station	500	Delivers seepage back into the FEB outflow canal C-425W



## SOUTH OF THE REDLINE | DISTRIBUTION AND CONVEYANCE



#	STRUCTURE	STRUCTURE/FEATURE TYPE	CFS	TECHNICAL NOTES
1	S-420	Gated Culvert	500	Delivers water from L-4 Canal to L-5 Canal
2	S-421	Gated Spillway	2500	Close to direct STA 3/4 discharges to western L-5 Canal during normal operations; control water from STA 3/4 to the existing S-27 pump station during peak events
3	S-422	Gated Spillway	500	Delivers water from east to west in L-5 Canal (replaces existing L-5 canal plug)
4	S-423	Gated Culverts with Canal	3000 & 1020	Existing S-8 pump station delivers water from L-5 Canal to Miami Canal; S-423 delivers water from Miami Canal to L-4 Canal (2100 cfs) and remaining Miami Canal segment (1040 cfs); potential design modifications to the existing S-8/C-434 structure will be assessed during Preconstruction, Engineering, & Design
5	S-430	Pump Station	340	Delivers water from L-4 Canal west to maintain existing water supply deliveries
6	L-4 Levee Removal			Removes ~2.9 miles of southern L-4 Levee
7	Miami Canal Backfill with Tree Islands Mounds			Remove ~13.5 miles of Miami Canal from 1.5 miles south of L-8 to L-75; tree island mounds create habitat and promote sheetflow in WCA-3A within the footprint of the former Miami Canal
8	L-5 Remnant Canal		500	Enlarging canal to expand capacity of L-5 Canal (between S-421 & S-422)
9	L-5 Canal		3000	Enlarging canal to expand capacity of L-5 Canal (between S-422 & S-41)



## BLUE AND GREEN LINES | DISTRIBUTION AND CONVEYANCE



#	STRUCTURE	STRUCTURE/FEATURE TYPE	CFS	TECHNICAL NOTES
1	S-431	Gated Culvert	500	Delivers water from WCA 3A to 3B, east of L-47D Levee
2	S-432	Gated Culvert	500	Delivers water from WCA 3A to 3B, west of L-47D Levee
3	S-433	Gated Culvert	500	Delivers water from WCA 3A to 3B, west of L-47E Levee
4	S-333W	Inflow Canal	1150	Delivers water from L-47A Canal to L-29 Canal; supplements existing S-333 gated spillway
5		Levee Removal/Gap		Gap: ~4000 feet (corresponding to S-431)
6	L-47D	Blue Shanty Levee		Levee: ~8.5 miles, connecting from L-47A to L-29 (4 feet high, 14-foot crest width, 3:1 side slope)
7	L-47C	Levee Removal		Complete removal of ~8 miles from New Blue Shanty Levee (S-470) south to intersection of L-47A/L-47C; L-47C canal is not backfilled
8	S-355W	Gated Spillway	1250	Maintains water deliveries to eastern L-29 Canal
9		Levee Removal (S-27)		Removal of ~4.3 miles between L-47A and Blue Shanty Levee intersection with L-29 Levee
10		Removal of Remnants of Old Tamiami Infrastructure		Removal of ~4 miles of roadway west of L-47 Extension
11	L-47 Extension Levee Removal and Canal Backfill			Complete removal of ~5.5 miles of remaining L-47 Extension, including S-346 culvert



## YELLOW LINE | SEEPAGE MANAGEMENT



#	STRUCTURE	STRUCTURE/FEATURE TYPE	CFS	TECHNICAL NOTES
1	S-354	Pump Station	3000	Provides seepage management for WCA 3B and Northeast Shark River Slough (NERS) stages
2		Seepage Barrier		Soil cement bentonite (SCB) wall (~4.2 miles, 3 feet wide, 35 feet deep)



# CENTRAL EVERGLADES RESTORING THE HEART OF THE EVERGLADES





# An Overview of SFWMD's Financial Capability for the Central Everglades Planning Project

*South Florida Water Management District  
Governing Board Meeting  
March 13, 2014*

Tom Teets, Federal Policy Chief  
Office of Everglades Policy & Coordination

## Objectives

- Demonstrate that the SFWMD has the financial capability to be the local sponsor for the Central Everglades Planning Project
- Develop a set of assumptions/conditions that will be included in SFWMD's Letter of Support for the CEPP PIR

# Now Is The Time For CEPP

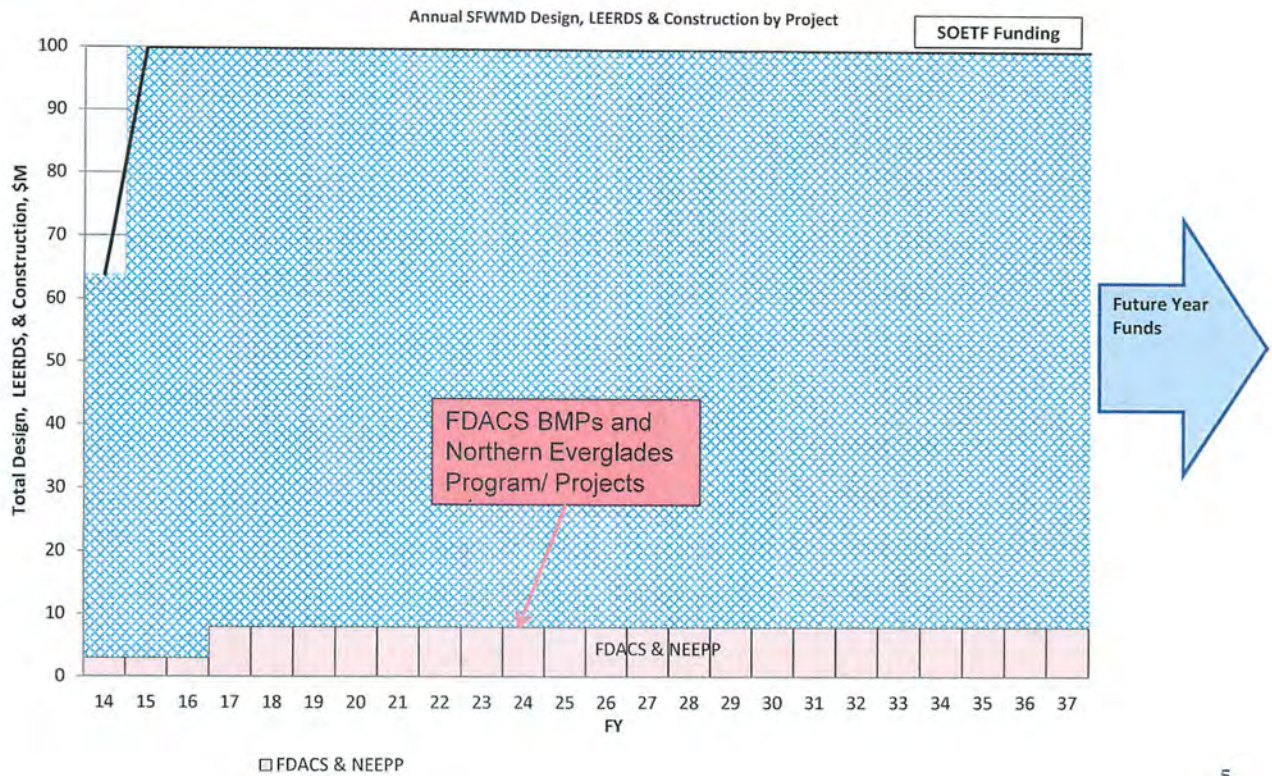
- The expedited planning process has strong State and Federal support
  - Minimized planning period and associated costs
- CEPP addresses the need for CERP projects in the Heart of the Everglades System
- Builds on the State's key environmental priorities
- An extensive public involvement process has helped to shape and refine the plan

## Funding Assumptions for Example Cost Share Scenario

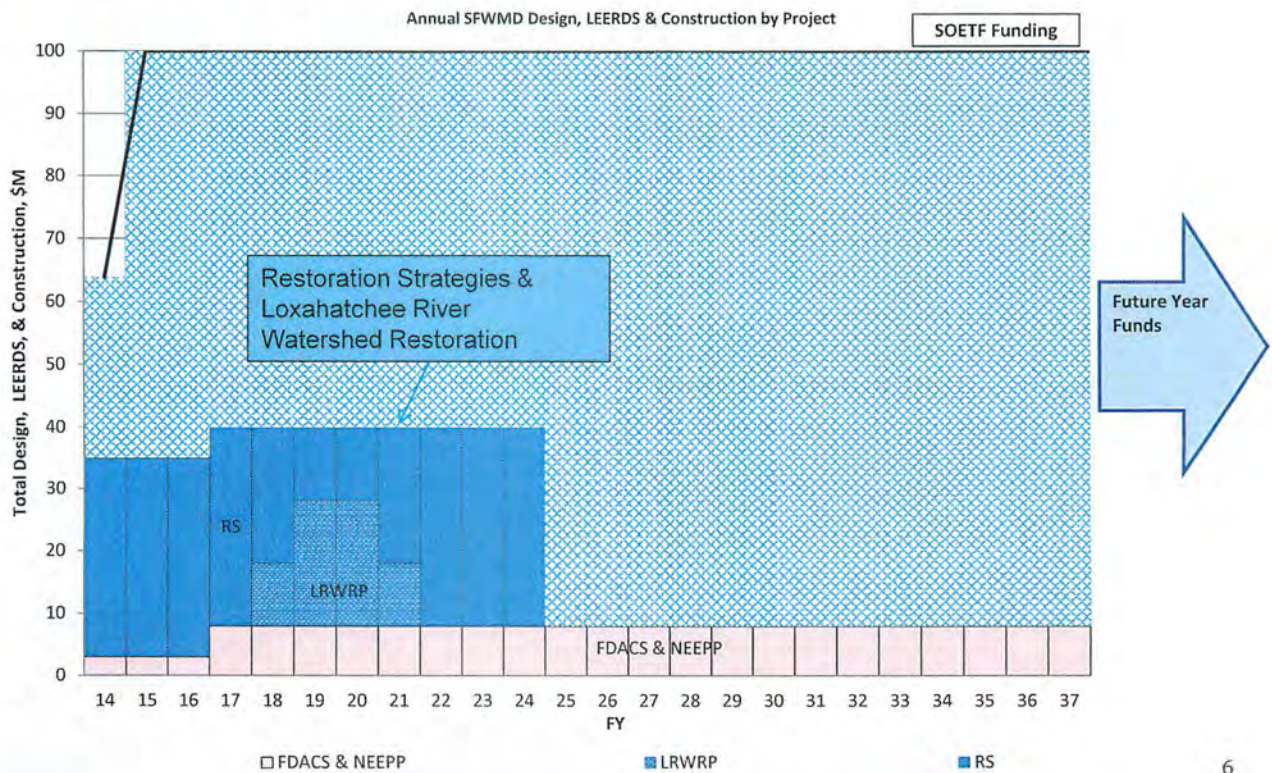
- Continued State funding of the Save Our Everglades Trust Fund (SOETF)
- Continued funding for existing Everglades Restoration Projects
- \$100 million per year from the SOETF



# Example Project Implementation Scenario (100 M/year)

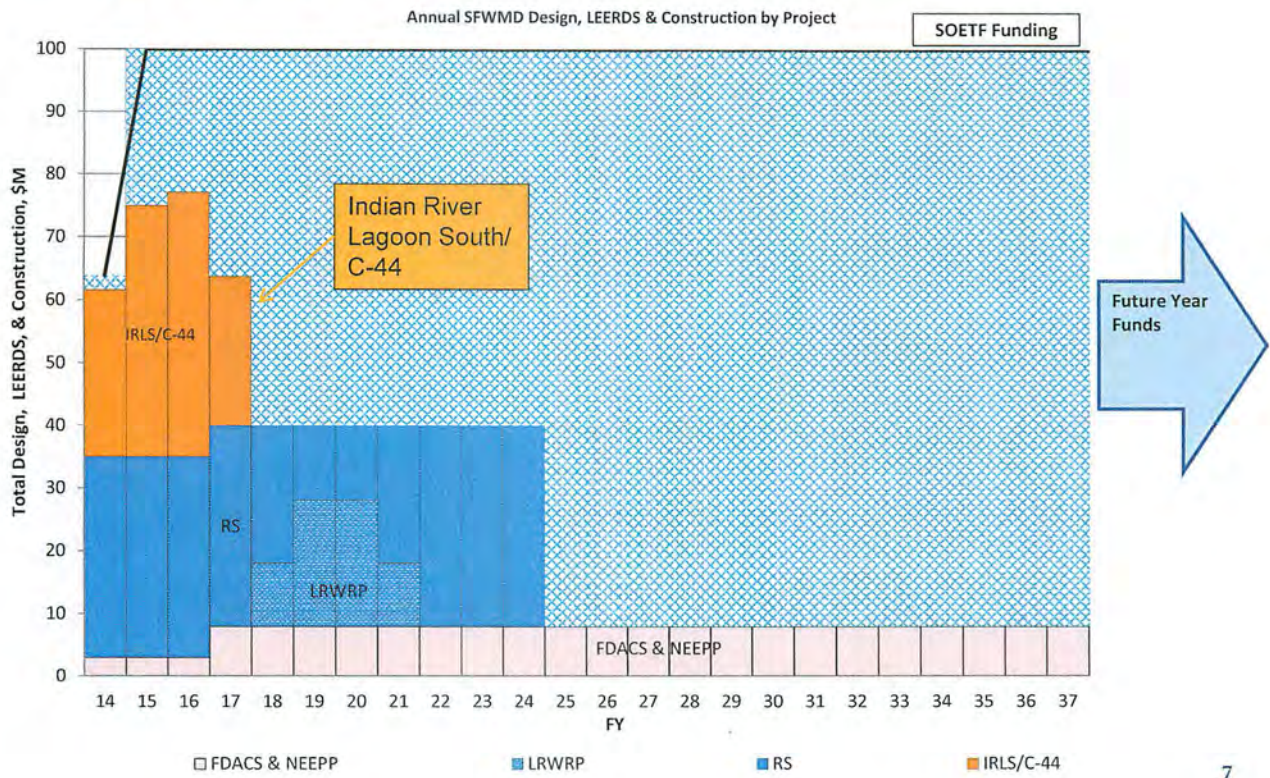


# Example Project Implementation Scenario (100 M/year)

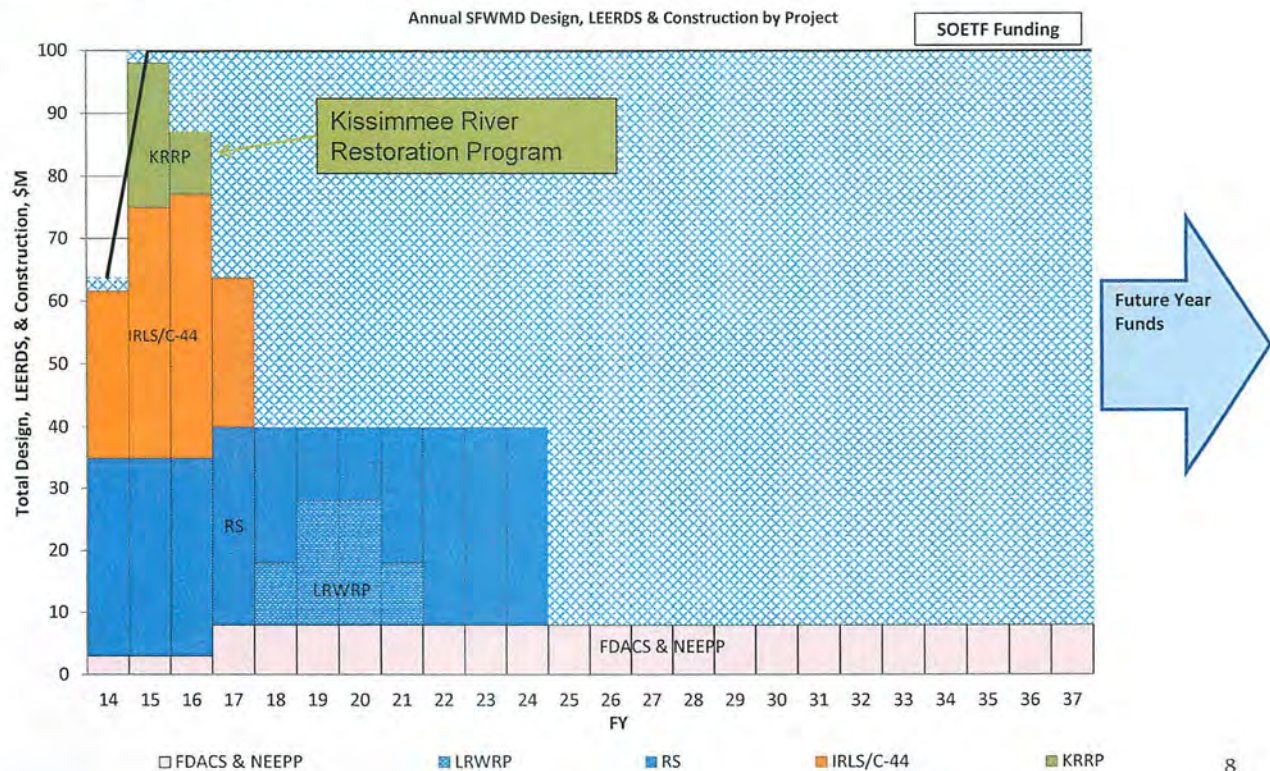




# Example Project Implementation Scenario (100 M/year)

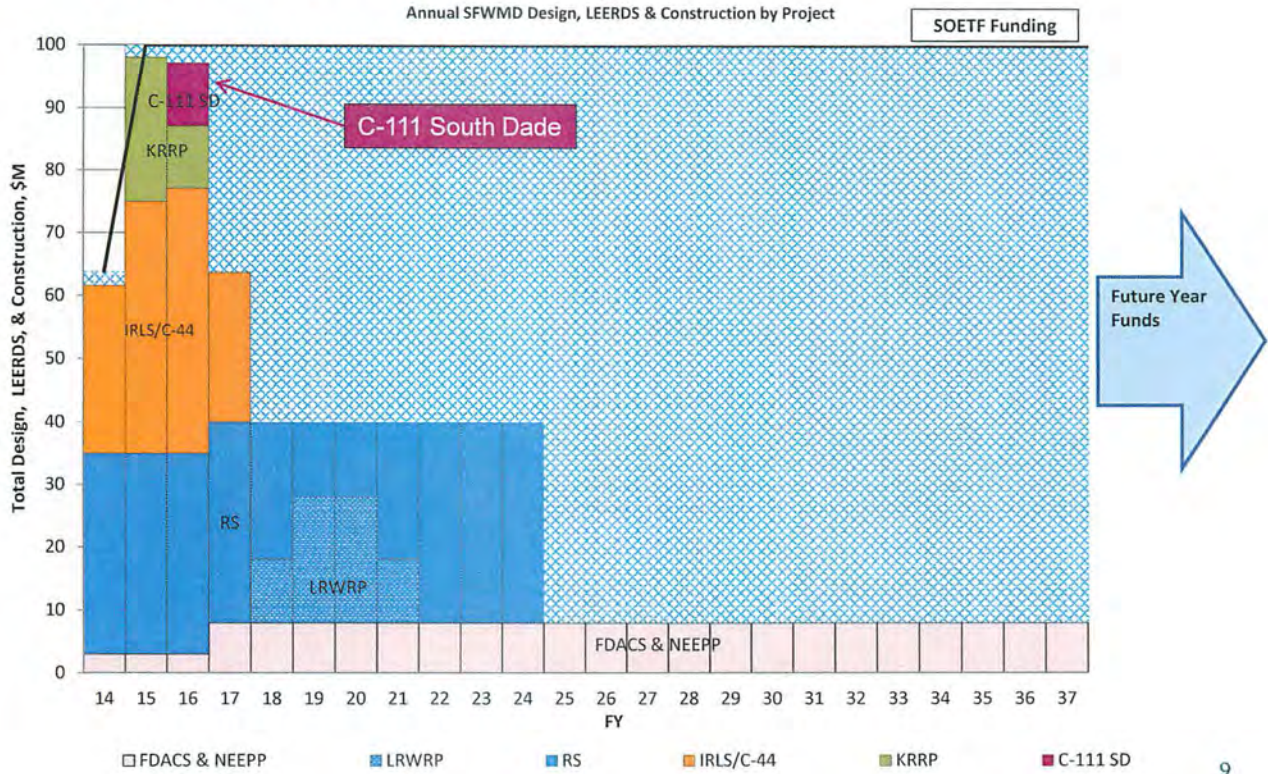


# Example Project Implementation Scenario (100 M/year)

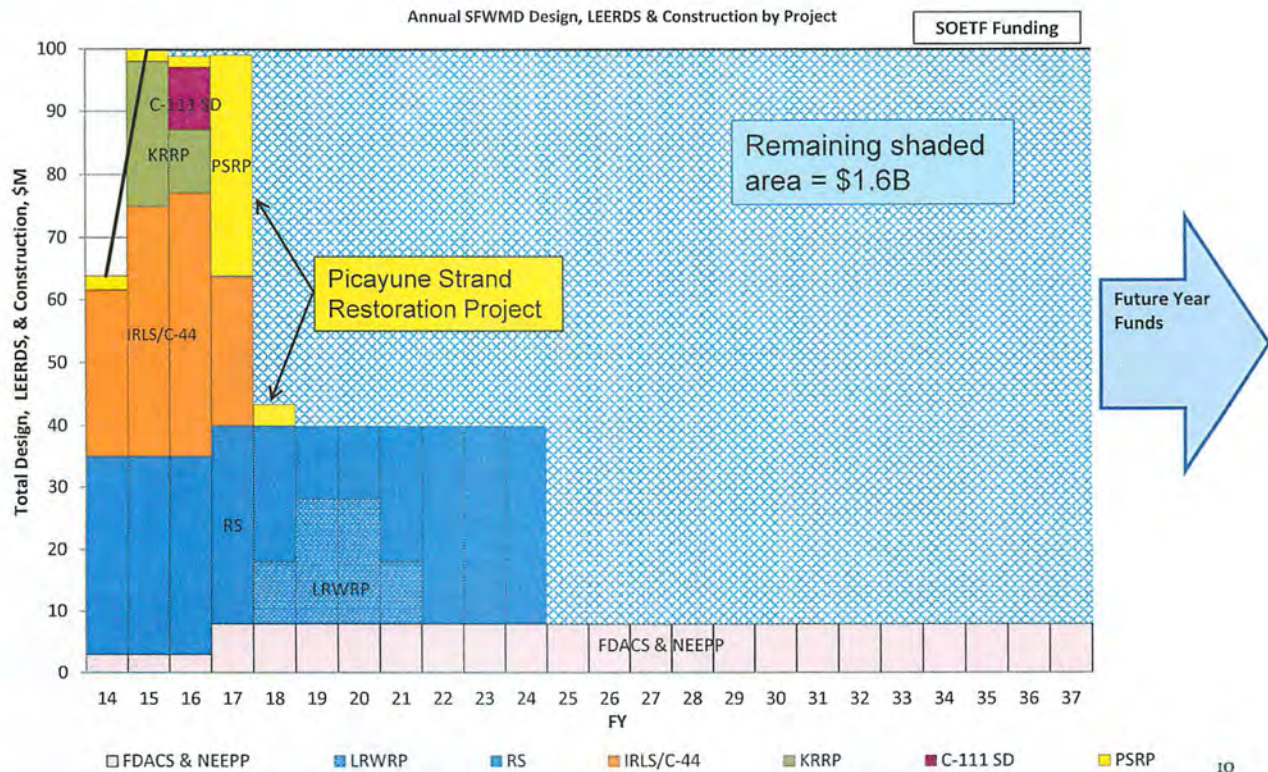




# Example Project Implementation Scenario (100 M/year)



# Example Project Implementation Scenario (100 M/year)

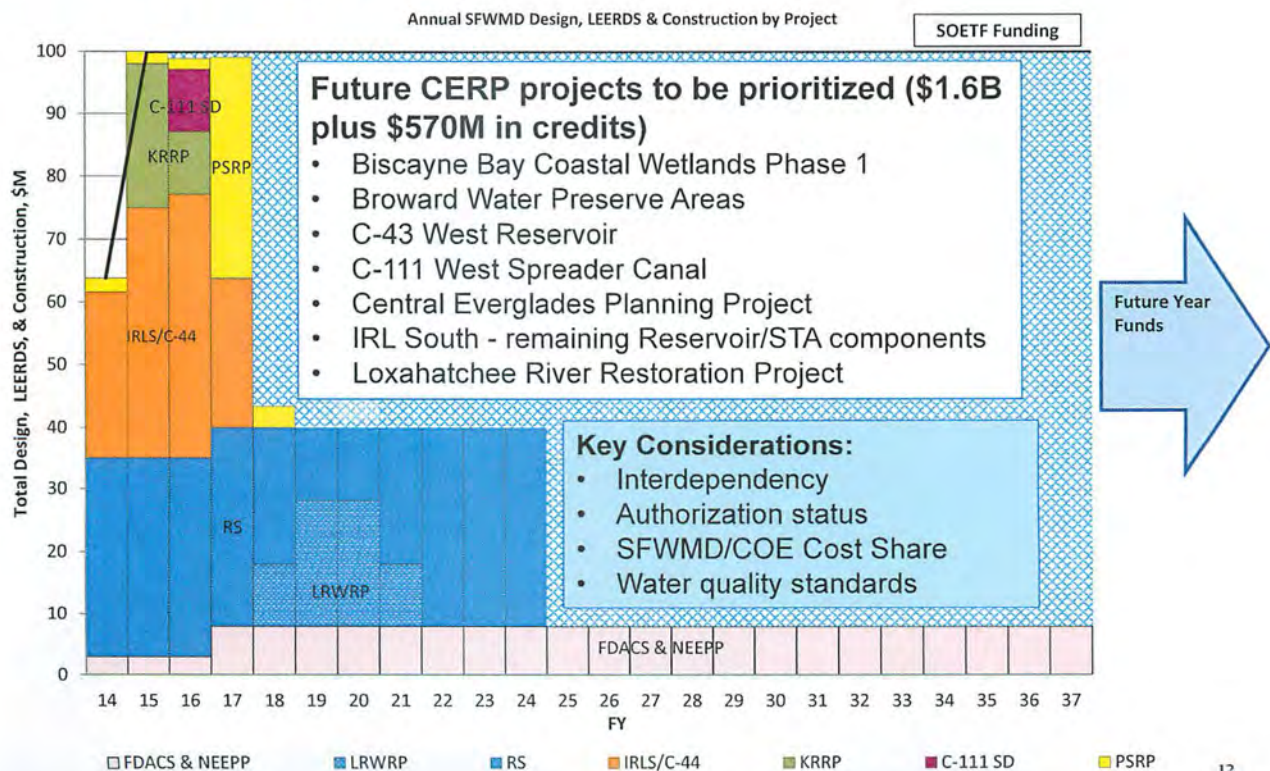




# Key Considerations

- Interdependency of projects
- Project authorization status
- SFWMD/COE Cost Share
- Water quality standards

## Example Project Implementation Scenario (100 M/year)

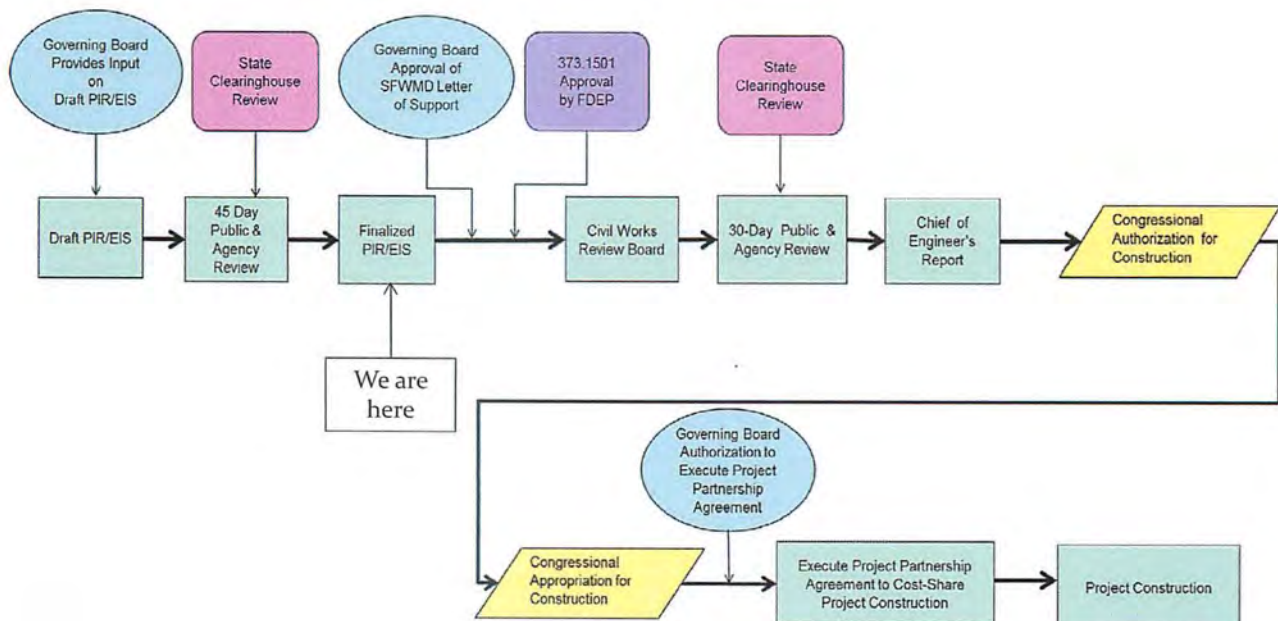


# Conclusion

- Based upon \$100 million of Save Our Everglades Trust Fund annual appropriations, SFWMD has the financial capability to implement CEPP along with a number of other CERP projects
- Numerous alternative scenarios are possible with differing orders of implementation as long as key assumptions are met, for example:
  - Necessary predecessor projects are taken into consideration
  - SFWMD remains ahead of the COE in cost share balance

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# Next Steps





# Discussion





## Town of Surfside Commission Communication

**Agenda #** 4B1

**Agenda Date:** April 8, 2014

**Subject:** Dock Projection Ordinance  
(Docks on Biscayne Bay)

**From:** Sarah Sinatra Gould, AICP, Town Planner

**Background:** The Town's zoning code limits docks located on Biscayne Bay and Indian Creek to 35 feet in length. Miami-Dade's Regulatory and Economic Resources (RER, formerly DERM), has required longer docks than what is limited by the Town's zoning code, to protect the sea grasses located adjacent to the seawalls. The Planning and Zoning Board directed staff to request input from RER on the appropriate length of docks and prepare an ordinance for an upcoming Town Commission meeting limiting docks to RER's recommendation.

Staff reviewed the codes of other municipalities within Miami-Dade County as well as spoke to RER about the potential code change. RER has indicated that there is no specific minimum or maximum number of feet to limit a dock projection to protect the seagrass beds. Each circumstance is different and even the sea grasses adjacent to neighboring properties could have different requirements.

### **Analysis:**

The proposed ordinance is a modification to the length of a dock for docks along Biscayne Bay. This modification is not applicable to Point Lake.

Due to Miami-Dade County requiring longer docks that permitted by the Town Code for docks along Biscayne Bay, staff suggests modifying the maximum length of a dock projection to 40 feet, except if the applicant provides evidence that Miami-Dade County requires a greater dock length. Currently, the code states that a dock is limited to 35 feet and a variance

would be required to exceed the 35 foot limitation in order to meet the County standards.

**Staff Recommendation:** Staff recommends the Town Commission approve on first reading.

**Budget Impact:** N/A

**Growth Impact:** N/A

**Staff Impact:** N/A



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Sarah Sinatra Gould, AICP, Town Planner



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Michael Crotty, Town Manager

ORDINANCE NO. 14-\_\_\_\_\_

**AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA AMENDING CHAPTER 90 "ZONING" OF THE CODE OF THE TOWN TO AMEND SECTION 90-57 "MARINE STRUCTURE" TO EXTEND THE LENGTH OF THE DOCK PROJECTION INTO BISCAYNE BAY AND TO PROVIDE FOR A COURTESY NOTIFICATION PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the Town has previously regulated the length docks that project into Biscayne Bay, Indian Creek, and Point Lake; and

**WHEREAS**, DERM and the Corp of Engineers have expressed an interest in preserving and not disturbing the sea-grass the presently grows at the point where the Code currently requires docks to be built in Biscayne Bay; and

**WHEREAS**, the Town has received requests to extend the length of docks in Biscayne Bay and those requests are not inconsistent with recommendations from the applicable approving government agencies and this amendment will therefore promote the health, safety, and welfare of the Town; and

**WHEREAS**, the Town Commission held its first public reading on April 8, 2014 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, has held a public hearing on April 24, 2014 and recommended approval of the proposed amendments to the Code of Ordinances and also found the proposed Code amendments to be consistent with the Comprehensive Plan; and

**WHEREAS**, The Town Commission has conducted a second duly noticed public hearing on these regulations as required by law on May 13, 2014 and further finds the proposed change to the Code necessary and in the best interest of the community.

**NOW, THEREFORE, THE COMMISSION OF THE TOWN OF SURFSIDE HEREBY ORDAINS:**

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

**Section 2. Code Amendment.** The Code of the Town of Surfside, Florida is hereby amended as follows:



**Sec. 90-57. Marine structures.**

The following regulations shall apply to boat docks, piers, and mooring piles, in any district:

(1) Projection of docks and piers into waterways beyond the waterway line, lot line, or established bulkhead lines shall be limited as follows, subject to final approval by ~~DERM and any other applicable agency~~ Miami-Dade County and any other authority having jurisdiction:

a. *Biscayne Bay*: ~~35 feet~~ 40 feet, except if the applicant provides evidence that Miami-Dade County requires a greater dock length to avoid or minimize adverse environmental impact to marine resources.

\*\*\*

(3) For all properties requesting a Marine Structure permit as described in this Section, the Town Manager or designee shall send a mailed courtesy notification to all property owners within 300 feet of the property requesting the permit submitted to the Building Department.

**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 \_\_\_\_\_, \_\_\_\_\_

PASSED and ADOPTED on second reading this \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_


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

Ordinance No. \_\_\_\_\_

**ATTEST:**

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

**APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY FOR THE  
TOWN OF SURFSIDE ONLY:**

  
\_\_\_\_\_  
Linda Miller, Town Attorney

On Final Reading moved by: \_\_\_\_\_

On Final Reading seconded by: \_\_\_\_\_

**FINAL VOTE ON ADOPTION**

Commissioner Barry R. Cohen	_____
Commissioner Michael Karukin	_____
Commissioner Marta Olchyk	_____
Vice Mayor Eli Tourgeman	_____
Mayor Daniel Dietch	_____



## Town of Surfside Commission Communication

**Agenda Date:** April 08, 2014

**Subject:** Ordinance Amending Section 66-7 "Disposal of grass cuttings and hedge trimmings."

**Background:** The Public Works Solid Waste Division is committed to provide a safe, clean environment for all residents, businesses and visitors alike. With 5 day a week residential pickup for household trash, vegetation and bulk waste it is essential for an effective approach to maintain the level of service expected by our residents.

Household trash is picked up two ways: 1). Residents bring their trash out to the curb for pick up, or 2). Solid waste division picks up the trash from the designated spot by the home and returns the container.

Vegetation pick up is scheduled for Monday pick-up as many residents do their yard work on the weekends. A Monday pickup will get the front of properties cleaned up and help eliminate debris going to the storm drain system if the debris stays out longer.

Bulk pick up (furniture, refrigerators, freezers w/doors removed, washers, stoves, couches, chairs and mattresses) is Wednesdays.

The proposed Ordinance includes an amendment to Section 66-7 "Disposal of grass cuttings and hedge trimmings" to prohibit commercial gardeners from leaving vegetation on the homeowners property.

**Analysis:** Public Works has an obligation not only to pick up and dispose of trash both residential and commercial but to also keep the streets and storm drain system clean and free of debris. In an effort to accomplish this, a schedule of put out and pick up days has been created to better service our citizens and businesses. If trash, vegetation or bulk waste is put out for pick up too early or late and left out until the next pick up, it creates a risk of flooding due to storm drain blockage; contamination of storm system; animals digging into it; and produces an eye sore for the community. The yearly solid waste charge for residents covers household trash 5 days a week, vegetation up to 4 CY per week and bulk waste up to 4 CY. Many times the vegetation and bulk pick up substantially exceeds the allowable limit.



This is due to many landscapers cutting and leaving at curb for pick up and not hauling away the cuttings and trimmings.

To inform residents and businesses of any non-compliant actions or problems, the Town created the attached "Non-Compliance Notice" door hanger which identifies the Non-compliance fee amount on one side and provides an explanation and frequently asked questions on the other side. This will allow Public Works to address any trash, vegetation or bulk waste that is put out early and keep the community clean and drain system free of trash. A fee will be assessed and put on the property utility bill for pickup over the 4 CY minimum for vegetation and bulk. Construction debris does not have a minimum and will be a per yard charge for pick up and billed thru the utility bill. The goal is to use this "Non-Compliance Notice" to inform residents and businesses of the proper procedures.

This is a copy of the non-compliant notice door hanger:



**FRONT**

**TOWN OF SURFSIDE**  
PUBLIC WORKS DEPARTMENT  
SOLID WASTE  
305-861-4863 EXT 235

**NON-COMPLIANCE NOTICE**

Infraction Date \_\_\_\_\_ Time \_\_\_\_\_  
Address \_\_\_\_\_  
Employee \_\_\_\_\_

- Non-Compliance/Solid Waste.  
A charge reflecting the violation(s)  
Will be added to your utility bill. \$ \_\_\_\_\_
- Construction Debris \$ \_\_\_\_\_
- Bulk/Vegetation out  
Before/after scheduled day \$ \_\_\_\_\_
- Dumping on other residential  
property \$ \_\_\_\_\_
- Dumping on public  
Rights-of-way (R-O-W) \$ \_\_\_\_\_
- Trash piled in alleyway \$ \_\_\_\_\_

Vegetation/Bulk over allowable limit (4cy) \$\_\_\_\_\_

Other additional costs (specify) \$\_\_\_\_\_

Warning

---

Total Charges \$\_\_\_\_\_

ALL FINES AND FEES ARE IN ACCORDANCE WITH THE TOWN OF SURFSIDE ORDINANCE NO.

# BACK

## COMMONLY ASKED QUESTIONS:

### What can I put in the containers?

-Bagged household garbage can be placed in the containers

### What does not go into the containers?

-NO Rocks – NO Dirt – No Construction Debris – NO flammable materials.

### Where do I place my containers on collection day?

-Containers can be left on the side of the home accessible to the Solid Waste for pick-up and return.

### When do I place vegetation out for pick-up?

-Vegetation pick up is Monday and can be put out for pick-up Sunday no earlier than 6:00pm. Vegetation must be cut and bagged. Landscapers who are hired to maintain residential and commercial property are required by Ordinance to remove vegetation including grass/tree clipping. Landscapers cannot leave them to be picked up by Solid Waste. There is a 4 cubic yard max. (3'x3'x12').

### When do I place bulk items out for pick-up?

-Bulk trash pick-up is on Wednesday and can be put out for pick-up no earlier than 6:00pm Tuesday.

### Bulk Waste Items Include:

- All White Goods (Refrigerators and freezers w/ doors removed, Washers, Dryers, Stoves), Couches, Chairs, Mattresses

### Prohibited Items from both BULK & Regular pick-up:

-Tires, Concrete, Hazardous/Household Chemicals, Paint, Auto Parts, rocks, wood, metal, dirt, large tree and shrubbery cutting, logs, and palms fronds, (items must be cut and placed into bags), Liquids of Any Kind (Frying Oil, Motor Oil, etc....)



This violation has been deemed to constitute a threat to the public health, a nuisance to the public safety or welfare, is uncorrectable, or is a repeat violation, and you must pay the civil penalty and/or service rendered provided for above for each day the violation continues, beginning with the date of this Notice, if no other date is set forth in the Notice.

If you are aggrieved by this Notice, you may contact the Public Works Director which will address your concerns. You may also request an administrative hearing before a Special Master to appeal this violation notice. The request for the hearing must be filed in writing, within twenty (20) calendar days of service of this violation notice, with the Town Clerk at the above address and must set forth the specific grounds of fact and in law for the appeal. If you do not request a hearing, you will be deemed to have admitted to the violation and waived your right to a hearing.

If you fail to pay the civil penalty and/or services rendered within the time allowed (reflected on your utility bill) and correct the violation, as applicable, or to timely request a hearing to appeal the violation notice, you will be deemed to have waived your right to contest this civil violation notice. You may be liable for the reasonable administrative costs of the hearing if you are found in violation by the Special Master.

For more information regarding Solid Waste Services, call 305-861-4863 ext. 235.

Visit our web site at [www.townofsurfsidefl.gov](http://www.townofsurfsidefl.gov)

**Budget Impact:** Printing of Notices \$ 500.00

**Staff Impact:** Staff (Public Works) will hand out Non Compliance Notice during their pick-up route.

**Recommendation:** Staff recommends the Town Commission approve the Ordinance.



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Public Works Director



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Town Manager

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA AMENDING SECTION 66-7, "DISPOSAL OF GRASS CUTTINGS AND HEDGE TRIMMINGS" OF THE CODE OF ORDINANCES TO; PROVIDING FOR INCLUSION IN THE CODE BY; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, The Town of Surfside Public Works Solid Waste Division strives to provide a safe and clean environment for all Surfside residents, businesses and visitors alike; and

**WHEREAS**, commercial gardeners tend to leave and/or fail to bag cuttings and trimmings resulting in clogging of the storm drain system; and

**WHEREAS**, the proposed amendment will require commercial gardeners to promptly remove all cuttings and hedge trimmings from the property; and

**WHEREAS**, the proposed amendment will significantly reduce the risk of flooding, blocking, and contamination of the storm drain system; and

**WHEREAS**, the Town Commission held its first public reading on April 8, 2014 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 May 13, 2014 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:**

**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:

**Chapter 66. Solid Waste.**

\*\*\*

**Sec. 66-7 Disposal of grass cuttings and hedge trimmings.**

All grass cuttings and hedge trimmings that are not mulched or composted, shall be placed in plastic bags and securely tied before setting out at curbside for collection: on the scheduled pick up day up to the allowable four (4) cubic yard limit. If more than four (4) cubic yards is placed at curbside, the Town will hang a Non-Compliance Notice on the property owner's door and the Town will charge a per cubic yard fee over the allowable limit as adopted by Resolution. Said fee will be billed to the property owner in the monthly utility bill. Commercial gardeners shall ~~either bag all cuttings and trimmings~~ or promptly remove the cuttings and trimmings from the ~~the~~ Town. Grass cuttings shall be completely removed and cleaned from all paved areas by broom sweeping only, and the use of power blowers is absolutely prohibited.

\*\*\*

**Section 3. Severability.** If any section, subsection, clause or provision of this Ordinance is declared invalid or unconstitutional by 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 "Sections" or other appropriate word.

**Section 6. Effective Date.** This Ordinance shall be effective on passage on Second Reading or as otherwise provided by Florida law.

PASSED and ADOPTED on first reading this \_\_\_ day of \_\_\_\_\_, 2014  
PASSED and ADOPTED on second reading this \_\_\_ day of \_\_\_\_\_, 2014

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Daniel Dietch, Mayor



Attest:

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

APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY:



\_\_\_\_\_  
Linda Miller, Town Attorney

On Second Reading Moved by: \_\_\_\_\_

On Second Reading Seconded by: \_\_\_\_\_

**Vote:**

Commissioner Michael Karukin	yes	_____	no	_____
Commissioner Marta Olchyk	yes	_____	no	_____
Commissioner Barry R. Cohen	yes	_____	no	_____
Vice Mayor Eli Tourgeman	yes	_____	no	_____
Mayor Daniel Dietch	yes	_____	no	_____



## Town of Surfside Commission Communication

**Agenda Item #:** 5A

**Agenda Date:** April 8, 2014

**Subject:** Certification of Municipal Election Results – March 18, 2014

**Objective:** The results of the March 18, 2014 Town of Surfside Municipal Election were certified on Friday, March 21, 2014 (Attachment) by the Miami-Dade County Supervisor of Elections, Penelope Townsley. For the Town record we must now certify the election results.

**Background:** The Town of Surfside held the Municipal Election for the purpose of electing a Town Mayor and four (4) Town Commissioner on March 18, 2014.

**Analysis:** N/A

**Budget Impact:** The cost of the election was budgeted for 2013-2014 and the invoice has not been received from Miami-Dade County Elections.

**Growth Impact:** N/A

**Staff Impact:** N/A

**Recommendation:** It is recommended that the Town Commission adopt the attached resolution.

Sandra Novoa, Town Clerk

Michael P. Crotty, Town Manager

**RESOLUTION NO. \_\_\_\_\_**

**RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA CERTIFYING AND DECLARING THE RESULTS OF THE TOWN OF SURFSIDE GENERAL MUNICIPAL ELECTION HELD ON MARCH 18, 2014 TOWN COMMISSION; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the Town Commission held a general municipal election on Tuesday, March 18, 2014, for the election of four Commissioners of the Town of Surfside, Florida; and

**WHEREAS**, the qualifying period for said election closed on Tuesday, February 11, 2014; and

**WHEREAS**, Daniel Dietch qualified as a candidate for the Office of Mayor, and per Fla. Stat. Sec. 101.252, when there is only one candidate who has qualified for office, the name of the candidate shall not be printed on the election ballot and such candidate shall be declared nominated for the office and elected by operation of law; and

**WHEREAS**, Meredith Beatty, Barry R. Cohen, Michael Karukin, Marta Olchyk and Eli Tourgeman qualified to run for Town Commissioner; and

**WHEREAS**, an election was held on March 18, 2014 as called and the returns of the Inspectors and Clerk of the General Election have been delivered to the Town Commission; and

**WHEREAS**, the Canvassing Board has canvassed the returns, has tabulated the ballots of the absentee voters and has determined the total number of votes at such election for the candidates as shown by said returns.

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

**Section 1.** The above and foregoing recitals are true and correct.

**Section 2.** That the Town Commission finds, declares and certifies the results of the General Municipal Election held on Tuesday, March 18, 2014 for the Office of Town Commissioner in Exhibit "A"

**Section 3.** That the Town Commission finds that Daniel Dietch has qualified as a candidate for the Office of Mayor and per Fla. Stat. Sec. 101.252, shall be declared elected as Mayor of the Town of Surfside by operation of law for the term which shall commence at 8:00 p.m. on Wednesday, March 19, 2014 and end on the third Wednesday in March 2016.

**Section 4.** It is hereby certified and declared that pursuant to the votes cast in the General Municipal Election held on Tuesday, March 18, 2014, Eli Tourgeman was duly elected Vice Mayor, Barry R. Cohen, Michael Karukin and Marta Olchyk were duly elected to the Town Commission for the term which shall commence at 8:00 p.m. on Wednesday, March 19, 2014 and end on the third Wednesday in March 2016.

**Section 5.** That the Town Clerk is hereby authorized and directed to perform any and all incidental duties in connection herewith as required by law.

**PASSED and ADOPTED** on this \_\_\_\_ day of \_\_\_\_\_, 2014.

Motion by Commissioner \_\_\_\_\_, Second by Commissioner \_\_\_\_\_.

FINAL VOTE ON ADOPTION

Commissioner Barry R. Cohen  
Commissioner Michael Karukin  
Commissioner Marta Olchyk  
Vice Mayor Eli Tourgeman  
Mayor Daniel Dietch

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

**ATTEST:**

\_\_\_\_\_  
Sandra Novoa, CMC  
Town Clerk

**APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY FOR THE TOWN OF SURFSIDE ONLY:**

  
\_\_\_\_\_  
Linda Miller, Town Attorney

SUMMARY REPT-GROUP DETAIL

OFFICIAL GENERAL ELECTION  
SURFSIDE, FLORIDA  
MARCH 18, 2014

OFFICIAL RESULTS

RUN DATE:03/21/14 10:05 AM

REPORT-EL45A

PAGE 001

	TOTAL VOTES	%	ED OSS	ED IVO	ABSENTEE	PROV
PRECINCTS COUNTED (OF 1)	1	100.00				
REGISTERED VOTERS - TOTAL	3,328					
BALLOTS CAST - TOTAL	560		320	0	239	1
VOTER TURNOUT - TOTAL		16.83				
OFFICE OF TOWN COMMISSIONER						
Vote for 4						
Meredith Beattie	197	13.94	119	0	78	0
Barry R. Cohen	311	22.01	201	0	110	0
Michael Karukin	274	19.39	160	0	114	0
Marta Olchuk	273	19.32	146	0	127	0
Eli Tourgeman	358	25.34	209	0	148	1
Total	1,413		835	0	577	1
Over Votes	4		0	0	4	0
Under Votes	823		445	0	375	3

*[Handwritten Signature]*  
3/21/2014



**Elections**  
2700 NW 87th Avenue  
Miami, Florida 33172  
T 305-499-8683 F 305-499-8547  
TTY 305-499-8480

## CERTIFICATION

STATE OF FLORIDA)

COUNTY OF MIAMI-DADE)

I, Penelope Townsley, Supervisor of Elections of Miami-Dade County, Florida, do hereby certify that the attached is a true and correct copy of the Official Results for the municipal office listed below in the **Surfside General Municipal Election** conducted on March 18, 2014:

### OFFICE OF TOWN COMMISSIONER

WITNESS MY HAND AND  
OFFICIAL SEAL, AT MIAMI,  
MIAMI-DADE COUNTY, FLORIDA,  
ON THIS 21<sup>ST</sup> DAY OF MARCH, 2014

Penelope Townsley  
Supervisor of Elections  
Miami-Dade County

Enclosure



## Town of Surfside Commission Communication

**Agenda Item #** 5B

**Agenda Date:** April 8, 2014

**Subject:** Approval to Award Contract for the Tennis Center Mitigation and Building Hardening

**Background:** In December 2013, Public Works contracted with CIH Environmental Solutions Inc. to perform air quality and mold infiltration tests in the Tennis Center Building. This was an extensive test consisting of visual inspection, boroscopic inspection, infrared thermography, moisture content measurement, general air sampling for conditions and substances commonly associated with poor air quality, temperature and relative humidity measurements, testing for airborne fungal spores, bulk and surface sampling from contaminated areas and surface sampling.

**Visual Inspection:** The Tennis Center building consists of a reception area, an office and a bathroom. It was noted that numerous contents were being stored in this building, and dehumidifiers were in place in the reception and office suggesting humid or moisture conditions. In the reception area, water damage was observed on the carpeting by the entrance door as well as the bottom of the walls. In the office, water damage was observed on the walls by the windows and on the ceiling, and suspected mold growth was observed on the wall around the door.

**Bulk and Surface Sampling of Contaminated Materials:** A surface sample was collected using tape lift procedure from the east wall. The laboratory results confirmed the presence of fungal growth in this sample.

**Executive Summary:** In the Tennis Center reception area it is recommended to remove baseboards, to allow for further inspection; remove affected wall portions that become exposed, if any. Remove at least the bottom two feet of the east and north wall gypsum board. Replace affected carpet. Clean and sanitize the wall mounted air conditioning unit.

In the Tennis Center office remove the west and south wall gypsum board portions below the windows. Remove the east wall gypsum board portions around the windows. Remove the gypsum ceiling board. Replace affected carpeting.

All affected surfaces should be HEPA vacuumed. Additionally, indoor air scrubbing utilizing HEPA filters should be conducted in the areas locations described above for a period of at least 48 hours with a minimum of 20 air exchanges per hour.

A qualified contractor with experience in microbial and licensed by the state of Florida is recommended to conduct the material removal. It is also recommended by the NYCDOH guidelines, a health and safety professional with mold remediation experience should oversee the removal to document the conditions and assess areas not previously visible during the initial assessment.



**Analysis:** As mentioned in the background, the condition of the Tennis Center building is at a stage that needs to be addressed per the recommendation of CIH Environmental Solutions report of December 17, 2013. While performing the remediation that is needed in the Tennis Center, staff has determined that additional building hardening is necessary at this time. The building hardening would include the removal of existing windows and replace with impact windows, remove wall air conditioners and replace with efficient ductless air conditioner, remove door on north side of building and close up, stucco and paint.

The recommended and additional work to be performed on the Tennis Center building would bring it up to a level compliant as per High Velocity Hurricane Zone (HVHZ) stated by the Florida Building Code.

With the required remedial work, it is a reasonable approach to include the improvements to the Tennis Hut so that the Tennis Facility is 100% upgraded and complete.

**Financial:** The budget impact is \$50,754.22 per the Decon Environmental proposal utilizing a Broward County School Board piggy back bid:

**Improvements**

Superintendent	\$6700.00
Blanket insulation	\$888.10
Isocyanurate insulation	\$890.00
Gypsum wallboard 5/8"	\$4033.00
Texture spray	\$295.00
Plumber	\$670.22
Carpenter	\$247.88
Bathroom material	\$590.00
Electrician	\$624.22
Electrician Helper	\$431.11
Mechanical worker	\$654.12
12000 BTU ductless A/C	\$3712.80
Carpenter (impact windows)	\$1487.28
Impact windows	\$4350.00
Skilled workers	\$1010.00
Paint and Prep building	\$122.82
Surface prep doors	\$109.00
Paint doors and trim	\$408.50
Paint walls and ceilings	\$493.00
Finish paint interior	\$2722.00
Ceramic tile floors	\$7583.52
Surface prep pressure wash	\$122.00
Paint fascia	\$49.00
Paint exterior	\$640.00
<b>TOTAL</b>	<b>\$38,834.22</b>

**Remediation**

Mobilization	\$2000.00
Drywall removal	\$7120.00
Supervision	\$360.00
Laborer	\$1440.00
Air scrubber	<u>\$1000.00</u>
<b>TOTAL</b>	<b>\$11,920.00</b>


**Project Summary**

<b>Improvements</b>	<b>\$38,834.22</b>
<b>Remediation</b>	<b><u>\$11,920.00</u></b>
<b>TOTAL</b>	<b>\$50,754.22</b>

**Funding Authorization:** The total cost of the Remediation and Replacement project will be \$50,754.22 and will be funded from the remaining funds from the Tennis Court Improvement Project of \$17,500 and from the Capital Improvement Reserve Fund of \$33,244. It is recommended that the Town Commission authorize an amendment to the 2013-2014 Budget and appropriate \$50,754 to account #310-4400-572-3191 for the Tennis Center Remediation and Replacement Project and authorize the Town Manager to expend funds in the total amount of \$50,754 for this project.

**Staff Impact:** Project to be coordinated by Public Works Department personnel.

**Recommendation:** Adopt the Resolution authorizing the improvements to the Tennis Hut.

  
\_\_\_\_\_  
Public Works Director

  
\_\_\_\_\_  
Town Manager

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION OF THE TOWN OF SURFSIDE, FLORIDA AUTHORIZING THE TOWN ADMINISTRATION TO RETAIN DECON ENVIRONMENTAL AND ENGINEERING, INC. TO PROVIDE MOLD REMEDIATION AND RESTORATION SERVICES FOR THE SURFSIDE TENNIS CENTER; AUTHORIZING THE TOWN MANAGER AND TOWN ATTORNEY TO EXECUTE AN AGREEMENT WITH DECON ENVIRONMENTAL AND ENGINEERING INC., BY PIGGYBACKING OFF OF A COMPETITELY BID AGREEMENT FOR THE SAME SERVICES AWARDED BY THE BROWARD COUNTY SCHOOL BOARD; AUTHORIZING THE AMENDMENT TO THE 2013/2014 BUDGET AND APPROPRIATION NOT TO EXCEED \$50,755 TO ACCOUNT 310-4400-572-3191; PROVIDING FOR AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town recently completed major improvements to the Surfside Tennis Facility by constructing new courts, installing an improved lighting system, and a new fence; and

WHEREAS, in December, 2013, the Town conducted air quality and mold infiltration tests at the Tennis Center Facility; and

WHEREAS, the laboratory results confirmed the presence of fungal growth requiring mitigation; and

WHEREAS, as a result of the required mitigation work, the Town has determined that it is appropriate to address other necessary improvements, including building hardening (doors and window replacement) and upgrade of the antiquated window air conditioning system; and

WHEREAS, following completion of the proposed work the entire Surfside Tennis Facility will have been upgraded and modernized; and

WHEREAS, the Town Commission has determined that it is in the best interests of the Town to complete the required mitigation and other necessary improvements to the Surfside Tennis Center.

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

**Section 1. Recitals Adopted.** That each of the above stated recitals are hereby adopted, confirmed and incorporated herein.

**Section 2. Authorization to Execute Agreement.** The Town Commission hereby authorizes the Town Manager and the Town Attorney to execute the Agreement, based upon the proposal dated March 7, 2013 and attached hereto as Exhibit "A", on behalf of the Town, to execute any required agreements and/or documents to implement the terms and conditions of the Agreement and to execute any extensions and/or amendments to the Agreement, subject to the approval as to form and legality by the Town Attorney.

**Section 3. Authorization to Expend Funds.** The total cost of the required remediation and other improvements will be \$50,755. The Town Commission authorizes the Town Manager to expend funds not to exceed \$50,755 and to amend the 2013/2014 Budget to appropriate \$33,245 from the Capital Improvement Reserve Fund to Account No. 310-4400-572-3191, and to expend the remaining \$17,500 from the previously approved and budgeted Tennis Court Improvement Project.

**Section 4. Implementation.** The Town Manager and the Town Attorney are hereby authorized to take any and all action necessary to implement this Resolution and Agreement in accordance with the terms, conditions and purposes of this Resolution and Agreement.

**Section 5. Effective Date.** That this Resolution shall be effective immediately upon adoption.

PASSED AND ADOPTED this \_\_\_\_ day of \_\_\_\_\_, 2014.

Motion by \_\_\_\_\_, second by \_\_\_\_\_.

FINAL VOTE ON ADOPTION


Commissioner Barry Cohen \_\_\_\_\_  
Commissioner Michael Karukin \_\_\_\_\_  
Commissioner Marta Olchyk \_\_\_\_\_  
Vice Mayor Eli Tourgeman \_\_\_\_\_  
Mayor Daniel Dietch \_\_\_\_\_

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

ATTEST:

\_\_\_\_\_  
Sandra Novoa, CMC  
Town Clerk

APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY FOR  
THE TOWN OF SURFSIDE ONLY:

  
\_\_\_\_\_  
Linda Miller, Town Attorney

## PROPOSAL

Per Term Contract # 533-11210 *Water Extraction and Remediation of Water Damage and Mold Impact Services, between City of Fort Lauderdale and DECON, dated September 27, 2013* and Contract # 2012-06-FC Construction Services Emergency Projects, between the School Board of Broward County and DECO, dated November 5th, 2013.

**FOR:**

## MOLD REMEDIATION AND RESTORATION

**TO:**

Town of Surfside  
Municipal Building  
9293 Harding Avenue  
Surfside, FL 33154  
Tel: 305-861-4863 Ext 235  
Cell: 786-509-1164  
Fax: 305-861-1302

**PROJECT SITE:**

Town of Surfside Tennis Office  
8750 Collins Ave  
Surfside, FL 33054

**BY**

**DECON ENVIRONMENTAL & ENGINEERING, INC.**

March 7, 2014



THIS PROPOSAL COVERS LABOR, MATERIAL, AND EQUIPMENT NECESSARY TO COMPLETE THE SCOPE OF WORK IN ACCORDANCE WITH APPLICABLE CURRENT INDUSTRY STANDARDS.

**SPECIFIC LOCATION OF WORKSITE:**

Surfside Tennis Center - 8750 Collins Ave.

**SCOPE OF PROPOSED OPERATIONS:**

**MOLD REMEDIATION**

Perform Mold remediation in accordance with CIH environmental's Mold Assessment protocol, as follows:

- Set up containment in work area.
- Remove all contents into PODS unit on-site
- Remove and dispose of all walls and ceiling (including shelves).
- Remove and dispose of all bathroom fixtures.
- Remove and dispose of carpets.
- Remove wall HVAC units
- Remove and store ceiling fans for re-install.
- HEPA vacuum and wipe down with EPA registered disinfectant on remaining surfaces.

**RECONSTRUCTION**

See detailed scope attached.

**SPECIAL CONDITIONS:**

- Owner to perform asbestos survey prior to start.
- Price excludes permit fees.
- Additional allowances:
  - Engineering drawings - \$1,000
  - PODS rental \$1,000
- Owner to Provide water & electricity at no cost to Decon
- If additional mold impacted material, not included in this proposal are discovered or revealed during the abatement the General Contractor / owner will be notified prior to any additional work.

**DOCUMENTATION TO BE FURNISHED TO OWNER/OWNER'S REPRESENTATIVE:**

Certificates of Insurance (General Liability, Mold Decontamination Liability, Commercial Automobile and Liability and Workers' Compensation)

**AIR MONITORING & FINAL CLEARANCES: OWNER**

**OTHER PROVISIONS:**

**PROPERTY OWNER IS RESPONSIBLE FOR CORRECTING ANY AND ALL KNOWN SOURCES OF MOISTURE INTRUSION PRIOR TO COMMENCEMENT OF RESTORATION ACTIVITIES.**

Surfside Tennis Office

RS Means Facilities Construction Cost  
Data 2014

Date Released: Year 2014 Quarter 1

Unit Cost Estimate

Quantity	Line Number	Description	Unit	Ext. Total O&P	Labor Type	Date Release	CCI Location	Notes
2	013113200260	Field personnel, superintendent, average	Week	\$0,700.00	RR	Year 2014 Quarter 1	FLORIDA / FORT LAUDERDALE(333)	
1	072113101630	Overhead, general Contractors mark-up on total, including O&P for handling sub-contracts, 15%	%		RR	Year 2014 Quarter 1	FLORIDA / FORT LAUDERDALE(333)	[Adjusted by 013113700260]
540	072116102150	Blanket insulation for floors/ceilings fiberglass, paper or foil backing, 1 side, 6-1/4" thick, R19, incl. spring type wire fasteners	S F	\$588.10	RR	Year 2014 Quarter 1	FLORIDA / FORT LAUDERDALE(333)	[Adjusted by 013113700260]
752	072113101630	Isocyanurate insulation, rigid, for walls, 4' x 8' sheet, 3/4" thick, foil faced, both sides	S F	\$890.00	RR	Year 2014 Quarter 1	FLORIDA / FORT LAUDERDALE(333)	[Adjusted by 013113700260]
1780	092910303290	Gypsum wallboard, on ceilings, water resistant, w/compound skim coat (level 5 finish), 5/8" thick	S F	\$4,033.00	RR	Year 2014 Quarter 1	FLORIDA / FORT LAUDERDALE(333)	[Adjusted by 013113700260]
532	092910305270	Gypsum wallboard, for textured spray, add	S F	\$295.25	RR	Year 2014 Quarter 1	FLORIDA / FORT LAUDERDALE(333)	[Adjusted by 013113700260]
7 Hours	RS Means labor is \$72.85 per hour after city cost index.	Plumber 8 hours to remove & reinstall plumbing fixtures in bathroom.	Hours	\$670.22			FLORIDA / FORT LAUDERDALE(333)	[Adjusted by 013113700260]
	RS Means labor is \$61.97 per hour after city cost index.	1 - Carpenter 4 hours to install Bathroom vanity and accessories	Hours	\$247.88				
	Materials	1 - vanity, 1 - wall mirror, 1 - toilet paper holder, 1 - towel bar	L S	\$596.00				
	RS Means labor is \$67.85 per hour after city cost index.	Electrician 8 hours to install wiring for 2 new Mitsubishi ductless air-conditioners and reinstall light fixtures as needed		\$624.22			FLORIDA / FORT LAUDERDALE(333)	[Adjusted by 013113700260]
	RS Means labor is \$46.06 per hour after city cost index.	Electrician's helper 6 hours to install wiring for 2 new Mitsubishi ductless air-conditioners and reinstall light fixtures as needed		\$431.11				[Adjusted by 013113700260]

	RS Means labor is \$71.10 per hour after city cost index.	Mechanical worker 10 hours to install 2- 10' onishi ductless air-conditioning units.		\$654.10			FLORIDA / FORT LAUDERDALE(333)	[Adjusted by 013113700260]
	Materials	2 - Insulation 12 000 BTU Ductless Air-conditioning (material only)		\$4,712.80				
	RS Means labor is \$51.97 per hour after city cost index	2 - Carpenter 12 hours to install new impact windows as per code		\$1,487.26			FLORIDA / FORT LAUDERDALE(333)	
	Materials	Impact rated windows (material only)	LS	\$4,350.00				
	RS Means labor is \$63.15 per hour after city cost index	2 - Skilled workers 8 hours to install cement block in 4 openings and stucco to match.		\$1,010.40			FLORIDA / FORT LAUDERDALE(333)	
1780	099103200510	Paint preparation, sanding & puttying interior trim, surface protection, placement & removal, basic drop cloths	S.F	\$122.92	RR	Year 2014 Quarter 1	FLORIDA / FORT LAUDERDALE(333)	[Adjusted by 013113700260]
160	099103400040	Surface preparation, interior, doors, scrape & sand, wood, flush	S.F	\$119.00	RR	Year 2014 Quarter 1	FLORIDA / FORT LAUDERDALE(333)	[Adjusted by 013113700260]
4	099123350140	Paints & coatings, interior latex, doors, flush, both sides, roll & brush, primer + 2 coats, incl frame & trim	Ea	\$408.50	RR	Year 2014 Quarter 1	FLORIDA / FORT LAUDERDALE(333)	[Adjusted by 013113700260]
1250	099123720240	Paints & coatings, walls & ceilings, interior, concrete, drywall or plaster, latex paint primer or sealer coat, smooth finish, roller	S.F	\$493.00	RR	Year 2014 Quarter 1	FLORIDA / FORT LAUDERDALE(333)	[Adjusted by 013113700260]
1780	099123721670	Painting walls, complete, on drywall or plaster, primer and 2 finish coats, with roller, including surface preparation	S.F	\$2,722.00	RR	Year 2014 Quarter 1	FLORIDA / FORT LAUDERDALE(333)	[Adjusted by 013113700260]
732	093013103281	Ceramic tile, floors, glazed, thin set, comm group 1, 18" x 18"	S.F	\$7,583.52	RR	Year 2014 Quarter 1	FLORIDA / FORT LAUDERDALE(333)	[Adjusted by 013113700260]
752	099103300790	Surface preparation, exterior, siding, stucco pressure wash based on 2500 lb operating pressure	S.F	\$122.00	RR	Year 2014 Quarter 1	FLORIDA / FORT LAUDERDALE(333)	[Adjusted by 013113700260]
100	099113800190	Paints & coatings, trim, exterior, fascia, latex paint, 1 coat coverage, roller, 1" x 12"	LF	\$49.00	RR	Year 2014 Quarter 1	FLORIDA / FORT LAUDERDALE(333)	[Adjusted by 013113700260]
752	099113601430	Paints & coatings, siding, exterior, stucco, rough, paint 2 coats, roller	S.F	\$540.00	RR	Year 2014 Quarter 1	FLORIDA / FORT LAUDERDALE(333)	[Adjusted by 013113700260]

Total \$38,834.22



Town of Sunside Tennis Office

Mold Remediation

ITEM #	DESCRIPTION	UNIT PRICE	QTY/UNIT	TOTAL PRICE	NOTES
533-11210-01-13	Mobilization - Regular Time	1	\$ 2,000.00	\$ 2,000.00	
533-11210-01-18	Drywall removal	1780	\$ 4.00	\$ 7,120.00	
533-11210-01-01	Supervision Regular Time	8	\$ 45.00	\$ 360.00	Contents pack/ move out
533-11210-01-02	Laborer Technician Regular Time	36	\$ 40.00	\$ 1,440.00	Contents pack/ move out
533-11210-01-35	Rental of Large Air Scrubber	100	\$ 10.00	\$ 1,000.00	3 work Days
<b>TOTAL</b>				<b>\$ 11,920.00</b>	



DECON WAIVES ANY RESPONSIBILITY FOR THE IDENTIFICATION OF MOLD AND MILDEW FOLLOWING CLEARANCES FOR OCCUPANCY PROVIDED BY AN INDEPENDENT CERTIFIED INDUSTRIAL HYGIENIST OR EQUIVALENT ENVIRONMENTAL PROFESSIONAL.

TOTAL AMOUNT OF QUOTATION: Prop # 6926 \$50,754.22

DECON ENVIRONMENTAL & ENGINEERING, INC. ACCEPTS PAYMENT BY AMERICAN EXPRESS, VISA AND MASTERCARD.

INVOICE WILL BE PRESENTED UPON COMPLETION OF WORK, INTEREST AT THE RATE OF 1.5% PER MONTH WILL BE APPLIED TO THE UNPAID BALANCE ON PAYMENTS RECEIVED MORE THAN 30 DAYS AFTER THE INVOICE DATE. In the event of non-payment, reasonable attorney fees and all collection costs incurred to secure the accrued balance shall be added to client's financial obligation.

IF RETAINAGE IS HELD, IT WILL BE DUE AND PAYABLE NO LATER THAN 90 DAYS AFTER COMPLETION OF THW WORK AND SUBMISSION OF ALL PERTINENT DOCUMENTATION AND COMPLIANCE PAPERWORK TO G.C./ OWNER / CONSULANT, WHICHEVER IS APPLICABLE.

PROPOSED BY: DECON ENVIRONMENTAL & ENGINEERING, INC.



Authorized Signature: \_\_\_\_\_ Date 03/07/14

NAME: Alon Levin  
TITLE: Vice President

ACCEPTED BY:  
Signature of Officer or Person Authorized to sign on behalf of above named entity: \_\_\_\_\_ Date: \_\_\_\_\_

PRINTED NAME: \_\_\_\_\_ TITLE: \_\_\_\_\_

**THIS PROPOSAL MAY BE WITHDRAWN OR REVISED IF NOT ACCEPTED WITHIN 30 DAYS OF ABOVE DATE.**

STATE OF FLORIDA ASBESTOS ABATEMENT CONTRACTOR'S LICENSE: CJC056715  
STATE OF FLORIDA GENERAL CONTRACTOR LICENSE: CGC044418  
STATE OF FLORIDA MOLD REMEDIATOR: MRSR173

FOR PERMIT PURPOSES, PLEASE COMPLETE ITEMS A AND B WITH INFORMATION PERTAINING TO THE PROJECT SITE OWNER:

A:

Name	
Contact	



## Town of Surfside Commission Communication

**Agenda Item #** 9A

**Agenda Date:** April 8, 2014

**Subject:** Initial Report on Development Impact Coordination

**Background:** Over the past few years, Surfside has experienced ongoing challenges and quality of life issues from major construction in the area. These ventures included the construction of the St. Regis Hotel in Bal Harbour; the water force main project along Collins Avenue, and the water/sewer/drainage project throughout the Town. The most recent completed projects in Town were the Grand Beach Hotel and the 9501 Condominium on Collins Avenue. The construction periods for all of these projects brought traffic congestion, lane closures, lack of available parking, noise complaints, construction workers to the residential neighborhoods, and construction site crime.

Additional major projects have already started or are in initial pre-construction planning phases. The latest developments include:

- Grand Beach West Hotel, 9400 block of Collins Avenue, expected completion date is June 2014, 150 workers on site daily
- Young Israel Synagogue, 96th Street and Byron Avenue, expected completion date is November of 2015, 30 workers on site daily
- Marriott Hotel, 200 block of 92nd Street, expected completion date is August 2015, 200 workers on site daily
- Chateau Condominium, 9300 block, expected completion date is March 2016, 300 workers on site daily
- Surf Club Hotel and Condominium, expected completion date is March of 2016, 1200 construction workers on site daily

In addition to the approximately 2000 construction workers entering Surfside daily, regular traffic lane closures are expected on Collins Avenue, Harding Avenue, 96th Street, and the 200 blocks of 91st Street and 92nd Street.

The Town may have its own projects sanctioned in the near future including the streetscaping in the 100 blocks, the second floor to the Community Center, and parking structure(s) in the business district and/or the Town Hall center. The Shul is also proposing to expand its building in the 9500 block of Collins Avenue.

In addition to inspections ensuring permit/code compliance, these large construction projects will require daily inspections/monitoring including condition of construction fences and screens; silt barriers; storm drains/drainage filters/storm water gutter conditions; site access traffic delays; MOT maintenance; construction worker parking; trash/litter/garbage control; daily ingress and egress of workers; Noise Ordinance monitoring; and securing of jobsites at the end of each day.

### **Development Impact Coordination**

Town Staff has gained valuable experience in dealing with large scale development projects and resulting community impacts over the past several years. This will assist the Town going forward in order to effectively deal with the impact and demands that will result from approved development projects.

Commission members have been provided with a copy of the Five Year Financial Forecast for the Town of Surfside, Florida (FY 2013/2014 – 2017/2018). This document provides the positive financial impacts that will ultimately result at the completion of these projects.

As Staff begins its preparation of the FY 14/15 budget, we would like to share with the Commission an initial look at the approach that will be recommended to better position the Town to deal with development impacts detailed above and the investment that will be necessary to adequately respond to these impacts.

### **Preliminary Recommendations**

Cumulatively, the conditions and impacts listed in the introduction require a well-planned, coordinated, and, when necessary, an aggressive response in order for public safety and overall quality of life issues.

Our preliminary recommendations include:

#### **1. Traffic Mitigation**

The experience of traffic congestion/delays/backups as a result of the Grand Beach and the Collins Force Main Project need to be addressed and mitigated.

Staff has coordinated with Bal Harbour in sharing the cost of a traffic mitigation plan subject to the approval of the Town Commission. The first step in traffic mitigation is a qualitative assessment of the traffic signals along Collins Avenue, Harding Avenue, and 96th Street and develop and implement signal timing plans that mitigate traffic impacts and minimize delays on these roadways. The plan will also incorporate the FDOT approved Maintenance of Traffic (MOT) lane closures of the construction projects into the traffic signal timing assessment. The goal is to better control the traffic light timing and improve vehicular movement during peak hours and lane closures. This program is in operation in Miami Beach and their officials report that it is a useful tool for improving traffic flow especially for special events. A major part of our focus will be improving traffic flow due to lane closures.

## **2. Police Response**

In order to properly address public safety concerns as a result of the significant development impacts, additional police staff will be recommended in the proposed FY 14/15 budget. These additional personnel will address the traffic congestion, construction site, construction parking problems and residential areas on a daily basis. Currently and during the previous construction projects time periods, on duty police officers were assigned to support the off duty officers to alleviate the traffic and parking concerns. The on duty officers were removed from their regular assignments of calls for police service, patrol and community policing in the residential neighborhoods, beach, and business district. On many occasions the entire Police Department staff working that day including police officers, parking enforcement officers, and the public service aide were required to direct traffic at intersections to move vehicles through Surfside.

## **3. Development Coordinating Committee**

A Development Coordinating Committee comprised of representatives of the development projects will be established. This Committee will meet twice a month in order to effectively order and allocate the Town's resources to each project and for sharing of information on impacts. This Committee will help identify and coordinate material deliveries; equipment movement etc. throughout the Town's right-of-ways as these events would require specific scheduling and coordination between Police, Public Works, Parking Building and Code. We will be requesting that each project name at least one preferably two project representatives with the requisite decision-making authority to join in this planning effort. In this way, each special request can be considered, scheduled and allocated the necessary resources from Police, Public Works, Parking and Building. The Town's Planning Director would be available to this Committee to coordinate issues not at the construction level. Specifically, the Town Planner would be available to the development community to ensure that projects are completed in accordance with approved development orders including non-code special conditions included in the development orders.

## **4. Construction Compliance Field Inspector**

The volume of work that will result from a compliance perspective for these major development projects will exceed the available resources and time commitment currently available from existing Building or Code staff. As stated in the introduction, the magnitude of these projects will require daily coordination/compliance on such issues as:

- Construction fences; screens; silt barriers; storm drain inspections
- Monitoring of ingress/egress; traffic delays; MOT and traffic control issues;
- Construction worker parking;
- Litter control;
- Noise control; and
- Securing of job sites


This position would also fill an ombudsman role for citizen concerns/complaints during the process.

**Conclusion**


Projects, such as these, that will increase the Town's tax by over a billion dollars (doubling the Town's current tax base) do not occur without a cost associated with their implementation. The construction phase requires a substantial commitment of personnel/resources to ensure that the projects are properly completed; minimizing impacts on the Town during construction and having procedures in place to ensure the safety and well-being of the Town and its residents over the next 2+ years.

This effort will not be easy and will require investment of personnel and financial resources in order to address the challenges that lie before us.

Thank you for allowing Staff to present this initial assessment which will be developed in greater detail during budget preparation.

  
\_\_\_\_\_  
Police Chief

  
\_\_\_\_\_  
Town Manager

  
\_\_\_\_\_  
Building Official



# **PARKING SOLUTION: THE NEXT STEP**

**APRIL 2014**

**Submitted by:  
Michael P. Crotty, Town Manager**





## **PARKING SOLUTION: THE NEXT STEP**

### **Overview**

The title of this report – “Parking Solution: The Next Step” is indicative of the effort over the past several months to move the parking solution from discussion/analysis to implementation.

This report attempts to provide the necessary information to the Town Commission, residents and business community regarding the process and issues to achieve a parking solution. This report is a product of the combined efforts of Town Staff who worked diligently in its preparation.

What is the Next Step in the Parking Solution? A dual track approach is recommended to be implemented to begin this Next Step. The report outlines the analysis and process utilized to recommend the following action steps regarding next steps to achieving the parking solution.

### **Recommendation**

#### **A. Abbott Lot (2 Story Level Parking Structure with possible option for rooftop level parking; 390 Spaces)**

- 1. Authorize a survey of the Abbott Lot (including all utilities; alley setbacks and building heights of Harding Avenue buildings) and geotechnical/soil analysis (minimum 8 borings) \$30,000.**
- 2. Authorize the consulting engineering firm selected as a result of the current RFQ solicitation to develop/prepare a Request for Proposal for design/build services to include identification of milestones during the process for community and Commission input/review; design creativity/features; architectural standards; parking structure technical, and structure features and layout; landscaping; safety/security/traffic; and parking systems.**

~and~

#### **B. Post Office Lot – Public-Private Partnership (P3)**

**Approve the March 21, 2014 Public-Private Partnership Advisory Services proposal submitted by Lambert Advisory in the amount of \$18,500 in order to begin the P3 process by conducting analysis and developing an outline of strategic opportunities for the Post Office Lot.**

# PARKING SOLUTION: THE NEXT STEP

## I. Introduction

The Parking Structure Feasibility Study (Parking Study) authorized by the Town Commission in 2012 was completed in March 2013 by Rich & Associates, Inc. The report identifies three sites with a number of alternatives for a parking structure (Abbott Lot, Post Office and 94th Street Lot).

As part of the introduction to the report, it is useful to outline what is not the focus/purpose of the report and what the focus/purpose of the report is.

This report is **not** intended to reiterate the findings of the Parking Study or attempt to validate the Parking Study's findings. For those interested in obtaining specific details of the Parking Study, the Parking Study's Executive Summary is included in this report as **Attachment 1** and the table detailing the Parking Study's determination of parking space deficiency (303 parking space deficiency) is **Attachment 2**. Also, the full Parking Study is available on the Town's website: [www.townofsursidefl.gov](http://www.townofsursidefl.gov).

*Therefore, the focus/purpose of this report is to determine how the Town can take the next step in arriving at a parking solution. More specifically, the report is intended to be responsive to the direction provided by the Commission at its October 2013 meeting as follows:*

- Acknowledging the parking deficiencies in the business district; (shortage of parking spaces presents unacceptable conditions for businesses and customers and needs a comprehensive solution).
- Supporting the outreach effort to develop a final report to be prepared no later than April 1, 2014 containing: detailed recommendations on parking facility improvements to address deficiencies including location; financing options and construction timeframes.
- Recognition that the Commission retains the ultimate decision making authority in how the recommendations of the report are implemented, including method of approval.

**[Attachment 3 Parking Outreach Report approved by the Town Commission action at its October 8, 2013 meeting]**

**In addition to meeting the above direction provided by the Commission at its October 2013 meeting, recommendations contained in this report will, at a minimum, provide recommendation(s) on a parking solution addressing 60% of the Parking Study's identified deficiency of parking spaces (60% x 303 = 182 spaces). This will provide a meaningful recommendation to substantially address the documented parking deficiency.**

## II. Approach/Methodology for Preparation of Report

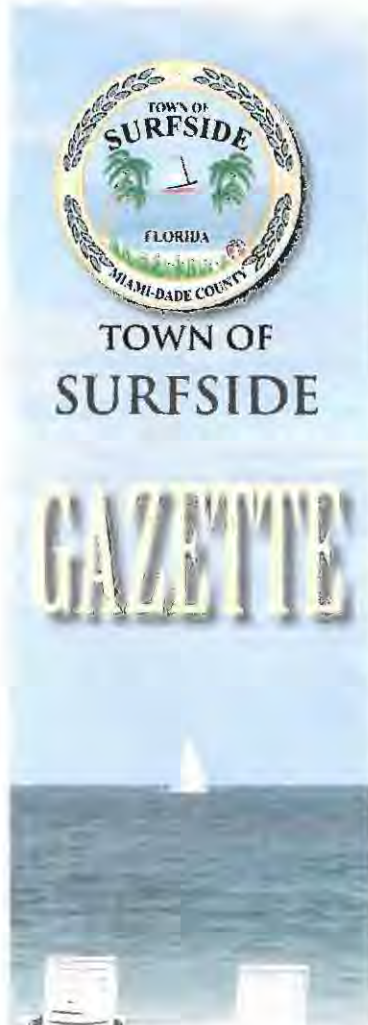
### 1. Public Notification and Involvement

The public process utilized to address the decades old challenge of parking in Surfside is a key component in bringing about a successful outcome.



In order to provide transparency to the process and encourage public participation and input, the initial steps were devoted to public outreach and education including:

- November DVAC meeting being devoted to discussion with business owners on the Parking Study. Each business owner received an invitation to the meeting.
- A Community Dialogue was held on December 18, 2013 as an opportunity for residents to participate in the process. The front page of the December 2013 Gazette provides the invitation to residents:



## Town Manager's Message

### *PARKING!*

Community Dialogue on Parking  
December 18, 2013 at 7 pm  
Commission Chambers -Town Hall, 2nd Floor

Of the many things I have learned since becoming your Town Manager, a comprehensive Town-wide parking solution is a critical community need. We as a community need to stem the tide of falling further and further behind in solving this challenge and tackle it head on.

The Town Commission has demonstrated the leadership to reinvigorate the process by authorizing a Parking Feasibility Study. This comprehensive report (on the Town's website) details not only the parking deficiencies for both the downtown and multi-family district, it also provides a variety of viable solutions. This study, added to the number of committee and community discussions, has laid the ground work for a community awareness on a vision for addressing parking needs.

We are at the final stages of a process to garner understanding, consensus and support before a recommendation is presented to the Town Commission in April 2014. I recognize that there are those in our community who wish to maintain the status quo or are concerned with the consequences of change. I encourage you to be an active participant in this process. Your views are important and the process requires that all views of the community are included in this community dialogue.

What can be done to ultimately address this long standing community issue? Most importantly, attend the December 18 meeting. The presentations made to the DVAC and Town Commission regarding the Parking Feasibility Study are being rebroadcast on Channel 77 or can be viewed via the Town website: [www.townofsurfsidefl.gov](http://www.townofsurfsidefl.gov) (see box below).

We must come together as a community to identify a clear path for the Town Commission's ultimate action on an approval, implementation and funding of a parking solution. It will enhance and support a downtown district that is reclaiming it's storied and successful past and has struggled for decades on this issue. Also, it will lay the groundwork for developing a town-wide parking strategy that will include the multi-family districts. How and what we do requires your input and validation. I need your help. See you on December 18!

Wishing you and your family a great holiday season.

*Michael Crotty, Town Manager*

Residents are encouraged to watch, or record for later viewing, the Parking Structure Feasibility Study Presentation to DVAC (March 20) and to the Town Commission (April 9) on Channel 77, or streaming on the Town's website, between 11am and 2 pm daily. Both of these meetings are also available through the Commission & Miscellaneous Meeting Videos on the Public Records section of the Town's website.

- As noted in the above Gazette article, previous meetings at which the Parking Structure Feasibility Study was presented to DVAC and the Commission was re-broadcasted on Channel 77 at least 12 times leading up to the December 18 Community Dialogue. Also notification of the meeting was sent out as a website eblast.
- Approximately 40 residents attended the Community Dialogue. The Parking Study was discussed along with various proposals to address the parking shortage. The majority in attendance expressed their support of the Town to proceed in the most

expeditious manner to build a structure. One person in attendance advocated for a referendum on the issue. There was a favorable response to a possible solution at the Town Hall/Community Center Municipal complex and there was support for more than one structure. Support was voiced for a private, public partnership for the 94th Street Lot and for a parking structure at the Abbott Lot and/or Post Office Lot. There were a few residents who expressed their opinion that there is not a need to address the parking situation as they feel the need does not exist.

The Town Manager followed up and met with residents who expressed opinions that a structure wasn't warranted. Also, a resident prepared a self-prepared parking count report in support of his position that there is not a parking shortage. This report was submitted to DVAC and the Commission.

## **2. Process Leading to Report Preparation**

In addition to the public outreach, the following activities/steps were initiated to assist in the preparation of this report:

### **A. Discussion with "Subject Matter Experts"**

Five meetings were held with subject matter experts in both public and private sectors in order to assist Staff in its analysis of the options contained in the Parking Study including privatization of Town's parking facilities/programs (parking concession option); options available to implement parking structure (design/bid/build; design/build; Best Value; P3, etc.); and "piggy-backing" on a public entities approved list of design/build firms.

### **B. Public-Private Partnerships (P3)**

Each of the locations for a possible parking structure contained in the Parking Study includes at least one option for a P3. The authority for a P3 is contained in Section 343.962 F.S. (**Attachment 4**). Considerable effort was invested in the preparation of this report relating to P3's including:

- Attendance by the Assistant Town Attorney at a 2 day educational session entitled "The Nuts and Bolts of P3 Projects in Florida – How to Get Started with PPP Opportunities Including Unsolicited Proposals". The session was sponsored by Florida Council for Public-Private Partnerships and the Greater Miami Chamber of Commerce.
- Held numerous meetings/discussions with individuals and/or development companies interested in possible P3 relationships on sites identified in the Parking Study. Reflective of the interest of the development community to invest in Surfside, each of the contacts were unsolicited by the Town.
- Discussion held with owner of the Post Office property and U.S. Postal representatives.
- Meetings/discussions with 3 firms who provide professional services relating to P3's.



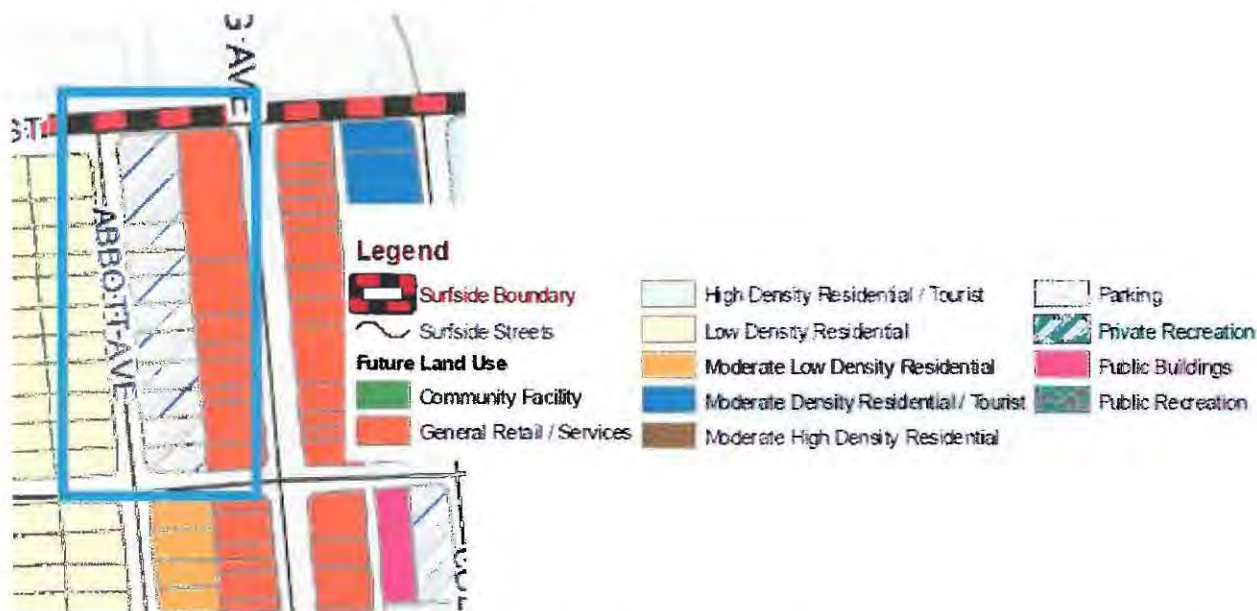
### III. Analysis of Land Use and Zoning Issues for Each Site Identified in the Parking Study for Location of a Parking Structure

In order to make a valid legal decision regarding the next step in the parking solution, a full discussion and analysis of land use and zoning issues is necessary. In Surfside, certain land use and zoning changes are further regulated by Charter requirements. Though lengthy, the following discussion and analysis of each potential site is prudent.

#### A. Abbott Lot

##### *Land Use*

The Abbott Lot's land use designation is "Parking." The Comprehensive Plan permits an FAR of 3.0 with a 40 foot height designation as designated on the below illustration:



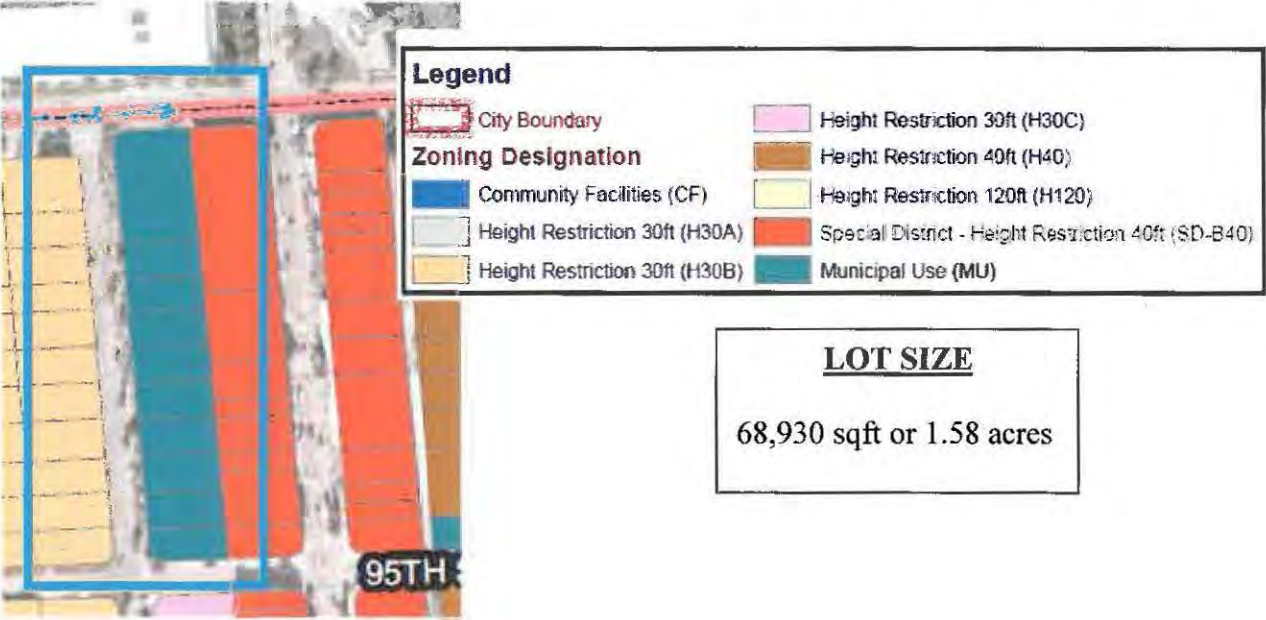
The only permitted use in this category is parking. If a residential use is added as suggested by the Parking Study, density will be added to a land use that currently has no density allocation provided. This "increase" in density will result in the need for a referendum. Also, a Land Use Text and Map amendment will be required to be reviewed by the Planning and Zoning Board sitting as the Local Planning Agency, two readings at the Town Commission and reviews by the State agencies.

If the Town proceeds with a parking structure only, no changes are required and the Town can proceed with preparing a site plan for a parking structure.

##### *Zoning*

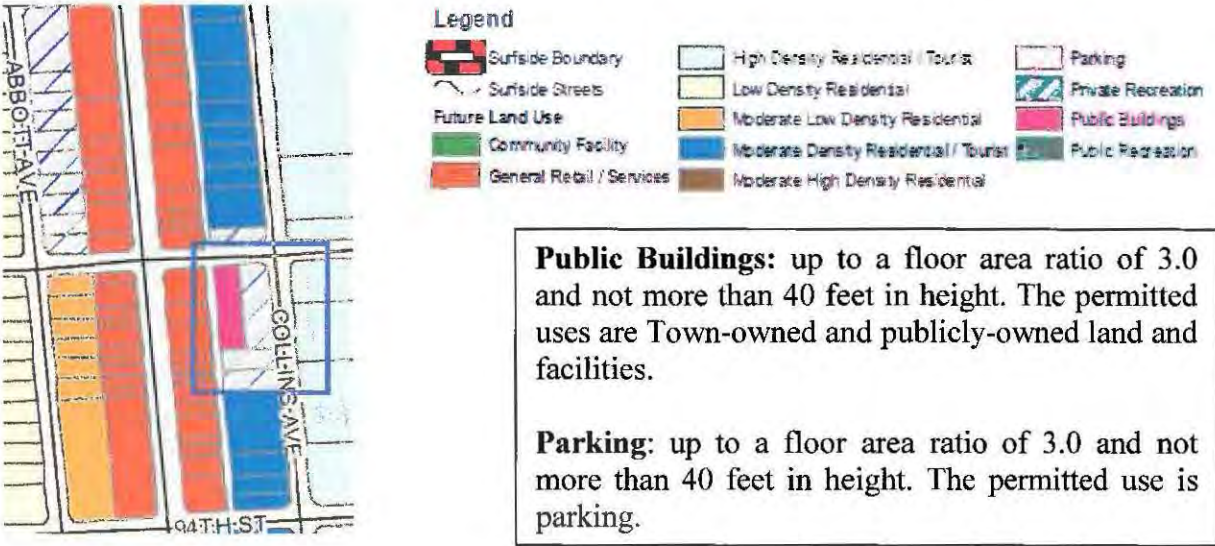
This site is zoned MU, which permits parking structures. The MU designation does not have a height numerical limitation and instead it follows the "surrounding designation."

The MU lot is immediately adjacent to the SD-B40 zoning district, which has a 40 foot height limitation. However, the single-family district is across Abbott Avenue and is limited to a 30 foot height maximum. Since the H30B single family zoning district is across Abbott Avenue from this site, it could be interpreted that the property’s height is limited by this zoning category and therefore, a 30 foot high parking garage would be permitted. Although the Comprehensive Plan permits a 40 foot height maximum, the Zoning Code is more restrictive and will govern as outlined below:



**B. Post Office Lot**

The land use of the properties comprising the Post Office Lot and Town parking lot is split between “Public Buildings” and “Parking” as illustrated below:





Since the floor area ratio (FAR) for both land use categories (Public Buildings and Parking) is 3.0, no increase in intensity would result from relocating the Post Office anywhere throughout the property. However, a land use change would be required to permit the Post Office outside of the area designated “Public Buildings.” The land use change required is a Comprehensive Plan Map Amendment reviewed by the Planning and Zoning Board sitting as the Local Planning Agency, two readings at the Town Commission and reviews by the State agencies.

There is a 40 foot height limitation on this site, which will permit a four level garage with rooftop level parking.

The property is zoned Municipal (MU), except for the southernmost parcel, which is zoned H40. This site would require a rezoning to MU. This process requires review by the Planning and Zoning Board sitting as the Local Planning Agency and two readings at the Town Commission.

The site is divided into two zoning and land use designations. The following analysis describes the zoning and land use of the lot:

**Zoning**

The parking lot portion of the site is zoned MU and the existing Post Office portion of the site is zoned H40. The current zoning of MU permits a library, a park, a playground, a community center, a gymnasium, town offices, police facilities, parking and a pump station by a conditional use permit.

The portion of the lot that currently houses the Post Office is zoned H40. No commercial is permitted under this zoning category. The existing Post Office is considered a non-conforming use under the zoning designation. If the use were to be eliminated from this location, the existing zoning will permit residential or hotel units only.



Legend	
	City Boundary
	Height Restriction 30ft (H30C)
	Height Restriction 40ft (H40)
	Community Facilities (CF)
	Height Restriction 120ft (H120)
	Height Restriction 30ft (H30A)
	Special District - Height Restriction 40ft (SD-B40)
	Height Restriction 30ft (H30B)
	Municipal Use (MU)

**Land Use**

The parking lot portion of the site has the land use designation of Parking and the Post Office portion of the site has the land use designation of Public Buildings. The only permitted use within the Parking designation is parking and the only permitted use under the Public Building designation is Town-owned and publicly-owned land and facilities. Therefore, the Post Office portion of the site does not have consistent land use and zoning and any use of the property other than the existing use will require a land use and/or zoning amendment.



<u>LOT SIZES</u>	
Post Office building property	12,460 sqft
Town owned parking lot*	<u>28,260 sqft</u>
<b>TOTAL</b>	<b>40,720 sqft</b>
	0.935 acres

*\*portion leased to Post Office for parking and Postal fleet operations*

**Legend**

Surfside Boundary	High Density Residential / Tourist	Parking
Surfside Streets	Low Density Residential	Private Recreation
<b>Future Land Use</b>	Moderate Low Density Residential	Public Buildings
Community Facility	Moderate Density Residential / Tourist	Public Recreation
General Retail / Services	Moderate High Density Residential	

If the Town wished to add commercial uses, such as retail, restaurant and offices to this site the following modifications will be needed:

1. Comprehensive Plan text amendment to modify the General Retail district's land use category to permit parking.
2. Comprehensive Plan map amendment to change the land use designations from Public Buildings and Parking to General Retail.
3. Modify the Zoning Code to permit structured parking in the SD-B40 zoning district.
4. Rezone the property to SD-B40.



The 40 foot height limitation is the same in the General Retail district as the existing districts and the FAR also remains the same at 3.0. Therefore, a referendum would not be required for this location as the intensity or height will not be increased from the proposed change.

**C. 94th Street Lot**

The third site identified for a parking structure in the Parking Study is the 94th Street Parking Lot. As detailed in Section IV (Analysis of Study’s Parking Structure Alternatives) this site is not included as an option for the purpose of this report as the “net gain” of parking spaces does not meet the goal of additional 182 public parking spaces. However, the location of this lot adjacent to properties potentially suited for redevelopment make the 94th Street Lot a prime candidate for a Public-Private Partnership (P3), possibly in the foreseeable future.

Therefore, the 94th Street site will be included for informational purposes. The following analysis was prepared by Staff as a result of an inquiry from a private development concern addressing specific lots adjacent to the 94th Street Parking Lot.

Based on this unsolicited inquiry, the P3 would include the following properties:

Folio number	Owner	Cross reference with map
14-2235-006-0310	Town of Surfside	A
14-2235-006-0330	Town of Surfside	B
14-2235-006-0340	Town of Surfside	C
14-2235-006-0350	Town of Surfside	D
14-2235-006-0360	Town of Surfside	E
14-2235-006-0300	Ninety Four W, LLC	F
14-2235-006-0290	Bratt Holdings, LLC	G
14-2235-006-0280	Bratt Holdings, LLC	H
14-2235-006-0270	Bratt Holdings, LLC	I
14-2235-006-0260	Gulfstream & Moises Inv Group, Corp.	J



## Future Land Use Designation

The Future Land Use Designation for the parcels on the east side of Harding Avenue is “Parking” which has a Floor Area Ratio of 3.0 and a maximum height of 40 feet. The only permitted use is parking.

The Future Land Use Designation for the parcels on the west side of Collins Avenue is “Moderate Density Residential/Tourist” which allows up to 58 residential dwelling units per acre or up to 108 hotel units per acre and not more than 40 feet in height. The permitted uses are single family, duplex, and multi-family residential uses, hotels, public schools, and parks and open space.



## Zoning District

The Zoning Districts for the parcels on the east side of Harding Avenue are Municipal and H40. The Zoning District for the parcel on the west side of Collins Avenue is H40 which allows a maximum building height of 40 feet. Permitted Uses are single family; duplex; multi-dwelling; townhouse; hotel; suite hotel; schools; parks and open space; and play grounds.





**Charter Section 4**

The density, intensity, and height of development and structures within the Town shall not exceed the maximum allowable units per acre, floor area ratios or the maximum allowable building heights in stories and feet that are set out in the Town of Surfside Comprehensive Plan or the Code of the Town of Surfside, whichever provisions are most restrictive, which were in effect in 2004. This amendment to the Town of Surfside Charter shall not be repealed, revised, amended, or superseded unless repeal, revision, amendment, or superseding provisions are placed on the ballot at a regularly scheduled election of the Town of Surfside and approved by a vote of the electors of the Town of Surfside.

The addition of any residential uses on the lots with the land use of parking will be considered an increase in density and therefore will require a referendum.

**Parking Study**

The Parking Structure Feasibility Study indicates there are two options for this property. The first alternative is a 370 space parking garage with a commercial component. This option includes the municipal parking lot and the privately owned lots. The second alternative is a 223 space stand-alone parking garage utilizing only the municipal parking lot. The first alternative takes into account the parking needed to support the proposed commercial. It also addresses the existing 99 parking spaces already available at the lot, resulting in a net increase of 88 parking spaces available to the public.

The Parking Study addresses the addition of commercial uses, but does not take into account any hotel or residential uses, which require a separate parking count from commercial. An analysis of number of units for either residential or hotel, along with any proposed commercial square footages would need to be analyzed to determine the net increase in parking. The net increase would not include the existing 99 parking or any of the parking necessary to support the new uses.

**Summary – 94th Street Lot**

This site and options do not met the goal of addressing 60% (182 spaces) of the identified deficiency in parking spaces.

The land use and zoning on the west side of Collins Avenue will permit residential and hotel. If retail is desired at this location, a land use and zoning change must be completed. This change will not affect intensity or density. The land use and zoning on the east side of Collins Avenue will only permit parking (except for parcel “J” which permit residential and hotel uses). If retail is requested for this parcel, a land use and zoning change will be required. There is a Floor Area Ratio maximum of 3.0 which cannot be exceeded. To add residential or hotel densities to these sites, a land use and zoning change will also need to be completed, along with a referendum that provides residential and/or hotel density.

\*\*\*\*\*

[Note: If a parking structure is constructed at the Abbott Lot, Post Office Lot or the 94th Street Lot, the project would need to meet the requirements of Section 90-49.4 (Structural Parking Garages) and Section 90-91.2 (Required Buffer Landscaping Adjacent to Streets and Abutting Properties). Attachment 5 contains these sections of the Town Code.]



#### IV. Analysis of Study's Parking Structure Alternatives

To determine which alternatives are feasible to consider for implementation, a two pronged approach will be utilized – number of additional/new spaces to be created (minimum 182) and financial feasibility.

##### Space Test

The first test is straight forward. Which alternatives for the three sites creates, at a minimum, 182 additional parking spaces?

The following table from the Parking Study (Table 11) provides a detailed description of each site alternative. A final column has been added to indicate whether the specific alternates at each site meets the minimum criterion of a net gain of 182 parking spaces.

**Table 11 – Summary of the Alternatives**

Site	Description	Capacity	Net Added Spaces	Parking Structure Project Cost to be Financed	Added Features	Meets Standard for 182 Additional Spaces
<b>Abbott Lot (1)</b>	Two level underground with public park above	448	241	\$27,400,000 as shown in Table 12, line 10	Public park, replacing existing surface lot. Park to cost estimated \$2,240,000 in addition to parking structure	YES
<b>Abbott Lot (2)</b>	Parking structure stretching along approximately one-half length of existing Abbott Lot. Parking replaced with public park at south end + townhomes along western face	414	207	\$13,019,000 as shown in Table 13, line 10	Townhomes along western face of facility. Small public park at south end of site. Park to cost estimated \$1,120,000 in addition to parking structure	YES
<b>Abbott Lot (3)</b>	Above grade parking structure replacing existing surface parking lot. Townhomes along western face	514	307	\$7,198,000 as shown in Table 16, line 10	Townhomes along western face	YES
<b>Post Office Site</b>	Grade +3 supported level parking structure. Post Office replaced in new parking structure + added commercial space along Collins Avenue	280	219	\$5,301,000 as shown in Table 18, line 10	Post Office replaced in 1st floor of parking structure + potential to create added commercial along east face (Collins Avenue)	YES
<b>94th Street Lot (1)</b>	Parking structure constructed as part of mixed use development	370	88	\$9,160,000 as shown in Table 20, line 10	Developed in conjunction with mixed use opportunity with developer construction approximately 50,000 square feet of	NO

					commercial space could be opportunity for public/private partnership with parking developed at little to not costs to Town	
<b>94th Street Lot (2)</b>	Parking structure only on Town's existing surface lot	223	124	\$3,528,000 as shown in Table 22, line 10	Façade treatments could be added to disguise appearance of parking structure from Harding Avenue properties	NO

Therefore, for the purpose of this report, the 94th Street Lot will not be considered as a possible option. However, this location as outlined in the Land Use and Zoning Analysis Section (III-C) of this report could be a key location for a P3 project should there be a southerly expansion of the business district and/or redevelopment in the area between Harding and Collins and 93rd to 94th Street.

Also, the Parking Study rightly points out that although a parking structure at the 94th Street Lot “does not have the added public benefits and amenities of some of the other options, a consideration which would have to be weighed by the community, it does provide needed additional parking supply for the downtown. As a project financed by the Town from parking revenues, it may do so less expensively than other alternatives.”

### **Financial Test**

Prior to considering the financial matrix, a discussion is necessary on the financial projections and assumptions contained in the Parking Study. Staff’s review of the Parking Study financials indicates certain projections need to be considered prior to a final financial decision being made. These include:

1. The Parking Study included the use of \$1.5M from the Parking Fund reserves in order to reduce the total cost of the project. The Parking Fund reserve balance at September 30, 2013 is projected to be \$1,205,000 and is not recommended to be drawn down to zero to reduce the parking garage cost. The Parking Fund reserves should be reserved for, at least in part, contingencies for parking improvements and costs unrelated to the new proposed garage.
2. The Parking Study used a fixed interest rate in March, 2013 of 4.5% to finance the cost of the Parking Garage over a 30 year term, whereas the current fixed interest rate is 6.79%. The interest rate increase results in a higher annual interest expense of \$117,000 on a \$7 million project.
3. The Parking Study includes revenue of \$198,462 (FY 14/15) from parking citation revenue as part of the total revenue to operate the parking fund and finance the cost (debt service) of the new parking structure. These revenues are currently General Fund revenues and part of the General Fund Budget. Going forward as the Town commits to a new parking structure and growth revenue from infill development is received, Staff supports this allocation of parking citation revenues to the Parking Fund support a parking solution. Ultimately, this will be a decision made by the Town Commission.

4. The Parking Study's financial projections include annual payments to the Parking Trust Fund totaling \$96,750 (\$78,750 for a project currently in the review process and \$18,000 from a condominium relating to a still unresolved issue on a number of parking spaces). These are not included in the current financial analysis for the Abbott Lot.
5. The Parking Study's projections for annual revenues from an above ground, 514 space parking structure are \$252,703 for the first year of operation. This projection appears to be conservative as the 2013 revenues from the current open space Abbott Lot with 207 spaces totaled \$425,836.85. Going forward, this increased revenue will be available to help offset the financial issues identified in items #1-4 above.

A financial matrix incorporating the financial data from the Parking Study identifies the alternatives that make financial sense.

### Financial Test

Site	Description	<u>Parking Study</u> Project Cost to be Financed	<u>Parking Study</u> Net surplus/Deficit in Parking Fund if Implemented	Additional Costs	Financially Feasible
<b>Abbott Lot (1)</b>	Two level underground with public park above	\$27,400,000; annual debt service payment: \$1,930,000	<b>Deficit FY 14/15: (\$1,535,462)</b> <b>Deficit FY 18/19: (\$1,247,596)</b> <b>Deficit FY 23/24: (\$889,901)</b>	\$1.5M upfront payment; <b>\$2.24M for park development; additional annual interest on \$27.4M -- \$456K</b>	NO
<b>Abbott Lot (2)</b>	Parking structure stretching along approximately one-half length of existing Abbott Lot. Parking replaced with public park at south end + townhomes along western face	\$13,019,000; annual debt service payment: \$906,000	<b>Deficit FY 14/15: (\$408,852)</b> <b>Deficit FY 18/19: (\$108,107)</b> Surplus FY 23/24: \$267,983	\$1.5M upfront payment; <b>\$1.12M for park development; additional annual interest on \$13.01M -- \$217K</b>	NO
<b>Abbott Lot (3)</b>	Above grade parking structure replacing existing surface parking lot. Townhomes along western face	\$7,198,000; annual debt service payment: \$501,000	Surplus FY 14/15: \$108,198 Surplus FY 18/19: \$414,723 Surplus FY 23/24: \$799,068	\$1.5M upfront payment; additional annual interest \$120K	YES; subject to financial adjustments listed above and size of structure ultimately constructed
<b>Post Office</b>	Grade +3 supported level parking structure. Post Office replaced in new parking structure + added commercial space along Collins	\$5,301,000; annual debt service payment: \$435,000	Surplus FY 14/15: \$108,198 Surplus FY 18/19: \$414,723 Surplus FY 23/24: \$799,068	\$1.5M upfront payment; additional annual interest of \$89K. Does not include cost of Post office property or financial benefits derived by the P3	Possibly; depends on a number of factors would be determined during the P3 negotiations

**Attachment 6: Parking Study's Financial Analysis of Revenue Bond Financing**  
(Provides full financial analysis of each alternative)

The remainder of this report will provide the basis for a recommendation on the next step in the parking solution based on the two site alternatives that meet the space and financial tests – Abbott Lot (alternate 3; above ground structure) and the Post Office (P3).

## **V. Parking Structure Option**

### **A. Abbott Lot – Above Grade Parking Structure (Alternate 3)**

#### **Challenges**

The above ground parking structure identified in the Parking Study is a four level parking structure designed to accommodate 514 vehicles. This alternate includes a residential liner (townhomes) on the west boundary (facing Abbott Avenue) of the parking structure. The intent of including townhomes is to provide a residential buffer between the parking structure and the single family residences on the west side of Abbott Avenue. Also, the townhomes provide a financial offset to the overall cost of the project.

Over the past 2 months, Staff has reviewed the Abbott Lot above ground structure with the intent of presenting a recommendation on the best “fit” for a parking structure at this location.

A major challenge to utilizing the Abbott Lot is twofold. First, land use and zoning practices encourage buffer zones which assist transitioning from commercial districts to single family residential districts. Typically, these buffer zones consist of multi-family housing units such as the townhomes as included in the Parking Study. If a parking structure is located at the Abbott Lot, residential units lining the structure should be included to act as a buffer to the single family homes. However, the underlying land use of this site is Parking, which does not have a density allocation and thereby is an increase in density. Any increase in density is prohibited by the Charter unless a referendum is held to approve the increase in density.

Second, the height of the proposed parking structure could be problematic on several fronts, as stated in Section III of this report, the zoning designation for the Abbott Lot is MU which does not have a height limitation and instead follows the “surrounding designation”.

The Abbott Lot is immediately adjacent to the SD-B40 zoning district, which has a 40 foot height limitation. However, the single family district is across Abbott Avenue and is limited to a 30 foot maximum. Since the H30B single family zoning district is across Abbott Avenue from this site, it could be interpreted that the property’s height is limited by this zoning category and therefore, a 30 foot high parking garage would be permitted. Although the Comprehensive Plan permits a 40 foot height maximum, the Zoning Code is more restrictive and will govern.

#### **Rightsizing Abbott Lot Parking Structure**

In order to address these two **major** concerns/issues, Staff has reworked this parking structure option by recommending:

1. Reducing the number of levels of the parking structure from 4 to 2 (with the possible option of roof top level parking) depending upon ultimate design features including layout; setbacks/buffering; and height.
2. Replace the townhome component with a landscaped linear park and consider designing the west wall to have an exterior residential appearance of townhomes.
3. Reduction in the number parking spaces from 514 to approximately 390 spaces.

Staff has attempted to identify the advantages and disadvantages of this site in order to assist the Commission in its review.

### **Advantages**

- Size of the site provides flexibility of design and uses for space
- Size of site suited to phasing of construction
- Parking structure would allow for the elimination of metered parking spaces on Abbott Avenue, thus eliminating congestion, visibility issues, etc.
- Parking structure with a lush linear park along its west wall could improve neighborhood aesthetics by eliminating the view of dumpsters and traffic movements in the lot; improve evening conditions for the abutting residents by containing evening and late night activities within a closed structure (headlights, noise, traffic movement, etc.)
- Commercial loading zone for trucks is an option thus eliminating trucks blocking Abbott, Harding and 96th Street to unload. Also eliminates noise and pollution; and complaints from residents on Abbott Avenue
- Easiest and quickest to build
- Largest of lots
- Could handle business parking permits on top floor
- Storage of Town vehicles during storm
- Reduced size, height and buffering to provide better buffering
- Ideally located for access to Harding commerce by patrons and employees
- Greatly alleviates or potentially solves Town parking deficiency
- Busiest lot of all – more demand
- Could attract new or keep current businesses in place

### **Disadvantages**

- Lack of alternate parking sites during construction
- Ingress/egress issues
- Proximity to residential area
- Building a stand-alone parking structure on the largest Town owned lot potentially eliminates future mixed use/commercial/P3 opportunities

### **Financial Considerations**

The financial components of the Parking Study were used to prepare this financial analysis of a downsized parking structure to two levels (with possible rooftop level parking) from the proposed



four levels. The Abbott Avenue site would encompass an above grade parking structure (ground floor, second floor, and possible roof top level parking). The structure would provide approximately 390 parking spaces and would be a net increase of 183 parking spaces above the existing 207 parking spaces currently provided at the Abbott surface lot.

The parking structure would have an estimated construction cost of \$7,020,000, including professional fees for architectural, engineering, survey, insurance and contingency costs. The Parking Structure Feasibility Study included the use of \$1.5 million from the Parking Fund Reserve in order to reduce the total cost of the project. However, as stated previously it is not recommended to drain the reserves of the Parking Fund for this purpose.

The estimated cost for the downsized parking structure is \$7,020,000 and financed over a period of 30 years with an annual fixed interest rate of 6.79% would result in an annual principal and interest payment of \$614,000.

The Parking Fund total projected annual revenue from all sources including the new parking garage is \$1,141,000 and the total annual projected expenditures for all parking facilities is \$1,384,000 including operating expenses for the new parking garage of \$58,800 and annual debt service of \$614,000. This results in an additional \$243,000 that would need to be funded from the other available revenue sources listed under the Financial Test portion of Section IV Analysis of the Study's Parking Structure Alternatives (pages 12-13). The projected parking revenue also includes a change in the hourly parking rate from \$1.25 to \$1.50 per hour per the Parking Study.

### **Implementation**

During our research and outreach to subject matter experts to assist with the preparation of this report, a design/build process was identified as an industry standard that would provide for construction of a parking structure to proceed in a timely and efficient manner.

Staff met with Arthur Noriega V, Chief Executive Officer of the Miami Parking Authority. Specific discussions were held on the Authority's design/build project for a 400-450 parking structure at Virginia Key. The Authority has a pre-qualified list of approved vendors – one for projects over \$2M and one for under \$2M. The Town could “piggy back” on the Authority's list of approved vendors for the Abbott Lot project.

Currently, the Town is out to bid for a Request for Qualifications (RFQ) for engineering services. As part of this solicitation, the successful proposer will provide the technical expertise to prepare specifications, coordinate and oversee design/build services.

### **Recommendation**

- 1. Authorize a survey of the Abbott Lot (including all utilities; alley setbacks and building heights of Harding Avenue buildings) and geotechnical/soil analysis (minimum 8 borings) \$30,000 [Note: several subject matter experts confirmed this is the necessary first step]. Source of funds: Parking Fund**

2. **Authorize the consulting engineering firm selected as a result of the current RFQ solicitation to develop/prepare a Request for Proposal for design/build services to include identification of milestones during the process for community and Commission input/review; design creativity/features; architectural standards; parking structure technical, and structure features and layout; landscaping; safety/security/traffic; and parking systems.**

### **Timeframe**

Once the RFP is finalized and available for bid, the timeframe for construction of a parking structure is approximately 18 months (6-7 months of bidding process, bid award, contract signing and issuance of notice to proceed; and 12 months for construction). The Abbott Lot parking structure potentially would have a phased construction schedule in order to provide parking during construction. The construction period could be an additional 3-4 months if this phasing occurs.

### **B. Post Office Lot (P3)**

A possible Public-Private Partnership (P3) presents a unique and fascinating opportunity to the Town not only to address the parking deficiency but to enhance the Town's commercial district; provide an upgraded postal facility which will help secure the future of the Post Office in Surfside and to provide quality development to compliment the quality infill development currently authorized.

A P3 initiative at this site can be structured in a number of different approaches. Perhaps, the Parking Study narrative best captures the range of possibilities:

*The Post Office site differs from the Abbott Avenue structures because of the possibility for a public-private partnership. This is due because the Town owns the parking lot while a private individual owns the building housing the Post Office. In order to develop the parking structure on this site would likely require cooperation between the Town and building owner because the building owner presently leases space to the U.S. Postal Service and it is assumed would like to continue to do so.*

*Therefore, this gives two options. Under the first option, the Town could develop the parking structure and Post Office space and adjoining commercial area fronting the up front development cost for this space. Depending on the value of this space as a proportion of the total project cost would determine whether the financing issue was tax exempt or would have to be taxable. Therefore, Rich and Associates are showing a worse case condition with the financing for this option calculated assuming the Town develops the structure using a taxable issue with a slightly higher interest rate. Depending on the negotiated terms between the Town and building owner, it may be possible to still develop the combined facility using tax exempt financing...*

*Alternatively, the Town could lease the existing parking lot to the adjoining property owner and permit them to develop the parking structure and adjoining building space. The Town could be paid a lease amount for the former parking lot property with a guarantee for a defined number of public use spaces within the newly developed parking structure. This is a possibility where the Town could*

*realize additional parking at little to no cost to the Town and have the parking lot parcel go back on the tax rolls. In this case the developer would be responsible for obtaining the necessary financing for the project and would receive the revenue from the parking structure spaces. The difficulty with this option is that the parking rates for the structure may have to be higher than the surrounding market because the higher costs of financing and the lack of guaranteed revenue from the rest of the parking system to help support the garage which can make the parking garage less attractive as a parking location. This potential would obviously require further review and discussion between the Town and the property owner, but is a viable option.*

As indicated in the introduction, Staff devoted considerable effort dealing with the myriad of options and opportunities available through a P3 at this location. This included discussions with the current owner of the Post Office property; U.S. Postal Service leasing representatives; and two private developers (unsolicited discussions). All indicated an interest and willingness, to varying degrees, to further pursue a P3.

Recognizing the technical, legal and financial complexities of a P3 arrangement, discussions were held with three firms who could provide professional assistance to the Town should the Commission authorize moving forward with a possible P3. Two of the firms are located in South Florida and the other was an out of state firm recommended by Rich & Associates Inc., who prepared the Parking Study.

After conducting the discussions with the three firms, specific proposals from the two firms to provide the necessary planning, technical and professional services to evaluate the feasibility of P3 on the Post Office site and outline potential strategic options. These professional services will provide the information necessary to make an informed decision on the P3 option.

As a result of Staff discussion with the firms and review of the two proposals, Staff's opinion is that the proposal of Lambert Advisory is best suited to undertake the necessary market/economic analysis and has demonstrated a comprehensive approach to assist in a possible P3 project for the Post Office Lot.

### **Recommendation**

**Approve the March 21, 2014 Public-Private Partnership Advisory Services proposal (Attachment 7) submitted by Lambert Advisory in the amount of \$18,500 in order to begin the P3 process by conducting analysis and developing an outline of strategic opportunities for the Post Office Lot.**

**Cost:** \$18,500. This is a necessary and cost effective expenditure in order for the Town to perform its due diligence in taking the next step to arrive at a parking solution.

**Source of Funds:** Parking Fund

**Code Requirements:** Section 3-13 (Exemptions from Competitive Bidding) exempts from bidding professional services except those governed by the Consultants Competitive Negotiations Act.

## VI. Other Issues

1. Off-site Parking During Construction: Irrespective of option(s) ultimately selected, identification of temporary parking spaces/sites during construction to offset loss of parking spaces during construction needs to be part of the parking solution. Due to the current and known future demand for off-site parking for development projects, a resolution to this issue cannot logically be planned or finalized at this time due to the fluidity of development projects. For example, additional off-site spaces could usually have been leased in Bay Harbor Island's parking structure. During the preparation of this report, it was discovered that Bay Harbor Islands no longer has spaces available for lease in their structure. This is an issue that needs to be addressed concurrently when each project is in its actual planning stages.
2. Parking Trust Fund: The Town's Parking Trust is a mechanism that allows properties and uses located in the SD-B40 zoning district and for religious places of public assembly in Town, at their discretion, to satisfy their parking requirements by paying into a Parking Trust a fee (\$22,500) per space to meet up to 100% of their parking obligation (Section 90-77 Off-street parking requirements; **Attachment 8**). Until such time that the parking solution is implemented, it is recommended that this Code provision be revisited by the Commission to determine if it should be amended. Issues to be considered could include: a moratorium; revise Code to give the Commission the authority to authorize this procedure to satisfy parking requirements as opposed to the applicant being able to automatically select this option; limit the number of spaces available to be included in this option (i.e. 20% of required parking); establish a means test to determine available off-site parking; eliminate provision; etc.

## VII. Conclusion

Over the past year, community discussion and news articles indicates that the Town has been waiting for a parking solution since at least 1986.

The efforts of the Commission, residents, businesses and Staff over the last 3 years have paved the way to provide the parking solution and end "kicking this can down the road"!

This report contains two specific recommendations to achieve the next step necessary for the parking solution. Staff recommends that the Town Commission approve both recommendations as a dual track. The two recommendations provide a clear and logical path to addressing the Town's parking needs and do so in a responsive and financially reasonable manner. These recommendations will provide an answer to the Town's long standing parking challenge.

## **Recommendation**

### **A. Abbott Lot**

1. Authorize a survey of the Abbott Lot (including all utilities; alley setbacks and building heights of Harding Avenue buildings) and geotechnical/soil analysis (minimum 8 borings) \$30,000.
2. Authorize the consulting engineering firm selected as a result of the current RFQ solicitation to develop/prepare a Request for Proposal for design/build services to include identification of milestones during the process for community and Commission input/review; design creativity/features; architectural standards; parking structure technical, and structure features and layout; landscaping; safety/security/traffic; and parking systems.

~and~

### **B. Post Office Lot (P3)**

Approve the March 21, 2014 Public-Private Partnership Advisory Services proposal submitted by Lambert Advisory in the amount of \$18,500 in order to begin the P3 process by conducting analysis and developing an outline of strategic opportunities for the Post Office Lot.



## **ATTACHMENTS**

- 1. Parking Structure Feasibility Executive Summary**
- 2. Parking Structure Feasibility Study Table 10 (Parking Space Deficit)**
- 3. Parking Outreach Report**
- 4. Public-Private Partnerships; 343.962 FS**
- 5. Section 90-49.4 (Structured parking garages) and 90-91.2 (Required buffer landscaping adjacent to streets and abutting properties) - Surfside Town Code**
- 6. Parking Structure Feasibility Study's Financial Analysis of Revenue Bond Financing**
- 7. Lambert Advisory Proposal**
- 8. Section 90-77 Off-street Parking Requirements – Surfside Town Code**



## Section 1 – Executive Summary

## Section 1 – Executive Summary

### Introduction

Downtown Surfside was once a premier shopping area with national retailers. Situated between the City of Miami Beach and the Village of Bal Harbour, the commercial district over the last 50 years has experienced a slow and steady decline. In recent years however, there has been a new energy downtown due to new initiatives by the Town and its Downtown Vision Advisory Committee (DVAC) as new residential and hotel projects have been approved and started construction. The new development projects, coupled with reduced vacancies in existing commercial space and conversion of service type businesses to retail and restaurant establishments has created a parking deficiency in public parking particularly during the four month winter season and on summer weekends. Because not all residents are convinced that a parking shortage exists, the Town commissioned this study by Rich and Associates and C3TS/ Stantec to not only quantify and qualify the Town's parking needs but also to identify if a parking structure(s) is/are necessary or feasible for addressing the Town's parking requirements both now and in the future to ensure the long-term survival of downtown.

### Results Summary

#### Study Area

The defined study area extends from 92<sup>nd</sup> Street to just north of 96<sup>th</sup> Street and from the Ocean to just west of Abbott Avenue. This area is primarily the commercial district of Surfside which encompasses four blocks centered on Harding Avenue and extending from 96<sup>th</sup> Street to 94<sup>th</sup> Street between Collins Avenue on the east to Abbott Avenue on the west. Slightly further south of the core commercial district is the Town's Community Center and Town Hall at 93<sup>d</sup> Street at Collins Avenue.

#### Parking Supply

Within the downtown there are a few private parking areas intended for customer / visitor use which means that most customers or visitors to the downtown are relying upon the public parking provided by the Town in one of six public lots or use of on-street parking. The private areas that are provided for customer use such as the Publix Lot, Wells Fargo Bank Lot and Big Daddy's Lot are all generally intended for use only while visiting that business which would mean that if someone wished to make multiple stops they would have to physically move their vehicle or risk being towed. In order to facilitate a pedestrian friendly environment, Rich and Associates generally recommends that a community provide or control the parking such that at least 50 percent of the parking is publicly available. This means that someone can park once

and visit multiple destinations (shopping, dining, personal business etc) without having to move their vehicle. Excluding the parking intended for residential use, Surfside has 58 percent of its parking publicly available which after completion of the Grand Beach Hotel (opening late 2013) and 92nd Street Hotel projects in conjunction with development of some other residential privately developed and provided parking will reduce the proportion of publicly available supply to just 36 percent of the total non-residential affiliated parking spaces downtown. This means that public parking is not keeping up with private parking supply due to new developments.

Apart from the private parking lots associated with the businesses noted above, much of the other privately provided parking is in small groupings or along the Harding Avenue alleys which because of their location and condition are generally not intended for customer or visitor use. Even though a business may have some parking adjacent such as in the alleys or small parking areas, many may find that the amount of parking is insufficient to provide for all their needs and so must rely upon the public parking. As such, many of the downtown businesses, particularly the restaurants, are relying on the publicly provided parking to provide for their customer and staff needs.

The existing publicly provided parking totals 601± spaces with 461± off-street parking spaces and 140± on-street spaces. All publicly available spaces require payment. This is accomplished using either using a series of "Master Meters" which cover multiple parking spaces in the Town's parking lots and along certain on-street location or 51 single head meters at several locations. A trial whereby the old individual mechanical parking meter heads were replaced with 30 new meter heads that will now accept credit cards resulted in the revenue during the first two months of the experiment increasing by 184 percent.

### Parking Demand

In order to assess the parking needs in downtown Surfside, Rich and Associates has relied upon a proven methodology of collecting information via surveys unique to the community which is then validated by on-site observations recording parking lot occupancies. As noted previously Surfside, like many South Florida communities, experiences increased pressure on its parking system particularly during the winter months. Recognizing this, the surveys distributed to business owners asked for levels of activity during both the out-of-season period as well as during the in-season months. This permitted the firm to conduct the occupancy counts during the out-of-season period and correlate the results to the level of reported activity based on the survey material. The accuracy of this information then allowed the application of the in-season results to the demand model and the extrapolation of the expected parking lot occupancies during the season. This confirmed anecdotal reports of high occupancy as the analysis showed that Surfside would experience full occupancy of its public parking lots on which so many businesses depend due to a lack of alternative private parking.



In addition to the defined parking demand from customer/visitors and staff to downtown Surfside destinations, there is additional pressure placed on the parking system from nearby workers. These include contractors finishing downtown condominium residences and during certain periods of the year employees of the Bal Harbour Shops in the Village of Bal Harbour across 96<sup>th</sup> Street from downtown making use of Surfside parking. While the added parking demand from contractors is not expected to continue indefinitely, it is expected to continue for the next three to perhaps four years.

Correlation of the results from the surveys to the occupancy of the existing parking supply has resulted in Rich and Associates concluding that the lack of parking is a constraint on existing and future businesses being able to reach their full potential. Lack of parking is likely to discourage some patrons to visit Surfside as the need to “hunt for parking” is just not worth the inconvenience.

This led to an analysis of the amount of parking being provided in downtown Surfside compared to the amount of parking required by application of the Town’s zoning ordinance to the defined square footage by land use. This analysis shows a current deficiency of 276± spaces between the number of parking spaces required and the total number of public and private parking spaces provided. This deficiency accounts for agreed reductions in the requirements by certain religious organizations recognizing the needs of the Orthodox community. This deficiency may be due in part to accommodation made by the Town through its Offsite Parking Fund Ordinance which allows business which may be deficient in the amount of parking that they can provide to pay a set amount for each deficient space to the Town which the Town would then apply to development of additional public parking.

Projections of parking demand and supply to be created as part of several development projects either under construction, in-process or being reviewed by the Town show that additional parking demand will be created. While most of the anticipated developments will provide for their needs, at least two projects will likely require the use of publicly available parking to satisfy a portion of their needs. Assuming the occupancy of an additional 14,000 square feet of building space which is currently vacant plus the added demand from the development projects means that the downtown is projected to be short by a net 303± spaces within the next several years as these additional projects are completed. The potential to eliminate approximately 72 spaces along Harding Avenue as part of a streetscape project could increase the potential shortage to 375± spaces. Additional adjustments that deduct a total of 71± private spaces developed in excess of the zoning code requirement for The Chateau and two hotel projects that would not be available to the general public and artificially reduce the parking deficit would increase the calculated shortage to 446± spaces. This information is explained in Section 2.



### Alternatives

Given the magnitude of existing and projected parking deficits Rich and Associates and C3TS/Stantec have investigated various parking structure alternatives to help address this parking shortfall. Three sites were identified by the Town as possible sites for the Town's first parking structure. Each of these is an existing surface parking lot and all three are on separate blocks downtown. The three sites identified are:

- a) Abbott Avenue Lot.
- b) Post Office Lot (plus the adjoining privately owned building housing the Surfside Post Office).
- c) 94<sup>th</sup> Street Lot (with possibility of partnering with owner of adjacent properties for combined development).

The Abbott Avenue Lot site and 94<sup>th</sup> Street Lot site are sufficient to accommodate a parking structure on just the Town owned property while the Post Office site would require the site of the adjacent building. These three sites are the only sites that would have sufficient dimension to accommodate the geometry of a parking structure.

Financing options and costs as discussed for each of the projects assume the Town finances the development of the parking structure through issuance of a tax-exempt Parking Revenue Bond which would be guaranteed by downtown parking revenues. With complementary uses associated with each of the sites, there are also possibilities for public / private partnership opportunities to have the Town and others jointly develop the projects or through other possible arrangements have the parking developed independent of Town financing.

It should be noted with each of the options discussed that the parking capacities noted are limited by the existing 40 foot height limit downtown. If additional spaces were needed, in many cases this could be accommodated by adding additional levels but obviously would require amending current codes. Therefore, the capacities have been limited to comply with existing height restrictions. It should also be noted that the cost discussed with each of the alternatives in the next few pages reflect the project cost to be financed which includes not only the cost of construction but also includes professional fees, insurance, contingencies and assumes that approximately \$1.5 million in equity from the Parking Trust Fund would be contributed to reduce the amount borrowed for each alternative.

### Abbott Avenue Lot

Three alternatives have been developed using the Abbott Avenue site.

Alternative 1 would be a two-level underground parking structure beneath the entire length and width of the Abbott Avenue parking lot and actually extending to the west beneath Abbott

Avenue for a more efficient parking structure. This option also proposes replacing the existing surface parking lot with a public park. The underground parking structure would provide 448± spaces replacing the existing 207± space surface lot resulting in a net addition of 241± spaces for the downtown. However, as an underground parking facility this structure would have a total project cost to be financed (excluding the cost of the above ground Public Park) of \$27.4 million. This figure includes the cost of building the underground parking structure and the slab which forms the roof of the building and supports the park as well as professional fees, contingencies, insurance and the equity contribution from the Parking Trust Fund of \$1.5 million. It is possible to reduce this cost with alternative methods of financing the park.

The second alternative proposed for the Abbott Avenue lot would be an above grade facility, encompassing approximately one-half of the existing parking lot. The parking structure would be situated at the north end of the property while the southern half nearest 95<sup>th</sup> Street would be developed as a smaller version of the public park associated with Alternative 1. This parking structure would have a capacity of 414± spaces producing 207± net additional parking spaces for the downtown. Another amenity possible with this project would be townhomes constructed along the west face of the structure facing Abbott and therefore providing a buffer between the parking and the residential properties (and Young Israel project) to the west. It is expected that this would be built by a private developer selected by the Town independent of the parking structure construction. This parking structure (excluding the Public Park and townhomes) would have project cost to be financed of approximately \$13 million.

The final alternative investigated for the Abbott Avenue Lot would be a derivative of Alternative 2 in which instead of only using one-half of the parking lot, the parking structure would extend the full length of the site. This would eliminate the possibility of the public park but would still allow for the possibility of the townhomes along the western face. This structure would have a project cost to be financed of just over \$7.2 million after accounting for the equity contribution from the Parking Trust Fund of \$1.5 million. This parking structure would provide 514± spaces or 307± net additional spaces for the downtown.

#### Post Office Lot

Due to the size of the parcel associated with the Post Office site, only one option is possible to meet the design geometry of the parking structure. This however would require the adjoining building presently housing the Surfside Post Office. This building is not owned by the Postal Service but by a private individual who leases the space to the Postal Service. This may also afford a public / private partnership opportunity to develop the parking structure and replace the post office within the newly constructed building.

A parking structure if developed on this site would have a capacity of 280± spaces which produces 219± new spaces for the downtown. Not including the cost of the existing building or property, this alternative would have a project cost to be financed of \$5.3 million.

### 94<sup>th</sup> Street Lot Site

Two alternatives were investigated for the 94<sup>th</sup> Street Lot site. One alternative sought to take advantage of a possible opportunity to cooperate with an adjoining property owner(s) to develop parking and associated commercial space on combined parcels. This alternative has the benefit of extending the downtown commercial district and at the same time expanding the downtown parking supply in a public / private partnership opportunity. This could mean that the Town develops the parking on the combined parcel while the private developer constructs the commercial space and relies on the public parking structure for its needs. An alternative could have the developer lease the Town's parking lot parcel and develop the entire project independently with the Town guaranteed that a certain number of parking spaces would be publicly available.

Assuming the condition whereby the Town built the parking, this project is anticipated to provide 370± spaces. After deducting the spaces in the existing surface lot and the spaces likely needed by the commercial space (assuming 50,000 gsf), this project would provide 88± net additional spaces for the downtown. This facility is projected to have a \$9.2 million project costs to be financed. This analysis does not include the additional property taxes and potential food and beverage (2%) taxes that would be created by the project.

The final alternative considered on the 94<sup>th</sup> Street lot site limited the parking structure to just the existing parking lot parcel. As such, this would only allow the development of a parking structure without the associated benefits (such as added commercial or public benefit space) but would meet the goal of adding to the parking supply downtown. This structure would provide 223± total parking space or 124± additional parking spaces for the downtown. With a project cost to be financed at just over \$3.5 million it is the least expensive of the alternatives investigated.

While the economic analysis associated with each of the options has shown that several projects could require significant parking rate increases, these must also be weighed in the context of additional public benefits that could be created in conjunction with the parking structure development (e.g., a new downtown park). The determination of whether the Town could construct a parking structure or structures could also have an impact on the proposed streetscape project that could eliminate on-street parking along Harding and provide wider sidewalks. Not only are the wider sidewalks more pedestrian friendly, they may also allow more restaurants to have outdoor dining. Obviously, such a project could not proceed without replacement parking created such as in a parking structure. Added opportunities to partner with the private sector may also allow the Town to realize the mutual benefit of added parking and additional community development at lesser costs and rates.

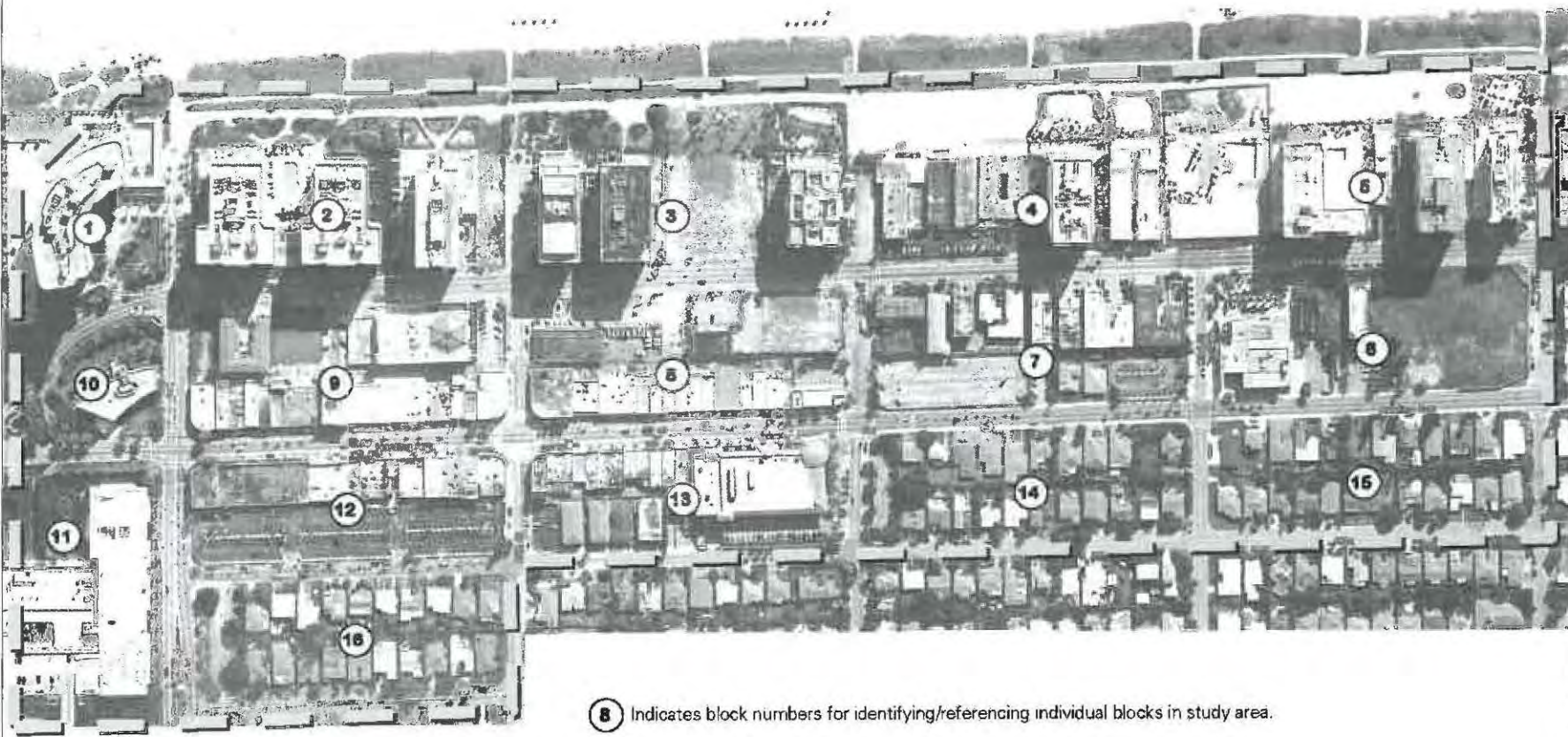


**PARKING STUDY**  
**FOR**  
**TOWN OF SURFSIDE**

SURFSIDE, FLORIDA

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 Engineers, Planners  
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**LEGEND:**  
 # BLOCK NUMBER  
 — STUDY AREA



**8** Indicates block numbers for identifying/referencing individual blocks in study area.

Sheet Title

**STUDY AREA**

File No.	1234	
Scale	NTS	
Date	1-24-13	
Checked by	dwb	

MAP Number:

**MAP 1**

1-7

**Table 10 - Summary Parking Demand vs. Supply per Zoning Code (Full Occupancy + Development Options)**

Block	Non-Residential Properties			Apartments / Condominiums			Combined Surplus / (Deficit)
	Total Parking Demand	Total Supply	Surplus /(Deficit)	Total Residential Unit Demand	Residential Property Parking Supply	Surplus /(Deficit)	
2	0	0	0	435	435	0	0
3	341	368	27	524	525	1	28
4	0	0	0	415	417	2	2
5	0	0	0	605	599	(6)	(6)
6	183	256	73	22	16	(6)	67
7	0	144	144	157	118	(39)	105
8	231	153	(78)	0	0	0	(78)
9	427	216	(211)	0	0	0	(211)
10	0	0	0	0	0	0	0
11	0	0	0	0	0	0	0
12	233	246	13	0	0	0	13
13	350	144	(206)	41	19	(22)	(228)
14	0	26	26	0	0	0	26
16	53	32	(21)	0	0	0	(21)
<b>Total</b>	<b>1,818</b>	<b>1,585</b>	<b>(233)</b>	<b>2,199</b>	<b>2,129</b>	<b>(70)</b>	<b>(303)</b>





## TOWN OF SURFSIDE

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### **Parking Outreach** – Approved at the October 8, 2013 Town Commission Meeting

**Background:** The Parking Structure Feasibility Study was presented to the DVAC Parking Subcommittee (which includes members appointed by the Town Commission and the Town Manager) at their March 20, 2013 meeting. Rich and Associates and C3TS/Stantec presented to the committee and public in attendance and the meeting was broadcast over Channel 77. The committee unanimously voted in favor of moving the study on to the Planning and Zoning Board (April 3, 2013) and Town Commission (April 9, 2013).

At the April 9, 2013 meeting, the Commission acknowledged receipt of the March, 2013 Parking Structure Feasibility Study. The Commission tasked Staff to develop a public outreach and educational process to move the Study forward in order to ensure all stakeholders have been informed and involved prior to the Commission proceeding with its action on the Study.

Staff began the outreach/education process on the Parking Structure Feasibility Study. At the May, 2013 DVAC meeting, the committee members were asked to be prepared to share their ideas/suggestions on the community outreach/vision process. At the June 24, 2013 DVAC meeting, the committee members provided ideas/suggestions on the community outreach/vision process. The item was also discussed at the two BID Property Owners/Business Operators meetings held on June 26, 2013. The Town Manager submitted a report on September 17 to the Town Commission addressing the first 120 days of employment. This report included strategic objectives going forward and included the following strategic objective:

Submit to the Town Commission, a report by October 8, 2013 on the outreach strategy regarding the Parking Structure Feasibility Study and the critical deficiency in parking in the Business District. Report will contain recommendations to the Commission including formally accepting the Parking Structure Feasibility Study; acknowledging the parking deficiencies identified in the study; directing Staff to initiate actions necessary to complete outreach and authorize Staff to prepare a report no later than April 1, 2014, containing detailed recommendations on parking facility improvements to address deficiencies including location; financing options and construction timeframes.

**Analysis:** Over my 35+ year career in public management, public outreach efforts (whether they be special, single top ad hoc committees; community partnerships or similar type initiatives) have been a key component of achieving successful outcomes on important community projects, particularly when the projects are resisted by or are concern to some in the community.



Lessons learned from these outreach efforts have led me to the understanding that these types of community based outreach efforts will only succeed if clearly defined vision and values are established and articulated. Of the two, vision is the easier of the two to achieve. Regarding parking in the business district and multi-family areas, we all can envision some type of parking strategy where adequate parking is available to meet the needs of the business district (business/property owners; customers and employees). Many studies, committees, community discussions, etc. have laid the ground work for community awareness for having a vision for addressing parking needs.


However, vision alone will likely not lead to a successful outcome. Value will get you across the finish line. What do I mean by value? Value is the articulation of what we care about and why. If value is not part of the process it is unlikely that the effort will be successful as there is reluctance (people like status quo) or a fear (unknown consequences) to change.

The Town Commission needs to continue to be an integral part of the defining "value" of this community initiative. Extraordinary time, effort and financial commitments have been made by the Commission in the business district over the past several years resulting in great value for the entire Surfside community.

**Requested Action:** What is needed from the Commission at this point? To move forward with the outreach, it is essential that the Commission empower the Staff by adding "value" to the outreach effort by:

1. Specifically acknowledging/validating the parking deficiencies in the business district; (shortage of parking spaces presents unacceptable conditions for business and customers and needs a comprehensive solution).
2. Supporting the outreach effort to develop a final report to be prepared no later than April 1, 2014 containing: detailed recommendations on parking facility improvements to address deficiencies including location; financing options and construction timeframes.
3. Recognition that the Commission retains the ultimate decision making authority in how the recommendations of the report are implemented, including method of approval.

Without the Commission's support of Items #1 and #2 above, Staff's outreach efforts will be significantly less persuasive and a successful outcome challenging. Item #3 was added to address concerns previously expressed regarding how to ultimately address this long standing community issue. A successful outreach effort will provide a clearer path for the Town Commission's ultimate action on approval, implementation and funding.

  
Michael P. Crotty, Town Manager

MPC/drh





Select Year:

## The 2013 Florida Statutes

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Title XXVI

Chapter 343

[View Entire Chapter](#)

PUBLIC TRANSPORTATION REGIONAL TRANSPORTATION AUTHORITIES

**343.962 Public-private partnerships.—**

- (1) The authority may receive or solicit proposals and enter into agreements with private entities or consortia thereof for the building, operation, ownership, or financing of multimodal transportation systems, transit-oriented development nodes, transit stations, or related facilities within the jurisdiction of the authority. Before approval, the authority must determine that a proposed project:
- (a) Is in the public's best interest.
  - (b) Would not require state funds to be used unless the project is on or provides increased mobility on the State Highway System.
  - (c) Would have adequate safeguards to ensure that additional costs or unreasonable service disruptions would not be realized by the traveling public and citizens of the state in the event of default or the cancellation of the agreement by the authority.
- (2) The authority shall ensure that all reasonable costs to the state related to transportation facilities that are not part of the State Highway System are borne by the private entity or any partnership created to develop the facilities. The authority shall also ensure that all reasonable costs to the state and substantially affected local governments and utilities related to the private transportation facility are borne by the private entity for transportation facilities that are owned by private entities. For projects on the State Highway System or that provide increased mobility on the State Highway System, the department may use state resources to participate in funding and financing the project as provided for under the department's enabling legislation.
- (3) The authority may request proposals and receive unsolicited proposals for public-private multimodal transportation projects, and, upon receipt of any unsolicited proposal or determination to issue a request for proposals, the authority must publish a notice in the Florida Administrative Register and a newspaper of general circulation in the county in which the proposed project is located at least once a week for 2 weeks requesting proposals or, if an unsolicited proposal was received, stating that it has received the proposal and will accept, for 60 days after the initial date of publication, other proposals for the same project purpose. A copy of the notice must be mailed to each local government in the affected areas. After the public notification period has expired, the authority shall rank the proposals in order of preference. In ranking the proposals, the authority shall consider professional qualifications, general business terms, innovative engineering or cost-reduction terms, finance plans, and the need for state funds to deliver the proposal. If the authority is not satisfied with the results of the negotiations, it may, at its sole discretion, terminate negotiations with the proposer. If these negotiations are unsuccessful, the authority may go to the second and lower-ranked firms, in order, using the same procedure. If only one proposal is received, the authority may negotiate in good faith and, if it is not satisfied with the results, it may, at its sole discretion, terminate negotiations with the proposer. Notwithstanding this subsection, the authority may, at its discretion, reject all proposals at any point in the process up to completion of a contract with the proposer.
- (4) Agreements entered into pursuant to this section may authorize the public-private entity to impose tolls or fares for the use of the facility. However, the amount and use of toll or fare revenues shall be regulated by the authority to avoid unreasonable costs to users of the facility.

(5) Each public-private transportation facility constructed pursuant to this section shall comply with all requirements of federal, state, and local laws; state, regional, and local comprehensive plans; the authority's rules, policies, procedures, and standards for transportation facilities; and any other conditions that the authority determines to be in the public's best interest.

(6) The authority may exercise any of its powers, including eminent domain, to facilitate the development and construction of multimodal transportation projects pursuant to this section. The authority may pay all or part of the cost of operating and maintaining the facility or may provide services to the private entity, for which services it shall receive full or partial reimbursement.

(7) Except as provided in this section, this section is not intended to amend existing law by granting additional powers to or imposing further restrictions on the governmental entities with regard to regulating and entering into cooperative arrangements with the private sector for the planning, construction, and operation of transportation facilities.

(8) The authority may adopt rules pursuant to ss. [120.536\(1\)](#) and [120.54](#) to implement this section and shall, by rule, establish an application fee for the submission of unsolicited proposals under this section. The fee must be sufficient to pay the costs of evaluating the proposals.

**History.**—s. 1, ch. 2007-254; s. 29, ch. 2013-14.

**Sec. 90-49.4. Structured parking garages.**

The following requirements apply to all structured parking garages.

- a. Overall form.
  - (1) For every 50 feet of a building wall in any direction, there shall be a three-foot minimum change in wall plane; and
  - (2) For every 100 feet of a building wall parallel to the public right of way, there shall be a minimum ten-foot wide and minimum three-foot deep separation of wall plane; and
  - (3) Façade treatments fronting a public right-of-way shall provide architectural treatments consistent with and compatible to those across the public right-of-way or abutting properties and consistent with immediate buildings.
  - (4) For the first ten feet of height along all blank walls, a minimum of 80 percent landscape coverage, such as a vine or hedges, shall be installed and maintained.
  - (5) For façades above the first ten feet, a minimum of 50 percent landscape coverage, such as vines or planters, shall be installed and maintained.
  - (6) All vegetative coverage shall be maintained and watered appropriately to sustain health and coverage indefinitely without adverse impact to the structure.
  - (7) Service areas and mechanical equipment associated with a primary use are permitted.
- b. Ground floor level façade.
  - (1) Façades shall not provide wall openings greater than eight feet in any direction, except for ingress and egress purposes. All wall openings, except for ingress and egress purposes, shall be separated by a minimum five-foot wide wall.

*(Ord. No. 1572, § 2, 4-12-11)*



**Sec. 90-91. Landscape buffer areas between residential and non-residential properties and vehicular use areas.**

*90-91.1 Applicability:* All proposed development or redevelopment sites and vehicular use areas serving H30C, H40, H120, or municipal uses shall conform to the minimum landscaping requirements hereinafter provided. Interior parking landscape requirements under or within buildings and parking areas serving H30A and H30B districts are exempt. Additionally, SD-B40 shall be exempt. Expansive concrete or paver areas shall require landscaping to soften and scale the buildings.

*90-91.2 Required buffer landscaping adjacent to streets and abutting properties:* On any proposed, redeveloped site, or open lot providing a vehicular use area for H30C, H40, H120, adjacent or contiguous to H40, or municipal plots where such area is abutting street(s) and/or property lines, including dedicated alleys, landscaping shall be provided between such area and such perimeters as follows:

- (1) A flat ground level or bermed strip of land at least ten feet in depth, located along all the property lines of abutting street(s) and abutting property line(s) shall be landscaped. Such landscaping shall include three trees for each 50 linear feet or fraction thereof. The first tree shall be set back from the intersection of the ingress/egress and the street. The setback area shall be limited to groundcover only. In addition, a hedge, berm, wall or other durable landscape barrier shall not create a sight hazard by being placed along the inside perimeter of such landscape strip and shall be maintained at a maximum height of three feet, if contiguous to a pedestrian walkway, to meet crime prevention through environmental design (CPTED) principles. If such durable barriers including walls or fences are of nonliving material, it shall be screened to the height of the durable barrier with a hedge along the street side of such barrier. If a fence or wall is utilized along an abutting property line it must be installed at the property line and screened to the height of the durable barrier with a hedge from the inside. The remainder of the required landscape area shall be landscaped with turf grass, groundcover or other landscape treatment, excluding paving, turf grass not to exceed the maximum amount allowable in the xeriscape requirements. This buffer may not be counted toward meeting the interior landscape requirements.
- (2) All property other than the required landscaped strip lying between the streets and abutting property lines shall be landscaped with turf grass or other groundcover; if turf grass is used, it shall not exceed the xeriscape requirements.
- (3) All town approved necessary accessways from the public street through all such landscaping shall be permitted to service the site.
- (4) Parking area interior landscaping. An area, or a combination of areas, equal to 20 percent of the total vehicular use area exclusive of perimeter landscape buffers required under this subsection shall be devoted to interior landscaping. Any perimeter landscaping provided in excess of that required by this section shall be counted as part of the interior landscaping requirements, as long as such landscaping is contiguous to the vehicular use area and fulfills the objective of this subsection.
- (5) All parking areas shall be so arranged so that if there are ten or less contiguous parking stalls along the same parking aisle, the eleventh space shall be a landscaped

peninsula a minimum of 11 feet in width with a minimum of ten feet wide landscape area. Also, all rows of parking shall be terminated with 11 feet in width landscape islands with ten feet wide landscape area. In addition, there shall be a minimum requirement of one shade tree and 25 shrubs planted for every landscaped island. If landscaped divider medians are utilized, they must be a minimum of six feet wide. The minimum dimensions of all proposed landscaped areas not mentioned in this chapter shall be six feet wide. In addition, any town approved grass parking areas will meet the same requirements as paved parking, and will not be calculated in the pervious space requirements.

- (6) Landscaped areas, walls, structures and walks shall require protection from vehicular encroachment through appropriate wheel stops or curbs located a minimum of 2½feet from any landscaped area

*NOTE:* The town encourages the use of Type "D" curbing in parking area that abut landscape areas to provide more green area and lessen the chance of tripping hazards. This can not be utilized to count for buffer or divider median requirements, but can be utilized for pervious and landscaping in the VUA percentages.

- (7) Where any plot zoned or used for H120 is contiguous to the bulkhead line, a landscape area consisting of the bulkhead line, the erosion control line, and the property lines shall be provided or restored. The proposed landscape material for the required landscape area shall be 100 percent landscape material used on the barrier island dune system and shall be composed of native plants adapted to the soil and climatic conditions occurring on-site. Additionally, all plant species, amount of plant material, plant spacing and design shall be approved by the town.

*(Ord. No. 1554, § 2, 6-8-10; Ord. No. 1558, § 2(Exh. A), 8-10-10)*



Table 13  
2 Levels Below Grade Parking Structure, Public Park at Grade  
Abbott Avenue Lot, 448 Total Cars, 241 Net Added Cars  
Project Pro forma - Revenue Bond Financing

Alternate	Description	Cars	Construction Year (FY)	Operational Year (FY)	Construction Year Loss	Operating Expense Increase / Year	Transaction Increase Per Year 1 yr past operational year		Last Year (FY)	
							2.0%	2.0%	FY20-21	FY20-21
Abbot Lot Site Alternative 1	2 Levels below grade, Green Park above	448	FY13-14	FY14-15	25%	3%	2.0%	2.0%	FY20-21	FY20-21

Line #	Fiscal Year	Historical										Projected										
		FY11-12	FY12-13	FY13-14	FY14-15	FY15-16	FY16-17	FY17-18	FY18-19	FY19-20	FY20-21	FY21-22	FY22-23	FY23-24	FY24-25	FY24-26	FY26-27	FY27-28	FY28-29	FY29-30	FY30-31	FY31-32
1	Lot Transactions	420,000	420,000	315,000	181,467	185,096	188,798	192,574	196,426	200,354	204,361	204,361	204,361	204,361	204,361	204,361	204,361	204,361	204,361	204,361	204,361	204,361
2	Parking Structure Transactions	0	0	0	238,533	243,304	248,170	253,133	258,196	263,360	268,627	268,627	268,627	268,627	268,627	268,627	268,627	268,627	268,627	268,627	268,627	268,627
3	Average Monthly Transactions	35,000	35,000	26,250	35,000	35,700	36,414	37,142	37,885	38,643	39,416	39,416	39,416	39,416	39,416	39,416	39,416	39,416	39,416	39,416	39,416	39,416
4	Avg Stay (Hours:Minutes)	1:31	1:31	1:31	1:31	1:31	1:31	1:31	1:31	1:31	1:31	1:31	1:31	1:31	1:31	1:31	1:31	1:31	1:31	1:31	1:31	1:31
5	Ticket Average	\$1.90	\$1.90	\$2.28	\$2.28	\$2.66	\$2.66	\$2.66	\$2.66	\$3.04	\$3.04	\$3.04	\$3.04	\$3.42	\$3.42	\$3.42	\$3.42	\$3.80	\$3.80	\$3.80	\$3.80	\$4.18
6	Downtown Parking Rate / Hr (All Rates in 2013 Dollars)	\$1.25	\$1.25	\$1.50	\$1.50	\$1.75	\$1.75	\$1.75	\$1.75	\$2.00	\$2.00	\$2.00	\$2.00	\$2.25	\$2.25	\$2.25	\$2.25	\$2.50	\$2.50	\$2.50	\$2.50	\$2.75
<b>Off-Site Parking Fund Annual Payment</b>																						
7	Starbucks (2 Spaces) <sup>(1)</sup>	\$4,500		\$4,500	\$4,500	\$4,500	\$4,500	\$4,500	\$4,500	\$4,500	\$4,500	\$4,500	\$4,500	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
8	Young Israel (21 Spaces) <sup>(2)</sup>	\$15,750		\$0	\$15,750	\$15,750	\$15,750	\$15,750	\$15,750	\$15,750	\$15,750	\$15,750	\$15,750	\$15,750	\$15,750	\$15,750	\$15,750	\$15,750	\$15,750	\$15,750	\$15,750	\$15,750
9	The Shul (70 Spaces) <sup>(3)</sup>	\$78,750		\$0	\$0	\$78,750	\$78,750	\$78,750	\$78,750	\$78,750	\$78,750	\$78,750	\$78,750	\$78,750	\$78,750	\$78,750	\$78,750	\$78,750	\$78,750	\$78,750	\$78,750	\$78,750
10	Spiaggia (16 Spaces) <sup>(4)</sup>	\$18,000		\$0	\$18,000	\$18,000	\$18,000	\$18,000	\$18,000	\$18,000	\$18,000	\$18,000	\$18,000	\$18,000	\$18,000	\$18,000	\$18,000	\$18,000	\$18,000	\$18,000	\$18,000	\$18,000
11	<b>Off-Site Parking Fund Revenue</b>			\$4,500	\$38,250	\$117,000	\$117,000	\$117,000	\$117,000	\$117,000	\$117,000	\$117,000	\$117,000	\$112,500	\$112,500	\$112,500	\$112,500	\$112,500	\$112,500	\$112,500	\$112,500	\$112,500
12	Meter Parking (Lots/Streets/Parking Structure)	\$807,750	\$798,000	\$598,500	\$957,600	\$1,139,544	\$1,162,335	\$1,185,582	\$1,209,293	\$1,408,690	\$1,437,884	\$1,437,884	\$1,437,884	\$1,617,620	\$1,617,620	\$1,617,620	\$1,617,620	\$1,797,355	\$1,797,355	\$1,797,355	\$1,797,355	\$1,977,091
13	Resident Permit Parking <sup>(5)</sup>	\$17,096	\$17,096	\$17,096	\$17,181	\$17,267	\$17,353	\$17,440	\$17,527	\$17,615	\$17,703	\$17,792	\$17,881	\$17,970	\$18,060	\$18,150	\$18,241	\$18,332	\$18,424	\$18,516	\$18,609	\$18,702
14	Business Parking Permits <sup>(6)</sup>	\$92,373	\$92,373	\$92,373	\$95,329	\$98,380	\$101,528	\$104,777	\$108,130	\$111,590	\$115,161	\$118,846	\$122,649	\$126,574	\$130,624	\$134,804	\$139,118	\$143,570	\$148,164	\$152,905	\$157,798	\$162,848
15	Parking Citation Revenue <sup>(7)</sup>		\$186,000	\$186,000	\$198,462	\$211,759	\$225,947	\$241,085	\$257,238	\$274,473	\$292,863	\$312,485	\$333,421	\$355,760	\$379,596	\$405,029	\$432,166	\$461,121	\$492,016	\$524,981	\$560,155	\$597,685
16	<b>Total Parking Revenue (Sum lines 11 through 15)</b>	\$917,219	\$1,093,469	\$898,469	\$1,306,822	\$1,583,950	\$1,624,163	\$1,665,884	\$1,709,188	\$1,930,368	\$1,980,611	\$2,004,007	\$2,028,835	\$2,230,424	\$2,258,400	\$2,288,103	\$2,319,645	\$2,532,878	\$2,568,459	\$2,606,257	\$2,646,417	\$2,868,826
17	<b>Total Parking Expenses (Existing Lots &amp; Street Spaces)</b>	\$642,102	\$661,365	\$681,206	\$701,642	\$722,691	\$744,372	\$766,703	\$789,704	\$813,396	\$837,797	\$862,931	\$888,819	\$915,484	\$942,948	\$971,237	\$1,000,374	\$1,030,385	\$1,061,297	\$1,093,136	\$1,125,930	\$1,159,708
18	<b>Available for New Parking Structure (Line 16 minus Line 17)</b>	\$275,117	\$432,104	\$217,263	\$605,180	\$861,259	\$879,791	\$899,180	\$919,484	\$1,116,973	\$1,142,814	\$1,141,076	\$1,140,016	\$1,314,940	\$1,315,451	\$1,316,866	\$1,319,271	\$1,502,493	\$1,507,162	\$1,513,122	\$1,520,487	\$1,709,119
19	Debt Service	NA	NA	\$0	\$1,930,000	\$1,930,000	\$1,930,000	\$1,930,000	\$1,930,000	\$1,930,000	\$1,930,000	\$1,930,000	\$1,930,000	\$1,930,000	\$1,930,000	\$1,930,000	\$1,930,000	\$1,930,000	\$1,930,000	\$1,930,000	\$1,930,000	\$1,930,000
20	Operating Expenses (New Parking Structure)	NA	NA	\$0	\$210,642	\$216,961	\$223,470	\$230,174	\$237,080	\$244,192	\$251,518	\$259,063	\$266,835	\$274,840	\$283,086	\$291,578	\$300,325	\$309,335	\$318,615	\$328,174	\$338,019	\$348,160
21	<b>Total New Parking Structure</b>	\$0	\$0	\$0	\$2,140,642	\$2,146,961	\$2,153,470	\$2,160,174	\$2,167,080	\$2,174,192	\$2,181,518	\$2,189,063	\$2,196,835	\$2,204,840	\$2,213,086	\$2,221,578	\$2,230,325	\$2,239,335	\$2,248,615	\$2,258,174	\$2,268,019	\$2,278,160
22	<b>Net Surplus / (Deficit) - (Line 18 minus Line 21)</b>	\$275,117	\$432,104	\$217,263	(\$1,535,462)	(\$1,285,703)	(\$1,273,680)	(\$1,260,994)	(\$1,247,596)	(\$1,057,219)	(\$1,038,704)	(\$1,047,988)	(\$1,056,819)	(\$889,901)	(\$897,634)	(\$904,712)	(\$911,055)	(\$736,842)	(\$741,453)	(\$745,052)	(\$747,531)	(\$569,041)

**Notes**

(1) Starbucks paying for 2 spaces short per zoning ordinance x \$22,500 / space (payable over 10 years)

(2) Young Israel paying for 21 spaces short per zoning ordinance x \$22,500 / space (payable over 30 years starting in FY14-15)

(3) The Shul paying for 70 spaces short per zoning ordinance x \$22,500 / space (payable over time period to be determined but estimated at 20 years starting in FY15-16)

(4) Spiaggia paying for 16 spaces short per zoning ordinance x \$22,500 / space (payable over 20 years starting in FY14-15)

(5) Assumed 1/2 of one percent increase per year in resident permit parking revenue

(6) Business Parking Permit Revenue has increased average of 6.4% / year last four years. Assumed 1/2 this rate (3.2% / year increase going forward)

(7) Parking Citation Revenue has increased average of 13.3% / year last four years. Assumed 1/2 this rate (6.7% / year increase going forward)



Table 15  
Parking Structure 1/2 length of Lot + Townhomes + Public Park at South End  
Abbott Avenue Lot, 414 Total Cars, 207 Net Added Cars  
Project Pro Forma - Revenue Bond Financing

Alternate	Description	Cars	Construction Year (FY)	Operational Year (FY)	Construction Year Loss	Operating Expense Increase / Year	Transaction Increase Per Year 1 yr past operational year		Last Year (FY)													
							2.0%	FY20-21														
Alternate	Abbot Lot Site Alternative 2	414	FY13-14	FY14-15	25%	3%	2.0%	FY20-21														
Line #	Historical										Projected											
	Fiscal Year	FY11-12	FY12-13	FY13-14	FY14-15	FY15-16	FY16-17	FY17-18	FY18-19	FY19-20	FY20-21	FY21-22	FY22-23	FY23-24	FY24-25	FY24-26	FY26-27	FY27-28	FY28-29	FY29-30	FY30-31	FY31-32
1	Lot Transactions	420,000	420,000	315,000	189,857	193,655	197,528	201,478	205,508	209,618	213,810	213,810	213,810	213,810	213,810	213,810	213,810	213,810	213,810	213,810	213,810	213,810
2	Parking Structure Transactions	0	0	0	230,143	234,745	239,440	244,229	249,114	254,096	259,178	259,178	259,178	259,178	259,178	259,178	259,178	259,178	259,178	259,178	259,178	259,178
3	Average Monthly Transactions	35,000	35,000	26,250	35,000	35,700	36,414	37,142	37,885	38,643	39,416	39,416	39,416	39,416	39,416	39,416	39,416	39,416	39,416	39,416	39,416	39,416
4	Avg Stay (Hours:Minutes)	1:31	1:31	1:31	1:31	1:31	1:31	1:31	1:31	1:31	1:31	1:31	1:31	1:31	1:31	1:31	1:31	1:31	1:31	1:31	1:31	1:31
5	Ticket Average	\$1.90	\$1.90	\$2.28	\$2.28	\$2.66	\$2.66	\$2.66	\$2.66	\$3.04	\$3.04	\$3.04	\$3.04	\$3.42	\$3.42	\$3.42	\$3.42	\$3.80	\$3.80	\$3.80	\$3.80	\$4.18
6	Downtown Parking Rate / Hr (All Rates in 2013 Dollars)	\$1.25	\$1.25	\$1.50	\$1.50	\$1.75	\$1.75	\$1.75	\$1.75	\$2.00	\$2.00	\$2.00	\$2.00	\$2.25	\$2.25	\$2.25	\$2.25	\$2.50	\$2.50	\$2.50	\$2.50	\$2.75
Off-Site Parking Fund Annual Payment																						
7	Starbucks (2 Spaces) <sup>(1)</sup>	\$4,500		\$4,500	\$4,500	\$4,500	\$4,500	\$4,500	\$4,500	\$4,500	\$4,500	\$4,500	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
8	Young Israel (21 Spaces) <sup>(2)</sup>	\$15,750		\$0	\$15,750	\$15,750	\$15,750	\$15,750	\$15,750	\$15,750	\$15,750	\$15,750	\$15,750	\$15,750	\$15,750	\$15,750	\$15,750	\$15,750	\$15,750	\$15,750	\$15,750	\$15,750
9	The Shul (70 Spaces) <sup>(3)</sup>	\$78,750		\$0	\$0	\$78,750	\$78,750	\$78,750	\$78,750	\$78,750	\$78,750	\$78,750	\$78,750	\$78,750	\$78,750	\$78,750	\$78,750	\$78,750	\$78,750	\$78,750	\$78,750	\$78,750
10	Spiaggia (16 Spaces) <sup>(4)</sup>	\$18,000		\$0	\$18,000	\$18,000	\$18,000	\$18,000	\$18,000	\$18,000	\$18,000	\$18,000	\$18,000	\$18,000	\$18,000	\$18,000	\$18,000	\$18,000	\$18,000	\$18,000	\$18,000	\$18,000
11	Off-Site Parking Fund Revenue			\$4,500	\$38,250	\$117,000	\$117,000	\$117,000	\$117,000	\$117,000	\$117,000	\$117,000	\$112,500	\$112,500	\$112,500	\$112,500	\$112,500	\$112,500	\$112,500	\$112,500	\$112,500	\$112,500
12	Meter Parking (Lots/Streets/Parking Structure)	\$807,750	\$798,000	\$598,500	\$957,600	\$1,139,544	\$1,162,335	\$1,185,582	\$1,209,293	\$1,409,690	\$1,437,884	\$1,437,884	\$1,437,884	\$1,617,620	\$1,617,620	\$1,617,620	\$1,617,620	\$1,797,355	\$1,797,355	\$1,797,355	\$1,797,355	\$1,977,091
13	Resident Permit Parking <sup>(5)</sup>	\$17,096	\$17,096	\$17,096	\$17,181	\$17,267	\$17,353	\$17,440	\$17,527	\$17,615	\$17,703	\$17,792	\$17,881	\$17,970	\$18,060	\$18,150	\$18,241	\$18,332	\$18,424	\$18,516	\$18,609	\$18,702
14	Business Parking Permits <sup>(6)</sup>	\$92,373	\$92,373	\$92,373	\$95,329	\$98,380	\$101,528	\$104,777	\$108,130	\$111,590	\$115,161	\$118,846	\$122,649	\$126,574	\$130,624	\$134,804	\$139,118	\$143,570	\$148,164	\$152,905	\$157,798	\$162,848
15	Parking Citation Revenue <sup>(7)</sup>		\$186,000	\$186,000	\$198,462	\$211,759	\$225,947	\$241,085	\$257,238	\$274,473	\$292,863	\$312,485	\$333,421	\$355,760	\$379,596	\$405,029	\$432,166	\$461,121	\$492,016	\$524,981	\$560,155	\$597,685
16	Total Parking Revenue (Sum lines 11 through 15)	\$917,219	\$1,093,469	\$898,469	\$1,306,822	\$1,583,950	\$1,624,163	\$1,665,884	\$1,709,188	\$1,930,368	\$1,980,611	\$2,004,007	\$2,028,835	\$2,230,424	\$2,258,400	\$2,288,103	\$2,319,645	\$2,532,878	\$2,568,459	\$2,606,257	\$2,646,417	\$2,868,826
17	Total Parking Expenses (Existing Lots & Street Spaces)	\$642,102	\$661,365	\$681,208	\$701,642	\$722,691	\$744,372	\$766,703	\$789,704	\$813,396	\$837,797	\$862,931	\$888,819	\$915,484	\$942,948	\$971,237	\$1,000,374	\$1,030,385	\$1,061,297	\$1,093,136	\$1,125,930	\$1,159,708
18	Available for New Parking Structure (Line 16 minus Line 17)	\$275,117	\$432,104	\$217,263	\$605,180	\$861,259	\$879,791	\$899,180	\$919,484	\$1,116,973	\$1,142,814	\$1,141,076	\$1,140,016	\$1,314,940	\$1,315,451	\$1,316,866	\$1,319,271	\$1,502,493	\$1,507,162	\$1,513,122	\$1,520,487	\$1,709,118
19	Debt Service	NA	NA	\$0	\$906,000	\$906,000	\$906,000	\$906,000	\$906,000	\$906,000	\$906,000	\$906,000	\$906,000	\$906,000	\$906,000	\$906,000	\$906,000	\$906,000	\$906,000	\$906,000	\$906,000	\$906,000
20	Operating Expenses (New Parking Structure)	NA	NA	\$0	\$108,031	\$111,272	\$114,611	\$118,049	\$121,590	\$125,238	\$128,995	\$132,865	\$136,851	\$140,956	\$145,185	\$149,541	\$154,027	\$158,648	\$163,407	\$168,309	\$173,359	\$178,559
21	Total New Parking Structure	\$0	\$0	\$0	\$1,014,031	\$1,017,272	\$1,020,611	\$1,024,049	\$1,027,590	\$1,031,238	\$1,034,995	\$1,038,865	\$1,042,851	\$1,046,956	\$1,051,185	\$1,055,541	\$1,060,027	\$1,064,648	\$1,069,407	\$1,074,309	\$1,079,359	\$1,084,559
22	Net Surplus / (Deficit) - (Line 18 minus Line 21)	\$275,117	\$432,104	\$217,263	(\$408,852)	(\$156,014)	(\$140,820)	(\$124,869)	(\$108,107)	\$85,735	\$107,819	\$102,211	\$97,165	\$267,983	\$264,266	\$261,325	\$259,244	\$437,845	\$437,755	\$438,812	\$441,129	\$624,559

Notes

- (1) Starbucks paying for 2 spaces short per zoning ordinance x \$22,500 / space (payable over 10 years)
- (2) Young Israel paying for 21 spaces short per zoning ordinance x \$22,500 / space (payable over 30 years starting in FY14-15)
- (3) The Shul paying for 70 spaces short per zoning ordinance x \$22,500 / space (payable over time period to be determined but estimated at 20 years starting in FY15-16)
- (4) Spiaggia paying for 16 spaces short per zoning ordinance x \$22,500 / space (payable over 20 years starting in FY14-15)
- (5) Assumed 1/2 of one percent increase per year in resident permit parking revenue
- (6) Business Parking Permit Revenue has increased average of 6.4% / year last four years. Assumed 1/2 this rate (3.2% / year increase going forward)
- (7) Parking Citation Revenue has increased average of 13.3% / year last four years. Assumed 1/2 this rate (6.7% / year increase going forward)



Table 17  
Parking Structure Full length of Lot - Townhomes Liner Bldg  
Abbott Avenue Lot, 514 Total Cars, 307 Net Added Cars  
Project Pro Forma - Revenue Bond Financing

Alternate	Description	Cars	Construction Year (FY)	Operational Year (FY)	Construction Year Loss	Operating Expense Increase / Year	Transaction Increase Per Year 1 yr past operational year	
							Last Year (FY)	
Abbot Lot Site Alternative 3	Full-length Parking Structure (Residential Liner)	514	FY13-14	FY14-15	25%	3%	2.0%	FY20-21

Line #	Fiscal Year	Historical					Projected															
		FY11-12	FY12-13	FY13-14	FY14-15	FY15-16	FY16-17	FY17-18	FY18-19	FY19-20	FY20-21	FY21-22	FY22-23	FY23-24	FY24-25	FY24-26	FY26-27	FY27-28	FY28-29	FY29-30	FY30-31	FY31-32
1	Lot Transactions	420,000	420,000	315,000	167,297	170,643	174,056	177,537	181,088	184,709	188,404	188,404	188,404	188,404	188,404	188,404	188,404	188,404	188,404	188,404	188,404	188,404
2	Parking Structure Transactions	0	0	0	252,703	257,757	262,912	268,170	273,534	279,004	284,585	284,585	284,585	284,585	284,585	284,585	284,585	284,585	284,585	284,585	284,585	284,585
3	Average Monthly Transactions	35,000	35,000	26,250	35,000	35,700	36,414	37,142	37,885	38,643	39,416	39,416	39,416	39,416	39,416	39,416	39,416	39,416	39,416	39,416	39,416	39,416
4	Avg Stay (Hours:Minutes)	1:31	1:31	1:31	1:31	1:31	1:31	1:31	1:31	1:31	1:31	1:31	1:31	1:31	1:31	1:31	1:31	1:31	1:31	1:31	1:31	1:31
5	Ticket Average	\$1.90	\$1.90	\$2.28	\$2.28	\$2.66	\$2.66	\$2.66	\$2.66	\$3.04	\$3.04	\$3.04	\$3.04	\$3.42	\$3.42	\$3.42	\$3.42	\$3.80	\$3.80	\$3.80	\$3.80	\$4.18
6	Downtown Parking Rate / Hr (All Rates in 2013 Dollars)	\$1.25	\$1.25	\$1.50	\$1.50	\$1.75	\$1.75	\$1.75	\$1.75	\$2.00	\$2.00	\$2.00	\$2.00	\$2.25	\$2.25	\$2.25	\$2.25	\$2.50	\$2.50	\$2.50	\$2.50	\$2.75
<b>Off-Site Parking Fund Annual Payment</b>																						
7	Starbucks (2 Spaces) <sup>(1)</sup>	\$4,500		\$4,500	\$4,500	\$4,500	\$4,500	\$4,500	\$4,500	\$4,500	\$4,500	\$4,500	\$4,500	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
8	Young Israel (21 Spaces) <sup>(2)</sup>	\$15,750		\$0	\$15,750	\$15,750	\$15,750	\$15,750	\$15,750	\$15,750	\$15,750	\$15,750	\$15,750	\$15,750	\$15,750	\$15,750	\$15,750	\$15,750	\$15,750	\$15,750	\$15,750	\$15,750
9	The Shul (70 Spaces) <sup>(3)</sup>	\$78,750		\$0	\$78,750	\$78,750	\$78,750	\$78,750	\$78,750	\$78,750	\$78,750	\$78,750	\$78,750	\$78,750	\$78,750	\$78,750	\$78,750	\$78,750	\$78,750	\$78,750	\$78,750	\$78,750
10	Spiaggia (16 Spaces) <sup>(4)</sup>	\$18,000		\$0	\$18,000	\$18,000	\$18,000	\$18,000	\$18,000	\$18,000	\$18,000	\$18,000	\$18,000	\$18,000	\$18,000	\$18,000	\$18,000	\$18,000	\$18,000	\$18,000	\$18,000	\$18,000
11	Off-Site Parking Fund Revenue			\$4,500	\$38,250	\$117,000	\$117,000	\$117,000	\$117,000	\$117,000	\$117,000	\$117,000	\$117,000	\$112,500	\$112,500	\$112,500	\$112,500	\$112,500	\$112,500	\$112,500	\$112,500	\$112,500
12	Meter Parking (Lots/Streets/Parking Structure)	\$807,750	\$798,000	\$598,500	\$957,600	\$1,139,544	\$1,162,335	\$1,185,582	\$1,209,293	\$1,409,690	\$1,437,884	\$1,437,884	\$1,437,884	\$1,617,620	\$1,617,620	\$1,617,620	\$1,617,620	\$1,797,355	\$1,797,355	\$1,797,355	\$1,797,355	\$1,977,091
13	Resident Permit Parking <sup>(5)</sup>	\$17,096	\$17,096	\$17,096	\$17,181	\$17,267	\$17,353	\$17,440	\$17,527	\$17,615	\$17,703	\$17,792	\$17,881	\$17,970	\$18,060	\$18,150	\$18,241	\$18,332	\$18,424	\$18,516	\$18,609	\$18,702
14	Business Parking Permits <sup>(6)</sup>	\$92,373	\$92,373	\$92,373	\$95,329	\$98,380	\$101,528	\$104,777	\$108,130	\$111,590	\$115,161	\$118,846	\$122,649	\$126,574	\$130,624	\$134,804	\$139,118	\$143,570	\$148,164	\$152,905	\$157,798	\$162,848
15	Parking Citation Revenue <sup>(7)</sup>		\$186,000	\$186,000	\$198,462	\$211,759	\$225,947	\$241,085	\$257,238	\$274,473	\$292,863	\$312,485	\$333,421	\$355,760	\$379,596	\$405,029	\$432,166	\$461,121	\$492,016	\$524,981	\$560,155	\$597,685
16	Total Parking Revenue (Sum lines 11 through 15)	\$917,219	\$1,093,469	\$898,469	\$1,306,822	\$1,583,950	\$1,624,163	\$1,665,884	\$1,709,188	\$1,930,368	\$1,980,611	\$2,004,007	\$2,028,835	\$2,230,424	\$2,258,400	\$2,288,103	\$2,319,645	\$2,532,878	\$2,568,459	\$2,606,257	\$2,646,417	\$2,868,826
17	Total Parking Expenses (Existing Lots & Street Spaces)	\$642,102	\$661,365	\$681,206	\$701,642	\$722,691	\$744,372	\$766,703	\$789,704	\$813,396	\$837,797	\$862,931	\$888,819	\$915,484	\$942,948	\$971,237	\$1,000,374	\$1,030,385	\$1,061,297	\$1,093,136	\$1,125,930	\$1,159,708
18	Available for New Parking Structure (Line 16 minus Line 17)	\$275,117	\$432,104	\$217,263	\$605,180	\$861,259	\$879,791	\$899,180	\$919,484	\$1,116,973	\$1,142,814	\$1,141,076	\$1,140,016	\$1,314,940	\$1,315,451	\$1,316,866	\$1,319,271	\$1,502,493	\$1,507,162	\$1,513,122	\$1,520,487	\$1,709,118
19	Debt Service	NA	NA	\$0	\$501,000	\$501,000	\$501,000	\$501,000	\$501,000	\$501,000	\$501,000	\$501,000	\$501,000	\$501,000	\$501,000	\$501,000	\$501,000	\$501,000	\$501,000	\$501,000	\$501,000	\$501,000
20	Operating Expenses (New Parking Structure)	NA	NA	\$0	\$77,504	\$79,829	\$82,224	\$84,691	\$87,232	\$89,849	\$92,544	\$95,321	\$98,180	\$101,126	\$104,159	\$107,284	\$110,503	\$113,818	\$117,232	\$120,749	\$124,372	\$128,103
21	Total New Parking Structure	\$0	\$0	\$0	\$578,504	\$580,829	\$583,224	\$585,691	\$588,232	\$590,849	\$593,544	\$596,321	\$599,180	\$602,126	\$605,159	\$608,284	\$611,503	\$614,818	\$618,232	\$621,749	\$625,372	\$629,103
22	Net Surplus / (Deficit) - (Line 18 minus Line 21)	\$275,117	\$432,104	\$217,263	\$26,676	\$280,429	\$296,566	\$313,489	\$331,252	\$526,124	\$549,270	\$544,755	\$540,836	\$712,814	\$710,292	\$708,582	\$707,768	\$887,675	\$888,930	\$891,372	\$895,116	\$1,080,015

Notes

- (1) Starbucks paying for 2 spaces short per zoning ordinance x \$22,500 / space (payable over 10 years)
- (2) Young Israel paying for 21 spaces short per zoning ordinance x \$22,500 / space (payable over 30 years starting in FY14-15)
- (3) The Shul paying for 70 spaces short per zoning ordinance x \$22,500 / space (payable over time period to be determined but estimated at 20 years starting in FY15-16)
- (4) Spiaggia paying for 16 spaces short per zoning ordinance x \$22,500 / space (payable over 20 years starting in FY14-15)
- (5) Assumed 1/2 of one percent increase per year in resident permit parking revenue
- (6) Business Parking Permit Revenue has increased average of 6.4% / year last four years. Assumed 1/2 this rate (3.2% / year increase going forward)
- (7) Parking Citation Revenue has increased average of 13.3% / year last four years. Assumed 1/2 this rate (6.7% / year increase going forward)



Table 19

Town of Surfside, Florida  
Full Site Grade + 3 Supported floors  
Post Office Lot - 280 Cars, 219 Net Added Cars  
Revenue Bond Financing

Alternate	Description	Cars	Construction Year (FY)	Operational Year (FY)	Construction Year Loss	Operating Expense Increase / Year	Transaction Increase Per Year 1 yr past operational year	
							Last Year (FY)	FY20-21
Post Office Site Alternative 1	Parking Structure + Post Office & Commercial Space	295	FY13-14	FY14-15	25%	3%	2.0%	FY20-21

Line #	Fiscal Year	Historical						Projected										
		FY11-12	FY12-13	FY13-14	FY14-15	FY15-16	FY16-17	FY17-18	FY18-19	FY19-20	FY20-21	FY21-22	FY22-23	FY23-24	FY24-25	FY24-26	FY26-27	FY27-28
1	Lot Transactions	420,000	420,000	315,000	266,918	272,257	277,702	283,256	288,921	294,699	300,593	300,593	300,593	300,593	300,593	300,593	300,593	300,593
2	Parking Structure Transactions	0	0	0	153,082	156,143	159,266	162,451	165,700	169,014	172,395	172,395	172,395	172,395	172,395	172,395	172,395	172,395
3	Average Monthly Transactions	35,000	35,000	26,250	35,000	35,700	36,414	37,142	37,885	38,643	39,416	39,416	39,416	39,416	39,416	39,416	39,416	39,416
4	Avg Stay (Hours:Minutes)	1:31	1:31	1:31	1:31	1:31	1:31	1:31	1:31	1:31	1:31	1:31	1:31	1:31	1:31	1:31	1:31	1:31
5	Ticket Average	\$1.90	\$1.90	\$2.28	\$2.28	\$2.66	\$2.66	\$2.66	\$2.66	\$3.04	\$3.04	\$3.04	\$3.04	\$3.42	\$3.42	\$3.42	\$3.42	\$3.80
6	Downtown Parking Rate / Hr (All Rates in 2013 Dollars)	\$1.25	\$1.25	\$1.50	\$1.50	\$1.75	\$1.75	\$1.75	\$1.75	\$2.00	\$2.00	\$2.00	\$2.00	\$2.25	\$2.25	\$2.25	\$2.25	\$2.50
<b>Off-Site Parking Fund Annual Payment</b>																		
7	Starbucks (2 Spaces) <sup>(1)</sup>	\$4,500		\$4,500	\$4,500	\$4,500	\$4,500	\$4,500	\$4,500	\$4,500	\$4,500	\$4,500	\$4,500	\$0	\$0	\$0	\$0	\$0
8	Young Israel (21 Spaces) <sup>(2)</sup>	\$15,750		\$0	\$15,750	\$15,750	\$15,750	\$15,750	\$15,750	\$15,750	\$15,750	\$15,750	\$15,750	\$15,750	\$15,750	\$15,750	\$15,750	\$15,750
9	The Shul (70 Spaces) <sup>(3)</sup>	\$78,750		\$0	\$0	\$78,750	\$78,750	\$78,750	\$78,750	\$78,750	\$78,750	\$78,750	\$78,750	\$78,750	\$78,750	\$78,750	\$78,750	\$78,750
10	Spiaggia (16 Spaces) <sup>(4)</sup>	\$18,000		\$0	\$18,000	\$18,000	\$18,000	\$18,000	\$18,000	\$18,000	\$18,000	\$18,000	\$18,000	\$18,000	\$18,000	\$18,000	\$18,000	\$18,000
11	Off-Site Parking Fund Revenue			\$4,500	\$38,250	\$117,000	\$117,000	\$117,000	\$117,000	\$117,000	\$117,000	\$117,000	\$117,000	\$112,500	\$112,500	\$112,500	\$112,500	\$112,500
12	Meter Parking (Lots/Streets/Parking Structure)	\$807,750	\$798,000	\$598,500	\$957,600	\$1,139,544	\$1,162,335	\$1,185,582	\$1,209,293	\$1,409,690	\$1,437,884	\$1,437,884	\$1,437,884	\$1,617,620	\$1,617,620	\$1,617,620	\$1,617,620	\$1,797,355
13	Resident Permit Parking <sup>(5)</sup>	\$17,096	\$17,096	\$17,096	\$17,181	\$17,267	\$17,353	\$17,440	\$17,527	\$17,615	\$17,703	\$17,792	\$17,881	\$17,970	\$18,060	\$18,150	\$18,241	\$18,332
14	Business Parking Permits <sup>(6)</sup>	\$92,373	\$92,373	\$92,373	\$95,329	\$98,380	\$101,528	\$104,777	\$108,130	\$111,590	\$115,161	\$118,846	\$122,649	\$126,574	\$130,624	\$134,804	\$139,118	\$143,570
15	Parking Citation Revenue <sup>(7)</sup>		\$186,000	\$186,000	\$198,462	\$211,759	\$225,947	\$241,085	\$257,238	\$274,473	\$292,863	\$312,485	\$333,421	\$355,760	\$379,596	\$405,029	\$432,166	\$461,121
16	Total Parking Revenue (Sum lines 11 through 15)	\$917,219	\$1,093,469	\$898,469	\$1,306,822	\$1,583,950	\$1,624,163	\$1,665,884	\$1,709,188	\$1,930,368	\$1,980,611	\$2,004,007	\$2,028,835	\$2,230,424	\$2,258,400	\$2,288,103	\$2,319,645	\$2,532,878
17	Total Parking Expenses (Existing Lots & Street Spaces)	\$642,102	\$661,365	\$681,206	\$701,642	\$722,691	\$744,372	\$766,703	\$789,704	\$813,396	\$837,797	\$862,931	\$888,819	\$915,484	\$942,948	\$971,237	\$1,000,374	\$1,030,385
18	Available for New Parking Structure (Line 16 minus Line 17)	\$275,117	\$432,104	\$217,263	\$605,180	\$861,259	\$879,791	\$899,180	\$919,484	\$1,116,973	\$1,142,814	\$1,141,076	\$1,140,016	\$1,314,940	\$1,315,451	\$1,316,866	\$1,319,271	\$1,502,493
19	Debt Service	NA	NA	\$0	\$435,000	\$435,000	\$435,000	\$435,000	\$435,000	\$435,000	\$435,000	\$435,000	\$435,000	\$435,000	\$435,000	\$435,000	\$435,000	\$435,000
20	Operating Expenses (New Parking Structure)	NA	NA	\$0	\$61,981	\$63,841	\$65,756	\$67,729	\$69,761	\$71,853	\$74,009	\$76,229	\$78,516	\$80,872	\$83,298	\$85,797	\$88,371	\$91,022
21	Total New Parking Structure	\$0	\$0	\$0	\$496,981	\$498,841	\$500,756	\$502,729	\$504,761	\$506,853	\$509,009	\$511,229	\$513,516	\$515,872	\$518,298	\$520,797	\$523,371	\$526,022
22	Net Surplus / (Deficit) - (Line 18 minus Line 21)	\$275,117	\$432,104	\$217,263	\$108,198	\$362,418	\$379,035	\$396,452	\$414,723	\$610,119	\$633,805	\$629,847	\$626,500	\$799,068	\$797,154	\$796,069	\$795,900	\$976,471

Notes

- (1) Starbucks paying for 2 spaces short per zoning ordinance x \$22,500 / space (payable over 10 years)
- (2) Young Israel paying for 21 spaces short per zoning ordinance x \$22,500 / space (payable over 30 years starting in FY14-15)
- (3) The Shul paying for 70 spaces short per zoning ordinance x \$22,500 / space (payable over time period to be determined but estimated at 20 years starting in FY15-16)
- (4) Spiaggia paying for 16 spaces short per zoning ordinance x \$22,500 / space (payable over 20 years starting in FY14-15)
- (5) Assumed 1/2 of one percent increase per year in resident permit parking revenue





Mr. Michael Crotty  
Town Manager  
Town of Surfside  
9293 Harding Avenue  
Surfside, FL 33154

March 21, 2014

**Subject: Public/Private Partnership Advisory Services**

Dear Mr. Crotty:

Lambert Advisory (Lambert) is pleased to provide Public/Private Partnership (P3) Advisory Services related to the potential acquisition and development of a parking garage in Surfside, Florida.

This letter outlines our proposed scope of services, fees, timing and the conditions that will govern this engagement. Lambert Advisory has broad experience assisting municipalities with development solicitation, evaluation of responses, assessment of proposed structuring and negotiating final agreements for public/private ventures. We likewise work with private responders and, as a result, have a thorough understanding of the challenges and opportunities which surround the public/private partnership process.

As we understand it, the Town of Surfside (Town) completed a Parking Study in late 2012 and as a result of the findings is contemplating the development of a parking structure located on the west side of Collins Avenue south of 95<sup>th</sup> Street (hereto referred to as the Post Office site). Based upon the garage development site as proposed in the Parking Study, the property comprises four individual parcels, including: three contiguous parcels that are owned by the Town with a total 28,260 square feet (0.65 acres); and, a fourth parcel that is privately owned, comprises a total 12,460 square feet (0.29 acres), and currently includes the Post Office building. As a result, the Town is evaluating the opportunity to build a parking garage and ancillary retail on all four parcels which would require a public/private partnership should the one property remain as privately owned. To assist with this evaluation, the Town is looking for guidance in evaluating public/private partnership strategies and opportunities with a developer to build the parking garage and potential on-site retail.

Based upon the Town's objectives outlined above, we propose the scope of services within two distinct tasks:

**Task 1: Evaluation of the Proposed Parking Garage and Strategic Options**

The first task associated with the public/private partnership process is to evaluate the proposed parking garage development to provide the Town with the base of information and

analysis necessary to identify alternative development options for the parking garage. There are three primary steps to this process, summarized as follows:

- 1.) *Updated Parking Garage Demand and Program:* Based upon our discussions, the parking demand analysis for the Post Office site will need to be updated. Lambert will work with the Town's parking consultant to define the parking demand based upon demand from two primary sources: 1) demand from public use; and, 2.) demand from on-site retail (which may also include a new Post Office). In this effort, Lambert's primary role will be to prepare a market assessment to estimate the demand and performance parameters for retail use as part of the proposed parking garage development based upon:
  - a.) Economic/Demographic Overview – This analysis will analyze economic/market trends locally considered pertinent to the proposed development, including but not limited to: population and population characteristic trends and projections; beach utilization, hotel occupancies (including assessment of new hotel development), employment trends and labor force characteristics; household trends and projections; and, traffic patterns and trends primarily along Harding Avenue and Collins Avenue.
  - b.) Comparable/Competitive Supply Profile – The supply effort will profile any competitive/comparable retail development projects located in the market area. The type of data that Lambert will seek to obtain includes: size of retail center; merchandise/tenant mix; rental rates and lease terms; market orientation (i.e. resident, worker); and, identification and summary profile of notable retail development under construction or in the planning stages.
  - c.) Estimates of Retail Market Demand and Performance - Based upon our analysis of market supply and demand conditions outlined above, Lambert will identify market demand for the proposed retail development with specific aspects including:
    - ♦ Potential uses and most synergistic tenant/business mix for the site;
    - ♦ Achievable "net" rental rates;
    - ♦ Estimate of timing and absorption for development; and,
    - ♦ Planning and design guidelines which can be utilized to set the parameters for partnership solicitation.
- 2.) *Parking Garage - Net Operating Income Projections:* Based upon the estimate of parking demand from potential public and retail utilization, we will work with the Town's parking consultant to forecast revenue, expenses and net operating income from the parking garage. Lambert's main focus will be on the net operating income generated from the retail component and the analysis will also factor in the need to accommodate the Post Office should it remain a part of the development plan.
- 3.) *Outline of Strategic Opportunities:* Based upon the evaluation of demand and operating estimates outlined above, Lambert will be in a position to assist the Town in its evaluation of strategic opportunities for implementing the proposed parking garage development. This includes but is not limited to an assessment of: land

acquisition (of the Post Office site); alternative public/private partnership structures with the current or new owner of the Post Office property which includes an understanding of potential equity, debt, and/or land contribution structuring; and, analysis of the Town's return-on-investment from alternative development options. Importantly, the strategic analysis is aimed at maximizing the benefit of the parking garage to both the Town and its residents.

#### **Task 2: Public/Private Partnership Solicitation and/or Negotiations (Optional)**

At the point the Town considers a public/private partnership for the proposed Post Office parking garage development, and a solicitation for Public/Private Partnership be required as part of the process, Lambert is prepared to assist with the preparation, evaluation and negotiation associated with a Request for Proposal (RFP) the Town may need to undertake as part of the public/private partnership.

*Prepare an RFP for Public/Private Partnership* - Lambert will prepare an RFP for a development and/or operating partner and will be oriented to both identifying the strongest developer/operator as well as marketing the property to prospective developer/operators. The RFP will set forth the key components of the Ranking Criteria and Selection Criteria including any required terms and structure of an Agreement. Furthermore, the RFP will include (or make reference to) all relevant and available information regarding the parking garage property including physical, regulatory, and legal documents.

*Evaluation:* Lambert will be prepared to assist the Town in its evaluation of any RFP responses in light of the prevailing and prospective economic and financial environment impacting the proposed development. The primary objective of this evaluation is to assess the revenue, operating and financial assumptions set forth within each RFP and advise the Town as to any items and/or issues that may not be consistent with our findings.

*Negotiation Assistance:* Once a partner is selected, Lambert will be prepared to assist in the negotiation process with a selected partner and advise the Town in the interest of structuring a fair and equitable agreement for both parties.

#### **Fees and Documents**

Our fees will be based upon our standard hourly rates of \$225 for Paul Lambert (Managing Principal), \$175 for Eric Liff (Principal), and \$110 for professional staff. We propose a fixed fee for **Task 1** in the amount of **\$18,500**. For Task 2, should the Town accept, we propose to complete the work on an hourly basis, with a "not-to-exceed" amount which we will be agreed upon prior to commencement of work.

Specific to Task 1, we will document our findings and conclusions within a Technical Memorandum, with supporting documentation and analysis.

The fees stated above include any out of pocket or ancillary expenses such as automobile costs, printing costs, long distance telephone, postage and courier, and photocopying. If, at some



point during the course of the work, a decision is made to discontinue, our fee will be based upon the actual professional time expended to date.

**Other Terms of Agreement**

Our studies, reports and analysis are subject to the following restrictions and conditions:

- Lambert Advisory has no obligation to update our findings and conclusions for changes in market conditions which occur subsequent to our work. Any such changes in market conditions may affect the validity of our estimates.
- Documents we prepare are based upon assumptions and estimates which are subject to uncertainty and variation. These estimates are often based on data obtained in interviews with third parties, and such data are not always completely reliable. In addition, we make assumptions as to the future behavior of consumers and the general economy which are highly uncertain. Therefore, while our estimates will be conscientiously prepared on the basis of our experience and the data available to us, we make no warranty of any kind that the occupancy, rates, revenues, or expenses projected will, in fact, be achieved.

**Acceptance**

We hope this letter correctly addresses your needs. If you have any questions regarding the scope of work or business arrangements, please call me at (305) 503-4096.

We thank you for the opportunity to present this proposal and look forward to working with you on this exciting assignment.

Very truly yours,



Eric Liff  
Principal

THE PROPOSAL AND ITS TERMS AND CONDITIONS ARE ACCEPTED IN ITS ENTIRETY.

NAME: \_\_\_\_\_

COMPANY: \_\_\_\_\_

TITLE: \_\_\_\_\_

DATE: \_\_\_\_\_

## GENERAL FIRM EXPERIENCE

Lambert Advisory was founded in 1995 and incorporated in Florida in 1999. It currently has five employees in its Miami office from which it serves markets throughout the United States and internationally.

The firm provides services to private institutional clients such as large corporations, foundations, and universities which require a variety of assistance with their real estate holdings. Institutional clients over the past several years have included the Queen Emma Foundation (Honolulu), Harvard University, University of Pennsylvania, Samsung Corporation (Korea), and Kimco Realty. As the qualifications included as part of this package make clear, the firm also provides an array of services to government clients related to market research and business planning; particularly, expertise in visitor and tourism strategic planning, commercial property feasibility analysis, visitor/resident/business surveys, and benchmark/case study analysis.

As detailed below, Lambert Advisory has and is currently providing services associated with economic and financial analysis to Miami-Dade County, the World Trade Center Miami (in conjunction with Port Miami), a variety of municipalities in South Florida, The City of New Orleans, The City of Fort Lauderdale, and the City of Tampa, among others. Lambert has considerable experience in a broad range of economic and financial analyses including but not limited to: Parks and Recreation/Cultural; Airports, Seaports, Commercial and Housing Real Estate; and, Transit.

<b>Client:</b>	PortMiami – World Trade Center Miami
<b>Project:</b>	Economic, Market and Strategic Analysis

**Project Description:** Lambert Advisory, in conjunction with Johnson Consulting, completed an economic, market and strategic analysis for a proposed World Trade Center within Port Miami. As the basis for evaluating development opportunities for a World Trade Center Miami, Lambert completed an assessment of general economic and demographic trends and forecasts for Miami-Dade County, and specifically Downtown Miami, inclusive of the Brickell and Omni areas. The economic profile focused on those primary variables that “drive” demand for proposed uses including office, hotel, and retail that support a phased development of the World Trade Center property. Lambert also provided the strategic recommendations for implementation and related Port Miami initiatives.

<b>Client:</b>	City of Fort Lauderdale (FL) – as a sub-consultant to Zyscovich, Inc.
<b>Project:</b>	Estimate of Income, Expense and Debt Service Coverage for Two Municipal Parking Garages

**Project Description:** Lambert Advisory, as a sub-consultant to Zyscovich, Inc., assisted in the preparation of income, expense, and debt service coverage ratios for two City of Fort Lauderdale owned parking garages (Sebastian Parking Garage and Oceanside Parking). The analysis was prepared in the effort to assist the City (and its planning team) to understand the opportunity for the City to leverage and support its investment in the garages with ancillary retail uses.



**Client:** City of Pompano Beach (FL)  
**Project:** Hillsboro Marina – Market Assessment, RFP Preparation/Negotiation

**Project Description:** Lambert Advisory recently completed market research and assessment for the Pompano Beach Hillsboro Inlet Marina (Marina). The work completed as part of the assessment was utilized to assist the City of Pompano Beach (City) in its evaluation of the terms of a Lease between the City and the Hillsboro Inlet Marina Captains Association, Inc. (Association). Subsequently, Lambert prepared the Request for Qualification (RFP) for distribution by the City and assisted in negotiation with the Association.

**Client:** South Florida Regional Transportation Authority  
**Project:** Downtown Fort Lauderdale Mobility Hub Joint Development Initiative (Economic Advisor and Developer Negotiations)

**Project Description:** Lambert Advisory, as a sub-consultant to Kimley-Horn & Associates, is currently providing the economic and market analysis associated with the Downtown Mobility Hub Joint Development Initiative (JDI Mobility Hub). A key objective of the JDI Mobility Hub planning process is to identify the opportunity for a transit oriented joint development which emphasizes connections to multiple modes of transportation key among which include The Wave Streetcar and FEC commuter rail. The primary uses proposed include residential, hotel, office and retail. The residential analysis in particular is a key component to the Hub initiative given the existing demand for rental housing in the Downtown area. As part of subsequent phases of the JDI Mobility Hub plan, Lambert assist in preparing and evaluating Request for Qualifications (RFQ) for private developers interested in the joint public/private initiative.

**Client:** City of Hallandale Beach (FL)  
**Project:** CRA/TIF Funding Strategy and Public/Private Development Negotiation Services Regarding Villages of Gulfstream Park

**Project Description:** Lambert Advisory was the primary consultant to the City of Hallandale Beach associated with its negotiation with Forest City Enterprises associated with the development of a \$250 million retail/entertainment center. Lambert provided the financial structuring and deal terms associated with City of Hallandale Beach's CRA TIF funding used to support development of the nearly 600,000 square foot multi-phase development. Lambert set forth the parameters by which the City would invest TIF dollars and recapture investment dependent upon a tracking of the development's success over a 17 year period. Lambert participated as the CRA's representative during negotiations and wrote the framework of the final agreement.

**Client:** Odebrecht Construction, Inc.  
**Project:** Airport City Financial Advisor

**Project Description:** Lambert Advisory is currently engaged as an economic and financial advisor to Odebrecht Construction, Inc. in its negotiation with Miami-Dade County Aviation Department (MDAD) to procure the rights to develop a new 400 room hotel, 350± parking spaces, 9,000 square feet of retail and more than 1.0 million square feet of professional office space at the front door to Miami International Airport. Lambert's primary role is to assist Odebrecht (and its development team) with complex financial evaluation and deal term structuring that will ultimately determine an annual "franchise fee" that will be paid to MDAD in addition to a fixed land lease payment. Additionally, Lambert is assisting in the negotiation of the terms and conditions defining development timing, developer contribution (earnest money), terms of land lease and other related terms incorporated into corresponding



Development Agreements. The total development cost is estimated to be more than \$500 million and is anticipated to commence in 2012.

<b>Client:</b>	City of New Orleans, (LA)
<b>Project:</b>	Cooperative Endeavor Agreement Between City of New Orleans & Lowe's Home Centers, Inc.

**Project Description:** Lambert Advisory completed an analysis of incentives to be provided to Lowe's Home Improvement Centers (Lowe's), related to the development of a 116,000 square foot home improvement store on Elysian Fields Avenue. Lambert Advisory assisted the Council of the City of New Orleans review the terms of a Cooperative Endeavor Agreement between The City of New Orleans and Lowe's Home Centers associated with a \$3.6 million tax increment investment in the development of the Lowe's facility. The incentives were structured to utilize valuable enticements to attract certain retailers who are particularly strong at drawing business or other retailers within immediately surrounding areas.

<b>Client:</b>	Creative Village – Ustler Development (Orlando, FL)
<b>Project:</b>	TIGER II Grant - Application & Strategic Services

**Projection Description:** Lambert Advisory served as the lead economic, financial and strategic advisory to Creative Village LLC (in a joint effort with Bank of America CDC and its Consortium partners) in the preparation of a TIGER II Grant submission. Creative Village, located in Downtown Orlando within the Parramore Neighborhood area, is a master planned vision where high tech, digital media and creative companies integrate with residential, retail and academia. The initial grant submission is estimated to be in the \$70 million range, with additional sources of funding targeted to support the redevelopment effort. The planning and grant submission effort represents comprehensive and complex integration of disciplines between the private sector (master developer), City of Orlando, BACDC, Lynx, among others. Lambert's primary role is to provide the strategic vision and define the redevelopment focus in the context of grant submission as well as facilitate and coordinate interaction between the various Consortium partners. The successful Grant application was awarded \$10 million.

<b>Client:</b>	City of Pompano Beach (FL)
<b>Project:</b>	Amphitheater Improvement Plan and Municipal Cemetery Business/Operations

**Project Description:** Lambert Advisory, as part of two separate contracts, provided the City of Pompano Beach with strategic business analysis for two City-owned assets: a 3,800 seat amphitheater and a 3,900 (remaining) plot cemetery. The primary objective of the cemetery analysis was to establish a roadmap for short and long term options for managing and operating the municipal cemetery. This included in-depth market and industry research into a unique asset that included demographic trends and forecasts that affect the cemetery industry – and specifically mortality rates, life expectancy, deaths and senior population. In regard to the amphitheater, Lambert completed an economic benefit assessment associated with a proposed improvement to the Pompano Beach Amphitheatre. The City was considering supporting the investment and completing the work for seat coverage improvements and the objective of this analysis was to assess the level of increased performance within the venue and the economic return to the City associated with the proposed \$2.5+ million investment.



**Client:** City of Plantation (FL)  
**Project:** Catalytic Investment Strategy, Developer RFP Preparation, and Investment Structuring and Negotiation

**Project Description:** Lambert Advisory was initially engaged in a market and financial assessment for the State Road 7 corridor in the City of Plantation to create the district's "Catalytic Investment Initiative." A key component to the analysis is aimed at guiding the City to the strongest redevelopment program from a dollars-and-cents perspective keeping in mind the broader goals of the City to effectuate the corridor's redevelopment. The objective was to test various cash flow scenarios including acquiring parcels and/or existing buildings and leasing them back to a third party for development. Beyond developing the City's "Catalytic Investment Initiative," Lambert wrote the City's Request for Proposals to utilize a \$5.0 million pool of city funds to spur redevelopment by providing gap funding to private projects, and subsequently served as advisor in direct negotiations associated with a number of large scale developments in the CRA district which has resulted in more than \$60 million in private investment to date.

**Client:** Port of Corpus Christi (TX)  
**Project:** Develop RFP to Identify Operator for Conference Center & Developer for Twelve acre Waterfront Property

**Project Description:** Lambert Advisory developed an RFQ to identify an operator for the Port of Corpus Christi's new Conference Center and assisted the port in choosing and negotiating with the successful respondent. Following two successful and profitable years of operating the conference center and with the development of a new baseball stadium on adjacent port property, Lambert Advisory then assisted the Port prepare and issue a second RFP to identify retail and hotel developers for a twelve acre site adjoining the ballpark and conference center. Beyond soliciting responses from potential partners, the RFP outlined various partnership structures which the port entertained based upon the proposed development program.

**Client:** City of Hollywood (FL)  
**Project:** Financial Advisory and Public/Private Development Negotiation Services for WSG Mixed Use Development

**Project Description:** Lambert Advisory served as the Hollywood CRA's financial advisor and negotiation consultant for a proposed \$100± million residential, retail and office mixed use development regarded as the catalyst for redevelopment within the City's downtown district. Lambert prepared the financial model used to determine the City's prospective \$10 to \$15 million TIF investment needed to support the development plan. The evaluation contemplated a multitude of funding sources including construction and permanent debt, mezzanine/bridge loans, developer equity (including land contribution) and the City's TIF participation.

**Client:** Miami-Dade County Park, Recreation & Open Space  
**Project:** Haulover Park Business Improvement Plan

**Project Description:** Lambert Advisory is currently assisting Miami Dade County Park, Recreation & Open Space (PROS) in the preparation of the Haulover Park Business Improvement Plan (BIP) that serves as a guideline for increasing business activity within the Park and aimed at: 1.) providing positive economic (revenue) support to capital investments proposed by MDPROS for the Park's master plan; 2.) complimenting and supporting existing uses and attractions within the Park; and, 3.) creating uses that benefit both MDPROS planning objectives and the resident/visitor community it serves.



**Client:** Miami-Dade County Park & Recreation  
**Project:** RFQ/Submission Review Associated with Metro-Zoo Waterpark and Family Entertainment Center Developer

**Project Description:** Lambert Advisory provided advisory service on the RFQ preparation process and assisted the County in its evaluation of the eventual submissions to the RFQ as well as prepared the County for Developer negotiations.

**Client:** Miami-Dade County Park & Recreation  
**Project:** Coast Guard Site Analysis

**Project Description:** Lambert Advisory, is currently assisting Miami-Dade County Park & Recreation Department with an analysis of the Coast Guard site to: 1) review the historical events associated with the former Base Realignment and Closure Act (BRAC); 2) define essential criteria for relocation of the entire existing Coast Guard Base operation, or a means to establish a cantonment of the CEU building within the site; 3) identify, evaluate and negotiate for a suitable and functional replacement property, or any part thereof, for the Coast Guard staff move elsewhere within the County; and 4) work with appropriate federal agencies to allow the County to acquire the property for resale in accordance with the County's redevelopment plan.

**Client:** Miami-Dade County Park & Recreation  
**Project:** Gold Coast Railroad Museum

**Project Description:** Lambert Advisory, in conjunction with The Evans Group, is currently assisting Miami-Dade County Park & Recreation Department with a Planning Study and General Plan for the Gold Coast Railroad Museum property. This report includes a site analysis, existing facility profile, an assessment of market conditions and potential demand, a profile of comparable facilities throughout the US, and attendance and expenditure projections for the museum and its Main Street retail component.

**Client:** Miami-Dade County Park & Recreation  
**Project:** Deering Estate Restaurant/Banquet Assessment

**Project Description:** Lambert Advisory, in conjunction with Cini-Little International, assisted Miami-Dade County Park and Recreation Department with an assessment of the opportunity to identify a permanent banquet operator for Deering Estate through an RFP process. The analysis also evaluated the potential/economics of the chosen banquet operator managing a unique restaurant on property which would be a destination into-of-itself.

**Client:** Miami-Dade County Park & Recreation  
**Project:** Golf Course Study

**Project Description:** Lambert Advisory, in conjunction with NGF Consulting, completed an analysis of economic, demographic and utilization/activity trends associated with five County-owned golf courses.

**Client:** Miami-Dade County Park & Recreation  
**Project:** Recreation Center Market Study

**Project Description:** Lambert Advisory completed a recreation center market study to assess the opportunity for Miami-Dade County Park and Recreation Department to develop recreation centers within four potential Department parks situated throughout the County. As part of the Recreation Center Market Study, Lambert Advisory completed a market, operations and financial analysis for the potential development of a recreation facility in West Kendall.



**Client:** Miami-Dade County Park & Recreation  
**Project:** Evaluation and Negotiation Support for Westrec Lease/Management Agreement (Haulover Marina)

**Project Description:** Lambert Advisory provided Miami-Dade County Park and Recreation Department with evaluation and negotiation support associated with a Management/Lease Agreement with Westrec for the Haulover Marina property.

**Client:** Miami-Dade County Park & Recreation  
**Project:** Campground Assessment

**Project Description:** Lambert Advisory provided an analysis camp ground utilization, interview and site visits, survey of comparable/competitive facilities and facility recommendations for the redevelopment of Camp Matecumbe and other camping facilities in the County.

**Client:** Miami-Dade County Park & Recreation  
**Project:** Larry & Penny Thompson Park Market Analysis & Operations Plan

**Project Description:** Lambert Advisory, as a subcontractor to Curtis & Rogers, completed a market analysis for Larry and Penny Thompson Campground, comprising the first component of the multi-task engagement aimed at identifying the most appropriate way of improving the service quality and performance of the campground facility. The market analysis set forth the foundation for subsequent phases of work including the physical and capital planning effort, financial analysis, and operational improvements recommendations which the Department utilized for implementation programming.

**Client:** City of Miami (FL)  
**Project:** Miami Film Industry and Incentive Program

**Project Description:** Lambert Advisory recently completed an incentive program assessment and location analysis for the City of Miami's Economic Development Department in conjunction with its effort to improve and support the local film and television production industry. The research and analysis completed as part of this undertaking focused on three critical components: 1.) highlights of the US and local (Miami) film industry that provide important insight into key statistics and notable trends driving the film industry's past and near-term future; 2.) a profile of film industry incentives (case studies) offered by states and cities that may be utilized to promote long-term growth within the local film industry; and 3.) assessment of key elements of the City's physical infrastructure (namely land and/or buildings) available to support the film production industry presently and in the future.



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## EXPERIENCE OF PRINCIPAL STAFF

### PAUL LAMBERT (PROJECT MANAGER)

#### MANAGING PRINCIPAL, LAMBERT ADVISORY

Paul Lambert founded Lambert Advisory in 1995. Since its inception the firm has provided corporate, not-for-profit, and governmental clients with a wide range of real estate and economic development advisory services. Mr. Lambert is an expert in market, financial, strategic and impact analysis related to real estate, community development and public/affordable housing. He has broad experience in strategic economic and business development for both the public and private sectors.

Prior to starting Lambert Advisory, Lambert was with Arthur Andersen LLP and Goodkin Research Corporation where he was in charge of the firms' South Florida and Latin America real estate economic practice.

Some of Mr. Lambert's clients over the past several years have included Samsung Corporation, The Queen Emma Foundation, University of Pennsylvania, Harvard University, Miami Dade County Park and Recreation Department and the Cities of New York and New Orleans. Between late 2005 and early 2007, Lambert served as the manager of the City Council of New Orleans' post-Katrina neighborhood rebuilding planning process which at one point was commonly referred to as the "Lambert Plan."

Mr. Lambert continues to advise a number of cities throughout the United States with regard to their housing and economic development programs and was a contributing author of "Public Housing Asset Management: A Handbook for Local Government" published by the Community Development Training Institute. He also served as a principal consultant to Harvard University's Public Housing Operating Cost Study and was the City Council of New Orleans' advisor related to its negotiation with HUD around the Housing Authority of New Orleans' Long Range Master Plan.

Mr. Lambert holds a BA from Miami University in Ohio. He was a Beaver Fellow at the London School of Economics, and graduated from the Massachusetts Institute of Technology, where he received a Master degree in City Planning.

### ERIC LIFF

#### PRINCIPAL, LAMBERT ADVISORY

Eric Liff has more than eighteen years of experience providing advisory services to financial institutions and corporations both domestically and internationally. Prior to joining Lambert Advisory, Mr. Liff was responsible for acquisition and development activity at WorldStar Resorts, an entity of Starwood Capital. His primary responsibilities included corporate and/or asset identification, deal structuring, due diligence and strategic positioning.

Before joining WorldStar, Mr. Liff was a member of the real estate advisory services group for two Big 5 accounting firms, servicing some of the largest real estate and hospitality firms and investment banks in the United States and Caribbean. As a Manager in the Real Estate Consulting Group of KPMG Peat Marwick and a Senior Consultant with the Real Estate Consulting Group of Arthur Andersen LLP, Mr. Liff was actively involved in acquisition, disposition, and underwriting engagements for firms such as CS First Boston, Morgan Stanley, Prudential, and Heller Financial. Additionally, Mr. Liff has managed a number of major workout transactions and litigation related support engagements.



Mr. Liff earned his Bachelor of Science degree with a concentration in real estate management and development at the University of Southern California in 1990. He is a member of the Urban Land Institute (ULI) and has recently served on the Technical Advisory Panel (TAP) for the South Florida/Caribbean chapter. Mr. Liff has also been a participant in the American Resort Development Association (ARDA).

FRANK PALLINI  
SENIOR STAFF ADVISOR

Frank Pallini has over 18 years of professional experience as a management consultant to the real estate industry. His areas of expertise include market and financial analysis, development/project planning, strategic planning, asset evaluation, economic research and impact analysis.

Mr. Pallini has served as management consultant and business advisor to numerous real estate companies, developers, builders, financial institutions, investors and asset managers as well as units of government and non-profit organizations. Major clients include, Disney Development, USAA Real Estate, GE Capital, US Home, Beneficial, and Citicorp Real Estate. He has also served as project manager/lead consultant for a housing demand study for the University of South Florida, St. Petersburg Campus; the St. Petersburg Housing Study sponsored by the St. Petersburg Chamber of Commerce; the City of Key West, to study the impact of the vacation rental market on the local economy; Hillsborough County Master Facilities Plan; and, as technical advisor to the City of Tampa's Cultural Arts District Committee.

Prior to starting his own firm, Mr. Pallini served ten years with KPMG Peat Marwick's Real Estate Management Consulting Group. During his tenure with KPMG, Frank advanced to level of Senior Manager where he was director of the firm's southeast real estate management consulting practice. In this capacity he was responsible for all phases of practice development, and provided management consulting expertise to clients throughout the United States, Europe, Latin America, and the Caribbean.

Mr. Pallini has written several articles covering regional real estate industry trends for the Urban Land Institute, the Real Estate Review, published by Warren, Gorham and Lamont and numerous local publications covering real estate business and trends in Florida and the Tampa Bay area.

Frank obtained his Bachelor's degree from Eckerd College and completed graduate course work for the Master's Program in Community Development at Southern Illinois University. He also has completed continuing education and enrichment courses in real estate finance from the Massachusetts Institute of Technology.

DORIEN ROWE  
STAFF ADVISOR

Dorien Rowe joined Lambert Advisory as a GIS Specialist and Market Research Analyst in 2012. He has worked on numerous projects since joining the firm, where he has employed his knowledge of GIS software to analyze demographic data along with commercial and real estate properties. Dorien has been and is an instrumental part of Lambert's field research effort both in the field and secondary sources of data. Dorien received a B.A. in Geography from Florida International University in 2011.

**Sec. 90-77. Off-street parking requirements.**

- (a) Except as otherwise provided herein, when any building or structure is hereafter constructed; or structurally altered so as to increase the number of dwelling units or hotel rooms to increase its total commercial floor area, including provision of outdoor seating; or when any building or structure is hereafter converted to any of the uses listed in subsection 90-77(c), off-street parking spaces shall be provided in accordance with the requirements of subsection 90-77(c), or as required in subsequent sections of this article. The requirement for an increase in the number of required parking spaces shall be provided on the basis of the enlargement or change of use.
- (b) Parking compliance for properties and uses located in SD-B40 zoning district and for religious places of public assembly in other areas of the town.
  - (1) *Off-street parking applicability.* This section applies to:
    - a. Uses within the SD-B40 zoning district where changes of use from service businesses to restaurant or retail occur; and
    - b. Religious places of public assembly located within the area depicted on the Public Assembly Places as set forth in subsection 90-41(d)(23) hereinabove.
  - (2) *Options to satisfy parking requirements for uses specified in (1) above.* Satisfaction of the off-street parking requirements of this subsection (b) may be achieved through compliance with any combination of the following options:
    - a. On site provision of required parking spaces as more specifically set forth in subsection 90-77(c);
    - b. Tandem parking as more specifically set forth in subsection 90-77(d);
    - c. Joint use and off-site facilities as more specifically described in section 90-80. If parking is satisfied by agreement with a private third party, the town shall require an agreement in writing for an effective period of no less than five years. No less than 60 days prior to the expiration of such agreement, either a new agreement shall be in place or the owner of the property for which the parking is being provided shall receive the town's approval of the employment of one of the other prescribed options contained in this subsection. Failure to secure the town's approval of one or a combination of the prescribed options shall result in revocation of the owner's certificate of occupancy and certificate of use;
    - d. Shared parking; or
    - e. Payment of parking trust fee that can be used to finance the provision of parking whether through the purchase, construction or modification of parking facilities or to otherwise provide for additional parking as more specifically set forth in subsection 90-77(b)(4).
  - (3) *Modification of parking requirements.* In tandem with the use of options (2)c—e to satisfy parking requirements, requests may be made for a reduction in the minimum parking requirements which may be considered by the town upon receipt of an application from the owner of the site seeking a reduction as follows:
    - a. Minor reductions. Requests for a reduction of one to three required parking spaces may be approved by the town manager in consultation with the town planner as a de minimus reduction upon a finding that the applicant has utilized

the options available in subsection 90-77(b)2 above, to the greatest extent feasible. If the request is denied by the town manager, that decision may be appealed to the town commission.

- b. Major reductions. The planning and zoning board shall hear requests for reductions in parking in excess of the town manager's authority under subsection (3)a hereinabove. Such requests shall be accompanied by a report prepared by the town manager and town planner and approved for legal sufficiency by the town attorney, analyzing existing and future parking demands, the availability of underutilized public parking spaces, and traffic circulation. The report prepared by the town manager and town planner and approved for legal sufficiency by the town attorney will be based upon an independent study completed by a professional traffic engineer licensed in the State of Florida.
  - c. Criteria for approval of major or minor reduction. Requests for reduction may be approved, in whole or in part, upon a finding that there is sufficient available parking that is open to the public and is judged adequate to accommodate the parking reduction request within 300 feet of the subject property along a practical and usable pedestrian route excluding residential districts.  
If the request is denied by the planning and zoning board, that decision may be appealed to the town commission.
- (4) *Parking trust fee.* The off-street parking requirements may be complied with by paying into the downtown parking trust fund the sum of money that is the product of the number of parking spaces required but not provided, multiplied times the amount of the established fee per parking space. The parking fee amount shall be calculated on a "per parking space" standard, based upon a portion of the cost of the land, combined with the cost of design and construction, for a single structured off-street parking space. The established fee per parking space shall be determined by the town manager and approved by resolution of the town commission, as may be amended from time to time. All required parking fees shall be paid prior to the issuance of a building permit.
- (5) *Parking trust fund.* There is hereby established a trust fund to be entitled the "Town of Surfside Downtown Parking Trust Fund," to be maintained and administered by the Town Manager. Parking fees collected pursuant to subsection 90-77(b)(4) shall and any other monies may be deposited into this fund. The fund shall be used to facilitate the provision of public off-street parking and infrastructure improvements related to parking including, but not limited to, the following activities:
- a. Acquire fee simple or other interests in land, and other real property for parking purposes;
  - b. Construct, maintain, operate, lease, manage, purchase, or otherwise provide off-street parking facilities for public use including all labor and materials, cost of interest and financing etc;
  - c. Provide public information to enhance parking utilization including publicity campaigns, graphics and signage, and other informational devices;
  - d. Coordinate plans for parking facility improvements and expansion with public transportation plans and operations in the vicinity;
  - e. Provide accessibility to off-street parking facilities by suitable means such as public shuttle, tram or trolley service and related physical improvements such as bus shelters and right-of-way modifications; and



- f. Perform such other related activities as may be necessary to carry out the intent of this subsection.

The success and financial feasibility of providing any such shuttle, tram, bus, or trolley service, as provided in subsection (b)(5)e., shall be subject to annual evaluation by the town commission. Funds deposited in the downtown parking trust fund shall be made available to the town commission for the purposes set forth in this subsection, after review and recommendation by the town manager to the town commission and approval by the town commission.

- (c) *Required parking table.* The number of off-street parking spaces that shall be required to serve each building or structure and use shall be determined in accordance with the following table:

Type of Residential Unit/Type of Use	Minimum Space Requirements	
Single-family or Two-family	2 spaces	
Multi-family—Efficiency and 1-bedroom	1.5 spaces	
Multi-family—2-bedroom and 3-bedroom	2.0 spaces	
Multi-family—4-bedrooms or more	2.25 spaces	
Hotel	1 space for each room	
Suite-Hotels	1.25 space for each room	
Hotel and Suite-Hotel ancillary uses	Meeting/banquet space	100% of code required parking for place of public assembly for square footage in excess of 20 square feet of gross floor area per hotel room
	Restaurants	1 space per 100 square feet of gross floor area.
Place of Public Assembly: Where seats and/or benches are provided	1 space for every 4 seats, or 1 space for every 6 linear feet or part thereof of bench	
Place of Public Assembly: Where fixed seats are not provided	1 space for each 50 square feet of non-administrative and congregation space	
Grocery, fruit or meat market	1 space each 250 gross floor area	
Retail store or Personal service establishment	1 space each 300 gross floor area	
Office or Professional services use, except Financial institutions	1 space each 400 gross floor area	
Medical or Dental uses	1 space each 300 gross floor area	
Restaurants or other establishments for the consumption of food and beverages on the premises	1 space for every 4 seats	
Financial institutions	1 space each 300 gross floor area	
Educational services	1 space per classroom, plus 1 per 250 gross floor area	

- (d) *Tandem parking.*

- (1) For residential projects of greater than 60 dwelling units, parking spaces may be provided as tandem spaces, provided, however, a minimum of one unencumbered parking space, tandem or regular, must be provided for each dwelling unit and valet parking service shall be provided at all times. One visitor parking space for each 15 dwelling units unless tandem parking with valet services is provided in which case one visitor space for each 20 units is required.
- (2) For hotel and suite-hotel uses, tandem parking spaces within a parking structure may be permitted for 100 percent of the required off street parking other than handicapped spaces, provided, however, all uses having tandem spaces must provide 24-hour



valet parking service and all applications for use of tandem parking must be approved by the town commission and the applicant must enter into an agreement, recorded in the public records at the expense of the owner, which shall run with the land and shall bind the heirs, successors, and assigns of said owner, which requires all developments having any tandem parking spaces to provide 24-hour valet parking service.

- (e) *Municipal parking—Use of property in town government capacity* The provisions of this article (Off-Street Parking and Loading) shall not apply to the use of any property by the town in any government capacity, function or purpose. This exemption shall also apply to setbacks and lot coverage requirements as set forth in section 90-49 hereinabove.
- (f) *Parking lifts.* For the purposes of this section, "parking lifts" shall be defined as an electro-hydraulic mechanism in a multifamily residential building or in a non-residential building that lifts a parked passenger vehicle to make space available to park a passenger vehicle below it in a single vertical tandem fashion. A parking lift space may be counted as a parking space required by subsection 90-77(c), and shall not be subject to the minimum parking stall size requirements of subsection 90-81.1(1) provided that all of the following conditions are fulfilled:
- (1) A traffic queuing analysis shall be submitted by the owner of the building for parking areas using parking lifts, for review and approval by the Town Manager, to ensure efficient processing times and queue lengths. The number of parking lifts permitted to be counted as required parking spaces shall be determined by the approved queuing analysis; and
  - (2) All parking lifts shall be located within a fully enclosed parking garage and shall not be visible from exterior view. No outside parking lifts shall be permitted; and
  - (3) Parking lifts shall be permitted only when operated by an attendant or a licensed and insured valet parking company on a 24-hour/seven-days-a-week basis, to be confirmed by restrictive covenant to be recorded by the owner/applicant prior to establishment of the use; and
  - (4) No resident, guest, patron or customer of the building shall be permitted to operate the parking lift. A physical barrier shall be placed in the parking area to prohibit access to the parking lift area by residents, guests, patrons or customers of the building; and
  - (5) All parking lifts shall be maintained and kept in good working order; and
  - (6) The parking lift platform must be sealed and of a sufficient width and length to completely cover the bottom of the vehicle on the platform to prevent dripping liquids or debris onto the vehicle below; and
  - (7) All lifts must be designed so that power is required to lift the car, but that no power is required to lower the car, in order to ensure that the lift can be lowered and the top vehicle can be accessed in the event of a power outage; and
  - (8) All parking lifts must be designed to prevent lowering of the lift when a vehicle is parked below the lift; and
  - (9) Ceiling heights of any parking level with parking lifts shall be a minimum of 14 feet 4 inches and sufficient to accommodate all types of passenger vehicles. Such required height shall be proposed in the traffic queuing study and approved by the town manager. There shall be no beams, plumbing, or sprinklers that lower or otherwise interfere with this clearance across the entire span of the parking space; and
  - (10) Noise and vibration barriers shall be utilized to ensure that surrounding walls decrease sound and vibration emissions outside of the parking garage.
- (g)

No automated parking system, other than the parking lifts defined in subsection 90-77(f) shall be permitted as a required parking space unless first approved as a conditional use by the planning and zoning board at a public hearing following the procedures in section 90-35 of the Town Code.

*(Ord. No. 1542, § 2, 12-8-09; Ord. No. 1550, § 2, 3-9-10; Ord. No. 1556, § 2, 7-13-10; Ord. No. 1558, § 2(Exh. A), 8-10-10; Ord. No. 1563, § 2, 11-9-10; Ord. No. 1585, § 2, 1-17-12; Ord. No. 1591, § 2, 8-15-12)*

<b>PLANNING &amp; ZONING</b>
Peter Glynn (Dietch)
Armando Castellanos (Graubart)
Lindsay Lecour (Karukin)
Jennifer Dray (Kligman)
Carli Koshal (Olchyk)
Mayor Daniel Dietch (Liaison)
<b>PERSONNEL APPEALS BOARD</b>
Brian Dooreck (Dietch)
Vacant (Graubart)
Niza Motola (Karukin)
Jayme Bengio (Kligman)
Norma Parron (Olchyk)
Mayor Daniel Dietch (Liaison)
<b>PARKS &amp; RECREATION</b>
Eliana Salzhauer (Dietch)
Veronica Lupinacci (Graubart)
Retta Logan (Karukin)
Luisa Agresti (Kligman)
Arnie Notkin (Olchyk)
Commissioner Marta Olchyk (Liaison)
<b>TOURIST BOARD</b>
Barbara Cohen (Dietch)
Randi McBride (Graubart)
Ricardo Mualin (Karukin)
Eli Tourgeman (Kligman)
Barbara McLaughlin (Olchyk)
Commissioner Joe Graubart (Liaison)
<b>PENSION BOARD</b>
Julio Torres (PD Elect)
Yamileth Slate-McCloud (Employee Elect)
Michael P. Crotty (Secretary)
N. Abraham Issa (Resident) - Appointed by Commission
Michael Feldman (Resident) - Appointed by Commission
<b>POLICE OFFICERS PENSION TRUST</b>
Loxley Arch III (PD Elected)
John Gentile (PD Elected)
Joe Matthews (PD Elected)
Roberto Silvagni (Resident) - Appointed by Commission
Eduardo Yero (Resident) - Appointed by Commission

<b>IT COMMITTEE</b>
Sandra Argow (Dietch)
Lisa Lau (Graubart)
Albert Caballero (Karukin)
Sam Levine (Kligman)
Adam Markow (Olchyk)
Vice Mayor Michael Karukin (Liaison)
<b>CHARTER REVIEW BOARD COMMITTEE</b>
Marty Oppenheimer (Dietch)
Mark Imberman (Karukin)
Anthony Blate (Graubart)
Terry Cohen (Kligman)
Lou Cohen (Olchyk)
Vice Mayor Michael Karukin (Liason)

Mar-14



## Sandra Novoa

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**From:** Marta Olchyk  
**Sent:** Friday, March 28, 2014 1:38 PM  
**To:** Sandra Novoa  
**Subject:** RE: Current Comiittee/Board Members

Sandra: I will nominate Armando Castellanos to the Planning and Zoning Committee  
Michelle Kligman to the Tourist Board  
And I am working on the others.  
Thanks

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**From:** Sandra Novoa  
**Sent:** Friday, March 21, 2014 3:29 PM  
**To:** Barry Cohen; Daniel Dietch; Eli Tourgeman; Marta Olchyk; Michael Karukin  
**Cc:** Michael Crotty; Linda Miller; Sarah Johnston; Priscilla Krutules  
**Subject:** Current Comiittee/Board Members

Good afternoon Mayor, Vice Mayor and members of the Town Commission,

Attached please find a list of Town's Board/Committees and its appointees. Each Board and/or Committee require appointments by each member of the Town Commission. We would like to assist you by forwarding some applications from qualified Surfside residents who would like to be appointed.

Should you have any questions, do not hesitate to contact us.

Thank you,



**Sandra Novoa, CMC**  
Town Clerk  
*MDCMCA President*

Town of Surfside  
9293 Harding Avenue  
Surfside, Florida 33154  
Phone (305) 861-4863 Ext. 226  
Fax (305) 861-1302  
[snovoa@townofsurfsidefl.gov](mailto:snovoa@townofsurfsidefl.gov)



**TOWN OF SURFSIDE**  
MUNICIPAL BUILDING  
9293 HARDING AVENUE  
SURFSIDE, FLORIDA 33154-3009  
Telephone (305)861-4863

**TOWN COMMISSION DISCUSSION ITEM**

**From:** Commissioner Marta Olchyk  
**Agenda Item:** # 9D  
**Agenda Date:** April 8, 2014  
**Subject:** Town Attorney Expenditure Authority

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**Discussion:** Whether the Town Attorney should be governed by the same rule as the Town Manager that the TA needs to ask the Commission permission to spend any more than \$8,500.00 for any given legal expense may it be legal experts or any other legal expense.



## Town of Surfside Commission Communication

**Agenda Item # 9E**

**Agenda Date:** April 8, 2014

**Subject:** Recognition/Awards: Scheduled for 6:30 pm?

A topic of regular discussion during my first year as Manager has been the appropriate way to recognize at Commission meetings the achievements of residents and employees plus how best to celebrate the uniqueness of Surfside.

Based on my one-on-one discussions with Commissioners, this issue is often part of the larger discussion on the length of meetings. It has been expressed that the time devoted to Recognition/Awards contributes significantly to the length of meetings.

Therefore, it has been suggested that Recognition/Awards be scheduled prior to the start of the Commission meeting at 6:30 pm.

The Recognition/Awards presentation would be televised and attendance of Commissioners would be optional.

Finally, moving up the start time might present a challenge to some Commissioners traveling from their place of employment as there have been a number of instances of Commissioners calling in just prior to the 7 pm regular start time of the Commission meeting that they are stuck in the Miami evening commute traffic.

Staff encourages the Commission to arrive at a consensus in order that the Recognition/Awards ceremony remains a meaningful part of the public process.

  
Town Manager



## Town of Surfside Commission Communication

**Agenda Item #** 9F

**Agenda Date:** April 8, 2014

**Subject:** Community Center Expansion (Second Story)

It is requested that the Commission establish a separate meeting to brainstorm approaches/concepts regarding the expansion of the Community Center (second floor addition).

The FY 13/14 budget contains an allocation of \$100,000 to begin the conceptual planning and design.

  
\_\_\_\_\_  
Town Manager