



**Town of Surfside
Town Commission Meeting**

AGENDA

June 9, 2015

7 p.m.

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

Rule 7.05 Decorum. Any person making impertinent or slanderous remarks or who becomes boisterous while addressing the commission shall be barred from further appearance before the commission by the presiding officer, unless permission to continue or again address the commission is granted by the majority vote of the commission members present. No clapping, applauding, heckling or verbal outbursts in support or opposition to a speaker or his or her remarks shall be permitted. Signs or placards may be disallowed in the commission chamber by the presiding officer. Persons exiting the commission chambers shall do so quietly.

Rule 6.05 Agenda. The good and welfare portion of the agenda set for 8:15 p.m. shall be restricted to discussion on subjects not already specifically scheduled on the agenda for discussion and debate. In no event shall this portion of the agenda be allotted more than 45 minutes with each speaker to be given no more than three minutes, unless by vote of a majority of the members of the commission present, it is agreed to extend the time frames. Likewise, commission members shall be restricted to speaking three minutes each unless an extension is granted in the same manner as set forth in the prior sentence.

Per Miami Dade County Fire Marshal, the Commission Chambers has a maximum capacity of 99 people. Once reached this capacity, people will be asked to watch the meeting from the first floor.

** 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.*

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. Introduction of New Community Garden President and Vice President** –
Guillermo Olmedillo, Town Manager **Page 1**

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 that an item be removed from the Consent Agenda and discussed separately.

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

- A. Minutes** – Sandra Novoa, CMC, Town Clerk **Page 2 - 6**
May 4, 2015 Joint Tourist Board and Commission Meeting Minutes
- B. Budget to Actual Summary as of March 30, 2015** – Guillermo Olmedillo, Town Manager **Page 7 - 10**
- *C. Town Manager's Report** – Guillermo Olmedillo, Town Manager **Page 11 - 37**
- *D. Town Attorney's Report** – Linda Miller, Town Attorney **Page 38 - 42**
- E. Committee Reports** – Guillermo Olmedillo, Town Manager **Page 43 - 55**
 - April 6, 2015 Tourist Board Meeting Minutes
 - April 27, 2015 Parks and Recreation Committee Meeting Minutes
 - April 30, 2015 Planning and Zoning Board Meeting Minutes
- F. Mutual Aid Agreement between the Miami Dade County Police Department and the Town of Surfside Police Department** – Guillermo Olmedillo, Town Manager **Page 56 - 74**

**A RESOLUTION OF THE TOWN OF SURFSIDE, FLORIDA
ACKNOWLEDGING THE LAW ENFORCEMENT MUTUAL AID
AGREEMENT BETWEEN MIAMI-DADE COUNTY, FLORIDA AND THE
TOWN OF SURFSIDE, FLORIDA FOR VOLUNTARY COOPERATION AND
OPERATIONAL ASSISTANCE; AUTHORIZING THE TOWN MANAGER
AND CHIEF OF POLICE TO EXECUTE AND IMPLEMENT THE TERMS
AND CONDITIONS OF THE MUTUAL AID AGREEMENT; AND
PROVIDING FOR AN EFFECTIVE DATE.**

G. Mutual Aid Agreement between the Town of Golden Beach Police Department and the Town of Surfside Police Department – Guillermo Olmedillo, Town Manager Page 75 - 86

A RESOLUTION OF THE TOWN OF SURFSIDE, FLORIDA ACKNOWLEDGING THE MUTUAL AID AGREEMENT BETWEEN THE TOWN OF SURFSIDE, FLORIDA AND THE TOWN OF GOLDEN BEACH, FLORIDA; AUTHORIZING THE TOWN MANAGER AND CHIEF OF POLICE TO EXECUTE AND IMPLEMENT THE TERMS AND CONDITIONS OF THE MUTUAL AID AGREEMENT; AND PROVIDING FOR AN EFFECTIVE DATE.

H. Approval of Expenditure of Forfeiture Funds to Purchase Two Ballistic Resistant Shields – Guillermo Olmedillo, Town Manager Page 87 - 91

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, PROVIDING FOR THE FISCAL YEAR 2014/2015 POLICE CONFISCATION FUND EXPENDITURE IN THE AMOUNT OF \$3,418.00 FROM THE FORFEITURE FUND FOR THE PURCHASE OF 2 (TWO) POINT BLANK BELLATOR SHIELDS 24"X40" WITH VIEW PORT LEVEL; PROVIDING FOR AUTHORIZATION AND APPROVAL; PROVIDING FOR AN EFFECTIVE DATE.

I. Approval of Expenditure of Forfeiture Funds to Purchase Radio Equipment – Guillermo Olmedillo, Town Manager Page 92 - 95

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, PROVIDING FOR THE FISCAL YEAR 2014/2015 POLICE CONFISCATION FUND EXPENDITURE IN THE AMOUNT OF \$5,036.70 FROM THE FORFEITURE FUND FOR THE PURCHASE OF RADIO EQUIPMENT; PROVIDING FOR AUTHORIZATION AND APPROVAL; PROVIDING FOR AN EFFECTIVE DATE.

J. Resolution to Terminate Interlocal Agreement between the Town of Surfside and Miami Dade County for Curbside Recycling Pickup - Guillermo Olmedillo, Town Manager Page 96 - 98

A RESOLUTION OF THE TOWN OF SURFSIDE, FLORIDA, AUTHORIZING THE TOWN MANAGER TO TERMINATE THE INTERLOCAL AGREEMENT FOR INCLUSION IN THE MIAMI-DADE COUNTY CURBSIDE RECYCLING PROGRAM; PROVIDING FOR AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE.

K. Resolution to Support the School Nurse Initiative - Guillermo Olmedillo, Town Manager Page 99 - 111

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA ("TOWN") AUTHORIZING THE MAYOR TO ENTER INTO A MEMORANDUM OF UNDERSTANDING ("MOU") BETWEEN THE CITY OF MIAMI BEACH, NORTH BAY VILLAGE, THE TOWN OF BAY HARBOR ISLANDS, THE TOWN OF SURFSIDE, BAL HARBOUR VILLAGE AND THE MIAMI BEACH CHAMBER EDUCATION FOUNDATION, INC., TO IMPLEMENT A NURSE INITIATIVE FOR THE 2015-2016 SCHOOL YEAR AND AUTHORIZING THE APPROPRIATION OF \$3,667.00 FROM THE FISCAL YEAR 2015-2016 ANNUAL BUDGET FOR THE TOWN OF SURFSIDE'S PROPORTIONATE SHARE OF FUNDING FOR THE NURSE ENHANCEMENT INITIATIVE SUBJECT TO APPROVAL IN THE TOWN'S FISCAL YEAR 2015-2016 ANNUAL BUDGET; PROVIDING FOR AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE.

L. Additional Contribution for Downtown Harding Avenue Business District Tree Lights - Guillermo Olmedillo, Town Manager page 112 - 114

A RESOLUTION OF THE TOWN OF SURFSIDE, FLORIDA ACCEPTING CONTRIBUTIONS TO SUSTAIN THE LIGHTING OF THE DOWNTOWN HARDING AVENUE BUSINESS DISTRICT TREE LIGHTS; PROVIDING AUTHORITY TO THE TOWN MANAGER TO ACCEPT ON BEHALF OF TOWN COMMISSION CONTRIBUTIONS FOR DOWNTOWN HARDING AVENUE BUSINESS DISTRICT TREE LIGHTS; AND PROVIDING FOR AN EFFECTIVE DATE.

4. Ordinances

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

A. Second Reading Ordinances

1. Practical Difficulty Variance – Commissioner Barry Cohen Page 115 - 123

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA AMENDING "SECTION 90-36 VARIANCES"; SPECIFICALLY AMENDING "90-36.1 GENERAL VARIANCES" TO MODIFY THE CODE TO PROVIDE FOR A PRACTICAL DIFFICULTY VARIANCE; PROVIDING FOR INCLUSION IN THE CODE; REPEALING ALL ORDINANCES OR PARTS OF

ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

2. Residential Sheds – Guillermo Olmedillo, Town Manager Page 124 - 128

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA AMENDING CHAPTER 90 “ZONING”, AND AMENDING “SECTION 90-54 ACCESSORY BUILDINGS AND STRUCTURES IN THE H30A AND H30B DISTRICTS”; AND SPECIFICALLY AMENDING SECTION 90-54.7 RELATED TO SHEDS; PROVIDING FOR INCLUSION IN THE CODE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

(Set for approximately 8:30 p.m.) (Note: Good and Welfare must begin at 8:15)

B. First Reading Ordinances

1. Amendment to Section 90-51. Maximum Frontage of Buildings - Commissioner Karukin Page 129 - 135

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA AMENDING THE TOWN OF SURFSIDE CODE OF ORDINANCES BY AMENDING CHAPTER 90 ZONING; AMENDING SECTION 90-51 MAXIMUM FRONTAGE OF BUILDINGS; SPECIFICALLY AMENDING SECTION 90-51.1 CONTINUOUS WALL FRONTAGE; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR SEVERABILITY; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

5. Resolutions and Proclamations

(Set for approximately N/A p.m.) (Note: Depends upon length of Good and Welfare)

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 that an item be removed from the consent agenda and discussed separately.

8. Unfinished Business and New Business

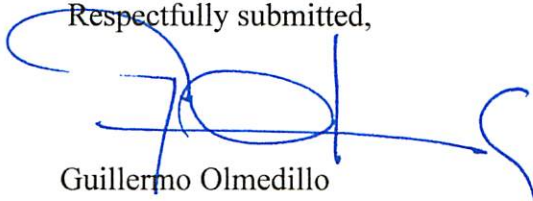
***A. Town Policies and Procedures – Guillermo Olmedillo, Town Manager
Page 136 - 140**

9. Mayor, Commission and Staff Communications

- A. Traffic Management Plan – Long Term Solutions – Guillermo Olmedillo, Town Manager Page 141**
- B. Emergency Operations Plan [VERBAL]- Guillermo Olmedillo, Town Manager**
- C. Corridor Analysis Update – Guillermo Olmedillo, Town Manager Page 142 - 218**
- D. Parking Solution Options– Guillermo Olmedillo, Town of Surfside Page 219 - 275**

10. Adjournment

Respectfully submitted,



Guillermo Olmedillo
Town Manager

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

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.



Memorandum

To: Town Commission / Town Manager

From: Duncan Tavares, TEDACS Director 

Date: 5/21/2015

Re: Change of Leadership at the Community Garden Non-Profit

Please note the following changes to the leadership of the Surfside Community Garden non-profit "Surfside Urban Gardeners":

President: Mr. Freddy Chiche

Vice President: Ms. Dalia Blumstein

This Memorandum satisfies the requirement of notification as outlined in the Town's agreement with the non-profit.

cc. Linda Miller, Town Attorney



Town of Surfside
Joint Meeting of the Town Commission and Tourist Board
MINUTES
May 4, 2015
7 p.m.
 Town Hall Commission Chambers - 9293 Harding Ave, 2nd Floor
 Surfside, FL 33154

1. Opening

A. Call to Call to Order

Mayor Dietch called the meeting to order at 7:01 P.M.

B. Roll Call of Town Commission and Tourist Board Members

Town Clerk Sandra Novoa called the roll with the following members present: Mayor Dietch, Vice Mayor Tourgeman, Commissioner Olchyk, Commissioner Karukin, Commissioner Cohen, Tourist Board Chair Michelle Kligman, Vice Chair Elizabeth Levine, Board Member Barbara Cohen, Board Member Joel Baum, and Board Member Sandra Argow.

C. Pledge of Allegiance

Town Manager Guillermo Olmedillo led the Pledge of Allegiance.

The Mayor then turned the meeting over to Duncan Tavares, TEDACS Director.

- 2. State of the local Tourism Industry ~ Rolando Aedo, CDME, Executive Vice President / Chief Marketing Officer, Greater Miami Convention & Visitors Bureau.** Mr. Aedo gave an overview as to what his responsibilities are as Chief Marketing Officer and an overview of what the Greater Miami Convention & Visitors Bureau does. He explained the tourist taxes and where the monies go. He presented marketing visuals they have done for Miami and a video featuring Surfside.
- 3. Adopted Surfside Five Year Tourism Strategic Plan Recap ~ Carolyn Feimster SCMD, CJF Marketing International, and Duncan Tavares, TEDACS Director.** Director Tavares gave a power point presentation recapping the plan. He spoke about resort taxes and the surrounding communities and how monies are spent. He also spoke of the ordinances that are presented which he supports.
- 4. Resort Tax Ordinance Amendments, Tourist Board Operating Procedures, Conflict of Interest and Ethics Policy ~ Guillermo Olmedillo, Town Manager.**

a) Resort Tax Ordinance Amendments ~ Duncan Tavares, TEDACS Director.

AN ORDINANCE OF THE TOWN COMMISSION AND THE RESORT TAX BOARD OF THE TOWN OF SURFSIDE, FLORIDA AMENDING CHAPTER 70 "TAXATION" AND SPECIFICALLY AMENDING 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.

Chair Kligman asked for a motion for discussion purposes. Board Member Cohen made a motion for discussion. The motion received a second from Board Member Argow and all voted in favor.

Mayor Dietch asked for a motion for discussion purposes. Commissioner Karukin made a motion for discussion. The motion received a second from Commissioner Olchyk and all voted in favor.

Commissioner Karukin had noted that the document refers to a Resort Tax Board and asked if it was the same as the Tourist Tax Board. Director Tavares they are one in the same and it will be clarified that the Resort Tax Board is also known as the Tourist Tax Board.

Director Tavares presented suggested changes to **Sec. 70-124 Composition, appointment, vacancies, compensation, removal from office, etc.**

(a)

Number, term and qualification of members. The board shall consist of ~~five~~ seven members. Each commissioner shall appoint one board member, and two board members shall be appointed by a majority vote of the Town Commission. All appointed board members must be ratified by a vote of the town commission. Any newly elected commissioner has the right to appoint a resort tax board member unless the corresponding appointment has yet to reach the end of their two-year term. Each of the five individual commissioner appointments shall be persons who either work or reside in Surfside and preference will be given to professionals with experience in tourism and hospitality related activities. ~~at least three of the five members shall be persons who have experience in tourism and/or tourism related activities.~~ The two members appointed by the majority vote of the Town Commission shall be identified as professionals employed in tourism or hospitality related activities. No two members of the Resort Tax Board shall represent the same company or organization. One town commissioner shall serve as a non-voting ex-officio member of the board.

Commissioner Karukin asked if the two additional members have to be residents of Surfside. Director Tavares said they did not have to be residents.

There was discussion as to all members being residents and perhaps the two additional members either residing or work in Surfside. Experience in the field of tourism was discussed and sometimes we have had to go to the outside in other areas. Board Member Barbara Cohen suggested that the two additional members not residents not having a vote but be ex-officio. Chair Kligman was not in favor of expanding by two members especially if they are not residents. She suggested using some of the tax resources to get expertise advice when needed rather than put additional people on the board that can influence where tax monies should be spent.

Vice Mayor Tourgeman feels board members should be residents as he believes they will have the best interests of Surfside. He also said there are residents of Surfside that are knowledgeable in this field.

Vice Chair Levine regards Director Tavares as Surfside's expert in tourism and relies on him to keep the town aware of happenings and suggestions. Board Member Argow believes large boards create problems and we should not be upsizing. She would like to keep the board to five members which are residents. Board Member Baum agreed with Board Member Argow and is not in favor of expanding the board by two members.

Commissioner Cohen made a motion to keep the board as five members and they all should be Surfside residents only. The motion received a second from Commissioner Olchyk.

Mayor Dietch opened the meeting to public comment.

Public Speakers:

-Sean McKeen representing Marriott Hotel said whichever way they go on this issue it is important to keep the town authentic. He also commented on the 5 year strategic plan.

-Joel Simmonds was not encouraged by what he has heard this evening especially that board members must all be residents and this may exclude some business owners. If industry is paying taxes they should have a say. He also spoke about the taxes and how and who decides how that income is utilized.

-Barbara McLaughlin feels we should have tourism expertise on the board.

-Jessica Levison is concerned that the board is keeping things too simple and local and feels industry should be allowed to have a vote on the board. She feels keeping the five members as residents but opening up the two additional positions to non-residents.

-Jeff Lehman feels there will always be a conflict between tourism and residents. He believes there should be diversity on the board representing residents and all types of industry.

-Gil Katzman agrees that the tourism board should consist of members with professional expertise in the field who know how to bring tourism into the town of Surfside.

-Rozeln Mahboubi creating a better understanding and partnership between residents and businesses would only benefit the town. Segregating the two on the board is not good.

-Jeff Platt agrees that there should be five members and residents only. He feels hotels will only look to benefit their interests and not really care about the residents

of the town. He said hotels totally disrespect residents by placing all their beach chairs in the sand and residents have to find a spot to sit their chairs.

Commissioner Cohen said after hearing all that was said, he would like to withdraw his motion to keep the board at five members and they all should be Surfside residents only.

Commissioner Cohen then made a motion to accept the ordinance as presented.

Vice Chair Levine said she would like to see board members with the expertise needed and asks the Commission how this can be enforced with their appointment of the resident five members.

Commissioner Olchyk said she would only second the motion if the two additional members are non-voting. Commissioner Cohen said that he is accepting the ordinance as presented. Mayor Dietch passed the gavel and seconded for discussion purposes only.

Chair Kligman said she has always been supportive of the downtown business district. She also said we have a Director of Tourism, Duncan Travares and we should utilize him to the fullest. She objects to the concern that we do not believe in diversity but cannot support putting hotel people on the board.

There was discussion as to board members and those appointed having some degree of expertise in the field. Mayor Dietch made a friendly amendment that the five members be residents but do not require expertise in the field but preference given to those who do. The two additional members appointed by the majority vote of the Town Commission shall be identified as residing or working in Surfside and be professionals employed in tourism or hospitality related activities. No two members of the Resort Tax Board shall represent the same company or organization.

Commissioner Olchyk left the meeting at 9:05 p.m.

After more discussion, the Commission and the Board were divided in their views. Commissioner Cohen then withdrew his motion. Mayor Dietch said for the record, the 5 year plan has been worked on for years trying to make the Tourist Board better and being everything it can be.

Commissioner Karukin asked that some items be reviewed and clarified for the next meeting. (a) term limits; (b) where all tax monies will be spent and what is allowed; (c) clarify a sentence to read part of the Town Commission budgetary process.

Vice Mayor Tourgeman left the meeting at 9:15 p.m.

- b) **Tourist Board Operating Procedures** ~ Robert Meyers Esq., former Executive Director of the Miami-Dade Commission on Ethics, and Duncan Tavares, TEDACS Director.
- c) **Tourist Board Conflict of Interest and Ethics Policy** ~ Robert Meyers Esq., former Executive Director of the Miami-Dade Commission on Ethics, and Duncan Tavares, TEDACS Director.

Robert Meyers gave a brief overview of Tourist Board Operating Procedures and Tourist Board Conflict of Interest and Ethics Policy. Members of the meeting posed questions regarding conflict of interest and ethics. There was some discussion on this point and Mr. Meyers addressed some of their concerns.

5. Public Comment

There were no comments from the public.

Mayor Dietch thanked the Tourist Board for making themselves available for this meeting and all who attended and gave their input.

6. Adjournment

The meeting adjourned at 9:38 p.m.

Accepted this _____ day of _____, 2015

Daniel Dietch, Mayor

Attest:

Sandra Novoa, CMC
Town Clerk

TOWN OF SURFSIDE, FLORIDA
MONTHLY BUDGET TO ACTUAL SUMMARY
FISCAL YEAR 2014/2015

AS OF

March 31, 2015

50% OF YEAR EXPIRED (BENCHMARK)

Agenda Item #

Page

1 of 3

Agenda Date: June 9, 2015

GOVERNMENTAL FUNDS	ACTUAL	ANNUAL BUDGETED	% BUDGET
GENERAL FUND			
REVENUE	\$ 8,917,190	\$12,040,318	74%
EXPENDITURES	5,824,257	\$12,040,318	48%
Net Change in Fund Balance	3,092,933		
Fund Balance-September 30, 2014 (Unaudited)	6,340,661 A		
Fund Balance-March 31, 2015 (Reserves)	\$ 9,433,594		
RESORT TAX (TEDAC SHARE)			
REVENUE	\$ 265,349 B	\$635,465	42%
EXPENDITURES	204,889	\$634,465	32%
Net Change in Fund Balance	60,460		
Fund Balance-September 30, 2014 (Unaudited)	183,753		
Fund Balance-March 31, 2015 (Reserves)	\$ 244,213		
POLICE FORFEITURE/CONFISCATION			
REVENUE	\$ 16,212	\$90,300	18%
EXPENDITURES	49,872	\$90,300	55%
Net Change in Fund Balance	\$ (33,660)		
Fund Balance-September 30, 2014 (Unaudited)	159,588		
Fund Balance-March 31, 2015 (Reserves)	\$ 125,928		
TRANSPORTATION SURTAX			
REVENUE	\$ 115,780	\$197,000	59%
EXPENDITURES	66,707	\$197,000	34%
Net Change in Fund Balance	49,073		
Fund Balance-September 30, 2014 (Unaudited)	406,231		
Fund Balance-March 31, 2015 (Reserves)	\$ 455,304		
CAPITAL PROJECTS			
REVENUE	\$ 41,929	\$1,249,322	3%
EXPENDITURES	319,677	\$1,249,322	26%
Net Change in Fund Balance	(277,748)		
Fund Balance-September 30, 2014 (Unaudited)	736,197		
Fund Balance-March 31, 2015 (Reserves)	\$ 458,449		

NOTES:

* Many revenues 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 \$4,340,661 is unassigned fund balance (reserves).

B. Resort Tax Revenues for March 2015 are received in April 2015, the (Total collected through March 2015 is \$635,221) (\$265,349 is for TEDAC and \$369,872 is the General Fund).

ENTERPRISE FUNDS

ACTUAL

ANNUAL BUDGETED	% BUDGET
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WATER & SEWER

REVENUE	\$ 2,462,667	\$2,909,908	85%
EXPENDITURES	1,225,718	\$2,909,908	42%
Change in Net Position	1,236,949		
Unrestricted Net Position-September 30, 2014 (Unaudited)	(3,373,441)		
Restricted Net Position	1,260,776 C1		
Capital Project Expenses to date for Water & Sewer	0	\$0	
Unrestricted Net Position-March 31, 2015 (Reserves)	\$ (875,716) C2		

MUNICIPAL PARKING

REVENUE	\$ 474,879	\$1,062,878	45%
EXPENDITURES	493,248	\$1,062,878	46%
Change in Net Position	(18,369)		
Unrestricted Net Position-September 30, 2014 (Unaudited)	1,091,943		
Capital Project Expenses to date for Municipal Parking	-	\$0	
Unrestricted Net Position-March 31, 2015 (Reserves)	\$ 1,073,574		

SOLID WASTE

REVENUE	\$ 737,781	\$1,261,360	58%
EXPENDITURES	670,042	\$1,261,360	53%
Change in Net Position	67,739		
Unrestricted Net Position-September 30, 2014 (Unaudited)	128,493		
Unrestricted Net Position-March 31, 2015 (Reserves)	\$ 196,232		

STORMWATER

REVENUE	\$ 331,477	\$505,000	66%
EXPENDITURES	279,788	\$505,000	55%
Change in Net Position	51,689		
Unrestricted Net Position-September 30, 2014 (Unaudited)	2,914,434		
Restricted Net Position	347,140 C3		
Capital Project Expenses to date for Storm Water	-	\$0	
Unrestricted Net Position-March 31, 2015 (Reserves)	\$ 3,313,263		

NOTES:(con't)

C1. The Restricted Net Position of \$1,260,776 includes \$1,017,776 for renewal and replacement, and \$243,000 for State Revolving Loan reserves.

C2. The reserves balance of (\$875,716) is the result of a change in current net position as of March 2015 of \$1,236,949 net position as of September 30, 2014 of (\$3,373,441) includes \$651,144 for rate stabilization, plus Restricted Net Position of \$1,260,776.

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



Donald G. Nelson, Finance Director
Mayte O'Hanlon, Controller on behalf of Donald Nelson
**ATTACHMENT



Guillermo Olmedillo, Town Manager

Town of Surfside
Fund Balance (Reserves)
3/31/2015

FUND		9/30/2012		9/30/2013		9/30/2014		3/31/2015
General	\$	5,266,374	\$	5,304,042	\$	6,340,661	\$	9,433,594
Resort Tax		171,496		94,497		183,753	\$	244,213
Police Forfeiture		122,272		138,143		159,588	\$	125,928
Transportation Surtax		122,302		131,475		406,231	\$	455,304
Capital		132,783		255,263		736,197	\$	458,449
Water & Sewer		(1,931,707)		(5,261,333)		(3,373,441)	\$	(875,716)
Parking		1,258,325		1,066,574		1,091,943	\$	1,073,574
Solid Waste		228,437		227,274		128,493	\$	196,232
Stormwater		104,651		2,520,512		2,914,434	\$	3,313,263
Total	\$	5,474,933	\$	4,476,447	\$	8,587,859	\$	14,424,841

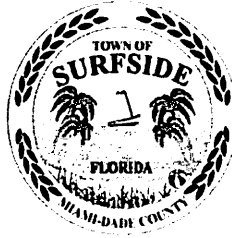
TOWN OF SURFSIDE, FLORIDA

STATEMENT OF NET POSITION PROPRIETARY FUNDS

SEPTEMBER 30, 2013

	Business-type Activities - Enterprise Funds				
	Water and Sewer	Municipal Parking	Sanitation	Stormwater Utility	Totals
Assets					
Current Assets					
Cash and cash equivalents	\$ 38,012	\$ 189,725	\$ 271,463	\$ --	\$ 499,200
Accounts receivable, net	647,746	15,661	80,505	96,705	840,617
Due from other funds	--	916,291	--	2,860,408	3,776,699
Due from other governments	--	--	7,105	--	7,105
Prepaid items	17,180	2,950	6,575	885	27,590
Total Current Assets	702,938	1,124,627	365,648	2,957,998	5,151,211
Noncurrent Assets					
Investments	5,873	--	--	--	5,873
Restricted cash and cash equivalents	1,906,402	--	--	1,526,621	3,433,023
Capital Assets					
Construction in progress	22,426,000	--	--	2,962,873	25,388,873
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
	23,856,467	3,253,964	378,200	3,230,701	30,719,332
Less: accumulated depreciation	(1,299,278)	(894,544)	(312,432)	(100,278)	(2,606,532)
Total Capital Assets, Net	22,557,189	2,359,420	65,768	3,130,423	28,112,800
Total Noncurrent Assets	24,469,464	2,359,420	65,768	4,657,044	31,551,696
Total Assets	25,172,402	3,484,047	431,416	7,615,042	36,702,907
Liabilities					
Current Liabilities					
Accounts payable	407,449	29,678	28,006	23,365	488,498
Accrued liabilities	50,857	10,604	17,980	2,849	82,290
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
Customer deposits	188,664	6,860	8,611	--	204,135
Total Current Liabilities	5,603,626	127,869	61,388	313,586	6,106,469
Noncurrent Liabilities					
Net OPEB obligation	11,341	3,636	15,864	2,573	33,414
Compensated absences	18,917	6,548	61,122	353	86,940
Revenue bonds payable	7,781,967	--	--	2,656,641	10,438,608
State revolving loan payable	5,282,895	--	--	1,760,966	7,043,861
Total Noncurrent Liabilities	13,095,120	10,184	76,986	4,420,533	17,602,823
Total Liabilities	18,698,746	138,053	138,374	4,734,119	23,709,292
Deferred Inflows of Resources					
Unearned revenue	18,839	6,860	8,611	--	34,310
Net Position					
Net investment in capital assets	10,474,213	2,279,420	65,768	13,271	12,832,672
Restricted for renewal and replacement	1,017,776	--	--	266,140	1,283,916
Restricted for loan reserve	243,000	--	--	81,000	324,000
Unrestricted	(5,261,333)	1,066,574	227,274	2,520,512	(1,446,973)
Total Net Position	\$ 6,473,656	\$ 3,345,994	\$ 293,042	\$ 2,880,923	\$ 12,993,615

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



TOWN MANAGER'S REPORT JUNE 2015

COMMUNITY PROGRAMS / INITIATIVES / ENHANCEMENTS

1. Bus Service – Multi-jurisdictional Study – Bus Service Improvements and Operational Efficiencies

A follow up meeting of the three municipalities (Surf-Bal-Bay) occurred on May 13 in an effort to coordinate pressure on CITT and the County for assistance as well as discuss a timeline for an Interlocal Agreement and the coordination of our contracts with the shuttle leasing company. A comprehensive tri-community (Surf-Bal-Bay) schedule/brochure produced by Staff was provided to Bal Harbour and Bay Harbor to approve the content. Staff found that the other communities' shuttles did not adhere to their published schedules on the day that all three routes were taken. Once approved by the other two municipalities, this schedule/brochure will be disseminated to the three communities through all possible communication vehicles and will coincide with an informational campaign (Phase I). It is important to note that while the Commission expressed a desire to ensure that the Surf-Bal-Bay routes also connect with Miami Beach and Sunny Isles systems (Phase II), as well as Miami Dade's transit system (Phase III), this entire reworking of the routing is something outside the scope of the expertise of the municipalities. It is imperative to have the County's involvement; however, they do not view this as a priority. Staff has recently secured some minor recommendations from the County and is presently attempting to implement them where possible by working with the shuttle vendor. The County has now referred any rerouting of the multiple municipality shuttles back to CITT and Nestor Toledo. Staff is attempting to re-engage CITT on this. It has already been suggested by the County that the Town(s) hire one of CITT's consultants to complete this difficult task. More information will be provided once CITT responds to staff's ongoing requests. Since initiating the repeated appeals to CITT and M-D Transit for assistance, the Town has undergone a financial audit of the fund account and was recently the subject of a ridership and route consistency audit. Many of the difficulties faced by each municipality, and in fact many municipalities, is the service, deliverables and responsiveness of the contracted vendor. It seems as if they are the only viable option due to their ability to service the vehicles. This will be one of the primary issues addressed by Surf-Bal-Bay this summer as the communities seek to streamline operational efficiencies.

2. Film Ordinance

Based on recommendations from the February 11, 2015 meeting, a workshop to identify and vet all possible recommendations and code compliance issues was held on April 29, 2015. This workshop was posted on the Town website and Channel 77, in the April Gazette, and included in the weekly website e-blasts. Flyers were again distributed in the Biscaya neighborhood where the issue of filming

seems to be an ongoing matter. An update on recommendations from this workshop will be brought before the Town Commission at the July 14, 2015 meeting. August 26, 2015 is earmarked for a Community Film Ordinance Workshop II based on feedback from the Town Commission in July.

3. Channel 77 Improvements

With the implementation of SCALA, the content and programing on Channel 77 has improved. Town staff met with CGA on March 24, 2015 to review previous suggestions for enhanced content. This included such items as production of interviews, the addition of Town facts, and the inclusion of information from other governmental agencies etc.). Recommendations, including the associated costs, will be presented to the Town Commission as part of the FY 15/16 budgetary process.

4. See Click Fix

Report attached.

DOWNTOWN BUSINESS DISTRICT and TOURISM

5. Sidewalk Ordinance Implementation

Copies of the plans are being provided to each applicant for their review, as well as notification of any deficiencies of required documentation to complete their application. Once any pending documentation is submitted, final review will be made and permits formally authorizing sidewalk café operations will be issued. In the interim, clear pedestrian pathways, unapproved expansion beyond the restaurant frontage; and removal of sidewalk café tables, chairs and equipment at the end of business day is being monitored and enforced. To date, only one business has been found out of compliance and the tables and chairs were removed, but returned upon the payment of costs for removal and storage to the Town.

6. Five Year Tourism Strategic Plan

Joint Meeting: A joint meeting of the Town Commission and Tourist Board was held on Monday, May 4, 2015. The agenda included the proposed changes to the Resort Tax Ordinance, Board governance and composition, policies and procedures as well as ethics. The Administration was directed to take the matter back to the Tourist Board (set for the June 1, 2015 meeting) and return to the Town Commission for consideration at a future date (TBD).

Holiday Lights: The Tourist Board is set to discuss the renewal of the second year option for holiday/seasonal tree lighting at their July 8, 2015 meeting.

Mobile App: The vendor presented a prototype of the App and explained its functionality at the March 2, 2015 Tourist Board meeting. The App launched at the end of May.

PLANNING, ZONING AND DEVELOPMENT

7. Historic Preservation

The Miami-Dade Historic Preservation Board (Board) has recently designated 9149 Collins Avenue and 9340 Collins Avenue as historic.

Miami-Dade County's Office of Historic Preservation has issued a moratorium on permits for the following addresses: 9016 Collins, 9024 Collins, 9025 Harding, 9033 Harding, 9040 Collins, 9048 Collins, 9056 Collins, and 9064 Collins. A designation hearing was held for these properties on March 18, 2015, however a property owner requested a three month deferral until June 2015. The Board granted this request. As of June 1, 2015, the Historic Preservation staff contacted the Town to indicate they will be requesting an additional three month deferral from the Board in order to further work with the property owners and the Town on the proposed district. The condominium board of 9241 Collins, Seaside Terrace, requested historic designation from the County, which was designated historic at their February 18, 2015 meeting. A resident filed a petition to appeal the designation. The appeal was heard on May 19, 2015 and was approved. Therefore, the historic designation has been overturned by the County Commission. Commissioner Heyman proposed an ordinance revision amending the "opt-out" provision to allow any municipality to opt-out from under the County's historic preservation jurisdiction and establish their own program/ordinance at any time. This item passed first reading by the full BCC on October 7, 2014. It was then heard by the Cultural Affairs and Recreation Committee on December 17, 2014. This committee voted to "lay the item on the table," which means that it effectively died in its current state but allowed Commissioner Heyman to retain the ability to bring the item back no sooner than 3 months. However, if she opts to bring that item back, it will have to start the process over again at first reading. Neither Commissioner Heyman nor her staff have indicated whether or not she plans to bring the item forward again from the beginning.

8. Land Development Regulations – Block between Harding and Collins Avenues

At the September 30, 2013, Joint Planning and Zoning and Town Commission meeting, there was a discussion about the block between Collins and Harding Avenues and the high interest in redevelopment of this corridor. In an effort to stay ahead of the new construction, there was interest from both boards to prepare criteria to help guide future development into the desired development pattern. Based on that, a budget item was included for an analysis and preparation of zoning criteria which includes the following:

- Preparation of new zoning criteria and comparison of existing conditions
- A review of green book traffic engineering standards as well as Miami-Dade County and FDOT as it relates to mid-block accessibility, walkways, pedestrian activity
- Impacts to existing buildings and strategies for potential non-conformities such as if there is a modification to an existing building, under what circumstances would the entire development need to be brought up to the proposed code
- Consistency of new criteria with comprehensive plan, including the 1989 Comprehensive Plan, which provided for a study of this corridor
- Consistency of new criteria with other sections of the zoning code such as off-street parking, signs, accessory structures, conditional uses, landscaping

- Requirements for open space in terms of landscaping, public space
- Coordination with legal in terms of vested rights, reduced density or intensity resulting from new zoning criteria
- Design criteria for pedestrian walkways

At the June 2014 Planning and Zoning meeting, the Board voted unanimously to establish this as a top priority. This project was funded in the FY 14/15 budget. The work authorization with CGA was approved on November 6, 2014. Work has commenced and an initial discussion with the Planning and Zoning Board occurred on February 18, 2015. The recommendation from the February 18, 2015 meeting was presented at the Planning and Zoning Board's March 26, 2015 meeting. Direction was provided to staff to make such modifications as limiting the lengths of buildings to 75 feet on Harding Avenue and 150 feet on Collins Avenue, requiring 20 ft. setbacks on Collins and Harding, rather than 10 feet, for corner properties and requiring breezeways between buildings. This will be a discussion item on the June 9, 2015 Town Commission agenda.

9. Ten Year Water Supply Plan

The Town is required to update its Ten Year Water Supply Plan including identifying any alternate water supply sources and analyzing/updating data from our current supplier. Funds for this project have been included in the FY 14/15 Budget. Work Authorization No. 89 – Ten Year Water Supply Plan has been executed with CGA in the amount of \$7,466.92. This was unanimously recommended for approval to the Town Commission by the Planning and Zoning Board at their March 26, 2015 meeting was scheduled for the April 14, 2015 Town Commission. Due to the length of the agenda, the Town Commission deferred this item until May 12, 2015. It was approved on first reading and transmitted to the State of Florida for review and comment.

10. Development Applications

- a) 8851 Harding Avenue – A site plan application for a 23 unit development has been submitted to the Town. Staff held a Development Review Meeting with the applicant in January, however there have been numerous comments and a resubmittal has not been provided to date.
- b) 8800 Collins Avenue – A site plan application for a 25 unit development has been submitted to the Town. Staff held a Development Review Meeting with the applicant in March and June, however there are outstanding comments and a Development Impact Committee meeting has not been scheduled to date.
- c) 9415-9421 Harding Avenue – A site plan application for an 80 square foot addition at the rear of the building abutting the alley has been submitted. Staff reviewed the application with the applicant and a Development Impact Committee meeting has been scheduled for June 23, 2015 at 10:00am in the Commission Chambers. This will be noticed on the website, per the Town Code requirements.

TOWN DEPARTMENTS

Building Department

11. FEMA National Flood Insurance Program (NFIP)

The follow-up visit date is pending and has not been determined.

12. Community Rating System (CRS)

The Town of Surfside CRS application to ISO is awaiting a ranking.

13. Forty Year Building Certification for Collins, Harding, Abbott Avenues and Surfside Blvd.

The 40 Year Building Certification Program is progressing as follows:

Reported certifications: 122 in present case file
Completed certifications: 44
Time extensions granted: 2
Exempt from Certification: 3
Vacant commercial properties: 9
Sent to Code Enforcement for non-compliance: 8
150 day repair order: 5
On hold: 4
Inspections: 0

14. Development Projects

The Chateau: Coastal is scheduled for 9th floor concrete slab pours and vertical columns and walls.

The Surf Club: Coastal is completing the condo building roof system and glass installation is ongoing.

The Marriott: Miller is progressing on the building interiors.

Young Israel: AVI is continues to work on the interior finishes and final drainage systems on the exterior. Landscaping changes by the owner have been reviewed by Public Works and are being forwarded to FDOT.

Code Compliance

15. Code Compliance Cases Settled

Code compliance cases settled via settlement agreements after compliance was attained:

Since March of 2012 approximately \$151,350 has been collected for Code Compliance violation related civil penalties, after mitigation or negotiated settlement.

The following is a summary by Fiscal Year:

FY 11/12: 8 cases settled for a total of \$16,875
FY 12/13: 9 cases settled for a total of \$15,750
FY 13/14: 6 cases settled for a total of \$67,293
FY 14/15: To date, 17 cases settled for a total of \$51,432

Finance Department

16. Enterprise Resource Planning – (ERP)

The RFP for the Enterprise Resource Planning software was released on February 23, 2015. The responses to the RFP were received on April 23, 2015. The Town received the following two ERP vendors and cost proposals: Tyler Technologies \$477,137 and Springbrook \$825,036. An ERP Evaluation Committee consisting of seven Town employees from different departments was formulated on April 30, 2015 to review the two proposals.

A comprehensive review of these two proposals is in process by the ERP Evaluation Committee. Upon completion of the committee member's individual evaluation of the proposals, a second meeting of the ERP Evaluation Committee will be scheduled in June to review their evaluations and scoring of the proposals. The two ERP vendors will then be scheduled for a demonstration of their ERP solution for the Town.

Parks and Recreation

17. Silver Sneakers Program

Silver Sneakers is the leading fitness program designed specifically for active older adults. It is delivered through a nationwide network of participating fitness locations such as wellness centers, gyms and other facilities. Healthways has been providing innovative health benefits for older adults for more than two decades. Today more than 65 Medicare health plans offer the program as a benefit to members across the nation. Regular participation in the program has been proven to help older adults manage their health and increase strength, balance and endurance. At the request of the Vice Mayor the Parks and Recreation Department has completed an application to host this national program. Effective April 20, 2015 the Town has revived the initial invitation to host the Silver Sneakers Program at the Surfside Community Center. At this time the Parks and Recreation Department is working on a Specific Use Agreement with Healthways to provide programming in the Fall of 2015. This will be completed and updated in July 2015.

18. 96th Street Park Renovation

The number two item on the Parks and Recreation 5 Year Capital Plan, approved by the Town Commission, was the renovation of the 96th Street Park. This item has now moved to the forefront of the 5 Year Capital Plan. This was brought before the Town Commission during the October meeting. The Community Center Second Floor Expansion Committee requested and approved a 2 year hold on the second floor project. The recommendation was to consider moving forward with the 96th Street

Park renovation. This was an agenda item for the Parks and Recreation Committee in December. The Committee at this time is reviewing recommendations on 96th Street Park provided to the Town during the 2006 Charrette. The Committee met again in January to review the Charrette and the Parks and Recreation Department's recommendations and provide a priority list of items needed to be renovated or replaced during the renovation process. The items listed in order are:

1. Green Space/Athletic Field
2. Two age specific playgrounds
3. Building / Pavilion
4. Recreational Basketball Court
5. Minimal Field Lighting
6. Landscaping

The funding options along with a project timeline were reviewed during the March 2015 Parks and Recreation Committee Meeting. The Committee's recommendation was to move forward with the proposed budget amount included in the Parks and Recreation 5 Year Capital Plan. This total was \$675,000. The balance of Parks and Recreation capital project developer contributions available to fund the project is \$459,575. The additional funds needed will be included and requested in the budget process for FY 15/16. The Parks and Recreation Department will submit a request for proposals from the approved architectural firms on a scope of work needed. This will be a request only for a cost amount to start the planning process. Once the proposals are received they will be reviewed by staff and a recommendation on design and a cost will be present to the Town Commission. At this time no funds for the design process are being requested. A request will be presented to the Town Commission in the July commission meeting for funds to provide architectural drawings and plans for the scope of work needed.

19. Place Making Micro -Grant Application

The Parks and Recreation Department has applied for a grant opportunity with a dollar amount to range from \$500-\$2,500 from the Housing and Government Affairs. Projects listed that can be funded include playgrounds. The proposal concurs with the 5 Year Capital Plan and renovation of the Hawthorne Tot Lot. Application deadline is June 30, 2015. Updates will be posted as information is received.

Police Department

20. Traffic Issues

The Town Commission held a Special Commission Meeting on April 27, 2015 to discuss short term and long term solutions to the traffic concerns in Town. Traffic experts from Miami-Dade County, the Florida Department of Transportation, and Calvin, Giordano and Associates presented information and answered questions for the Town Commission and the residents. The Town Commission directed the Town Manager to develop a plan of action for short term solutions that can be implemented immediately to relieve the traffic congestion issues. The short term solutions were implemented and discussed at the May 12 Town Commission meeting. The Town Commission also at the May 12

meeting directed staff to develop more permanent traffic solutions for the June 9 meeting for discussion. They are included in the June 9, 2015 Town Commission agenda.

21. Police Department Events

- Police Teen Summer Camp: The Police Department's annual Teen Summer Camp is scheduled from June 11 to July 30 on Thursdays from 10:00 am -12:00 pm.
- Mobile DMV: The mobile Department of Motor Vehicle is on June 18, 9:30 am- 2:30 pm in the training room.
- ADT Alarm Safety Presentation: ADT will present a home and business security/safety seminar on June 24 from 6:30 pm -7:30 pm in the training room for residents and business persons.
- Mobile Blood Drive: The mobile Blood Drive is June 25 from 1:00 pm- 4:00pm in the Town Hall parking lot.

Public Works

22. Solid Waste Commercial Rate Structure

The Solid Waste Commercial Rate Structure was approved at the May 12 Town Commission meeting. Staff is in the process of visiting each commercial account to properly set the new rate by calculating the correct amount of dumpsters for that site and correct amount of pickups per week which will give us the cost per month. When complete, staff will generate and send a letter to each commercial account explaining the new rates and billing procedures. These new rates and pickup schedules will go into effect on July 1, 2015.

Town Attorney

23. Point Lake

A "Town Manager Informational Meeting" occurred on May 19, 2015 at 6 p.m. in the Town Hall Chambers which was attended by interested residents who discussed ownership. The consensus was that this is a private issue and the Town will not take any action.

24. Beach Management Agreement

The Town Manager and Code Enforcement Director have communicated with beachside properties regarding limiting placement of beach chairs on the beach as an interim measure while the Town is researching changes to the Town Code to regulate beach chairs. The Town Manager, Town Attorney's Office and Parks and Recreation Director are in communication with the Chief of the Bureau of Public Land Administration and a Senior Attorney from the Florida Department of Environmental Protection (FDEP) to discuss options for the Town to regulate beach concessions. FDEP provided ordinances from several municipalities and counties throughout Florida as models for public safety regulation, as well as several Attorney General Opinions to support the Town's regulation authority. We are following up with analysis of this information and further research to determine opportunities for next steps.

Projects Progress Updates

25. Information Technology & TV Broadcasts

IT is working with the vendor to add five additional security cameras around Town Hall. IT is gathering pricing and information to upgrade the SCALA information broadcasting system. IT will be getting prices and requesting demonstrations of HyperScreen Boards for the training room. IT is getting quotes from Dell to upgrade all remaining users to Microsoft Office 2013. The pricing for broadcast system upgrades, Backup Exec software upgrades, and Exchange e-mail software upgrades has been added to next year's budget for approval. Finance will be ordering a laser printer for pre-printing checks. IT is gathering pricing to upgrade the ID and Access Card hardware and software for addition to next year's budget.

26. Public Utilities / Engineering – Public Utilities / Engineering

The 1 year warranty video of the sanitary sewer mains has commenced and is 100% complete. The engineers have reviewed 72 of the main line sewer runs and have accepted 43 of them. The unaccepted sewer mains will require the line be cleaned and re-televised or require minor repairs that will be completed by the Contractor at no cost to the Town. The Contractor is currently working with his subcontractor to schedule the main line repairs. Also, CGA and the Town met with the City of Miami Beach and negotiated a total sewage invoice credit amount of \$224,943.61 (\$163,943.61 credit for the period of estimated billings during construction and \$61,000.00 for August 2014-October 2014 when CMB meters were down).

Funding Summary –

<u>Funding Status:</u>	<u>Amount</u>	<u>Amount Received</u>
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	\$859,000
TOTAL	\$11,270,381	\$9,225,928

***Request # 3 has been submitted for the full \$9,312,881. The final report has been submitted to the state.**

27. Town-Owned Seawall Repair

Notice to Proceed was issued to the Contractor (PAC Comm) on April 6, 2015 with 150 days to Substantial Completion, and 180 days to Final Completion for a Final Completion date of October 3, 2015. The Contractor commenced with construction of Site #1 (Surfside Park on Bay Drive; south of 96th Street) and of Site #2 (the street end at 95th Street). King and batter piles are mostly complete as

well as wall panels at Site #1. Contractor is currently in the process constructing the concrete sea wall cap at Site #1. At Site #2, the Contractor has installed the vertical / king piles. The Town was recently successful in coordinating / obtaining a staging area to be available for the Contractor's use. The Contractor coordinated, prepared and received approval to modify the County permit to allow construction of Site #4 (the street end at Froude Avenue) and Site #5 (the street end at Carlyle Avenue) from the water side (via barge) as opposed to working from the land side. Work is now proceeding unhindered.

Respectfully submitted by:

Guillermo Olmedillo, Town Manager

Town of Surfside, FL

Between Feb 01, 2014 and Jun 02, 2015

139 issues were opened

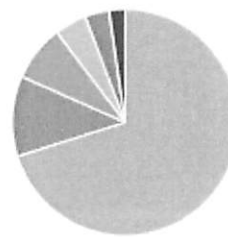
57 issues were acknowledged

113 issues were closed

The average time to acknowledge was 6.6 days.

The average time to close was 23.4 days.

Issues by Source



SERVICE REQUEST TYPE	OPENED	ACKNOWLEDGED	CLOSED	DAYS TO ACK.	DAYS TO CLOSE
Other (PW)	41	14	41	13.2	36.1
Beach Issue (PW)	20	5	16	19.1	31.5
Police (Safety Concern)	14	8	12	2.9	2.7
Street lights (PW)	14	10	1	1.5	46.5
Code Compliance (Violation)	8	5	5	0.2	5.5
Surfside Dog Park (P & R)	6	5	6	0.0	1.4
Code Compliance (Safety Concern)	8	3	4	3.4	44.8
96 Street Park (P & R)	6	2	6	0.0	5.3
Dog Stations (P & R)	4	0	4	0.0	5.4
Drainage/Flooding (PW)	3	2	3	2.0	68.3
Community Center (P & R)	3	1	3	0.0	0.1
Graffiti (PW)	3	1	3	39.7	25.2
Hawthorne Tot-Lot (P & R)	3	0	3	0.0	6.6
Utilities (Water/Sewer) (PW)	3	0	3	0.0	0.5
Pothole (PW)	2	1	2	0.0	0.0
Solid Waste (Residential) (PW)	1	0	1	0.0	4.6
Graffiti (in park) (P & R)	0	0	0	0.0	0.0
Solid Waste (Commercial) (PW)	0	0	0	0.0	0.0

Feb 01, 2014 to Jun 02, 2015

1 of 2

Case Violation Report

1/1/2015 - 05/25/2015

Case #	Case Date	Property Address	Violation Name	Violation Date	Status
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Group: 1/6/2015

150001	1/6/2015	500 SURFSIDE BLVD	Sec 90-79.4 Restricted and Prohibited Parking.	1/6/2015	Closed
150002	1/6/2015	1332 BISCAYA DR	Sec 90-53. Portable Storage Unit	1/6/2015	Open
150003	1/6/2015	9048 Carlyle Avenue	Sec 90-41.1. (a) (3) Short term rental of dwellings Registration	1/6/2015	Open
150004	1/6/2015	8942 Harding Avenue	Sec 90-41.1. (a) (3) Short term rental of dwellings Registration	1/6/2015	Open
150004	1/6/2015	8942 Harding Avenue	Sec 70-111. - Registration required; registration certificate.	1/15/2015	Open
150004	1/6/2015	8942 Harding Avenue	Sec 90-41.1. (c) (2) Short term rental of dwellings Registration Penalty.	1/15/2015	Open

Group Total: 6

Group: 1/7/2015

150005	1/7/2015	1292 BISCAYA DR	Sec 90-41.1. (a) (3) Short term rental of dwellings Registration	1/7/2015	Open
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Case #	Case Date	Property Address	Violation Name	Violation Date	Status
150006	1/7/2015	9140 COLLINS AVE	Sec 14-51(c) PROPERTY MAINTENANCE STANDARDS	1/7/2015	Open

Group Total: 2

Group: 1/8/2015

150007	1/8/2015	9048 Carlyle Ave	Sec 14-27. Adoption of Building Code	1/8/2015	Open

Group Total: 1

Group: 1/13/2015

150008	1/13/2015	8801 EMERSON AVE	Sec 90-79.4 Restricted and Prohibited Parking.	1/13/2015	Closed
150009	1/13/2015	9156 ABBOTT AVE	Sec 14-27. Adoption of Building Code	1/13/2015	Closed
150009	1/13/2015	9156 ABBOTT AVE	Sec 14-51(c) PROPERTY MAINTENANCE STANDARDS	1/13/2015	Closed

Group Total: 3

Group: 1/14/2015

150010	1/14/2015	9124 EMERSON AVE	Sec 14-27. Adoption of Building Code	1/14/2015	Open

Group Total: 1

Group: 1/15/2015

150011	1/15/2015	600 88 Street	Sec 90-41.1. (a) (3) Short term rental of dwellings Registration	1/15/2015	Open
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Case #	Case Date	Property Address	Violation Name	Violation Date	Status
150011	1/15/2015	600 88 Street	Sec 90-41.1. (c) (2) Short term rental of dwellings Registration Penalty.	2/26/2015	Open
150011	1/15/2015	600 88 Street	Sec 70-111. - Registration required; registration certificate.	2/26/2015	Open
150012	1/15/2015	900 90 Street	Sec 90-41.1. (a) (3) Short term rental of dwellings Registration	1/15/2015	Open
150013	1/15/2015	501 94 Street	Sec 90-41.1. (a) (3) Short term rental of dwellings Registration	1/15/2015	Open
150014	1/15/2015	8956 Byron Avenue	Sec 90-41.1. (a) (3) Short term rental of dwellings Registration	1/15/2015	Open
150014	1/15/2015	8956 Byron Avenue	Sec 90-41.1. (c) (2) Short term rental of dwellings Registration Penalty.	2/26/2015	Open
150014	1/15/2015	8956 Byron Avenue	Sec 70-111. - Registration required; registration certificate.	2/26/2015	Open

Group Total: 8

Group: 1/26/2015

150016	1/26/2015	8811 EMERSON AVE	Sec 34-70.(a) - Overgrown Vegetation.	1/26/2015	Closed
150016	1/26/2015	8811 EMERSON AVE	Sec 90-88 (8) Hedge Encroaching	1/26/2015	Closed

Case #	Case Date	Property Address	Violation Name	Violation Date	Status
150016	1/26/2015	8811 EMERSON AVE	Sec 14-51(a) PROPERTY MAINTENANCE STANDARDS	1/26/2015	Closed

Group Total: 3

Group: 1/27/2015

150017	1/27/2015	9116 Abbott Ave	Sec 14-27. Adoption of Building Code	1/27/2015	Open
150018	1/27/2015	1316 Biscaya Dr	Sec 90-62. - Outdoor lighting.	1/27/2015	Open

Group Total: 2

Group: 1/28/2015

150021	1/28/2015	9040 Collins Ave	Sec 14-27. Adoption of Building Code	1/28/2015	Open

Group Total: 1

Group: 2/4/2015

150065	2/4/2015	400 Surfside Blvd	Sec 90-56. 90 -56.10 Hedge on Corner Lot	4/28/2015	Open
150065	2/4/2015	400 Surfside Blvd	Sec 90-88 (8) Hedge Encroaching	4/28/2015	Open
150065	2/4/2015	400 Surfside Blvd	Sec 90-52. Corner Visibility	4/28/2015	Open

Case #	Case Date	Property Address	Violation Name	Violation Date	Status
150065	2/4/2015	400 Surfside Blvd	Ch 3, Sec C.9.B.4 and B.3, MOUMSFDC MFSAH (Corner Visibility at Intersections)	4/28/2015	Open

Group Total: 4

Group: 2/6/2015

150023	2/6/2015	9540 COLLINS AVE	Sec 90-36.1. - Temporary use or structure permit	2/6/2015	Open
150023	2/6/2015	9540 COLLINS AVE	Sec 14-27. Adoption of Building Code	2/6/2015	Open

Group Total: 2

Group: 2/17/2015

150024	2/17/2015	9240 Harding Ave	Sec 14-27. Adoption of Building Code	2/17/2015	Open
150078	2/17/2015	700 90 St	Sec 90-56. 90 -56.9 Hedges	5/22/2015	Open
150078	2/17/2015	700 90 St	Sec 90-56. 90 -56.10 Hedge on Corner Lot	5/22/2015	Open
150078	2/17/2015	700 90 St	Sec 90-88 (8) Hedge Encroaching	5/22/2015	Open
150078	2/17/2015	700 90 St	Sec 90-88 (11) Vegetation on R-O-W	5/22/2015	Open
150078	2/17/2015	700 90 St	Sec 90-52. Corner Visibility	5/22/2015	Open

Case #	Case Date	Property Address	Violation Name	Violation Date	Status
150078	2/17/2015	700 90 St	Ch 3, Sec C.9.B.4 and B.3, MOUMSFDC MFSAH (Corner Visibility at Intersections)	5/22/2015	Open

Group Total: 7

Group: 2/24/2015

150025	2/24/2015	9232 Abbott Avenue	Sec 90-88 (11) Vegetation on R-O-W	2/24/2015	Open
150025	2/24/2015	9232 Abbott Avenue	Sec 90-56.16 Landscape Appearance	2/24/2015	Open
150025	2/24/2015	9232 Abbott Avenue	Sec 90-56.11 Hedge on right-of-way	2/24/2015	Open

Group Total: 3

Group: 2/26/2015

150026	2/26/2015	9177 Dickens Avenue	Sec 90-56.11 Hedge on right-of-way	2/26/2015	Open
150026	2/26/2015	9177 Dickens Avenue	Sec 90-56.16 Landscape Appearance	2/26/2015	Open
150026	2/26/2015	9177 Dickens Avenue	Sec 90-88 (11) Vegetation on R-O-W	2/26/2015	Open
150027	2/26/2015	9072 Carlyle Avenue	Sec 90-41.1. (a) (3) Short term rental of dwellings Registration	2/26/2015	Open

Case #	Case Date	Property Address	Violation Name	Violation Date	Status
150028	2/26/2015	9525 Carlyle Avenue	Sec 90-41.1. (a) (3) Short term rental of dwellings Registration	2/26/2015	Open
150029	2/26/2015	9324 Byron Avenue	Sec 90-41.1. (a) (3) Short term rental of dwellings Registration	2/26/2015	Open

Group Total: 6

Group: 3/4/2015

150030	3/4/2015	9201 COLLINS AVE #624	Sec 14-27. Adoption of Building Code	3/4/2015	Open
150031	3/4/2015	1404 BISCAYA DR	Sec 14-27. Adoption of Building Code	3/4/2015	Closed

Group Total: 2

Group: 3/5/2015

150032	3/5/2015	9569 HARDING AVE	Sec 14-27. Adoption of Building Code	3/5/2015	Open

Group Total: 1

Group: 3/6/2015

150033	3/6/2015	300 92 ST	Sec 14-27. Adoption of Building Code	3/6/2015	Open

Group Total: 1

Group: 3/9/2015

150035	3/9/2015	9117 FROUDE AVE	Sec 14-27. Adoption of Building Code	3/9/2015	Closed

Group Total: 1

Case #	Case Date	Property Address	Violation Name	Violation Date	Status
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Group: 3/10/2015

150037	3/10/2015	725 89 St	Sec 14-27. Adoption of Building Code	3/10/2015	Open
150038	3/10/2015	300 88 ST	Sec 14-53.(a) (7) Residential Accumulation of Grass - Improved Lot	3/10/2015	Open
150038	3/10/2015	300 88 ST	Sec 14-53.(a) (11) Residential Accumulation of weeds - Improved - 6	3/10/2015	Open
150038	3/10/2015	300 88 ST	Sec 17-27. (2). Clean & Sanitary - Exterior (OW/OC)	3/10/2015	Open
150039	3/10/2015	824 SURFSIDE BLVD	Sec 14-27. Adoption of Building Code	3/11/2015	Closed

Group Total: 5

Group: 3/11/2015

150040	3/11/2015	9007 DICKENS AVE	Sec 14-27. Adoption of Building Code	3/11/2015	Open

Group Total: 1

Group: 3/12/2015

150041	3/12/2015	9455 Harding	Sec 14-52.(a) & (b). Commerical Vacant Property Decorative Display	3/12/2015	Closed

Group Total: 1

Case #	Case Date	Property Address	Violation Name	Violation Date	Status
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Group: 3/18/2015

150042	3/18/2015	9551 HARDING AVE	Sec 90-27. Certificates of Use.	3/18/2015	Closed
150042	3/18/2015	9551 HARDING AVE	Sec 70-26. Local Business Tax Receipt Required.	3/18/2015	Closed
150043	3/18/2015	9561 HARDING AVE	Sec 90-27. Certificates of Use.	3/18/2015	Closed
150043	3/18/2015	9561 HARDING AVE	Sec 70-26. Local Business Tax Receipt Required.	3/18/2015	Closed

Group Total: 4

Group: 3/19/2015

150044	3/19/2015	9348 ABBOTT AVE	Sec 14-27. Adoption of Building Code	3/19/2015	Open

Group Total: 1

Group: 3/20/2015

150045	3/20/2015	625 SURFSIDE BLVD	Sec 14-27. Adoption of Building Code	3/20/2015	Closed

Group Total: 1

Group: 3/24/2015

150046	3/24/2015	9449 COLLINS AVE	Sec 14-27. Adoption of Building Code	3/24/2015	Closed

Group Total: 1

Case #	Case Date	Property Address	Violation Name	Violation Date	Status
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Group: 3/25/2015

150047	3/25/2015	9264 BAY DR	Sec 14-27. Adoption of Building Code	3/25/2015	Closed

Group Total: 1

Group: 3/26/2015

150048	3/26/2015	400 93 ST	Sec 14-27. Adoption of Building Code	3/26/2015	Open

Group Total: 1

Group: 4/3/2015

150049	4/3/2015	8834 DICKENS AVE	Sec 14-27. Adoption of Building Code	4/6/2015	Open

Group Total: 1

Group: 4/6/2015

150050	4/6/2015	8918 DICKENS AVE	Sec 14-27. Adoption of Building Code	4/6/2015	Open

Group Total: 1

Group: 4/8/2015

150051	4/8/2015	9460 HARDING AVE	Sec 18-88 (c) & (d) Sidewalk Cafe Permit Required	4/8/2015	Open
150051	4/8/2015	9460 HARDING AVE	Sec 18-91.(a) - Permitted sidewalk café frontage; requests for expansions.	4/8/2015	Open
150052	4/8/2015	1268 Biscaya Drive	Sec 14-27. Adoption of Building Code	4/8/2015	Open

150057	4/14/2015	9195 COLLINS AVE #302	Sec 14-27. Adoption of Building Code	4/14/2015	Open
150058	4/14/2015	8842 DICKENS AVE	Sec 14-27. Adoption of Building Code	4/14/2015	Open

Group: 4/14/2015

Group Total: 5

150053	4/9/2015	9477 HARDING AVE	Sec 18-91.(a) - Permitted sidewalk café frontage; requests for expansions.	4/9/2015	Open
150053	4/9/2015	9477 HARDING AVE	Sec 18-88 (c) & (d) Sidewalk Café Permit Required	4/9/2015	Open
150054	4/9/2015	9477 HARDING AVE	Sec 14-27. Adoption of Building Code	4/9/2015	Open
150055	4/9/2015	9523 HARDING AVE (ROLLING PIN BAKERY)	Sec 14-27. Adoption of Building Code	4/9/2015	Open
150056	4/9/2015	9024 BYRON AVE	Sec 14-27. Adoption of Building Code	4/9/2015	Open

Group: 4/9/2015

Group Total: 6

Case #	Case Date	Property Address	Violation Name	Violation Date	Status
150052	4/8/2015	1268 Biscaya Drive	Sec 90-93 Screening of Equipment	4/8/2015	Open
150052	4/8/2015	1268 Biscaya Drive	Sec 90-47.3 Equipment Setback	4/8/2015	Open
150052	4/8/2015	1268 Biscaya Drive	Sec 90-67. - Emergency Power Generators.	4/8/2015	Open

Case #	Case Date	Property Address	Violation Name	Violation Date	Status
150059	4/14/2015	9455 Harding Avenue	Sec 90-75. - Prohibited signs.	4/14/2015	Open
150059	4/14/2015	9455 Harding Avenue	Sec 90-69 (b) Signs or Flyers on R-O-W or Posts	4/14/2015	Open
150060	4/14/2015	9000 ABBOTT AVE	Sec 14-51 Overgrown Grass	4/14/2015	Closed
150060	4/14/2015	9000 ABBOTT AVE	Sec 15-19. Abatement by the town	4/14/2015	Closed
150061	4/14/2015	9000 ABBOTT AVE	Sec 90-79.3 Parking on Grass	4/14/2015	Closed
150061	4/14/2015	9000 ABBOTT AVE	Sec 90-79.1 Restricted and prohibited parking.	4/14/2015	Closed

Group Total: 8

Group: 4/22/2015

150062	4/22/2015	9265 CARLYLE AVE	Sec 14-27. Adoption of Building Code	4/22/2015	Open

Group Total: 1

Group: 4/28/2015

150063	4/28/2015	525 94 Street	Sec 90-56.16 Landscape Appearance	4/28/2015	Open
150063	4/28/2015	525 94 Street	Sec 90-56.11 Hedge on right-of-way	4/28/2015	Open
150063	4/28/2015	525 94 Street	Sec 90-88 (11) Vegetation on R-O-W	4/28/2015	Open

Case #	Case Date	Property Address	Violation Name	Violation Date	Status
150064	4/28/2015	9540 BAY DR (Folio: 14-2235-007-2605)	Sec 14-51(c) PROPERTY MAINTENANCE STANDARDS	4/28/2015	Open

Group Total: 4

Group: 4/29/2015

150066	4/29/2015	8927 EMERSON AVE	Sec 10-32. - Committing of a Dog Nuisance.	4/29/2015	Open
150067	4/29/2015	9569 HARDING AVE	Sec 14-27. Adoption of Building Code	4/29/2015	Open
150068	4/29/2015	8975 Garland	Sec 90-88 (11) Vegetation on R-O-W	4/29/2015	
150068	4/29/2015	8975 Garland	Sec 90-56.11 Hedge on right-of-way	4/29/2015	
150068	4/29/2015	8975 Garland	Sec 90-56.16 Landscape Appearance	4/29/2015	

Group Total: 5

Group: 5/1/2015

150070	5/1/2015	524 89 ST	Sec 14-27. Adoption of Building Code	5/1/2015	

Group Total: 1

Group: 5/4/2015

150071	5/4/2015	9180 EMERSON AVE	Sec 14-27. Adoption of Building Code	5/4/2015	Open

Group Total: 1

Case #	Case Date	Property Address	Violation Name	Violation Date	Status
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Group: 5/7/2015

150072	5/7/2015	9309 COLLINS AVE #4	Sec 14-27. Adoption of Building Code	5/7/2015	Open

Group Total: 1

Group: 5/8/2015

150073	5/8/2015	9233 Carlyle Ave	Sec 15-19. Abatement by the town	5/11/2015	Open
150073	5/8/2015	9233 Carlyle Ave	Sec 90-56.16 Landscape Appearance	5/11/2015	Open
150073	5/8/2015	9233 Carlyle Ave	Sec 14-51 Overgrown Grass	5/11/2015	Open

Group Total: 3

Group: 5/11/2015

150074	5/11/2015	9225 ABBOTT AVE	Sec 14-27. Adoption of Building Code	5/11/2015	Open

Group Total: 1

Group: 5/20/2015

150075	5/20/2015	9172 COLLINS AVE	Sec 15-19. Abatement by the town	5/20/2015	Open
150075	5/20/2015	9172 COLLINS AVE	Sec 14-51(a) PROPERTY MAINTENANCE STANDARDS	5/20/2015	Open
150075	5/20/2015	9172 COLLINS AVE	Sec 14-51(c) PROPERTY MAINTENANCE STANDARDS	5/20/2015	Open

Group Total: 3

Case #	Case Date	Property Address	Violation Name	Violation Date	Status
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Group: 5/21/2015

150076	5/21/2015	1385 Biscaya Dr	Sec 90-79.1 Restricted and prohibited parking.	5/21/2015	Open
150077	5/21/2015	1355 BISCAYA DR	Sec 14-51(a) PROPERTY MAINTENANCE STANDARDS	5/21/2015	Open

Group Total: 2

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Total Records: 113

5/26/2015



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: Guillermo Olmedillo, Town Manager
 Jane Graham, Assistant Town Attorney

DATE: June 9, 2015

SUBJECT: Office of the Town Attorney Report for June 9, 2015

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

May 19, 2015 – Point Lake/North Canal Informational Meeting
 May 26, 2015 – Parks and Recreation Committee Meeting
 May 28, 2015 – Planning and Zoning and Design Review Board Meeting
 June 1, 2015 – Tourist Board Meeting
 June 2, 2015 – Town Commission Budget Workshop
 June 4, 2015 – Community Dialogue Meeting on Parking Solution
 June 9, 2015 – Town Commission Meeting

Ordinances for Second Reading:

- Practical Difficulty Variance
- Sheds

Ordinances for First Reading:

- Amending Section 90-51 Maximum Frontage of Buildings

Resolutions prepared and reviewed:

- Acknowledging the Mutual Aid Agreement between the Town of Surfside and the Town of Golden Beach
- Acknowledging the Law Enforcement Mutual Aid Agreement between Miami-Dade County and the Town of Surfside for Voluntary Cooperation and Operational Assistance
- Approving Forfeiture Funds for purchase of shields
- Approving Forfeiture Funds for purchase of radio equipment
- Accepting contributions for the Downtown Harding Avenue Business District tree lights
- Authorizing the Town Manager to Terminate the Interlocal Agreement with the Miami-Dade County Curbside Recycling Program
- Authorizing the Mayor to enter into the Memorandum of Understanding between the City of Miami Beach, North Bay Village, The Town of Bay Harbor Islands, The Town of Surfside, Bal Harbour Village and The Miami Beach Chamber Education Foundation, Inc., to implement a Nurse Initiative for 2015-2016 school year

Town Commission/Town Manager:

- Regulating beach concessions: Ongoing research and legal analysis on authorized uses on the beach. Researched riparian and littoral rights. Drafting ordinance for beach management. Town Attorney's Office is coordinating with Town Manager and Building Official to survey boundary lines of all properties east of Collins to the Erosion Control Line regarding preparation of concession regulations
- Follow-up with FDEP regarding draft modified consent order with FDEP and Surf Club
- Communicate with Miami-Dade County regarding beach maintenance and sea turtles
- Participated in Shoreline Resilience Working Group June teleconference
- Coordinate with Miami-Dade County Attorney's Office and research traffic jurisdiction, gating, and special taxing districts
- Point Lake/North Canal - Coordinate with Town Manager for preparation of "Town Manager Informational Meeting" which occurred on Tuesday, May 19, 2015 at 6 p.m
- Parking solution team meetings. Research Florida Statutes 287.057(4)-(6) Public-Private Partnerships

Town Clerk:

- Follow up with Miami-Dade County notification regarding Election schedule
- Provided counsel on Rules of Procedure in Town Code
- Review and research Attorney General opinions for public meetings and Sunshine between two bodies

May 28, 2015 Planning and Zoning and Design and Review Board:

Design Review Board Applications:

- A. 8810 Froude Avenue - convert a garage and build a front wall
- B. 9525 Carlyle Avenue - two story addition
- C. 9065 Emerson Avenue - convert a garage
- D. 9504 Harding Avenue - a new two story single family home

Planning and Zoning Agenda:

- A. Ordinance - Practical Difficulty Variance
- B. Ordinance - Sheds

Planning and Zoning Discussion Items:

- A. Prioritize future agenda items

Building Department/Code Enforcement:

- Follow up with Code Enforcement for on-going settlement of cases
- Ongoing review with Code Compliance regarding regulating beach chairs
- Provided counsel on roof material restrictions in Town Code and Florida Building Code

Finance Department:

- Collaborated with Finance regarding parking structures.
- Review and preparation of budget documents

Parks and Recreation:

- Review musician agreement for July 4, 2015 event.
- Follow up on beach concessions

Tourist Bureau/Downtown Vision Advisory Board/Tourist Board:

- Follow-up preparation for Tourist Board meeting.
- Research and analyze Florida law and Attorney General Opinions on use of Resort Tax funds

Public Works:

- Review termination clause provisions of the Interlocal Agreement between the Town of Surfside and Miami-Dade County for curbside recycling pickup

Police Department:

- Preparation of hold harmless contract for police training exercises
- Follow-up review of conditions in approved development resolutions related to traffic

Florida Municipal Insurance Trust ("FMIT") investigates claims and provides legal representation for the Town on the following claims/lawsuits:

1. On November 18, 2014, Claimant alleges injuries and vehicle damage occurred. She alleges her car was hit by a Surfside police vehicle. The police vehicle was driven by an employee of a car repair dealer who was returning the police vehicle to Town Hall. FMIT is investigating the claim.
2. On June 28, 2014, Claimant alleges while walking in the east alley behind 9577 Harding Avenue she fell through a broken storm grate and sustained sever lacerations to her right leg. FMIT is investigating this claim.
3. Julien Deleon - Equal Employment Opportunity Commission (EEOC) Charge #510-2014-05171. Mr. Deleon has filed a Notice of Charge of Discrimination against the Town.
4. Pieter Bakker v. 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

Court has issued an Order dismissing the Amended Petition for Writ of Certiorari without prejudice. Petitioner, Pieter Bakker has filed a Third Amended Petition for Writ of Certiorari. Surfside has filed a Renewed Motion To Dismiss Third Amended Petition For Writ Of Certiorari.

5. Parker, et. Al. v. American Traffic Solutions, et. Al.: United States District Court for the Southern District of Florida Civil Action No. 1:14-CV-24010. Plaintiff filed a Master Consolidated Complaint and Jury Demand. This is a class action case brought by plaintiffs who have received red light traffic violations against vendors who contract with municipalities and counties for red-light camera services (American Traffic Solutions “ATS”, “Xerox State and Local Solutions “Xerox”, and Gatso) along with 69 municipalities and counties. The complaint alleges that the Local Government Defendants have improperly outsourced to the Vendors their legislatively granted authority to issue traffic citations and unlawfully delegated to the Vendor defendants the authority to determine whether a traffic violation has occurred. Town has filed a Motion to Dismiss.
6. Henderson v. Police Officer Carrasquillo and Police Officer Fernandez, On May 12, 2015 a complaint was served stating that on December 11, 2010, Mr. Henderson was arrested for Battery on a Law Enforcement Officer, Disorderly Conduct and Resisting Arrest Without Violence. The complaint alleges malicious prosecution against the Officers. FMIT provides coverage for legal defense of this matter.

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



TOWN OF SURFSIDE
Tourist Board Meeting
 Monday April 6, 2015 – 6:30 p.m.
 Town Hall Commission Chambers
 9293 Harding Avenue, 2nd Floor
 Surfside, FL 33154

MINUTES

Tourist Board Members

Chair Michelle Kligman
 Vice Chair Dr. Elizabeth Levine
 Sandra Argow
 Joel Baum, CPA
 Barbara Cohen

Town of Surfside

Eli Tourgeman, Vice Mayor / Commission Liaison
 Duncan Tavares, TEDACS Director
 Frantza Duval, Recording Secretary

**** Out of respect for the Board, Town Staff and the Public please turn off your electronic devices****

I. Call to Order and Roll Call

Chair Michelle Kligman called the meeting to order at 6:30pm.

All of the above listed Board members were present with the exception of Vice Mayor Eli Tourgeman who was absent with regrets. A quorum was established.

Also in attendance –Linda Miller, Town Attorney, Nissa Benjamin, Marketing and Special Projects Coordinator, Guillermo Olmedillo, Town Manager, Barbara McLaughlin, former Tourist Board Member & Tourist Bureau Director/Resident, Rozeta Mahboubi, Sean McKean, General Manager of Marriott Residence Inn, Solange Beaumard, MCL.

II. Approval of March 2, 2015 Meeting Minutes

Barbara Cohen made a motion to approve the minutes with amendments; Vice Chair Dr. Elizabeth Levine seconded the motion. The minutes were approved unanimously with the recommended amendments.

III. A/R ~ Resort Tax

An update was provided to the Board. Pescecanes has paid through last year and are due to pay the final outstanding payments.

IV. Joint Meeting with the Town Commission Monday May 4, 2015 at 7:00pm ~ discussion of presented reference material related to the Resort Tax Ordinance, Tourist Board Policies etc. The meeting is confirmed. Chair Michelle Kligman inquired as to when the agenda will be available in preparation for the meeting. Duncan Tavares advised that he expects the agenda packets to be available by April 15, 2015.

V. Updates:

Duncan Tavares introduced Sean McKean, the General Manager of the Marriott Residence Inn Surfside. Mr. McKean advised on the status of the building construction. The goal is to be open by the end of September of 2015 and he looks forward to working with the Board and being a part of the community.

1) Business District Tree Lights

Duncan Tavares advised that the current holiday lights would be up until the end of April at no additional charge. There has been a movement by merchants/residents to keep them on all year. The Town Manager has sent out a letter to the merchants inquiring if they would like to contribute to the cost of keeping the entrance tree (Medjools) lights on through to November on 96th Street at Harding Avenue. Gray & Sons pledged \$5,000 to have the lights on from April until November. The Town would like to provide year-round lighting options/quotes for next year later this summer. The Town Manager advised that he has spoken to a few merchants such as Femme Coiffure who are interested in participating in the lighting of the entrance trees. Duncan Tavares advise that the deadline to respond to the vendor is mid-April. Chair Michelle Kligman inquired what mechanisms are in place for merchants who want to contribute but have outstanding violations with the Town. She would like the Town Attorney to research more on this matter. Solange Beaumard clarified that the contract and pricing identified in the agreement with the Town is not for year-round lighting. The Board wants written options and estimates before evaluating. The Town Attorney Linda Miller suggested the Board vote on an amount not to exceed a particular amount. Vice Chair Dr. Elizabeth Levine made a motion not to exceed the \$5,000 that was provided by Gray & Sons for the three trees to be lighted through November; Sandra Argow seconded the motion. The motion passed 3-2 with Chair Michelle Kligman and Barbara Cohen voting in opposition.

2) Visitor Site Social Media Policy

Duncan Tavares advised that the draft was amended to include the Board's recommendations. Sandra Argow made a motion to approve the policy; Joel Baum seconded the motion. The motion passed 4-1 with Chair Michelle Kligman voting in opposition.

3) Visitor Guide

Duncan Tavares advised that the Visitor Guide is still a work in progress and corrections are still being made. The electronic version, which is the more up-to-date version, will be updated as needed, as opposed to the print version. Sandra Argow inquired if the guide is free and wanted to know where they will be available. Duncan Tavares advised that he has been working with the local hotels in Bal Harbour and Miami Beach on distribution. The Grand Beach concierges will also receive copies for their guests. The guide will also be used at tradeshow. The guides are available at Town Hall, the Community Center, and the news rack downtown. Vice Chair Dr. Elizabeth Levine inquired about coupons being inserted. Duncan Tavares advised that in the past it has been difficult getting merchants to participate in advertisements. Merchants would agree to pay but the Town would have to create the ad due to a lack of response. It was decided by the last Board not to have advertising in the directory. Duncan Tavares also advised that it is something that the Board can look into going forward.

4) Third Thursdays ~ April 16: Viva La Mexico

Duncan Tavares reminded the Board of the last event of the series. The videos of each event are on the Visitor's website. Due to Holocaust Remembrance Day, the live band will not start

until sunset. Everything else will open (Surfside Circle and Food Trucks) as scheduled at 7pm, and the event will be extended with a closing time of 9:30pm.

5) Mobile APP

Duncan Tavares advised that this item would be deferred for the next meeting due to the availability of the vendor to present.

6) Summer Banners in Business District May – Sept

Duncan Tavares presented different options of the summer banners to the Board. Sandra Argow believes that the banners seem too busy and Chair Michelle Kligman agrees. She wanted to see the “visit surfside” web address to be bigger or more pronounced. She would like to see a darker color other than white as it makes it harder to see - simplifying the font or the image. Barbara Cohen wants Duncan Tavares and Nissa Benjamin to use their judgement to move forward. She made a motion to modify, produce, install, and take down the banners given that it is a \$5,000 commitment; Sandra Argow seconded the motion. The motion passed 4-1 with Vice Chair Dr. Elizabeth Levine voting in opposition.

VI. Other Business

1) FY15/16 Budget Process / Upcoming Meeting Schedule & Topics

Duncan Tavares provided the Board with the information and would like the Board to look at a draft budget in June.

2) Next Tourist Board Meeting: Joint Meeting with Town Commission ~ Monday May 4, 2015 at 7:00pm (Resort Tax Ordinance / Tourist Board Policies etc)

The agenda will be available April 15, 2015

3) Public Comment

Rozeta Mahboubi spoke about hosting the Miss Florida pageant using one of the Surfside hotels. She spoke to the Board about sponsoring the event. She stated that if sponsored Surfside would gain national and local recognition. The Town could have a 30-second commercial as part of a sponsorship package. Sponsorship levels range from \$10,000 (which can include a six-minute live video and a 30-second commercial) to \$50,000.

Barbara McLaughlin inquired about historic preservation of buildings on Collins Avenue. Town Manager Guillermo Olmedillo stated that he is working with Commissioner Sally Heyman and the Board of Historic Preservation.

4) Adjournment

Sandra Argow made a motion to adjourn the meeting; Vice Chair Dr. Elizabeth Levine seconded the motion. The motion passed unanimously. The meeting ended at 7:41pm.

Accepted this 1st day of June, 2015

Michelle Kligman
Member (Print)

Michelle Kligman
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

Monday April 27, 2015

7:00 pm

Surfside Community Center
9301 Collins Avenue

MINUTES

1. Roll Call of Committee Members

Retta Logan called the meeting to order at 7:09pm.

Also in attendance: Tim Milian, Parks and Recreation Director, Alberto Aguirre, Eliana Salzhauer, Frantza Duval, Recording Clerk, Arnie Notkin, Veronica Lupinacci

Shlomo Danzinger is absent with regrets.

Due to conflicting Special Town Commission meeting and inclement weather Marta Olchyk, Liaison and Jane Graham, Assistant Town Attorney, were unable to attend.

2. Approval of minutes from 3/16/15

Veronica Lupinacci made a motion to approve the March 16, 2015 minutes; Alberto Aguirre seconded the motion. The motion passed unanimously. The minutes were approved.

3. Seawall repairs at 96th street park

They started on the north end for repairs. The project will take 90 days to complete with the expected completion date in June. A portion of the park is closed with a six-foot fencing for security.

Summer camp will begin June 8, 2015.

The department will still be able to do small programming such as soccer.

4. Summer Camp 2015 Update

The blue team (ages 6-8) is filled with 15 kids on the waiting list.

The green team (ages 9-12) has one spot left for the full eight weeks and six spots in the each of the four-week sessions.

There are 20 kids currently registered in the extended camp.

5. Higher Education Scholarship

Notification for the scholarship is out already. Tim advised that he received two already, but there maybe five applicants. The scholarship is \$2,000 with each recipient receiving \$1,000. The deadline is May 1, 2015.

The Committee will pick the applicants at the May meeting and Tim will send the information of applicants via email.

6. 96th street park renovation update

Tim spoke with the manager and the available funds from the Five-Year Capital Improvement Fund is \$459,575.00.

Tim advised that \$20,000 went to the playground equipment; \$50,000 went to the renovation of the Tennis Building.

Tim submitted a capital improvement plan for the upcoming budget and included \$215,425 to make-up the cost of \$675,000. Tim put in a Capital Improvement Plan for Hawthorne Park for the next fiscal year budget. Tim stressed the importance of residents coming to the budget meeting to provide their opinion.

The next meeting is scheduled for May 18, 2015.

The pool will be opened from 7:30pm- 8pm in June and the Lifeguard stand on the beach will be open until 6pm from June-September.

7. Community Input

NONE.

8. Meeting Adjournment

Eliana Salzhauer made a motion to adjourn the meeting, Veronica Lupinacci seconded the motion. The motion passed unanimously. The meeting ended at 7:38pm.

Accepted this 26 day of May, 2015

Retha Logan

Member (Print)

[Signature]
Signature

Attest:

[Signature]
Frantz Duval
Recording Clerk



**TOWN OF SURFSIDE
PLANNING AND ZONING BOARD
AND
DESIGN REVIEW BOARD MEETING**

Town Hall Commission Chambers
9293 Harding Ave., 2nd Floor
Surfside, Florida 33154

**APRIL 30, 2015
7:00 PM**

MINUTES

DESIGN REVIEW BOARD

1. CALL TO ORDER

Chair Lindsay Lecour called the meeting to order at 7:03 pm.

2. ROLL CALL

Recording Clerk Frantza Duval called the roll with the following members present: Board Member Peter Glynn, Chair Lindsay Lecour, Vice Chair Jacob Kligman, Board Member Armando Castellanos, Board Member Jorge Gutierrez and Board Member Moisha Rubenstein. Board Member Jessica Weiss was absent.

3. APPROVAL OF MINUTES: MARCH 26, 2015

Board Member Gutierrez made a motion to approve. The motion received a second from Board Member Rubenstein and all voted in favor with Board Member Jessica Weiss absent.

Town Manager Olmedillo informed the Board that the Commission is reviewing various municipal lots for the purpose of building parking garages.

Board Member Jessica Weiss arrived at 7:07 p.m.

4. DESIGN REVIEW BOARD APPLICATIONS:

A. Request of the Owner of Property located at 8917 Froude Avenue

The applicant is requesting to build a one story addition to the front of the property.

Town Planner Sarah Sinatra presented the item. The applicant Edward Landers gave more details with a power point presentation.

Board Member Glynn made a motion to approve. The motion received a second from Board Member Gutierrez and all voted in favor.

B. Request of the Owner of Property located at 9208 Carlyle Avenue

The applicant is requesting to covert a carport to a garage.

Town Planner Sarah Sinatra presented the item. Gianco Garcia answered some questions regarding the doors on the project.

Vice Chair Kligman made a motion to approve. The motion received a second from Board Member Castellanos and all voted in favor.

C. Request of the Owner of Property located at 9017 Byron Avenue

The applicant is requesting the garage conversion to additional living space.

Town Planner Sarah Sinatra presented the item.

Board Member Guterrez made a motion to approve. The motion received a second from Board Member Castellanos and all voted in favor.

D. Request of the Owner of Property located at 9480 Bay Drive

The applicant is requesting to build a new two story single family home.

Town Planner Sarah Sinatra presented the item.

Board Member Rubenstein made a motion to approve with the condition that the street tree requirements on the frontage are met. The motion received a second from Board Member Gutierrez and all voted in favor.

Commissioner Cohen attended as liaison and arrived at 7:18 p.m.

E. Request of the Owner of Property located at 9580 Abbott Avenue

The applicant is requesting to build a wall along south side of property.

Town Planner Sarah Sinatra presented the item. There was some discussion regarding the wall and if neighbors were aware of the proposed project. The applicant Carter McDowell gave some details regarding landscaping and indicated neighbors was in favor of the wall.

Vice Chair Kligman made a motion to approve. The motion received a second from Board Member Gutierrez and all voted in favor.

F. Request of the Tenant of Property located at 8810 Froude Avenue

The applicant is requesting to add a six foot privacy wall which will commence at the recessed façade of the home and connect to the eastern façade of the home. A wood gate is also proposed.

Town Planner Sarah Sinatra presented the item and is recommending denial because the revised plan and elevation has not been received. The applicant Juan Villar gave some additional details and answered questions posed by the Board. After some discussion the Board felt they needed more of a site plan for review.

Board Member Gutierrez made a motion to defer the item. The motion received a second from Vice Chair Kligman and all voted in favor.

G. Request of the Owner of Property located 8901 Abbott Avenue.

The owner is requesting to renovate the structure and add a pool to the front of the property.

Town Planner Sarah Sinatra presented the item. The architect Thomas Thibeaux gave a visual presentation on the design of the project and answered questions from the Board.

Board Member Castellanos made a motion to approve with the condition that the fence and landscaping be reviewed by the Design and Review Board. The motion received a second from Board Member Gutierrez and all voted in favor.

H. Request of the Owner to add a pool to the front of the property located at 1025 88th Street. (added to agenda at meeting)

Town Planner Sarah Sinatra presented the item with visuals and if the location is approved the applicant will come back with complete plans for fencing and landscaping for approval of the project.

Vice Chair Kligman made a motion to approved the location of the pool with the condition that the applicant come back with plans for fencing and landscaping for the approval by the Board. The motion received a second from Board Member Gutierrez and all voted in favor.

5. DISCUSSION ITEMS:

A. Single Family Home Discussion (Peter Glynn's item)

Board Member Glynn presented photos he had taken of various houses in Surfside. The object is to define what we want Surfside to look like in the future as he is concerned that we could lose what we love about Surfside. Board Member Gutierrez said there would have to be restrictions on design style. Board Member Weiss thought the offender is the modern style house and questions how this can be restricted. Chair Lecour had a concern about massing and two story homes being built next to each other which would cause us to lose the feel of Surfside. Board Member Rubenstein did not think it was so much a massing or modern style issue but we should focus on what the flavor and warmth that Surfside is and find homes that meet those criteria. Vice Chair Kligman felt it might be very difficult to regulate the style of homes. There was discussion as to options that


architects may use to soften a design and different angles of roofs which may be used. It was suggested that perhaps standards of reconstruction to be used on new construction. For review purposes, Town Planner Sinatra suggested modeling a new modern style two story home with certain standards. Flat roofs and second story setbacks, square footage, and window openings were also discussed. Chair Lecour was opposed to the look of a fortress around a home and would like to review fences, walls, etc. and feel shrubbery is more softening. Reviewing other coastal communities and their codes on this subject was discussed. Building Official Ross Prieto gave the Board an update on the base elevation.

Discussion on single family homes was over and Chair Lecour recognized public speaker Mr. Superstein who filled out a speaker card to talk about the corridor. Chair Lecour said it was not on the agenda this evening and is on the agenda for the next Commission Meeting and then will come back to the Board. Mr. Superstein mentioned his concern was with property designated as historic and the façade design problems he is having as well as a six story parking garage he faces. Ms. Sinatra gave some direction to Mr. Superstein and to bring his plan to the Historic Preservation Board and work with them first.

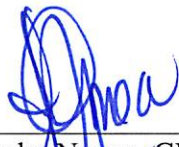
6. ADJOURNMENT.

There being no further business to come before the Design Review Board the meeting adjourned at 8:42 p.m.

Accepted this 28th day of May, 2015


Chair Lindsay Lecour

Attest:


Sandra Novoa, CMC
Town Clerk

PLANNING AND ZONING BOARD
MINUTES
APRIL 30, 2015
7:00 PM

1. CALL TO ORDER

Chair Lindsay Lecour called the meeting to order at 8:42 pm.

2. ROLL CALL

Recording Clerk Frantza Duval called the roll with the following members present: Board Member Peter Glynn, Chair Lindsay Lecour, Vice Chair Jacob Kligman Board Member Rubenstein and Board Member Armando Castellanos. Commissioner Barry Cohen attended as liaison.

3. APPROVAL OF MINUTES: MARCH 26, 2015

Vice Chair Kligman made a motion to approve. The motion received a second from Board Member Castellanos and all voted in favor.

4. DISCUSSION ITEMS:

A. Future Agenda Items

1. Single family home analysis
2. Tree canopies, one way roads and sidewalks
3. Fences, walls and gates
4. Set up a joint meeting with the Commission

Commissioner Cohen exited at 8:51 p.m.


5. ADJOURNMENT.

There being no further business to come before the Planning and Zoning Board the meeting adjourned at 8:55 p.m.

Accepted this 28th day of May, 2015


Chair Lindsay Lecour

Attest:


Sandra Novoa, CMC
Town Clerk



Town of Surfside Commission Communication

Agenda Item # 3F

Agenda Date: June 9, 2015

Subject: Mutual Aid Agreement between the Miami-Dade County Police Department and the Town of Surfside Police Department

Objective: It is the responsibility of Miami-Dade County and the Town of Surfside to ensure the public safety of their citizens by providing adequate levels of police to address any foreseeable routine or emergency situation; and because of existing and continuing possibility of the occurrence of law enforcement problems and other natural or manmade conditions which are likely to be, beyond the control of the services, personnel, equipment or facilities of the participating police departments; these municipalities have the authority to enter into a Mutual Aid Agreement in order to adequately address any and all of these conditions, to protect the public peace and safety, and to preserve the lives and property of the people of the municipalities.

Background: The Mutual Aid Agreement specifies the policies and procedures for joint operations and activities of the Miami-Dade County Police Department and the Town of Surfside Police Department. The Agreement will be in effect from the date of signing to January 1, 2025.

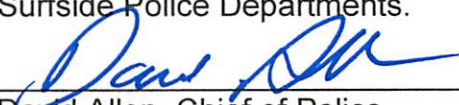
Analysis: The Surfside Police Department requires approval and authorization to enter into the new Mutual Aid Agreement at the request of the Miami-Dade County Police Department.

Budget Impact: N/A

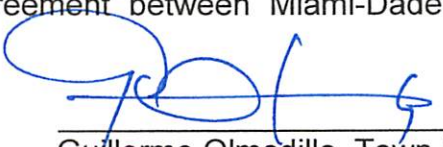
Growth Impact: N/A

Staff Impact: N/A

Recommendation: It is recommended that the Surfside Town Commission approve the resolution authorizing the Mutual Aid Agreement between Miami-Dade County and the Surfside Police Departments.



David Allen, Chief of Police



Guillermo Olmedillo, Town Manager

RESOLUTION NO. 15 - _____

A RESOLUTION OF THE TOWN OF SURFSIDE, FLORIDA ACKNOWLEDGING THE LAW ENFORCEMENT MUTUAL AID AGREEMENT BETWEEN MIAMI-DADE COUNTY, FLORIDA AND THE TOWN OF SURFSIDE, FLORIDA FOR VOLUNTARY COOPERATION AND OPERATIONAL ASSISTANCE; AUTHORIZING THE TOWN MANAGER AND CHIEF OF POLICE TO EXECUTE AND IMPLEMENT THE TERMS AND CONDITIONS OF THE MUTUAL AID AGREEMENT; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, law enforcement agencies can only benefit when they work in close cooperation with each other and in partnership with each other; and

WHEREAS, it is the responsibility of Miami-Dade County and the Town of Surfside to ensure the public safety of their citizens by providing adequate levels of police services to address any foreseeable routine or emergency situations; and

WHEREAS, there is an existing and continuing possibility of the occurrence of natural and man-made conditions or emergencies and other major law enforcement problems, including those that cross jurisdictional lines, that will require to coordinate law enforcement efforts to ensure that preparations of this County will be adequate to deal with such activity, protect the public and safety, and preserve the lives and property of the County residents; and

WHEREAS, in order to ensure that law enforcement agencies are prepared to competently address any and all conditions as they arise to protect the public peace and safety of Miami-Dade County residents, it is in the best interest of the community and law enforcement for Miami-Dade County and the Town of Surfside to engage in mutual aid.

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 the Law Enforcement Mutual Aid Agreement between the Miami-Dade County and Town of Surfside, Florida (Attachment "A").

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

PASSED AND ADOPTED this _____ day of June 2015.

Motion by _____,

Second by _____.

FINAL VOTE ON ADOPTION

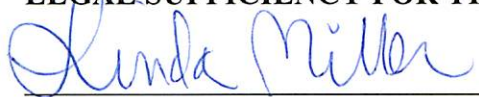
Commissioner Barry Cohen	_____
Commissioner Michael Karukin	_____
Commissioner Marta Olchyk	_____
Vice Mayor Eli Tourgeman	_____
Mayor Daniel Dietch	_____

Daniel Dietch, Mayor

ATTEST:

Sandra Novoa, 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

April 30, 2015

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

Dear Chief Allen:

Subject: Miami-Dade County Mutual Aid Agreement
2015-2025

Enclosed is the Mutual Aid Agreement between the Town of Surfside and the Surfside Police Department and Miami-Dade County and the Miami-Dade Police Department. This Agreement was approved via Resolution R-214-15 by the Board of County Commissioners on March 3, 2015.

We are requesting that you review and sign the four (4) enclosed documents with original signatures. When the Agreement is fully signed, please return two signed original documents to this office, attention Ms. Susan Windmiller.

If you have any questions on this matter, please contact Ms. Susan Windmiller at (305) 471-3197.

Sincerely,

Janet Lewis
Senior Bureau Commander

Enclosures

**LAW ENFORCEMENT MUTUAL AID AGREEMENT
BETWEEN MIAMI-DADE COUNTY AND
THE TOWN OF SURFSIDE
FOR VOLUNTARY COOPERATION AND
OPERATIONAL ASSISTANCE**

WHEREAS, it is the responsibility of the government of Miami-Dade County, Florida, and the subscribing municipality to ensure the public safety of their citizens by providing adequate levels of police services to address any foreseeable routine or emergency situation; and

WHEREAS, there is an existing and continuing possibility of the occurrence of natural or manmade disasters or emergencies and other major law enforcement problems, including those that cross jurisdictional lines, that will require coordinated law enforcement efforts to ensure that preparations of this County will be adequate to deal with such activity, protect the public peace and safety, and preserve the lives and property of the people of the County; and

WHEREAS, in order to ensure that law enforcement agencies are prepared to competently address any and all conditions as they arise to protect the public peace and safety of Miami-Dade County citizens, it is in the best interests of the community and law enforcement for police agencies to engage in mutual aid; and

WHEREAS, the subscribing law enforcement agencies have the authority under Florida Statutes Chapter 23, Part I, *Florida Mutual Aid Act*, and under Florida Statutes Section 316.640, *Enforcement*, to enter into a Mutual Aid Agreement,

NOW, THEREFORE, BE IT KNOWN that Miami-Dade County, a political subdivision of the State of Florida, and the undersigned municipality, in consideration

for mutual promises to render valuable aid in times of necessity, do hereby agree to fully and faithfully abide by and be bound by the following terms and conditions:

SECTION I. PURPOSE AND TERMS

A. Short title: Mutual Aid Agreement

B. Description: Since this Mutual Aid Agreement provides for the requesting and rendering of assistance for both routine and law enforcement intensive situations, this Mutual Aid Agreement combines the elements of both a voluntary cooperation agreement and a requested operational assistance agreement, as described in Chapter 23, Part I, Florida Statutes.

C. Definitions:

1. Chief Executive Official: Either the Mayor of Miami-Dade County, or the Chief Executive Official of the participating municipality, who has the authority to contractually bind the agency and has executed this Agreement, upon the approval of the governing body of each entity.
2. Agency Head: Either the Director of the Miami-Dade Police Department, or the Director's designee; and the Chief of Police of the municipal law enforcement agency, or the Chief's designee.
3. Participating law enforcement agency: The police department of any law enforcement agency in Miami-Dade County, Florida, that has approved and executed this Agreement.
4. Certified law enforcement employee: Any law enforcement employee certified as provided in Chapter 943, Florida Statutes.

SECTION II. PROCEDURES

A. Operations:

1. In the event that a party to this Agreement is in need of assistance as specified herein, an authorized representative of the police department requiring assistance shall notify the agency from which such assistance is requested. The authorized agency representative whose assistance is sought shall evaluate the situation and the available resources, and will respond in a manner deemed appropriate.
2. Each party to this Agreement agrees to furnish necessary personnel, equipment, facilities, and other resources and to render services to the other party as required to assist the requesting party in addressing the situation which necessitated the request; provided, however, that no party shall be required to deplete unreasonably its own personnel, equipment, facilities, and other resources and services in rendering such assistance.
3. The Agency Heads of the participating law enforcement agencies, or their designees, shall establish procedures for giving control of the mission definition to the requesting agency, and for giving tactical control over accomplishing any such assigned mission and supervisory control over all personnel, equipment, facilities, and other resources and services provided pursuant to this Agreement to the providing agency.

B. Powers, Privileges, Immunities, and Costs:

1. All employees of the participating law enforcement agency, including certified law enforcement employees, during such time that said employees are

actually providing aid outside of the jurisdictional limits of their employing agency pursuant to a request for aid made in accordance with this Agreement, shall, pursuant to the provisions of this Mutual Aid Agreement, have the same powers, duties, rights, privileges, and immunities as if they were performing duties in the jurisdiction in which they are normally employed.

2. The political subdivision having financial responsibility for the participating law enforcement agency providing personnel, equipment, facilities, and other resources and services pursuant to the provisions of this Agreement shall bear any loss or damage to same and shall pay any and all expenses incurred in the maintenance and operation of same.
3. The political subdivision having financial responsibility for the participating law enforcement agency providing aid pursuant to this Agreement shall compensate all of its employees rendering aid pursuant to the Agreement during the time of the rendering of such aid, and shall defray the actual travel and maintenance expenses of such employees while they are rendering such aid. Such compensation shall include any amounts paid or due for compensation due to personal injury or death while such employees are engaged in rendering such aid. Such compensation shall also include all benefits normally due such employees.
4. All exemption from ordinances and rules, and all pension, insurance, relief, disability, workers' compensation, salary, death, and other benefits which apply to the activity of such officers, agents, or employees of any such

agency when performing their respective functions within the territorial limits of their respective agencies shall apply to them to the same degree, manner, and extent while engaged in the performance of their functions and duties extra territorially under the provisions of this Mutual Aid Agreement. The provisions of this Agreement shall apply with equal effect to paid and auxiliary employees.

- C. Indemnification: Each party engaging in any mutual cooperation and assistance pursuant to this Agreement agrees to assume responsibility for the acts, omissions, or conduct of such party's own employees while participating herein and pursuant to this Agreement, subject to the provisions of Section 768.28, Florida Statutes, where applicable. "Assume Responsibility" shall mean incurring any and all costs associated with any suit, action, or claim for damages arising from the performance of this Agreement.
- D. Forfeitures: It is recognized that during the course of the operation of this Agreement, property subject to forfeiture under the Florida Contraband Forfeiture Act, Section 932.701 et. seq., Florida Statutes, may be seized. The property shall be seized, forfeited, and equitably distributed among the participating agencies in proportion to the amount of investigation and participation performed by each agency, less the costs associated with the forfeiture action. Any participating law enforcement agency must request sharing, in writing, before the entry of a Final Order of Forfeiture, or they will be barred from claiming any portion of the property forfeited. The agency pursuing the forfeiture action shall have the exclusive right to control and the responsibility to maintain the property,

including, but not limited to, the complete discretion to bring the action, or to dismiss the action, or to settle, pursuant to the provisions of the Florida Contraband Forfeiture Act.

- E. Conflicts: Any conflicts between this Agreement and the Florida Mutual Aid Act will be controlled by the provisions of the latter, whenever conditions exist that are within the definitions stated in Chapter 23, Part I, Florida Statutes.

SECTION III. COMMAND AND SUPERVISORY RESPONSIBILITY

- A. Command: The personnel, equipment, facilities, and other resources and services that are assigned by the assisting entity shall be under the immediate command and direct supervision of a supervising officer designated by the assisting Director or Chief of Police, or his/her designee.
- B. Conflicts: Whenever an officer is rendering assistance pursuant to this Agreement, the officer shall abide by and be subject to the rules and regulations, personnel policies, general orders, and standard operating procedures of his or her own employer. If any such rule, regulation, personnel policy, general order or standard operating procedure is contradicted, contravened or otherwise in conflict with a direct order of a superior officer of the requesting agency, then such rule, regulation, policy, general order or procedure of the assisting agency shall control, and shall supersede the direct order.
- C. Complaints: Whenever there is cause to believe that a complaint has arisen as a result of a cooperative effort as it may pertain to this Agreement, the Director or Chief of Police, or his/her designee, of the agency employing the officer who is the subject of the complaint, shall be responsible for the investigation of the complaint.

The Director or Chief of Police or designee of the requesting agency should ascertain at a minimum:

1. The identity of the complainant;
2. An address where the complaining party can be contacted;
3. The specific allegation, and;
4. The identity of the employee accused.

If it is determined during the investigation of a complaint that the accused is an employee of the assisting agency, the above information, with all pertinent documentation gathered during the receipt and processing of the complaint, shall be forwarded without delay to the assisting agency for administrative review. The requesting agency may conduct a review of the complaint to determine if any factual basis for the complaint exists and/or whether any of the employees of the requesting agency violated any of their agency's policies or procedures.

SECTION IV. PROVISIONS FOR VOLUNTARY AND OPERATIONAL ASSISTANCE

- A. A deputy sheriff or police officer of either participating law enforcement agency shall be considered to be operating under the provisions of this Mutual Aid Agreement when participating in law enforcement activities that are preplanned and approved by each respective agency head, or appropriately dispatched in response to a request for assistance from the other law enforcement agency.
- B. In compliance with and under the authority of this Mutual Aid Agreement, entered into by Miami-Dade County and the participating municipality, it is hereby declared that the following list comprises the nature of assistance, and the circumstances and conditions under which mutual aid may be requested and

rendered regarding police operations pursuant to the Agreement. The list includes, but is not necessarily limited to, dealing with the following:

1. Voluntary:

- a. Joint multi-jurisdictional criminal investigations.
- b. Major events; e.g., sporting events, concerts, parades, fairs, festivals and conventions.
- c. Joint training in areas of mutual need.
- d. Off-duty special events.
- e. Joint multi-jurisdictional marine interdiction operations.
- f. Security and escort duties for dignitaries.

2. Operational:

- a. Hostage and barricaded subject situations, and aircraft piracy.
- b. Control of major crime scenes, area searches, perimeter control, back-ups to emergency and in-progress calls, pursuits, and missing person calls.
- c. Enemy attack.
- d. Transportation of evidence requiring security.
- e. Civil affray or disobedience, disturbances, riots, large protest demonstrations, controversial trials, political conventions, labor disputes, and strikes.
- f. Any natural, technological, or manmade disaster. Emergency situations in which one agency cannot perform its functional objective.
- g. Incidents requiring utilization of specialized units; e.g., underwater recovery, aircraft, canine, motorcycle, bicycle, mounted, Special

Response Teams, bomb, crime scene, marine patrol, and police information.

- h. Incidents which require rescue operations and crowd and traffic control measures including, but not limited to, large-scale evacuations, aircraft and shipping disasters, fires, explosions, gas line leaks, radiological incidents, train wrecks and derailments, chemical or hazardous waste spills, and electrical power failures.
- i. Terrorist activities including, but not limited to, acts of sabotage.
- j. Escapes from or disturbances within detention facilities.

SECTION V. PROCEDURES FOR REQUESTING MUTUAL AID

The following procedures will apply to situations requiring operational assistance:

- A. Mutual aid requested or rendered will be approved by the Director or the Chief of Police, or their designees.
- B. Specific reporting instructions for personnel rendering mutual aid should be included in the request for mutual aid. In the absence of such instructions, personnel will report to the ranking on-duty supervisor on the scene.
- C. Communications instructions will be included in each request for mutual aid. The Miami-Dade Police Department Communications Bureau will maintain radio contact with the involved agencies until the mutual aid situation has ended.
- D. Incidents requiring mass processing of arrestees, transporting prisoners and operating temporary detention facilities will be handled per established procedures.

SECTION VI. CONCURRENT JURISDICTION

It is to the mutual benefit of the participating law enforcement agency and the Miami-Dade Police Department, through voluntary cooperation, to exercise concurrent jurisdiction over the areas described in subparagraphs A. and B. below, in that officers, while in another jurisdiction, are often present at events where immediate action is necessary, or are able to expeditiously conclude an investigation by identifying and arresting an offender.

- A. Concurrent law enforcement jurisdiction in and throughout the territorial limits of the participating municipalities located in Miami-Dade County and in unincorporated Miami-Dade County for arrests made pursuant to the laws of arrest, for felonies and misdemeanors, including arrestable traffic offenses, which spontaneously take place in the presence of the arresting officer, at such times as the arresting officer is traveling from place to place on official business outside of his or her jurisdiction; for example, to or from court, provided that, in the context of this Agreement, "official business outside of his or her jurisdiction" shall not include routine patrol activities. This Agreement excludes those areas within the territorial limits of any municipality not participating in Mutual Aid with Miami-Dade County, and in any areas in which the Miami-Dade Police Department does not have law enforcement jurisdiction.
- B. Concurrent law enforcement jurisdiction in and throughout the territorial limits of the participating municipalities located in Miami-Dade County and in unincorporated Miami-Dade County, for arrests made pursuant to the laws of arrest of persons identified as a result of investigations of any offense

constituting a felony or any act of domestic violence as defined in Section 741.28, Florida Statutes, when such offense occurred in the jurisdiction of the agency employing the arresting officer. However, absent a search warrant, concurrent jurisdiction under this subparagraph does not include authority to make nonconsensual or forcible entries into private dwellings, residences, living spaces or business spaces which are not open to the public. Authority derived pursuant to this subparagraph may be exercised only when in places open to the public or private places into which the arresting officer has entered with the consent of an occupant entitled to give consent. When operating under mutual aid, participating agency officers may execute search warrants outside the jurisdiction of their employing municipality for offenses which occurred in their jurisdiction. Participating agency officers may execute the search warrant, impound all property, make arrests, and file the Return and Inventory. This concurrent jurisdiction excludes those areas within the territorial limits of any municipality not participating in mutual aid with Miami-Dade County, and in any areas in which the Miami-Dade Police Department does not have law enforcement jurisdiction.

- C. Prior to any officer taking enforcement action pursuant to either paragraph A. or B. above, the officer shall notify the designated officer of the jurisdiction in which the action will be taken, unless exigent circumstances prevent such prior notification, in which case notification shall be made as soon after the action as practicable. Furthermore, all arrests made pursuant to paragraph A. above shall be processed and coded pursuant to directions of the Clerk of the Court, in such

manner as to ensure that any revenues or surcharges generated as a result of said arrests shall be directed to the jurisdiction in which the arrest was made.

D. General Requirements:

1. Officers shall not utilize unmarked vehicles to make traffic stops or to engage in vehicle pursuits.
2. Concurrent law enforcement jurisdiction pursuant to this Agreement does include preplanned operations, undercover investigations, stings, or sweeps.
3. Officers shall not conduct routine patrol activities outside of their jurisdiction.
4. Reports of any action taken pursuant to this Agreement shall be faxed to the agency head of the agency within whose jurisdiction the action was taken, as soon as possible after the action.
5. Any conflicts regarding jurisdiction will be resolved by allowing the agency within whose jurisdiction the action took place to take custody of any arrestees and/or crime scenes.
6. All concurrent jurisdiction stationary surveillance activities shall require notification of the agency within whose jurisdiction the surveillance takes place. The notification shall include the general location of the surveillance, and a description of the vehicles involved. Mobile surveillance shall not require notification unless concurrent jurisdiction enforcement activities take place.

SECTION VII. EFFECTIVE DATE AND TERM OF AGREEMENT


This Mutual Aid Agreement shall become effective on the date of execution by all parties and, unless terminated or cancelled on an earlier date, will expire on January 1, 2025. This Mutual Aid Agreement may be renewed in writing by the Agency Head and their respective Chief Executive Officials, in the case of Miami-Dade County, the Police Director and County Mayor or the Mayor's designee are authorized to extend this Agreement. This Agreement may be formally renewed for a maximum of three (3) additional successive ten (10) year terms. This Agreement may not be amended or modified except in writing signed and duly executed by the parties. Any modifications or amendments to this Agreement require County Commission approval via the County's legislative process.


SECTION VIII. CANCELLATION

This Agreement may be cancelled by either party upon providing thirty (30) days written notice to the other participating law enforcement agency. Cancellation will be at the discretion of the Agency Heads and their respective Chief Executive Officials, in the case of Miami-Dade County, the Police Director and County Mayor or the Mayor's designee are authorized to cancel this Agreement.

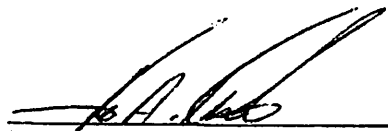
AGREED TO AND ACKNOWLEDGED this 26 day of March, 2015,

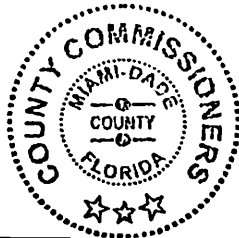
MIAMI-DADE COUNTY


for Carlos A. Gimenez, Mayor

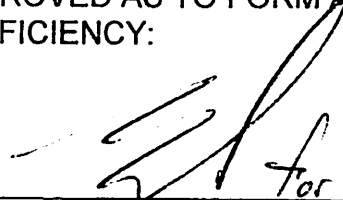

J.D. Patterson, Director
Miami-Dade Police Department

ATTEST:


Harvey Ruvlin, County Clerk
Miami-Dade County, Florida



APPROVED AS TO FORM AND LEGAL
SUFFICIENCY:


for
R. A. Cuevas, Jr., County Attorney
Miami-Dade County, Florida

AGREED TO AND ACKNOWLEDGED this _____ day of _____, 2015,

TOWN OF SURFSIDE

Guillermo Olmedillo, Town Manager Date

David Allen, Chief Date
Surfside Police Department



Town of Surfside Commission Communication

Agenda Item # 3G

Agenda Date: June 9, 2015

Subject: Mutual Aid Agreement between the Town of Golden Beach Police Department and the Town of Surfside Police Department

Objective: It is the responsibility of the Town of Golden Beach and the Town of Surfside to ensure the public safety of their citizens by providing adequate levels of police to address any foreseeable routine or emergency situation; and because of existing and continuing possibility of the occurrence of law enforcement problems and other natural or manmade conditions which are likely to be, beyond the control of the services, personnel, equipment or facilities of the participating police departments; these municipalities have the authority to enter into a Mutual Aid Agreement in order to adequately address any and all of these conditions, to protect the public peace and safety, and to preserve the lives and property of the people of the municipalities.

Background: The Mutual Aid Agreement specifies the policies and procedures for joint operations and activities of the Town of Golden Beach Police Department and the Town of Surfside Police Department. The Agreement will be in effect from the date of signing to January 1, 2019.

Analysis: The Surfside Police Department requires approval and authorization to enter into the new Mutual Aid Agreement at the request of the Golden Beach Police Department.

Budget Impact: N/A

Growth Impact: N/A

Staff Impact: N/A

Recommendation: It is recommended that the Surfside Town Commission approve the resolution authorizing the Mutual Aid Agreement between the Golden Beach and the Surfside Police Departments.



David Allen, Chief of Police

Guillermo Olmedillo, Town Manager

RESOLUTION NO. 15 - _____

A RESOLUTION OF THE TOWN OF SURFSIDE, FLORIDA ACKNOWLEDGING THE MUTUAL AID AGREEMENT BETWEEN THE TOWN OF SURFSIDE, FLORIDA AND THE TOWN OF GOLDEN BEACH, FLORIDA; AUTHORIZING THE TOWN MANAGER AND CHIEF OF POLICE TO EXECUTE AND IMPLEMENT THE TERMS AND CONDITIONS OF THE MUTUAL AID AGREEMENT; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, law enforcement agencies can only benefit when they work in close cooperation with each other and in partnership with each other; and

WHEREAS, there exists the possibility of law enforcement problems and other natural and man-made conditions which are beyond the control of the services, personnel, equipment or facilities of the Surfside Police Department; and

WHEREAS, it is an advantage of both the Police Departments of the Town Surfside and the Town of Golden Beach to receive and extend mutual aid in the form of law enforcement services and resources to adequately respond to continuing, multi jurisdiction law enforcement problems, as well as the need of providing the highest level of public safety, and

WHEREAS, it is in the best interest of the Town to enter with the Town of Golden Beach into the Mutual Aid Agreement (Attachment "A") 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 the Mutual Aid Agreement between the Town of Surfside, Florida and the Town of Golden Beach, Florida (Attachment "A").

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

PASSED AND ADOPTED this _____ day of June 2015.

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, Town Clerk

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



Linda Miller, Town Attorney

MUTUAL AID AGREEMENT

Between the Town of Surfside
and the Town of Golden Beach

WHEREAS, it is the responsibility of the governments of the Town of Surfside, Florida and the Town of Golden Beach, Florida to ensure the public safety of their citizens by providing adequate levels of police services to address any foreseeable routine or emergency situation; and

WHEREAS, because of the existing and continuing possibility of the occurrence of law enforcement problems and other natural and man-made conditions which are, or are likely to be, beyond the control of the services, personnel, equipment of facilities of the participating municipal police departments; and

WHEREAS, in order to ensure that preparation of these law enforcement agencies will be adequate to address any and all of these conditions, to protect the public peace and safety, and to preserve the lives and property of the people of the participating Miami-Dade County municipalities; and

WHEREAS, the participating Miami-Dade County municipalities have the authority under Chapter 23, Florida Statutes, Florida Mutual Aid Act, to enter into a mutual aid agreement;

NOW, THEREFORE, BE IT KNOWN that the Town of Golden Beach, subdivision of the State of Florida, and the undersigned representatives, in consideration for mutual promises to render valuable aid in times of necessity, do hereby agree to fully and faithfully abide by and be bound by the following terms and conditions:

1. **Short title:** Mutual Aid Agreement
2. **Description:** Since this Mutual Aid Agreement provides for the requesting and rendering of assistance for both routine and law enforcement intensive situations, this Mutual Aid Agreement combines the elements of both a voluntary cooperation agreement and a requested operational assistance agreement, as described in Chapter 23, Florida Statutes.

3. Definitions:

- a) Joint declaration: A document which enumerates the various conditions or situations where aid may be requested or rendered pursuant to this Agreement, as determined by concerned agency heads. Subsequent to execution by the concerned agency heads, the joint declaration shall be filed with the clerks of the respective political subdivisions and shall thereafter become part of this Agreement. Said declaration may be amended or supplemented at any time by the agency heads by filing subsequent declarations with the clerks of the respective political subdivisions.
- b) Agency or participating law enforcement agency: Either the Surfside Police Department or the Town of Golden Beach Police Department.
- c) Agency head: Either the Chief of the Surfside Police Department, or the Chief's designees; and the Chief of Police of the Town of Golden Beach Police Department, or the Chief's designees.
- d) Participating municipal police department: The police department of any municipality in Miami-Dade County, Florida, that has approved and executed this Agreement upon the approval of the governing body of the municipality.
- e) Certified law enforcement employee: Any law enforcement employee certified as provided in Chapter 943, Florida Statutes.

4. Operations:

- a) In the event that a party to this Agreement is in need of assistance as specified in the applicable joint declaration, an authorized representative of the police department requiring assistance shall notify the agency from whom such assistance is requested. The authorized agency representative whose assistance is sought shall evaluate the situation and his available resources, and will respond in a manner deemed appropriate.

b) Each party to this Agreement agrees to furnish necessary manpower, equipment, facilities, and other resources and to render services to the other party as required to assist the requesting party in addressing the situation which caused the request; provided, however, that no party shall be required to deplete unreasonably its own manpower, equipment, facilities, and other resources and services in rendering such assistance.

c) The agency heads of the participating law enforcement agencies, or their designees, shall establish procedures for giving control of the mission definition to the requesting agency, and for giving tactical control over accomplishing any such assigned mission and supervisory control over all personnel or equipment provided pursuant to this Agreement to the providing agency.

5. Powers, Privileges, Immunities, and Costs:

a) All employees of the participating municipal police department, including certified law enforcement employees as defined in Chapter 943, Florida Statutes, during such time that said employees are actually providing aid outside of the jurisdictional limits of the employing municipality pursuant to a request for aid made in accordance with this Agreement, shall, pursuant to the provisions of Chapter 23, Florida Statutes, have the same powers, duties, rights, privileges, and immunities as if they were performing their duties in the political subdivision in which they are normally employed.

b) The political subdivision having financial responsibility for the law enforcement agency providing services, personnel, equipment, or facilities pursuant to the provisions of this Agreement shall bear any loss or damage to same and shall pay any and all expenses incurred in the maintenance and operation of same.

c) The political subdivision having financial responsibility for the law enforcement agency providing aid pursuant to this Agreement shall compensate all of its employees rendering aid pursuant to this Agreement, during the time of the rendering of such aid, and shall defray the actual travel and maintenance expenses of such employees while they are rendering such aid. Such compensation shall include any amounts paid or due for compensation due to personal injury or death while such employees are engaged in rendering such aid. Such compensation shall also include all benefits normally due such employees.

d) All exemption from ordinance and rules, and all pension, insurance, relief, disability, workers' compensation salary, death, and other benefits which apply to the activity of such officers, agents, or employees of any such agency, when performing their respective functions within the territorial limits of their respective agencies, shall apply to them to the same degree, manner, and extent while engaged in the performance of their functions and duties extraterritorially under the provisions of the Mutual Aid Agreement. The provisions of this Agreement shall apply with equal effect to paid and auxiliary employees.

6. Indemnification:

The political subdivision having financial responsibility for the law enforcement agency providing aid pursuant to this Agreement agrees to hold harmless, defend, and indemnify the requesting law enforcement agency and its political subdivision in any suit, action or claim for damages resulting from any and all acts or conduct of employees of said providing agency while providing aid pursuant to this Agreement, subject to Chapter 768, Florida Statutes, where applicable.

7. Forfeitures:

It is recognized that during the course of the operation of this Agreement, property subject to forfeiture under the Florida Contraband Forfeiture Act, Florida Statutes, may be seized. The property shall be seized, forfeited, and equitably distributed among the participating agencies in proportion to the amount of investigation and participation performed by each agency.

This shall occur pursuant to the provisions of the Florida Contraband Forfeiture Act.

8. Conflicts:

Any conflicts between this Agreement and the Florida Mutual Aid Act will be controlled by the provisions of the latter, whenever conditions exist that are within the definitions stated in Chapter 23 Florida Statutes.

9. Effective Date and Duration:

This Agreement shall be in effect from date of signing, through and including January 1, 2019. Under no circumstances may this Agreement be renewed, amended or extended except in writing.

10. Cancellation:

This Agreement may be canceled by either party upon sixty-(60) days written notice to the other party. Cancellation will be at the discretion of the chief executive officers of the parties hereto.

AGREED TO AND ACKNOWLEDGED this _____ day of _____ 20____

Town Manager,
Town of Surfside, Florida

Town Mayor,
Town of Golden Beach, Florida

ATTEST:

ATTEST:

Town Clerk,
Town of Surfside, Florida

Town Clerk,
Town of Golden Beach, Florida

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:

Town Attorney,
Town of Surfside, Florida

Town Attorney,
Town of Golden Beach, Florida

JOINT DECLARATION OF THE CHIEF OF THE
TOWN OF SURFSIDE POLICE DEPARTMENT
AND THE CHIEF OF THE TOWN OF GOLDEN BEACH POLICE
DEPARTMENT PURSUANT TO MUTUAL AID AGREEMENT

A police officer of either of the participating law enforcement agencies shall be considered to be operating under the provisions of the mutual aid agreement when:

- participating in law enforcement activities that are pre-planned and approved by each respective agency head, or
- appropriately dispatched in response to a request for assistance from the other law enforcement agency.
- spontaneous response where assistance or aid is apparent (see #9 below)

In compliance with, and under the authority of, the Mutual Aid Agreement, heretofore entered into by Town of Surfside, Florida and the Town of Golden Beach, Florida, it is hereby declared that the following list comprises the circumstances and conditions under which mutual aid may be requested and rendered regarding police operations pursuant to the agreement. Said list may be amended or supplemented from time to time, as needs dictate by subsequent declarations.

1. Joint multi-jurisdictional criminal investigations.
2. Civil affray or disobedience, disturbances, riots, large protest demonstrations, controversial trials, political conventions, labor disputes and strikes.
3. Any natural disaster.
4. Incidents which require rescue operations, crowd and traffic control measures, including, but not limited to, large-scale evacuations, aircraft and shipping disasters, fires, explosions, gas line leaks, radiological incidents, train wrecks and derailments, chemical or hazardous waste spills, and electrical power failures.
5. Terrorist activities including, but not limited to, acts of sabotage.
6. Escapes from or disturbances within detention facilities.
7. Hostage and barricaded subject situations, and aircraft piracy.

8. Control of major crime scenes, area searches, perimeter control, back-ups to emergency and in-progress calls, pursuits, and missing person's calls.
9. Participating in exigent situations without a formal request which are spontaneous occurrences such as area searches for wanted subjects, perimeters, crimes in progress, escaped prisoners. Traffic stops near municipal boundaries, request for back-up assistance and no local unit is available or nearby, calls or transmissions indicating an officer is injured, calls indicating a crime or incident has occurred in which a citizen may likely be injured and the assisting municipality is closer to the area than the officer receiving the call.
10. Enemy attack.
11. Transportation of evidence requiring security.
12. Major events; e.g., sporting events, concerts, parades, fairs, festivals, and conventions.
13. Security and escort duties for dignitaries.
14. Emergency situations in which one agency cannot perform its functional objective.
15. Incidents requiring utilization of specialized units; e.g., underwater recovery, aircraft, canine, motorcycle, bomb, crime scene, marine patrol, and police information.
16. Joint training in areas of mutual need.

DATE: _____

David Allen, Chief
Surfside Police Department

ATTEST:

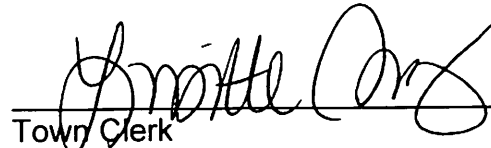
Town Clerk

DATE: 4-10-2015



Rudy Herbello, Assistant Chief
Golden Beach Police Department

ATTEST:



Town Clerk

**JOINT DECLARATION AMENDMENT UNDER
TOWN OF SURFSIDE POLICE DEPARTMENT AND THE TOWN OF
GOLDEN BEACH POLICE DEPARTMENT'S
MUTUAL AID AGREEMENT**

This Agreement amends the Joint Declaration under the Mutual Aid Agreement of the Town of Surfside and the Town of Golden Beach, to include and permit concurrent **marine patrol** related jurisdiction between agencies on the waters, waterways, canals, channels, rivers, lakes, streams, and any and all other bodies of waters, including the Intracoastal Waterway (ICW) that fall within either jurisdiction at this or any future time during the term of this Mutual Aid Agreement.

It will be agreed between both Chiefs of Police of the **Town of Surfside** and the **Town of Golden Beach** to the following conditions of concurrent marine patrol related jurisdiction:

1. Both agencies will be permitted to patrol jurisdictional waters of either jurisdiction, and to take enforcement actions as deemed appropriate under city, state, and federal laws, rules, and regulations, and to write boating law violation citations, make arrests, and to attend court on behalf of the other agency.
2. Both agencies agree that any and all incidents, which require an initial (preliminary) police offense incident report (OIR), will be completed by the agency making the initial contact. Any follow-up investigations that are required are to be completed by the jurisdiction the incident occurred regardless of which agency completed the original offense incident report.
3. It is recognized that during the course of the operation of this Agreement, property subject to forfeiture under the Florida Contraband Forfeiture Act, Florida Statutes, may be seized. If an arrest is made by one agency that is operating in the jurisdictional waters of the other agency, and that arrest results in asset forfeiture proceedings, both agencies agree that such property shall be seized, forfeited, and equitably distributed among the participating agencies in proportion to the amount of investigation and participation performed by each agency. This shall occur pursuant to the *provisions of the Florida Contraband Forfeiture Act. The jurisdiction of civil forfeiture action shall be filed by seizing agency.*
4. Both agencies have the right to set their own days and hours for marine patrol and agree to provide assistance and aid to the other agency under the spirit of Mutual Aid Agreement.

This Amendment shall become effective upon the signing of both Chiefs of Police and shall remain in effect until either the current Mutual Aid Agreement or Joint Declaration expires or either agency gives written notice to the other agency to rescind this Amendment.


I accept the terms and conditions of the aforementioned Amendment to the current Mutual Aid Agreement and Joint Declaration between the **Town of Surfside Police Department** and the **Town of Golden Beach Police Department**.

Date

Town Manager
Town of Surfside, Florida

David Allen
Chief of Police
Town of Surfside, Florida

Date



Mayor Glenn H. Singer
Town of Golden Beach, Florida



Rudy Herbello
Assistant Chief of Police
Town of Golden Beach, Florida



Town of Surfside Commission Communication

Agenda Item # 3H

Agenda Date: June 9, 2015

Subject: Approval of Expenditure of Forfeiture Funds to Purchase Two Ballistic Resistant Shields

Background: To enhance the Police Department's ability to quickly and effectively respond to active shooter incidents, it is necessary to purchase two light weight ballistic resistant shields. The shields are designed to afford officers with a tactical advantage should they confront an armed subject.

Analysis: Staff has reviewed several types of shields. Under the State Contract, the cost is \$1,709 per shield for a Point Blank Bellator Shield 24"x40" with view port level. The purchase is a justifiable use of State Law Enforcement Trust Funds.

Budget Impact: \$3,418 from the Forfeiture Fund.

Staff Impact: N/A

Recommendation: Staff recommends a motion to approve a resolution to authorize the expenditure of \$3,418 from the Forfeiture Fund to purchase two ballistic resistant shields.

David Allen, Chief of Police

Guillermo Olmedillo, Town Manager



QUOTE

4450 60th Avenue North
 St Petersburg FL 33714
 727-526-5451
 WWW.SRTSUPPLY.COM

Entered By: HAD

Bill To: SURFSIDE, TOWN OF
 9293 HARDING AVE
 SURFSIDE FL 33154

Ship To: TOWN OF SURFSIDE POLICE
 9293 HARDING AVE
 ATTN: OFC JULIO TORRES
 SURFSIDE FL 33154

Phone: 305-861-4862

Fax: 305-861-8960

Invoice #	Order #	Customer #	Customer P.O. #	Terms	Salesperson
Invoice Dt	Order Dt				Ship Via
05/21/15	05/04/15	89030	13303	CREDIT CARD	139
					UPS GROUND
Units	U/M	Item Description	Disc	Unit Price	Amount
		***** QUOTATION *****			
		STATE CONTRACT PRICING SHIPPING INLCUDED			
2	EA	PBBS3A2440 POINT BLANK BELLATOR SHIELD24" X 40" W/VIEW PORT LEVEL IIIA+ BALLISTICS		1709.00	3,418.00
		Subtotal			3,418.00
		SHIPPING FEE			.00
		Quote Total			3,418.00

All Returns Are Subject to a 15% Restocking Charge

ITEMS LISTED ON THIS DOCUMENT MAY REQUIRE A UNITED STATES GOVERNMENT

FOR EXPORT. EXPORTING CONTROLLED ITEMS WITHOUT A LICENSE IS PROHIBITED BY LAW.

PRICES ARE EFFECTIVE FOR 30 DAYS FROM THE DATE OF QUOTE UNLESS OTHERWISE QUOTED.

RESOLUTION NO. 15 - _____

**A RESOLUTION OF THE TOWN COMMISSION
OF THE TOWN OF SURFSIDE, FLORIDA,
PROVIDING FOR THE FISCAL YEAR 2014/2015
POLICE CONFISCATION FUND EXPENDITURE
IN THE AMOUNT OF \$3,418.00 FROM THE
FORFEITURE FUND FOR THE PURCHASE OF 2
(TWO) POINT BLANK BELLATOR SHIELDS
24"X40" WITH VIEW PORT LEVEL; PROVIDING
FOR AUTHORIZATION AND APPROVAL;
PROVIDING FOR AN EFFECTIVE DATE.**

WHEREAS, Section 881(e)(3) of Title 21, United States Code and Florida Statutes Section 932.7055, define the purposes and procedures for the appropriation and expenditure of funds from the Police Confiscation Fund; and

WHEREAS, to enhance the Police Department's ability to quickly and effectively respond to active shooter incidents, it is necessary to purchase two light weight ballistic resistant shields; and

WHEREAS, the shields are designed to afford officers with a tactical advantage should they confront an armed subject; and

WHEREAS, necessary funds are available in the Police Confiscation Fund - State of Florida and Federal Asset Forfeiture Program – to purchase two ballistic resistant shields.

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

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

Section 2. Confiscation Fund Expenditures. Based on the attached Certificate of the Police Chief (see Exhibit "A"), the Town Commission hereby authorizes and approves the Fiscal Year 2014/2015 Police Confiscation Fund expenditure in the amount of \$3,418.00 from the Forfeiture Fund for the purchase of two ballistic resistant shields.

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

PASSED AND ADOPTED this _____ day of June 2015.

Motion by _____,

Second by _____.

FINAL VOTE ON ADOPTION

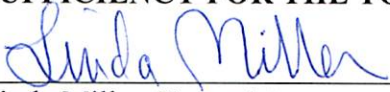
Commissioner Barry Cohen
Commissioner Michael Karukin
Commissioner Marta Olchyk
Vice Mayor Eli Tourgeman
Mayor Daniel Dietch

Daniel Dietch, Mayor

ATTEST:

Sandra Novoa, Town Clerk

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



Linda Miller, Town Attorney

EXHIBIT "A"

CERTIFICATE OF CHIEF OF POLICE

I, DAVID E. ALLEN, Chief of Police of the Town of Surfside, do hereby certify the expenditures for \$3,418.00 from the Town of Surfside Confiscation Fund, for the 2014/2015 Fiscal Year budget complies with provisions Section 881(e)(3) of Title 21, United States Code and Florida Statute Section 932.7055.

Dated: _____

David E. Allen
Chief of Police



Town of Surfside Commission Communication

Agenda Item # 3I

Agenda Date: June 9, 2015

Subject: Approval of Expenditure of Forfeiture Funds to Purchase Radio Equipment

Background: The Police Department is in need of radio equipment to enhance the effectiveness and response to the community. Thirty in car radio chargers and thirty batteries are required.

Analysis: The cost for an in car radio charger is \$94.89. The cost for a handheld radio battery is \$73.00. The type and model of the charger and battery will complement our current handheld radios. The purchase is a justifiable use of the forfeiture funds.

Budget Impact: \$2,846.70 for thirty in car chargers and \$2,190 for thirty radio batteries from the Forfeiture Fund.

Staff Impact: N/A

Recommendation: Staff recommends a motion to approve a resolution to authorize the expenditure of \$5,036.70 from the Forfeiture Fund to purchase the radio equipment.

David Allen, Chief of Police

Guillermo Olmedillo, Town Manager

RESOLUTION NO. 15 - _____

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, PROVIDING FOR THE FISCAL YEAR 2014/2015 POLICE CONFISCATION FUND EXPENDITURE IN THE AMOUNT OF \$5,036.70 FROM THE FORFEITURE FUND FOR THE PURCHASE OF RADIO EQUIPMENT; PROVIDING FOR AUTHORIZATION AND APPROVAL; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Section 881(e)(3) of Title 21, United States Code and Florida Statutes Section 932.7055, define the purposes and procedures for the appropriation and expenditure of funds from the Police Confiscation Fund; and

WHEREAS, the Police Department is in need of radio equipment to enhance the effectiveness and response to the community; and

WHEREAS, thirty in car radio chargers and thirty batteries are required to complement the Police Department's current radio equipment; and

WHEREAS, necessary funds are available in the Police Confiscation Fund - State of Florida and Federal Asset Forfeiture Program – to purchase thirty in car radio chargers and thirty batteries.

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

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

Section 2. Confiscation Fund Expenditures. Based on the attached Certificate of the Police Chief (see Exhibit "A"), the Town Commission hereby authorizes and approves the Fiscal Year 2014/2015 Police Confiscation Fund expenditure in the amount of \$5,036.70 from the Forfeiture Fund to purchase thirty in car radio chargers and thirty batteries.

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

PASSED AND ADOPTED this _____ day of June 2015.

Motion by _____,

Second by _____.

FINAL VOTE ON ADOPTION

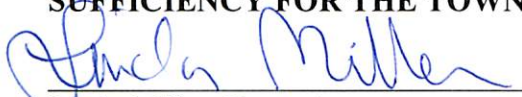
Commissioner Barry Cohen	_____
Commissioner Michael Karukin	_____
Commissioner Marta Olchyk	_____
Vice Mayor Eli Tourgeman	_____
Mayor Daniel Dietch	_____

Daniel Dietch, Mayor

ATTEST:

Sandra Novoa, Town Clerk

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



Linda Miller, Town Attorney

EXHIBIT "A"

CERTIFICATE OF CHIEF OF POLICE

I, DAVID E. ALLEN, Chief of Police of the Town of Surfside, do hereby certify the expenditures for \$5,036.70 from the Town of Surfside Confiscation Fund, for the 2014/2015 Fiscal Year budget complies with provisions Section 881(e)(3) of Title 21, United States Code and Florida Statute Section 932.7055.

Dated: _____

David E. Allen
Chief of Police



Town of Surfside Commission Communication

Agenda Item #: 3J

Agenda Date: June 9, 2015

Subject: Termination of Interlocal agreement

Objective: To approve termination of the interlocal agreement between the Town of Surfside and Miami-Dade County for curbside recycling pickup.

Background: The Town entered into an interlocal agreement with Miami-Dade County for curbside recycling on September 10, 2009. This agreement was set up for residential pickup only. This service is provided on a bi-weekly schedule utilizing a 95 gallon container for collection. The Miami-Dade County program for curbside pickup for the Town has a monthly service fee of \$2.47 per household per month or approximately \$2,964.00 per month. Section XIV of the interlocal agreement states that either party may terminate the agreement without cause by communicating the desire to do so in writing 30 days prior to termination date.

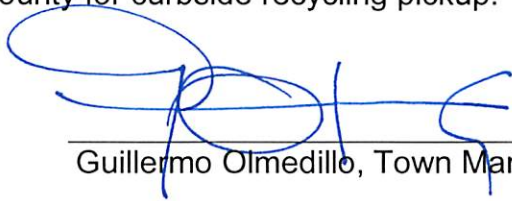
Analysis: Public Works & Solid Waste has a desire to move all curbside recycling and commercial recycling in house. Solid Waste has the equipment and staff to service the Town at a capacity of once a week pickup with no increase in cost. The \$2,964.00 per month fee would stay in Solid Waste to be utilized for equipment replacement or container replacement. In addition, Public Works will be able to sell the recycled material for a cost to be determined later, which will be utilized for equipment and expenses. Currently, the Town does not receive any funds from the County for sold recyclables, so this would be a profit to the Town to sell the recycled material. Staff feels that they would deliver a better service to the Town than they are currently receiving. Our goal as staff is to have the Town at 70% recycling by 2020. The more we recycle the less that goes to the landfill, which is a very important goal.

Staff Impact: No new staff needed, we will utilize our current staff and equipment.

Budget Impact: Under the current program, the Town collected \$34,498 and paid to the County \$35,568. With the Town taking over the program for curbside recycling there will be a positive financial impact of \$34,498 per year as well as an additional estimated \$7,500 from the sale of the collected recyclables.

Recommendation: Staff recommends that the Town Commission approve to terminate the interlocal agreement with Miami-Dade County for curbside recycling pickup.


Joseph S. Kröll, Public Works Director


Guillermo Olmedillo, Town Manager

RESOLUTION NO. 15 - _____

**A RESOLUTION OF THE TOWN OF SURFSIDE,
FLORIDA, AUTHORIZING THE TOWN MANAGER
TO TERMINATE THE INTERLOCAL
AGREEMENT FOR INCLUSION IN THE MIAMI-
DADE COUNTY CURBSIDE RECYCLING
PROGRAM; PROVIDING FOR AUTHORIZATION;
AND PROVIDING FOR AN EFFECTIVE DATE.**

WHEREAS, the Town of Surfside ("Town") entered with the Miami-Dade County ("County") into an Interlocal Agreement for Inclusion in the Miami-Dade County Curbside Recycling Program; and

WHEREAS, the County provides curbside collection of recyclable materials to the Town on a bi-weekly schedule utilizing a 95 gallon container for collection; and

WHEREAS, the Public Works Department considers that the Town will be better served if curbside recycling services will be provided by the Town; and

WHEREAS, the Public Works Department has the necessary equipment and staff to provide curbside collection of recyclable materials once a week to the residential community with no increase in cost; and

WHEREAS, the collected recycling materials go to the County and the Town does not currently receive any monetary benefit from recyclable materials; and

WHEREAS, the Town would receive the revenues from the recyclable materials; and

WHEREAS, Section XIV of the Interlocal Agreement allows the Town to terminate this Interlocal Agreement without cause by communicating the desire to do so in writing 30 (thirty) days prior to the termination date; and

WHEREAS, it is in the best interest of the Town to terminate the Interlocal Agreement for Inclusion in the Miami-Dade County Curbside Recycling Program effective September 30, 2015.

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

Section 1. Recitals. That the above-stated recitals are hereby adopted and confirmed.

Section 2. Authorization. The Town Commission hereby authorizes the Town Manager or his designee to terminate the Interlocal Agreement for Inclusion in the Miami-Dade County Curbside Recycling Program effective September 30, 2015.

Section 3. Implementation. The Town Manager or his designee is hereby authorized to take any and all action necessary to implement this Resolution.

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

PASSED AND ADOPTED this ____ day of June 2015.

Motion by _____,

Second by _____.

FINAL VOTE ON ADOPTION

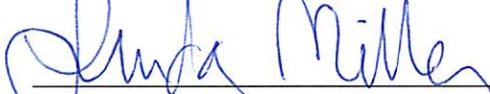
Commissioner Barry Cohen	_____
Commissioner Michael Karukin	_____
Commissioner Marta Olchyk	_____
Vice Mayor Eli Tourgeman	_____
Mayor Daniel Dietch	_____

Daniel Dietch, Mayor

ATTEST:

Sandra Novoa, Town Clerk

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



Linda Miller, Town Attorney



Town of Surfside Commission Communication

Agenda Item: 3K

Agenda Date: June 9, 2015

Subject: Resolution to Support the School Nurse Initiative

Background: In June 2013, the Town Commission approved the first allocation of \$7,200 for the 2013/14 Nurse Initiative that includes Ruth K. Broad Elementary. The second allocation of \$3,667 for the 2014/15 school year was approved by the Town Commission on March 11, 2014.

Leslie Rosenfeld, of the City of Miami Beach Organization Development Performance Initiatives, is requesting financial support for the Nurse Initiative for school year 2015/16 in the amount of \$3,667. The requested allocation of \$3,667 can be budgeted during the preparation of the 2015/16 budget.

This Resolution provides the authorization to enter into a Memorandum of Understanding with surrounding municipalities for the Nurse Initiative Program for FY 2015/16 and authorizes the appropriation of funds of \$3,667 for the Town of Surfside's proportionate share of the program subject to approval in the Town's FY 2015/16 Annual Budget.

Recommendation: The attached Resolution authorizes the execution of the Memorandum of Understanding for participation in the Nurse Initiative Program for school year 2015/16 in the amount of \$3,667 with said funds to be paid from the FY 2015/16 budget.



Town Manager

RESOLUTION NO. 15 – _____

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA (“TOWN”) AUTHORIZING THE MAYOR TO ENTER INTO A MEMORANDUM OF UNDERSTANDING (“MOU”) BETWEEN THE CITY OF MIAMI BEACH, NORTH BAY VILLAGE, THE TOWN OF BAY HARBOR ISLANDS, THE TOWN OF SURFSIDE, BAL HARBOUR VILLAGE AND THE MIAMI BEACH CHAMBER EDUCATION FOUNDATION, INC., TO IMPLEMENT A NURSE INITIATIVE FOR THE 2015-2016 SCHOOL YEAR AND AUTHORIZING THE APPROPRIATION OF \$3,667.00 FROM THE FISCAL YEAR 2015-2016 ANNUAL BUDGET FOR THE TOWN OF SURFSIDE'S PROPORTIONATE SHARE OF FUNDING FOR THE NURSE ENHANCEMENT INITIATIVE SUBJECT TO APPROVAL IN THE TOWN'S FISCAL YEAR 2015-2016 ANNUAL BUDGET; PROVIDING FOR AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town Commission joined the City of Miami Beach, North Bay Village, the Town of Bay Harbor Islands, and Bal Harbour Village (“Participating Municipalities”) in funding and implementing a Nurse Initiative program to provide a Registered Nurse to rotate among the three (3) participating schools and a medical assistant at each participating school; and

WHEREAS, the Nurse Initiative was a success during the 2013-2014 School Year and as a result the Participating Municipalities determined that a program to provide healthcare services to students attending underserved public schools is in the best interests of the health and public welfare of youth; and

WHEREAS, in the 2013-14 School Year, a municipal Nurse Initiative was implemented pursuant to a Memorandum of Understanding between the Participating Municipalities to provide a Health Connect in Our Schools (“HCIOS”) team of professionals including a shared Registered Nurse, a full-time Medical Assistant, and a social worker which is already funded by Miami-Dade County Public Schools for the 2013-2014 School Year and the 2014-2015 School Year; and

WHEREAS, the benefits of HCIOS health teams include: a coordinated level of schoolbased healthcare, expanded health screenings, and assessments with access to follow-up care, mental and behavioral health services to identify and solve student health and educational issues, nutrition and health counseling, health services for uninsured students with no other option for access to health care, emergency first aid/CPR, and chronic disease management; and

WHEREAS, utilization of the HCIOS have remained high throughout the 2014-2015 school year, with 52 percent of the 3,044 students utilizing the services from August 2014

August 2014 through February 2015, an average of eleven visits per day per school resulting in 3,836 visits this school year; and

WHEREAS, due to the success of the Nurse Initiative during the 2013-2014 School Year and the 2014-15 School Year, the Town of Surfside and the other Participating Municipalities wish to support an enhanced nurse initiative (“Nurse Enhancement Initiative”) for the 2015-2016 School Year because the basic healthcare services previously funded in the prior Nurse Initiative by the Participating Municipalities, the Miami Beach Chamber Education Foundation, Inc. (“MBCEF”), and The Children’s Trust will now be provided by The Children’s Trust via the School Health Programs; and

WHEREAS, the Town’s proportionate share for the Nurse Enhancement Initiative is \$3,667 for the 2015-16 School Year and will not be due to be paid until October 31, 2015; and

WHEREAS, the funds for the Town’s proportionate share will be subject to approval in the Town’s FY 2015-2016 Annual Budget; and

WHEREAS, The Children’s Trust has committed to fund the School Health Programs at all Miami Beach feeder schools through the end of the 2017-2018 School Year; and

WHEREAS, the funding provided by the Participating Municipalities will enhance The Children’s Trust School Health Programs for North Beach Elementary, Treasure Island Elementary, and Ruth K. Broad Bay Harbor K-8 Center (the “Schools”), to include, but not be limited to, services such as behavioral health and/or tele health/telemedicine each week during the 2015-2016 School Year at each of the Schools; and

WHEREAS, The Children’s Trust funding will provide for a full-time registered nurse and/or licensed practical nurse at each of the Schools for the 2015-2016 School Year; and

WHEREAS, as of April 2015, each of the Participating Municipalities has committed approximate funding for the Nurse Enhancement Initiative for the 2015-2016 School Year, subject to their respective budget approvals, as follows: City of Miami Beach \$15,400, Town of Surfside \$3,667,00 Town of Bay Harbor Islands \$3,667, Bal Harbour Village \$3,667, and North Bay Village \$6,600; and

WHEREAS, the MBCEF will serve as the fiscal agent to collect the funds from the Participating Municipalities and will disperse the funds to The Children’s Trust; and

WHEREAS, on or before October 31, 2015, the Participating Municipalities shall provide their proportionate share of funds for the 2015-2016 Nurse Enhancement Initiative to MBCEF, which funds MBCEF shall hold in escrow pending the execution of its agreement with The Children’s Trust; and

WHEREAS, it is anticipated that a Memorandum of Understanding (“MOU”) will be entered into between the City of Miami Beach, the Miami Beach Chamber Education Foundation, Inc., The Children’s Trust, North Bay Village, the Town of Surfside, the Town of Bay Harbor Islands, and Bal Harbour Village, with the Participating Municipalities contributing

their proportionate share of the costs to support the Nurse Enhancement Initiative program for the 2015-2016 School Year; and

WHEREAS, the proportionate share of the cost for the Town of Surfside will be \$3,667.00; and

WHEREAS, the MOU may be extended for up to two additional School Years in 2016-2017 and/or 2017-2018, pending available funding from the Participating Municipalities; and

WHEREAS, the Town of Surfside and its residents should continue to benefit from having a nurse and medical assistance available for the children attending the participating schools.

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. The Town Commission hereby authorizes the Mayor to enter into the Memorandum of Understanding between the City of Miami Beach, North Bay Village, The Town of Bay Harbor Islands, The Town of Surfside, Bal Harbour Village and The Miami Beach Chamber Education Foundation, Inc., to implement a Nurse Initiative for 2015-2016 school year (Attached hereto as Attachment "A").

Section 3. Implementation. The Town Commission authorizes and approves the Town Manager and/or his designee to take any action necessary to implement and execute this Memorandum of Understanding.

Section 4. Expenditure of Funds. The Town Manager and/or his designee are authorized to expend funds not to exceed \$3,667.00 from the FY Budget 2015-2016 for the purposes set forth herein, subject to approval in the Town's FY 2015-2016 Annual Budget.

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

PASSED and ADOPTED on this day _____ of June 2015.

Motion by _____,

Second by _____.

FINAL VOTE ON ADOPTION

Commissioner Barry R. Cohen

Commissioner Michael Karukin

Commissioner Marta Olchyk

Vice Mayor Eli Tourgeman

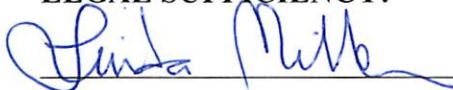
Mayor Daniel Dietch

Daniel Dietch, Mayor

ATTEST:

Sandra Novoa, Town Clerk

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



Linda Miller, Town Attorney

**MEMORANDUM OF UNDERSTANDING
BETWEEN
THE CITY OF MIAMI BEACH, NORTH BAY VILLAGE, THE TOWN OF BAY HARBOR
ISLANDS, THE TOWN OF SURFSIDE, BAL HARBOUR VILLAGE, AND
THE MIAMI BEACH CHAMBER EDUCATION FOUNDATION TO IMPLEMENT A
NURSE ENHANCEMENT INITIATIVE FOR SCHOOL YEAR 2015-2016**

This is a Memorandum of Understanding ("MOU") made and entered into this ____ day of _____, 2015, by and between the **City of Miami Beach ("CMB")**, **North Bay Village ("NBV")**, the **Town of Bay Harbor Islands ("TBHI")**, the **Town of Surfside ("TS")**, **Bal Harbour Village ("BHV")**, and the **Miami Beach Chamber Education Foundation, Inc. ("MBCEF")** (collectively, the "Parties"), to provide for funding and for the implementation of a Nurse Initiative as provided herein, and as to be provided in an agreement. between **MBCEF** and **The Children's Trust ("TCT")**.

WITNESSETH

WHEREAS, the Parties have determined that a program to provide healthcare services to students attending underserved public schools is in the best interests of the health and public welfare of the City of Miami Beach, North Bay Village, the Town of Bay Harbor Islands, the Town of Surfside, and Bal Harbour Village (the "**Participating Municipalities**"); and

WHEREAS, following the Parties' determination that students at North Beach Elementary, Treasure Island Elementary, and Ruth K. Broad Bay Harbor K-8 Center (the "**Participating Schools**") did not have full-time, on-site healthcare services and were, thus, underserved as compared to other public schools in the feeder pattern that falls within the City of Miami Beach, the Parties entered into a Memorandum of Understanding on August 19, 2013 for a Nurse Initiative ("2013-2014 Nurse Initiative MOU") to provide healthcare services to the Participating Schools during the 2013-2014 School Year; and

WHEREAS, due to the success of the Nurse Initiative during the 2013-2014 and 2014-2015 School Years, the Parties wish to implement an enhanced nurse initiative ("Nurse Enhancement Initiative") for the 2015-2016 School Year for the Participating Schools because the basic healthcare services previously funded in the Nurse Initiative by the Participating Municipalities, the Miami Beach Chamber Education Foundation, Inc., and The Children's Trust, will now be provided by The Children's Trust via the new School Health Programs; and

WHEREAS, the Nurse Enhancement Initiative should be established at the Participating Schools for School Year 2015-2016 as herein provided and pursuant to a separate agreement to be entered into between **MBCEF** and **TCT**.

NOW, THEREFORE, in consideration of the mutual terms, conditions, promises, covenants, and payments hereinafter set forth, the Parties agree to provide for a Nurse

Enhancement Initiative for the Participating Schools during the 2015-2016 School Year as follows:

1. **MBCEF** shall enter into an agreement with **TCT** whereby **TCT** shall provide funding in the approximate amount of \$_____ for services including, but not limited to behavioral health and/or telehealth/telemedicine and shall provide certain schedules and reports as follows:
 - a) A monthly report of services provided at each of the **Participating Schools** shall be provided to the Participating Schools and to **MBCEF**; and
 - b) A monthly and an annual report shall be provided to the **Participating Municipalities** and to **MBCEF** documenting the percent of students returning to class after all visits relative to the above services at the **Participating Schools**.
2. On or before November 10, 2015, **MBCEF** shall provide funding to **TCT** for the 2015-2016 Nurse Initiative from the Aetna Voices of Health Award in the amount of \$7,000.
3. On or before October 31, 2015, the **Participating Municipalities** shall provide their proportionate share of funds for the 2015-2016 Nurse Enhancement Initiative to **MBCEF**, subject to budget approval by the **Participating Municipalities**, which funds **MBCEF** shall hold in escrow pending the execution of its agreement with **TCT** referenced in paragraph 1. The **Participating Municipalities'** proportionate share of funding for the 2015-2016 School Year shall be paid by October 31, 2015 in the following amounts:
 - i) **CMB** shall provide funding in the amount of \$15,400;
 - ii) **NBV** shall provide funding in the amount of \$6,600;
 - iii) **TBHI** shall provide funding in the amount of \$3,667;
 - iv) **TS** shall provide funding in the amount of \$3,667; and
 - v) **BHV** shall provide funding in the amount of \$3,667;
4. **MBCEF** shall serve as the fiscal agent to collect the funds to be paid as provided in paragraph 3 above and shall disperse such funds to **TCT** after entering into the agreement with **TCT** referenced in paragraph 1 and upon receipt of invoices from **TCT**.

5. **MBCEF** shall indemnify and hold harmless the **Participating Municipalities** and their respective officers employees, agents and instrumentalities from any and all liability, losses, or damages, including attorneys' fees and costs of defense, which the **Participating Municipalities** or their officers, employees, agents or instrumentalities may incur as a result of claims, demands, suits, causes of actions or proceedings of any kind or nature arising out of, relating to, or resulting from the performance of this MOU by **MBCEF** or its employees, agents, servants, partners, principals, or subcontractors. **MBCEF** shall pay claims and losses in connection therewith and shall investigate and defend all claims suits or actions of any kind or nature in the name of the **Participating Municipalities**, where applicable, including appellate proceedings, and shall pay all costs, judgments, and attorney's fees which may issue thereon.
6. In the event that one or more of the **Participating Municipalities** is not able to secure funds for their respective proportionate share of funding as provided in paragraph 3, then the remaining contributing **Participating Municipalities** may, in coordination with the **MBCEF**, adjust the services to be provided through the Nurse Enhancement Initiative.
7. In the event that any of the provisions in this MOU are not performed, or if the 2015-2016 Nurse Enhancement Initiative is terminated after funds have been dispersed to **MBCEF** as provided in paragraphs 3 and 4, then **MBCEF** shall promptly reimburse each of the **Participating Municipalities** their proportionate share of unused funds. If any combination or all of the **Participating Municipalities** agree to implement a Nurse Enhancement Initiative for the 2016-2017 and/or 2017-2018 School Years, then **MBCEF** may, as directed by the **Participating Municipalities** that agree to implement a 2016-2017 and/or 2017-2018 Nurse Enhancement Initiative, hold any unused funds in escrow to be applied toward the 2016-2017 and/or 2017-2018 Nurse Enhancement Initiative. Any unused funds shall be credited toward each of the **Participating Municipalities'** proportionate share for the 2016-2017 and/or 2017-2018 Nurse Enhancement Initiative.

IN WITNESS THEREOF, the Parties hereto have executed by their respective and duly authorized officers the day and year first above written.

ATTEST:

CITY OF MIAMI BEACH, a Municipal Corporation of the State of Florida

By: _____
Rafael E. Granado, City Clerk

By: _____
Philip Levine, Mayor

Approved as to form and
Language and for execution

ATTEST:

NORTH BAY VILLAGE, a Municipal
Corporation of the State of Florida

By: _____
Village Clerk

By: _____
Village Manager

Approved as to form and
Legal sufficiency

ATTEST:

TOWN OF BAY HARBOR ISLANDS, a Municipal
Corporation of the State of Florida

By: _____
Town Clerk

By: _____
Mayor/Town Manager

Approved as to form and
Legal sufficiency

ATTEST:

**TOWN OF SURFSIDE, A Municipal
Corporation of the State of Florida**

By: _____
Town Clerk

By: _____
Mayor/Town Manager

Approved as to form and
Legal sufficiency

ATTEST:

BAL HARBOUR VILLAGE, a Municipal
Corporation of the State of Florida

By: _____
Village Clerk

By: _____
Mayor/Village Manager

Approved as to form and
Legal sufficiency

ATTEST:

**MIAMI BEACH CHAMBER EDUCATION
FOUNDATION**

By: _____

By: _____

Approved as to form and
Legal sufficiency



Town of Surfside Commission Communication

Agenda Item # 3L

Agenda Date: June 9, 2015

Subject: Additional Contributions for Downtown Harding Avenue Business District Tree Lights

Background: Following on the compliments that the Town has received on the recent seasonal lighting of the business district trees, and positive feedback from the business community, the Town retained the lights on the three entrance trees at Harding Avenue and 96th Street. The Town Manager issued two letters to the business community seeking contributions to keep these lights on and maintained through to November when seasonal lighting is traditionally installed.

Analysis: The following businesses have contributed \$960 to this endeavor in addition to the \$7000 accepted by the Town Commission at the May 12, 2015 meeting:

Condotti Men's Clothing, 9456 Harding Ave - \$500
9484 Harding Investments - \$360
Edy A. Guerra, DDS, P.A., 9456 Harding Ave - \$100

Budget Impact: No expense to the Town as the contributed amount covers the cost of this initiative. Any additional contributions received will be utilized on either a permanent lighting solution or the next seasonal installation.

Staff Impact: None.

Recommendation: The Administration recommends that the Town Commission accept contributions to sustain the lighting of the downtown Harding Avenue business district trees.


Duncan Tavares, TEDACS Director


Guillermo Olmedillo, Town Manager

RESOLUTION NO. 15 - _____

A RESOLUTION OF THE TOWN OF SURFSIDE, FLORIDA ACCEPTING CONTRIBUTIONS TO SUSTAIN THE LIGHTING OF THE DOWNTOWN HARDING AVENUE BUSINESS DISTRICT TREE LIGHTS; PROVIDING AUTHORITY TO THE TOWN MANAGER TO ACCEPT ON BEHALF OF TOWN COMMISSION CONTRIBUTIONS FOR DOWNTOWN HARDING AVENUE BUSINESS DISTRICT TREE LIGHTS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, following the compliments from residents, the business community and visitors on the recent seasonal lighting of the business district trees, the Town retained the lights on the three entrance trees at Harding Avenue and 96th Street; and

WHEREAS, the Town Manager issued two letters to the business community seeking contributions to keep these lights on and maintained through November 2015 when seasonal lighting is traditionally installed; and

WHEREAS, to date the following businesses have contributed a total amount of \$960 to this endeavor: Edy A. Guerra, DDS, P.A., 9456 Harding Avenue - \$100; Condotti Men's Clothing, 9486 Harding Avenue - \$500; and 9484 Harding Investments, LLC, 9484 Harding Avenue - \$360; and

WHEREAS, the Town Commission authorizes the Town Manager to accept on its behalf contributions for downtown Harding Avenue business district tree lights; and

WHEREAS, it is in the best of the Town to accept contributions to sustain the lighting of the downtown district trees.

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

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

Section 2. Accept and Authorization. The Town Commission hereby accepts the contributions in the amount of \$960 for downtown Harding Avenue business district tree lights and authorizes the Town Manager to accept on its behalf contributions for downtown Harding Avenue business district tree lights.

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

PASSED and **ADOPTED** on this day _____ of June 2015.

Motion by _____,

Second by _____.

FINAL VOTE ON ADOPTION

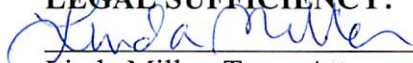
Commissioner Barry R. Cohen	_____
Commissioner Michael Karukin	_____
Commissioner Marta Olchyk	_____
Vice Mayor Eli Tourgeman	_____
Mayor Daniel Dietch	_____

Daniel Dietch, Mayor

ATTEST:

Sandra Novoa, Town Clerk

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



Linda Miller, Town Attorney



Town of Surfside Commission Communication

Agenda # 4A1

Agenda Date: June 9, 2015

Subject: Practical Difficulty Variance

From: Sarah Sinatra Gould, AICP, Town Planner

Background At the September 9, 2014 the Town Commission directed Staff to place a discussion item on the Planning and Zoning Board's agenda to explore an increase in lot coverage. This was reviewed by the Planning and Zoning Board at the September 30, 2014 meeting. The board directed staff to return with language that accommodated this request, but provided parameters and graphics to explain the code provision.

At the October 14, 2014 Town Commission meeting, the Commission directed staff to consider the option of prohibiting an expansion of the second story if a homeowner takes advantage of a maximum lot coverage of 50% on the first story.

This was further discussed at the December 9, 2014 Town Commission meeting. The Town Commission directed staff to revisit this topic by offering a method whereby the Town Commission could approve a lot coverage request on a case by case basis. Staff explained that the existing variance provisions in the code require an applicant to demonstrate an unnecessary or undue hardship.

Staff reviewed other municipalities codes and found that some jurisdictions have multiple variance standards which differentiate between an unnecessary hardship and a "practical difficulty." In the case of a variance, a practical difficulty is a standard which is similar to but less rigorous than the unnecessary and undue hardship standard. This was discussed at the January Planning and Zoning Board meeting and the board recommended adding requirements on landscaping. Staff recommends the following language.

This item was presented for first reading at the May 12, 2015 Town Commission meeting. There was discussion on additional restrictions, such as limitations on square footage allowances for the second floor if a practical difficulty variance is granted to the first floor and permitting this only once per property. Although there was much discussion, the Commission approved this on first reading without additional restrictions.

The Planning and Zoning Board heard this ordinance at their May 28, 2015 meeting. The Board discussed including a cap of 50% lot coverage as well as a limitation on the square footage permitted for the second story, if a practical difficulty variance is granted on the first story. The board voted on each addition and unanimously agreed on the 50% lot coverage cap. Two out of the three board members agreed on adding a restriction on limiting the square footage of the second floor if a practical difficulty variance is granted on the first story. The Board then voted on the overall ordinance, which was unanimously recommended for approval to the Town Commission.

Analysis: A practical difficulty variance is a relaxation of the terms or provisions of the Zoning Code which is less rigorous than the unnecessary and undue hardship standard. The proposed text relating to practical difficulty variances shall only be applicable to lot coverage for single family homes located on single platted lots in the H30B zoning district. The standard provides for a variance where a literal enforcement of a zoning regulation will create a practical difficulty in the use of the parcel of land for the purpose or in the manner for which it is zoned, considering the following factors:

- a. How substantial the variance is in relation to the requirement sought to be varied;
- b. Whether an adverse change will be produced in the character of the neighborhood;
- c. Whether the difficulty can be obviated by some method feasible for the applicant to pursue other than by a variance; and
- d. Whether, in view of the manner in which the difficulty arose, the interest of justice will be served by allowing the variance.

Based on the Planning and Zoning Board's recommendation, the following language is added:

Practical difficulty variances shall only be applicable to lot coverage for single family homes located on single platted lots in the H30B zoning district. If a practical difficulty variance is granted, the maximum lot coverage afforded shall be 50%. Any property granted additional lot coverage by a practical difficulty variance shall not increase the square footage permitted on the second story. Further, any square footage added by the practical difficulty variance on the first floor, shall be considered a reduction in the available square footage be added to the second floor.

Please see the following examples to demonstrate what is permitted in the existing code, the original text presented to commission and the modified text suggested by the Planning and Zoning Board. The Planning and Zoning Board's proposed language reflects no net increase in overall square footage by permitting the practical difficulty variance from the existing code to the proposed code.

Existing Code (Typical lot size – 5,600 square feet)	
1 st Floor	2,240 square feet
2 nd Floor	1,792 square feet
TOTAL	4,032 square feet
Proposed Code Presented to Commission	
1 st Floor	2,800 square feet
2 nd Floor	2,240 square feet
TOTAL	5,040 square feet
Text Suggested by the Planning & Zoning Board	
1 st Floor	2,800 square feet
2 nd Floor	1,232 square feet
TOTAL	4,032 square feet

Budget Impact: N/A

Growth Impact: N/A

Staff Impact: Each Practical Difficulty Variance submitted to the Town will be subject to the Town's adopted fee schedule for cost recovery applications. The applicant will submit a cost recovery fee in the amount of \$1,500 to cover the review of the application.

Staff Recommendation: The Planning and Zoning Board has recommended approval of this ordinance to the Town Commission. Staff recommends the Town Commission approve this ordinance on second reading.



Sarah Sinatra Gould, AICP, Town Planner



Guillermo Olmendillo, Town Manager

ORDINANCE NO. 15 – _____

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA AMENDING “SECTION 90-36 VARIANCES”; SPECIFICALLY AMENDING “90-36.1 GENERAL VARIANCES” TO MODIFY THE CODE TO PROVIDE FOR A PRACTICAL DIFFICULTY VARIANCE; PROVIDING FOR INCLUSION IN THE CODE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town code limits lot coverage to 40%; and

WHEREAS, lot coverage is defined as the percentage of the total area of a lot that, when viewed from above, would be covered by all principal and accessory buildings and structures, or portions thereof; provided however that allowable exclusions, as described under "floor area," shall not be included in determining the building area; and

WHEREAS, at the October 14, 2014 Town Commission meeting, the Commission directed staff to consider the option of prohibiting an expansion of the second story if a homeowner takes advantage of a maximum lot coverage of 50% on the first story; and

WHEREAS, on December 9, 2014 the Town Commission directed staff to offer a method whereby the Town Commission could approve a request to allow lot coverage greater than 40% on a case by case basis; and

WHEREAS, staff after research has determined that variance standards may differentiate between an unnecessary hardship and a “practical difficulty” and in the case of a variance, a practical difficulty is a standard which is similar to but less rigorous than the unnecessary and undue hardship standard; and

WHEREAS, practical difficulty variances were discussed at the January 29, 2015 Planning and Zoning Board meeting and the Board recommended adding landscaping requirements to any approval of additional lot coverage under a practical difficulty standard; and

WHEREAS, the Town Commission held its first public hearing on May 12, 2015; and

WHEREAS, the Planning and Zoning Board, as the local planning agency for the Town, held its hearing on the proposed amendments on May 28, 2015 with due public notice and input; and

WHEREAS, the Town Commission shall have conducted a second duly noticed public hearing on these regulations as required by law on June 9, 2015; and

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

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 Ordinances of the Town of Surfside, Section 90-36. Variances is hereby amended as follows:

90-36.1 General variances.

(1) *Purpose, definition, scope and limitations.*

- a. Unnecessary and undue hardship variance. An unnecessary and undue hardship variance is a relaxation of the terms or provisions of the Zoning Code of the Town of Surfside (zoning code) where such action will not be contrary to the public interest and where, owing to conditions peculiar to the property and not the result of actions of the applicant, a literal enforcement of the zoning code would result in unnecessary and undue hardship on the property. As used in this section, a variance is authorized only for lot coverage, dimensions of yards, setbacks, other open spaces, building spacing, parking, or loading requirements.
- b. Practical difficulty variance. A practical difficulty variance is a relaxation of the terms or provisions of the Zoning Code which is less rigorous than the unnecessary and undue hardship standard. Practical difficulty variances shall only be applicable to lot coverage for single family homes located on single platted lots in the H30B zoning district. If a practical difficulty variance is granted, the maximum lot coverage afforded shall be 50%. Any property granted additional lot coverage by a practical difficulty variance shall not increase the square footage permitted on the second story. Further, any square footage added by the practical difficulty variance on the first floor, shall be considered a reduction in the available square footage be added to the second floor. The standard provides for a variance where a literal enforcement of a zoning regulation will create a practical difficulty in the use of the parcel of land for the purpose or in the manner for which it is zoned, considering various factors set forth in paragraph (9) below.

(2) *Uses and height of structures not subject to variance.* A variance is authorized only as set out in subsection (1).

- a. Under no circumstances shall the town commission grant a variance that would allow a use of property that is not allowed within the zoning district under the Town of Surfside Comprehensive Plan and the zoning code.
- b. Under no circumstances shall the town commission grant a variance that would allow height of development and structures within the Town of Surfside that exceeds the maximum building heights that are set out in the Town of Surfside Comprehensive Plan or the zoning code, whichever provisions are more restrictive.

(3) *Nonconforming uses and structures not grounds for granting variance.* Nonconforming use of neighboring lands, structures, or buildings in the same zoning district, and permitted use

of lands, structures or buildings in any other district, shall not be considered grounds for granting a variance.

(4) *Town manager not authorized to vary terms of section.* The town manager or designee has no authority to relax the terms of this section. Authority to grant variances is lodged solely with the town commission.

(5) *Application requirements.* An application for a general variance shall be filed by the owner of the property upon which the variance is requested or the owners designated representative. The following shall, at minimum, be required to support a variance application:

- a. Statements of ownership and control of the property, executed and sworn to by the owner or owners of 100 percent of the property described in the application, or by tenant or tenants with the owners' written, sworn consent, or by duly authorized agents evidenced by a written power of attorney if the agent is not a member of the Florida Bar.
- b. The written consent of all utilities and/or easement holders if the proposed work encroaches into any easements.
- c. Survey less than one year old (including owner's affidavit that no changes have occurred since the date of the survey). A survey over one year is sufficient as long as the property has not changed ownership and the owner provides an affidavit that no changes change occurred since the date of the survey.
- d. Site plan indicating the existing and proposed structures.
- e. A map indicating the general location of the property.

(6) *Staff review.* The town manager or designee shall review the application to determine whether the proposed variance complies with the general purpose and standards set forth herein. The town manager or designee shall compile a written staff report summarizing the facts regarding the application, including all relevant documents. The complete staff report shall be transmitted to the planning and zoning board and to the town commission.

(7) *Review by planning and zoning board and by the town commission.* The town manager or designee shall schedule the general variance application for a meeting of the planning and zoning board. The planning and zoning board shall conduct one public hearing on the general variance application, review the application, and make recommendations to the town commission for final action. The town manager or designee shall then schedule the variance application, including the recommendation of the planning and zoning board, for a meeting of the town commission.

- a. *Public hearing.* The town commission shall hold one public hearing on the variance application.
- b. *Action by the town commission.* In considering whether to approve or deny the application, the town commission shall review the application, the purposes and standards set forth in this section, the staff report, the recommendation of the planning and zoning board, and relevant evidence, including oral and written comments received at the public hearing. No variance shall be granted except upon the affirmative vote of at least four members of the town commission.

(8) *Standards of review for an unnecessary and undue hardship variance.* The town commission shall approve an unnecessary and undue hardship variance only if the variance applicant demonstrates by clear and convincing evidence that all of the following are met and satisfied:

- a. Special conditions and circumstances exist which are peculiar to the land, structure, or building involved, and which are not applicable to other lands, structures, or buildings in the same zoning district;
- b. The special conditions and circumstances do not result from the actions of the applicant or a prior owner of the property;
- c. Literal interpretation of the provisions of the zoning code deprives the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of the zoning code and results in unnecessary and undue hardship on the applicant;
- d. The hardship has not been deliberately or knowingly created or suffered to establish a use or structure which is not otherwise consistent with the town comprehensive plan or the zoning code;
- e. An applicant's desire or ability to achieve greater financial return or maximum financial return from his property does not constitute hardship;
- f. Granting the variance application conveys the same treatment to the applicant as to the owner of other lands, buildings, or structures in the same zoning district;
- g. The requested variance is the minimum variance that makes possible the reasonable use of the land, building, or structure; and
- h. The requested variance is in harmony with the general intent and purpose of the town comprehensive plan and the zoning code, is not injurious to the neighborhood or otherwise detrimental to the public safety and welfare, is compatible with the neighborhood, and will not substantially diminish or impair property values within the neighborhood.

(9) Standards of review for a practical difficulty variance. The town commission shall approve a practical difficulty variance if it finds, based on substantial competent evidence, that following factors demonstrate that a practical difficulty exists:

- a. How substantial the variance is in relation to the requirement sought to be varied;
- b. Whether an adverse change will be produced in the character of the neighborhood;
- c. Whether the difficulty can be obviated by some method feasible for the applicant to pursue other than by a variance; and
- d. Whether, in view of the manner in which the difficulty arose, the interest of justice will be served by allowing the variance.

(9) (10) Conditions and restrictions. The town commission may impose such conditions and restrictions upon the premises benefited by any variance as may be necessary to comply with the standards set out in this Section, and to prevent or minimize adverse effects on other property in the neighborhood. Violation of such conditions and restrictions, when made a part of the terms under which any variance is granted, shall be deemed a violation of the zoning code, and shall constitute grounds for revocation of the variance.

a. A condition of granting a practical difficulty variance shall be for the property to meet or exceed the landscape requirements in Chapter 90, Article VIII of the Town's Code of Ordinances.

~~(10)~~(11) *Expiration of approval.* The approval of any variance shall be void if the applicant does not obtain a building permit or other development order to implement the variance within 24 months after the granting of the variance. An applicant who has obtained approval of a variance may request an extension of this time period within the original approval period. The town commission may grant one or more extensions for a period of up to a total of six months for good cause shown by the applicant.

~~(11)~~ (12) *Amendments and alterations to approved variances.* Any expansion to an approved variance and any addition to or expansion of an existing variance shall require the same application, review, and approval as required under this Section for the original variance.

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 relettered 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 upon final adoption on second reading.

PASSED and ADOPTED on first reading this ____ day of _____, 2015.

PASSED and ADOPTED on second reading this ____ day of _____, 2015

Daniel Dietch, Mayor

ATTEST:

Sandra Novoa, CMC, Town Clerk

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



Linda Miller, Town Attorney

On Final Reading Moved by: _____

On Final Reading Seconded by: _____

VOTE ON ADOPTION:

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



Town of Surfside Commission Communication

Agenda # 4A2

Agenda Date: June 9, 2015

Subject: Residential Sheds

From: Sarah Sinatra Gould, AICP, Town Planner

Background: The zoning code limits sheds to 70 square feet and requires Planning and Zoning Board approval. Staff was approached in June of 2013 by a resident wanting a shed larger than the code limited square footage. Staff prepared a memo and potential code change to increase the size of a shed to 100 square feet and allow sheds to be approved administratively, if they were not located on a street side of the lot.

The Planning and Zoning Board discussed this proposal and agreed that the Board was not interested in sheds larger than 70 square feet, and even discussed requiring shorter sheds, while accommodating the same cubic area as the 70 square foot permitted sheds. Staff attempted to research these types of sheds, but they were not the standard shed and the code modification was not pursued.

Staff has been approached by a different resident requesting a shed larger than 70 square feet and has asked for this topic to be placed on the agenda for the Board's discussion.

Analysis: 90-54.7 A shed, the area of which does not exceed 100 square feet and the height of which does not exceed 10 feet, shall be permitted in a rear yard. The applicant shall provide landscaping at the discretion of the Design Review Board. An applicant may appeal the decision of the Design Review Board relating to a requirement to install landscaping to the Town Commission at the next available Town Commission meeting. A shed is subject to the following minimum setbacks:

- (a) Rear: Five feet.
- (b) Side and secondary frontage (corner): Per zoning designation.

Budget Impact: N/A

Growth Impact: N/A

Staff Impact: N/A

Staff Recommendation: The Planning and Zoning Board recommended approval to the Town Commission. Staff recommends the Town Commission approve this ordinance on second reading.



Sarah Sinatra Gould, AICP, Town Planner



Guillermo Olmedillo, Town Manager

ORDINANCE NO. 15 – _____

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA AMENDING CHAPTER 90 “ZONING”, AND AMENDING “SECTION 90-54 ACCESSORY BUILDINGS AND STRUCTURES IN THE H30A AND H30B DISTRICTS”; AND SPECIFICALLY AMENDING SECTION 90-54.7 RELATED TO SHEDS; PROVIDING FOR INCLUSION IN THE CODE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the zoning code limits sheds to 70 square feet and requires Planning and Zoning Board approval; and

WHEREAS, the Board recommended that the area of the shed shall not exceed 100 square feet and the height of which shall not exceed 10 feet and shall provide landscaping at the discretion of the Design Review Board; and

WHEREAS, the Board recommended that an applicant may appeal the decision of the Design Review Board relating to a requirement to install landscaping to the Town Commission; and

WHEREAS, the Town Commission held its first public hearing on May 12, 2015 having complied with the notice requirements required by Florida Statutes; and

WHEREAS, the Planning and Zoning Board, as the local planning agency for the Town, held its hearing on the proposed amendments on May 28, 2015 with due public notice and input; and

WHEREAS, the Town Commission conducted a second duly noticed public hearing on these regulations as required by law on June 9, 2015.

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:

90-54.7 A tool shed, the area of which does not exceed ~~70~~ 100 square feet and the height of which does not exceed 10 feet, shall be permitted in a rear yard. Applicant shall provide landscaping, if not already provided, at the discretion of the Design Review Board. An applicant may appeal the decision of the Design Review Board relating to a requirement to install landscaping to the Town Commission at the next available Town Commission meeting. A shed is subject to the following minimum setbacks:

- (a) Rear: Five feet.
- (b) Side and secondary frontage (corner): Per zoning designation.

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 upon adoption on second reading.

PASSED and ADOPTED on first reading this ____ day of _____, 2015.

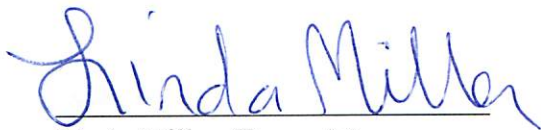
PASSED and ADOPTED on second reading this ____ day of _____, 2015.

Daniel Dietch, Mayor

ATTEST:

Sandra Novoa, Town Clerk

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


Linda Miller, Town Attorney

On Final Reading Moved by: _____

On Final Reading Seconded by: _____

VOTE ON ADOPTION:

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



TOWN OF SURFSIDE
Commission Communication

Agenda Item # 4B1

From: Commissioner Michael Karukin

Agenda Date: June 9, 2015

Subject: Amendment to Section 90-51. Maximum frontage of buildings

For your consideration:

This item is a request to reduce maximum continuous wall frontage from 270 feet to 150 feet in H30C and H40 zones that fall within the Moderate High Density Residential area as defined in the Future Land Use Section of the Comprehensive Plan policy 1.1 (see Attachment “A” map FLU-7).

Background:

Up until 2008, the maximum wall frontage varied depending on zone from 50 feet to 150 feet.

After 2008, that restriction was removed, essentially permitting wall frontage to be based on the length of a city block (e.g., 600 feet less the setbacks).

In 2012, a request to reinstate a maximum continuous wall frontage of 150 feet was not approved.

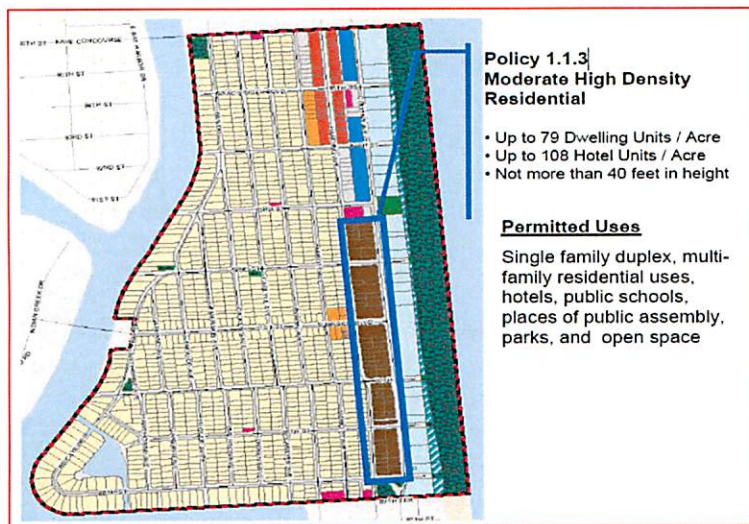
As a compromise in 2013, the Town Commission approved a limit of 270 feet, which at the time seemed reasonable and avoided other complications.

Now that those regulations were applied to a number of new projects, 270 feet maximum continuous wall frontage still creates a massing effect that is out of scale and character for these zoning districts.

Therefore, to reduce the massing effect created by a 270 foot maximum continuous wall frontage, I ask the Town Commission to reduce that number to 150 feet.

With permitted densities, and the likelihood of east west property aggregations, if this item is not passed, I believe there is a risk of more large scale buildings in the Moderate High Density Residential area. This is the “corridor” of Collins to Harding from 93rd to 88th street.

A map of the affected area and a tracked changes version of the current code are provided below to show where the reduction would apply (e.g., H30C, H40). Land use is not affected by this proposal.



The proposed revisions to the Code are as follows:

Sec. 90-51. - Maximum frontage of buildings.

90-51.1 Continuous wall frontage shall ~~not exceed 270 feet and~~ be articulated as follows:

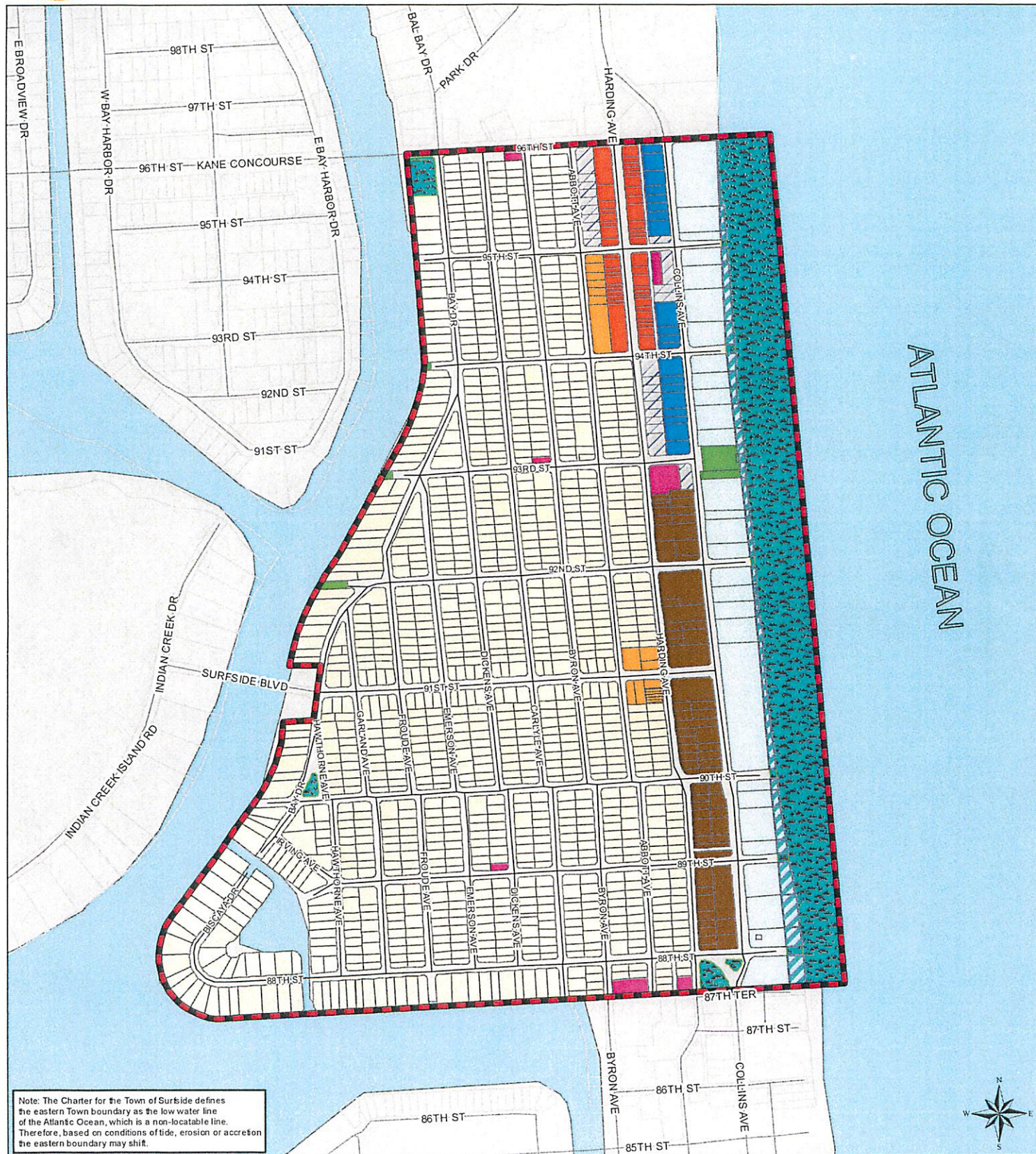
- (1) H30C: Shall not exceed 150 feet. For every 50 feet, a minimum three foot change in wall plane.
- (2) H40: Shall not exceed 150 feet. For every seventy-five (75) feet, a minimum six foot change in wall plane.
- (3) H120: Shall be limited to a ~~For every 100 feet a minimum six-foot change in wall planes. The change shall be either vertical or horizontal.~~ maximum of 270 feet of continuous wall frontage in a building platform no greater than 30 feet in height. This platform may contain habitable and non-habitable spaces. For every 100 feet, a minimum six-foot change in wall planes shall be required. The change shall be either vertical or horizontal. Buildings are permitted above the 30 foot high platform and shall be subject to the following:
 - a) A tower above the platform shall provide a continuous wall plane no greater than 150 feet in length with a minimum six-foot vertical or horizontal change in wall plane.
 - b) The distance between more than one tower located on a platform shall be a minimum of 40 feet.

- c) If a platform is provided, the side setbacks of any tower shall be a minimum of 20 feet from the setback of the platform.
- (4) Structured parking garages: see section 90-49.4; Municipal Use (MU) shall not exceed 150 feet. For every 50 feet, a minimum three-foot change in wall plane.

RECOMMENDATION: Town Commission approve the attached Ordinance amending Section 90-51.1 to provide further limitations on the maximum continuous wall frontage.



Future Land Use (2030)



Legend

- | | | |
|-------------------------|--|--------------------|
| Surfside Boundary | High Density Residential / Tourist | Parking |
| Surfside Streets | Low Density Residential | Private Recreation |
| Future Land Use | Moderate Low Density Residential | Public Buildings |
| Community Facility | Moderate Density Residential / Tourist | Public Recreation |
| General Retail Services | Moderate Density Residential | |

0 450 900 1,350 1,800 Feet

Map Number : FLU 7

Print Date : November 2008

Source : Calvin Giordano and Associates

Calvin, Giordano & Associates, Inc.
EXCEPTIONAL SOLUTIONS

GIS Produced and maintained by the CGA
Geographic Information Systems Services

ORDINANCE NO. 15- _____

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA AMENDING THE TOWN OF SURFSIDE CODE OF ORDINANCES BY AMENDING CHAPTER 90 ZONING; AMENDING SECTION 90-51 MAXIMUM FRONTAGE OF BUILDINGS; SPECIFICALLY AMENDING SECTION 90-51.1 CONTINUOUS WALL FRONTAGE; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR SEVERABILITY; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, up until 2008, the maximum wall frontage varied depending on the zoning designation from 50 feet to 150 feet; and

WHEREAS, in 2012, the Town Commission began the process of discussing limits to maximum continuous wall frontage; and

WHEREAS, on January 15, 2013, the Town Commission adopted Ordinance No. 13-1597 and approved limits for maximum continuous wall frontage; and

WHEREAS, the current Town Code Section 90-51.1 states:

90-51.1 Continuous wall frontage shall not exceed 270 feet and be articulated as follows:

- (1) *H30C*: For every 50 feet, a minimum three foot change in wall plane.
- (2) *H40*: For every seventy-five (75) feet, a minimum six foot change in wall plane.
- (3) *H120*: For every 100 feet, a minimum six-foot change in wall planes. The change shall be either vertical or horizontal.
- (4) Structured parking garages: see section 90-49.4; and

WHEREAS, the Town Commission has attempted to create regulations to address the specific needs of this unique community and continues to amend these regulations as they may best suit the needs of the community which now includes limiting building length; and

WHEREAS, the Town Commission held its first duly noticed public hearing on these regulations on June 9, 2015 and recommended approval of the proposed amendments to the Code of Ordinances, having complied with the notice requirements by the Florida Statutes; and

WHEREAS, the Planning and Zoning Board, as the Local Planning Agency for the Town, held its hearing on the proposed amendments to the Code of Ordinances on June 25, 2015; and

WHEREAS, the Town Commission has conducted a second duly noticed public hearing on these regulations as required by law on July 14, 2015 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:

Sec. 90-51. - Maximum frontage of buildings.

90-51.1 Continuous wall frontage shall ~~not exceed 270 feet and be articulated~~ as follows:

- (1) ~~H30C: Shall not exceed 150 feet.~~ For every 50 feet, a minimum three foot change in wall plane.
- (2) ~~H40: Shall not exceed 150 feet.~~ For every seventy-five (75) feet, a minimum six foot change in wall plane.
- (3) ~~H120: Shall be limited to a For every 100 feet a minimum six-foot change in wall planes. The change shall be either vertical or horizontal. maximum of 270 feet of continuous wall frontage in a building platform no greater than 30 feet in height. This platform may contain habitable and non-habitable spaces. For every 100 feet, a minimum six-foot change in wall planes shall be required. The change shall be either vertical or horizontal. Buildings are permitted above the 30 foot high platform and shall be subject to the following:~~
 - a) ~~A tower above the platform shall provide a continuous wall plane no greater than 150 feet in length with a minimum six-foot vertical or horizontal change in wall plane.~~
 - b) ~~The distance between more than one tower located on a platform shall be a minimum of 40 feet.~~
 - c) ~~If a platform is provided, the side setbacks of any tower shall be a minimum of 20 feet from the setback of the platform.~~
- (4) ~~Structured parking garages: see section 90-49.4; Municipal Use (MU) shall not exceed 150 feet. For every 50 feet, a minimum three-foot change in wall plane.~~

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 relettered 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 upon adoption on second reading.

PASSED and **ADOPTED** on first reading this ____ day of _____, 2015.

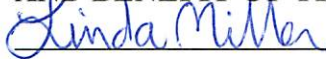
PASSED and **ADOPTED** on second reading this ____ day of _____, 2015.

Daniel Dietch, Mayor

ATTEST:

Sandra Novoa, Town Clerk

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



Linda Miller, Town Attorney

On Final Reading Moved by: _____

On Final Reading Seconded by: _____

VOTE ON ADOPTION:

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



**TOWN OF SURFSIDE
DISCUSSION ITEM**

Agenda Item # 8A

Agenda Date: April 14, 2015 - June 9, 2015

From: Guillermo Olmedillo, Town Manager

Subject: Clarification of Town Policies and Procedures for Representation of Town of Surfside and Town Commission Recognition Policies and Procedures

Background: Over the past three months, I have had the opportunity to review the Town's policies and procedures. In light of this review, there are several points for clarification and discussion.

1. Representation of Town of Surfside:

Presently, the language in Section 2-208 only addresses instances when the Commission as a whole desires to have a representative at meetings, conferences, etc. However, it does not address instances when a member of the commission wants to attend such events.

Section 2-208, Rule 9.01 provides:

“Whenever the commission deems it necessary or desirable that the commission shall be represented at meetings, conferences or other occasions involving other governmental entities, agencies, officials or groups, or non-governmental organizations, or departments, agencies or officials of the town government, the presiding officer may designate members of the commission to represent the commission at such meetings, conferences or other occasions, with the consent of the designee. A majority of the commissioners then present may disapprove any such appointment. Such representatives shall have no power to act for or on behalf of the commission, or to make any commitment or binding obligation on behalf of the commission or the town. Such representatives shall report to the commission with regard to such meeting, conference or other occasion.”

Recommendation: Add language to require the Commission's majority approval for an individual Commission member's request to attend meetings, seminars, conferences or other occasions.

2. Town Commission Recognition Policies and Procedures.

The Town Commission has various ways to recognize citizens and staff, including, but not limited to the Key to the Town, Certificates, Community Center Bricks and Proclamations.

Recently, it came to my attention that the Town does not have clear policies and procedures to guide such recognition. Article IV. "Rules of Procedure for the Town Commission" only provides general guidance.

Rule 6.5 under Section 2-205 states that:

"Matters may be placed on the agenda by any town commissioner, the manager, the town attorney and the clerk of the commission."

Rule 6.06(c) under Section 2-205 provides:

"Ordinances, resolutions and other matters and subjects requiring action by the commission may be introduced and sponsored by a member of the commission, except that either the manager or the town attorney may present ordinances, resolutions and other matters or subjects to the commission for consideration, and any commissioner may assume sponsorship thereof by moving that such ordinance, resolution, matter or subject be adopted in accordance with law; otherwise they shall not be considered."

Recommendation: Prepare an amendment to Section 2 of the Town Code, establishing an official recognition and nomination process to be considered by the Town Commission. Attached please find Request for Policy and Procedures form.



TOWN OF SURFSIDE
PROCLAMATION, CERTIFICATE, COMMUNITY CENTER BRICK
AND KEY TO THE TOWN
REQUEST FORM
OFFICE OF THE TOWN CLERK

Request for: Proclamation ____ Certificate ____ Key ____ Brick ____ (check one)

Date of Request: _____

Name of Requestor: _____

Organization: _____

Address: _____

Phone / E-Mail: _____

Name of Individual / Organization to be honored:

Title for Proclamation or Certificate:

Date of Recognition: _____

Reason for Recognition (*Please attach 4 – 6 "whereas clauses" as draft text for a Proclamation*):

Document is to be:

- Presented at a Commission Meeting in _____ (month / year)
- Presented at the following event _____ (*Please attach event information to the request form*)
- Picked up by _____ on _____ (date)

Administrative Use Only

Proclamation ____ Certificate ____ Key ____ Coin ____

Approved: Yes ____ No ____ If no, state reason: _____

Approved Date: _____

Date Submitted for Mayor's Signature: _____

Date Issued: _____



TOWN OF SURFSIDE

PROCLAMATION, CERTIFICATE, COMMUNITY CENTER BRICK AND KEY TO THE TOWN POLICY AND PROCEDURE OFFICE OF THE TOWN CLERK

Page 1 of 2

PROCLAMATIONS AND/OR COMMUNITY CENTER BRICKS

Proclamations and/or Bricks are ceremonial documents issued by the Mayor with the consent of the Town Commission that recognize, celebrate, and honor extraordinary achievements. They may include but are not limited to the citizens of the Town of Surfside; residents of Miami-Dade County, certain organizations' occasions of importance and significance; days that are noteworthy or historically significant; and special events. Proclamations are not automatically renewed and are limited to one (1) recipient per event, per calendar year.

Proclamations and/or Bricks will not be issued for matters of political controversy; ideological or religious beliefs or individual conviction; and campaigns or events contrary to Town policies, espousing hatred, violence, or racism. Proclamations are strictly honorary and they are issued as a courtesy. In addition, they are not legally binding and do not constitute an endorsement by the Town of Surfside.

CERTIFICATES OF RECOGNITION AND/OR ACHIEVEMENT

Certificates of Recognition and/or Achievement, which are inclusive of any other similar type of recognition, are honorary documents issued by the Mayor that may be used to honor special events or individuals. These may include but are not limited to conferences; conventions; seminars; professional celebrations; retirements; family reunions; community celebrations; award ceremonies; college graduations; significant birthdays; anniversaries and other achievements. Certificates of Recognition and/or Achievement are not automatically renewed and are limited to one (1) recipient per event, per calendar year.

KEY TO THE TOWN

The Key to the Town is an honor bestowed by the Mayor with the consent of the Town Commission upon esteemed residents, visitors, and others whom, the Town wishes to honor. A key to the Town is strictly honorary.

TOWN COINS

Each member of the Town Commission will receive a total of 10 coins every two years to use at their discretion.

02/17/2015



TOWN OF SURFSIDE

PROCLAMATION, CERTIFICATE, COMMUNITY CENTER BRICK AND KEY TO THE TOWN POLICY AND PROCEDURE OFFICE OF THE TOWN CLERK

Page 2 of 2

POLICY AND PROCEDURE

The Mayor, Town Commission members, individuals and organizations seeking a Proclamation, Certificate, Community Center Bricks or Key to the Town shall submit their request in writing to the Town of Surfside Office of the Town Clerk. Requestors may use the Town's Proclamation, Certificate, Community Center Brick and Key to the Town Request Form or a letter to submit their request.

The Proclamation, Certificate, Community Center Brick and Key to the Town Request Form is available on the Town's website at www.TownofSurfsidefl.com and at the Office of the Town Clerk via telephone at (305) 561-4863 or via e-mail at snovoa@townofsurfsidefl.gov.

Request letters must include the following information:

- Contact person's first and last name, address, telephone number, and e-mail address (if available).
- The name and date of the day, week, month or event to be proclaimed or recognized.
- A brief summary and/or background of the event, organization, or person.
- Draft text for the proclamation including 4 – 6 "whereas" clauses.
- Date to be presented and/or when needed.
- An indication of whether the Proclamation, Certificate, Community Center Brick or Key to the Town is to be mailed, picked-up, or if the requestor wishes to have this presented at a Commission Meeting.

Upon the Town Commission's approval of a Certificate, Community Center Brick, Proclamation and/or Key to the Town, The Mayor, Commission members and Town Manager shall be invited to attend the event at which the Certificate, Community Center Brick, Proclamation and/or Key to the Town is to be awarded if other than at the scheduled Commission Meeting.

Note: Submission of a request for a Proclamation, Certificate, Community Center Brick or Key to the Town requires approval by the Town Commission.

02/17/2015



Town of Surfside Commission Communication

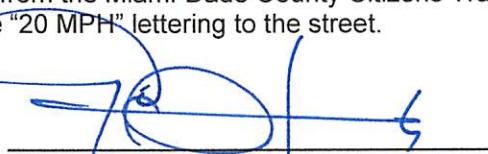
Agenda Item #: 9A
Agenda Date: June 9, 2015
Subject: Traffic Management Plan – Long Term Solutions

Background: The Town Commission held a Special Commission Meeting on April 27, 2015 to discuss short term and long term solutions to the traffic concerns in Town. Traffic experts from Miami-Dade County, the Florida Department of Transportation, and Calvin, Giordano and Associates presented information and answered questions for the Town Commission and the residents. The Town Commission directed the Town Manager to develop a plan of action for short term solutions that can be implemented immediately to relieve the traffic congestion issues. The short term solutions were implemented and discussed at the May 12 Town Commission meeting. The Town Commission also at the May 12 meeting directed staff to develop more permanent traffic solutions for the June 9 meeting for discussion.

The following measures are recommended by staff:

- Continue traffic enforcement and visibility in the residential area and on Byron Avenue during afternoon rush hours.
- Install vehicle and pedestrian traffic loop detections as recommended by both traffic studies to further assist with vehicular movement along the state roads. The cost is approximately \$31,000 from the Miami-Dade County Citizens Transportation Trust or the installation at the five signals.
- FDOT has completed a study on a new traffic signal at 96 Street and Abbott Avenue and removing the traffic signal at 96 Street and Byron Avenue and denied it. FDOT will take a second review at the request of the Town Commission. At this time staff is waiting for a response from FDOT.
- Staff will review intersections in need of stop signs and request approval through Miami-Dade County.
- Remove the FDOT No U-Turn sign on 96 Street near Bay Drive. Staff is waiting on a response from FDOT.
- Staff will develop signage to designate residential neighborhoods.
- Remove the traffic circle in the intersection of 95 Street & Byron Avenue. That intersection will be a three way stop intersection.
- Enhance the 9500 block of Byron Avenue by the adding of four landscaped concrete curb extensions, two at the beginning of the block (north side of intersection at 95 Street & Byron Avenue) and two more at mid-block. The cost is \$25,000 from the Miami-Dade County Citizens Transportation Trust. Install speed calming devices and place "20 MPH" lettering to the street.


David Allen, Chief of Police


Guillermo Olmedillo, Town Manager

H40/H30C Mid-blocks Zoning Analysis Report

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Final Report



Calvin, Giordano & Associates, Inc.
2015

Acknowledgements

TOWN OF SURFSIDE

COMMISSIONERS

Daniel Dietch
Mayor

Eli Tourgeman
Vice Mayor

Barry Richard Cohen
Michael Karukin
Marta Olchyk

PLANNING AND ZONING BOARD

Lindsay Lecour
Chairwoman

Commission Liaison: Barry Richard Cohen
Armando Castellanos
Peter Glynn
Jacob Kligman
Moshe Rubinstein

TOWN STAFF

Guillermo Olmedillo
Town Manager

Sandra Novoa, CMC
Town Clerk

CONSULTANTS

Sarah Sinatra, AICP
Town Planner
Calvin, Giordano & Associates, Inc.

Gianno A Feoli
Lead Urban Designer
Calvin, Giordano & Associates, Inc.

Contents

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Existing Conditions

1

Development Analysis Patterns

Block-by-Block Analysis

- (a) Ownership Patterns Analysis
 - (b) Historical Analysis
 - (c) Aggregation Analysis and Potential Aggregation Prognostics
- Corridor-wide Redevelopment Impact - Realities about frontages

2

Current Zoning Regulations

What is the current state of the regulations

- (a) Allowable uses
- (b) Height restrictions and Massing Controls
- (c) Amenity requirements - Parking, Landscaping, Architectural Articulations

What is the Town getting with the adopted regulations - a look at a recently approved project

3

Walkability Analysis

- (a) Accessing the beach from the west side of Harding Avenue
- (b) Traffic Engineering safety standards and mid-block roadway crossings

4

Focused Recommendations and Discussions

- (a) Parameters regulating historic preservation
- (b) Parameters on possible building massing
- (c) Parameters on possible architectural articulation

Direction for Further Development

Direction given by the Planning and Zoning Board at P&Z Board Meeting February 18, 2015

Scenario Studies & Comparison

Creating a simulated real-life development scenario

- 'Apples-to-apples' comparison
 - (a) Massing Studies
 - (b) 'Lifestyle' Studies

Staff Recommendations for Discussions

- (a) Setbacks
- (b) Building Mass-Volume Articulations
- (c) Facade Architectural Articulations
- (d) Parapet height offset - sight-line datum analysis

Board Members' Recommendations for 1st Reading

Direction from the Planning and Zoning Board at P&Z Board Meeting March 26, 2015
for Zoning modifications to the Town Commission for First Reading

Existing Conditions

Page 147

1

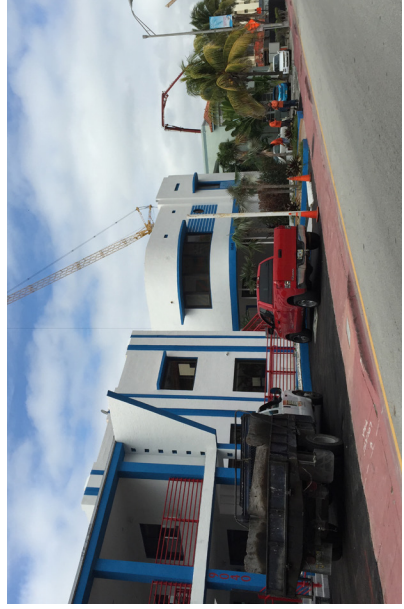




Northbound View - Collins Avenue (a)



(b)



(c)





Southbound View - Harding Avenue (d)



(e)

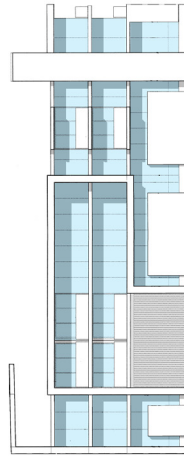


(f)





Ongoing Construction - Marriott Residence Inn (g)



Upcoming - Surf Club (h)



Development Analysis Patterns

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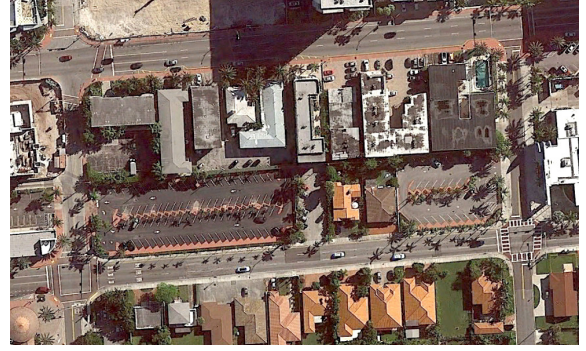
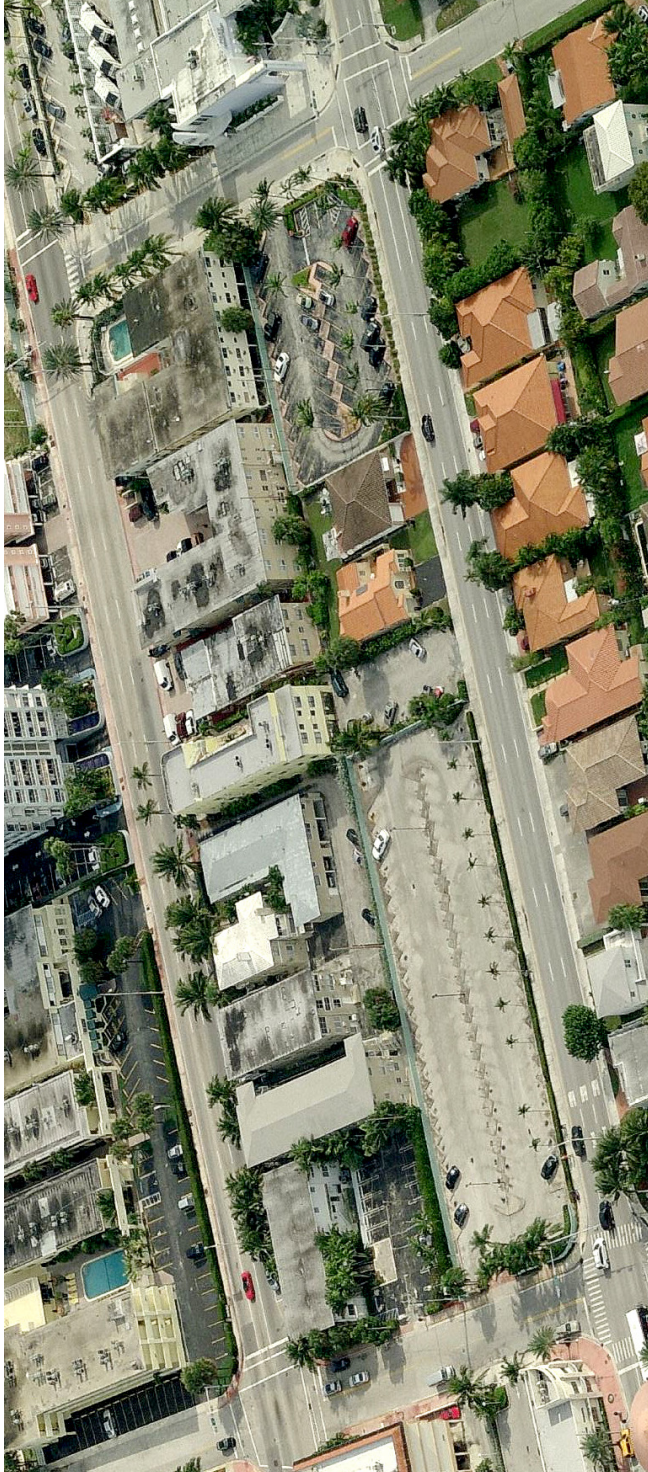
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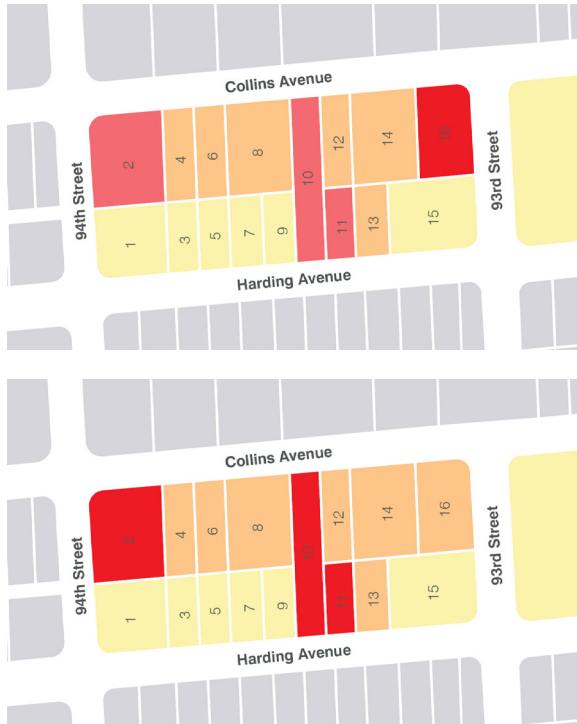
The goal for conducting an analysis of the patterns of development (including changes in property ownership over the past three years and real-life controlling mechanisms affecting redevelopment) is to ascertain the probabilities of redevelopment as a product of property-aggregation. The focus of this study is to identify likely scenarios where maximum building volumes may occur as a baseline for zoning analysis.

The methodology for the analysis employs various distinct components:

- (a) identify properties that are presently listed as being owned by a condominium entity, meaning there are many different property owners and, thus, pose a greater challenge for redevelopment and represent less of a likelihood that these properties could be easily bought-out for aggregation;
- (b) identify properties on a per-block basis whos ownership, as reflected in the public records of 2012 through 2014 tax rolls, have changed to indicate that a single entity is amassing them with the potentiality of land aggregation for larger-scale development;
- (c) identify County-level regulatory controls on redevelopment through any past and on-going historic analysis, as well as identify properties and/or their characteristics that have an impact on the current 'look and feel' of the project area and on possibilities to further their historic significance and impact; and
- (d) identify the likelihood scenario for redevelopment for each block, taking into consideration property ownership, levels of current development, and the age of the existing structures.





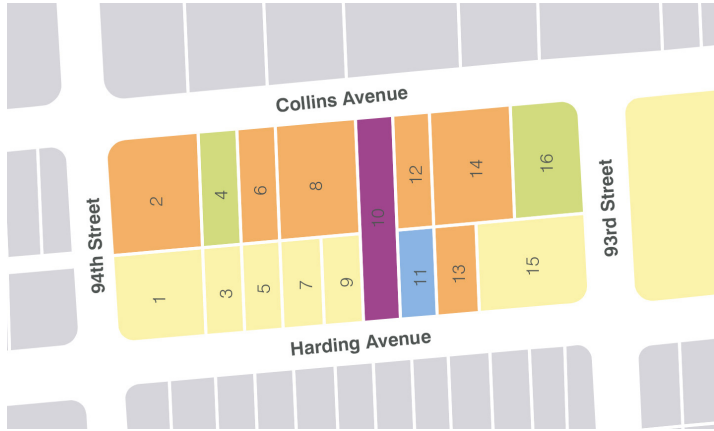


Color Key

- Properties with a change in ownership as of 2012
- Parcels with no change in ownership
- Condominium-owned parcels
- Town-owned parcels

B1

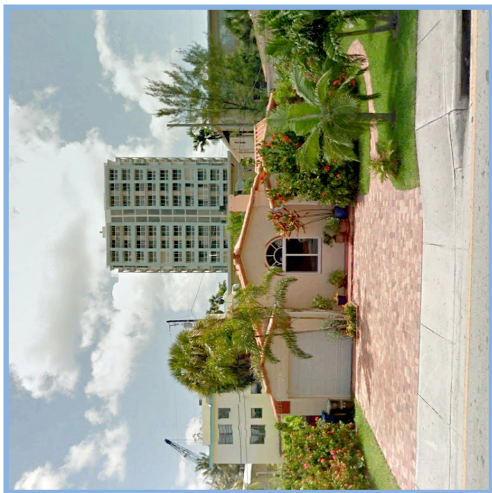




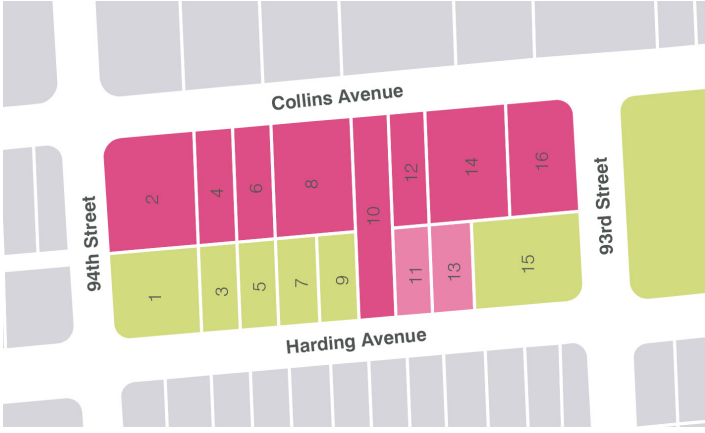
- Designated as 'Historic'
- Under County review for possible designation
- Year built between 1946-1957
- Year built between 1936-1945
- Year built between 1926-1935



10



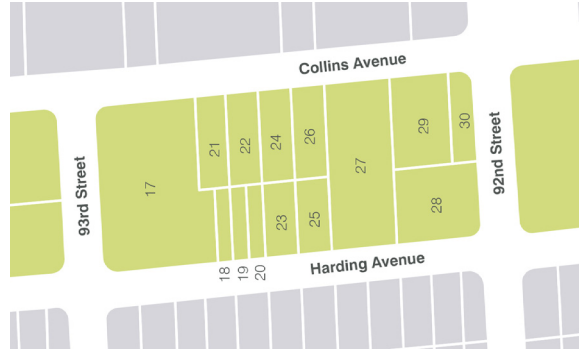
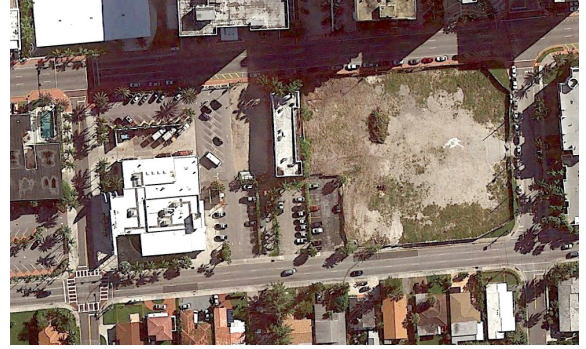
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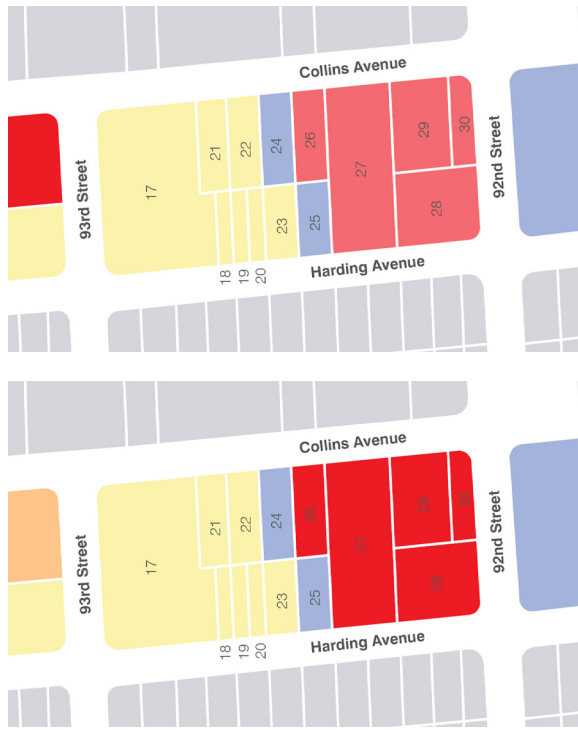


Existing Massing



Possible Massing



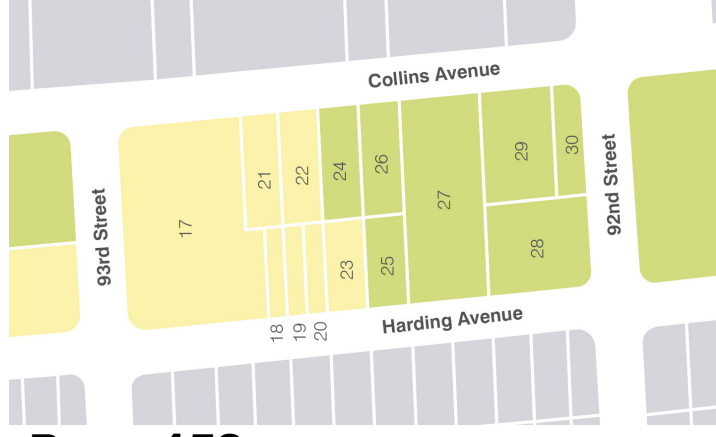


Color Key

- Properties with a change in ownership as of 2012
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B2





- Designated as 'Historic'
- Under County review for possible designation
- Year built between 1946-1957
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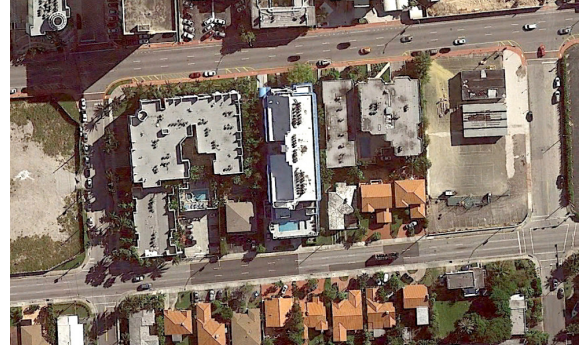


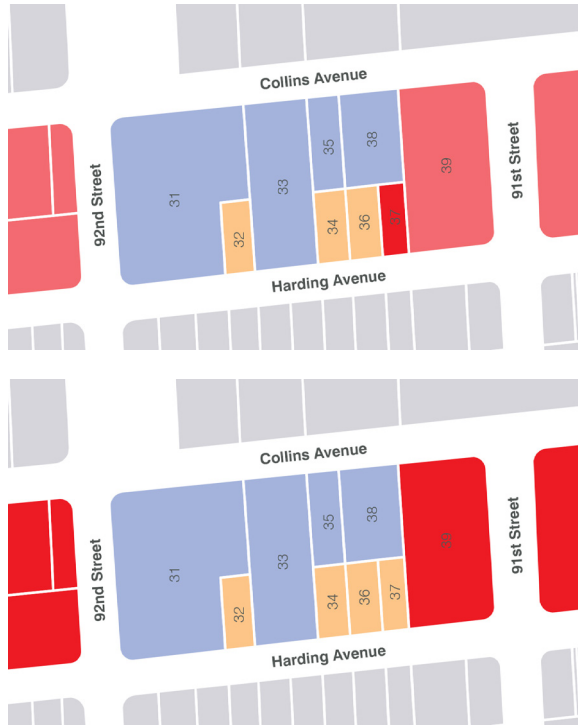


Existing Massing



Possible Massing

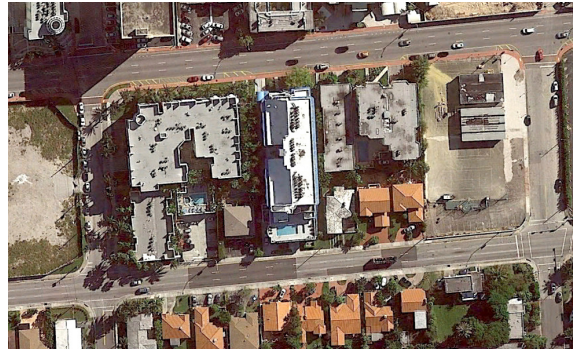


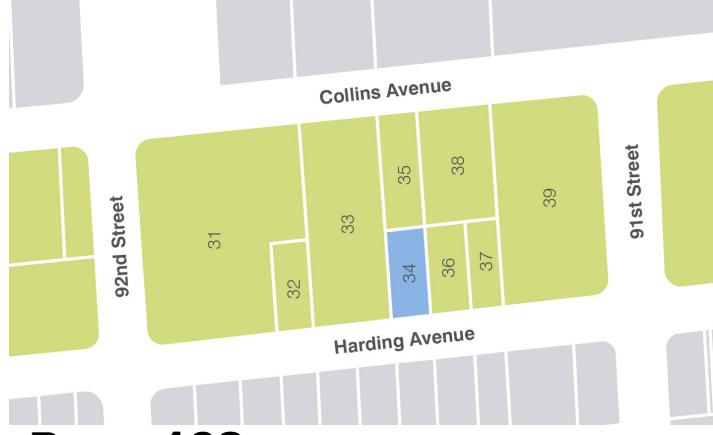


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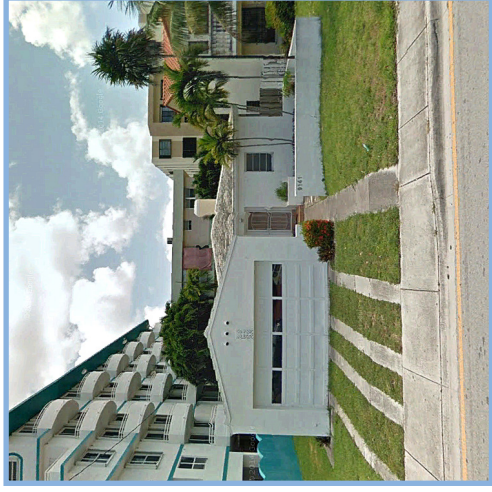
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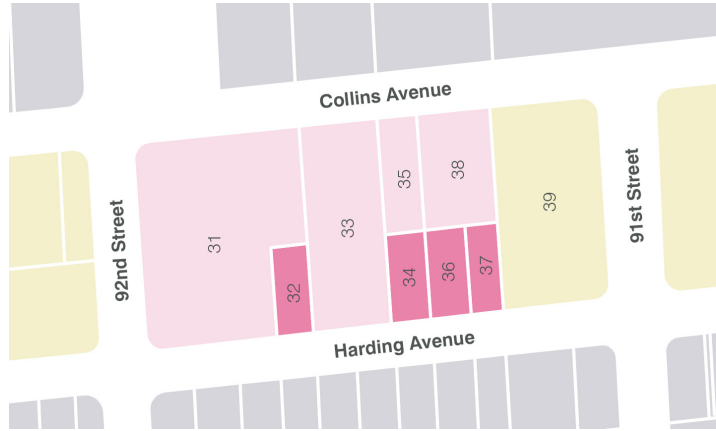




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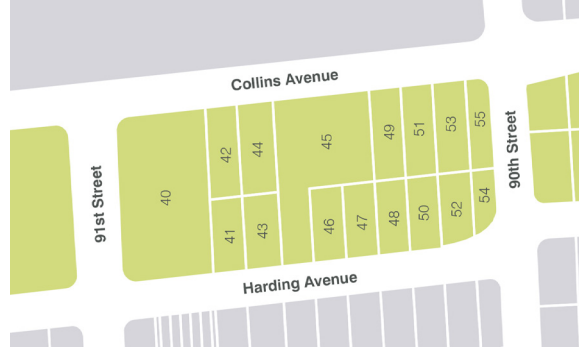
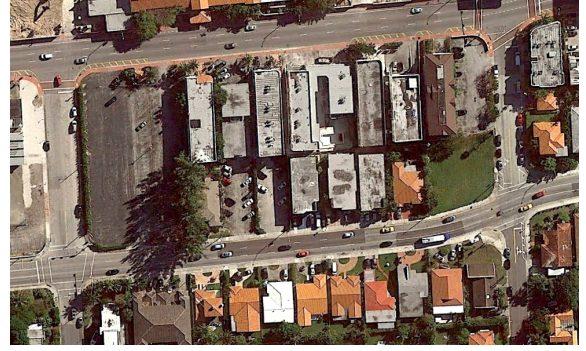
- High probability for aggregation
- Medium probability for aggregation
- Low probability for aggregation
- Recently developed parcels
- Town-owned parcels

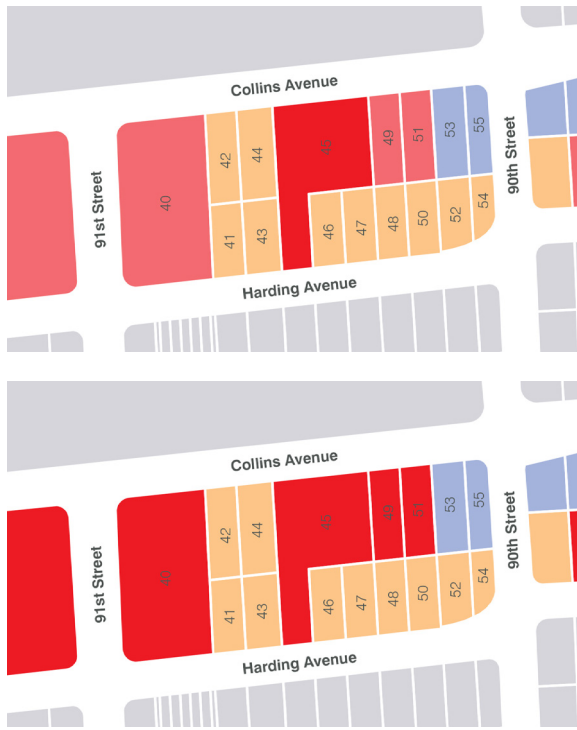


Existing Massing



Possible Massing

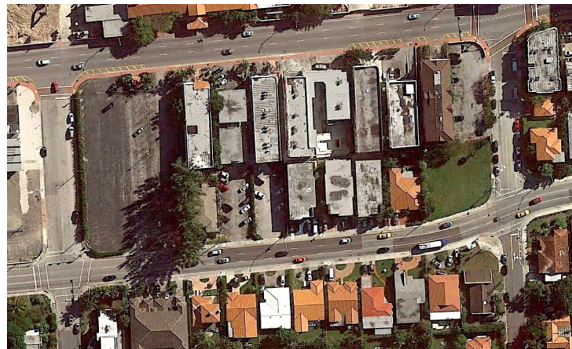


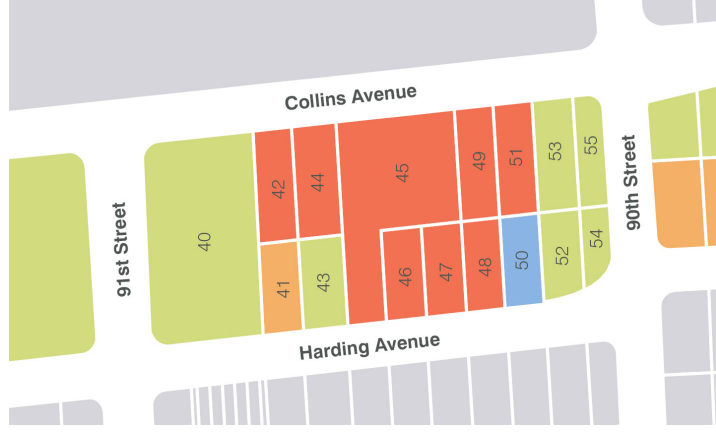


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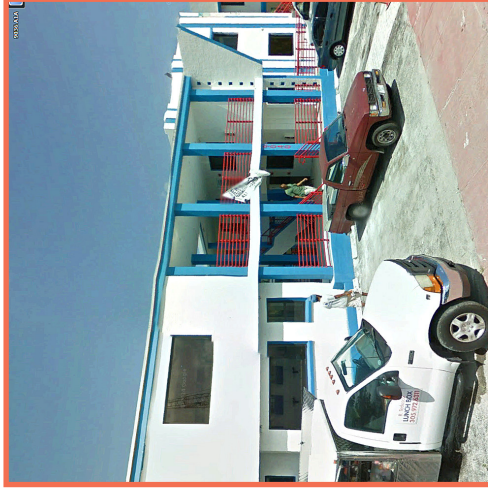
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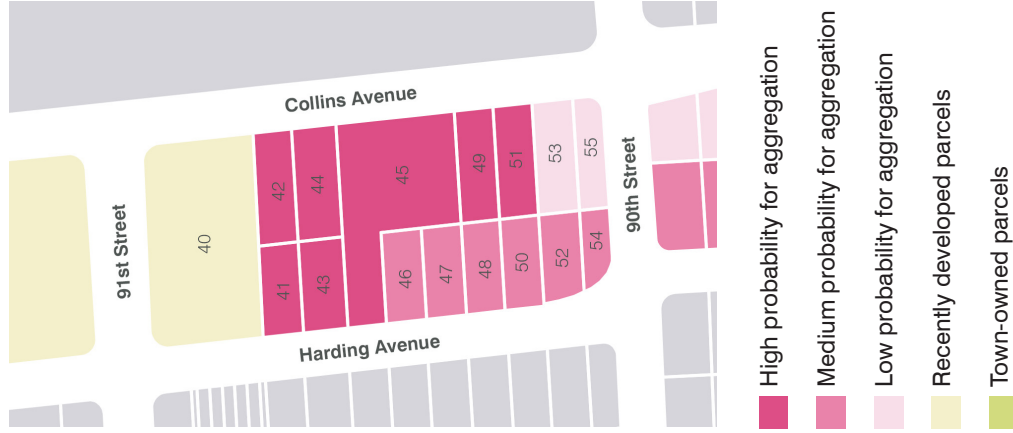


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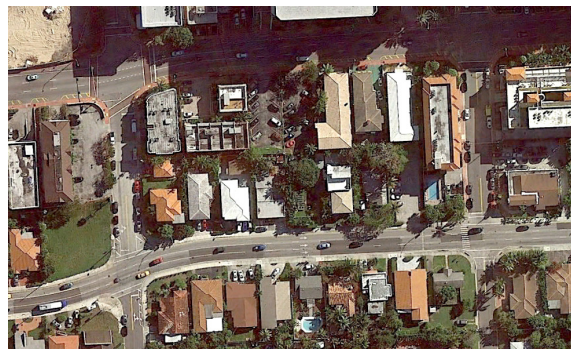
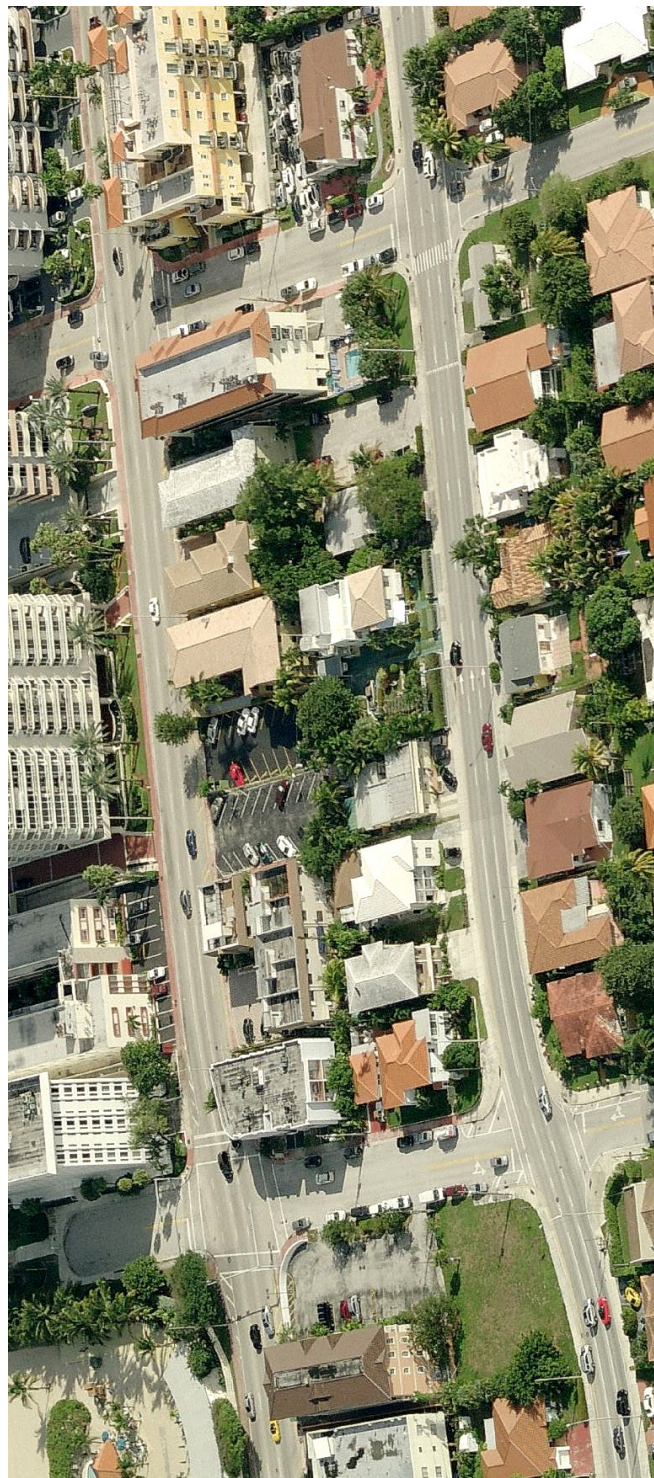
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Existing Massing



Possible Massing

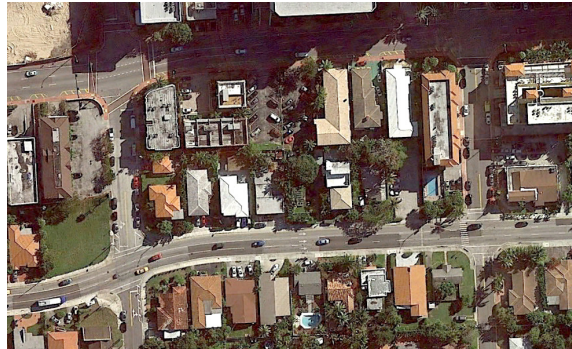


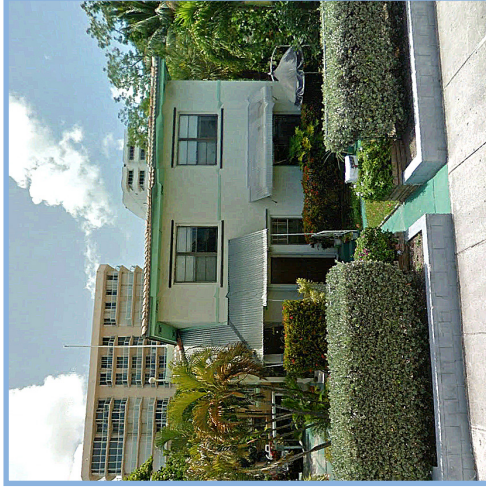


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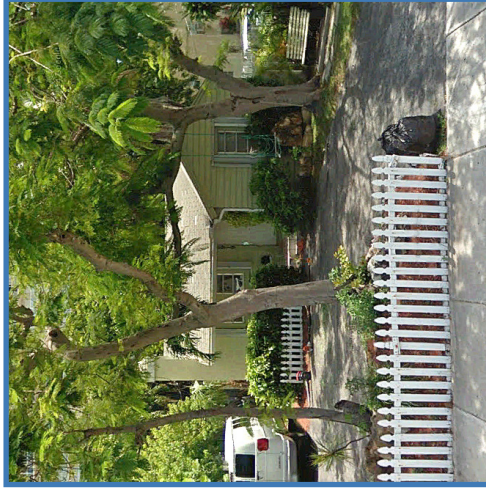
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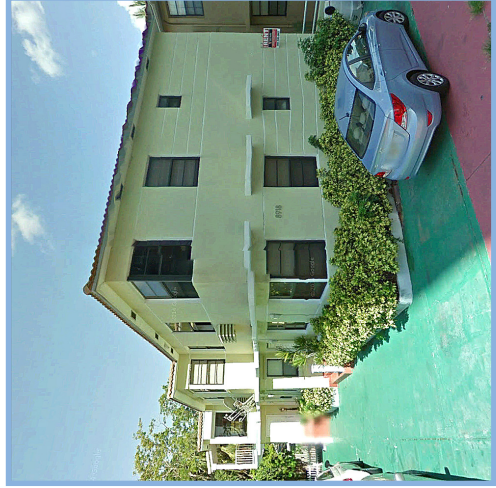




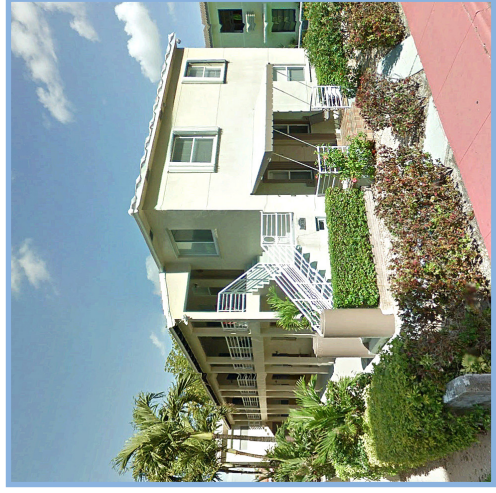
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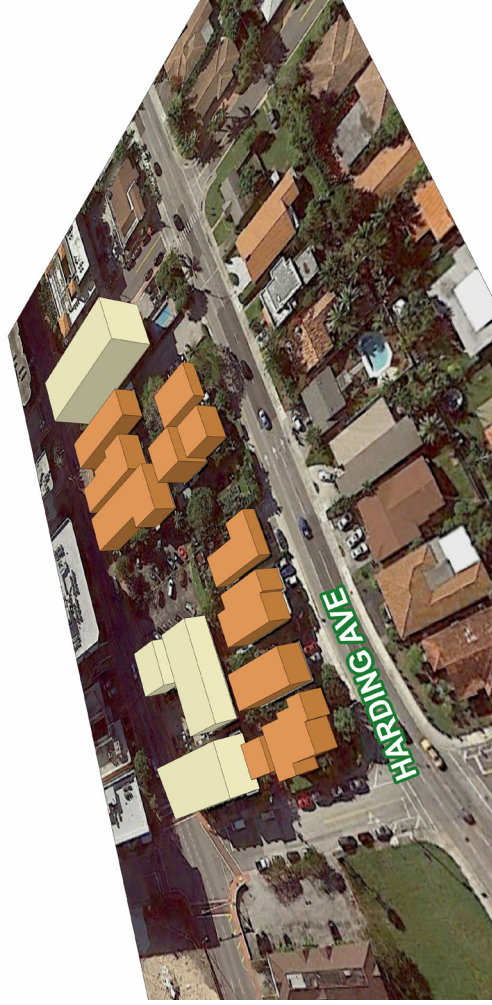
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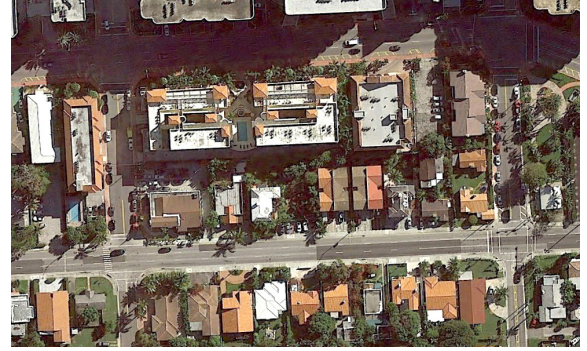
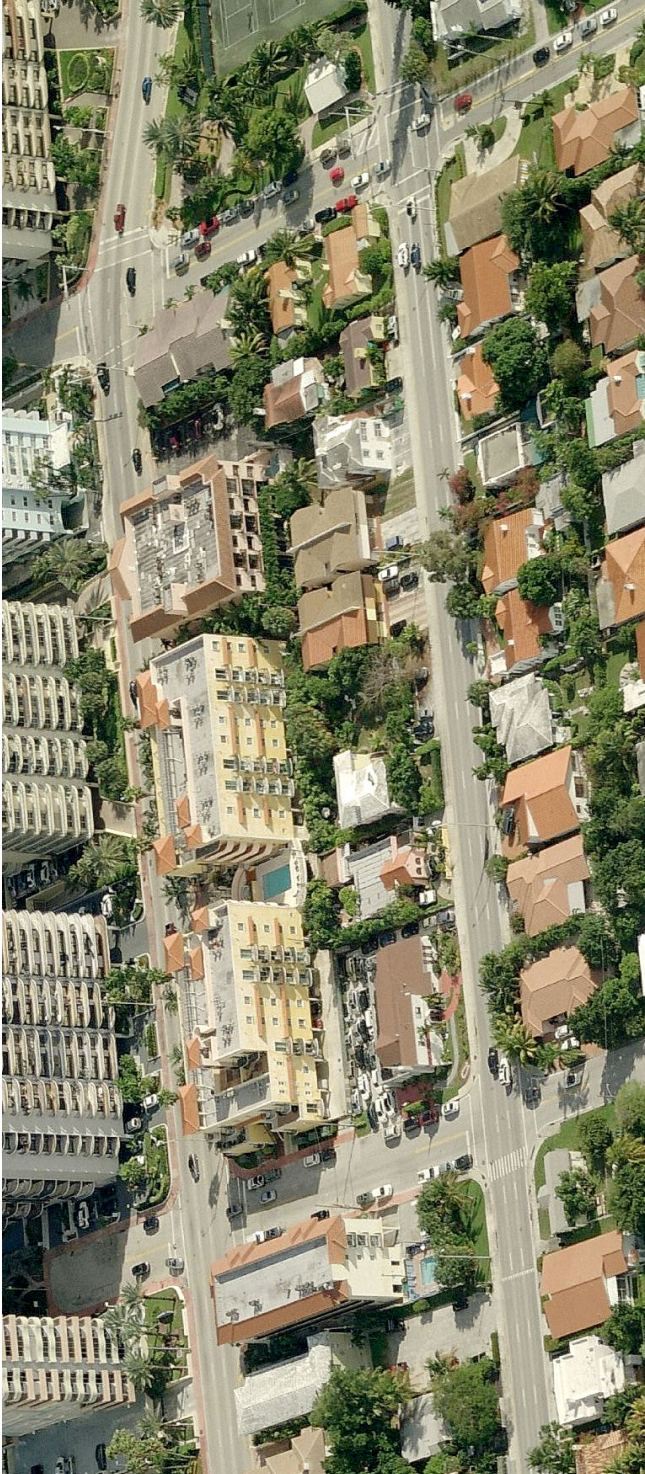
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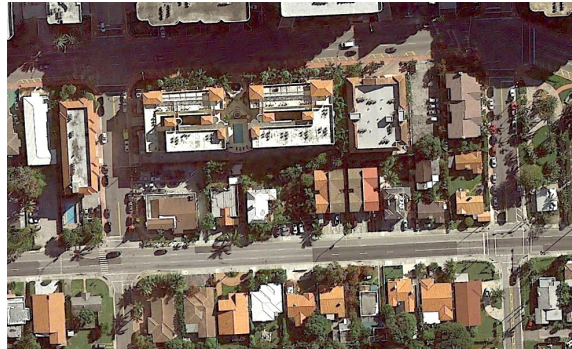
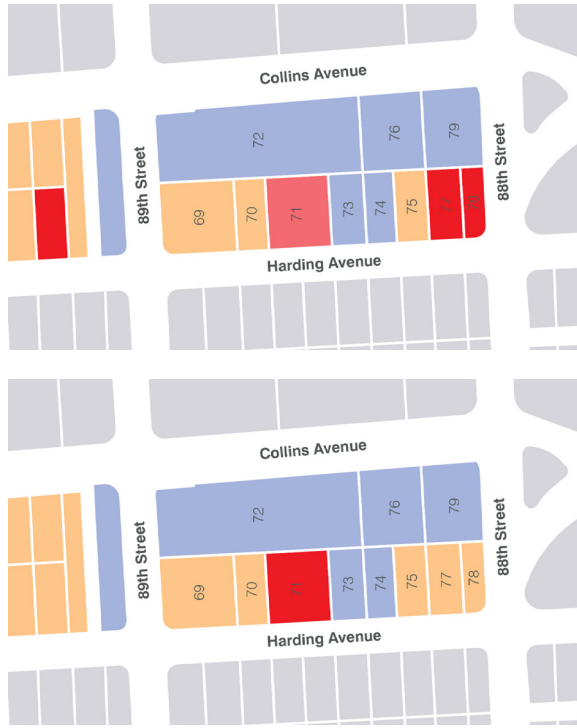


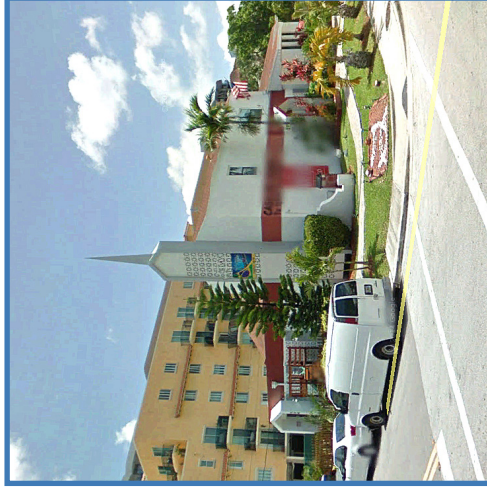
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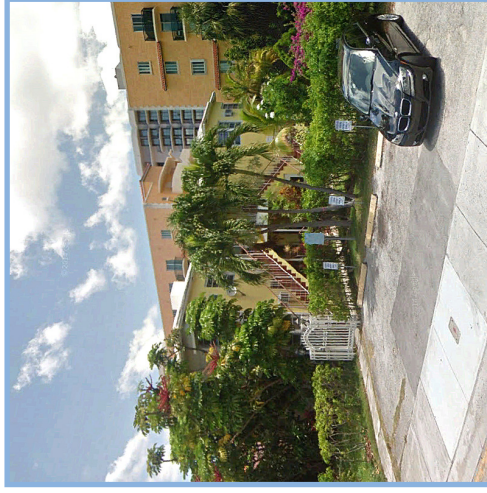
Possible Massing



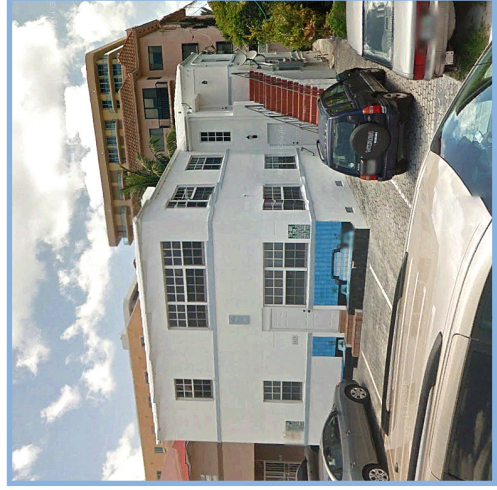




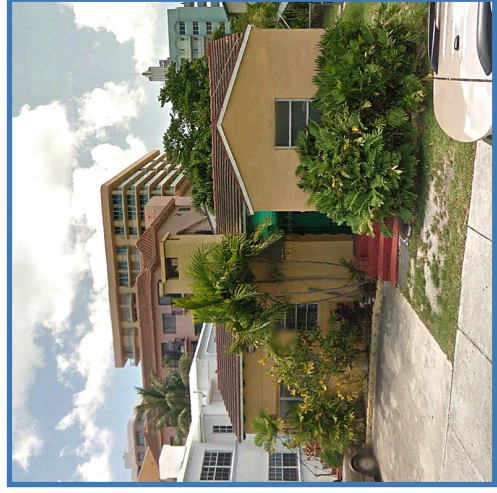
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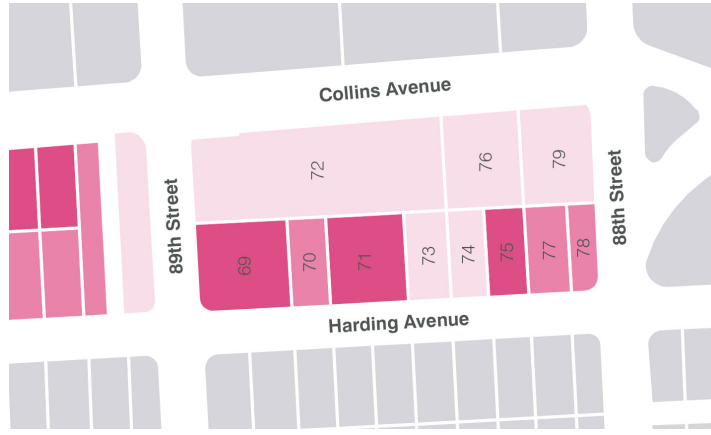
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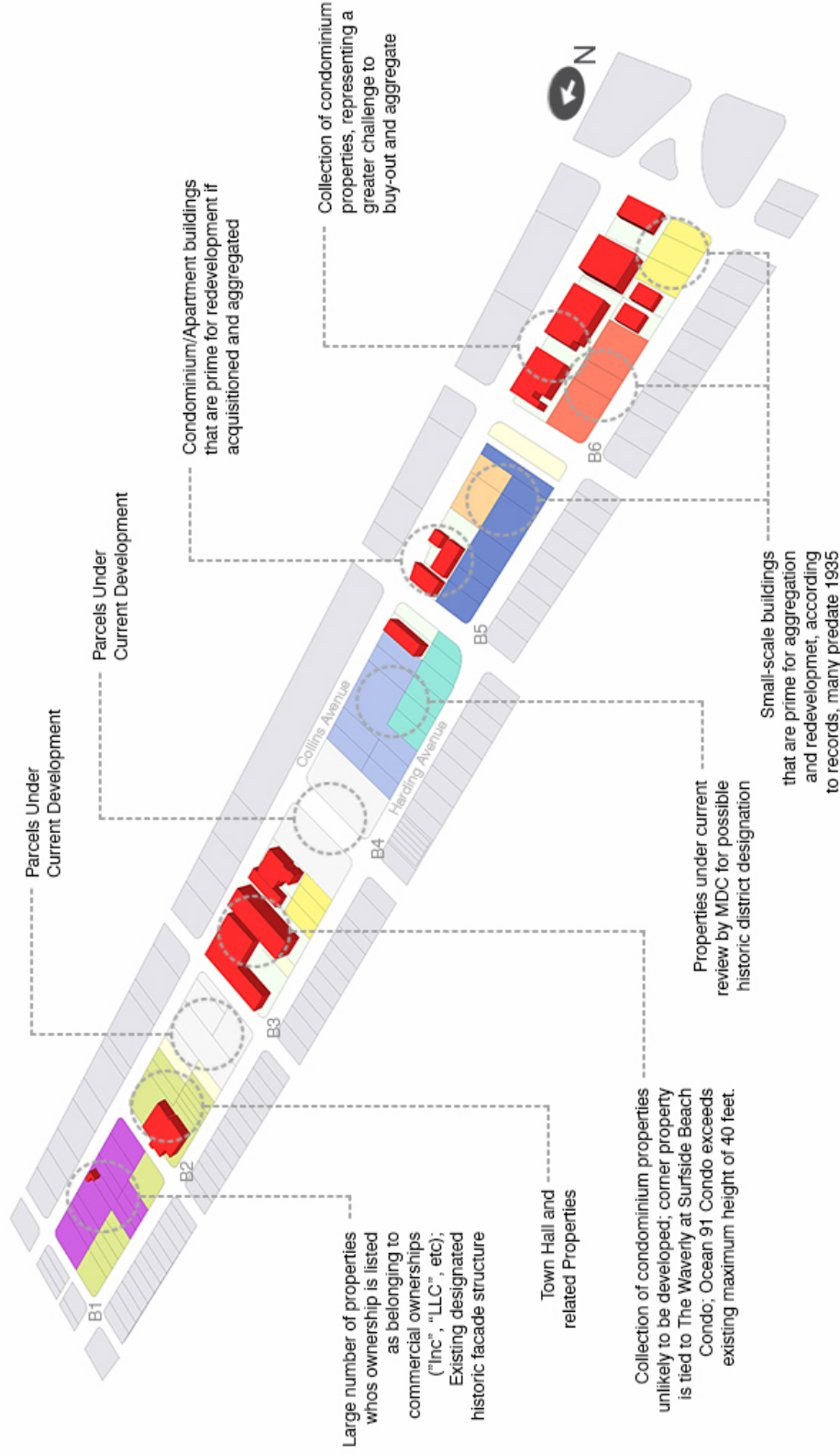


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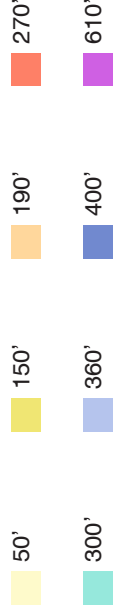
Possible Massing

- High probability for aggregation
- Medium probability for aggregation
- Low probability for aggregation
- Recently developed parcels
- Town-owned parcels



Color Key

Possible Aggregated Property Length Width



Current Zoning Regulations

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H30C - Harding Frontage

H40 - Collins Frontage

Allowable Uses

Residential

Detached Single Family
Duplex
Multi-Dwelling Structure
Townhouse

Detached Single Family
Duplex
Multi-Dwelling Structure
Townhouse

Lodging

None Allowed

Hotel
Suite-hotel

* Includes support services typical to lodging
uses

Office and Professional Services

Public Schools

Public Schools

Permitted with Limitations

Game Courts
Laundry/Service Rooms
-
Recreational Rooms
Hotel Swimming Pools

Game Courts
Laundry/Service Rooms
Office Spaces
Recreational Rooms
Hotel Swimming Pools

Permitted as Conditional Uses

Structured Parking Facility
-

Structured Parking Facility
Outdoor Dining Facilities

H30C - Harding Frontage

H40 - Collins Frontage

Height

30 feet 40 feet

Vertical Projections

3 feet maximum 12 feet maximum
limited to 10% of aggregate roof area limited to 10% of aggregate roof area
cupolas, chimneys, flagpoles, spires, steeples, stair accessways, antennas, ventilators, tanks, parapets, trellises, screens, and similar non-human habitable elements

Massing Controls

Setbacks	
20 feet	Primary
5 feet or 10% of wider than 50'	Interior Side
10 feet	Rear
10 feet	Secondary (Corner)

Continuous wall frontages

Maximum 270 feet

Wall Plane Articulations

For every 50 feet, 3 foot change For every 75 feet, 6 foot change

Specific to Structured Parking

Wall Plane Articulations

For every 50 feet, 3 foot change
For every 100 feet parallel to ROW, minimum 10'wide x 3' deep separation additional vegetative treatments as screening strategies

H30C - Harding Frontage

H40 - Collins Frontage

Parking

Parking requirements determined by use

Residential uses, ranges from 1.5 to 2.25 spaces per unit

Lodging* uses, ranges from 1 to 1.25 spaces per room PLUS ancillary uses requirements

Public Assembly Uses, determined by number of seats PLUS administrative sq. ft. req'ts

* Food Consumption or Sales, determined by number of seats or area (250 sf)

* All other, determined on a ratio per unit of sq. ft. (per 250, 300, or 400 sf)

Materials

Surfaces limited to Stucco, stone, metal, glass block and accent wood

Region specific - no adobe or flagstone

Materials shall be true and genuine, rather than simulated

Landscaping

Pervious, Landscaped area requirement

Front yard, 50% min pervious, 30% minimum landscaped

Rear yard, 20% minimum landscaped

Open Space Landscape Planting

Range 1000-2500 sf of pervious area, from 1 tree+ 10 shrubs to 1 tree+6 shrubs

Frontage Buffers and Facade Softening

Buffers range from 10-15 feet

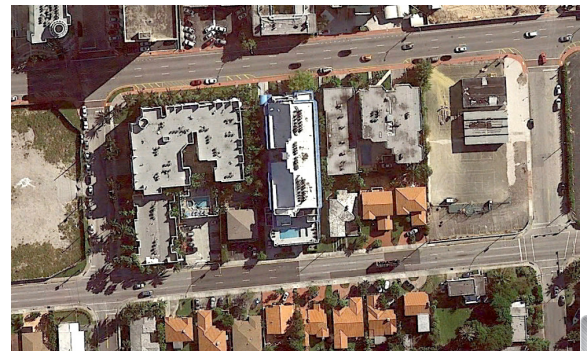
Trees 1/2-bldg ht (15 ft or 20 ft)

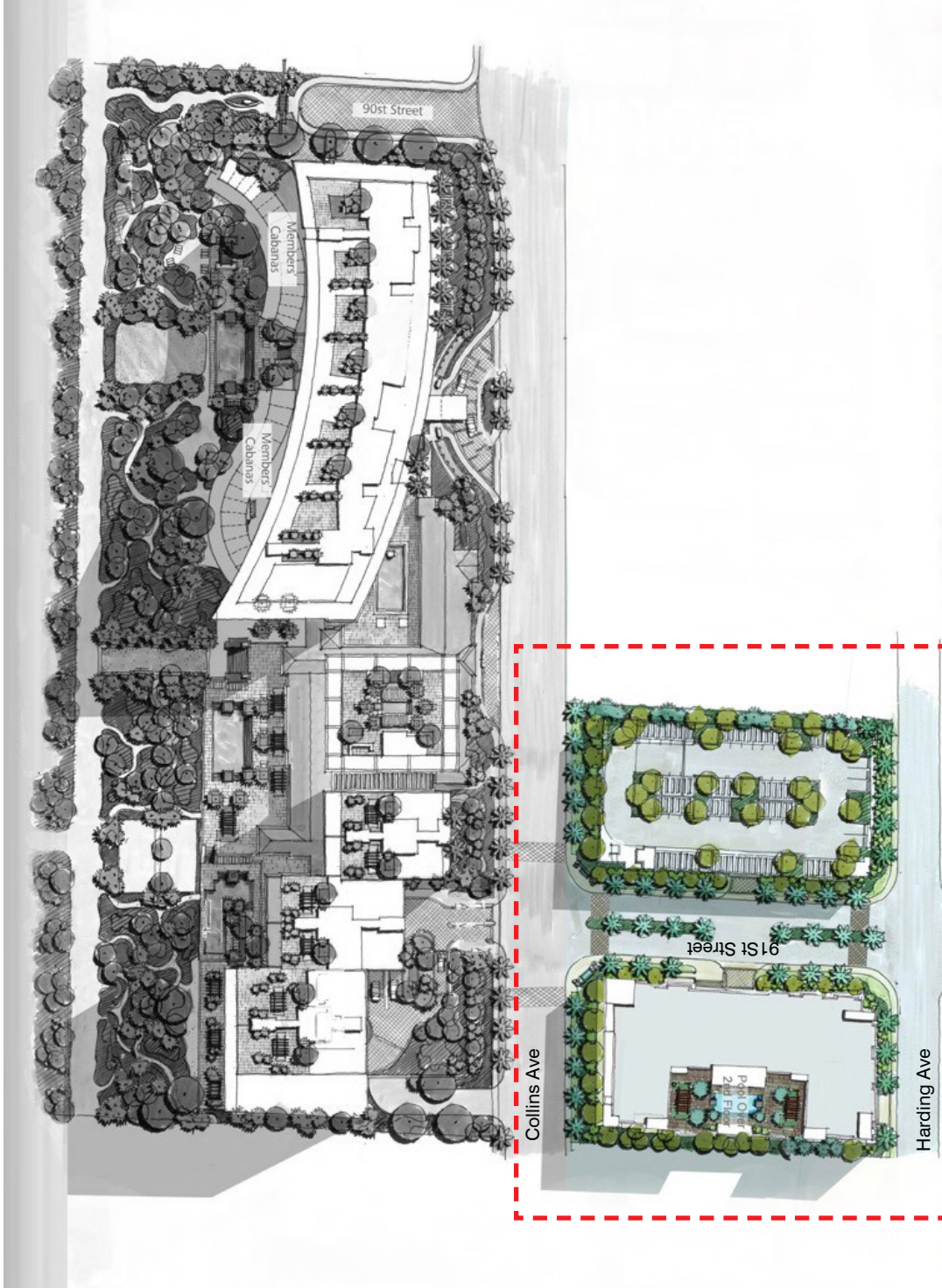
Case Study

The Surf Club

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Project Facts



Uses

Support Services to the uses east of Collins

- Services are limited to the uses exclusively of hotel guests and residents of the Surf Club;
 - Services are not accessible from either Collins or Harding
- Structured Parking Facilities

Height, Massing and Volume

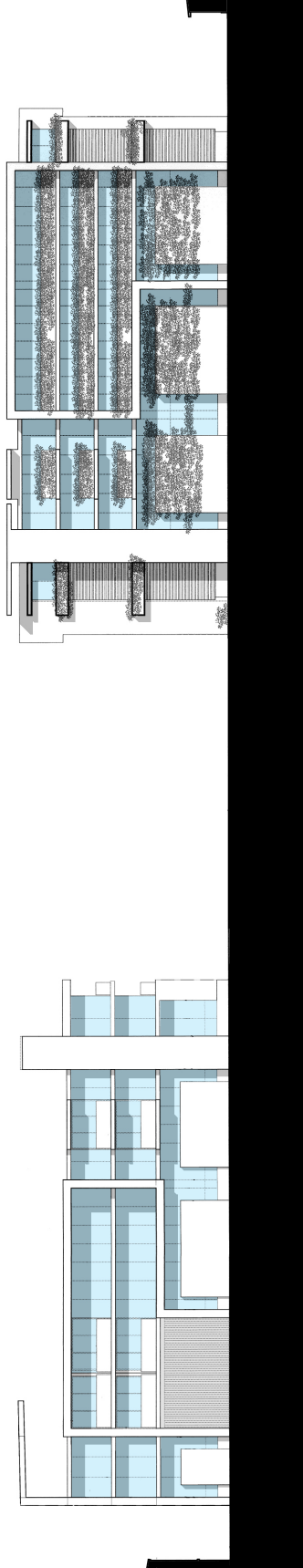
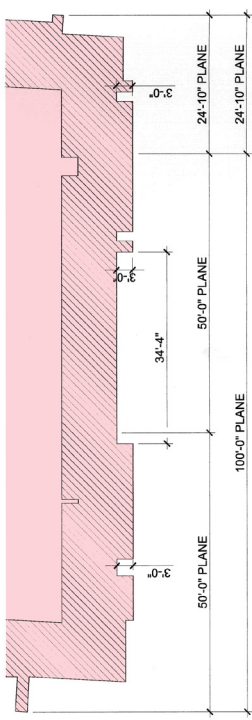
Meets all the requirements in the zoning code
Architectural facades are well-articulated

Variances

Site Plan was approved without the need of any variances

Notes

Did not require aggregation of properties



Walkability Analysis

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4



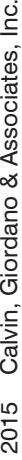
Average Distance to Access Beach

- Different from block to block
- Ranges between 800-900 feet
- At 91st Street, distance increases to between 1220-1440 feet

Mid-block Accessways

- Mid-block accessways minimize access from Harding to Collins an average of 150 feet
- Mid-block accessways do not minimize access distance to the beach





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- ## Traffic Safety Recommendations to Increase Safe Connectivity

- # H40/H30C Mid-blocks Zoning Analysis Report

Recommendations and Discussions

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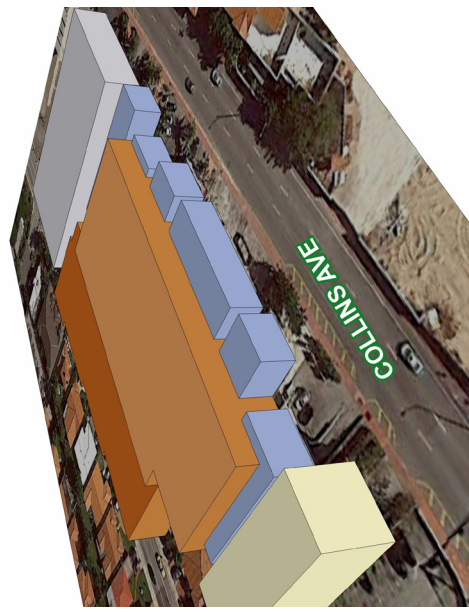


Miami-Dade County Historic Preservation Designation

- Bougainvillea Apartments designation is limited to only the facade fronting Collins
- The parameters to be applied to the 'Collins Ave Historic District' are yet to be determined

Tools to encourage to use Historic Preservation to further modulate massing and scale

- Redefine a 'historic facade' as having a defined depth of 6' to keep it consistent with already-adopted articulation standards
- Include language that any facade designated as historic is encouraged be visible from the ROW and should be a major component of the architectural facade of the building
- Encourage hierarchy and importance into the facade by promoting that any new wall plane be setback 6 feet behind any facade designated historic
- Discourage theming or mimicry of historicism in new architecture
- Include language encouraging that landscape planting design works well with the preserved component and doesn't screen it completely from view



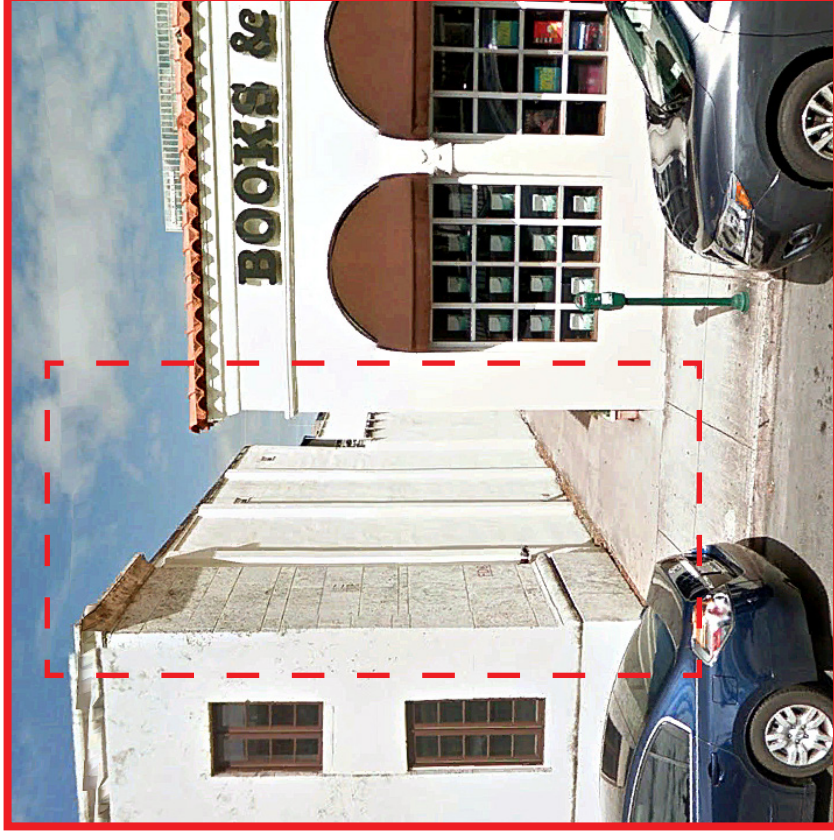
Setbacks

- Define both Collins and Harding Ave as 'Primary Frontages'

Pedestrian Breezeways

- Require a Breezeway to be provided every 270 linear feet of frontage
- Define a Breezeway as a physical disconnected break in the building mass exclusively for pedestrian use
- Must be accessible from a primary frontage
- Provide minimum design standards for the breezeway
 - Recommendations:
 - Must provide lighting and landscaping
 - Must be lined by and accessible to habitable spaces on the ground and second floors
 - Must be for uninterrupted public access
 - Facades must be consistent in design and finish with primary frontages
- Provide minimum widths for the breezeway
 - Recommendation: No less than 12-17 feet

Example of 8-foot wide undesirable pedestrian breezeway





10-foot Building Separation



12-foot Building Separation



17-foot Building Separation

Facade Articulation

- Require 'Building Brow Articulation' parameters
 - Recommendation: 2 foot vertical extrusion at maximum 50-foot intervals to make it consistent with typical 50-foot property widths



Example of Building Brow Articulation



No Building Brow Articulation

Direction for Further Development

Page 194

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Most Restrictive Scenario

Less Restrictive Scenario

Maximum Building Length

75 feet

150 feet

Width of Breezeway

17 feet minimum

12 feet minimum

Massing Controls

Setbacks

20 feet Primary (Collins/Harding) 20 feet
20 feet Secondary (E-W Street) 10 feet
8.5 feet min. or 10% of frontage
10 feet Interior Side
10 feet Rear

Facade Articulations

For every 50 feet, 6 foot change Collins: For every 75 feet, 6 foot change
Harding: For every 50 feet, 6 foot change

Parapet Vertical Projections

48 inches
36 inches

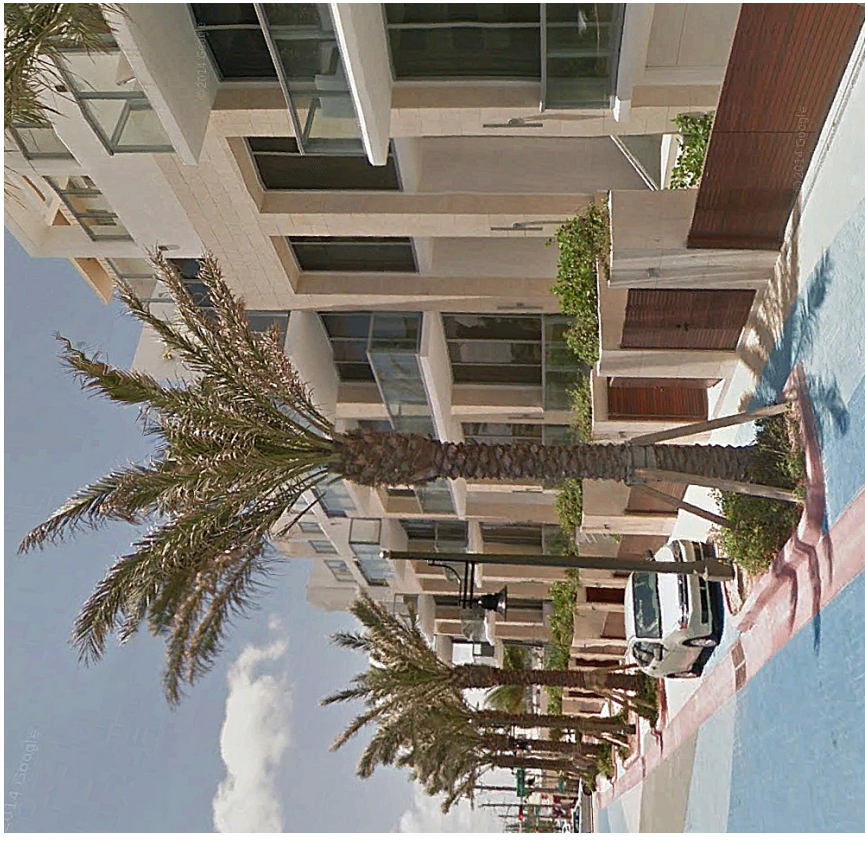
Collins Facade
Harding Facade

48 inches
36 inches

Scenario Studies & Comparisons

Page 196

7



Goal

To recognize recent and current architectural development trends being marketed in the Town in order to present scenario studies that reflect real-life trends.

Adopted parameters to facilitate a true comparison

Aggregation and Development Requirements

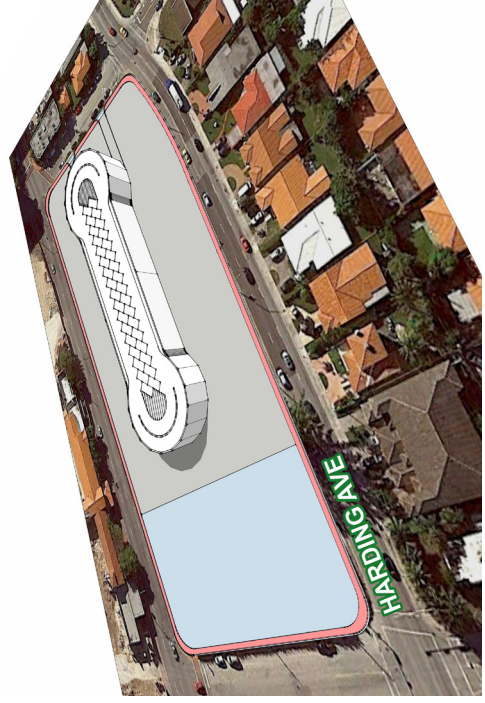
- (a) Assumed an aggregation of 60% of a city block;
- (b) All development requirements as directed by the Board were met to a minimum

Parking Requirements and Location

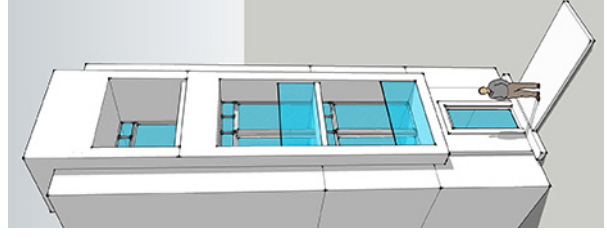
- Proposed 3-story parking garage in the core of the development:
- (a) Allowed building facades to abut the street-fronting setbacks
 - (b) Provided flexibility to meet the min. parking req'ts without impacting the relationship of the building massing to the street

Landuse and Architecture

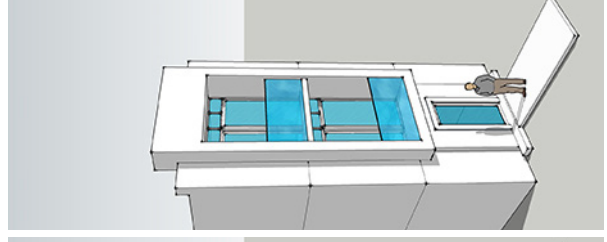
Multi-family residential based on an Architectural Modular System



90-91st ST Block



40-foot High Modular



30-foot High Modular

Building Massing

Harding Avenue Elevation

Most Restrictive Scenario



Less Restrictive Scenario



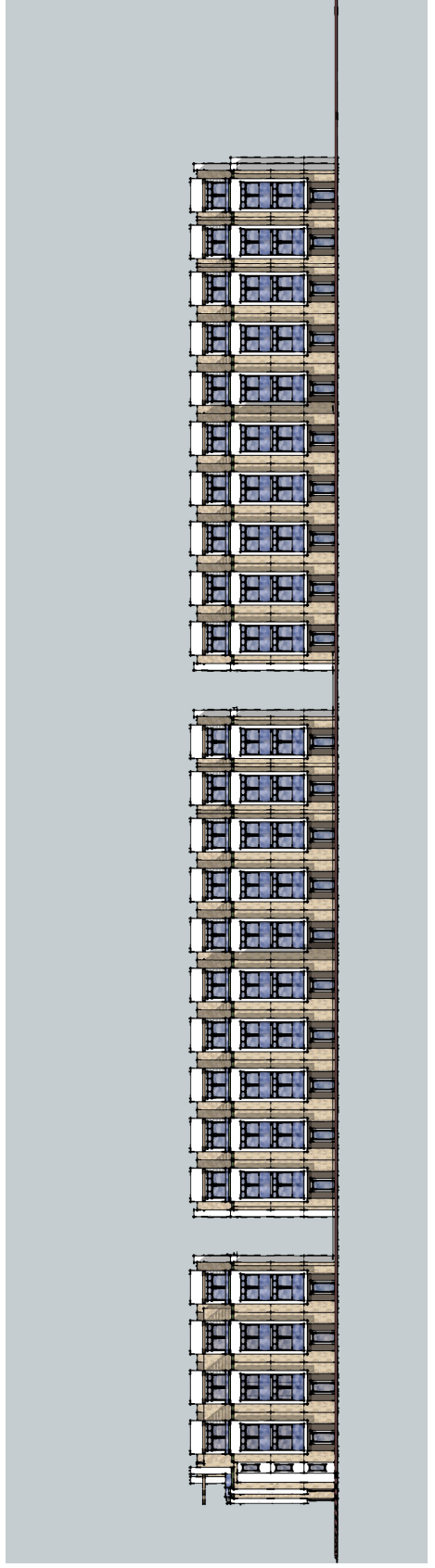
Building Massing

Collins Avenue Elevation

Most Restrictive Scenario



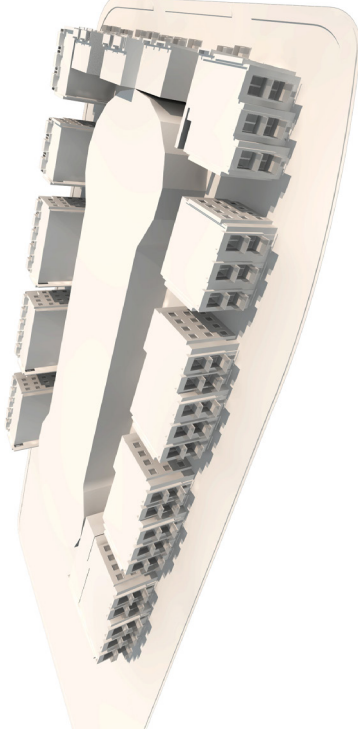
Less Restrictive Scenario



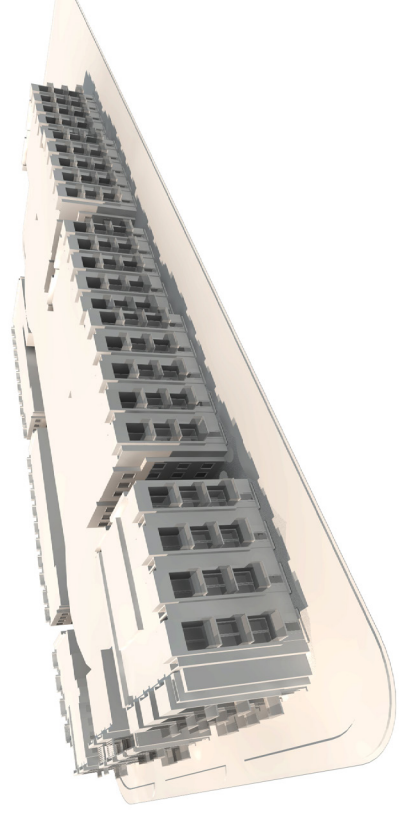
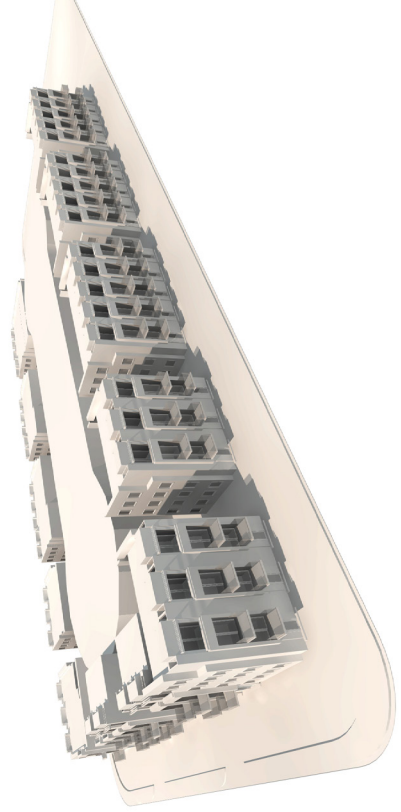
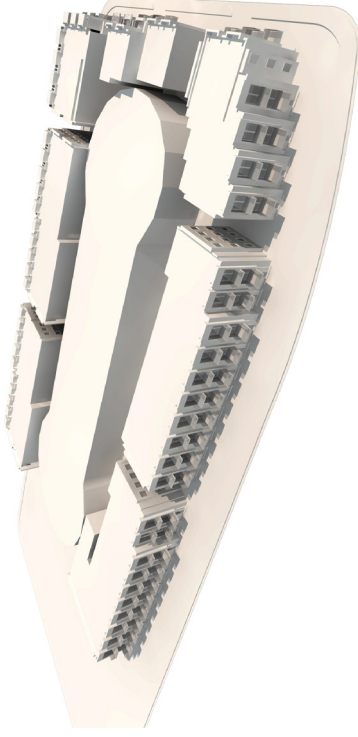
Building Massing

On-site Building Distribution - Harding/Collins Avenue

Most Restrictive Scenario



Less Restrictive Scenario



Building Massing

View from Across the Street - Harding Avenue

Most Restrictive Scenario



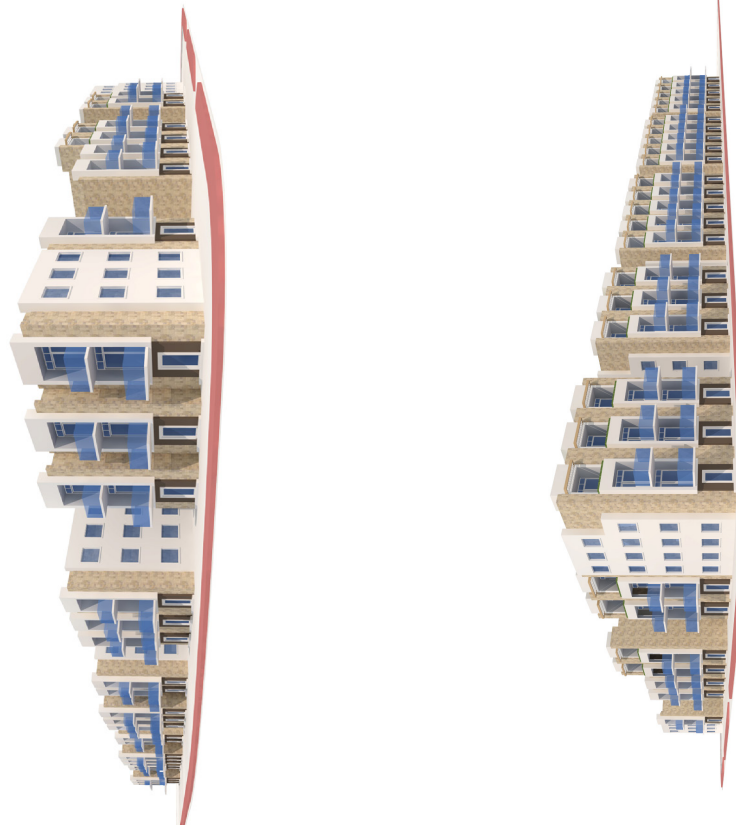
Less Restrictive Scenario



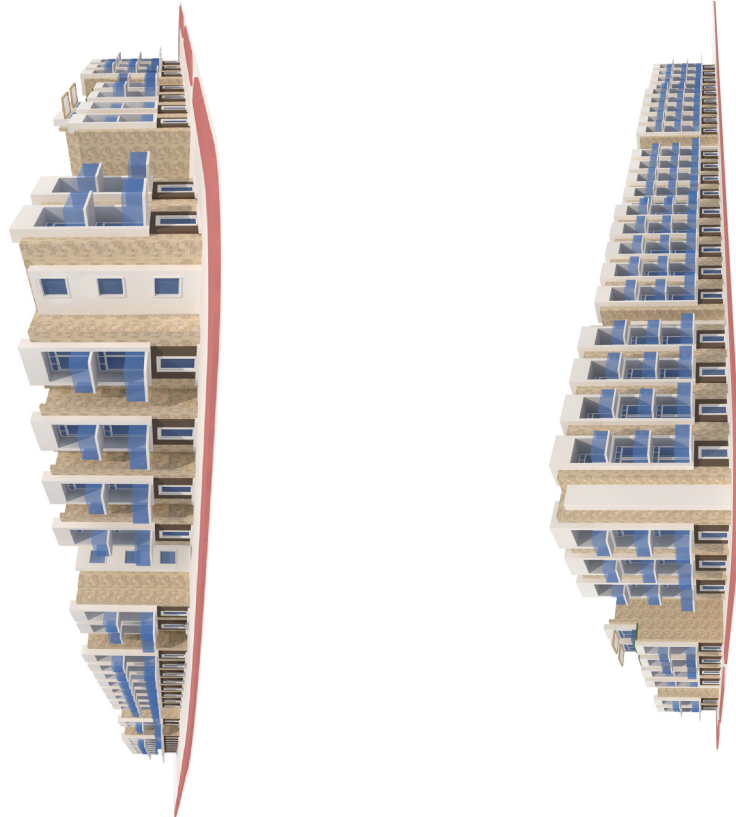
Building Massing

View from Across the Intersection - 90th & Harding Ave/90th & Collins Ave

Most Restrictive Scenario



Less Restrictive Scenario



Apples-to-Apples Comparison

Building Massing

View from Across the Street - Collins Avenue

Most Restrictive Scenario



Less Restrictive Scenario



Building Massing

Sidewalk Experience - Harding Avenue

Most Restrictive Scenario



Less Restrictive Scenario



Building Massing

Sidewalk Experience - Collins Avenue

Most Restrictive Scenario



Less Restrictive Scenario



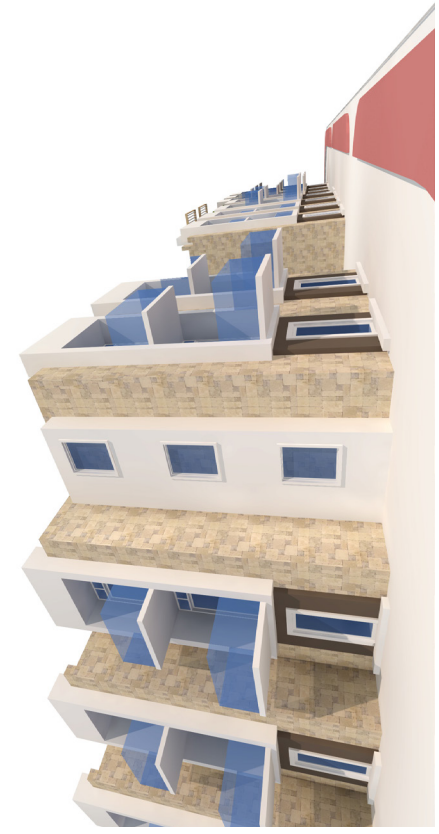
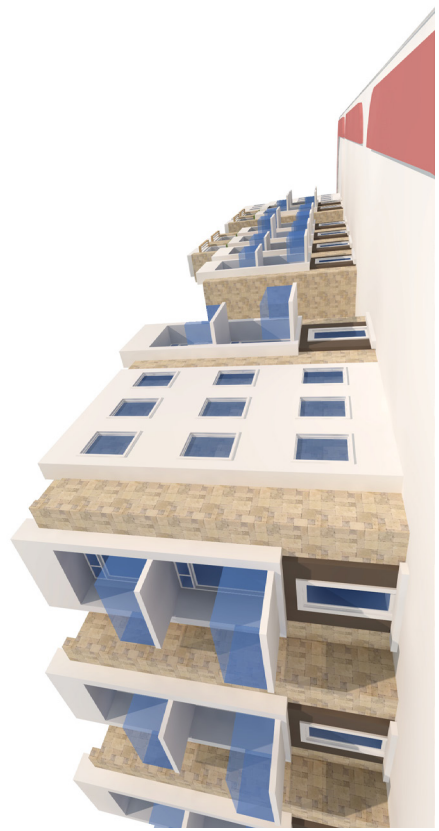
Building Massing

Sidewalk Experience - 90th Street

Most Restrictive Scenario



Less Restrictive Scenario



Perspective Rendered View

Collins Avenue - Impact of Landscape Canopy

Most Restrictive Scenario



Less Restrictive Scenario



Staff Recommendations for Discussions

Page 209

8

Maximum Frontage and Breezeway Separation Between Buildings

Maximum Frontage Recommendations

- 75 Feet Maximum Building Frontage
- When the lot frontage exceeds 90 feet, then no single building shall have more than one garage door.

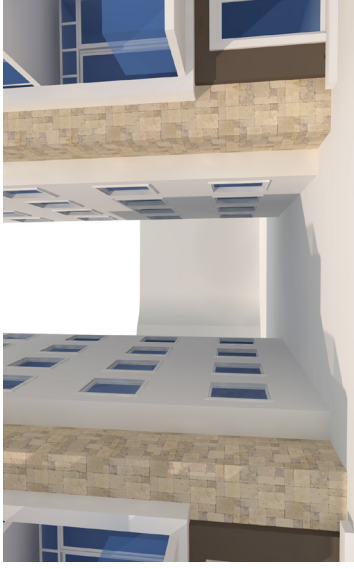


Breezeway Recommendations

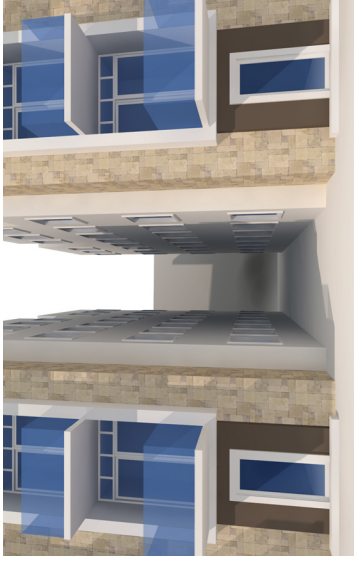
- 12 Feet Minimum
- 17 Feet minimum when lot frontage is greater than 200 feet

Requirements

- Must be landscaped at least 30%
- Must be accessible at all times
- Must provide security lighting
- Must be lined by a habitable space



17 Feet Breezeway



12 Feet Breezeway

Setbacks

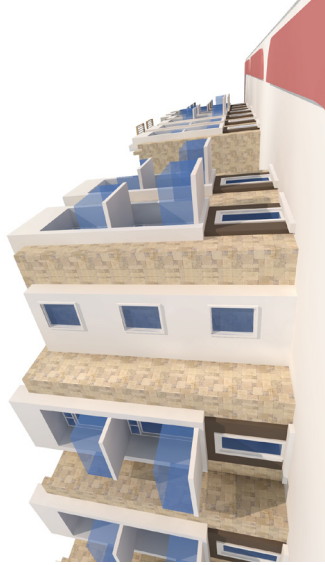
Collins & Harding Avenues Setback

- Both redefined as a 'Primary Frontage'
- 20-Foot minimum front setback
- No parking allowed within the front setback when the lot's frontage exceeds 90 feet



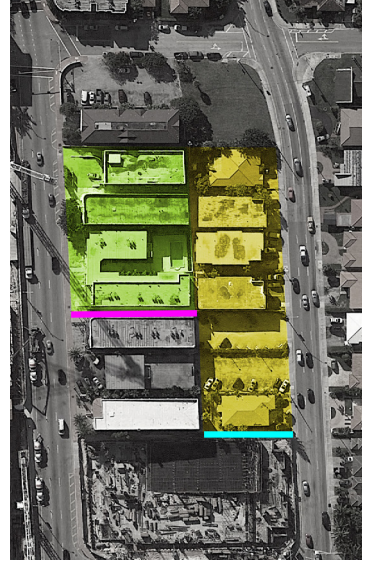
East-West Streets Setback

- Defined as a 'Secondary Frontage'
- 10-Foot minimum front setback



Interior Side Setback

- Define 'Interior Frontage' as the total cumulative depth of the property
- 6 Foot minimum interior side setback, or 10% of the Interior Frontage up to 15 feet, whichever is greater

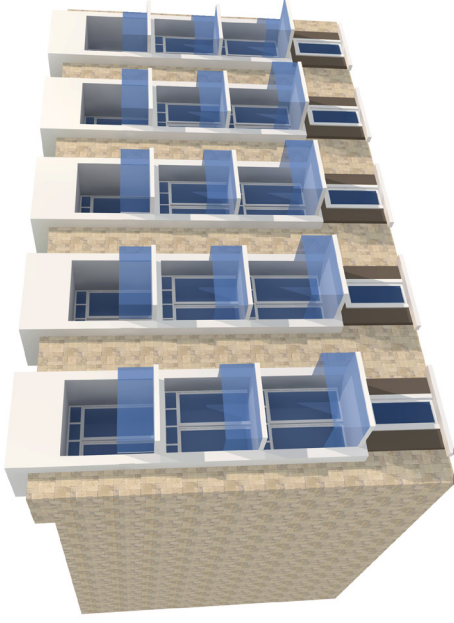


Architectural Articulation

Goals of Facade Articulation

- Reduce the perceptible mass of the edifice
- Humanize the scale the building for a more improved pedestrian experience





Tailor the facade articulation for the H30C and H40 Districts to be:

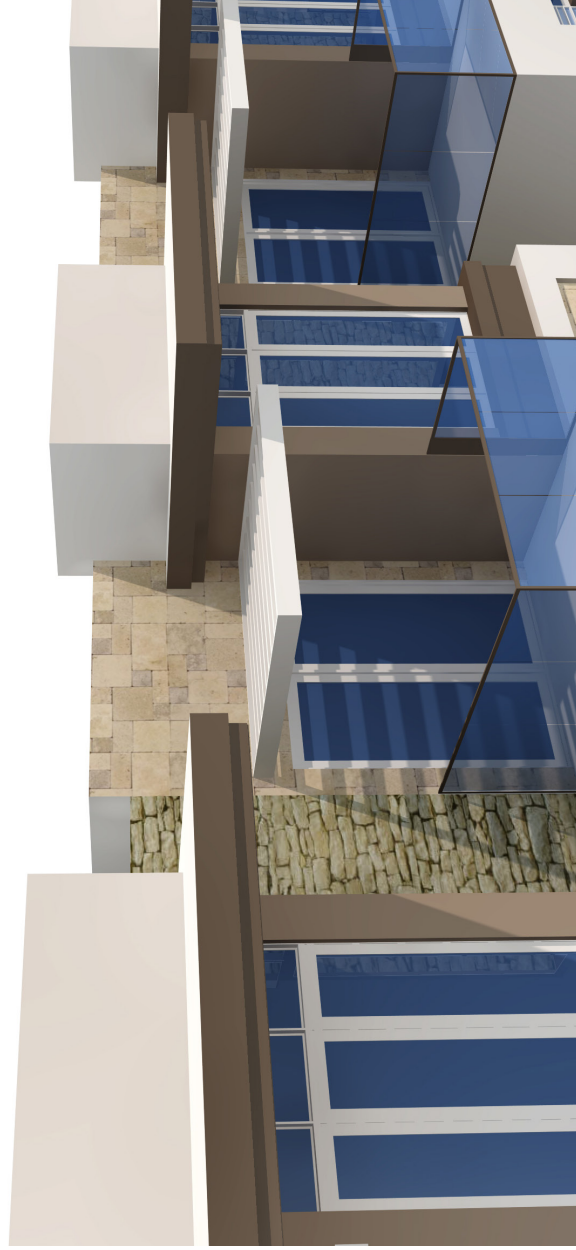
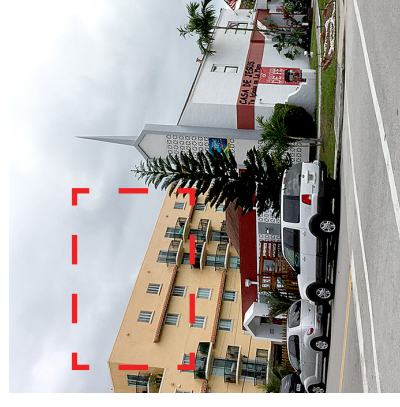
- Provide a facade articulation of a minimum of 2-Feet every 25 Feet
- a minimum of 30% of the cumulative facade's area with a primary frontage shall be recessed back a minimum of 5-Feet, provided each recessed area does not exceed 500 square feet
- When more than 1 building is provided, buildings shall be designed in such a way that more than 30% of the facades are volumetrically dissimilar

For Collins Elevations

- Building facades above 30-Feet tall to be setback a minimum of 25 feet from the property line

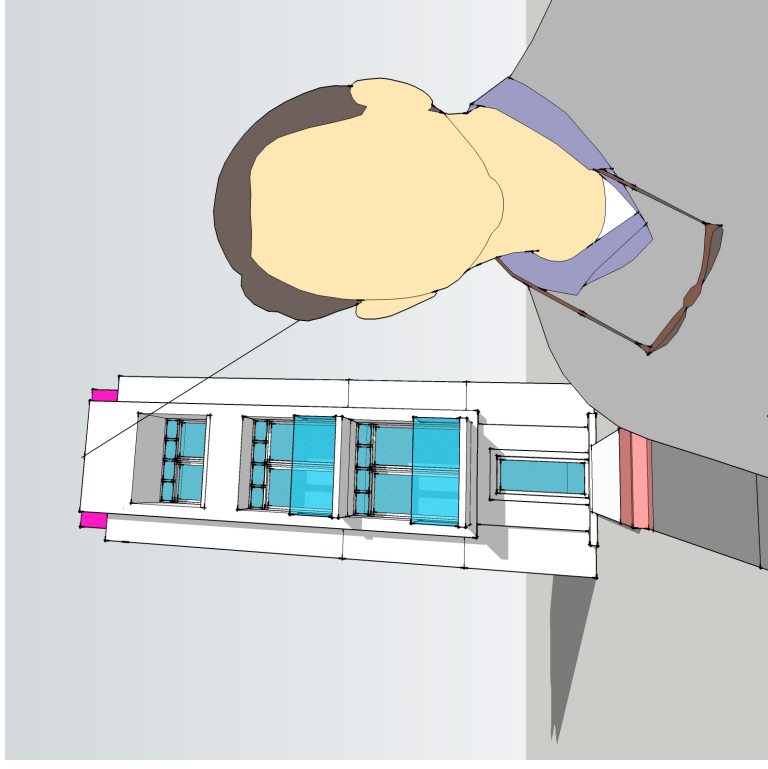
Building Crown Articulation

- Require a minimum 2-Foot vertical extrusion at a maximum of 15-Foot Intervals to account for a minimum of 40% of the total frontage building crown



Continue to allow parapets exceeding 4' in height beyond the maximum building height, if it meets the following criteria:

- Recommended: 13-Foot Setback makes it disappear behind the allowable 4-Foot parapet
- 22-Foot Setback makes it disappear behind the maximum allowable 40-Foot building height



Board Members' & Staff Recommendations for 1st Reading

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Maximum Building Length

Collins Frontage 150 feet
Harding Frontage 75 feet

* When any lot or aggregated primary lot frontage exceeds 90 feet, then there shall be no more than one vehicular access per building.

Width of Breezeway

- 12 feet minimum for properties with a frontage up to 200 feet
- 17 feet minimum for properties with a frontage greater than 200 feet

* For all breezeways: (a) must be landscaped a minimum of 30%; (b) must be accessible at all times; (c) must provide security lighting; (d) must be lined by a habitable space with a minimum 30% transparency

Massing Controls

Setbacks
Collins Ave & Harding Ave 20 feet
Secondary (E-W Street) 10 feet

Interior Side 6 feet min. or 10% of total interior frontage up to 15 feet
Rear 10 feet

Facade Articulations

- For every 50 feet, all facades should have a 2-foot minimum change in plane offset
- All facades should have a 5-foot minimum change in plane offset for a minimum of 30% of the cumulative facade's area, provided each recessed area greater than 2-feet does not exceed 500 square feet
- When more than 1 building is provided, buildings shall be designed in such a way that more than 30% of the facades are volumetrically dissimilar
- All facades shall provide a minimum 2-foot vertical extrusion at a maximum of 15-foot intervals to account for a minimum of 40% of the total frontage's building crown
- For elevations facing Collins Ave, building facades above 30-feet shall be setback a minimum of 25 feet from the property line

Parapet Vertical Projections

Collins Facades 48 inches

Allowable parapets exceeding 48 inches up to 12 feet shall be setback an additional 13 feet from the property line

Harding Facades 36 inches

Historic Preservation

Exclude properties within a designated Historic District from having to comply with these modifications

End of Document



Town of Surfside Commission Communication

Agenda Item # 9D

Agenda Date: June 9, 2015

Subject: Parking Solution Options

Background:

ATTACHMENTS

Attachment 1: Parking Study Feasibility Study (Rich & Associates, C3TS, Stantec)

– Executive Summary

Attachment 2: Surfside Parking Solution – The Next Step (April 2014)

Attachment 3: Parking Concepts and Designs (CGA, May 28, 2015)

– Project Description (Scenarios)

This memorandum has been prepared in response to a directive by the Town Commission on May 12, 2015 to present solutions for public parking deficiencies within the Town of Surfside. The issue of parking has been ongoing for several years and the Town Commission is intent on reaching a solution to mitigate the problem. In spite of the relatively long history, the most recent efforts to reach a solution began in earnest in 2012/13. At that time, the Town engaged Rich & Associates (and C3TS/Stantec) to assess the Town's parking inventory and, specifically, quantify its parking needs (referred to herein as the Parking Study – the Executive Summary provided herein within Attachment 1). An additional task within the Parking Study was to identify if a parking structure was necessary or feasible for addressing the Town's current and/or future parking requirements. Among the research, analysis, and in-depth discussion presented in the Parking Study, there are two key items upon which to focus:

- 1.) The Parking Study identified a parking deficiency of 276± spaces; however, accounting for potential lease-up of vacant commercial space, as well as added demand from approved projects contributing to the Parking Fund, the calculated parking shortage could reach 446± spaces.
- 2.) In the effort to effectively mitigate the parking shortage, three sites were identified as possible locations for the Town's first parking structure(s), and identified as follows: *Abbott Lot*; *Post Office Lot*; and, *94th Street Lot*. Notably, the Town either owns all of the land within a

respective location, or the Town owns a large portion of the proposed site, with private ownership comprising other portions of the proposed site(s). A discussion of each site is detailed further below.

The Parking Study, which was completed in March 2013, provided conceptual design(s) and an economic evaluation of each of the three lots identified above. In response to the findings and recommendations within the Parking Study, the Town Commission was presented with a report titled *Parking Solution – The Next Step* in April 2014 (included in Attachment 2).

During the period since the delivery of the *Parking Solution* report, Staff completed the assessment of a public/private partnership on the *Post Office Lot* per Town Commission direction. Based on the latter report, and furthermore as per the May 12, 2015 Town Commission meeting, the Town Commission advised Staff to also prepare updated conceptual designs and economic evaluations for both the *Abbott Lott* and *94th Street Lot*.

Therefore, based upon the findings and recommendations set forth within the Parking Study, along with all of the efforts completed in subsequent phases since that report, the remainder of this memorandum provides the critical information that the Town Commission may use to reach consensus on its Parking Solution Options. The Town Hall option is included as the Town presently owns all of the property required to facilitate a viable garage at this site.

Analysis:

SITE EVALUATIONS

The site evaluation process considers all of the regulatory, physical, design, and economic components affecting the potential development of a parking garage on the three sites proposed within the Parking Study. Although the Parking Study provided preliminary programmatic, design and economic considerations for each site, Calvin Giordano & Associates (CGA) prepared updated programmatic and conceptual designs for select sites in response to commentary from the Parking Study. Furthermore, some of the sites include alternative development options beyond those presented in the Parking Study. Attachment 3 provides CGA's illustrative design concepts and detailed documentation of assumptions and findings (including the resultant inventory of net new parking), which are based upon the following options:

94th Street Lot (Existing Available Area): For the parcel presently used as a parking lot on 94th Street and Harding, there are various options for design, including: *Scenario 1: Double Helix Design*; *Scenario 2: Coil Ramp Design*; and, *Scenario 3: Flat Plate Ramp Design*. "Parking" is the current permitted use – no required Land Use Zoning changes or Referendum requirement.

94th Street Expanded (Harding Ave. frontage between 93rd and 94th Streets): In this scenario (*Scenario 4*), the parking facility extends an entire block south to 93rd Street and encompasses 3 parcels (21,400 square feet total) not owned by the Town. The design considers a parking garage that anticipates access exclusively from the 93rd and 94th Streets frontages. Only a Zoning change is required – no Referendum required.

Abbott Ave. (frontage between 95th and 96th Streets): The design for this location (*Scenario 5*) anticipates that access to the parking garage would be exclusively from the Abbott Avenue and 95th Street frontages, in order to avoid negatively impacting the traffic flow along 96th Street. "Parking" is the current permitted use – no required Land Use Zoning changes or Referendum requirement.

Town Hall Parking Garage: The lots on the immediate east and south of Town Hall can accommodate a parking garage, facilitated by the depth of the lot that stretches from Collins to Harding Avenue. There are two conceptual designs prepared for this site, as follows: *Scenario 6* - is a continuous ramp from 93rd Street up to the first floor plate and continue the rise of the ramp as it makes the bend westward; and, *Scenario 7* - utilizes the areas east of the Town Hall structure (which presently are occupied by the Public Works yard and parking fronting Collins Avenue) to construct a single helix coil to serve as the vertical circulation for the parking garage. Land Use Zoning change and a Referendum are required.

Of note, the *Post Office Lot* was also assessed as an alternative site; however, the only viable option to accommodate a parking garage on this site is to incorporate the land underneath the existing Post Office property. As the Town Commission is aware, the Town was unable to reach any reasonable terms with the Post Office property owner and, as a result, the *Post Office Lot* is no longer deemed a feasible option. This site has been eliminated as an alternative parking garage site at this time.

In addition to the conceptual plans and parking inventory prepared by CGA for each site, Lambert Advisory (Lambert) prepared updated economic evaluations for each site/scenario identified above and detailed within Attachment 4. Comprehensive traffic analysis has not been conducted at this juncture.

Based upon the work completed by Staff, CGA and Lambert, the table below presents a summary matrix of the key programmatic assumptions and economic factors resulting from each individual scenario. Importantly, there are a few key elements to the analysis completed herein:

- ✓ The conceptual designs presented herein are for parking garage development only; therefore, there is no consideration for integrating retail/commercial uses. Should these mixed use elements be considered, it will have a major impact on the amount of public parking inventory, design, mobility and project economics from concepts presented herein. Also, the designs, accompanying parking counts and costs are based on projects that employ a "zero lot line" design. By including non-required setbacks, and accompanying landscaping buffers, will adversely affect sites such as the 94th St (existing lot) to the extent that the site may no longer be viable.
- ✓ The total development cost for each concept is the same regardless of design, and is based solely upon order of magnitude estimate. More refined cost estimating is required based upon final concepts, including ramping, quality of construction, buffering requirements, façade, and other exterior/interior design considerations.
- ✓ Parking revenue estimates are based upon analysis completed as part of the original Parking Study, with slight modifications for select operating and financing assumptions.

Any adjustment to these assumptions may have a material impact on the resultant cash flow and debt service requirement.

Town of Surfside Alternative Parking Site Development – Summary Matrix

	Total Potential Spaces	Net New Spaces	Estimated TDC	Estimated Annual Net Parking Revenue*	Estimated Annual Debt Service*	Estimated Annual Operating Subsidy*
Location						
94th Street Lot (Existing)						
Scenario 1	147	48	\$9,386,000	\$429,054	(\$801,785)	(\$372,731)
Scenario 2	250	151	\$9,500,000	\$434,265	(\$811,523)	(\$377,258)
Scenario 3	261	162	\$9,918,000	\$453,373	(\$847,230)	(\$393,857)
94th Street Lot Expanded)**						
Scenario 4	519	383	\$19,722,000	\$766,305	(\$1,684,722)	(\$918,417)
Abbott Lot						
Scenario 5	510	303	\$19,380,000	\$726,160	(\$1,655,507)	(\$929,347)
Town Hall						
Scenario 6	229	173	\$8,702,000	\$397,787	(\$743,355)	(\$345,568)
Scenario 7	264	208	\$10,032,000	\$458,584	(\$856,969)	(\$398,384)

* Estimated Annual Revenue, Debt Service and Operating Subsidy based upon

Notes: Year 3 Stabilized Operations / Based on 5.75% financing

** Total Development Cost (TDC) for 94th Street Expanded option does not include estimated cost to acquire private property

IMPLEMENTATION TOOLS

The opportunity to develop a viable parking garage (and/or mixed use development) on any of the three sites outline above could utilize a myriad of implementation tools to effectuate development. Importantly, for 94th Street Lot (Scenarios 1 through 3), Abbott Lot (Scenario 5) and Town Hall Complex (Scenario 6 & 7), the Town can move ahead with the parking garage development immediately, since they own and control the land and there are effectively no major regulatory and/or financial challenges impeding the process. However, for other proposed programs such as the expanded 94th Street program (Scenario 4), the Town would need to acquire the abutting private properties. This expense is not factored into the cost estimate of the above summary matrix.

Should the Town Commission choose to evaluate options requiring the integration of private property, or contemplate a mixed use (retail/commercial) development within any proposed parking garage, there are a number of implementation processes that may need to be considered, including but not limited to:

Land Use Zoning Change/Referendum: Attachment 2, Surfside Parking Solution – The Next Step (April 2014), and information provided as part of the Town Commission May 12, 2015 reports, outline in detail any required Land Use Zoning Changes and any Referendum requirement.

Ballot Questions Related to Parking: Any ballot initiative is subject to the timeline for approval by the Miami-Dade County Supervisor of Elections.

Ballot questions may be grouped into three categories:

1. General Ballot questions such as, “Should the Town have a parking garage?” “Should the parking garage be placed on Abbott Avenue?”
2. Ballot questions related to methods of financing the parking garage.
3. The Town has the option on the above two questions to conduct a “stand alone” election at a cost of approximately \$17,000 (excluding the cost for informational campaigns/community outreach, etc.).
4. A Ballot question related to amending Section 4 of the Town of Surfside Charter, which reads as follows:

...The density, intensity, and height of development and structures within the Town of Surfside 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. [Emphasis supplied].

The language for the term “regular scheduled election” limits the election to the Surfside General Election i.e., the third Tuesday in March of any even-numbered year. (March 15, 2016).

Miami-Dade County Supervisor of Elections has provided the following election schedule.

- March 15, 2016 Election/Ballot Questions Deadline: December 22, 2015
- August 30, 2016 Election/Ballot Questions Deadline: June 10, 2016
- November 8, 2016 Election/Ballot Questions Deadline: August 9, 2016

The cost to coincide with a Countywide Election is \$8,000 (excluding the cost of informational campaigns/community outreach, etc.).

For all ballot questions, the timeframe must account for at least sixty days prior to the scheduled election for the Town to pass a Resolution with the ballot language. The deadline to place a question on the ballot is sixty days before the election to ensure that the text is

translated properly and provided to the municipality for adhering to legal advertisements as required by law.

Unsolicited Proposals: The Town has been approached by several individuals expressing interest in one or more of the proposed site locations. The unsolicited proposals range from design/build services, to mixed use development concepts incorporating Town owned lots. The latter would fall under the provision of a Public/Private Partnership (see below). To this point, the Town has been responsive to the unsolicited proposals; however, all of these unsolicited inquiries have been highly conceptual and informal in nature and none have adequately addressed the regulatory, design, land ownership and economic elements that impact the development process. Moreover, to the extent that the Town will be developing only a parking garage on its own land, then engaging unsolicited proposals is not an option – the Town will need to bid out for a design/build contract through the public solicitation process.

Public/Private Partnerships (P3): The six conceptual plans provided herein do not currently incorporate any retail/commercial component within the design. In this case, a public/private partnership is not warranted since the Town will simply bid out for a design/build contract. However, in the event any retail/commercial element is integrated in the parking structure(s), then consideration for the P3 option is advisable. The key to a P3 process is that it is fully transparent and encourages competitiveness within the bidding process. It can also provide for contributory funding from the private sector. The P3 solicitation can be undertaken as either a Request for Proposal (RFP) or Invitation To Negotiate (ITN), either of which will serve the Town's needs. It is anticipated that the P3 solicitation process will require a minimum 180 days from the time Staff begins document preparation to final negotiation/agreement. Naturally, the timeline will be dictated by the regulatory and public process.

Eminent Domain: In the case of *94th Street Expanded* option (as well as the *Post Office Site*), the Town will need to utilize abutting private property to accommodate its proposed program. The outright acquisition of these properties by the Town is preferred; accordingly, a public/private partnership is also advisable should the Town and private property owner(s) be able to reach a fair and equitable operating structure. However, should either of these options fail to materialize, Eminent Domain is another option.

Funding Options: Possible financing including the issuing a municipal bond or a bank loan. The debt service for any respective parking garage development will be supported by net revenue generated from the parking garage itself. The fact is, though, that the net parking revenue from the parking garage alone falls well short of the debt service payment – as illustrated in the matrix above. Therefore, funding commitments to service the bonds will require revenue from other resources (ie. The Parking Fund, General Fund or other sources). Options that can be explored include the creation of a Special Taxing District for the Business District and or the multifamily district, which is plausible considering the fact that public parking within Surfside provides a major public benefit to both the business community and certain residential areas of Town where there is a recognized parking shortage.

Budget Impact: As identified in the above matrix.

Staff Impact: Existing Staff would work with CGA the Town's approved engineering firm and a Town Commission approved Design/Build Firm.

Recommendation:

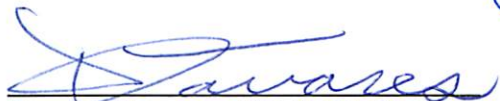
Short Term: Authorize the Town to issue an RFP for Design/Build at the 94th Street Lot (Existing) for parking only and to start the financing process.

While possibly limiting the future of a Public / Private Partnership, and only partially addressing the parking shortage, the location close to the downtown business district and the ease of process (no Land Use Zoning change of Referendum requirement) facilitate an expeditious move forward.


As the Town's approved engineering services firm, CGA, is able to assist Staff with the RFP process, the Town Commission could have a recommended Design/Build firm to evaluate and approve by the end of the year.

Long Term: Since the above recommendation does not fully address the parking shortage, the following two scenarios could be explored as longer term solutions:

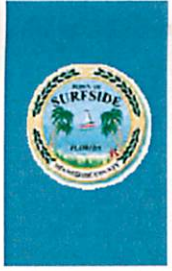
- Economic market forces may bring a viable Private / Public Partnership opportunity before the Town Commission to deliberate.
- A Town Hall Parking Garage would address the existing multifamily residential parking shortage, facilitate the removal of the business district parking passes (those spaces would then become available to the general public) and provide parking for the Community Center as well as staff and Town vehicles.



Duncan Tavares, TEDACS Director



Guillermo Olmedillo, Town Manager



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 92nd Street to just north of 96th 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 96th Street to 94th 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 93rd 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 96th 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) 94th Street Lot (with possibility of partnering with owner of adjacent properties for combined development).

The Abbott Avenue Lot site and 94th 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 95th 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.

94th Street Lot Site

Two alternatives were investigated for the 94th 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 94th 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 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.townofsouthsidefl.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.

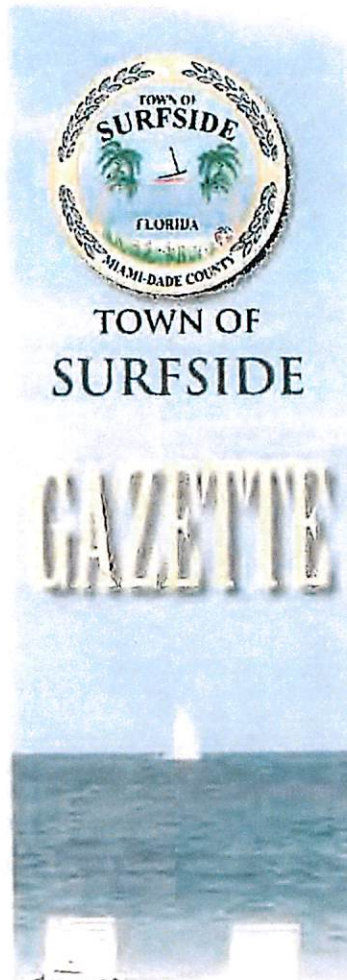
II. Approach/Methodology for Preparation of Report

1. Public Notification and Involvement

The public process utilized to address the decades old challenge of parking in Southside 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 (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 its 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.

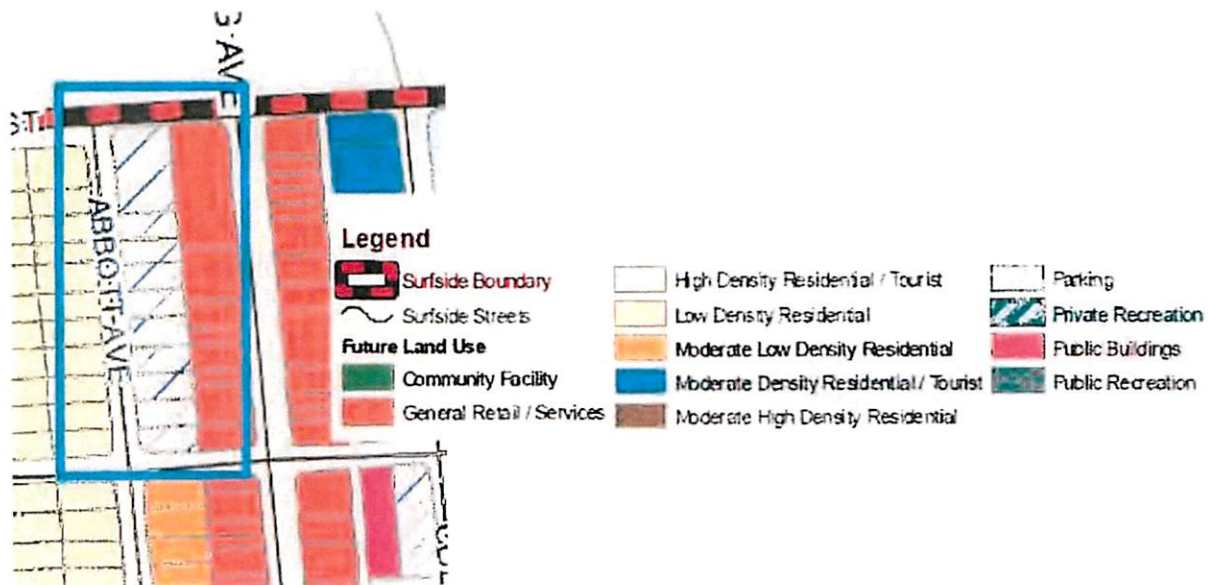
III. Analysis of Land Use and Zoning Issues for Each Site Identified in the Parking Study for Location of a Parking Structure

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:



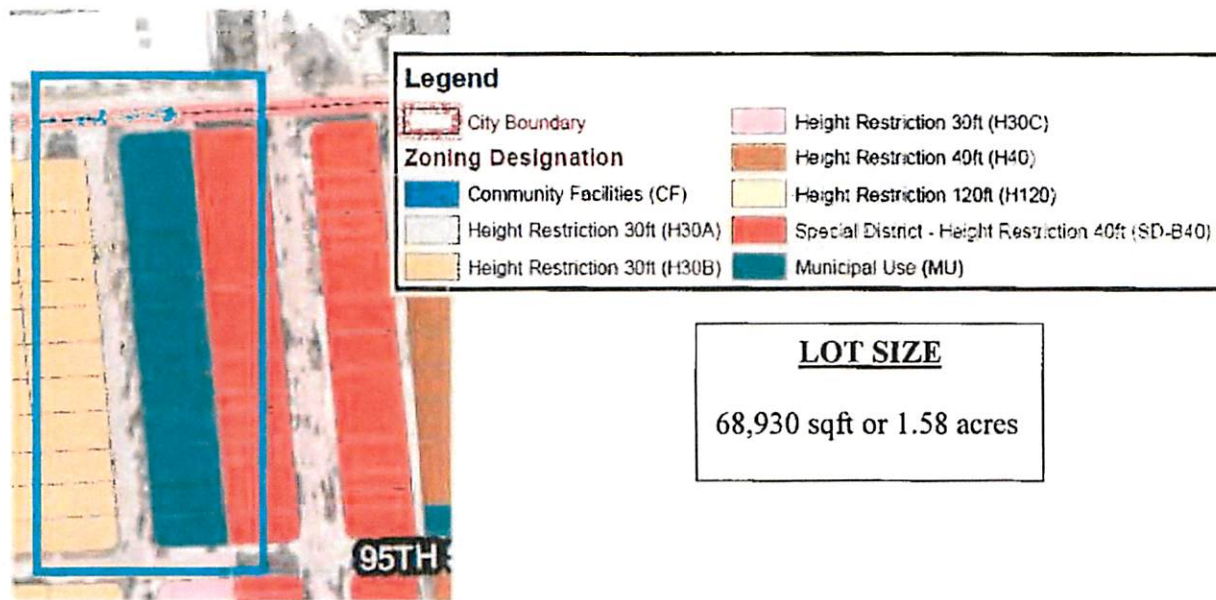
The only permitted use in this category is parking. If a residential use is added as suggested by the Parking Study, density will be added to a land use that currently has no density allocation provided. This "increase" in density will result in the need for a referendum. Also, a Land Use Text and Map 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

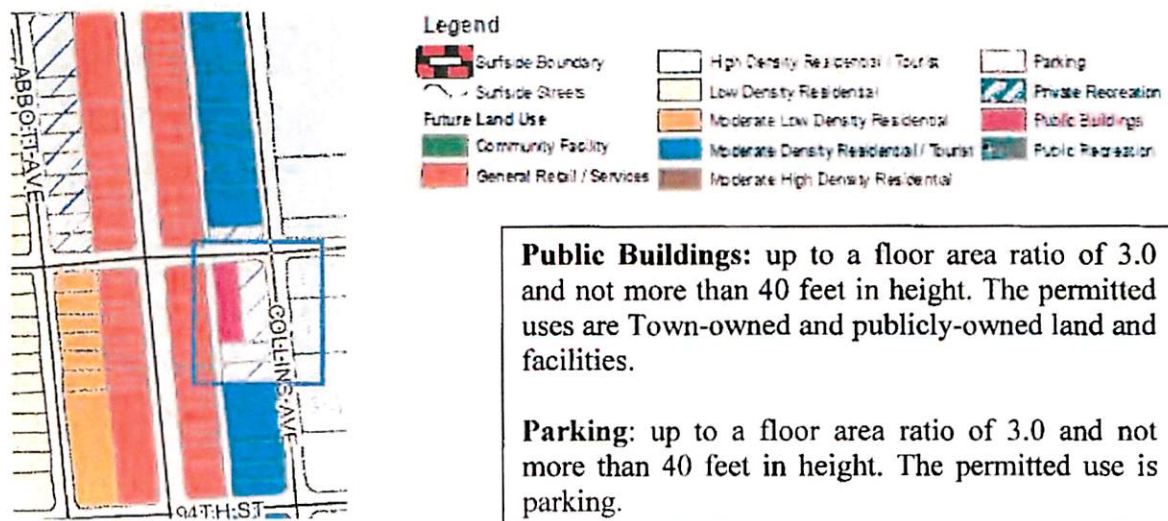
This site is zoned MU, which permits parking structures. The MU designation does not have a height numerical limitation and instead it follows the "surrounding designation."

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.

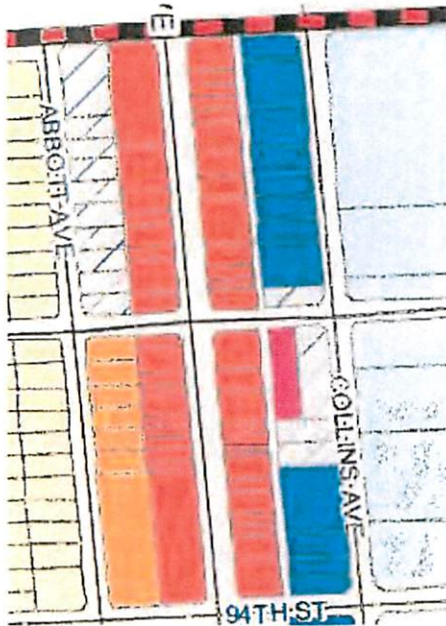
The portion of the lot that currently houses the Post Office is zoned H40. No commercial is permitted under this zoning category. The existing Post Office is considered a non-conforming use under the zoning designation. If the use were to be eliminated from this location, the existing zoning will permit residential or hotel units only.



Legend	
City Boundary	Height Restriction 30ft (H30C)
Zoning Designation	
Community Facilities (CF)	Height Restriction 40ft (H40)
Height Restriction 30ft (H30A)	Height Restriction 120ft (H120)
Height Restriction 30ft (H30B)	Special District - Height Restriction 40ft (SD-B40)
	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.



LOT SIZES

Post Office building property	12,460 sqft
Town owned parking lot*	<u>28,260 sqft</u>
TOTAL	40,720 sqft
	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
Future Land Use	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.

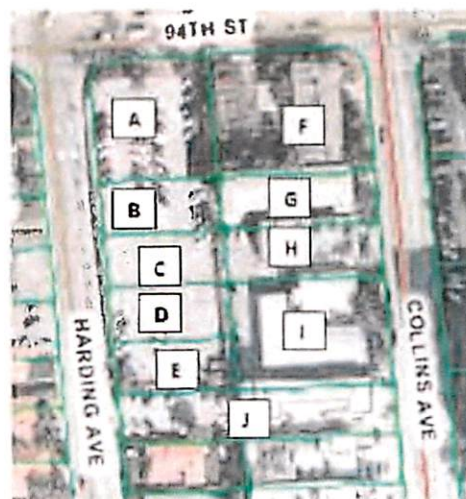
C. 94th Street Lot

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:

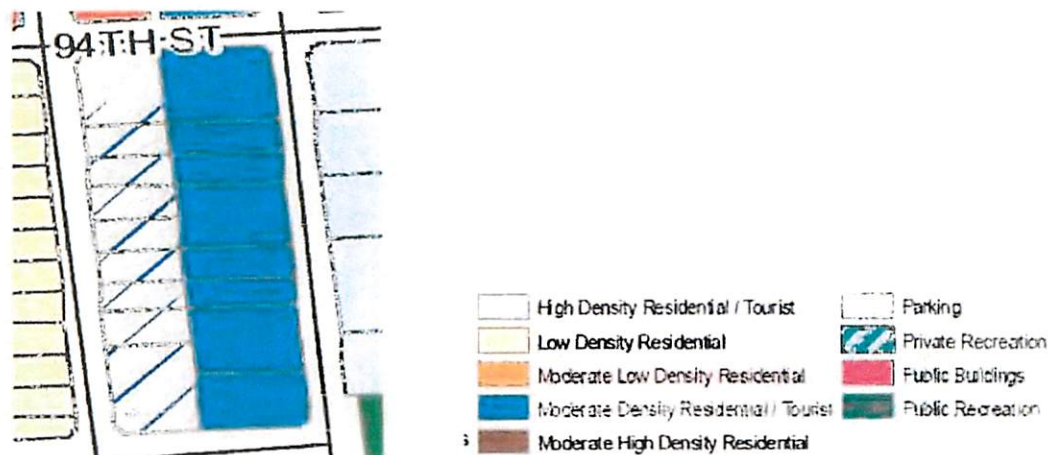
Folio number	Owner	Cross reference with map
14-2235-006-0310	Town of Surfside	A
14-2235-006-0330	Town of Surfside	B
14-2235-006-0340	Town of Surfside	C
14-2235-006-0350	Town of Surfside	D
14-2235-006-0360	Town of Surfside	E
14-2235-006-0300	Ninety Four W, LLC	F
14-2235-006-0290	Bratt Holdings, LLC	G
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
Abbott Lot (1)	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
Abbott Lot (2)	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
Abbott Lot (3)	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
Post Office Site	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
94th Street Lot (1)	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	
94th Street Lot (2)	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
Abbott Lot (1)	Two level underground with public park above	\$27,400,000; annual debt service payment: \$1,930,000	Deficit FY 14/15: (\$1,535,462) Deficit FY 18/19: (\$1,247,596) Deficit FY 23/24: (\$889,901)	\$1.5M upfront payment; \$2.24M for park development; additional annual interest on \$27.4M -- \$456K	NO
Abbott Lot (2)	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	Deficit FY 14/15: (\$408,852) Deficit FY 18/19: (\$108,107) Surplus FY 23/24: \$267,983	\$1.5M upfront payment; \$1.12M for park development; additional annual interest on \$13.01M -- \$217K	NO
Abbott Lot (3)	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
Post Office	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.

Parking Concepts & Designs

IN GENERAL

Several factors are to be considered at important determinants for the design of a parking garage, but the two most critical components that determine the efficiency or result of the design are

- (a) circulation widths and
- (b) the vertical connection (or 'circuits') of the floor plates.

Circulation widths determine if the travel ways within the parking garage will be for 1-way or 2-way traffic. 1-way travel lanes can be, at their minimum, either 15 feet wide or 22 feet wide, depending if the vehicles will be parked in angled or perpendicular arrangements, respectively, to allow for ease of backing-out of a parking space.

The vertical connection of the floor plates can be either level-stacked or coiled (aka 'helix') or a combination of these. The efficiency of these is completely dependent on the specifics and constraints of each unique project site.

An example of a 'stacked' parking garage is 1111 Alton Road at the end of Lincoln Road, where the floor plates are flat and are interconnected by a ramp.

Examples of helix and double-helix parking garages are much more prevalent, one of which is the Miami Beach municipal parking garage at the southern end of Convention Center Drive on 17th Street, across from City of Miami Beach's City Hall Building.

Most garages are a combination of these two types of arrangements. The rule of thumb is, the more complex the geometry, the more space it will need – particularly to account for the minimum interior clearances required by the South Florida Building Code. [SEE FIGURE A]

Additionally, it is important to note that ultimately, what the garage looks like from the exterior does not have to be influenced by its circulation or circuit design. The designer can 'wrap' the garage with whatever façade he/she can imagine.

94TH STREET PARKING LOT – EXISTING AVAILABLE AREA

For the parcel presently used as a parking lot on 94th Street and Harding, we explored various options for design. The component of providing retail on the ground floor was not explored, as it would reduce the amount of parking that could be provided overall.

First, it is important to note the actual dimensions of the property:
[SEE FIGURE B]

It is also necessary to identify the zoning constraints applied to all scenarios:

- Maximum Building Height: 40 feet
- Minimum Setbacks: 0 feet
- Parking allowed on top-most floor-plate

Scenario 1 – Double Helix Design

The double helix design (double coil) [SEE FIGURE C] required that each 'coil' provide a 1-way travel. Because of the double coil nature of the design, coupled with the requirement of the South Florida Building Code (Section 406.2.5 Ramps) that limits the maximum slope of any interior garage ramp with parking at 1:15 or 6.67% and the limited length of the parcel to achieve adequate over-head floor-to-floor clearances, the double helix strategy resulted in the less efficient of the options. It generated a parking count of 147 spaces. Additionally, due to the geometry of the design and the need to transfer and connected the up-ward travel spiral with the down-ward travel spiral, the design was not able to take advantage of the allowable zoning height of 40 feet; instead, it achieved its maximum height at approximately 34 feet. [SEE FIGURE D]

After reducing the counts for parking that is existing 99 spaces which will be replaced by the garage, this scenario represents a net gain of approximately 48 parking spaces.

An example of a built, similar double helix garage is a Municipal Parking Garage in Coral Gables, on Andalusia Avenue between Ponce de Leon Blvd and Salzedo Street, behind the Miracle Mile Theatre.

Scenario 2 –Coil Ramp Design

The coil ramp design [SEE FIGURE E] provides flat, stacked parking levels with dedicated circular ramps connecting each floor-plate. One circular ramp on each end of the garage serves for 1-way traffic. The length of the site exactly allowed for a maximum slope of 15% on the connecting ramps. Even though the slope can be functional, its steepness is less comfortable to maneuver.

This configuration generated 250 spaces without exceeding the maximum 40-foot allowable height. This is due to the fact that this design maximizes parking opportunities on the ground floor and reduces loss of parking areas typically associated with ramps. [SEE FIGURE F]

After reducing the counts for parking that is existing 99 spaces which will be replaced by the garage, this scenario represents a net gain of approximately 151 parking spaces.

An example of a built, similar coil ramp garage is a Municipal Parking Garage in Coral Gables, on Aragon Avenue between Ponce de Leon Blvd and Salzedo Street, across from the Books and Books Bookstore.

Scenario 3 –Flat-plate with Ramp Design

The flat-plate with ramp design [SEE FIGURE G] provides flat, stacked parking levels with 2-way travel and perpendicular parking on both sides and a 2-way ramp with parking on a single side connecting each floor-plate. This scenario also afforded the option to provide additional parking on the ground floor (up to 50 spaces) with a separate access and exit than access to the garage's ramp. This two-set parking strategy was utilized at the City of Miami Beach's new parking garage servicing the City Hall, where the ground floor parking provides metered-parking use for short-term patrons, while the garage services those patrons looking to park in increments of greater time and who are billed in 1-hour increments.

This configuration generated 261 spaces without exceeding the maximum 40-foot allowable height. This is due to the fact that this design maximizes parking opportunities with the use of perpendicular parking, rather than angled parking. [SEE FIGURE H]

After reducing the counts for parking that is existing 99 spaces which will be replaced by the garage, this scenario represents a net gain of approximately 162 parking spaces.

A similar example of a built garage is the recently constructed parking garage servicing the Kane Concourse Business District in the Town of Bay Harbor Islands, on 95th Street between Bay Harbor Drive and Bay Harbor Terrace, across from the school.

BLOCK-LONG PARKING GARAGES (HARDING AVE FRONTAGE BETWEEN 93RD AND 94TH STREETS; AND ABBOTT AVE FRONTAGE BETWEEN 95TH AND 96TH STREETS)

As an exploration, we investigated the feasibility of providing parking garages that spanned the entire block for the following two locations:

- Harding Ave frontage between 93rd and 94th Streets; and
- Abbott Ave frontage between 95th and 96th Streets

Both locations have the same dimension, at 114 feet deep by 605 feet in length. [SEE FIGURE I] Because of their long spans and the ability of these to facilitate clearances, coupled with the findings of the more restrictive 94th Street Parking configuration listed above, it was determined that the design model for 'Scenario 3' would be the best suited to maximize opportunities for parking.

Scenario 4 - Harding Ave frontage between 93rd and 94th Streets

The flat-plate with ramp design utilized in Scenario 3 was adapted for use in this scenario because of its efficiency. The design for the parking garage anticipates that access to the long-term parking garage would be exclusively from the 93rd and 94th Streets frontages, in order to not negatively impact the traffic flow along Harding Avenue, while it is envisioned that 2 egress points onto Harding Avenue may be permissible from the short term parking area on the ground floor. Additionally, the 'dead' space in the center of the layout provides an opportunity to increase the Town's storage capacity for equipment. [SEE FIGURE J]

This configuration generated 519 spaces without exceeding the maximum 40-foot allowable height. It necessitates that the parcels of land or portions thereof at the addresses 9340 Collins Ave, 9333 Harding Ave, and 9325 Harding Ave would be purchased by the Town.

After reducing the counts for parking that is existing 136 spaces which will be replaced by the garage, this scenario represents a net gain of approximately 383 parking spaces.

Scenario 5 - Abbott Ave frontage between 95th and 96th Streets [SEE FIGURE K]

The flat-plate with ramp design utilized in Scenarios 3 and 4 was adapted for use in this scenario because of its efficiency. The design for the parking garage anticipates that access to the long-term parking garage would be exclusively from the Abbott Avenue and 95th Street frontages, in order to not negatively impact the traffic flow along 96th Street, similarly with added ingress and egress points onto Abbott Avenue from the short term parking area on the ground floor. The garage envisions a covered breezeway serving for pedestrian connections between Abbott and the rear of the commercial establishments at the mid-block location. [SEE FIGURE L]

Because of the change in access, different from the layout in Scenario 4, this configuration generated 510 spaces without exceeding the maximum 40-foot allowable height. Unlike the previous scenario, this option does not require any additional land be purchased by the Town.

After reducing the counts for parking that is existing 207 spaces which will be replaced by the garage, this scenario represents a net gain of approximately 303 parking spaces.

TOWN HALL PARKING GARAGE

The lots on the immediate east and south of Town Hall can accommodate a parking garage, facilitated by the depth of the lot that stretches from Collins to Harding Avenue. Additionally, the lot is L-shaped, which adds its own complexity to the design, in addition to the fact that the zoning for the immediate abutting area (H40/H30c) limit building heights to 40 feet fronting Collins and 30 feet fronting Harding. [SEE FIGURE M]

Scenario 6 – Town Hall Parking Option 1 [SEE FIGURE N]

The first scenario is to build a continuous ramp from 93rd Street up to the first floor plate and continue the rise of the ramp as it makes the bend westward. The benefit of this solution lies in the fact that it provides ample clearance beneath the southern portion of the garage to accommodate a surface parking lot at grade. This is important because currently vans, police vehicles and some mechanical/commercial vehicles are being parked in the current lot. It also provides enough clearance to allow for existing dumpsters and other mechanical equipment to be accounted for. Similarly, the areas immediately abutting the eastern façade of the Town Hall will remain a surface lot because it also has several dumpster locations that cannot be otherwise located within the garage structure.

This configuration generated 229 spaces without exceeding the maximum 40-foot allowable height facing Collins Avenue or the 30-foot height facing Harding

After reducing the counts for parking that is existing 56 spaces which will be replaced by the garage, this scenario represents a net gain of approximately 173 parking spaces.

Scenario 7 – Town Hall Parking Option 2 [SEE FIGURE O]

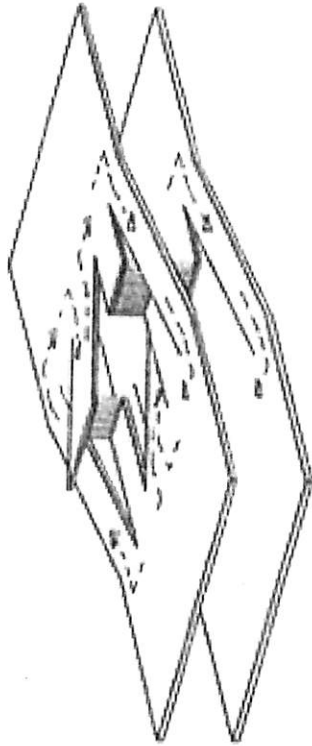
The second scenario contemplates utilizing the areas east of the Town Hall structure (which presently are occupied by the Public Works yard and parking fronting Collins Avenue) to construct a single helix coil to serve as the vertical circulation for the parking garage. The areas immediately south of the Town Hall facility would serve as a surface parking lot and Public Works yard with a clearance of 18 feet, able to accommodate large machinery and/or equipment. This is important because currently vans, police vehicles and some mechanical/commercial vehicles are being parked in the current lot. It also provides enough clearance to allow for existing dumpsters and other mechanical equipment to be accounted for. Once the garage's helix coil reaches a 20-foot height, it will connect to a flat floor-plate that will bridge over the ground level surface lot and yard.

This configuration generated 264 spaces without exceeding the maximum 40-foot allowable height facing Collins Avenue or the 30-foot height facing Harding

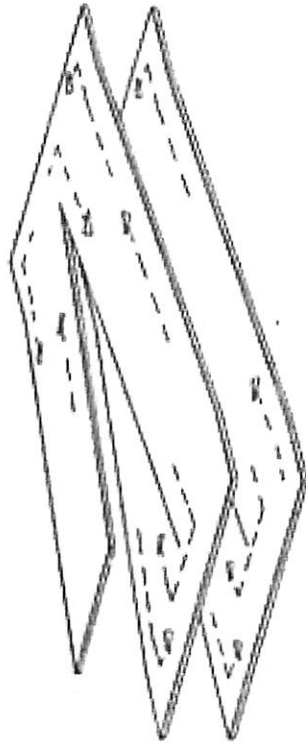
After reducing the counts for parking that is existing 56 spaces which will be replaced by the garage, this scenario represents a net gain of approximately 173 parking spaces.

OBSERVATIONS

For all garage design options provided in the scenarios, because of the shallow depth of the lots or its geometry, it must be noted that garages will have to be built with zero setbacks on all frontages and no landscaping will be provided. Any Land Use Zoning Changes and/or Referendum requirements are identified in the accompanying June 9, 2015 report to the Town Commission.



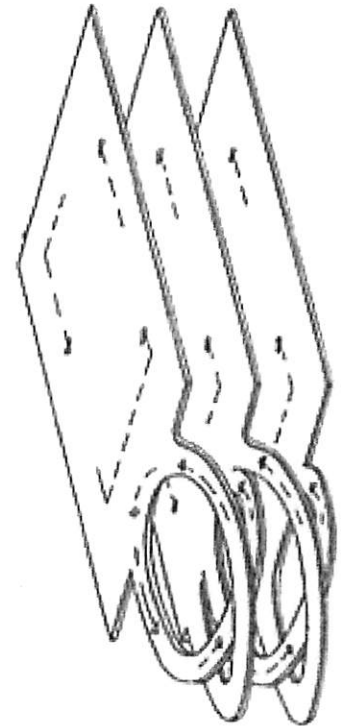
STAGGERED FLOORS - TWO-WAY CENTER RAMP



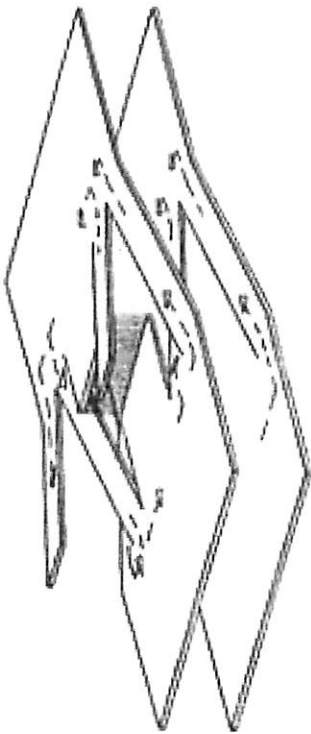
SLOPING FLOORS - TWO-WAY CIRCULATION



SLOPING FLOORS - CROSS CONNECTED ONE-WAY CIRCULATION



CONCENTRIC OPPOSED PLANE HELICAL RAMP



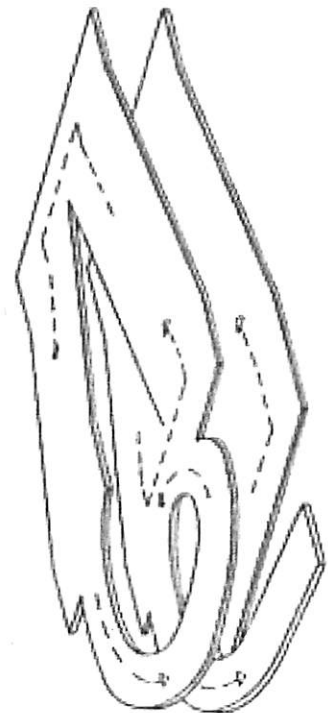
STAGGERED FLOORS - ONE-WAY CIRCULATION



FLAT FLOORS - STRAIGHT, ONE-WAY RAMP



SLOPING FLOORS - ONE WAY CIRCULATION



SLOPING FLOOR WITH EXPRESS HELICAL DOWN RAMP

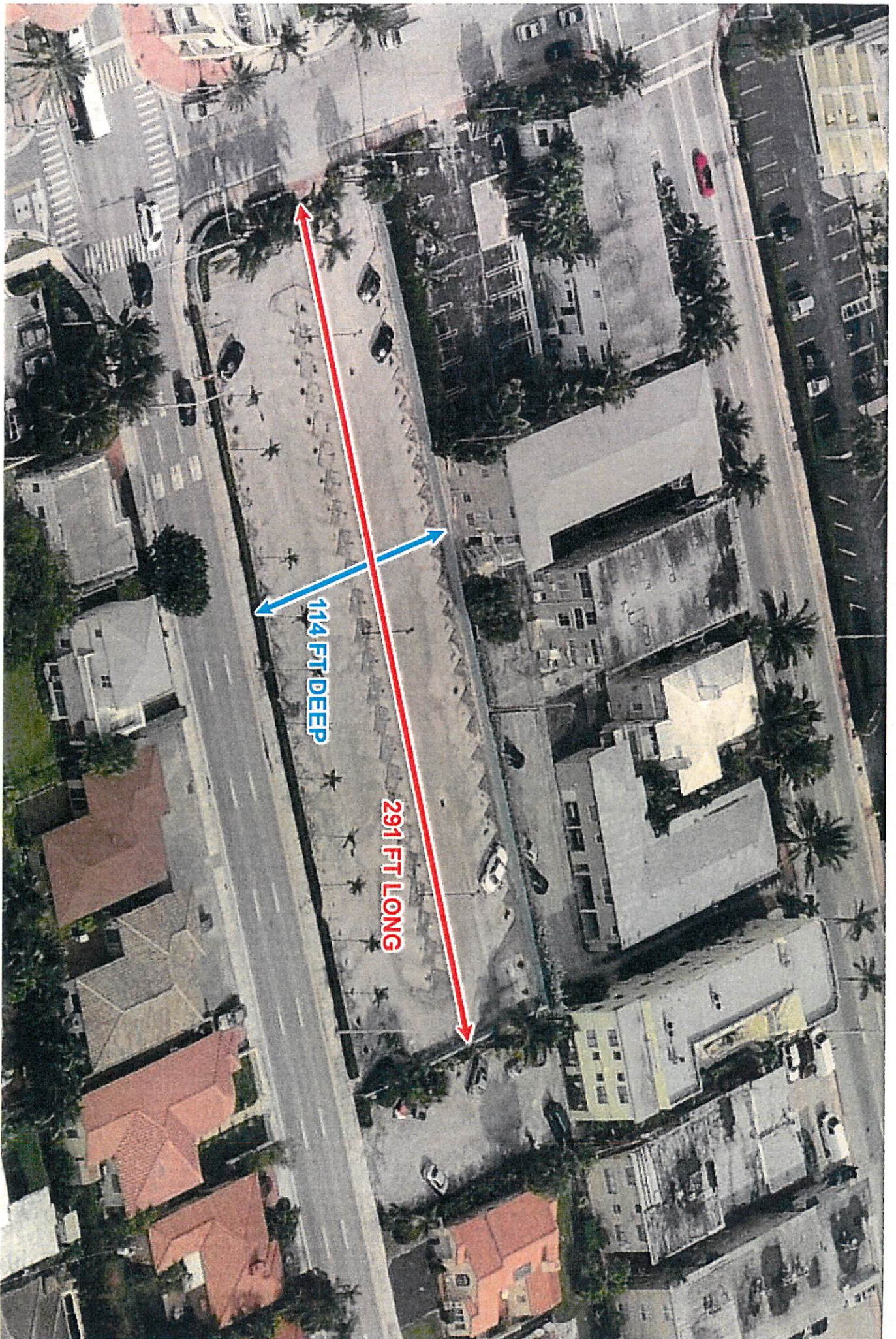


FIGURE C

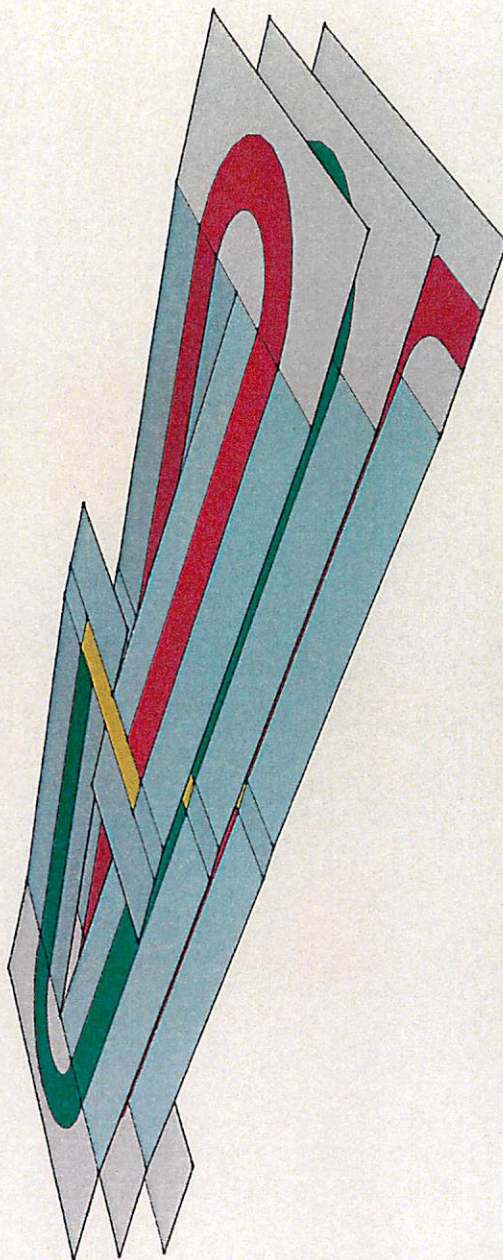


Figure A

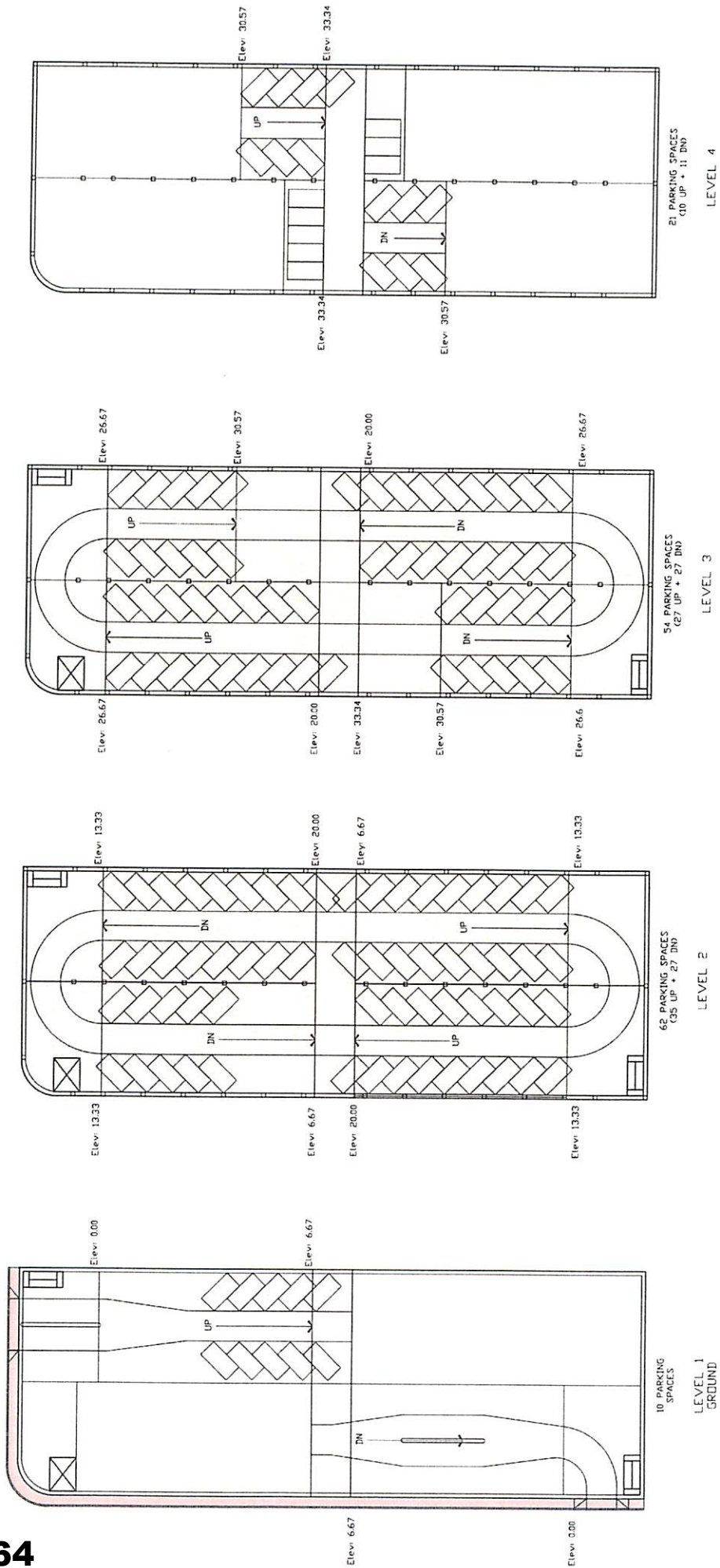


FIGURE 5

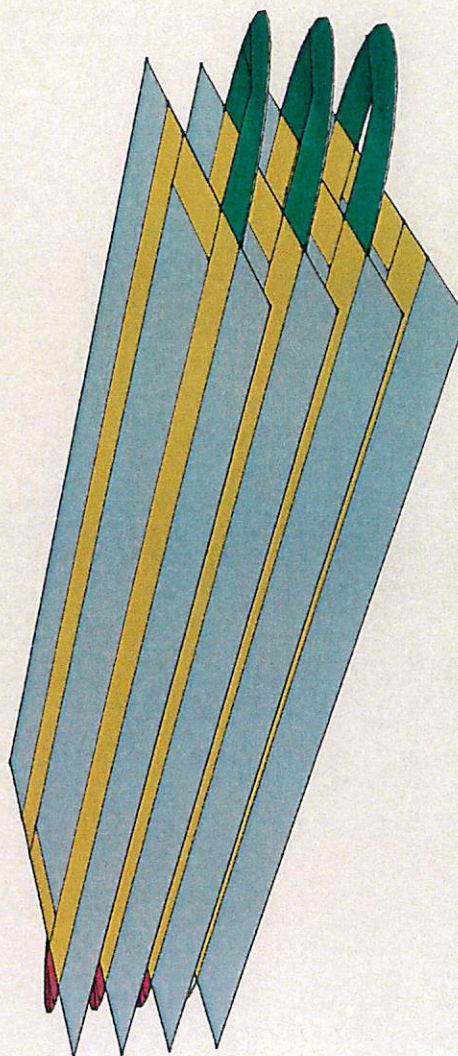


FIGURE F

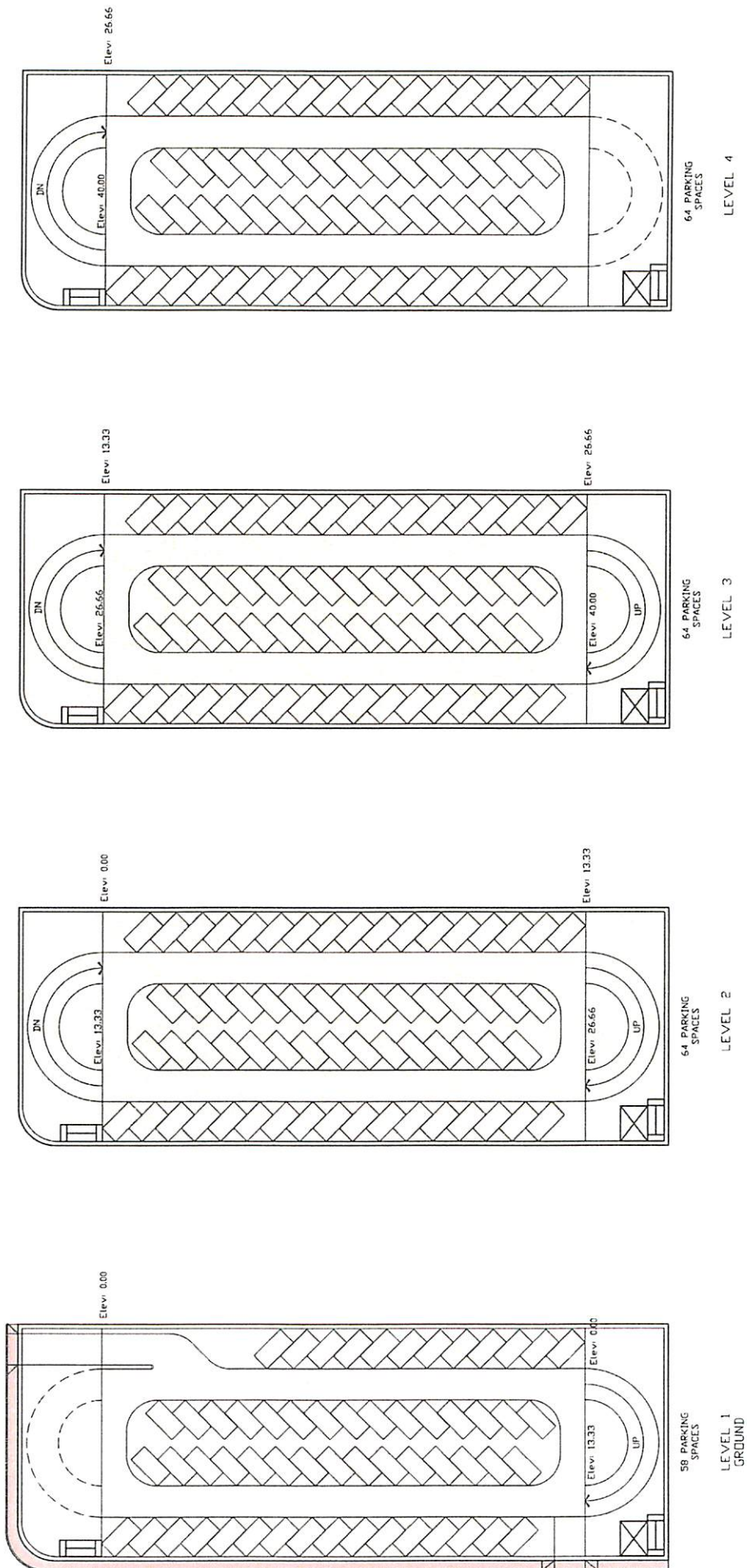


FIGURE 3

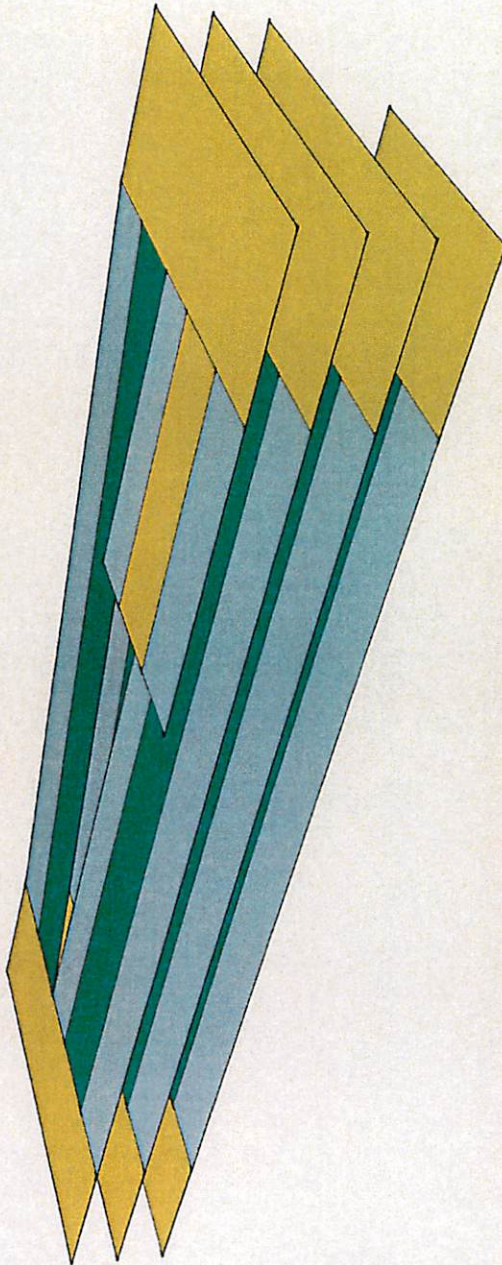
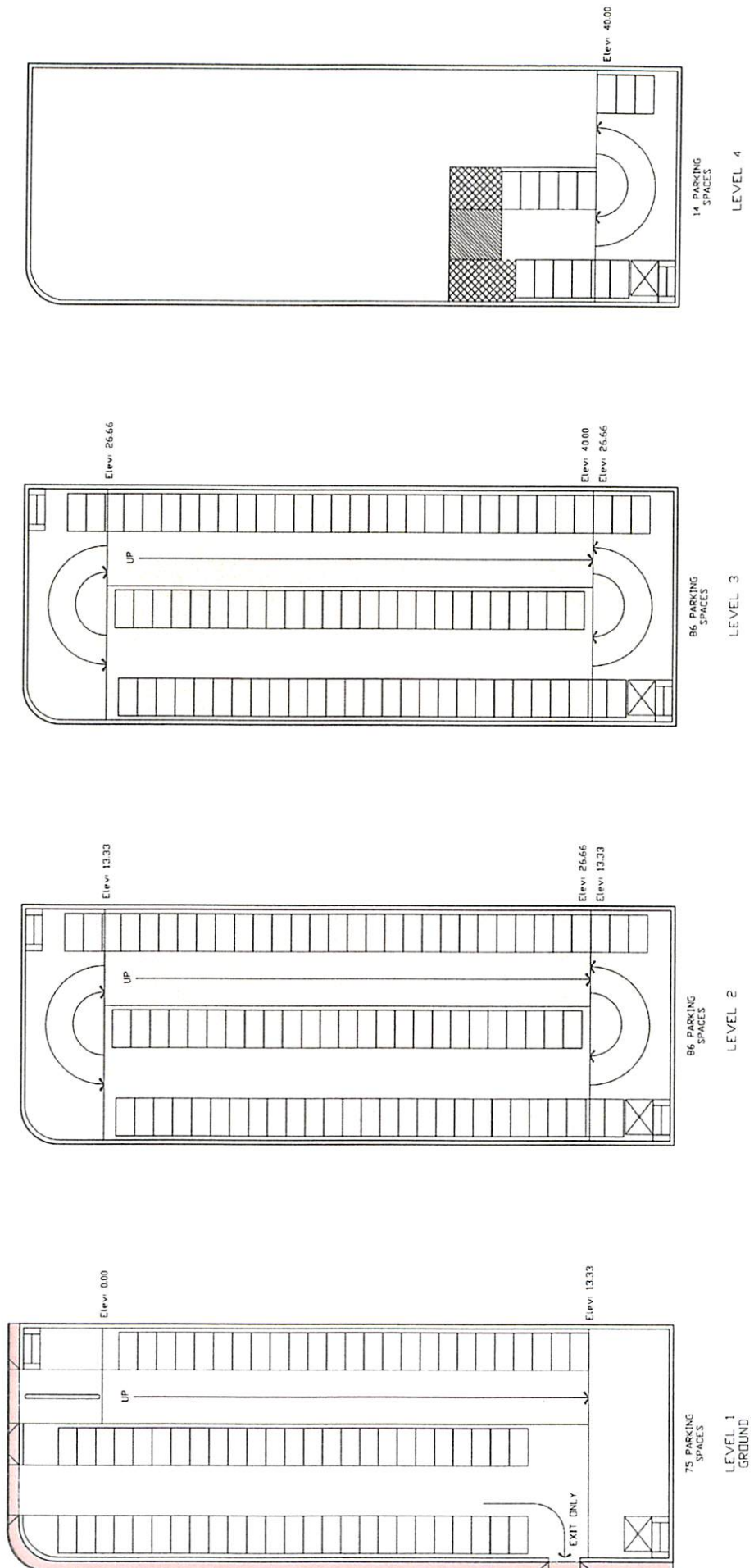


FIGURE H



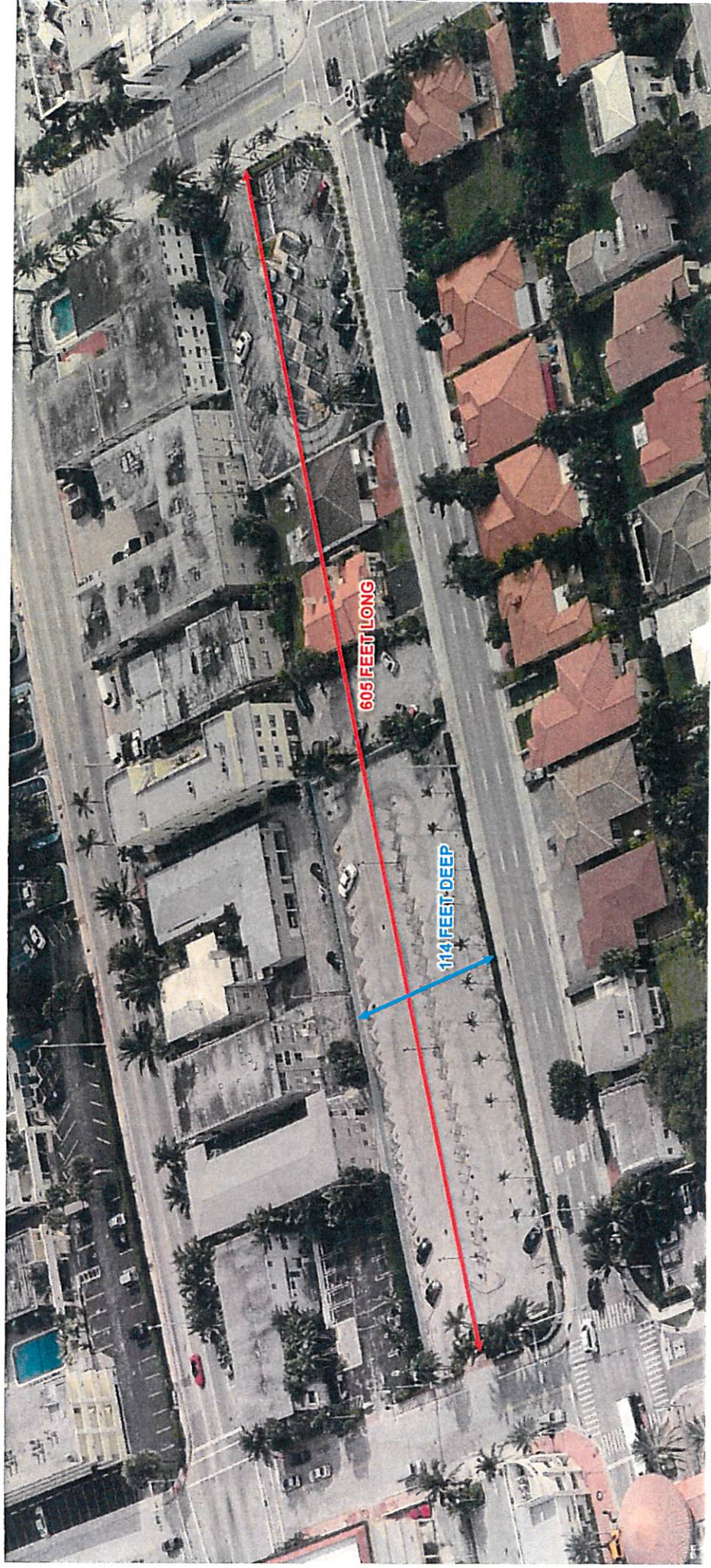


FIGURE J

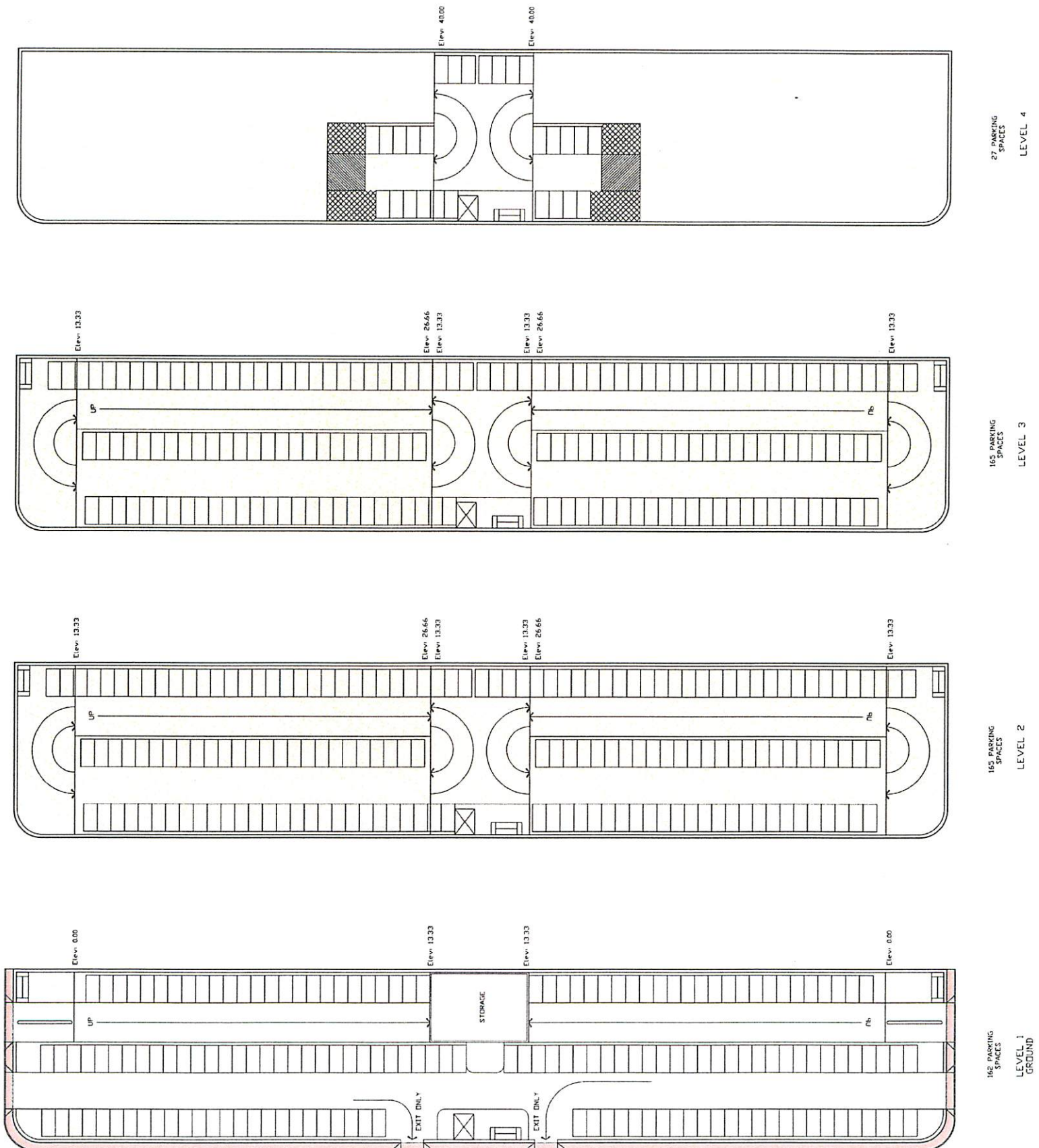


FIGURE K

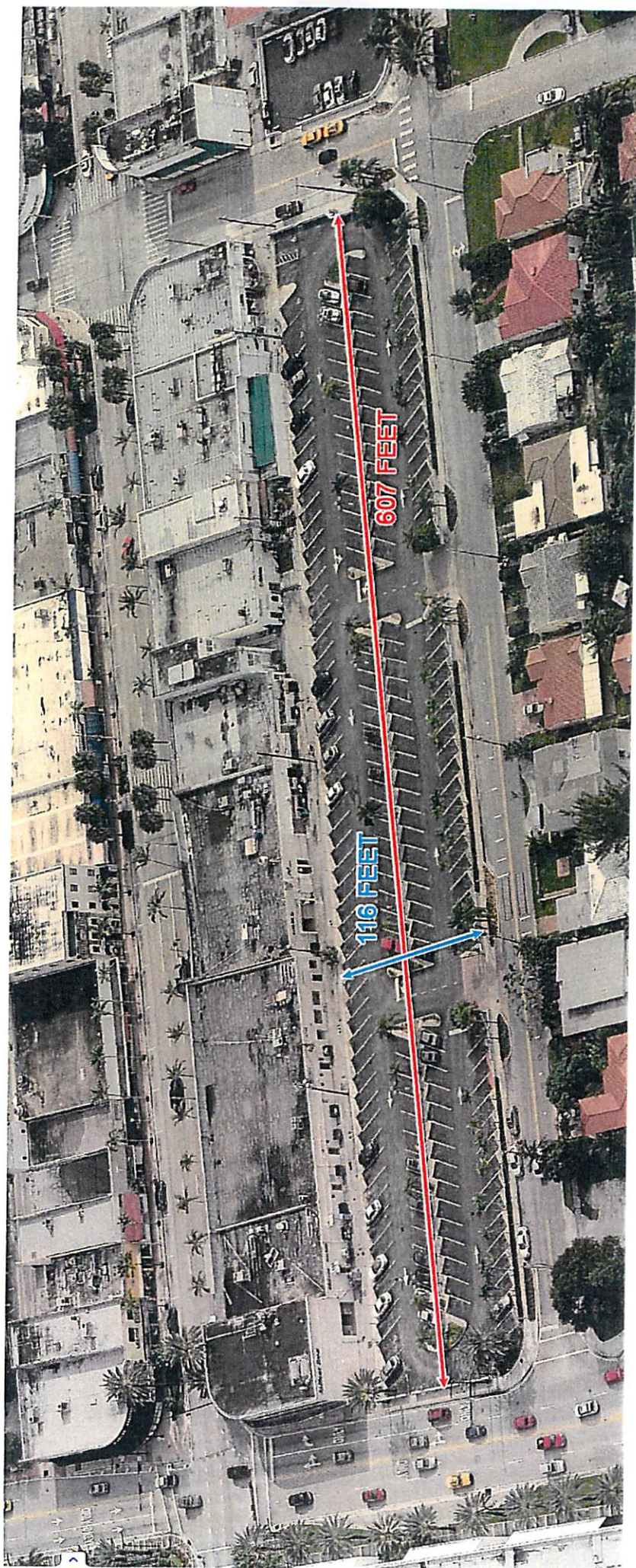
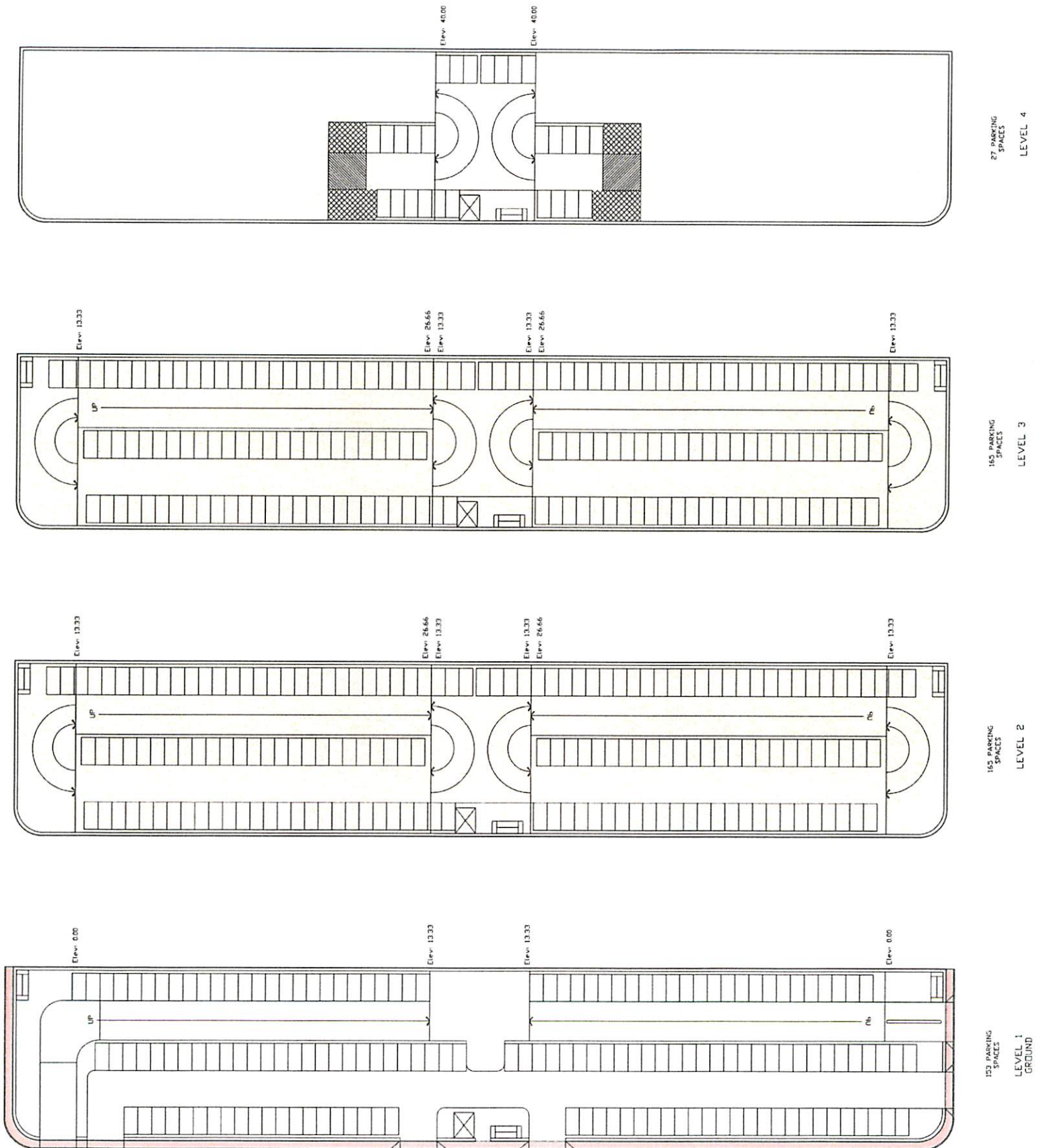


FIGURE L



105 FEET

262 FEET

96 FEET

246 FEET

FIGURE N

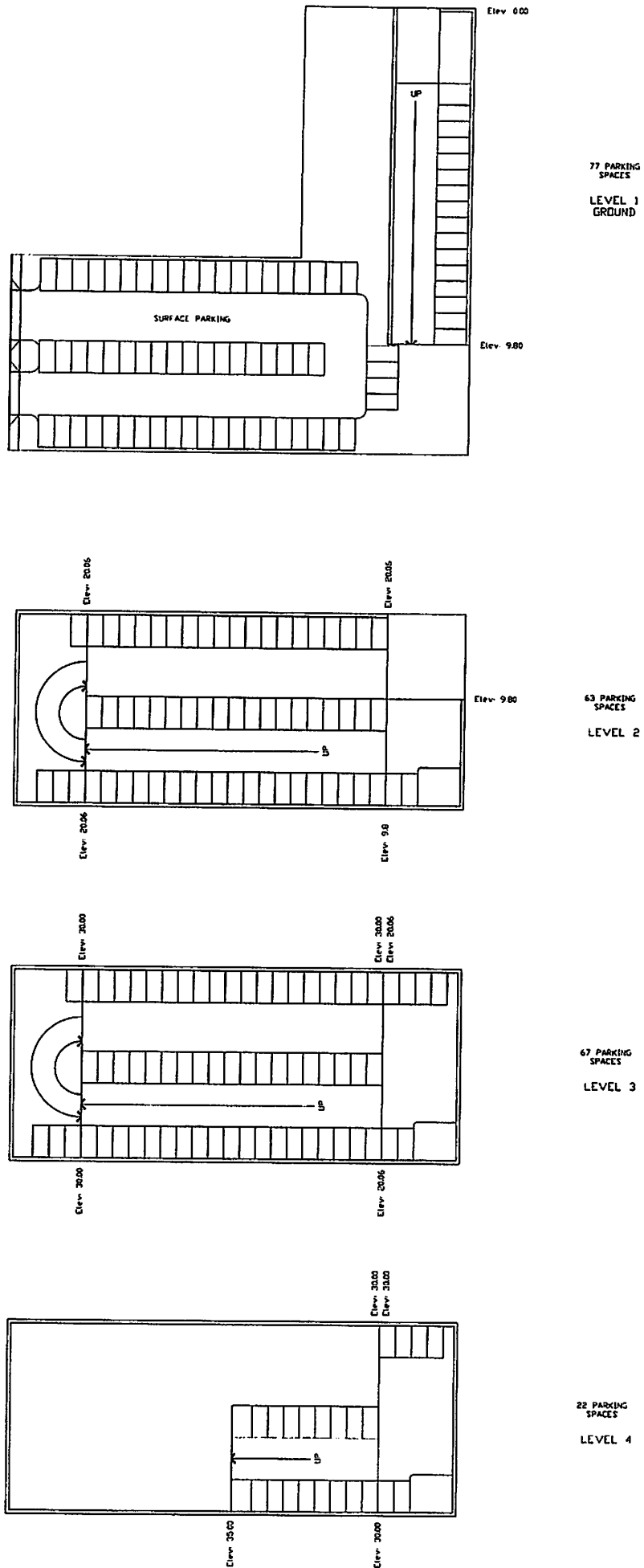


FIGURE 0

