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Miami-Dade Fire Rescue Department  
Office of the Fire Chief  
9300 N.W. 41st Street  
Doral, Florida 33178-2414  
T 786-331-5000 F 786-331-5101

miamidade.gov

January 31, 2011

Honorable Daniel Dietch, Mayor  
Town of Surfside  
9293 Harding Avenue  
Surfside, FL 33154

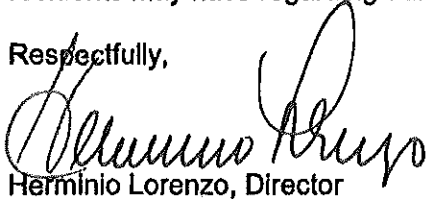
Honorable Mayor Dietch:

Miami-Dade Fire Rescue (MDFR) is privileged and honored to continue to serve as your municipal fire-rescue department. Attached is the annual report summarizing the services MDFR provided to the Town of Surfside for 2010. MDFR's overall complement of front-line response apparatus and personnel provides a depth of service unparalleled in the Southeast United States for the benefit and protection of your community.

The Town of Surfside's residents can rest assured that their fire-rescue services are delivered by a department that was recognized in August 2010 as an Internationally Accredited Agency by the Commission on Fire Accreditation International (CFAI). This honor makes MDFR one of only 148 agencies to achieve this status and is the largest accredited fire-rescue department in the Southeast United States and the second largest in the Nation.

We welcome the opportunity to serve you and to make a presentation of this report to your Town Council should you desire it. Please feel free to contact my office directly or any of the Operations Division Chiefs that serve your municipality if you require additional information or would like to discuss our service. Attached is my contact information as well as that of the Operations Division Chiefs serving you. I am always available to address any questions or concerns that you or your residents may have regarding our services.

Respectfully,

  
Herminio Lorenzo, Director

Attachment

c: Roger M. Carlton, Town Manager  
Alina T. Hudak, Assistant County Manager

305-375-5311  
Manager@MiamiDade.gov



Always Ready, Proud to Serve.

We protect people, property and the environment by providing responsive professional and humanitarian fire rescue services essential to public health, safety and well-being.

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Miami-Dade Fire Rescue (MDFR) originated as a single-unit fire patrol in 1935 and has grown into the largest fire rescue department in the Southeast and among the top ten largest in the nation. With a response territory of 1,905 square miles and a resident population of more than 1.7 million, MDFR responds to over 235,000 calls for assistance annually making it one of the busiest departments in the nation. More than 2,500 employees staff 131 front-line units throughout 65 fire rescue stations and several administrative facilities serving residents, businesses, and visitors 24 hours a day, 7 days a week, 365 days a year. In addition to providing transport services through 50 front-line rescue units, MDFR provides emergency air transport service within Miami-Dade County to State-approved Trauma Centers via two full-time rescue helicopters.

MDFR is considered one of the most elite fire rescue departments in the country and is recognized around the world for its exemplary service. Firefighters are skilled in fire suppression technology, and advanced life-support rescue units are capable of providing pre-hospital care to heart-attack patients and stroke victims. MDFR has more specialized response units than any other fire-rescue department in the southeastern United States. The department provides air-rescue transport and airport rescue firefighting and has dedicated units for marine services (shipboard firefighting and dive rescue), ocean rescue, technical rescue (vehicle extrication and confined-space rescue), hazardous materials mitigation, and urban search and rescue. The department also maintains the Florida Antivenin Bank and provides inspections and code enforcement services.

MDFR distinguishes itself from other fire-rescue departments in a number of areas. MDFR offers a higher level of service providing more Advanced Life Support (ALS) suppression units than most departments and a greater level and grade of response staff. Over 90% of MDFR's units are staffed and equipped to provide ALS services. MDFR staffs

four firefighters on suppression units and three firefighter paramedics on rescue units.

Since Fiscal Year 2000-2001, MDFR has opened 13 new fire-rescue stations, placed 27 new front-line response and 12 new Basic Life Support (BLS) transport units into service, and upgraded 18 units from BLS to Advance Life Support (ALS). These new services reduce response in these stations' territories and enhanced patient care by providing continuity of service.

MDFR is recognized as one of the most proactive pre-hospital emergency medical service providers in the world. MDFR was first in the nation to establish a Stroke Center Coalition and Care Network for state-of-the-art stroke care. Through the efforts of MDFR, Miami Dade residents have the highest survival rates after a blocked coronary artery in the nation. MDFR established the Miami-Dade STEMI (ST-Elevation Myocardial Infarction) Network. STEMI, typically referred to as a blocked coronary artery, is the leading cause of death in the United States and the leading cause of death for women in the United States. Hospitals within the STEMI network are required to restore blood flow to patient's blocked artery within 90 minutes from arrival of paramedics to the patient. This timely intervention significantly reduces patient's chances for permanent damage or death and increases their likelihood for a normal quality of life. The STEMI network has reduced the time it takes to restore blood flow to a patient from approximately 2 hours and 15 minutes to 60 minutes.

In August 2010, MDFR achieved International Accreditation Agency status by the Commission on Fire Accreditation International (CFAI), which is part of the Center for Public Safety Excellence, Inc. The department is one of only 148 agencies to achieve this status by CFAI and is now the largest accredited fire-rescue department in the Southeast and the second largest in the Nation.



Always Ready, Proud to Serve.

We protect people, property and the environment by providing responsive professional and humanitarian fire rescue services essential to public health, safety and well-being.



Everyday MDFR operations field personnel have hundreds of opportunities to exceed our customers' expectations while fulfilling our service demands. MDFR's commitment to providing the highest quality service to our community continuously fosters an atmosphere of service excellence and constant improvement. Employees routinely "go the extra mile" for our customers. MDFR's Elder-Links program was the result of a community need identified by our Operations field personnel in 1995 to assist the elderly population. The program received numerous accolades and became a model for other emergency medical services departments. Because of this program, scores of elderly receive far more than traditional emergency medical service. Operations field personnel responding to an incident not only address a patient's immediate medical treatment but also assess living conditions and needs.

These are our strengths, derived from personal dedication to providing the very best fire-rescue service, as confirmed by the expressed approval of those we serve. We are individually committed and collectively exemplify our mission: Always Ready, Proud to Serve. MDFR continually challenges our employees to deliver excellence every day and to strive for ways to better assist you, our residents and customers.





**Miami-Dade Fire Rescue Department  
Services to  
The Town of Surfside**

The Town of Surfside, in the northeastern part of Miami-Dade County, spans an area of 1.0 square miles and is bordered by the Atlantic Ocean to the east, the City of Miami Beach to the south, Indian Creek Village and the Town of Bay Harbor Islands to the west, and Bal Harbour Village to the north (Attachment I). The Town incorporated on May 18, 1935 and has been part of the Miami-Dade Fire Rescue Service District since 1973 when its Fire Department merged with MDRF. Based on 2009 U.S. Census estimates, the Town has a residential population of 4,707, with under 2,000 households.

The Town of Surfside contributed over \$2.6 million of revenue to the Fire District in Fiscal Year 2010-2011 and is served by one (1) fire-rescue station and three (3) front-line units (Table I).

**Table I  
MDRF Expenses and Revenues Fiscal Year 2010-2011  
Town of Surfside**

Stations	Engines	Rescues	Operating Costs for Units	Property Tax Revenue
Haulover Station 21	2	1	\$6,600,000	
<b>Total:</b>	<b>2</b>	<b>1</b>	<b>\$6,600,000</b>	<b>\$2,617,120</b>

During calendar years 2009 and 2010, MDRF dispatched 2,744 units to 1,506 emergency calls received from the Town of Surfside. Table II depicts incidents MDRF responded to within the Town during this time period.

**Table II  
MDRF Responses to the Town of Surfside  
Calendar Years 2009 and 2010**

Call Type	Incidents	
	2010	2009
Life Threatening	422	400
Non-Life Threatening	184	148
Structure and Other Fire	97	103
Other	51	101
<b>Total Incidents</b>	<b>754</b>	<b>752</b>
<b>Total Units Dispatched</b>	<b>1,350</b>	<b>1,394</b>

The Town of Surfside is primarily served by MDRF's Haulover Station 21 which provided 95% of the responses into the Town as depicted in Table III.

**Table III  
MDRF Stations/Units responding into the Town of Surfside  
Calendar Years 2009 and 2010**

Responses Provided By:	2010		2009	
	Incidents	%	Incidents	%
Station 21 - Haulover	720	95%	713	95%
Other Stations	34	5%	39	5%
<b>Total</b>	<b>754</b>	<b>100%</b>	<b>752</b>	<b>100%</b>

As depicted on Attachment I, there are seven (7) stations within six (6) miles of the Town of Surfside which house two (2) Battalion Chiefs; six (6) rescues; seven (7) suppression units, two which are BLS Engines, one ALS Engine, two 60-foot ALS Aerials, one 75-foot BLS Ladders, and one 100-foot BLS Platform; and two (2) BLS Squads (Table IV). These units exceed the NFPA recommended for responding to both high and medium occupancies.

**Table IV  
MDRF Stations Within Six Miles of the Town of Surfside**

Name	Miles to Town of Surfside	Apparatus	Staffing
Planned Station 76 - Bay Harbor 9665 Bay Harbor Terrace	0.64	Planned Rescue - 1	
Station 21 - Haulover 10500 Collins Avenue	1.04	BLS Engine - 1 100' BLS Platform - 1 Rescue - 1 Rigid Hull Inflatable Boat - 1	4 FF/EMT 4 FF/EMT 3 FF/PARA
Station 20 - North Miami East 13100 NE 16 Avenue	3.01	ALS Engine - 1 Rescue - 1	2 FF/PARA 2 FF/EMT 3 FF/PARA
Station 10 - Sunny Isles 175 - 172nd Street	3.41	Rescue - 1 60' ALS Aerial - 1	3 FF/PARA 2 FF/PARA 2 FF/EMT
Station 27 - North Bay Village 7903 East Drive	3.53	BLS Engine - 1 Rescue - 1	4 FF/EMT 3 FF/PARA
Station 78 - Eastern Shores 16435 NE 35 Avenue	4.00	BLS Squad - 1	1 FF/PARA 1 FF/EMT
Station 22 - Interama 15655 Biscayne Boulevard	4.48	75' BLS Ladder - 1 Rescue - 1 BLS Squad - 1	4 FF/EMT 3 FF/PARA 1 FF/PARA 1 FF/EMT
Station 31 - North Miami Beach 17050 NE 19 Avenue	5.93	Rescue - 1 60' ALS Aerial - 1	3 FF/PARA 2 FF/PARA 2 FF/EMT

Notes: FF/PARA = Firefighter Paramedic, FF/EMT = Firefighter Emergency Medical Technician

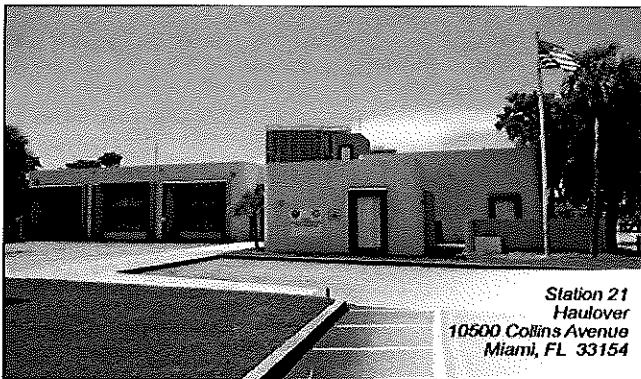




Miami-Dade Fire Rescue Department  
Services to  
The Town of Surfside

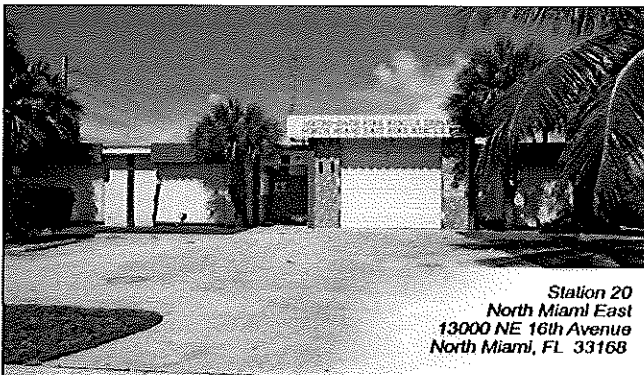
In addition, MDFR plans to construct one (1) additional station 0.64 miles northwest of the Town of Surfside. MDFR is constructing Bay Harbor Station 76. This two (2) bay, 7,500 square foot fire-rescue station will be a build-out next to the Town of Bay Harbor Islands' municipal government center located at 9665 Bay Harbor Terrace.

MDFR's closest Rescue unit is 1.04 miles north of the Town of Surfside at MDFR Haulover Station 21.



Haulover Station 21 serving the Town of Surfside

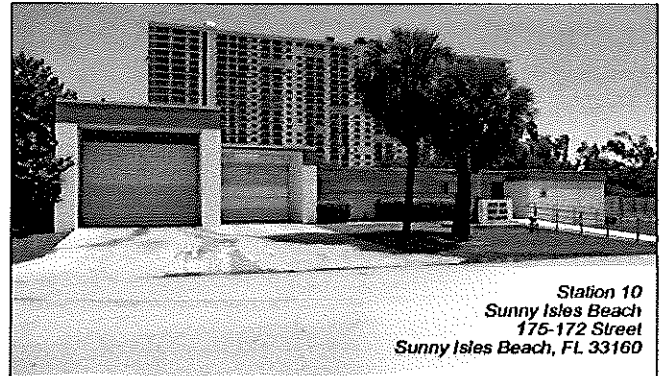
MDFR's next closest medical response unit is located 3.01 miles west of the Town at MDFR North Miami East Station 20, which houses one (1) Rescue and one ALS Engine.



North Miami East Station 20 serving the Town of Surfside

Less than six (6) miles away, MDFR has five (5) other stations: Sunny Isles Station 10 is 3.41 miles north of the Town of Surfside; North Bay Village Station 27 is 3.53 miles southwest of the Town; Eastern Shores

Station 78 is 4.00 miles northwest of the Town; Interama Station 22 is 4.48 miles northwest of the Town; and North Miami Beach Station 31 is 5.93 miles northwest of the Town.



Sunny Isles Station 10 serving the Town of Surfside

As a result, within six (6) miles of the Town of Surfside, MDFR has 15 front-line response units, nine (9) of which are ALS units including six (6) rescues and three (3) suppression units. Daily there are 50 firefighters on duty, 26 which are certified paramedics assigned to these units.

Structure Fires

Based on structure and unit information provided by the Miami-Dade County Property Appraiser, the Town of Surfside has 1,156 single-family and duplex units, 2,571 multi-family and condo units, and 63 commercial, industrial, and other structures. The majority of the commercial, industrial, and other units would require a high-hazard response to a structure fire incident in the Town. As a result, on an initial dispatch to a structure fire, 24 firefighters and two (2) command chiefs would be required.

Based on MDFR's current dispatch protocol, MDFR would dispatch three (3) suppression units, one (1) aerial (platform, ladder or aerial), one (1) rescue, and one (1) Battalion Chief, exceeding NFPA's recommended dispatch to a structure fire at a medium-hazard occupancy. If MDFR determines that it is a working fire, MDFR also would dispatch another Battalion Chief, a Safety Officer, an Air



Miami-Dade Fire Rescue Department  
Services to  
The Town of Surfside

Truck, a Command Van and a Fire Investigator to the incident. To a structure fire at a high-hazard occupancy, MDRF's initial dispatch would also surpass NFPA's recommended response. MDRF would dispatch four (4) suppression units, two (2) aerials (platform, ladder or aerial), two (2) rescues, and two (2) Battalion Chiefs. MDRF would dispatch additional support as noted to a working fire.

During 2010, MDRF dispatched more than 130 firefighters and 51 units to structure fire incidents in the Town of Surfside. For example, on March 15, 2010 MDRF dispatched eight (8) units, equating to 23 firefighters, three (3) Engines, one (1) Ladder, one (1) Platform, one (1) Rescue, and two (2) Battalion Chiefs to extinguish a fire at an apartment building located at 9364 Collins Avenue.

Medical Emergencies

NFPA Standard 1710 sets guidelines for service response to Emergency Medical Services (EMS) and fire calls. ALS units should, 90 percent of the time, arrive at an incident within eight (8) minutes of the time an EMS call is received.

MDRF has 50 frontline rescue units, each staffed by three (3) State of Florida certified paramedics. MDRF offers patient transportation options. Patients with life-threatening emergencies will be transported to the closest appropriate medical facility within Miami-Dade or Broward County. MDRF will transport patients without life-threatening emergencies to the medical facility of their choice. MDRF also has EMS Captains who act as patient advocates in ensuring the timely transfer of patients to Miami-Dade and Broward County medical facilities.

Customer Feedback

For the past two years, MDRF has been surveying the quality and effectiveness of our EMS. The survey instrument (Attachment II), which is sent to 20% of MDRF EMS patients monthly, allows respondents to

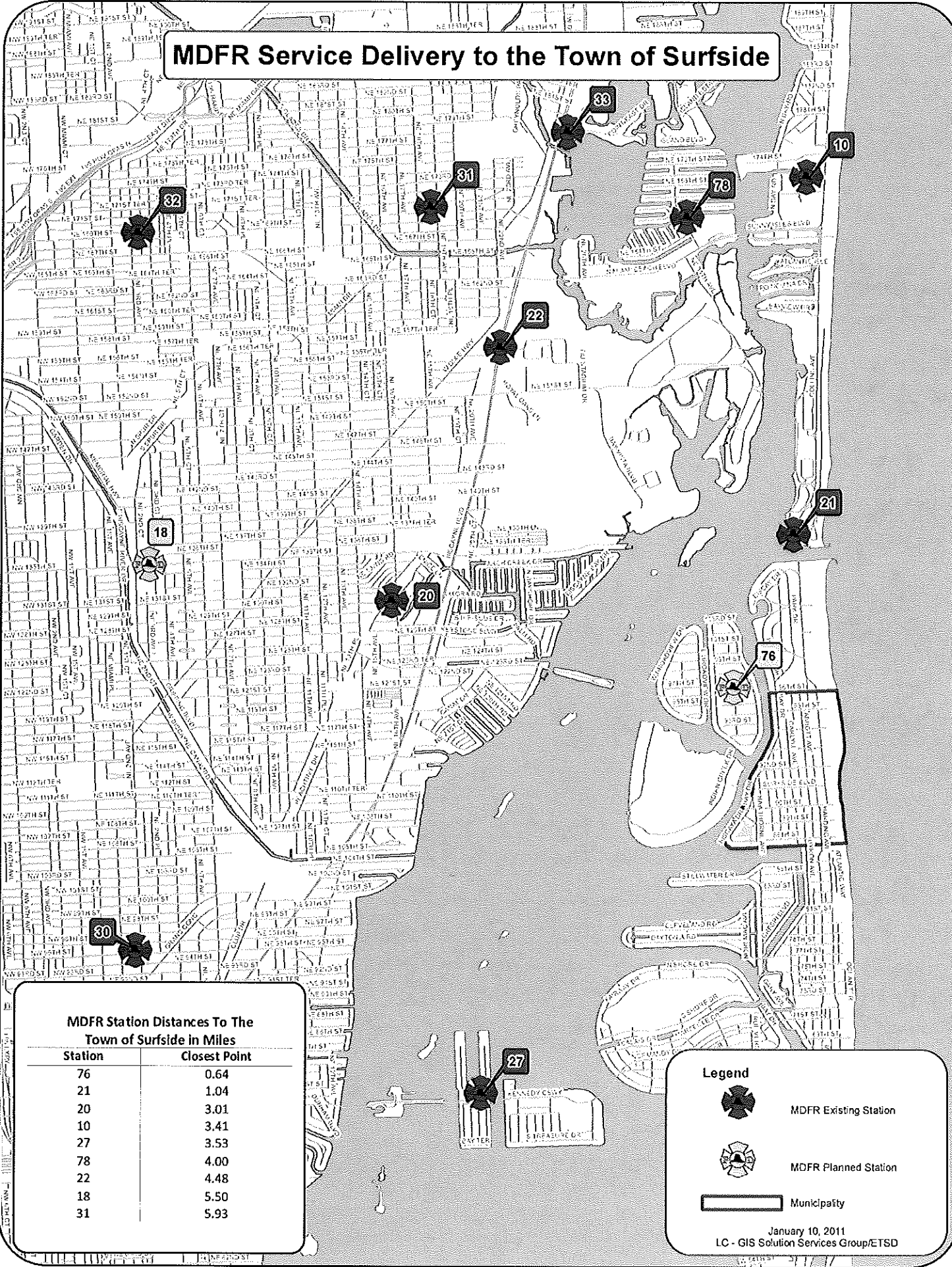
rate the quality of their experience between one (1) and five (5), with one being strongly dissatisfied and five being strongly satisfied with the service. Unlike other survey instruments used by Miami-Dade County, this survey continuously monitors the opinions of the service we deliver the prior month rather than taking a "snapshot" of the service at a particular time. The survey also provides the respondent a section for additional comments. Overall, 10% of patients sent surveys (or 5,411 respondents) have returned completed surveys during calendar years 2009 and 2010, rating MDRF's services as follows for each question:

- 1) MDRF responded to your needs in a timely manner: 4.83
- 2) MDRF explained your treatment options to you: 4.72
- 3) MDRF treated you in a professional manner: 4.88
- 4) MDRF met your expectations when you requested assistance: 4.84

The overall score from all respondents is 4.82. During calendar years 2009 and 2010, 23 residents from the Town of Surfside have rated MDRF with an overall score of 4.73 (Attachment III), expressing a high degree of satisfaction with the service provided by their fire-rescue service.



# MDFR Service Delivery to the Town of Surfside



MDFR Station Distances To The Town of Surfside in Miles

Station	Closest Point
76	0.64
21	1.04
20	3.01
10	3.41
27	3.53
78	4.00
22	4.48
18	5.50
31	5.93

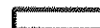
**Legend**



MDFR Existing Station



MDFR Planned Station



Municipality

January 10, 2011

LC - GIS Solution Services Group/ETSD



Miami-Dade Fire Rescue Department  
Office of the Fire Chief  
9300 N.W. 41st Street  
Doral, Florida 33178-2414  
T 786-331-5000 F 786-331-5101

miamidade.gov

Dear Valued Customer:

Recently, Miami-Dade Fire Rescue (MDFR) had the opportunity to serve you in your time of need. MDFR's mission is to protect people, property, and the environment by providing responsive professional and humanitarian fire-rescue services essential to public health, safety, and well-being. Our firefighter paramedics are dedicated to providing the best possible care to Miami-Dade County's residents and visitors. In order to assure that we continue to achieve our mission and improve our service to you, we value your opinion regarding your experience with MDFR. Please take a few minutes to complete the brief survey and return it in the enclosed postage-paid envelope.

Please visit us at [www.miamidade.gov/mdfr/](http://www.miamidade.gov/mdfr/) to learn more about the specialized and diverse services offered by MDFR as well as answers to the most frequently asked questions regarding fire-rescue services.

As Director of Miami-Dade Fire Rescue, I thank you for taking the time to complete this survey. Your responses will ensure we continue to provide you the highest available level of care. As your fire-rescue department we are Always Ready and Proud to Serve You.

Sincerely,

A handwritten signature in black ink, appearing to read "Herminio Lorenzo". The signature is fluid and cursive, with a large initial "H" and "L".

Herminio Lorenzo, Director  
Miami-Dade Fire Rescue Department

La traducción en español se encuentra en el reverso de esta carta.  
Tanpri gade sou do lè sa-a pou jwenn vèsyon Kreyòl la.

*Estimado cliente:*

*El Departamento de Bomberos y Rescate de Miami-Dade (MDFR, por su sigla en inglés) tuvo la oportunidad de prestarle sus servicios cuando usted los necesitó. El objetivo del MDFR es proteger a los residentes, a las propiedades y al medio ambiente mediante la prestación de servicios de bomberos y rescate profesionales y humanitarios con respuesta a las necesidades de los residentes del condado que son esenciales para la salud, la seguridad y bienestar públicos. Nuestros bomberos y paramédicos se dedican a prestar el mejor servicio posible a los residentes y visitantes del Condado de Miami-Dade. Para continuar realizando nuestros objetivos y mejorar aun mas nuestros servicios, valoramos su opinion sobre la experiencia que usted tuvo con el MDFR. Por favor sírvase dedicarle unos minutos a llenar la siguiente encuesta y háganosla llegar en el sobre adjunto de franqueo pagado.*

*Sírvase acudir a [www.miamidade.gov/mdfr/](http://www.miamidade.gov/mdfr/) para que se entere de mas detalles acerca de los diversos servicios especializados que presta el MDFR así como de las respuestas dadas a las preguntas que se hacen con mas frecuencia sobre los servicios de bomberos y rescate.*

*Como Director del Cuerpo de Bomberos y Rescate de Miami-Dade, le agradezco el haberse tomado el tiempo necesario para llenar esta encuesta. Sus respuestas garantizarán el que continuemos prestando el nivel de atencion mas alto posible. Comó su departamento de bomberos y rescate, nosotros siempre estamos listos y orgullosos de prestarle nuestros servicios.*

*Atentamente,*

*Herminio Lorenzo, Director del Cuerpo Bomberos y Rescate de Miami-Dade*

*Trè chè kliyan:*

*Resamman, Depalman Ponpye ak Sekou Miami-Dade (MDFR) te jwenn opòtinite pou sèvi w lè w te nan bezwen. Misyon MDFR se pou pwoteje pèp la, pwopriyete yo, ak anviwonman an nan bay sèvis sekou pwofesyonèl rapid e imanità ki esansyèl a sante piblik, sekirite ak byennèt. Teknisyen Medikal Ijans Ponpye nou yo konsakre yo a bay pi bon kalite swen posib a rezidan ak vizitè Konle Miami-Dade yo. Pou asire ke nou konlinye akonpli misyon nou ak amelyore sèvis nou ba w yo, opinyon w de eksperyans w ak MDFR enpòtan pou nou. Tanpri pran kèlke minit pou ranpli yon ti sondaj epi retounen nan anvlòp deja tenbre ki akonpaye liya.*

*Tanpri ale sou [www.miamidade.gov/mdfr/](http://www.miamidade.gov/mdfr/) pou aprann plis sou divès sèvis ak sèvis espesyalize MDFR ofri yo ak pou jwenn repons a kestyon ki poze pi souvan yo konsènan sèvis ponpye ak sekou.*

*Anlan Chèf Ponpye Depatman Ponpye ak Sekou Miami-Dade, mwen remèsye w pou tan w pou ranpli sondaj sa-a. Repons w yo va asire ke nou kontinye ba w pi bon kalite swen posib. Anlan depatman ponpye ak sekou, nou Toujou Prè epi Fyè pou Nou Sèvi w.*

*Ak tout respè,*

*Herminio Lorenzo, Chef Ponpye Depatman ak Sekou Miami-Dade*



# Miami-Dade Fire Rescue

## Survey Encuesta Apercu

**Directions:** Please take a moment to answer this survey. Your responses will help MDRF improve services we provide to Miami-Dade County residents. Your identity will remain anonymous unless you provide your contact information at the bottom of this survey. The postage is paid; simply drop it in the mail. Thank You.

**Instrucciones:** Sírvase dedicar unos minutos para contestar esta encuesta. Sus respuestas ayudarán al Departamento de Bomberos y Rescate (MDRF, su sigla en inglés) a mejorar los servicios que proporcionan a los residentes del Condado de Miami-Dade. Su identidad permanecerá anónima, a no ser que usted provea sus datos personales para ser contactado. El porte de correos está pagado; solo tiene que poner la encuesta en el buzón. Gracias.

**Direksyon:** Tanpri pran yon ti moman pou reponn a sondaj sa a. Repons w yo va ede MDRF amelyore sèvis yap bay rezidan Konte Miami-Dade yo. Idanlè w ap ret sekrè anmwenske w bay enfomasyon pou kontakte w anba paj sondaj la. Si w ta vle repons w yo rete sekrè sèlman dekolè etikèt ki gen adrès w a anba paj la. Mèsi.

1= Strongly Disagree	1= En total desacuerdo	1= Vreman Padako
2= Disagree	2= En desacuerdo	2= Padako
3= Neutral	3= Neutral	3= Neutre
4= Agree	4= En acuerdo	4= Dako
5= Strongly Agree	5= Muy de acuerdo	5= Totalman Dako

MDRF responded to your needs in a timely manner.  
MDRF atendió sus necesidades a tiempo.  
MDRF te reponn a bezwen w byen vit.

1    2    3    4    5

MDRF treated you in a professional manner.  
MDRF lo trató de forma profesional.  
MDRF te trete w avèk respè.

1    2    3    4    5

MDRF explained your treatment to you.  
MDRF le explicó su tratamiento.  
MDRF te esplike w tretman w yo.

1    2    3    4    5

MDRF met your expectations when you requested assistance.  
MDRF llenó sus expectativas en el momento que usted solicitó asistencia.

MDRF pat desi w de sa w te atann deli lè w te mande asistans.

1    2    3    4    5

**OPTIONAL/ OPCION/ PREFERE**

Name/nombre/nom \_\_\_\_\_

Address/dirección/adres \_\_\_\_\_

City/ciudad/vil \_\_\_\_\_ State/estado/eta \_\_\_\_\_ Zip/código postal/kòd postal \_\_\_\_\_

Phone/teléfono/telefon \_\_\_\_\_

email/correo electrónico/imel \_\_\_\_\_



# Miami-Dade Fire Rescue

## Survey Encuesta Apercu

Please take a moment to provide additional comments within the space provided. If you wish to be contacted, please provide your contact information on the front of this survey.

Sí vase dedicar un momento de su tiempo para proporcionar información adicional en el espacio designado abajo. Si usted desea que se le contacte, provea sus datos personales en la cara de esta encuesta.

Tanpri pran yon ti moman pou fè plis kòmantè nan espas pi ba la a. Si w vle yo kontakte w, tanpri ekri non w, adres telefon ak imel w anba premye pa sondaj la.

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Miami-Dade Fire Rescue

Customer Feedback Results as of January 20, 2011  
Emergency Medical Services Provided From January 1, 2009 through December 31, 2010

Patients from Municipality	2009 Survey Results		2010 Survey Results						Combined Survey Results	
	Surveys Received	Overall Average Score	Surveys Received	Q1	Q2	Q3	Q4	Overall Average Score	Total Surveys Received	Overall Average Score
<b>Miami-Dade Fire District</b>										
Aventura	80	4.82	56	4.88	4.80	4.95	4.93	4.89	136	4.85
Bal Harbour	8	4.78	4	5.00	5.00	5.00	5.00	5.00	12	4.85
Bay Harbor Islands	13	4.87	5	5.00	5.00	4.20	4.20	4.60	18	4.79
Biscayne Park	4	4.63	3	5.00	5.00	5.00	5.00	5.00	7	4.79
Cutler Bay	78	4.75	57	4.88	4.67	4.88	4.88	4.82	135	4.78
Doral	29	4.79	35	4.77	4.74	4.89	4.89	4.82	64	4.81
El Portal	2	5.00	3	5.00	4.67	4.67	5.00	4.83	5	4.90
Florida City	11	4.64	2	5.00	5.00	5.00	5.00	5.00	13	4.69
Golden Beach	1	5.00	1	5.00	5.00	5.00	5.00	5.00	2	5.00
Hialeah Gardens	27	4.84	21	4.95	4.95	4.95	4.95	4.95	48	4.89
Homestead	74	4.77	36	4.67	4.61	4.75	4.72	4.69	110	4.74
Indian Creek	0	N/A	0	N/A	N/A	N/A	N/A	N/A	0	N/A
Islandia	0	N/A	0	N/A	N/A	N/A	N/A	N/A	0	N/A
Medley	3	5.00	1	5.00	5.00	5.00	5.00	5.00	4	5.00
Miami Gardens	177	4.73	108	4.69	4.60	4.79	4.70	4.70	285	4.72
Miami Lakes	31	4.77	27	4.81	4.85	4.96	4.89	4.88	58	4.82
Miami Shores	16	4.56	9	4.89	4.78	4.78	4.67	4.78	25	4.64
Miami Springs	26	4.86	23	4.83	4.78	4.91	4.91	4.86	49	4.86
North Bay Village	4	4.88	4	4.50	4.50	4.50	4.50	4.50	8	4.69
North Miami	74	4.71	45	4.73	4.62	4.82	4.73	4.73	119	4.72
North Miami Beach	55	4.86	32	4.84	4.84	4.94	4.88	4.88	87	4.86
Opa-Locka	33	4.82	14	4.71	4.93	4.86	4.86	4.84	47	4.82
Palmetto Bay	39	4.71	30	4.83	4.70	4.87	4.80	4.80	69	4.75
Pinecrest	34	4.85	15	4.73	4.67	4.80	4.73	4.73	49	4.81
South Miami	17	4.59	10	4.90	4.80	4.70	4.80	4.80	27	4.67
Sunny Isles Beach	41	4.83	31	4.65	4.45	4.68	4.71	4.62	72	4.74
Surfside	15	4.70	8	4.88	4.75	4.75	4.75	4.78	23	4.73
Sweetwater	45	4.94	23	4.83	4.87	5.00	4.96	4.91	68	4.93
Unincorporated Miami-Dade	2,319	4.84	1,159	4.85	4.76	4.90	4.87	4.85	3,478	4.84
Virginia Gardens	7	4.89	2	5.00	5.00	5.00	5.00	5.00	9	4.92
West Miami	20	4.90	11	5.00	4.82	5.00	5.00	4.95	31	4.92
<b>Miami-Dade Fire District</b>	<b>3,283</b>	<b>4.82</b>	<b>1,775</b>	<b>4.83</b>	<b>4.75</b>	<b>4.88</b>	<b>4.85</b>	<b>4.83</b>	<b>5,058</b>	<b>4.82</b>
<b>Other Miami-Dade Municipalities</b>										
Coral Gables	12	4.81	4	4.25	4.50	4.00	4.00	4.19	16	4.66
Hialeah	33	4.76	17	4.94	4.82	4.94	4.94	4.91	50	4.81
Key Biscayne	2	4.50	0	0.00	0.00	0.00	0.00	0.00	2	4.50
Miami	62	4.65	35	4.86	4.66	4.89	4.80	4.80	97	4.70
Miami Beach	6	4.08	9	4.67	5.00	5.00	5.00	4.92	15	4.58
<b>Other Miami-Dade Municipalities:</b>	<b>115</b>	<b>4.66</b>	<b>65</b>	<b>4.82</b>	<b>4.74</b>	<b>4.86</b>	<b>4.82</b>	<b>4.81</b>	<b>180</b>	<b>4.72</b>
<b>Outside Miami-Dade but within the State of Florida</b>										
	67	4.8	41	4.83	4.63	4.83	4.73	4.76	108	4.78
<b>Outside the State of Florida</b>										
	34	4.75	28	4.86	4.64	4.79	4.68	4.74	62	4.75
<b>Outside the United States</b>										
	3	4.25	0	N/A	N/A	N/A	N/A	N/A	3	4.25
<b>TOTAL:</b>	<b>3,502</b>	<b>4.81</b>	<b>1,909</b>	<b>4.83</b>	<b>4.74</b>	<b>4.88</b>	<b>4.84</b>	<b>4.82</b>	<b>5,411</b>	<b>4.82</b>

Notes:

- 1) Surveys are sent one month after delivery of emergency medical services.
- 2) Average lag time for responses is 3 weeks.
- 3) Survey Questions
  - Q1: MDRR responded to your needs in a timely manner.
  - Q2: MDRR explained your treatment to you.
  - Q3: MDRR treated you in a professional manner.
  - Q4: MDRR met your expectations when you requested assistance.
- 4) Response Ratings:
  - 1 = Strongly Dissatisfied
  - 2 = Dissatisfied
  - 3 = Neutral
  - 4 = Satisfied
  - 5 = Strongly Satisfied





## **OFFICE OF THE FIRE CHIEF**

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# Town of Surfside Commission Communication

**Agenda Item #:**

**Agenda Date:** . JULY 12, 2011

**Subject:** Vacant Storefront Ordinance

**From:** Roger M. Carlton, Town Manager  
Sarah Sinatra Gould, Town Planner

**Background:** The Downtown Vision Advisory Committee (DVAC) has been tasked by the Town Commission with reviewing issues of concern in the business district. One of the initial ideas for improving the business district was to change the negative look and impact of vacant storefronts. The Committee spent considerable time discussing techniques to improve the overall look of these storefronts and to minimize the impact of vacant businesses, which has resulted in the proposed ordinance.

The ordinance requires a window covering to be installed on the exterior of the storefronts within seven days of vacancy of a business. The Town will hire a licensed and insured contractor to complete the installation. The Town will bill the property owners for the installation, but the window covering itself will be complimentary.

At the request of landlords and rental agents, decorative displays of merchandise or signage advertising the future tenant are also permitted, but cannot extend more than three feet into the vacant store. These items may be located in displays or a cut out of the window-screening not to exceed more than 25% of the store front. The remainder of the storefront shall consist of the Town approved screening. Real estate signs that meet the Town's code criteria will continue to be permitted.

The following is an example of the draft template that the Town is considering:



**Recommendation:** The Planning and Zoning Board heard this ordinance at their May 26, 2011 meeting and unanimously recommended approval of the Ordinance to the Town Commission. The Design Review Board will approve the final aesthetic of the screening and input from the Beautification Committee will be provided.

**Budget Impact:** The Town will hire an outside contractor to complete the installation and bill the property owners for the cost of the contractors work. Therefore, no impact to the budget is anticipated. While this is an operational program, the reimbursement process is similar to the cost sharing program in which property owners fund the cost of the installation and the Town funds the cost of the material.

**Growth Impact:** The proposed Ordinance does not encourage growth. Instead, it provides an attractive appearance for the business district when vacancies occur. See attached articles for information on similar programs in other jurisdictions.

**Staff Impact:** N/A



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Sarah Sinatra Gould, Town Planner



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Roger M. Carlton, Town Manager



# Big cover-up downtown: Firm aims to hide empty stores behind ad glitz

BY CATHERINE LACKNER

If the concept takes off, vacant storefronts downtown will soon sport colorful, high-end advertising. Directors of Miami's Downtown Development Authority like the idea, but they want to reduce other types of advertising they consider unattractive.

"We didn't invent the concept," said Ray Lee, managing partner of Inwindow Outdoor, a company that sells and installs the advertising panels. "You can see it in old photos of New York City."

The company sells advertising to upmarket clients like BMW, Dom Perignon, Lufthansa and others. The landlord makes money, the City of Miami collects a permit fee and the buildings are less likely to be defaced, Mr. Lee said. He estimates the city could take in as much as \$600,000 per year.

"These are challenging times for landlords," he told the authority's directors Friday. "The property is vacant, but you still have your carrying costs. You have to make sure the asset doesn't depreciate. The neighbors have a hard time being next to a vacant storefront." The panels would be installed only at the ground level and the

still be some sort of cover.

"Half of these absentee landlords' properties look horrendous," he said.

"What can we do about taking the pay phones and newspaper boxes off the streets?" Mr. Hollo asked. "You can't walk on some of the sidewalks, and that's important if we want to be the pedestrian-friendly city we say we want to be."

"And what about the hot dog carts?" quipped Mr. Goyanes, a restaurant owner.

"I can support this," said Marc Sarnoff, authority chairman and Miami city commissioner. "There are a ton of unused newsstands. They don't even get serviced."

The board decided that a new urban design standards ordinance addressing those advertising issues — and attempting to clear the sidewalks — should be presented to the city commission.

"But," warned Mayor Tomás Regalado, who attended the meeting, "you know how the commission works. You have to finish this by the June meeting. The commission doesn't meet regularly [during the summer] and in September, forget about anything but the budget."



*'Half of these absentee landlords' properties look horrendous.'*

**Jose Goyanes**

maximum advertising term would be 90 days.

"How are we going to police it?" asked board member Jerome Hollo.

"We know when their 90 days are up," said Dakota Hendon, a project manager with Miami's Building and Zoning Department. "It's code enforcement."

"We all know that doesn't happen," Mr. Hollo replied.

Director Jose Goyanes suggested, and the board agreed, that the downtown authority install its own covering on the inside of the windows so that, after the exterior ad's term has expired, there would



## The last word

# High streets paper over the recession with the help of fake shop fronts

**Emma Jacobs looks at a solution to the scourge of vacant stores**

Amid the rundown charity shops, fast-food restaurants and pawn shops on a high street in the south-east of England, a pristine boutique stands out. The shop sign lettering is gold, in an old-fashioned font. The store shelves display case-punk tins of tea, tvery cup and a few mugs. Yet there are no staff and customers are not welcome. For this is a fake shop front - life-size photographs of an imaginary tea shop are stuck to the windows, designed to revitalise the area by concealing derelict properties.

Fake businesses such as this one are springing up in city centres across the UK. Local authorities hope that the colourful, graphic designs taped inside the windows will tempt to the facade and featuring a range of shop types - from hairdressers to delicatessens - will conceal the impact of the recession and restore vitality to increasingly derelict high streets.

Peter, clad in jeans and a navy polo shirt, pauses the virtual tea shop in Chatham, Kent, with his two children, a 16-year-old unemployed 16-year-old like it. "It looks better than it did. It's in danger of not even being a high street [but] just a load of charity shops," he says. "I don't like the area any more. It's dirty and dangerous - it feels like

a dead-end town". Matt, 39, a salesman at neighbouring Barbones Computers, says empty shops ruin business because high vacancy rates mean high street becomes a shopping mall for commuters. "Over time, more and more small shops are going into administration," he says. "People aren't spending money because of the recession and, if they are, they tend to shop

online. The high street in general is in decline." The percentage of shops lying vacant in Gillingham is 16.9 per cent, according to the Local Data Company, above the UK average of 14.6 per cent, but only slightly over 5 per cent at the end of 2006. Matthew Hopkinson, LDC director, says: "The sad reality is that the number of vacant shops is

increasing. In certain areas of the country, high streets may die." This week, it was announced that Mary Forras, the British TV retail guru, is to carry out a government-backed, £1m project to bring back the decline of the high street. Announcing the appointment, David Cameron, prime minister, said: "The high street should be at the very heart

of every community, bringing people together, providing essential services and creating jobs and investment; so it is vital that we do all that we can to ensure they thrive." Midway council, which commissioned the Kent project, says it has received expressions of interest from a number of retailers wanting to occupy the space. Paul Murphy, a chartered

surveyor and co-founder of Shopjacket, which installs fake shop fronts, has spent two days with a US company looking to roll out the idea there. He believes the shop fronts, which cost from £1,700 and are made from foam board, can be used to maintain, show off or as a temporary solution. "City centres can be about more than just shopping," she says. "The recession provides opportunities for locals to engage with the town through recycling shops or festivals."



Before and after: local authorities hope life-size pictures can help mask dereliction and restore vitality to shopping districts

Mr Hopkins agrees: "People are slowly coming to terms with the idea that well-thought-out shops might be worth permanently shutting down shops in high streets and concentrating retail in smaller areas."

ORDINANCE NO. 11- \_\_\_\_\_

**AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA AMENDING THE TOWN OF SURFSIDE CODE OF ORDINANCES BY AMENDING CHAPTER 14 BUILDINGS AND BUILDING REGULATIONS; SECTION 14-52 COMMERCIAL STANDARDS ESTABLISHED RELATING TO THE APPEARANCE OF VACANT STOREFRONTS; PROVIDING FOR INCLUSION IN THE CODE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS,** the Commission has attempted to create regulations to address the specific needs of the this unique community and continues to amend these regulations as they may best suit the needs of the community; for the health, safety and welfare of the Town including the fact that in this economic environment, the Town may be experiencing an increase in vacancies in the downtown business district which will adversely impact the exterior appearance of these properties and this ordinance is an attempt to remediate this issue; and

**WHEREAS,** The Planning and Zoning Board, as the local planning agency for the Town, has held a public hearing on May 26, 2011 and recommended approval of the proposed amendments to the Code of Ordinances and also found the proposed Code amendments to be consistent with the Comprehensive Plan; and

**WHEREAS,** The Town Commission has conducted a second duly noticed public hearing on these regulations as required by law on July 12, 2011 and further finds the proposed change to the Code necessary and in the best interest of the community.

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



**Section 1. Recitals.** The foregoing “WHEREAS” clauses are ratified and confirmed as being true and correct and are made a specific part of this Ordinance.

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

**Sec. 14-52. Commercial standards established.**

(a) The exterior appearance of all commercial property shall be maintained so as to prevent deterioration or blight.

(1) All exterior building surfaces shall be free of chipping, pitting, cracking, discoloration, peeling or fading.

(2) All exterior signs shall be in good repair and free of chipping, pitting, cracking, peeling, fading or discoloration. Lighted signs shall have all lights working. All signs shall be maintained in a safe, presentable and good structural condition, which shall include the replacement of defective parts, repainting, cleaning and other acts required for the maintenance of the sign. The area around the base of the sign shall be kept free of weeds and debris. If a sign does not comply with the above standards, the town manager or designee may require its removal.

(3) Doors and windows shall be free of cracked or discolored glass or corroded frames. All doors and windows shall be maintained in a safe, presentable and good structural condition, which shall include the replacement of defective parts, repainting, cleaning and other acts required for maintenance of the doors and/or windows.

(4) All awnings shall be without tears or holes and be free of dirt, discoloration, fading or cracking. Any lettering or painted surface on awnings shall conform to subsection (a)(2) of this section. All hardware, supports and poles shall be straight, free of rust, and in good condition.

(5) If any property is vacant for more than ~~15~~ 7 days, all glass surfaces visible to the public shall be clean and the interior of such vacant store shall be screened from public view in one of the following two ways until property is occupied:

a. All glass surfaces visible to the public shall be covered with a Town approved window exterior screening white-colored, 60-pound weight paper, which is available at the Town’s Building Department. (sample of acceptable material on file with the building department). This provision does not preclude the placing of a real estate sign on the premises, pursuant to the requirements in Section 90-74.1. The Town will utilize a licensed and insured installer to attach the screening to the glass of the said property and request reimbursement for the installation from the property owner; or

b. Decorative displays of merchandise currently available within the town, merchandise of the future tenant of the vacant store, signage advertising the future tenant, public service displays or festival and current holiday displays extending as much as three feet into the vacant store shall may be located in displays or a cut out of the windows screening not to exceed more than 25% of the store front which shall have approval from the Town Manager. A copy of the lease shall be provided when seeking Town Manager approval to advertise the future business. The remainder of the storefront shall consist of the Town approved screening. Such screening shall consist of ~~white-colored, 60-pound weight paper~~ the Town approved window exterior screening that is available in the

Town's Building Department. The Town will utilize a licensed and insured installer to attach the screening to the glass of the said property and request reimbursement for the installation from the property owner. Such screening shall be mounted on a freestanding partition, attached to a wood frame or affixed by other temporary means.

(6) If any property is vacant for more than 15 7days, appropriate exterior nighttime lighting shall be provided.

(7) All sidewalk overhangs attached to commercial buildings shall be structurally sound and free of rust, discoloration, peeling, chipping, cracking, fading, sagging or dirt. All lettering or signage on overhangs shall conform to the requirements provided in subsection (a)(2) of this section.

(8) No air conditioner or heating or cooling device shall be installed so as to be visible from the street, or so as to discharge condensation onto the sidewalk or street.

(9) Every merchant, storekeeper or operator of a business in the city Town shall sweep, hose down or cause to be swept and hosed down the sidewalks adjoining his respective place of business and shall remove gum and other sticky substances from the sidewalks, and continuing such actions as often as necessary thereafter to keep the area clean, on each day such business shall be operated. The sweepings shall be picked up and not swept into the gutter.

(10) Every restaurant shall provide a cigarette disposal receptacle permitted by law. The cigarette receptacle shall be kept clean and sanitary. The contents shall be regularly emptied and the contents shall not be swept into the gutter.

(b) The town manager is empowered and authorized to require compliance with this section within 30 days of written notice. Failure to comply shall be punishable as provided in section 1-8.

**Section 3. Severability.** If any section, subsection, clause or provision of this Ordinance is declared invalid or unconstitutional by a court of competent jurisdiction, the remainder shall not be affected by such invalidity.

**Section 4. Conflict.** All sections or parts of sections of the Town of Surfside Code of Ordinances in conflict herewith are intended to be repealed to the extent of such conflict.

**Section 5. Inclusion in the Code of Ordinances.** It is the intention of the Town Commission, and it is hereby ordained that the provisions of this Ordinance shall become and made a part of the Town of Surfside Code of Ordinances, that the sections of this Ordinance may be renumbered or re-lettered to accomplish such intentions; and the word "ordinance" may be changed to "Section" or other appropriate word.



**Section 6. Effective Date.** This Ordinance shall be effective ten (10) days after adoption on second reading.

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

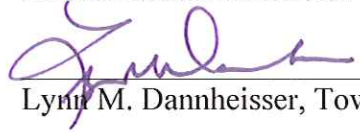
PASSED and ADOPTED on second reading this \_\_\_\_ day of \_\_\_\_\_, 2011.

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

**Attest:**

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

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

  
\_\_\_\_\_  
Lynn M. Dannheisser, Town Attorney

On First Reading Moved by: \_\_\_\_\_

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

**Vote:**

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



**TOWN OF SURFSIDE**  
**Office of the Town Attorney**

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Town Attorney

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**MEMORANDUM**

**TO:** Town Commission

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

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

**DATE:** JULY 12, 2011

**SUBJECT:** Repeal and Rescission of Temporary Moratorium on Non-Retail and Non-Restaurant Uses in Downtown Business District

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**Recommendation:** It is recommended that the Commission adopt this Ordinance repealing the temporary moratorium in consideration of combined recommendations of the DVAC and with the proviso that a failure as determined by the Town Manager to come to final action may result in the re-imposition by the Town Commission of such moratorium.

**Reasons:** After years of discussion on the topic among the Planning and Zoning Board, the Town Commission, stakeholders in the Downtown Business District and Town staff, the Town Manager has convened a Downtown Vision Process Advisory Committee ("DVAC") which began to develop, study and create a vision and concept for the zoning district known as SD-B40 located between 96<sup>th</sup> and 94<sup>th</sup> Streets and Harding Avenue ("Downtown Business District") and develop a strategy for the revitalization of the District. Because of the need to study issues such as: aesthetic / branding for the downtown, creating a welcoming, pedestrian-friendly environment, streetscaping and landscaping, the creation of a Business Improvement District to help finance improvements and operations, as well as the potential combination of retail, commercial and residential land use that would revitalize and reinvigorate the presently licensed businesses housed in seventy buildings located on approximately six acres of the DBD, the Town Commission enacted on April 12, 2011 a temporary moratorium as a means for maintaining the status quo while problems were analyzed and remedial measures were

discussed and developed. The Town Commission directed the Staff to complete the initial phase of its work in order that the moratorium be removed within 90 days.

The DVAC as outlined in the attached memorandum prepared by Duncan Tavares is proposing a series of initiatives it developed during its eight formal meetings and it was agreed that the rescission of the moratorium could be recommended assuming these initiatives were progressing sufficiently as determined by the Town Manager and approved by the Town Commission.



## Town of Surfside Commission Communication

### **Agenda Item #**

**Agenda Date:** JULY 12, 2011

**Subject:** Downtown Vision Advisory Committee (DVAC) recommendations regarding rescinding the Moratorium Ordinance and related vision initiatives for the Surfside business district.

**Introduction:** The release of the Miami Dade County Property Appraiser preliminary tax roll for 2011 on June 1, 2011, and the decrease in property values in Surfside by 6.3 percent and thirty nine percent decrease since 2008, supports the necessity for a proactive approach to diversifying Surfside's the tax base (Att A). The following vision, developed in a broad based community stakeholders' process, is a path to revitalize the downtown business district with the ultimate focus on supporting existing businesses, attracting new businesses and creating an environment that will support the diversification of the tax base.

**Background:** The Downtown Vision Advisory Committee was formed with Town Commission approval through Commission Memoranda presented at the December 14, 2010 (Att B) and January 18, 2011 (Att C) Commission meetings. Feedback from many residents, committee/board members and downtown business operators/owners formed the consensus that there is a need to reinvigorate the Surfside business district after years of conversation and little tangible action. Further, the Town Commission received and held a workshop regarding a Five Year Financial Plan that demonstrated the need to diversify the Town's source of property tax from the current 80/20 split (residential/commercial) to a more balanced distribution. If the commercial property base is not expanded and upgraded the split could be 90/10 in five years.

Fourteen of the initially proposed members of the DVAC consisted of a representative from each appropriate Town committee/board, a mixture of single family and condominium residents (including both full time and "snow bird" representation), Surfside business owners and operators, as well as representatives from such local organizations as the Surfside Civic Association and the Surfside Business Association. Due to the difficulty experienced in the past with establishing avenues of communication with the downtown property owners, outreach was conducted through existing Surfside business owners/operators. Eventually three names, and accompanying contact information, were recommended as possible members. Of the three repeatedly contacted, only one consistently attended the DVAC meetings. However, active and responsive communication with the downtown property owners has occurred since the inception of the Moratorium Ordinance which temporarily limited building permits to restaurant and retail uses on Harding Avenue from 96<sup>th</sup> Street to 94<sup>th</sup> Street.

As the need to strengthen Surfside's downtown as the social, cultural and economic center of the Town was established, the DVAC was directed to return to the Town Commission with a comprehensive vision for the district. Operating on the basis that a thriving downtown can enhance the quality of life for Surfside's residents and improve the visitor experience, the committee continually and passionately addressed such issues as:

- an overall aesthetic / branding for the downtown.
- creating a welcoming, pedestrian-friendly environment.
- streetscaping: landscaping, benches, newspaper vending racks.
- the creation of a Business Improvement District to help finance improvements and operations.
- the relationship of Surfside's downtown to The Bal Harbour Shops and the St. Regis.
- the impact of side walk cafes and the proper means for regulating the use of sidewalks through a Sidewalk Ordinance.
- installation of business locator and appropriate parking signs.
- code enforcement in an effort to improve the curb appeal of the area.
- the creation of a parking structure with focus on the Abbott Avenue lot.
- the potential combination of retail, commercial and residential land use.
- assisting businesses with marketing initiatives.
- retaining the one hundred presently licensed businesses and attracting businesses to the seventy building, six plus acre downtown through landlord and lease cooperation.
- the merits of major capital improvement projects and lessons from the Town's 2006/2007 Charrette.

It is important to note that many of these items are actionable items that the Town Staff are implementing (explained below) and all will be incorporated into a final report for the Town Commission. However, due to the remarkable and recent historic increase in communication involving the DVAC, downtown property owners and Town Staff, it is now appropriate and imperative that the Town Commission be presented with the following high level vision for analysis. These vision initiatives are being presented with unprecedented support of all stakeholders involved in the process to date and within the shortened time of three months as directed by the Town Commission instead of the six month time period established when the moratorium was enacted.

**Analysis:** The DVAC has met eight times since its inception in February 2011. At each meeting a number of agenda items are discussed with each meeting producing an Actionable Item for the Town Staff to address and return at the following meeting with a status report. Below are the Actionable Items that have been completed and/or are in process:

*1) February 15, 2011: Downtown Code Enforcement:*

From the very first meeting the DVAC has exhibited a unanimous displeasure in the public and private maintenance of Surfside's downtown. Based on consensus from the committee the Town Code Enforcement identified all external code violations in the downtown business district. Courtesy notices were sent to all applicable business owners/property owners. To date over two thirds of the issued notices are now in compliance or in the process of complying. The Town Manager has assured the committee that all violations would be addressed through the Code Enforcement process until full compliance is achieved. This means that penalties will soon be applied to non-responsive property owners and eventually the matter could go to Special Master. Violations that do not require permits such as clean windows, clean trash behind buildings, remove illegal signs and clean alleys behind stores are eighty percent complete. Violations that require permits such as painting the building, repairing windows and façades as well as exposed electrical wires (etc) are seventy five percent complete.

With the purchase of the Town Commission approved power washer, the gum has been removed by Public Works staff from the sidewalks in the downtown district and the overall appearance of the sidewalks has improved dramatically. All of the palm trees in the district have been pruned, and the parking lot on 95<sup>th</sup> Street and Collins Avenue, including the extension lot, has been repaved, striped and landscaped. These completed projects are a testament to the Town's response to the DVAC members concerns and to the overall commitment to enhancing the aesthetic of Surfside's downtown.

*2) March 10, 2011: Vacant Window Treatment Ordinance:*

In order to address the aesthetic look of the ground floor vacant property windows downtown, Town Staff were requested to amend the Town's ordinance that addresses vacant windows. The amended version went before the Planning & Zoning Board at their May 26, 2011 meeting and includes the committee's recommendations. The Planning and Zoning Board unanimously recommended approval of the Ordinance to the Town Commission. The Design Review Board will approve the final aesthetic of the screening and input from the Beautification Committee and DVAC will be provided. First reading is set for the June 14, 2011 Commission meeting. The Town would require downtown property owners to pay for the Town installation of a Town issued external decorative window covering when their ground floor properties are vacant.

*3) March 22, 2011: Upgrading Harding Avenue Alleys (please see below).*

*4) April 14, 2011: Moratorium Ordinance / Property Owners Meeting Update (please see below).*

*5) April 27 & May 12, 2011: Detailed Vision for Downtown (please see below).*

*6) May 25: Sidewalk Ordinance addressing café seating and the posting of menus outside.*

These initiatives are presented below, prioritized by achievable timelines, in an effort to establish a path forward as required by the Town Commission directive when the DVAC and its mission were established and as a strategy to implement the property tax equity and fairness principles envisioned in the Five Year Financial Plan. It is imperative to note that the following vision package needs further discussion and further vetting by the Planning & Zoning Board and the Town Commission. Nevertheless, there is clear consensus from the above mentioned meetings that these initiatives for downtown, taken as a package, would provide a beneficial blueprint for a revitalized downtown.

**SHORT TERM INITIATIVES (six months or less):**

**Rescind the Moratorium Ordinance:** The Town Commission adopted a Moratorium Ordinance on second reading at the April 12, 2011 Commission Meeting. The moratorium restricted the downtown property owners to only renting their ground floor spaces to retail and/or restaurant businesses for six months. The intent of the moratorium was to allow the DVAC enough time to discuss the issue of restricting service industries from the ground floors of downtown buildings and to return to the Town Commission with a recommendation. While the moratorium will sunset at the end of six months from inception, Town Staff were instructed by the Town Commission to return with recommendations from the DVAC within three months. This memorandum and its recommendations meet that time limit.

As a direct result from the enacting of the moratorium, the Town Manager was contacted by upset and concerned downtown property owners regarding the restrictions and a meeting was held with owners on April 26, 2011. Sixteen property owners, a number from the same family trust, representing approximately seventy percent of the buildings downtown were in attendance. During this meeting a series of conceptual initiatives were discussed and approved by consensus from the attendees in exchange for terminating the Moratorium Ordinance prior to its sunset date (Att D).

These initiatives were subsequently presented to the DVAC at the April 27, 2011 meeting and were approved in principle by consensus from those in attendance. Some members at that meeting still expressed their concern for giving up the restrictions on street level service businesses as they strongly felt that this was the only method to achieve the type of dynamic and vibrant downtown that all favor. The DVAC requested Town Staff to return at the next meeting, held on May 12, 2011, with a more specific written statement, including timelines, for ratification by the members so that this vision could be presented to the Town Commission for review at the June 14, 2011 meeting.

At the DVAC meeting on May 12, 2011 a memorandum listing the rescinding of the moratorium with corresponding initiatives to be taken as a package was presented (Att E). Designated representatives of the property owners, accompanied by some of their service oriented tenants and concerned residents, came to the meeting as a reflection of their commitment to the vision. Upon discussion of the initiatives, since approved in principle by the DVAC and the property owners, it became apparent to Town Staff that the division between the various stakeholders was deeper than expected. The DVAC voted six to three to adopt the vision, with the rescinding of the moratorium, but to revisit a plan for restricting ground floor uses to retail and/or restaurants with a distancing/grandfathering provision. As this is a non-negotiable action for the property owners to support all the elements of the DVAC vision, the owners left the meeting quite distressed. Upon further reflection and heated discussion amongst the DVAC it was decided that a second vote should be conducted regarding the vision. This second vote resulted in a seven to two vote in favor of rescinding the moratorium as soon as possible and to approve all of the initiatives presented as a package. The DVAC directed the Town Staff to return at the May 25, 2011 meeting with a more definitive plan of action, including specific timelines and commitment requirements from the various stakeholders, for ratification before presenting to the Town Commission for review at the June 14, 2011 meeting. The consensus from the DVAC members is that while the property owners have the threat of litigation on their side, the Town needed something to bind the property owners to all of the initiatives that they have presently committed to in good faith only.

The Planning & Zoning Board met on May 26, 2011 and thoroughly discussed rescinding the Moratorium Ordinance and the grand vision presented in this memorandum. Understanding that every item needs a multitude of research and discussion and must be vetted through the various Town Departments, Boards, Committees and Town Commission, the Planning & Zoning Board unanimously approved the rescinding of the Moratorium Ordinance and the acceptance of the package of vision initiatives previously approved by the downtown property owners and DVAC that are presented in this memorandum.

**Upgrading Alleys:** A study of the Town's parking lots and alleys is set to be awarded on June 14, 2011. By way of information, the proposals have already been ranked by the Town selection committee. This study would include the viability of upgrading the alleys, both privately and publicly owned, on both sides of Harding Avenue. The plan would also address the possibility of creating a breezeway from the east side of the Abbott Avenue parking lot through to the west side of Harding Avenue. Financing could be achieved by a joint venture with the property owners of the private alley and the utilization of parking funds. The key commitment suggested by the DVAC is that the study needs to rapidly begin. The next step would be the completion of the consultant selection process and the awarding of the contract by the Town Commission.

**Business Improvement District:** The Town Manager will continue to meet with the downtown property owners and tenants over the summer to develop a possible Business Improvement District (BID) for the Downtown District. The basic premise of a BID is that the Town agrees to continue to provide a basic level of service and that incremental services such as extra police protection for expanded special events, maintenance for specialty landscaping, downtown marketing programs, cleaning after special events (Att F), and the retention of consultants to secure tenants are funded with a self imposed charge on the owners which is generally passed on to the tenants. The use of these funds is governed by the board of the BID. The process for establishing the District and ensuring that funds are collected and property spent is governed by State law and an agreement with the Town Commission. This initiative will be detailed to the Town Commission in the Fall of 2011.

**Facade Upgrading Program:** The Town Manager will begin an effort to create a consortium of banks operating in the Downtown District over the summer to develop financing for a facade upgrading program for the district's property owners and businesses. Details regarding this proposal would go to the Town Commission in September, 2011. Proceeds from the Parking Fund could be utilized to reduce the interest on loans granted for facade improvements.

**Abbott Avenue Parking Garage Feasibility Study:** A feasibility study could address a garage project on the Abbott Avenue parking lot, an upgrade to the alley on the east side of the parking lot to facilitate a more pedestrian friendly environment and access to the Harding Avenue east side businesses, as well as the possibility of rezoning the west side of Abbott Avenue from 95<sup>th</sup> to 96<sup>th</sup> Streets to allow very limited commercial use and/or live/work use in the existing homes. An appropriate landscaping buffer on the west side of the Abbott Avenue homes would also be addressed. Upon the recommendation of the Mayor, Town Staff will update the 2007 staff study (Att G) to address whether there is sufficient data that suggests the need for a parking garage and, thus, a formal feasibility study. This updated study will be presented to Town Commission at the July 19, 2011 Commission Meeting. The timeline for this initiative is as follows:

- Seek approval from the Town Commission at the July 19, 2011 Commission Meeting to initiate an independent feasibility study for a parking garage on the Abbott Avenue parking lot if the updated Town Staff study recommends moving forward with this initiative.
- if approved, the Town Administration will utilize the Commission approved group of architects and engineers registered with the Town to compete for the feasibility study with completion expected in October, 2011. Funding would be provided from the Parking Fund and will have no financial effect on the General Fund or the residents of Surfside.

#### **MID TERM INITIATIVES (six months to twelve months):**

**The Current Forty Foot Height Allowance and Amalgamation of Properties:** Presently the buildings in the Downtown District can be forty feet in height. In an effort to encourage property owners to voluntarily seek larger national retail and restaurant tenants for their ground floor properties, buildings could be redeveloped to the maximum four stories presently allowed and would not include restriction regarding residential use. Property owners could voluntarily amalgamate buildings to achieve this initiative.

- Present to the Planning & Zoning Board on June 23, 2011 for discussion.
- Present to the Town Commission on July 19, 2011 for first reading.



**Development of an East West Corridor on 95<sup>th</sup> Street from Abbott Avenue to the Beach:** The Development Impact Committee is working on a design theme for this project which could see a significant contribution from the developers of the Beach House property on the west side of Collins Avenue. An improved linkage on both 94<sup>th</sup> Street to Harding Avenue and on 95<sup>th</sup> Street will help ensure that this project becomes an asset to downtown and increase business development as well as augment visitor satisfaction for guests of the hotel.

**LONG TERM INITIATIVES (twelve months to thirty months):**

**Rebuilding of Harding Avenue Sidewalks:** If the Town Commission determines the need for a garage on the Abbott Avenue parking lot, and the project moves forward to completion, then the Town Administration will address expanding the sidewalks on Harding Avenue between 94<sup>th</sup> and 96<sup>th</sup> Streets in the Downtown District by removing the existing parking spaces. This would be feasible as adequate parking would now be available in the new Abbott Avenue garage. A small number of spaces on Harding Avenue would remain for bus lay-bys and a valet parking service. The wider sidewalks would provide more space for outside café seating and enhanced landscaping and streetscaping. The financing of this project is yet to be determined but could be achieved through a joint venture with the Town and an assessment on the downtown properties.

**94<sup>th</sup> Street Parking Garage Feasibility:** A feasibility analysis will be accomplished over the summer relative to developing the 94<sup>th</sup> Street parking lot into a garage with the possible addition of the contiguous properties to the east along Collins Avenue. The intent of this project would be to provide additional parking for a southern anchor to the east side of Harding Avenue and to allow sufficient space for small scale national retail and restaurant opportunities.

Through the actions of the DVAC and the property owners, and with Town Commission support, Surfside's downtown is experiencing an increase in the upgrading and maintenance of the buildings and the public spaces within the district. The Town will continue with Code Enforcement to ensure that this mission achieves its goal of positively impacting the aesthetic environment and image of downtown Surfside. A plan for additional short-term aesthetic upgrades could also be continued as a mission of the DVAC while the mid and long term proposals are in process. The Town will also continue its efforts to increase maintenance of the area such as the steam cleaning of the sidewalks. The FDOT repaving project will also add new crosswalks at all intersections and at the mid-block pedestrian lights.

It is the clear intent of the property owners, DVAC and Town Administration that this Commission Communication reflects a package of ideas that justify the acceleration of the moratorium's termination. The majority of the stakeholders involved in this process to date agree that this represents a vision for an important cooperative approach to a better future for the downtown district. Any disagreement is not about the package presented, it is about the need for regulation to limit certain uses at the street level. Clearly the second vote of the DVAC, as documented earlier in this Commission Communication, reflects willingness to compromise in an effort to move forward.

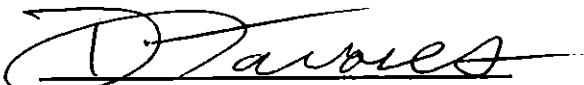
As your Town Manager, I want to personally thank the members of the DVAC, Tourism Director Duncan Tavares, Planning Director Sarah Sinatra Gould, and the property owners for coming together to vet this vision in a very short time frame as directed by the Town Commission and without the cost of consultants. The vision is a path to sensitively bring our downtown to a more contemporary place without losing its hometown feeling. The vision is also a necessary element of the Town Commission's stated goal of creating property tax equity and fairness through expansion of commercial uses without deteriorating our quality of life. We all look forward to the discussion of this plan perhaps in a joint public workshop of the Planning & Zoning Board and the Town Commission.


**Budget Impact:** TBD.

**Staff Impact:** TBD.

**Recommendation:** In a direct outcome from meeting with the downtown property owners on April 26, 2011 the property owners in attendance have been an active participant in the vision process. While the DVAC started with three downtown property owners as members, and every meeting has been conducted in a televised public forum with every attendee having the opportunity to opine on all discussion items, Town Staff recommends that the Town Commission approve the appointment to DVAC of Mr. Jack Stevens as a representative of the property owners from the April 26, 2011 meeting.

It is understood that this package of initiatives presented in this memorandum must be ratified by the Town Commission before any of the items can proceed. Upon the approval of any or the entire proposed vision package, the initiatives must then be vetted by the appropriate Town Departments before proceeding to the Planning & Zoning Board. The ultimate decision on subsequent implementation remains with the Town Commission. Therefore it is the recommendation of the DVAC and the owners of a majority of the downtown properties that the Town Commission approves the vision in principle to allow for Town Staff to proceed on each item with the intent of eventually returning to the Town Commission for vetting as outlined by the timelines presented. Town Commission will be kept apprised of the process on each initiative through the Town Manager's Points Of Light action document, minutes from the DVAC meetings as well as Planning & Zoning minutes and subsequent progress reports and ordinances.

  
Department Head

  
Town Manager

# ATTACHMENT A

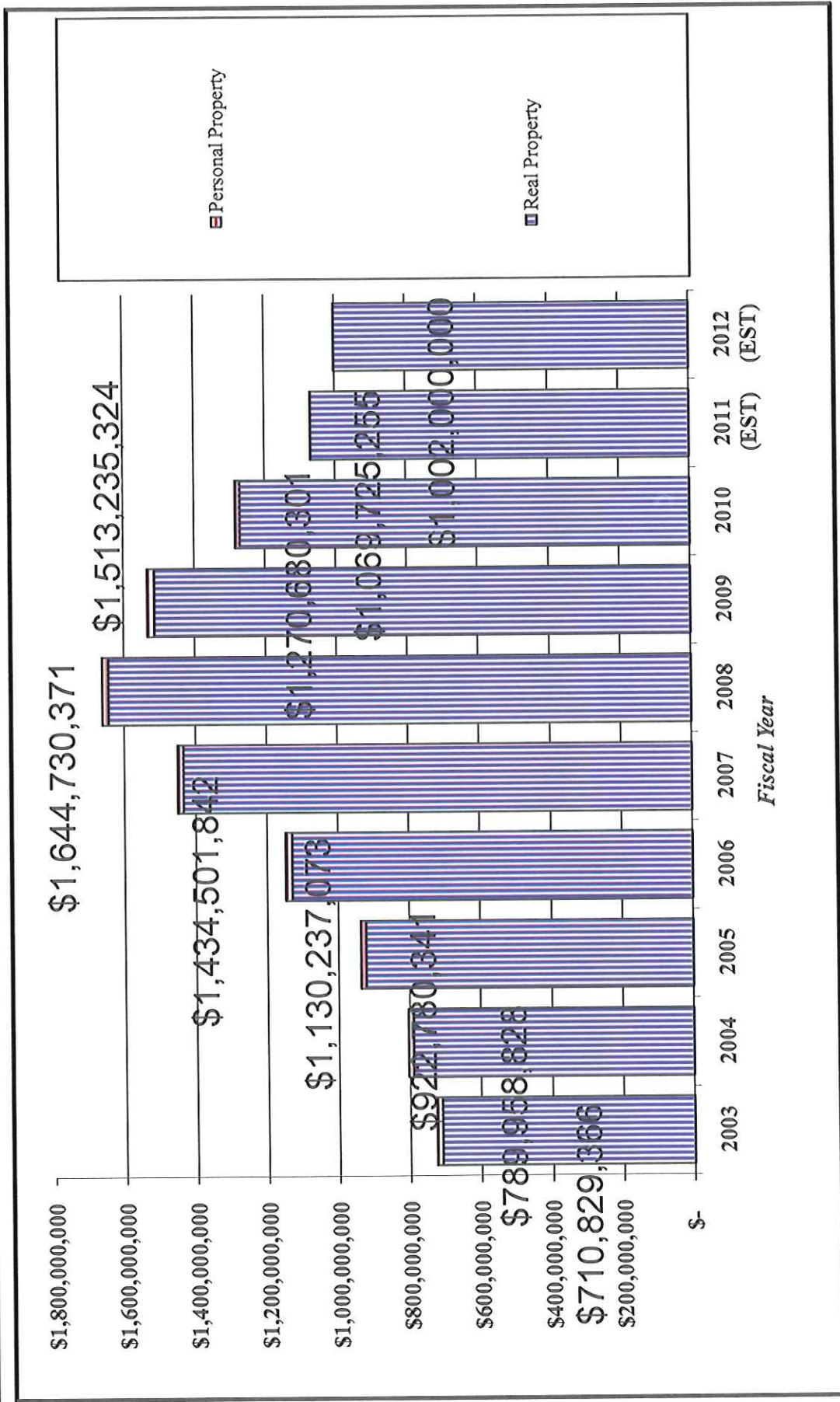
ATTACHMENT A

Town of Surfside, Florida

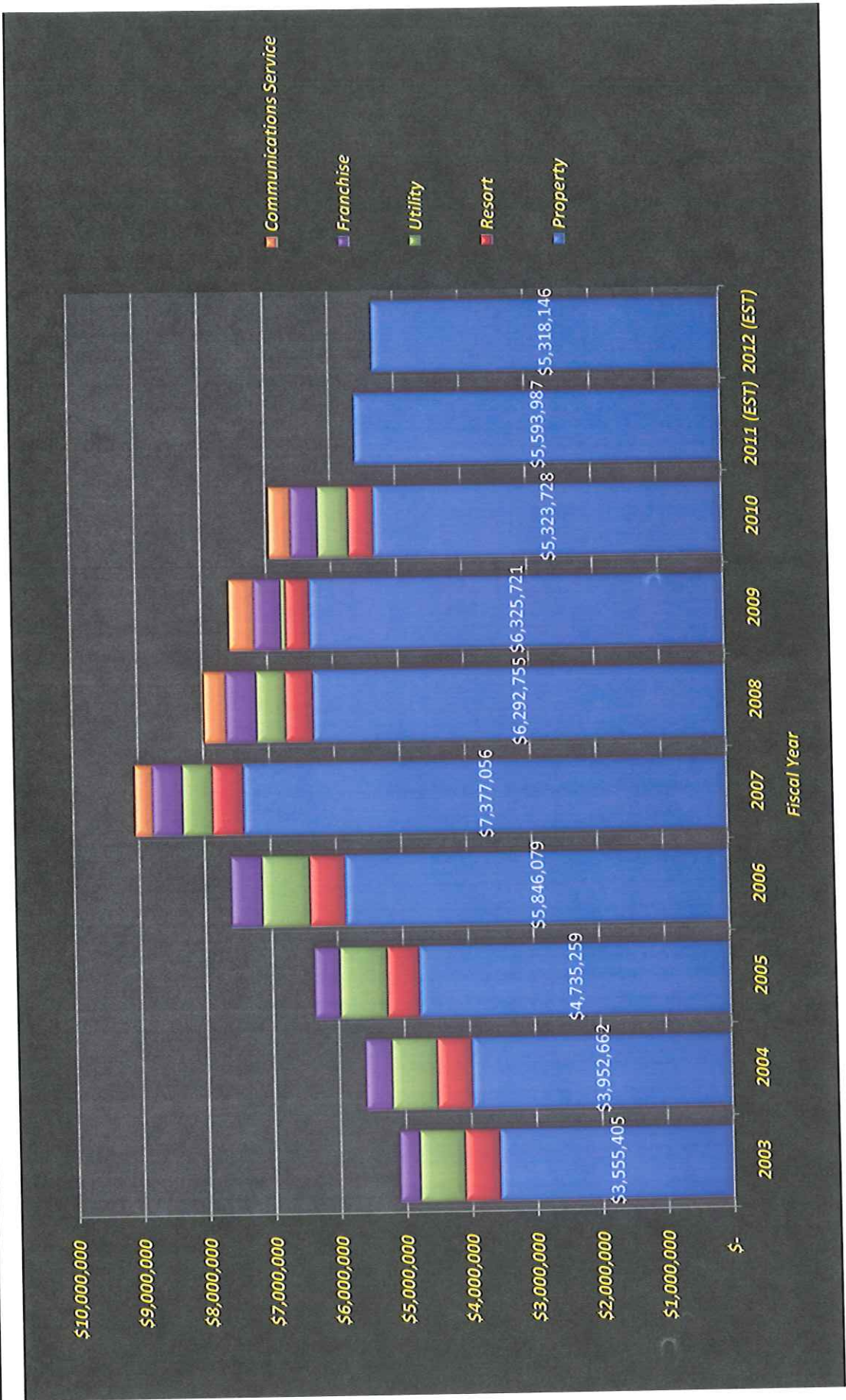
Chart-Total Assessed Value (Unaudited)

Last Ten Calendar Years

(modified accrual basis of accounting)



**Town of Surfside, Florida**  
**Chart-Tax Revenues by Source - Governmental Funds (Unaudited)**  
 Last Ten Fiscal Years  
 (modified accrual basis of accounting)



# ATTACHMENT B



Many of the listed possible projects that pertain to the downtown district are still relevant discussion items. Of particular note is the desire to create a more pedestrian friendly downtown with mixed-use commercial buildings. Also, the possible need for a parking structure is still widely discussed to this day.

The two blocks on Harding Avenue from 94<sup>th</sup> to 96<sup>th</sup> Streets is approximately 6 ¾ acres with over 70 buildings and more than 100 licensed businesses.

Due to unprecedented changing and challenging economic conditions since the Charrette was produced, the necessity for a current shared vision and plan for the downtown district is a timely initiative.

### *Project Teams*

Proposed Steering Committee: Town Manager, Building Official, Planning Manager and Tourist Bureau Director.

Proposed Advisory Committee: Planning & Zoning Chair, Surfside Business Association President/Tourist Bureau Chair, Beautification Chair, a hotelier, two retailers, a service oriented business operator, a single family residential representative and a condominium resident representative.

### *Timeline*

- 1) December 2010/ January 2011 - Interview the Surfside Commissioners and members of the Surfside Business Association regarding their vision for the downtown district.
- 2) Conduct two workshops:
  - i) February 2011 - Steering Committee and Advisory Committee Workshop, open to the public, with the Planning & Zoning, Tourist Board and Beautification Committee in attendance.
  - ii) March 2011 – Public Workshop to present the ideas from the recent survey results, interviews and previous workshop.

Information from the Charrette, the Planning Department, and comparative models used elsewhere (eg Delray Beach) will also be presented.

The objective of the workshops is to incorporate the various stakeholders' vision for the downtown and to form a collective vision for the future.

Some of the discussion items would include, but not be limited to, the following:

- an overall aesthetic / branding
- creating a welcoming, pedestrian-friendly environment
- the installation of benches and bike racks

June 2, 2011

- the creation of a Business Improvement District to help finance improvements and operations
- the role of the Florida Department of Transportation (eg crosswalk replacement in 2011/2012)
- the role of Tourism funding as it relates to successful retail and restaurant establishments
- the relationship to Bal Harbour Shops and the St. Regis
- the impact of side walk cafes and the proper means for regulating the use of sidewalks
- newspaper vending rack regulation
- installation of business locator signs on each block
- code enforcement
- the potential combination of retail, commercial and residential land use
- assisting businesses with marketing initiatives, particularly the use of Social Media, and special events
- retaining and attracting businesses through landlord and lease cooperation

A report listing priorities and a timeline for implementation strategies will be produced from the workshops. This will be presented at the Town Commission Meeting in April 2011.

Cc: Paul Gioia, Building Official  
Sarah Sinatra, Planning Manager  
Duncan Tavares, Tourism Director



# ATTACHMENT C

# Memorandum

**To:** Roger Carlton / Town Manager  
**From:** Duncan Tavares / Tourist Bureau Director  
**Date:** 1/18/2011  
**Re:** Downtown Vision Process Update

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***Advisory Committee:***

- Scarlet Tenen, Planning & Zoning Chair
- Eli Tourgeman, Tourist Board Chair
- David Steinfeld, Beautification Committee Chair
- Ken Arnold, Former Chair Charrette Committee
- Sergio Castion, Surfside Business Association Representative / Condotti Mens Clothing Store Owner
- Ighal Goldfarb, 9520 Harding Avenue Building Owner
- Shep Edelstein, Best Western Oceanfront Resort Owner
- Andy LaBrada, Onarga Apartment Hotel and Event Company Owner
- Jenny Skordilis, The Greek Place
- Jessica Weiss, Serendipity Yogurt Cafe
- Leeann Roth, Luxe Skin Bar Store Owner
- Julia Magnani, Surfside Civic Association / Single Family Home Representative
- Sharon Levy, Home Business Operator / Single Family Home Representative
- Louis Cohen, President of Marbella Condominium Association
- Jackie Murphy, Condominium Resident
- Julie Gordon, Condominium Resident

***Discussion of Initiatives for Downtown Success:***

- 1) Forming a public-private partnership
  - Partnering with neighboring communities
- 2) Completing a downtown vision
- 3) Produce a market driven business plan
  - Identify your customer base and potential new customers
  - Identify their wants and needs today and in the future
- 4) Develop and market your downtown's unique niche
- 5) Attract new targeted businesses through outreach and hosting/site visits
- 6) Counsel existing businesses on their business plans

June 2, 2011

- 7) Conduct on-going focus groups to provide direction
- 8) Create small scale downtown housing
- 9) Create on-going formal marketing and public relations campaigns
- 10) Incorporate management techniques from the malls – managing a downtown as a business:
  - Forge partnerships
  - Assign someone as a liaison
  - Produce a leasing plan including minimum standards for hours of operation
  - Focus on maintenance issues
  - Identify funding sources
  - Provide sufficient parking and other public services

***Design Preferences Discussion Points:***

Buildings: What is attractive? What to change?

Colors

Signage

Landscaping / Pedestrian friendly additions

Side walks

Crosswalks

Create a central theme or brand

Are there motivational factors to assist in compliance?

Should a “demonstration” building façade be created?

Forging a partnership with neighboring communities

Pedestrian friendly vs high visibility

Traffic calming

***Economic Development Objectives for Downtown:***

- Stimulate new activity / Encourage new businesses that will generate Resort and Sales Tax for the Town
- Preserve and stimulate existing businesses
- Diversify the economic base
- Evaluate barriers for change/growth and create sensible and sensitive regulations
- Encourage new businesses that broaden the service offering
- Create an organization that is well funded to enhance the vision



# ATTACHMENT D



## Downtown Property Owners

### Meeting Minutes

April 26, 2011

The meeting started at 6:05pm in the Commission Chambers, 2<sup>nd</sup> Floor Town Hall.

#### In Attendance:

*Property Owners:* Jack Stevens, Dr. Michael Stevens, Helen P. Stevens, Charlotte Stevens, Merry Stevens, Carol Penson, Carol Leinwand, Alex Leinwand, David Kahn, Donald Kahn, Harry Breiter, Estelle Breiter, Sharlane Packar, Christine Justice, Dr. Ilonka Schwartz, Dr. Asher Paoeh.

*Town Staff:* Roger Carlton, Town Manager; Duncan Tavares, TEDACS Director.

#### Meeting Discussion:

Jack Stevens thanked the Town Manager for all of his outreach to the property owners and his willingness to hold this meeting.

The Town Manager updated the attendees on the Downtown Vision Advisory Committee's formation, mission and diversity of viewpoints. The fact that the most businesses are voluntarily complying with their code violation notices, seen in such actions as buildings being painted, is a direct result from feedback from this committee. He also discussed the Moratorium's commencement and objectives; while in effect for six months from the April 12, 2011 Commission Meeting, it is expected to sunset within three months. There was a review of Surfside's good financial status and the five year plan with the need for hotel product as the present high tax burden on the residents is only set to increase. The consensus is that downtown must be more contemporary, attractive, lively and a profitable place to conduct business.

The following are ideas that the Town Manager wanted the attendees to discuss\*:

- Grandfather existing service oriented businesses on the ground floor for ten years. Property owners would have a six month window of opportunity to exercise this option upon the sun setting of the Moratorium.
- The number of non retail and restaurant spaces on the ground floor will be limited by distance requirements.
- Property owners could build up to four stories with the option of having residential units on the upper floors.

- Property owners could amalgamate their holdings by a Unity of Title to increase the building frontage to 200 feet so that additional floors, with the elevators and ADA compliance, could be achieved. The larger ground floor space would then be attractive to national retailers and restaurants.
- The Town would build a garage on the Abbott Street lot. With easements from the property owners, the alley would then be upgraded with utilities buried underground. This would create an attractive area to access the businesses on that block of Harding Avenue. The ground floor of the garage would have retail space.
- Eliminate Harding Avenue street parking, leave bus lay-bys, and add a valet parking option. The sidewalks could then be widened for sidewalk cafés. This would create a better pedestrian environment with better landscaping and streetscaping.
- Initiate a façade upgrading program.
- Form a Business Improvement District (BID) with commitments from the business owners and the Town.

\*N.b. these ideas are not the expressed views of the Commission, Planning & Zoning Board or any other committee.

Comments:

- Do not approve of the “grandfathering” item as all of my tenants would go out of business after 10 years.
- The restrictions should not be implemented in the present economic situation. The Town Manager stated that this is the time to help downtown. In a better economy no one is interested in these matters.
- The demographics of the area do not support the existing types of retail. “Mon & Pops” can barely survive and they are the best bet for the area.

Jack Stevens made a presentation, with photos of various downtown buildings, highlighting their inability to host service businesses due to lack of available space and lack of ADA compliance. There are thirty one existing ground floor tenants that would need to close if the ten year “grandfathering” is imposed. The property owners would never agree to Unity of Title. He also stated that the property owners were never given due process to represent their views to the Town Commission when the Moratorium was on the agenda due to conflicting information received from the Town. Donald Kahn concluded for the group, that in the spirit of working together, the attendees support the following:

- The formation of a BID.
- A downtown façade upgrading program.
- The building of a garage at Abbott.
- Allowing for four stories with residential and possible other uses.

He stated that the group does not support the following:

- The “grandfathering”/ten year lease requirement.
- Managing types of businesses by distance limitations.

These are non-starters for the group and are contentious issues. If these items are removed from the equation then there exists a co-operative environment to achieve a better downtown.





# Memorandum

**To:** Elected Officials  
**From:** Roger Carlton / Town Manager  
**Date:** 12/6/2010  
**Re:** Moving the Downtown Vision Process Forward

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## *Introduction*

During the past three months, substantial input has been given to the Town Manager regarding the need to reinvigorate the Downtown Vision process. This report outlines suggested parameters for the process and establishes a timeline for the Town Commission to review.

There exists a need to strengthen Surfside's downtown as the social, cultural and economic center of the Town. A thriving downtown can enhance the quality of life for Surfside's residents and improve the visitor experience.

Additional tax revenue from a thriving downtown, including increases in the Tourism Resort Tax, adds to the Town's tax base and helps alleviate the ad valorem (property) tax burden on residents.

In order to create a sense of place that encourages business retention and economic development, while retaining and enhancing the characteristics that attract residents and visitors, a plan that reflects the realities of the 21<sup>st</sup> Century is required.

Previous planning efforts and policies, as well as recent survey results, will be reviewed during this process. This will help avoid the cost of outside consultants.

## *Background*

The Town's 2006/2007 Charrette, through extensive community input, recommended a number of improvements for the downtown area. A Committee comprised of Surfside residents, the Town Manager and a Commission liaison held a series of public meetings to engage the views and future aspirations for the Town as a whole. The final public meeting reviewed each section of the Charrette for detailed comment. The final report was not fully adopted and further direction was not given or implemented.

The Town Manager confirmed that the following are supported by the attendees:

- Limit parking on Harding Avenue (as outlined above) with wider sidewalks once a garage is built on Abbott as mentioned above. Jack Stevens dissented on the limited Harding Avenue parking.
- A focused marketing effort for retail and restaurants financed by BID and/or parking funds.
- A 94<sup>th</sup> Street garage with retail on the ground floor.
- 95<sup>th</sup> Street enhancement project from Abbott to the beach.

All attendees agreed to a quarterly meeting as a means of keeping informed and as a method to achieve common goals.

*The meeting adjourned at 8:15 pm.*



# ATTACHMENT E



# Memorandum

**To:** Downtown Vision Advisory Committee Members  
**From:** Roger Carlton / Town Manager  
**Date:** 5/12/2011  
**Re:** Proposed initiatives from downtown property owners and DVAC members

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Following the adoption of the Moratorium Ordinance by the Town Commission on April 12, 2011, the Town Manager met with downtown property owners on April 26, 2011. From this meeting a series of conceptual initiatives were discussed and approved by general consensus from the attendees in exchange for terminating the Moratorium Ordinance prior to its sunset date. These initiatives were subsequently presented to this committee at the April 27, 2011 meeting and were approved in principle by general consensus from those in attendance. They are presented here for summary purposes in an effort to establish a path forward as required by the Town Commission directive when the Downtown Vision Advisory Committee (DVAC) and its mission were established.

**1) Moratorium Ordinance:**

The Town Attorney will provide a "Letter of Intent" document, for acceptance by the downtown property owners and DVAC members, outlining the conceptual items (listed below #2- 7). This conditional document will be presented by the Town Manager to the Town Commission at the June 14, 2011 meeting with the recommendation to rescind the Moratorium Ordinance before its sunset date in October 2011 and before the Town Commission's mandate to return with a recommendation by July 2011.

**2) Abbott Street Parking Garage Feasibility:**

The Town Manager will seek approval from the Town Commission at the June 14, 2011 Commission Meeting to initiate a feasibility study for a parking garage on the Abbott Avenue parking lot. If approved, the Town Administration will utilize the Commission approved group of architects and engineers registered with the town to compete on a feasibility study by August 2011. The feasibility study will address the garage project, the alley upgrade as well as rezoning the west side of Abbott Avenue from 95<sup>th</sup> to 96<sup>th</sup> Streets to allow commercial use in the existing homes. An appropriate landscaping buffer on the west side of Abbott Avenue homes would also be addressed.

**3) Rebuilding of Harding Avenue Sidewalks:**

If the Town Commission determines the need for a garage and the project moves forward to completion, the Town Administration will address expanding the sidewalks on Harding Avenue between 94<sup>th</sup> and 96<sup>th</sup> Streets in the Downtown District by removing the existing parking spaces. This would be feasible as adequate parking would now be available in the new Abbott Avenue garage. A small number of spaces on Harding Avenue would remain for bus lay-bys and a valet parking service. The wider sidewalks would provide more space for outside café seating and enhanced landscaping and streetscaping. The financing of this project is yet to be determined but could be achieved through a joint venture with the Town and an assessment on the downtown properties.

**4) Upgrading Alleys:**

A study of the Town's parking lots and alleys is set to be awarded on June 14, 2011. By way of information, the proposals have already been ranked by the Town selection committee. This study would include the viability of upgrading the alleys, both privately and publicly owned, on both sides of Harding Avenue. The plan would also address the possibility of creating a breezeway from the east side of the Abbott Avenue parking lot through to the west side of Harding Avenue. Financing could be achieved by a joint venture with the property owners of the private alley and the utilization of parking funds.

**5) Support the Forty Foot Height Allowance:**

Presently the buildings in the Downtown District can be forty feet in height. In an effort to encourage property owners to voluntarily seek larger national retail and restaurant tenants for their ground floor properties, buildings could be redeveloped to the maximum four stories presently allowed and would not include any restrictions regarding residential use. Property owners could voluntarily amalgamate buildings to achieve this initiative. This discussion is presently on-going with the DVAC and would need to go to before the Planning & Zoning Board and Town Commission.

**6) Facade Upgrading Program:**

The Town Manager will begin an effort to create a consortium of banks operating in the Downtown District over the summer to develop financing for a facade upgrading program for the district's property owners and businesses. Details regarding this proposal would go to the Town Commission in September, 2011. Proceeds from the Parking Fund could be utilized to reduce the interest on loans granted for facade improvements.

**7) Business Improvement District:**

The Town Manager will continue to meet with the downtown property owners over the summer to develop a possible Business Improvement District for the Downtown District. This initiative will be presented to the Town Commission in the Fall of 2011.

**8) 94<sup>th</sup> Street Parking Garage Feasibility:**

A feasibility analysis will be accomplished over the summer relative to developing the 94<sup>th</sup> Street parking lot into a garage with the possible conjunction of the contiguous properties along Collins Avenue. The intent of this project would be to rent additional parking for a southern anchor to the east side of Harding Avenue and to allow sufficient space for small scale national retail and restaurant opportunities.

While it is important to note that many of the above proposed initiatives have multiyear timelines for completion, if approved by the Town Commission, there are other initiatives that have had an immediate and on-going impact in the Downtown District. Through the actions of this committee, Surfside's downtown is experiencing an increase in the upgrading and maintenance of the buildings in the district. The Town will continue with Code Enforcement to ensure that this mission achieves its goal of positively impacting the aesthetic environment and image of downtown Surfside. A plan for additional short-term aesthetic upgrades could also be continued as a mission of this committee while the long-term proposals are in process.

It is the clear intent of the property owners, DVAC and Town Administration that this memorandum reflects a package of ideas that justify the acceleration of the Moratorium's termination. While these ideas are not contractual between those involved in formulating this conceptual action plan, all of the mentioned stakeholders agree that this represents a good faith vision of an important cooperative approach to a better future for the Downtown District. It is understood that all of these initiatives must be reviewed by the Town Commission. Upon the approval of any or all of the proposed ideas must then be vetted by the appropriate Town Departments before proceeding to the Planning & Zoning Board. The ultimate decision on subsequent implementation remains with the Town Commission.

# ATTACHMENT F



# Coconut Grove Business Improvement District Makes Innovative Changes in Operations

## Grove BID Becomes First Florida Client of Nationally Recognized Provider "Block by Block"

BY MELISSA NOBLES

Beginning June 1, Coconut Grove will be the first improvement district within Florida to welcome the successful Block by Block operations management company to its streets. The announcement of the partnership comes as the Coconut Grove Business Improvement District (BID) celebrates its two-year anniversary.

Block by Block, a complete service provider managing safety, cleaning and hospitality programs for improvement districts, currently serves 33 communities throughout the U.S. It attends exclusively to improvement districts and has branched a concept unlike any other in the operations business: "Downtown Ambassadors."

The Downtown Ambassadors team is carefully selected and trained to exceed in both security and sanitation services. However, unlike many other workers in such fields, the Downtown Ambassadors are also trained as hospitality agents, creating a friendly environment for neighborhood visitors.

Manny Gonzalez, Director of Operations for the Coconut Grove BID, cites Block by Block's BID-focused approach and impressive set of references as a major contributor to their hiring. Particularly, Block by Block's work with the Waterfront Partnership of Baltimore, MD is a success story the Grove is looking to model after.

"Since hiring Block by Block, Downtown Ambassadors have achieved promoting the Waterfront as a destination for local and regional visitors," said Gonzalez. "Like the Grove, they also established events to attract and entertain

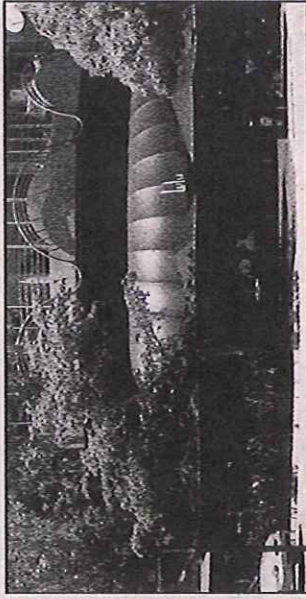
visitors while maintaining operation programs in the core business center."

Sanitation ambassadors will be on hand to sweep, collect litter, remove graffiti and weeds, and clean public fixtures. Simultaneously, security ambassadors will be stationed at the Grove's three information kiosks, on bike and on foot to patrol the area and visit local merchants to maintain constant communication. Ambassadors will be identified by exclusively branded Coconut Grove BID uniforms.

Yet, regardless of position, the unique service provided by all ambassadors will be their knowledge and enthusiasm to engage the public, by providing directions or even recommendations for restaurants, alongside their duties.

*"There are a lot of great companies in South Florida, but what Block by Block is going to do here is going to change the way improvement districts do business."*

"Where else could you find a company that trains its security and sanitation workers to also provide cordial services and educate tourists with community messages right on the street,"



said David Collins, executive director of the Coconut Grove BID. "This is truly an evolutionary step up for Coconut Grove, and really the City of Miami."

Keeping up that progressive spirit, the Coconut Grove BID has built on the strong foundation it laid back in 2009.

This past April the group celebrated its two year anniversary and the series of new business that has resulted from those efforts.

Leading the list is Paragon Grove 13, Miami's newest cinema complex. It was recently rated the best theater in Miami by AOL and The Miami Heat's Chris Bosh's proclaimed it as his theatre of choice in a recent Ocean Drive Magazine issue.

Also shining examples of the "new Grove" are restaurants Peacock Garden Café and Lulu. Both come as result of their respective owners deciding to expand their businesses inside the Grove Business District, instead of elsewhere. Architectonica, an international brand name in architecture, joins the list of returned heavyweights that have returned to what is commonly becoming known as "Miami's Silicone Valley of design and arts firms."

The Coconut Grove BID attributes success stories like these as strong indicators of the benefits merchants and prospective tenants see in the BID's individual programs. By adding the components offered by Block by Block to existing programs, like the current partnership with City of Miami Police Department and its direct radio communication system, it won't be long before the Grove begins to see more recognition and accolades similar to that of "Safest Neighborhood in Miami."

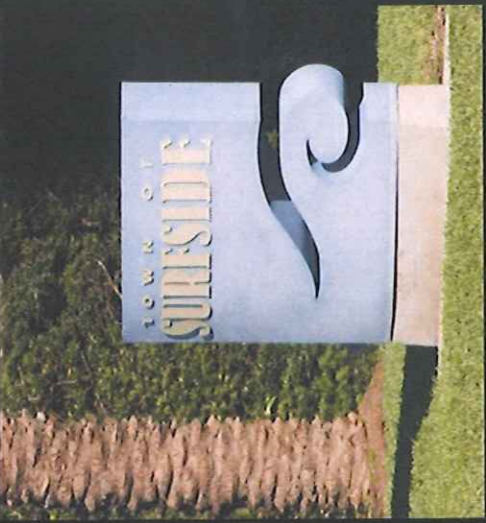
"There are a lot of great companies in South Florida, but what Block by Block is going to do here is going to change the way improvement districts do business," said Collins. "Instead of just going through the motions, Block by Block offers a truly personal touch translating into more and happier visitors."

The Coconut Grove BID exists to improve the quality and financial success of the Grove's commercial core. It enhances Grove parking, lighting, sanitation, marketing, and safety, as well as information, marketing, and safety, as well as offering special events. For more information on the Coconut Grove BID, visit [www.coconutgrove.com](http://www.coconutgrove.com) or call 305-461-5506.

# ATTACHMENT G



# Parking Inventory



### Legend

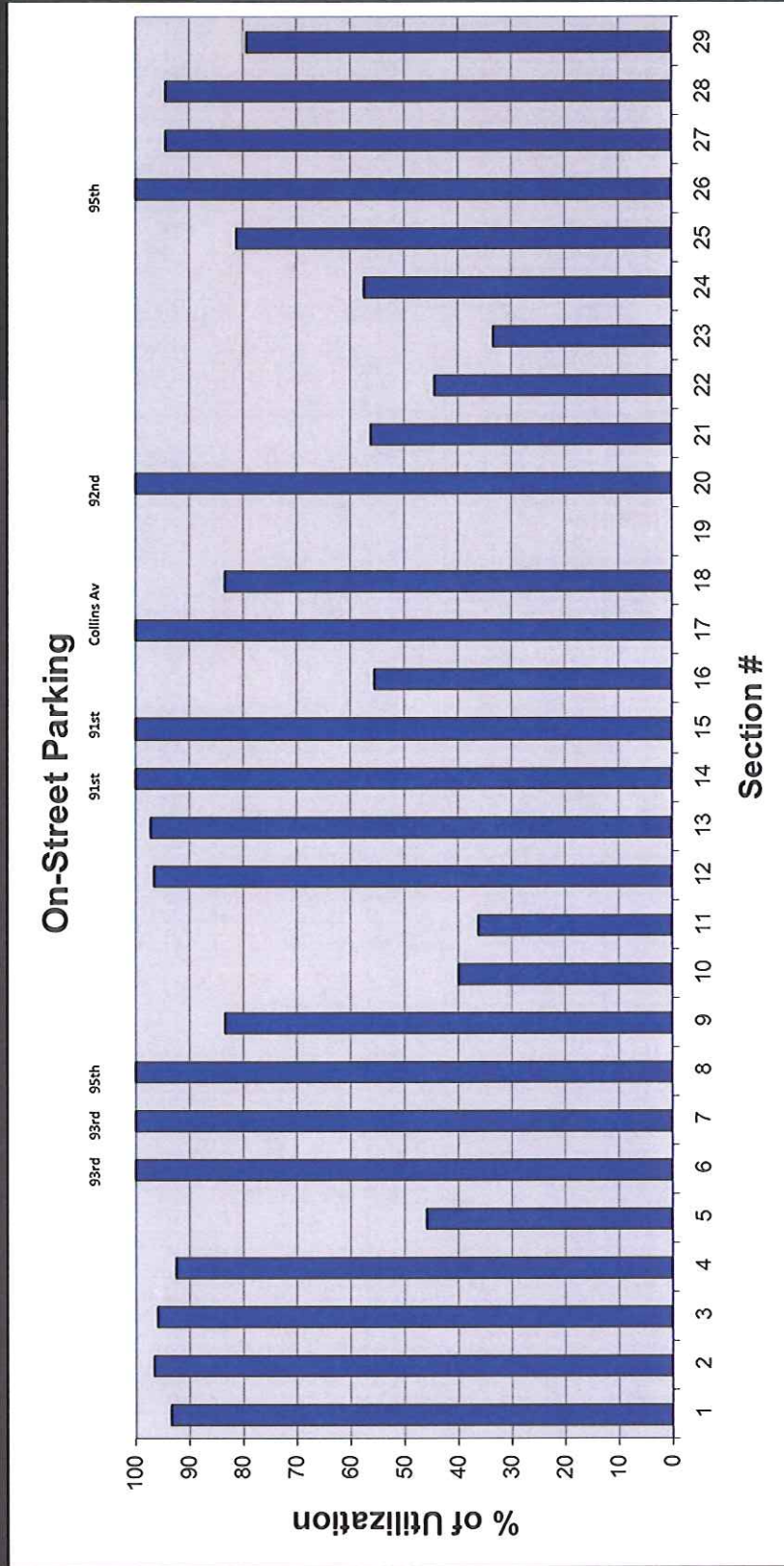
- Residential parking
- Metered parking
- Non-metered parking
- Private parking



# Parking Inventory On-Street Sections



# On-Street Parking Utilization



April 20, 2007 between 1:00 pm and 3:00 pm

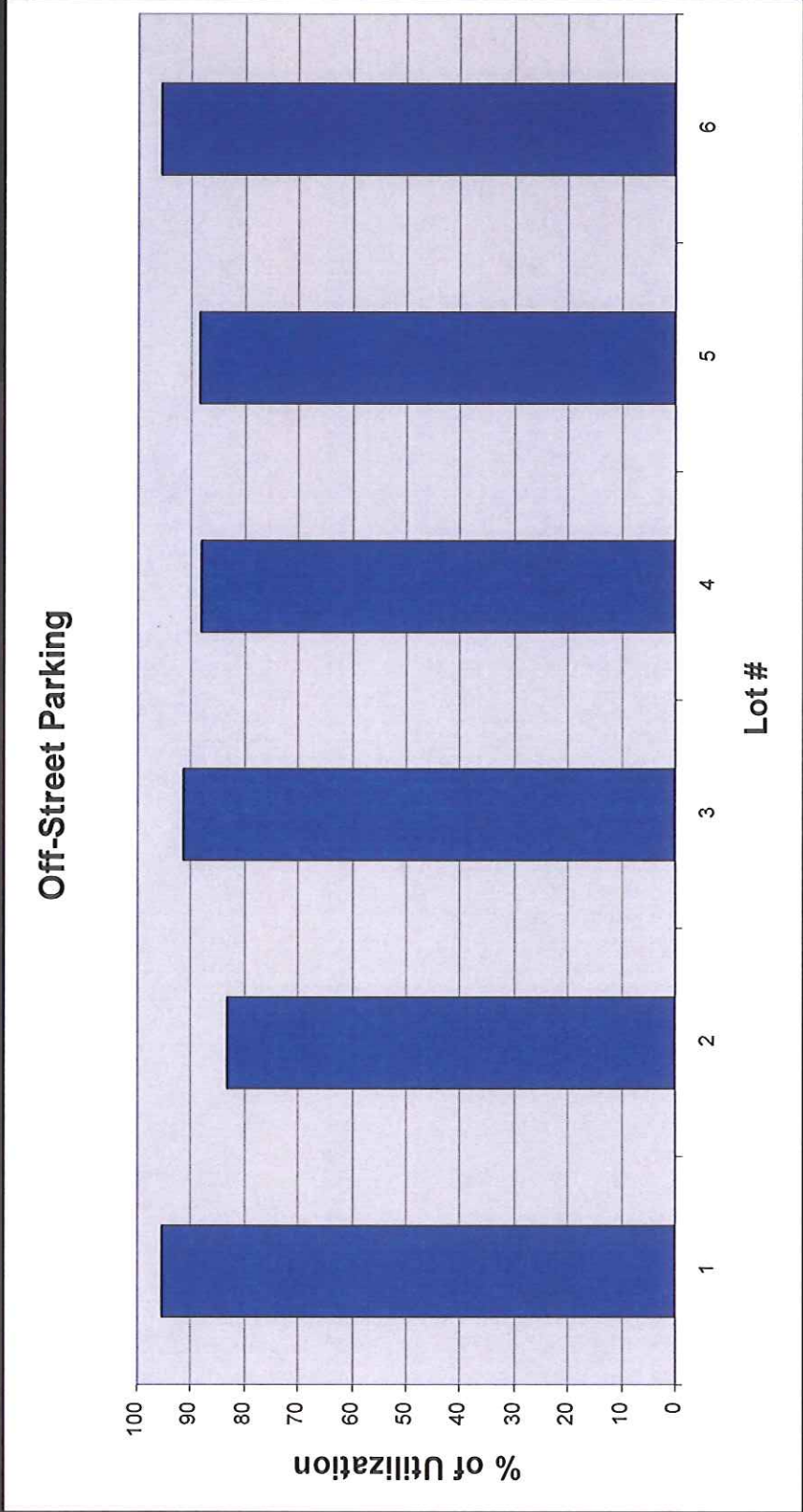


## Parking Inventory Off-Street Sections



- Parking supply is mainly located on the North-East quadrant of the town (Commercial Area)

# Off-street Parking Utilization



April 12, 2007 Between 2:00pm and 5:00 pm



**ORDINANCE NO. 2011 \_\_\_\_\_**

**AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, REPEALING ORDINANCE 2011-1571 “TEMPORARY MORATORIUM ON THE PROCESSING OF SITE PLANS, BUILDING PERMITS, AND THE ISSUANCE OF CERTIFICATES OF USE OR OCCUPANCY FOR NON- RETAIL, NON-RESTAURANT USES FOR THE PROPERTIES GENERALLY LOCATED BETWEEN 96<sup>TH</sup> AND 94<sup>TH</sup> STREET AND HARDING AVENUE” AS WAS FURTHER DELINEATED IN THE MAP ATTACHED AS EXHIBIT “A” TO ORDINANCE 2011-1571; REPEALING ALL ORDINANCES IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the Town of Surfside (“Town”), pursuant to ordinance 2011-1571, imposed a temporary moratorium for the purpose of developing a strategy for the revitalization of the SD-B40 located between 96<sup>th</sup> and 94<sup>th</sup> Streets and Harding Avenue (hereinafter referred to as the “Downtown Business District” or “DBD”); and

**WHEREAS**, the Downtown Vision Advisory Committee (“DVAC”) together with staff including the Town Planners and interested property owners and after eight (8) formal meetings have developed an working agreement on several initiatives to address the need to revitalize and reinvigorate the DBD that includes the vision for an appropriate mix of retail, restaurant and non-retail uses as well as other projects; and

**WHEREAS**, the Town Manager, the Town Attorney, Town Planner and other staff shall begin the work associated with these initiatives for the Downtown Business District and assuming the progress and implementation of these initiatives, once approved by the Town Commission, Staff no longer sees the necessity for a temporary moratorium so long as these initiatives continue to progress;



**WHEREAS**, the Planning and Zoning Board on May 26, 2011 recommended this rescission and repeal of the downtown moratorium to the Town Commission;

**WHEREAS**, it is now in the best interest and welfare of the Town to so rescind the imposed temporary moratorium; and

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

**Section 1. Recitals Adopted.** That each of the above stated recitals is hereby adopted and confirmed as being true, and the same are hereby made a specific part of the Ordinance.

**Section 2. Temporary Moratorium Repealed.** Ordinance 2011-1571 is hereby repealed and the temporary moratorium rescinded.

**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. Effective Date.** This Ordinance shall be effective ten (10) days after adoption on second reading.

PASSED and ADOPTED on first reading this 14<sup>th</sup> day of June, 2011.

PASSED and ADOPTED on second reading this \_\_\_\_ day of \_\_\_\_\_, 2011.

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

**Attest:**

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

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

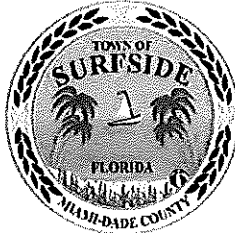
  
\_\_\_\_\_  
Lynn M. Dannheisser, Town Attorney

On First Reading Moved by: \_\_\_\_\_

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

**Vote:**

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



**TOWN OF SURFSIDE**  
**Office of the Town Attorney**

MUNICIPAL BUILDING  
9293 HARDING AVENUE  
SURFSIDE, FLORIDA 33154-3009

Lynn M. Dannheisser  
Town Attorney

Telephone: 305 993-1065

**MEMORANDUM**

**TO:** Town Commission

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

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

**DATE:** JULY 12, 2011

**SUBJECT:** Newsrack Ordinance

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**RECOMMENDATION:** This ordinance has been transmitted and recommended by the Planning & Zoning Board (as well as the Downtown Vision Advisory Committee).

**REASONS:** This ordinance addresses the placement, type, appearance, servicing, and insuring of newsracks on public rights-of-way as a means of improving the overall aesthetics of the Town and addressing the visual blight from unsightly newsracks.

In addition to carrying out part of the vision adopted by the DVAC, making newsracks uniform in size and placement, also provides for pedestrian and driving safety by allowing for proper width on sidewalks to conform to handicapped and other town, state, and federal regulations. It reduces unnecessary exposure to personal or property damage including from hurricanes by regulating the strength of the specs for newsracks while at the same time addressing potential legal claims by the publications by treating all newspaper publications equally regardless of their size, content, circulation, or frequency of publication.

This ordinance is modeled upon the Coral Gables ordinance which has withstood several court challenges. A copy of that decision is attached for convenient reference and reflects the legal issues which had to be considered in creating this regulation.

In this ordinance, the public works director is responsible for review and approval of these devices. Each newspaper who wishes to utilize a rack must make application and secure approval for site location, provide insurance, and select and utilize equipment that meet certain specifications including size, use of certain materials and color (black), installations standards, and removal requirements.

**ORDINANCE NO. 11-\_\_\_\_\_**

**AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA AMENDING CHAPTER 14 “BUILDINGS AND BUILDING REGULATIONS” AND SPECIFICALLY ARTICLE III “PROPERTY MAINTENANCE STANDARDS”; CREATING SECTION 14-57 “NEWSRACKS ON PUBLIC RIGHTS-OF-WAY” OF THE TOWN OF SURFSIDE CODE OF ORDINANCES PROVIDING FOR INCLUSION IN THE CODE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, The Town of Surfside (“Town”) proposes to amend its Code of Ordinances to address a recognized need to regulate the placement, type, appearance, servicing, and insuring of newsracks on public rights-of-way for the health, safety and welfare of the Town ; and

**WHEREAS**, the Planning and Zoning Board, as the local planning agency for the Town, held its hearing on the proposed amendments to the fence, walls and hedges regulations on May 26, 2011 with due public notice and input; and

**WHEREAS**, the Town Commission held its first public hearing on June 14, 2011 having complied with the notice requirements required by Florida Statutes; and

**WHEREAS**, the Town Commission shall have conducted a second duly noticed public hearing on these regulations as required by law on July \_\_\_\_\_, 2011.



NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND 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 the Town of Surfside, Florida is hereby amended as follows:

**Sec. 14-57. Newsracks on Public Rights-of-Way.**

(a) Scope. The provisions of this section shall govern the placement, type, appearance, servicing, and insuring of newsracks on public rights-of-way. No newsracks shall be permitted except in accordance with the provisions of this article.

(b) Purpose. The purpose of this section is to promote the public health, safety and welfare through the regulation of placement, type, appearance, servicing, and insuring of newsracks on public rights-of-way so as to:

- (1) Provide for pedestrian and driving safety and convenience.
- (2) Restrict unreasonable interference with the flow of pedestrian or vehicular traffic including ingress into or egress from any residence or place of business, or from the street to the sidewalk by persons exiting or entering parked or standing vehicles.
- (3) Provide for public and property safety during hurricane conditions.
- (4) Provide reasonable access for the use and maintenance of poles, posts, traffic signs or signals, hydrants, mailboxes and access to locations used for public transportation purposes.
- (5) Relocate and/or replace newsracks which result in a visual blight and/or excessive space allocation on the public rights-of-way or which unreasonably detract from the aesthetics of store window displays, adjacent landscaping and other improvements, as well as to have abandoned newsracks removed.
- (6) Maintain and protect the values of surrounding properties.
- (7) Reduce unnecessary exposure of the public to personal injury or property damage.
- (8) Treat all newspapers equally regardless of their size, content, circulation, or frequency of publication.
- (9) Maintain and preserve freedom of the press.
- (10) Cooperate to the maximum extent with newspaper distributors.

(c) Definitions. The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Equivalent newsrack: Any newsrack of the same size, dimensions and style of the specified newsrack.

If demand warrants or warranted demand: When the measured newspaper stack height needed to meet the newspaper publisher's or distributor's peak annual distribution at the requested newsrack location, as proven by the newspaper publisher or distributor, exceeds 14 inches.

Newsrack: Any type of unmanned device for the vending or free distribution of newspapers or news periodicals.

Public right-of-way: Any public street, highway, sidewalk, parkway or alley.

(d) Certificate of Compliance Required. No person shall place, affix, erect, construct or maintain a newsrack without first obtaining a one-time only certificate of compliance for each newsrack in accordance with the provisions of this article.

(e) Application and Issuance of Certificate of Compliance.

(1) Issuing Authority. The issuing authority and coordinator shall be the public works director. The public works director is responsible for fairly coordinating and administering the physical placement of newsracks of the type and location herein specified, and upon compliance herewith is responsible for issuing the certificates of compliance.

(2) Approving Authorities. The approving authorities shall be the public service director, the parking director and the public works director. The public service director shall provide review and approval only as to compliance with section 62-162(8). The parking director shall provide review and approval only as to compliance with section 62-162(10). The public works director shall provide review and approval coordination with the public service director and the parking director, as well as review and approval only as to comply with subsections (c), (e) through (g) of this section, and sections 62-156 through 62-161, and 62-162(1) through (7), (9).

(3) Applications. The applicant shall file with the public works director a written application for an installation certificate of compliance that shall contain the following information:

(i) The name, address and telephone number of the applicant who is the owner and/or principal in responsible charge of the newsrack.

(ii) The name, address and telephone number of a responsible person whom the Town may notify or contact at any time concerning the applicant's newsracks.

(iii) The number of newsracks and the proposed location of each shown on a drawing provided by public works as in subsection (4) of this section.

(iv) Names of newspapers or periodicals to be contained in each newsrack.

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

(v) Type or brand of newsracks, including an illustration and description of the newsrack and mount if other than a single pedestal, TK-80PM or K-80PM SHORACK or FN-80SP (with or without equivalent coinbox attachment) with special pedestal mount and 14-inch square base plate (mandated) or TK-80 or K-80 SHORACK or FN80LB (with or without equivalent coinbox attachment) with special pedestal mount and 14-inch square base plate (allowed only if demand warrants at the installation location), or equivalent, as per subsection (j).

(4) Procedure. The public works department shall:

- (i) Develop a map of a large enough scale to show general town-wide locations of newsracks by each publisher or distributor.
- (ii) Request a list of proposed newsrack locations, marked on the above map, from each distributor.
- (iii) Prepare a scale drawing or aerial photograph of each newsrack location showing the position and name of each newsrack at that location.
- (iv) Obtain approvals of the above newsrack drawings from the parking director and the public service director.
- (v) Obtain confirmation approvals of the above approved newsrack drawings from each distributor.
- (vi) Have the public works survey crew, following certificate of compliance issuance, then mark placement locations with a template so that installation crews will have no problem.

(5) Issuance of Certificate of Compliance. Upon a finding by the public works director that the applicant is in compliance with the provisions of this section and having received the required approvals from the parking director and public service director, the public works director shall cause to be issued a certificate of compliance for installation by the newspaper publishing company. Such issuance shall be made within five working days of the Town's receipt of the completed application.

(6) Denial of Certificate of Compliance. If a certificate of compliance for some newsrack location applied for shall be denied, the applicant shall be notified within five working days of the Town's receipt of the completed application. The applicant shall be advised of the specific cause of such denial by the public works director, who will suggest alternative locations therefor. The applicant may reapply for substitute alternative location at no additional certificate of compliance fee.

(7) Additional Certificate of Compliance. If at any time initial application for an installation certificate of compliance a publisher wishes to install additional newsracks, then subsections (3) and (4) of this section are to be repeated in accordance with the provisions of this section. Under subsection (f), any additional returnable bond deposit required will credit any amount still on account. Additional certificate of compliance fees shall be in accordance with subsection (g), except that the \$50.00 publisher's fee is waived if previously paid.

(f) Insurance.

(1) Prior to the issuance of a certificate of compliance by the public works director, the applicant shall furnish to the public works director a certificate of insurance and a one-

time only returnable bond deposit, both in specific accordance with the terms of section 14-30, except that returnable bonding amounts for newsrack installations shall be:

TABLE INSET:

TOTAL PROPOSED NEWSRACKS	TOTAL RETURNABLE BOND
1 to 4	\$150.00
5 to 10	\$300.00
11 to 20	\$500.00
21 and up	\$700.00

(2) Reasonable evidence of equivalent self-insurance coverage may be substituted by the applicant for the above certificate of insurance.

(3) Insurance under subsection (f) shall run continuously with the presence of the applicant's newsrack in town rights-of-way, and any termination or lapse of such insurance shall be a violation of this section, subject to appropriate remedy by the code enforcement division

(g) Fees. There shall be a one-time only certificate of compliance fee in the amount established by the town commission for each newspaper publisher. Failed inspections are subject to a re-inspection fee in the amount established by the town commission. All of the above fees will be used to defray administrative expenses relating to this section only, and any revenues over expenses remaining after the implementation of this section will be returned to the newspaper publishers in proportion to their respective contributions.

(h) Appeals. Any applicant who has been denied a certificate of compliance pursuant to the provisions of this section may file an appeal with the town commission by requesting in writing to the town manager appearance before the commission to review such denial. The appeal shall be heard by the commission within 30 days of the filing of the appeal or at the next regularly scheduled agenda, whichever occurs first. The decision of the commission on appeal is subject to judicial review as provided by the laws of the state.

(i) Placement Generally. Subject to the prohibitions set forth in subsection (l), newsracks shall be placed parallel to and not less than 18 inches nor more than 24 inches from the edge of the curb. Newsracks placed near the wall of a building must be placed parallel to and not more than six inches from the wall

(j) Installation and Maintenance.

(1) Newsracks shall be single pedestal TK-80PM or K-80PM SHORACK or FN-80SP (with or without equivalent coinbox attachment) with special pedestal mount and 14-inch square base plate (mandated) or TK-80 or K-80 SHORACK or FN-80LB (with or without equivalent coinbox attachment) with special pedestal and 14-inch square base plate (allowed only if demand warrants at the installation location) or equivalent.



(2) Newsrack equipment shall be in gloss black. The height of the cabinet top of all newsracks shall be 39 inches above the finished grade level.

(3) Newsracks shall carry no cardholders or advertising, but may display the name, with lettering and background of any colors, of the newspaper being dispensed, in spaces in the locations and sizes set forth below:

(i) On the front of the newsrack, the lettering size shall not exceed 1 3/4 inches height. The lettering shall be placed within a colored-band space not exceeding 2 1/2 inches in height above the door hinge.

(ii) On the sides and back of the newsrack, the lettering size shall not exceed 2 1/2 inches in height. The lettering shall be placed within a colored-band space not exceeding 4 1/2 inches in height and beginning one inch from the top of the newsrack.

(4) Newsracks for free newspapers may omit the coinbox and may have the pull bar welded to the door to produce an "honor rack."

(5) Newsracks shall be maintained in good working order at all times, freshly painted and with unbroken hoods.

(6) Mounts shall be bolted in place through four standard holes in the base plate in accordance with standards provided in subsection (k). Newsrack cabinet tops shall be installed and checked for level; a water-soluble, paintable, ten-year calk of gloss brown color shall be applied and wiped to seal around the base plate and the mounting surface.

(k) Newsrack Mounting Standards. The following standards shall be applicable to the mounting of newsracks in this town:

(1) Foundation four-inch minimum concrete, 2,500 psi (28-day strength), class I.

(2) Two-inch minimum concrete edge distance for bolts.

(3) One-half-inch chamfer all concrete edges.

(4) Three-eighths-inch diameter hot-dipped galvanized hex bolt mounts, three-inch minimum imbedding, threads down, through four corners of the pedestal base.

(l) Specific Prohibitions. No newsrack shall be placed, installed, used or maintained:

(1) Within five feet of any marked crosswalk.

(2) Within ten feet of any unmarked crosswalk.

(3) Within ten feet of any fire hydrant, fire callbox, police callbox or other emergency facility.

(4) Within five feet of any driveway.

(5) Within five feet ahead of, and 15 feet to the rear of any sign marking a designated bus stop, measured along the edge of pavement.

(6) Within two feet of any bus bench, or plaza bench.

(7) At any location whereby the clear space for passageway of pedestrians is reduced to less than six feet.

(8) Where a vertically protruding member of the newsracks is on or within 12 inches of any area improved with lawn or hedges or within three feet of flowers or trees.

(9) Within three feet of any display window of any building abutting the sidewalk or parkway or in such a manner as to impede or interfere with the reasonable use of such window display purpose, or within five feet of a building entrance.

(10) On or within two feet of signs, parking meters, street lights or utility poles

(m) Enforcement Procedures – Nonconforming Newsracks. Within 150 days of the effective date of the ordinance from which this article is derived and at any time thereafter, any newsrack in violation of any provision of this section shall be subject to remedy and due process under the code enforcement board.

(n) Enforcement Procedures – Abandoned Newsracks.

(1) If any newsrack installed pursuant to this section does not contain the publication specified therefor within a period of forty-eight (48) hours after release of the current issue, the code enforcement division may deem the newsrack abandoned and take appropriate action for an ordinance violation. In addition, a newsrack shall be deemed abandoned when no publication is in the newsrack for a period of more than seven consecutive days.

(2) In the event a newspaper publishing company or its distributor desires to voluntarily abandon a newsrack location, the distributor shall notify the public works director, completely remove the newsrack and mount, and restore the public right-of-way to a safe condition, leaving no holes or projections in the mounting surface.

**Section 3. Severability.** If any section, subsection, clause or provision of this Ordinance is declared invalid or unconstitutional by a court of competent jurisdiction, the remainder shall not be affected by such invalidity.

**Section 4. Conflict.** All sections or parts of sections of the Town of Surfside Code of Ordinances in conflict herewith are intended to be repealed to the extent of such conflict.

**Section 5. Inclusion in the Code of Ordinances.** It is the intention of the Town Commission, and it is hereby ordained that the provisions of this Ordinance shall become and made a part of the Town of Surfside Code of Ordinances, that the sections of this Ordinance may be

renumbered or re-lettered to accomplish such intentions; and the word "ordinance" may be changed to "Section" or other appropriate word.

**Section 6. Effective Date.** This Ordinance shall be effective ten (10) days after adoption on second reading.

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

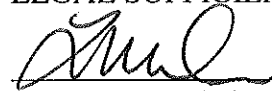
PASSED and ADOPTED on second reading this \_\_\_\_ day of \_\_\_\_\_, 2011.

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

Attest:

\_\_\_\_\_  
Debra E. Eastman, MMC  
Town Clerk

APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY:

  
\_\_\_\_\_  
Lynn M. Dannheisser, Town Attorney

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

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

**Vote:**

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