

RESOLUTION NO. 2018- 2539

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, AUTHORIZING EVALUATION OF AN UNSOLICITED PUBLIC-PRIVATE PARTNERSHIP (P3) PROPOSAL FOR THE DESIGN, CONSTRUCTION, FINANCING, OPERATION AND MAINTENANCE OF "SURFSIDE CIVIC CENTER" ON THE CURRENT TOWN HALL SITE, LOCATED AT 9293 HARDING AVENUE, AND THE MUNICIPAL PARKING LOT IMMEDIATELY NORTH OF TOWN HALL, LOCATED ON 93RD STREET, INCLUDING A NEW TOWN HALL, POLICE STATION, AND MIXED-USE RETAIL/RESTAURANT, OFFICE SPACE, PARKING GARAGE AND COMMUNITY RECREATIONAL SPACE ("PROJECT"); AUTHORIZING AND DIRECTING THE TOWN MANAGER TO IMPLEMENT THE PROCEDURES OF SECTION 255.065, FLORIDA STATUTES, APPLICABLE TO THE EVALUATION OF THE P3 PROPOSAL; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR EFFECTIVE DATE.

WHEREAS, the Town of Surfside ("Town") is committed to meeting the public parking needs of its residents by providing safe, convenient, and adequate parking for residents and visitors; and

WHEREAS, a parking study prepared for the Town in 2013 by Rich & Associates, Inc. concluded that the Town has a deficit of parking spaces in the Downtown District and for older condominiums on Collins Avenue, particularly, during peak times and seasons ("Parking Study"); and

WHEREAS, the Town has received an unsolicited public-private partnership proposal from the Surfside Town Center Group, LLC, a Florida limited liability company ("Surfside Town Center Group") attached to this Resolution ("P3 Proposal"), for the design, construction, financing, operation and maintenance of a "Surfside Civic Center" on the current

Town Hall site located at 9293 Harding Avenue, and the municipal parking lot immediately north of Town Hall, located on 93rd Street, including a new Town Hall, police station, mixed-use retail/restaurant, office space, parking garage and community recreational space (“Project”); and

WHEREAS, subsequent to receipt of the P3 Proposal, as required by Section 255.065, Florida Statutes, the Town published a Notice of Receipt of Unsolicited Proposal for the Project in the Florida Administrative Register and a newspaper of general circulation stating that the Town had received the P3 Proposal and would accept other proposals for the same project; and

WHEREAS, in response to the published Notice of Receipt of Unsolicited Proposal, the Town did not receive other proposals for the Project, and wishes to proceed to further evaluate the P3 Proposal; and

WHEREAS, the Town Commission finds that the Project, including the construction of a parking garage facility, will serve a public purpose and constitutes a “qualifying project” as defined in Section 255.065, Florida Statutes, for public-private partnerships, and will address the parking deficit identified in the Parking Study, as well as facilitate the timely and simultaneous development and construction of public facilities and recreational community space that will provide a benefit to the Town and its residents and property owners; and

WHEREAS, Section 255.065, Florida Statutes, outlines a procedure for a responsible public entity to follow in the evaluation and negotiation when it receives an unsolicited proposal for a qualifying project and intends to enter into a comprehensive agreement for such project; and

WHEREAS, the Town Commission directs that the Town Manager and administration continue to evaluate the Proposal in accordance with Section 255.065,

Florida Statutes.

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

Section 1. Recitals Adopted. That the recitals set forth above are true and correct and are incorporated herein.

Section 2. Finding of Public Purpose. The Town Commission finds that the Project, including the construction of a parking garage facility, may serve a public purpose and benefit and may constitute a “qualifying project” as defined in Section 255.065, Florida Statutes, for public-private partnerships, and finds that further evaluation of the P3 Proposal is necessary in accordance with Section 255.065, Florida Statutes.

Section 3. Direction to Town Manager and Administration; Implementation. The Town Manager and Administration are directed to continue to evaluate the Proposal. The Town Manager and Administration are further directed to implement the procedures of Section 255.065, Florida Statutes, applicable to the evaluation of an unsolicited proposal and to take all action necessary to accomplish the purposes of this Resolution.

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

PASSED AND ADOPTED on this 26th day of September, 2018.

Motion By: Vice Mayor Gielchinsky

Second By: Commissioner Cohen

FINAL VOTE ON ADOPTION

Commissioner Barry Cohen
Commissioner Michael Karukin

yes
NO

Commissioner Tina Paul
Vice Mayor Daniel Gielchinsky
Mayor Daniel Dietch

NO
YES
YES

Attest:



Sandra Novoa, MMC
Town Clerk



Daniel Dietch, Mayor

Approved as to Form and Legal Sufficiency:



Weiss Serota Helfman Cole & Bierman, P.L.
Town Attorney