



**Town of Surfside
Town Commission Meeting
AGENDA**

March 13, 2012

7 p.m.

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

1. Opening

- A. Call to Order**
- B. Roll Call of Members**
- C. Pledge of Allegiance**
- D. Mayor and Commission Remarks – Mayor Daniel Dietch**
- E. Agenda and Order of Business** Additions, deletions and linkages
- F. Community Notes – Mayor Daniel Dietch**
- G. Presentation to Vice Mayor Joe Graubart - Mayor Daniel Dietch**
- H. Presentation of Town Commission One Dollar Per Year Salary – Roger M. Carlton, Town Manager**

2. Quasi-Judicial Hearings (None)

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

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

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

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

- *A. **Minutes** - February 14, 2012 Regular Commission Meeting **Page 1-8**
- B. Budget to Actual Summary as of December 31, 2011** – Roger M. Carlton, Town Manager **Page 9-10**
- *C. **Town Manager’s Report (Points of Light)** – Roger M. Carlton, Town Manager **Page 11-28**
- *D. **Town Attorney’s Report** – Lynn M. Dannheisser, Town Attorney **Page 29-32**
- *E. **Projects Progress Report** – Calvin, Giordano and Associates, Inc. **Page 33-35**

4. Ordinances

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

A. Second Readings (Ordinances and Public Hearing)

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

*B. First Readings Ordinances

1. **Emergency Ordinance Calling a Special Election for Open Office on Town Commission and Other Alternatives** – Lynn M. Dannheisser, Town Attorney **Page 36-43**

AN EMERGENCY ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, CALLING A SPECIAL ELECTION FOR ONE REMAINING OPEN OFFICE ON TOWN COMMISSION; PROVIDING FOR QUALIFYING PERIOD AND PROCEDURE; PROVIDING FOR CONTINGENCY PROVISION; PROVIDING FOR IMPLEMENTATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

[This emergency ordinance calls for a special election to fill the unoccupied commission seat for which no candidate filed and qualified during the prescribed qualification period. Emergency ordinances require only one reading]

5. Resolutions and Proclamations

(Set for approximately 8:30 p.m.) (Note: Depends upon length of Good and Welfare)

- *A. Proposed amendment to red light camera program contract with the Town and American Traffic Solutions, Inc. – David Allen, Chief of Police Page 44-47**

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, AUTHORIZING THE TOWN TO ENTER INTO AN AMENDMENT TO THE CONTRACT BETWEEN AMERICAN TRAFFIC SOLUTIONS, INC., AND THE TOWN OF SURFSIDE ATTACHED AS EXHIBIT “A” AUTHORIZING THE TOWN MANAGER AND TOWN ATTORNEY TO DO ALL THINGS NECESSARY TO IMPLEMENT THE TERMS OF THE CONTRACT; AND PROVIDING FOR AN EFFECTIVE DATE.

- *B. Expenditure of State Forfeiture Funds – David Allen, Chief of Police Page 48-51**

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, PROVIDING FOR THE FISCAL YEAR 2011/2012 POLICE CONFISCATION FUND EXPENDITURE IN THE AMOUNT OF ONE THOUSAND DOLLARS (\$1,000) TO PROMOTE AN ALCOHOL-FREE, DRUG-FREE, AND TOBACCO-FREE LIFESTYLE WITH THE AMERICAN CANCER SOCIETY ANNUAL RELAY FOR LIFE EVENT ON MAY 5 AND 6, 2012

- *C. Automated Prisoner Processing Grant – David Allen, Chief of Police Page 52-55**

RESOLUTION OF THE TOWN COMMISSION FOR THE TOWN OF SURFSIDE, FLORIDA AUTHORIZING THE TOWN MANAGER OF THE TOWN OF SURFSIDE TO APPLY FOR THE AMERICAN RECOVERY AND REINVESTMENT ACT GRANT AVAILABLE THROUGH MIAMI-DADE COUNTY TO APPLY FOR, RECEIVE, EXPEND AND AMEND BYRNE/JAG FORMULA FUNDS AND EXECUTE AGREEMENTS WITH THE PURPOSE OF DEVELOPING AND IMPLEMENTING AN INTERFACE BETWEEN THE POLICE DEPARTMENT’S RECORD MANAGEMENT SYSTEM AND MIAMI-DADE COUNTY’S; AND PROVIDING FOR AN EFFECTIVE DATE.

- *D. Town Hall Building Improvement – Elevator Upgrade – Bill Evans,
Public Works Director Page 56-60**

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, AWARDED BID TO THYSSEEN KRUPP IN AN AMOUNT NOT TO EXCEED \$50,000; RE-APPROPRIATING FUND BALANCE (RESERVES) FROM THE CAPITAL PROJECTS FUND; AMENDING THE TOWN'S BUDGET FOR FISCAL YEAR 50,000; AUTHORIZING THE TOWN MANAGER AND THE TOWN CLERK TO EXECUTE THE REQUIRED CONTRACT; AND PROVIDING FOR AN EFFECTIVE DATE.

- *E. Town Hall Building Improvement – Reroofing – Bill Evans, Public Works Director
Page 61-65**

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, AWARDED BID TO GULFSTREAM ROOFING IN AN AMOUNT NOT TO EXCEED \$40,000; RE-APPROPRIATING FUND BALANCE (RESERVES) FROM THE CAPITAL PROJECTS FUND; AMENDING THE TOWN'S BUDGET FOR FISCAL YEAR \$40,000; AUTHORIZING THE TOWN MANAGER AND THE TOWN CLERK TO EXECUTE THE REQUIRED CONTRACT; AND PROVIDING FOR AN EFFECTIVE DATE.

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

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

7. Town Manager and Town Attorney Reports

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

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

8. Unfinished Business and New Business

9. Mayor, Commission and Staff Communications

- *A. **2004 Building Better Communities Bond Program** – Roger M. Carlton, Town Manager **Page 66-85**
- *B. **Retroactive Approval of transfer of Community Center Concession Agreement to ShakaJons, Inc.** – Tim Milian, Parks and Recreation Department **Page 86-90**
- *C. **Turtle Project - Art in Public Places: Use of a portion of the Tourist Bureau Reserve Fund as a loan for a year long promotional, destination, sculpture project** – Duncan Tavares, TEDACS Director **Page 91-111**
- *D. **Town of Surfside Website Update** – Duncan Tavares, TEDACS Director **Page 112-117**
- *E. **DEP Coastal Partnership Initiative Grant Application: Retroactive Approval** – Roger M. Carlton, Town Manager **Page 118-119**
- *F. **Waiver of right of first refusal for 9501 (Verbal)** – Roger M. Carlton, Town Manager **(Linked to POL # 10)**

10. Adjournment

Respectfully submitted,



Roger M. Carlton
Town Manager

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

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

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

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

THESE MEETINGS MAY BE CONDUCTED BY MEANS OF OR IN CONJUNCTION WITH

COMMUNICATIONS MEDIA TECHNOLOGY, SPECIFICALLY, A TELEPHONE CONFERENCE CALL. THE LOCATION 9293 HARDING AVENUE, SURFSIDE, FL 33154, WHICH IS OPEN TO THE PUBLIC, SHALL SERVE AS AN ACCESS POINT FOR SUCH COMMUNICATION.



**Town of Surfside
Town Commission Meeting
MINUTES
February 14, 2012
7 p.m.**

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

1. Opening

A. Call to Order

Mayor Dietch called the meeting to order at 7:05 P.M.

B. Roll Call of Members

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

C. Pledge of Allegiance

Commissioner Kopelman led the Pledge of Allegiance.

D. Mayor and Commission Remarks – Mayor Daniel Dietch

Commissioner Kopelman spoke about his tenure as a Commissioner for the last 23 months. He thanked Town Manager, Roger M. Carlton and the members of the Town Commission..

Commissioner Olchyk spoke about the candidate forum and explained that on February 8, 2012, she was contacted about the tentative date for the candidate forum she stated that she replied as soon as she received it and said that she was not going to be in town on March 6, 2012. She wanted everyone to be aware that the reason for her absence at the forum it will be not to lack of interest on her side, but rather a lack of interest from those organizing it to accommodate her.

E. Agenda and Order of Business Additions, deletions and linkages

Commissioner Karukin made a motion to call a Special Meeting to discuss the election issues and bring an emergency ordinance in front of the Commission.

Commissioner Kopelman seconded the motion and all voted in favor.

Commissioner Karukin pulled item 3B, page 15; item 6, page 20; item 28, page 26.

Commissioner Olchyk pulled items 8, page 20; item 28, page 26; item 33, page 28; item 35, page 28.

Town Manager, Roger M. Carlton pulled Point Of Light # 27 from the Supplemental Agenda.

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

F. Community Notes – Mayor Daniel Dietch

Mayor Dietch announced that Commissioner Sally Heyman’s “Mom & Po” grants applications are due on February 17, 2012. The next Eye on Surfside crime prevention meeting is February 21, 2012 at 6:00 p.m. The Forks over Knives movie and lecture will be on February 22, 2012 at 7:00 p.m. The Parks and Recreations Department is hosting a senior trip to the Redland’s Schnebly Winery on Saturday, February 25, 2012 at 9:00 am. The Rock and Reel event will be on Saturday, March 3, 2012 at 4:00 p.m. The Parks and Recreation Department and AARP are hosting a Defensive Driving Class on Thursday, March 22, 2012. The Endlessly Organic fresh produce distribution is on February 21, 2012.

Vice Mayor Graubart announced the Third Thursday event on February 16, 2012 with Mariachis and music from Colombia between 7:00 p.m. and 10:00 p.m. He also announced that on Tuesdays at 11:00 a.m. the Town is showing episodes of the Twilight Zone with a lecture.

G. Presentation to Commissioner Ted Kopelman – Mayor Daniel Dietch

Mayor Dietch spoke about Commissioner Kopelman and presented him with a plaque of appreciation for his service to the people of Surfside.

H. Presentation from Miami Dade County Commissioner Sally Heyman – Mayor Daniel Dietch (SET FOR TIME CERTAIN AT 7:30PM)

Miami Dade County Commissioner Sally Heyman presented the Town with a modern Segway for the Police Department. She also spoke about the big event that was going to take place at Halouver Park and explained that due to permitting issues, the event had been cancelled. She also provided the Town with discounted prescription cards for the residents, where they can take the card to the pharmacy of their choice and get a discount on their medications.

I. Officer of the Year award – David Allen, Chief of Police

David Allen, Chief of Police presented John Gentile with the Officer of the Year award. Vice Mayor Graubart stated that Officer Gentile has a compassionate heart and takes the time to help those in needs.

Officer Gentile gave thanks to the Mayor and the Commissioners and stated that he is very proud to work for the Surfside Police Department.

J. Police Civilian of the Year – David Allen, Chief of Police

David Allen, Chief of Police presented Dina Goldstein with the Police Civilian of the Year. He stated that Ms. Goldstein received during the last year, 11 letters of appreciation, 9 Police Department Commendation, 2 Town of Surfside Certificates of Appreciation, she was the 2011 South East Florida Crime Prevention Association of the Year Award winner, she was also the winner of the Crime Prevention LEO Award for Dade County and she participated in over 30 crime prevention events.

Ms. Goldstein thanked the Mayor, the Commissioners, Chief Allen, Assistant Chief Dicenso and her co-workers for always supporting her and letting her excel.

K. Citizen Recognition of Dr. Shaw and Eli Tourgeman – David Allen, Chief of Police

David Allen, Chief of Police recognized Mr. Shaw and Mr. Tourgeman for contacting the Police Department on January 11, 2012 thereby assisting in an arrest of an ex-convict.

Mr. Shaw was unable to make it to the meeting.

L. Recognition of Larry Feder for his contributions to the Holiday Toy Drive –

David Allen, Chief of Police

David Allen, Chief of Police presented a plaque to Mr. Larry Feder for his continuing support to the children in need. Mr. Feder has donated toys during the Surfside Police Department Toy Drive for three consecutive years.

2. Quasi-Judicial Hearings (None)

3. Consent Agenda (*Set for approximately 7:45 p.m.*)

Commissioner Kopelman made a motion to approve the Consent Agenda. The motion received a second from Karukinand all voted in favor.

***A. Minutes** - January 17, 2012 Regular Commission Meeting
January 23, 2012 Special Commission Meeting

Approved on Consent

B. Budget to Actual Summary as of November 30, 2011 – Roger M. Carlton, Town Manager

Commissioner Karukin asked to see if the Manager could have a line item added into the report for the cash reserves.

The Mayor spoke about the monthly reports from the City of North Bay Village that includes more information and it might be a great idea to discuss at a later day.

Town Manager, Roger M. Carlton spoke and explained the Budget to Actual Summary report.

***C. Town Manager's Report (Points of Light)** – Roger M. Carlton, Town Manager

Item 6, page 20 – Commissioner Karukin spoke about the website and stated that he has been working with Duncan Tavares and that he had delayed the process because he had some questions and concerns. Vice Mayor Graubart requested to see the report that was provided by the Communication's Committee when working on this project.

Item 8, page – Commissioner Olchyk wanted to find out why the Town hasn't already start the use of the e-readers. Tim Milian, Parks and Receptions Director explained that the Wi-Fi is now available and that we are currently waiting on a legal document so that people interested in checking out the e-readers can fill out the form in order to take them and to protect the Town in case of any damages and also protecting the content on the e-readers. He stated that the program should be up and running before the next Town Commission Meeting.

Item 27, page 26 – Town Manager, Roger M. Carlton explained that the concessionaire has not been able to achieve his goals. The Town tried helping by having some special events and reducing hours during the winter. The

concessionaire advised the Town that he can no longer continue the contract. The manager brought another operator to take over the concession and the information was in their packages and the agreement is transferable. Commissioner Olchyk asked if the same healthy menu will be provided and the answered was affirmative. She asked if the compensation will remain the same and the answered was affirmative as well. Also, if he is unable by any chance to provide the meals for a party/event, the people will be able to cater from the outside.

Vice Mayor Graubart asked who is responsible for running background checks on all the concession employees. Tim Milian responded that all of the background checks are done through our Human Resources Department.

Item 28, page 26 - Commissioner Olchyk spoke against the Sea Level poles. She asked how many communities of our size with the same sea exposure have these Sea Level poles.

The Mayor explained that there would be two poles installed by an Eagle Scout, one will be installed in the bay and another one in the beach. He explained that the \$200.00 is only to cover for any staff time if there is any.

Commissioner Kopelman made a motion to approve. The motion received a second from Commissioner Karukin. The motion passed 4-1 with Commissioner Olchyk voting in opposition.

Item 33, page 28 – Commissioner Olchyk spoke about the Dog Park and stated that in her opinion there is no need for a another Dog Park within 10 blocks. The Mayor explained that there is an enormous demand and people are expressing support and he would like to honor their wishes.

Item 35, page 28 – Commissioner Olchyk wanted to know about the expenditures. Ducan Tavares, TEDACS Director explained the issues.

Vice Mayor Graubart asked to add a Points of Light as a personal privilege. He talked about a Kiddie Pool over at the Bay Harbor Islands, they have a big shade over the pool and he would like to find out what a structure like that will cost the to install over the Town's kiddie pool.

Commissioner Kopelman made a motion to accept all the items discussed. The motion received a second from Commissioner Karukin and all voted in favor.

***D. Town Attorney's Report** – Lynn M. Dannheisser, Town Attorney
Approved on Consent

***E. Projects Progress Report** – Calvin, Giordano and Associates, Inc.
Approved on Consent

4. Ordinances

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

A. Second Readings (Ordinances and Public Hearing)

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

B. First Readings Ordinances

***1. Sidewalk Businesses – Duncan Tavares, TEDACS Director**

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA AMENDING CHAPTER 18 AND SPECIFICALLY DIVISION 3 “SIDEWALK BUSINESSES” AND SPECIFICALLY AMENDING SECTIONS 18-80, 18-81; AND CREATING SECTIONS 18-82, 18-83, 18-84, 18-85, 18-86, 18-87, 18-88, 18-89, 18-90, 18-91, 18-92, AND 18-93 OF THE TOWN OF SURFSIDE CODE OF ORDINANCES PROVIDING FOR INCLUSION IN THE CODE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE

[This ordinance regulates sidewalk cafes]

Town Clerk, Sandra Novoa read the ordinance by title.

Town Manager, Roger M. Carlton introduced the item.

Commissioner Kopelman made a motion to approve the ordinance on first reading. The motion received a second from Commissioner Karukin. The motion passed 5-0.

5. Resolutions and Proclamations

(Set for approximately 8:45 p.m.) (Note: Depends upon length of Good and Welfare)

***A. A Resolution of the Mayor and Town Commission Permanently Extending the Provisions Contained in Resolution 11-1997 and 11-2043 that Provide for Police Officers to Enforce Certain Provisions of the Town Code – Joe Damien, Code Compliance Director**

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA (“TOWN”) APPROVING THE PERMANENT EXTENSION OF THE PROVISIONS CONTAINED IN RESOLUTION 11-1997 AND 11-2043 THAT PROVIDE FOR CODE ENFORCEMENT OFFICERS, WHO MAY INCLUDE LAW ENFORCEMENT OFFICERS, TO ADDRESS CODE VIOLATIONS FOR SECTION 90-79 “RESTRICTED AND PROHIBITED PARKING”, SECTION 74-01 “COMMERCIAL VEHICLES IN RESIDENTIAL AREA”; SECTION 54-02 “HANDBILL DISTRIBUTION”; SECTION 54-63 “SIDEWALK OR STREET OBSTRUCTION”; SECTION 54-78 “PROHIBITED NOISES”; SECTION 14-29 “CONSTRUCTION WORK WITHOUT PERMIT”; SECTION 10-28

“LEASH LAWS”; SECTION 10-32 “FECAL DISPOSAL”; SECTION 10-33 “DOGS ON THE BEACH”; SECTION 10-36 “BARKING OR VICIOUS DOGS”; SECTIONS 34-78 THROUGH 34-80 “LITTER ORDINANCE”; AND PROVIDING FOR AN EFFECTIVE DATE.

Commissioner Kopelman made a motion to approve. The motion received a second from Commissioner Olchyk and all voted in favor.

B. Resolution in Sympathy to the family of Jack Stevens, a Downtown Vision Advisory Committee Member – Roger M. Carlton, Town Manager

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, EXPRESSING SYMPATHY TO THE FAMILY OF JACK STEVENS, A LONG TIME PROPERTY OWNER IN DOWNTOWN SURFSIDE AND AN ACTIVE MEMBER OF THE DOWNTOWN VISION ADVISORY COMMITTEE.

Vice Mayor Graubart made a motion to approve. The motion received a second from Commissioner Kopelman and all voted in favor.

***C. Executive Recruitment of Finance Director – Roger M. Carlton, Town Manager**

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, APPROVING AN EXPENDITURE FROM THE GENERAL FUND FOR AN EXECUTIVE RECRUITING FIRM FOR SELECTION OF A FINANCE DIRECTOR; AUTHORIZING AN EXPENDITURE NOT TO EXCEED \$25,000; PROVIDING FOR AN EFFECTIVE DATE.

Commissioner Kopelman made a motion to approve. The motion received a second from Commissioner Karukin. The motion passed 4-1 with Commissioner Olchyk voting in opposition.

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

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

Annamarie Kelly spoke about the invasion of her privacy. She asked the Mayor what is the protocol to contact him because she has tried without getting a call back. She wanted to know why she needs to contact the Chief of Police in order to get any questions answered. She wants to know what is being done with the situation at the Carlyle building. She also brought a sample of her dog food with mold for the Mayor and Commissioners to see. She explained that it is because there is no air conditioning in the hallway of her building.

7. Town Manager and Town Attorney Reports

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

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

8. Unfinished Business and New Business

9. Mayor, Commission and Staff Communications

***A. Discussion of 4th of July Events** – Tim Milian, Parks and Recreation Director

Commissioner Kopelman made a motion to approve. The motion received a second from Commissioner Karukin. The motion passed 4-1 with Commissioner Olchyk voting in opposition.

***B. Update on Candidate Forum (Verbal)** – Roger M. Carlton, Town Manager

Town Manager, Roger M. Carlton spoke about the candidate forum and explained that it will only be a Mayoral Candidates Forum on March 6, 2012 at 7:00 p.m.

C. Surfside Ballot question(s) for the upcoming United States Presidential election of 2012; to be held on Tuesday, November 6, 2012 regarding multi-level parking garage(s) and the location(s) – Vice Mayor Joe Graubart

Vice Mayor Graubart spoke on his interest to place the multi-level parking garage(s) on the upcoming Presidential election ballot. The Commission concluded that it was premature to vote on the item.

D. Soft Drinks/Soda Vending Machine at 96th Street Park – Vice Mayor Joe Graubart

Tim Milian, Parks and Receptions Director explained that about 5 or 6 years ago the Town removed all the soft drinks from the vending machines and replaced them with healthy beverages and the next day there was an outpouring from residents asking for the soft drinks.

Vice Mayor Graubart spoke about the soft drinks and the amount of sugar and high fructose corn syrup they have. It is his wish to remove the soft drinks from all of the vending machines in Town.

The Mayor suggested proposing to the Parks and Receptions Committee to include some healthy beverages such as juices in the vending machines. All were in favor.

E. Resort Tax Update – Duncan Tavares, TEDACS Director

Town Manager, Roger M. Carlton explained that a written update of the Resort Tax Audit was included in their packages.

F. Ratification of the Fraternal Order of Police Local 135, Collective Bargaining Agreement– Yamileth Slate-McCloud, Human Resources Director (**Verbal Report**)

Town Manager, Roger M. Carlton

The item will be in front of the Commission on a Special Town Meeting to be schedule.

10. Adjournment

There being no further business to come before the Commission, the meeting adjourned at 9:53p.m.

Accepted this ____ day of _____, 2012

Daniel Dietch, Mayor

Attest:

Sandra Novoa, CMC
Town Clerk

TOWN OF SURFSIDE, FLORIDA
MONTHLY BUDGET TO ACTUAL SUMMARY
FISCAL YEAR 2011/2012
As of DECEMBER 31, 2011
25% OF YEAR EXPIRED (BENCHMARK)

Agenda Item #

Page

1 of 2

Agenda Date: MARCH 13, 2012

| GOVERNMENTAL FUNDS | ACTUAL | ANNUAL BUDGETED | % BUDGET | |
|---|--------------------|----------------------------|---------------------|-----|
| GENERAL FUND | | | | |
| REVENUE | \$4,360,530 | \$9,325,305 | 47% | A |
| USE OF ASSIGNED FUND BALANCE | | \$188,000 | 25% | |
| EXPENDITURES | \$2,492,706 | \$9,513,305 | 26% | |
| Net Change in Fund Balance | \$1,867,823 | | | |
| Fund Bal.-Beg. of FY(audited assigned+unassigned) | \$4,146,783 | | | A-1 |
| Fund Balance-December 31, 2011 | <u>\$6,014,606</u> | | | |
| RESORT TAX | | | | |
| REVENUE | \$23,723 | \$134,988 | 18% | B |
| EXPENDITURES | \$30,389 | \$134,988 | 23% | |
| Net Change in Fund Balance | (\$6,666) | | | |
| Fund Balance-Beg. of Fiscal Year (audited) | \$184,867 | | | |
| Fund Balance-December 31, 2011 | <u>\$178,201</u> | | | |
| POLICE FORFEITURE/CONFISCATION | | | | |
| REVENUE | \$10,836 | \$34,166 | 32% | C |
| USE OF RESTRICTED FUND BALANCE | | \$45,044 | 25% | |
| EXPENDITURES | \$8,443 | \$79,210 | 11% | |
| Net Change in Fund Balance | 2,394 | | | |
| Fund Balance-Beg. of Fiscal Year (audited) | \$117,889 | | | |
| Fund Balance-December 31, 2011 | <u>\$120,283</u> | | | |
| TRANSPORTATION SURTAX | | | | |
| REVENUE | \$29,401 | \$170,535 | 17% | D |
| USE OF RESTRICTED FUND BALANCE | | \$128,579 | 25% | |
| EXPENDITURES | \$75,418 | \$299,114 | 25% | |
| Net Change in Fund Balance | (46,017) | | | |
| Fund Balance-Beg. of Fiscal Year (audited) | \$239,760 | | | |
| Fund Balance-December 31, 2011 | <u>\$193,743</u> | | | |
| CAPITAL PROJECTS | | | | |
| REVENUE | \$146 | \$400 | 37% | E |
| USE OF ASSIGNED FUND BALANCE | | \$274,600 | 25% | |
| EXPENDITURES | \$43,074 | \$275,000 | 16% | |
| Net Change in Fund Balance | (42,928) | | | |
| Fund Balance-Beg. of Fiscal Year (audited assigned) | \$399,754 | | | |
| Fund Balance-December 31, 2011 | <u>\$356,826</u> | | | |

NOTES:

A. Timing Difference - FY 2012 ad valorem property tax revenues are remitted to the Town primarily from mid-November to March.

A-1. Includes \$2,000,000 available for hurricane/emergencies and \$188,000 utilization of Maranon property sales proceeds. The balance of \$1,958,783 is unassigned fund balance.

B. Timing Difference - Includes only the Oct & Nov. The Dec resort taxes are collected starting in January.

C. Timing Difference - Forfeiture revenue fluctuates widely.

D. Timing Difference - Includes only the Oct & Nov CITT revenue. The Dec CITT revenue is not received until late March 2012.

E. The Townwide Software Replacement project in the amount of \$100,000 has been deferred.

| ENTERPRISE FUNDS | ACTUAL | ANNUAL BUDGETED | % BUDGET | |
|--|--------------------|--------------------|-------------|-----|
| WATER & SEWER | | | | |
| REVENUE | \$748,497 | \$3,045,252 | 25% | |
| USE OF NET ASSETS/LOAN PROCEEDS | | \$10,342,572 | 25% | |
| EXPENDITURES | \$2,520,641 | \$13,387,824 | 19% | F |
| Change in Net Assets* | (\$1,772,144) | | | |
| Unrestricted Net Assets-Oct 1 (audited) | \$1,674,603 | | | |
| Unrestricted Net Assets-December 31,2011 | <u>(\$97,541)</u> | | | F-1 |
| MUNICIPAL PARKING | | | | |
| REVENUE | \$194,436 | \$693,944 | 28% | |
| USE OF NET ASSETS | | \$1,500,000 | 25% | |
| EXPENDITURES | \$226,163 | \$2,193,944 | 10% | F |
| Change in Net Assets* | (\$31,726) | | | |
| Unrestricted Net Assets-Oct 1 (audited) | \$1,385,581 | | | |
| Unrestricted Net Assets-December 31,2011 | <u>\$1,353,855</u> | | | |
| SOLID WASTE | | | | |
| REVENUE | \$555,047 | \$1,277,684 | 43% | G |
| EXPENDITURES | \$328,613 | \$1,277,684 | 26% | |
| Change in Net Assets* | \$226,434 | | | |
| Unrestricted Net Assets-Oct 1 (audited) | \$207,462 | | | |
| Unrestricted Net Assets-December 31,2011 | <u>\$433,896</u> | | | |
| STORMWATER | | | | |
| REVENUE | \$154,649 | \$1,073,452 | 14% | H |
| USE OF NET ASSETS/LOAN PROCEEDS | | \$1,712,289 | 25% | |
| EXPENDITURES | \$236,102 | \$2,785,741 | 8% | F |
| Change in Net Assets* | (\$81,453) | | | |
| Unrestricted Net Assets-Oct 1 (audited) | \$188,302 | | | |
| Unrestricted Net Assets-December 31,2011 | <u>\$106,849</u> | | | |

NOTES:(con't)

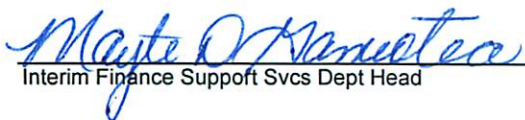
* the change in net assets excludes financial impact from Capital Assets

F. Underage due to Infrastructure/Capital Outlay projects (\$10.4 mill for water/sewer, \$2.2 mill for stormwater, \$1.6 mill for parking)

F-1. Includes rate stabilization of \$651,144, but does not include \$1,017,776 available in renewal and replacement.

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

H. Timing Difference - Underage primarily due to a budgeted and committed State Grant (FDEP #SO374) in the amount of \$474k that will not be received until mid FY 11/12


Interim Finance Support Svcs Dept Head


Town Manager



**Town of Surfside
Town Commission Meeting
March 13, 2012**

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

**POINTS OF LIGHT
After Action Items**

1. Downtown Vision Project

Current Status: Due to the number of initiatives in the Downtown Business District, Staff organized a “Town Hall” style meeting held at Bistro restaurant, 9555 Harding Avenue, on March 8, 2012. The intention of this meeting was to engage the property owners and business operators in an open dialogue. As many of these stakeholders are unable to come to Town Hall for evening meetings, a dialogue is now more than ever necessary to discuss the positive changes that have occurred, outline the vision for the future and to provide an opportunity for discussion on how the Town and Surfside businesses can continue to work together. Among the items to be discussed is the Sidewalk Café Ordinance. After its first reading at the February 14, 2012 Commission meeting, the Planning and Zoning Board reviewed the ordinance at their meeting on February 23, 2012 and unanimously supported its passage. This ordinance, as well as the Commission Communication regarding the Downtown Vision Advisory Committee (DVAC) Continuum was hand delivered to all businesses in the downtown district and mailed to all of the downtown property owners. Based on turn out and feedback at the Downtown Dialogue meeting on March 8, 2012, a second meeting may be necessary to be held during the early afternoon/evening hours. Staff is also working on new appointments to DVAC to bring in more overall community perspective, replace business owners who have been unable to attend and find a substitute for Jack Stevens who succinctly represented the interests of the property owners. Any suggestions from Town Commission are appreciated.

2. Water, Sewer and Storm Drainage and Collins Avenue Force Main Projects

Current Status: The project began on August 15, 2011 and is progressing on schedule. Nearly 95 percent of the permission slips to install the water tie-ins have been received, 359 water services have been replaced, 11,500 linear feet of water pipes have been installed, 8500 feet of sewer laterals have been repaired or lined, 445 sewer connections have been replaced or repaired, 11,000 linear feet of water main has been installed, 8200 linear feet of sewer main has been lined and 1200 linear feet of sewer main point repairs have been completed. 48,500 square yards of asphalt has been placed (first lift) on the various roads throughout Phase 1. We have also had to repair nearly 50 small and 10 major pipe breaks since the project started to keep the old system operational. The Collins Avenue sewer force main project is complete and we expect to begin operating by the end of March 2012 subject to regulatory agency approvals. This will allow the Town and Bal Harbour to clean and video the 60 plus year old force main on Byron and decide the best strategy.

A very interesting opportunity has presented itself in that the State of Florida and Bal Harbour have both offered financing at rates of 2.5 to 2.6 percent respectively to partially replace and enhance our current project financing which carries a 4.72 percent rate. The Administration is working with our bond counsel and financial advisor and is in the process of updating the TischlerBise (now Black & Veatch) rate study to determine the best course of action. We have also met with Regions Bank to determine if their interest rate could be lowered. The water/sewer/storm drainage citizen committee will be reconvened with a report to be made to the Town Commission regarding the best recommended strategy. The bottom line is that we may be able to hold our current rates in place if the interest rate is lowered and any prepayment penalty is absorbed while providing resources necessary to complete the project as originally envisioned. The source of funds to achieve this would be interest rate savings, the project contingency account and reserves. All of this will be included in a major report to be presented in early spring.

3. Feral Cat and Dog Feces Concerns: Mayor Daniel Dietch

Current Status: The Town is developing a feral cat program with trained volunteers to assist with trapping, neutering, and releasing the cats and to be responsible for the feeding and cleanup at specific locations. The program has been advertised on the website and in recent Gazettes for volunteers to become approved feeders. We now have our first volunteer. A follow up meeting was held with the Police Department, Code Enforcement Director, Suely Carmelo and Helena Forbes of the City of Sunny Isles Beach who oversees their feral cat program. More than 150 feral cats have been trapped, neutered and released (TNR) over the past year in Surfside. Five feeding locations on the beach have been identified. Volunteers will be issued identification cards and a tunic to wear. A surplus police car has been donated to the Friends of Surfside Cats to support the program and the transportation of traps and cats. The Town has increased the TNR payment from \$25 to \$30 per neutered animal to further assist with the program. The key to success is finding volunteers to complete the training. With the December 13, 2011 Town Commission approval of a small stipend for volunteers, we should be able to move this effort forward. The Town of Surfside hosted the Meow Mobile on February 12, 2012. There were 40 cats neutered or spayed and received rabies vaccines during this one day event. Surfside resident Adam Markow has been retained to write a grant from PetSmart to assist in this ongoing effort.

4. Tourist/Resort Tax Auditor/Certificate of Use/Local Business Tax Receipt/Short Term Rentals Programs

Current Status:

Resort Tax Audit: Of the twelve businesses audited, three were found to be in compliance and one is owed a refund due to their oversight. Six businesses are disputing the findings and have requested meetings with the Town Manager to review their positions as is their due per the Resort Tax Ordinance. These meetings are being scheduled through April. The remaining two have remitted their outstanding Resort Tax, penalties and interest in the total amount of \$33,243.27. The final cost of this series of audits was \$21,646.75 which is higher than expected due to the extra work of analyzing very poor records up to three years old. The Tourist Bureau receives and pays for 34% of the revenue and

expense while the General Fund receives and pays for 66%. Clearly, from the first two close out audits alone, the program has returned more than the amount invested.

Certificate of Use/Local Business Tax Receipt: Only nine Certificate of Uses are pending approval with 149 issued and 75 LBTR's (approximately 30%) are pending. Ongoing efforts by the Front Office staff and the Code Enforcement Director move us to 100% voluntary compliance or we will begin to issue notices of violation, penalties and eventually bring the noncompliant entity to a hearing officer.

Short Term Rentals: Code Compliance is conducting on-going efforts to investigate web based advertising and gathering additional information from other departments to facilitate verification and support the development of prosecutable cases. To date three condominium associations have been notified that there is evidence of short term rentals occurring in their buildings and the fact that these rentals are violating the Town's Short Term Rental Ordinance. These notifications also include a payment request for applicable outstanding Resort Tax fees. Code Compliance will continue with enforcement and collection proceedings on these and other individual examples presently being investigated. One condominium association has received and acknowledged the letter. We have not received acknowledgements from the other two.

5. Bus Shelters: Mayor Daniel Dietch

Current Status: Due to recent Federal Transportation Administration (FTA) audits, the Metro Dade Transit Agency (MDTA) has implemented additional controls and procedures in order to satisfy FTA concerns. As a result, several payments to the design consultant were delayed and the consultant stopped work on the project due to non-payment. This impacted the consultant's deliverables to MDTA as originally scheduled.

Staff has worked diligently to resolve these issues in order to move the project forward. As of January 19, 2012, MDT met the necessary financial requirements to process pending payments to the consultant. Payment is expected no later than the end of February 2012. With this said; however, the new project schedule is as follows (Attachment 1):

- Complete dry run process: End of May 2012 (all seven municipalities, including the Town, must agree to the design)
- Advertise construction contract: July 2012
- Construction notice to proceed: End of September 2012
- Expected installation: December 2012

This is extremely frustrating, however, there is little that can be done to accelerate this process due to the failure of Miami Dade County having financial controls that met FTA standards.

6. Clean Up/Update/Enhance Town Website Content: Commissioner Michael Karukin

Current Status: Staff is currently moving ahead, per Commission direction, with an agreement for e-City Services to execute a new website. See Commission Communication appearing on this agenda.

7. Bike Rental Station: Vice Mayor Joe Graubart

Current Status: The Building Official has issued permits for the two stations – on Collins Avenue opposite the Community Center and in front of Publix on the corner of Harding Avenue and 94th Street. Installation is scheduled during March, 2012. Deco Bikes is finalizing agreements on rental station locations in Bay Harbour Islands and Haulover Park.

8. New Crime Prevention Initiatives: Mayor Daniel Dietch

Current Status: Six crime prevention initiatives were reviewed by the Town Commission at the May and June 2011 Commission meetings. Four initiatives were completed and one was eliminated. The following initiative will be implemented as time and funding is available.

- Crime prevention through environmental design – landscaping, lighting, and physical barriers at the entrances to residential areas enhances safety and deters criminal activity. Several options for entrance features to major streets have been designed by the same firm that has designed the “Wayfarer” signs and the alleys east and west of Harding Avenue. Now that the signage design has been approved, Staff will seek funding sources for the entrance features and will bring a more complete single family entrance feature program to the Town Commission in the near future.

9. Beach Concessions

Current Status: As the only service and maintenance provider for the beach in Miami Dade County, the Miami Dade County Parks and Recreation Department has determined that a lease from the State of Florida for the beach in Surfside and Bal Harbour similar to their agreement in Sunny Isles Beach is necessary. The lease will include a management plan. The management plan will identify the services the County will provide for the beach, the manner and frequency the area will be maintained and rules or standards for upland properties regarding the storage and deployment of chairs, umbrellas, and cabanas on the beach. Mayor Dietch has requested that a situation wherein condominium associations place chairs on the beach in an area marked “private” be clarified and that concerns will be incorporated in the negotiations. John Ripple, Beach Operations and Maintenance Supervisor for the Miami Dade County Parks and Recreation Department has requested that the Town support the effort that the County is leading to create the lease with the State of Florida. We have provided tentative support subject to working out the Management Agreement with Miami Dade County. There will be a discussion of this entire effort before the County Recreation and Cultural Affairs Committee April 9, 2012 which, if forwarded, will go to the Board of County Commission in their May meeting. Once the proposed lease is prepared by the State of Florida, the County will offer the Town of Surfside the proposed management agreement for the Town’s review and changes or recommendations. The package will be presented to the Town Commission as soon as the documents are available.

10. 9501 Collins Avenue Townhome Development

Current Status: The Town Commission declined the first right of refusal for acquisition of the site during the August 9, 2011 meeting. Subsequently Greystone Residential LLC closed on the property and will develop the seven permitted townhomes. While there was not a legal requirement for the developer to make any capital contributions to the Town, as a matter of goodwill, the developer has offered a \$100,000 contribution to the 95th Street Gran Concourse project which will renovate 95th Street from the hard pack to Abbott Avenue. In a recent meeting, the developer agreed to an additional \$50,000 based on release of a security deposit which has been held by the Town since 2005. With the \$200,000 committed by the Grand Beach Surfside Hotel plus funds available in the Parking Enterprise Fund it is now possible to build the first block of the project. The Town Commission viewed preliminary renderings of the project during the October 11, 2011 Town Commission meeting and passed a resolution accepting the funds. During the January 17, 2012 Town Commission meeting, Staff was authorized to make contact with the architecture/engineering departments of FIU and UM to determine their interest in a design competition with cash prizes for the top three submissions. This process is underway with initial contacts made.

In a recent development, Greystone Residential LLC has been offered \$12.7 million by a single purchaser for the entire completed project. This again triggers the first right of refusal clause. Staff recommends that the Town Commission decline the option to purchase the property. A resolution to that effect appears on this Town Commission agenda.

11. Property Assessed Clean Energy (PACE): Program to retrofit existing residential and commercial buildings for energy efficiency: Mayor Daniel Dietch

Current Status: Staff has just begun to investigate this program which allows existing buildings to be retrofitted for energy efficiency with the cost funded from a loan pool authorized by the State of Florida and funded by Barclay's Capital. The low interest loans are repaid from a long term assessment on the property. There are no guarantees provided by the Town of Surfside. When Staff has completed research on the program, a report will be brought to the Town Commission.

12. FPL/AT&T/Cable Undergrounding Project

Current Status: The Town Commission allocated funds in the Water/Sewer/Storm Drainage project to provide mid-block crossover conduit so that a future undergrounding project would not have to break the pavement. Staff is working with FPL and other utilities to complete their study of the cost of undergrounding Town wide. We will keep the Town Commission aware of progress in the FPL study and bring forth methods for funding the project when the study is complete. By way of information, FPL was late in delivering the first supply of conduit necessary for the Phase 1 water/sewer/storm drainage project. Staff made the decision to complete the first course of paving before the holidays and install the conduit as a "patch", which has now been completed. The final paving will cover the patch for a smooth job. This will not happen again in future phases of the water/sewer/storm drainage project.

13. FEMA Flood Insurance Status

Current Status: Due to the extraordinary work of Building Director Paul Gioia, FEMA has sent us a letter saying that all issues which this Town Commission and Administration inherited have been resolved. We have received notice from FEMA that their Community Assistance Visit, which is the necessary step to lower rates, will occur on March 21 and 22, 2012. This issue is a high priority item for Staff and we have been accumulating the information requested by FEMA. The April, 2012 Points of Light will update the Town Commission on the outcome of the FEMA visit.

14. Bus Stop Pull-in at East Bound 96th Street, West of Abbott Avenue

Current Status: Due to the heavy traffic on 96th Street, busses do not use the pull-in because it is difficult to return to the line of vehicles. Miami Dade Transit has approved the removal of the bus pull-in (Attachment 2) and the cost to close the pull-in and add landscaping has become a condition of the proposed Development Agreement with Young Israel.

15. American Cancer Society - Relay for Life Event: Vice Mayor Joe Graubart

Current Status: Staff and Vice Mayor Graubart have attended several meetings along with representatives from Bal Harbour, Bay Harbor, Indian Creek, the American Cancer Society and event Chair, Orly Alexander. A fundraising kickoff event will be held on March 22, 2012 at One Bal Harbour. Invitations to the event will be mailed out the first week of March. The committee hopes to have 150 attendees. There will be a silent auction and each municipality is being asked to secure items to be auctioned.

The Relay for Life event is scheduled for Saturday May 5, 2012 on the hard pack at 96th Street. Committee members have been recruiting teams to sign up for the relay and raise money. Yami Slate-McCloud is the Town's team coordinator. All employees and their families are encouraged to join the team and help raise money for this worthwhile cause.

Thanks to a \$10,000 commitment by Chief Tom Hunker and the Village of Bal Harbour funded from the Police Department's Forfeiture Fund the Rely for Life event is a quarter of the way to reaching our goal. A contribution from Surfside's Forfeiture Fund in the amount of \$1000 is recommended by Chief Allen on this agenda.

16. FPL and AT&T Leaning Poles: Vice Mayor Joe Graubart

Current Status: FPL is currently working on replacing their poles. We are still working with AT&T to get their poles replaced.

17. Grease Trap Ordinance

Current Status: The Town's Building Official has determined that the existing Miami Dade County enforcement program has not been sufficient to protect our new sewer system investment. This problem has been growing with more and more clogs coming from restaurants that do not maintain, or

do not have adequate grease traps. Miami Dade County had balked at allowing the Town to enforce applicable codes saying that this was their responsibility. After further discussion, the PERA (formerly DERM) has acknowledged that Town has the authority to enforce the Florida Building Code's grease trap provisions and may act as first responders in enforcing the Code. The Building Department and Code Enforcement will be issuing letters to all restaurant establishments informing them of their responsibilities to clean and maintain their grease traps and following up with inspections as necessary. There will be a fee associated with these inspections as there was when the PERA did the work (Attachment 3).

18. Welcome to Town of Surfside Packet for New Residents: Vice Mayor Joe Graubart

Current Status: Due to the recent restructuring of the Front Office and the various time sensitive issues being addressed by Staff, this initiative is presently on hold until such time that the costs and benefits can be adequately reviewed.

19. Restore Birdhouses at Beach-side Street Ends: Mayor Daniel Dietch

Current Status: Frank McBride III, a young Town resident, built the birdhouses in 2001 as an Eagle Scout project. Two birdhouses, in rather code enforceable condition ☺, remain at the beach street ends on 88th and 90th Streets. The Town will acquire new birdhouses already made and with the assistance of Richard Iacobacci, the Eagle Scout Troop will install the birdhouses. The project will be the focus of the Town's observance of Earth Day April 22, 2012.

20. Options to Mitigate Inadequate Number of Parking Spaces at many of the Multi-family Establishments along the Collins Avenue Corridor: Mayor Daniel Dietch

Current Status: Staff has begun an investigation of this Point of Light to determine if all the buildings on the east side of Collins actually built the number of spaces required in their development approval. This will be called the "first level shortfall". The "second level shortfall" will be a number developed with the condominium managers regarding peak time of day and seasonal shortages. We will then develop strategies that require little or no capital cost such as potentially issuing monthly after hours parking permits in the street ends. As can be seen from this Point of Light update, the solution to the parking issue along Collins Avenue is not a short term project. Staff will continue to report as progress is made on this Point of Light.

21. Job Classification Study

Current Status: A draft report has been received and is being reviewed by the Town Manager and Human Resources Director. A follow up meeting has been held with Cody & Associates to clarify some of the assumptions in the study. It is anticipated that the study will be brought to the Town Commission in April, 2012.

22. Community Center Concession Operation Concerns

Current Status: The existing concession vendor David Jacobson has request a release from his contract with the Town. David suggested a replacement vendor and the Town Manager and the Parks and Recreation Director have met with both parties involved and have finalized a written agreement for the transfer of the concession agreement. This agreement will be the same terms and conditions as the original agreement between the Town of Surfside and David Jacobson. David has agreed to stay on operating the concession during the transition period.

The new vendor is Rob Cvetkovski Owner/Operator of Shaka Jon's Beach and Poolside concession with seven concession operations in Miami Dade and Broward Counties. With the transition to the new vendor, the Community Center concession will return to a seven day a week operation that will include an expanded menu along with breakfast. The Town Commission approved the transition during the February 14, 2012 meeting and the transfer agreement appears on the March 13, 2012 agenda for approval.

This Point of Light will be updated as the transition of the new vendor is completed to show the progress of the concession over the next several months.

23. Sea Level Awareness Project (SLAP): Mayor Dan Dietch

Current Status: Surfside resident Howard Rennert and the Eagle Scouts are interested in creating decorative poles that, when placed around Town, will visually show the level of sea water in that area if global warming occurs. These indicators are used to create awareness of the outcomes of global warming and to stimulate community discussion and action regarding this issue. While being a community educational initiative, the poles also serve as public art.

Discussion ensued during the February 14, 2012 Town Commission meeting and Mayor Dietch presented additional information which was attached to the Points of Light. The Administration now recommends that two poles be installed at beach walking path locations. The cost will be less than \$200 for this informational and environmentally sensitive project.

24. 2011 Red Light Camera Safety Program Report

Current Status: The quarterly report requested by the Town Commission appears below. Regarding the proffer by ATS, the red light camera vendor, to reduce our monthly fee by \$500 per camera, the firm has now requested that we extend their agreement by one year plus a one year option from the current three years. Chief Allen met with the president and senior executives of the firm at a recent conference to discuss this situation. Staff recommends that we accept this proffer which will save the Town \$30,000 annually plus \$10,000 retroactively as the cameras have proven to be a success. The amended agreement is included in the Town Commission March 13, 2012 agenda.

Report for the first quarter of FY 11/12 - (October 1, 2011-December 31, 2011).

Total Citations: October 1, 2011 – December 31, 2011:1,669

Citations by Intersection: October – December 2011

- 88th Street and Harding Avenue – 541
- 88th Street and Collins Avenue – 230
- 90th Street and Collins Avenue – 212
- 93rd Street and Collins Avenue – 501
- 96th Street and Collins Avenue – 185

Citations by Month: October – December 2011

- October – 325 *
- November – 557 *
- December – 787

Note: Citations down to Sewer Force Main Construction on Collins Avenue during October, and November.

Traffic Crash Analysis: Red light camera intersections for October –December: 3 accidents

1. 88th Street and Collins Avenue - none
2. 96th Street and Collins Avenue - none
3. 96th Street and Collins Avenue - none
4. 88th Street and Harding Avenue - none
5. 93rd Street and Collins Avenue - careless driving (1)
6. 96th Street and Collins Avenue - careless driving and improper left turn (2)

Note: None of the 3 crashes were the result of running the red light which may be caused by the driver's knowledge that the cameras are in place.

Revenue: October – December 2011

| | |
|-------------------------------|--------------|
| Revenue from citations: | \$146,469.06 |
| Payments to State of Florida: | \$69,554.00 |
| Payments to ATS: | \$63,590.00 |
| Net Revenue: | \$13,325.06 |

Over the past year, the Red Light Camera Safety Program has accomplished its goal of increasing public safety by reducing red light running and traffic crashes at five intersections. The program has been successful and Staff recommends its continuation.

25. Dog Park: Mayor Daniel Dietch

Current Status: Ms. Ann Findlay, Surfside resident, is presently conducting outreach to residents interested in a possible dog park. This group of residents would be charged with forming an association, similar to that of the Surfside Urban Gardeners, which would assume stewardship of a park – possible location at 93rd Street and Byron Avenue near the lift station.

This item will be addressed during the Fiscal Year 12/13 Budget process. A requirement will be support from the residents nearby any proposed location.

26. Isaac Bashevis Singer Movie: Mayor Dietch

Current Status: The Mayor, Town Manager and TEDACS Director recently met with Mr. Daniel Strehlau of The Windows Film Studio regarding his documentary feature on the life of Isaac Bashevis Singer. Mr. Strehlau plans on filming some of this feature in Surfside. The TEDACS Director is in contact with him to ensure that he understands Surfside's film ordinance requirements and has also provided a number of contacts within the County and State's Film Offices as well as introductions to various Surfside residents who may be of assistance. The Tourist Board, at their February 6, 2012 meeting, discussed the possibility of underwriting a scene in the feature where Surfside's shoreline and downtown will be prominently featured in exchange for film credits and did not allocate any funds. Staff is awaiting updates from Mr. Strehlau regarding his fund raising efforts and his proposed time frame for potential Surfside filming. If there is no forward movement prior to the April, 2012 Points of Light. This will be kept dormant in the "completed" records. Item completed.

27. H.O.P.E: Mayor Dietch

Current Status: The H.O.P.E Miami Beach Foundation (www.hopemiamibeach.org), in conjunction with the Miami Beach Community Church, collects used or new clothing, backpacks, luggage, prescription eyeglasses, blankets and haircutting/trimming items (etc) for the homeless. Dana Kulvin, Surfside resident, has spearheaded the collection drive.

A collection bin, placed on February 15, 2012, is located in the lobby of Town Hall and will remain until March 21, 2012. To date two car loads of clothes have been delivered. The donated items will be distributed to homeless clients through the Church located on Lincoln Road in Miami Beach at one of their next distribution events on April 21, 2012. Item completed.

28. Upgrade to Town Hall Elevator

Current Status: This item appears for Town Commission approval on the March 13, 2012 agenda. This was one of the projects included in the Town Commission "shovel ready" discussion.

29. Replacement of Town Hall Roof

Current Status: This item appears for Town Commission approval on the March 13, 2012 agenda. This was one of the projects included in the Town Commission "shovel ready" discussion.

30. Turtle Sculptures - Art in Public Places

Current Status: This project envisions turtle sculptures prepared by individual artists being placed in various locations around Town for a period of time. This art “happening” would be jointly sponsored with the TEDAC’s Board which supported the project during their March 5, 2012 meeting. See Commission Communication on the March 13, 2012 agenda.

31. Coastal Partnership Initiative Grant

Current Status: A grant application in the amount of \$30,000 has been submitted to the Florida Department of Environmental Protection for providing improved handicap parking at the 90th Street end. The grant does have a local match requirement. This application was submitted prior to Town Commission discussion to meet the submission date. See the memo describing the project on the March 13, 2012 agenda.

32. FDOT Surfside Repaving

Current Status: There are three repaving projects that will be accomplished by FDOT over the next 18 months. These include (1) Kane Concourse from the Surfside Town limits to Collins Avenue; (2) Collins Avenue from 73rd Street in Miami Beach to 96th Street and Harding Avenue from 96th Street to 94th Street and (3) Collins Avenue in Bal Harbour from 96th Street to the Haulover bridge. All of these projects will have major traffic impacts and Staff is working with FDOT on the Maintenance of Traffic (MOT) element of the plans.

33. Bus Route Linkage: Vice Mayor Joe Graubart

Current Status: Vice Mayor Graubart requested during the February 14, 2012 Town Commission meeting that Staff meet with the Miami Dade Transit Agency (MDTA) regarding extending the County bus route that passes the North Beach Publix to Surfside’s downtown area. MDTA staff has informed us that they intend to do this with the northbound bus on Collins Avenue making a U-turn at 97th Street and heading south on Harding Avenue with a stop in front of Publix at 94th Street. This route change will occur in June, 2012 per the County Staff.

34. Jewish Community Services - Memorandum of Understanding (MOU): Mayor Daniel Dietch

Current Status: At the request of Mayor Dietch, Staff met with representatives of Jewish Community Services (JCS) on February 29, 2012 to discuss entering into a Surf Bal Bay Memorandum of Understanding wherein JCS would provide services to our residents in need of support. As the Town Commission is aware, there are a number of elderly residents of all walks of life who need assistance to go to doctor appointments, shop and other life needs and who do not have a support system. JCS provides this for \$40-\$50 per month depending on the level of service. The MOU would outline how the Town would support this effort from a linkage

standpoint without any financial commitment. We believe this effort will provide a vital service to less fortunate members of the community regardless of their faith and will bring the MOU to the Town Commission in May, 2012.

35. Parking Structure Feasibility Study

Current Status: The proposals are due March 16, 2012. Six firms attended the pre-proposal conference. Numerous questions were asked and all interested parties received a response from Town staff. We will continue to report as the selection committee is established and a ranking is made. At that point, the Town Commission will decide on awarding the contract.

These items have been completed and deleted from the February 2012 Points of Light report

8. eReaders, Wi-Fi, Large Screen TV's and Broadcasting Capabilities for the Community Center: Commissioner Ted Kopelman

Current Status: Free Wi-Fi at the Community Center has been up and running since January 18, 2012. The eReader program guidelines have been reviewed by the Parks and Recreation Committee. The eReaders will soon be available on a daily basis for use at the Community Center.

The installation of both 70 inch screen TV's for the addition room and the main room has been completed. This will enable a broader range of services and events at the Community Center.

Broadcasting meetings from the Community Center will be quite expensive and the cost will be considered as part of the FY 2012/13 Budget process. Item completed.

11. Single Family Residential Solid Waste and Recycling Bills on FY 12/13 TRIM Notice and Property Tax Bills

Current Status: The four required advertisements have been completed and the Town Commission adopted the first required resolution during the November 8, 2011 Town Commission meeting. The second resolution was approved during the December 13, 2011 Town Commission agenda. Meetings will now be held with the Miami Dade County Property Appraiser and Tax Collector to complete the process, thereby allowing the majority of solid waste and recycling bills to appear on the 2012 Property Tax TRIM notices and tax bills. This will greatly enhance the efficiency of collection and avoid the need to file liens for non-payment of solid waste/recycling charges in the single family neighborhood. Item completed.

12. Policy on Art in the Community Center

Current Status: The new art exhibit in the Community Center was installed February 1, 2012. Daryle Prager, a Surfside resident of 46 years and named "Artist of Merit" by the Town of Surfside in 1994, is the current artist. A review of her work will run in the March Gazette. Item completed.

14. Replacement of Publix in North Beach – Shuttle Service for Miami Beach Residents

Current Status: This matter has now become a negotiation with Publix and the bus service vendor. Our route will remain the same and any additional service to the old North Beach Publix site will not impact Surfside's bus operation. Item completed.

22. Five Year Financial and Operation Plan Update Department Directors Retreat

Current Status: Members of the Board have expressed concern regarding the workload, priorities, resources available and other related matters that are managed by Staff on a short, mid and long term basis. In order to analyze the long term direction the Town is taking and update the Five Year Financial and Operations Plan adopted by the Town Commission in early 2011, Staff held a retreat in the Community Center on December 1, 2011. As required by the Open Government (Sunshine) Law, we requested the Town Commission to attend the meeting individually in 15 minute intervals to share their views on prioritization and long term strategic and financial goals. Mayor Dietch and Commissioners Olchyk and Karukin attended. Commissioner Kopelman was out of town. The final document will be included in the FY 2012/13 proposed budget. This item will now move to the budget process. Item completed for Points of Light.

29. Expanded Programming at the Community Center

Current Status: The Parks and Recreation Department submitted a report to the Town Commission on December 13, 2011 regarding the expansion of programming at the Community Center. The report listed 90 programs which were currently in place or could be added to expand the utilization of the Community Center by our residents and visitors, increase revenue to help our operational costs and meet the needs of targeted populations. The addition of this new group of programs stretches our capacity to manage, opens a new intellectual and artistic direction, strives to bring the community together through cross cultural events, celebrates more holidays and reaches out to our teen and senior citizen populations. Staff has been diligently working to implement the newly expanded programming. As of February 1, 2012, over 30 new programs have been implemented or are currently in progress, including programs related to the new 70" televisions. Item completed. (We believe this item should never be completed. We are just finishing it as a Point of Light).

30. Community Center Flat Screen TV's

Current Status: This item has been incorporated in Point of Light #10 related to communications at the Community Center. Item completed.

32. Paper Recycling: Mayor Daniel Dietch

Current Status: Staff has reviewed this project which would have allowed citizens to bring personal papers to be shredded by the firm shredding boxes of papers we are eliminating from Iron Mountain. After careful consideration of operational and legal issues, this project will not move forward. Item completed.

34. Vehicle Auction Revenue

Current Status: We have completed the on-line auction of police vehicles and the total revenue collected was \$12,618. A total of ten vehicles were sold as follows:

- 9 - Ford Crown Victoria's ranging in age from 1998 -2005 with an average mileage of 104,000
- 1 - Kawasaki off-road utility vehicle (2003)

This strategy more than doubled the amount of revenue we have obtained in previous surplus vehicle processes over the years. Item completed.

39. Monitoring Heavy Use, High Security, Traffic Congestion creating Events at Haulover Park

Current Status: Recently the Miami Dade County Parks and Recreation Department announced an event at Haulover Park that had been very difficult to manage in a previous incarnation. Staff met with officials from Bal Harbour Village, Bay Harbor Islands, Sunny Isles Beach and Miami Dade County in an effort to better manage or cause this event to be scheduled elsewhere where its impacts could be more limited. Per the attached letter from County Commissioner Sally Heyman, this event will not be held at Haulover Park. Item completed.

Sandra Novoa

From: Dawn Hunziker
Sent: Tuesday, March 06, 2012 2:14 PM
To: Sandra Novoa
Subject: FW: City of Surfside ARRA Shelters

From: Salmon, Javier (MDT) [mailto:jsalmon@miamidade.gov]
Sent: Monday, February 13, 2012 3:38 PM
To: Bill Evans
Subject: City of Surfside ARRA Shelters.

FYI..

I do not IF you have been copied on this email sent by our MDT Director Mrs. Llor. to Mr. Carlton... IF you haven't considered this 1. General info in the contract status 2. A Courtesy email..FOR YOU..

Mr. Carlton:

The following addresses the second item in your email regarding the status of the installation of bus shelters for the Town of Surfside (Town).

In November 2009, MDT started work on an American Recovery and Reinvestment Act of 2009 (ARRA) project for the installation of bus shelters in 18 municipalities. The Project Manager assigned to this project coordinated the scope of work based on the ARRA Grant description and available funding for each of the 18 municipalities. This was a laborious process which led to NTP to the design consultant in June 2010.

The Project Manager and selected consultant conducted a feasibility study and prepared a design-build package, including all 18 municipalities and a projected total of 154 shelters. Because of the limited in-house staff assigned to the project (i.e. one project manager) and the complexity of the project (18 different municipalities with varying needs/requests), in December 2010, the project was divided into three contracts rather than one: Groups A, B and C. Due to the nature of the Town's needs/requests, the Town was placed in Group C which includes a contract package for the design and installation of four shelters in the Town, as well, as multiple shelters in six other municipalities. The contract package bundled seven municipalities together for cost effectiveness and efficiency.

By March 2011 all right-of-way issues and surveys were completed for the Town's shelter locations. In mid August 2011, MDT and the consultant submitted 100% plans for dry run process and by late August 2011 the Town's structural reviewer had provided comments regarding the plans.

Due to recent FTA audits, MDT has implemented additional controls and procedures in order to satisfy FTA concerns. As a result, several payments to the design consultant were delayed and the consultant stopped work on the project due to non-payment. This impacted the consultant's deliverables to MDT as originally scheduled.

Staff has worked diligently to resolve these issues in order to move the project forward. As of January 19, 2012, MDT had met the necessary financial requirements to process pending payments to the

consultant. Payment is expected no later than the end of February 2012. With this said; however, the new project schedule is as follows:

Complete Dry Run process: End of May 2012 (all seven municipalities, including the Town, must agree to the design)

Advertise Construction Contract: July 2012

Construction NTP: End of September 2012

Additionally, there appears to be a misunderstanding regarding the delivery of shelters. MDT has not received shelters for this project and does not have any in storage. The MDT Project Manager, Javier Salmon, has consistently been in communication with the Town's Public Works Director, Mr. Bill Evans, in order to keep the Town abreast of the progress of the ARRA shelter project. Mr. Salmon will continue to provide regular updates.

Please let us know if you need anything further. Thank you

Javier Salmon

MDT, Construction Manager

786.469.5266 Off

786.469.5573 Fax

786.473.4710 cell.

Dawn Hunziker

From: Pearsall, Robert (MDT) [rpear@miamidade.gov]
Sent: Wednesday, February 29, 2012 5:21 PM
To: Roger Carlton
Cc: Llor, Ysela (MDT); Chen, Hugh (MDT); Guishard, Armored (MDT); Dickens, Tammy S. (MDT)
Subject: RE: Bus Route

Roger, as we discussed on Monday, my staff evaluated the turnaround that you suggested for a possible extension of Routes 115/117 from 88 Street to Surfside. The turnaround at Collins and approximately 97 Street is adequate for the mid-size buses used on Routes 115/117. We will consider this extension in our next series of service changes scheduled for June, 2012. This extension also has been requested by the Transportation Committee of the City of Miami Beach.

With this potential turnaround identified, Miami-Dade Transit has no current or future need for the eastbound pull-in bay on 96 Street between Byron and Abbott Avenues. We agree that the pull-in bay can be removed but wish to continue using this location as a bus stop.

Thanks for your patience in receiving our response to your request to remove the pull-in bay. We will advise you of our decision concerning the extension of Route 115/117 to Surfside.

Robert P. Pearsall
Section Chief, Service Planning and Scheduling
Miami-Dade Transit
786-469-5163
rpear@miamidade.gov

From: Pearsall, Robert (MDT)
Sent: Friday, February 17, 2012 4:15 PM
To: 'RCarlton@townofsurfsidefl.gov'
Subject: FW: Bus Route

Roger, I called yesterday to discuss your emails to Ysela concerning the removal the bus bay on 96 Street and the request from your Vice-Mayor to extend the Routes 115/117 to Surfside. We have no problem with removing the bay on 96 St. while maintaining the stop, however, if we were to extend the Routes 115/117 to Surfside we may need this bus bay for the routes' end of the line. We recently received a similar request from the City of Miami Beach Parking and Transportation Committee to extend the Route 115/117 to the Surfside Publix since the Publix at Harding and 69 St. is closed for renovation. We are considering the extension but I would like to discuss the two issues with you or your staff when you have time.

Thanks.

Robert P. Pearsall
Section Chief, Service Planning and Scheduling
Miami-Dade Transit
786-469-5163
rpear@miamidade.gov



**TOWN OF SURFSIDE
Building Department**

9293 Harding Avenue
Surfside, Florida 33154

305-861-4863 Ext 230 & 231

Interceptors and Separators

March 5, 2012

Restaurant Name

0000 Harding Avenue

Surfside, Florida - 33154

Certified Mail No. _____

Dear Restaurant Owner:

The Town's sewer system is currently being overburdened with grease, oil and other floating solids, which are clogging our sewer lines and costing hundreds of dollars in maintenance and repairs. We write to ask for your help in addressing this problem.

Please be advised that maintaining your **GREASE INTERCEPTOR** is a Florida Building Code requirement that you are responsible for.

Florida Building Code Section 1003.10 Access and Maintenance of Interceptors and Separators:

Access shall be provided to each interceptor and separator for service and maintenance. Interceptors and separators shall be maintained by periodic removal of accumulated grease, scum, oil, or other floating substance and solids deposited in the interceptor or separator.

Therefore the Town of Surfside Building Department, along with the Code Compliance Department will be conducting "Grease Trap" Inspections of all occupancies that have grease traps, interceptors and separators. This will ensure that the grease from your establishment is not responsible for contaminating the Town's sewer lines.

Please note that failure to correct any grease trap violations that are revealed during the inspections of your establishment may result in a \$250.00 violation to be issued.

Thank you for your cooperation.

Paul A. Gioia, Chief Building Official
Joe Damien, Code Compliance Director



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 

CC: Roger M. Carlton, Town Manager

DATE: March 13, 2012

SUBJECT: Town Attorney Monthly Update for March, 2012

The following Ordinances and Resolutions have been prepared (and/or reviewed and researched) or other advice rendered regarding the issues contained in them. In the case where agreements are attached, those contracts have also been drafted and/or reviewed and revised this month:

Ordinances:

Special Election Ordinance
 Sidewalk Café Ordinance

Resolutions:

- A. Amendment to Red Light Camera Agreement
- B. Roof Award
- C. Elevator Award
- D. Expenditure of State Forfeiture Funds
- E. Prisoner Release

The Town Attorney has prepared for, attended and/or rendered advice for the following meetings:

February 14, 2012 Commission Meeting
February 23, 2012 Planning & Zoning Meeting
February 21, 2012 Mediation Davis v Surfside
February 23, 2012 Planning & Zoning Meeting
March 1, 2012 DIC Meeting
March 6, 2012 Candidate Forum

Town Manager and Town Clerk Issues:

Continuing research on numerous election related issues
9501 Collins Avenue
Follow-up with planners, counsel for preparation of Young Israel Resolution
Community Center transfer of concession stand
SOF Beach lease
Continuing advice and inquiries re Best Western site
Continuing issues re shul project
Downtown district issues
Carlisle building code issue

Agenda for February Planning Board Sitting With Design Review Board:

Request of the Tenant of Property located at 601 Surfside Blvd.

Planning And Zoning Board:

Sidewalk Café Ordinance

Planning And Zoning Discussion Items:

Dock modifications

Building Department/Code Enforcement/Planing:

9581 Byron Avenue lien foreclosure issue
Evaluate Code Enforcement for Special Master

Human Resources Department:

FOP Arbitration closure
Pending Garnishment issue

Finance Department:

Update Audit Letter

Parks and Recreation:

Draft transfer and assignment of Concession Agreement to different vendor and hold harmless
Review Zambelli Fireworks Agreement
Draft E Reader Agreement

Police Department:

Settlement Issues re: Davis v Surfside
Amendment to Red Light Camera Agreement
FOP Arbitration agreement and preparation for Impasse

Public Works:

Continuing Utility/Sewer project issues
AECOM Settlement

Tourist Bureau:

Downtown Vision Committee issues
Tourist Board issues

Litigation:

John Davis v. Town of Surfside Case No. 07-17286 CA 08, Circuit Court of the Eleventh Judicial Circuit in and for Miami-Dade County, Florida. This case has been consolidated as to discovery with a previous case filed by a former sergeant in the Town's police department. The Court denied the Motion to Consolidate both cases for trial. A court-ordered mediation occurred on February 21, 2012. A tentative agreement was reached at the mediation. After numerous conferences a draft agreement was promulgated and when it seemed the agreement would be executed, an Executive Session was called at the P & Z Board for March 6th. Thereafter, Plaintiff continued to amend and revise the agreement. On Monday, March 5th discussions were terminated and the executive session cancelled. Outside counsel has been instructed to prepare for trial which is currently scheduled for the week of July 30, 2012.

Young Israel of Bal Harbour, Inc. v. Town of Surfside Civil Action No. 1:10-cv-24392 in the United States District Court for the Southern District of Florida. On December 10, 2010, Young Israel served a complaint alleging the Town Zoning Code imposes a substantial burden on Young Israel in violation of the Religious Land Use and Institutionalized Persons Act of 2000 ("RLUIPA). This matter is primarily being defended by The Florida League of Cities which has approved counsel to assist in the defense of this case. Mediation was held on January 4, 2012 with a follow-up Executive Session on January 9, 2012. A settlement was negotiated and approved at a Special Commission Meeting held on January 23, 2012. The Stipulation of Settlement has been filed with the Court and a joint motion to stay the matter for 120 days was filed with the Court. A Stay was granted until May 23, 2012. A site plan was filed, and there have been two meetings of

the DRG beginning February 2, 2012. The Development Impact Committee met on March 1, 2012. We are preparing a resolution for the Planning and Zoning Board meeting on March 29, 2012 at which the site plan as amended through the process will be presented.

Hapuarachchi v. Surfside. This matter was concluded on August 22, 2011. Ms. Hapuarachchi has recently filed a pro se Motion for Recusal of the Judge, which has not been set for hearing.

Florida League of City Cases:

We monitor, coordinate witnesses and assist with requests for discovery with League counsel on cases that are covered by the FMIT. In addition to Young Israel (see above), we assist counsel with the following FMIT cases:

Americo Wehbe v Town of Surfside, Civil Action No. 11-23445 in the United States District Court for the Southern District of Florida. Plaintiff filed a ten (10) count Complaint served December 13, 2011 and a Motion to Dismiss to Strike or Motion for More Definite Statement was filed on January 18, 2012. Mediation is scheduled for September 19, 2012. Florida League counsel represents the Town and these claims are currently under investigation by the Florida League of Cities counsel in accordance with the Town's insurance policy and subject to the attorney-client privilege. This office is working with the Police Department and Florida League of Cities to sort out the facts and coverage issues. The Florida League previously investigated this matter and determined there was no liability on the Town or any of the officers, and the League stated there was no probable cause for the arrest. The Court is reviewing the Joint Scheduling Report. Trial has not been set.

Special Matters:

Continued monitoring and cataloguing of new case law and legislation on Federal, State, and County levels.



TOWN OF SURFSIDE
PROJECTS PROGRESS REPORT
CALVIN, GIORDANO & ASSOCIATES. INC.
March, 2012

1. **Community Center** – Any and all warranty items are being brought to the Contractors attention for correction. The Town continues to hold \$23,000 in retainage for the remaining items to be corrected at the Activity Pool. The sub contractor for this work has made an initial site visit and will be making final corrections this month.
2. **Planning and Community Development** – Planning staff presented a discussion item regarding the length of boat docks to the Planning and Zoning Board. The Board requested additional research so that any potential code revisions do not result in non-conforming structures. Staff has reviewed the Young Israel site plan three times and provided comments to the applicants. The Development Review Group (DRG) meeting was held on February 2, 2012 and then again on February 16, 2012. The Development Impact Committee met on March 1, 2012. The results of that meeting will be provided in a memorandum to the Planning and Zoning Board / Design Review Board for their March 29, 2012 meeting. Planning staff continues to answer general zoning calls and e-mails from the public and to review building permits for conformance with the zoning code.
3. **Website, Information Technology, TV Broadcasts** – The wifi system at the Community Center continues to provide a wireless wifi signal that can be accessed inside each building and across the pool deck area. The public wifi is utilizing the existing cable broadband connection which has been isolated to protect the Town's internal network. The Community Center staff is utilizing the new AT&T T1, installed to improve bandwidth speed when accessing the Town's private network. The Community Center staff has received training on all e-reader devices and the two (2) 70" flat screen TVs that were installed at the Community Center. New computers have been ordered for the Town Hall and Community Center Staff, and they are currently in production at Dell. An additional battery backup is being added at the Community Center to support additional devices installed since inception. IT staff continues to respond to IT support requests via email and phone on a daily basis.

4. **Public Utilities / Engineering** – The Water/Sewer/Storm Drainage Project commenced on August 15, 2011 in the southern sector (Phase I) of the City. The project involves water main / water service replacements, lining of the gravity sewer mains and sewer lateral replacements, rehabilitation of the sewer pump stations, and improvements to the stormwater collection system including three (3) new drainage pump stations. Construction also commenced within the Harding and Collins Avenues corridors (with a break that occurred during the holiday season) preceding the FDOT resurfacing project anticipated to commence in April 2012. The public information project website continues to be updated frequently. At the suggestion of Mayor Dietch, the Frequently Asked Questions (FAQ's) has been updated with information gathered from the Phase II pre-construction meeting which was held on January 11, 2012.

Phase II (central portion of the Town) construction commenced in late January after the timely substantial completion of Phase I in mid-January. Phase II contains a majority of the drainage portion of the project as well as sewer and water rehabilitation and repairs.

Bal Harbour Village has completed the construction / installation of a parallel force main within the Collins Avenue corridor through the Town. Bal Harbor received approval from WASD early in January to connect to the newly installed line. This will allow for the transfer of pumped sewage from the old Bal Harbour force main under Byron Avenue to the new / shared (Bal Harbour – Surfside) Collins Avenue force main. Once completed, the old force main can be cleaned, investigated and tested; the appropriate course of action (repair / abandonment / continued back-up utilization) can then be determined.

CGA continues to work with the Town Manager regarding the potential for a partial refinancing of the project to reduce the interest cost and provide funding for additional main replacements serving the Collins / Harding Avenue corridors.

Stormwater System

Phase I Substantially Complete; majority of stormwater system work will occur in Phase II.

The construction includes the installation of a backbone stormwater conveyance system along Bay Drive that will interconnect existing stormwater culverts / piping and direct the run-off to two pump stations. Also, a third pump station will be constructed on the southern end of Carlyle Avenue. All permits have been obtained including contractor dewatering permit and FDEP well permit.

Sanitary Sewer Collection System

Phase I sewer lateral replacement is complete; TV inspection and lining (or point repair) of sewer mains will continue Town wide.

Sewer lateral replacement, television inspection and lining of the gravity sewer mains has commenced in Phase II and shall continue within the Harding and Collins Avenue corridors. The

improvements being completed on the Sanitary Sewer System are required per a consent decree with Miami-Dade County.

Water Distribution System

Phase I water main installation is completed; work outside of the roadway (behind the curb and on private property) will continue thru March to connect the new meters / water services after receipt of the Department of Health approvals.

Water main and water service installations have commenced in Phase II.

Grant status - Miami-Dade (GOB) Building Better Community Bonds \$829,000 – In place

Stormwater Master Maintenance

CGA staff assisted the Town with the response to the Florida Department of Environmental Protection comment letter on the July 2011 submittal of the Year 8 Annual Report Form. The Town staff has implemented the street sweeping program, with a private contractor sweeping every two weeks, as per National Pollution Discharge Elimination System permit requirements.

Funding Summary –

| <u>Funding Status:</u> | <u>Amount</u> | <u>Status</u> | <u>Probability</u> |
|---|----------------------|----------------------|---------------------------|
| FDEP Grant | \$873,500 | In place | 100% |
| FDEP Grant | \$125,000 | In place | 100% |
| FDEP Grant | \$100,000 | In place | 100% |
| FDEP State Revolving Fund Loan | \$9,876,438 | In place* | 100% |
| \$10,974,938 Total In Place Funding | | | |
| FEMA/PDM Grant | \$2,949,550 | In process** | 10% |
| \$2,949,550 Total In Process Funding | | | |

*The Town received the letter to incur costs on October 25, 2011.

*The Town received the letter stating \$9.876MM in available funds for the project on February 28, 2012.

**FEMA Anticipated determination in process funding sources is scheduled for June 2012.

5. **Neighborhood Improvements** – The Town Commission directed CGA to begin design alternatives working with the Contractor for a traffic calming solution for 88th St. A resident information meeting will occur prior to the design being finalized. The Town Commission determined to hold on the additive alternate projects until the water/sewer/storm drainage project was underway for one year to determine if remaining contingency account funding would be available.



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
 Sandra Novoa, Town Clerk

DATE: March 13, 2012

**SUBJECT: EMERGENCY ORDINANCE CALLING A SPECIAL ELECTION FOR
 OPEN OFFICE ON TOWN COMMISSION AND OTHER ALTERNATIVES.**

Recommendation: It is recommended that the Commission adopt this Emergency Ordinance.

Reasons: As you know, for the first time in Surfside, there are not enough candidates who have qualified to fill all the positions of Mayor and Town Commission. This circumstance is not only unusual for Surfside, but also may be unprecedented in Florida. According to our research, which has been confirmed by counsel for the Division on Elections, as well as by other city attorneys, because our Town Charter does not have a provision to deal with our circumstances, the Town has no authority to defer or otherwise cancel or stay an election.¹

¹ The Town Charter has one provision that addresses when an election can be deferred. However, this provision addresses a specific set of circumstances that do not apply to our situation. Section 105 (8) provides as follows:

“If more than five (5) candidates apply for the general Commission election, and if after the last date for qualifying and before the date of the election the number of candidates is reduced for any lawful reason to five (5) or less, the election shall be postponed by the Commission to a date not less than twenty-eight (28) days nor more than thirty-five (35) days from the scheduled election. Qualifying of candidates shall be reopened until fourteen (14) days before the new election date. The terms of all incumbent Commissioners shall be extended until their successors are duly elected.”

In our circumstances, because fewer than five (5) candidates qualified for office, the above-cited provision is inapplicable. In addition, because there are no other charter provisions that address our circumstance, the Town of Surfside has no authority to defer the election.

In Surfside, the Town Commission is composed of one Mayor and four Commissioners. In accordance with the Town Charter, Article VI, the entire Town Commission is elected every two years for a two-year term. Section 8 of the Town Charter was amended, by referendum on November 4, 2008, to provide that presiding officers are to be selected from two groups: the mayoral group and the commissioner group. The highest vote-getter in the commissioner group becomes Vice Mayor and the second, third, and fourth highest vote-getters are to be seated as Commissioners. The highest vote-getter in the mayoral group is to be seated as Mayor.

Accordingly, the election on March 20th must proceed as required by the Town Charter. As it now stands, because there are only three candidates who filed and qualified for office in the commissioner group, there is one open position and the remaining three candidates, because they are not contested, will each assume the office of Commissioner by operation of law. Under the Town Charter, the highest vote-getter of the commission group will be elected Vice Mayor. There are two candidates in the mayoral group and the highest vote-getter will be seated as Mayor.

The foregoing explains the reasons the scheduled election must proceed as planned.

But, despite this election, there is an open question as to how the fourth position as Commissioner shall be filled. Since there is no provision in the Town Charter to fill the vacant seat, the recommended remedy is to hold a “Special Election.”² In this regard, I have drafted an Emergency Ordinance that will permit the special election to fill the open seat. This is permitted by law in Florida.

Under the Home Rule powers afforded by Article VIII, Section 2 of the Florida Constitution and Section 166.021, the Town has the authority to “do anything that fulfills municipal purpose that is not otherwise prohibited by the United States or Florida Constitution, general or special law or county charter. See, Everett v. City of Tallahassee, N.D. Florida 1992, 840 F. Supp. 1528; Ocala v. Nye, 608 So.2d 15 (1992). In addition, a municipality may exercise any governmental power for a valid municipal purpose except when expressly prohibited by law and a municipality may legislate concurrently with the Legislature on any subject on which the legislature may act that has not been pre-empted by the State. See, City of Tampa for Use and Benefit of City of Tampa Code Enforcement Board v. Braxton, 616 So.2d 554 (2nd Dist. 1993); City of Hollywood v. Mulligan, 934 So.2d 1238 (2006). Consistent with these laws, we have drafted the attached emergency ordinance that provides for a “Special Election” to be set to remediate the vacant-seat problem.

Given our circumstances, it would appear that a special election is the preferred method to fill the vacancy. This is especially so where there are no other provisions that will establish the five-member governing board that is required by the Town Charter of the Town of Surfside. While the Commission could technically operate with four members, good governance dictates that citizens should not be denied a full complement of elected officials. The reasons are manifold: a) governing boards generally have an odd number of seats so as to avoid tie votes; b) the absence of

² This particular situation is not addressed under the Charter provisions for a vacancy because this term is very specifically defined in Section 15 as the “death, resignation, recall, the cessation of a member to possess the requisite qualifications, mental incompetence or conviction of a felony or a crime of moral turpitude.” Likewise, Florida Statutes Section 100.111 defines vacancy as resulting from “death, resignation, withdrawal, or removal of an elected official.” But, in either case, the legislature and most charters have these types of provision because a “vacant seat” is discouraged because, generally, citizens are entitled to a full complement of elected officials.

an official serving in an open seat is not considered a good government and preferred practice, c) the citizens are less represented and; d) having fewer than contemplated elected officials places additional burdens on the remaining elected officials.

Florida law provides a ready remedy enabling a municipality to fill an open position. This is by special election. This is consistent with the general preference that all governing bodies should operate with the full and complete membership called for by law. Accordingly, municipalities are empowered to act in a manner to assure the prescribed officials are in place to serve the public good. Specifically, §100.3605, Florida Statutes (2010), allows the “governing body of a municipality [to], by ordinance, change the dates for qualifying and for the election of members of the governing body of the municipality and provide for the orderly transition of office resulting from such changes.” In complementary fashion consistent with the empowerment of a municipality to provide a process for governance, §166.031(6) can be read to allow the promulgation of an ordinance that defines the open seat as a “vacancy” in office and then prescribe the process by which the vacancy can be filled. Section 100.101, Florida Statutes (2010), allows the conducting of a special election to fill an office that was not filled at a regularly scheduled election.

As you will see, the Emergency Ordinance calls for a special election and schedules a shortened qualifications period in order to fill the open seat on the Town Commission. If for some reason, once again, no elector qualifies for office for this open seat, the ordinance also provides that the Commission may appoint an otherwise qualified elector to serve until the next general election which would be August 14, 2012. This “appointment” process is only available if no qualified elector seeks the open seat.

The Emergency Ordinance may be passed immediately. Because of the exigent circumstances, the municipality may treat this matter as an “emergency” pursuant to Section 166.041(3)(b) which provides in pertinent part:

“(b) The governing body of a municipality may, by a two-thirds vote, enact an emergency ordinance without complying with the requirements of paragraph (a) of this subsection.”
[Two thirds in this case means three votes.]

Notwithstanding the fact that this ordinance process is consistent with Florida law, it is recommended that the Town Commission promptly propose a charter amendment to incorporate a provision that encompasses this open-seat scenario and any other election omissions that have otherwise occurred in the Town Charter.³

³ While our Town Charter is deficient in this respect, you should be aware the facts in this circumstance is an unusual situation. It was not contemplated by the National Civic League “Model City Charter.” In addition, in my own inquiries in Miami-Dade and in Broward County and around the State of Florida by Mr. Ben Kuehne, a well-respected elections lawyer whom I have consulted, not one of any of the cities contacted has such a remedial provision in their charter. In fact, and in light of the current political environment that is discouraging qualified people from seeking elected office, we have created quite a bit of consternation and anxiety among city attorneys about the need to amend their respective charters.

ORDINANCE NO.12-_____

AN EMERGENCY ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, CALLING A SPECIAL ELECTION FOR ONE REMAINING OPEN OFFICE ON TOWN COMMISSION; PROVIDING FOR QUALIFYING PERIOD AND PROCEDURE; PROVIDING FOR CONTINGENCY PROVISION; PROVIDING FOR IMPLEMENTATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town Commission of the Town of Surfside, Florida (“Town Commission”) finds that as a result of the circumstance that less than four (4) electors of the Town have timely qualified to run for the office of Town Commissioner at the March 20, 2012 general municipal election, there will remain one open office on the Commission, unless filled by special election; and

WHEREAS, the Town Charter does not provide procedures to address the unique circumstance described above, but *inter alia*, Section 2, Article VIII of the Florida Constitution, Section 166.021(Municipal Home Rule Powers Act) in conjunction with Sec. 100.3605, Florida Statutes, provides the authority to the Town Commission for the adoption of this ordinance; and

WHEREAS, Section 100.101, Florida Statutes, provides that a special election shall be held if no person has been elected at a general election of the Town to fill an office which was required to be filled by election at such general election; and

WHEREAS, the Town Commission desires to fill the remaining open office on the Commission by calling a special election within the Town as provided herein; and

WHEREAS, the Town Commission finds that the circumstance of having an open office on the Commission, during a time period where important matters need to be addressed by the Town Commission, constitutes an emergency which authorizes the Commission to adopt this ordinance on a single reading without compliance with generally applicable public notification, as such emergency adoption is expressly authorized by Section 166.041(3)(b); and

WHEREAS, the Town Commission finds that this Ordinance is consistent with the Town’s Charter, Miami Dade County Supervisor of Election procedure and State of Florida laws and regulations, resolves an emergency situation and furthers the public health, safety and welfare.

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

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. **Special Election Called.** A special election is hereby called for _____, [5 weeks from the end of qualifying of candidates as set forth Section 4. hereinbelow] from the hours of 7 A.M. to 7 P.M., during which time the qualified electors of the Town who are timely registered to vote, shall elect one (1) person who receives the highest number of votes to fill the remaining open office on the Town Commission. Further, absentee voting shall be provided in accordance with the general election laws. Early voting shall not be provided for this special election. Polling places shall be those polling places provided for the general election, unless otherwise provided by law. This election, however, shall

not proceed if only one person qualifies for this position and is automatically elected by operation of law.

Section 3. Notice of Special Election. The Town Clerk shall provide notice of this special election in accordance with Section 100.342, Florida Statutes, and shall provide such other notices as are required by law.

Section 4. Qualifying Period and Procedure. The qualifying period and manner of qualifying as a candidate for the Commission office which is presented for election at this special election, shall be as provided by Town Charter Section 101 except that in this emergency the qualifying period described therein shall be shortened in this special circumstance to be _____. The qualifying fee shall be as provided by Section 102 of the Town Charter.

Section 5. Canvass of Returns. The canvass of returns of this special election shall be as provided by Town Charter Section 108. Accordingly, the Canvassing Board shall consist of the Town Manager, Town Clerk and Town Attorney.

Section 6. Contingency Provisions. In the event that no qualified elector of the Town timely qualifies to run for the Commission office at the special election, the Commission shall appoint by a majority at the next regularly scheduled Town Commission meeting, a qualified elector of the Town to serve in the office of Commissioner for the two (2) year Commission term for the unexpired portion of the term. Qualified electors seeking such an appointment shall furnish a letter of interest in this position to the Town Clerk within ten (10) days from the failure of qualification of any candidate for special election to this position. Said appointee shall take office after his/her acceptance of said appointment and immediately after administration of the oath of office. The term of all appointed boards shall be extended by an

additional month from the date of the special election scheduled herein or from the appointment of the fourth Commissioner.

Section 7. Implementation. The Town Manager, Town Attorney and Town Clerk are authorized to take any action which is necessary for the administration of the special election and for the full accomplishment of the purposes of this Resolution, and as necessary for the Town's conformance with all applicable laws. Further, the Town Clerk is authorized to obtain any necessary election administration services and assistance from the Miami-Dade County Supervisor of Elections.

Section 8. Severability. If any section, subsection, sentence, clause, provision or phrase of this Ordinance is declared invalid or unconstitutional by a court of competent jurisdiction, the remainder shall not be affected by such invalidity, and shall stand as valid and enforceable.

Section 9. Conflicts. Any and all Ordinances and Resolutions or parts of Ordinances or Resolutions or 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 10. Effective Date. Upon adoption by a two-thirds vote of the Town Commission, this Ordinance shall be effective immediately upon adoption at the first and only reading hereof as an emergency ordinance.


PASSED and FINALLY ADOPTED on first and only reading this ____ day of March, 2012.

Daniel Dietch, Mayor

ATTEST:

Sandra Novoa, Town Clerk

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



Lynn M. Dannheisser
Town Attorney

On Final Reading Moved by: _____

On Final Reading Seconded by: _____

VOTE ON ADOPTION:

| | | | | |
|------------------------------|-----|-------|----|-------|
| Commissioner Michael Karukin | yes | _____ | no | _____ |
| Commissioner Edward Kopelman | yes | _____ | no | _____ |
| Commissioner Marty Olchyk | yes | _____ | no | _____ |
| Vice Mayor Joseph Graubart | yes | _____ | no | _____ |
| Mayor Daniel Dietch | yes | _____ | no | _____ |



Town of Surfside Commission Communication

Agenda Item #: 5A

Agenda Date: March 13, 2012

Subject: Proposed amendment to red light camera program contract with the Town and American Traffic Solutions, Inc. (attachment A).

Objective: To decrease monthly payments for program

Recommendation: Town staff recommends that the Commission approve the resolution of authorizing the amendment to the original ATS contract with the Town.


Background: The amendment to the original ATS contract reduces monthly payments to ATS from \$4,750 per camera per month to \$4,250 per camera per month beginning January 2012. The Town will also receive credit of \$10,000 for the period of September 2011-December 2011. The original contract will be extended one year until January 31, 2015 with an option to renew one additional year to January 31, 2016.

Budget Impact: \$30,000 per year (plus the \$10,000 credit for the first year) in savings from the original contract.

Staff Impact: Town staff recommends that the Commission approved the resolution of authorizing the amendment to the ATS contract.



Department Head



Town Manager

RESOLUTION NO. _____

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, AUTHORIZING THE TOWN TO ENTER INTO AN AMENDMENT TO THE CONTRACT BETWEEN AMERICAN TRAFFIC SOLUTIONS, INC., AND THE TOWN OF SURFSIDE ATTACHED AS EXHIBIT "A" AUTHORIZING THE TOWN MANAGER AND TOWN ATTORNEY TO DO ALL THINGS NECESSARY TO IMPLEMENT THE TERMS OF THE CONTRACT; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town Commission of the Town of Surfside, Florida wishes to decrease monthly payments for the "Red Light" camera program with American Traffic Solutions, Inc. (hereinafter "ATS"); and

WHEREAS, the Amendment attached as Exhibit "A" to the original ATS contract reduces monthly payments to ATS from \$4,750 per camera per month to \$4,250 per camera per month beginning January 2012; and

WHEREAS, The Town will also receive credit of \$10,000 for the period of September 2011-December 2011; and

WHEREAS, the original contract will be extended one year until January 31, 2015 with an option to renew one additional year to January 31, 2016.

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

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

Section 2. Authorization to enter into the Amendment. The Town Commission hereby authorizes the Town Manager to enter into the Amendment to the

Contract between American Traffic Solutions, Inc and the Town of Surfside attached as Exhibit "A".

Section 3. Implementation. The Town Manager and the Town Attorney are hereby authorized to take any and all action necessary to implement this Resolution and Amendment in accordance with the terms, conditions and purposes of this Resolution and Amendment.

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

PASSED AND ADOPTED this ____ day of March, 2012.

Motion by Commissioner _____, second by Commissioner _____.

FINAL VOTE ON ADOPTION

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


Daniel Dietch, Mayor

Resolution No. _____

ATTEST:

Sandra Novoa, CMC
Town Clerk

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



Lynn M. Dannheisser
Town Attorney

Resolution No. _____



Town of Surfside Commission Communication

Agenda Item #: 5B

Agenda Date: March 13, 2012

Subject: Expenditure of State Forfeiture Funds

Background: The Town is participating in the American Cancer Society annual Relay for Life event on May 5 and May 6, 2012 on the Surfside beach (Attachment A). The event promotes an alcohol-free, drug-free, and tobacco-free lifestyle for everyone. Staff is requesting to expend \$1000.00 from the forfeiture fund for a drug awareness program with the American Cancer Society.

Budget Impact: \$1000.00 from the State Forfeiture Fund

Staff Impact: None

Recommendation: For the Town Commission to approve a resolution authorizing expenditure of \$1000.00 from the State Forfeiture Fund for a drug awareness event with the American Cancer Society.

David Allen, Chief of Police

Roger M. Carlton, Town Manager

RESOLUTION NO. _____

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, PROVIDING FOR THE FISCAL YEAR 2011/2012 POLICE CONFISCATION FUND EXPENDITURE IN THE AMOUNT OF ONE THOUSAND DOLLARS (\$1,000) TO PROMOTE AN ALCOHOL-FREE, DRUG-FREE, AND TOBACCO-FREE LIFESTYLE WITH THE AMERICAN CANCER SOCIETY ANNUAL RELAY FOR LIFE EVENT ON MAY 5 AND 6, 2012

WHEREAS, Section 881(e)(3) of Title 21, United States Code and Florida Statute Section 932.7055, defines the purposes and procedures to be utilized for the appropriation and expenditure of Police Confiscation Fund; and

WHEREAS, the Chief of Police of the Town of Surfside has determined that such needs exist and is in compliance with Section 881(e) (3) of Title 21, United States Code and Florida Statute Section 932.7055; and

WHEREAS, such funds are available in the Police Confiscation Fund- State of Florida and Federal Asset Forfeiture Program.

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

Section 1. Confiscation Fund Expenditures. Based on the attached Certificate of the Police Chief, the Town Commission hereby approves the fiscal year Police Confiscation Fund expenditures for the Town of Surfside, a true and correct listing of which is set forth in Attachment "A."

Section 2. Effective Date. This Resolution shall become effective immediately upon adoption.

PASSED and ADOPTED this _____ day of March, 2012.

Motion by Commissioner _____, second by Commissioner _____.

FINAL VOTE ON ADOPTION

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

Daniel Dietch, Mayor

ATTEST:

Sandra Novoa, CMC
Town Clerk

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



Lynn M. Dannheisser, Town Attorney

ATTACHMENT "A"

CERTIFICATE OF CHIEF OF POLICE

I, DAVID E. ALLEN, Chief of Police of the Town of Surfside, do hereby certify the expenditures for \$1,000 to promote an Alcohol-Free, Drug-Free, and Tobacco-Free Lifestyle with the American Cancer Society Annual Relay For Life Event on May 5 And 6, 2012 from the Town of Surfside Confiscation Fund, for the 2011/2012 Fiscal Year budget complies with provisions Section 881(e)(3) of Title 21, United States Code and Florida Statute Section 932.7055.

Dated: 3/7/12



~~David E. Allen~~ *JOHN DI CORSO*
ASSISTANT Chief of Police



Town of Surfside Commission Communication

Agenda Item # 5C

Agenda Date: March 13, 2012

Subject: Automated Prisoner Processing Grant

Background: The Miami-Dade County Chiefs of Police Association was awarded federal funds from the American Recovery and Reinvestment Act for a county-wide automated prisoner processing project. Miami-Dade County is administering the grant through their Office of Grants Coordination. The Surfside Police Department has been allocated \$2869 for the development and implementation of an interface between our Records Management System and the one to be used by Miami-Dade County.

Analysis: N/A

Budget Impact: \$2,869 Federal Grant funds

Staff Impact: None

Recommendation: It is recommended that the Surfside Town Commission approve the contract with Miami-Dade County for federal funds in the amount of \$2,869 to develop and implement an interface between our Records Management System and Miami-Dade County's. The contract includes 76 pages and is available in the Police Chief's office for review if desired. We did not want to artificially expand the agenda materials for an item valued at \$2869.



John Di Censo
Assistant Chief



Roger M. Carlton
Manager

RESOLUTION NO. 2012- ____

RESOLUTION OF THE TOWN COMMISSION FOR THE TOWN OF SURFSIDE, FLORIDA AUTHORIZING THE TOWN MANAGER OF THE TOWN OF SURFSIDE TO APPLY FOR THE AMERICAN RECOVERY AND REINVESTMENT ACT GRANT AVAILABLE THROUGH MIAMI-DADE COUNTY TO APPLY FOR, RECEIVE, EXPEND AND AMEND BYRNE/JAG FORMULA FUNDS AND EXECUTE AGREEMENTS WITH THE PURPOSE OF DEVELOPING AND IMPLEMENTING AN INTERFACE BETWEEN THE POLICE DEPARTMENT'S RECORD MANAGEMENT SYSTEM AND MIAMI-DADE COUNTY'S; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town of Surfside desires to accomplish the purpose outlined in the accompanying memorandum a copy of which is incorporated herein by reference as Exhibit "A".

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

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

Section 2. The Town Commission authorizes the Town Manager to apply Miami-Dade County for funds in the approximate amount of \$2869.00; authorizes the Town Manager to execute such contracts and agreements as are required by this governmental body following their approval by the Town Attorney's Office; to execute such other contracts as will serve to further the purposes described in the funding request, following their approval by the Town Attorney's Office; to expend any and all monies

received for the purpose described in the funding request; to receive and expend any additional funds that might become available during the term of the grant; to file and execute necessary amendments to the application for and on behalf of the Town of Surfside, Florida; and to exercise amendment, modification, renewal, cancellation and termination clauses of any contracts and agreements on behalf of the Town of Surfside, Florida.

Section 3. The Resolution shall become effective immediately upon its adoption.

PASSED AND ADOPTED this ____ day of _____ 2012.

Motion by Commissioner _____, second by Commissioner _____.

FINAL VOTE ON ADOPTION

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

Daniel Dietch, Mayor

ATTEST:

Sandra Novoa
Town Clerk

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



Lynn M. Dannheisser, Town Attorney



miamidade.gov

ATTACHMENT "A"

Management and Budget
Grants Coordination

111 NW 1st Street • 19th Floor

Miami, Florida 33128

T 305-375-4742 F 305-375-4049

March 2, 2012

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

RE: Contract Award for the MDCACP Countywide Prisoner Processing Project Interface

Dear Chief Allen:

We are pleased to provide you with this award letter and corresponding contracts related to the Miami-Dade County Association of Chiefs of Police (MDCACP) Countywide Prisoner Processing Project under the Edward Byrne Memorial Justice Assistance Grant (JAG) Program – American Recovery and Reinvestment Act for execution by your agency. The federal funds allocated to your city for the purpose of the development and implementation of the interface between the Thinkstream A-Form Automation Solution and your records management system (RMS) are identified in your contract and attachment B.

We are providing you with copies of three (3) original contracts for your project. Each of the three contracts must have the ORIGINAL signatures of the Manager/Mayor and City Clerk, and must have the city seal affixed on the contract signature page. Also, the contracts include several Affidavits which require an ORIGINAL and notarized signature. Upon signing by your city officials, the contracts are to be returned to the Office of Management and Budget (OMB), Grants Coordination to accept these funds. Our staff will complete the execution process for the County and send you a fully executed contract for your records. Reimbursement for expenditures can occur ONLY after the contract is fully signed by the jurisdiction and returned to OMB, Grants Coordination.

In accordance with your communication with this office, it is our understanding that you are the designated contact person for this project. As such, all routine correspondence and reporting activities throughout the grant will be directed to your attention. Please notify us immediately if this designation changes.

Please feel free to contact me at (305) 375-2108 or mic3@miamidade.gov should you have any questions. Thank you in advance for your prompt attention to this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Michaela Doherty".

Michaela Doherty
Project Planner

Enclosures



Town of Surfside Commission Communication

Agenda Item: 5D

Agenda Date: March 13, 2012

Subject: Town Hall Building Improvement – Elevator Upgrade and Reroofing

Objective: To provide for emergency repairs to the elevator system and roof at Surfside Town Hall.

Elevator Background: The elevator at Surfside Town Hall is in need of emergency repairs. The elevator is over fifty years old and in 1995 minor repairs to the elevator were made. The elevator consistently malfunctions and fails and as a result, an immediate repair/upgrade is necessary. This upgrade will extend the useful life of the elevator.

Due to the emergency nature of the repairs, the Town of Surfside solicited bids for the elevator repairs/upgrade. Three firms responded. Two firms were unable to provide required references. Only Thyssen Krupp's bid was responsive and responsible.

Analysis: The Town of Surfside has a longstanding, working relationship with the company and they and their work product have proven to be reliable and professional. Based on this, the Town will benefit from quality work on the project.

Budget Impact: \$50,000 for upgrade.

Recommendation: Award the Surfside Town Hall Elevator Repairs/Upgrade to Thyssen Krupp.


Reroofing Background: The roof at Surfside Town Hall requires replacement. The roof is over seventeen years old and is failing, blistering and leaking. The Town of Surfside solicited bids from vendors due to the emergency nature of the repairs. Three vendors responded and based on those bids, it is estimated that the reroofing project costs would be approximately \$150,000. Staff has identified an alternate roofing system, Elastomeric Roof Coating at a project cost of approximately \$40,000. This alternate has a

guarantee of five years and after that an additional up to ten year guarantee is estimated at approximately \$20,000.

Analysis: The Elastomeric Roof Coating is a cost effective alternative to a complete reroofing of Town Hall.

Budget Impact: \$150,000 for a complete reroofing. \$40,000 for Elastomeric Roof Coating with a five year guarantee.

Recommendation: Award the Surfside Town Hall roofing repairs to Gulfstream Roofing using Elastomeric Roof Coating.



Department Head
Jim Director



Town Manager

RESOLUTION No. _____

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, AWARDED BID TO THYSSEEN KRUPP IN AN AMOUNT NOT TO EXCEED \$50,000; RE-APPROPRIATING FUND BALANCE (RESERVES) FROM THE CAPITAL PROJECTS FUND; AMENDING THE TOWN'S BUDGET FOR FISCAL YEAR 50,000; AUTHORIZING THE TOWN MANAGER AND THE TOWN CLERK TO EXECUTE THE REQUIRED CONTRACT; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town of Surfside solicited bids for the emergency repairs and upgrade to the elevator at Town Hall; and

WHEREAS, three proposals were received on March 1, 2012, pursuant to the project bid; and

WHEREAS, following a review of the proposals received pursuant to the solicitation, and upon recommendation of the selection committee, the Town Commission wishes to award the elevator upgrade to Thysseen Krupp in an amount of \$41,856 with the contingency not to exceed \$8,144 for a total not to exceed \$50,000; and

WHEREAS, the project was not budgeted in the 2011-2012 Fiscal Year Budget, the cost of the project requires re-appropriating of Fund Balance (reserves) in the contract amount of \$50,000 from the Capital Funds Fund Balance Account No. 301-0000-247-4000 to Capital Projects Building Town Hall Account No. 301-4400-539-6220.

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

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

Section 2. Award of Project. The Town Commission hereby awards the elevator repairs at Town Hall to Thyssen Krupp in an amount not to exceed \$50,000 and the Town Manager and the Town Clerk are hereby authorized to execute an agreement with the vendor on behalf of the Town, once approved as to form and legal sufficiency by the Town Attorney

Section 3. Budget Amendment. The Town Commission authorizes the Town Manager to amend the budget previously adopted by Resolution No. _____ to re-appropriate the contract amount described in Section 2 hereinabove from the Capital Funds Balance Account No. 301-0000-247-4000 to Capital Projects Building Town Hall Account No. 301-4400-539-6220.

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

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

PASSED AND ADOPTED this ____ day of _____ 2012.

Motion by Commissioner _____, second by Commissioner _____.

Resolution No. _____

FINAL VOTE ON ADOPTION

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

Daniel Dietch, Mayor

ATTEST:

Sandra Novoa
Town Clerk

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

Lynn M. Dannheisser, Town Attorney

Resolution No. _____



Town of Surfside Commission Communication

Agenda Item: 5E

Agenda Date: March 13, 2012

Subject: Town Hall Building Improvement – Elevator Upgrade and Reroofing

Objective: To provide for emergency repairs to the elevator system and roof at Surfside Town Hall.

Elevator Background: The elevator at Surfside Town Hall is in need of emergency repairs. The elevator is over fifty years old and in 1995 minor repairs to the elevator were made. The elevator consistently malfunctions and fails and as a result, an immediate repair/upgrade is necessary. This upgrade will extend the useful life of the elevator.

Due to the emergency nature of the repairs, the Town of Surfside solicited bids for the elevator repairs/upgrade. Three firms responded. Two firms were unable to provide required references. Only Thyssen Krupp's bid was responsive and responsible.

Analysis: The Town of Surfside has a longstanding, working relationship with the company and they and their work product have proven to be reliable and professional. Based on this, the Town will benefit from quality work on the project.

Budget Impact: \$50,000 for upgrade.

Recommendation: Award the Surfside Town Hall Elevator Repairs/Upgrade to Thyssen Krupp.


Reroofing Background: The roof at Surfside Town Hall requires replacement. The roof is over seventeen years old and is failing, blistering and leaking. The Town of Surfside solicited bids from vendors due to the emergency nature of the repairs. Three vendors responded and based on those bids, it is estimated that the reroofing project costs would be approximately \$150,000. Staff has identified an alternate roofing system, Elastomeric Roof Coating at a project cost of approximately \$40,000. This alternate has a

guarantee of five years and after that an additional up to ten year guarantee is estimated at approximately \$20,000.

Analysis: The Elastomeric Roof Coating is a cost effective alternative to a complete reroofing of Town Hall.

Budget Impact: \$150,000 for a complete reroofing. \$40,000 for Elastomeric Roof Coating with a five year guarantee.

Recommendation: Award the Surfside Town Hall roofing repairs to Gulfstream Roofing using Elastomeric Roof Coating.



Department Head
For Director



Town Manager

RESOLUTION No. _____

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, AWARDED BID TO GULFSTREAM ROOFING IN AN AMOUNT NOT TO EXCEED \$40,000; RE-APPROPRIATING FUND BALANCE (RESERVES) FROM THE CAPITAL PROJECTS FUND; AMENDING THE TOWN'S BUDGET FOR FISCAL YEAR \$40,000; AUTHORIZING THE TOWN MANAGER AND THE TOWN CLERK TO EXECUTE THE REQUIRED CONTRACT; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town of Surfside solicited bids for the emergency repairs and to the roof at Town Hall; and

WHEREAS, three proposals were received on March 1, 2012, pursuant to the project bid; and

WHEREAS, following a review of the proposals received pursuant to the solicitation, and upon recommendation of the selection committee, the Town Commission wishes to award the Elastomeric Roof Coating in an amount of \$35,754, with contingency of \$4,246; and

WHEREAS, the project was not budgeted in the 2011-2012 Fiscal Year Budget, the cost of the project requires re-appropriating of Fund Balance (reserves) in the total amount of \$40,000 from the Capital Funds Fund Balance Account No. 301-0000-247-4000 to Capital Projects Building Town Hall Account No. 301-4400-539-6220.

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

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

Section 2. Award of Project. The Town Commission hereby awards the elevator repairs at Town Hall to Gulfstream Roofing in an amount not to exceed \$ 40,000.00 and the Town Manager and the Town Clerk are hereby authorized to execute an agreement with the vendor on behalf of the Town, once approved as to form and legal sufficiency by the Town Attorney

Section 3. Budget Amendment. The Town Commission authorizes the Town Manager to amend the budget previously adopted by Resolution No. _____ to re-appropriate the contract amount described in Section 2 hereinabove from the Capital Funds Balance Account No. 301-0000-247-4000 to Capital Projects Building Town Hall Account No. 301-4400-539-6220.

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

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

PASSED AND ADOPTED this ____ day of _____ 2012.

Motion by Commissioner _____, second by Commissioner _____.

Resolution No. _____

FINAL VOTE ON ADOPTION

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

Daniel Dietch, Mayor

ATTEST:

Sandra Novoa
Town Clerk

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


Lynn M. Dannheisser, Town Attorney

Resolution No. _____



Town of Surfside Commission Communication

To: Mayor and Members of the Town Commission

From: Roger M. Carlton, Town Manager 

Date: March 13, 2012

Subject: Status of Building Better Communities Surfside, Bal Harbour, Bay Harbor Islands Letter to Mayor Gimenez regarding Advance for Funding of Northern Sewer Force Main

During the past six months the Town Commission has received both verbal and written updates regarding Miami Dade County's refusal to meet their Building Better Communities bond issue commitment to fund \$2 million to Surfside and \$6.5 million to Bal Harbour for the construction of a backup force main to take our sewage to the north regional treatment plant. The need for this project to be accelerated is clear due to the aging transmission line in Miami Beach as well as the deteriorated pipe under Government Cut that takes our sewage to the Central Plant.

The letter to Mayor Gimenez has been signed by the managers of Surfside, Bal Harbour and Bay Harbor Islands as evidence of our collective resolve to require Miami Dade County to meet its voter mandated Building Better Communities bond issue commitment and as another example of how our three communities work together on key issues of mutual concern.

Due to the importance and urgency of this matter it has been placed on the Town Commission agenda for your input and direction.

Att: Letter to Mayor Gimenez



February 28, 2012

Honorable Carlos A. Gimenez, Mayor
Miami-Dade County
Stephen P. Clark Center
111 NW 1st Street
Miami, FL 33128

**RE: 2004 BUILDING BETTER COMMUNITIES BOND PROGRAM
BAL HARBOUR/SURFSIDE SEWAGE FORCE MAIN – OBLIGATED PROJECT
REQUEST FOR FUNDING TO PROCEED**

Dear Mayor Gimenez:

Bal Harbour Village, in concert with the Towns of Surfside and Bay Harbor Islands, has been pursuing the design and construction of an alternate sewage disposal force main since 2003. Currently, our three municipalities transport our collective sewage southward eight miles through Miami Beach to the Virginia Key Treatment Facility. Recent events, particularly the catastrophic failure of Miami Beach's 36" force main on April 6, 2011, through which our collective sewage flows, have cast a bright light on the need for an alternate emergency means of sewage disposal for our communities. The well documented risks of relocating the 54" force main under Government Cut as defined by the County's own consultant further exacerbate this situation.

The system, as currently configured, routes sewage flows from Bal Harbour, Surfside and Bay Harbor to a single point of connection in Miami Beach. Our communities' collective flows are directed into a 1936 vintage force main owned and operated by the City of Miami Beach. This 1936 force main connects downstream to the 54" force main crossing under Government Cut and Fisher Island for treatment at the Miami-Dade Central Treatment Plant on Virginia Key. These facilities have both experienced significant and catastrophic failures in recent years with the most recent event occurring in April, 2011. This latest event caused sewage flow disruption to our respective communities as well as overflow issues and significant expense for tanker truck collection and disposal of the backed up sewage, not to mention sewage discharge into our recreational waters and onto our beaches. Our communities were left with no alternative other than using the ocean outfall.

We had to wait for Miami Beach to perform repairs while sewage backed up within our wet wells and our citizens were asked to “stop flushing” in an effort to reduce the flows. If the County WASD and a number of private contractors had not been available to alleviate this situation, the results to all three communities and surrounding Biscayne Bay and Atlantic Ocean waters would have been catastrophic.

Throughout the three day event, tanker trucks hired to draw down the overflows at our pump stations were predominately routed to Miami Dade’s lift station on the 163rd Street Causeway. This single fact is significant in that the backup connection being sought would provide a pipeline connection to that same lift station on to the Bay Vista treatment facility and would provide for an emergency disposal option for sewage from our collective municipalities. During this event, more than 20 tanker trucks were deployed making continual roundtrips for three days hauling raw sewage to the lift station. The 20 tanker trucks that were deployed were less than sufficient, but were the only trucks that could be marshaled from both Miami-Dade and Broward Counties. In fact, Bal Harbour and Bay Harbor had to continue pumping raw sewage directly into the sinkhole created by the catastrophic pipeline failure, which was then re-pumped south by the City of Miami Beach. This evidence alone should provide for the expedited design and construction of this much needed backup pipeline. The County’s master planners foresaw this need in 2003 when it was included in the countywide sewage master plan and subsequently proposed as a specific project within the 2004 Building Better Communities Bond Program (**See Attachment 1**).

The 2004 “Building Better Communities Bond Program” established funding for the design and construction of a 36” Regional Sanitary Sewage Force Main directed north ultimately to the Bay Vista treatment facility to serve the municipalities of Bal Harbour, Bay Harbor Islands and Surfside. The current schedule under the Bond Program, as published, calls for funding of the connection with \$6.5 million for Bal Harbour Village and \$2 million for the Town of Surfside. The scheduled funding is currently slated to be completed over three fiscal years beginning in 2016/17 through 2018/19. Design and construction of this facility needs to be accelerated to avoid future sewage spills and to protect the health, safety and welfare of the public.

Over the course of the last several months, many meetings have been conducted in an effort to move this project forward. Bal Harbour Village has been reserving and carrying funds for this specific project through every budget cycle since 2004 and has volunteered to advance the funding necessary to initiate design contingent upon agreement from the County to remunerate the Village with proceeds from the BBC Bond issuance. To date, the County has not acted on this offer and our requests to move forward. The Bal Harbour Village Council has already approved a design proposal from their consultant to complete the necessary force main design services and is prepared to move forward immediately upon execution of a funding agreement with the County.

In addition to providing an alternate emergency facility for sewage disposal, this project has additional positive impacts including job creation and a much needed boost to the local economy. The Town of Surfside Commission has authorized the Town Manager to work with Bal Harbour and Bay Harbor Islands to collectively resolve this issue.

In a meeting hosted last fall by Commissioner Sally Heyman, the proffer of Bal Harbour to advance the design funds was made. Much to our collective surprise both the Capital Improvements Division and WASD representatives stated that Miami Dade County would no longer go forward with this project because the Bay Vista Treatment Plant did not have the capacity to handle the flow from our three collective municipalities even on an emergency basis. This position was frankly shocking and from subsequent research that we have completed appears to be without any basis in fact.

To be clear, the capacity question appears to be defined in three categories. The first is whether or not the nearly brand new lift station on the 163rd Street Causeway east of Collins Avenue is able to accept the additional flow. Such determination is made by the County's PERA (formerly DERM) Sanitary Sewer Pump Stations Database which reviews peak flows and the number of hours that those flows occur. The most recent report for the Pump Station 30-0301 which is the Sunny Isles Causeway lift station reflects more than adequate capacity to handle our collective sewage **(See Attachment 2)**.

The second measure is the capacity of the Bay Vista Treatment Plant. The method by which this is monitored is a report prepared annually by the FDEP as required by FS 403.086(9)(g). This report states that its Bay Vista Treatment Plant has a capacity of 112.5 mgd. The 2010 FDEP report states that the plant has an annual daily load for 2008/9 of 81 mgd, clearly far less than its capacity **(See Attachment 3)**. Further legislation that appears to be moving its way through the Legislature this year will provide relief to the urban regional plants allowing more time to increase capacity and greater ability to use outfalls under certain circumstances.

The third measure can only be the capacity of the force main connecting the Sunny Isles lift station to the Bay Vista Treatment Plant. While this line may be of the same vintage and poor quality as the line under Government Cut, we believe that the \$8.5 million available plus a small additional amount could continue the voter approved Building Better Community force main from the Sunny Isles lift station to the Bay Vista Treatment Plant. How this additional funding would be provided is certainly open for discussion.

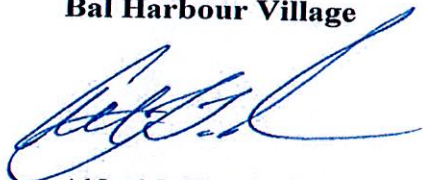
Finally and most disturbing is an email from former Chief of Staff Susie Torriente **(See Attachment 4)**, who oversaw WASD, suggesting that the County might be willing to provide the BBC money allocated to Bal Harbour and Surfside to Miami Beach to fix their aging system. This concept directly subverts the voter approved BBC commitment to our three communities that a backup alternate line would be built. It further rewards Miami Beach for not keeping its infrastructure up to date while our three municipalities have invested heavily in keeping our infrastructure efficient and

in good condition. In fact Bal Harbour, Surfside and Bay Harbor have just replaced their force main to Miami Beach at a cost of nearly \$4.0 million and Surfside is investing nearly \$20 million in replacing its water/sewer/storm drainage system town wide.

We are seeking your assistance in moving this project forward and we welcome the opportunity to present our issues and concerns in a meeting at your earliest convenience. Bal Harbour Village will serve as the primary contact and facilitator of the requested meeting. Mrs. Andrea Greenblatt, Executive Assistant to Village Manager Alfred Treppeda, can be reached at 305-866-4633 for meeting scheduling and coordination.

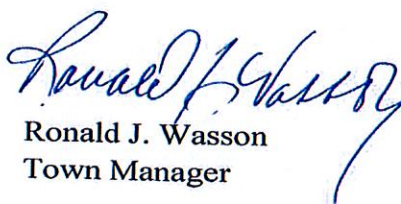
Respectfully on behalf of our communities,

Bal Harbour Village



Alfred J. Treppeda
Village Manager

Town of Bay Harbor Islands



Ronald J. Wasson
Town Manager

Town of Surfside



Roger M. Carlton
Town Manager

cc: Commissioner Sally Heyman
John Renfrow, Director of Miami-Dade WASA



OFFICE OF CAPITAL IMPROVEMENTS
GENERAL OBLIGATION BOND PROGRAM
 Report 20 - Planned vrs Actual Schedule for Site #71182
 Miami-Dade Water and Sewer Department

6/30/2011 4:03:44 PM

Department: Miami-Dade Water and Sewer Department

GENERAL OBLIGATION BOND SITE : #71182

Project Title: 17.19-MuniWASD Projects (Sewer) by the nature of the project - Countywide Water and Sewer System Enhancements
Project Desc: Construct main, pipeline and other enhancements to water delivery systems and to sewer collection systems to increase efficiency, capacity, quality of service, public health or fire protection. (added funding from M.Springs proj. 17.2 - \$1,550,000 by Resolution R-825-08 for total GOB revenue \$206,770,000). WASD managed projects are from 17.12 to 17.23 for a total of \$206,770,000.

Site Number: #71182 - Code: G - Location: COLLINS AVE and 96TH ST

Site Desc: WASD/MUNISurfside sewer line

Site Duration: Start Date: 10/1/2017 - End Date: 9/30/2018 - Duration: 364

Site Comments: This project also funded as Bal Harbor sewer main. Future Project to begin in 2017.

Site Physical Commission District: District 4-Sally A. Heyman

| SITE MILESTONE SCHEDULE REPORT FOR SITE #71182 | | | | | | | | | | | |
|--|---------------------------|-----------------|-------|-----------------|--------------------------------|--------------|-------|---------|--------------|--------------|------------------|
| Milestone: | Planned Dates (10/3/2005) | | | Current Budget: | Actual Dates (As of 4/24/2008) | | | Status: | Percent Time | Percent Paid | Percent Complete |
| | Planned Start Dt: | Planned End Dt: | Days: | | Updated Start: | Updated End: | Days: | | | | |
| Construction | 10/1/2017 | 9/30/2018 | 364 | \$2,000,000 | 10/1/2017 | 9/30/2018 | 364 | \$0 | Not Started | | |
| Baseline Milestone Total: | | | | \$0 | | | | | | | |
| Proposed Milestone Totals: | | | | \$2,000,000 | | | | \$0 | | | |

Note: G=Planned End Date - Updated End Date < 91 Days
 Y=Planned End Date - Updated End Date > 90 and < 181 Days
 R=Planned End Date - Updated End Date > 180



**OFFICE OF CAPITAL IMPROVEMENTS
GENERAL OBLIGATION BOND PROGRAM
Report 20 - Planned vrs Actual Schedule for Site #70232
Miami-Dade Water and Sewer Department**

Department: Miami-Dade Water and Sewer Department

6/30/2011 4:07:33 PM

GENERAL OBLIGATION BOND SITE : #70232

Project Title: 17.19-Muni/WASD Projects (Sewer) by the nature of the project - Countywide Water and Sewer System Enhancements
Project Desc: Construct main, pipeline and other enhancements to water delivery systems and to sewer collection systems to increase efficiency, capacity, quality of service, public health or fire protection. (added funding from M.Springs proj. 17.2 - \$1,550,000 by Resolution R-825-08 for total GOB revenue \$206,770,000). WASD managed projects are from 17.12 to 17.23 for a total of \$206,770,000.

Site Number: #70232 - Code: G - Location: COLLINS AVE and 96TH ST

Site Desc: WASD/MUNI Bal Harbour/ Force Main

Site Duration: Start Date: 10/1/2016 - End Date: 9/30/2019 - Duration: 1094

Site Comments: This project is also funded as Surfside sewer line. Future Project to begin in 2016.

Site Physical Commission District: District 4-Sally A. Heyman

| Milestone: | Planned Dates (10/3/2005) | | | Actual Dates (As of 4/24/2008) | | | | | | | |
|----------------------------|---------------------------|-----------------|-------|--------------------------------|--------------|-------|-------------|-------------|--------------|--------------|------------------|
| | Planned Start Dt: | Planned End Dt: | Days: | Updated Start: | Updated End: | Days: | Expended: | Status: | Percent Time | Percent Paid | Percent Complete |
| Design | 10/1/2016 | 9/30/2017 | 364 | 10/1/2016 | 9/30/2017 | 364 | \$0 | Not Started | | | |
| Construction | 10/1/2017 | 9/30/2019 | 729 | 10/1/2017 | 9/30/2019 | 729 | \$0 | Not Started | | | |
| Baseline Milestone Total: | | | | | | | \$0 | | | | |
| Proposed Milestone Totals: | | | | | | | \$6,500,000 | | | | |

Note: G=Planned End Date - Updated End Date < 91 Days
 Y=Planned End Date - Updated End Date > 90 and < 181 Days
 R=Planned End Date - Updated End Date > 180



2004 Building Better Communities General Obligation Bond Program

QUICK FACTS

WHAT?

- On July 20th, 2004, the Board of County Commissioners approved the *2004 "Building Better Communities"* 8 ballot questions. These 8 questions are set to go before the voters on the November 2 general election ballot.

WHY?

- A little more than thirty years ago, the voters in Miami-Dade County approved the Decade of Progress (DOP) bonds that were used to build much of the County's infrastructure we see today: MetroZoo, regional parks, water and sewer systems, libraries and community centers.
- Miami-Dade County has more than \$7 billion in "unfunded" needs---that is, projects deemed necessary to maintain, upgrade, and expand our community's infrastructure, but for which no funding source has been identified. A new comprehensive bond program can address a significant amount of those capital needs.
- The County identified these needs by seeking the public's input through more than 100 town hall, business and civic group meetings. This input helped define the list of projects which are included in the *2004 "Building Better Communities"* bond program.
- As monies/bonding capacity is freed up from paying off existing debt, we estimate we can finance \$2.926 billion worth (including issuance costs) of these capital needs. Our plan is to issue multiple bond sales over approximately a 13-year period.
- The new bond program, as proposed, would not translate into an increase of the property tax rate. While future property taxes will be used to repay the bonds, the millage rate now budgeted to repay the Decade of Progress bonds, other obligation bonds and a temporary emergency contingency reserve should be sufficient to cover debt service on a new bond program.

WHY NOW?

- We have a unique opportunity today to issue new bonds while staying within the .39 mills debt service rate.
- The time is also important because rising construction costs will increase capital construction costs.
- Based on current assumptions on tax roll growth and financing charges, the current millage rate of .390 mills will generate up to \$2.926 billion.



2004 Building Better Communities General Obligation Bond Program

HOW THE BOND PROGRAM WILL WORK – IF ALL QUESTIONS ARE APPROVED

- Program Size: \$2.926 Billion
- Timing: Construction - over time will have continuous construction schedules from now and through the next 18 years
Bond Program Life – approximately 43 years (including last bond issues)
- Cost to Taxpayers: \$20.39 an average in today's dollars on the average house valued at \$139,000 in 2004

HOW DOES THE BUILDING BETTER COMMUNITIES PROGRAM BENEFIT THE COMMUNITY?

- The *2004 Building Better Communities* bond program earmarks \$2.926 billion for community capital improvement projects (includes issuance and other financing charges).
- The *2004 Building Better Communities* bond program is categorized into 8 different areas:
 1. **Water, Sewer and Flood Control Systems (\$378.183 million)**
 - Water & Sewer Improvements
 - Drainage
 2. **Park and Recreation Facilities and Greenspace (\$680.258 million)**
 - Improvements To More Than 100 Parks
 - Beach Re-nourishment
 - Environmentally Endangered Lands (EEL)
 - Purchase of Development Rights (PDR)
 3. **Bridges, Public Infrastructure and Neighborhood Improvements (\$352.182 million)**
 - Bridges
 - Bikeways
 - Economic Development Projects
 - Miami River Greenway
 - Seaport Access Improvements
 4. **Public Safety Facilities (\$341.087 million)**
 - Animal Service Facilities
 - Beach Rescue Facilities
 - Additional Courtrooms
 - Mental Health Facility
 - New Detention Center
 - Renovate Existing Detention Centers
 - Police Equipment Improvements



2004 Building Better Communities General Obligation Bond Program

5. **Healthcare (\$171.281 million)**
 - JMH Emergency Room Services
 - Renovate/Expand JMH Pediatric Care
 - Improvements to JMH South
 - Improvements to JMH Radiology Recovery Unit
 - Improvements to JMH Hialeah Center
 - Neighborhood Healthcare Facilities

6. **Public Service Outreach (\$255.070 million)**
 - Neighborhood Service Facilities
 - CBO Capital Fund
 - Multi-Purpose Facilities
 - Miami Beach Convention Center
 - Renovations to Various Government Buildings

7. **Housing (\$194.997 million)**
 - Elderly & Family Housing and 1st /2nd Mortgages
 - Homeless Programs

8. **Cultural, Library and Multicultural Educational Facilities (\$552.692 million)**
 - Museum
 - Historical preservation
 - Theaters/Auditoriums
 - Libraries
 - Head Start Center

Additionally, \$260 Million will be used to fund neighborhood projects in municipalities and Unincorporated Miami-Dade County (UMSA).

NEXT STEPS...

- Conduct an extensive public education and information campaign
- Establish guidelines for agreements with municipalities and non-governmental entities that will receive bond funds for community capital improvements
- Establish guidelines and procedures to access to Capital Bond Funds

- Develop legislation establishing a Citizen Advisory Committee (for board of County Commissioners' approval) to ensure citizen participation in the bond program.

- Develop project schedules and phasing plans

- November 2nd General Election - Eight resolutions will appear on the ballot for voter approval.

Sanitary Sewer Pump Stations Database

Pump Station Monthly Information

Pump Station: 30 - 0301

UNINCORPORATED DADE COUNTY

350 SUNNY ISLES BLVD

Station Category: ET

NOTE: All Flows are in GPDs.

Moratorium: OK
OK

Moratorium in effect since: 1/27/2007

Section - Township - Range: - -

Generator: Telemetry: ET Clock:

Type: Class: Speed: H.P.:

Peak Factor (last 7 entries): 2.10

Number of Pumps: 4

| Peak Factor: | Modified By: | Date: |
|--------------|--------------|------------|
| 2.10 | NEUMAR | 01/29/2007 |
| 2.40 | TRANSFER | 01/27/2007 |

| | |
|------------------------|---------|
| Yearly NAPOT (hrs): | 5.83 |
| Reserved Flow (gpd): | 190,740 |
| Projected Napot (hrs): | 6.24 |
| Used Capacity (%): | 117.00 |

| | |
|------------------------------|------------|
| Stn Gross Capacity (gpd): | 15,984,000 |
| Station Reduction Factor: | 0.70 |
| Stn Net Cap Certified (gpd): | 0 |
| Station Net Capacity (gpd): | 11,188,800 |
| Indicated Flow (gpd): | 2,717,946 |

| Date: | NAPOT: | Avg. Daily: | Reading: | # of Pumps: | Comments: | Modified By: | Date: |
|------------|--------|-------------|----------|-------------|-----------|--------------|------------|
| 6/14/2011 | 5.12 | 15.35 | Y | 4 | | AREASR | 07/28/2011 |
| 5/13/2011 | 5.49 | 16.46 | Y | 4 | | AREASR | 06/29/2011 |
| 4/14/2011 | 5.02 | 15.05 | Y | 4 | | AREASR | 05/31/2011 |
| 3/15/2011 | 5.94 | 17.83 | Y | 4 | | AREASR | 04/28/2011 |
| 2/14/2011 | 5.65 | 16.94 | Y | 4 | | AREASR | 03/28/2011 |
| 1/14/2011 | 5.93 | 17.78 | Y | 4 | | AREASR | 03/11/2011 |
| 12/13/2010 | 5.86 | 17.57 | Y | 4 | | AREASR | 01/27/2011 |
| 11/11/2010 | 6.07 | 18.21 | Y | 4 | | AREASR | 12/28/2010 |
| 10/13/2010 | 6.19 | 18.58 | Y | 4 | | AREASR | 11/24/2010 |
| 9/14/2010 | 7.02 | 21.07 | Y | 4 | | AREASR | 10/25/2010 |

Sanitary Sewer Pump Stations Database

Pump Station Monthly Information

Pump Station: 30 - 0301

UNINCORPORATED DADE COUNTY

350 SUNNY ISLES BLVD

Station Category: ET

NOTE: All Flows are in GPDs.

Moratorium: OK
OK

Moratorium in effect since: 1/27/2007

Section - Township - Range: - -

Generator: Telemetry: ET Clock:

Type: Class: Speed: H.P.:

Peak Factor (last 7 entries): 2.10

Number of Pumps: 4

| Peak Factor: | Modified By: | Date: |
|--------------|--------------|------------|
| 2.10 | NEUMAR | 01/29/2007 |
| 2.40 | TRANSFER | 01/27/2007 |

| | |
|------------------------|---------|
| Yearly NAPOT (hrs): | 5.80 |
| Reserved Flow (gpd): | 192,755 |
| Projected Napot (hrs): | 6.21 |
| Used Capacity (%): | 116.44 |

| | |
|------------------------------|------------|
| Stn Gross Capacity (gpd): | 15,984,000 |
| Station Reduction Factor: | 0.70 |
| Stn Net Cap Certified (gpd): | 0 |
| Station Net Capacity (gpd): | 11,188,800 |
| Indicated Flow (gpd): | 2,703,960 |

| Date: | NAPOT: | Avg. Daily: | Reading: | # of Comments: | Modified By: | Date: |
|------------|--------|-------------|----------|----------------|--------------|------------|
| | | | | Pumps: | | |
| 7/15/2011 | 5.54 | 16.63 | Y | 4 | AREASR | 08/23/2011 |
| 6/14/2011 | 5.12 | 15.35 | Y | 4 | AREASR | 07/28/2011 |
| 5/13/2011 | 5.49 | 16.46 | Y | 4 | AREASR | 06/29/2011 |
| 4/14/2011 | 5.02 | 15.05 | Y | 4 | AREASR | 05/31/2011 |
| 3/15/2011 | 5.94 | 17.83 | Y | 4 | AREASR | 04/28/2011 |
| 2/14/2011 | 5.65 | 16.94 | Y | 4 | AREASR | 03/28/2011 |
| 1/14/2011 | 5.93 | 17.78 | Y | 4 | AREASR | 03/11/2011 |
| 12/13/2010 | 5.86 | 17.57 | Y | 4 | AREASR | 01/27/2011 |
| 11/11/2010 | 6.07 | 18.21 | Y | 4 | AREASR | 12/28/2010 |
| 10/13/2010 | 6.19 | 18.58 | Y | 4 | AREASR | 11/24/2010 |
| 9/14/2010 | 7.02 | 21.07 | Y | 4 | AREASR | 10/25/2010 |

Roger Carlton

From: Ed J. Hernandez [edh77@bellsouth.net]
Sent: Friday, February 03, 2012 1:30 PM
To: Roger Carlton
Subject: FW: NAPOT REPORT

Importance: High

See below

From: Neumann, Richard, P.E. (DERM) [mailto:NeumaR@miamidade.gov]
Sent: Tuesday, September 06, 2011 11:28 AM
To: Ed J. Hernandez; Hernandez, Carlos, P.E. (DERM)
Cc: Aguirre, Oscar (DERM)
Subject: RE: NAPOT REPORT

Station 301 is different from most of the county pump stations in that it has four pumps, rather than the normal two. The ratings for all pump stations are based on operation with one pump out of service. Station 301 is therefore based on operation with three pumps. The pumps at station 301 are rated at 3700 GPM. One pump running for 24 hours straight would pump 5.33 million gallons per day (MGD). Three pumps running would pump 15.984 MGD, which is the station gross capacity. Since running all three pumps at the same time will increase the pressure drop in the force main leading from the station, it will decrease the flow output of the pumps, since they will be operating at a higher pressure point on the pump curve. This factor is taken into account in the Station reduction factor, which is 0.70 for the station. Multiplying this factor times the station gross capacity gives the station net capacity, which is 11.19 MGD. This is what the station would pump if the pumps were running 24 hours per day. County Code requires that the pumps for most stations run no more than 10 hours per day, as an annual average. Station 301 is one of three stations in the county that are allowed higher hours, based on an extensive study of flow into the station. Station 301 has an allowed hour usage of 11.43 hours. This means that the maximum annual average flow to the station would be 5.33 MGD. This value is not noted on the report sheet. The indicated flow is determined from the station net capacity and the yearly NAPOT hours. This is how much the station is pumping on a yearly average. The reserved flow is the total of all current allocations upstream of the pump station. The projected NAPOT converts the reserved flow to a equivalent running time, based on the station net capacity, and adds the time to the yearly NAPOT. **The used capacity is the projected NAPOT divided by the allowed running hours, 11.43 in this case but normally 10 hours. I see that in the sheet I sent you the used capacity was shown as 117.00%. I don't know how this value occurred. The correct value should have been 54.59%.**

In the table at the bottom, the Avg. Daily reading represents the daily average of the total run times of all the pumps for the period ending on the date in the left column. The NAPOT is the Avg. Daily reading divided by the number of pumps at the station, minus one. The NAPOT readings for the last year are averaged to give the Yearly NAPOT.

If there are parts of the readout that are still unclear, let me know.

From: Ed J. Hernandez [mailto:edh77@bellsouth.net]
Sent: Friday, September 02, 2011 11:36 AM
To: Neumann, Richard, P.E. (DERM); Hernandez, Carlos, P.E. (DERM)
Cc: Aguirre, Oscar (DERM)
Subject: RE: NAPOT REPORT

Mr. Neumann, I hope all is well. My client and I reviewed the NAPOT report regarding pump station 30-0301. Admittedly, I'm not an expert but it seems as if the numbers don't add up. I'm sure I'm missing something. Could explain the numbers, please? My client, Surfside wishes to get some clarification, as well.

Sincerely,

Ed

Ed J. Hernandez
EJH Consulting, LLC
801 Arthur Godfrey Road
Suite 401
Miami Beach, FL 33140
305-510-8845

From: Neumann, Richard, P.E. (DERM) [mailto:NeumaR@miamidade.gov]
Sent: Wednesday, August 17, 2011 8:03 AM
To: Hernandez, Carlos, P.E. (DERM); Ed J. Hernandez
Cc: Aguirre, Oscar (DERM)
Subject: RE: NAPOT REPORT

Mr. Hernandez, I am not completely certain which pump station you want, since Sunny Isles Blvd and NE 163 Street are the same street. I believe that station 30-0301 is probably the one you are referring to. It is located at 350 Sunny Isles Blvd. and serves the beach area north from Haulover Cut to the Broward County line. The station is in OK status, and has about 2 MGD of available pumping capacity. It should be noted that the gravity collection system leading to the pump station probably does not have this much additional capacity, and if the proposed project involves a large new flow into the system an analysis of the capacity of the gravity system will have to be performed. A recent history of the station operation is attached.

If this is not the station you are interested in, please provide my the location of the area to be served and I will get you the information on the station serving the area.

From: Hernandez, Carlos, P.E. (DERM)
Sent: Tuesday, August 16, 2011 4:11 PM
To: 'Ed J. Hernandez'
Cc: Neumann, Richard, P.E. (DERM); Aguirre, Oscar (DERM)
Subject: RE: NAPOT REPORT

Ed - Typically 2, but not more than 5 days.

Oscar/Richard – please send Ed NAPOT for PS – thanks.

Carlos L. Hernandez, PE, CEHP, CFM.
Chief
Plan Review and Development Approvals Division
Department of Environmental Resources Management (DERM)
P-786-315-2800
F-786-315-2919
e-mail: hernac@miamidade.gov
"Delivering Excellence Every Day"

The Miami-Dade Department of Environmental Resources Management (DERM) values your feedback as a customer. DERM is committed to its mission "to balance today's needs through responsible governance, education, and conservation, to protect our environment for tomorrow." And as part of our mission, we continuously assess and improve the quality of services provided to you. Please take a few minutes to comment on our quality of service. Simply click on this <http://derm.miamidade.gov/survey>. Thank you in advance for completing our customer survey.

From: Ed J. Hernandez [mailto:edh77@bellsouth.net]
Sent: Tuesday, August 16, 2011 4:06 PM
To: Hernandez, Carlos, P.E. (DERM)
Subject: NAPOT REPORT

Carlos, great speaking with you last week. I really appreciate all the information. As per our conversation, my client wishes to get the NAPOT report on the pump station located on NE 163 Street and Sunny Isles Blvd. I'm making this request in accordance with Chapter 119 public records request. Also you had asked me who my client is and it is City of Surfside Public Works Division. When will this information be available?

Sincerely,

Ed
Ed J. Hernandez
EJH Consulting, LLC
801 Arthur Godfrey Road
Suite 401
Miami Beach, FL 33140
305-510-8845

Sanitary Sewer Pump Stations Database

Pump Station Monthly Information

Pump Station: 30 - 0301

UNINCORPORATED DADE COUNTY

350 SUNNY ISLES BLVD

Station Category: ET

NOTE: All Flows are in GPDs.

Moratorium: OK
OK

Moratorium in effect since: 1/27/2007

Section - Township - Range: - -

Generator: Telemetry: ET Clock:

Type: Class: Speed: H.P.:

Peak Factor (last 7 entries): 2.10

Number of Pumps: 4

| Peak Factor | Modified By | Date |
|-------------|-------------|------------|
| 2.10 | NEUMAR | 01/29/2007 |
| 2.40 | TRANSFER | 01/27/2007 |

| | |
|------------------------|---------|
| Yearly NAPOT (hrs): | 5.83 |
| Reserved Flow (gpd): | 190,740 |
| Projected Napot (hrs): | 6.24 |
| Used Capacity (%): | 117.00 |

| | |
|------------------------------|-------------|
| Stn Gross Capacity (gpd): | 15,984,000. |
| Station Reduction Factor: | 0.70 |
| Stn Net Cap Certified (gpd): | 0 |
| Station Net Capacity (gpd): | 11,188,800 |
| Indicated Flow (gpd): | 2,717,946 |

| Date | NAPOT | Avg Daily | Reading | # of Comments | Modified By | Date |
|------------|-------|-----------|---------|---------------|-------------|------------|
| 6/14/2011 | 5.12 | 15.35 | Y | 4 | AREASR | 07/28/2011 |
| 5/13/2011 | 5.49 | 16.46 | Y | 4 | AREASR | 06/29/2011 |
| 4/14/2011 | 5.02 | 15.05 | Y | 4 | AREASR | 05/31/2011 |
| 3/15/2011 | 5.94 | 17.83 | Y | 4 | AREASR | 04/28/2011 |
| 2/14/2011 | 5.65 | 16.94 | Y | 4 | AREASR | 03/28/2011 |
| 1/14/2011 | 5.93 | 17.78 | Y | 4 | AREASR | 03/11/2011 |
| 12/13/2010 | 5.86 | 17.57 | Y | 4 | AREASR | 01/27/2011 |
| 11/11/2010 | 6.07 | 18.21 | Y | 4 | AREASR | 12/28/2010 |
| 10/13/2010 | 6.19 | 18.58 | Y | 4 | AREASR | 11/24/2010 |
| 9/14/2010 | 7.02 | 21.07 | Y | 4 | AREASR | 10/25/2010 |

**Implementation of Chapter 2008-232, Laws of Florida
Domestic Wastewater Ocean Outfalls**

2010 Annual Report

**Submitted to:
Honorable Charlie Crist, Governor
Honorable Jeff Atwater, President, Florida Senate
Honorable Larry Cretul, Speaker, Florida House of Representatives**

Prepared by:



This report is required by ss. 403.086(9)(g), Florida Statutes.

June 2010

- The Town of Davie owns and operates the Town of Davie Wastewater Treatment Facility which has a permitted capacity of 5.0 mgd. Treated effluent from the facility is currently transferred to the Hollywood Southern Regional Wastewater Treatment Facility where a portion is reused and a portion is disposed via the Hollywood ocean outfall. The Town is obligated to provide 2.3 mgd of treated wastewater for the City of Hollywood's reuse program.
- MDWASD operates two wastewater treatment facilities with permits allowing discharge through the Miami North and Miami Central ocean outfalls. The MDWASD North District Wastewater Treatment Plant has a permitted capacity of 112.5 mgd. The MDWASD Central Wastewater Treatment Plant has a permitted capacity of 143.0 mgd. Most of the treated wastewater from the North District plant is currently discharged through a combination of the Miami North ocean outfall and deep injection wells with small amounts reused for a variety of reuse activities. Most of the treated wastewater from the Central District plant is currently discharged through the Miami Central ocean outfall with small amounts reused.

PROGRESS SUMMARY

The Department developed a tracking spreadsheet of all implementation dates required by the Act to help ensure that steady progress is made toward implementation. Bi-monthly internal meetings are held to monitor progress and address any issues as they arise. As discussed below, the Department has established nutrient loading reduction and reuse obligations for each of the permit holders. The first major milestone of the Act will occur in July 2013, when each permit holder is required to submit a detailed plan, including an identification of all land acquisition and facilities necessary to provide for reuse of the domestic wastewater; an analysis of the costs; a financing plan that identifies actions such as bond issuance, assessments, rate increases, fees, other charges, or other financing mechanisms. Each plan will include a detailed schedule for the completion of all necessary actions and shall be accompanied by supporting data and other documentation.

indicates that compliance with the Act will result in a reduction of 18.35 tons/day of total nitrogen and 0.75 tons/day of total phosphorus discharged through the outfalls to the Atlantic Ocean.

Table 3: Baseline Nutrient and Target Nutrient Loadings for Existing Wastewater Facility Discharging Through an Ocean Outfall

| Treatment Facility | Actual AADF (mgd) | Baseline N Load (lb/day) | Target N Load (lb/day) | Baseline P Load (lb/day) | Target P Load (lb/day) |
|-----------------------------|-------------------|--------------------------|------------------------|--------------------------|------------------------|
| South Central Regional | 12.9 | 1,895 | 323 | 164 | 108 |
| City of Boca Raton | 10.3 | 1,591 | 257 | 69 | 86 |
| Broward County North | 37.4 | 7,027 | 936 | 550 | 312 |
| Hollywood Southern Regional | 36.7 | 4836 | 918 | 387 | 306 |
| Cooper City | 1.5 | 197 | 37 | 16 | 12 |
| Town of Davie | 1.9 | 260 | 48 | 21 | 16 |
| MDWASD North | 81.0 | 10,951 | 2,028 | 1,119 | 676 |
| MDWASD Central | 114.8 | 17,354 | 2,872 | 1,651 | 957 |
| Totals | 296.5 | 44,111 | 7,419 | 3,977 | 2,473 |
| Totals (tons/day) | | 22.06 | 3.71 | 1.99 | 1.24 |
| Reduction (tons/day) | | 18.35 | | 0.75 | |

60 Percent Reuse Requirements and Potable Quality Water Offsets

In order to track the Act’s reuse requirement, the Department calculated each wastewater facility’s actual daily flow on an annual basis using flow data submitted by each permit holder. Based on this data the additional amounts of reuse each facility will be required to provide to meet the 60 percent reuse requirement were calculated. Table 4 provides the calculated values for each wastewater facility.

This memo is in response to a meeting that was held in your office with Water and Sewer Department (WASD) staff, Office of Capital Improvement (OCI) staff and representatives of Bal Harbour Village, the Towns of Bay Harbor Islands and Surfside. In the meeting, you expressed concern over the April 6, 2011 emergency situation where a 36-inch sewer force main owned and operated by the City of Miami Beach and located in the vicinity of Harding Avenue and 73 Street experienced a catastrophic failure that resulted in the spillage of raw sewage into the Bay. As a result you requested that \$1 million from projects to be funded by the upcoming issuance of Building Better Communities General Obligation Bonds (BBC-GOB) be identified and transferred for the design and construction of the 36-inch sewer force main that would serve the communities of Surfside, Bay Harbor Islands and Bal Harbour.

Unfortunately, the existing WASD infrastructure at the NDWWTP is not capable of handling the additional flows from these municipalities. And currently, WASD does not have the funding necessary for the expansion of its wastewater transmission, treatment and disposal systems to accommodate additional flows. It is also important to note that diverting flows from these municipalities to WASD's NDWWTP will not eliminate the risk of another emergency. As long as the existing corrosion conditions of the 36-inch sewer force main owned and operated by the City of Miami Beach which dates back to the 1930's is not adequately addressed, the possibility of another sanitary sewer emergency, with the associated adverse impacts to residents, visitors and the environment remains.

Therefore, the County is willing to facilitate a meeting to discuss the best use of the \$8.5 million in BBC-GOB funding and alternative solutions with all of the affected municipalities, including the City of Miami Beach. These \$8.5 million were identified in the GOB planning process and dedicated for Bal Harbour (\$6.5 million) and Surfside (\$2 million). These dollars could be reallocated to address the aging infrastructure problem.

If you have additional questions, please contact Susanne M. Torriente, Sustainability Director at 305-375-1471, or me directly.



Town of Surfside Commission Communication

Agenda Item # 9B

Agenda Date: March 13th, 2012

Subject: Retroactive Approval of Transfer of Community Center Concession Agreement to Shaka Jons, Inc.

Background: The existing concession vendor David Jacobson has requested a release from his contract with the Town. David suggested a replacement vendor and the Town Manager and the Parks and Recreation Director have met with both parties involved and have finalized a written agreement for the transfer of the concession agreement. This agreement will be on the same terms and conditions as the original agreement between the Town of Surfside and David Jacobson. David has agreed to stay on operating the concession during the transition period and to assist Shaka Jons with the transition after the agreement is completed. The new vendor is Rob Cvetkovski Owner/Operator of Shaka Jons Beach and Pool side concession with seven concession operations in Miami Dade and Broward Counties. With the transition to the new vendor, the Community Center Concession will go back to a seven day a week operation that will include an expanded menu along with breakfast. The Town Commission approved the transition during the February 14, 2012 meeting.

Analysis: After reviewing the difficulties other municipalities are having retaining and obtaining qualified vendors, staff feels that this is a proactive move to secure a highly qualified vendor with the chance to enhance the quality of service to the residents of Surfside. It is imperative that an agreement be approved as soon as possible with spring break starting in Miami Dade County the week of March 12, 2012 and the fast approaching spring and summer season on the horizon. The new vendor will provide consistent hours of operation that will reflect the desired operation hours of the Community Center and Pool. This will also include programming and special events.

Budget Impact: Possibility of additional revenue from percentage rent due to increased sales.

Staff Impact: Staff will meet with the new vendor and provide assistance in coordinating hours of operation and covering special events and programs at the Community Center and Pool.

Recommendation: It is recommended that the Town Commission approve the transfer of the Community Center Concession Agreement retroactively.

Department Head

Town Manager

RELEASE, HOLD HARMLESS
And INDEMNIFICATION AGREEMENT

This RELEASE, HOLD HARMLESS, and INDEMNIFICATION AGREEMENT, (collectively, "AGREEMENT"), is made and entered into this 6th Day of MARCH, 2011, by and between Import International, LLC, d/b/a Surf Café, his/their HEIRS, SUCCESSORS, DEVISEES, AGENTS, ASSIGNS, REPRESENTATIVES and INTERESTS (hereinafter "Surf Café") and THE TOWN OF SURFSIDE, including, without limitation, any and all of its agencies, boards, and commissions, their insurer(s), officers, directors, employees, representatives, and agents, (hereinafter "SURFSIDE").

NOW, THEREFORE, in exchange for the mutual promises contained herein, the parties agree as follows:

RELEASE, HOLD HARMLESS, and INDEMNIFICATION AGREEMENT

Surf Café agrees to, and hereby does, release SURFSIDE from any and all claims, complaints, demands, actions, causes of action, liabilities, and obligations of whatever source or nature, whether administrative, legal or equitable, whether known or unknown, which Surf Café now has or may have in the future relating to or arising from concessionaire services (and the May 24, 2011 Agreement to provide Concessionaire Services) including, without limitation, any and all claims due to the failure of any person to comply with federal, state, or local laws or regulations, or claims under any law.

Surf Café also agrees to hold harmless and indemnify SURFSIDE for any sum of money or judgment against Surf Café, as well as costs and reasonable attorneys' fees incurred in the defense of any action arising out of actions by Surf Cafe.

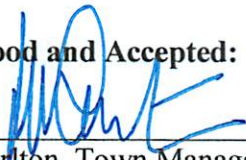
Severability. If any portion of this AGREEMENT is held to be void or deemed unenforceable for any reason, the remaining portion shall survive and remain in effect, unless the effect of such severance shall defeat the parties' intent as set forth herein, with the parties asking the Court to construe the remaining portions consistent with the expressed intent of the parties.

Entire Agreement. Surf Café acknowledges that it has had an opportunity to consult with an attorney concerning his/her rights and obligations. Surf Café acknowledges that he/she has had sufficient time and opportunity to consider this AGREEMENT with SURFSIDE, that he/she has read this AGREEMENT, that he/she fully understands and agrees to its terms and conditions, and that there exists no other promises, representations, inducements or agreements related to this AGREEMENT, except as specifically set forth herein. Furthermore, Surf Café acknowledges that this constitutes the entire agreement between Surf Café and SURFSIDE.

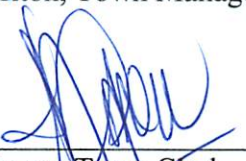
Understood and Accepted:

By: 
Owner, Import International, LLC. d/b/a Surf Cafe

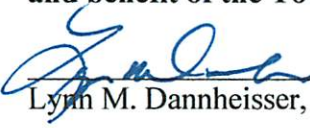
Understood and Accepted:

By: 
Roger Carlton, Town Manager

Attest:


Sandra Novoa, Town Clerk

**Approved as to form and legality for the use
and benefit of the Town of Surfside only:**


Lynn M. Dannheisser, Town Attorney

**FIRST AMENDMENT
AGREEMENT WITH IMPORT INTERNATIONAL, LLC. D/B/A SURF CAFE FOR
CONCESSIONAIRE SERVICES FOR SURFSIDE COMMUNITY CENTER AND POOL FACILITY**

This First Amendment (Amendment) is entered into this 6th day of MARCH, 2012 (Effective Date), and amends and modifies the Agreement with Import International, LLC. d/b/a Surf Café for Concessionaire Services for Surfside Community Center and Pool Facility (hereinafter "Agreement") dated May 24, 2011 by and between Import International, LLC, a Florida limited liability company, d/b/a Surf Café (hereinafter "Surf Café"), and the Town of Surfside, Florida, a municipal corporation, (hereinafter called the "Town").

RECITALS

WHEREAS, the Town and Surf Café entered into the Agreement (attached as exhibit "A") on May 24, 2011; and

WHEREAS, Section 26 of the Agreement provides that any modification of the Agreement shall be effective and enforceable only if it is in writing and signed by the party granting such waiver; and

WHEREAS, Section 14 of the Agreement allows Surf Café to subcontract, assign, or transfer any work under the Agreement only with prior written consent of the Town; and

WHEREAS, the Town agrees and Surf Café desires to assign their interest, rights, responsibilities, and obligations in Agreement to Shaka Jons Surfside, Inc., a Florida Corporation (hereinafter called "Shaka Jons") located at 250 Sunny Isles Blvd, Unit 1004 Tower 3, Sunny Isles Beach, Florida 33160.


NOW THEREFORE, the parties agree as follows:

1. Surf Café hereby assigns and Shaka Jons accepts an assignment of all Surf Café's, rights, titles, interest in and to the above described Agreement for concessionaire services entered into by and between the Town and Surf Café under the May 24, 2011 Agreement and Shaka Jons hereby consents to and agrees to be bound by the aforesaid Agreement.
2. It is expressly understood by the parties hereto that Shaka Jons has assumed the obligations under the original Agreement for and on behalf of Surf Café and the Town shall have no further monetary obligation whatsoever to Surf Café under the original Agreement or for services rendered under the original Agreement.

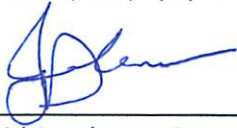
3. Where the term "Surf Café" and/or "Concessionaire" shall appear in the original Agreement, the term shall hereinafter, unless the contents clearly indicate otherwise, mean and refer to Shaka Jons.

4. IT IS UNDERSTOOD AND AGREED BY AND BETWEEN, the Town, Surf Café, and Shaka Jons that all terms and conditions of the original Contract as amended shall remain in full force and effect and the provisions of this instrument shall become a part of the Agreement as if fully written herein, provided however, Shaka Jons shall secure the required licenses and/or certificates necessary for continued operation of the Community Center Pool Facility Concessionaire.


IN WITNESS WHEREOF, this First Amendment was executed and approved by the Town of Surfside, this 6th day of March, 2012.


By: 
 Roger Carlton, Town Manager

IN WITNESS WHEREOF, this First Amendment was executed and approved by Import International, LLC, d/b/a Surf Café, this 6th day of March, 2012.

By: 
 David Jacobson, Owner

IN WITNESS WHEREOF, this First Amendment was executed and approved by Shaka Jons Surfside, Inc., this 6th day of March, 2012.

By: 
 Robert Cvetkovski, Owner

ATTEST: 
 By: _____
 Sandra Novoa, Town Clerk

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

By: 
 Lynn M. Dannheisser, Town Attorney





Town of Surfside Commission Communication

Agenda Item # 9C

Agenda Date: March 13, 2012

Subject: Turtle Project ~ Art in Public Places: Use of a portion of the Tourist Bureau Reserve Fund as a loan for a year long promotional, destination sculpture project.

Background: Ms. Heather Bettner, President of Prince Media Development, is at the forefront of supporting community initiatives through public art exhibits in Miami-Dade and Broward Counties. Instrumental in the highly successful 2010 Coconut Grove Peacock Tour, 2011 South Miami Manatee Fest and 2012 Pinecrest SmARTy Dogs, this former Coconut Grove Councilwoman's current project involves the use of a sailboat sculpture series for the City of Fort Lauderdale.

Recognizing the potential to attract visitors to Surfside and knowing that the affinity that people express to similar installations elsewhere help create lasting memories, the Tourist Board voted unanimously at their March 5, 2012 meeting to support a similar public arts promotional project for Surfside (Attachment A) utilizing a loan from Resort Tax funds as an authorized purpose.

The public relations and marketing exposure will be invaluable. Visitors coming to see the turtles will stay at the Town's hotels and dine at the restaurants, thereby increasing Resort Tax revenue. This project is anticipated to reimburse the loan from Tourist Resort Tax revenue through sponsorship of the sculptures and their eventual sale at the end of the display period. Past experience has proven that revenue raised exceeds costs. This revenue exceeding the advance could be allocated to Community Center programming or something similar that would benefit the entire community.

Loggerhead Turtles were chosen as the design for the sculptures given Surfside's beachside location and the fact that the Parks & Recreation Department has an existing relationship with the Miami-Dade sea turtle protection program. Loggerhead Turtles are classified as a threatened species and their nests, including those on Surfside's beach, are closely monitored and protected. Understanding the need to be stewards of the local environment, and to set an example for other buildings, the Town installed turtle sensitive lighting at the new Community Center.

Standing at five feet high, and attached to a concrete base, the sculpture design will be unique to Surfside. Made of a resin/fiberglass composite with a steel infrastructure, and weighing approximately three hundred pounds, they are substantial and should withstand the rigors of the areas where they are placed. Each sculpture becomes a canvas for an artist's creation. The final work of art is sealed with a coating which will protect the turtles from UV rays, salt spray and graffiti. A plaque on the base will identify the Town's event, name of artist and sponsoring information. Placed at yet to be determined locations throughout Town, these approximately fourteen sculptures will serve as a means to highlight the business district and compliment the new Community Center as well as educate the public on environmental issues.

Analysis: Based on the overwhelmingly positive reaction elsewhere, Surfside families as well as visitors will be captivated by the artistry on display with these unique sculptures.

An agreement with Prince Media Development would forge a year long partnership with the company providing the following:

- Coordination of this initiative from beginning to end with a dedicated Prince Media Development staff member to organize and manage the yearlong event and secure sponsorships.
- Production of the sculptures and bases.
- Selection of the artists with Surfside resident artists given first opportunity.
- Installation and removal.
- A minimum of two dedicated events to highlight the exhibit.
- Promotional materials, dedicated web site and advertising including a locator brochure.
- Public relations support to ensure media coverage.

The project is earmarked for a Fall 2012 unveiling and would remain for one year.

Budget Impact: As this will be financed as a loan from the Tourist Resort Tax, there is no net financial impact anticipated other than potential additional revenue raised through the sponsorship and sale of the turtles. This revenue will be available to finance an initiative endorsed by the Town Commission.

Staff Impact: Existing staff will coordinate with Prince Media Development, and their designee dedicated to this initiative, in the organization, implementation and managing of this year long event.

Recommendation: Staff recommends that the Town Commission authorize the finalization of an agreement between Prince Media Development, the Town and Tourist Board. This agreement will be brought to Town Commission for ratification at the April 10, 2012 meeting.



TEDACS Director



Town Manager



PRINCE

Media Development

Media Development
PRINCE

HEATHER BETTNER
CEO/PRESIDENT



The Coconut Grove



Peacock Tour 2010





- **The Coconut Grove Peacock was on the streets of Coconut Grove for 8 months.**
- **Nine peacocks raised \$80,000+ for Grove Charities at auction.**
- **Brought visitors and tourists to the Coconut Grove area.**

Peacock Unveiling Event

- **Raised awareness of the artist and business community.**
- **Got great television, newspaper and Internet coverage!**

Miami Herald









smARtY Dogs for
Smart Schools



PUBLIC ART LIFTS THE PROFILE OF A COMMUNITY AS WELL AS THE SPONSORS.
YOU ARE NOT JUST A CITY, NOT JUST A COMPANY –
YOU ARE A MEMORY MAKER.
AS WELL AS A DREAM BUILDER...!



Through public art you bring mature artists and new artists together.
You nurture the artist community and awaken and educate the youth of today to
Imagine!



In addition these events offer the ability to unify an effort to raise awareness of
of a community.

As well as raise funds for a community need or charity.

SURFSIDE SEA TURTLES

The Surfside Sea Turtles would be displayed on the main corridors of the Town of Surfside.



SURFSIDE SEA TURTLES

Turtle Size is :

- 5' Tall
- 36" Back to front
- 48" Flipper span



SURFSIDE SEA TURTLES

March 2012 – Start public relations effort, graphic design, “Call to Artist” disseminated, and turtle production begins.

April 2012 – First press conference, flyers and posters go out. First group of turtles are produced.

May 2012 – Artists are announced as well as sponsorship mode is in high gear. Final turtles are finished. We have the “Turtle Vernissage Event”.

June 2012 – Painting begins on the turtles.

August 2012 – First turtles are decorated and we can start sealing them. Bases and plaques are in production. Second group of turtles are finished and we do final studio photography. Map & Guide is finalized and sent to printer.

October 2012 - Turtle debut party for October 2012.

THE ARTISTS



THE STUDENTS



PRINCE MEDIA'S MISSION

Three things are our bell weather –

- Raise awareness of a need in the community, be it education, environmental or a special unifying cause and help it!
 - Raise Awareness of the Business Community.
 - Raise Awareness of the Artist Community, young and old!
 - Be sustainable and produce more public art !
 - Have and create fun!
-



WE THANK YOU FOR
YOUR TIME!

305-775-0113

HEATHER@PRINCEMEDIADEVELOPMENT.COM



Town of Surfside Commission Communication

Agenda Item # 9D

Agenda Date: March 13, 2012

Subject: Town Of Surfside Website Update

Background: Based on the recommendations presented by the Communications Committee at the March 8, 2011 Town Commission meeting, Staff were directed to search for a company that could revitalize the Town's website through a Request for Proposals (RFP) process.

A RFP was issued with a submission deadline of August 22, 2011. It was determined by the oversight committee that none of the proposals received were adequate to meet the requirements needed. Therefore the Town Manager returned to the Town Commission at the October 11, 2011, meeting with the suggestion of holding a workshop to address the next steps on moving the issue of a more vibrant and responsive website forward. This workshop was held on December 5, 2011.

However, due to weak attendance, the Town Manager returned to the Town Commission at the December 13, 2011, meeting with a recommendation to use a website company that has a proven successful track record with many other Florida municipalities. The Town Commission gave unanimous approval at this meeting for staff to negotiate with e-City Services on an agreement for a new Town website. Since then Staff have met internally, and meetings were conducted with Commissioner Karukin in his capacity as former liaison to the Communications Committee, to review the e-City Services proposal. Questions arising from these meetings were directed to e-City Services and have since been addressed. A thorough review and vetting of the proposal, including the considerations from the Communications Committee, was recently completed by staff. This process ensures that the new website will either meet all requirement requests or has the ability to adjust as requirements arise and needs change.

Analysis: The new Town website built by e-City Services will provide but is not limited to the following main elements:

- Custom design and storage for ease of information retrieval.
- Dynamic content updates to sustain the site's current and relevant information.
- Calendars for easily identifying meetings, events and activities.
- Email Subscriber Service enabling residents to be informed of Town news and bulletins.
- Citizen Request Management (CRM) system for residents to access answers to frequently asked questions, submit and communicate on service issues.
- Report Generation from data collection through CRM.
- Live Media Streaming Services for the efficient web broadcasting of Town Meetings and creating the ability to access information from those broadcasts.
- Online Bill Payment


The website will be capable of incorporating Social Media applications if the Town so decides in the future. The addition of a possible new Buildings and Code Enforcement management software will also be able to be seamlessly integrated.

The entire construction and populating of the website, including staff training, will take two to three months commencing from the signing of the agreement. Some applications, such as Live Media Streaming and Online Bill Payment may take longer as the interaction between the website software and current in-house operating and financial software is more time consuming and requires the involvement of two parties.


Budget Impact: Town Administration will implement the new website proposal with e-City Services within the \$25,000 approved by Town Commission at the December 13, 2011 meeting. Sometime after the March 13, 2012 Town Commission meeting, the agreement will be signed and the sixty to ninety day implementation period will begin. Progress updates will be reported monthly through the Points Of Light.

Staff Impact: Staff will coordinate with e-City Services to design, populate and manage the new website and its content.

Recommendation: Staff recommends that the Town Commission accept this status report which will allow the transformation to begin.



Department Head



Town Manager



**TOWN OF SURFSIDE
COMMUNICATIONS AD HOC COMMITTEE
FINAL REPORT TO TOWN COMMISSION
MARCH 8, 2011**

The Town Commission of the Town of Surfside at their October 12, 2010 Regular Commission meeting voted (Resolution 10-1961) to form the Communications Ad Hoc Committee. Members appointed to the Committee are Chairperson Randi MacBride, Vice Chairperson Cheryl Arnold and members Norma Rojas, Jeff Burros and Kathy Imberman. Commissioner Michael Karukin was appointed as the Town Commission liaison to the Committee.

The Communications Committee met seven (7) times: October 19, 2010, October 27, 2010, November 18, 2010, December 7, 2010, January 4, 2011, January 25, 2011 and February 16, 2011.

The Committee made an interim progress report to the Town Commission on November 28, 2010. In that report, four (4) objectives were identified, as follows:

1. Review current communications methods.
2. View demonstrations from website vendors.
3. Develop user requirements and content specifications for the website.
4. Develop options and recommendations for the Town Commission.

Please note that several of the recommendations that were conveyed to Town Staff in conversation have already been implemented as indicated in the recommendations below. Some of the bullet points reveal the low and high priority placed upon the item by a vote of the Committee.

The Communications Committee respectfully makes the following recommendations:

Gazette:

- Modify advertisement policy related to cost, location, quantity (already implemented)
- Hope to phase out ads. They are now moved to back two pages.
- Modify appearance (fonts), layout and create consistency/ continuity of content
Modifying appearance will be done as part of the Town-wide Branding, and continuity of content has been implemented to some extent, but need improvement.
- Consider offering opt out postal delivery
- Modify calendar layout (already implemented)
- Add Spanish version of calendar of events

Broadcast:

- Develop agreement with ATT-U-Verse (in development)
- Revise programming schedule content to allow Public Service Announcements (low priority)

- Increase timing between screen transitions (already implemented)
- Public broadcast schedule (already implemented)
- Discontinue display of illegible content (already implemented)

Social Media:

- Use Social Media to communicate, if it is locked and controlled by the Town (low priority)

Code Red:

- Recommend SMS (text) (The system already has this capability, so it is of no cost to the town.
- Raise awareness of Code Red to be implemented after the SMS feature is added .(high priority)

Website:

The Committee recommends that the Town Commission direct staff to issue an RFP based upon the following scope:

- Custom Design Look and Feel (Using Identity Standards not yet developed)
- Global Style Sheets
- Rotating Photos on Home Page (According to the direction of the Identity Standards)
- Review and Reorganization of Current Content
- Content Management Tools
- Default and Configurable Content Expiration Dates
- Email Posting of Content – News, Agendas, Minutes (Highest Priority)
- SMS Text Alerts
- Email Subscriber Service
- Multiple Web Calendars
- On-line Bill Pay
- Real Time Streaming
- Archive Streaming
- Google Search Function
- Web Statistics
- Site Security
- EDMS Integration (Search and Retrieval)
- Adequate Storage for on-line and/or near line document retrieval
- Consulting/Training Services
- Home Page Draw Down Tabs in English/Spanish (Similar to Miami Beach)
- Associated with Miami-Dade County (possible link) to help locate Surfside for tourism

Optional Features: (Medium Priority)

- On-line Polling
- Citizen Request Management

General Recommendations:

- Develop an Identity Standards Manual, establishing a “branding” of the Town to facilitate recognition; working in conjunction with all of the committees that it affects. The Manual needs to be comprehensive and all inclusive. (Super high priority)
- Recommend Town provide communications/content clearing house point person (content management) (High Priority)
- Town Commission agenda be delivered electronically instead of paper (High Priority)
- Upgrade software on Town computers and provide more licenses for standard programs such as Adobe
- Provide Google calendar maintained and updated by each Town Department (High Priority)

The Committee makes these recommendation with the intention of guiding the Town toward improving the level and quality of communication it delivers to its residents; to ensure that it is coordinated, effectively managed and responsive to the information needs of the town’s residents, visitors, and employees. In closing, the members wish to express their gratitude for the opportunity to serve on the Committee and extend an offer to serve on any future Communications Committee projects, including a selection committee for any requests for proposals.

Respectfully submitted,

Randi MacBride, Chairperson
Cheryl Arnold, Vice Chairperson
Jeff Burros
Norma Rojas
Kathy Imberman
Michael Karukin, Town Commission Liaison

Town of Surfside High Level Requirement Specification Recommendations

| Required Feature | Vendor 1 | Vendor 2 | Comment |
|--|----------|----------|---|
| 1. Custom Design Look and Feel | | | |
| 2. Global Style Sheets | | | |
| 3. Rotating Photos on Home Page | | | |
| 4. Review and reorganization of current content | | | e.g., calendars, checkbook, forms, codes, reports etc. |
| 5. Content Management tools | | | |
| 6. Default and configurable content expiration dates | | | |
| 7. Email Posting of Content (News, Agendas, Minutes) | | | |
| 8. SMS Text Alerts | | | |
| 9. Email Subscriber Service | | | |
| 10. Multiple Web Calendars | | | |
| 11. On-line Bill Pay | | | |
| 12. Real Time Streaming | | | |
| 13. Archive Streaming | | | |
| 14. Google Search Function | | | |
| 15. Web Statistics | | | |
| 16. Site Security | | | |
| 17. EDMS Integration (Search and Retrieval) | | | |
| 18. Adequate storage for on-line and/or near line document retrieval | | | To reduce storage requirements will need to integrate EDMS system |
| 19. Consulting/Training Services | | | |
| Optional Features | | | |
| 1. On-line Polling | | | |
| 2. Citizen Request Management | | | |
| 3. Develop Spanish Version of Website | | | |
| Cost of Tourist Board Website | | | |
| Start up Costs (development) | | | |
| Annual Maintenance Fees | | | |
| Year 1 | | | |
| Year 2 | | | |
| Year 3 | | | |
| Three Year Cost Projection | | | |



Town of Surfside Commission Communication

Agenda Item #: 9E

Agenda Date: March 13, 2012

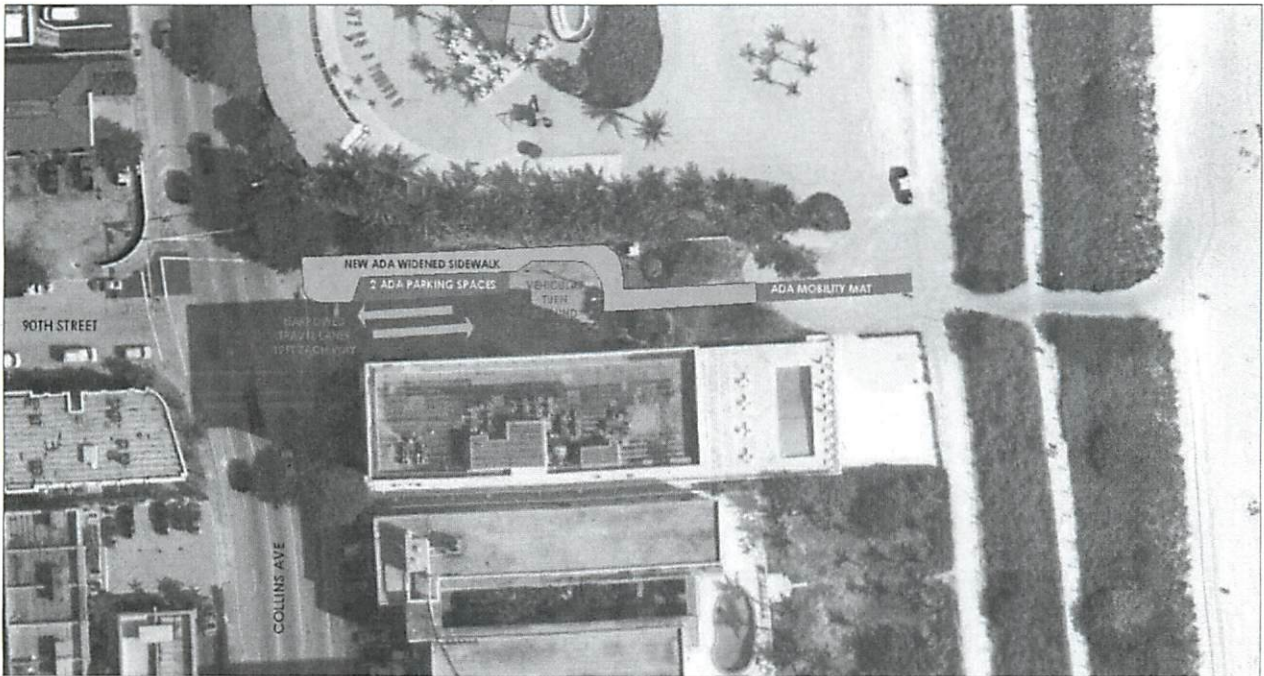
Subject: DEP Coastal Partnership Initiative Grant Application: Retroactive Approval

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

Request: Although the Town has ample beach resources that are managed by public entities, this public resource has limited availability to handicap individuals. The Town is requesting retroactive approval from the Town Commission to submit a grant application for \$30,000.00 in grant funding through the Florida Department of Environmental Protection's Coastal Partnership Initiative program to install two handicap parking spaces along the north side of 90th Street near the east terminus of the street and provide handicap accessible improvements at the terminus to provide access to the beach, including approximately 200 linear feet of mobility mat. The project meets the purpose of the 'Access to Coastal Resources' priority category of the grant program through providing ADA access to the coastal area. Currently there are no ADA parking spaces on the street ends that terminate at and provide access to the public beach and no ADA accessibility improvements on the street ends. Most street ends terminate at a bulkhead wall with steps to the beach area. Installation of these improvements will provide ADA parking with immediate access to the beach environment and public resource.

The Grant has a 1:1 matching fund requirement and requires all construction to be completed within a one year time frame. The grant provides a maximum of up to \$30,000.00 toward construction projects. The proposed improvements fall within Town owned right of way, no acquisition or easements are needed to move forward with the project. The streetscape improvements are typical well understood and frequently implemented construction practices, there are no innovative or experimental technologies, or any obscure products required to move forward with the project. The construction proposed is all short duration projects. Permitting will be required but can be accomplished to insure project completion within a one year time frame.

The following graphic illustrates the proposed improvements.



Recommendation: Staff recommends approval to the Town Commission.

Budget Impact: \$46,910.00. Project costs are estimated at \$76,910.00. The Grant has a 1:1 matching fund requirement. The Town is requesting \$30,000.00 in grant funding.

Growth Impact: N/A

Staff Impact: N/A

Sarah Sinatra Gould, AICP, Town Planner

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