



**Town of Surfside
Town Commission Meeting
AGENDA
August 11, 2015
7 p.m.**

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

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

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

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

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

1. Opening

- A. Call to Order**
- B. Roll Call of Members**
- C. Pledge of Allegiance**
- D. Mayor and Commission Remarks – Mayor Daniel Dietch**
- E. Agenda and Order of Business Additions, deletions and linkages**
- F. Community Notes – Mayor Daniel Dietch**

2. Quasi-Judicial Hearings (None)

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

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

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

A. Minutes – Sandra Novoa, CMC, Town Clerk

July 14, 2015 – Special Commission Meeting

July 14, 2015 – Regular Commission Meeting

B. Budget to Actual Summary as of May 31, 2015 – Guillermo Olmedillo, Town Manager

***C. Town Manager’s Report – Guillermo Olmedillo, Town Manager**

- **Film Ordinance**
- **See Click Fix**
- **Parking Structure RFEI**
- **Historic Preservation**
- **Ten Year Water Supply Plan**
- **Development Applications**
- **Code Compliance Cases Settled**
- **Enterprise Resource Planning (ERP)**
- **Traffic Issues**
- **Police Department Events**
- **Information Technology & TV Broadcast**
- **Town-Owned Seawall Repair**

***D. Town Attorney’s Report – Linda Miller, Town Attorney**

E. Committee Reports – Guillermo Olmedillo, Town Manager

- May 28, 2015 Planning and Zoning Board and Design Review Board
- June 1, 2015 Tourist Board Meeting Minutes
- July 8, 2015 Tourist Board Meeting Minutes

F. Renewal of Voluntary Cooperation Mutual Aid Agreement with the South Florida Money Laundering Strike Force – Guillermo Olmedillo, Town Manager

A RESOLUTION OF THE TOWN OF SURFSIDE, FLORIDA APPROVING THE RENEWAL OF THE VOLUNTARY COOPERATION MUTUAL AID AGREEMENT BETWEEN THE SOUTH FLORIDA MONEY LAUNDERING STRIKE FORCE AND THE TOWN OF SURFSIDE, FLORIDA; AUTHORIZING THE TOWN MANAGER AND CHIEF OF POLICE TO EXECUTE AND IMPLEMENT THE TERMS AND CONDITIONS OF THE MUTUAL AID AGREEMENT; AND PROVIDING FOR AN EFFECTIVE DATE.

4. Ordinances

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

A. Second Reading Ordinances

- 1. Amendment to Section 90-51. Maximum Frontage of Buildings -
Commissioner Michael Karukin**

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

2. Corridor Analysis – Guillermo Olmedillo, Town Manager

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA AMENDING THE TOWN OF SURFSIDE CODE OF ORDINANCES BY AMENDING CHAPTER 90 ZONING TO IMPLEMENT THE CORRIDOR ANALYSIS PROPOSALS FOR THE AREA BETWEEN COLLINS AND HARDING AVENUES FROM 94TH STREET TO 88TH STREET; AMENDING SECTION 90-2 “DEFINITIONS”; AMENDING SECTION 90-44 “MODIFICATIONS OF HEIGHT REGULATIONS”; AMENDING SECTION 90-44.2; AMENDING SECTION 90-45 –SETBACKS; AMENDING SECTION 90-50 “ARCHITECTURE AND ROOF DECKS”; AMENDING SECTION 90-50.1 “ARCHITECTURE”; AMENDING SECTION 90-51 “MAXIMUM FRONTAGE OF BUILDINGS”; AMENDING SECTION 90-61 “PAVING IN FRONT AND REAR YARDS IN H31 AND H40 DISTRICTS”; AMENDING SECTION 90-61.2; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR SEVERABILITY; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

3. Single Family District Paint Colors – Sarah Sinatra, Town Planner

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA AMENDING CHAPTER 90 “ZONING”, AND SPECIFICALLY AMENDING SECTION 90-50 “ARCHITECTURE AND ROOF DECKS” TO LIMIT THE PERMITTED COLORS IN THE H30A AND H30B ZONING DISTRICTS TO THE FOUR LIGHTEST COLORS ON A COLOR SWATCH; PROVIDING FOR INCLUSION IN THE CODE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

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

B. First Reading Ordinances

1. **Beach Furniture Ordinance** – Guillermo Olmedillo, Town Manager *[Set for Time Certain at 7:30PM]*

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA AMENDING ARTICLE II “LOCAL BUSINESS TAX RECEIPT” OF CHAPTER 70 “TAXATION” AND SPECIFICALLY AMENDING “SECTION 70-41 “LOCAL BUSINESS TAX SCHEDULE”; AMENDING ARTICLE II, PUBLIC BEACHES, SPECIFICALLY AMENDING SECTION 86-26 “DEFINITIONS”; AMENDING SECTION 86.27 “INTENT OF ARTICLE”; CREATING SECTION 86-30 “BEACH FURNITURE”; CREATING SECTION 86-31 “BEACH FURNITURE PERMIT”; CREATING SECTION 86-32 “PERMIT CONDITIONS”; CREATING SECTION 86-33 “CIVIL FINES AND PENALTIES; DENIAL OF FUTURE PERMITS TO REPEAT VIOLATORS”; CREATING SECTION 86-34 “RIGHTS; PAYMENT OF FINE; RIGHT TO APPEAL; FAILURE TO PAY CIVIL FINE OR TO APPEAL”; 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 8:45 p.m.) (Note: Depends upon length of Good and Welfare)

- A. Purchase a 2015 Ford F-250 P/U Extend Cab with Utility Box** – Guillermo Olmedillo, Town Manager

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, TO APPROVE THE PURCHASE OF A 2015 FORD F-250 PICKUP TRUCK PIGGYBACKING OFF THE FLORIDA SHERIFFS ASSOCIATION AND FLORIDA ASSOCIATION OF COUNTIES BID NO. 14-22-0904 FOR \$32,770.00 FROM MACHINERY AND EQUIPMENT ACCOUNT NO. 401-9900-536.64.10; PROVIDING FOR APPROVAL AND AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE.

**B. Purchase a 2015 CASE SR 160 Skid-Steer with Broom Attachment –
Guillermo Olmedillo, Town Manager**

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, TO APPROVE THE PURCHASE OF A 2015 CASE SR 160 SKID STEER LOADER PIGGYBACKING OFF THE STATE OF FLORIDA TERM CONTRACT NO. 760-000-10-1 FOR \$32,000.00 FROM MACHINERY AND EQUIPMENT ACCOUNT NO. 404-5500-538.64.10; PROVIDING FOR APPROVAL AND AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE.

C. South Florida Mayor's Beach Alliance – Mayor Daniel Dietch

A RESOLUTION OF THE TOWN OF SURFSIDE, FLORIDA SUPPORTING THE CREATION OF THE SOUTH FLORIDA MAYORS' BEACH ALLIANCE; DIRECTING THE TOWN CLERK TO TRANSMIT A COPY OF THIS RESOLUTION TO THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY AND ALL THE MEMBER MUNICIPALITIES OF THE SOUTH FLORIDA MAYORS' BEACH ALLIANCE; AND PROVIDING FOR AN EFFECTIVE DATE.

D. A Resolution urging the Florida Legislature to promote and provide therapeutic jurisprudence to children victims and witnesses of human trafficking in the justice system – Vice Mayor Eli Tourgeman *[Set for Time Certain at 7:20PM]*

A RESOLUTION OF THE TOWN OF SURFSIDE, FLORIDA, URGING THE FLORIDA LEGISLATURE TO PROMOTE AND PROVIDE THERAPEUTIC JURISPRUDENCE TO CHILDREN VICTIMS AND WITNESSES OF HUMAN TRAFFICKING IN THE JUSTICE SYSTEM; AND PROVIDING DIRECTION TO THE TOWN CLERK TO TRANSMIT A COPY OF THIS RESOLUTION TO THE FLORIDA LEGISLATURE, GOVERNOR, SENATE PRESIDENT, HOUSE SPEAKER, CHAIR AND MEMBERS OF THE MIAMI-DADE STATE LEGISLATIVE DELEGATION, BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, MIAMI-DADE COUNTY STATE ATTORNEY'S OFFICE, FLORIDA ATTORNEY GENERAL'S OFFICE, UNITED STATES DEPARTMENT OF HOMELAND SECURITY, MIAMI-DADE COUNTY LEAGUE OF CITIES, AND FLORIDA LEAGUE OF CITIES; AND PROVIDING FOR AN EFFECTIVE DATE.

E. Florida for Solar Choice Support Resolution – Mayor Daniel Dietch

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA URGING THE FLORIDA LEGISLATURE TO REMOVE BARRIERS TO CUSTOMER-SITED SOLAR POWER AND EXPRESSING SUPPORT FOR THE FLORIDIANS FOR SOLAR CHOICE BALLOT PETITION; PROVIDING DIRECTION TO THE TOWN CLERK TO TRANSMIT A COPY OF THIS RESOLUTION TO THE FLORIDA LEGISLATURE; THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, ALL MUNICIPALITIES IN MIAMI-DADE COUNTY, THE MIAMI-DADE COUNTY LEAGUE OF CITIES, AND FLORIDA LEAGUE OF CITIES AND PROVIDING FOR AN EFFECTIVE DATE.

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

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

7. Town Manager and Town Attorney Reports

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

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

8. Unfinished Business and New Business

A. Ethics Ordinance Enhancement – Mayor Daniel Dietch

B. Appointment to the Police Retirement Trust Fund per F.S. Ch. 185 (Verbal) – Guillermo Olmedillo, Town Manager

9. Mayor, Commission and Staff Communications

A. Approval to Increase the Parking Meter Rate from \$1.25 to \$1.50 Per Hour – Guillermo Olmedillo, Town Manager

B. Miami-Dade County Historic Preservation – Guillermo Olmedillo, Town Manager

C. Requiring Additional Windows for Each Façade – Vice Mayor Tourgeman

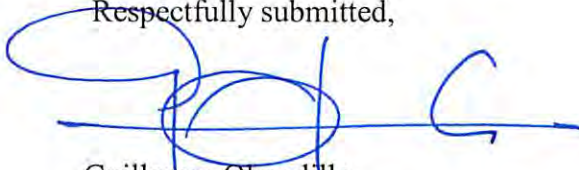
D. Paced Development – Guillermo Olmedillo, Town Manager

E. Development Limits – Mayor Daniel Dietch

F. Appointments to the Coastal Issues Committee (Verbal)– Guillermo Olmedillo, Town Manager

10. Adjournment

Respectfully submitted,



Guillermo Olmedillo
Town Manager

THIS MEETING IS OPEN TO THE PUBLIC. IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT OF 1990, ALL PERSONS THAT ARE DISABLED; WHO NEED SPECIAL ACCOMMODATIONS TO PARTICIPATE IN THIS MEETING BECAUSE OF THAT DISABILITY SHOULD CONTACT THE OFFICE OF THE TOWN CLERK AT 305-861-4863 EXT. 226 NO LATER THAN FOUR DAYS PRIOR TO SUCH PROCEEDING.

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

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

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

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



**Town of Surfside
Town Special Commission Meeting
Proposed Budget
MINUTES
July 14, 2015
5 p.m.**

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

1. Opening

A. Call to Order

Mayor Dietch called the meeting to order at 5:04 P.M.

B. Roll Call of Members

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

C. Pledge of Allegiance

Police Chief Allen led the Pledge of Allegiance

D. Presentation/Overview of FY 15/16 Budget – Guillermo Olmedillo, Town Manager and Donald Nelson, Finance Director

Town Manager Guillermo Olmedillo stated that the purpose of the meeting was to establish the Millage Rate. The Town administration recommended to keep the same Millage Rate of 5.0293 Mills.

Finance Director Donald Nelson gave a brief explanation and presented a PowerPoint presentation that provided the Town Commission with the information needed to adopt a Millage Rate.

E. Proposed Operating Millage Rate – Guillermo Olmedillo, Town Manager

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, DETERMINING A PROPOSED OPERATING MILLAGE RATE, DETERMINING THE CURRENT YEAR ROLLED-BACK RATE; ESTABLISHING THE DATE, TIME AND PLACE FOR THE FIRST AND SECOND PUBLIC BUDGET HEARINGS AS REQUIRED BY LAW; DIRECTING THE TOWN CLERK TO FILE SAID RESOLUTION WITH THE PROPERTY APPRAISER OF MIAMI-DADE COUNTY PURSUANT TO THE REQUIREMENTS OF FLORIDA STATUTES AND THE RULES AND REGULATIONS OF THE DEPARTMENT OF REVENUE FOR THE STATE OF FLORIDA; PROVIDING FOR AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE.

After some discussion Commissioner Karukin made a motion to keep the Millage Rate at 5.0293 Mills and established the first budget hearing for September 8, 2015 at 5:01 PM in Town Hall, located at 9293 Harding Avenue and to established the second and final budget hearing for September 21, 2015 at 5:01 PM in Town Hall, located at 9293 Harding Avenue. The motion received a second from Commissioner Cohen. The motion carried 4-1 with Commissioner Olchyk voting in opposition.

2. Adjournment

Vice Mayor Tourgeman made a motion to adjourn the meeting. Commissioner Karukin seconded the motion and the meeting adjourned at 5:52 p.m.

Respectfully submitted,

Accepted this ____ day of _____, 2015

Daniel Dietch, Mayor

Attest:

Sandra Novoa, CMC
Town Clerk



**Town of Surfside
Town Commission Meeting
MINUTES
July 14, 2015
7 p.m.**

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

1. Opening

A. Call to Order

Mayor Dietch called the meeting to order at 7:00 P.M.

B. Roll Call of Members

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

C. Pledge of Allegiance

Police Chief Allen led the Pledge of Allegiance

D. Mayor and Commission Remarks – Mayor Daniel Dietch

Commissioner Karukin thanked Yami St.Cloud for organizing the car wash benefiting the Alzheimer's Association and that Surfside is number one in the County on fundraising for Alzheimer's.

Vice Mayor Tourgeman said an article in the Sun Sentinel referred to Surfside as on the "quaint side" which is very nice. The Vice Mayor also gave an update on the meeting of the Tourist Board. Commissioner Olchyk had questions regarding the cost of the holiday lighting budgeted by the Tourist Board.

Commissioner Cohen welcomed everyone and said the millage rate will remain the same and not go up and urged all to be aware of the upcoming budget meetings.

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

Vice Mayor Tourgeman requested to move item 9B Parking Garage to be heard after the Consent Agenda and Item 9H Comprehensive Annual Financial Report (CAFR) to be heard after Item 1I. Commissioner Karukin would like to move Item 4B1 ahead of 4A1 and link 9G and 4B1.

Commissioner Karukin made a motion to approve the new Order of Business. Vice Mayor Tourgeman seconded the motion and all voted in favor.

F. Community Notes – Mayor Daniel Dietch

Mayor Dietch announced the upcoming community events which can be found in the Gazette and on the Town's website. The Mayor acknowledged the passing of long time resident Marty Gillman. He also acknowledged the Mayor's of coastal

communities who have come together to form a beach alliance to speak with one voice on beach renourishment.

G. Legislative Report – Fausto Gomez, Gomez Barker Associates, Inc.

Mr. Gomez gave an update on the legislative report and although some issues were vetoed the town of Surfside did well. Commissioner Cohen asked what was on the future agenda in Tallahassee and Mr. Gomez gave an overview of what is proposed and he will be meeting with Town Manager Olmedillo.

H. Osher Lifelong Learning Institute at Florida International University – Guillermo Olmedillo, Town Manager

Manager Olmedillo presented the item and Duncan Travares introduced Norman Orovitz from FIU who explained the program and what is being done with the funds donated.

Vice Mayor Tourgeman made a motion to approve the donation to FIU. The motion received a second from Commissioner Karukin and all voted in favor.

I. Bicycle Action Committee (BAC) – Guillermo Olmedillo, Town Manager

Manager Olmedillo presented the item and said BAC is requesting a \$350 donation and the use of the city seal and color code on their outfits. The Chairman of BAC gave further details on the item.

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

2. Quasi-Judicial Hearings (None)

3. Consent Agenda

Mayor Dietch pulled a section of the police report Item 3D Town Attorney's Report.

Vice Mayor Tourgeman made a motion to approve the consent agenda minus the pulled item. The motion received a second from Commissioner Karukin and all voted in favor.

Note: The pulled item was never discussed.

A. Minutes – Sandra Novoa, CMC, Town Clerk

May 12, 2015 Regular Commission Meeting Minutes

June 09, 2015 Regular Commission Meeting Minutes

B. Budget to Actual Summary as of April 30, 2015 – Guillermo Olmedillo, Town Manager

***C. Town Manager's Report** – Guillermo Olmedillo, Town Manager

1. Bus Service – Bus Service Improvements and Operational Efficiencies
2. See Click Fix
3. Resort Tax Board Ordinance
4. Historic Preservation

5. Ten Year Water Supply Plan
6. Development Applications
7. Code Compliance Cases Settled
8. Enterprise Resource Planning (ERP)
9. Traffic Issues
10. Police Department Events
11. Information Technology & TV Broadcasts
12. Town-Owned Seawall Repair

***D. Town Attorney's Report** – Linda Miller, Town Attorney

E. Committee Reports – Guillermo Olmedillo, Town Manager

-February 24, 2015 Pension Board Meeting Minutes

-April 13, 2015 Special Pension Board Meeting Minutes

4. Ordinances

A. Second Reading Ordinances

1. Amendment to Section 90-51. Maximum Frontage of Buildings -

Commissioner Michael Karukin

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

Town Clerk Sandra Novoa read the title of the ordinance.

Commissioner Karukin made a motion to defer to the next meeting on August 11, 2015 at 7:00 p.m. Mr. Kousoulas said he would speak on the item at the next meeting. The motion received a second from Commissioner Olchyk and all voted in favor with Vice Mayor Tourgeman absent.

Passing the gavel, the Mayor asked, as a point of privilege, to take Item 9C next and made a motion to do so. The motion received a second from Commissioner Karukin and all voted in favor with Vice Mayor Tourgeman absent.

B. First Reading Ordinances

1. Corridor Analysis – Guillermo Olmedillo, Town Manager {Linked to Item 9G}

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA AMENDING THE TOWN OF SURFSIDE CODE OF ORDINANCES BY AMENDING CHAPTER 90 ZONING TO IMPLEMENT THE CORRIDOR ANALYSIS PROPOSALS FOR THE AREA BETWEEN COLLINS AND HARDING AVENUES FROM 94TH STREET TO 88TH STREET; AMENDING SECTION 90-2 “DEFINITIONS”; AMENDING SECTION 90-44 “MODIFICATIONS OF HEIGHT REGULATIONS”; AMENDING SECTION 90-44.2; AMENDING SECTION 90-45 –SETBACKS; AMENDING SECTION 90-50 “ARCHITECTURE AND ROOF DECKS”; AMENDING SECTION 90-50.1 “ARCHITECTURE”; AMENDING SECTION 90-51 “MAXIMUM FRONTAGE OF BUILDINGS”; AMENDING SECTION 90-61 “PAVING IN FRONT AND REAR YARDS IN H31 AND H40 DISTRICTS”; AMENDING SECTION 90-61.2; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR SEVERABILITY; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

Town Clerk Sandra Novoa read the title of the ordinance.

Town Planner Sarah Sinatra presented the item with visuals.

Commission Karukin made a motion for discussion. The motion received a second from Commissioner Cohen. After some discussion Commissioner Karukin thanked the Town Planner for all her efforts on this subject.

Vice Mayor Tourgeman left at 9:50 p.m.

Public Speaker George Kousoulas said this was a very good study. He supports it but the only question he had was about the breezeway.

Commission Karukin made a motion to approve. The motion received a second from Commissioner Olchyk and the motion carried 3-2 with Commissioner Cohen absent for the vote and Vice Mayor Tourgeman absent.

5. Resolutions and Proclamations

A. FY 14/15 Proposed Budget Amendment Resolution – Guillermo Olmedillo, Town Manager

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, AMENDING THE ANNUAL BUDGET RESOLUTION ADOPTED FOR FISCAL YEAR OCTOBER 1, 2014 TO SEPTEMBER 30, 2015; FOR THE PURPOSE OF AMENDING THE ANNUAL BUDGET IN THE

GENERAL FUND, CAPITAL PROJECT FUND, POLICE FORFEITURE FUND, MUNICIPAL TRANSPORTATION FUND, WATER & SEWER FUND, MUNICIPAL PARKING FUND, SOLID WASTE FUND, AND STORMWATER FUND; AND OTHER ADJUSTMENTS TO THE BUDGET FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2015; PROVIDING FOR AN EFFECTIVE DATE.

Town Clerk Sandra Novoa read the title of the resolution.

Finance Director Donald Nelson presented the item. Commissioner Olchyk asked if there were any new items not discussed and the response was yes.

Commissioner Karukin made a motion to accept. The motion received a second from Commissioner Cohen. The motion carried 3-1 with Commissioner Olchyk voting in opposition and Vice Mayor Tourgeman absent.

B. Purchase a 2015 Ford F-250 P/U Extend Cab with Utility Box – Guillermo Olmedillo, Town Manager

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, TO APPROVE THE PURCHASE OF A 2015 FORD F-250 PICKUP TRUCK PIGGYBACKING OFF THE FLORIDA SHERIFFS ASSOCIATION AND FLORIDA ASSOCIATION OF COUNTIES BID NO. 14-22-0904 FOR \$32,770.00 FROM MACHINERY AND EQUIPMENT ACCOUNT NO. 401-9900-536.64.10; PROVIDING FOR APPROVAL AND AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE.

*Item not discussed

C. Purchase a 2015 CASE SR 160 Skid-Steer with Broom Attachment – Guillermo Olmedillo, Town Manager

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, TO APPROVE THE PURCHASE OF A 2015 CASE SR 160 SKID STEER LOADER PIGGYBACKING OFF THE STATE OF FLORIDA TERM CONTRACT NO. 760-000-10-1 FOR \$32,000.00 FROM MACHINERY AND EQUIPMENT ACCOUNT NO. 404-5500-538.64.10; PROVIDING FOR APPROVAL AND AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE.

*Item not discussed

D. Coastal Issues Committee – Guillermo Olmedillo, Town Manager

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, ESTABLISHING THE TOWN OF SURFSIDE COASTAL ISSUES COMMITTEE; PROVIDING FOR RULES AND PROCEDURES; PROVIDING FOR AUTHORIZATION AND PROVIDING FOR AN EFFECTIVE DATE.

Town Clerk Sandra Novoa read the title of the resolution.
Town Manager Olmedillo presented the item.

Commissioner Cohen made a motion to approve a Coastal Issues Committee. The Mayor will be liaison. The motion received a second from Commissioner Karukin and all voted in favor with Vice Mayor Tourgeman absent.

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

Mayor Dietch opened the meeting to public speakers.

Public Speakers:

-Judith Shakvry, a business owner in Surfside, said the town has changed for the better and more tourists are coming in. She feels retail space should be aligned with more parking facilities.

-Norma Parron, President of the Mirage Condo Assoc. thanked the city for resolving the issue they had with an abandoned building next to them and the mosquito infested pool. Ms. Parron asked for help with the problem they are having with raccoons who come into the area and pool even when people are there especially children.

-Larisa Alonso spoke of a problem of dust created by the demolition of a house next to hers and whether there was a code that after demolition the area had to be watered down.

Town Manager Olmedillo said he would respond via email to Ms. Alonso. Addressing the raccoon problem he will speak to animal control to see what can be done and the Mayor asked that he then post the information on the website.

No one else wishing to speak the Mayor closed Good and Welfare and resumed to item 9B.

7. Town Manager and Town Attorney Reports

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

8. Unfinished Business and New Business

9. Mayor, Commission and Staff Communications

A. Traffic Management Plan – Long Term Solutions – Guillermo Olmedillo, Town Manager

Mayor Dietch recused himself due to a conflict as he resides on Byron Avenue.

Police Chief Allen presented the item with an update and gave his suggestions.

-Clara Diaz-Leal said she supports this plan as does residents in her area.

-Jeffrey Platt expressed his views.

Commissioner Cohen made a motion to approve. The motion received a second from Commissioner Karukin. The motion carried 3-1 with Mayor Dietch recused and Vice Mayor Tourgeman absent.

B. Parking Garage– Guillermo Olmedillo, Town of Surfside

Manager Olmedillo gave an update on the item and whether to issue an RFP on the 94th Street lot. Manager Olmedillo asked for authorization to initiate the RFP to start the process and see what comes back. However, in his opinion it is not proven that it is financially feasible to build just a parking lot as today many parking lots are aligned with offices and retail space. In the interim we should look at other areas which may be more beneficial.

Vice Mayor Tourgeman expressed his views on the shortage of parking and how this item has been discussed for a very long time. Studies have been done and now it is time to take action. He supports this type of parking and feels we must support the business district.

Commissioner Karukin presented a slide show of the Surfside parking inventory which shows that 85% of the parking supports the business district. The chart also showed a Town Hall option. Before building a structure he believes we should define what we are trying to solve, condo parking, retail parking, etc. Commissioner Olchyk thanked Commissioner Karukin for doing this as it shed more light on the subject.

Mayor Dietch believes properties that are now being developed will have a surplus of parking. He does not believe building a lot further north will help the district in the south. There was further discussion on this issue.

Mayor Dietch put the item on hold in order to proceed to Good and Welfare which has a time certain on the agenda.

Public Speaker George Kousoulas gave a presentation showing various sites for a lot. He disagrees with the Town Manager with moving on the 94th Street lot and gave his reasoning with only building a facility just for parking. He discussed in detail the Town Hall site as well as other sites. The Commission discussed their point of views on the subject.

The Mayor opened the item up for public speakers.

Public Speakers:

-Stefen Parker asked which two new developments were coming up on 94th Street. He said he has never seen a parking situation in Surfside.

-Daniel Gielschinsky – believes this issue is long overdue for action as parking is a problem and believes we should move forward with the RFI on 94th Street.

-Sergio Castaneda said parking is a problem not only for retail stores but also services such as going to a bank. He believes the best lot is the one behind CVS and explained why he thought so. He said his business is hurting because of the lack of parking spaces.

-Jeffrey Platt believes part of the problem in the Abbott lot is that it is filled with construction trucks and employee vehicles and they should be moved to the 94th Street lot. He does not believe we have to build a parking structure at this time. If one should be considered he thinks it should be the Town Hall site.

-Norma Parron related the problem with her condo which have two and three bedrooms and they have only one parking space. She believes going south with parking is more feasible.

-Donald Fowley read a letter from Mr. & Mrs. O'Hagan which urges the town to keep its uniqueness and feels we do not additional parking for only the few months out of the year during peak season. Mr. Fowley feels if additional parking were to be built he favors the 93rd Street lot.

-Clara Diaz-Parker says the study done is flawed and does not address everyone's need. She likes what Mr. Kousoulas presented as it takes into consideration the residents.

-Mitchell Feldman said that from his perspective there is a need for more parking.

-Deborah Cimadevilla asked what the financial commitment to the town is and where is the money coming from.

The Mayor said great ideas were presented and we should reach out to private sectors and get some input. The community as well as the Commission are divided on the issue. Manager Olmedillo gave more input and suggested an RFI with a short turn around.

Vice Mayor Tourgeman made a motion to approve authorization of an RFP on 94th Street. The motion died for lack of a second.

Commissioner Cohen made a motion to approve authorization of an RFI on the 93rd Street concept. The motion received a second from Commissioner Olchyk. The motion carried 4-1 with Vice Mayor Tourgeman voting in opposition.

- C. **Beach Chairs Management**– Guillermo Olmedillo, Town Manager
Manager Olmedillo explained they are looking at the possibility of mirroring the ordinance adopted by Sunny Isles Beach which includes an orderly display of beach chairs as well as percentage used. He is asking

for direction from the Commission. The Mayor would like the people who attended this evening to voice their opinion but suggested a workshop be held on the topic. Commissioner Olchyk felt there was no reason to delay as everyone wants access to the beach and we should look at the recommendations of the Manager. Commissioner Karukin agreed with Commissioner Olchyk but would like to see some guidelines provided by the Manager.

Public Speakers:

-Jeffery Platt first applauds the Commission for recognition of this problem. He said beach chairs put on the beach during the day should be removed in the evening. He also said only beach owned properties should be allowed to put their chairs out. He also said we should look at the Haulover ordinance as well as Sunny Isles.

-Joel Simmonds representing the Grand Beach Hotel said they are in favor of regulations as long as they are sensible. He asks that the issue be discussed properly taking everyone into consideration.

-Selina Calte feels if we have allowed hotels to be built then they should be allowed to have chairs on the beach and this applies to condos on the beach. She does feel regulations are needed.

-Deborah Cimadevilla said it is difficult to get used to all the hotels and construction that has come in and it has taken away the quaintness that once was Surfside. She asked why chairs can't be placed on a as needed basis instead of an overwhelming of beach chairs.

-Sean McKeen said we do need some regulations.

Commissioner Karukin said we should move forward and asked the Manager to also look at Haulover. The Manager said he would look at other communities and their regulations.

The Mayor asked the Town Manager to come back with some language and schematics or tables to help with this item.

The Mayor asked if Item 9A be heard next and then 5D. Commissioner Karukin made a motion to hear 9A next. The motion received a second from Commissioner Olchyk and all voted in favor with Vice Mayor Tourgeman absent.

D. Ethics Ordinance Enhancement – Mayor Daniel Dietch

E. Community Rating Systems (CRS) Program for Public Information (PPI) – Guillermo Olmedillo, Town Manager
Building Official Ross Prieto presented the item.

Passing the gavel, Mayor Dietch made a motion to accept. The motion received a second from Commissioner Olchyk and all voted in favor with Vice Mayor Tourgeman absent.

F. Appointment to the Police Retirement Trust Fund per F.S. Ch. 185 (Verbal) – Guillermo Olmedillo, Town Manager
Item not discussed

G. Zoning in Progress – Ordinance - Corridor Analysis between Collins and Harding Avenue – Commissioner Michael Karukin {Linked to Item 4B1 }

Direction was given to the Town Clerk to publish a Notice of Zoning in Progress.

Commissioner Karukin made a motion to approve. The motion received a second from Commissioner Olchyk. The motion carried 3-2 with Commissioner Cohen absent for the vote and Vice Mayor Tourgeman absent.

H. Comprehensive Annual Financial Report (CAFR) for the Fiscal Year Ended September 30, 2014 – Guillermo Olmedillo, Town Manager

Item was heard as Item 1J.

Enrique Llerena presented the report. Commissioner Olchyk questioned the errors that had been found and why they had not been corrected especially ones that are repeated. Finance Director Donald Nelson addressed the concerns of Commissioner Olchyk and gave an explanation. Manager Olmedillo also gave some explanations. Commissioner Olchyk said, for the record, a specific error was made last year and they were assured it would not happen again and it has reoccurred. Her feeling is that even if it is a minor error it should not occur again and someone should be held accountable. Manager Olmedillo responded and said they would monitor this more closely in the future. Vice Mayor Tourgeman agreed that this should not have happened again but feels we should not undermine this report by not signing off on it.

Commissioner Karukin made a motion to accept and submit for recognition to the GFOA. Director Nelson reminded everyone that last year the town of Surfside received the highest award from GFOA for its reporting standards in the County. The motion received a second from Vice Mayor Tourgeman and all voted in favor.

I. Florida for Solar Choice Support Resolution – Mayor Daniel Dietch

Commissioner Karukin made a motion to approve. The motion received a second from Commissioner Olchyk and all voted in favor with Vice Mayor Tourgeman absent.

10. Adjournment

Any items not discussed will be carried over to the next meeting.
The meeting adjourned at 11:02 p.m.

Respectfully submitted,

Accepted this _____ day of _____, 2015

Daniel Dietch, Mayor

Attest:

Sandra Novoa, CMC
Town Clerk

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

AS OF

May 31, 2015

67% OF YEAR EXPIRED (BENCHMARK)

Agenda Item #

Page

1 of 3

Agenda Date: August 11, 2015

GOVERNMENTAL FUNDS	ACTUAL	ANNUAL BUDGETED	% BUDGET
GENERAL FUND			
REVENUE	\$10,082,632	\$12,040,318	84%
EXPENDITURES	8,094,079	\$12,040,318	67%
Net Change in Fund Balance	1,988,553		
Fund Balance-September 30, 2014 (Audited)	6,366,391		
Fund Balance-May 31, 2015 (Reserves)	\$ 8,354,944		
RESORT TAX (TEDAC SHARE)			
REVENUE	\$ 383,631	\$635,465	60%
EXPENDITURES	266,644	\$635,465	42%
Net Change in Fund Balance	116,987		
Fund Balance-September 30, 2014 (Audited)	180,297		
Fund Balance-May 31, 2015 (Reserves)	\$ 297,284		
POLICE FORFEITURE/CONFISCATION			
REVENUE	\$ 16,216	\$90,300	18%
EXPENDITURES	66,350	\$90,300	73%
Net Change in Fund Balance	\$ (50,134)		
Fund Balance-September 30, 2014 (Audited)	159,626		
Fund Balance-May 31, 2015 (Reserves)	\$ 109,492		
TRANSPORTATION SURTAX			
REVENUE	\$ 118,892	\$197,000	60%
EXPENDITURES	110,213	\$197,000	56%
Net Change in Fund Balance	8,679		
Fund Balance-September 30, 2014 (Audited)	396,740		
Fund Balance-May 31, 2015 (Reserves)	\$ 405,419		
CAPITAL PROJECTS			
REVENUE	\$ 66,998	\$1,249,322	5%
EXPENDITURES	1,024,152	\$1,249,322	82%
Net Change in Fund Balance	(957,154)		
Fund Balance-September 30, 2014 (Audited)	849,445		
Fund Balance-May 31, 2015 (Reserves)	\$ (107,709)		

NOTES:

* Many revenues received in subsequent months (timing difference) and are recorded on a cash basis in the month received.

A. Includes \$2,000,000 available for hurricane/emergencies. The balance of \$4,366,391 is unassigned fund balance (reserves).

B. Resort Tax Revenues for May 2015 are received in June 2015, the (Total collected through May 2015 is \$1,285,736)(\$383,631 is the TEDAC \$902,105 is the General Fund).

ENTERPRISE FUNDS

ACTUAL

ANNUAL BUDGETED	% BUDGET
------------------------	-----------------

WATER & SEWER

REVENUE	\$ 2,491,477	\$2,909,908	86%
EXPENDITURES	2,033,283	\$2,909,908	70%
Change in Net Position	458,194		
Unrestricted Net Position-September 30, 2014 (Audited)	(3,501,884)		
Restricted Net Position	1,260,776 C1		
Unrestricted Net Position-May 31, 2015 (Reserves)	\$ (1,782,914) C2		

MUNICIPAL PARKING

REVENUE	\$ 639,837	\$1,062,878	60%
EXPENDITURES	644,604	\$1,062,878	61%
Change in Net Position	(4,767)		
Unrestricted Net Position-September 30, 2014 (Audited)	1,000,355		
Unrestricted Net Position-May 31, 2015 (Reserves)	\$ 995,588		

SOLID WASTE

REVENUE	\$ 1,022,298	\$1,261,360	81%
EXPENDITURES	883,553	\$1,261,360	70%
Change in Net Position	138,745		
Unrestricted Net Position-September 30, 2014 (Audited)	116,662		
Unrestricted Net Position-May 31, 2015 (Reserves)	\$ 255,407		

STORMWATER

REVENUE	\$ 331,655	\$505,000	66%
EXPENDITURES	518,964	\$505,000	103%
Change in Net Position	(187,309)		
Unrestricted Net Position-September 30, 2014 (Audited)	3,838,412		
Restricted Net Position	347,140 C3		
Unrestricted Net Position-May 31, 2015 (Reserves)	\$ 3,998,243		

NOTES:(con't)

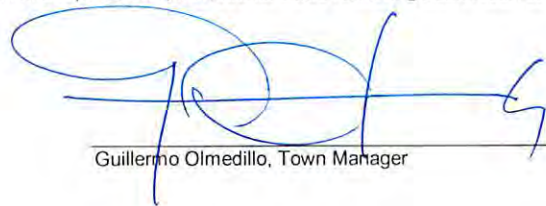
C1. The Restricted Net Position of \$1,260,776 includes \$1,017,776 for renewal and replacement, and \$243,000 for State Revolving Loan reserves.

C2. The reserves balance of (\$1,782,914) is the result of a change in current net position as of May 2015 of \$458,194 net position as of September 30, 2014 of (\$3,501,884) includes \$651,144 for rate stabilization, plus Restricted Net Position of \$1,260,776.

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



Donald G. Nelson, Finance Director
**ATTACHMENT



Guillermo Olmedillo, Town Manager

Town of Surfside
Fund Balance (Reserves)
5/31/2015

FUND	9/30/2012	9/30/2013	9/30/2014	5/31/2015
General	\$ 5,266,374	\$ 5,304,042	\$ 6,366,391	\$ 8,354,944
Resort Tax	171,496	94,497	180,297	297,284
Police Forfeiture	122,272	138,143	159,626	109,492
Transportation Surtax	122,302	131,475	396,740	405,419
Capital	132,783	255,263	849,445	(107,709)
Water & Sewer	(1,931,707)	(5,261,333)	(3,501,884)	(1,782,914)
Parking	1,258,325	1,066,574	1,000,355	995,588
Solid Waste	228,437	227,274	116,662	255,407
Stormwater	104,651	2,520,512	3,838,412	3,998,243
Total	\$ 5,474,933	\$ 4,476,447	\$ 9,406,044	\$ 12,525,754

TOWN OF SURFSIDE, FLORIDA

**STATEMENT OF NET POSITION
PROPRIETARY FUNDS**

SEPTEMBER 30, 2014

	Business-type Activities - Enterprise Funds				Totals
	Water and Sewer	Municipal Parking	Sanitation	Stormwater Utility	
Assets					
Current Assets					
Cash and cash equivalents	\$ --	\$ 1,036,154	\$ 174,241	\$ 2,245,546	\$ 3,455,941
Receivables	730,736	520,811	72,426	97,807	1,421,780
Due from other funds	--	--	--	1,924,245	1,924,245
Prepaid items	19,647	3,228	7,050	4,085	34,010
Total Current Assets	<u>750,383</u>	<u>1,560,193</u>	<u>253,717</u>	<u>4,271,683</u>	<u>6,835,976</u>
Noncurrent Assets					
Investments	39,055	--	--	--	39,055
Restricted cash and cash equivalents	896,097	--	--	472,239	1,368,336
Capital Assets					
Construction in progress	--	--	--	3,091,122	3,091,122
Land	--	1,358,011	--	--	1,358,011
Infrastructure	24,128,098	1,447,360	--	267,828	25,843,286
Equipment	228,181	474,891	378,200	--	1,081,272
	<u>24,356,279</u>	<u>3,280,262</u>	<u>378,200</u>	<u>3,358,950</u>	<u>31,373,691</u>
Less: accumulated depreciation	<u>(2,077,471)</u>	<u>(993,774)</u>	<u>(331,853)</u>	<u>(113,774)</u>	<u>(3,516,872)</u>
Total Capital Assets, Net	<u>22,278,808</u>	<u>2,286,488</u>	<u>46,347</u>	<u>3,245,176</u>	<u>27,856,819</u>
Total Noncurrent Assets	<u>23,213,960</u>	<u>2,286,488</u>	<u>46,347</u>	<u>3,717,415</u>	<u>29,264,210</u>
Total Assets	<u>23,964,343</u>	<u>3,846,681</u>	<u>300,064</u>	<u>7,989,098</u>	<u>36,100,186</u>
Liabilities					
Current Liabilities					
Accounts payable	138,566	16,920	29,870	21,622	206,978
Accrued liabilities	93,370	11,471	19,048	2,699	126,588
Due to other funds	1,924,245	--	--	--	1,924,245
Due to other governments	400,287	--	--	--	400,287
Interest payable	182,947	--	--	60,983	243,930
Retainage payable	81,561	--	--	9,395	90,956
Current portion note payable	11,653	--	--	--	11,653
Current portion of revenue bonds payable	429,410	--	--	143,137	572,547
Current portion of state revolving loan payable	171,894	--	--	62,994	234,888
Compensated absences	2,377	753	7,046	82	10,258
Customer deposits	207,213	5,210	--	--	212,423
Total Current Liabilities	<u>3,643,523</u>	<u>34,354</u>	<u>55,964</u>	<u>300,912</u>	<u>4,034,753</u>
Noncurrent Liabilities					
Net OPEB obligation	10,377	4,210	17,678	--	32,265
Compensated absences	21,386	6,774	63,413	745	92,318
Note payable	38,125	--	--	--	38,125
Revenue bonds payable	7,352,558	--	--	2,513,504	9,866,062
State revolving loan payable	6,444,395	--	--	2,142,436	8,586,831
Total Noncurrent Liabilities	<u>13,866,841</u>	<u>10,984</u>	<u>81,091</u>	<u>4,656,685</u>	<u>18,615,601</u>
Total Liabilities	<u>17,510,364</u>	<u>45,338</u>	<u>137,055</u>	<u>4,957,597</u>	<u>22,650,354</u>
Deferred Inflows of Resources					
Unearned revenue	--	514,500	--	--	514,500
Net Position					
Net investment in capital assets	8,695,087	2,286,488	46,347	(1,154,051)	9,873,871
Restricted for renewal and replacement	1,017,776	--	--	266,140	1,283,916
Restricted for loan reserve	243,000	--	--	81,000	324,000
Unrestricted	<u>(3,501,884)</u>	<u>1,000,355</u>	<u>116,662</u>	<u>3,838,412</u>	<u>1,453,545</u>
Total Net Position	<u>\$ 6,453,979</u>	<u>\$ 3,286,843</u>	<u>\$ 163,009</u>	<u>\$ 3,031,501</u>	<u>\$ 12,935,332</u>

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



TOWN MANAGER'S REPORT AUGUST 2015

COMMUNITY PROGRAMS / INITIATIVES / ENHANCEMENTS

1. Film Ordinance

Based on feedback from the community meetings, the residents were split on allowing any type of filming in the residential district (presently prohibited – only photo shoots are permissible). Discussions with the residents (neighbors) in the Biscaya area ended up being about two opposing views. August 26, 2015 is scheduled for the Community Film Ordinance Workshop II, however, the Administration is recommending not proceeding with substantive changes to the ordinance, making this meeting unnecessary. The Administration will address updating the existing Film/Photo Permit to align with existing code compliance provisions.

2. See Click Fix

Report attached.

3. Parking Structure RFEI

The Parking Structure Request for Expression of Interest (RFEI) was issued and advertised on August 3, 2015. Interested respondents have until 2:00 pm September 25, 2015 to submit their information. It is anticipated that the Town Commission will receive a report on the submissions at the October 13, 2015 Town Commission meeting.

PLANNING, ZONING AND DEVELOPMENT

4. Historic Preservation

Miami-Dade County's Office of Historic Preservation has issued a moratorium on permits for the following addresses: 9016 Collins, 9024 Collins, 9025 Harding, 9033 Harding, 9040 Collins, 9048 Collins, 9056 Collins, and 9064 Collins. A designation hearing was held for these properties on March 18, 2015, however a property owner requested a three month deferral until June 2015. The Board granted this request. The Historic Preservation staff requested an additional three month deferral from the Board in order to further work with the property owners and the Town on the proposed district. The designation hearing of this district has been deferred to the September meeting of the Historic Preservation Board.

On June 17, 2015, the Historic Preservation Board approved a resolution to encourage incentives for historic preservation. This resolution recognizes the development opportunities in municipalities such as in the Town of Surfside, and would like to work with the Town to encourage historic preservation initiatives by making ordinance revisions that would implement a process by which owners of historically designated properties can apply for certain zoning requirement waivers for the purpose of saving historic buildings while also allowing them to more fully recognize the potential redevelopment of their property. Examples of these incentives would be reductions or waivers in minimum lot size, setbacks, minimum lot widths, maximum building footprint, green space, off-street parking, loading requirements or other lot development regulations.

5. Ten Year Water Supply Plan

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

6. Development Applications

- a) 8851 Harding Avenue – A site plan application for a 23 unit development has been submitted to the Town. Staff held a Development Review Meeting with the applicant in January. A resubmittal addressing staff comments has not been received.
- b) 8800 Collins Avenue – A site plan application for a 25 unit development has been submitted to the Town. Staff held a Development Review Meeting with the applicant in March and June and a Development Impact Committee was held on July 22, 2015. Approximately 25 conditions were presented to the applicant and the project is tentatively scheduled for the August 27, 2015 Planning and Zoning Board hearing.
- c) 9415-9421 Harding Avenue – A site plan application for a 145 square foot addition at the rear of the building abutting the alley has been submitted. Staff reviewed the application with the applicant and a Development Impact Committee meeting was held June 23, 2015. The applicant has indicated that they may no longer wish to proceed and has asked to stop any further reviews as this time.

TOWN DEPARTMENTS

Code Compliance

7. Code Compliance Cases Settled

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

Since March of 2012 approximately \$165,020 has been collected for Code Compliance violation related civil penalties, after mitigation or negotiated settlement.

The following is a summary by Fiscal Year:

FY 11/12: 8 cases settled for a total of \$16,875
FY 12/13: 9 cases settled for a total of \$15,750
FY 13/14: 6 cases settled for a total of \$67,293
FY 14/15: To date, 20 cases settled for a total of \$65,102

Finance Department

8. Enterprise Resource Planning – (ERP)

The two ERP vendors that submitted proposals, Tyler Technologies and Springbrook are in the process of being evaluated by the Evaluation Committee. Presentations from each on the vendors was conducted on July 15 and July 16, 2015. Follow up presentations and webinars are scheduled for August 11 and 12, 2015. The goal of these presentations and follow up meetings is for each of the Evaluation Committee members to evaluate functionality, ease of use, service and support, overall product offering and any other added value.

Police Department

9. Traffic Issues

The Town Commission held a Special Commission Meeting on April 27, 2015 to discuss short term and long term solutions to the traffic concerns in Town. Traffic experts from Miami-Dade County, the Florida Department of Transportation, and Calvin, Giordano and Associates presented information and answered questions for the Town Commission and the residents. The Town Commission directed the Town Manager to develop a plan of action for short term solutions that can be implemented immediately to relieve the traffic congestion issues. The short term solutions were implemented and discussed at the May 12 Town Commission meeting. The Town Commission also at the May 12 meeting directed staff to develop more permanent traffic solutions for the June 9 meeting for discussion. They were discussed at the June 9, 2015 Town Commission meeting. The Town Commission also directed staff at the June 9, 2015 to develop more permanent traffic solutions for the 9500 block of Byron Avenue for the July 14 Commission meeting. The Town Commission approved the recommendations to reduce the size of the traffic circle, add two sets of curb outs, eliminate the traffic lane lines, and affix "20 MPH" to the roadway.

10. Police Department Events

- The Police Department is hosting a Department of Motor Vehicle event in the training room on August 12, 2015, 9:30 am – 2:30 pm. Residents can renew their driver's licenses.
- The missing condo signs on the beach side that note the name of the condominium and numerical address will be replaced. The signs will allow emergency vehicles to easily identify addresses when responding to calls from the beach side. It also allows beachgoers to identify specific addresses when calling police or fire.
- Signs will be added at street entrances to the neighborhoods noting "Slow Down in Our Residential Neighborhoods. Keep Surfside Safe."

Projects Progress Updates

11. Information Technology & TV Broadcasts

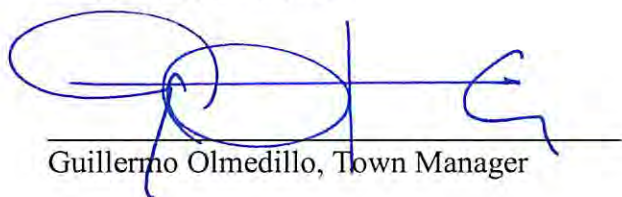
IT has provided pricing to add music to the SCALA broadcast system on Channel 77 and are awaiting direction or approval. IT is in the process of upgrading all users from Microsoft Office 2010 to Microsoft Office 2013. IT obtaining pricing for the Hyperscreen Board and will provide to the Town for review and direction. The software used for backups, Symantec Backup Exec, has been updated to the latest version to address some ongoing issues with backup errors even when successful jobs have run. IT is researching templates for Police ID Cards.

12. Town-Owned Seawall Repair

Notice to Proceed was issued to the Contractor (PAC Comm) on April 6, 2015 for five (5) seawall replacements with contract time at 150 days to Substantial Completion, and 180 days to Final Completion for a Final Completion date of October 3, 2015. The Contractor has completed Site #1 (Surfside Park on Bay Drive; south of 96th Street), and Site #3 (Froude Ave) with only restoration remaining. Site #4 (Biscaya Dr.) wall and cap has been completed; riprap placement and restoration remains. Site #2 (the street end at 95th Street) outfall restoration was completed; the seawall cap has been formed and will be poured in early August. Riprap will then be installed. Site #5 (the street end at Carlyle Avenue) wall construction and outfall extensions have been completed; seawall cap remains to be formed / poured, and riprap placement remains.

Work is proceeding unhindered. After the Contractor obtains substantial completion a punch list of restoration items will be given to the Contractor for repair or correction.

Respectfully submitted:



Guillermo Olmedillo, Town Manager

Town of Surfside, FL

Between Feb 01, 2014 and Jul 31, 2015

168 issues were opened

61 issues were acknowledged

144 issues were closed

The average time to acknowledge was 6.1 days.

The average time to close was 19.4 days.

Issues by Source




SERVICE REQUEST TYPE	OPENED	ACKNOWLEDGED	CLOSED	DAYS TO ACK.	DAYS TO CLOSE
Other (PW)	47	13	46	12.7	29.5
Police (Safety Concern)	37	16	37	9.0	13.1
Street lights (PW)	16	11	3	1.4	16.9
Beach Issue (PW)	12	0	10	0.0	35.4
Code Compliance (Violation)	9	5	6	0.2	5.1
96 Street Park (P & R)	7	3	7	0.0	4.5
Surfside Dog Park (P & R)	6	5	6	0.0	1.4
Code Compliance (Safety Concern)	8	2	4	2.1	40.8
Utilities (Water/Sewer) (PW)	5	0	5	0.0	0.6
Hawthorne Tot-Lot (P & R)	4	1	4	0.1	5.2
Drainage/Flooding (PW)	3	2	3	2.0	68.3
Pothole (PW)	4	1	3	0.0	1.1
Community Center (P & R)	3	1	3	0.0	0.1
Graffiti (PW)	3	1	3	39.7	25.2
Dog Stations (P & R)	3	0	3	0.0	0.1
Solid Waste (Residential) (PW)	1	0	1	0.0	4.6
Graffiti (in park) (P & R)	0	0	0	0.0	0.0
Solid Waste (Commercial) (PW)	0	0	0	0.0	0.0
Veterans Park (P & R)	0	0	0	0.0	0.0



TOWN OF SURFSIDE
Office of the Town Attorney
 MUNICIPAL BUILDING
 9293 HARDING AVENUE
 SURFSIDE, FLORIDA 33154-3009
 Telephone (305) 993-1065

TO: Town Commission

FROM: Linda Miller, Town Attorney 

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

DATE: August 11, 2015

SUBJECT: Office of the Town Attorney Report for August 11, 2015

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

July 22, 2015 – DIC meeting – 8800 Collins Avenue
 July 30, 2015 – Planning and Zoning and Design Review Board Meeting
 August 3, 2015 – Tourist Board Meeting
 August 11, 2015 – Town Commission Meeting

Ordinances for Second Reading:

- Maximum frontage
- Corridor analysis
- Color swatch

Ordinances for First Reading:

- Beach furniture

Resolutions prepared and reviewed:

- Approve purchase of 2015 Ford F-250 Pickup Truck
- Approve purchase of a 2015 Case SR 160 Skid Steer Loader
- Supporting the creation of South Florida Mayors' Beach Alliance
- Renewal of the South Florida Money Laundering Strike Force Mutual Aid Agreement
- Urging the Florida Legislature to promote and provide therapeutic jurisprudence to children victims and witnesses of human trafficking in the justice system
- Remove barriers to customer-sited solar power and express support for the Floridians for Solar Choice ballot petition

Town Commission/Town Manager:

- Preparation of ordinance for regulating beach furniture concessions
- Communicate with Miami-Dade County regarding beach maintenance, escarpments, and sea turtles
- Follow up with Florida Department of Environmental Protection and United States Fish and Wildlife Service regarding draft modified consent order with FDEP and Surf Club
- Ongoing analysis of Florida Statutes and Town Code relating to parking structures

Town Clerk:

- Review of Miami-Dade Election Department deadlines

July 30, 2015 Planning and Zoning and Design Review Board

Design Review Board Applications:

- A. 9525 Carlyle Avenue - two story addition
- B. 1025 88 Street - fence around the property
- C. 9180 Emerson Avenue - convert a garage
- D. 9457 Harding Avenue - new sign
- E. 9540 Harding Avenue - new sign
- F. 901 - 88 Street - new single family residence
- G. 700 - 88 Street - new single family residence
- H. 9181 Abbott Avenue - new single family residence
- I. 9373 Abbott Avenue - an addition

- J. 9549 Byron Avenue - convert a garage
- K. 1413 Biscaya Drive - new single family residence
- L. 9364 Bay Drive - fence
- M. 9537 Harding Avenue - permanent sign
- N. 9453 Harding Avenue - permanent sign

Planning and Zoning Board:

- Ordinance – Maximum Frontage
- Ordinance – Corridor Analysis

Building Department/Code Enforcement:

- Follow up with Code Enforcement for on-going settlement of cases
- Ongoing review with Code Compliance regarding regulating beach furniture
- Ongoing analysis on holding in U.S. Supreme Court case Reed vs. Town of Gilbert as it relates to the Town sign code

Finance Department:

- Review State Statutes and Town Code provisions for local business tax for preparation of ordinance regulating beach furniture

Parks and Recreation:

- Collaborate on beach concession management ideas and implementation
- Reviewed United States Fish and Wildlife Biological Opinion for sea turtles in Miami Beach

Tourist Bureau/Downtown Vision Advisory Board/Tourist Board:

- Research and analyze Florida law and Attorney General Opinions on use of Resort Tax funds

Public Works:

- Research Town litter code
- Review and research solid waste recycling contracts

Police Department:

- Follow-up review of conditions in approved development resolutions related to traffic

- Conferenced with Police Captain and Miami-Dade State Attorney's Office on human trafficking and therapeutic jurisprudence.

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

1. On November 18, 2014, Claimant alleges injuries and vehicle damage that occurred when her car was hit by a Surfside police vehicle. The police vehicle was driven by an employee of a car repair dealer who was returning the police vehicle to Town Hall. **FMIT closed the claim** and forwarded the claim to the insurance carrier for the car repair dealer.
2. On June 28, 2014, Claimant alleges while walking in the east alley behind 9577 Harding Avenue she fell through a broken storm grate and sustained severe lacerations to her right leg. FMIT is investigating this claim.
3. Julien Deleon - Equal Employment Opportunity Commission (EEOC) Charge #510-2014-05171. Mr. Deleon has filed a Notice of Charge of Discrimination against the Town.
4. Pieter Bakker v. Town of Surfside, a municipal corporation of the State of Florida and Young Israel of Bal Harbour, Inc. On May 30, 2012, Pieter Bakker filed a complaint in State Court against the Town which alleges counts against the Town including contract zoning, Charter violations, and a request for a writ of certiorari to quash Resolution 12-Z-2078 approving a Site Plan Application to permit Young Israel to build a synagogue on 9580 Abbott Avenue. On September 30, 2013, the Court ordered this matter to be transferred to the Appellate Division. Petitioner, Mr. Bakker filed an Amended Petition for Writ of Certiorari and De Novo Complaint and a Motion for Summary Judgment. The Court has issued an Order dismissing the Amended Petition for Writ of Certiorari without prejudice. Petitioner, Pieter Bakker has filed a Third Amended Petition for Writ of Certiorari. Surfside has filed a Renewed Motion to Dismiss Third Amended Petition For Writ Of Certiorari. The Court has not yet ruled on the Town's Renewed Motion to Dismiss.
5. Parker, et. al. v. American Traffic Solutions, et. al. United States District Court for the Southern District of Florida Civil Action No. 1:14-CV-24010. Plaintiff filed a Master Consolidated Complaint and Jury Demand. This is a class action case brought by

plaintiffs who have received red light traffic violations against vendors who contract with municipalities and counties for red-light camera services (American Traffic Solutions “ATS”, “Xerox State and Local Solutions “Xerox”, and Gatso) along with 69 municipalities and counties. The complaint alleges that the local government defendants have improperly outsourced to the vendors their legislatively granted authority to issue traffic citations and unlawfully delegated to the vendor defendants the authority to determine whether a traffic violation has occurred. The Town has filed a Motion to Dismiss and is awaiting the Court’s ruling.

6. Henderson v. Police Officer Carrasquillo and Police Officer Fernandez. On May 12, 2015 a complaint was served stating that on December 11, 2010, Mr. Henderson was arrested for Battery on a Law Enforcement Officer, Disorderly Conduct and Resisting Arrest Without Violence. The complaint alleges malicious prosecution against the Officers. FMIT provides coverage for legal defense of this matter. Discovery is ongoing.

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



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

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

**MAY 28, 2015
7:00 PM**

MINUTES
DESIGN REVIEW BOARD

1. CALL TO ORDER

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

2. ROLL CALL

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

3. APPROVAL OF MINUTES: **APRIL 30, 2015**

Vice Chair Kligman made a motion to approve. The motion received a second from Board Member Gutierrez and all voted in favor with Board Members Peter Glynn and Armando Castellanos absent.

4. DESIGN REVIEW BOARD APPLICATIONS:

A. Request of the Owner of Property located at 8810 Froude Avenue

The applicant is requesting to convert a garage and build a front wall.
Town Planner Sarah Sinatra presented the item.

The Board discussed the wall and landscaping and Chair Lecour said she would prefer to see a six foot high hedge rather than a wall.

Board Member Gutierrez made a motion to approve with the following recommendations:

1. Provide shrubs/vegetation landscaping

2. Reduce the size of the wall.

The motion received a second from Board Member Rubenstein and all voted in favor with Board Members Peter Glynn and Armando Castellanos absent.

B. Request of the Owner of Property located at 9525 Carlyle Avenue

The applicant is requesting to build a two story addition.

Town Planner Sarah Sinatra presented the item and is recommending a reduction of six inches in the structure to not exceed thirty feet. Staff said a condition would be landscaping in front of the wall. Applicant David Jeda gave some details in order to clarify the proposal. The Board had several questions regarding this request.

Vice Chair Kligman made a motion to defer the item to the next meeting and applicant to provide more clarification with a fuller scope as to what they wish to do. The motion received a second from Board Member Gutierrez and all voted in favor with Board Members Peter Glynn and Armando Castellanos absent.

C. Request of the Owner of Property located at 9065 Emerson Avenue

The applicant is requesting to convert a garage.

Town Planner Sarah Sinatra presented the item.

Board Member Gutierrez recused himself as he is the architect on this item.

Vice Chair Kligman made a motion to approve. The motion received a second from Board Member Weiss and all voted in favor with Board Members Peter Glynn and Armando Castellanos absent and Board Member Gutierrez recused.

D. Request of the Owner of Property located at 9504 Harding Avenue

The applicant is requesting to install a new sign.

Town Planner Sarah Sinatra presented the item. Applicant Vladimir Alvarez spoke in favor of the project and gave additional details.

Board Member Gutierrez made a motion to approve with the following condition:

1. Façade behind the sign be repaired and repainted.

The motion received a second from Vice Chair Kligman and all voted in favor with Board Members Peter Glynn and Armando Castellanos absent.

5. ADJOURNMENT.

There being no further business to come before the Design Review Board the meeting adjourned at 7:32 p.m.

PLANNING AND ZONING BOARD
MINUTES
MAY 28, 2015
7:00 PM

1. CALL TO ORDER

Chair Lindsay Lecour called the meeting to order at 7:32 pm.

2. ROLL CALL

Recording Clerk Frantza Duval called the roll with the following members present: Chair Lindsay Lecour, Vice Chair Jacob Kligman, and Board Member Moisha Rubenstein. Board Member Peter Glynn and Board Member Armando Castellanos were absent. Liaison, Commissioner Cohen was absent.

3. APPROVAL OF MINUTES: APRIL 30, 2015

Board Member Rubenstein made a motion to approve. The motion received a second from Vice Chair Kligman and all voted in favor with Board Members Peter Glynn and Armando Castellanos absent.

4. ORDINANCES:

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

Recording Clerk Frantza Duval read the title of the ordinance.

Town Planner Sinatra presented the item. For the record, she read a statement from Commissioner Karukin which asks that the Planning and Zoning Board be made aware of some of the discussion held at the Commission Meeting May 12, 2015 regarding this ordinance. Planner Sinatra presented a summary of some concerns discussed.

- (1) address the limitations which include a failsafe so it cannot be abused;
- (2) address a concept of least amount necessary to cure the hardship;
- (3) permit a practical difficulty hardship only once per property;
- (4) offset on the second floor square footage by anything gained on the first floor;
- (5) to include a one story limitation for properties already granted a practical variance ordinance.

Board Member Rubenstein took into account Commissioner Karukin's concern about changing the character of the town. However, he does like the language of the ordinance and feels it is very succinct.

Vice Chair Kligman said we should address the five items discussed by the Commission. The Board went over the five items and they will look at applications with a critical eye. On Item 3 the Board would like to include a maximum of 50% lot coverage in the language. There was much discussion on Item 4 as well as landscaping and the Board does feel there should be an offset included in the language and perhaps request additional conditions. Town Planner Sinatra has direction to modify the ordinance with a 50% limitation and two out of the three Board members suggested the Commission revisit the second floor offset. Board Member Rubenstein did not feel the offset was necessary.

Vice Chair Kligman made a motion to add language clarifying the 50% maximum. The motion received a second from Board Member Rubenstein and all voted in favor with Board Members Glynn and Castellanos absent.

Vice Chair Kligman made a motion to suggest the Commission revisit the second floor offset. Passing the gavel, Chair Lecour seconded the motion. The motion passed 2-1 with Board Member Rubenstein in opposition and Board Members Glynn and Castellanos absent.

Vice Chair Kligman made a motion to move forward to the Commission with above recommendations. The motion received a second from Board Member Rubenstein and all voted in favor with Board Members Glynn and Castellanos absent.

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

Recording Clerk Frantza Duval read the title of the ordinance.

Town Planner Sinatra said at the last Commission meeting language was added regarding landscaping and now reads "provide landscaping if not already provided." Chair Lecour also had a grammatical change to the ordinance to read "applicant provide landscaping if not already provided."

Board Member Rubenstein made a motion to move forward to the Commission with above amendment. The motion received a second from Vice Chair Kligman and all voted in favor with Board Members Glynn and Castellanos absent.

5. DISCUSSION ITEMS:

A. Prioritize future agenda items

Town Planner Sinatra gave an update.

Chair Lecour said single family homes and corridor analysis should be at the top of the list. The Board also wants tree canopy/streetscape to be a priority. The Board asks they get an update on the parking/traffic item.


6. ADJOURNMENT.

There being no further business to come before the Planning and Zoning Board the meeting adjourned at 8:19 p.m.

Accepted this 30th day of July, 2015


Chair Lindsay Lecour

Attest:


Sandra Novoa, CMC
Town Clerk



**Town of Surfside
Tourist Board
MINUTES
June 1, 2015
6:30 p.m.**

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

1. Opening

A. Call to Order

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

B. Roll Call of Tourist Board Members

All of the Board members present. A quorum was established.

Also in attendance –Linda Miller, Town Attorney, Nissa Benjamin, Marketing and Special Projects Coordinator, Guillermo Olmedillo, Town Manager, Barbara McLaughlin, Resident, Joel Simmonds, Grand Beach, Sean McKean, Residence Inn, Robert Meyers, Dr. Elizabeth Levine, Deborah Cimadevilla, Jessica Weiss, Larisa Alonso, Jeffrey Platt, Commission Liaison, Eli Tourgeman, Duncan Tavares, TEDACS Director, Adelina Garkova, Intern.

Chair Michelle Kligman thanked former Vice-Chair Dr. Elizabeth Levine for her participation and service to the Tourist Board.

2. Approval of April 6, 2015 Meeting Minutes

Sandra Argow made a motion to approve the minutes; Barbara Cohen seconded the motion. The minutes were approved unanimously.

3. Resort Tax Ordinance Amendments, Tourist Board Operating Procedures, Conflict of Interest Policy ~

4. Resort Tax Ordinance Amendments ~

AN ORDINANCE OF THE TOWN COMMISSION AND THE RESORT TAX BOARD OF THE TOWN OF SURFSIDE, FLORIDA AMENDING CHAPTER 70 "TAXATION" AND SPECIFICALLY AMENDING SECTION 70-124 "COMPOSITION; APPOINTMENT; VACANCIES; COMPENSATION; REMOVAL FROM OFFICE, ETC."; SECTION 70-125 "ORGANIZATION"; SECTION 70-126 "POWER AND DUTIES"; AND CREATING SECTION 70-128 "BUDGET AND EXPENDITURE OF FUNDS" OF THE TOWN OF SURFSIDE CODE OF ORDINANCES PROVIDING FOR INCLUSION IN THE CODE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; AND PROVIDING FOR AN EFFECTIVE DATE.

The clerk read into the record the title of the Ordinance.

Sandra Argow made a motion to discuss the Resort Tax Ordinance; Barbara Cohen seconded the motion. Sandra Argow does not agree with Section 70-125 (ORGANIZATION) as the members are appointed by the Commission for two years. Guillermo Olmedillo suggested that that the Board vote on the ordinance in its entirety or pull out the sections that they feel are a cause for concern to amend. Chair Michelle Kligman has not been in favor of the ordinance since its inception during her tenure on the Town Commission. Joel Baum suggested that the Board go through the whole ordinance and to make changes, if necessary. Chair Michelle Kligman is not in favor of adding additional members to the Board who are not residents. Guillermo Olmedillo suggested moving forward and voting on each item separately. Vice-Mayor Tourgeman reminded the Board that what they are voting on are the underlined changes presented. If no change, the present ordinance remains in effect.

Barbara Cohen made a motion to accept the changes made in Section 70-124a; Joel Baum seconded the motion. The motion failed with Barbara Cohen and Joel Baum voting in favor and Sandra Argow and Chair Michelle Kligman voting in opposition.

Guillermo Olmedillo reminded the Board that since the motion failed this portion of the ordinance will remain as originally written.

Sandra Argow made a motion to accept Section 70-124f; Barbara Cohen seconded the motion. The motion failed with Barbara Cohen and Sandra Argow voting in favor and Joel Baum and Chair Michelle Kligman voting in opposition.

Joel Baum made a motion to accept Section 70-125; Barbara Cohen seconded the motion. The motion failed with Barbara Cohen and Joel Baum voting in favor and Sandra Argow and Chair Michelle Kligman voting in opposition.

Barbara Cohen made a motion to accept Section 70-126; Joel Baum seconded the motion. The motion passed unanimously.

Barbara Cohen made a motion to accept Section 70-128; Joel Baum seconded the motion. The motion failed 3-1 with Chair Michelle Kligman voting in opposition.

As per the Town Attorney, the ordinance will move forward to the Town Commission with Section 70-126 amendment approved.

Barbara McLaughlin inquired if anyone has researched any other municipalities which have the same powers and duties under the resort tax laws. She stated that the Board needs members with expertise in this field. Duncan Tavares advised that both Bal Harbour's and Miami Beach's ordinances were reviewed prior to the first changes to the ordinance back in 2011 and before the present recommendations were presented.

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

Chair Michelle Kligman introduced Robert Meyers and he discussed the overview of the ethics policy. Guillermo Olmedillo, Town Manager, suggested tabling this item until the addition of the new Board member once approved by the Town Commission at their next meeting. Sandra Argow does not see a reason to delay the matter any further by waiting for a new Board member as this item has been delayed long enough. Barbara Cohen suggested adopting the policy as the Board should be above reproach especially since the Board directs the expenditure of large amounts of money. Sandra Argow made a motion to discuss the item; Barbara Cohen seconded the motion.

Chair Michelle Kligman is concerned about putting a standard in place that is above what the Town Commission follows. The Board Members are volunteers and she is concerned about putting them in a predicament that they may not be aware of. Robert Meyers advised that he has seen members prosecuted by the ethics board, but also advised that education is the key. Members have to be educated on ethics especially those making financial decisions. He advised that getting an opinion from the Town Attorney before making a decision is the proper way to go if there are any concerns. Vice-Mayor Tourgeman advised that since the origin of the document he has not been in favor of it because he did not see a need for the Board to adopt a more stringent policy than that of the State, County, or Town Commission. Robert Meyers advised that instead of voting the policy up or down the Board can make amendments to the policy. Chair Michelle Kligman wanted to make an amendment to the motion to make the policy applicable to the Town Commission and all boards. Guillermo Olmedillo reminded everyone that the Board cannot make a decision that will affect the Town Commission or other boards and only the Town Commission can make the changes to the code.

Sandra Argow made a motion to accept the policy contingent that it is adopted by the Town Commission and all Town Boards; Barbara Cohen seconded the motion. The motion passed 3-1 with Joel Baum voting in opposition.

5. Fiscal Year 2015/2016 Budget Outline

Duncan Tavares advised that in the packet he included an outline of the Tourist Bureau budget and that the Town's budget process has begun. Sandra Argow inquired as to how many trade shows there are and how many does the Director attend per year. Duncan Tavares advised that at this present moment the Board isn't participating in any trade

shows as a Town. Through a co-op agreement with the Grand Beach Hotel there is representation. Sandra Argow inquired about the \$12,000 allocated to Turtle Walk. Duncan Tavares advised that they are the Town's known recognizable emblem. There's an opportunity to promote them as something people should see and to promote turtle conservation. Joel Baum inquired about the existing reserves of \$200,000. Duncan Tavares advised that currently there is \$189,000 in reserves. The resort tax collection will surpass one million dollars within this fiscal year. Therefore \$200,000 is a conservative projection of what will be in reserves. Joel Baum inquired as to what happens to the funds in reserves and Duncan Tavares advised that the fund usage is at the discretion of the Board as long as it falls under the State Statute outline for permitted use. Barbara Cohen suggested that the Board discuss the reserves at the next meeting to set a minimal amount for the reserves. Chair Michelle Kligman inquired if the Board is able to move line items for allocation around within the budget. Guillermo Olmedillo advised that the Board can do so, if they choose. Vice-Mayor Tourgeman advised that he didn't see any local activities/programs listed to promote Surfside. Duncan Tavares advised that \$700,000 is at the disposal of the Board with \$200,000 possibly marked for reserves. The Board has flexibility and can approve events as they so choose. Barbara Cohen identified the various allocations in the presented budget already earmarked for local events and local promotions.

Michelle Kligman inquired as to the follow-up on the short-term rental as it can curtail the resort tax. Guillermo Olmedillo advised that the Code Enforcement Department has been looking into it, but it is usually difficult to prove short-term rentals, but Code Compliance is looking into the matter. Jeffrey Platt, resident, advised that the Surf Club is advertising that they will be doing short-term rentals on their property. The Carlyle and the Waverly are advertising online weekend rentals.

6. Other Business

Barbara Cohen stated that it seems as if the accounts receivable letters are not being sent on a timely basis. She would like to see them sent earlier in the process.

Sandra Argow inquired if the Board is on course with the five-year plan and Duncan Tavares advised that the Board is behind on the utilization of funds for marketing initiatives as identified in the plan.

Duncan Tavares introduced Adelina Garkova as the new intern who will be working in his department.

7. Next Tourist Board Meeting ~ Wednesday July 8, 2015 at 6:30pm

- Downtown Harding Avenue Holiday Tree Lights Renewal ~ Contract provided for July meeting.

8. Public Comment

Sandra Argow advised that coffee with the cops is successful and suggested that the Board could have a “Lunch with the Locals” once a month. Duncan Tavares will discuss this idea with her and bring it back to the Board at next month’s meeting.

Barbara McLaughlin suggested working with construction developments to use the lots as spaces to host events.

9. Adjournment

Joel Baum made a motion to adjourn the meeting; Sandra Argow seconded the motion. The motion passed unanimously. The meeting ended at 8:15pm.

Accepted this 3rd day of August, 2015

Michelle Kligman

Member (Print)

[Signature]
Signature

Attest:

[Signature]

Frantza Duval
Recording Clerk



**Town of Surfside
Tourist Board
MINUTES
July 8, 2015
6:30 p.m.**

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

1. Opening

A. Call to Order

The meeting was called to order by Duncan Tavares at 6:30pm

B. Roll Call of Tourist Board Members

All of the Board members were present with the exception of Joel Baum and Michelle Kligman who were absent. A quorum was established.

Duncan Tavares requested that the members choose an acting chair for the meeting.

Sandra Argow made a motion for Barbara Cohen to become acting chair for the night's meeting; Sean McKeen seconded the motion. The motion passed unanimously.

Also in attendance: Barbara McLaughlin, resident, Solange Beaumard and Randy Meyers of Miami Christmas Lights, Joel Simmonds, Grand Beach Hotel, Nissa Benjamin, Marketing & Special Project Coordinator, Linda Miller, Town Attorney, Frantza Duval, Recording Clerk.

2. Welcome New Tourist Board Member Sean McKeen ~ Vice Mayor Eli Tourgeman / Chair Michelle Kligman.

Vice-Mayor Eli Tourgeman introduced Sean McKeen and welcomed him to the Tourist Board. Sean McKeen provided his background experience in Tourism and Hospitality. Mr. McKeen looks forward to working with everyone.

Acting Chair Barbara Cohen also welcomed Sean McKeen to the Board and looks forward to working with him.

3. Election of Vice Chair

Sandra Argow made a motion to defer the election of the Vice-Chair until a full board quorum; Sean McKeen seconded the motion. The motion passed unanimously.

4. Acceptance of May 4, 2015 Joint Meeting of the Town Commission and Tourist Board Minutes (Approved by the Town Commission on June 9, 2015)

Sean McKeen made a motion to defer this item until the next meeting; Sandra Argow seconded the motion. The motion passed unanimously.

5. Approval of June 1, 2015 Meeting Minutes

Update on the Resort Tax Ordinance Amendment to Section 70-126

~ Duncan Tavares, TEDACS Director

Sean McKeen made a motion to defer this item until the next meeting; Sandra Argow seconded the motion. The motion passed unanimously.

6. A/R – Resort Tax Collection Update (spreadsheet provided)

Duncan Tavares advised that the Town surpassed the one million dollar mark collection of Resort Tax. He reminded the board that 34% will go toward the Tourism fund and the remaining 66% into the general fund for items such as the running of the Community Center. Barbara Cohen would like the delinquent letters to go out in a timelier manner and wants to meet with the Finance Director to discuss this item. Vice-Mayor Tourgeman advised that as a resident Barbara Cohen is entitled to speak to the Director regarding this matter.

7. Downtown Harding Avenue Holiday Tree Lights Contract Renewal

~ Guillermo Olmedillo, Town Manager

Administration supports renewing the contract at the discount rate. Vice-Mayor Tourgeman suggested a better procedure for the monitoring of the lights for the upcoming season. Duncan Tavares advised that lights are earmarked to be on from November – February 15, as per the contract renewal. Vice-Mayor Tourgeman disagrees and stated that the agreement at the time was for removal in February, but after much discussion it was agreed to keep the lights on until April at no additional cost to the Town. He doesn't feel that the Board should pay for the additional time as it was previously discussed. Solange Beaumard advised that the product provided is not designed for year-round lighting causing for additional wear-and-tear and additional maintenance. She would honor an additional month of lighting through March 20 at no extra cost to the Town.

Sean McKeen made a motion to accept the Miami Christmas Light renewal contract in the amount of \$38,500 for the Holiday lights for the period of November 2015 through March 20, 2016; Sandra Argow seconded the motion. The motion passed unanimously.

8. Lunch With The Locals ~ Sandra Argow

Sandra Argow advised that, after getting a little more input from other residents, she's not so sure about her initiative. She believes it's more of a marketing event. It's too small a focus and should be broader and is looking into the third option presented – having the event at the Community Center. Sandra advised that too many restaurants are closed on Friday nights and Saturdays and that may hinder this idea. She suggested inviting restaurants that would like to try new recipes to bring a few items over for people to try. Barbara Cohen stated that the restaurants being closed on the weekend pose a problem for something like this. She also advised on the time and the lack of staff at the community center during those hours. Sean McKeen likes the idea in concept and feels that there is an opportunity to further develop this idea. Duncan Tavares suggested that he meet with

Sandra Argow and Sean McKeen individually and return to the Board with one more detailed suggestion at the next meeting.

**9. Fiscal Year 2015/2016 Budget Outline ~ Duncan Tavares, TEDACS Director
Reviewed the budget.**

Duncan Tavares inquired if there were any questions regarding this item as it has been presented before and is a part of the adopted Five-Year Tourism Plan. Sandra Argow stated that she has issues with the website (both the Town and Tourism site) and feels that it is not updated frequently enough. Duncan Tavares advised that the website is content-rich and Sandra Argow advised that the budget line of \$5,000 is not enough to support this endeavor. Duncan Tavares advised that the budget line items can be adjusted as needed. He advised that deferring the budget delays items that need to be brought back to the Board for approval and implementation. Vice-Mayor Tourgeman advised that he feels that a full Board needs to be present to vet the item.

Sandra Argow made a motion to approve in principal the items presented; Sean McKeen seconded the motion. The motion passed unanimously.

Sean McKeen inquired about seeing a report of expenditures made by the Board. Duncan Tavares will provide a copy to the members.

**10. Car Show / Toys for Tots / Food Trucks:
Third Thursday kick off December 17, 2015 ~ Nissa Benjamin, Marketing & Special
Project Coordinator**

Nissa Benjamin provided a presentation on the Third Thursday kick-off: an auto show. The set up would be similar to that of the Third Thursday series with a few adjustments and would preferably be held on December 17, 2015. It would also be a toy drive. Nissa looked at three (3) production companies:

1. Cobra Joe
 - a. Worked with other municipalities: Hollywood, Delray
 - b. 15-20 cars available
 - c. Company in charge of organizing, trophies, promotion, and flyers
2. Miami Auto Museum – Dezer
 - a. Loan up to three cars
 - b. Town to pay for delivery charges
 - c. Rental fee waived
 - d. Police/security needed
3. Jumpin Jack Productions
 - a. Worked with other municipalities: Sunny Isles, Miami Springs
 - b. Company in charge of organizing, trophies, promotion, flyers, staff, and DJ
 - c. Available only in Nov. (Sat/Sun recommended)
 - d. Show vs. Display Option

Vice-Mayor Tourgeman advised that he provided the Director with a company that produces the Miami Beach car show and was surprised not to see it listed in the presentation. Sandra Argow feels that it should be on a Sunday as it would have more of a turn-out. She stated that she knows a few car clubs if needed. Vice-Mayor Tourgeman advised that the calendar for the car show organizers fill up quickly and if the Board is interested they need to move quickly.

Sandra Argow made a motion to approve the event as presented; Sean McKeen seconded the motion. The motion passed unanimously.

Barbara Cohen advised that if it is held on a Sunday she would like to see it held at 11 am for those who attend church.

Sean McKeen inquired if there is a way to measure goals for these types of events. Duncan Tavares advised that a concrete form of measuring the ROI of an event does not exist if it does not include a call to purchase. It is more an example of creating awareness - a public relations exercise. In this case, it could be the number of attendees or toys collected.

Vice-Mayor Tourgeman suggested that Nissa continue to do research and that she send an email to the Board for feedback as time is of the essence and this cannot wait until the August meeting. Barbara McLaughlin advised that if a December date does not work it could occur in the spring in conjunction with another event (eg. Mother's Day/Father's Day).

11. Other Business

Vice-Mayor Tourgeman advised that there is a merchant requesting a bike rack be placed in the business district. Duncan Tavares advised that Public Works may have one and will check with them.

Sandra Argow inquired about residents opening up their homes as bed and breakfast establishments and inquired how Resort Tax is collected for something like that and asked if the Town is involved. Vice-Mayor Tourgeman advised that the Code Compliance Department is looking into this item and anyone involved must apply for permits. Linda Miller, Town Attorney, advised that short term rentals are allowed according to the Town code, but permits are needed.

Sandra Argow wants an automatic phone message that triggers when Tourism reps are out of the office. The message would list events happening in Town. Duncan Tavares will discuss this item further with Sandra Argow.

Duncan Tavares reminded the Board to complete and submit their Form One forms.

Duncan Tavares advised that the app is live however minor changes are still being made.

12. Next Tourist Board Meeting ~ Monday August 3, 2015 at 6:30pm

- *Date Change for September. New date: MONDAY SEPTEMBER, 14, 2015 at 6:30pm (one week later due to the Labor Day Holiday on the 7th)*

13. Public Comment

None.

14. Adjournment

Sandra Argow made a motion to adjourn the meeting; Sean McKeen seconded the motion. The motion passed unanimously. The meeting ended at 7:56pm.

Accepted this 3rd day of August, 2015

Michelle Kigman

Member (Print)

[Handwritten Signature]

Signature

Attest
[Handwritten Signature]
Frantza Duval
Recording Clerk



Town of Surfside Commission Communication

Agenda Item # 3F

Agenda Date: August 11, 2015

Subject: Renewal of Voluntary Cooperation Mutual Aid Agreement with the South Florida Money Laundering Strike Force

Objective: To provide sufficient and continued support and personnel resources to the South Florida Money Laundering Strike Force.

Background: The Town staff has received notice that the South Florida Money Laundering Strike Force has requested to renew its Voluntary Cooperation Mutual Aid Agreement with the Town of Surfside Police Department. This agreement would be in effect from September 1, 2015 to September 1, 2018.

Analysis: The prime mission and areas of activity of the South Florida Money Laundering Strike Force is money laundering investigations, including seizure and forfeiture of funds derived from drug or other criminal activity and the investigation and prosecution of those involved in such activity; and the criminal investigation and prosecution of those involved in organized drug trafficking enterprises and those involved in other drug related criminal activity, and efforts to disrupt and dismantle organizations involved in such illegal activity.

Staff Impact: One Surfside Police Department Detective is assigned to the South Florida Money Laundering Strike Force.

Recommendation: It is recommended that the Surfside Town Commission approve the resolution authorizing the renewal of the Voluntary Cooperation Mutual Aid Agreement between the South Florida Money Laundering Strike Force and the Town of Surfside Police Department.

David Allen, Chief of Police

Guillermo Olmedillo, Town Manager

RESOLUTION NO. 15 - _____

A RESOLUTION OF THE TOWN OF SURFSIDE, FLORIDA APPROVING THE RENEWAL OF THE VOLUNTARY COOPERATION MUTUAL AID AGREEMENT BETWEEN THE SOUTH FLORIDA MONEY LAUNDERING STRIKE FORCE AND THE TOWN OF SURFSIDE, FLORIDA; AUTHORIZING THE TOWN MANAGER AND CHIEF OF POLICE TO EXECUTE AND IMPLEMENT THE TERMS AND CONDITIONS OF THE MUTUAL AID AGREEMENT; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town Commission approved an initial Voluntary Cooperation Mutual Aid Agreement with the South Florida Money Laundering Strike Force with Resolution No. 2009-1901; and

WHEREAS, the Town staff has received notice that the South Florida Money Laundering Strike Force has requested to renew its Voluntary Cooperation Mutual Aid Agreement with the Town of Surfside Police Department; and

WHEREAS, the prime mission and areas of activity of the South Florida Money Laundering Strike Force is money laundering investigations, including seizure and forfeiture of funds derived from drug or other criminal activity and the investigation and prosecution of those involved in such activity; and the criminal investigation and prosecution of those involved in organized drug trafficking enterprises and those involved in other drug related criminal activity, and efforts to disrupt and dismantle organizations involved in such illegal activity; and

WHEREAS, the Town Commission authorizes the renewal of the Voluntary Cooperation Mutual Aid Agreement with the South Florida Money Laundering Strike Force (Attachment "A"); and

WHEREAS, this agreement would be in effect from September 1, 2015 to September 1, 2018.

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

Section 1. Recitals Adopted. That each of the above stated recitals are hereby adopted, confirmed, and incorporated herein.

Section 2. Approval and Authorization. The Town Commission approves the renewal of the Voluntary Cooperation Mutual Aid Agreement with the South Florida Money Laundering Strike Force (Attachment "A") and authorizes the Town Manager and Chief of Police to execute and implement the terms and conditions of the Mutual Aid Agreement.

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

PASSED AND ADOPTED this _____ day of August 2015.

Motion by _____,

Second by _____.

FINAL VOTE ON ADOPTION

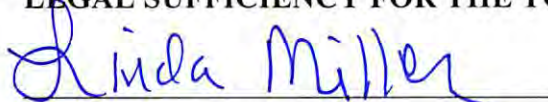
Commissioner Barry Cohen	_____
Commissioner Michael Karukin	_____
Commissioner Marta Olchyk	_____
Vice Mayor Eli Tourgeman	_____
Mayor Daniel Dietch	_____

Daniel Dietch, Mayor

ATTEST:

Sandra Novoa, Town Clerk

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



Linda Miller, Town Attorney

Voluntary Cooperation Mutual Aid Agreement



September 2015-2018

**SOUTH FLORIDA MONEY LAUNDERING STRIKE FORCE
VOLUNTARY COOPERATION MUTUAL AID AGREEMENT
(September 2015)**

WHEREAS, the below subscribed law enforcement agencies have joined together in a multi-jurisdictional Strike Force (hereinafter referred to as the Strike Force) intended to combat illegal money laundering, drug trafficking and other drug law violations, and related criminal violations and to disrupt organizations engaging in such activity through coordinated and long-term investigative, forfeiture, and prosecution efforts; and

WHEREAS, the undersigned agencies agree to utilize applicable state and federal laws to prosecute criminal, civil, forfeiture, and regulatory actions against identified violators, as appropriate; and

WHEREAS, the participating agencies desire to utilize the Strike Force as the sole method of facilitating state and local money laundering investigations that are not otherwise part of a joint federally-directed effort within their respective jurisdictions; and

WHEREAS, the undersigned agencies have the authority under Part 1, Chapter 23, Florida Statutes, "the Florida Mutual Aid Act," to enter into a voluntary cooperation agreement for cooperation and assistance of a routine law enforcement nature that crosses jurisdictional lines; and

WHEREAS, the undersigned agencies acknowledge and recognize that they have been operating under the existing agreement and modifications thereto, that the agreement has continued in full force and effect, and express their present intent to renew and refine the original agreement and subsequent renewals thereof in order to better reflect the continued and present focus of the efforts of the agencies in this Strike Force;

NOW THEREFORE, the parties agree as follows:

Each of the undersigned law enforcement agencies approve, authorize and enter into this Agreement at the request of the Miami-Dade State Attorney's Office (SAO) to implement within the jurisdictional and other limits as noted herein the Money Laundering Strike Force for the purposes and goals indicated.

Parties To This Agreement:

- | | |
|---|---|
| --The City of Coral Gables Police Department, | --The City of North Miami Police Department, |
| --The Town of Surfside Police Department, | --The City of Miami Police Department |
| --The City of Doral Police Department, | --The Village of Indian Creek Police Department |
| --The Office of the State Attorney of the Eleventh
Judicial Circuit of Florida | --The City of Miami Shores Police Department, |
| --The City of Miami Gardens Police Department | --The Town of Golden Beach Police Department |
| | --The Miami Dade County School Board Police |

A party other than those listed on page one may, at the request of the SAO and with the approval of the Strike Force Steering Committee, enter into this Agreement as evidenced by its signing of this Agreement. Any party may cancel its participation in this Agreement upon delivery of written notice of cancellation to the Executive Director of the South Florida Money Laundering Strike Force (Strike Force Director), who shall immediately notify other participating parties of the cancellation.

**NATURE OF LAW ENFORCEMENT ASSISTANCE AND VOLUNTARY
COOPERATION TO BE RENDERED:**

1. The Strike Force is to effect dedicated and intensive investigative, preventative, and general law enforcement efforts primarily with regard to the investigation of illegal money laundering and drug trafficking operations and related crimes, and in efforts to dismantle and disrupt the organizations committing such violations. The principal goal of the Strike Force shall be the coordinated investigation of, and successful prosecution of perpetrators of such crimes, with particular emphasis on efforts designed to identify and dismantle organized criminal enterprises. Such efforts shall include, but are not limited to, undercover operations designed to detect illegal activity and to identify those involved in such activity including those directing or otherwise controlling such activity, interception of communications related to such activity as may be authorized by law, the arrest and prosecution of those involved (utilizing state and federal or other prosecutions, as appropriate); the seizure and forfeiture of assets of those engaged in such activity or otherwise supporting such activity (utilizing state and federal forfeiture options, as appropriate); the prosecution of regulatory and civil actions designed to end such criminal activity, as appropriate; and the referral of investigative leads and intelligence to such other federal, state, foreign or local law enforcement authorities as may be required and appropriate under the Strike Force's operations. In recognition that such efforts transcend jurisdiction limits, it is the intent of this voluntary cooperation agreement to assure the continued functioning of law enforcement in areas where such limits might otherwise thwart major law enforcement efforts.
2. The Parties to this Agreement are contributing personnel and resources in support of the Strike Force efforts, with the operations of the Strike Force being coordinated by the SAO and other Strike Force members. No agency will participate in the Strike Force unless it provides resource contributions and operates within the operational parameters related to Strike Force efforts as required of it by the Steering Committee or the SAO.
3. Nothing herein shall otherwise limit the jurisdiction and powers normally possessed by an employee as a member of the employee's Agency. Nothing herein shall otherwise limit the ability of participating Strike Force members to provide, as provided by or allowed by law, such assistance in any enforcement action unrelated to Strike Force operations as may be lawfully requested by a law enforcement officer having jurisdiction over any such incident, crime or matter under consideration. However, extension of jurisdiction under the authority of this Agreement shall occur only as provided below.

**EXTENSION OF PARTICIPANTS' JURISDICTION; COMMAND AND
SUPERVISORY RESPONSIBILITY; STEERING COMMITTEE;
NOTIFICATION REQUIREMENTS**

1. The principal sites of Strike Force activity are Miami-Dade County, Broward County and Monroe County but Strike Force activities may occur elsewhere within the State of Florida consistent with the purpose and terms of this Agreement. As provided by Section 23.127(1), Florida Statutes, a Strike Force member engaged in an authorized Strike Force operation outside the member's jurisdiction but inside the State of Florida that is pursuant to, and consistent with, the purpose and terms of this Agreement shall have the same powers, duties, rights, privileges, and immunities under the laws of the State of Florida as if the member was performing duties inside the member's jurisdiction as provided by the "Florida Mutual Aid Act" and this Agreement.

2. Whenever Strike Force activities outside of Miami-Dade County, Broward County or Monroe County have resulted in an arrest or seizure of property, the Sheriff of the County or the Chief of Police of the municipality in which such activities have occurred shall be notified of the Strike Force's actions within the sheriff's or chief's jurisdiction.
3. Members of the Strike Force operating outside their normal jurisdictions recognize that their extra-territorial powers and authority are, unless otherwise supported by law, derived by and through this Agreement. Activities shall be considered authorized and under the authority of this Agreement when the activities have been approved and are under the overall direction of the Deputy Director, Deputy Commander or command designee assigned to the Strike Force. No extension of jurisdiction or authority is granted solely by reason of this Agreement for law enforcement activities unless they are approved and supervised as provided herein and are related to Strike Force operations, or have been encountered directly incident to an approved and supervised Strike Force operation.
4. a. A participating agency can work other money laundering investigations outside investigations handled under this agreement and through the Strike Force only upon approval by the Steering Committee. Absent such specific approval, all participating agencies agree to utilize the Strike Force as the exclusive means to engage in state or local investigations of all money laundering cases conducted by their agency personnel other than investigations conducted as part of a federally-directed joint operation. Notwithstanding this provision, an agency encountering money-laundering incidental to another investigation may initially continue its investigative efforts until such time as the Strike Force accepts the investigation or approval for the agency to work the case outside the Strike Force is granted. If the Strike Force Steering Committee declines to include a particular state or local money laundering investigation within its operations, a Strike Force participating agency will be free to independently pursue the investigation within the parameters of law. Any such independent investigation will be outside the scope of the Agreement and will not benefit from the extension of jurisdiction conferred by this agreement. All money laundering investigative efforts incidental to another investigation conducted by an agency prior to acceptance of the money laundering investigation by the Strike Force are outside the scope of this Agreement and will not benefit from the extension of jurisdiction conferred by this agreement. In the event that an agency's participation in a "federally directed joint money laundering operation" could reasonably be construed as conflicting with a Strike Force investigation, the participating agency must promptly notify the Strike Force Director and the Steering Committee. The Chair of the Strike Force will convene a Steering Committee meeting as soon practical to discuss the conflict and the appropriate resolution.

b. Any Strike Force participating agency that becomes aware of an investigation in violation of the limits imposed by this clause shall immediately report it to the Chair of the Strike Force Steering Committee. The Chair shall bring the matter to the attention of the Strike Force Steering Committee as soon as practical. Violation of the commitment under this clause may result in sanctions against the violating agency, which may include, but are not limited to, permanent reduction in the offending agency's share of forfeiture proceeds obtained from Strike Force efforts or suspension or dismissal from the Strike Force.
5. The Steering Committee consists of command level representatives from the signatory agencies to this agreement. The Steering Committee shall have plenary supervisory authority over Strike Force planning and direction. The Steering Committee shall assure that the Strike Force remains dedicated to its mission and primary goal of dismantling

organized money laundering organizations operating within Florida. The Strike Force Steering Committee will meet quarterly or as otherwise required to maintain an ongoing and active oversight role. The Steering Committee shall select a Chairman and Vice-Chairman from the signatory agencies. The Chairman shall serve one year. The Vice-Chairman shall assume the Chair upon the expiration of the term of the current Chairman. The Steering Committee shall select a new Vice-Chairman whenever the position becomes vacant.

6. The Strike Force Director will provide quarterly reviews to the Steering Committee and the SAO reporting Strike Force investigative, intelligence and forfeiture activity. The Steering Committee shall periodically, no less than twice yearly, assure that its meeting includes as the main agenda item a review the objectives and accomplishments of the Strike Force, a review of the success of the Strike Force in meeting its primary goal of dismantling organized money laundering organizations within Florida, and shall issue directives and cause such changes as may be necessary to assure the Strike Force efforts remain productive and focused on the Strike Force's primary missions.
7. Each participating agency shall contribute personnel and resources to the Strike Force in such numbers as are agreed to by the participating agency and the Strike Force Steering Committee. Participating agencies shall assign personnel to the Strike Force based upon their investigative experience and the operational needs of the Strike Force. Final acceptance of personnel assigned to the Strike Force shall rest with the Strike Force Director.
8. The Steering Committee shall regularly receive performance reports to review whether resource contributions of participating agencies and funding are adequate to assure Strike Force efforts are effective. The Steering Committee will also review and approve the Strike Force's annual operational budget and administrative expenses and financial status report.
9. Actual law enforcement operations of the Strike Force will be supervised and directed by sworn law enforcement officers of the Strike Force agreed upon by the Strike Force Director to serve in an overall supervisory role. The Strike Force second-in-command should be the rank of Major or the operational equivalent to that rank. No person shall serve as second-in-command who is not a full-time, certified officer with his or her employing entity. The Strike Force Director may designate a team leader for specific field operations. The team leader may be any sworn member of a signatory agency to this agreement. Each Strike Force member participating in a Strike Force operation shall follow and adhere to, and is presumed to be following and adhering to, the supervision and direction given by the designated supervisor of the operation. If at any time the Deputy Director, Deputy Commander or designated team leader determines that the Strike Force operation should be terminated, all actions related to said operation as authorized by this Agreement are to be promptly terminated in a manner assuring the safety of all involved law enforcement officers. However, Strike Force-assigned officers or agents who are within their normal territorial jurisdiction(s) may, acting unilaterally as officers or agents of their employing agency, engage in continued investigative or enforcement actions as authorized by their agency supervisor(s). Any such actions shall not be considered the operations of the Strike Force and shall not fall within the privileges and obligations of this Agreement. Nothing in this paragraph shall modify or relax the restrictions against unilateral money laundering investigations by Strike Force participating agencies as addressed in Paragraph 4 herein.

10. Upon any termination of Strike Force operations, the supervisor shall document the circumstances of the termination, including whether there appears to have been an agency's unilateral continuation of investigative or enforcement activity, and the Strike Force shall retain the documentation. The Strike Force and its member agencies are not responsible for the actions of any participating agency or its officers or agents conducted after the Strike Force operation has been terminated or otherwise performed outside the scope of this Agreement.
11. The Strike Force shall maintain a listing of Strike Force personnel serving as supervisors or designated supervisors. Documentation shall be maintained by the Strike Force that will reflect the involvement of sworn members in each Strike Force operation or investigative activity and the assigned supervisor or designated leader for each such operation or activity. No member of the Strike Force shall engage in Strike Force related activities that are unauthorized, unreported or otherwise unknown to the assigned Strike Force supervisor or designated leader and which are not documented as provided herein.
12. Any officer or agent participating in Strike Force operations shall promptly report to any Strike Force supervisor any suspected unauthorized, unreported, undocumented, or unsupervised investigative or enforcement activity of Strike Force personnel.
13. Any agency head of a party to this Agreement may request that a particular agency's member of the Strike Force no longer be allowed to participate in the Strike Force. Upon receiving the request, the Strike Force Director shall temporarily suspend the member's active participation in Strike Force efforts. At its next meeting, the Steering Committee shall determine whether the request should be honored on a permanent basis. Upon receipt from the Steering Committee of a request to no longer allow a particular agency member's participation in the Strike Force, the employing Agency shall promptly terminate the member's participation in the Strike Force. Absent an objection by any other Party to this Agreement, a Party to this Agreement may otherwise add, substitute, reinstate, or replace any of its sworn or support employees participating in the Strike Force. If a Party objects to any such action, the Steering Committee shall determine whether the action may proceed or be maintained.
14. If a conflict arises between an order or direction provided by the assigned supervisor or designated leader and a Strike Force member's employing Agency's rules, standards, or policies, the conflict shall be promptly reported to the supervisor or leader when circumstances safely allow a concern to be raised. The supervisor or team leader, in conjunction with available members of the governing board as may be necessary, shall attempt to resolve the conflict in a manner to allow the Strike Force operation to continue appropriately. No officer or agent shall be required to knowingly violate the policy of his or her employing agency while participating in Strike Force operations.
15. The Parties to this Agreement may, by a written memorandum of understanding or written attachments to this Agreement, identify or further define particular guidelines, policies, or procedures to be utilized by members of the Strike Force when engaged in Strike Force operations, provided that all such guidelines, policies and procedures are consistent with Florida law and Florida or federal forfeiture guidelines and the terms of this Agreement. However, Strike Force members' jurisdiction as provided under this Agreement may not be altered by any such written attachment. In the absence of a written memoranda of understanding or attachments, the policies and procedures to be utilized by Strike Force members shall be clearly identified by the Strike Force supervisor, or if a supervisor is

unavailable, by a Strike Force team leader as designated by the supervisor. Written guidelines, policies, or procedures adopted for use by the Strike Force as provided herein may not be waived or abandoned by Strike Force supervisors or participants. However, when engaged in Strike Force operations no Strike Force member will be expected or required to violate or otherwise fail to maintain the member's employing Agency's standards of conduct, or be required to fail to abide by restrictions or limitations as may be imposed by law, or the member's employing Agency's rules, standards, or policies.

PROCEDURE FOR REQUESTING AND AUTHORIZING ASSISTANCE

Officers assigned to Strike Force operations pursuant to this agreement shall be empowered to render enforcement assistance and take enforcement action in accordance with the law and the terms of this Agreement. Execution of this agreement and continued participation by the SAO and one or more Strike Force member agencies shall constitute a general reciprocal, continuing request for and granting of assistance between the members of the Strike Force which shall be considered authorized in accordance with the provisions of this Agreement. No additional or specific formal request for assistance is required.

USE AND DISTRIBUTION OF SEIZED FUNDS AND PROPERTY; STRIKE FORCE ADMINISTRATIVE EXPENSES:

1. The Parties to this Agreement recognize that law enforcement is the principal objective of all asset forfeiture and that, as mandated by Section 932.704(11)(a), Florida Statutes, as enacted by Chapter 95-265, Laws of Florida, the Strike Force's operations and each Party's use of property, currency, or proceeds received by reason of state forfeiture actions are to conform with "Florida's Forfeiture Guidelines" as developed and adopted by the Florida Department of Law Enforcement, the Florida Sheriff's Association, and the Florida Police Chiefs Association, a copy of which are incorporated herein as Attachment C. In the case of federal forfeitures, applicable federal guidelines apply.
2. All Parties recognize that they are to avoid the appearance of impropriety in the acquisition, sale, retention or transfer of any forfeited property, currency or proceeds derived from such forfeiture, and that forfeiture funds may not be used to meet normal law enforcement agency operating expenses of each Party unless otherwise provided by Florida law.
3. All participating parties acknowledge that the Strike Force has no independent spending authority and is not empowered to encumber, grant, donate, or expend funds independently. Authorizations for expenditures must be consistent with law and authority granted to participating agencies and in support of the mission of the Strike Force and in accordance with the approved budget. A participating Strike Force agency shall function as the administrative agent for Strike Force operational expenditures. The City of Coral Gables Police Department as empowered by the City of Coral Gables is currently responsible for handling the administrative and support expenses incurred by the Strike Force in its operations and is acting as the Strike Force's current administrative agent. If properly authorized by law and the party's governing body, any other party to this Agreement may be authorized by the Steering Committee to assume the role of Administrative Party.
4. Parties acknowledge that the Strike Force is not a permanent operation and could be terminated at any time. Accordingly, the Strike Force shall avoid long-term commitments via leases or rental agreements unless such agreements reasonably provide for cancellation

prior to their scheduled expiration dates. The Strike Force shall endeavor to limit administrative expenses as much as reasonably possible, in order to maximize the flow of forfeiture proceeds to the individual participating agencies. Administrative expenses for which expenditure may be authorized may include, but are not limited to, expenses incurred in the storage of seized funds pending forfeiture, expenditures for rent of Strike Force facilities, rental of vehicles utilized in Strike Force investigative activity, providing phones, desks, office supplies and equipment in support of Strike Force operations, plaques and other recognition awards for exiting members, food and refreshments for Strike Force meetings and the payment of the salaries of a limited number of Strike Force administrative and operational support personnel. Use of Strike Force resources to provide "percs" or benefits beyond that which personnel assigned to the Strike Force would not otherwise be entitled or provided by the employing agency of the personnel is expressly prohibited. Use of Strike Force phones, accounts, equipment, vehicles, or other resources for other than incidental personal purposes is prohibited.

5. Administrative expenses do not include the salaries or overtime compensation, in excess of 64 hours per month, of officers, agents, analysts, or other employees of Party agencies assigned to the Strike Force, or the purchase of regular or special equipment or resources by a Party agency that may be or are utilized in support of Strike Force operations. Compensation for such costs is the sole responsibility of the employing agency, and may, if authorized by law and applicable forfeiture guidelines, be paid from forfeiture funds received by the agency.
6. Anticipated administrative expenses for an administrative agent (currently the Coral Gables Police Department) during a budget year are to be identified by the administrative agent as a Strike Force operational budget item, and are to be approved for reimbursement by the Steering Committee in the Strike Force operational budget for the fiscal year. The Steering Committee may approve all or a portion of the proposed administrative expenses. Once approved, the administrative expenses may be reimbursed to the administrative agent in the manner noted below. The administrative agent is not obligated to expend resources in administrative support of the Strike Force if the Steering Committee does not approve the expenses for reimbursement via the budget process. All Parties acknowledge that the Strike Force itself has no authority to independently authorize the expenditure of seized or forfeited funds, or to make grants from such funds to others. As a result, reimbursement to the Administrative agent (currently the Coral Gables Police Department) for its administrative expenditures shall be done by a voluntary deferral of each Party's equitable share of forfeiture funds otherwise due to it in the manner set forth below.
7. Florida and Federal forfeiture laws allow multiple agencies participating in the seizure and forfeiture of property to equitably proportion the distribution of such property upon successful conclusion of the forfeiture. Distribution of the proceeds from successful forfeiture actions shall be equitable among the Parties to this Agreement and shall take into account their relative roles in support of the efforts of the Strike Force unless an alternate distribution allocation among the Parties has been agreed to.
8. Participating agencies agree that each agency should contribute a fair share toward the annual administrative costs of the Strike Force. Such contributions will be effected by deferring portions of forfeiture proceeds an Agency would otherwise be entitled to receive to the benefit of the agency operating as administrative agent to cover the proportionate share of the administrative expenses as noted herein. Such deferrals are to fairly and appropriately reimburse, not enrich, the administrative agent agency. To reasonably address the additional expenses incurred by the administrative agent for the administrative

and support expense role described herein and approved by the Steering Committee in its operational budget, the other Parties agree that their respective proportionate share in the distribution of forfeited funds will be reduced as approved by the Steering Committee in such manner and amount to effect an increase in the share of forfeitures received by the administrative agent (currently, the Coral Gables Police Department) for the extra administrative expenses so incurred.

9. All Parties have an equitable ownership in the funds seized for forfeiture and interest earned on those funds pending perfection of ownership via final order of forfeiture. However, to further address the additional expenses incurred by the Administrative agent for the administrative and support expense role described herein and approved by the Steering Committee in its operational budget, the Parties have agreed that all interest earned yearly on funds seized and pending forfeiture up to a maximum amount set by the Steering Committee at the time the yearly budget is approved shall be distributed to the Administrative agent upon final order of forfeiture in a manner consistent with this Agreement and law, with such funds to be applied to the approved administrative and support expenses. Any interest earned yearly in excess of the maximum amount set by the Steering Committee shall be included in the funds to be equitably distributed among the Parties to this Agreement and shall take into account their relative roles in support of the efforts of the Strike Force unless an alternate distribution allocation among the Parties has been agreed to.
10. The Steering Committee may approve on a case-by-case basis the adjustment of one or more distributions of forfeiture funds to Strike Force participating agencies to specifically increase a Party's share of forfeiture distribution funds for an unusual or substantial expense incurred by the Party directly associated with its participation in Strike Force activities. In order for such reimbursement to occur, the expenses must have a substantial nexus with the Strike Force's operations and mission. The Strike Force members acknowledge they have no independent authority by reason of this Agreement to disburse funds other than as authorized by law and as approved by each party's governing entity.
11. Each participating agency is solely responsible for assuring its use of distributed forfeiture funds is in compliance with state law and mandatory state and federal forfeiture guidelines. By continued participation in the Strike Force, each participating agency warrants it is operating in compliance with state law and mandatory guidelines. The Steering Committee shall assure regular training of Strike Force officers and agents as required by the State Guidelines occurs and is documented. Upon request of the SAO, a participating agency will provide documentation or certification demonstrating such compliance. Any participating agency found not to be operating within applicable forfeiture law and guidelines shall be suspended from Strike Force participation and forfeiture fund distribution until such time as the Agency demonstrates it is in compliance with law and guidelines.
12. The Parties to this Agreement acknowledge that under federal guidelines, funds derived from federal forfeitures are not to be commingled with funds derived from state forfeitures, and are to be maintained in a separate trust fund account, to be expended only in a manner as allowed by applicable federal guidelines. All Parties agree to file in a timely fashion all reports or accountings of receipts or expenditures of forfeiture funds as are required by state or federal law or applicable guidelines.

PROPERTY SEIZURE AND FORFEITURE CONSIDERATIONS:

1. No funds or other property seized by Strike Force operations are to be utilized by any Strike Force agency prior to successful forfeiture or until title or interest in the funds otherwise lawfully vests in one or more Strike Force agencies. Forfeiture actions based upon seizures made by the Strike Force may be pursued in either state or federal actions. Actions shall be based upon current statutory and case law, and shall be consistent with applicable state or federal forfeiture guidelines. The Parties agree that the Office of the State Attorney of the Eleventh Judicial Circuit, through its attorneys, will be primarily responsible under this Agreement for pursuing all Strike Force forfeiture actions on behalf of all of the Parties in state court in Miami-Dade County and through out the State of Florida. The Office of the United States Attorney, Southern District of Florida, will be primarily responsible for federal forfeiture actions. However, this provision shall not preclude the use of other forfeiture attorneys or personnel as needed on particular matters and as authorized by the Steering Committee and agreed to by the above-noted primary entities responsible for forfeiture litigation.
2. Any Party to this Agreement or any prosecutor handling the criminal prosecution of Strike Force cases may request copies of forfeiture complaints and pleadings filed by reason of Strike Force seizures and such copies shall be promptly provided to the requester. Forfeiture actions are to be coordinated with criminal prosecutions. If any legal dispute or concern as to the form or sufficiency of forfeiture actions or other action proposing to vest the interest of Strike Force agency(ies) in seized cash or property is raised by any of the Parties to this Agreement, an attempt to resolve the issue through informal discussion and contact shall be made. In the event any Party responsible for filing and handling a forfeiture action believes there is an insufficient basis upon which to pursue the forfeiture of particular seized cash or property, and the concerns cannot be resolved, no forfeiture action on behalf of the Strike Force is to be filed.
3. All options available under law to state and local law enforcement agencies with regard to unclaimed evidence or abandoned property, gifts and plea agreements are available to the Strike Force, provided the property under consideration otherwise qualifies under law for such consideration.
4. Pursuant to Section 932.704(7), Florida Statutes, when a claimant and the Strike Force agree to settle the forfeiture action prior to the conclusion of the forfeiture proceeding, the settlement agreement shall be reviewed, unless such review is waived by the claimant in writing, by the court or a mediator or arbitrator agreed upon by the claimant and the seizing law enforcement agency. If the claimant is unrepresented, the settlement agreement must include a provision that the claimant has freely and voluntarily agreed to enter into the settlement without benefit of counsel. A copy of the settlement agreement is to be retained in the investigative case file giving rise to the forfeiture and settlement.

GUIDELINES FOR MONEY PICKUPS, TRANSFERS AND SECURITY; AUDITS AND REVIEWS:

1. The Parties to this Agreement recognize that substantial sums of cash will be seized by reason of Strike Force operations, and are committed to assuring that all such seizures are done with the greatest degree of security and integrity possible. The Strike Force will utilize

procedures established by written directive of the Strike Force relating to the seizure of property for forfeiture and the seizure of contraband. At no time shall a Strike Force participant seize, handle, transport or count seized funds alone. Pursuant to Section 932.704(11)(b), Florida Statutes, the determination of whether to seize currency must be made by Strike Force supervisory personnel. Such determination must be documented in a manner to indicate the supervisory personnel providing such authorization. The attorney assigned to handle Strike Force forfeitures must be notified as soon as possible. In the absence of, or unavailability of that attorney, notification shall be made to the Strike Force Director.

2. No investigative money laundering by the Strike Force or its participating agencies may occur unless it is a means to an investigative end, rather than an end in and of itself. Authorized laundering may only be conducted as part of reverse sting or as an interim step reasonably expected to lead to the seizure of drugs, illicit funds, and/or arrests of those engaged in unlawful money laundering consistent with Section 896.105, Florida Statutes.
3. The Strike Force will utilize procedures established in writing by the Strike Force relating to the handling of evidence. A copy of Strike Force Directive 1.3, relating to forfeitures and seizures, is attached as Attachment A to this Agreement. A copy of Strike Force Directive 1.4, relating to the handling of evidence, is attached as Attachment B to this Agreement. Both of these Directives currently apply to Strike Force operations. The Parties to this Agreement acknowledge in signing this Agreement that they have reviewed the Attachments.
4. The Strike Force may modify, supplement or substitute written guidelines, provided that any modification, supplementation, or substitution assures as a minimum that all non-cash property coming into the custody of Strike Force members shall be treated as evidence, utilizing standard and commonly-accepted means of securing and handling same, and that all seizures of cash shall be done with appropriate checks and balances implemented to assure that all cash seized is accounted for, and properly secured until such time as title or interest in such funds lawfully vests in the seizing agency(ies) and the Strike Force. Copies of written guidelines or directives shall be provided any Party upon request.
5. The Steering Committee will determine the type, nature and extent of audits or reviews pertaining to Strike Force efforts, to include as a minimum an audit of Strike Force finances once every two years. In addition, the SAO may at any time order a review and audit by an auditor designated by the SAO of Strike Force operations with regard to the seizure and handling of all evidence, property or cash, use and disposition of property, currency or proceeds received by any Party by reason of a forfeiture, or any other aspect of Strike Force operations. The Strike Force Director or the Steering Committee by majority vote may request at any time that such a review and audit be performed by the SAO. The Parties agree to cooperate in any such audit by allowing full access to documents, personnel and facilities necessary to perform the audit function. The Parties agree to cooperate in any federal audit of Strike Force forfeiture activities as may be required or requested by the United States government.

COMPLAINTS AGAINST STRIKE FORCE MEMBERS:

1. Each person assigned to the Strike Force shall promptly report any suspected criminal activity or violation of rule or policy of any other member of the Strike Force or any person with whom the Strike Force is conducting business.
2. Whenever a complaint has been lodged as a result of Strike Force efforts, a designee of the SAO shall ascertain at a minimum:

The identity(ies) of the complainant(s) and an address where the complainant(s) may be contacted, the nature of the complaint any supporting evidence or facts as may be available, including the names and addresses of witnesses to that which has been complained about, the identity(ies) of the Strike Force participant(s) accused and the employing Agency(ies) of the participant(s) accused.

3. The SAO will promptly provide to each affected employing Agency the above information for administrative review and appropriate handling or disposition. Each affected employing Agency shall, upon completion of said review, promptly notify the SAO of its findings and any actions taken.
4. Upon assignment to the Strike Force, and once yearly, each person assigned to the Strike Force shall be provided notification that he or she is obliged to report any wrongdoing or impropriety by any Strike Force personnel. A local method of reporting such shall be provided, and the name, email address and phone number of the SAO Investigations Division shall also be provided as an option for making any such report, whose phone number is (305) 547-0669.

INTERPLAY WITH FEDERAL AND OTHER AUTHORITIES:

1. The Parties to this Agreement recognize that the federal law enforcement authorities have requested that the efforts of the Strike Force be closely coordinated with federal authorities having interests in money laundering investigations. The Parties recognize that federal agents will, as necessary, be co-located at the Strike Force headquarters or otherwise provided access to Strike Force operations and planning.
2. **International movement of funds:** No direct movement of funds internationally, or transactions which are known by the Strike Force to be an interim step prior to a specifically planned, expected, or known international transfer of funds shall occur unless the federal agent(s) assigned to work with the Strike Force are provided prior notice and federal approval and participation is secured. If a federal agency has an objection to any proposed operation of the Strike Force involving international movements of money, the operation is not to proceed until the federal objections are resolved, giving federal interstate and international responsibilities and concerns appropriate deference. The Strike Force shall not directly or knowingly indirectly engage in international movements of funds without securing authorization and participation from at least one federal agency having appropriate jurisdiction.

3. **Interstate movement of funds within the United States:**

(a) **Federal notification:** A federal agent with appropriate jurisdiction assigned to work with the Strike Force (normally, an HSI Agent) must receive notification of any intended interstate movement of funds prior to the actual movement of the funds. The federal agent, upon receiving notification as provided herein, shall coordinate the Strike Force's efforts with other federal law enforcement agencies and make appropriate notification of the proposed transaction(s). If a federal agency objects to a proposed interstate movement of funds, no movement shall occur until the federal objections are resolved. The date of original federal agent notification and the absence of objection shall be specifically documented on the funds transfer authorization form. In the event of exceptional circumstances that do not allow timely prior notice to the federal agent, funds may be moved interstate upon the approval of the Director of the Strike Force, or in the absence of the Director, his/her designee. The notice required by this section shall occur as soon as practicable, but in no case longer than 48 hours after the interstate movement of funds has begun.

(b) **Recipient or involved state notification:** Strike Force interstate movements of money not otherwise involving the active participation of a federal agency shall be in coordination with law enforcement agencies in the recipient or involved other states. In operations not actively involving a federal agency, the Strike Force shall not unilaterally conduct money transfers in another state, without notifying the appropriate state, or local law enforcement agencies of the proposed activities. Nothing in this Agreement provides Strike Force members with jurisdiction beyond the geographic limits of the State of Florida. Strike Force operations are to be performed in a manner to minimize and avoid conflict with the actions of, and mission of, federal agencies and other states' law enforcement agencies.

(c) **Domestic security:** Recognizing that money laundering is an important tool of domestic and international terrorist organizations, no transfer of funds by the Strike Force shall occur until the Strike Force has checked available law enforcement intelligence databases, including, but not limited to, DICE "In-Site" to assure there is no believed connection between the proposed transfer of funds and terrorism. If there is a reasonable belief that the funds will be utilized by a terrorist organization, no transfer shall occur. Notwithstanding this prohibition, if the transfer of funds is essential to an investigation of the terrorist organization, and will substantially assist in the detection and apprehension of terrorists, or the interference with their planned objectives, upon approval of the Steering Committee, and with the approval of the primary agency investigating the terrorist organization, a transfer may occur.

POWERS, PRIVILEGES, IMMUNITIES, COSTS, LIABILITY AND RELATED ISSUES; STRIKE FORCE SUPPORT CONSIDERATIONS:

Each Party engaging in any mutual cooperation and assistance pursuant to this Agreement agrees to assume its own liability and responsibility for the acts, omission, or conduct of such Party's own employees while such employees are engaged in rendering such aid, cooperation and assistance pursuant to this Agreement, subject to the provisions of Section 768.28, Florida Statutes, where applicable. All personnel assigned to the Strike Force remain ultimately accountable to their respective employing agencies. In turn, each employing agency remains responsible for such employees and assumes any liability for the actions of its employees while assigned to the Strike Force.

Each agency is individually responsible for securing supplemental insurance as may be desired to cover potential losses or liabilities associated with the Strike Force operation. With regard to the rental or lease of vehicles for use by the Strike Force personnel, the participating Law Enforcement Agencies of the South Florida Money Laundering Strike Force hereby agree to the extent permitted by Law to indemnify from any liability and hold harmless the other participating Law Enforcement Agencies of the South Florida Money Laundering Strike Force for any negligent acts or negligent omissions committed by their respective personnel while acting within the scope of their employment. Therefore, in consideration of the mutual terms and conditions contained herein, the parties agree as follows:

Each participating Law Enforcement Agency of the South Florida Money Laundering Strike Force hereby agree to secure or otherwise maintain its own automobile liability insurance or maintain a self-insuring fund for the term of this Agreement in the amounts determined by each participating Law Enforcement Agency to adequately insure each participant's liability derived from the use of the leased or rental vehicles assumed herein, but in no event shall such coverage be less than the amount of statutory waiver of sovereign immunity.

Each Party to this Agreement agrees to furnish necessary personnel, property, police equipment, vehicles, resources and facilities to render services to each other Party to this Agreement in order to effect the purposes of the Strike Force and agrees to bear the cost of loss or damage to its equipment, vehicles, or property so provided. Parties understand and agree that they will be responsible for their own liability and bear their own costs with regard to their property and resources, or personnel expenses incurred by reason of death, injury or incidents giving rise to liability. This provision shall not preclude, as otherwise authorized herein, the purchase of administrative support property or resources.

Each Agency furnishing aid pursuant to this Agreement shall compensate its employees during the time such aid is rendered and shall defray the actual expenses of its employees while they are rendering such aid, including any amounts paid or due for compensation due to personal injury or death while such employees are engaged in rendering such aid. The privileges and immunities from liability, exemption from laws, ordinances, and rules, and all pension, insurance, relief, disability, workers' compensation, salary (including overtime compensation or compensatory time), death and other benefits that apply to the activity of an employee of an Agency when performing the employee's duties within the territorial limits of the employee's Agency shall apply to the employee to the same degree, manner, and extent while such employee acts under this Agreement. This provision shall not preclude payment by a Party of compensation (including overtime compensation) to the Party's officers, agents, analysts, or other personnel assigned to the Strike Force, if allowed by Florida or federal law and applicable state or federal guidelines, through the use of legally vested Strike Force funds if the Party has obtained the necessary approval and authorization for such payment from the Party's governing commission or (if a state agency) the Legislature.

The privileges and immunities from liability, exemption from laws, ordinances, and rules, and pension, insurance, relief, disability, workers' compensation, salary, death, and other benefits that apply to the activity of an employee of an agency when performing the employee's duties within the territorial limits of the employee's agency apply to the employee to the same degree, manner, and extent while engaged in the performance of the employee's duties extraterritorially under the provisions of this Agreement. Each participating Party shall bear its own liability arising from acts undertaken under the Agreement except as may be otherwise allowed under Chapter 23, Florida Statutes, and any agreement by a participant to the contrary is void. The Administrative Agency may request purchase of optional insurance or other reasonable actions by the other Parties as a means of helping reduce the Administrative Agency's exposure to claims or liability incurred solely by reason of its role as Administrative Agency in renting automobiles or entering into contractual agreements on behalf of the Strike Force. Such requests shall be approved by the Steering Committee, but if not approved, the Administrative Agency shall not be obligated to enter into any particular rental or contractual obligation on behalf of the Strike Force.

OBLIGATION TO COORDINATE WITH PROSECUTOR'S OFFICE:

1. **A principal goal of this Strike Force is the successful prosecution of criminal violators.** Successful prosecution requires close coordination with prosecuting authorities, both in the state and federal courts. Members of the Strike Force are obligated to coordinate their efforts in such a way as to support the efficient prosecution of cases, including, but not limited to, prompt responses to requests from prosecutors for information or assistance in handling Strike Force generated cases, and reasonable availability for pretrial conferences with prosecutors, discovery depositions, pretrial hearings and trials. Civil or administrative actions derived from Strike Force operations are likewise to receive coordinated support efforts from Strike Force members.
2. Strike Force supervisors shall monitor the efforts of Strike Force members in support of criminal prosecutions, civil actions, administrative actions and forfeiture cases. Such monitoring shall include regular contact with assigned prosecutors or attorneys pursuing actions on behalf of the Strike Force to assure the expected level of support from Strike Force members is occurring. Failure by a member of the Strike Force to support such efforts on a routine and regular basis in the manner set forth herein shall constitute grounds for suspension or removal from the Strike Force and reduction or elimination of the agency's share of forfeiture proceeds derived from Strike Force operations.

PRIMARY STRIKE FORCE EFFORTS; SEMIANNUAL PROGRESS ASSESSMENT:

1. The Strike Force has as its prime mission these primary areas of activity:
 - ✓ Money laundering investigations, including the seizure and forfeiture of funds derived from drug or other criminal activity and the investigation and prosecution of those involved in such activity;

- ✓ Criminal investigation and prosecution of those involved in organized drug trafficking enterprises and those involved in other drug related criminal activity, and efforts to disrupt and dismantle organizations involved in such illegal activity.
- 2. The Parties agree to provide sufficient and continued support and personnel resources to each of the above areas of activity, in a manner and to an extent determined and approved by the Steering Committee, or as may be requested by the SAO.
- 3. The Steering Committee no less than twice yearly review and evaluate the progress and success of efforts in each of the primary areas of activity. To the extent resources are available, they shall be reallocated to address observed deficiencies or to otherwise better assure the balanced success of the primary Strike Force efforts.

INTERPLAY OF STRIKE FORCE AGENCIES WITH FLORIDA VIOLENT CRIME AND DRUG CONTROL COUNCIL FUNDED INVESTIGATIVE EFFORTS

The mission of the Florida Violent Crime and Drug Control Council includes providing matching funding of significant drug and money laundering investigations within the state. To the extent that any investigation funded by the Council develops leads related to significant money laundering affecting investigative efforts of any participating Strike Force agency, the Agency shall relate the leads to the Strike Force Steering Committee, and the Steering Committee shall determine whether the money laundering aspect of the Council-funded investigation warrants inclusion as a Strike Force investigation.

COPY TO EACH PARTICIPATING STRIKE FORCE MEMBER:

When this Agreement is fully executed, a copy shall be provided to each Strike Force member so that each member may be fully aware of the powers, limitations, and expectations applicable to Strike Force members and operations.

TERM AND EFFECT OF AGREEMENT; OBLIGATION TO TIMELY RATIFY; MEANS OF CANCELLATION; AUTOMATIC EXTENSION; INTERIM CLARIFICATIONS OR MODIFICATIONS:

1. This Agreement is the successor agreement to the original Agreement first establishing the predecessor Strike Force, known as the Multi-Agency Money Laundering and Anti-Drug Trafficking Strike Force ("IMPACT") and all subsequent renewals thereof. It shall be effective as to the executing Parties upon execution by the SAO and at least one other participating Agency. As each additional Party executes this Agreement, it shall be effective as to the newly executing Party. Upon execution, this Agreement supercedes previous versions of the agreements. Failure by a Party to secure a timely ratification of this superceding agreement will result in said party's participation in the Strike Force being suspended until such time as the Party executes the Agreement.

2. This Agreement shall remain in full force as to all participating Parties until September 1, 2018, unless earlier canceled in writing by the SAO as to all or separate Parties, or as canceled in writing by an individual Party as related to that Party as provided herein. In order for the Strike Force to continue operations beyond September 1, 2018, this Agreement must be renewed in writing by the participating Parties.
3. The terms of this Agreement may be clarified or modified, consistent with state and federal law and guidelines, by supplemental Memoranda of Understanding signed by the participating parties. Any such Memorandum shall incorporate by reference this Agreement, and shall become a part of this Agreement by inclusion as an Exhibit hereto. All such Exhibits are to be sequentially lettered and labeled as an attachment. Master copies of the current Agreement will be maintained by the SAO, the FDLE Office of Mutual Aid Coordinator and by the Strike Force Director.
4. This Agreement may be duplicated for dissemination to all Parties, and such duplicates shall be of the same force and effect as the original. Execution of this Agreement may be signified by properly signing a separate signature page, the original of which shall be returned to the attention of:

Executive Director, SFMLSF
11200 NW 20th Street
Suite 300
Miami, Florida 33172

Upon receipt, originals will maintained by the Strike Force Director. Any written cancellation or extension shall be forwarded to the SFMLSF at the same address.

5. By signing the agreement, each representative of a party represents that he or she is fully authorized to enter into this agreement, and that the Party for which the representative is signing accepts the terms, responsibilities, obligations and limitations of this Agreement, and agrees to bound thereto to the fullest extent allowed by law.

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IN WITNESS WHEREOF, the authorized representatives of Parties hereto sign on the date specified hereafter:

Party's Acceptance of the September 2015 SOUTH FLORIDA MONEY LAUNDERING STRIKE FORCE VOLUNTARY COOPERATION MUTUAL AID AGREEMENT

Pursuant to F.S. 23.1225(3), this agreement may be entered into by a sheriff, a mayor or chief executive officer of a municipality or county on behalf of a law enforcement agency, if authorized by the governing body of the municipality or county. By signing below, an indication of such authorization is being made.

Any signatory may attach to this signature page any further evidence of authorization you wish to remain on file at the SAO along with this signature page.

I hereby acknowledge that I have been authorized by the governing body of the municipality to enter into this Agreement on behalf of the City of Coral Gables Police Department.

Signature

Print or Type Name

Title:
 Mayor
 Chief Executive Officer, to wit: _____

Date: _____

Chief of Police

Date: _____

Party's Acceptance of the September 2015 SOUTH FLORIDA MONEY LAUNDERING STRIKE FORCE VOLUNTARY COOPERATION MUTUAL AID AGREEMENT

Pursuant to F.S. 23.1225(3), this agreement may be entered into by a sheriff, a mayor or chief executive officer of a municipality or county on behalf of a law enforcement agency, if authorized by the governing body of the municipality or county. By signing below, an indication of such authorization is being made.

Any signatory may attach to this signature page any further evidence of authorization you wish to remain on file at the SAO along with this signature page.

I hereby acknowledge that I have been authorized by the governing body of the municipality to enter into this Agreement on behalf of the City of Miami Police Department.

Signature

Print or Type Name

Title:

Mayor

Chief Executive Officer, to wit: _____

Date: _____

Chief of Police

Date: _____

Party's Acceptance of September 2015 SOUTH FLORIDA MONEY LAUNDERING STRIKE FORCE VOLUNTARY COOPERATION MUTUAL AID AGREEMENT

Pursuant to F.S. 23.1225(3), this agreement may be entered into by a sheriff, a mayor or chief executive officer of a municipality or county on behalf of a law enforcement agency, if authorized by the governing body of the municipality or county. By signing below, an indication of such authorization is being made.

Any signatory may attach to this signature page any further evidence of authorization you wish to remain on file at the SAO along with this signature page.

I hereby acknowledge that I have been authorized by the governing body of the municipality to enter into this Agreement on behalf of the City of North Miami Police Department.

Signature

Print or Type Name

Title:

- Mayor
- Chief Executive Officer, to wit: _____

Date: _____

Chief of Police

Date: _____

**Party's Acceptance of the September 2015 SOUTH FLORIDA MONEY LAUNDERING
STRIKE FORCE VOLUNTARY COOPERATION MUTUAL AID AGREEMENT**

Pursuant to F.S. 23.1225(3), this agreement may be entered into by a sheriff, a mayor or chief executive officer of a municipality or county on behalf of a law enforcement agency, if authorized by the governing body of the municipality or county. By signing below, an indication of such authorization is being made.

Any signatory may attach to this signature page any further evidence of authorization you wish to remain on file at the SAO along with this signature page.

I hereby acknowledge that I have been authorized by the governing body of the municipality to enter into this Agreement on behalf of the City of Miami Shores Police Department.

Signature

Print or Type Name

Title:

- Mayor
- Chief Executive Officer, to wit: _____

Date: _____

Chief of Police

Date: _____

**Party's Acceptance of the September 2015 SOUTH FLORIDA MONEY LAUNDERING
STRIKE FORCE VOLUNTARY COOPERATION MUTUAL AID AGREEMENT**

Pursuant to F.S. 23.1225(3), this agreement may be entered into by a sheriff, a mayor or chief executive officer of a municipality or county on behalf of a law enforcement agency, if authorized by the governing body of the municipality or county. By signing below, an indication of such authorization is being made.

Any signatory may attach to this signature page any further evidence of authorization you wish to remain on file at the SAO along with this signature page.

I hereby acknowledge that I have been authorized by the governing body of the municipality to enter into this Agreement on behalf of the Town of Surfside Police Department.

Signature

Print or Type Name

Title:

- Mayor
- Chief Executive Officer, to wit: _____

Date: _____

Chief of Police

Date: _____

**Party's Acceptance of the September 2015 SOUTH FLORIDA MONEY LAUNDERING
STRIKE FORCE VOLUNTARY COOPERATION MUTUAL AID AGREEMENT**

Pursuant to F.S. 23.1225(3), this agreement may be entered into by a sheriff, a mayor or chief executive officer of a municipality or county on behalf of a law enforcement agency, if authorized by the governing body of the municipality or county. By signing below, an indication of such authorization is being made.

Any signatory may attach to this signature page any further evidence of authorization you wish to remain on file at the SAO along with this signature page.

I hereby acknowledge that I have been authorized by the governing body of the municipality to enter into this Agreement on behalf of the City of Doral Police Department.

Signature

Print or Type Name

Title:

Mayor

Chief Executive Officer, to wit: _____

Date: _____

Chief of Police

Date: _____

Party's Acceptance of the September 2015 SOUTH FLORIDA MONEY LAUNDERING STRIKE FORCE VOLUNTARY COOPERATION MUTUAL AID AGREEMENT

Pursuant to F.S. 23.1225(3), this agreement may be entered into by a sheriff, a mayor or chief executive officer of a municipality or county on behalf of a law enforcement agency, if authorized by the governing body of the municipality or county. By signing below, an indication of such authorization is being made.

Any signatory may attach to this signature page any further evidence of authorization you wish to remain on file at the SAO along with this signature page.

I hereby acknowledge that I have been authorized by the governing body of the municipality to enter into this Agreement on behalf of the City of Miami Gardens Department.

Signature

Print or Type Name

Title:

- Mayor
- Chief Executive Officer, to wit: _____

Date: _____

Chief of Police

Date: _____

Party's Acceptance of the September 2015 SOUTH FLORIDA MONEY LAUNDERING STRIKE FORCE VOLUNTARY COOPERATION MUTUAL AID AGREEMENT

Pursuant to F.S. 23.1225(3), this agreement may be entered into by a sheriff, a mayor or chief executive officer of a municipality or county on behalf of a law enforcement agency, if authorized by the governing body of the municipality or county. By signing below, an indication of such authorization is being made.

Any signatory may attach to this signature page any further evidence of authorization you wish to remain on file at the SAO along with this signature page.

I hereby acknowledge that I have been authorized by the governing body of the municipality to enter into this Agreement on behalf of the City of Golden Beach Police Department.

Signature

Print or Type Name

Title:

- Sheriff
- Chief Executive Officer, to wit: _____

Date: _____

Sheriff (if above signed by Chief Executive Officer of County)

Date: _____

**Party's Acceptance of the September 2015 SOUTH FLORIDA MONEY LAUNDERING
STRIKE FORCE VOLUNTARY COOPERATION MUTUAL AID AGREEMENT**

Pursuant to F.S. 23.1225(3), this agreement may be entered into by a sheriff, a mayor or chief executive officer of a municipality or county on behalf of a law enforcement agency, if authorized by the governing body of the municipality or county. By signing below, an indication of such authorization is being made.

Any signatory may attach to this signature page any further evidence of authorization you wish to remain on file at the SAO along with this signature page.

I hereby acknowledge that I have been authorized by the governing body of the municipality to enter into this Agreement on behalf of the Miami Dade County School Board Police Department.

Signature

Print or Type Name

Title:

- Sheriff
- Chief Executive Officer, to wit: _____

Date: _____

Party's Acceptance of the September 2015 SOUTH FLORIDA MONEY LAUNDERING STRIKE FORCE VOLUNTARY COOPERATION MUTUAL AID AGREEMENT

Pursuant to F.S. 23.1225(3), this agreement may be entered into by a sheriff, a mayor or chief executive officer of a municipality or county on behalf of a law enforcement agency, if authorized by the governing body of the municipality or county. By signing below, an indication of such authorization is being made.

Any signatory may attach to this signature page any further evidence of authorization you wish to remain on file at the SAO along with this signature page.

I hereby acknowledge that I have been authorized by the governing body of the municipality to enter into this Agreement on behalf of the Village Of Indian Creek Police Department.

Signature

Print or Type Name

Title:

- Sheriff
- Chief Executive Officer, to wit: _____

Date: _____

**Party's Acceptance of the September 2015 SOUTH FLORIDA MONEY LAUNDERING
STRIKE FORCE VOLUNTARY COOPERATION MUTUAL AID AGREEMENT**

Pursuant to F.S. 23.1225(3), this agreement may be entered into by a sheriff, a mayor or chief executive officer of a municipality or county on behalf of a law enforcement agency, if authorized by the governing body of the municipality or county. By signing below, an indication of such authorization is being made.

Any signatory may attach to this signature page any further evidence of authorization you wish to remain on file at the SAO along with this signature page.

I hereby acknowledge that I have been authorized by the governing body of the municipality to enter into this Agreement on behalf of the (Left Blank for future Police Department).

Signature

Print or Type Name

Title:

- Sheriff
- Chief Executive Officer, to wit: _____

Date: _____

Party's Acceptance of the September 2015 SOUTH FLORIDA MONEY LAUNDERING STRIKE FORCE VOLUNTARY COOPERATION MUTUAL AID AGREEMENT

Pursuant to F.S. 23.1225(3), this agreement may be entered into by a sheriff, a mayor or chief executive officer of a municipality or county on behalf of a law enforcement agency, if authorized by the governing body of the municipality or county. By signing below, an indication of such authorization is being made.

Any signatory may attach to this signature page any further evidence of authorization you wish to remain on file at the SAO along with this signature page.

I hereby acknowledge that I have been authorized by the governing body of the municipality to enter into this Agreement on behalf for the Office of the State Attorney of the Eleventh Judicial Circuit of Florida (In and For Miami-Dade County, Florida):

Signature

Katherine Fernandez-Rundle
State Attorney

Date: _____

-----End of Signature Pages, Attachments Follow-----

**ATTACHMENT A:
Strike Force Forfeitures and Seizures Directive (Rev. 10/06)**

- A. FORFEITURE - means anything that is taken into custody by the SFMLSF investigators that falls under the Florida Forfeiture and Contraband Act. In general, all Asset Forfeitures will be conducted under Coral Gables Police Department procedures.
1. All property that is taken under forfeiture will be:
 - a. Placed into the Coral Gables Police Department Property Unit or, as in case of vehicles, recorded on Coral Gables Police Department Vehicle Storage Reports after inventory search. (See attached Coral Gables Police Department Policy number #050)
 - b. All property will be listed in the Coral Gables P.D. Case Report and copies forwarded to the appropriate forfeiture attorney by 5pm the next business day.
- B. SEIZURE OF CONTRABAND - means taking into custody anything illegal to possess. (See Currency Handling Procedures)
1. All seizures will be placed in the Coral Gables Police Department Property Unit or applicable seizing agency.
 2. All property that is taken into custody will be:
 - a. Fully documented on Coral Gables Police Department Property Receipt.
 - b. All seizures will be listed in the Forfeiture/ Confiscation's Report and copies sent within 24 hours to the Dade County SAO Forfeiture Attorneys and the Confiscation Unit.
 3. In all instances where controlled substances are seized that are in the amount which warrants trafficking charges or instances where monies are seized in excess of \$1,000, the SFMLSF will assign at least three investigators to the custody of the contraband or monies. The investigators will maintain custody until the controlled substance or monies are placed into the Coral Gables Police Department Property/Evidence room or applicable seizing agency.
 4. In all seizures, it is required to complete the SFMLSF ZY Entry Form. This form is to be completed by the case agent.

ATTACHMENT B
Strike Force Evidence Directive

- A. Each investigator is responsible for the evidence he or she has the occasion to purchase or seize. All controlled substances are to be treated in a very thorough and careful manner.
- B. All evidence will be turned in to the Coral Gables Police Department Property/Evidence Unit as soon as possible after its seizure.
- C. Evidence will not be stored in any facility other than the Coral Gables Police Department Property Unit (i.e., desk, lockers, etc.). Controlled substances will always be checked into the Coral Gables Police Department Property Unit prior to the end of the investigator's tour of duty.
- D. Tests of controlled substances to establish probable cause will be done at the scene by the impounding investigator and the results documented in the SFMLSF Report.
- E. Chemical analysis of controlled substances will be performed by the Miami-Dade Crime Lab or other facility as determined by the Task Force Deputy Director. The investigator is responsible for:
 - Coral Gables Property Receipt
 - Miami Dade County Lab Analysis Form
 - Miami Dade County Property Receipt with Miami Dade County Case number.
- F. Three` investigators are required when handling trafficking amounts of controlled substances or amounts of currency in excess of \$1,000.
- G. When an arrest for a controlled substance is made, the arresting investigator will be responsible for maintaining the integrity of the evidence, until it is turned in to the Coral Gables Property/Evidence unit.

* As the Coral Gables Police Department is our primary evidence repository see attached Coral Gables Police Department SOP #050 (Evidence and Property) in order to comply with those regulations.

ATTACHMENT C
Florida's Mandatory Statewide Forfeiture Guidelines
(These Apply To ALL Florida Law Enforcement Agencies Independent of This Agreement)

Guidelines and Training Procedures
To Be Used By State and Local Law Enforcement Agencies
And State Attorneys in Implementing
The Florida Contraband Forfeiture Act

I. Policy Statement

The Florida Contraband Forfeiture Act, Sections 932.701 through 932.707, Florida Statutes, (Act) authorizes law enforcement agencies to seize and forfeit real and personal property, including currency, vehicles, aircraft, and other contraband articles that are used in violation of the Act.

The Act also allows seizure and forfeiture of any controlled substance as defined in Chapter 893, Florida Statutes, or any substance, device, paraphernalia, or currency or other means of exchange that was used, was attempted to be used, or was intended to be used in violation of any provision of Chapter 893, Florida Statutes if a nexus can be clearly demonstrated between the article(s) seized and the narcotics activity, whether or not the use of the contraband article(s) can be traced to a specific narcotics transaction.

It is the policy of the State of Florida that law enforcement agencies shall utilize the provisions of the Act to deter and prevent the continued use of contraband articles for criminal purposes while protecting the proprietary interests of innocent owners and lien holders and to authorize such law enforcement agencies to use the proceeds collected under the Act as supplemental funding for authorized purposes. The potential for obtaining revenues from forfeitures must not override fundamental considerations such as public safety, the safety of law enforcement officers, or the investigation and prosecution of criminal activity.

It is also the policy of this state that law enforcement agencies ensure that, in all seizures made under the Act, their officers adhere to federal and state constitutional limitations regarding an individual's right to be free from unreasonable searches and seizures, including, but not limited to, the illegal use of stops based on a pretext, coercive consent searches, or a search based solely upon an individual's race or ethnicity.

The Act provides procedural safeguards for those claiming or having an interest in the seized property, including bona fide lien holders, lessors, and innocent co-owners. The Act complements the other options available to Florida law enforcement agencies in addressing criminal activity, is a valuable tool of law enforcement to be used by Florida law enforcement agencies to assist their law enforcement mission, and is to be preserved and wisely used as a valuable weapon in Florida's law enforcement arsenal.

II. Purpose

The purpose of these Uniform Standards is to provide statewide guidelines for law enforcement policies and procedures used in seizing, maintaining, and forfeiting property under the Act and to provide training procedures to be used by state and local law enforcement agencies and state attorneys in implementing the Act. Compliance with these Standards will enhance the goal of establishing more uniform forfeiture practices throughout the state. These Uniform Standards are to be interpreted in a manner to assure that to the greatest extent possible there is uniformity of policy and procedure throughout the state. It is not the intent or purpose of these Standards to create new rights of parties or new defenses to forfeiture actions. All rights and actions are defined by the substantive provisions of the Act itself or other applicable law.

III. Principles

The following principles should be incorporated within the policies and procedures of any state or local law enforcement agency involved in the seizure and forfeiture of property under the Act-

- A. **LAW ENFORCEMENT IS THE PRINCIPAL OBJECTIVE OF ASSET FORFEITURE.** The potential for obtaining revenues from forfeitures must not override fundamental considerations such as public safety, the safety of law enforcement officers, the investigation and prosecution of criminal activity, and respect for the rights of individuals as provided by law.
- B. The employment, salary, promotion or other compensation of a law enforcement officer or attorney should not depend on obtaining a quota of seizures.
- C. Agencies should ensure, through the use of written policy and procedures and training, compliance with all applicable legal requirements regarding seizing, maintaining, and forfeiting property under the Act.
- D. When property other than currency is seized for forfeiture, the probable cause supporting the seizure should be promptly reviewed by a supervisor who is not directly involved in making the seizure. The determination of whether to seize currency must be made by supervisory personnel. The agency's legal counsel must be notified as soon as possible of all seizures.
- E. The determination of whether an agency will file a civil forfeiture action should be made by the agency head or other command level designee who is not directly involved in making the seizure.
- F. Every seizing agency should have policies and procedures promoting, when there is no other legitimate basis for holding seized property, the prompt release of such property as may be required by the Act or by agency determination. To help assure that property is not wrongfully held after seizure, every agency shall have policies and procedures ensuring that all asserted claims of interest in seized property are promptly reviewed for potential validity.
- G. A seizing agency may not use the seized property for any purpose until the rights to, interest in, and title to the seized property are perfected in accordance with the Act. This does not prohibit the use or operation necessary for reasonable maintenance of seized property. Reasonable efforts shall be made to maintain seized property in such a manner as to minimize loss of value.
- H. Settlement of any forfeiture action shall be consistent with the mandates of the Act and in compliance with agency policy or directive.
- I. All forfeited property retained for law enforcement use should be maintained and utilized in accordance with the Act, and should be subject to the same controls with regard to property acquired through the agency's normal appropriations process.
- J. Any agency receiving forfeiture proceeds should maintain such moneys in a special fund as provided by law, which is subject to normal accounting controls and financial audits of all deposits and expenditures. If the seizing agency is a county or municipal agency, the proceeds and interest thereon may not be used to meet normal operating expenses of the law enforcement agency. Seizing agencies must file reports as required by the Act.
- K. Each state or local law enforcement agency that seizes property for the purposes of forfeiture shall periodically review the agency's seizures of property, as well as settlements and forfeiture proceedings initiated by the agency to determine whether such seizures, settlements and forfeitures comply with the Act and these Standards. Such review should occur at least annually. If the review suggests deficiencies, the agency shall promptly move to ensure the agency's compliance with the Act and these Standards.
- L. Agencies should avoid the appearance of impropriety in the acquisition, sale, retention, or transfer of any forfeited property or proceeds derived from such property.

M. Agency personnel involved in the seizure of property for forfeiture shall receive periodic training as noted in Section IV, below.

IV. Training Procedures

Each state or local law enforcement agency shall ensure that its officers involved in seizing property for forfeiture under the Act receive basic training and continuing education as required by the Act. Each agency shall maintain records demonstrating an officer's compliance with these training requirements. A portion of such training must address legal aspects of forfeiture, including search and seizure, or other constitutional considerations.

(End of Mandatory Forfeiture Guidelines).

End Of September, 2015 Mutual Aid Agreement and Attachments



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TOWN OF SURFSIDE

Revised Commission Communication

Agenda Item # 4A1

From: Commissioner Michael Karukin

Agenda Date: June 9, 2015

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

For your consideration:

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

Background:

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

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

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

As a compromise, on January 15, 2013, the Town Commission adopted Ordinance No. 13-1597 approving a limit of 270 feet, which at the time seemed reasonable and avoided other complications.

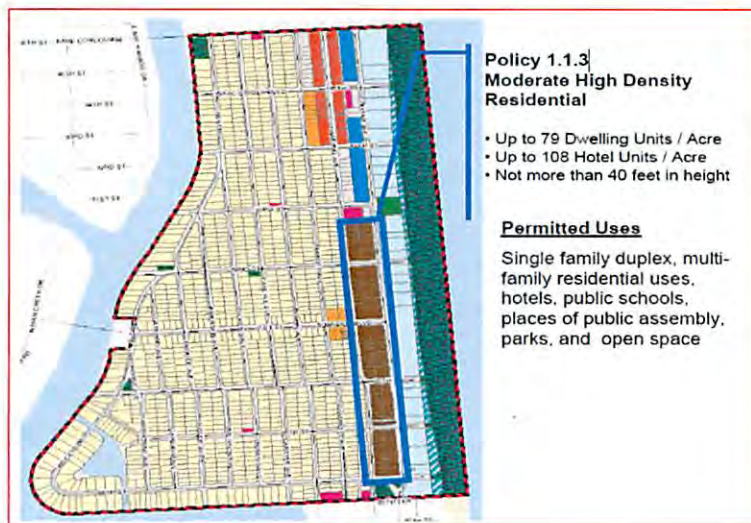
On September 9, 2014, the Town Commission adopted Ordinance No. 14-1625A to provide greater separation between building towers by limiting the height of a 270 foot long platform to 30 feet and limit towers to 150 feet in length.

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

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

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

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



The proposed revisions to the Code are as follows:

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

Tracked changes version of impacted code.

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

- (1) *H30C*: Shall not exceed 150 feet. For every 50 feet, a minimum three-foot change in wall plane.
- (2) *H40*: Shall not exceed 150 feet. For every seventy-five (75) feet, a minimum six-foot change in wall plane.
- (3) *H120*: Shall be limited to a ~~For every 100 feet, a minimum six-foot change in wall planes. The change shall be either vertical or horizontal. The maximum of 270 feet of continuous wall frontage in is limited to a~~ building platform no greater than 30 feet in height. This platform may

contain habitable and non-habitable spaces. For every 100 feet, a minimum six-foot change in wall planes shall be required. The change shall be either vertical or horizontal. Buildings are permitted above the 30 foot high platform and shall be subject to the following:

- a) A tower above the platform shall provide a continuous wall plane no greater than 150 feet in length with a minimum six-foot vertical or horizontal change in wall plane.
 - b) The distance between more than one tower located on a platform shall be a minimum of 40 feet.
 - c) If a platform is provided, the side setbacks of any tower shall be a minimum of 20 feet from the setback of the platform.
- (4) Structured parking garages: see section 90-49.4

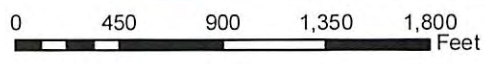
RECOMMENDATION: Town Commission approve the attached Ordinance amending Section 90-51.1 to provide further limitations on the maximum continuous wall frontage.

Future Land Use (2030)



Note: The Charter for the Town of Surfside defines the eastern Town boundary as the low water line of the Atlantic Ocean, which is a non-locatable line. Therefore, based on conditions of tide, erosion or accretion the eastern boundary may shift.

- Legend**
- Surfside Boundary
 - Surfside Streets
 - Low Density Residential
 - Moderate Low Density Residential
 - Moderate Density Residential / Tourist
 - Community Facility
 - General Retail
 - High Density Residential / Tourist
 - Parking
 - Private Recreation
 - Public Buildings
 - Public Recreation



Map Number : FLU 7
 Print Date : November 2008
 Source : Calvin Giordano and Associates

Calvin Giordano & Associates, Inc.
 EXCEPTIONAL SOLUTIONS

GIS Produced and maintained by the CGA Geographic Information Systems Services

ORDINANCE NO. 15 - _____

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

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

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

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

WHEREAS, on September 9, 2014, the Town Commission adopted Ordinance No. 14-1625A which states as follows:

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

- (1) *H30C*: For every 50 feet, a minimum three-foot change in wall plane.
- (2) *H40*: For every seventy-five (75) feet, a minimum six-foot change in wall plane.
- (3) *H120*: For every 100 feet, a minimum six-foot change in wall planes. The change shall be either vertical or horizontal. The maximum 270 foot continuous wall frontage is limited to a building platform no greater than 30 feet in height. This platform may contain habitable and non-habitable spaces. Buildings are permitted above the 30 foot high platform subject to the following:
 - a) A tower above the platform shall provide a continuous wall plane no greater than 150 feet in length with a minimum six-foot vertical or horizontal change in wall plane.

- b) The distance between more than one tower located on a platform shall be a minimum of 40 feet.
 - c) If a platform is provided, the side setbacks of any tower shall be a minimum of 20 feet from the setback of the platform.
- (4) Structured parking garages: see section 90-49.4

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

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

WHEREAS, the Planning and Zoning Board, as the Local Planning Agency for the Town, held its hearing on the proposed amendments to the Code of Ordinances on July 30, 2015 and recommended denial; and

WHEREAS, the Town Commission has conducted a second duly noticed public hearing on these regulations as required by law on August 11, 2015 and further finds the proposed change to the Code necessary and in the best interest of the community.

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

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

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

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

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

- (1) *H30C*: Shall not exceed 150 feet. For every 50 feet, a minimum three-foot change in wall plane.
- (2) *H40*: Shall not exceed 150 feet. For every seventy-five (75) feet, a minimum six-foot change in wall plane.
- (3) *H120*: Shall be limited to a ~~For every 100 feet, a minimum six-foot change in wall planes. The change shall be either vertical or horizontal. The maximum of 270 feet~~ of continuous wall frontage in is limited to a building platform no greater than 30 feet in height. This platform may contain habitable and non-habitable spaces. For every 100 feet, a

minimum six-foot change in wall planes shall be required. The change shall be either vertical or horizontal. Buildings are permitted above the 30 foot high platform and shall be subject to the following:

- a) A tower above the platform shall provide a continuous wall plane no greater than 150 feet in length with a minimum six-foot vertical or horizontal change in wall plane.
 - b) The distance between more than one tower located on a platform shall be a minimum of 40 feet.
 - c) If a platform is provided, the side setbacks of any tower shall be a minimum of 20 feet from the setback of the platform.
- (4) Structured parking garages: see section 90-49.4

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

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

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

Section 6. Effective Date. This Ordinance shall be effective upon adoption on second reading.

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

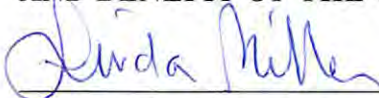
PASSED and ADOPTED on second reading this ____ day of _____, 2015.

Daniel Dietch, Mayor

ATTEST:

Sandra Novoa, Town Clerk

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



Linda Miller, Town Attorney

On Final Reading Moved by: _____

On Final Reading Seconded by: _____

VOTE ON ADOPTION:

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



Town of Surfside Commission Communication

Agenda #: 4A2
Agenda Date: July 14, 2015
Subject: Corridor Analysis
From: Sarah Sinatra Gould, AICP, Town Planner

Background: At the September 30, 2013 Joint Planning and Zoning and Town Commission meeting, there was a discussion about the block between Collins and Harding Avenues and the high interest in redevelopment of this corridor. In an effort to stay ahead of the new construction, there was interest from both boards to prepare criteria to help guide future development into the desired development pattern.

Staff has worked since December to prepare language, in conjunction with the public and the Planning and Zoning Board, that provides limitations on building lengths and requires additional articulation for buildings.

Analysis: Major changes include:

- Designating Collins Avenue and Harding Avenue as the front of the property for setback purposes.
- Requiring an additional 5 foot setback on the upper story (demonstrated below)



- Limiting building lengths to 75 feet on Harding Avenue and 150 feet on Collins Avenue with breaks varying in width from 12 feet to 17 feet, depending on the length of the property (demonstrated below)



17 Feet Breezeway

12 Feet Breezeway

Breezeway Recommendations

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

Requirements

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

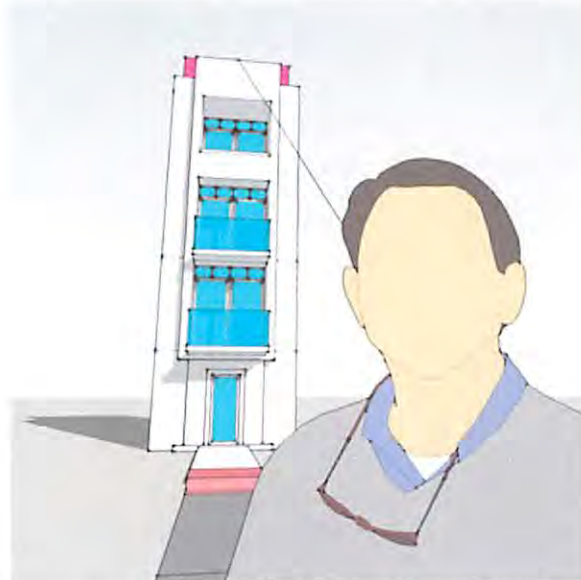
- Require additional articulations for facades facing Collins Avenue and Harding Avenue. (demonstrated below)



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

For Collins Elevations

- Building facades above 30-Feet tall to be setback a minimum of 25 feet from the property line
- Requiring a greater setback for mechanical and architectural features that exceed the maximum height limitations on buildings (demonstrated below).



The code presently allows a 12-foot parapet at the wallplane;

Recommend a maximum parapet of 4 feet at the wall plane and provide the following setbacks for any parapet beyond 4-feet in height up to the allowable 12-foot maximum:

- If a 4-foot parapet is provided at the building's facade wall plane, then any additional parapet between 4 and 12 feet in height must be setback 13 feet from the 4-foot parapet's wall plane;
- If no 4-foot parapet is provided at the building's facade wall plane, then any parapet up to 12 feet in height must be setback 22 feet from the building's facade wall plane.

Budget Impact: \$55,000 was provided. Numerous workshops, meeting, 3-D renderings, aggregation studies, graphics and code writing has been included.

Growth Impact: The adoption of this ordinance will limit building lengths in the H30C district to 75 feet and in H40 to 150 feet.

Staff Impact: N/A

Staff Recommendation: Staff recommends Town Commission approve the ordinance on first reading.



Sarah Sinatra Gould, AICP, Town Planner



Guillermo Olmegillo, Town Manager

ORDINANCE NO. 15 - _____

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA AMENDING THE TOWN OF SURFSIDE CODE OF ORDINANCES BY AMENDING CHAPTER 90 ZONING TO IMPLEMENT THE CORRIDOR ANALYSIS PROPOSALS FOR THE AREA BETWEEN COLLINS AND HARDING AVENUES FROM 94TH STREET TO 88TH STREET; AMENDING SECTION 90-2 “DEFINITIONS”; AMENDING SECTION 90-44 “MODIFICATIONS OF HEIGHT REGULATIONS”; AMENDING SECTION 90-44.2; AMENDING SECTION 90-45 –SETBACKS; AMENDING SECTION 90-50 “ARCHITECTURE AND ROOF DECKS”; AMENDING SECTION 90-50.1 “ARCHITECTURE”; AMENDING SECTION 90-51 “MAXIMUM FRONTAGE OF BUILDINGS”; AMENDING SECTION 90-61 “PAVING IN FRONT AND REAR YARDS IN H31 AND H40 DISTRICTS”; AMENDING SECTION 90-61.2; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR SEVERABILITY; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, at the September 30, 2013 Joint Planning and Zoning and Town Commission meeting, there was a discussion about the need for further regulation of building lengths and building articulation along the corridor described as the area being between Collins and Harding Avenues from 94th Street to 88th Street; and

WHEREAS, based on the high interest in redevelopment of this corridor, and in an effort to stay ahead of the new construction anticipated in the corridor, there was interest from both the Town Commission and the Planning and Zoning Board to develop criteria to help guide future development into the desired development pattern, hereinafter the “Corridor Analysis”; and

WHEREAS, Town staff, in conjunction with the Planning and Zoning Board and public input have provided proposed limitations on building lengths and requirements for additional articulation for buildings; and

WHEREAS, the Town Commission has adopted regulations to address the specific needs of this unique community and continues to amend these regulations as they may best suit the needs of the community; and

WHEREAS, the Town Commission held its first duly noticed public hearing on the proposed corridor regulations on July 14, 2015 and recommended approval of the proposed amendments to the Code of Ordinances, having complied with the notice requirements of the Florida Statutes; and

WHEREAS, the Planning and Zoning Board, as the Local Planning Agency for the Town, held its hearing on the proposed amendments to the Code of Ordinances on July 30, 2015; and

WHEREAS, the Town Commission conducted a second duly noticed public hearing on these regulations as required by law on August 11, 2015 and further finds the proposed change to the Code necessary and in the best interest of the community.

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

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

Section 2. Code Amendment. Chapter 90 of the code of the Town of Surfside, Florida is hereby amended as follows:

Sec. 90-2. - Definitions.

Collins and Harding Avenue Corridor: An area encompassing the properties between Collins Avenue and Harding Avenue, from 94th Street to 88th Street.

Paseo: An uncovered, space between two buildings open on two sides, where one of the openings shall face and be accessible from a primary facade. All paseos shall provide a minimum 30% landscaping, shall not be enclosed by walls or fences, shall be accessible at all times, shall provide security lighting, and shall be lined by accessible, habitable spaces, and facades facing any paseo shall provide a minimum 30% transparency in the form of openings.

Sec. 90-44. - Modifications of height regulations.

90-44.2 Mechanical equipment rooms, including elevator shafts, and stair access ways may be allowed to exceed the maximum height limitations, not to exceed the limitations listed above, provided they shall be of a high architectural quality integral to the design of the building. In the H30C and H40 Districts, any element over 4 feet in height where a minimum 4-foot parapet is provided shall be set back 13 feet from the facade wall plane; otherwise they shall be set back a minimum of 22 feet from the facade wall plane.

90-45. - Setbacks.

(b) Setbacks

(1) Required Setbacks—Tables: The following tables shall be utilized for structures in the H30C, H40, H120, and SD-B40 zoning districts.

H30C	Minimum Setback (Feet)
Primary frontage	20 FT
<u>Collins and Harding Avenue Corridor, Harding Avenue frontage</u>	<u>20 FT</u>
<u>Interior side Collins and Harding Avenue Corridor</u>	<u>6 FT Minimum or 10% of the total interior frontage up to 15 FT, whichever is greater</u>
Interior side	5 FT
Rear	10 FT
Secondary frontage (Corner only)	10 FT
Interior side setbacks for lots over 50 feet in width	10% of the frontage
Interior side setbacks for lots over 50 feet in width <u>Collins and Harding Avenue Corridor</u>	<u>6 FT Minimum or 10% of the total interior frontage up to 15 FT, whichever is greater</u>
	10% of the frontage

H40 - Less than or equal to 50 ft in width	Minimum Setback (Feet)
Primary frontage	20 FT
<u>Collins Avenue and Harding Avenue Corridor frontage</u>	<u>20 FT; 25 FT setback for any portions above 30 FT, except on structures in districts designated as historic</u>
	5 FT
Interior side	<u>6 FT Minimum or 10% of the total interior frontage up to 15 FT, whichever is greater</u>
<u>Interior side, Collins and Harding Avenue</u>	<u>6 FT Minimum or 10% of the total interior frontage up to 15 FT, whichever is greater</u>

<u>Corridor</u>	
Rear	10 FT
Secondary frontage (Corner only)	10 FT
H40 - Wider than 50 ft	Minimum Setback (Feet)
Primary Frontage	20 FT
<u>Collins Avenue and Harding Avenue Corridor frontage</u>	<u>20 FT; 25 FT setback for any portions above 30 FT, except on structures in districts designated as historic</u>
Interior side	7 FT
<u>Interior side, Collins Avenue and Harding Corridor</u>	<u>Minimum or 10% of the total interior frontage up to 15 FT, whichever is greater</u>
Rear	10 FT
Secondary frontage (Corner only)	10 FT
H120	Minimum Setback (Feet)
Primary frontage	40 FT
Side	10% of the lot frontage, no less than 10 feet
Rear	30 FT
Secondary frontage (Corner only)	10% of the lot frontage, no less than 20 feet
SD-B40	Maximum Setback (Feet)

Primary frontage	0 FT
Interior side	0 FT
Rear	0 FT
Secondary frontage (Corner only)	0 FT
CF	Maximum Setback (Feet)
Primary frontage	20 FT
Interior side	10 FT
Rear	20 FT
Secondary frontage (Corner only)	15 FT

Sec. 90-50. - Architecture and roof decks.

90-50.1 Architecture.

(1) Elevation and Facade Articulation Variations

a. The architectural design of proposed main buildings shall create a unique elevation compared to the main buildings of the adjacent two ~~homes~~ buildings on each side of the subject property on the same side of street. If the adjacent lot is vacant then the next adjacent lot shall be utilized. A unique elevation shall be created through the modulation of at least three of the following architectural features:

1. Length, width and massing of the structure;
2. Number of stories;
3. Facade materials;
4. Porches and other similar articulation of the front facade;
5. Number and location of doors and windows; and
6. Roof style and pitch.

(2) In the H30C, H40 and H120 Districts: when more than one (1) building is provided, buildings shall be designed in such a way that they are not monotonous.

Sec. 90-51. - Maximum frontage of buildings and facade articulations.

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

(1) H30C: Building wall frontages which exceed 75 feet shall provide a paseo as a separation between building frontages. Paseos shall have a 12-foot minimum width for properties with a total frontage that does not exceed 200 feet, measured along the property line; otherwise, paseos shall have a minimum 17-foot minimum width separating the buildings. For every 50 feet, a minimum three-foot change in wall plane.

(2) H40: Building wall frontages which exceed 150 feet shall provide a paseo as a separation between building frontages. Paseos shall have a 12-foot minimum width for properties with a total frontage that does not exceed 200 feet, measured along the property line. For properties with a total frontage exceeding 200 feet, paseos shall have a minimum 17-foot minimum width separating the buildings. For every seventy five (75) feet, a minimum six-foot change in wall plane.

(3) H120: (3) Shall be limited to a For every 100 feet a minimum six-foot change in wall planes. The change shall be either vertical or horizontal. maximum of 270 feet of continuous wall frontage in is limited to a building platform no greater than 30 feet in height. This platform may contain habitable and non-habitable spaces. For every 100 feet, a minimum six-foot change in wall planes shall be required. The change shall be either vertical or horizontal. Buildings are permitted above the 30 foot high platform and shall be subject to the following:

a) A tower above the platform shall provide a continuous wall plane no greater than 150 feet in length with a minimum six-foot vertical or horizontal change in wall plane.

b) The distance between more than one tower located on a platform shall be a minimum of 40 feet.

c) If a platform is provided, the side setbacks of any tower shall be a minimum of 20 feet from the setback of the platform.

(4) Structured parking garages: see section 90-49.4.

(5) Buildings within a district designated as a historic district per Miami-Dade County shall be excluded from these requirements.

90-51.2 Building facades facing any public right-of-way.

(1) Building facades facing any public right-of-way shall be designed in such a way as to minimize the continuity of the wall plane as provided herein; however buildings within a district designated as a historic district per Miami-Dade County shall be exempted from the following requirements.

a. For H30C and H40 Districts, facades shall provide all of the following:

1. For every 50 feet, a minimum of two-foot change in plane offset shall be provided;

2. Facades shall have a 5-foot minimum offset change in wall plane for no less than 30% of the cumulative facade's area. These offsets shall be evenly distributed throughout the facade, provided each recessed area does not exceed 500 square feet of wall plane area.

3. Facades shall be permitted to have a maximum of 15 foot continuous uninterrupted roof or parapet lines. Roof or parapet lines shall vary by providing a minimum of two foot vertical changes.

Sec. 90-61. - Paving in front and rear yards in H30 and H40 districts.

90-61.2 Curb cuts for properties fronting on Collins Avenue, Harding Avenue and every east-west street in between Collins Avenue and Harding Avenue, excluding H30B district properties.

(a) No curb cut shall be located within five feet of a side or rear lot line. For corner lots, no curb cut shall be located within 25 feet of the intersection of the front and secondary frontage lot lines.

(b) One-way driveway connections (curb cuts) shall not exceed 12 feet in width. Two-way driveway connections (curb cuts) shall not exceed 24 feet in width.

(c) Except where expressly provided otherwise, driveway connections (curb cuts) on east-west streets shall be as far away from intersections as practicable.

(d) If a property fronts on Collins Avenue, Harding Avenue and two east-west streets, for purposes of the foregoing table, it shall be deemed to front on Collins Avenue, Harding Avenue and one east-west street.

(e) The maximum number and location of curb cuts that may be provided for a property shall be determined in accordance with the following table, provided that there shall be no more than one vehicular curb cut or vehicular access per building provided on any lot wider than 90 feet or with an aggregated frontage exceeding 90 feet. All curb cuts on Harding Avenue and Collins Avenue are subject to review and approval by the Florida Department of Transportation.

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

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

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

Section 6. Effective Date. This Ordinance shall be effective upon adoption on second reading.

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

Daniel Dietch, Mayor

ATTEST:

Sandra Novoa, Town Clerk

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



Linda Miller, Town Attorney

On Final Reading Moved by: _____

On Final Reading Seconded by: _____

VOTE ON ADOPTION:

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



Town of Surfside Commission Communication

Agenda Date: August 11, 2015

Subject: Single Family District Paint Colors

From: Sarah Sinatra Gould, AICP, Town Planner

Background: An ordinance to limit single family paint colors was approved on first reading by the Town Commission. The Planning and Zoning Board recommended approval of the ordinance with a modification to remove the requirement for a paint permit. The Planning and Zoning Board originally requested this ordinance to be part of a larger discussion regarding the single family district, however, in consideration of the length of time it may take to proceed with a more detailed analysis of the single family district, the ordinance is before the Commission for second reading.

Analysis: There are currently no requirements relating to paint color restrictions in the code. The board directed staff to limit the permitted colors for a single family residence to the four lightest colors on a color swatch. If approved, the Building Department will maintain a color swatch in Town Hall. Applicants may present colors, of whatever manufacturer of their choosing, and match them to the color swatch in the Building Department. The Building Department staff will match up the proposed color with the color swatch and keep a copy of the color swatch on file. If there is a case of uncertainty, the Town Manager or his designee will determine if the color is permitted.

The following language is suggested:

Sec. 90-50. Architecture and roof decks.

9-50.1 Architecture.

(8) Paint colors. Structures in the H30A and H30B zoning districts shall be permitted to be painted the four lightest colors for the structure's primary color on the color swatch on file in the Building Department. All other colors may be accent colors. A paint swatch shall be submitted to the Building

Department for approval by the Town Manager or designee. The Design Review Board shall make a determination in cases of uncertainty.

Staff Recommendation: Staff recommends the Town Commission approve this ordinance on second reading.

Budget Impact: N/A

Growth Impact: N/A

Staff Impact: N/A



Sarah Sinatra Gould, AICP, Town Planner



Guillermo Olmedillo, Town Manager

ORDINANCE NO. 15 - _____

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA AMENDING CHAPTER 90 “ZONING”, AND SPECIFICALLY AMENDING SECTION 90-50 “ARCHITECTURE AND ROOF DECKS” TO LIMIT THE PERMITTED COLORS IN THE H30A AND H30B ZONING DISTRICTS TO THE FOUR LIGHTEST COLORS ON A COLOR SWATCH; PROVIDING FOR INCLUSION IN THE CODE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town of Surfside (“Town”) proposes to amend its Code of Ordinances to address Single Family District Paint Colors Regulation; and

WHEREAS, there are currently no requirements relating to paint color restrictions in the code for structures in the H30A and H30B zoning districts; and

WHEREAS, the new changes to the code will require single family residences to be permitted to be painted the four (4) lightest colors for the structure’s primary color on the color swatch; and

WHEREAS, the Planning and Zoning Board, as the local planning agency for the Town, held a public hearing on November 21, 2013 and April 28, 2014 to discuss modification to the code relating to paint color requirements in the single family district; and

WHEREAS, the Town Commission has a desire to amend its Code of Ordinances to address Single Family District Paint Colors Regulation and require single family residences to be permitted to be painted the four (4) lightest colors for the structure’s primary color on the color swatch; and

WHEREAS, the Town Commission held its first public hearing on November 18, 2014 having complied with the notice requirements required by Florida Statutes; and

WHEREAS, the Planning and Zoning Board, as the local planning agency for the Town, held its hearing on the proposed amendments on January 8, 2015 with due public notice and input; and

WHEREAS, the Town Commission conducted a second duly noticed public hearing on these regulations as required by law on August 11, 2015; and

WHEREAS, the Town Commission hereby finds and declares that adoption of this Ordinance is necessary, appropriate, and advances the public interest.

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

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

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

Sec. 90-50. Architecture and roof decks.

9-50.1 Architecture.(8) Paint colors. Structures in the H30A and H30B zoning districts shall be permitted to be painted the four lightest colors for the structure’s primary color on the color swatch on file in the Building Department. All other colors may be accent colors. A paint swatch shall be submitted to the Building Department for approval by the Town Manager or designee. The Design Review Board shall make a determination in cases of uncertainty.

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

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

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

Section 6. Effective Date. This Ordinance shall be effective upon adoption on second reading.

PASSED and ADOPTED on first reading this ____ day of _____, 2014.

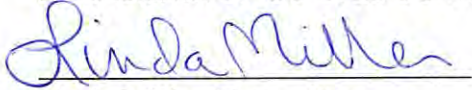
PASSED and ADOPTED on second reading this ____ day of _____, 2015.

Daniel Dietch, Mayor

ATTEST:

Sandra Novoa, Town Clerk

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



Linda Miller, Town Attorney

On Final Reading Moved by: _____

On Final Reading Seconded by: _____

VOTE ON ADOPTION:

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



**TOWN OF SURFSIDE
COMMISSION COMMUNICATION**

Agenda Item # 4B1

Agenda Date: August 11, 2015

From: Guillermo Olmedillo, Town Manager

Subject: Beach Furniture Ordinance

Background: On July 14, 2015, the Town Commission directed Town Administration to present a first reading ordinance regulating beach furniture in August.

Analysis: The Town of Surfside finds that it is in the best interest of the public to protect the public's access to the beach and the coastal environment. The public trust doctrine requires that governmental regulation of sovereign beach lands be in furtherance of this trust and, therefore, be in the best interest of all the people. The Town of Surfside has the authority to promulgate laws to regulate the public beach in a reasonable manner to protect public health, safety, and welfare. This regulation must have a rational relation to and be reasonably designed to accomplish a purpose necessary for the protection of the public. The Beach Furniture Ordinance regulates the placement of beach furniture on the public beach for public health, safety, and welfare.

Budgetary Impact: \$45,000 for staffing, implementation, and enforcement.

Recommendation: Approve the Beach Furniture Ordinance with requested funding. If the ordinance is approved, direct Town Administration to amend Resolution No. 14-2234 to include a section for beach furniture violations in the schedule of civil penalties.

ORDINANCE NO. 15 – _____

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA AMENDING ARTICLE II “LOCAL BUSINESS TAX RECEIPT” OF CHAPTER 70 “TAXATION” AND SPECIFICALLY AMENDING “SECTION 70-41 “LOCAL BUSINESS TAX SCHEDULE”; AMENDING ARTICLE II, PUBLIC BEACHES, SPECIFICALLY AMENDING SECTION 86-26 “DEFINITIONS”; AMENDING SECTION 86.27 “INTENT OF ARTICLE”; CREATING SECTION 86-30 “BEACH FURNITURE”; CREATING SECTION 86-31 “BEACH FURNITURE PERMIT”; CREATING SECTION 86-32 “PERMIT CONDITIONS”; CREATING SECTION 86-33 “CIVIL FINES AND PENALTIES; DENIAL OF FUTURE PERMITS TO REPEAT VIOLATORS”; CREATING SECTION 86-34 “RIGHTS; PAYMENT OF FINE; RIGHT TO APPEAL; FAILURE TO PAY CIVIL FINE OR TO APPEAL”; PROVIDING FOR INCLUSION IN THE CODE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town of Surfside (“Town”) finds that it is in the best interest of the public to protect the public’s access to the beach and the coastal environment, including pedestrian access, shoreline aesthetics, and the view corridor; and

WHEREAS, the Florida Constitution states that “The title to lands under navigable waters, within the boundaries of the state, which have not been alienated, including beaches below mean high water lines, is held by the state, by virtue of its sovereignty, in trust for all the people,” s.11, Art. X, Fla. Const; and

WHEREAS, the public trust doctrine requires that governmental regulation of sovereign beach lands be in furtherance of this trust and, therefore, be in the best interest of all the people; and

WHEREAS, pursuant to the Town Charter, Sec. 2 and Sec. 86-36, Town Code, the beach is within the corporate limits of the Town of Surfside and the Town exercises full municipal jurisdiction; and

WHEREAS, the Town has the authority to promulgate laws to regulate the public beach in a reasonable manner to protect public health, safety, and welfare, which must have a rational relation and be reasonably designed to accomplish a purpose necessary for the protection of the public; and

WHEREAS, it is the intent of the Town to balance the expectations of beachfront owners with the public's right of access to the beach; and

WHEREAS, pursuant to Fl. Stat. 205.042 and Sec. 70-26 of the Surfside Town Code, it is unlawful for any person to conduct or engage in any business, profession or occupation pursuant to the provisions of Sec. 70-26(1-3) within the Town without first procuring a local business tax receipt and paying to the Town the local business tax; and

WHEREAS, the Town Commission held its first public hearing on these regulations on August 11, 2015; and

WHEREAS, the Town Commission shall have conducted a second duly noticed public hearing on these regulations as required by law on September 8, 2015; and

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

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

Section 2. Code Amendment. The Code of Ordinances of the Town of Surfside, Section Sec. 70-41 is hereby amended as follows:

Sec. 70-41. - Local business tax schedule. There hereby are levied and imposed local business taxes for the privilege of engaging in or managing any business, profession or occupation within the town; the rates for such tax to be no greater than those as indicated herein.

* * *

B

Bakery goods, market (retail) or department, within the meaning of this subsection, shall be construed as any place of business where bakery goods are sold at retail135.00

Bar (as defined in section 6-1)500.00

Barbershops150.00

Beach furniture concession.....

... Chairs each to count as one seat:

(1) 0 to 50 seats125.00

(2) 51 to 150 seats250.00

(3) 151 or more seats330.00

* * *

Section 3. Code Amendment. The Code of Ordinances of the Town of Surfside, Article II. Public Beaches is hereby amended as follows:

Sec. 86-26 Definitions.

* * *

Beach furniture includes, but is not limited to, any chair, umbrella or other object that is used on the beach.

Hardpack is defined as the sand road west of the Erosion Control Line used by public safety vehicles.

* * *

Public beach means that land ~~area in the RT 1 Zoning District, "Tourist District,"~~ that is seaward of the erosion control line. It shall also include all easements and rights-of-way within the area that are utilized for public beach purposes.

* * *

Vendor is any person, entity, hotel, hotel operator, condominium, condominium association or representative, any of which allows another party to use such beach furniture for a fee or as part of a short-term paid lodging or residency arrangement.

* * *

Sec. 86-27. - Intent of article.

It is the intent of the town commission to prohibit those activities by persons on the public beach of the town that adversely affect the attractiveness of the public beach or endanger citizens, residents and visitors who use its facilities. The town commission finds that the health, safety, and welfare of the public is best protected by the regulation of beach furniture concessions in the town. The town commission further finds and determines that motorboats that operate in the exclusion zone at excessive speeds or in a reckless and unsafe manner create a situation dangerous to the lives and property of persons using said waters within the exclusion zone; that excessive motorboat speed erodes shoreline property and destroys bulkheads, seawalls, docks and piers; and that said excessive speed or the operation of motorboats in a reckless and unsafe manner reduces other available recreational uses for said waters. The town commission further finds and determines that because different size motorboats create different problems when they operate at the same speed, a flexible regulatory scheme is required.

Section 4. Code Amendment. The Code of Ordinances of the Town of Surfside, Article II. Public Beaches is hereby amended to create Sections 86-30 to 86-34 to read as follows:

* * *

Sec. 86.30 - Beach furniture.

- A. Beach furniture shall not inhibit access to the public beach, nor obstruct access on the beach for pedestrians and emergency vehicles, nor impact native vegetation, nor significantly affect sea turtles or other wildlife. Beach furniture may not be placed directly behind of or in front of a lifeguard tower or within 10 feet of the entire perimeter of the lifeguard tower, or obstruct a lifeguard's view of the beach or ocean. No chairs shall be placed in the area immediately adjacent to and parallel to the street ends throughout the Town of Surfside.
- B. Beach furniture shall not be set out in the morning before sunrise or before completion of daily monitoring time for turtle nesting activity by a Florida Fish and Wildlife Conservation Commission authorized marine turtle permit holder to examine the beach in the area of the authorized activity to ensure any new sea turtle nests are identified and marked, whichever occurs first.
- C. A Vendor who provides beach furniture must obtain a permit from the Town through the permit process described in Sec. 86-31 of this chapter. Vendor must procure a local business tax receipt and comply with the regulations of Sec. 70-41 of the Town of Surfside Code.

Sec. 86-31. Beach Furniture Permit.

It shall be unlawful for any Vendor, as defined in this article, to place beach furniture on a public beach within the Town without first obtaining a permit.

A. All beach furniture placed by a Vendor shall be set at least 20 feet seaward of the edge of vegetation line of the dune and at least 20 feet landward of the edge of wet sand at the high water line. Beach furniture placement plan must include pedestrian access corridors approved by the Town. Placement of beach furniture must comply with all regulations concerning sea turtle nests.

B. Application. Any Vendor shall apply for a permit on a form prepared by the Town and submit same, along with the applicable permit application fee, to the Town for processing. All permit applications shall include the following:

- (1) An application fee of \$250.00;
- (2) Operational plan describing the number and types of beach furniture to be placed on the beach;
- (3) Evacuation plan, in case of a natural disaster such as a tropical storm or hurricane, including storage area;
- (4) A site plan with surveyed property boundaries for any properties from which the business will operate.

C. Exemption. Nothing in this article shall require a permit from the general public to place beach furniture on the public beach for personal use.

D. Review of permit application. A permit shall be granted upon the submittal of a completed application and the required fee, unless the Town Manager or his/her designee determines that the granting of such a permit:

- (1) Unduly impedes governmental business or public access;
- (2) Conflicts with previously scheduled activities;
- (3) Imperils public safety; or
- (4) Violates any public policy or local, state or federal law.

E. Appeals. Any party aggrieved by the terms of a permit issued by the Town under this provision, or by the Town's decision to deny the permit or by the revocation of a permit issued by the Town may, within 10 days of the decision, appeal to the Town Manager. Appeals from decisions of the Town Manager made pursuant to this division shall be to the special master in accordance with the procedures set forth in sections 15-12 and 15-13 hereof. Appeals from the decisions of the special master shall be to a court of competent jurisdiction by Petition for Writ of Certiorari.

86-32. - Permit conditions.

The following conditions shall apply to the placement of beach furniture:

- A. Maintenance of beach furniture. The Vendor shall be responsible for ensuring that the beach furniture is maintained in good condition, free from evidence of deterioration, weathering, and discoloration, at all times.
- B. No obstruction to general public. Beach furniture shall be deployed in a manner that will assure public access and will encourage public use of the beach.
- C. Vendor must remove all beach furniture from the public beach by sunset.
- D. The placement and/or use of beach furniture shall not obstruct the view of the lifeguard or for emergency personnel. Any request from a code enforcement officer, police officer or lifeguard to relocate any items that obstruct the view shall be complied with immediately. No beach furniture can be placed beyond the permitted location.
- E. In the event of a declared state of emergency, the Town Manager or designee may issue a warning to the Vendor to remove and secure the beach furniture. If the Vendor fails to remove the beach furniture, the Town Manager or designee, at its option, may remove the beach furniture from the public beach. The Vendor shall be jointly and severally liable for all costs incurred by the Town for the removal of the beach furniture in the event of an emergency.
- F. The Vendor shall comply with any order issued by the State of Florida and/or cooperate with Miami-Dade County Parks Department regulations regarding the preservation of marine turtle nesting grounds to ensure that nesting surveys are conducted in accordance with the conditions set forth by the state and the county. In the event an unmarked marine turtle nest is exposed, or a dead, injured, or sick marine turtle is discovered, the Florida Marine Patrol (1-800-DIAL-FMP) shall be notified immediately such that appropriate conservation measures are taken.
- G. Indemnification and insurance. The Vendor agrees to indemnify, defend, save and hold harmless the town, its officers and employees from any and all claims, liability,

lawsuits, damages and causes of action which may arise out of the permit or the Vendor's activity on the public beach:

(1) The Vendor agrees to meet and maintain for the entire permit period, at its own expense, the following requirements:

(a) Commercial general liability insurance in the amount of \$1,000,000.00 per occurrence for bodily injury and property damage. The town must be named as an additional insured on this policy, and an endorsement must be issued as part of the policy reflecting compliance with this requirement.

(b) Workers' compensation and employers' liability as required by the state.

(2) All policies must be issued by companies authorized to do business in the state and rated B+:VI or better per Best's Key Rating Guide, latest edition.

(3) The town must receive 30 days' written notice prior to any cancellation, non-renewal or material change in the coverage provided.

(4) The Vendor must provide and have approved by the town an original certificate of insurance as evidence that the requirements set forth in this section have been met prior to commencing operations.

(5) Failure to comply with these requirements shall be deemed to be operating without a valid permit and shall cause an immediate suspension or revocation of the permit.

H. The Town Manager may cause the immediate removal, relocation, and/or storage of all or part of a beach furniture concession in emergency situations, for public safety considerations, or any beach furniture used in connection with a beach furniture concession which is operating without a valid permit.

86-33. Civil fines and penalties; denial of future permits to repeat violators.

(A) Violations of this section are subject to fines that increase based upon the number of violations within the preceding 12-month period, the fine amounts are set forth in the schedule of fines adopted by resolution. In addition to the fines imposed pursuant to the schedule of fines, the below listed penalties shall result based upon the number of violations per preceding 12-month period:

(1) Third violation within the preceding 12 months, suspension of the beach furniture permit for one weekend (Saturday and Sunday).

(2) Fourth violation within the preceding 12 months, revocation of the beach furniture permit for the remaining portion of the permit year.

(3) Failure to apply for permit—Termination of beach furniture operations.

(4) Failure to renew permit—Suspension of beach furniture operations.

(B) A Vendor who has been issued more than six violations pursuant to this division within a permit year shall be prohibited from applying for and obtaining a beach furniture permit for a period of two permit years, following the permit year in which the Vendor incurred the aforesaid violations.

86-34. - Rights; payment of fine; right to appeal; failure to pay civil fine or to appeal.

(A) A violator who has been served with a notice of violation shall elect either to:

(1) Pay the civil fine in the manner indicated on the notice; or

(2) Request an administrative hearing before a special master, to appeal the decision of the code compliance officer which resulted in the issuance of the notice of violation. Warnings may not be appealed.

(B) The procedures for appeal shall be as set forth in sections 15-12 and 15-13 hereof.

(C) Failure of the named violator to appeal the decision of the code compliance officer within 20 days after the date printed on the notice of violation shall constitute a waiver of the violator's right to administrative hearing. A waiver of the right to an administrative hearing shall be treated as an admission of the violation, and penalties shall be assessed accordingly.

(D) Any party aggrieved by the decision of a special master may appeal that decision to the circuit court pursuant to section 15-15.

Section 5. Severability. If any section, subsection, clause or provision of this Ordinance is declared invalid or unconstitutional by a court of competent jurisdiction, the remainder shall not be affected by such invalidity.

Section 6. Conflict. All sections or parts of sections of the Town of Surfside Code of Ordinances in conflict herewith are intended to be repealed to the extent of such conflict.

Section 7. Inclusion in the Code of Ordinances. It is the intention of the Town Commission, and it is hereby ordained that the provisions of this Ordinance shall become and made a part of the Town of Surfside Code of Ordinances, that the sections of this Ordinance may be renumbered or relettered to accomplish such intentions; and the word "Ordinance" may be changed to "Section" or other appropriate word.

Section 8. Effective Date. This Ordinance shall be effective upon final adoption on second reading.

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

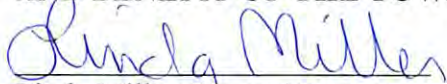
PASSED and ADOPTED on second reading this ____ day of _____, 2015

Daniel Dietch, Mayor

ATTEST:

Sandra Novoa, CMC, Town Clerk

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



Linda Miller, Town Attorney

On Final Reading Moved by: _____

On Final Reading Seconded by: _____

VOTE ON ADOPTION:

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



Town of Surfside Commission Communication

Agenda Item #: 5A

Agenda Date: July 14, 2015 /August 11, 2015

Subject: Purchase a 2015 Ford F-250 P/U extend cab with utility box

Objective: Approval to purchase a 2015 Ford F-250 pickup for the Water & Sewer Department.

Background: The Water & Sewer Utility under the Public Works Department is a 24 hour 7 days a week operation which maintains and repairs the Town's water and sewer supply lines. The efficiency and effectiveness of the Department depends on its equipment being good and functional. The Department currently has two pickup vehicles which are used daily, a 1997 and 2004 Ford F-150's. The 1997 Ford will be replaced by this new vehicle. The old truck will be sold when the new vehicle arrives and the proceeds will be used to off-set the cost of the new vehicle.

Analysis: The Water and Sewer Division needs to have the ability to provide excellent maintenance and repair to its service area. In order to continue to do this it is imperative that they have up to date equipment and tools. This new utility truck will be equipped with toolbox storage on the outside of the truck bed along both sides of the back of the truck. This will allow staff to have all of their tools and repair supplies with them at all times. When going on service calls staff will be able to fix the problem much more efficiently by having the supplies and tools with them instead on going back and forth to the shop.

Staff Impact: N/A

Budget Impact: The purchase of a new 2015 Ford F-250 pickup truck was not budgeted in the 2014/2015 Fiscal Year Budget and the cost of the purchase requires a transfer of funds within the Water and Sewer Fund to the Machinery and Equipment Account No, 401-9900-536-6410.

Recommendation: Staff recommends the approval to purchase a Ford F-250 pick-up utility truck from the approved Florida Sheriff Bid in the amount of \$32,770.00


Joseph S. Kroll, Public Works Director


Guillermo Olmedillo, Town Manager

RESOLUTION NO. 15 - _____

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, TO APPROVE THE PURCHASE OF A 2015 FORD F-250 PICKUP TRUCK PIGGYBACKING OFF THE FLORIDA SHERIFFS ASSOCIATION AND FLORIDA ASSOCIATION OF COUNTIES BID NO. 14-22-0904 FOR \$32,770.00 FROM MACHINERY AND EQUIPMENT ACCOUNT NO. 401-9900-536.64.10; PROVIDING FOR APPROVAL AND AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Water and Sewer Utility under the Public Works Department (“the Department”) currently has two pickup vehicles which are used daily, a 1997 and 2004 Ford F-250; and

WHEREAS, the Department needs to have the ability to provide excellent maintenance and repair to its service area; and

WHEREAS, in order to continue this level of service, it is imperative that the Department has up to date equipment and tools; and

WHEREAS, the new utility truck will be equipped with toolbox storage on the outside of the truck bed along both sides of the back of the truck which will allow staff to have all of their tools and repair supplies with them at all times; and

WHEREAS, to purchase a new truck through the Florida Sheriffs State Bid No. 14-22-0904 (Attachment “A”) will cost \$32,770.00; and

WHEREAS, the purchase of a new 2015 Ford F-250 pickup truck was not budgeted in the 2014/2015 Fiscal Year Budget and the cost of the purchase requires transfer of funds within the Water and Sewer Fund to the Machinery and Equipment Account No. 401-9900-536.64.10; and

WHEREAS, in order to continue to provide the Town with the best level of service, the Public Works Department recommends that the Town Commission approve and authorize the purchase of a 2015 Ford F-250 pickup truck through the Florida Sheriffs Association and Florida Association of Counties Bid No. 14-22-0904 for a total cost of \$32,770.00.

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

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

Section 2. Approval and Authorization. The Town Commission hereby approves and authorizes the Town Manager and/or designee to purchase a 2015 Ford F-250 pickup truck for a cost of \$32,770.00 from the Machinery and Equipment Account No. 401-9900-536.64.10.

Section 3. Implementation. The Town Manager and/or designee and the Public Works Director are hereby authorized to take any and all action necessary to implement this Resolution.

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

PASSED AND ADOPTED this _____ day of August 2015.

Motion by _____,

Second by _____.

FINAL VOTE ON ADOPTION


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

Daniel Dietch, Mayor

ATTEST:

Sandra Novoa, Town Clerk

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



Linda Miller, Town Attorney



FLORIDA SHERIFFS ASSOCIATION & FLORIDA ASSOCIATION OF COUNTIES

3/4 TON PICKUP TRUCK - 4X2 SPECIFICATION #49

2015 Ford F-250 SD (F2A)

The Ford F-250 SD (F2A) purchased through this contract comes with all the standard equipment as specified by the manufacturer for this model and FSA's base vehicle specification(s) requirements which are included and made a part of this contract's vehicle base price as awarded by specification by zone.

ZONE:	★ Western	★ Northern	★ Central	★ Southern
BASE PRICE:	\$19,676.00	\$19,676.00	\$19,631.00	\$20,431.00

While the Florida Sheriffs Association and Florida Association of Counties have attempted to identify and include those equipment items most often requested by participating agencies for full size vehicles, we realize equipment needs and preferences are going to vary from agency to agency. In an effort to incorporate flexibility into our program, we have created specific add/delete options which allow the purchaser to tailor the vehicle to their particular wants or needs.

The following equipment delete and add options and their related cost are provided here to assist you in approximating the total cost of the type vehicle(s) you wish to order through this program. Simply deduct the cost of any of the following equipment items you wish deleted from the base unit cost and/or add the cost of any equipment items you wish added to the base unit cost to determine the approximate cost of the type vehicle(s) you wish to order.

NOTE: An official listing of all add/delete options and their prices should be obtained from the appropriate dealer in your zone when preparing your order. Additional add/delete options other than those listed here may be available through the dealers, however, those listed here must be honored by the dealers in your zone at the stated prices.

VEHICLE:	F-250 SD (F2A)			
DEALER:	Duval Ford LLC	Duval Ford LLC	Alan Jay Ford Lincoln	Alan Jay Ford Lincoln
ZONE:	★ Western	★ Northern	★ Central	★ Southern
BASE PRICE:	\$19,676.00	\$19,676.00	\$19,631.00	\$20,431.00

Order Code	Delete Options	Western & Northern	Central & Southern
66D ¹	Cargo box and rear bumper	\$200.00 ¹	\$454.00 ²
66D ²	<i>Included with optional bodies. Option also includes fuel fill kit and 51x¹</i> <i>Incomplete vehicle package Deletes: Pickup Box and Tie-down hooks, Tailgate, Bodyside moldings, Rear bumper, Spare wheel, tire, carrier and jack, 7/4 Pin Connector, Center High-Mounted Stop Lamp (CHMSL) (59H) (only on vehicles over 10,000 lbs. Gross Vehicle Weight Rating) – req. further manufacture and certification by a final stage manufacturer. In addition, Ford urges manufacturers to follow the recommendations of the Ford Incomplete Vehicle Manual and the Ford Truck Body Builder's Layout Book (and applicable supplements). [SUBTRACT \$294 from credit to include full size spare and tire carrier] -or- (Dealer remove pickup bed, leaves CHSML, rear bumper, spare tire, and spare tire carrier \$400 credit)²</i>		
58Y ¹	AM/FM stereo radio	\$30.00 ¹	\$20.00 ²
58Y ²			
M57 ¹	Air conditioning	\$500.00 ¹	\$100.00 ²
572 ²	<i>IF ORDERING VEHICLES WITHOUT A/C PAYMENT WILL BE REQUIRED UPON ORDER. "NON-REFUNDABLE" ²</i>		
51X ¹	Full size spare tire and rim	\$50.00 ¹	\$50.00 ²
51X ²			

Order Code	Add Options	Western & Northern	Central & Southern
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Please refer to the Emergency Vehicle Lighting Specifications for lightbar descriptions and the awarded dealer pricing.

99T ¹	Engine upgrade - specify	\$8,400.00 ¹	\$8,479.00 ²
99T 44W ²	<i>6.7L Power Stroke® 4V Diesel V8 99T/ (B20)/TorqShift® 6-Speed Auto. SelectShift O/D ¹</i> <i>6.7L 32 Valve Power Stroke V-8 Diesel w/ 6-SPD Torqueshift Automatic Trans. Includes dual lead acid 750CCA batteries (63T - Engine Idle shut down on diesel \$249) (98R - Operator Commanded Regeneration (OCR) \$249) ²</i>		
98R ¹	Engine upgrade - specify <i>Operator Commanded Regeneration (OCR) (98R) REQ. 99T• OCR allows customer to start a manual diesel particulate filter (DPF) regeneration with the vehicle at idle• OCR is a very specialized option requiring the customer have full knowledge of proper use and actuation — it's highly recommended the dealer and the customer review the most recent Super Duty Diesel Supplement for more information•</i> <i>OCR is not recommended for general customer use, includes a \$250 MSRP and is intended for unique applications where the vehicle is rarely, if at all, driven above 15–20 mph and/or experiences extended idle periods—</i> <i>Locations where the above can occur are oil refining, underground mining, line repair and tree trimming—</i> <i>Customers within these vocations may find it beneficial to have the option of a manual DPF regeneration during a work cycle ¹</i>	\$249.00 ¹	NA
98F ¹	Bi-fuel model - specify <i>CNG/LPG GASEOUS ENGINE PREP PACKAGE (98F): Requires: • 6.2L Gas Engine (996) Includes: • Hardened Engine Intake Valves and Valve Seats • Bi-Fuel manifold ¹</i>	\$314.00 ¹	NA
98F ¹	CNG model - specify	\$314.00 ¹	\$314.00 ²
98F ²	<i>CNG/LPG GASEOUS ENGINE PREP PACKAGE (98F): Requires: • 6.2L Gas Engine (996) Includes: • Hardened Engine Intake Valves and Valve Seats • Bi-Fuel manifold ¹</i> <i>CNG/LPG GASEOUS PREP ²</i>		

VEHICLE:	F-250 SD (F2A)			
DEALER:	Duval Ford LLC	Duval Ford LLC	Alan Jay Ford Lincoln	Alan Jay Ford Lincoln
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BASE PRICE:	\$19,676.00	\$19,676.00	\$19,631.00	\$20,431.00

CNG ¹ 21GGE ²	CNG conversion (discuss with dealer) <i>Includes 98F: Ford F-250/350 6.2l bifuel/dedicated 15.7 gge system¹</i> <i>Bi-Fuel CNG conversion by industry certified Florida vendor. System includes approximately 21GGE tank to be mounted in the bed with diamond plate cover. This system also fits well in the cargo area of a utility body. Contact dealer for alternate configurations and additional information. (REQUIRES 98F)²</i>	\$13,614.00 ¹	\$13,000.00 ²
LPG ¹	LPG conversion (discuss with dealer) <i>Rough CleanTech underbid configuration, includes dropship, may required extra freight with body options.¹</i>	\$11,764.00 ¹	NA
DC ¹ DRYCELL ²	Battery, auxiliary HD <i>Auxiliary battery Included with Diesel, dual 78a 750CCA at no charge. Option is for dealer installed battery on Gas engine or service body applications¹</i> <i>800cca dry cell (Add \$250 for dual diesel batteries)²</i>	\$595.00 ¹	\$329.00 ²
GVWR ¹	Increase to 9,200 lbs. GVWR <i>10000 gvwr standard in base vehicle¹</i> <i>10,000 GVWR²</i>	Std ¹	Std ²
52B ¹ 52B ²	Electric brake controller <i>Trailer Brake Controller (TBC compatible w/select electric over hydraulic brakes; 7 & 4- way combo trailer tow socket and bracket deleted w/66D Pickup Box Delete¹</i> <i>Req's Tow Pkg (Included with Manf Upgrade pkg)²</i>	\$269.00 ¹	\$269.00 ²
TRACTION ¹	Traction control <i>AdvanceTrac® with RSC® (Roll Stability Control)¹</i>	Std ¹	Std
X3E ¹ X3E ²	Limited slip differential <i>Electronic locking differential. (X3H) 3.31 ratio on diesel, 3.73 on gas. Use (X4N) for 4.30 ratio on gas¹</i> <i>3:73 E-Locking Differential (Request X4M for 4:30 E-Locking) X3H - 3:31 E-Locking differential with Diesel upgrade \$389.²</i>	\$389.00 ¹	\$389.00 ²
F2A,603A ¹ 96P ²	Manufacturer's model upgrade package (specify pkg. bid) <i>F2A model with 603A XLT package: Exterior• Bumper – front & rear, chrome• Grille –chrome•Mirrors – Manual Telescoping trailerTow Mirrors w/Power Heated Glass• Wheels – SRW 17" cast aluminum w/bright hubcovers/center ornaments • Windows – Rear, fixed, privacy glass Interior • 1-touch up and down driver and passenger window• Airconditioning vents – black w/chrome ring • Single-CD/MP3 player& 4 speakers • Cruise control • Door-trim – soft armrest, grab handle, upper & lower map pockets & reflector • full carpet • Floormats – carpet • Power equipment – driver window, door locks & windows w/backlit switches & accessory delay• Seats High-series cloth 40/20/40 split bench – under-seat storage, 2nd Row under-seatlocking storage w/Powerpoint• Sun visors – Color-coordinated vinyl, single driver w/covered mirror, single passenger w/covered mirror• SYNC®— Three Button Message Control on SteeringWheel• Trailer Brake Controller Safety/Security• Remote Entry alarm. (39S) Sat Radio NC, specify¹</i> <i>XL Appearance Package Includes: AM/FM Stereo/Single-CD/MP3 Player/Clock w/four (4) speakers, Bright chrome grille surround with black insert, Bright chrome hub(SRW Only), Chrome front / rear step bumper, & Cruise Control -or- (603A - XLT front / rear chrome bumper & Grille, Mirrors manual trailer tow with power/heated glass, integrated clearance lamps/ turn signals. Wheels:F-250/F-350 SRW: 18" Cast Aluminum w/Bright Hub Covers/Center Ornaments (4). Fixed privacy glass Interior, Audio:AM/FM/CD/MP3, Cruise control, map pockets, full carpet & mats, Power Equipment Group – 1st row (frontseat) windows w/one-touch up/down, power 2nd row (rear-seat) windows (Crew Cab only), power windows/door locks, cloth 40/20/40 split bench, 20% center under-seat storage, 2nd Row under-seat locking storage, SiriusXM, SYNC® — with 911 Assist® and compass. Trailer Brake Controller Safety/Security Remote keyless entry & Perimeter antitheft alarm \$4120)²</i>	\$3,700.00 ¹	\$944.00 ²
LS ¹ 2S ²	Seat trim upgrade - specify <i>Vinyl 40/console/40 seat for base vehicle only¹</i> <i>Steel cloth 40/console/40 front seats with mini console (Dealer Installed Leather Trim \$1297)²</i>	\$354.00 ¹	\$514.00 ²

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90L ¹ 90L ²	Power windows/door locks <i>POWER EQUIPMENT GROUP (90L) Availability: • Optional on XL • Standard on XLT and Lariat Not available with: • Air Conditioning Delete (572) Includes: • 1-touch up and down window driver and passenger • Accessory delay • Manual Telescoping Trailer Tow Mirrors – power heated glass, heated convex spotter mirror & integrated clearance lamps/turn signals (54K) (XL & XLT only) • Perimeter Anti-Theft Alarm • Power front side-windows • Power locks • Power rear side-windows (Crew Cab) • PowerScope® Trailer Tow Mirrors – power telescoping, power folding w/power heated glass, heated convex spotter mirror & integrated clearance lights/turn signals (Lariat only) • Remote keyless-entry • Upgraded door-trim panel on XL Deletes: • Passenger-side lock cylinder Options Available: • PowerScope® Trailer Tow mirrors (Power telescoping, power-folding w/power/heated glass, heated convex spotter mirror & integrated clearance lights/turn signals (54F) (XLT only) ¹</i> <i>Includes remote keyless, manual telescoping mirrors w/power heated glass. ²</i>	\$894.00 ¹	\$894.00 ²
525 ¹ 525 ²	Speed control/tilt steering wheel <i>Tilt is Standard. Included with model upgrade package and 96v xl value option ¹</i> <i>Included with XLT up-grade ²</i>	\$234.00 ¹	\$234.00 ²
2S ¹ LS ²	Bucket seats in lieu of bench seat <i>Cloth High Back Bucket (Regular Cab), NA for model upgrade ¹</i> <i>Vinyl 40 / mini-console / 40 ²</i>	\$514.00 ¹	\$354.00 ²
AS ¹ AS ²	40/20/40 seat in vinyl <i>NA with model upgrade ¹</i>	Std ¹	Std ²
IS ¹ IS ²	40/20/40 seat in cloth <i>Cloth 40/20/40 Split Bench - Regular (XL Only), INCL with model upgrade ¹</i> <i>Cloth 40 / 20 / 40 split bench w/ center armrest, cup holder, and storage. ²</i>	\$99.00 ¹	\$99.00 ²
CARPET ¹	Carpet in lieu of rubber floor covering <i>Included at no charge and requires model upgrade ¹</i> <i>Included and only available with manufacturers upgrade package. ²</i>	NA ¹	NA ²
16s ¹	Floor mats <i>Floor Mats, All-Weather (NA w/166 Carpet Delete) (Deletes Carpeted Mats) . Dealer HD Mats \$189 ¹</i> <i>Included and only available with manufacturers upgrade package. (WTF - Dealer installed HD molded floor liner system \$189, includes freight and installation.) ²</i>	\$59.00 ¹	NA ²
TINT ¹	Deep tinted glass <i>(924) Rear privacy glass included with model upgrade and (433) option. Option is for dealer installed privacy tint. ¹</i> <i>Included and only available with sliding rear window option.(DTF - Dealer Deep Tint Film \$269 (Add \$49 for windshield strip)) ²</i>	\$245.00 ¹	NA ²
433 ¹ 433 ²	Sliding rear window <i>Includes privacy tint on rear glass (924) ¹</i> <i>Includes Privacy Glass on rear window only ²</i>	\$124.00 ¹	\$118.00 ²
585 ¹ 585 ²	AM/FM radio with single CD <i>Premium Electronic AM/FM Stereo w/ Single CD/MP3 Player/Clock(XL fleet only). Included with model upgrade package and 96v.62d option ¹</i> <i>Includes MP3 Player and AUX audio input ²</i>	\$274.00 ¹	\$257.00 ²
ONSTAR ¹	On-Star <i>(91M 62D - Ford Hands free phone option: SYNC® – Voice-Activated Communications and Entertainment System w/911 Assist® (includes USB port, AppLink™ and compass: req. 585 AM/FM/CD. or 96P XL Appearance Pkg. on XL \$350) ²</i>	NA ¹	NA ²
39S ¹	Satellite radio <i>Requires model upgrade 603a and must be specified ¹</i> <i>Included and only available with manufactures upgrade package ²</i>	NC ¹	NA ²

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3k ¹ 3K ²	Additional Key(s) or Key Fob(s) when applicable <i>Use \$226 for programmed Remote fob¹</i> <i>Dealer provided third key **Add \$175.00 for additional Remote w/Power Window Group²</i>	\$126.00 ¹	\$140.00 ²
AIRBAG ¹	Side air bags	Std ¹	Std
18B ¹ 18B ²	Cab steps <i>6" Angular Black Molded-In-Color Running Board¹</i>	\$319.00 ¹	\$319.00 ²
LSL ¹ L SPOT ²	Left-hand pillar mounted 6" spotlight with clear halogen bulb, dealer installed <i>for Go-Light remote operated spot light add \$700 includes bed mounted Pole in lieu of roof mount.¹</i> <i>(DOOR MOUNT) Add \$175 for LED light²</i>	\$495.00 ¹	\$480.00 ²
2SL ¹ LR SPOT ²	Left & right-hand pillar mounted 6" spotlight with clear halogen bulb, dealer installed <i>for Go-Light remote operated spot light add \$700 includes bed mounted Pole in lieu of roof mount.¹</i> <i>(DOOR MOUNT) Add \$350.00 for LED lights²</i>	\$800.00 ¹	\$900.00 ²
VV ¹ RS ²	Vent visors - stick-on style	\$130.00 ¹	\$145.00 ²
RS ¹ RSF ²	Rainshields - flange style <i>Not available with power window group²</i>	\$130.00 ¹	\$145.00 ²
BS ¹ BS ²	Bug shield <i>Dealer provided plastic hood protector²</i>	\$195.00 ¹	\$197.00 ²
54D ¹	Trailer tow mirrors <i>For Power telescopic (54F) use \$164. Requires model upgrade package 603a. (54K) power glass included with 90L¹</i>	Std ¹	Std
WGG ¹ WGG ²	Wrap-around grille guard <i>Warn brand or equal¹</i> <i>Add \$300.00 for winch mount plate²</i>	\$1,296.00 ¹	\$995.00 ²
TBX ¹ ATB ²	Heavy duty aluminum tool box <i>AA brand, single lid locking with two keys.¹</i> <i>Dealer Provided HD Aluminum Diamond Plate Tool Box 14" Depth (ADD \$50 18" Depth TOOL BOX)²</i>	\$395.00 ¹	\$429.00 ²
85L ¹ 85L ²	Bedliner <i>Plastic drop in liner¹</i> <i>Plastic drop in bed liner. (Dealer provided drop in bed liner \$325)²</i>	\$349.00 ¹	\$349.00 ²
85S ¹ 85S ²	Spray-on bedliner for pick-up truck (Rhino, Line-X or approved equivalent) <i>Factory supplied light duty spray liner. For HD liner at increased thickness use \$565¹</i> <i>Factory THIN spray-on-bed liner w/ plastic tailgate cover. (SOB - Dealer provided HD Spray-on-Bedliner \$579.00)²</i>	\$474.00 ¹	\$474.00 ²
TCD ¹ TBM ²	All terrain tread tires <i>4 LT265 Includes Black side wall spare¹</i> <i>LT245/75RX17E BSW All Terrain. -or- (TCD - LT 265/70R17E OWL All Terrain tires \$454)²</i>	\$454.00 ¹	\$124.00 ²
n2 ¹ N2 ²	Nitrogen filled tires including spare tire	\$196.00 ¹	\$89.00 ²
KNAPKAP ¹ LEER DCC ²	Steel truck cap <i>Knapheide knapkap model. For gelcoat spaceKap transferable slide in body use code SKWild at \$8800¹</i> <i>Leer Deluxe Aluminum Commercial Topper (WHITE), 23" High, Front Picture Window, Full Length Side Doors with Driver and Passenger Side Tool Boxes including 1 Vertical and 1 Horizontal Divider, Rear lift Up Door with Picture Window, Ladder Rack, 20" 12v LED Interior Light Bar, LED Brake Light (Upgrade to Fiberglass 100RCC Commercial Topper Painted to Match \$387) (Upgrade to Double Swing Barn Doors w/ vertical glass on Rear in lieu of std lift up door \$379 **aluminum tops only**)²</i>	\$4,400.00 ¹	\$2,879.00 ²

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		Std	Std
LG12 ¹ LG12 ²	Tow hooks 1,200 lb. lift gate <i>For pickup bed or service body application. Tommy gate brand supplied with Knapheide options and Theiman model combined with Reading body options.¹ Tommy Gate G2-1300 LB. 55" X 27" ²</i>	\$2,895.00 ¹	\$2,818.00 ²
8KW ¹ 8KW ²	8,000 lb. winch with remote <i>Requires WGG, Warn Brand winch ¹ Requires Wrap around grill w/winch plate ²</i>	\$1,200.00 ¹	\$1,195.00 ²
TOWPKG ¹ CLIVWC ²	Trailer towing package, to include heavy duty flashers, wiring for trailer plug (7 prong round), and class IV frame mounted trailer hitch with 2" square removable receiver, 1" shank with 2" ball. Does not include trailer tow mirrors. May be dealer installed. <i>Includes all manufacturer's standard towing components; exceeds spec. Upgrades to complete package with 2.5" receiver with sleeve and hardware (solid HD shank and solid Pin & Clip). For pintle ball combination add \$245. Tow mirrors are standard equipment. Recommend Locking differential, and factory electric brake controller integrated into dash. Specify if six way or custom plug (wiring) to be added. ¹ Replaces Factory, provides HD Class V Titan 2.5" Receiver, 7 Pin Wire Harness, Solid Steel Shank Draw Bar, 2 & 5/16" Ball, pin & Clip. (Applicable with all body options) ²</i>	\$865.00 ¹	\$670.00 ²
SBS ¹ USOB ²	Spray-on bedliner for utility body <i>For rear bumper add \$100, for drop down doors both sides add \$175. HD LINEX brand. ¹ For inside of utility body only, ADD \$279 for box tops. ²</i>	\$785.00 ¹	\$695.00 ²
98ASW ¹ PSB96S-P ²	Knapheide, Reading or approved equivalent utility body - specify <i>Reading Classic II: (31b) Reading ship through add \$543, Fliptop lids add \$900. A60 Coating Weight Pressed Steel Diamond Plate Floor and Tailgate InnerPanel, Slam action tail gate, pooched bumper, HD compartment 18g a doors, Rectangular rear lighting. Includes 66D bed credit.¹ Palfinger Std Service Body 8' SRW Painted White (includes box and bumper credit) Body Upgrades-- Add \$829 for Flip Top Lids, \$379 for LED compartment lighting, \$1424 for OMAHA STANDARD HD series. ²</i>	\$5,800.00 ¹	\$4,875.00 ²
696J ¹ K696J ²	Manufacturer's standard service unibody, 14 gauge construction - specify. May be dealer installed. (NOTE: If you are ordering a service body, we are advising you to contact your awarded vendor.) <i>Knapheide Brand Service body, (31v) Knapheide ship through add \$260. Fliptop lids add \$800, Masterlocks add \$500, Cabinet Lights \$500, Power locks \$850. NA with PC. Rugged 14gauge two-sided A-40 galvanneal steel body shell with a six year warranty. Complete undercoating provides an additional layer of corrosion protection. Double panel door construction combined with stainless steel rotary latches. Includes 66D bed credit.¹ Knapheide SRW Painted Utility Body, (includes box and bumper credit) Body Upgrades-- Add \$694 for FlipTop Lids, \$314 for T-Handles, \$529 for lights inside compartments, \$404 for Master Locking System. \$159 for pair of Knaplock padlocks keyed to Ford factory ignition key ²</i>	\$5,400.00 ¹	\$4,985.00 ²
SUL98ASW ¹ U98ASW SL ²	Manufacturer's standard service modular body, 18 gauge construction - specify. May be dealer installed. (NOTE: If you are ordering a service body, we are advising you to contact your awarded vendor.) <i>Reading SL Series with Complete Stainless Steel Rotary Locks with Paddle Handles or Stainless Steel 3-point T-Handle Locks Exclusive Dual-Pro® Door Seal System Stainless Steel Bolt-On Block Hinges Seamless wheelhouse Panel Incandescent Stop, Tail, Turn and Clearance Lights Slam Action Tailgate with Diamond Pattern Facer, and Stainless Steel Knee Brace Hardware. (31b) Reading ship through add \$543, Fliptop lids add \$900. Includes 66D bed credit.¹ Reading Standard Line Factory Powder Coated White (includes box and bumper credit) Body Upgrades -- Add \$897 for Flip Top Option, \$573 Lighted Compartments, \$893 for Master Locking System -- ²</i>	\$5,117.00 ¹	\$5,062.00 ²

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PC ¹ DA98 ²	Powder coating for utility body <i>Included on SUL98ASW series in Red or White. Reading Brand only.</i> ¹ <i>Reading Classic II dealer advantage factory Pwdr Coated White -- Add \$897 for Flip Top Lids, \$622 for lighted compartments, \$786 Master Locking System -or- (DA98 Aluminum - Classis II dealer advantage ALUMINUM utility body ***45% weight savings*** \$6834 -- ADD \$ 1287 for Flip Top Lids, \$622 for lighted compartments, \$989 for Latchmatic remote locking system --)</i> ²	\$550.00 ¹	\$5,897.00 ²
FTC ¹ FTC ²	Fiberglass tonneau cover (painted to match) <i>ARE brand or equal. For Roll n Lock, or RETRAX bed cover option, use \$1396</i> ¹ <i>(Add \$1338 for Bed Slider with Rubber Mat and 4" Sides) -or- (Roll-N-Lock cover ADD \$297 in lieu of fiberglass tonneau)</i> ²	\$1,496.00 ¹	\$1,495.00 ²
FCHT ¹ FCH ²	Fiberglass cab high topper with front, side and rear windows (painted to match) <i>ARE, Century brand or equal. For flip windows add \$425</i> ¹ <i>Add \$375 for side access windows in lieu of fixed</i> ²	\$1,795.00 ¹	\$1,695.00 ²
942 ¹ 942 ²	Daytime running lights Immobilize daytime running lights <i>Don't order 942</i> ²	\$44.00 ¹ Std	\$44.00 ² NA ²
CS ¹ HAR ²	Cab shield headache rack (protects back of cab) <i>Expanded metal cab shield (Add \$300 for strobe beacons mounted on each side of cab shield)</i> ¹	\$545.00 ¹	\$497.00 ²
PRPU ¹ PRT ²	Pipe rack w/expanded metal basket over cab (for pickup bed) <i>(1200.ATR - Weather Guard aluminum material rack with cross members \$1479 **does not include expanded metal basket over cab**)</i> ²	\$1,796.00 ¹	\$1,790.00 ²
PRSB ¹ PRU ²	Pipe rack w/expended metal basket over cab (for utility body)	\$1,796.00 ¹	\$1,790.00 ²
SLR ¹ SSMLR ²	Single ladder rack side mounted (specify street or curbside) <i>Single Side Mtd Ladder Rack</i> ²	\$796.00 ¹	\$738.00 ²
153 ¹ 153 ²	Front license bracket	NC ¹	NC ²
76C ¹ 76C ²	Backup alarm, factory installed	\$124.00 ¹	\$124.00 ²
WBUA ¹ BUA ²	Backup alarm, dealer installed <i>Whelen, Ecco brand or equal.</i> ¹	\$130.00 ¹	\$179.00 ²
76v ¹ 76V ²	Backup camera with 3.5" LCD (rear mounted camera to provide wide angle field of vision at rear of vehicle) - factory installed <i>Rear View Camera (Electrochromic Mirror w/video display on XL/XLT; : XLT req. 96l XLT Interior Pkg at \$794 17V XLT Value Pkg. at \$1344, or 17P XLT Premium Pkg at \$2884.; NA w/66D Pick Up Box Delete or 557 Airbag Delete) Pkg contents available at duvalfleet.com/reference. Dealer camera on Service body trucks at \$695</i> ¹ <i>Requires factory tailgate, BASE model ONLY.</i> ²	\$539.00 ¹	\$539.00 ²
BUC ¹ BUC ²	Backup camera with 3.5" LCD (rear mounted camera to provide wide angle field of vision at rear of vehicle) - dealer installed	\$695.00 ¹	\$679.00 ²
LTS ¹ FUEL TOOL ²	Optional equipment - specify <i>Havis Laptop stand with universal locking laptop tray. For 400 watt dual plug inverter mounted under passenger seat or behind add \$400</i> ¹ <i>Fuel & Tool Box Combo includes: L Shape Fuel Tank, Tool Box, Electric transfer pump, Hose, Nozzle, and flow meter - (ADD SAFE-T - Fire Extinguisher, First Aid Kit, Road Triangles \$299)</i> ²	\$645.00 ¹	\$1,887.00 ²

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MISC OPT ¹ RSL ²	Optional equipment - specify <i>SAFETY PACKAGE: Fire extinguisher, first aid and road LED KIT. Other items to consider: Gas Air Compressor 30 Gallon 20 CFM (\$3660), TOPBOX Side Toolbox 96" (\$749) Top Side PU Contractor Box with Drawers 96" (\$896), INVERTER 1500 Watt (\$566), 2000 (\$696), 3000 (\$1626), 5000 with Aux battery (\$1810), CONEHOLDER: (\$115) VANAIR Generator 5K compressor combo (\$5700) DUMP for 56CA with tarp (\$5900) V/MAC: 70cfm under hood compressor (\$10995).</i> ¹ <i>Roadside lighting package Includes: Four corner hide away LED kit, 8 LED traffic advisor mounted in rear window glass, (AMBER/CLEAR) Grille lights, wired to factory upfitter switches.</i> ²	\$595.00 ¹	\$1,729.00 ²
96V.62D ¹ JOTTO ²	Optional equipment - specify <i>XL VALUE PACKAGE (96V) Availability: • Optional on XL Includes: • AM/FM Stereo/Single-CD/MP3 Player/Clock w/4 speakers • Bright chrome hub covers and center ornaments (SRW Only) • Chrome front and rear step bumper • Cruise Control NOTE: Does not include rear bumper when ordered w/66D Pickup Box Delete. Steering wheel controls (62D) Add \$294 to this option for Sync Voice Activated Handsfree System</i> ¹ <i>Jotto Computer Mount Stand (Add \$299 for 700w inverter w (2) 110v outlets)</i> ²	\$663.00 ¹	\$485.00 ²
RPO ¹ WALB ²	Optional equipment - specify <i>Any factory option not listed within specification is eligible for the discount amount indicated as a credit per item off the manufacturer's current MSRP schedule per fleet.ford.com</i> ¹ <i>Whelen Amber LED Light Bar with Frt Takedowns, Side Alley lights, and Rear Arrow Stick (Add Go Light with Dash Mounted Remote for \$498)</i> ²	\$5.00 ¹	\$1,995.00 ²
RDC ¹ 3BLS ²	Optional equipment - specify <i>Regional freight charge per vehicle for alternative zone purchasing per section 3.54 paragraph A, item 1b. Per terms and specifications 1.14, pre-delivery service inspection and all delivery requirements included. Not applicable when agency is domiciled in same zone as the base award. Amount is computed via statistical algorithm utilizing trending market sales data and median variable freight costs within certain statistical mileage data points within the state of Florida. Any dollar volume credit to this unit cost, where applicable, is derived per section 3.55</i> ¹ <i>3rd Brake Light Safety Pulse (Pulses 3rd Brake Light (4) times upon application of brake pedal to increase driver awareness behind you when stopping)</i> ²	\$426.00 ¹	\$229.00 ²
LABOR ¹ LABOR ²	Labor rate per hour <i>Labor rate per hour. Refer to Emergency lighting price submission for schedule. See dealer quote for itemization. Includes professional EVT certified installation, wire loom, connectors, prep kit and consultation</i> ¹ <i>(Labor Rates Based on Single Vehicle Build)</i> ²	\$115.00 ¹	\$105.00 ²
TEMP ¹ TEMP ²	Temporary tag	\$6.00 ¹	\$25.00 ²
TX ¹ TRANS ²	Transfer existing registration (must provide tag number) <i>Includes two way overnight shipping for signature</i> ²	\$85.00 ¹	\$123.60 ²
TAG ¹ TAG ²	New state tag (specify state, county, city, sheriff, etc.) <i>Includes two way overnight shipping for signature</i> ²	\$130.00 ¹	\$175.70 ²
MP575 ¹ BMP345 ²	Maintenance Plan - specify <i>5 Year 75,000 mile Premium GAS Maintenance Plan. 15 service visits at 5000 mile intervals for vehicles with Gas Engine, zero deductible. For GAS Chassis Cab vehicles use \$2230 5 Year 75,000 mile Premium Maintenance DIESEL plan, 15 Maintenance plan visits at 5000 mile intervals for vehicles with Diesel Engine, zero deductible \$3675. For Diesel Chassis Cab & Cutaway vehicles use \$3525. Prices quoted per FordMoCo Florida Retail ESP October 2014 Pricing Guide. Excludes Police, Fire, EMS use.</i> ¹ <i>3 yr 45,000 mile(5000 mile interval, includes a total of (9) visits) gas engine Maintenance Plan. (ADD \$780 for diesel engine)</i> ²	\$1,860.00 ¹	\$580.00 ²
MP675 ¹ BMP575 ²	Maintenance Plan - specify <i>6 Year 75,000 mile Premium GAS Maintenance Plan. 15 service visits at 5000 mile intervals for vehicles with Gas Engine, zero deductible. For GAS Chassis Cab vehicles use \$2280. 6 Year 75,000 mile Premium Maintenance Plan. 15 Maintenance plan visits at 5000 mile intervals for vehicles with Diesel Engine, zero deductible is \$3715. For Diesel Chassis Cab & Cutaway vehicles use \$3580. Prices quoted per FordMoCo Florida Retail ESP October 2014 Pricing Guide. Excludes Police, Fire, EMS use.</i> ¹	\$1,905.00 ¹	\$910.00 ²

VEHICLE:	F-250 SD (F2A)			
DEALER:	Duval Ford LLC	Duval Ford LLC	Alan Jay Ford Lincoln	Alan Jay Ford Lincoln
ZONE:	★ Western	★ Northern	★ Central	★ Southern
BASE PRICE:	\$19,676.00	\$19,676.00	\$19,631.00	\$20,431.00

	<i>5 yr 75,000 mile(5000 mile interval, includes a total of (15) visits) gas engine Maintenance Plan.(ADD \$990 for diesel engine) ²</i>			
MP610 ¹ BMP6100 ²	Maintenance Plan - specify <i>6 Year 100,000 mile Premium Maintenance Plan. 20 service visits at 5000 mile intervals for vehicles with Gas Engine, zero deductible. For GAS Chassis Cab vehicles use \$2845. 6 Year 100,000 mile Premium Maintenance Plan. 20 Maintenance plan visits at 5000 mile intervals for vehicles with Diesel Engine, zero deductible is \$4320. For Diesel Chassis Cab & Cutaway vehicles use \$4515. Prices quoted per FordMoCo Florida Retail ESP October 2014 Pricing Guide. Excludes Police, Fire, EMS use. ¹</i> <i>6 yr 100,000 mile(5000 mile interval, includes a total of (20) visits) gas engine Maintenance Plan.(ADD \$1210 for diesel engine) ²</i>		\$2,400.00 ¹	\$1,140.00 ²
EB575 ¹ EC575 ²	Warranty - specify <i>5 Yr 75,000 mile zero deductible BASECare plan. 5 Yr 100,000 mile zero deductible use \$2385. Complete pricing schedule available upon request. Prices quoted per FordMoCo Florida Retail ESP October 2014 Pricing Guide. 5 year, 75,000 mile Chassis BaseCare ESP at zero deductible use \$2640. 5 year, 100,000 mile Chassis BaseCare ESP at zero deductible use \$3225 ¹</i> <i>Extra Care 5 yr 75k mile extended warranty (\$0 Ded)(ADD \$555 for fire/emergency use). ²</i>		\$1,725.00 ¹	\$2,015.00 ²
EE575 ¹ PC575 ²	Warranty - specify <i>5 Yr 75,000 mile zero deductible EXTRACare plan. 5 Yr 100,000 mile zero deductible use \$2900. Complete pricing schedule available upon request. Prices quoted per FordMoCo Florida Retail ESP October 2014 Pricing Guide. 5 year, 75,000 mile Chassis ExtraCare ESP at zero deductible use \$2945. 5 year, 100,000 mile Chassis ExtraCare ESP at zero deductible use \$3655. ¹</i> <i>Premium Care 5 yr 75k mile extended warranty (\$0 Ded)(ADD \$555 for fire/emergency use). ²</i>		\$2,015.00 ¹	\$2,825.00 ²
EP575 ¹ PC6100 ²	Warranty - specify <i>5 Yr 75,000 mile zero deductible PREMIUMCare plan. 5 Yr 100,000 mile zero deductible use \$3595. Complete pricing schedule available upon request. Prices quoted per FordMoCo Florida Retail ESP October 2014 Pricing Guide. 5 year, 75,000 mile Chassis PremiumCare ESP at zero deductible use \$3415. 5 year, 100,000 mile Chassis PremiumCare ESP at zero deductible use \$4235 ¹</i> <i>Premium Care 6 yr 100k mile extended warranty (\$0 Ded)(ADD \$555 for fire/emergency use). ²</i>		\$2,825.00 ¹	\$3,710.00 ²
FB575 ¹ EC575 ²	Diesel Warranty - specify <i>5 Yr 75,000 mile zero deductible BASECare plan. 5 Yr 100,000 mile zero deductible use \$2555. Complete pricing schedule available upon request. Prices quoted per FordMoCo Florida Retail ESP October 2014 Pricing Guide. 5 year, 75,000 mile Chassis BaseCare ESP at zero deductible is \$2925. 5 year, 100,000 mile Chassis BaseCare ESP at zero deductible is \$3950¹</i> <i>Extra Care 5 yr 75k mile extended warranty (\$0 Ded)(ADD \$555 for fire/emergency use). ²</i>		\$1,830.00 ¹	\$2,150.00 ²
FE575 ¹ PC575 ²	Diesel Warranty - specify <i>5 Yr 75,000 mile zero deductible EXTRACare plan. 5 Yr 100,000 mile zero deductible use \$3115. Complete pricing schedule available upon request. Prices quoted per FordMoCo Florida Retail ESP October 2014 Pricing Guide. 5 year, 75,000 mile Chassis ExtraCare ESP at zero deductible is \$3210. 5 year, 100,000 mile Chassis ExtraCare ESP at zero deductible is \$4525 ¹</i> <i>Premium Care 5 yr 75k mile extended warranty (\$0 Ded)(ADD \$555 for fire/emergency use). ²</i>		\$2,150.00 ¹	\$3,010.00 ²
FP575 ¹ PC6100 ²	Diesel Warranty - specify <i>5 Yr 75,000 mile zero deductible PREMIUMCare plan. 5 Yr 100,000 mile zero deductible use \$3705. Complete pricing schedule available upon request. Prices quoted per FordMoCo Florida Retail ESP October 2014 Pricing Guide. 5 year, 75,000 mile Chassis PremiumCare ESP at zero deductible is \$3740. 5 year, 100,000 mile Chassis PremiumCare ESP at zero deductible is \$5320 ¹</i> <i>Premium Care 6 yr 100k mile extended warranty (\$0 Ded)(ADD \$555 for fire/emergency use). ²</i>		\$3,010.00 ¹	\$3,835.00 ²



Town of Surfside Commission Communication

Agenda Item #: 5B

Agenda Date: July 14, 2015 / August 11, 2015

Subject: Purchase a 2015 CASE SR 160 Skid-Steer with broom attachment.

Objective: Approval to purchase a 2015 CASE SR160 Skid-Steer with broom attachment.


Background: The Storm Water Utility under the Public Works Department is a 24 hour 7 days a week operation which maintains and repairs the Town's Storm Water conveyance system and pump stations. The efficiency and effectiveness of the Department depends on its equipment being good and functional. The Department currently utilizes the combination backhoe to excavate for repairs, but many locations that the storm drain system goes thru are in narrow tight locations where it is difficult for the backhoe to maneuver. The Skid-Steer is much smaller and will be used to push and load material as well as sweep up repair areas with the broom attachment.

Analysis: Storm Water Division needs to have the ability to provide excellent maintenance and repair to its service area. In order to continue to do this it is imperative that they have up to date equipment and tools to do this. This new Skid-Steer will be equipped with a broom attachment to sweep up repair areas quickly. This new equipment will be utilized throughout Town on many different projects.

Staff Impact: N/A

Budget Impact: The purchase of a 2015 CASE SR 160 Skid-Steer was not budgeted in the 2014/2015 Fiscal Year Budget and the cost of the purchase requires transfer of funds within the Storm Water Fund to the Machinery and Equipment Account No. 404-5500-538-6410.

Recommendation: Staff recommends the approval to purchase the CASE SR160 Skid-Steer utilizing the State of Florida Bid of \$32,000.00.


Joseph S. Krull, Public Works Director


Guillermo Olmedillo, Town Manager

RESOLUTION NO. 15 - _____

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, TO APPROVE THE PURCHASE OF A 2015 CASE SR 160 SKID STEER LOADER PIGGYBACKING OFF THE STATE OF FLORIDA TERM CONTRACT NO. 760-000-10-1 FOR \$32,000.00 FROM MACHINERY AND EQUIPMENT ACCOUNT NO. 404-5500-538.64.10; PROVIDING FOR APPROVAL AND AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Stormwater Utility under the Public Works Department (“the Department”) is a 24 hour and 7 days a week operation which maintains and repairs the Town’s stormwater conveyance system and pump stations; and

WHEREAS, the efficiency and effectiveness of the Department (“the Deptment”) depends on its equipment being good and functional; and

WHEREAS, the Department currently utilizes the combination backhoe to excavate for repairs, but many locations that the storm drain system goes thru are in narrow tight locations where it is difficult for the backhoe to manuever; and

WHEREAS, the Skid Steer Loader is much smaller and will be used to push and load material as well as sweep up repair areas with the broom attachment; and

WHEREAS, to purchase a new truck through the State of Florida Term Contract No. 760-000-10-1 (Attachment “A”) will cost \$32,000.00; and

WHEREAS, the purchase of a new 2015 CASE SR 160 Skid Steer Loader was not budgeted in the 2014/2015 Fiscal Year Budget and the cost of the purchase requires transfer of funds within the Stormwater Fund to the Machinery and Equipment Account No. 404-5500-538.64.10; and

WHEREAS, in order to continue to provide the Town with the best level of service, the Public Works Department recommends that the Town Commission approve and authorize the purchase of a 2015 CASE SR 160 Skid Steer Loader through the State of Florida Term Contract No. 760-000-10-1 for a total cost of \$32,000.00.

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

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

Section 2. Approval and Authorization. The Town Commission hereby approves and authorizes the Town Manager and/or designee to purchase a 2015 CASE SR 160 Skid Steer Loader for a cost of \$32,000.00 from the Machinery and Equipment Account No. 404-5500-538.64.10.

Section 3. Implementation. The Town Manager and/or designee and the Public Works Director are hereby authorized to take any and all action necessary to implement this Resolution.

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

PASSED AND ADOPTED this _____ day of August 2015.

Motion by _____,

Second by _____.

FINAL VOTE ON ADOPTION

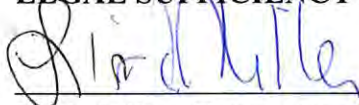
Commissioner Barry Cohen	_____
Commissioner Michael Karukin	_____
Commissioner Marta Olchyk	_____
Vice Mayor Eli Tourgeman	_____
Mayor Daniel Dietch	_____

Daniel Dietch, Mayor

ATTEST:

Sandra Novoa, Town Clerk

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



Linda Miller, Town Attorney



FLORIDA DEPARTMENT OF MANAGEMENT SERVICES

state purchasing

We serve those who serve Florida.

**STATE TERM CONTRACT NUMBER 760-000-10-1
CONSTRUCTION, INDUSTRIAL, AGRICULTURAL & LAWN EQUIPMENT**

ASSIGNMENT AGREEMENT

THIS ASSIGNMENT AGREEMENT, effective as of July 25, 2014 or the last date signed below (This "Agreement"), is by and between the State of Florida, Department of Management Services (the "Department"), and Magic Circle Corporation d/b/a Dixie Chopper (Assignor) and authorizes the assignment to Jacobsen Professional Lawn Care, Inc. d/b/a Dixie Chopper, (Assignee), of all obligations under the State Term Contract No. 760-000-10-1 (Contract).

WHEREAS, the Department awarded the Contract to Assignor for the provision of Construction, Industrial and Agricultural Equipment; and,

WHEREAS, Jacobsen Professional Lawn Care, Inc., purchased the assets of Assignor in February 2014; and

WHEREAS, Assignor wishes to assign all of its rights, duties and obligations under the Contract to Assignee; and,

WHEREAS, paragraph 4.29 of the Contract requires the prior written consent of the Department to assign the Contract; and

WHEREAS, the Department consents to the assignment of the Contract to the Assignee :

NOW THEREFORE, for the mutual covenants contained herein, the Parties hereto agree as follows:

1. Assignor and Assignee agree that the Assignor shall assign all its right, title, and interest and delegate all its obligations, responsibilities and duties in the Contract to Assignee.
2. The Department consents to the assignment.
3. Assignor agrees to defend and indemnify the Department from any and all claims, actions, judgments, liabilities, proceedings and costs, including reasonable attorneys' fees and other costs of defense and damages, resulting from Assignor's performance prior to the assignment of the contract and resulting from Assignee's performance after the assignment of the Contract, provided however, that after the assignment of the Contract the Department shall first look to Assignee to satisfy all claims, actions, judgments, liabilities, proceedings and costs, including reasonable attorneys' fees and other costs of defense and damages resulting from Assignee's performance.
4. The Parties agree that this Assignment establishes a new contractual relationship between the Department and Assignee.
5. Assignee agrees to indemnify the Department from any and all claims, actions, judgments, liabilities, proceedings and costs, including reasonable attorneys' fees and other costs of defense and damages, resulting from Assignee's performance after the assignment of the Contract.

6. The Department does not release Assignor from any claims or remedies it may have against Assignor under the Contract.

7. To the extent any of the terms of this Assignment conflict with the terms of the Contract, the terms of this Assignment shall control. All other terms of the Contract remain in full force and effect.

8. Each person signing this Assignment warrants that he or she is duly authorized to do so and to bind the respective party.

IN WITNESS WHEREOF, the parties set their hands and seals as of the date first above written by their duly authorized representatives.

State of Florida,

Department of Management Services:

By: [Signature]
Name: Kelley J. Scott for Kelley Scott

Title: Director of State Purchasing & Chief Procurement Officer

Date: 7/25/14

Jacobsen Professional Lawn Care, Inc.
d/b/a Dixie Chopper (Assignee):

By: [Signature]

Name: Chris Vernon

Title: VP + GM

Date: 7/24/14

Magic Circle Corporation
d/b/a Dixie Chopper (Assignor):

By: [Signature]

Name: Wes Evans

Title: President & CEO

Date: 7/23/14

CONSTRUCTION EQUIPMENT

U.S. PRICE LIST

SKID STEER LOADER

PL-200 SL SAP REVISION 12A

EFFECTIVE FEBRUARY 11, 2013
REVISED JUNE 4, 2013

THIS IS AN ELECTRONIC COPY ONLY – HARD COPIES WILL NOT BE DISTRIBUTED.

This price list is intended for dealers with the Skid Steer (SL) contract only.

The prices included in this revision supersede any prices established prior to the effective date shown unless specifically identified in a price bulletin as superseding this price list.

Below is a list of Family(s) and Model(s) that are included in this price list.

Skid Steers
SR130
SR150
SR175
SV185
SR200
SR220
SR250
SV250
SV300

PLEASE NOTE: Retain the price book pages of the discontinued series for your records.

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CNH America LLC

SR130 & SR160 T4 FINAL SKID STEER LOADER
US PRICE LIST

(Ex Works Wichita, KS)
Standard Equipment

ENGINE:

For SR130

- ISM N844L-F/M4 water cooled diesel engine
- 134 CID (2.2 L) Naturally Aspirated Tier 4 Final Certified
- Horsepower:
 - Gross 48
 - Net 45
 - Peak torque 105.5 lb•ft (143 Nm)

For SR160

- ISM N844LT-F/M4 water cooled diesel engine
- 134 CID (2.2 L) Turbo Tier 4 Final Certified
- Horsepower:
 - Gross 60
 - Net 57
 - Peak torque 139 lb•ft (188 Nm)
- 120 amp alternator
- Air cleaner - dual element
- Anti-freeze solution to -34° F
- Fuel tank - 16 gal. (U.S.)
- Spark Arresting Diesel Particulate Filter (DPF) Muffler
- Single Plane, Top and Bottom Oil Cooler/Radiator Configuration
- Glow Plugs
- Maintenance free 925 CCA battery with master disconnect

OPERATOR'S PROTECTIVE

STRUCTURE:

- ROPS/FOPS Level 1 canopy with side screens
- Control lockout system
- Tilt forward ROPS/FOPS
- Electric parking brake control
- Electronic Hand throttle
- Electronic Foot throttle
- Mechanical H-Pattern hand controls
- Operator's compartment floor cleanout
- Rear window with emergency escape
- Padded seat bar with integral arm rests

OPERATOR'S PROTECTIVE

STRUCTURE (Continued):

- Basic Non-Suspension Seat, vinyl with 2" retractable lap seat belt
- Foot rest
- Dome Light
- 12V Power plug socket
- Cup holder
- Top window
- Headliner
- Alarm package (backup and horn)

OTHER STANDARD FEATURES:

- Lights - 2 front, 2 side, 2 rear flood (halogen)
- Pre-wired for rotating beacon
- Service access hood, lockable
- Single point daily service
- Tail lights
- Remote oil drain
- Remote Oil and Fuel Filters
- Manual Quick Coupler

INSTRUMENTATION:

- Advanced Instrument Cluster with
 - Hour meter, fuel gauge, engine and oil temperature gauge, diagnostic features and security lock-out
- Warning lights with alarms:
 - Engine coolant temperature
 - Systems Critical Stop
 - Electronic System Indicator
 - Engine System Indicator
 - Hydraulic System Indicator
 - Hydraulic oil temperature
- Warning alarms:
 - Battery voltage (plus display)
 - Diesel Particulate Filter (DPF)
- Indicator Light:
 - Engine preheat
 - Parking brake
 - Seat bar reminder



SR130 & SR160 T4 FINAL SKID STEER LOADER
US PRICE LIST

(Ex Works Wichita, KS)
Standard Equipment

DRIVE:

Manual controlled hydrostatic four
wheel drive
Spring applied hydraulic release
(SAHR) disc parking brake
Dynamic braking
ASA #80 drive chain

HYDRAULICS:

6 micron oil filtration system
3 spool loader control valve
Auxiliary hydraulics, Proportional thumb
wheel activated: loader arm
mounted with ISO specification flat
face "connect-under-pressure"
disconnects
Including case drain
Standard duty hydraulic oil cooler
Loader arm float position
Auxiliary hydraulic function lockout
override
Loader arm circuit lockout override

LOADER:

Mechanical attachment coupler
Radial arm geometry
Loader lift arm support strut
For SR130:
SAE operating load: 1300 lbs.
Tipping load: 2600 lbs.
For SR160:
SAE operating load: 1600 lbs.
Tipping load: 3200 lbs.

TIRES:

10 X 16.5 Heavy Duty - 59 inch
Over-the-Tire Width (OTW)



SR130 & SR160 T4 FINAL SKID STEER LOADER
US PRICE LIST

(Ex Works Wichita, KS)

Models

COMMERCIAL MODEL	Weight	Factory Data	List Price
SR130-T4B	8,900 LB		\$36,068.00
SR160-T4B	8,900 LB		\$39,909.00

SR130 & SR160 T4 FINAL SKID STEER LOADER
US PRICE LIST

(Ex Works Wichita, KS)

Factory Supplied Options

Order Code	Description	Weight	Factory Data	List Price
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CONTROLS AND TRANSMISSION

SD_01401 DRIVE CONTROL TYPE

	761040	Hand Controls (H-Pattern)			No Charge
	761041	Foot and Hand Controls			No Charge
	761042	E-H Controls			No Charge

SD_01100 CONTROLS LEVEL

	761028	1 Speed Mechanical Controls			No Charge
	761030	1 Speed E-H Controls Electro-Hydraulic Switchable (ISO-H Pattern) Controls with Single Speed			\$2,245.00

ROPS/CAB

SD_05009 CAB

	761043	Open Cab (No Heat or HVAC) with top window and keyed start			No Charge
	761046	Enclosed Cab with Heater Includes side windows, front glass door with wiper, shoulder belt, radio with speakers and keyless start			\$4,474.00
	761184	Enclosed Cab w/Heat -Demo Door Includes side windows, 3/4" polycarbonate front door with wiper, shoulder belt, radio with speakers and keyless start			\$6,383.00

SD_05016 OPEN CAB TRIM

	X05016X	No Open Cab Interior Trim Pkg			No Charge
	761186	Open Cab Interior Trim Package For use with Open Cab. Covers interior sides and rear.			\$330.00

SD_05185 CAB SEAT

	761050	Non Suspension Seat			No Charge
	761052	Suspension Seat (Vinyl)			\$411.00
	761062	Air Ride Suspension Seat (Fabric) with temperature control (may not be ordered with Open Cab option 761043)			\$1,035.00



**SR130 & SR160 T4 FINAL SKID STEER LOADER
US PRICE LIST**

(Ex Works Wichita, KS)

COUPLER

SD K5101 COUPLERS

	726003	Manual Coupler			No Charge
	726004	Hydraulic heavy duty coupler			\$1,126.00

BLOCK HEATER

SD 02086 BLOCK HEATER

	X02086X	No Block Heater			No Charge
	761048	Block Heater (120V)			\$161.00

OPERATOR MANUALS

SD 32035 LANGUAGE OPTIONS

	761085	English USA			No Charge
	761088	French Canadian			No Charge
	761097	Spanish Latin American			No Charge

OPTIONAL PACKAGES

SD 01201 OPTION PACKAGES

	761032	Standard Equipment Only			No Charge
	761033	Performance Package Contains ON/OFF One-Way Self Leveling and Ride Control			\$1,257.00

TIRES

SD 16068 TIRE OPTIONS

	8501207	10x16.5 Heavy Duty (59 OTW) 8PR Stamped Center			No Charge
	8501307	10x16.5 Premium (59 OTW) 8PR Stamped Center			\$278.00
	8501407	10x16.5 Premium-Liner (59 OTW) 8PR Stamped Center			\$453.00
	8501507	27x10.5-15 Premium (64 OTW) (for over-the-wheel tracks only) 8PR Stamped Center			\$268.00
	8502107	10x16.5 Non-Pneumatic (64 OTW) 10PR Stamped Center			\$3,523.00



**SR130 & SR160 T4 FINAL SKID STEER LOADER
US PRICE LIST**

(Ex Works Wichita, KS)

FRONT ATTACHMENTS

BUCKETS

SD_K5231 BUCKETS

	XK5231X	No Bucket			No Charge
Dirt & Foundry Bucket					
	761123	60" Dirt & Foundry Bucket (1524 mm), 11.5 cu. ft. Heaped Capacity			\$855.00
	761124	66" Dirt & Foundry Bucket (1676 mm), 15.2 cu. ft. Heaped Capacity			\$942.00
	761125	72" Dirt & Foundry Bucket (1829 mm), 16.7 cu. ft. Heaped Capacity			\$1,071.00
Heavy Duty Dirt Bucket					
	761141	66" Heavy Duty Dirt Bucket (1676 mm), 13.3 cu. ft. Heaped Capacity			\$1,215.00
	761142	72" Heavy Duty Dirt Bucket (1829 mm), 14.6 cu. ft. Heaped Capacity			\$1,329.00
Light Material Bucket					
	761135	60" Light Material Bucket (1524 mm), 19.7 cu. ft. Heaped Capacity			\$752.00
	761136	72" Light Material Bucket (1829 mm), 23.7 cu. ft. Heaped Capacity			\$901.00
Low Profile Buckets					
	761127	60" Low Profile Bucket (1524 mm), 11.5 cu. ft. Heaped Capacity			\$803.00
	761128	66" Low Profile Bucket (1676 mm), 13.2 cu. ft. Heaped Capacity			\$886.00
	761129	72" Low Profile Bucket (1829 mm), 14.5 cu. ft. Heaped Capacity			\$968.00
Low Profile Extended Bucket					
	761130	60" Low Profile Extended (1524 mm), 14.3 cu. ft. Heaped Capacity			\$896.00
	761131	66" Low Profile Extended (1676 mm), 15.5 cu. ft. Heaped Capacity			\$989.00
	761132	72" Low Profile Extended (1829 mm), 17.1 cu. ft. Heaped Capacity			\$1,076.00
Manure & Slurry Bucket					
	761138	60" Manure-Slurry Bucket (1524 mm), 16.7 cu. ft. Heaped Capacity			\$762.00
	761139	72" Manure-Slurry Bucket (1829 mm), 19.1 cu. ft. Heaped Capacity			\$917.00

**SR130 & SR160 T4 FINAL SKID STEER LOADER
US PRICE LIST**

(Ex Works Wichita, KS)

SPILL GUARDS

SD K5400 SPILL GUARDS

		XK5400X	No Spill Guard			No Charge
		761176	66" Spill Guard For use with Heavy Duty Buckets only			\$196.00
		761177	72" Spill Guard For use with Heavy Duty Buckets only			\$216.00

BOLT ON CUTTING EDGES

SD K6399 BOLT ON CUTTING EDGE

		XK6399X	No Bolt on Cutting Edge			No Charge
		761145	60" Bolt on Cutting Edge			\$211.00
		761146	66" Bolt on Cutting Edge			\$232.00
		761147	72" Bolt on Cutting Edge			\$258.00

MOVE TO BIC

SD K6440 OFF-SITE SERVICE

		XK6440X	No Offsite Service Arrangement			No Charge
		761175	Offsite Service Arrangement Pricing is dealer negotiated with offsite contractor.			No Charge

SPECIAL PAINT

SD 50103 SPECIAL PAINT

		X50103X	No Special Paint			No Charge
		726029	Special Paint The price listed is for a color change only from the standard factory color: CNH #86609760 (MS42-Tan). All Special Color formulations will be applied using approved factory processes and materials. Metallic or other special formulations and/or materials are not available. A color chip must be provided to CNH for non CNH colors. A minimum lead time of 8 business weeks will be required prior to production. Unless specified, regular production decals will be applied. Requests can be made that decals not be applied. However, SAFETY decals MUST BE APPLIED in all cases. The following components remain CNH grey: lift & bucket cylinders, front coupler and attachments, ROPS, side screens, rear hood, upper chassis and control links.			\$3,213.00



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**SR130 - SR160 - T4
DIA Kit Dependency Matrix**

Kits not listed Do Not Require Completing Parts or Kits

Key: W = Wholegoods, order directly from plant
S = Service Parts, Order through Service Parts System

If you order this kit from Wholegoods		And the unit is equipped with		Then you also need
735159006	COMPLETE HEAT KIT	Mechanical Controls AND Open ROPS	W	• Glass Door - 735011006 or • Demo Door - 735012006 • Side Window Kit - 735013006 • Seat Belt Kit - 735146006
			S	• Cab Jumper Harness - 47550196
		E-H Controls AND Open ROPS	W	• Glass Door - 735011006 or • Demo Door - 735012006 • Side Window Kit - 735013006 • Seat Belt Kit - 735146006
			S	• Cab Jumper Harness - 47550198
735011006	GLASS FRONT DOOR KIT	Mechanical Controls AND Open ROPS	W	• Seat Belt Kit - 735146006
			S	• Cab Jumper Harness - 47550196
		E-H Controls AND Open ROPS	W	• Seat Belt Kit - 735146006
			S	• Cab Jumper Harness - 47550198
735012006	DEMO FRONT DOOR KIT	Mechanical Controls AND Open ROPS	W	• Seat Belt Kit - 735146006
			S	• Cab Jumper Harness - 47550196
		E-H Controls AND Open ROPS	W	• Seat Belt Kit - 735146006
			S	• Cab Jumper Harness - 47550198
735016006	RADIO KIT	Mechanical Controls AND Open ROPS	W	• Seat Belt Kit - 735146006
			S	• Cab Jumper Harness - 47550196
		E-H Controls AND Open ROPS	W	• Seat Belt Kit - 735146006
			S	• Cab Jumper Harness - 47550198

**SR130 - SR160 - T4
DIA Kit Dependency Matrix**

Kits not listed Do Not Require Completing Parts or Kits

Key: W = Wholegoods, order directly from plant
S = Service Parts, Order through Service Parts System

If you order this kit from Wholegoods		And the unit is equipped with		Then you also need
735020006	ROAD LIGHTS KIT	Mechanical Controls WITH Standard Features OR Performance Package AND Manual Coupler	S	• Options Harness Kit - 47550198
		Mechanical Controls WITH Standard Features OR Performance Package AND Hydraulic Coupler	S	• Jumper Harness - 84407841
		Mechanical Controls WITH ANY High Flow Package AND Manual Coupler	S	• Jumper Harness - 84407841
		Mechanical Controls WITH ANY High Flow Package AND Manual Coupler	S	• Jumper Harness - 84407841
		E-H Controls WITH ANY Package	S	• Jumper Harness - 84407841
735023016	RIDE CONTROL KIT	Mechanical Controls WITH Standard Features ONLY	W	• RH Handle Kit - 735136006 *with any 2 speed, no additional handle is required
735037026	SINGLE POINT LIFT HOOK KIT	Any Control Type WITH ANY Package	S	Replace Rear 2X Tire/Rim assemblies with 84239454 LH and 84239456 RH

If ordering multiple option kits, only one chassis option harness or cab harness is needed and any hardware/options already installed will not need to be ordered

All items identified as kits are Wholegoods; Prior released harnesses and kits will come from Service Parts.

Harnesses need extra attention to ensure connecting harnesses will link up with desired kit, please select harness which is newer to, or prior to implementation machine serial number as needed.

SR130 & SR160 T4 FINAL SKID STEER LOADER
US PRICE LIST

(Ex Works Wichita, KS)

Factory Supplied Attachments

Order Code	Description	Weight	Factory Data	List Price
Basic Attachments				
735030006	Demo Rear Door Kit	32 LB		\$330.00
735006006	Beacon Kit	1 LB		\$165.00
735007006	4-Corner LED Strobe Kit	24 LB		\$536.00
735159006	Heater Complete Must order applicable harness. Reference dependency matrix.	135 LB		\$1,472.00
735146006	Three Point Seat Belt	2 LB		\$250.00
735011006	Glass Front Door Kit Center mounted wiper Requires three point seat belt. Must order applicable harness. Reference dependency matrix.	182 LB		\$1,653.00
735012006	Demo Front Door Kit Center mounted wiper Requires three point seat belt. Must order applicable harness. Reference dependency matrix.	182 LB		\$2,905.00
735013006	Cab Side Windows Kit	139 LB		\$927.00
735016006	Radio Kit Must order applicable harness. Reference dependency matrix.	16 LB		\$443.00
735150006	Open Cab Interior Trim Kit For use with Open Cab. Covers interior sides and rear.	20 LB		\$399.00
735020006	Road Light Kit Must order applicable harness. Reference dependency matrix.	33 LB		\$649.00
735124006	Side Lamp Kit	6 LB		\$272.00
735022006	One Way Self Level Kit	9 LB		\$520.00
735023016	Ride Control Kit Must order applicable handle. Reference dependency matrix.	32 LB		\$515.00
735024026	Hydraulic Coupler Kit	172 LB		\$1,324.00
735037026	Single Point Lift Hook Kit	284 LB		\$1,102.00
735038006	FOPS Level 2 Modification Kit	61 LB		\$368.00
735039006	Extra Counterweight Kit	231 LB		\$443.00
735040086	Aspirator Kit For use with Tier 4 models only	14 LB		\$340.00
735040006	Aspirator Kit For use with Tier 3 models ONLY.	15 LB		\$340.00
735042006	Interior Mirror Kit	4 LB		\$62.00
735045006	Foot Control Kit Not available for units equipped with Electro Hydraulic (EH) controls. For use with Tier 3 models ONLY.	58 LB		\$659.00
735045046	Foot Control Kit Not available for units equipped with Electro Hydraulic (EH) controls. For use with Tier 4 models ONLY.	60 LB		\$659.00
735047016	120V Block Heater Kit	3 LB		\$221.00
735151036	Debris Seal Kit Reduces debris ingress to engine compartment and chassis For use with Tier 3 models ONLY.	29 LB		\$363.00

**SR130 & SR160 T4 FINAL SKID STEER LOADER
US PRICE LIST**

(Ex Works Wichita, KS)

	735151076	Debris Seal Kit Reduces debris ingress to engine compartment and chassis For use with Tier 4 models ONLY.	27 LB		\$363.00
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Handles - E-H Models

	735126006	LH EH Handle Kit (NO 2nd Aux) Adds Front Electric on all models except SR130 and SR160	1 LB		\$191.00
	735127006	RH EH Handle Kit Adds Front Electric on all models except SR130 and SR160	1 LB		\$191.00

Handles - Mechanical Models

	735134006	LH Mechanical Handle Kit (NO 2nd Aux) Adds Front Electric.	1 LB		\$191.00
	735136006	RH Mechanical Handle Kit Adds Front Electric.	2 LB		\$191.00

Pallet Forks

	735075006	Pallet Fork Frame w/48" Tines	540 LB		\$1,355.00
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Dirt & Foundry Bucket

	735053016	60" Dirt & Foundry Bucket (1524 mm), 11.5 cu. ft. heaped capacity	293 LB		\$855.00
	735054016	66" Dirt & Foundry Bucket (1676 mm), 15.2 cu. ft. Heaped Capacity	374 LB		\$942.00
	735055016	72" Dirt & Foundry Bucket (1829 mm), 16.7 cu. ft. Heaped Capacity	407 LB		\$1,071.00

Low Profile Bucket

	735057016	60" Low Profile Bucket (1524 mm), 11.5 cu. ft Heaped Capacity	367 LB		\$803.00
	735058016	66" Low Profile Bucket (1676 mm), 13.2 cu. ft. Heaped Capacity	431 LB		\$886.00
	735059016	72" Low Profile Bucket (1829 mm), 14.5 cu. ft. Heaped Capacity	471 LB		\$968.00

Low Profile Extended Bucket

	735060016	60" Low Profile Extended Bucket (1524 mm), 14.3 cu. ft. Heaped Capacity	391 LB		\$896.00
	735061016	66" Low Profile Extended Bucket (1676 mm), 15.5 cu. ft. Heaped Capacity	460 LB		\$989.00
	735062016	72" Low Profile Extended Bucket (1829 mm), 17.1 cu. ft. Heaped Capacity	504 LB		\$1,076.00

Light Material Bucket

	735065016	60" Light Material Bucket (1524 mm), 19.7 cu. ft. Heaped Capacity	360 LB		\$752.00
	735066016	72" Light Material Bucket (1829 mm), 23.7 cu. ft. Heaped Capacity	466 LB		\$901.00

Manure & Slurry Bucket

	735068016	60" Manure-Slurry Bucket (1524 mm), 16.7 cu. ft. Heaped Capacity	360 LB		\$762.00
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**SR130 & SR160 T4 FINAL SKID STEER LOADER
US PRICE LIST**

(Ex Works Wichita, KS)

	735069016	72" Manure-Slurry Bucket (1829 mm), 19.1 cu. ft. Heaped Capacity	469 LB		\$917.00
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Heavy Duty Dirt Bucket

	735071016	66" Heavy Duty Dirt Bucket (1676 mm), 13.3 cu. ft. Heaped Capacity	449 LB		\$1,215.00
	735072016	72" Heavy Duty Dirt Bucket (1829 mm), 14.6 cu. ft. Heaped Capacity	501 LB		\$1,329.00

Heavy Duty Tire Assembly

	735082006	10x16.5 Heavy Duty (59 OTW) RH Kit Reference Loader Stop matrix. 1 tire assembly	116 LB		\$354.00
	735104006	10x16.5 Heavy Duty (59 OTW) LH Kit Reference Loader Stop matrix. 1 tire assembly	116 LB		\$354.00

Premium Tire Assembly

	735083006	10x16.5 Premium (59 OTW) RH Kit Reference Loader Stop matrix. 1 tire assembly	127 LB		\$425.00
	735105006	10x16.5 Premium (59 OTW) LH Kit Reference Loader Stop matrix. 1 tire assembly	127 LB		\$425.00
	735122006	27x10.5-15 Premium (64 OTW) RH Kit Reference Loader Stop matrix. 1 tire assembly	158 LB		\$331.00
	735123006	27x10.5-15 Premium (64 OTW) LH Kit Reference Loader Stop matrix. 1 tire assembly	158 LB		\$331.00

Premium-Liner Tire Assembly

	735084006	10x16.5 Premium-Liner (59 OTW) RH Kit Reference Loader Stop matrix. 1 tire assembly	90 LB		\$470.00
	735106006	10x16.5 Premium-Liner (59 OTW) LH Kit Reference Loader Stop matrix. 1 tire assembly	90 LB		\$470.00

Non-Pneumatic Tire Assembly

	735091006	10x16.5 Non-Pneumatic (64 OTW) RH Kit Reference Loader Stop matrix. 1 tire assembly	251 LB		\$1,098.00
	735112006	10x16.5 Non-Pneumatic (64 OTW) LH Kit Reference Loader Stop matrix. 1 tire assembly	251 LB		\$1,098.00



**Town of Surfside
Town Commission Meeting
August 11, 2015**

7:00 pm

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

RESOLUTION COVER MEMORANDUM

Agenda #: 5C
Date: August 11 2015
From: Daniel Dietch, Mayor
Subject: South Florida Mayor's Beach Alliance

Objective: To approve the South Florida Mayor's Beach Alliance Resolution.

Consideration: Our beach is an incredibly valuable community resource and provides much needed protection against storm surge and the impacts of climate change. We have this in common with the other coast communities in Miami-Dade County and beyond.

On July 9, 2015, the South Florida Mayor's Beach Alliance was formed to unite Miami-Dade County's coastal cities in ensuring that our region's most valuable asset thrives under our environment's changing conditions. The maintenance and management of our beaches requires a concerted effort. Through this Alliance we are able to speak with a single voice to urge the County to implement a comprehensive beach management program with dedicated funding for beach restoration projects and to look for long-term solutions to maintain the coastal environment.

Recommendation: Approve the South Florida Mayor's Beach Alliance Resolution.

RESOLUTION NO. 15 - _____

A RESOLUTION OF THE TOWN OF SURFSIDE, FLORIDA SUPPORTING THE CREATION OF THE SOUTH FLORIDA MAYORS' BEACH ALLIANCE; DIRECTING THE TOWN CLERK TO TRANSMIT A COPY OF THIS RESOLUTION TO THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY AND ALL THE MEMBER MUNICIPALITIES OF THE SOUTH FLORIDA MAYORS' BEACH ALLIANCE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, as a tourism destination, the beaches and the coastal barrier islands in Miami-Dade County are the most important economic engine for South Florida; and

WHEREAS, aside from being a major economic asset, or beaches also provide much needed protection against storm surge and the impacts of climate change; and

WHEREAS, Southeast Florida is considered one of the most vulnerable areas of the country with respect to the consequences of global climate change, especially sea level rise; and

WHEREAS, Southeast Florida is also vulnerable to hurricanes, and storm surge from other large storms, during the months of June to November; and

WHEREAS, scientific studies indicate that, due to climate change, extreme weather events such as storms and hurricanes will increase in frequency and intensity due to climate change; and

WHEREAS, a healthy beach and dune system provide the first line of defense against hurricanes and storm surge events; and

WHEREAS, coastal barrier islands experience seasonal shoreline erosion during the winter season when higher wave energy erodes the beach, which beach restoration or renourishment efforts help to combat; and

WHEREAS, a South Florida Mayors' Beach Alliance would be a coalition of the barrier island municipalities of the Village of Key Biscayne, Town of Surfside, City of Miami Beach, City of Sunny Isles Beach, Town of Golden Beach and Bal Harbour Village whose purpose is to urge the county, state and federal government to develop long-term solutions to restore beaches impacted by erosion; and

WHEREAS, it is in the best interest of the Town to support the creation of the South Florida Mayors' Beach Alliance.

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

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

Section 2. Support. The Town of Surfside supports the creation of the South Florida Mayors' Beach Alliance.

Section 3. Direction to the Town Clerk. The Town Clerk is hereby directed to send a copy of this Resolution to the Board of County Commissioners of Miami-Dade County and all member municipalities of the South Florida Mayors' Beach Alliance.

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

PASSED and ADOPTED on this _____ day of August 2015.

Motion by _____,

Second by _____.

FINAL VOTE ON ADOPTION

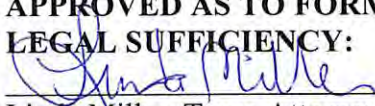
Commissioner Barry R. Cohen	_____
Commissioner Michael Karukin	_____
Commissioner Marta Olchyk	_____
Vice Mayor Eli Tourgeman	_____
Mayor Daniel Dietch	_____

Daniel Dietch, Mayor

ATTEST:

Sandra Novoa, Town Clerk

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:



Linda Miller, Town Attorney



**TOWN OF SURFSIDE
COMMISSION COMMUNICATION**

Agenda # 5D

Agenda Date: August 11, 2015

From: Vice Mayor Eli Tourgeman

Subject: A Resolution urging the Florida Legislature to promote and provide therapeutic jurisprudence to children victims and witnesses of human trafficking in the justice system

Human trafficking is a form of modern-day slavery where individuals are often sold or forced into sexual exploitation. Human traffickers view Florida as one of the most attractive destinations and transit points for their victims, and Florida accounts for the third-highest call volume to the National Human Trafficking Resource Center. An estimated 385 teen girls are involved in the sex trade in Florida each month, according to a 2011 study commissioned by the Women's Fund of Miami-Dade.

A variety of agencies, nonprofits, and educational institutions have taken leadership roles in coordinating awareness and finding solutions to eradicate the scourge of human trafficking and provide support for the victims and witnesses to these crimes, including the Miami-Dade State Attorney's Office Human Trafficking Task Force and Unit, Florida Statewide Council on Human Trafficking, and Florida National University's Human Trafficking Steering Planning Committee.

The Miami-Dade State Attorney's Office is advocating for improvements in the criminal justice system to protect the mental and psychological health of children human trafficking victims and witnesses. Children victims and witnesses in human trafficking experience psychological abuse at the hands of the traffickers, including fearfulness, hopelessness, high incidences of Post-Traumatic Stress Disorder (PTSD), anxiety and depression.

The attached Resolution urges the Florida Legislature to provide and promote therapeutic jurisprudence, which focuses on the law's impact on emotional life and on psychological well-being, for children victims and witnesses of human trafficking in the justice system to protect their emotional and mental health, and adopt the Child Witness Protection Act, as promoted by the Miami-Dade State Attorney's Office.

Recommendation: For the Town Commission to approve the attached Resolution.

RESOLUTION NO. 15 - _____

A RESOLUTION OF THE TOWN OF SURFSIDE, FLORIDA, URGING THE FLORIDA LEGISLATURE TO PROMOTE AND PROVIDE THERAPEUTIC JURISPRUDENCE TO CHILDREN VICTIMS AND WITNESSES OF HUMAN TRAFFICKING IN THE JUSTICE SYSTEM; AND PROVIDING DIRECTION TO THE TOWN CLERK TO TRANSMIT A COPY OF THIS RESOLUTION TO THE FLORIDA LEGISLATURE, GOVERNOR, SENATE PRESIDENT, HOUSE SPEAKER, CHAIR AND MEMBERS OF THE MIAMI-DADE STATE LEGISLATIVE DELEGATION, BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, MIAMI-DADE COUNTY STATE ATTORNEY'S OFFICE, FLORIDA ATTORNEY GENERAL'S OFFICE, UNITED STATES DEPARTMENT OF HOMELAND SECURITY, MIAMI-DADE COUNTY LEAGUE OF CITIES, AND FLORIDA LEAGUE OF CITIES; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, human trafficking is a form of modern-day slavery where individuals are often sold or forced into sexual exploitation; and

WHEREAS, the reprehensible individuals who profit from this deplorable practice often prey upon and manipulate the most vulnerable in our society, including children; and

WHEREAS, the children used for commercial sex trafficking are, on average, no more than 12-13 years old and are often victims of prior physical, psychological, and sexual abuse, poverty, unaddressed trauma, and/or low self-esteem; and

WHEREAS, a 2001 study conducted by the University of Pennsylvania estimated that between 244,000 and 325,000 children in America are at risk each year of becoming victims of commercial sexual exploitation; and

WHEREAS, a 2011 report by the Department of Justice's Bureau of Justice Statistics also found that nearly half of all incidents of sex trafficking in the United States involve victims under the age of 18; and

WHEREAS, human traffickers view Florida as one of the most attractive destinations and transit points for their victims, and Florida accounts for the third-highest call volume to the National Human Trafficking Resource Center; and

WHEREAS, an estimated 385 teen girls are involved in the sex trade in Florida each month, according to a 2011 study commissioned by the Women’s Fund of Miami-Dade; and

WHEREAS, the Florida Legislature recently made great efforts to address this issue in 2012 with the passage of both the Florida Safe Harbor Act, Chapter 2012-105, Laws of Florida (HB 99), which provided a more coordinated response to address the child welfare service needs of sexually exploited children, and Chapter 2012-97, Laws of Florida (HB 7049), which increased the penalties for human trafficking; and

WHEREAS, one of the stated goals of the Florida Safe Harbor Act was to sever the bond between sexually exploited children and sex traffickers so that these children could either be reunited with their families or given appropriate foster care; and

WHEREAS, children victims and witnesses in human trafficking experience psychological abuse at the hands of the traffickers, including fearfulness, hopelessness, high incidences of Post-Traumatic Stress Disorder (PTSD), anxiety and depression; and

WHEREAS, Florida is one of only six states in the United States that allows depositions of child victims and witnesses by right, meaning that these child victims and witnesses must submit to adversarial questions from criminal defense attorneys while coping with the psychological trauma of human trafficking; and

WHEREAS, Fla. Stat. § 92.54 permits the use of closed circuit television in proceedings involving victims or witnesses up to the age of 15, but does not provide these protections for children between 16 and 18; and

WHEREAS, the Florida Rape Shield Law under Fla. Stat. § 794.022 does not currently extend to crimes involving human trafficking; and

WHEREAS, according to the International Network on Therapeutic Jurisprudence, therapeutic jurisprudence focuses on the law's impact on emotional life and on psychological well-being, and looks carefully at literature from psychology, psychiatry, clinical behavioral sciences, criminology and social work to see how those insights can be incorporated or brought into the legal system; and

WHEREAS, it is the intent of the Town of Surfside to promote therapeutic jurisprudence for child victims and witnesses of human trafficking, and humanize the criminal justice system to protect their emotional and mental health; and

WHEREAS, agencies, nonprofits, and educational institutions have taken leadership roles in coordinating awareness and finding solutions to eradicate the scourge of human trafficking and provide support for the victims and witnesses to these crimes, including the Miami-Dade State Attorney’s Office Human Trafficking Task Force and Unit, Florida Statewide Council on Human Trafficking, and Florida National University’s Human Trafficking Steering Planning Committee; and

WHEREAS, the Town of Surfside urges Miami Dade County, the Miami-Dade County League of Cities, and the Florida League of Cities to support the herein resolution.

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

Section 1. Recitals Adopted. That each of the above stated recitals are hereby adopted, confirmed, and incorporated herein.

Section 2. Urging Therapeutic Jurisprudence for Child Victims of Human Trafficking. Support by the Town of Surfside Town Commission to urge the Florida Legislature to provide therapeutic jurisprudence for children victims and witnesses of human trafficking in the justice system and adopt the Child Witness Protection Act, as promoted by the Miami-Dade State Attorney's Office.

Section 3. Direction to Town Clerk. The Town Clerk is hereby directed to transmit certified copies of the resolution to the Governor, Senate President, House Speaker, the Chair and members of the Miami-Dade State Legislative Delegation, including our local representatives Sen. Gwen Margolis and Rep. Joseph Geller, the Board of County Commissioners of Miami-Dade County, Miami-Dade County State Attorney's Office, Florida Attorney General's Office, United States Department of Homeland Security, the Miami-Dade County League of Cities, and the Florida League of Cities.

Section 4. Implementation. The Town Manager is hereby authorized to take any and all action necessary to implement this Resolution.

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

PASSED AND ADOPTED this _____ day of _____, 2015.

Motion by _____,

Second by _____

FINAL VOTE ON ADOPTION

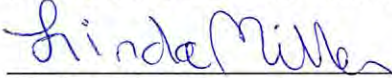
Commissioner Barry Cohen _____
Commissioner Michael Karukin _____
Commissioner Marta Olchyk _____
Vice Mayor Eli Tourgeman _____
Mayor Daniel Dietch _____

Daniel Dietch, Mayor

ATTEST:

Sandra Novoa, Town Clerk

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



Linda Miller, Town Attorney



**Town of Surfside
Town Commission Meeting
July 14, 2015
7:00 pm**

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

Agenda #: 5E
Date: August 11, 2015
From: Daniel Dietch, Mayor
Subject: Florida for Solar Choice Support Resolution

Objective: To urge the Florida Legislature to remove barriers that limit the sale of solar-generated electricity to anyone other than a power company and to support the Floridians for Solar Choice ballot initiative.

Consideration: Surfside has demonstrated its support for alternative electrical generation. This focus recognizes that solar power generates electricity with zero air emissions and no water use and will aid the transition to a cleaner and more sustainable energy future. While Surfside's participation in the Property Assessment Clean Energy (PACE) Coastal Corridor District provides a process to produce electricity at the residential scale, more can be done to remove barriers to accessing "clean" electricity. Unfortunately, Florida is one of only five states in the United States that by law expressly denies citizens and businesses the freedom to buy solar power electricity directly from someone other than a power company. This resolution will demonstrate our continued support at the State level for alternative electrical generation.

Recommendation: For the Town Commission to approve the attached Resolution.

RESOLUTION NO. 15 - _____

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA URGING THE FLORIDA LEGISLATURE TO REMOVE BARRIERS TO CUSTOMER-SITED SOLAR POWER AND EXPRESSING SUPPORT FOR THE FLORIDIANS FOR SOLAR CHOICE BALLOT PETITION; PROVIDING DIRECTION TO THE TOWN CLERK TO TRANSMIT A COPY OF THIS RESOLUTION TO THE FLORIDA LEGISLATURE; THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, ALL MUNICIPALITIES IN MIAMI-DADE COUNTY, THE MIAMI-DADE COUNTY LEAGUE OF CITIES, AND FLORIDA LEAGUE OF CITIES AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, solar power generates electricity with zero air emissions and no water use, thereby moving the county, state, and country to a cleaner and more sustainable energy future; and

WHEREAS, Florida has the greatest potential for rooftop solar power of any state in the eastern United States but lags in realizing that potential; with 9 million electric utility customer accounts, Florida has only 6,000 customer-sited solar systems.ⁱ Less sunny states like New Jersey have over 30,000 customer-sited solar systems but only half the population of Florida; and

WHEREAS, Florida is one of only five states in the United States that by law expressly denies citizens and businesses the freedom to buy solar power electricity directly from someone other than a power company;ⁱⁱ and

WHEREAS, allowing non-utility solar providers to provide solar generated electricity, through a Power Purchase Agreement (PPA), directly to customers can remove the upfront cost for solar power systems to homeowners and expand solar power options to residential and commercial tenants - thereby expanding the choice for solar power to all Floridians; and

ⁱ Florida Public Service Commission, *Reporting Requirements for Interconnection and Net Metering Customer-owned Renewable Generation*, at: <http://www.psc.state.fl.us/utilities/electricgas/customerrenewable/2013/2013%20Net%20Metering%20Summary%20Spreadsheet/2013%20Net%20Metering%20Chart.pdf>

ⁱⁱ Department of Energy, et. al, *Database of State Incentives for Renewables and Efficiency*, at http://ncsolarcen-prod.s3.amazonaws.com/wp-content/uploads/2015/01/3rd-Party-PPA_0302015.pdf

WHEREAS, in states, such as New York or New Jersey, where non-utilities can provide solar generated power directly to customers, there has been significant solar development in the residential sector. Such arrangements have driven anywhere from 67% (New York) to 92% (New Jersey) of residential installations in those states;ⁱⁱⁱ and

WHEREAS, Florida spends about \$58 billion each year buying carbon-based fuels from other states and countries to power our homes, businesses and cars, while solar power will keep energy dollars here at home and create good paying local jobs; and

WHEREAS, in a recent poll, 74% of Florida voters said they support a proposal to change the state's current law and allow Floridians to contract directly with solar power providers for their electricity. Removing barriers to solar choice will allow more Floridians to take advantage of the power of the sun.^{iv}

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

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

Section 2. Support. The Town Commission hereby urges the Florida Legislature to remove barriers that limits the sale of solar-generated electricity directly to a customer by anyone other than a power company and supporting the *Floridians for Solar Choice* ballot petition to amend the Florida Constitution to remove the barrier to customer-sited solar power.

Section 3. Direction to Town Clerk. The Town Clerk is hereby directed to transmit an electronic copy of this Resolution to the Florida Legislature, Board of County Commissioners of Miami-Dade County, all municipalities in Miami-Dade County, the Miami-Dade County League of Cities, and the Florida League of Cities.

Section 4. Implementation. The Town Manager is hereby authorized to take any and all action necessary to implement this Resolution.

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

PASSED AND ADOPTED this _____ day of August 2015.

ⁱⁱⁱ SEIA-GTM. *U.S. Solar Market Insight Report: Q3 2014*.

^{iv} North Star Opinion Research, Survey of Florida Registered Voters, October 2014, at: https://www.seia.org/sites/default/files/FL_Energy_Presentation_for_Release.pdf

Motion by _____,

Second by _____.

FINAL VOTE ON ADOPTION

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

Daniel Dietch, Mayor

ATTEST:

Sandra Novoa, Town Clerk

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

Linda Miller

Linda Miller, Town Attorney



**Town of Surfside
Town Commission Meeting**

July 14, 2015

7:00 pm

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

Agenda #: 8A
Date: July 14 2015 / August 11, 2015
From: Daniel Dietch, Mayor
Subject: Ethics Ordinance Enhancements

Objective: To seek direction from the Town Commission whether it desires to strengthen the Town's Code of Ethics.

Background: On April 10, 2007, the Town adopted a new Code of Ethics (CoE). This CoE contains more stringent standards than those of the previous code of ethics as well as those standards provided by the state and county on matters relating to, but not limited to exploitation of official position, prohibitions on certain appearances and payments, conflict of interest and lobbying. While this CoE has served the Town well, it should be revisited from time to time to confirm its applicability and to identify opportunities for improvement.

Consideration: The Tourist Board retained as a consultant Robert Meyers, Esq., former Executive Director of the Miami-Dade County Commission on Ethics & Public Trust who proposed a series of substantive, procedural and structural recommendations concerning the Tourist Board, including a Conflict of Interest and Ethics Policy (Attachment "A"). During the Joint Meeting of the Town Commission and Tourist Board on May 4, 2015, Town Administration recommended adoption of this Conflict of Interest and Ethics Policy specifically for the Tourist Board. No action was taken at that time. Subsequently, the proposed Conflict of Interest and Ethics Policy was discussed at the Tourist Board meeting on June 1, 2015. Concerns were raised by Tourist Board members that the proposed Conflict of Interest and Ethics Policy was stricter than the CoE that applies to all other boards, committees, staff and the Town Commission. A motion was passed by the Tourist Board to accept the Conflict of Interest and Ethics Policy contingent on it being adopted for all boards, committees, staff and the Town Commission. The specific enhancements primarily relate to the following standards of conduct:

- Voting Conflict;
- Duty to Disclose;
- Communications Outside of Public Meetings; and
- Transacting Business.

Recommendation: Direct the Town Attorney to prepare an ordinance that includes enhancements to the Town’s Code of Ethics, based on the proposed Conflict of Interest and Ethics Policy specifically for the Resort Tax Board, for consideration at the August 2015 Commission Meeting.

TOWN OF SURFSIDE RESORT TAX BOARD CONFLICT OF INTEREST AND ETHICS POLICY

I. Intent and Declaration of Policy

Due to the unique responsibilities entrusted to the Town of Surfside Resort Tax Board (hereinafter "Tourist Board") in expending Resort Tax Funds as appointed by the Town of Surfside Town Commission, and to assure public confidence that its Tourist Board Members are acting as responsible stewards, the public interest is served by establishing additional ethics requirements beyond those existing in Florida Statutes, the Miami-Dade County Conflict of Interest and Code of Ethics Ordinance and the Town of Surfside Code of Ethics.

It is not sufficient for the Tourist Board to comply with applicable state and local laws. Tourist Board Members must avoid even the appearance of impropriety or any actual or perceived conflict of interest in performance of their official duties as members of the Tourist Board due to their ability to expend Resort Tax Funds.

II. Definitions

For purposes of this section, the following words, terms and phrases shall have the meaning as indicated below:

- a) *Board Member.* An individual duly appointed by the Town Commission to serve on the Tourist Board.
- b) *Gift.* The transfer of anything of economic value, whether in the form of money, service, loan, travel, entertainment, hospitality, item or promise or in any other form, without adequate and lawful consideration.
- c) *Immediate family.* The spouse, domestic partner, parents, stepparents, children, and stepchildren of a Tourist Board Member.
- d) *Lobbyist.* All persons, firms or corporations employed or retained by a principal who seeks to encourage the passage, defeat, or modification of any action, decision or recommendation of the Tourist Board.
- e) *Transacting business.* The purchase or sale by the Town or Tourist Board of specific goods or services for consideration.

III. General Principles

Tourist Board Members shall demonstrate their commitment to the general principles of Tourist Board service. These principles are aspirational in

nature. A member who acts contrary to these principles is not acting in the best interest of the Tourist Board and may be censured by the Tourist Board. However, this section of the Tourist Board's Ethics Policy does not confer jurisdiction on the Miami-Dade Commission on Ethics and Public Trust to commence an investigation or take enforcement action against a member alleged to have violated one or more of these general principles.

- a) Tourist Board members shall act with integrity and in an ethical and professional manner in their interactions with each other, Town of Surfside Elected Officials and staff, consultants, advisors and the general public, so that their behavior will reflect positively upon the Town of Surfside.
- b) Tourist Board Members will be sensitive to the considerable workload of staff when making requests for assistance.
- c) Tourist Board Members must recognize that all Tourist Board decisions and actions are to be based on integrity, competence and independent judgment on the merits and benefits to the general public, visitors, local businesses and residents in the Town of Surfside.
- d) Tourist Board Members shall act with competence and shall strive to maintain and enhance their competence and that of their fellow Board Members.
- e) Tourist Board Members will respectfully consider the opinions of others during deliberations in decision-making, will respect the judgment of the Tourist Board in regards to its decisions and will represent the Tourist Board's position to the Town Commission when necessary.
- f) Tourist Board Members will refrain from using Tourist Board meetings to advance their personal agendas.

IV. Standards of Conduct

The Miami-Dade Commission on Ethics and Public Trust will have exclusive jurisdiction for investigation and enforcement of the following standards of conduct, which are unique to the Tourist Board and generally represent stricter standards than those enumerated in the Miami-Dade County Conflict of Interest and Code of Ethics Ordinance or the Town Code of Ethics.

a) Gifts

1. A Tourist Board Member shall not solicit or receive a gift regardless of value from lobbyists registered with the Town of Surfside or from proposers, vendors or contractors with the Town of Surfside or the Tourist Board.

2. Tourist Board Members may accept gifts from other sources given to them in their official capacity, where not otherwise inconsistent with the provisions of

the Florida Statutes, the Miami-Dade County Ethics Ordinance and the Town of Surfside Code of Ethics and shall report any gift, or series of gifts from any one person or entity in excess of one hundred dollars.

3. Tourist Board Members will be permitted to solicit gifts on behalf of the Town of Surfside in performance of their official duties for use solely by the Town in conducting its official business or official business of the Tourist Board.

4. Tourist Board Members will be permitted to accept gifts or expenses given to them associated primarily with their employment or business or related to community service performed as an officer, director or volunteer of a corporation or organization.

b) Voting Conflicts

1. No Tourist Board Member shall participate in or vote on any matter presented to the Tourist Board if the Member or the Member's immediate family will be directly affected by the action of board unless the action taken would affect the Tourist Board Member no differently than it would affect the public-at-large. Further, no Tourist Board Member who has a special relationship (defined as an officer, director, partner, of counsel, consultant, employee, fiduciary or beneficiary) with an applicant or party with a matter before the Tourist Board may participate in the discussions or vote on a matter when such applicant or party with the special relationship appears before the Tourist Board.

2. A Tourist Board Member is not required to absent himself or herself from the meeting when the item is under consideration and may be counted for purposes of maintaining a quorum.

c) Duty to Disclose

A Tourist Board Member who stands to indirectly benefit from an action or decision from the Tourist Board, or has a business or professional relationship not enumerated above in the Voting Conflicts section, has a duty to disclose this information verbally at the meeting when such relationship becomes known by the Tourist Board Member.

d) Communications Outside of Public Meetings

Section 286.011, Florida Statutes, prohibits Board Members from communicating with one another concerning matters before the Tourist Board or on any matter which foreseeably may come before the Tourist Board. Consistent with the ethics in public contracting section of the Town Code of Ordinance (3-16) and the general principles set forth in Section 2-11.1 of the Miami-Dade County Conflict of Interest and Code of Ethics Ordinance and Section 2-226 of the Town Code of Ordinances, Tourist Board Members shall not communicate with persons under consideration for consulting work as it relates to specific Tourist Board activities, including but not limited to, individuals or entities seeking to be retained as

advertising and/or public relations consultants; individuals or entities wishing to assist the Tourist Board in organizing special events for the promotion of Surfside as a visitor destination and individuals and entities associated with the media for purposes of placing advertising with said media.

e) Transacting Business with the Tourist Board

1. A firm, company, partnership or other business or professional entity employing a Tourist Board Member or the Member's immediate family may not transact business with the Tourist Board unless a waiver is granted by a super majority vote of the entire Tourist Board.

2. Tourist Board Members will have no private contracts or business dealings with the Tourist Board or with the Town absent those dealings to which members of the general public are entitled.

f) Prohibition on Certain Business Transactions

No Tourist Board Member shall enter into a business transaction with any person or entity that has a contract with the Town of Surfside or the Tourist Board unless the business transaction is an arms-length transaction made in the ordinary course of business.

V. Town Attorney to Render Opinions

Whenever a Tourist Board Member is in doubt as to the proper interpretation or application of the Tourist Board Ethics Policy, with respect to contemplated conduct by the Tourist Board Member, that person may request an opinion from the Town Attorney by providing a statement of all the material facts and questions. Opinions issued under this section shall be published without the use of the name of the person advised unless the person permits the use of a name. If the Tourist Board Member acts in accordance with the opinion, and no material facts were misstated or omitted when requesting an opinion, the opinion will insulate the Tourist Board Member from prosecution by the Miami-Dade Commission on Ethics.

a) Acknowledgement of Receipt

Tourist Board Members are required to abide by the provisions set forth in the Tourist Board Conflict of Interest and Ethics Policy, and upon appointment to the Tourist Board, each Member will receive a copy of the Policy and acknowledge his or her commitment to upholding these principles by reviewing and signing the document and returning it to staff for publication on the Town's website.



Town of Surfside Commission Communication

Agenda Item # 9A

Agenda Date: August 11, 2015

Subject: Approval to Increase the Parking Meter Rate from \$1.25 to \$1.50 Per Hour

Background: Due to increased operation and maintenance costs incurred, the Town is seeking approval to increase the parking meter rate for all Town parking spaces.

Analysis: The current Parking Meter Rate for the Town of Surfside is \$1.25 per hour. This rate has been in effect since November 2011, when the Parking Meter Rate was increased from \$1.00 to \$1.25 per hour.

Based on Calendar Year 2013 financial data for Parking Space usage, the Proposed Parking Meter Rate increase to \$1.50 per hour would generate an estimated total revenue of \$1,176,762.42 per year. The actual revenue realized in 2013 for this Parking Space usage level was \$980,635.35. Therefore, the Proposed Parking Meter Rate increase of \$0.25 per hour would generate an estimated \$196,127.07 in additional revenue per year.

For comparison purposes, the local jurisdictions charge the following rates per hour for parking:

- Sunny Isles: \$2.00
- Bay Harbor: \$1.25
- City of Miami: \$1.50 - \$6.00
- Miami Beach: \$1.75 (South Beach) and \$1.00 (North Beach)
- Coral Gables: \$1.50
- South Miami: \$1.50

Budget Impact: Positive impact on budget by an increased revenue stream of \$196,127.07 per year.

Staff Impact: N/A

Recommendation: Staff recommends a motion to approve a resolution to authorize the increase of the parking meter rate to \$1.50 per hour.



David Allen, Chief of Police



Guillermo Olmedillo, Town Manager



Town of Surfside Commission Communication

Agenda # 9B

Agenda Date: August 11, 2015

Subject: Miami-Dade County Historic Preservation Resolution

From: Guillermo Olmedillo, Town Manager

Background:

In June 2014, the staff of the Miami-Dade Historic Preservation Board (Board) identified buildings along Collins and Harding Avenues as potentially historic structures. These include 9016, 9024, 9040, 9048, 9056, 9064, 9149 and 9340 Collins Avenue and 9025, 9033 and 9041 Harding Avenue. The property owners were notified of the Board's interest in these buildings through a letter each property owner received notifying them that their property was subject to a moratorium on all building permits until the Board held a public hearing to determine if the structure would be designated historic.

When this occurred the property owners contacted the Town asking for assistance in this matter. At that time, the Town contacted the Board's staff requesting a meeting to discuss the implications of this moratorium and inform them of the Town's ongoing plans, including the parking structure analysis and the discussion of the Corridor Analysis on the block between Collins and Harding, which resulted in a number of deferrals of the historic designation hearing from the Board. Since that time some of the parcels have been designated historic, while other parcels are still under the moratorium.

County Commissioner Heyman proposed two ordinances relating to Historic Preservation. The first an ordinance proposed amending the "opt-out" provision to allow any municipality to opt-out from under the County's historic preservation jurisdiction and establish their own program/ordinance at any time. This item passed first reading by the full BCC on October 7, 2014. It was then heard by the Cultural Affairs and Recreation Committee on December 17, 2014. This committee voted to "lay the item on the table," which means that it effectively died in its current state but allowed Commissioner Heyman to retain the ability to bring the item back no sooner than 3 months. However, if she opts to bring that item back, it will have to start the process over again at first reading. Neither Commissioner Heyman nor her staff have indicated whether or not she plans to bring the item forward again from the beginning.

Commissioner Heyman's second proposed ordinance revision dealt with requiring 75% of condominium or co-op owners to consent to a petition by owner when petitioning the County Historic Preservation Board to request their property be considered for historic designation. This item passed first reading by the full BCC on December 2, 2014. It was then heard by the Metropolitan Services Committee on March 11, 2015. At this committee hearing, Commissioner Heyman suggested amending the 75% consent to 50%+1. However, due to lack of a second, the motion died in committee. That means that it will not move on to the BCC for second reading.

On June 17, 2015, the Board approved a resolution to encourage incentives for historic preservation. This resolution recognizes the development opportunities in municipalities such as in the Town, and would like to work with the Town to encourage historic preservation initiatives. The resolution encourages the Town to consider making ordinance revisions that would implement a process by which owners of historically designated properties can apply for certain zoning requirement waivers for the purpose of saving historic buildings while also allowing them to more fully recognize the potential redevelopment of their property. Examples of these incentives would be reductions or waivers in minimum lot size, setbacks, minimum lot widths, maximum building footprint, green space, off-street parking, loading requirements or other lot development regulations.

Staff is seeking direction from the Town Commission to determine if further analysis into these types of incentives is desired.



Town of Surfside Commission Communication

Agenda # 9C

Agenda Date: August 11, 2015

Subject: Requiring additional windows for each façade

From: Vice-Mayor Eli Tourgeman

Background: The Town's zoning code provides a requirement for 10% windows per façade and per story of a single family home. There are situations in Town where they meet the 10% window requirement per façade, but there are blank walls that are too large in size such as the image below:



Recommendation: To direct staff to come back with an ordinance that requires additional windows every set number of linear feet as well as a minimum square footage requirement per façade.



Town of Surfside Commission Communication

Agenda Item # 9D

Agenda Date: August 11, 2015

Subject: Discussion Item – Paced Development

Background: Surfside is experiencing the impact of rapid redevelopment, as a consequence of an improved economy and the quality of life that is desired by a global audience.

Analysis: Through our Comprehensive Plan and Land Development Regulations, Surfside established a maximum potential amount of development. There are two policy alternatives; one to allow the free market to dictate the speed of development, or two, manage the amount of development that may occur in an annual basis. In other words, paced development.

The benefit of the latter is that the absorption of the impacts can be managed more appropriately by timely programming and implementing infrastructure improvements.

Budget Impact: A detailed study of the development and redevelopment capacity of the Town to establish the baseline from which to determine the pace of development. (\$30,000). Additionally, an ordinance must be adopted by the Town Commission.

Staff Impact: Planning and Zoning and Public Works staff will be coordinating this effort with the Law Department and the Manager.

Recommendation: Should the Commission agree with this concept, by motion, direct the administration to present in three months an ordinance for first reading establishing the annual amount of square footage to be allowed through building permits.


Town Manager

Paced Development Ordinances

Sometimes called Growth Control Management or Adequate Public Facilities Ordinance (APFO), a pacing ordinance is a form of concurrency regulations (development shall only be permitted if its impacts can be accommodated by existing infrastructure and public facilities). It is often tied to a Comprehensive Plan and a Capital Improvement Plan. The ordinance should be based on studies undertaken to justify interim periods of slower growth for a government to catch up on or fund improvements to infrastructure to cope with current and future growth and development, control or provide affordable housing and or open space.

Typically involves limiting the allocation of permits (units and GFA) during a quarter or annually, for a limited time, which could be from a year to 30 years or more. A typical formula is often arrived at by using a % of historical rate or a base number of units/GFA that exists at the time of implementation. It may or may not include impact fees on or incentives for developers. It depends on what the underlying concern is (traffic, environment, affordable housing stock, slow or no growth sentiment of the public, etc.).

Below are some examples of Paced Development Ordinances:

Monroe County, Florida (Chapter 138 of the Code of Ordinances)

Residential Rate of Growth Ordinance (ROGO)

Applies to permits issued after July 12, 1992.

Established ROGO geographic areas and Tiers (non suitable to most suitable for development). Environmentally sensitive lands and evacuations times were the main criteria.

Allocation can be replenished with an off-site demolition (sender site). Provision for new unit existing on site if unit demolished or if off-site unit demolition occurs in the same geographic ROGO area, a ROGO award may be transferred from a sender site to the receive site.

Moratorium on new transient units so they are not eligible for ROGO allocations until May, 1 2022. **This is so hurricane evacuation times are not degraded.**

Commission looks at allocations each October to determine if allocation ratios in each sub area need amending.

Section 138-28 established a point system for tier designations in order to discourage development.

Allocation awards are on a point system based on environmental conditions of sub areas. For instance a designated urban infill area is awarded the most points. Applications on sensitive areas may be assessed negative points.

Land dedication (or payment to land acquisition fund) and lot aggregation. Points are awarded to encourage voluntary reduction of density through the aggregation of vacant legally platted buildable lots with density allocation by lot. Land dedication is encouraged in sensitive areas and points are awarded for land dedication and or payment to the land acquisition fund.

Negative points are given to an allocation application in a V zone on the FEMA map.

Positive points are given if development is served by a central wastewater treatment plant, and/or if development includes affordable housing.

Perseverance points are awarded based on the number of years in the ROGO system without receiving an allocation award.

Non Residential Rate of Growth Ordinance (NROGO)

Applies to permits after September 18, 2001.

In general follows the same or similar evaluation criteria as ROGO.

Includes an **employee housing fair share impact fee** for new or transferred nonresidential floor area ranging from one dollar per square foot (up to 1999 square feet) to three dollars per square foot for uses of 3000 square feet or greater.

Summary: Environmental impacts and affordable housing are the key concerns for implementing the ROGO more so than population control or infrastructure (traffic congestion, water supply, sewers). The ROGO controls permit activity via a point system based on the environmental location and impacts, including preservation inducements as well as imposes impact fees for affordable housing.

Thornton, Colorado (Suburb north of Denver)

An outlying suburb of Denver (now within the beltway), this area was experiencing rapid residential growth. The City implemented a pacing ordinance for the benefit of the health, welfare and safety of the city which uniformly distributes the number of building permits per year based on the historical data.

Primarily taking the prior five years number of permits issued and throwing out the two years where the most and least permits were issued respectively and dividing the result by three.

This allowed the City to promote orderly growth consistent with the availability of infrastructure, conserve and stabilize property values (preventing unusually large run ups and declines), and protect the balanced character of the City from erosion.

Allocation of permits based on quarters. The Council may consider the following factors in determining the number of allocations:

- 1 Project municipal revenues and expenditures in the following year, and progress in providing infrastructure and services to cure existing deficiencies and to serve new development.
- 2 Expansion or contraction of the City's nonresidential economic base, and the effect on tax revenues to the City.
- 3 Traffic conditions and school capacities.
- 4 Data indicating the number of dwelling units built during the prior year by type and location, current reservation/allocation of units for future years, and the availability of staff to process applications.
- 5 Past and projected growth in the local and regional area, changes in the cost of living and economic indicators including job growth.
- 6 Allocation absorption schedules (each developer's application must have a five year phasing schedule). All phasing of developments are capped at 120 units per year).

If allocation requests in a quarter exceed the quarterly cap, pro rata formulas (based on the size of the developments) are used to spread the available units around to the developers rather than a one developer takes all option.

Summary: This ordinance was enacted upon concerns that the pace of development was exceeding the City's ability to process and review applications, the impact on existing infrastructure, especially traffic and schools and the changing character of the area (loss of open space). Rather than a points system, historical data was used to allocate a uniform number of permits on a quarterly basis over a five year period. This allowed for adequate staffing for reviews, economic planning, and infrastructure funding.

Boulder Colorado

In 1971 a ballot initiative sought to cap the City's population at 100,000. Due to opposition from the business community, the measure was defeated. From 1970-1975, Boulder's average annual growth rate was over 3%, with 6,000 units being constructed during this time.

An early pioneer in Growth Management, Boulder then implemented a plan in 1977. This plan was not a cap on growth but a slow growth ordinance. The plan limited growth to 1.5-2% annually by allocating 450 units, plus some open ended exemptions.

The 450 units were 1/5%, but the exemptions ended up causing the growth to be closer to 2-2.5%. The exemptions were to protect the interests of small property owners who on their own would have little impact on growth but who could suffer serious loss if they got caught up in the system, and to keep the Boulder Housing Authority's ability to build low income rentals from being hamstrung. This resulted in redevelopment on a more human scale.

The ordinance instituted a merit system based on a competitive system that awarded projects points for qualities such as the availability of urban services, environmental amenities, energy conservation (precursor to today's Green Development, LEED, etc.).

The ordinance further restricted 175 of the allotted 450 units to the central core of the City. Since historic growth was occurring on the fringes (sprawl), renovations and development projects in Central Boulder had difficulty getting financed.

The plan was initially proposed to sunset after five years. During this five year period growth was at 2%. With the impending sunset, the City passed another slow growth ordinance in 1981. Future modifications included a change in the cap from 2% to 1% in 1993. The merit system for awarding permits was dropped in favor of a prorata share (if permits requested exceeded the 1% cap, it was pro-rated among the applicants).

This rationing was never utilized since the growth rate did not exceed the 1% and by 2000, many exemptions were written into the ordinance, effectively stripping it of its substance. In 2014, the City's growth rate not only exceeded the 1%, it exceeded 2%. The City is considering repealing the year 2000 exemptions.

Summary: A percentage cap was implemented and a portion of the cap restricted to the central core, a small geographic area, to encourage redevelopment and discourage urban sprawl. A competitive merit based system was used awarding points for certain provisions. Changing political climate led to modification of the ordinance allowing the cap to be exceeded and now the City is looking to reign in the growth again.

York County (Charlotte, NC area)

The Lake Wylie area on the outskirts of Charlotte was a popular destination for vacations, getaways and recreation. Now it is one of the fastest growing areas of Charlotte with many urban and suburban residents moving there, much to the consternation of exiting residents. Concern over the health of the lake and loss of open spaces has spurred the York County Council to create an **overlay district** where tighter rules on new construction would control the rate of growth and its effects on the area.

The measures to control growth include a sliding scale of open space requirements that requires developments to set aside from 25-40% of its lands for open space, prohibit mass grading (clearing cutting, etc.), prohibit multi-family housing within 200 feet of the lake (at its full elevation), and set a maximum single family residence density of two units per acre, where the current limit is six units per acre.

Summary: This is a new proposition so results are not known. A key component is lowering the maximum permitted density and increasing the required minimum open space, but longtime property owners in the historically farming based community are concerned that

their property rights are being impacted. Proponents claim as Lake Wyle goes, so goes the rest of York County and this ordinance will help control future growth in the rest of the area.

Montecito (Santa Barbara County), California

Growth management tied to the availability of groundwater resources. Using 1989 as a base year, the growth rate permitted is a flat % of the 1989 base number (3800 units). **Growth cap is 0.5% of the currently existing permitted units (3800 in 1989). This equates to 19 units per year.**

Utilizes a prioritized point system, **allocating units to those that best demonstrate, either by location or construction, the least impact on existing resources, including water resources.** If resources in the future are more plentiful, the ordinance can be modified to permit more annual permits. If resources in future years are degraded, the ordinance can be modified to permit fewer units than the current cap.

Allocations are awarded twice per year on a merit point system, with the most points provided to a project if it reduces or eliminates potential residential development; provides a water conservation plan, and does not direct traffic to specific overburdened roads. Other point values are given for proximity to firefighting districts, facilities/apparatus, bus stops, and for protection of natural habitat, features and species, provision of pedestrian trails and amenities, etc.

Up to eight affordable housing units can be built not subject to the cap of 10 units per year. The ordinance contains hardship provisions and is set to expire at the end of 2030. Like most growth management ordinances, must be consistent with comprehensive plans and CIPs.

Summary: Growth management tied to the availability of groundwater resources. Allocations are awarded twice per year on a merit point system, with the most points provided to a project if it reduces or eliminates potential residential development; provides a water conservation plan, and does not direct traffic to specific overburdened roads. Other point values are given for proximity to firefighting districts, facilities/apparatus, bus stops, and for protection of natural habitat, features and species, provision of pedestrian trails and amenities, etc.

Pleasanton, California

Chapter 17.36 GROWTH MANAGEMENT PROGRAM

Since the mid-1960s, Pleasanton's transformation from a small, agricultural-based community to a suburban bedroom community and then to a suburban "edge city" has been marked by periods of rapid growth which stressed the city's ability to provide infrastructure and services, affecting the quality of life of both existing and new residents. In order to minimize the adverse effects of rapid uncontrolled residential growth, the city council adopted its first growth management ordinance in 1978, designed to regulate the location and rate of new residential growth in a period of sewage treatment capacity constraints brought about by air quality degradation concerns.

Through the 1980s and 1990s, the city council modified the growth management ordinance in order to better achieve the evolving goals set for it, with the rate, location, and type of residential units regulated to achieve the general welfare of the city.

On July 1, 2014, the City adopted an ordinance which limited the number of annual growth management unit allocations issued for new residential units to not exceed the regional housing needs allocation assigned to the city as provided in the Association of Bay Area Government Regional Housing Needs Allocation Plan divided by the number of years in the regional housing needs allocation cycle.

Summary: “Capped at 235 units per year, the ordinance was written to meet the State’s ongoing Regional Housing Needs Allocation but keep the city’s residential building floodgates reasonably closed.” The ordinance limits new housing but also gives the City wiggle room to approve individual requests for up to 10 new homes per year and the flexibility to allocate the annual number to accommodate low income housing. Affordable/Low Income Housing proponents such as Urban Habitat oppose outright caps. Urban Habitat won a suit against the City when in 1996 voters passed an ultimate 29,000 unit cap. The ordinance setting the 235 per year unit cap was last amended/passed in 2015. Developer Agreements are required. Pleasanton was heavily influenced and pressured by regional growth in the Bay area metropolitan region.



**Town of Surfside
Town Commission Meeting
August 11, 2015
7:00 pm**

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

Agenda #: 9E
Date: August 11 2015
From: Daniel Dietch, Mayor
Subject: Development Limits

Objective: To seek direction from the Town Commission whether it desires that the Town Manager, Town Attorney and Town Planner explore options to lower the allowable density in the H120 District in the Town's Comprehensive Plan and also limit the height of development in the H120 District in the Zoning Code to six stories.

Consideration: Setting development-related policies are complex as consideration applies to varied stakeholders and interests, while placing resident interests first. To frame the many issues surrounding development, Surfside prepared its first ever Five Year Financial Forecast (dated February 8, 2011) that looked backwards to understand where the Town had been, assessed our current condition and looked forward to help guide good policy setting to best strengthen Surfside's future. Following the acceptance of the initial Five Year Financial Forecast, the Town Commission provided clear policy direction, which in conjunction with favorable market conditions, has yielded a development renaissance in Surfside across all zoning districts with many projects reflecting less intensity of use and higher quality. An update to the Five Year Financial Forecast was subsequently prepared by the Town Administration on September 9, 2013. Both documents are attached for your situational awareness.

No doubt, Surfside has experienced significant in-fill development activities over the past five years and it has impacted the "quality of life" for many residents. While many strong and interrelated protections are in place that have resulted in less intensive and higher quality projects, the quality of life impacts of large scale development projects have been expressed by many residents. Notwithstanding the impacts, there are many benefits that will be enjoyed by our residents and visitors for many years to come. These benefits include, but are not limited to a doubling of our tax base which will greatly reduce the reliance on taxes paid by residential property owners as well as a projected 200 percent increase in Resort taxes collected.

The inventory of developable open space has decreased significantly and if current trends hold, the next development focus will likely include demolition of existing structures. To help manage the impacts of such activities it seems prudent to begin discussing the placement of development limits as it relates to density and heights.

Recommendation: Direct the Town Manager, Town Attorney and Town Planner to analyze to options to lower the allowable density in the H120 District in the Town's Comprehensive Plan and also limit the height of development in the H120 District in the Zoning Code to six stories.

Five Year Financial Forecasting for
The Town Of Surfside, Florida
Fiscal Years 2012 – 2016

Requested by and Presented to:

Mayor Daniel Dietch

Vice Mayor Joe Graubart

Commissioner Marta Olchyk

Commissioner Michael Karukin

Commissioner Edward Kopelman

Prepared and Written

Roger M. Carlton, Town Manager

Martin D. Sherwood, Finance Support Services Director

Carl A. Berkey-Abbott, Budget and Management Consultant

February 8, 2011

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Brief Description of Document:

This document contains a forecast of revenues and expenditures for the Town of Surfside, Florida for the period October 1, 2011 through September 30, 2016. These dates cover the five fiscal years of Fiscal Year 2011/12 through 2015/16. This document is based upon the current expenditure and revenue histories of the Town along with certain assumptions about forthcoming or continuing external trends. It serves as a baseline forecast against which the effects of certain policy and/or funding decisions may be compared. It generally assumes the intent to continue on course with current service delivery goals, although, continued declines in the property values may cause the need for contraction in operations if new revenue sources are not developed. The document is intended to become an element of the annual budget deliberations so that decisions are made both on an annual and long term basis. This is an initial effort and will be modified after Town Commission discussion on February 8, 2011.

Brief History:

The State of Florida has averaged at least one substantial tax reform per decade for the past few decades. In general these "reforms" tend to limit the flexibility and autonomy of local governments while expanding inequities in the property tax payments made by our citizens. At the same time, Florida remains a low wage, moderately high living cost state for its residents. The combination of these realities coupled with a substantial international economic decline, have resulted in an environment of declining property values and rising costs for such staples as fuel.

To address financial difficulty, the typical candidates for analysis are analyzed. On the expenditure side, these steps include: reviewing pension and benefits, examining technology opportunities, reviewing office and janitorial supply expenditures, reducing energy consumption, reviewing risk management policies, reviewing contractual expenditures, restricting overtime usage, reviewing organizational structure, examining purchasing practices, and negotiating health care costs. On the revenue side, staff has sought: to improve billing and collection practices, to develop and meet fee for services policies, to address fee for services subsidies, and looked for opportunities for intergovernmental cooperation.

Consequently, this analysis has also incorporated a move toward sustainability of programs. All Capital Improvement Projects and program modifications now include a statement of anticipated recurring costs and benefits associated with the adoption of programs/projects. Not using non-recurring revenues to support recurring operating expenditures is another way in which the Town of Surfside has moved toward financial sustainability. This document seeks to answer the important question: Will current policies be sustainable financially over the next five years? The answer unfolds in this document.

Steps toward Resiliency:

These and other practices to be introduced in the Fiscal Year 2011/12 budget should ensure the Town of Surfside remains financially stable in a steady state of service levels. The corollary question to the one above is: Will the economy and our evolving population allow a steady state to be the underlying philosophy of the next five years of budget development or do we need to develop strategies that increase non ad valorem revenues and move our ad valorem (property tax) revenues to a more equitable balance between residential and commercial sources?

Long-range Forecasting:

To achieve a resilient financial position, long-term financial planning is critical as is institutionalizing financial policies related to: debt, reserves, ad valorem goals, property tax burden distribution, and diversification of alternative revenue sources. Institutionalizing long-term financial planning provides a number of advantages, including:

- Helps prioritize services
- Involves and focuses employees
- Decentralizes budget responsibilities and holds Department Heads accountable
- Stabilizes services and service levels which can be consistently funded
- Encourages consensus from stake holders
- Plays a role in optimizing public investments
- Aids in avoiding potential emergencies / unanticipated challenges.

Given the potential for changes in elected and appointed officials, policy direction, intergovernmental relationships, and a variety of other influences, it is tempting to discount the value of this process. It should be noted, however, the more successful local governments utilize long range financial planning.

General Assumptions:

A variety of assumptions have been made regarding each of the nine funds analyzed in this report and a detailed list of all assumptions is appended to the end of this document. Some assumptions, however, apply to multiple funds and are articulated here:

1. *If no action is taken, the Town of Surfside's revenue streams will remain relatively flat or continue declining.*
2. *Interest yields on reserves will continue to remain low .*
3. *Real and personal property value assessments will continue to decline through at least January 1, 2012 (impacting through at least Fiscal Year 2012/13).*
4. *At current benefit levels, the Town of Surfside costs for employee health and life insurance may continue to increase at approximately 5% annually for the length of the forecast.*
5. *Town of Surfside contributions to meet defined benefits pension payments could continue at their historic rate of increase of approximately 8% annually after an identified adjustment in FY 2012. Note: this increase is predominantly attributable to fund performance rather than increases in salaries or the number of employees.*

6. *Increases to costs of living will make their way to the United States resulting in inflationary pressures for general consumable goods of approximately three percent (3%) annualized in FY 2014 and beyond and 2.5% annually in Fiscal Years 2012 and 2013.*
7. *General and bargaining unit employees could receive a salary increase of approximately 1.5% annually. This assumption is subject to change based on the economy and the financial status of the Town each year. It should not be viewed as the bases of future budget or collective bargaining negotiations. Simply, we need to project something to complete the report.*
8. *Worker's Compensation costs will increase by approximately 3% annually.*
9. *Electric Costs will outpace general inflation at a rate of approximately 2.5% annually.*
10. *Fuel Costs will outpace other costs at an increase of approximately 5% annually for two years and then 3% thereafter.*
11. *Existing programs are assumed to continue at current service levels.*

General Findings:

To fund the same level of services over the next five years, the Town of Surfside should consider concerted action to the following funds:

General Governmental Funds:

General Operating Fund: Increases to taxable valuation (through well designed and environmentally sensitive infill of major sites), increases to non ad valorem revenues, and/or identifying substantial efficiencies in existing operational expenditures will be required to maintain existing service levels.

Capital Projects Fund: Projects within the currently adopted plan will need to be have corollary operational funding sources that do not burden the General Operating Fund before a "go/no-go" decision is made.

Special Revenue Governmental Funds:

Tourist Bureau Fund: Funding available for Tourism related activities and quality of life programs will be limited and generally continue to decline unless/until additional resort units are added and existing units are upgraded.

Police Forfeiture Fund: With the reduction of fund reserves, future funding is substantially limited unless a major unforeseen crime is solved and the Town of Surfside receives a major share. The key issue with the fund is to be extremely careful to control the use of reserves for recurring expenditures.

Municipal Transportation Fund: This fund has a healthy reserve and will continue in this mode through the next several years. The key issue will be to use the revenues available prudently to enhance the downtown area and the residential neighborhoods within the constraints of the enabling legislation.

Enterprise Funds:

Water / Sewer Fund: Rate adjustments as projected in the rate study completed for the Town of Surfside by TichlerBise and adopted by the Town Commission as part of the Fiscal Year 2010/11 budget should be anticipated. The key issue will be to stabilize these increases by holding down operational costs wherever possible.

Municipal Parking Fund: There is a need to analyze and prioritize potential projects to keep the fund's earnings growing. There is also a need to adjust rates in accord with market factors. This fund could become a financial engine to support downtown improvements that are carefully selected to maintain our small Town feeling yet generate opportunities for existing and new businesses.

Solid Waste Fund: Rates may need modification in relation to the Town's costs for tipping fees. The key to this fund is to review and adjust service levels which are very high in relation to peer cities and to determine if there are efficiencies that should be implemented through technology.

Stormwater Fund: Maintenance of existing rates for the next five years, with a possible downward rate adjustment in the last two years, is the most likely occurrence for this fund.

Notes on Presentation:

The Five Year Financial Forecast is designed to achieve these major goals:

- 1) Modernize the Town's annual budget development process to incorporate a best practice of including a five year projection of revenues and expenditures by fund,
- 2) Assist the Town Commission in establishing reserve policies for each fund that allow smoothing of any potential rate increases and ensure that necessary repairs are made with available reserves to avoid the need for total replacement such as are currently needed for the water, sewer, and stormwater drainage projects,
- 3) Analyze the financial impact of various decisions regarding economic/tourism investments such as downtown improvements on the property tax burden of our residents and the future economic base of our business community, and
- 4) Analyze the property tax burden reduction potential to our residents if in-fill development occurs in the remaining three significant sites located along the Harding / Collins corridors.

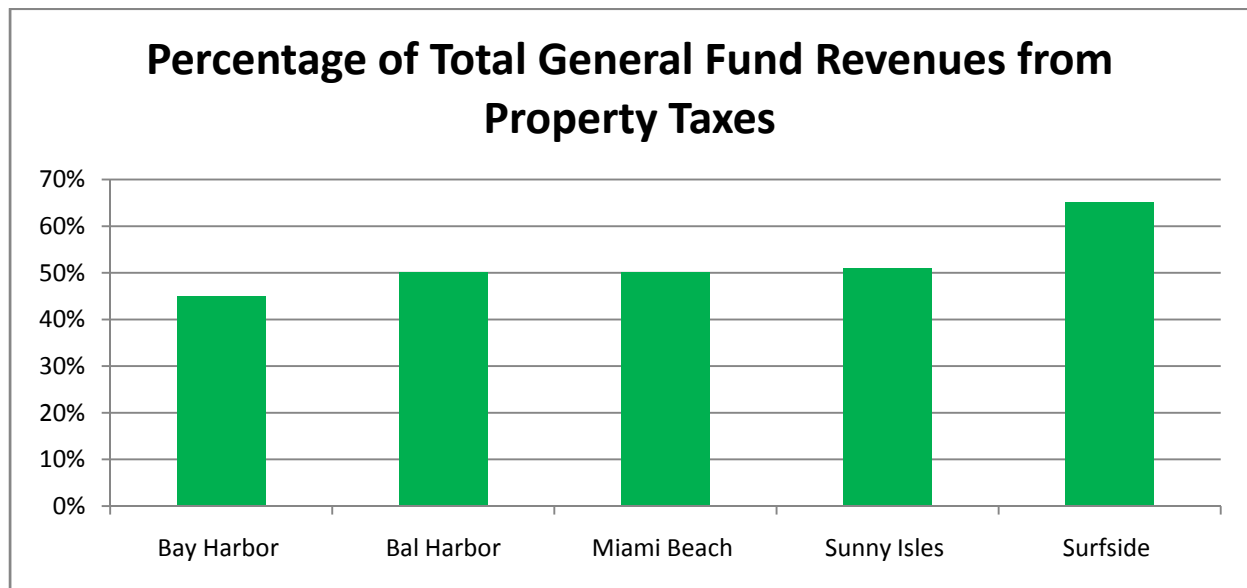
Each fund's information includes the following elements:

- Introduction to Fund
- Trends in the Fund
- Assumptions Specific to the Fund
- Forecast Chart
- Forecast Chart Explanation
- Funding Requirements on Current Course in Relation to Alternative Strategies

General Operating Fund

Fund Introduction: The General Fund (or General Governmental Operating Fund) is the primary fund that supports governmental operations and services. The General Fund makes up 34% percent of the total FY 2011 budget net of capital items. The primary revenue supporting these services is ad valorem (property taxes) which account for approximately 65% of revenues to be received in the fund this year. By way of comparison, this percentage is 45% in Bay Harbor, 50%¹ in Bal Harbour², 50% in Miami Beach³, and 51% in Sunny Isles Beach⁴.

Figure 1: Percentage of Total General Fund Revenues from Property Taxes



Fund Trends: Many of the pressures impacting all local governments impact the General Fund. Revenues are declining or generally flat. Taxable valuations are declining. Inflationary pressures are expected. Services have already been adjusted in departments and we will continue to seek out efficiencies.

Fund Assumptions: Assumptions specific to this fund are: 1) property valuation will decline approximately 7% for Fiscal Year 2012 and an additional 3% for Fiscal Year 2013 before they begin to recover at a rate of 1.5 – 2% annually, 2) the forecast assumes that even with the decrease in valuation, the same level of revenues will be approved in the “roll-back” rate, and 3) a factor of 2 percent in operating cost has been forecast for further service level adjustments.

With the forecasted reduction in property valuation in Fiscal Year (FY) 2012 and FY 2013, roll-back millage rates of 6.025 and 6.211 mills respectively would be needed to generate the same amount of revenue as the current year (5.6030 mills). In FY 2014 – FY 2016, those rates would be approximately 6.120, 6.0, and 5.882 mills respectively. These millage rates are based on projections and assumptions

¹ E-mail from Alan Short, Finance Director of Bay Harbor

² From Adopted Budget Book on Town’s Official Website

³ From Proposed Budget Book on Miami Beach Website

⁴ From Adopted FY 2009 – 2010 Budget Book of Sunny Isles

which may be modified considerably once actual numbers are known and the Town Commission has provided policy guidance.

Figure 2, below, reflects what would happen to millage rates under four different scenarios. “In-fill” means that three significant undeveloped, or underdeveloped, properties are built out with hotel projects. “Unassigned Reserves” are monies available in the General Fund above the \$2 million in reserves assigned for hurricanes and other emergencies. Drawing down these reserves allows the millage rate to be lower. The most likely scenario where we can control millage significantly over the next five years is with environmentally sensitive in-fill development.

While line 2 (No In-Fill / Use of Unassigned Reserves) increases greatly after 2013, this is the resultant from running out of unassigned reserves.

Figure 2: Predicted Millage Rates With and Without In-fill:

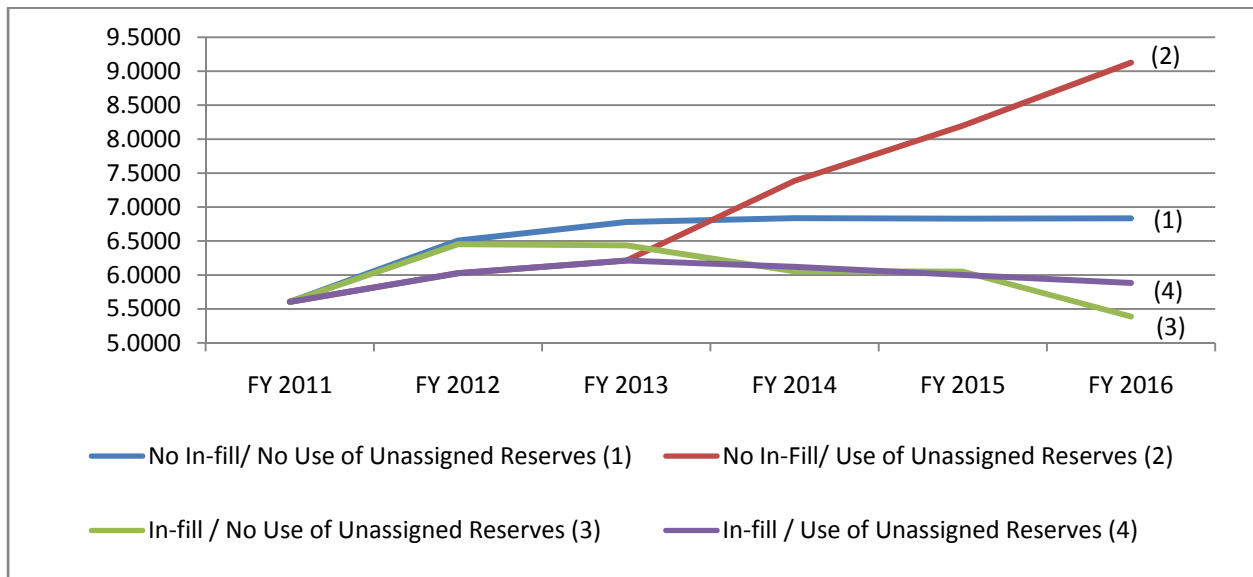


Table 1: Example of 5 Year Dollar Impact for the Four Scenarios on Taxable Property Valued at \$250,000 in the Current Fiscal Year (FY 2010/11).

Scenarios To Fund Forecast	Current Fiscal Year 2010/11	Forecasted Fiscal Year 2011/12	Forecasted Fiscal Year FY 2012/13	Forecasted Fiscal Year 2013/14	Forecasted Fiscal Year 2014/15	Forecasted Fiscal Year 2015/16	5 Year Total Increase to Tax Bill
Net Taxable Mill Value ⁵	\$1,016,239	\$945,102	\$916,749	\$930,500	\$949,110	\$968,093	
Roll-back Millage Rate For Existing Properties ⁶	N/A	6.0250	6.2110	6.1200	6.0000	5.8820	
No In-Fill / No Use of Unassigned Reserves - Millage Rate	5.6030	6.5062	6.7803	6.8363	6.8293	6.8338	
Increase over FY 2010/11 on \$250,000 taxable value	N/A	\$112	\$128	\$164	\$193	\$225	\$822
No In-fill / Use of Unassigned Reserves - Millage Rate	5.6030	6.0250	6.2110	7.3858	8.1973	9.1268	
Increase over FY 2010/11 on \$250,000 taxable value	N/A	\$0	\$0	\$294	\$511	\$754	\$1,560
In-Fill / No Use of Unassigned Reserves - Millage Rate	5.6030	6.4533	6.4356	6.0539	6.0500	5.3862	
Increase over FY 2010/11 on \$250,000 taxable value	N/A	\$100	\$95	\$7	\$6	(\$149)	\$59
In-Fill / Use of Unassigned Reserves - Millage Rate	5.6030	6.0250	6.2110	6.1200	6.0000	5.8820	
Increase over FY 2010/11 on \$250,000 taxable value	N/A	\$0	\$43	\$22	(\$6)	(\$33)	\$26

⁵ Based on current properties adjusted by anticipated changing valuations. For “in-fill” scenarios, adjustments have been made to incorporate projected additional revenue.

⁶ Based on the anticipated effect of valuation changes on the millage rate for existing properties.

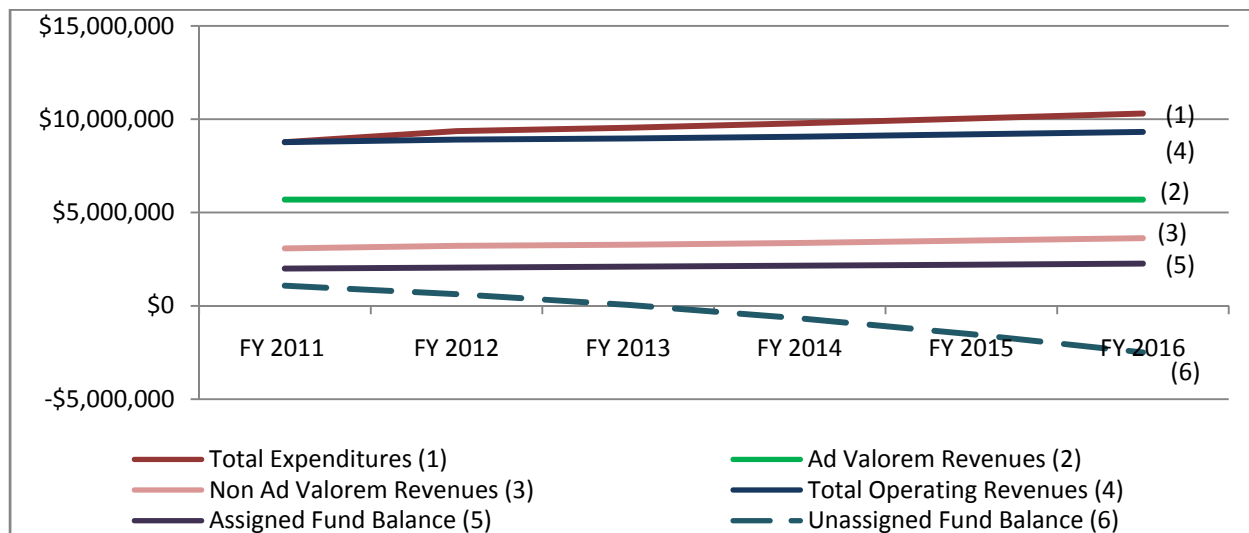
Table 1, above, provides a dollar representation of the impact of the four scenarios examined. Information specific to the four scenarios is contained within the darkened lines. It should be noted that this Table is presented only for comparative purposes. In other words, specific millage rates are provided for forecast comparison purposes only.

The scenario for any given year which produces the most favorable result for property owners are highlighted. The final column, "5 Year Total Impact to Tax Bill" illustrates the dollar effect of each scenario in total over 5 years.

In the current year, FY 2010/11, application of the millage rate (5.6030) to \$250,000 in taxable value results in a total Town of Surfside property tax bill of \$1,400. In the most financially favorable scenario for property owners **(In-fill / Use of Unassigned Reserves)** the increase over five years would be 3.7% total (annualized at .74%) or \$26. While the least financially favorable scenario for property owners **(No In-fill/Use of Unassigned Reserves)** results in a comparative increase over five years of 111% total (annualized at 22.2%) or \$1,560.

Figure 3, below, shows that difficult decisions may emerge for the Town no later than Fiscal Year 2013 if the identified in-fill projects do not occur. At that point, the portion of unassigned reserves available to offset increases to a roll-back millage rate for property taxes will not be sufficient. This condition is likely to result in service level cuts and creates the potential for millage rate increases beyond the roll back rate.

Figure 3: Predictable Effect of Current Policies and Goals Without In-fill on the General Fund:



The chart below (Figure 4) demonstrates the effects that in-fill of three properties will have on ad valorem (property taxes) within the Town of Surfside. The bottom line assumes the roll-back millage rate will be utilized each year. The top line (with in-fill) shows the total property tax revenues when the roll-back rate is applied to the anticipated new property values then added to the “without in-fill” amount.

Figure 4: Predictable Effect on Property Tax Revenues With and Without In-fill:

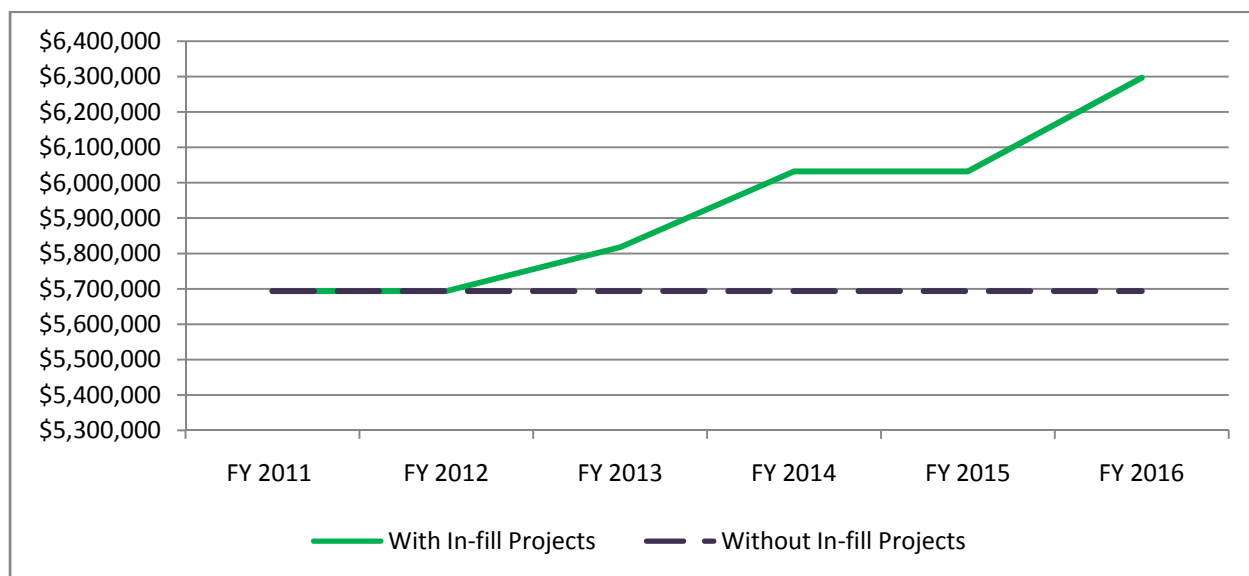


Figure 5, below, shows that with in-fill and use of the "unassigned fund balance" to close the forecasted budget gap, service levels can be preserved while aggregate property taxes are modified only by the value added through in-fill development. The \$2 million assigned for emergencies would be preserved while utilizing the additional unassigned fund balance to close the forecasted budget gap.

Figure 5: Predictable Effect of Current Policies and Goals With In-fill on the General Fund:

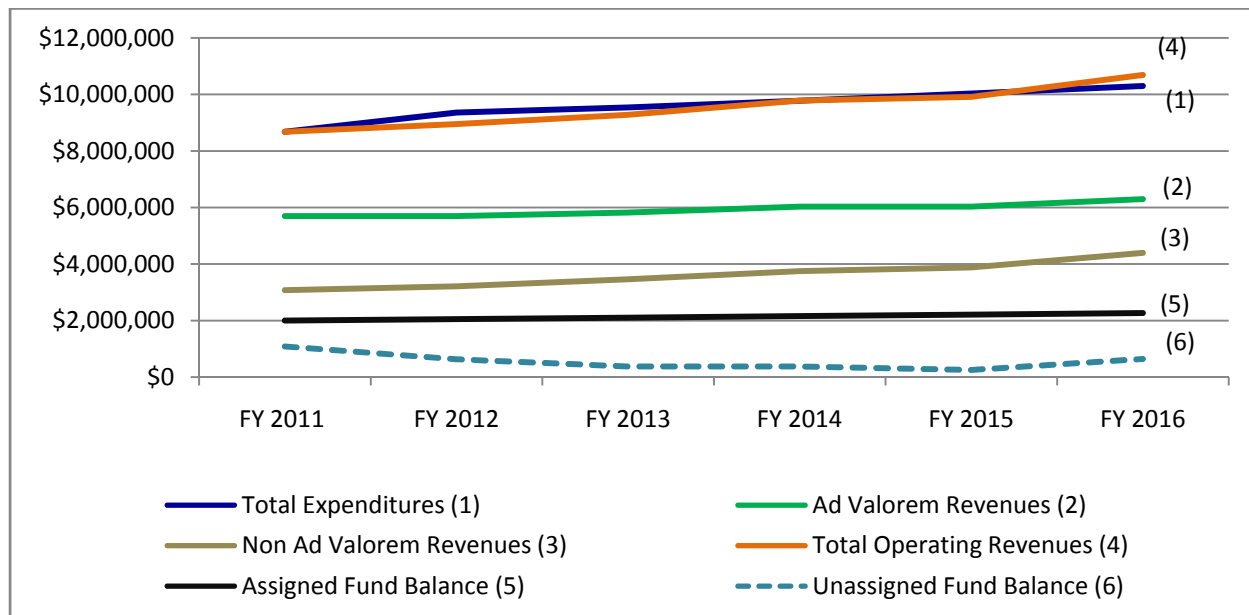


Figure 6, below, (in contrast to Figure 5) shows that without in-fill the strategy of using "unassigned fund balance" to fund the forecasted budget gap could only be utilized through Fiscal Year 2013. This strategy is not recommended as it is not sustainable and soon depletes funding which could be utilized to maintain services.

Figure 6: Predictable Effect of Current Policies and Goals on General Governmental Fund Balance Percentages of Operating Budget Without In-fill:

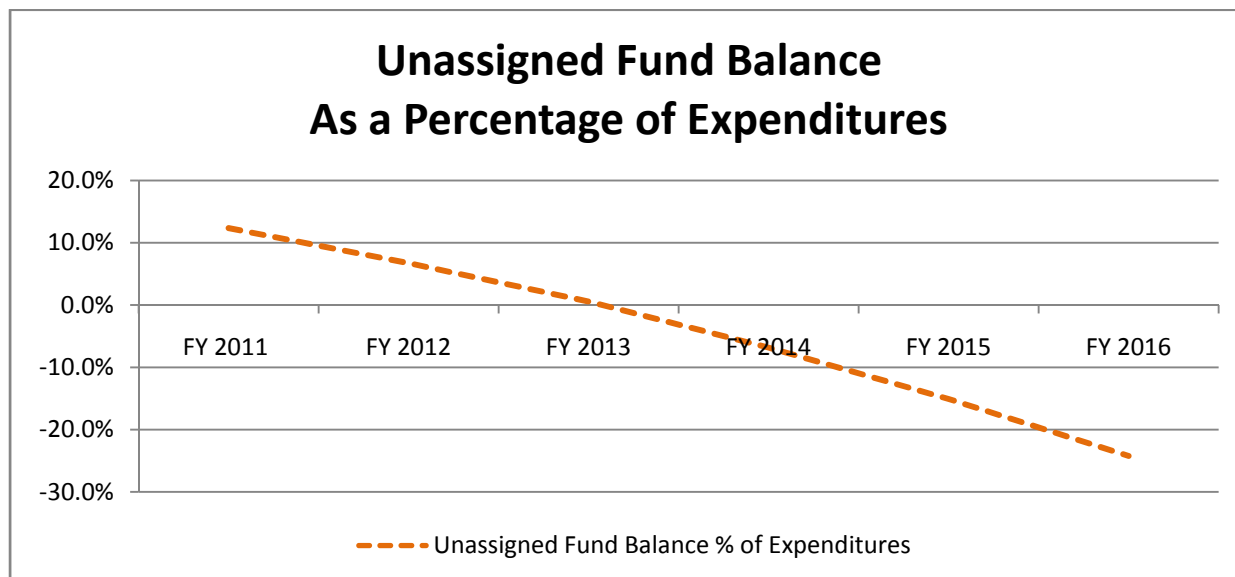
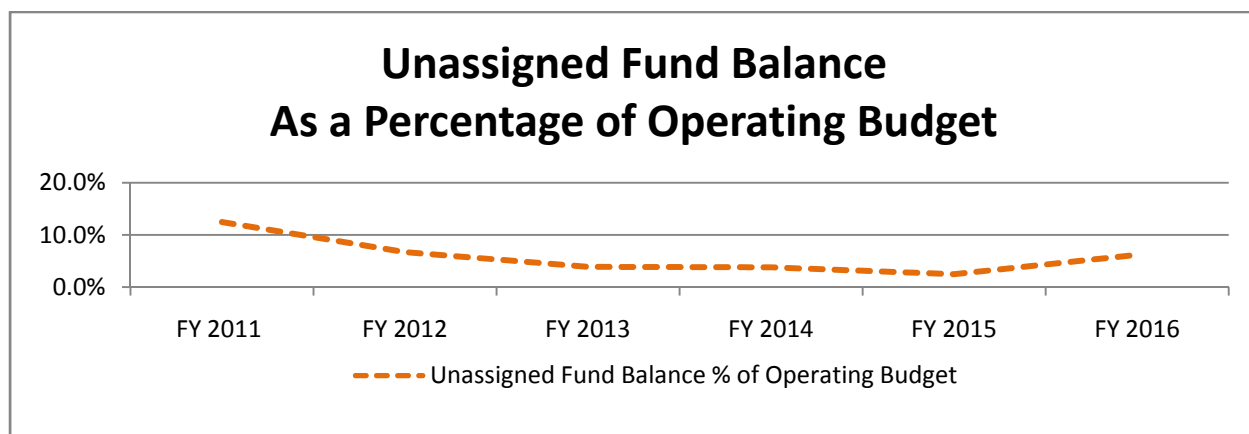


Figure 7, below, demonstrates the predictable effect on fund balance percentages should in-fill occur. The assigned fund balance portion would remain at approximately \$2.0 million dollars. The unassigned fund balance would be utilized to smooth any revenue to expenditure differences over the projection period. As a result, the unassigned portion would fluctuate between 4.6% and 12.6% of expenditures. In the final year, this percentage begins to grow again from a low of 4.6% in FY 2015 to 8.8% in FY 2016.

Figure 7: Predictable Effect of Current Policies and Goals on General Governmental Fund Balance Percentages of Operating Budget With In-fill:



Fund Forecast Chart Explanation: As the Figures 6 and 7 illustrate, expenditures are forecast to exceed revenues consistent with the assumptions in the next several years if certain outcomes to increase the tax roll are not achieved. This includes: 1) a new commercial project at 92nd Street, 2) new construction at the Beach House property, and 3) replacement or upgrade of the Best Western Hotel at 94th Street. As shown in the chart, if these projects become a reality the General Fund will continue to grow its surplus and / or the millage rate may be held or reduced depending upon actions in future years.

Funding Requirements on Current Course: From FY 2012 through FY 2016 revenues are less than expenditures by \$406,019; \$523,116; \$667,744; \$788,357; and \$922,699 respectively over the next five years without the in-fill projects. To make up these differences through a millage rate increase, the needed millage rates would be approximately: 6.6567, 6.9940, 7.0521, 7.0464, and 7.0523 mills respectively for years FY 2012 – FY 2016. For forecasting purposes, the “in-fill” alternative includes three possible projects: 1) a new commercial project at 92nd Street, 2) the proposed project at the Beach House Property, and 3) the creation of a new or upgraded hotel at the Best Western site. The increases in ad valorem revenues would be \$124,000, \$214,000, and \$264,690 respectively based on expected building costs of \$20,000,000, \$35,000,000, and \$47,732,000 at the roll-back millage rate. While these numbers are not precise, the analysis should be viewed as indicative of the difference between a “do nothing” strategy and a strategy which recognizes that supporting good, environmentally sound and community sensitive projects on the few remaining sites available in the Town of Surfside makes sense from a financial planning and tax equity standpoint.

Millage Impact to Property Owners:

The number of residential properties in the Town comprises 90.13% of the total number of parcels representing 88.5% of real property tax revenues received. For Miami-Dade County the number of residential properties comprises 84.85% of the total number of properties and 66.60% of property tax revenues received. The difference in property type percentage burden in the Town is 1.63% while the difference in property percentage burden in Miami-Dade County is 18.25%. This information establishes that the tax burden for residences within the Town is greater than the tax burden for residences in Miami-Dade County at large.

The following table represents the portion of total ad valorem payments which are made by residential property owners in certain other Miami-Dade municipalities. It shows that in the municipalities that are similar to the Town of Surfside in composition (commercial to residential), it is much more typical for residential property owners to carry closer to 80% of the ad valorem burden. Our residents carry 88.5% of the burden.

Municipality	Total Real Property Taxable Value	Residential Taxable Value	Res. % of Total
West Miami	\$296,100,075	\$192,020,416	64.85%
M-D County (At Large)	\$182,073,857,313	\$121,255,264,254	66.60%
North Bay Village	\$672,564,043	\$539,311,130	80.19%
Bal Harbour	\$2,334,443,814	\$1,882,407,198	80.64%
Sunny Isles Beach	\$4,754,229,343	\$3,928,659,788	82.64%
Bay Harbor Islands	\$594,127,026	\$496,153,081	83.51%
Surfside	\$1,057,460,764	\$936,026,978	88.52%

The percentage of ad valorem taxes paid for residential property in the Town of Surfside is not only higher than in similar communities and Miami-Dade County at large, but the percentage is growing. As Figure 8 (below) shows, the Town's residential property portion of the ad valorem burden has gone from approximately 83% in Fiscal Year 1995 to nearly 90% in three of the past four years. Should this trend continue without strategic interventions by the Town's leadership at all levels, residential property owners may be carrying as much as 92% of the total property tax burden by Fiscal Year 2016.

Figure 8: Percentage of Town Property Taxes Paid For Residential Properties:

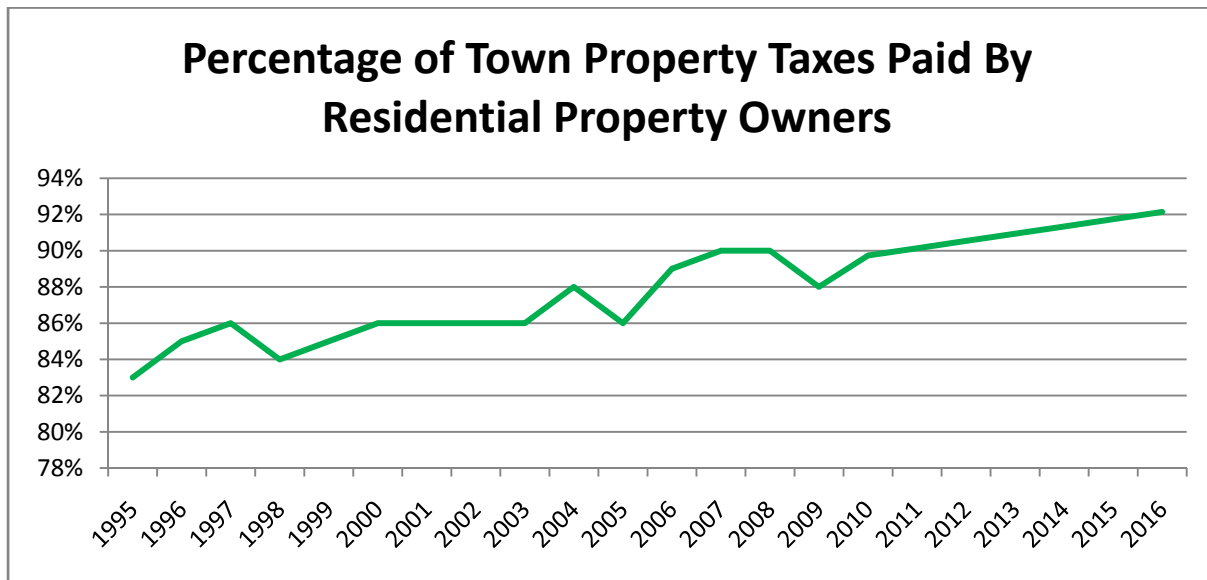
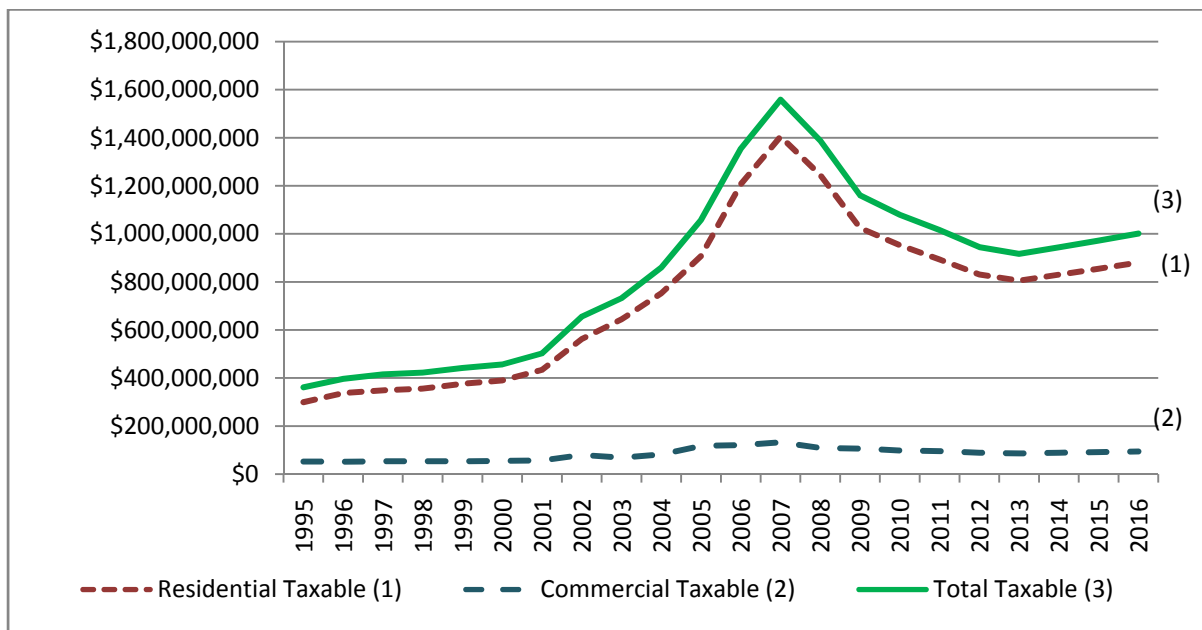


Figure 9 demonstrates that the Commercial Taxable value over the past ten years has experienced some increasing valuation, but compared to the significant increases in residential valuations has remained relatively flat. The “Residential” category has experienced the most growth and comprises approximately 90% of all taxable valuation within the Town.

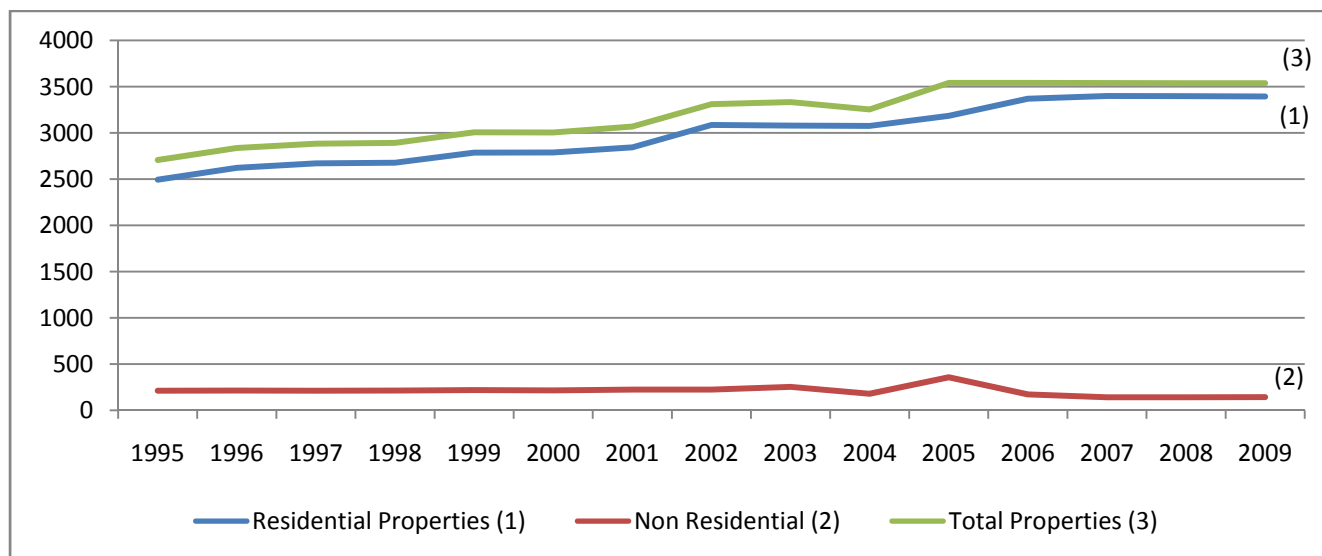
Figure 9: Town Commercial To Residential Value Comparisons:



Part of the reason for this increase in burden to residential property owners is that the number of folios for commercial properties has decreased. As Figure 10 (below) demonstrates, the number of residential properties has increased while the number of non-residential properties (combined

“Commercial” and “other”) has decreased in the past ten years. Part of this shift results from the conversion of commercial rental properties to condominiums.

Figure 10: Town of Surfside History of Properties by Type:



Despite the complex reason for the shift, residential property owners are carrying an unusually large portion of the total ad valorem tax burden in the Town of Surfside. Ideally, the balance of responsibility would be re-distributed such that residential property owners would not carry more than 80% of total ad valorem burden. The reduction in burden to residential property owners could provide relief to a significant portion of the Town’s population.

To accomplish the reduction in burden for residential property owners while continuing to provide municipal services at desired levels, the most immediate solution is expanding the taxable value of commercial properties. The difference in taxable value between the 89 - 90% residential percentage of total ad valorem payments and the target of 80% is \$100,632,975 in value. In other words, to restore a balance between commercial and residential tax burdens consistent with similar communities, the Town would need to add approximately \$101 million in commercial property value. Coincidentally, the estimated net value of the three in-fill properties listed earlier would be approximately \$102,732,000 which would close this gap. Further upgrades to the downtown area and certain public-private partnership projects could move the residential portion below the 80% target should that become a goal of the Town Commission.

Should the \$101 million in commercial property development be accomplished, the residential property portion would meet the 80% target. In other words, the class of residential property owners would be paying a smaller percentage of total Town taxes and there would likely be no need for a tax increase beyond the roll-back rate in the foreseeable future. If the Town Commission wishes to adopt future budgets below the roll back rate additional strategies will be necessary.

Capital Projects Fund

Fund Introduction: The Capital Projects Fund is a governmental fund type without its own revenue stream(s) unless grants are received. The Town Commission recently took action to increase grants through approval of the eCivis grant search engine. Further, the financial forecast for the General Fund provides for \$150,000 in transfers to the Capital Project Fund in each year for projects to be determined throughout the budget process. The Capital Projects Fund reflects expenditures and funding for those projects greater than \$25,000 which create enduring capital assets. The capital assets accounted for in this fund cannot be associated with other enterprise and/or special revenue funds, hence, their general governmental nature. In FY 2011, the fund accounts for the Phone System Upgrade, Public Safety Vehicle Replacements, and the completion of construction of the Community Center.

The Capital Projects Fund is a general governmental fund as is the General Operating Fund. The governmental funds (General Operating Fund and Capital Projects Fund) share their reserves so a separate reserve is allowed, but not required for this fund. Currently, there is a fund balance for this fund sufficient to pay for the remainder of the Community Center Construction. Transfers from the General Operating Fund will pay for the balance of approved projects.

A supplemental vehicle to fund these projects is through impact fees from developers. The manner in which these fees are calculated and collected is the subject of a separate future report.

Figure 11: Fund Revenue to Expenditure Chart for Capital Projects :

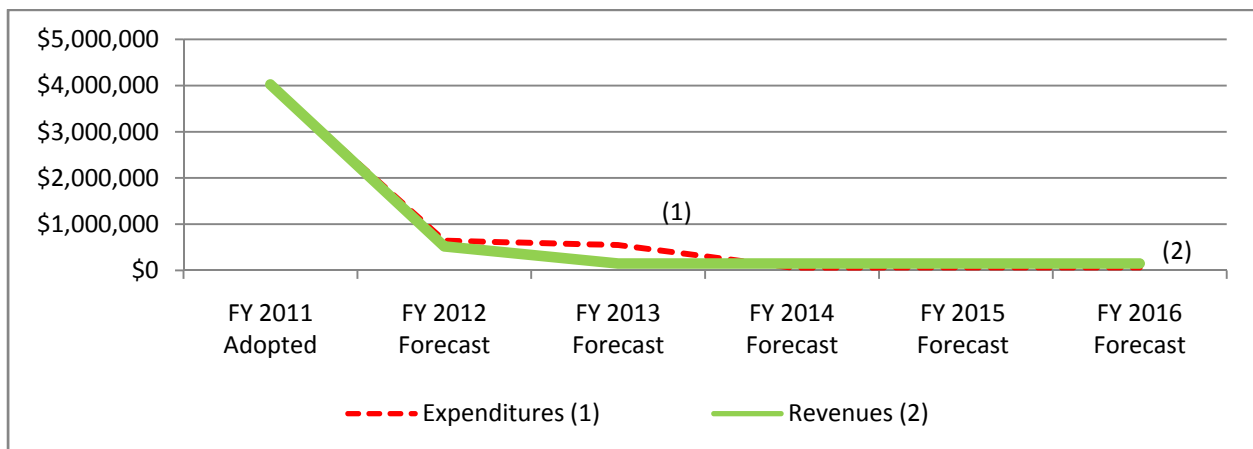


Figure 11 shows an anticipated reduction in most general governmental capital projects spending after completion of the Community Center in the current year. To fund projects proposed for FY 2013 (Beachwalk Lighting and Police Vehicle Replacement) additional income will be required (either appropriations from the unassigned General Fund reserves, impact fees or General Fund revenues).

Tourist Bureau Fund

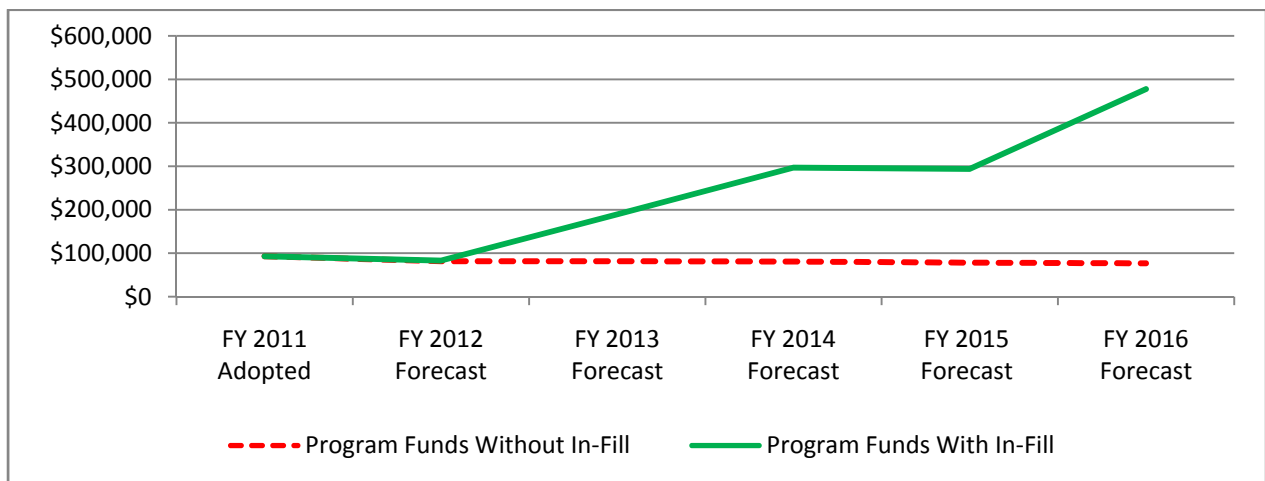
Fund Introduction: The Tourist Bureau Fund is a general governmental fund which accounts for special revenues generated through (and restricted by) Florida Statute. The funds are generated by a 4% charge on certain resort properties and a 2% tax on certain food service establishments. The funds are intended for tourism related promotional events and their use is articulated in and governed by the Town of Surfside Town Charter and State law. This special revenue fund is encouraged to spend its funds to comply with funding requirements and maintenance of a fund balance is not required.

Fund Trends: The Revenues for this fund have decreased by an average of 5.6% annually for the past six years and are forecast to continue on this trajectory. While the revenues for this fund are directly tied to tourism, there is historically no discernible correlation between revenue declines and changes in the economic climate as one might expect. Factors which account for the declining revenues are: 1) reduction in qualified resort properties through conversion to condominium properties, 2) failure of qualified business owners to remit proper payment, and 3) not enforcing the tax on all eligible sources. To address the second concern, a resort tax auditor position was funded in Fiscal Year 2011.

Fund Assumptions: Assumptions specific to this fund are: 1) 25% of the Director’s position will continue to be funded in this fund, 2) the historical declines will continue or at least one more year, 3) condo conversions have generally stopped at this point stabilizing some of the decline, 4) the policy of reducing expenditures to match projected revenues will continue, and 5) no attempt to create unassigned reserves will be pursued.

Clearly the continued decline in revenues is unacceptable and action must be taken to reverse the trends and accelerate revenue creation. Those actions include the retention of the auditor (which will have a small to medium impact), the energizing of the downtown visioning process (which will have a major impact on the 2% food service tax) and creation of more environmentally sensitive hotel product (which will have significant impact on the 4% resort tax).

Figure 12: Tourism Bureau Promotional Funds Forecast Chart:



Fund Forecast Chart Explanation: Like other special revenue funds, the expenditures made from this fund must fall into the conditions set for receiving the income/revenue. As such, there is no need for the maintenance of reserves. The excess of revenue over on-going expenditures is the amount available for program operations. The above chart shows the forecasted changes in funding available for tourism promotion under two scenarios.

Figure 12 shows the difference that in-fill can make on the funds available for enhancing the quality of life in the Town of Surfside. Without in-fill these funds are anticipated to stabilize after a slight decline. With in-fill of the properties previously identified, the funding available for eligible activities may well be hundreds of thousands of dollars more. It should be noted, that Figure 12 accounts for only the projected increases to the 4% Tourism Tax (applied to beds). An increase to the 2% Tourism Tax (applied to food and beverages) is not included in the revenue estimates.

The bottom line represents the continuation of declining revenues in this fund. Forecast funding for eligible activities in this scenario falls from just over \$83,000 in FY 2012 to a forecasted \$76,755 in FY 2016. As a reference, in Fiscal Years 2007 and 2008, \$145,255 and \$105,853 respectively were available for eligible activities in Surfside. This line forecasts the fund's position if no new hotel rooms are added within the Town.

The upper line represents the impact of completion of the three in-fill projects. In this scenario, the excess of revenues over on-going expenditures represents the funding available for eligible activities in the Town of Surfside increasing to \$189,797 by Fiscal Year 2012 – 2013 and approximately \$400,000 in Fiscal Year 2016. As a reference, Miami-Dade County has estimated that Bal Harbour will receive approximately \$1,860,700 for tourism revenues in Fiscal Year 2011.⁷ The increase assumes unit numbers comparable to newer developments and an occupancy rate of approximately 60%.⁸

Police Forfeiture Fund

Fund Introduction: The Police Forfeiture Fund is a general governmental fund which accounts for special revenues generated through (and restricted by) Florida Statue. Once a forfeiture occurs at the task force level, funds are used to pay for expenses of the task force. The remainder is distributed based upon the number of officers each municipality has assigned to the Task Force. Other funds may come from the Surfside Police Department conducting its own investigations that may result in seizures. Funds may also come from Surfside's participation in a joint investigation with a Federal agency that results in asset forfeiture⁹. The primary limitation on the expenditures is that they provide for a new / non-operational program and/or project aimed at reducing crime, drug awareness program and/or supporting new or expanded police initiatives.

⁷ E-mail including payment from St. Regis in lieu of resort tax. E-mailed Appendix E: Transient Lodging and Food and Beverage Taxes for Tourist Development, Convention Development, and Homeless and Domestic Violence Programs and Facilities - \$967,000 (p. 154).

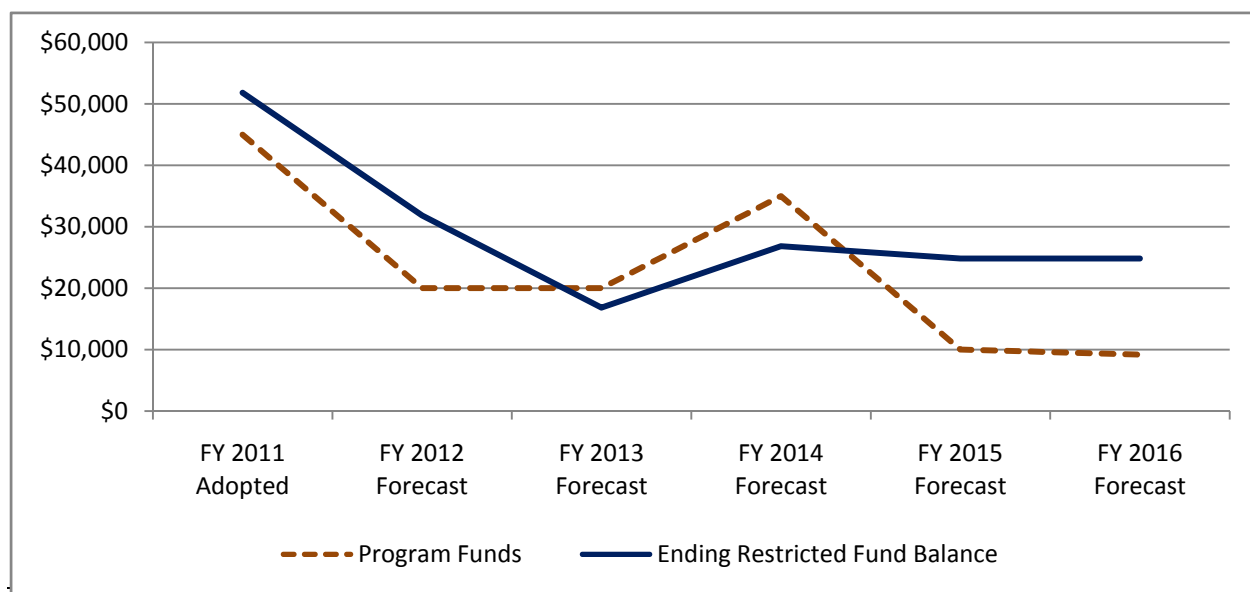
⁸ A 61% – 62.7% occupancy rate is projected by HVS (a leading consultant to the hotel industry).

⁹ E-mail from Chief David Allen January 2011

Fund Trends: The Town of Surfside has utilized the accumulated reserves in the past several years. Historically, revenues are very sporadic. Recently, more assets (illegal drugs, modified weapons, etc) have been seized rather than cash¹⁰. Since the illegal drugs cannot be liquidated and turned into cash, the revenues available for distribution have declined.

Fund Assumptions: Assumptions specific to this fund are: 1) revenue collections will continue to be sporadic, and 2) the Town will continue to fund, through the General Fund, an Officer who participates in the Task Force.

Figure 13: Forecasted Forfeiture Program Funds:



Fund Forecast Chart Explanation: As a special revenue fund, the expenditure of the revenues is restricted to specific uses. Figure 13 above shows a decline in program funding from the current year which utilized fund balance to fund nearly half of the programs.

Funding Requirements on Current Course: To increase the revenues and provide for additional qualified expenditures, additional seizures of cash (or assets which can be legally converted to cash) would be required. As revenues decline and the once much more robust reserves are reaching their end, a periodic evaluation of receipts to all true costs should be pursued.

Municipal Transportation Fund

Fund Introduction: The Municipal Transportation Fund is a general governmental fund which results from restricted revenues from the Citizen’s Initiative Transportation Trust (CITT) program. As with other

¹⁰ Based on discussions with Chief Allen during Departmental Budget Workshop meetings for FY 2011.

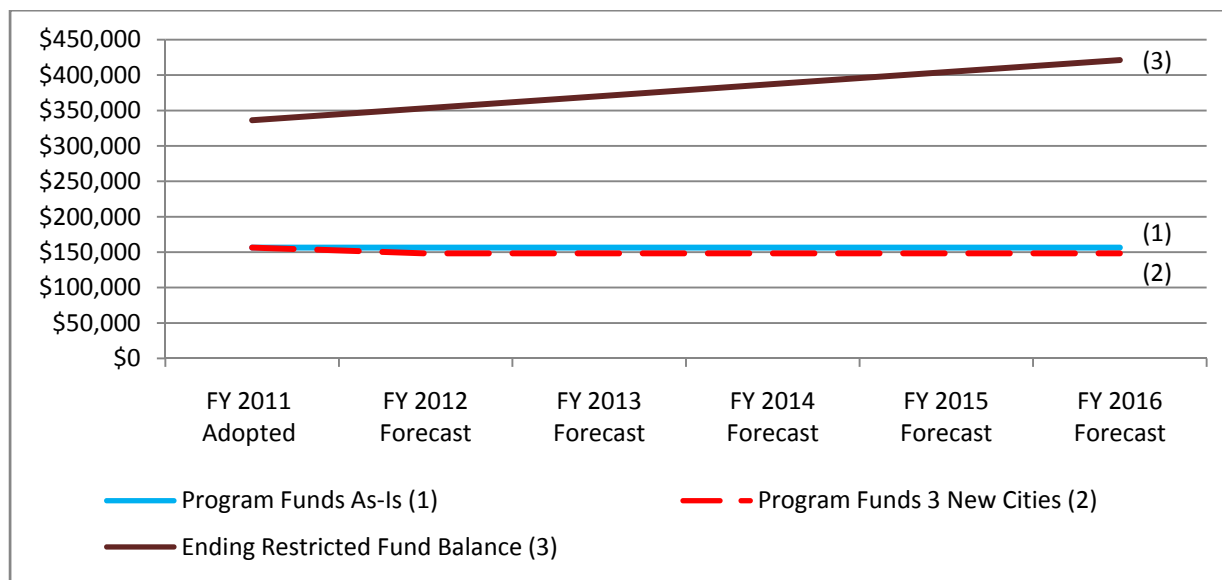
special revenues funds, revenues are only received if they are spent on particular types of qualified projects. These projects generally include projects which will improve traffic safety or benefit or encourage the use of mass transit services. Some elements of downtown and residential transportation projects are likely qualified expenditures.

A Maintenance of Effort (MOE) is also required from the Town to continue to qualify for funding. The MOE is a level of expenditure which the Town must dedicate to transportation purposes from other funding sources. To receive the approximately \$163,000 for transportation projects, the Town spends just over \$62,000 from the General Operating Fund. The recent proposals from Miami Dade County to resolve litigation from Miami Gardens and possibly Doral and Cutler Bay may diminish the MOE expenditures.

Fund Trends: The revenues for this fund result from the distribution of a one-half penny tax on each gallon of gasoline sold in Miami-Dade County. Since Fiscal Year 2008 revenues have fallen. Over the past several years, the Town has accumulated a positive fund balance in this fund resulting from receiving more restricted revenues than real expenditures on qualified projects. Staff is studying all qualified opportunities to utilize these funds to improve transportation and will be making a presentation on potential uses to the Town Commission in the near future.

Fund Assumptions: Assumptions specific to this fund include: 1) revenues will continue to be limited, 2) the declining trend in revenues will continue through FY 2013 then begin to rebound modestly (3% annually), and 3) the debate regarding how the three cities incorporated since the tax was enacted will be resolved either by negotiation or litigation within the next two years.

Figure 14: Municipal Transportation Program Funds Forecast Chart:



Fund Forecast Chart Explanation: Figure 14 shows that the current expenditure plan does not adequately provide for the use of surpluses in this fund. As previously mentioned, a comprehensive presentation will be made soon to resolve this concern. While a fund balance can be carried for a few

years to pre-pay portions of a project cost, administrators of these funds (CITT) may request repayment of the funds if they are not utilized.

Funding Requirements on Current Course: Adequate funding is available for qualified and needed projects.

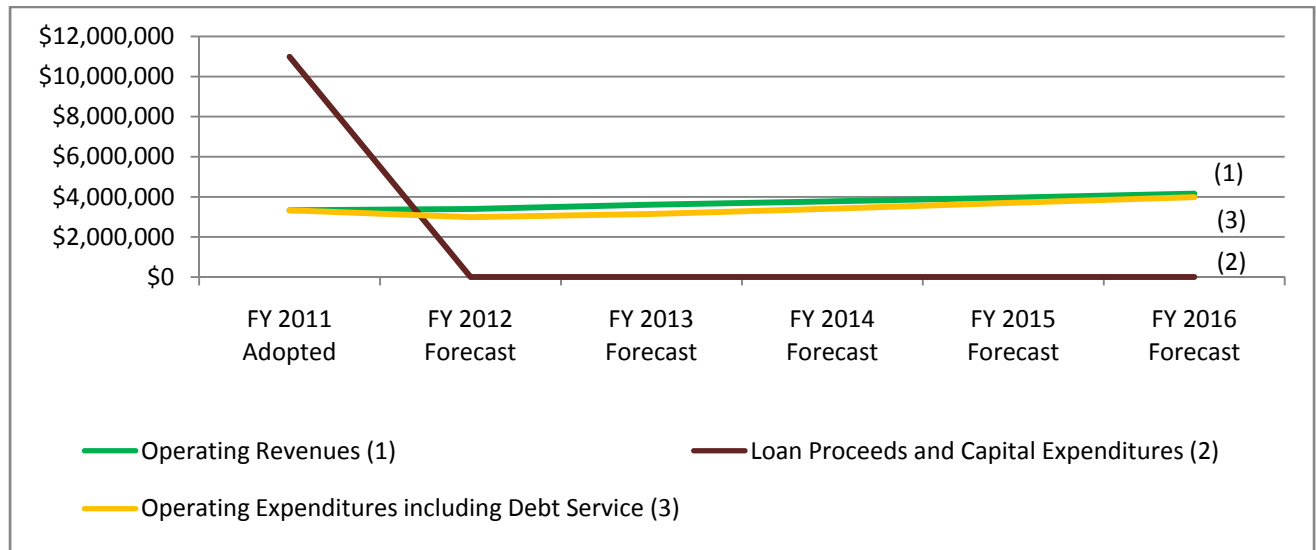
Water and Sewer Utility Fund

Fund Introduction: The Water and Sewer Utility Fund is an enterprise fund which relies upon user fees for revenues and borrowing for major capital projects. The fund is established to provide for independent water and sanitary sewer planning, operations, and improvements.

Fund Trends: South Florida water experts have said: “the cheapest potable water from now on in South Florida is the water that isn’t used”. Clean water sources are becoming more scarce in South Florida and are likely to continue to do so. Costs for water supply and waste water treatment have been increasing and are passed on to municipalities that distribute water and collect sewage. As a result of these costs and the implementation of overdue infrastructure repairs, combined with insufficient retained net assets, this fund has been strained in the past several years.

Fund Assumptions: The Town of Surfside commissioned a rate study in Fiscal Year 2010 with TichlerBise; Fiscal, Economic & Planning Consultants. The study was utilized during the FY 2010/11 budget process and has been incorporated for this forecast. Assumptions specific to this fund are: 1) water costs are forecasted to increase an average of 12% annually, 2) sewage treatment costs are forecasted to increase an average of 15% annually, 3) revenues have been adjusted in the forecast to adopt the rate adjustments proposed in the rate study, 4) retained net assets will be replenished, and 5) financing for capital projects will close without changes to the anticipated terms. The anticipated debt service costs have been included in the expenditure projections. While we are using the TichlerBise study for this report, the Administration is working with our Financial Advisor to develop strategies to help manage the need for the projected rate increases.

Figure 15: Water and Sewer Fund Revenue to Expenditure Chart (including debt service payments):



Fund Forecast Chart Explanation: Figure 15, above, shows the impact of expenditures for capital improvement projects (water system repair and sanitary sewer repairs) on Fiscal Year 2011. The timing for borrowing is expected in FY 201011 pending the Financial Advisor’s recommendations. By Fiscal Year 2013 these projects should be completed.

Figure 16: Water and Sewer Fund Net Assets Information:

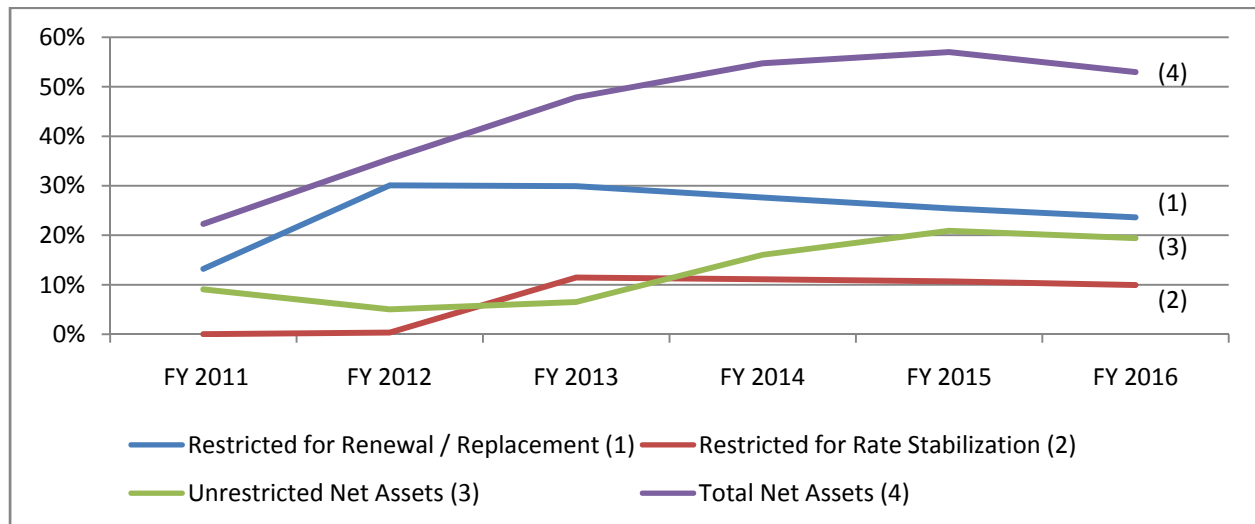


Figure 16, above, shows the complete plan for restricted and un-restricted net assets. These percentages are based on the TischlerBise rate study and show the reservation of net assets for future replacement, and reservation for rate stabilization, as well as the unrestricted net assets percentages of the anticipated operating budgets.

Funding Requirements on Current Course: With the rate study recommended rates adopted, this fund meets the revenue to expenditure test of liquidity. There will be more detail provided as the financial advisors for the water, sewer, and storm drainage bond issue provides their recommendations.

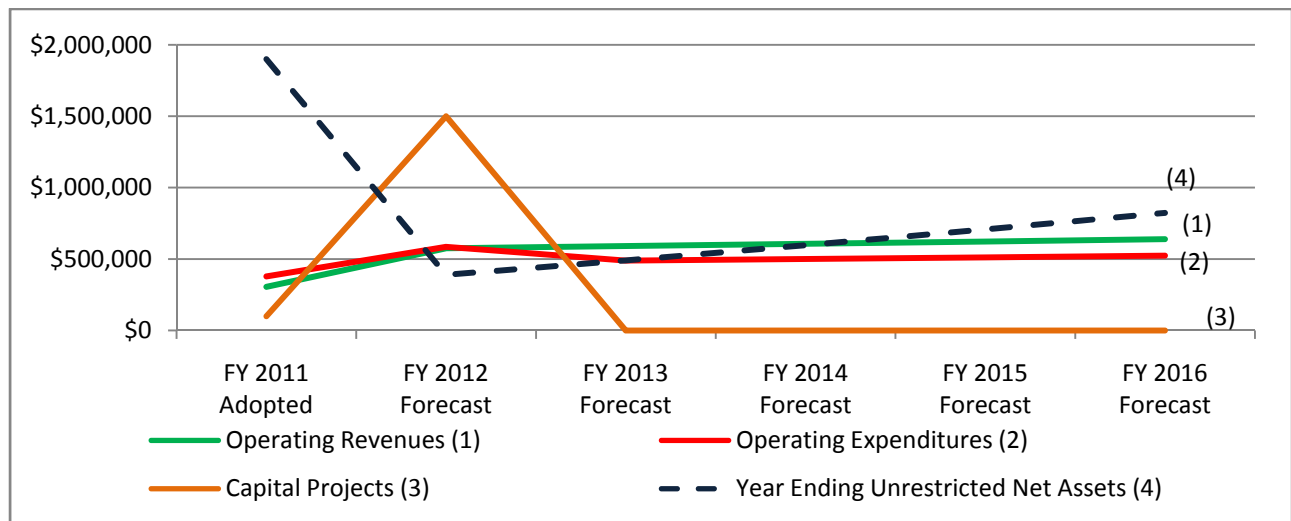
Municipal Parking Fund

Fund Introduction: The Municipal Parking fund is an enterprise fund which relies upon user fees for parking spaces and facilities as well as parking violations for revenues. The fund is established to provide for public parking planning, operations, and improvements.

Fund Trends: The operations of this fund have been stable for a number of years and have kept pace with revenues over expenditures. The retained net assets have begun to be utilized in recent years to make infrastructure improvements or acquire land related to parking. Requested improvement costs exceed retained net assets. Careful consideration and prioritization of these requests will need to be undertaken. The operating revenue to expenditure comparison for this fund remains strong for the foreseeable future and in fact will increase greatly with the installation of the electronic multi-space meters.

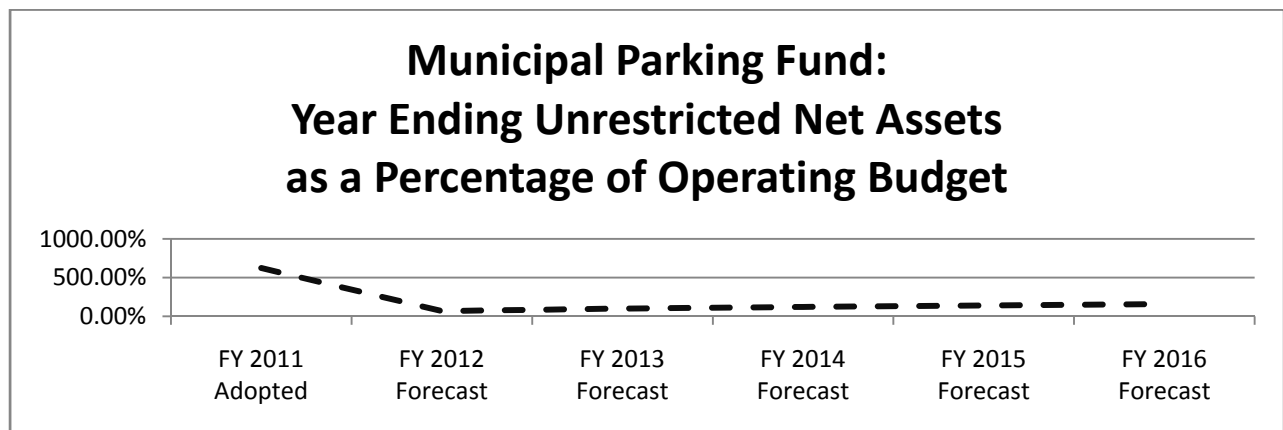
Fund Assumptions: Assumptions specific to this fund are: 1) the additional parking spaces at the 95th Street lot will add revenue to the parking system annually, 2) the electronic multi-space meters will add \$112,000 in revenue to the parking system annually, 3) capital needs for renovation of existing lots will require approximately \$100,000 in Fiscal Years 2011 and 2012, 4) subject to substantial community input and policy discussion by the Town Commission, public private joint venture upgrades to the Abbott lot and the Harding and 94th Street lot may be included in the fund, and 5) additional land may be acquired to link the 94th and 93rd/Harding lots as well as properties near Town Hall. For purposes of this report, it is assumed that the larger projects may require revenue bonds and that the smaller projects will be funded with reserves.

Figure 17: Municipal Parking Fund Revenue to Expenditure Chart:



Fund Forecast Chart Explanation: Figure 17 shows that operating revenues for this fund will continue to outperform anticipated expenditures thereby increasing unrestricted net assets. Figure 18 highlights the strength of the unrestricted net assets in this fund and the availability of same for capital investment. Both Figures 17 (above) and Figure 18 (below) anticipate expansion of the available parking facilities during Fiscal Year 2012. Specific recommendations will be provided in subsequent discussions.

Figure 18: Municipal Parking Fund Year End Unrestricted Net Assets as a Percentage of Operating Budget:



Solid Waste Fund

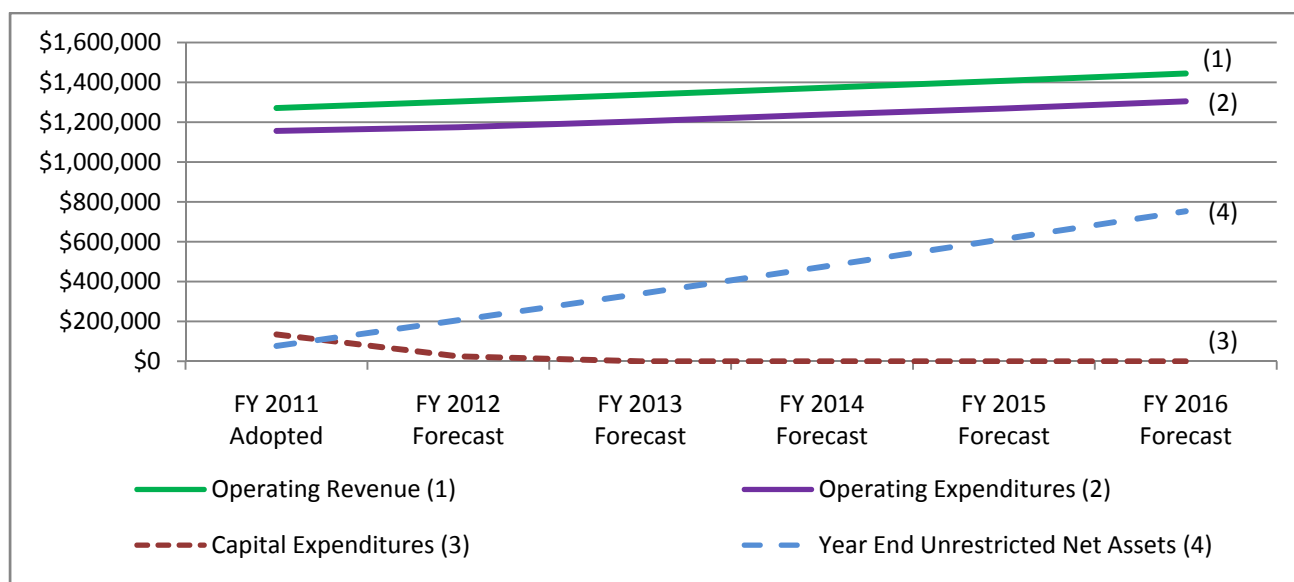
Fund Introduction: The Solid Waste fund is an enterprise fund which relies upon user fees for revenues. The fund is established to provide for solid waste planning, operations (collections), disposal at landfill sites, recycling and equipment replacement.

Fund Trends: During Fiscal Year 2010 this fund achieved a gain which removed the negative net assets which it had been carrying. The operations of this fund are becoming more stable. Revenues are projected to exceed expenditures and provide for well considered equipment replacement.

Fund Assumptions: Assumptions specific to this fund are: 1) waste disposal fees and recycling costs to the Town will not increase more than 3% on an annualized basis, 2) retained net assets will be replenished to achieve fifty (50%) of operating costs within the covered five year cycle, 3) increased operating costs to the Town will be passed on to end users, and 4) it is possible to smooth the need for increases by creating sufficient net assets each fiscal year to allow for the prudent use of those reserves to reduce or eliminate the need for annual rate increases. Savings from new technology for collection or reduced collection day(s) are not included in the analysis.

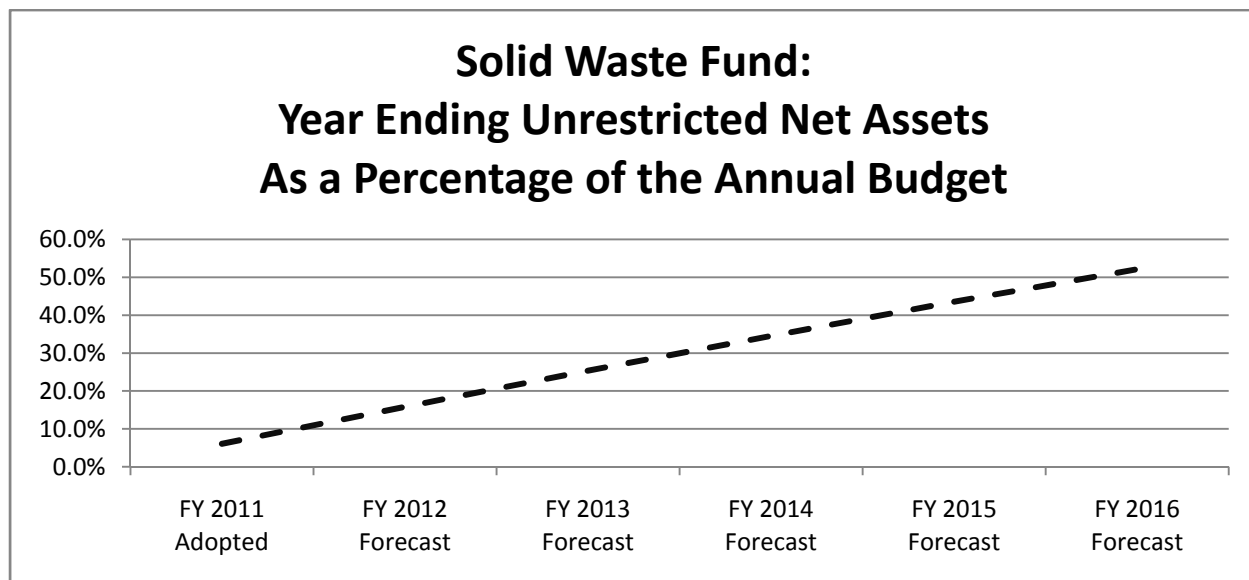
A note to assumption 4 above: to meet the 3% annualized increases to the Town, a 3% annual rate increase is assumed.

Figure 19: Solid Waste Fund Revenue to Expenditure Chart:



Fund Forecast Chart Explanation: Figure 19, above, shows the revenues outpacing expenditures in each year and the building of the net asset amount. Figure 20, below, identifies the retained net assets amount as a percentage of the annual operating budget. This progressive building of same is the device which better ensures sufficient funds to smooth future increased costs to the Town and reduce or eliminate the need to pass the rate increase to residents.

Figure 20: Solid Waste Fund Year Ending Unrestricted Net Assets as a Percentage of the Operating Budget:



Funding Requirements on Current Course: Without implementation of the rate increase to meet increased costs to the Town of Surfside for recycling and waste tipping fees, expenditures would exceed revenues every year. If the Town increases its rates by the same percentage increase the Town has to pay, it should remain in a net positive position. When the revenue to expenditure ratio is favorable the addition of more customers will have a positive benefit to this fund. Ultimately, this benefit can be shared with all solid waste customers.

Stormwater Fund

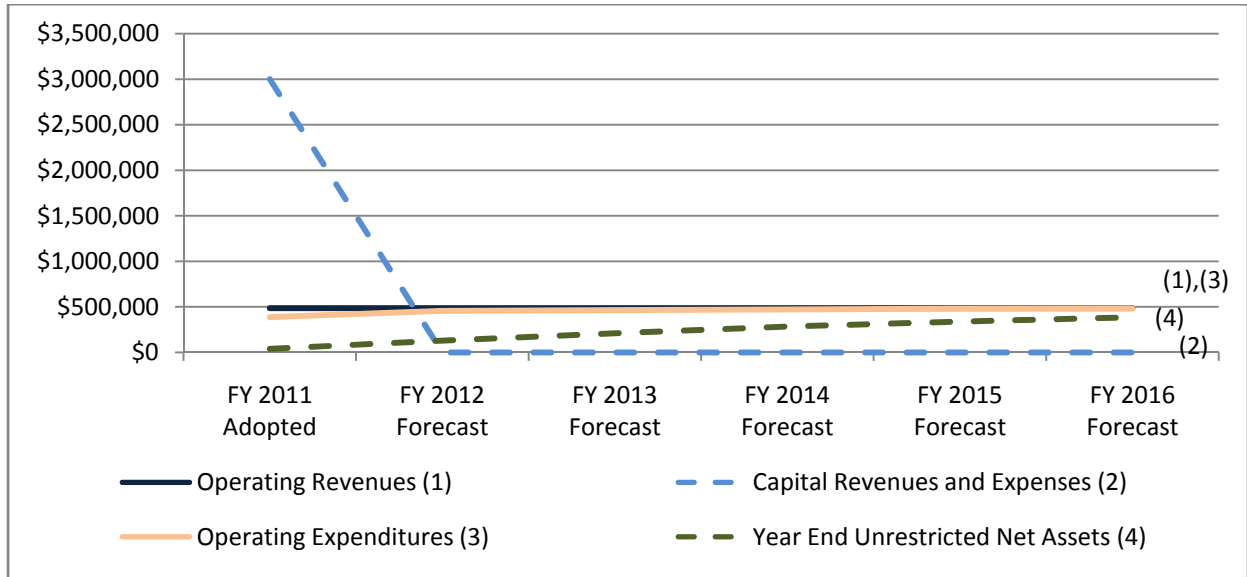
Fund Introduction: The Stormwater fund is an enterprise fund which relies upon user fees for revenues. The fund is established to provide for stormwater drainage planning, operations and improvements.

Fund Trends: The operations of this fund are generally stable. The need to implement stormwater improvements (and meet the requirements of a Consent Decree with Miami Dade County DERM) has created a spike in capital expenditures utilizing revenue bond funds in FY 2011 and FY 2012 and resulted in the need to increase the stormwater assessment. The spikes are related to capital infrastructure improvements. Bonds will be issued for this project and the debt service on those bonds is included in the expenditure numbers.

Fund Assumptions: Assumptions specific to this fund are: 1) the stormwater project will be completed as planned, 2) the new recurring operating costs (most particularly electric use related to running and maintaining the pumps stations and debt service payments) will occur, and 3) reserves are identified to exceed a preliminary target of fifty percent of operating by the end of the covered five year cycle. As with the water and sewer bond issue, this planned growth of reserves may be utilized to smooth possible future rate increases.

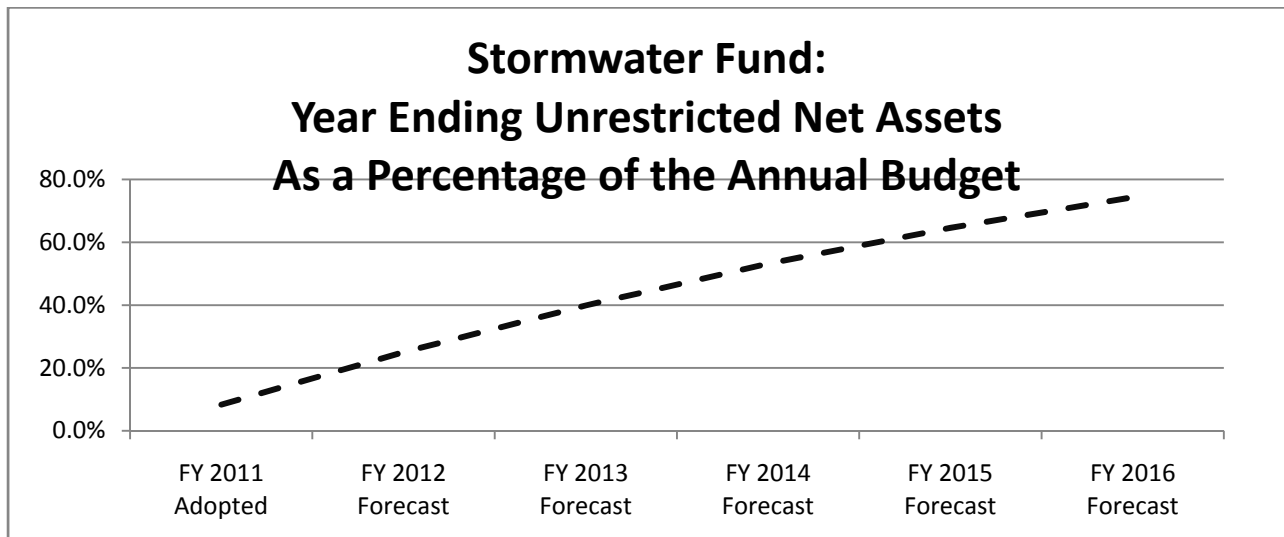
Figure 21 shows that very little change is anticipated in either the revenues or expenditures for this fund. The expenditures are budgeted to include re-building the fund balance to smooth potential future increases and potentially secure better borrowing terms for the revenue bond.

Figure 21: Stormwater Fund Revenue to Expenditure Chart (including debt service payments):



Fund Forecast Chart Explanation: Figure 22, below demonstrates the growth of the reserves as a percentage of the annual budget. The preliminary target of 50% reserves is met at the end of Fiscal Year 2013 (September 30, 2013). It may be possible to lower rates if this projection proves true.

Figure 22: Stormwater Fund Year Ending Unrestricted Net Assets as a Percentage of the Operating Budget:



Funding Requirements on Current Course: On the current course, the operating revenue to expenditure ratio in this fund is forecast to be slightly favorable for the next several years. As with the other enterprise funds, the addition of new customers in a favorable environment increases profitability and ultimately provides an opportunity for future relief for all stormwater customers.

Appreciation: It is necessary to thank Finance Director Martin D. Sherwood and Budget and Management Consultant Carl A. Berkey-Abbott for their efforts in creating this document. We collectively wish to thank the Town Commission for their foresight and strategic thinking that requested this document to be prepared.

**Five Year Financial Forecasting for
The Town of Surfside, Florida
Fiscal Years 2013/2014 - 2017/2018**





Five Year Financial Forecasting for
The Town of Surfside, Florida
Fiscal Years 2013/2014 – 2017/2018

Requested by and Presented to:

Mayor Daniel Dietch

Vice Mayor Michael Karukin

Commissioner Joe Graubart

Commissioner Michelle Kligman

Commissioner Marta Olchyk

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September 9, 2013

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Brief Description of Document:

This document contains a forecast of revenues and expenditures for the Town of Surfside, Florida for the period October 1, 2013 through September 30, 2018. These dates cover the five fiscal years of Fiscal Year 2013/14 through 2017/18. This document is based upon the current expenditure and revenue histories of the Town along with certain assumptions about forthcoming or continuing external trends. It serves as a baseline forecast against which the effects of certain policy and/or funding decisions may be compared. While the authors are aware of expressed interests in service delivery changes, this document generally assumes the intent to continue on course with current service delivery goals.

Methodology:

The document was developed with the assistance of a consultant who worked closely with staff throughout the Town of Surfside under the general supervision of the Town's Finance Department Director. The methodology focused on the capture of the impacts of certain known developments within the Town. Items related to fund trending, fund balances, and rates were reviewed for each fund. Trending analysis for each revenue and expenditure area for each fund was reviewed back to FY 2006 to assist in grounding expectations for future projections. Wherever possible, Fiscal Year 2013/14 (FY 13/14) forecasts utilize the projections found in the Town of Surfside's FY 13/14 Proposed Budget Book.

Brief History:

In February of 2011, the Town of Surfside, Florida conducted its first "Five Year Financial Forecast." That document reviewed and forecast information for Fiscal Years 2011/12 through 2015/16. The macro-economic environment of the time was less optimistic as was the Town's financial position. It projected that without the benefits associated with quality, balanced development, by FY 2016, the percentage of Town property taxes paid by residential property owners would be 92% (up from 90% in FY 2011). Further, had the Town chose not to use reserves to fund services and balance its budget, the Town's millage rate was forecasted to be 9.0 mills in FY 2016.

The 2011 forecast presented a range of potential financial outcomes that, in a worst case scenario, portrayed a somber view of the Town's financial future based on known conditions at the time. The advance warning of potential undesirable consequences from that report informed decisions which have dramatically changed the financial forecast of the Town of Surfside, Florida. Aiding in these long-term strategic decisions is one of the fundamental advantages brought by this type of analysis.

As with the 2011 forecast, this document provides an opportunity to look beyond annual revenues and expenditures to policies promoting the sustainability of Town services and rate structures. This document seeks to answer the same important question from 2011: Will current policies be sustainable financially over the next five years? The broad answer to that question in 2013 is: Yes. The additional

details which unfold in this document illustrate specific areas where policy decisions seem to be working well as well as areas which may the Town Commission may wish to further consider.

Items not addressed:

This document serves as a backdrop for the further consideration of policies, but is not itself inclusive. The Town Commission has considered a variety of substantial quality of life improvement projects, such as: adding a second story to the Community Center and developing a parking structure. Considerations of service delivery models are anticipated as well. Independent project analysis (parking studies, for example) are better informed by this forecast and integrated into it as a part of the project analysis. A full integration of each of these alternatives is beyond the current scope.

Long-range Forecasting:

To achieve and maintain a resilient financial position, long-term financial planning is critical as is institutionalizing financial policies related to: debt, reserves, ad valorem goals, property tax burden distribution, and diversification of alternative revenue sources. Institutionalizing long-term financial planning provides a number of advantages, including:

- Helps prioritize services
- Involves and focuses employees
- Decentralizes budget responsibilities and holds Department Heads accountable
- Stabilizes services and service levels which can be consistently funded
- Encourages consensus from stake holders
- Plays a role in optimizing public investments
- Aids in avoiding potential emergencies / unanticipated challenges.

Given the potential for changes in elected and appointed officials, policy direction, intergovernmental relationships, and a variety of other influences, it is tempting to discount the value of this process. It should be noted, however, the more successful local governments utilize long range financial planning.

General Assumptions:

A variety of assumptions have been made regarding each of the nine funds analyzed in this report and a detailed list of all assumptions may be made available if desired. Some assumptions, however, apply to multiple funds and are articulated here:

1. *Real and personal property tax revenue from renovations: value assessments will continue to increase (1% is assumed) as properties are improved. This percent is captured as new property tax revenue from renovation of property (largely residential) exclusive of specific commercial developments to be addressed.*
2. *Real and personal property tax revenue from development: value assessments will increase for properties for which there are developer agreements. Increases to valuation resulting from new development (or redevelopment) of commercial properties are captured as new property tax revenues.*

3. Real and personal property tax revenue from market force increases to valuation is not captured as revenue: For each year, two estimates of millage are provided. Both assume a growth to property values based on market forces (distinct from renovation or redevelopment). No increases to the tax levy are included in the analysis for valuation increases based on market forces. Both have the effect of increasing the value of a mill and reducing the millage rate needed to generate similar property tax revenues. The conservative annual growth assumptions from market forces are 1% and 5%.
4. Major development agreements (Chateau Ocean, Surf Club, Marriot(9200 Collins), Grand Beach and 95 On The Ocean), will continue on schedule. Permitting Fees, Tourist Resort Revenues, and Real Property revenues have been captured.
5. Minor indexing to other revenues: While there are signs of general market improvements, this analysis assumes a continuing low yield increase in other revenue streams; most are indexed by 1%.
6. Interest yields on reserves will continue to improve, but remain low for some time; no indexing is applied.
7. Personnel salaries are assumed to increase: Historically, aggregate personnel salaries (particularly in the General Fund which pays most police officers) have increased approximately 2.5% annually. It should be noted, that the annual rate does not apply specifically to anyone's salary as across-the-board pay adjustments have not occurred with this frequency. Rather, the aggregate increase in a fund may result from individual adjustments or position changes/additions. The personnel salary cost line items are indexed at 2.5%.
8. Personnel insurances are assumed to increase: At current benefit levels, the Town of Surfside costs for employee health and life insurance may continue to increase at approximately 5% annually for the length of the forecast.
9. Limited increases to position count: No new personnel are assumed except a Neighborhood Resource Officer and Public Safety Officer in FY 2014 and two additional sworn Patrol Officers in FY 2018.
10. Personnel pension payments modestly increased: Calculation of pension payments for defined benefit plans are calculated, in part, based on current yields. Lately that has meant approximately 8% annual increases. This report assumes that yields have generally stabilized.

11. *Inflationary pressure will remain modest: Increases to costs of living will make their way to the United States resulting in inflationary pressures for general consumable goods of approximately two (2%) annualized.*
12. *Electric and Fuel Costs will outpace general inflation at a rate of 3%-3.5% annually respectively.*
13. *Existing programs are assumed to continue at current service levels.*

General Findings:

To fund the same level of services over the next five years, the Town of Surfside should consider concerted action to the following funds:

General Governmental Funds:

General Operating Fund: Over the period considered, this fund is projected to be very healthy. Continued monitoring for substantial variation from forecast is recommended.

Capital Projects Fund: Projects from the Proposed FY 2013/14 budget are included as are future projects for which developer proffers have been pledged.

Special Revenue Governmental Funds:

Tourist Bureau Fund: Funding available for Tourism related activities and quality of life programs will be substantially enhanced as a result of the new developments referenced above.

Police Forfeiture Fund: This restricted fund's revenues are substantially unpredictable as there is no calculation method or apparent trend leading to a reliable result. Continuing the practice of expending only unencumbered restricted realized revenues is recommended.

Municipal Transportation Fund: This fund has a healthy reserve and will continue in this mode through the next several years. The key issue will be to use the revenues available prudently to enhance the downtown area and the residential neighborhoods within the constraints of the enabling legislation.

Enterprise Funds:

Water / Sewer Fund: No substantive issues are anticipated for this fund. Utilization of the 2011 reserve models has created healthy restricted funding. Modest rate increases (2% every other year) are projected in the model based on an assumption of growth of 3.5% annually in the Town's costs for water purchases and sewage disposal.

Municipal Parking Fund: Assuming no transfers, use of unrestricted funds, for parking improvements, the unrestricted net assets are projected to grow to 114% of operating expenditures by September 30, 2018. This fund could be used to support downtown

improvements that are carefully selected to maintain our small Town feeling yet generate opportunities for existing and new businesses.

Solid Waste Fund: An assumption of 2% in growth for waste and recycling expenses to the Town may require a rate increase of as much as 10% in FY 2015 and another 5% in FY 2017. With those assumptions, the unrestricted retained earnings for the fund remain below 6% of operating expenditures. The following comment from 2011 remains: The key to this fund is to review and adjust service levels which are very high in relation to peer cities and to determine if there are efficiencies that should be implemented through technology.

Stormwater Fund: This fund continues to perform well. Maintenance of existing rates for the next five years, is the most likely occurrence for this fund. Consideration of how the unrestricted retained earnings could best be utilized to further assist in Water/Sewer debt payment, or other purposes, may be appropriate.

Notes on Presentation:

The Five Year Financial Forecast is designed to achieve these major goals:

- 1) Assist the Town's annual budget development process to incorporate a best practice of including a five year projection of revenues and expenditures by fund,
- 2) Assist the Town Commission in establishing reserve policies for each fund that allow smoothing of any potential rate increases and ensure that necessary repairs are made with available reserves to avoid the need for total replacement such as the recent water, sewer, and stormwater drainage projects,
- 3) Analyze the financial impact of various decisions regarding economic/tourism investments such as downtown improvements on the property tax burden of our residents and the future economic base of our business community, and
- 4) Analyze the distribution of the property tax burden to our residents.

Each fund's information includes most of the following elements:

- Introduction to Fund
- Trends in the Fund
- Assumptions Specific to the Fund
- Funding Requirements on Current Course
- Forecast Chart and Explanation
- Fund Balance Table and Explanation

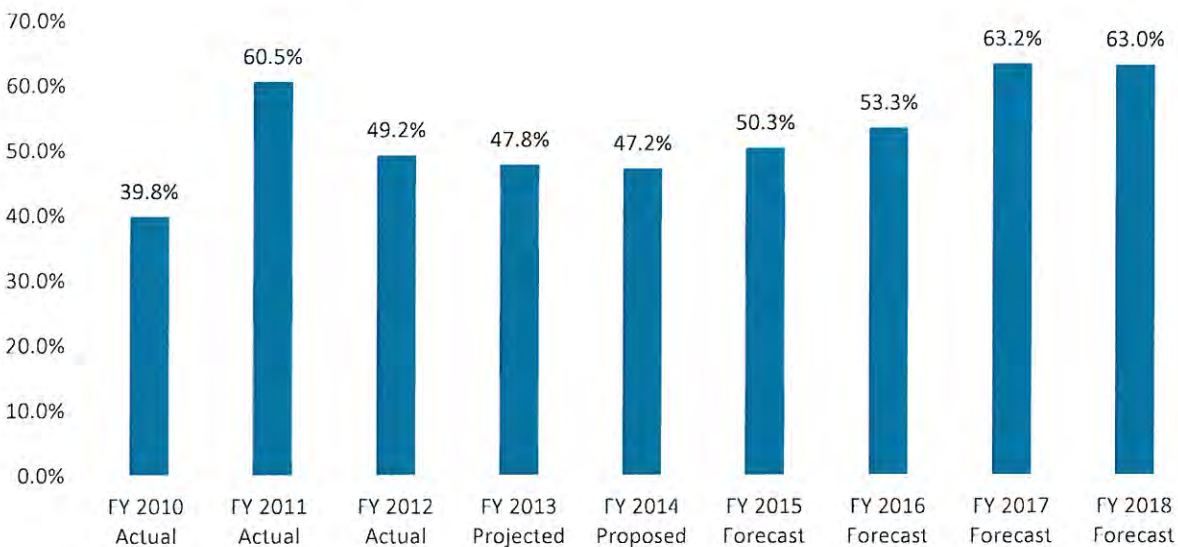
General Operating Fund

Fund Introduction: The General Fund (or General Governmental Operating Fund) is the primary fund that supports governmental operations and services. The primary revenue supporting these services is ad valorem (property taxes) which account for 47.2% to 63.2% of all revenues for this fund over the 5 years under consideration.

Figure 1: Percentage of Total General Fund Revenues from Property Taxes

Figure 1 demonstrates that the Town of Surfside's revenues for the General Fund will continue to rely heavily upon property tax collections to support general governmental operations. The percentage of all revenues from property taxes is expected to exceed FY 10/11 funding levels before it begins to diminish again.

Taken on its own, this figure suggests that property taxes on existing properties and the associated millage rate will be increased. Further analysis shows otherwise. Those sections will show a decrease in the percentage paid by residents, no intention of raising property taxes on properties based on market forces, and a decline in the millage rate.

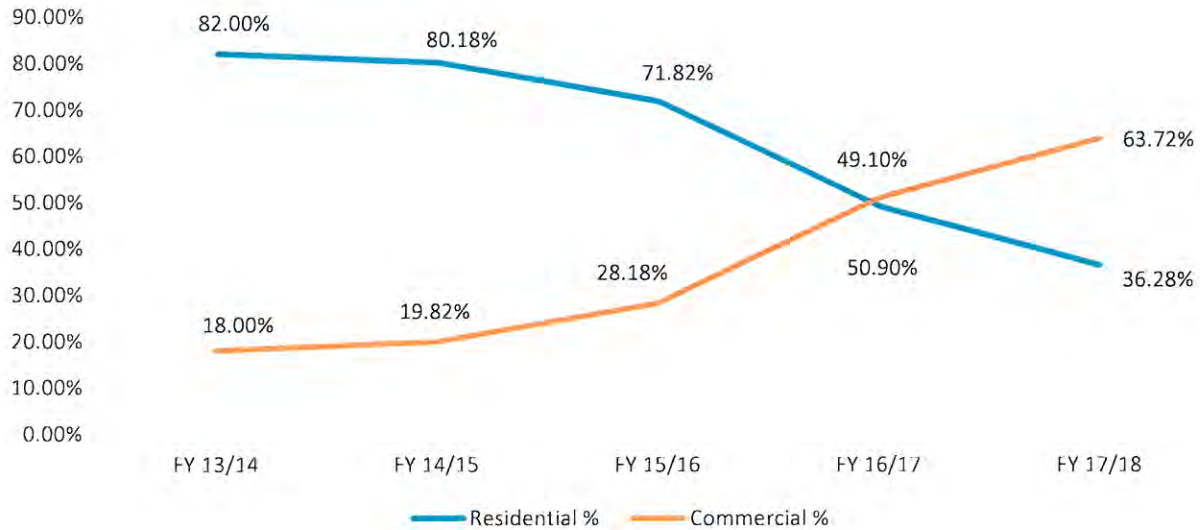


Percentage of Total Property Taxes by Property Type

While the percentage of all General Fund revenues from property taxes are increasing, the percentage of the property taxes paid by residents will diminish. As the chart below demonstrates, the percentage of all property tax taxes to be paid increasingly relies upon payments for commercial properties. FY 16/17 marks the first year that the Town of Surfside receives more property taxes from business owners than residents.

Note: A separate chart comparing The Town of Surfside's FY 2013 division of Residential to Commercial property tax contributions is attached at the end of this report.

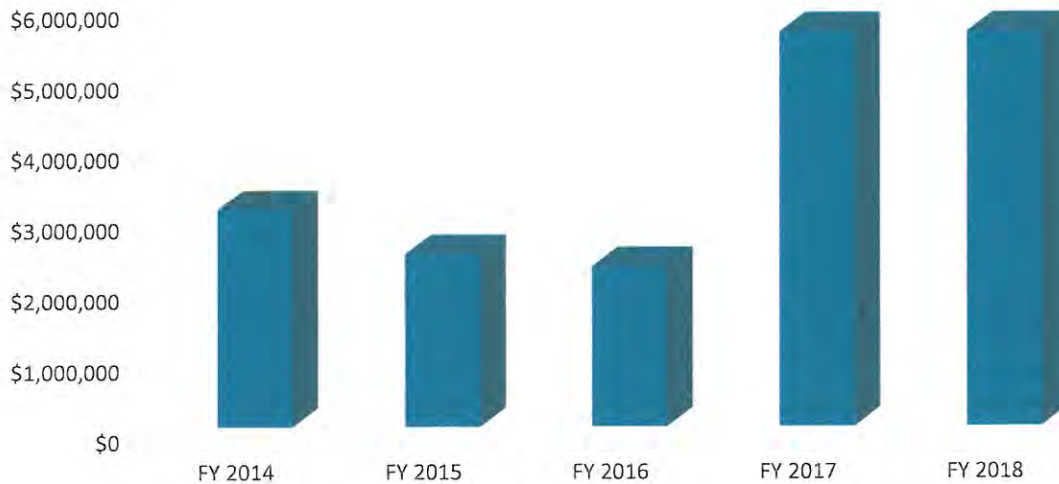
Percentage of All Property Taxes for Residential and Commercial Properties



Fund Trends: Fund expenditures grow at a rate of 3%-4% annually as a result largely of inflationary pressures and growth in personnel costs (principally bargaining unit increases). Revenues in the current years derive largely from permitting fees. As these fall off, resort tax dollars from new developments begin. As the resort tax revenues are stabilizing, property tax begins to be collectible from the larger developments.

The following chart illustrates the trending of permit fees, resort tax, and property taxes for the next several years. As it illustrates, the greatest year of concern (when permit fees are down and property taxes have not yet become assessable is FY 15/16. The chart illustrates significant permit fees in FY 13/14 which fall off sharply. Resort Tax Revenue grows beginning in FY 14/15, but only modest year-to-year property tax growth is anticipated until the majority of developments are taxable (FY 16/17). By FY

17/18 growth of revenues from developers has been achieved.



Fund Assumptions: Assumptions specific to this fund are: 1) property tax levy will increase by approximately 1% annually as a result of new renovation and new construction beyond the development properties previously identified, 2) permit fees will return to historic levels once major known developments are permitted, 3) resort tax incomes will increase substantially as a result of development, 4) property tax valuations will increase substantially as a result of major developments and 5) an aggregate increase to unimproved properties is not desirable if avoidable.

These later points are worthy of further explanation. It is anticipated that the assessed and taxable values for current properties in the Town of Surfside will increase, conservatively, by 3%-5% annually over the next several years. During the last period of substantial increases in property values, many municipalities maintained the same millage rate applied to the increased valuation. The product of this application was a substantial growth in municipal revenues despite maintaining the same rate. Recognizing the impact of this "rate maintenance" the Florida electorate re-wrote the rules and now require that any such increase be advertised as a tax increase (as the actual tax levy is increasing).

Another item worthy of note in the General Fund projection is that it is the only fund which assumes a growth in personnel. For FY 2013/2014, two positions are proposed to address an improvement to residential patrol (Neighborhood Resource Officer) and a position (Public Service Aid) who will be responsible for increased review of traffic camera violations (Red-Light Camera Program). As a result of the later position quicker notice and processing of violations are anticipated as are increased fines and penalty collections. By FY 2017/2018 (FY 2018) with all developments completed the addition of two more officers will add a complete shift rotation to address projected call volume increases. Vehicles for these positions are forecasted in the General Fund.

Millage Rate Projections on 5 Year Forecast Assumptions

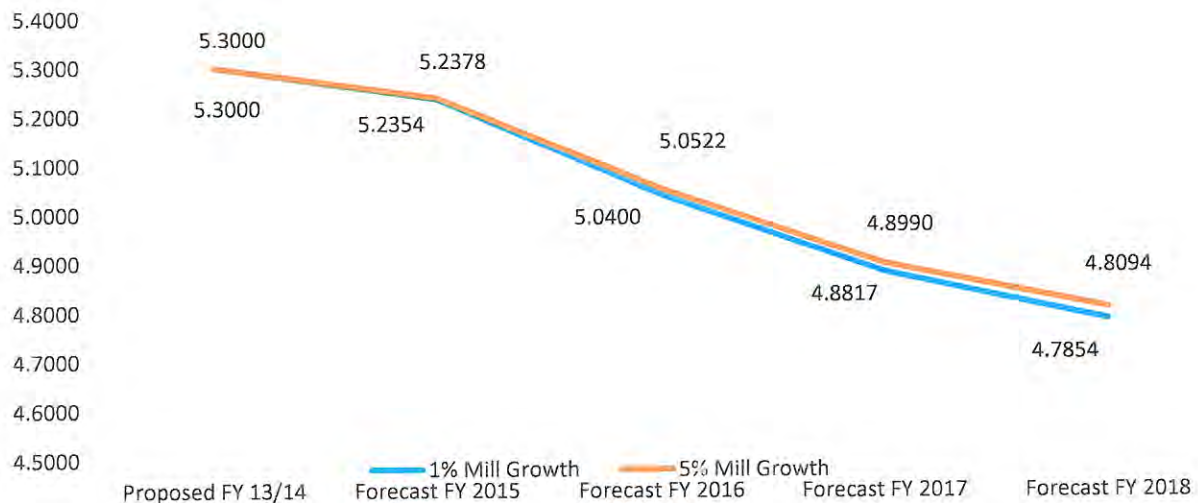
The assumptions in property tax growth for the Town of Surfside over the next several years are re-stated here: 1) real property valuations will increase annually, 2) no increases are proposed to the actual levy for existing properties (unless they are improved or exemptions are lost – regardless of market driven valuation changes), 3) annual taxable increases resulting from loss of exemptions, change in ownership, and/or building improvements will total approximately 1% of the total taxable value, and 4) improvements from development will increase taxable values and revenues and the values will be captured.

The chart below projects the effect of the above assumptions utilizing property valuation increases of 1% and 3%. Assessment increases in the past few years have been substantially higher. Should those trends hold, the actual millage rate (based on higher values) could be even lower in the coming years. Both models assume substantial growth in property valuations from new development.

Should the assumptions hold, both models indicate that a millage rate of less than 4.8 mills (down from 5.3000 mills) may be achieved by the end of the 5 years. This declining rate does not translate into a reduction in absolute tax dollars for existing property owners. What it does allow is the October 1, 2013 property tax amount to be maintained through September 30, 2018 even as property values are increasing.

Projected Millage Rates Over the Next Five Years

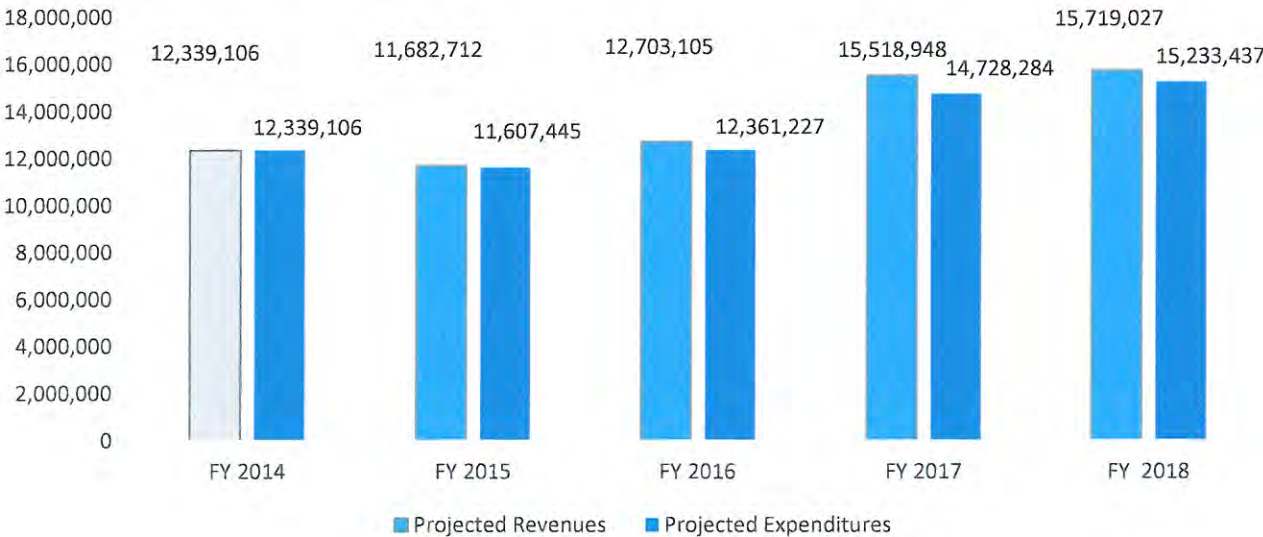
With Assumptions of Millage Growth Rates of One and Five Percent



Funding Requirements on Current Course: Present analysis and assumptions indicate that no funding challenges exist for this fund over the next five years. Once those years have passed, revenues will once again begin to stabilize while expenditures are projected to continue to increase. The expenditure increase in future years of approximately 3 – 5% annually addresses only operating items.

Forecast Chart and Explanation: As Figure 2 (below) illustrates, revenues are expected to meet or exceed expenditures in the General Fund for each of the five years. In Fiscal Year 2018, the excess of revenues over expenditures increases to \$790,664 (post-budgeted reserves).

Figure 2: Revenues Over Expenditure Chart:



Fund Balance Table and Explanation: The excess of revenues over expenditures is widest in FY 2017. In just the next year (FY 2018) that gap is reduced over \$300,000 (over one-quarter of a mill in current values). The stabilization of revenues with increasing expenditures after FY 2017 is anticipated. That pattern may be maintained in the short-term before regular rate increases are again required. To mitigate some of those future increases, a new reserve has been included in this forecast. A reserve for millage rate stabilization is proposed.

Developer proffers will have been collected by the end of this five year period as well. Unless new public/private partnerships are initiated, funding for future capital projects and infrastructure improvements will need to be identified. Most commonly capital improvements are achieved by funding transfers from the General Fund unrestricted reserves. To mitigate the impact of using reserves for these projects, a dedicated/budgeted increase to this reserve has been included. No reserve restricted solely for capital projects has been included.

To fund the two previously mentioned reserves, ten percent of new development property taxes have been utilized for each fund. “95 On The Ocean” serves as an example. The anticipated increase in ad valorem from “95 On The Ocean” is projected at \$56,473 to become payable in FY 2015. Twenty-five percent (25%) of that income is budgeted to increase the undesignated reserves – a fund which also

funds capital projects. An additional 25% (\$14,118) is budgeted to begin a millage rate stabilization reserve. Finally, an additional 25% has been budgeted to increase the assigned Hurricane reserve.

The following tables show the anticipated effect on each of these reserves should the allocation strategy be adopted. By FY 2017 the annual increase to each of the reserves reaches \$838,939.

A final note is needed concerning the following table. FY 2014 shows a return to unassigned fund reserves. FY 2015 includes (not shown) a \$500,000 appropriation. Where a day can make a difference and with uncertain permit fee payment dates, the forecast of nearly \$3 million by September 30, 2015 in unassigned reserves is more reliable than the cash flow forecast for those years.

Projected YE	FY 2014	FY 2015	FY 2016	FY 2017	FY 2018
Change to Unassigned Reserves	\$1,048,236	\$14,118	\$157,196	\$838,939	\$838,939
Unassigned Reserves	\$3,479,145	\$2,993,263	\$3,150,459	\$3,989,398	\$4,828,337

Projected YE	FY 2014	FY 2015	FY 2016	FY 2017	FY 2018
Change to Hurricane Reserves		\$14,118	\$157,196	\$838,939	\$838,939
Hurricane Reserves	\$2,000,000	\$2,014,118	\$2,171,314	\$3,010,253	\$3,849,192

Projected YE	FY 2014	FY 2015	FY 2016	FY 2017	FY 2018
Change to Millage Stabilization Reserve		\$14,118	\$157,196	\$838,939	\$838,939
Millage Stabilization Reserves	\$0	\$14,118	\$171,314	\$1,010,253	\$1,849,192

Capital Projects Fund

Fund Introduction: The Capital Projects Fund is a governmental fund type without its own revenue stream(s) unless grants are received. The Capital Projects Fund reflects expenditures and funding for those projects greater than \$25,000 which create enduring capital assets. The capital assets accounted for in this fund cannot be associated with other enterprise and/or special revenue funds, hence, their general governmental nature.

In the Town of Surfside Proposed FY 13/14 Budget, the fund accounts for Planning and Design of the 2nd floor on the Community Center and the Harding Avenue Streetscape project. The Capital Projects Fund is a general governmental fund as is the General Operating Fund. The governmental funds (General Operating Fund and Capital Projects Fund) share their reserves so a separate reserve is allowed, but not required for this fund.

Fund Trends: There are a number of capital improvements for the Town of Surfside in various stages of development. In 2011 it was recognized that a funding source to accomplish many of these projects needed to something other than the General Funds' reserves. As a result, a number of developer agreements now contain negotiated proffers for assistance in public/private partnerships. This fund is increasingly funded through those sources. As the current developer agreements end or additional resources are needed for project completion, funding will need to be identified.

Fund Assumptions: Those projects identified in the FY 2013 / 2014 Proposed Budget have been included in the forecast. An additional \$45,000 in revenues from developers is anticipated in FY 13/14 and is reserved for these projects. Other proffers are associated with non-governmental funds or the general fund and are not included in this fund.

Funding Requirements on Current Course: With the reduction to known developer proffers, alternative funding will be required for future projects. Potential funding sources include, among others, transfers from the General Fund and public/private partnerships.

Forecast Chart and Explanation: No chart is provided for this fund as the revenues are equivalent to expenditures for all but the police vehicles.

Fund Balance Table and Explanation: Table 1 (below) identifies the year ending for each Fiscal Year. So, FY 2014 represents September 30, 2014. The second row captures in a table the difference in the revenues and expenditures from Figure 2 (above). The third row shows the projected reserve total (current plus additions/deletions). By the end of FY 2018, the reserves are reduced to \$29,716 assuming that the police vehicles are paid for through the reserves and no other funding is added.

Table 1: Predictable Effects to Capital Projects Fund Reserve Balance

Projected YE	FY 2014	FY 2015	FY 2016	FY 2017	FY 2018
Change to Assigned Fund Balance	\$0	\$0	\$0	\$0	\$0
Projected Assigned Fund Balance	\$60,716	\$60,716	\$60,716	\$60,716	\$60,716

Tourist Resort Fund

Fund Introduction: The Tourist Bureau Fund is a special revenue fund which accounts for special revenues generated through (and restricted by) Florida Statute. The funds are generated by a 4% charge on certain resort properties and a 2% tax on certain food service establishments. The funds are intended for tourism related promotional events and their use is articulated in and governed by the Town of Surfside Town Charter and State law. This special revenue fund is encouraged to spend its funds to comply with funding requirements. Maintenance of a fund balance is not required.

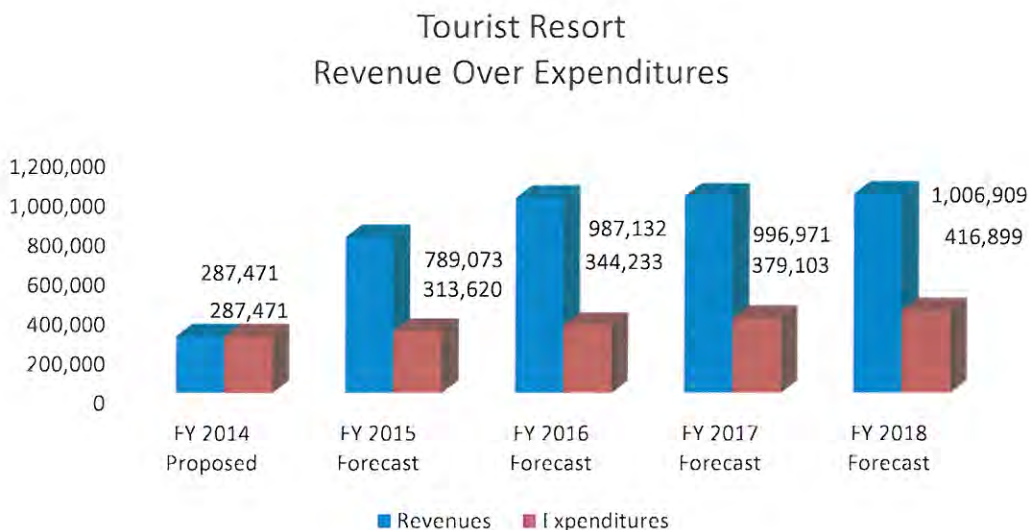
Fund Trends: In 2011 the trend for this fund was not dissimilar to a downward spiral. With the anticipation of major resort developments beginning operations, the forecasted trend is for substantial funds for future marketing.

Fund Assumptions: Assumptions specific to this fund are: 1) growth in revenues resulting from increased short-term rentals, 2) growth in revenues resulting from increased business activity (beverage tax) from developments, 3) increases to professional and consulting services (15% annual indexing) and 4) an increase to marketing activity (10% annual indexing).

Funding Requirements on Current Course: On the current course, no funding beyond the restricted revenues for this fund are anticipated. A further review of performance to forecast in the next several years is anticipated to identify and adjust for any concerns.

Forecast Chart and Explanation: As Figure 3 (below) illustrates, revenues are expected to meet or exceed expenditures in the Tourist Resort Fund for each of the five years. The projected revenues assume a 1% increase for short-term rentals and beverage taxes for the four years after FY 2014.

Figure 3: Revenues Over Expenditure Chart:



Fund Balance Table and Explanation: Table 2 (below) identifies the year ending for each Fiscal Year. So, FY 2014 represents September 30, 2014. The second row captures in a table the difference in the revenues and expenditures from Figure 2 (above). The third row shows the projected reserve total (current plus additions/deletions). By the end of FY 2018, the reserve hits \$2,396,686 allowing for considerable reserves and dramatic marketing program expansions.

Table 2: Predictable Effects to Tourist Resort Fund Restricted Reserve Balance

Projected YE	FY 2014	FY 2015	FY 2016	FY 2017	FY 2018
Change to Restricted Balance	\$0	\$475,453	\$642,898	\$617,868	\$590,009
Projected Restricted Balance	\$70,457	\$545,910	\$1,188,809	\$1,806,677	\$2,396,686

Police Forfeiture Fund

Fund Introduction: The Police Forfeiture Fund is a general governmental fund which accounts for special revenues generated through (and restricted by) Florida Statute. Once a forfeiture occurs at the task force level, funds are used to pay for expenses of the task force. The remainder is distributed based upon the number of officers each municipality has assigned to the Task Force. Other funds may come from the Surfside Police Department conducting its own investigations that may result in seizures. Funds may also come from Surfside's participation in a joint investigation with a Federal agency that results in asset forfeiture¹. The primary limitation on the expenditures is that they provide for a new / non-operational program and/or project aimed at reducing crime, drug awareness program and/or supporting new or expanded police initiatives.

Fund Trends: The Town of Surfside has utilized the accumulated reserves in the past several years. Historically, revenues are very sporadic.

Fund Assumptions: Assumptions specific to this fund are: 1) revenue collections will continue to be sporadic, 2) the Town will continue to fund, through the General Fund, an Officer who participates in the Task Force, 3) funds will only be used / budgeted after received, and 4) funds will be used to maintain existing recurring programs.

Funding Requirements on Current Course: No modification is needed to maintain this fund provided the restricted fund balance is not exceeded.

Fund Forecast Chart Explanation: No forecast is provided for this revenue as it would represent a balanced budget of radically unpredictable funding forecasts. In short, it is too unpredictable for the chart to be truly predictive or meaningful.

¹ E-mail from Chief David Allen January 2011

Municipal Transportation Fund

Fund Introduction: The Municipal Transportation Fund is a general governmental fund which results from restricted revenues from the Citizen’s Initiative Transportation Trust (CITT) program. As with other special revenues funds, revenues are only received if they are spent on particular types of qualified projects. These projects generally include projects which will improve traffic safety or benefit or encourage the use of mass transit services. Some elements of downtown and residential transportation projects are likely qualified expenditures.

A Maintenance of Effort (MOE) is also required from the Town to continue to qualify for funding. The MOE is a level of expenditure which the Town must dedicate to transportation purposes from other funding sources. To receive the approximately \$163,000 for transportation projects, the Town spends just over \$62,000 from the General Operating Fund.

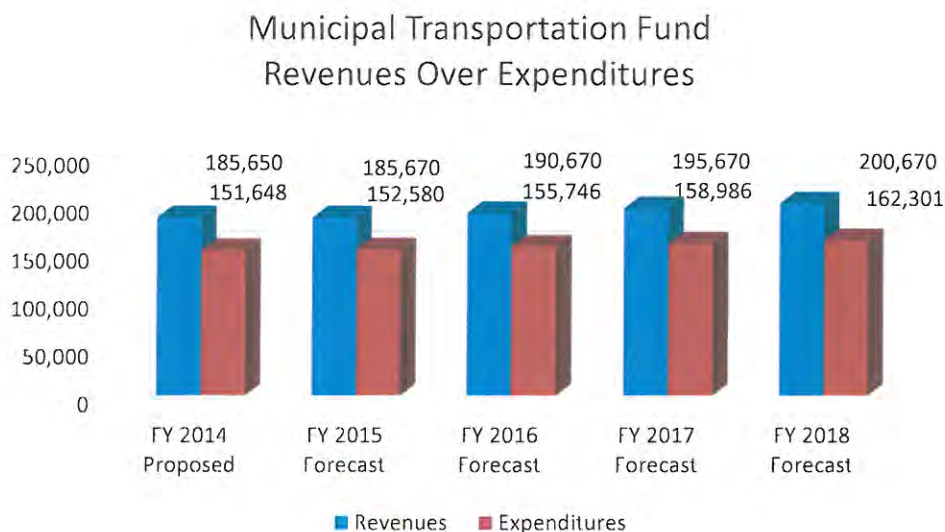
Fund Trends: The revenues for this fund result from the distribution of a one-half penny tax on each gallon of gasoline sold in Miami-Dade County. As a result, the revenues were impacted by the recession. Subsequently, the revenues have begun to increase again. The trend is for moderate revenue increases. Staff is studying all qualified opportunities to utilize a growing fund balance to fund elements of transportation improvement projects consistent with this restricted revenue. .

Fund Assumptions: Assumptions specific to this fund include: 1) revenue growth of approximately \$5,000 annually.

Funding Requirements on Current Course: Adequate funding is available for qualified and needed projects.

Forecast Chart and Explanation: As Figure 4 (below) illustrates, revenues are expected to exceed expenditures in the Municipal Transportation Fund for each of the five years.

Figure 4: Revenues Over Expenditure Chart:



Fund Balance Table and Explanation: Table 3 (below) identifies the year ending for each Fiscal Year. So, FY 2014 represents September 30, 2014. The second row captures in a table the difference in the revenues and expenditures from Figure 2 (above). The third row shows the projected reserve total (current plus additions/deletions). By the end of FY 2018, the reserve hits \$197,339 which may be utilized to fund qualified transportation improvements.

Table 3: Predictable Effects to Municipal Transportation Fund Restricted Reserves

	Projected YE	FY 2014	FY 2015	FY 2016	FY 2017	FY 2018
Change to Restricted Balance		\$34,002	\$33,090	\$34,924	\$36,684	\$38,369
Projected YE Restricted Balance		\$54,272	\$87,362	\$122,286	\$158,970	\$197,339

Water and Sewer Utility Fund

Fund Introduction: The Water and Sewer Utility Fund is an enterprise fund which relies upon user fees for revenues and borrowing for major capital projects. The fund is established to provide for independent water and sanitary sewer planning, operations, and improvements.

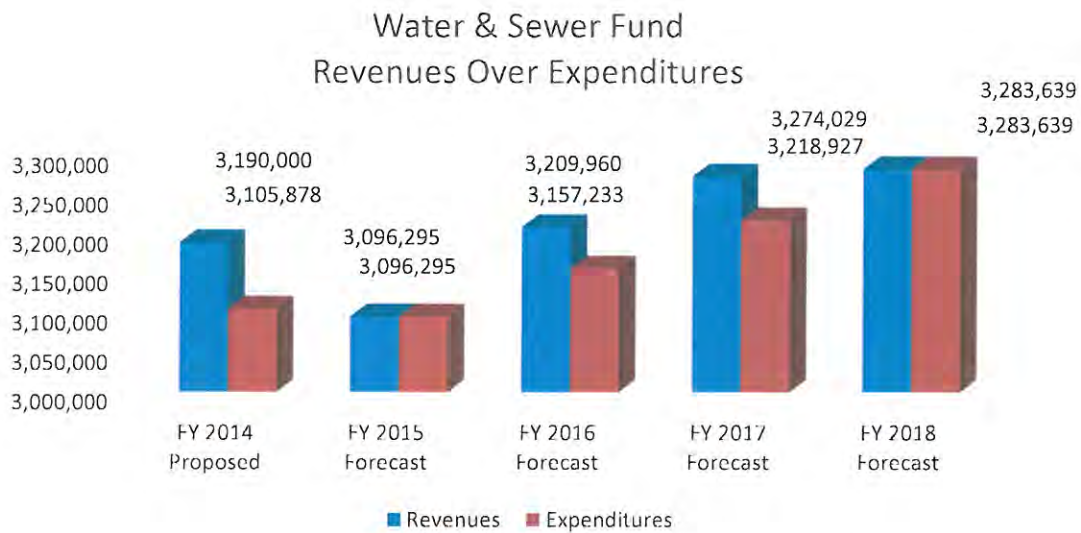
Fund Trends: South Florida water experts have said: “the cheapest potable water from now on in South Florida is the water that isn’t used”. Clean water sources are becoming more scarce in South Florida and are likely to continue to do so. Costs for water supply and waste water treatment have been increasing and are passed on to municipalities that distribute water and collect sewage. As a result of these costs and the implementation of overdue infrastructure repairs, combined with insufficient retained net assets, this fund has an operating debt payment which is included in the projections.

Fund Assumptions: Assumptions specific to this fund are: 1) water costs are forecasted to increase an average of 3.5% annually, 2) sewage treatment costs are forecasted to increase an average of 3.5% annually, and 3) funding of the increasing operating costs cannot be addressed long-term with use of the “Reserve for Rate Stabilization” alone, 4) passing along modest rate increases to end users is tolerable, and 5) a rate increase of 2% for water and sewer are included for both FY 2015 and FY 2017.

Funding Requirements on Current Course: Should the 3.5% annualized increases to the Town occur and projected, reserves (either rate stabilization or unrestricted retained earnings) may be utilized. Alternatively, a rate increase could be utilized or a combination of the two. The model assumes a rate increase of 2% in FY 2015 and FY 2017 and the use of \$23,798 in unrestricted reserves and \$33,407 in “rate stabilization” reserves.

Forecast Chart and Explanation: As Figure 5 (below) illustrates, revenues are expected to exceed expenditures in the Water & Sewer Fund for three of the five years. To bring the projected revenues up to the level of forecasted expenditures in FY 2015, \$47,595 of reserves is used (half from unrestricted retained earnings and half from the rate stabilization reserve). To bring the projected revenues up to the level of forecasted expenditures in FY 2018, \$9,610 of reserves is used (from the rate stabilization reserve). Each of these two years also includes a 2% rate increase. This is one option among many to fund the forecasted shortfalls for those years.

Figure 5: Revenues Over Expenditure Chart:



Fund Balance Table and Explanation: Table 4 (below) identifies the year ending for each Fiscal Year. So, FY 2014 represents September 30, 2014. The second row captures in a table the difference in the revenues and expenditures from Figure 2 (above). The third row shows the projected reserve total (current plus additions/deletions). By the end of FY 2018, the reserve hits \$434,399 of unrestricted funds which represents 13.23% of operating costs.

The reserves available for rate stabilization end at \$617,557 (32.04% of FY 2018 forecast operating expenses). “Renewal and Replacement” and “Loan Repayment Reserves” are neither increased nor diminished during this time period.

Table 4: Predictable Effects to Water and Sewer Fund Retained Earnings Reserves

Projected YE	FY 2014	FY 2015	FY 2016	FY 2017	FY 2018
Change to Unrestricted Net Assets	\$0	\$0	\$52,727	\$55,102	\$0
Projected Unrestricted (Operating) Net	\$434,399	\$434,399	\$487,126	\$489,501	\$434,399
Unrestricted Percent of Operating Expense	13.62%	14.03%	15.43%	15.21%	13.23%

Projected YE	FY 2014	FY 2015	FY 2016	FY 2017	FY 2018
Projected Loan Repayment Reserve Acct	\$324,000	\$324,000	\$324,000	\$324,000	\$324,000
Projected Renewal & Replacement Net	\$905,754	\$905,754	\$905,754	\$905,754	\$905,754
Projected Rate Stabilization	\$650,964	\$627,167	\$627,167	\$627,167	\$617,557

Municipal Parking Fund

Fund Introduction: The Municipal Parking fund is an enterprise fund which relies upon user fees for parking spaces and facilities as well as parking violations for revenues. The fund is established to provide for public parking planning, operations, and improvements.

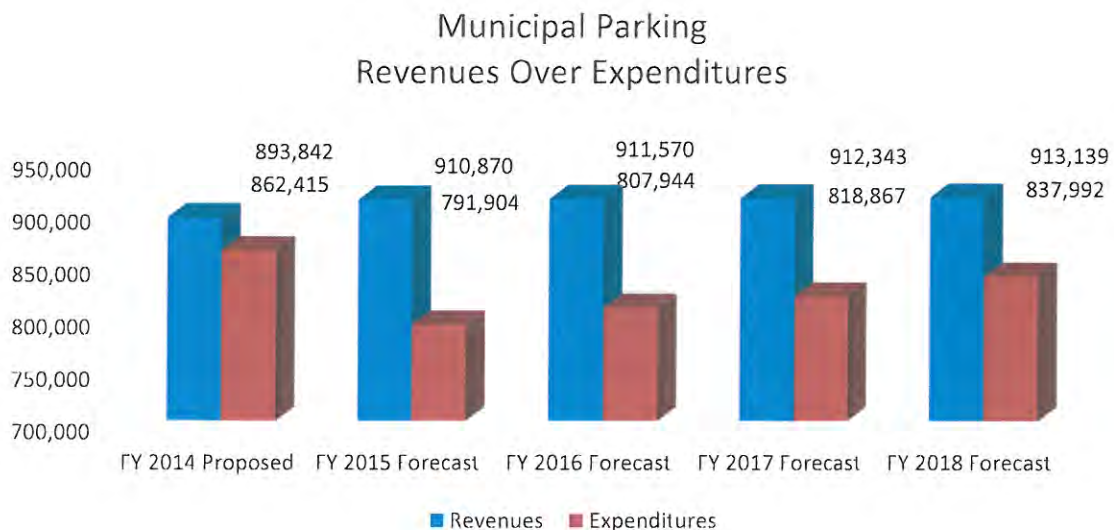
Fund Trends: The operations of this fund have been stable for a number of years and have kept pace with revenues over expenditures. The retained net assets have begun to be utilized in recent years to make infrastructure improvements or acquire land related to parking. Requested improvement costs exceed retained net assets. Careful consideration and prioritization of these requests will need to be undertaken. The operating revenue to expenditure comparison for this fund remains strong for the foreseeable future and in fact will increase greatly with the installation of the electronic multi-space meters.

Fund Assumptions: Assumptions specific to this fund are: 1) current available parking spaces are nearly fully utilized, 2) resulting from #1, increased demand does not amount to increased earnings, 3) additional land may be acquired or existing land may be developed for parking purposes, 4) a separate continuing analysis is required to best address parking issues, and 5) surplus revenues over expenditures may serve as a dedicated revenue to pay debt service on future improvements. New lots and/or structures are not within the scope of this document.

Funding Requirements on Current Course: For the current course of action (no new structure) additional funding is not required. Maintaining the current retained earnings for future debt payment should be considered.

Forecast Chart and Explanation: As Figure 6 (below) illustrates, revenues are expected to exceed expenditures in the Municipal Parking Fund each year.

Figure 6: Revenues Over Expenditure Chart:



Fund Balance Table and Explanation: Table 5 (below) identifies the year ending for each Fiscal Year. So, FY 2014 represents September 30, 2014. The second row captures in a table the difference in the revenues and expenditures from Figure 2 (above). The third row shows the projected reserve total (current plus additions/deletions). By the end of FY 2018, the unrestricted net asset balance hits \$951,450 (131% of Operating Expenditures) which may be utilized to fund future municipal parking fund debt service or other purposes.

Table 5: Predictable Effects to Municipal Parking Fund Retained Earnings Reserves

	Projected YE	FY 2014	FY 2015	FY 2016	FY 2017	FY 2018
Change to Unrestricted Net Assets		\$0	\$118,966	\$103,627	\$93,476	\$75,147
Projected Unrestricted Net Balance		\$560,235	\$679,201	\$782,828	\$876,303	\$951,450
Unrestricted Net As Percent of Exp		53.23%	85.77%	96.89%	107.01%	113.54%

Solid Waste Fund

Fund Introduction: The Solid Waste fund is an enterprise fund which relies upon user fees for revenues. The fund is established to provide for solid waste planning, operations (collections), disposal at landfill sites, recycling and equipment replacement.

Fund Trends: Balancing of this fund in FY 13/14 relies upon \$138,728 in retained earnings (10% of operating expenditures). Revenues continue to remain relatively flat without rate adjustments and expenditures continue to increase.

Fund Assumptions: Assumptions specific to this fund are: 1) waste disposal fees and recycling costs to the Town are indexed by 2% annually, 2) revenues will be increased in FY 14/15 through development, 3) continued reliance on retained earnings to fund operations cannot be sustained, 4) retained net assets should be greater than 1.47% of operating (where they may be even after a 10% rate increase in FY 14/15 and 5) two rate increases or an adjustment to operations is required to put this fund back on the track to sustainability. **The model provided relies upon a 10% increase in rates in FY 14/15 and another 5% in FY 16/17.**

Funding Requirements on Current Course: On the current course, relying upon retained earnings to fund operations and providing for no rate adjustment the fund may be insolvent by October 2015.

Forecast Chart and Explanation: As Figure 7 (below) illustrates, revenues are expected to exceed expenditures in the Solid Waste Fund by a few thousand dollars in three of the five years provided the rate increases assumed are implemented. Figure 8 (also below) shows the projected revenue to expenditure shortfall if rates are not adjusted (or some other means of establishing equilibrium identified).

Figure 7: Solid Waste Revenues Over Expenditure with Rate Adjustments Chart:

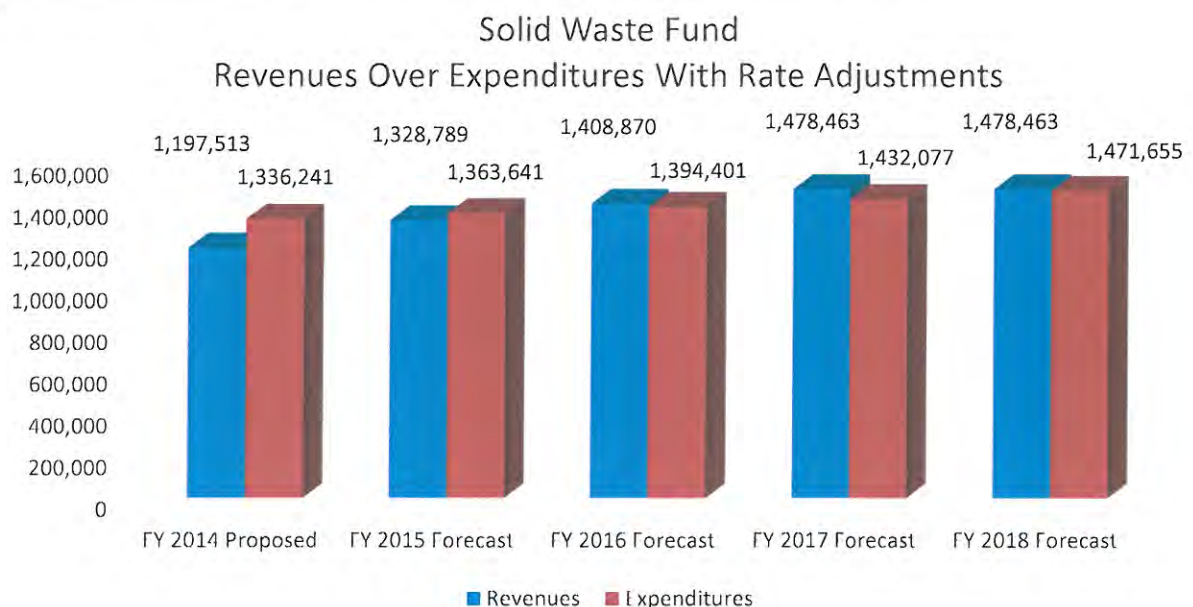
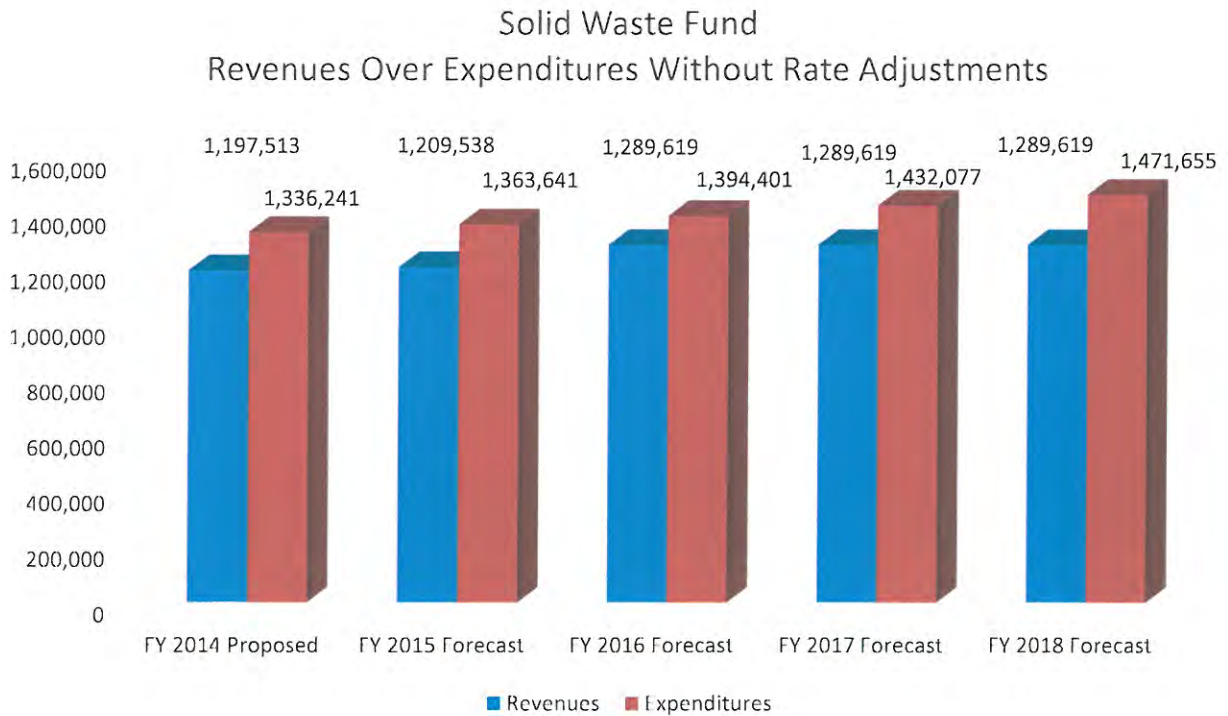


Figure 8: Solid Waste Revenues Over Expenditure without Rate Adjustments Chart:



Fund Balance Table and Explanation: As shown in Table 6 (below), by the end of FY 2018, the unrestricted net asset balance (with the 10% and 5% rate increases) remains at \$87,674 (5.96% of operating expenses). This number provides essentially no room for any variation which may cause an increase in expense or decrease in revenue collections.

Table 6: Predictable Effects to Solid Waste Fund Retained Earnings Reserves with rate adjustment

Projected YE	FY 2014	FY 2015	FY 2016	FY 2017	FY 2018
Change to Unrestricted Net Assets	\$0	(\$34,852)	\$14,470	\$46,386	\$6,807
Proj. Unrestricted Net Asset Balance	\$54,863	\$20,011	\$34,481	\$80,867	\$87,674

Unrestricted as % of Operating Expenses	4.11%	1.47%	2.47%	5.65%	5.96%
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Stormwater Fund

Fund Introduction: The Stormwater fund is an enterprise fund which relies upon user fees for revenues. The fund is established to provide for stormwater drainage planning, operations and improvements.

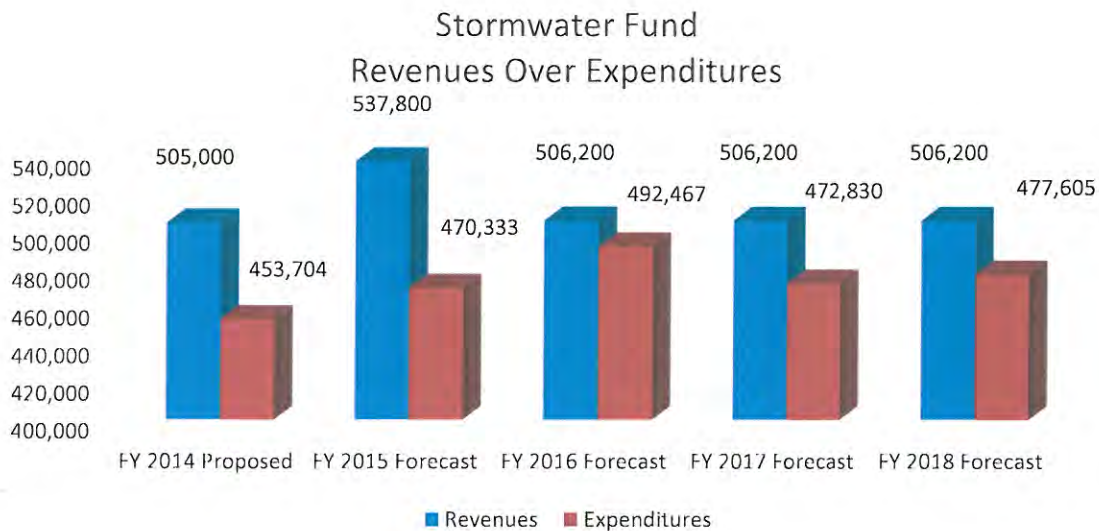
Fund Trends: The operations of this fund are stable. Major Stormwater infrastructure improvements have been completed and the fund is doing well. Revenues consistently outpace expenditures although there is no identified reserve for rate adjustments, or renewal and replacement as there is the Water & Sewer Fund.

Fund Assumptions: Assumptions specific to this fund are: 1) debt payment on the infrastructure loan continues, 2) revenues are increased modestly for development, and 3) bulkhead and seawall projects are upcoming.

Funding Requirements on Current Course: On the current course, the operating revenue to expenditure ratio in this fund is forecast to be favorable for the next several years. As with the other enterprise funds, the addition of new customers in a favorable environment increases profitability and ultimately provides an opportunity for future improvements for all stormwater customers.

Forecast Chart and Explanation: As Figure 9 (below) illustrates, revenues are expected to exceed expenditures in the Stormwater Fund in each of the next five years. This will result in an increase to unrestricted retained earnings which may help fund continuing seawall and bulkhead projects or be used for a variety of other purposes.

Figure 9: Stormwater Fund Revenues Over Expenditure



Fund Balance Table and Explanation: As shown in Table 7 (below), by the end of FY 2018, the unrestricted net asset balance is projected to grow to \$367,477 (76.9% of operating expenditures – a healthy rate). The Town may wish to consider how retained earnings (particularly in excess of 50%) may be best utilized.

Table 7: Predictable Effects to Stormwater Fund Retained Earnings

Projected YE	FY 2014	FY 2015	FY 2016	FY 2017	FY 2018
Change to Unrestricted Net Assets	\$51,296	\$67,467	\$13,733	\$60,837	\$28,598
Proj. Unrestricted Net Asset Balance	\$196,842	\$264,309	\$278,042	\$338,879	\$367,477
Unrestricted Net Balance % of Expense	43.4%	56.2%	56.5%	71.7%	76.9%

Fiscal Year 2014 Forecast Summary (Compared to FY 2013 Projected)

<u>General Fund Revenues</u>		<u>Increase</u>	<u>Decrease</u>	<u>General Fund Expenditures</u>		<u>Increase</u>	<u>Decrease</u>
Property Tax Base		\$472,150		Personnel Expenditures		\$288,014	
Property Tax Growth from Residential Rehabs (1%)				Sub-total		\$288,014	\$0
Property Tax Growth from New Development				Operating Expenditures			\$80,246
Sub-total		\$472,150	\$0	Sub-total		\$0	\$80,246
Permit Fees				Budgeted Contingency/Reserves			
Permit Fee Organic Growth				Undesignated Reserves*		\$1,048,236	
Permit Fees from Development		\$1,370,285	\$0	Hurricane Reserves			
Sub-total		\$1,370,285	\$0	Millage Stabilization Reserves			
Resort Taxes				Sub-total		\$1,048,236	\$0
Resort Tax Organic Growth (1%)							
Resort Tax Growth from Development		\$107,932	\$0				
Sub-total		\$107,932	\$0				
Other Incremental Revenues							
Utilities (and all others)			\$809,545				
Sub-total		\$0	\$809,545				
Forecast Revenue Change Sub-Total		\$1,140,822		Forecast Expenditure Change Sub-Total		\$1,256,004	

*Note: These reserves are also the source for funding capital improvements

<u>Projected End of Fiscal Year Position</u>	
Total Projected Revenues**	\$12,339,106
Total Projected Expenses (after reserves)	\$12,339,106
Projected Revenues in Excess of Expenses	\$0

<u>Projected End of Year Reserves</u>		
Undesignated***	Change	Ending Balance
	\$1,048,236	\$3,479,145
Hurricane - Assigned	\$0	\$2,000,000
Millage Rate Stabilization - Assigned	\$0	\$0

***This figure derives from permitting fees in FY 2014

<u>Millage Assumptions</u>	
Prior Year's Rate:	5.3000
Millage Rate Assumed for the Fiscal Year:	5.3000
Millage Rate Change:	0.0000

Fiscal Year 2015 Forecast Summary

General Fund Revenues		Increase	Decrease	General Fund Expenditures		Increase	Decrease
Property Tax Base*			\$60,000				
Property Tax Growth from Residential Rehabs (1%)		\$57,604		Personnel Expenditures		\$275,184	
Property Tax Growth from New Development		\$56,473		Sub-total		\$275,184	\$0
Permit Fees				Operating Expenditures			
Permit Fee Organic Growth				Sub-total		\$0	\$30,624
Permit Fees from Development			\$2,382,950				
Sub-total		\$114,077	\$60,000				
Resort Taxes				Budgeted Contingency/Reserves			
Resort Tax Organic Growth (1%)		\$4,862		Undesignated Reserves*		\$14,118	
Resort Tax Growth from Development		\$1,135,407		Hurricane Reserves		\$14,118	
Sub-total		\$1,140,269	\$0	Millage Stabilization Reserves		\$14,118	
Other Incremental Revenues				Sub-total		\$42,354	\$0
Utilities (and all others)- \$500,000 Fund Balance		\$579,593					
Sub-total		\$579,593	\$0				
Forecast Revenue Change Sub-Total		\$1,773,939		Forecast Expenditure Change Sub-Total		\$286,914	

*An inadvertent double capture of personal property values in FY 14 is removed here.

Projected End of Fiscal Year Position		Projected End of Year Reserves	
Total Projected Revenues (including fund balance)	\$11,682,712	Unassigned * - Balance is 27.15% of operating	Change
Total Projected Expenses (including budgeted reserves)	\$11,607,445	Hurricane - Assigned	Ending Balance
Projected Revenues in Excess of Expenses (after reserves)	\$75,267	Millage Rate Stabilization - Assigned	Change
			Ending Balance

*Includes an appropriation of budgeted reserves from FY 2014

Millage Rate Assumptions	
Prior Year's Rate:	5.3000
Millage Rate Assumed for the Fiscal Year (based on 1% growth):	5.2378
Millage Rate Change:	(0.0622)
	5.3000
	5.2354 mills at 5% growth
	(0.0646)
	5%

Fiscal Year 2016 Forecast Summary

<u>General Fund Revenues</u>		<u>Increase</u>	<u>Decrease</u>	<u>General Fund Expenditures</u>		<u>Increase</u>	<u>Decrease</u>
<u>Property Tax</u>				<u>Personnel Expenditures</u>			
Personal Property Tax Base		\$3,000				\$268,712	
Property Tax Growth from Residential Rehabs (1%)		\$58,139				\$268,712	\$0
Property Tax Growth from New Development		\$572,311					
	<u>Sub-total</u>	<u>\$633,450</u>	<u>\$0</u>	<u>Operating Expenditures</u>			
<u>Permit Fees</u>						\$55,835	\$0
Permit Fee Organic Growth							
Permit Fees from Development			\$29,850			\$55,835	\$0
	<u>Sub-total</u>	<u>\$0</u>	<u>\$29,850</u>	<u>Budgeted Contingency/Reserves</u>			
<u>Resort Taxes</u>				Undesignated Reserves*		\$157,196	
Resort Tax Organic Growth (1%)		\$16,264		Hurricane Reserves		\$157,196	
Resort Tax Growth from Development		\$424,432		Millage Stabilization Reserves		\$157,196	
	<u>Sub-total</u>	<u>\$440,696</u>	<u>\$50,000</u>			\$471,588	\$0
\$50,000 represents loss of developer contrib to resort tax				*Note: These reserves are also the source for funding capital improvements			
<u>Other Incremental Revenues</u>							
Utilities (and all others)			\$0				
	<u>Sub-total</u>	<u>\$0</u>	<u>\$0</u>				
				Forecast Expenditure Change Sub-Total		\$796,135	

<u>Projected End of Fiscal Year Position</u>	
Total Projected Revenues	\$12,703,105
Total Projected Expenses	\$12,361,227
Projected Revenues in Excess of Expenses (after reserves)	\$341,878

<u>Projected End of Year Reserves</u>		<u>Change</u>	<u>Ending Balance</u>
Undesignated (Represents 26.49% of Operating)		\$157,196	\$3,150,459
Hurricane - Assigned		\$157,196	\$2,171,314
Millage Rate Stabilization - Assigned		\$157,196	\$171,314

<u>Millage Rate Assumptions</u>	
Prior Year's Rate:	5.2378
Millage Rate Assumed for the Fiscal Year (based on 1% growth):	5.0522
Millage Rate Change:	(0.1856)
	5.2354
	5.0400 mills at 5% growth
	(0.1954)
	5%

Fiscal Year 2017 Forecast Summary

<u>General Fund Revenues</u>		<u>Increase</u>	<u>Decrease</u>	<u>General Fund Expenditures</u>		<u>Increase</u>	<u>Decrease</u>
Property Tax Base		\$5,000		Personnel Expenditures		\$276,902	
Property Tax Growth from Residential Rehabs (1%)		\$64,443		Sub-total		\$276,902	\$0
Property Tax Growth from New Development		\$3,226,971		Operating Expenditures			
Sub-total		\$3,296,414	\$0	Sub-total		\$39,926	\$0
Permit Fee Organic Growth				Budgeted Contingency/Reserves			
Permit Fees from Development		\$0	\$0	Undesignated Reserves*		\$838,939	
Resort Tax Organic Growth (1%)		\$20,676		Hurricane Reserves		\$838,939	
Resort Tax Growth from Development		\$20,676	\$0	Millage Stabilization Reserves		\$838,939	
Sub-total		\$20,676	\$0	Sub-total		\$2,516,817	\$0
Other Incremental Revenues				*Note: These reserves are also the source for funding capital improvements			
Utilities (and all others)		\$0	\$0	Forecast Expenditure Change Sub-Total		\$2,833,645	
Forecast Revenue Change Sub-Total		\$3,317,090					

<u>Projected End of Fiscal Year Position</u>	
Total Projected Revenues	\$15,518,948
Total Projected Expenses	\$14,728,284
Projected Revenues In Excess of Expenses (after reserves)	\$790,664

<u>Projected End of Year Reserves</u>		
Undesignated (Represents 28.5% of Operating Exp.)	Change	Ending Balance
	\$335,576	\$3,486,035
Hurricane - Assigned	\$335,576	\$2,506,890
Millage Rate Stabilization - Assigned	\$335,576	\$506,890

<u>Millage Rate Assumptions</u>			
Prior Year's Rate:	5.0522	5.04	5%
Millage Rate Assumed for the Fiscal Year: 1 %	4.8990	4.8817 mills at 5% Growth	
Millage Rate Change:	(0.1532)	(0.1583)	5%

Fiscal Year 2018 Forecast Summary

<u>General Fund Revenues</u>		<u>Increase</u>	<u>Decrease</u>
Property Tax			
Property Tax Base			
Property Tax Growth from Residential Rehabs (1%)	\$97,357		
Property Tax Growth from New Development			
<u>Sub-total</u>	<u>\$97,357</u>		<u>\$0</u>
Permit Fees			
Permit Fee Base			
Permit Fees from Development			
<u>Sub-total</u>	<u>\$0</u>		<u>\$0</u>
Resort Taxes			
Resort Tax Organic Growth (1%)	\$18,751		
Resort Tax Growth from Development			
<u>Sub-total</u>	<u>\$18,751</u>		<u>\$0</u>
Other Incremental Revenues			
Utilities (and all others)	83971		
<u>Sub-total</u>	<u>\$83,971</u>		<u>\$0</u>
Forecast Revenue Change Sub-Total	\$200,079		

<u>General Fund Expenditures</u>		<u>Increase</u>	<u>Decrease</u>
Personnel Expenditures*			
<u>Sub-total</u>	<u>\$463,475</u>		<u>\$0</u>
Operating Expenditures			
<u>Sub-total</u>	<u>\$48,927</u>		<u>\$0</u>
Budgeted Contingency/Reserves			
Undesignated Reserves*	\$838,939		
Hurricane Reserves	\$838,939		
Millage Stabilization Reserves	\$838,939		
<u>Sub-total</u>	<u>\$2,516,817</u>		<u>\$0</u>
Forecast Expenditure Change Sub-Total	\$3,029,219		

*Includes new patrol positions to accommodate growth

*Note: These reserves are also the source for funding capital improvements

<u>Projected End of Fiscal Year Position</u>	
Total Projected Revenues	\$15,719,027
Total Projected Expenses	\$15,233,437
Projected Revenues in Excess of Expenses (after reserves)	\$485,590

<u>Projected End of Year Reserves</u>		
Undesignated (represents 30% of operating costs)	<u>Change</u>	<u>Ending Balance</u>
	\$838,939	\$4,324,974
Hurricane - Assigned	\$838,939	\$3,345,829
Millage Rate Stabilization - Assigned	\$838,939	\$1,345,829

<u>Millage Rate Assumptions</u>	
Prior Year's Rate:	4.8990
Millage Rate Assumed for the Fiscal Year 1%:	4.8094
Millage Rate Change:	(0.0896)
	4.8817
	4.7854 mills at 5%
	(0.0963)
	5%

Combined Property Workbook for Select Properties (Ad Valorem, Resort Tax, Permit Fees and Proffers)
Surfside FY 13/14 - FY 17/18

Name	Total Value (FY 13/14)	Total Projected Value at Build Out	Estimated Ad Valorem Increase based on 5.300 mills	First Budget Year Projected	Projected Total Annual Resort Tax	Resort Tax Start Month	Projected FY 13/14 Permit Fees	Projected FY 14/15 Permit Fees	Projected Proffers before 9/30/13	Projected Proffers FY 13/14	Projected Proffers FY 14/15	Projected Proffers FY 15/16	Projected Proffers FY 16/17	Development	Year	Amount	
Chateau Ocean	\$7,443,500	\$127,600,000		FY 16/17		Feb-15			\$200,000	\$15,000	\$15,000			Chateau Ocean Best Western	FY 12/13	\$200,000	
	\$7,747,375								\$20,000	\$200,000						\$20,000	
	\$15,190,875								\$150,000	\$100,000						\$150,000	
Project Revenues			\$595,768		\$112,931		\$750,000	\$140,000	\$370,000	\$715,000	\$15,000	\$0	\$0		FY 13/14	\$15,000	
Surf Club	\$37,835,487	\$480,000,000		FY 16/17		Aug-15			Continuing Monthly Avg Resort Tax Payments								
	\$2,856,100									\$400,000	\$400,000	\$20,000	\$10,000			\$200,000	
	\$43,546,687								\$500,000	\$25,000	\$25,000					\$100,000	
Project Revenues			\$2,313,203		\$1,248,300		\$1,500,000	\$500,000	\$0	\$650,000	\$1,605,000	\$20,000	\$10,000		FY 14/15	\$15,000	
Marriott	\$3,144,000			FY 16/17		Feb-15				\$25,000	\$25,000						
9200 Collins	\$900,000															\$400,000	
AKA Transacta Lanai	\$1,800,000	\$67,464,540								\$7,500	\$7,500					\$30,000	
	\$630,540															\$500,000	
	\$990,000															\$25,000	
Project Revenues			\$318,000		\$332,150		\$480,000	\$0	\$0	\$25,000	\$7,500	\$0	\$0		FY 13/14	\$400,000	
Grand Beach	\$14,625,000	\$125,055,000		FY 15/16		Jul-14				\$15,000	\$10,000	\$10,000	\$10,000		FY 15/16	\$20,000	
	\$2,446,706									\$7,500					FY 16/17	\$10,000	
	\$17,071,706									\$22,500	\$10,000	\$10,000	\$10,000			\$10,000	
Project Revenues			\$572,311		\$697,004		\$0		\$150,000	\$22,500	\$10,000	\$10,000	\$10,000				
95 On The Ocean	\$5,344,625	\$16,000,000		FY 14/15		0				\$0	\$25,000	\$0	\$0				
Project Revenues			\$56,473		\$0		\$0		\$0	\$0	\$25,000	\$0	\$0				
	\$88,618,433	\$816,119,540			\$3,855,756		\$2,390,385	\$640,000	\$520,000	\$1,412,500	\$1,662,500	\$30,000	\$20,000		Grand Beach	FY 12/13	\$150,000
					\$44,830		\$3,370,000	\$640,000	\$520,000	\$1,412,500	\$1,662,500	\$30,000	\$20,000			FY 13/14	\$15,000
					\$2,435,215		\$0	\$0	\$3,645,000	\$0	\$25,000	\$0	\$0			FY 14/15	\$10,000
																FY 15/16	\$10,000
																FY 16/17	\$10,000

Grand Beach	FY 12/13	\$150,000
	FY 13/14	\$15,000
	FY 14/15	\$7,500
	FY 15/16	\$10,000
	FY 16/17	\$10,000
95 On The Ocean	FY 14/15	\$25,000