



**Town of Surfside  
Town Commission Meeting  
AGENDA**

**SUPPLEMENTAL # 1**

**April 9, 2013**

**7 p.m.**

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

**1. Opening**

- A. Call to Order**
- B. Roll Call of Members**
- C. Pledge of Allegiance**
- D. Mayor and Commission Remarks – Mayor Daniel Dietch**
- E. Agenda and Order of Business Additions, deletions and linkages**
- F. Community Notes – Mayor Daniel Dietch**
- G. Officers of the Month of March 2013 – Sgt. Patrick McKenna and Detective Marian Valino – Chief of Police David Allen**
- H. Recognition of Lieutenant Rory Alberto for Completing the FBI National Academy – Chief of Police David Allen**
- I. Recognition of Commissioner Michelle Kligman from the School Board of Miami Dade County for Spearheading the Bullying Program – Mayor Daniel Dietch**

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

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

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

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

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

- A. **Minutes** – March 12, 2013 Regular Commission Meeting Minutes  
March 18, 2013 Special Commission Meeting Minutes
- B. **Budget to Actual Summary as of January 30, 2013** – Donald Nelson, Finance Director
- \*C. **Town Manager’s Report (Points of Light)** – Roger M. Carlton, Town Manager  
**New POL No. 61 (Electronic Bill Payment)**
- \*D. **Town Attorney’s Report** – Linda Miller, Interim Town Attorney
- \*E. **Projects Progress Report** – Calvin, Giordano and Associates, Inc.
- F. **Committee Reports** – Roger M. Carlton, Town Manager (*Note: Vice Mayor Karukin has requested that Committee minutes appear on the Consent Agenda. The most recent approved minutes have been included*)
  - December 17, 2012 Parks and Recreation Committee Meeting Minutes
  - December 18, 2012 Downtown Vision Advisory Committee Parking Structure Feasibility Study Subcommittee Meeting Minutes
  - January 7, 2013 Tourist Board Meeting Minutes
  - February 4, 2013 Tourist Board Meeting Minutes
  - February 11, 2013 Parks and Recreation Committee Meeting Minutes
  - March 20, 2013 Downtown Vision Advisory Committee Parking Structure Feasibility Study Subcommittee Meeting Minutes

#### 4. Ordinances

(Set for approximately 9:15 p.m.) (*Note: Good and Welfare must begin at 8:15*)

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

- \*1. **Outdoor Dining Ordinance** – Sarah Sinatra, Town Planner

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA AMENDING CHAPTER 90 “ZONING”, ARTICLE IV “DISTRICT REGULATIONS” AND SPECIFICALLY AMENDING SECTION 90-41 “REGULATED USES” OF THE TOWN OF SURFSIDE CODE OF ORDINANCES ADDING OUTDOOR DINING AS A PERMITTED USE IN THE SD-B40 ZONING DISTRICT; PROVIDING FOR INCLUSION IN THE CODE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; AND PROVIDING FOR AN EFFECTIVE DATE

*(Set for approximately 9:30 p.m.) (Note: Good and Welfare must begin at 8:15)*

**B. First Reading Ordinances**

**1. Corner Clearance Ordinance – Sarah Sinatra, Town Planner**

**AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA AMENDING CHAPTER 90 "ZONING" AMENDING CODE SECTION 90-52 "REQUIRED CLEARANCES" AND STRIKING CODE SECTION 90-92 "SIGHT TRIANGLES AND CLEARANCES"; PROVIDING FOR INCLUSION IN THE CODE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.**

**5. Resolutions and Proclamations**

*(Set for approximately 9:45 p.m.) (Note: Depends upon length of Good and Welfare)*

**\*A. Town Hall Janitorial Services – John DiCenso, Interim Public Works Director**

**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA APPROVING THE AGREEMENT WITH KELLY JANITORIAL SERVICES INC., FOR JANITORIAL SERVICES THROUGHOUT TOWN HALL; AUTHORIZING THE TOWN MANAGER AND TOWN ATTORNEY TO IMPLEMENT THE TERMS AND CONDITIONS OF THE AGREEMENT; AUTHORIZING THE TOWN MANAGER TO EXECUTE THE CONTRACT; AND PROVIDING FOR AN EFFECTIVE DATE.**

**B. Isaac Singer Boulevard Signage – John DiCenso, Interim Public Works Director**

**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA; AUTHORIZING A CORRECTION TO STREET SIGN NAME FROM "ISAAC SINGER BOULEVARD" TO "ISAAC BASHEVIS SINGER BOULEVARD; AUTHORIZING APPROXIMATELY \$1400 TO REPLACE THE EXISTING SIGNS AND INSTALL TWO (2) GROUND MOUNTED MEMORIAL DESIGNATION SIGNS AT EACH END OF 95TH STREET WHICH WERE NOT PART OF THE ORIGINAL PROJECT; PROVIDING FOR AN EFFECTIVE DATE.**

**\*C. Resolution In Opposition to House Bill 999**

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, URGING THE HONORABLE GOVERNOR AND THE STATE OF FLORIDA LEGISLATURE TO OPPOSE THE PROPOSED HOUSE BILL 999 "ENVIRONMENTAL REGULATION" LIMITING A MUNICIPALITY'S ABILITY TO REQUEST ADDITIONAL INFORMATION FROM A DEVELOPMENT APPLICANT AFTER A PRE-APPLICATION MEETING; PROVIDING FOR AUTHORIZATION; PROVIDING FOR AN EFFECTIVE DATE.

**D. Expressing Sympathy to the Family of Susan McGlynn, Head Librarian for the Town of Surfside – Tim Milian, Parks and Recreation Director**

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA; EXPRESSING SYMPATHY TO THE FAMILY OF SUSAN MCGLYNN, HEAD LIBRARIAN FOR THE TOWN OF SURFSIDE FOR 17 YEARS; AUTHORIZING PLACEMENT OF A MEMORIAL BRICK IN THE SURFSIDE COMMUNITY CENTER; PROVIDING FOR AN EFFECTIVE DATE.

**\*E. FY 12/13 Proposed Mid-Year Budget Amendment Resolution – Roger M. Carlton, Town Manager** *Item deferred by Town Manager Roger M. Carlton*

**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. **Financing the Proposed Conversion of Overhead Utilities to Underground** – Commissioner Joe Graubart
- B. **Severance/Compensation** – Commissioner Joe Graubart
- C. **Town Calendar** – Commissioner Joe Graubart
- D. **Commission Directive: Town Manager Short Term Priorities** – Commissioner Joe Graubart
- E. **Surfside Walking Path** – Commissioner Marta Olchyk
- F. **Performance Pay for Town Manager** – Vice Mayor Michael Karukin
- \*G. **FPL Undergrounding Update Seven** – Roger M. Carlton, Town Manager
- H. **Surfside Ballot Question(s) for the March Election of 2014; Regarding Multi-level Parking Garage(s) – A/K/A Parking Structures and Their Location (s)** – Commissioner Joe Graubart
- I. **Short Term Parking Meters 15-30 Minutes** – Commissioner Joe Graubart
- J. **Donation of \$250 to the Miami Lighthouse in Memory of Frances Estelle Kopelman** – Roger M. Carlton, Town Manager
- \*K. **Miami Dade County Special Election Regarding Sun Life Stadium Improvements Conflicting with Regularly Schedule Town Commission Meeting on May 14, 2013** – Roger M. Carlton, Town Manager
- L. **50,000 Guests at the Community Center** – Tim Milian, Parks and Recreation Director
- \*M. **FY 11/12 Comprehensive Annual Financial Report (CAFR) Acceptance** – Finance Director Donald Nelson (*SET FOR TIME CERTAIN 7:45 PM*) *See substitute Cover Memo and Insert page in CAFR*
- \*N. **Traffic Study (Please bring the Traffic Study book provided in December 2012)** – Roger M. Carlton, Town Manager (*SET FOR TIME CERTAIN 8:30 PM*)
- \*O. **Parking Structure Feasibility Study** – Roger M. Carlton, Town Manager (*SET FOR TIME CERTAIN 9:00 PM*)
- P. Commercial Vehicles Parking** – Roger M. Carlton, Town Manager

## 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](http://www.townofsurfsidefl.gov)

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

THESE MEETINGS MAY BE CONDUCTED BY MEANS OF OR IN CONJUNCTION WITH COMMUNICATIONS MEDIA TECHNOLOGY, SPECIFICALLY, A TELEPHONE CONFERENCE CALL. THE LOCATION 9293 HARDING AVENUE, SURFSIDE, FL 33154, WHICH IS OPEN TO THE PUBLIC, SHALL SERVE AS AN ACCESS POINT FOR SUCH COMMUNICATION.

**Please exchange the  
attached Points of  
Light with the  
previously provided**



**Town of Surfside  
Town Commission Meeting  
April 9, 2013**

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

**POINTS OF LIGHT  
After Action Items**

**1. Downtown Vision Project: Commissioner Michelle Kligman**

**Current Status:** The Downtown Vision Advisory Committee (DVAC) meeting set for March 25, 2013 was deferred to Monday, April 22, 2013 due to scheduling issues. Items to be discussed include updates on the following:

- *Parking Structure Feasibility Study (see item #15)*
- *Downtown Streetscape Master Plan*
- *Business Improvement District (BID)*
- *Commissioner Heyman's Mom & Pop Grant Program 2013*
- *Awnings Ordinance Amendment*
- *Introduction of New Town Manager Michael Crotty*

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

**Current Status:** This project is entering the final stages of completion. Key issues that remain are:

1. Installation of the final lift (layer) Phase of asphalt. Phase I and part of Phase II have been completed. The RicMan paving subcontractors have not devoted full time to complete the task.
2. Resolve issue with the Village of Bal Harbour related to final cost of the joint force main. A meeting was held March 15, 2013 with the Bal Harbour Interim Village Manager. This matter will most likely go to arbitration per the agreement to build the project.
3. Resolve any closure requirements for the old force main with the Village of Bal Harbour and the City of Miami Beach. The decision has been reached to leave the old force main inactive. Valves allow it to be used as an emergency backup.
4. Determine if sufficient funds are available for the additive alternatives including street signs and street trees. It is unlikely sufficient funds will be available to achieve this goal.
5. Closeout the project with a report in late April, 2013. This will most likely be a status report and not the final report.
6. Final paving delays and punch list items will require at least thirty more days.



### **3. Tourist/Resort Tax Audit/Certificate of Use/Local Business Tax Receipt/Short Term Rentals**

#### **Current Status:**

Resort Tax Audit II: Seven (7) businesses including The Greek Place, Pescecane , Ho Wang, Bal Harbour Juice, Asa-2, Serendipity and Onarga are presently going through the Code Compliance Special Master process for not responding to the Auditors numerous requests for information. The hearing will be scheduled before the Special Master in early May, 2013.

Certificate of Use (CU) /Local Business Tax Receipt (LBTR): Three remaining businesses have yet to comply. Staff continues to work with them for compliance. Failure to respond will result in these businesses being brought before Special Master tentatively in early May, 2013. This is the highest level of compliance ever achieved in Surfside history.

Short Term Rentals: This effort will await the Code Enforcement Priority Setting Workshop set for April 17, 2013.

### **4. Residential Home Based Businesses**

**Current Status:** At the direction of the Mayor and Town Commission, enforcement of the Local Business Tax Receipt and Certificate of Use provisions was stayed for Home Based Businesses for FY12/13, until such time as code compliance priorities are established. As time permits, the Code Compliance Division has continued to pursue information available on several internet based databases including the Secretary of State's. A code compliance workshop has been scheduled for April 17, 2013, at which time priorities and resource allocation will be established.

### **5. Bus Shelters: Commissioner Marta Olchyk**

**Current Status:** The Town Commission approved the purchase of three additional shelters at a cost of \$75,000 which has been reduced to \$64,237 after negotiations. The shelters were ordered on March 27, 2013 and are expected to be delivered in 10-12 weeks. The shelters will be located at 9011 and 9365 Collins Avenue and 9280 Harding Avenue. Once these shelters are installed it will bring the total number of shelters to seven (7) including the older style one in front of Publix. This will leave six (6) other bus stop locations for consideration if funding becomes available. (See Item 12 for use of the available savings from the lower cost).

## **6. Beach Concessions**

**Current Status:** The lease agreement with the State of Florida and Miami Dade County was presented to the County Recreation and Cultural Affairs Committee on September 10, 2012 and moved forward to the Board of County Commissioners on October 2, 2012. The lease application and documents are being prepared by Miami Dade County and will be submitted to the State for approval. Once the State approval is received, Miami Dade County along with the Town of Surfside, will have 10 months to submit a Beach Management Agreement to the State. This process has been slowed by the County's need to move forward on beach restoration along our entire coastline due to Hurricane Sandy. During this time the County will continue the everyday beach maintenance it is currently providing to the Town of Surfside.

The County was contacted by the Florida Department of Environmental Protection on February 19, 2013 in regard to processing the lease agreement. The Division of State Lands Title and Land Records Section is the first to review the lease and we are waiting on their findings and report. The County is projecting a May, 2013 date to move forward. Updates will be provided as the process moves forward.

## **7. 95<sup>th</sup> Street End Project**

**Current Status:** Due to the need to complete the street end project contemporaneously with the 9501 building construction which began construction in mid-May 2012, the Administration has moved forward with the project for one block only using the architectural/engineering firm Bermello Ajamil (from the approved rotation). The Town Commission confirmed this on July 17, 2012 and selected the design "look" on August 15, 2012. The thematic design will be usable for all three blocks of 95<sup>th</sup> Street should the Town Commission determine to expand the project in the future. Bermello Ajamil has completed the design and submitted the bid package which was advertised April 2, 2013 in the Daily Business Review (**Action Item**). The project will be brought to the Town Commission for award during the June, 2013 Town Commission meeting.

## **8. Property Assessed Clean Energy (PACE) - program to retrofit existing residential and commercial buildings for energy efficiency: Mayor Daniel Dietch**

**Current Status:** This program 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. A presentation was made by Chad Friedman and Steve Alexander regarding the program during the October 9, 2012 Town

Commission meeting. Recently, Bay Harbor Islands agreed to join the program. This matter will be brought to the Town Commission during the May 14, 2013 meeting for a determination.

#### **9. FPL/AT&T/Cable Undergrounding Project: Commissioner Michelle Kligman**

**Current Status:** The Town Commission allocated \$300,000 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. FPL has completed the study of the cost of undergrounding Town-wide and the Town Commission authorized retaining bond counsel and financial advisor to assist with the project during the November 13, 2012 Town Commission meeting. During the December, 2012 Town Commission meeting, Staff was authorized to schedule five televised public meetings that have been held and a FAQ's was mailed to all addresses in the Town. At the direction of the Town Commission the cost estimate validation process has been contracted to HPF and Associates for \$2750 and preliminary cost estimates have been received and are under review. This firm has done similar work for Golden Beach, Miami Beach Palm/Hibiscus and Sunset Islands underground projects. This Agenda includes a seventh status report on the project (**Action Item**) which will answer the many questions raised by the Town Commission during the March 12, 2013 meeting when authorization to continue developing the project was granted.

#### **10. FEMA Flood Insurance Status**

**Current Status:** The General Contractor retained to perform the remedial work necessary to correct flood deficiencies at 1220 and 1236 Biscaya Drive, has begun the permitting process. Work is expected to begin the first week of April, 2013.

Meetings with the engineering teams representing the owners of 9578 and 9415 Harding Avenue have continued. Technical Bulletins from FEMA reference material, outlining all the Dry Flood Proofing Certification requirements have been made available to both teams. The engineering package from 9415 Harding Avenue is further along in the process. The initial submittal has already been reviewed by the Town's Structural Engineer. Approval is contingent on the correction of review commentary and additional information that is required. The comments are currently being addressed by the owners' engineer. The Building Official expects that both properties will have approved Dry Flood Proofing Certifications by the end of April, 2013.

Meanwhile, progress continues with preparations for the Insurance Services Office (ISO) visit. The Building Official continues to work closely with Town staff to develop an outreach program to inform customers and home owners of the importance of proper flood plain management. The information is still on schedule to be posted on the Town's website during the month of April, 2013.

### **11. Options to Mitigate Inadequate Number of Parking Spaces at Multi-family Establishments Along the Collins Avenue Corridor: Mayor Daniel Dietch**

**Current Status:** The Spiaggia Condominium review has been completed and the building has been determined to be sixteen (16) usable spaces short from its required number of spaces. This is due to the design of the parking facility which makes certain spaces unusable. Staff in conjunction with the Town Attorney's office is developing a draft agreement with the Spiaggia condominium board to resolve the situation. The goal is to present the agreement to the Town Commission in May, 2013.

### **12. Dog Park: Mayor Daniel Dietch**

**Current Status:** An agreement with the newly formed non-profit and the Town is scheduled to come before the Town Commission during the May 14, 2013 meeting. As the proposed site is at an existing pump station, which is being reconstructed as part of the final phase of the water/sewer/storm drainage project, an opening is anticipated, barring any unforeseen circumstances, in mid to late May, 2013. The project budget is inadequate to complete the desired work and after careful review, an estimated \$8000 additional will be necessary for an estimated total of \$18,000 (**Action Item**). The funds for this increase will come from the savings for the bus shelter project. (See related Item 5 regarding the savings source).

### **13. Turtle Sculptures - Art in Public Places**

**Current Status:** During the March 12, 2013 Town Commission meeting, Staff were directed to research all artist stipends and pay provable disputes. All artists have been contacted and Staff is in the process of determining the outstanding payments for processing. The Town will be proceeding with legal action on Prince Media Development to recover this additional expense.

We continue to monitor the condition of the sculptures and repair any damage. From the standpoint of tourism development and creating an awareness of art, the project continues to be a huge success.

### **14. FDOT Surfside Repaving**

**Current Status:** The Collins/Harding Avenue repaving project has been completed by FDOT. This leaves the Kane Concourse (96<sup>th</sup> Street) from the Surfside Town limits to Collins Avenue and Collins Avenue in Bal Harbour from 97<sup>th</sup> Street to the Haulover bridge projects to be completed. The stamped asphalt crosswalks on Harding and Collins Avenues were finished in December, 2012. Staff authorized an additional stamped asphalt crosswalk for the 93<sup>rd</sup>

Street/Harding Avenue intersection to tie together the pedestrian path from the single family neighborhood to the Community Center at a cost of \$14,000. This cost will be covered in the final change order for the water/sewer/storm drainage project (**Action Item**). The Public Works Director will authorize the new crosswalks to be installed prior to the Summer season.

### **15. Parking Structure Feasibility Study**

**Current Status:** The completed study was issued to the DVAC Parking Subcommittee (which includes members appointed by the Town Commission and the Town Manager) on March 8, 2013 for the March 20, 2013 meeting. Rich and Associates and C3TS/Stantec presented to the committee and public in attendance and the meeting was broadcast over Channel 77. After nearly three hours of discussion, the committee unanimously voted in favor of moving the study on to the Planning and Zoning Board (April 3, 2013) and Town Commission (April 9, 2013). The unadopted minutes of the Parking Subcommittee are included in the Town Commission April 9, 2013 agenda packet (**Action Item**).

### **16. Bal Harbour Shops Expansion Status Report**

**Current Status:** Press coverage and discussions with Stanley Whitman confirm that Bal Harbour Shops has completed negotiations with the Church by the Sea. The members of the Church approved the agreement on June 3, 2012.

In a meeting on June 27, 2012 with Gus Pego, FDOT District Secretary, we were disturbed to learn that FDOT's role in reviewing traffic issues related to such large scale projects has been virtually eliminated by the Legislature. This will make our negotiations with the Whitmans more difficult and greatly supports the decision to have a traffic study completed by CGA as a tool to support these negotiations. The study was completed during November, 2012, appeared on the December 2012 Agenda for the possible scheduling of a workshop and was deferred to the January, 2013 Agenda. The study was again deferred by the Town Commission and is included on the April 9, 2013 Town Commission Agenda at 8:00 pm Time Certain. One area of particular concern is that an expanded number of commercial vehicles will serve the project and how those trucks will impact the 96<sup>th</sup> Street and Byron Avenue intersection. There is also a new development in that the Whitman family has announced that they will partner with Swire Properties to build a new very high end retail center in the new Brickell City Center project at SW 7/8<sup>th</sup> Streets and Miami Avenue. They may also build a similar project in the expanded Miami Beach Convention Center redevelopment (Attachment 1). The implication of this change for the Bal Harbour Shops expansion schedule is not known. Town Manager Designee Michael Crotty will be fully briefed on this project.

## **17. North Force Main/Building Better Communities Bond Program**

**Current Status:** There is both progress and pushback on this effort to obtain funding for this critically important second sewage disposal alternative for Surfside, Bal Harbour and Bay Harbor Islands. Miami-Dade County WASD has retained the firm of Hazen and Sawyer to study the situation at the North Dade Regional Plant and the 163<sup>rd</sup> Street force main. This is recognition that something needs to be done that will resolve the issue which we keep top of their minds. The negatives are that specific projects which would facilitate acceptance of our sewage are not listed in the draft settlement agreement with EPA and FDEP. Surfside was represented in a community meeting held by WASD September 27, 2012 and our concerns were placed on the record. Roger Carlton, Donald Nelson and Mayor Daniel Dietch also attended a meeting held at WASD on October 25, 2012 in which the draft settlement agreement was further discussed. A new resolution was approved by the Board of County Commissioners that gave specific direction to the County Administration to consider innovative municipal projects as they prioritized the Building Better Communities bond funding. This amendment was written by your Town Manager and supported by County Commissioner Sally Heyman. Finally, the risks inherent in the Virginia Key plant (where our sewage is treated) and the new force main under Government Cut have been documented in the Miami Herald.

In a recent conversation with Doug Yoder, Assistant WASD Director who is handling the negotiations with EPA and DEP, it was learned that an environmental group has filed a lawsuit which questions the advisability of upgrading shoreline sewer plants that may go underwater if global warming raises sea level. Therefore WASD is looking at the alternative of an inland plant at a higher elevation. There is a long way to go on this issue.

Town Manager Designee Michael Crotty will be fully briefed on the project and will be introduced to the appropriate decision makers.

## **18. Best Western (Chateau) Project**

**Current Status:** The Best Western property sale closed on March 27, 2012 in the amount of \$50 million. The Design Review Group (first step of the review process) met on August 2, 2012. A second DRG meeting was held on September 11, 2012 to complete this stage of the review. The Development Impact Committee met three times to review the project to negotiate certain items contained in the Resolution which were approved unanimously by the Planning and Zoning Board/Design Review Board on December 4, 2012. The Town Commission approved the Resolution in a 4 to 0 vote during the Special Meeting on January 24, 2013. Staff took the position that the nearly \$100,000 pass through costs for outside legal counsel and Town consultants be reimbursed before the Resolution was filed with the Clerk of the Court. The applicant posted the entire \$100,000 (\$50,000 in escrow) with the Town and reserved the right to review all the costs before the final \$50,000 is released. The Applicant requested a reduction of

\$22,925 and the Town Manager negotiated that request to \$8500. Special counsels Bill Bloom of Holland and Knight and Miriam Maer have been requested to reduce their compensation by \$4250 each respectively, so that the Town does not have to absorb the cost. Bill Bloom reduced his fee by 50 percent of the Town Manager's request and that offer has been accepted. Therefore Holland and Knight's bill will be paid less the settlement. Miriam Maer's remaining bill is still in negotiation at the time the Points of Light for April, 2013 were written.

## **19. Island Community Initiative Automatic License Plate Reader Project (ALPR)**

**Current Status:** The Island Community Initiative ALPR Project was originally planned as a new crime prevention program involving the Bal Harbour, Bay Harbor Islands, Golden Beach, Sunny Isles Beach, and Surfside Police Departments. Dispatchers and police officers in all of the communities would have been alerted automatically at police stations and on laptops in real time to stolen cars, BOLOs, Amber Alerts, Silver Alerts, and hot lists. The project would also provide inter-agency sharing of investigative intelligence. The cost to Surfside would be \$100,000 to become a participant in the project. In the original plan, Surfside was slated to receive eight ALPR cameras to secure the south end of the five communities and to share a server.

The project has become complicated with issues including verifying vendor capabilities, retention of records, FDOT and Miami-Dade County right of way use approvals. Golden Beach moved ahead with a vendor on its own and began the installation of ALPR's and surveillance cameras. Sunny Isles Beach approved a different vendor at its December 2012 Commission meeting. Bay Harbor Islands is expected to piggy back on the Golden Beach contract. Bal Harbour is on hold at this time. Due to the complications, four of the five Towns have or will move ahead with their own ALPR systems.

Chief Allen has met with several vendors in January, 2013 for review of their proposals. Surfside will be able to piggy back off either the Golden Beach or the Sunny Isles Beach contracts. On January 10 and 31, 2013, Police Department staff met with Iron Sky, the vendor who was awarded the contract with Sunny Isles Beach. In order to secure the perimeter of the Town, the number of ALPR's will double and we will need our own server. The original cost was \$100,000 approved from forfeiture funds. The new cost is expected to be approximately \$250,000. Based on the new cost, we are investigating leasing the equipment which will still allow the project to be funded with forfeiture funds over a five year period. We have also learned that our red light camera vendor, ATS, has developed an ALPR capability. On March 29, 2013, Staff held a conference call with ATS and is currently reviewing this option which will be less costly. There is a long way to go on this project.

## **20. Sidewalk Ordinance Implementation**

**Current Status:** The Town is currently working on the roll out of the application process to the downtown businesses community with the goal of compliance by the October 1, 2013 Certificate of

Use and Local Business Tax Receipt renewal annual deadline. All three requirements will be streamlined into a “one-stop” application process. Compliance is a challenge and appropriate actions are being pursued per the Code. FDOT has requested amendments to the lease for use of the sidewalks. Those amendments have been sent to FDOT and we await their final acceptance. As soon as FDOT signs off, the amended lease will be brought to the Town Commission for approval.

## **21. Imaging Town Documents**

**Current Status:** Since the implementation of dedicated daily time given by the full time staff of the Building Department at the end of each business day, productivity in the scanning has increased. We have managed to organize all the files in the file room properly grouping them by address. Documents within each file are currently being organized chronologically and categorized by permit type. This methodology is allowing for more organization and consistency in terms of scanning. A log is being created that lists all the addresses in the jurisdiction of the Town. This log will allow for an accurate accountability and tracking of the files that have been scanned and that remain to be completed. As an alternative to speed the process, the Building Official is reviewing the potential to outsource a portion of the scanning. As of March 31, 2013, we have estimated that approximately 32 percent of the scanning has been completed. This number is substantially less than was represented by the previous Building Official. Procedures put in place by Ed Rojas will catch us up to previously reported percentage completion numbers over the next six months.

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

**Current Status:** The consultants are on track with the timeline, analysis of existing tourism and marketing expenditures, reviewing the existing market research, reviewing current Resort Tax projections, reviewing the existing Resort Tax Ordinance, conducting an e-survey of area business and downtown property owners meeting with Town Commissioners individually and the identification of target markets. Progress in detail is reported to the TEDAC Board monthly.

## **23. The Shul Project**

**Current Status:** An application in sufficient form to start the Design Review Group process was received and the first meeting was held on August 22, 2012. A second Design Review Group meeting was held on February 13, 2013 and a third was held on March 28, 2013. A meeting took place with Stanley Price representing the Shul, Town Manager Roger Carlton and Interim Town Attorney Linda Miller on March 1, 2013 to further refine the voluntary proffers including an alternative to a Payment In Lieu of Taxes (PILOT). The key issue remains the number of offsite parking spaces required (currently 96) due to the impact of the expanded hall and the increased number of student spaces. Voluntary monetary proffers currently include



\$250,000 to the underground utility project, \$175,000 to the 95<sup>th</sup> Street upgrade, \$100,000 to the Harding Avenue beautification project and a waiver of the exemptions to the food and beverage tax collection on events that are not tied to a religious holiday. This means that wedding and bar mitzvah party food would be taxed with an estimated \$25,000 to \$50,000 per year in revenue to the Town.

This project should be ready for DIC before the current Town Manager retires and be scheduled for the Planning and Zoning Board in May, 2013 and a Special Meeting of the Town Commission in June, 2013 if all goes well.

#### **24. Electric Car Charging Station: Mayor Daniel Dietch**

**Current Status:** The company Car Charging now has agreements with the City of Miami Beach and the City of Hollywood for the installation and operation of electric car charging stations. Staff has met with the company about the possibility of installing a station in Surfside. The location will be the northeast corner of the Town Hall lot due to the readily available power supply. One parking space will be dedicated for this use with the install, equipment and signage being provided by the vendor. The objective is for electric cars to “top up” while visiting Surfside since a full recharging of a vehicle requires 4 to 6 hours. Eventually two spaces could only be used by either electric or alternative energy vehicles and would not be subject to parking meter charges. Presently two parking spots at this location earn a combined total of \$248 per month (\$3976 per year) in meter fees. Information on station locations are incorporated in electric vehicles on board GPS and through dedicated Apps. The driver of the car would pay at the station, by credit card, for usage presently set at 49 cents per kilowatt hour – this equates to a “full tank” at \$12 for a Leaf and \$5 for a Volt. The Town would receive 10% of the net revenue from the vendor annually once the cost of electricity is removed (no dollar estimate available at this time). The vendor would pay for the electricity. Net revenues (profit) are always a concern as to verification of the vendor stated amount. While this item was not determined to be a priority during the December, 2012 Town Commission meeting, the Town Commission voted to move this item forward. An agreement and accompanying resolution are earmarked for the May, 2013 Town Commission meeting.

#### **25. Five Year Parks and Recreation Capital Plan**

**Current Status:** The Surf Club developer agreed to provide \$400,000 to this project and the Chateau developer has agreed to add \$200,000 for a total of \$600,000. During the Planning and Zoning Hearing meeting on the Surf Club held September 25, 2012, the condition was modified to allow the contribution to be used for any Parks and Recreation capital project subject to a comprehensive Parks and Recreation infrastructure plan. With \$600,000 in voluntary proffers to the Parks and Recreational capital budget, an initial meeting with the Parks and Recreation

Committee to develop a Capital Plan was held on December 17, 2012. During the December 17, 2012 Parks and Recreation Committee Meeting the Second Floor of the Community Center was listed by the Committee as the top priority for the Parks and Recreation Infrastructure Plan. A more comprehensive plan to detail cost and time frame for the proposed Parks and Recreation projects was presented to the Parks and Recreation Committee during their February 11, 2013 meeting and updated during then March 18, 2013 meeting. The next step is to complete the Plan with project descriptions, schedule and refined estimated costs and funding sources. This project should be ready for consideration by the Town Commission in June, 2013.

## **26. Pool Tot Lot (Water Playground) Community Center**

**Current Status:** Funtraptions, the original contractor for the Community Center water playground, is no longer in business and not available for any warranty work or repairs. At the completion of the project, a 10 percent retainer fee was held back by the Town until full satisfaction was met with the water play structure. The retainer (\$22,600) will be utilized to cover the cost of repairs of warranty items that need to be addressed. Reliable Pools, a local qualified contractor experienced in working with Funtraptions equipment had been retained to work on the repairs. The amount of retainage should be sufficient to achieve this goal. A technician from Reliable Pools was on site December 10, 2012 and again on January 7, 2013 and January 25, 2013. A set date for the completion of the work was scheduled for the end of February 2013 depending on the scope of work required. At this time Reliable Pools has been unable to meet the required deadline for completion of the work. Due to other commitments on other large projects Reliable Pools has been unreliable.

Staff has reached out to another vendor within the State of Florida that has had experience in repairing this specialized equipment. Water Works is the company and has been on site at various times since January 28, 2013 reviewing the water playground operations and reviewing the water playground pool blue prints. Due to the complexity of the work to be performed, staff is working with Water Works to come up with a realistic time frame for the completion of work and cost associated with the project. In order to stay within the original funds set aside for this project it may be necessary to fund the work in stages. The water playground continues to remain open. The start of repairs by the new vendor is anticipated before the summer peak period. Updates will be provided as we move forward with the new vendor.

## **27. Bullying Program: Commissioner Michelle Kligman**

**Current Status:** The bullying program was held on January 16, 2013 in the Community Center Multipurpose Room. The event consisted of an informative session that included an expert panel in the control of bullying with a question and answer session and a showing of the movie *Bully*. The event was a great success with approximately 100 people in attendance. Commissioner Kligman has

proposed a robust program that incorporates surrounding communities and the School Board to further this program. A resolution defining this effort was approved by the Town Commission during the February 12, 2013 Commission Meeting. The resolution along with an outline for implementing the program was introduced to the Parks and Recreation Committee during their March 18, 2013 meeting. The Parks and Recreation Committee first request was to possibly have the incoming summer camp staff trained in an Anti-Bullying program. Staff at this time is working with Julio Avel with the Non-Violence Project to develop an Anti-Bully Training program for the Parks and Recreation staff. This will be an ongoing process and updates will be provided each month in the Points of Light.

## **28. Seawall Project**

**Current Status:** The seawall design project was awarded to Calvin, Giordano & Associates with the commitment that the grant application cost would not be paid until a grant in the amount of not less than \$250,000 was made available. The design work is being finalized. As a result of Hurricane Sandy, the seawall at Carlyle and 88<sup>th</sup> St is near collapse, endangering the Town's \$250,000 investment in the new storm water pump station. A recommendation to declare the project an emergency was made to the Town Commission during the November 13, 2012 meeting. Based on authority granted at the November 13, 2012 Town Commission meeting, Staff applied for the emergency permit from Miami Dade County and received budgetary quotes from Palm Beach Marine (\$60,000), BK Marine (\$88,000) and Shoreline Foundation, Inc. (\$92,000). We have now received United States Army Corps of Engineers and the preliminary approval from Miami Dade County, which was a prerequisite to obtain the Surfside Building Permit and the FDEP Permit. As soon as these are obtained we will be awarded our final Miami Dade County Permit. After receiving comments from all permitting agencies the plans will be revised, if necessary, and resubmitted to the three qualified marine contractors listed above. The updated bids received will be evaluated and the Contractor which provides the best value for the Town will be awarded. A Notice to Proceed will be issued immediately thereafter (**Action Item**).

## **29. Traffic Calming Study**

**Current Status:** This project reviews traffic flows, traffic calming devices and provides a model to simulate future traffic impacts. The study was completed in November, 2012 and has been deferred three times by the Town Commission and once by the Town Manager. The study was deferred from the March 12, 2013 Town Commission meeting to 8:00 pm time certain during the April 9, 2013 Town Commission meeting (**Action Item**).

### **30. Federal Road Designation Removal in Single Family Neighborhood**

**Current Status:** A meeting was held with the FDOT District Engineer on September 13, 2012 to discuss the need to downgrade the single family streets to the lowest federal classification. The 10 year FDOT update is underway and we have provided necessary information to support the change. The downgrade has been recommended by FDOT and the designation should be changed by the Federal DOT in late 2013. This is very important to ensure that our single family streets maintain their current residential status. This is also important should the Town Commission determine to close Byron Avenue at 88<sup>th</sup> Street in the future. A meeting will be held before the end of April, 2013 to introduce Michael Crotty, Town Manager Designee, to FDOT District Engineer Gus Pego.

### **31. Legislative Priorities**

**Current Status:** A meeting with the Town Manager and Fausto Gomez took place on January 8, 2013 to discuss legislative priorities. A subsequent meeting was held January 10, 2013 with State Representative Joe Gibbons and Mayor Dietch to discuss how the Representative may be helpful. The Town Commission approved the legislative priorities during the January 15, 2013 meeting with an amendment and Fausto Gomez is working the issues in Tallahassee. The session began March 4, 2013 and we will remain in constant contact with Fausto Gomez. Two very significant items include a raid by FDOT on 50 percent of our on street meter revenues and changes to pension regulations which is both bad (lower the 7.5 percent earnings assumption) and good (allows us to use Section 185 money to supplement the basic pension). Michael Crotty was introduced to Fausto Gomez on March 29, 2013.

### **32. Credit Card Accepting Single Space Meters**

**Current Status:** During the September 19, 2012 Town Commission meeting, a 90 day experiment to install credit card accepting single meters was approved with IPS Inc. The thirty single space locations were identified and installation for the project was completed on November 20, 2012. An informational flyer was created and was advertised in the November, 2012 edition of the Gazette. A preliminary one month comparison of the revenue was conducted. The original thirty meters collected \$572 during the thirty day period before the new meters were installed. The credit card accepting meters collected \$1300 during the immediate thirty day period after installation. The new meters collected \$1900 during the second thirty day period. The final thirty day period of the ninety day experiment was completed on February 20, 2013 and showed a similar increase. IPS Inc. has also agreed to upgrade the meters to a newer model which has a 100% larger display screen; a longer battery life of 3-5 years; built-in integration with Pay-by-Cell, IPS Sensor and IPS Smart Collection System technologies; and the capability to display advertising and public alerts at no additional cost. The recommendation to purchase the new meters based on convenience and increased revenue was

approved during the March 12, 2013 Town Commission meeting and the purchase order has been signed. Item completed.

### **33. Solar Panels and TV Antennas (Dishes)**

**Current Status:** Solar panels are becoming less expensive to install and more cost effective as technology advances. TV antennas (dishes) are proliferating where some buildings have as many as ten facing main streets causing visual clutter and excess wiring. Both devices are a part of urban life, however, guidelines need to be developed. Therefore this matter was sent to the Planning and Zoning /Design Review Board for discussion during their January 31, 2013 meeting. The Board determined to take up the issues and Staff is preparing appropriate ordinances for the Board's review in April, 2013.

### **34. Regulation of Power Grass Blowers and Disposal of Yard Waste**

**Current Status:** With the completion of our expanded and upgraded storm sewer system, the need to avoid landscapers blowing grass and leaves into the storm sewer has become apparent. In some cases we have already had to clean new storm sewers which became clogged with yard refuse. We have also found residential garbage and large piles of tree cuttings in the gutters which impedes the flow of water, blocks driving lanes and creates a visual mess throughout Town. Staff and the Interim Town Attorney are developing an ordinance which will better regulate the stacking of yard cuttings in the gutters for Town Commission consideration in late Spring 2013. There is already a leaf blower prohibition ordinance on the books and this will be discussed during the Code Compliance Workshop on April 17, 2013.

### **35. Starbucks**

**Current Status:** Starbucks is coming to the Condotti Men's Clothing Store location. It has been approved by the Planning and Zoning Board during their January 31, 2013 meeting. Look to enjoy a cup in Fall of 2013! Thank you to Sergio Castaneda for his long service to Surfside and welcome to our first national tenant in a very long time. Item completed.

### **36. Beach Erosion**

**Current Status:** Hurricane Sandy and very high full moon tides and wind have caused significant erosion on our beach. Due to the storm, Surfside lost up to 75 feet of beach (with nearly 25 feet returning by natural drift of sand) and was one of the least damaged segments of beach countywide. Staff has begun work on many fronts to ensure that various agencies with authority and funding

initiate a renourishment program. A meeting was held with Miami Dade County staff on December 20, 2012 and the County has accepted responsibility for coordinating the renourishment. Town Staff will be kept updated as Miami Dade County moves forward with any renourishment project. Congresswoman Debbie Wasserman Schultz scheduled a meeting April 4, 2013 on this project and Town Manager Designee Michael Crotty and Parks and Recreation Director Tim Milian attended. The Town Commission will be kept aware monthly of progress with this matter.

### **37. Code Compliance Priorities Workshop**

**Current Status:** At its March 12, 2013 meeting, the Administration provided the Mayor and Town Commission several dates in April for their consideration, in order to schedule a workshop to address Code Compliance priorities. At that meeting, the Mayor and Commissioners scheduled the workshop for April 17, 2013 at 6:00 pm. The Administration has provided the required notice and will move forward with the Workshop in the Commission Chambers.

### **38. Charter Amendment Schedule**

**Current Status:** The Town Commission during the February 12, 2013 meeting determined to initiate the Charter review process no later than August, 2013. This means that the actual review must begin in November, 2013 thereby requiring that appointments be made, the process and schedule be set and a decision on legal advice be made in the period between August and November, 2013.

### **39. Forty Year Building Certification on Collins and Harding Avenues**

**Current Status:** As of February 28, 2013, notices have continued to be sent to property Owners and/or Condominium Associations. In an effort to educate and inform the community, we have posted information regarding the Forty Year Certification regulations, procedures and required documentation on the Town website. A log is being created that lists all the properties that have reached the 40 year mark and have been sent notice. The log will allow for the Building Department to track and monitor progress. Michael Crotty will be briefed on this situation during April, 2013. Once the process is complete, sufficient time and resources for a public information campaign should be allocated similar to the program that garnered voter approval for the three Charter amendments on the November, 2012 ballot.

### **40. Sidewalk Staining to Match Colors**

**Current Status:** The project is almost complete with the only remaining item being touch-up work on the driveway entrances along Collins Avenue and the alleys on the side streets. This work is

scheduled to be completed during April, 2013 and the final payment will be withheld until the work is complete.

#### **41. Town Manager Recruitment**

**Current Status:** It is a pleasure to write that this Point of Light has been completed with the appointment of Michael Crotty. Thanks to Human Resources Director Yami Slate-McCloud for her excellent work. Item completed.

#### **42. Mt. Sinai Bus Route: Commissioner Michelle Kligman**

**Current Status:** Staff reviewed the bus rider records kept by Sunny Isles Beach and discovered that during a six month period from June 1, 2012 thru December 31, 2012 they did not transport any Surfside residents to Mt. Sinai. Based upon this information, providing bus service to Mt. Sinai is not warranted, however, as per the direction of the Town Commission during the February 12, 2013 Agenda, contact has been made with the Miami Dade County Special Transportation Service (STS) and the new Jewish Family Service program to determine what alternatives are available. The STS program serves only handicapped individuals and does not meet the Town Commission's goals. The Jewish Family Service program will provide the service to individuals who join their program which is available to all residents of Surfside regardless of religious affiliation. Therefore that is the recommended solution (**Action Item**).

#### **43. Plastic Bag Ban**

**Current Status:** The Town Manager and Interim Town Attorney are reviewing ordinances from other communities for this initiative proposed by Peter Glynn during the January 15, 2013 Town Commission meeting Good and Welfare discussion. This is not viewed as a high priority and progress will be made as Staff resources allow.

#### **44. Report on Tracking Development Orders**

**Current Status:** Staff is working with Vice Mayor Michael Karukin to develop a system. It is our goal to initiate the new system as an element of the May 12, 2013 Town Commission meeting Agenda.

#### **45. Discussion of Joint Park with City of Miami Beach**

**Current Status:** Contact will be made with the newly appointed Miami Beach City Manager Jimmy Morales for this project located south of the Tennis Center and discussions have begun with our Parks and Recreation Committee. A coalition of tennis advocates is beginning to form in the same manner as the Dog Park and Community Garden. Rumor has it that the Deezer Hotel (Howard Johnson Hotel) has been sold at the corner of 87<sup>th</sup> Terrace and Collins Avenue. If this is the case, the Town should watch this situation closely as to the impact on Surfside. Everyone should view the ugly four story wall on the Bal Harbour condominium at 96<sup>th</sup> Street to consider how another community's development review process ignores the interests of our Town.

#### **46. Surf Club**

**Current Status:** Staff and the Interim Town Attorney's office have been reviewing an amendment requested by Fort Capital in which the developer incorporates aesthetic changes and certain building modifications suggested by recently added architect Richard Meier. The combined DRG/DIC meeting on the revised proposal was held March 4, 2013. The amended site plan was reviewed by the Planning and Zoning Board on April 3, 2013 and will be reviewed by the Town Commission at a special meeting on April 23, 2013.

#### **47. Update Emergency Operational Plan (EOP)**

**Current Status:** Town Staff held an initial planning meeting to update the Town's Emergency Operation Plan (EOP). The Department Heads were assigned to their areas of responsibility. Department Heads are required to ensure that their personnel have the mandated National Incident Management System (NIMS) training. Emergency plan information was collected and provided to the consultant to add to the update. Below is a summary of the updates which were incorporated into the new EOP and that are in compliance with the National Incident Management System and consistent with the County's Comprehensive Emergency Management Plan.

- **NIMS Compliance:** The National Incident Management System based position assignments were not clearly identified nor were the associated training requirements. The Plan develops position specific assignment tables which includes positions names and the associated federally required training.
- **Organizational Assignments:** The Plan now incorporates a series of tables and charts which detail roles and responsibilities for both a minor disaster affecting the Town as well as a catastrophic level incident.
- **EOC Operating Procedures:** The Plan includes a detailed set of procedures which illustrate how the Emergency Operations Center will function once activated. It



- incorporates room layout, technology requirements, activation protocols, operational guidance, and forms to use during the activation.
- **Miami Dade County Comprehensive Emergency Management Plan Compliance:** The Plan incorporated enhanced policies and tools from the County CEMP (2008) including updated county evacuation sites, Snapshot Rapid Impact Assessment process, Miami-Dade Alert Tool, Disaster Assistance Centers, refuges of last resort, and WebEOC.
  - **Recovery Components:** The Plan enhanced the Recovery Section to include damage assessment process details/forms/checklists, habitability assessment, disaster temporary housing, and the new county Post-Disaster Redevelopment Plan guidance.
  - **Private Sector Role (ESF 18):** The Plan also incorporated roles for the private sector and local procedures for coordination with folks such as the Chambers of Commerce and Tourism.
  - **Format Enhancement and Reorganization:** The entire Plan was reformatted for easier viewing and quick including placement of the hazard vulnerability analysis and the preparedness sections in the rear of the document.

The updated Plan will be presented to the Town Commission during the April 9, 2013.

#### **48. Delivery of New Bus**

**Current Status:** The new bus has arrived at the dealership and the Town's graphic design will be applied. The new bus is expected to be in service by April 15, 2013 and the existing bus will be held in reserve to avoid the need to contract bus service whenever possible. Item completed.

#### **49. Scholarship Program: Commissioner Marta Olchyk**

**Current Status:** Commissioner Olchyk has volunteered to spearhead the selection of the scholarship program committee and selecting two scholarship award winners to the Parks and Recreation Committee during the February 11, 2013 meeting. The Parks and Recreation Committee has accepted the responsibility of reviewing and determining two overall winners of \$1,000 dollars each. The number of scholarships and the amount was approved by the Town Commission during the February 12, 2013 Town Commission Meeting. The Parks and Recreation Committee requested that the program be advertised by the Town on the website, Gazette and at all Town facilities and sources. This advertising process has been completed. The application deadline is April 26, 2013 and no applications have been received as yet (**Action Item**). All qualified applications will be reviewed by the Parks and Recreation Committee in May, 2013 and the winners will be presented to the Town Commission during the June 2013 Town Commission meeting. Please use your networks to ensure that the broadest possible announcements are made.

#### **50. Street Signs Replacement**

**Current Status:** This item has been deferred until the final costs of the water/sewer/storm drainage project are known. It does not appear that enough funds will be available for this project.

#### **51. Website - Citizen Request Management (CRM): Mayor Daniel Dietch and Vice Mayor Michael Karukin**

**Current Status:** This, and any additional website components, is now a part of the FY 13/14 budgetary process for Town Commission discussion and direction at that time. Item completed.

#### **52. Indian Creek Village Settlement Agreement Update: Commissioner Joe Graubart**

**Current Status:** We have received the first payment in the amount of \$100,000 from Indian Creek Village. The original resolution approved by the Surfside Town Commission established the due date for the funding as the end of December, 2012. The schedule for the Indian Creek Village Council did not allow approval of the required amendment until the end of February, 2013. Therefore the Town Manager extended the date. The remaining \$50,000 will be paid when the beautification/undergrounding of 91<sup>st</sup> Street is 50 percent complete. Item completed.

#### **53. Collins Avenue Sidewalk Utility Box Repairs: Commissioner Marta Olchyk**

**Current Status:** Staff has worked with the utility companies and Miami-Dade County to repair most of the identified hazards. The remaining few items will be corrected by the end of April, 2013.

#### **54. Possible Mid-Block Access to Abbott Lot**

**Current Status:** TEDAC Director Duncan Tavares and Town Manager Roger Carlton met with Donald Kahn who owns the Subway and the two stores to the north to discuss a renovated building proposed for the site and the potential for access to the Abbott lot. Two alternatives were discussed including the acquisition of an easement for a walking path and the renting of a store by the Town. We were not able to come to closure on either alternative so the three store renovation will proceed (Attachment 3) unless the Town Commission wishes to consider further negotiations.

### **55. Film Permit Study**

**Current Status:** This project has languished far more than a year. The item will be scheduled for discussion during the May, 2013 Town Commission meeting (Attachment 4) (**Action Item**).

### **56. Isaac Singer Boulevard: Commissioner Marta Olchyk**

**Current Status:** The Miami Dade County Public Works Department has offered to amend the signs to include the full name “Isaac Bashevis Singer” for a cost of \$1400. We will proceed to order the signs if this Point of Light is accepted (**Action Item**).

### **57. Pedestrian Crosswalk at Harding Avenue and 96<sup>th</sup> Street**

**Current Status:** This FDOT experiment in modifying pedestrian behavior by requiring a three light alternative has been a failure. A meeting has been held with FDOT District Engineer Gus Pego and he has agreed to study going back to the original crosswalk. This will slow eastbound traffic on 96<sup>th</sup> Street making a right turn to Harding Avenue southbound, however, that is a more desirable consequence than leaving the current dangerous unauthorized pedestrian movement.

### **58. Recruitment of Building Official and Public Works Director**

**Current Status:** Town Manager Designee Michael Crotty and Human Resources Director Yami Slate-McCloud are working on this to ensure a smooth transition.

### **59. Five Year Financial Plan Update: Mayor Daniel Dietch**

**Current Status:** The Five Year Financial Plan was first adopted during FY 10/11. This document incorporated projected revenues, expenses and capital projects for all funds over a five year period. The key take away from the first iteration of the Plan was that the percentage of property tax burden borne by residents would exceed 90 percent if the in-fill lots in the Collins/Harding Avenue corridor were not built with non ad valorem revenue producing projects such as hotels and if the downtown was not upgraded to ensure property taxes/valuations increased. Both goals as adopted by the Town Commission have been achieved with the Surf Club, Grand Beach Surfside, Marriott Suites and Chateau projects all underway. There have also been more than ten stores downtown upgraded and/or new tenants such as JGB Bank and Starbucks making major investments. All in all a very successful beginning that will ensure the financial future of Surfside.

An updated version is underway with many of the assumptions necessary to make new forecasts already developed. With direction from the Town Commission on studies such as the Parks and Recreation Infrastructure Plan and the Parking Structure Study, this process will move forward.

**60. Expedition Florida 500 (<http://www.motherocean.org/xf500.html>): Mayor Daniel Dietch**

**Current Status:** Ponce de Leon landed on Florida's coastline in 1513. In celebration of the 500th anniversary, the organization Mother Ocean launched a yearlong project called Expedition Florida 500 (XF500). XF500 is a modern-day exploration of Florida's coastline, waterways, and aquatic ecosystem. The expedition's primary goal is to highlight the importance of stewardship efforts as they relate to the ocean, coastlines, waterways, and the marine ecosystem. Florida is unique in that it embodies the entire aquatic ecosystem from source to sea – one of the few places on Earth with such a vast array of thriving wildlife and a natural environment based around water. The XF500 team will document their journey through daily blogging, daily photos and videos for social media outlets, filming for their own documentary. To participate in this celebration, the Parks and Recreation Department will plan and facilitate a group paddle with the XF500 team as it passes by Surfside in early to mid-May, 2013 (Attachment 5).

**61. Online Bill Pay: Vice Mayor Michael Karukin**

**Current Status:** The on-line payment by credit card of the water, sewer and storm water utility bill by residential and commercial customers is projected to be completed by the end of May, 2013. SunGard is working on adding the Naviline Cash Receipts Lockbox Interface to the SunGard Utility Billing Software application. This will take approximately three weeks according to SunGard then test files will be set up with simulated customer accounts to test the process. This test process includes the coordination with the bank, SunTrust Merchant Services; the credit card processor, CBOSS; and the utility bill preparer, Municipal Code Corporation.

**62. Future of Points of Light on the Monthly Agenda**

**Current Status:** This Town Manager's Points of Light have been handed over to new Town Manager Michael Crotty. It is my sincere hope that the process continues to brightly illuminate the status of projects underway and that the Town Commission continues to use the process to impact the initiation and ensure timely completion of projects.

---

---

*These items have been completed and deleted from the March 2013 Points of Light report*

---

---

### **43. Outdoor Fitness Equipment: Commissioner Joe Graubart**

**Current Status:** The Parks and Recreation Department was requested to research the possibility of installing outdoor fitness equipment at the Community Center. The two possible areas for the equipment to be placed would be on the green space area east of the pool deck or on the pool deck. Installing the equipment on the green space would reduce area that is used for special events. Staff would have to monitor the green space area more closely to ensure resident use only and there would be additional wear and tear on the grass leading to the equipment. The benefits of installing the equipment on the green space would be shade provided by the seagrape trees, large green open area with little congestion on a daily basis and out of the way from the public. Installing the equipment on the pool deck would eliminate pool deck space for lounge chairs, shade area that is limited and Staff would have to supervise the patrons using the equipment (i.e. young children playing on the equipment). Staff suggests that a minimum of three different pieces of equipment be considered. This would include machines focusing on upper body, core section and legs (lower body).

Staff is still researching the cost estimates, however, it is estimated that each piece of equipment would cost in the range of \$2,000 - \$3,000. This would include the equipment only. It is estimated that the total cost for installation and the equipment would be between \$8,000 and \$11,000 depending on the vendor and equipment selected. The warranty on the equipment ranges from 2 years to 10 years. The installation would have to be approved by Department of Environmental Protection if the equipment is installed in the lawn area east of the bulkhead. Based on the complexity of this project, the funding necessary and the potential for requiring Staff resources to monitor use, it was recommended that this project be discussed during the FY 13/14 budget process. The Town Commission directed this item to be included for review for funding during the FY 13/14 budget process. Item completed until FY 13/14 Budget process is underway.

**Please exchange the  
attached Cover Memo  
with the previously  
provided**



## Town of Surfside Commission Communication

**Agenda Item #** 9M

**Agenda Date:** April 9, 2013

**Subject:** Comprehensive Annual Financial Report (CAFR) for the Fiscal Year Ended September 30, 2012

**Background:** The Fiscal Year 2012 CAFR is the third CAFR prepared since Town Manager Roger Carlton was appointed. During that four year period prior to FY 10/11, only audited financial statements were prepared. While the lesser audited financial statement meets the minimum standard of reporting it does not provide the broad base of financial information and transparency that the Town Commission requires and that the Administration has been directed to provide. Additionally, the independent auditing firm of Marcum, LLP has provided the Commission with a communication letter, dated April 2, 2013, detailing that all procedures were performed in accordance with generally accepted auditing standards and that no material misstatements existed.

Due to the complexity of the CAFR and the limited financial knowledge that many of our citizens may have, the following is a list of the highlights with a brief explanation:

1. Of great importance is the Independent Auditors Report (page 1) which reflects an unqualified ("clean") audit opinion which is the highest assurance given that the overall Town's financial statements are in conformity with generally accepted accounting standards and principles. A clean audit opinion should give comfort to the Town Commission and the citizens of our community that the Town's finances are being handled properly.
2. The first major section of the CAFR (page 3) is the Management Discussion and Analysis which introduces the Town's basic financial statements. The basic elements of this analysis are as follows:
  - a. The Town's net assets exceed liabilities by \$29,930,028 and increased by nearly \$2,031,552 during the fiscal year. This analysis is comparable to a balance sheet in the private sector and we are in substantial surplus. (Table page 7, detail page 17)
  - b. For the Governmental Activities element of the Town operation general government required 23.6% of resources available including offsetting grants

and revenues, public safety required 47.8%, physical environment 12.5%, leisure services 16.7% and transportation showed a deficit of .07% (due to capital expenditures). (Page 8)

- c. Major proprietary funds showed operating income of \$1,055,048 for water and sewer, \$270,818 for parking \$146,408 for sanitation and \$372,649 for stormwater. (Page 8 and page 21)
- d. The long term debt reflected in the CAFR is for compensated absences (sick and annual leave) that are convertible upon termination. The total amount of \$370,381 is spread out over the careers of employees as they leave Town service and for the water/sewer/stormwater drainage project of \$11,507,445 (page 13). There is a short term non-interest bearing \$160,000 note due in three years for the balance of the acquisition of the Atkins's parking lot south of Town Hall.
- e. The business type activities of the Town (non ad valorem programs) transferred \$26,329 to the General Fund (ad valorem tax supported) to fund their cost for administrative activities including legal department costs. (Page 16)
- f. The Pension Trust Fund included \$12,556,125 as of September 30, 2012 and was 87.0% fully funded. The fund has absorbed most of the losses to its portfolio during the past five years from poor performance of the stock market in 2008 and as of the December 31, 2012 quarterly report has nearly returned to full funding. The Town funded the full actuarial established requirement in all recent years even though the requirement grew substantially to make up for poor investment performance. (Page 24, 48, 58)
- g. Note 8 (Page 45) analyzes the debt service coverage for the \$11,507,445 water/sewer/storm drainage bond principal balance. The debt service coverage was 1.2149 which exceeds the 1.10 requirement by .1149. This means that for every dollar of debt service required \$1.21 was generated. The excess funds will go to reserves to offset future Capital needs and reduce the need for rate increases.
- h. The financial management and accounting policies of the Town are described in detail in pages 26-55 of the CAFR. These descriptions are included in twelve "Notes" which describe financial management processes including how funds are invested cautiously, how we depreciate assets, how we handle receivables (monies owed to the Town), the status of the Pension Plan, the "Other Post Employment Benefits" reporting requirements (state mandated retirees benefits) and our risk management procedures.
- i. A key analysis appears in Budgetary Comparison Schedule (page 56). If a citizen concerned about the finances of the Town wishes to read only one chart, this is it. Bottom line is that all major General Fund revenue line items for the FY 11/12 budget were exceeded by actual audited performance with the minor exception of communications services and franchise taxes. The full revenue increase for the fiscal year was \$268,084 favorably over budget. Audited expenditures in the same property tax supported fund were under budget by \$986,922 with executive, finance and administration coming in \$515,451, police coming in \$212,016, parks and recreation coming in



\$190,629 and legal coming in \$18,443 favorably under budget. Town Staff performed wonderfully to hold the line on expenses and worked hard to generate non ad valorem revenues. The net of the two numbers is \$1,142,015 described as an "excess" of revenues over expenditures and these funds add to reserves and/or can be used to help balance the budget for the fiscal year 2014 currently being prepared.

- j. In addition to the general government and proprietary funds there are three "non major" governmental funds (Tourism, Transportation Surtax and Police Forfeiture) that are reported on page 61. All of these funds are in surplus and Staff watches expenditures closely.
- k. The Statistical Section of the CAFR describes financial trends, revenue and debt capacity, demographics and operating information. This information covers 7-10 years of available data and is invaluable to anyone who wants to analyze trends, revenue and debt capacity, demographics and operating information over many years. (Page 66-97) Specifically the reader should look at the chart (page 73) which shows the Governmental Revenue are above the 2008 Goal meaning that we are operating very efficiently and improving services with growing revenue sources.
- l. The Independent Auditors Report on Internal Controls over Financial Reporting (page 98) states that there were two deficiencies in our financial controls during fiscal year 2012. The first relates to the speed in which some of the bank reconciliations were completed and the second reflects to the Capital asset tracking process. Management's response states how these issues will be resolved.
- m. The final section is the "Management Letter" in accordance with the Rules of the Auditor General of the State of Florida" which would disclose any State of Florida deficiencies and make recommendations for improvement. The Management Letter also tracks previous findings to determine if the weaknesses have been resolved. There were no State of Florida weaknesses disclosed in fiscal years 2009, 2010, 2011 and 2012. (page 100) This should be another signal to our citizens that Staff and the Town Commission are managing the finances and implementing effective policies to protect their funds.
- n. It is also a pleasure to report that the Town received the Certificate of Achievement for Excellence in Financial Reporting from the Government Finance Officers Association for the previous two CAFR covering fiscal year 2010 and 2011. (Page vii)

**Recommendation:** It is recommended that the Town Commission accept the Comprehensive Annual Financial Report, as audited by Marcum LLP CPA's for the fiscal year ended September 30, 2012, including the communications letter dated April 2, 2013. It is further recommended that the Town Commission join me in expressing gratitude and congratulations to the Finance Director Donald Nelson and his staff, Mayte Gamiotea, Front Office Manager/Controller, Marisol Rodriguez, Accounting Clerk, Andria Meiri, Budget Officer and Jenorgen Guillen, Customer Service Representative for their diligence and hard work and effort leading up to the production of the CAFR

and the "clean" report. It is also important to acknowledge the hard work of all our Department Directors and employees who finished the year with savings big and small and their continual effort to generate non ad valorem revenues that helped create a significant surplus in all operations of the Town.

  
\_\_\_\_\_  
Finance Department

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

**Please substitute  
Page 3 and Page 41  
In the CAFR Report**

Within this section of the comprehensive annual financial report for the Town of Surfside (the Town), the Town's management is pleased to provide this narrative discussion and analysis of the financial activities of the Town for the fiscal year ended September 30, 2012. The Town's financial performance is discussed and analyzed within the context of the accompanying financial statements and disclosures following this section.

### **2012 FINANCIAL HIGHLIGHTS**

- The Town's assets exceeded its liabilities by \$29,930,028 (total net assets) as of September 30, 2012.
- Total net assets increased \$2,031,552 and are comprised of the following:
  - (1) Capital assets, net of related debt, of \$24,767,761 include property and equipment, net of accumulated depreciation, and reduced by related outstanding debt.
  - (2) Net assets of \$416,070 are restricted by constraints imposed from outside the Town such as grantors, laws, or regulations.
  - (3) Unrestricted net assets consist of \$5,086,491 that may be used to meet the Town's ongoing obligations to citizens and creditors.
- The Town's governmental funds reported total ending fund balance of \$5,815,227 at September 30, 2012. This compares to the prior year total ending fund balance of \$5,198,585 showing an increase of \$616,642 during the current year. Unassigned fund balance is \$3,121,636 at September 30, 2012.
- At the end of the current fiscal year, the unassigned fund balance for the General Fund was \$3,121,636, or 32.3% of total General Fund expenditures. The unrestricted fund balance for the General fund was \$5,266,374 or 54.5% of total General Fund expenditures.
- Overall, the Town continues to maintain a strong financial position.

The above financial highlights are explained in more detail in the "financial analysis" section of this document.

### **OVERVIEW OF THE FINANCIAL STATEMENTS**

This Management Discussion and Analysis document introduces the Town's basic financial statements. The basic financial statements include: (1) government-wide financial statements, (2) fund financial statements, and (3) notes to the basic financial statements. The Town also includes in this report additional information to supplement the basic financial statements. Comparative data is presented to allow comparison to the prior fiscal year.

#### **Government-wide Financial Statements**

The Town's annual report includes two government-wide financial statements. These statements provide both long-term and short-term information about the Town's overall financial status. Financial reporting at this level uses a perspective similar to that found in the private sector with its basis in accrual accounting and elimination or reclassification of activities between funds.

The first of these government-wide statements is the *Statement of Net Assets*. This is the government-wide statement of position presenting information that includes all of the Town's assets and liabilities, with the difference reported as *net assets*. Over time, increases or decreases in net assets may serve as a useful indicator of whether the financial position of the Town as a whole is improving or deteriorating. Evaluation of the overall health of the Town would extend to other nonfinancial factors such as diversification of the taxpayer base or the condition of the Town's infrastructure, in addition to the financial information provided in this report.

**TOWN OF SURFSIDE, FLORIDA**

**NOTES TO FINANCIAL STATEMENTS**

**FOR THE FISCAL YEAR ENDED SEPTEMBER 30, 2012**

---

**NOTE 5 – INTERFUND RECEIVABLES, PAYABLES AND TRANSFERS (CONTINUED)**

***INTERFUND TRANSFERS (CONTINUED)***

General Fund Transfers In consisted entirely of \$394,565 from the Town's other funds providing cost reimbursement to recover general fund management, human resource utilization, payroll/accounts payable functions, pension/benefits management, billing, collection as well as legal recovery services.

General Fund Transfers Out consisted of \$26,512 to provide the water & sewer fund with funding required for non-operating costs.

Capital Projects Fund Transfers Out consisted of \$150,000 to the General Fund for reasons previously mentioned in the General Fund Transfers In above.

Transportation Surtax Fund (a nonmajor fund) Transfer Out consisted of a total of \$191,724. \$183,489 was transferred to the water and sewer fund to provide funding for replacement and paving elements of on-going construction projects. \$8,235 was transferred to the General Fund for the reasons previously mentioned in the General Fund Transfers In above.

Water and Sewer Fund Transfers In consisted of \$210,001. \$183,489 was transferred in from the Transportation Surtax Fund for reasons previously explained in the Transportation Surtax Fund Transfers Out above. \$26,512 was transferred in from the General Fund for reasons previously mentioned in the General Fund Transfers Out above.

Water and Sewer Transfers Out consisted of \$175,163. \$112,202 was transferred to the Stormwater Fund to provide funding for on-going construction projects. \$62,961 was transferred out to the General Fund for reasons previously mentioned in the General Fund Transfers In above.

Stormwater Utility Fund Transfers In consisted of \$112,202 from the Water and Sewer Fund for reasons previously mentioned in the Water and Sewer Transfers Out above.

All of the Transfers Out pertaining to the Municipal Parking, Stormwater and Sanitation Funds were transferred to reimburse the General Fund as previously mentioned.

---

---

**MEMORANDUM**

---

---

**TO:** Mayor and Town Commission

**FROM:** Roger M. Carlton, Town Manager



**SUBJECT:** Commercial Vehicles Parking

**DATE:** April 9, 2013

**CC:**

---

Over the past month, complaints of the lack of parking available in the lots in Surfside have increased substantially. The 94<sup>th</sup> Street lot is full Monday through Friday by 9:00 am. The other lots in the business district are filled by mid-morning. The Abbott Lot does not function properly during the mid-day hours with cars circling or stopping in a traffic lane for a space to open. The lots are filled to capacity with some cars illegally parked in traffic lanes or against medians. Occupied vehicles are parked in the disabled spaces waiting for open spaces.

Over the past month in order to alleviate this problem, the Police and the Parking Departments have increased enforcement with citations and the chalking of vehicles each morning to identify the four hour limit violators. Drivers have caught on and wiped off the chalk or switched spaces with fellow workers to avoid citations and to park all day in the lots. Many of these vehicles belong to contractors and workers from the St. Regis Hotel in Bal Harbour. Many drive large vans and trucks further congesting the lots. The Chief and Lt. Williams have met with the St. Regis management last week who alleged to be unaware of the Surfside problem but did recently cancel their contract with Haulover Park because the workers were not using the parking or bus. The St. Regis management will meet with contractors and workers this week in an attempt to persuade them not to park in Surfside. The Police Department also issues monthly business parking permits in the 94<sup>th</sup> Street Lot. Due to the lack of available parking, the business permits will be decreased beginning next month. We currently have a waiting list of over 100 business permits request. We do not advertise these permits. The projects at Young Israel, the Grand Beach and the 95<sup>th</sup> Street condo have also requested and were denied permits for their workers. The Shul asked for 100 spaces last week for their valet during a special event. They too were denied. We do have them contact Bay Harbor Islands to rent spaces because there is available parking in their parking garage. Residents parking overnight in the lots will also be enforced to free up additional spaces in the morning for customers and employees of the businesses

Between the hours of 11:00am–3:00pm it is very difficult if not impossible to find a parking space in the business district. Merchants and customers are growing in anger.

**Possible solution:**

- Ban construction workers from the Abbott Lot and delivery vehicles.

**Implications:**

- Construction workers will park in the residential area.
- Go to another lot.
- Park on Harding Avenue.
- Merchants need deliveries.
- Merchants need repair to their property.
- Extra police needed to enforce.

**Possible solution:**

- Allow commercial vehicles and delivery vehicles to park only in designated areas on the west side of the Abbott Lot, 10 parking spaces in the middle and 10 spaces in the south. Restriction on from 11:00am to 5:00pm, and commercial marked vehicles only.

**Implications:**

- Some patrons may try to park there and will be ticketed.
- More signage will be unattractive.
- Additional negative reaction from everyone who receives a citation.

**Possible solution:**

- Add Surfside bus run to Bay Harbour Islands garage from 7:00am to 7:00pm funded by construction companies, using the old bus. The new bus will be delivered next week. This must be approved by Bay Harbour Islands.
- Must be funded by the contractors and developers.
- Staff work to manage the project.

In summary it is no longer possible to ignore the parking shortage issue. The situation is becoming intolerable, this concern is being placed on the Town Commission Agenda for discussion an direction.