



**Town of Surfside
Town Commission Meeting
AGENDA**

**July 14, 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
- G. Legislative Report** – Fausto Gomez, Gomez Barker Associates, Inc.
- H. Osher Lifelong Learning Institute at Florida International University** –
Guillermo Olmedillo, Town Manager
- I. Bicycle Action Committee (BAC)** – Guillermo Olmedillo, Town Manager

2. Quasi-Judicial Hearings (None)

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

All items on the consent agenda are considered routine or status reports by the Town Commission and will be approved by one motion. Any Commission member may request 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

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

(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.

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

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.

5. Resolutions and Proclamations

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

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.

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.

**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.

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.

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

9. Mayor, Commission and Staff Communications

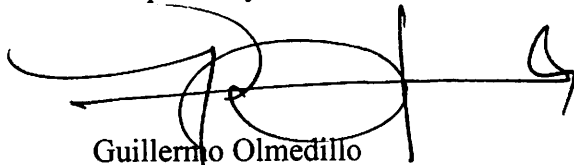
A. Traffic Management Plan – Long Term Solutions – Guillermo Olmedillo, Town Manager

B. Parking Garage– Guillermo Olmedillo, Town of Surfside

- C. Beach Chairs Management**– Guillermo Olmedillo, Town Manager
- D. Ethics Ordinance Enhancement** – Mayor Daniel Dietch
- E. Community Rating Systems (CRS) Program for Public Information (PPI)** – Guillermo Olmedillo, Town Manager
- F. Appointment to the Police Retirement Trust Fund per F.S. Ch. 185 (Verbal)** – Guillermo Olmedillo, Town Manager
- G. Zoning in Progress – Ordinance - Corridor Analysis between Collins and Harding Avenue** – Commissioner Michael Karukin {Linked to Item 4B1}
- H. Comprehensive Annual Financial Report (CAFR) for the Fiscal Year Ended September 30, 2014** – Guillermo Olmedillo, Town Manager
- I. Florida for Solar Choice Support Resolution** – Mayor Daniel Dietch

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.

GOMEZ BARKER ASSOCIATES, INC.

End-of-Special-Session Report (2015)

I am pleased to report on the activities of this firm on behalf of the Town of Surfside during the 2015 Special Session of the Florida Legislature. This report supplements the End-of-Session report I provided to the Mayor, Commission, and Manager on May 6th of this year which detailed policy issues (additional copy attached). The Special Session was held from June 1st through June 20th and focused exclusively on the budget.

After a sprawling and messy budget fight lasting four months, the Florida Legislature approved a nearly \$79 billion budget. Legislators were racing against the July 1st beginning of the new fiscal year after they failed to pass an appropriations bill during their regular two-month session. The final vote was 37-0 in the Senate and 96-17 in the House of Representatives. It followed two days of floor debate in which some legislators expressed frustration at the budget battle caused by a stalemate over health care. As you know, the Senate wanted to expand health insurance coverage for low-income Floridians; the House and Governor did not. This conflict appears to be the new legislative norm as Senate President Andy Gardiner stated at the close of the Special Session "Until we come up with a long term healthcare solution for the uninsured that's just going to be where we are."

The budget was developed largely behind closed doors as key legislative leaders crafted a temporary truce by significantly dipping into a budget surplus and steering it to the state's hospitals to replace dwindling federal aid that had been paid to treat the poor and uninsured (Low Income Pool). The Legislature had the opportunity to access \$2.2 billion in federal revenue to expand the Medicaid program in a way unique to Florida's needs. But instead the House argued that in lieu of expanding coverage the state should overhaul health care in other ways, including removing red tape so that new hospitals can be built quicker and letting nurses prescribe medicines. During the Special Session the House defeated the Senate's "Florida Health Insurance Exchange" (FHIX) and, in turn, the Senate refused to consider the healthcare bills passed by the House.

Getting to the point; revenue estimators predicted there was an additional \$1.8 billion over the FY2014-15 revenues. That gave the Legislature the ability to increase spending on state concerns as well as provide assistance to local governments to meet their backlog of infrastructure needs and government services. Unfortunately, the health care debate and corresponding resource needs, along with the Governor's funding demands, soaked up the available dollars and left the state in an unstable financial situation as state employees continue to work without raises, court clerks are reducing personnel and services due to budget cuts, and the tourist welcome centers are ceasing to provide Florida-grown juice to visitors.

Compounding the state governmental dysfunction, after passage of the budget the Governor vetoed an unprecedented \$461.4 million in line items that has led to political reverberations around the state and further inflamed his relationship with Senate leaders. This includes a host of individual projects specific to communities, from all but three of the very limited number of Miami-Dade water projects to the Holocaust Memorial on Miami Beach. There was no discernable pattern to the Governor's actions and he vetoed projects that he had approved in past years. The Governor forbade his office from communicating with elected officials and/or lobbyists during his budget review process and an interesting side story is that he refused to meet with statewide elected Commissioner of Agriculture Adam Putnam and then vetoed all of his Departmental priorities.

No one entity emerged unscathed from this year's legislative process, but in the midst of this the Town of Surfside did rather well. Along with Senator Gwen Margolis and Representative Joe Geller, this firm successfully worked to preserve the revenues currently received by the Town for parking meters on the state right-of-way, the local portion of the Communications Services Tax, the local Business Tax, and revenues from the Traffic Infraction Devices. Additionally, although not specific to the Town, the Legislature approved close to \$4.5 million for bridge enhancements on Collins Avenue and Haulover Cut Channel which will serve to facilitate travel to and from Surfside. The parking meter revenue, in particular, is a significant "win" for Surfside since along with Miami Beach and the City of Miami it would have been disproportionately impacted.

Legislators are returning to the state Capitol in January because they moved up their session starting date next year. That means that legislative committee meetings will begin in September and I propose that the Manager and I meet to craft a state policy and funding program for your approval. The big question is whether or not tensions will remain between Senate and House Republicans, and the Governor and Senate leaders, when they begin work on next year's budget and the impact that could have on funding priorities.

My staff and I appreciate representing the Town of Surfside and look forward to our working together to ensure additional successes. I welcome appearing before you next Tuesday, July 14th and responding to any questions you may have and/or providing additional information.

Fausto B. Gomez

July 7, 2015

GOMEZ BARKER ASSOCIATES, INC.

End-of-Session Legislative Report (2015)

The 2015 Regular Session of the Florida Legislature will be remembered as one of the state's most tumultuous, defined by significant philosophical disagreements over health care expansion and funding which ultimately forced a Special Session now scheduled from June 1st through June 20th. It will also be remembered as one of the most lackluster with no budget and little policy enacted amid the political drama.

The Session ended with the House of Representatives unilaterally and without prior notice announcing "sine die" on Tuesday, April 28th, at about 1:15 pm. That is unprecedented as the Session was slated to conclude on Friday, May 1st, at 11:59 pm and historically most policy issues are decided in the final days and hours of legislative session. Indeed, of the 1,754 bills introduced, only 231 passed.

After the House concluded its work the Senate continued meeting on that Tuesday as well as the next day, Wednesday, April 29th and only considered bills that had passed the House and were in messages or some extraordinary policy issues they knew would fail but did so to make a point. The Senate Democrats filed a motion with the Supreme Court of Florida attempting to propel the House back to Tallahassee and while the Court agreed that the actions of the House were unconstitutional, they refused to order them back since there were only hours left in the Regular Session when they ruled on Friday, May 1st.

The dispute between the Chambers was related to the Florida Health Insurance Exchange (FHIX) proposal, a privatized Medicaid expansion, and funding for the Low Income Pool (LIP). The Senate strongly supported these proposals while the House just as strongly argued for reforming LIP as well as pressuring the federal government to release the funds for indigent care. The Governor meanwhile was first against Medicaid expansion, then for it, and finally against it again. This battle made all other budget and policy negotiations impossible and led to the collapse of the Session.

Now the legislature has to come back to Tallahassee to conclude its only constitutionally mandated obligation, pass a balanced budget by June 30th. (The respective budgets that passed each Chamber were \$4.2 billion apart). Special Session must have a specific call - which means that when either the Governor or Legislature calls the Special Session they will have to stipulate which topics are to be covered. At a minimum it must include the budget and the budget implementing bill, but it is believed specific legislative priorities of leadership may be integrated such as water policy and the needs of disabled children and adults. All other policy items are dead for this legislative year.

Notwithstanding that the legislative process is incomplete, below is a brief synopsis of key legislation impacting municipalities that passed or failed. Obviously, Manny Reyes

and I, along with our Tallahassee associate Bill Helmich, will be representing you during the Special Session and upon its conclusion will report on your budget priorities. Amid the turmoil we look forward to good news. In the interim, please let us know if you have any questions or desire additional information.

Following are some key bills that impact municipalities and/or its residents that passed:

- **CS/CS/SB154 – Hazardous Walking Conditions**

The bill requires any governmental entity with jurisdiction over a road with a hazardous walking condition impacting public school students to correct the condition within a reasonable period of time or inform the school district as to why it will not be addressed.

- **CS/CS/HB21 – Sober Homes**

The bill creates a state certification program for sober homes and sober home operators. The importance of this legislation is that operators can currently convert single family homes in residential neighborhoods into drug and alcohol rehabilitation facilities without any local regulations.

- **CS/HB7055 – Highway Safety**

A provision of this bill allows residents of a municipality that has a golf cart ordinance to operate golf carts on two lane county roads within the municipality.

- **CS/CS/CS/HB383 – Private Property Rights**

The bill creates a cause of action within the Bert Harris Act for “prohibited exaction.” And that is defined as a permitting condition imposed by a governmental entity on a property owner’s proposed use of real property that lacks an essential nexus to a legitimate public purpose and is not proportionate to the harm the governmental entity seeks to avoid. This legislation was opposed by municipalities, but amendments to it narrowed the scope of damages and attorney fee provisions. The bill also includes favorable provisions to cities including limiting who has a cause of action under the Bert Harris Act, creating greater flexibility to settle Bert Harris lawsuits, and specifying that the act of a local government adopting FEMA floodplain maps is not actionable under Bert Harris.

- **CS/SB172 – Municipal Police Officer and Firefighter Pensions**

The bill significantly reduces current flexibility in the use of insurance premium tax revenues, as provided in the Department of Management Services “Naples” interpretation; significantly intrudes on current collective bargaining authority; and mandates increases in required minimum pension benefit levels.

In broad terms, the bill is designed to establish a two-step process regarding the use of insurance premium tax revenues under Chapters 175 (fire) and 185 (police), Florida Statutes. Under the bill the current law relating to defining an “extra benefit” and requiring a portion of Insurance Premium Tax credits to be used for “extra benefits” is removed.

In its place, the bill allows cities and unions to “mutually consent” to the use of Insurance Premium Tax Credits for retirement benefits, including any accumulation of tax revenues not yet used for benefits. If “mutual consent” is achieved, the other provisions of the bills relating to any required use of said credits are NOT applicable; rather, the parties have “mutually consented” until the next collective bargaining cycle or until “mutual consent” is revoked.

If, however, “mutual consent” cannot be achieved, there is a statutory “default” process or a reversion to a statutory Insurance Premium Tax Credit distribution process. The statutory distribution process is a very complicated and potentially costly process to taxpayers if “mutual consent” is not achieved and the statutory “default” provisions used to distribute and utilize 175 and 185 are engaged. The bill also increases the minimum pension benefit levels by increasing the pension multiplier from 2.0 percent to 2.75 percent per year of service.

The bill was amended to change the base year distribution amount to cities if “mutual consent” is not met. The base year is the IPTR distribution amount to cities for 2002 (approximately \$100.5 million collectively) as opposed to the 1997 amount (approximately \$71 million). The bill was also amended to require police or fire pension boards of trustees to adopt and operate under an administrative expense budget and have an annual accounting performed.

- **CS/CS/HB1309 – Mortality Tables for Local Pensions**

The bill requires all local governments defined benefit pension plans to use in their valuation reports the mortality tables utilized in either of the two most recently published actuarial valuation reports of the Florida Retirement System.

- **CS/CS/SB778 – Local Construction Preference Preemption**

The bill preempts local construction preference ordinances if 50% or more of state funds are used to pay for a project.

- **CS/HB1151 – Master Building Permits**

The bill requires local governments, if requested, to create a master building permit program to assist builders who construct multiple, identical, single family and townhome structures to expeditiously approve building permits. The bill allows local governments to establish reasonable fees for the creation of the program as well as permit fees that will be charged.

- **CS/CS/CS/SB248 – Public Records/Recordings by Law Enforcement Officers**

The bill creates a public records exemption for a body camera recording made by a law enforcement officer if the recording is taken:

1. Within the interior of a private residence;
2. Within the interior of a health care, mental health, or social services facility;
3. At the scene of a medical emergency involving death; or,

4. In a place that a reasonable person would expect to be private.
- **CS/CS/HB1087 – Operations of Citizens Property Insurance Corporation**
The bill requires Citizens to notify customers if they have received multiple takeout offers and provide them with information related to those offers. It also prohibits Citizens from offering more than one take-out offer in a six month period and allows a consumer to retain eligibility for Citizens if the insurer increases its initial premium more than 10% above its original estimate or increases the rate on the policy more than 10% per year during 36 months after take-out.
 - **CS/HB715 – Eligibility for Coverage by Citizens Property Insurance Corporation**
The bill removes a prohibition on coverage for any structure that is substantially improved pursuant to a building permit applied for on or after July 1, 2015. Owners of structures in coastal areas will be able to repair, remodel, or rebuild their properties and remain eligible for insurance through Citizens provided the square footage of finished area is not increased by 25% or more.
 - **CS/HB7109 – Florida Public Service Commission**
The bill establishes term limits for appointees to the Public Service Commission as well as prohibiting a regulated electric utility from charging a higher rate under a tiered rate structure due to a billing cycle extension.
 - **SB984 – Legislative Lobbying Requirements**
The bill provides a narrow exception to Florida's state's lobbyist gift ban passed during the 2015 legislative session. It clarifies that a legislator using a public facility for a public purpose such as a town-hall is not a violation of the ban. Currently, legislators need permission from legislative leaders before they can accept the use of the building as local governments lobby the state.

Equally important are the policy issues that did not pass. In a session as vexing as this, much bad policy was not approved but also failing were bills that would have had a positive impact on municipalities and their residents.

- **SB144 and HB4009 - Red Light Cameras**
These bills would have repealed the red-light camera laws. Neither bill was heard in committee. Subsequently, an amendment was added to HB7005 preventing local governments from using more than 30% of red light camera revenues for non-traffic safety purposes. The amendment was subsequently removed. Ultimately, nothing was passed to change how cities operate their camera programs or dictate how they spend the revenues associated with these programs.
- **Texting while Driving**
There were several bills filed this year dealing with texting while driving but nothing passed to modify current law.

- **CS/CS/SB110 and HB7141 – Communications Services Tax**

These bills would have reduced the state CST rate by 3.6%. However, both bills included a “hold harmless” provision that would have protected local governments by modifying the revenue sharing distribution formulas to offset the negative recurring impact. The “hold harmless” provisions were amended onto the bills during the legislative process since the impact to current city budgets was astronomical.

- **SB140 – Sales Tax on Commercial Leases**

The bill would have reduced the sales tax levied on commercial leases from 6 to 5 percent. The estimated negative impact on local governments was approximately \$31.5 million.

- **CS/CS/SB896 and CS/CS/CS/HB391 – Utility Relocation**

These bills would have prohibited local governments from requiring utilities to pay the costs of equipment relocation unless the utilities were in a “right of way,” as opposed to the current requirement for utility relocations occurring “upon, over, under, or along” a roadway. They would have required local governments, and not the utilities, to bear the cost of relocating a utility’s equipment if such equipment was located within a utility easement, regardless of the private or public nature of the easement.

- **HB7039 – Transportation**

This bill incorporated an amendment by Rep. Jeanette Nunez that would have modified the membership of the local Metropolitan Planning Organization (MPO) and would have reduced the representation of cities which have a population of fewer than 50,000.

- **CS/SB586 – Amendment 1**

The bill would have revised the statutory distributions of revenues derived from the excise tax on documents to satisfy the Water and Land Conservation Constitutional Amendment. It required the Land Acquisition Trust Fund to receive 33% of net revenues from the excise tax.

- **SB996/HB661 – Disposable Plastic Bags**

These bills would have authorized municipalities with a population of fewer than 100,000 to establish a pilot program to regulate or ban plastic bags.

- **CS/SB972 and CS/CS/HB695 – Value Adjustment Board**

These bills would have amended many components of the Value Adjustment Board process to expedite the review of challenges to property values. The House bill had a provision that the members of the Value Adjustment Board would be appointed by the local legislative delegations.

- **CS/SB1554 – Transportation**

A provision of this bill would create a mechanism for the Florida Department of Transportation of fund and manage a “Greenway and Trails” system consisting of pedestrian and bicycle paths.

- **CS/CS/SB7066 – Medical Marijuana**

The bill would have created a regulatory framework for medical marijuana in Florida, including provisions that would have allowed local governments to decide the number and location of dispensary facilities within their municipal boundaries.

(As an aside, while the bill failed in the legislative process, an administrative hearing to determine the validity of rules developed by the Florida Department of Health continues forward. The rules are being challenged by a nursery from North Florida which claims the rules are unfair to smaller nurseries).

- **CS/SB1548 – Vessel Safety**

The bill would have prohibited a vessel from anchoring or mooring within 200 feet of a developed waterfront property between the times of one hour past sunset and one hour before sunrise, unless that vessel is requiring safe harbor.

- **CS/SB 1468 – Fracking**

The bill would have created a regulatory framework within the Florida Department of Environmental Protection (DEP) to regulate fracking, otherwise known as high pressure well stimulation. Currently, fracking is a practice that is legal in the state of Florida. The bill would have created a chemical disclosure registry, available on the DEP website, to allow the general public to check which chemicals are going into the ground. Included in the bill, relatively late in the process, was a study to be conducted by DEP to examine the potential risks that high pressure well stimulation could have on Florida's surface water and ground water. Had the bill passed, DEP would have been prohibited from issuing permits to engage in fracking in the state while the study was being completed. The bill would have also preempted local government authority to create permitting programs for high pressure well stimulation.

- **SB7088 and HB1233 – Gaming**

The Senate bill would have extended the Seminole Tribe's authority to offer banked card games, thus allowing them to continue offering blackjack at their casinos. The House bill would have allowed destination casinos in South Florida as well as modifying many aspects of the para-mutual industry. The latter was amended to remove the approval of destination casinos.

The question of what should be done with the Seminole's card game remains, and could be resolved during the wider budget negotiations that the Legislature is set to have during a to-be-announced special session later this summer. The Seminole's have already reached out to the Legislature and the Governor with a request to restart negotiations on a compact extension and the attendant dollars to state coffers that accompany it.



Town of Surfside Commission Communication

Agenda Item # 1H

Agenda Date: July 14, 2015


Subject: Osher Lifelong Learning Institute at Florida International University

Background: The Town was approached by the Institute to support the Institute due to a number of Surfside residents attending and benefitting from the opportunities provided. Attachment A.


Budget Impact: \$1,000.00 contribution (unbudgeted item). Funds could be allocated from the Legislative's Subscriptions & Memberships account.

Staff Impact: None.

Recommendation: Seeking Town Commission direction.



Duncan Tavares, TEDACS Director



Guillermo Olmedillo, Town Manager



FLORIDA
INTERNATIONAL
UNIVERSITY

Biscayne Bay Campus
Office of the Vice Provost

May 21, 2015

Honorable Members of City Council
Town of Surfside
9293 Harding Ave.
Surfside, FL 33154

Dear Council Members:

I am writing in behalf of the Osher Lifelong Learning Institute at the Biscayne Bay Campus of FIU, in which there are a number of Surfside residents enrolled. The program provides valuable opportunities for those over the age of 50 to participate in classes, workshops and activities of interest to this demographic. The primary thrust of the program is in providing educational opportunities in a wide variety of classes; from water-color painting to Miami history, from critiques of foreign films to cultivation of greater happiness, and from art history to current political discourse.

Due to the fixed income of many retired individuals, it is important that costs to attend such programs be kept modest, and not increased each year. In this endeavor, support from neighboring cities whose residents enjoy such opportunities, is becoming increasingly essential. It is for that reason, I respectfully request the Council's consideration of support for the nearby Osher program. The modest amount of \$1000, if secured from communities benefitting from Osher offerings, will greatly aid in the sustainability of current efforts.

We also seek to make our programmatic offerings even more convenient to Surfside residents by offering to hold some classes in Surfside's facilities if such an arrangement may be worked out. Our goal is to add to the quality of life, and richness of educational opportunity, available to residents over the age of 50.

Your consideration is greatly appreciated. I will be pleased to provide additional information if you request it.

Yours truly,

Dan Cormany, PhD
Director of Osher Lifelong Learning Institute at FIU's Biscayne Bay Campus
Resident of Surfside: 8877 Collins Ave., 1206.



Town of Surfside Commission Communication

Agenda Item # 1I

Agenda Date: July 14, 2015

Subject: Bicycle Action Committee (BAC)

Background: The Town of Surfside was approached by the Bicycle Action Committee to sponsor their community outreach programs by providing a \$350.00 sponsorship and for the ability to use the Town seal on their bike clothing. The proceeds from the sale of the clothing funds community bike safety and awareness outreach. Attachment A.

Analysis: Their programs coincide with the ongoing efforts of the Police Department and the Chief will be working with BAC on future bicycle safety and awareness initiatives. The Town of Surfside would join other communities such as Coral Gables and the City of Miami in this effort.

Budget Impact: \$350.00 from the Police Department's Public Safety funds.

Staff Impact: Existing Town Staff will work with BAC.

Recommendation: Seeking Town Commission approval of the use of the Town seal for this endeavor.

David Allen, Chief of Police

Guillermo Olmedillo, Town Manager



Dear Valued Community Member:

Bicycling is on the rise in American cities all across the nation. Given the economic and health benefits of biking, it is easy to see why this method of commuting has become increasingly popular. According to data released by the U.S. Census Bureau in May 2014, the number of Americans who bike to work has increased by about sixty percent in the past decade. As this number continues to increase, so does the concern for bike safety.

Enter the Bicycle Action Committee (BAC), formed in 2008 by a group of local bike enthusiasts as a means to push cities forward to become more bicycle-friendly. Made up of business owners, city representatives and cyclists, the BAC aims to increase bike safety and awareness by utilizing a partnership between the private and public sector. Members of the BAC present at various City Council meetings and request permission to use the city seal and colors on bike jerseys and shorts. The sales proceeds from these bike jerseys and shorts are then given directly back to the cities to be used in funding various city bike initiatives. Proceeds from these bike-clothing sales have already been used to fund various bike initiative programs in our partner cities including construction of the Virginia Key Mountain Bike Trail. Involved cities include The City of Miami, The City of Coral Gables, The Village of Pinecrest, The City of South Miami, The City of Miami Beach and The City of Fort Lauderdale. The BAC is proudly sponsored by Mallah Furman CPA's.

The success of these efforts is greatly dependent on bike clothing sales, as these sales fund local bike projects. Our clothing is top of the line quality made by well-respected Veloce Speedwear. The education patented male and female riders adorn the front of the jersey together with bicycle safety patterns throughout the bike clothing.

RICHARD A. CAHLIN

1001 Brickell Bay Drive Suite 1400
Miami, Florida 33131
P. 305 371 6200 F. 305 371 8726

rcahlin@BicycleActionCommittee.com
BicycleActionCommittee.com



We are looking for sponsors to place their logo on our bike clothing. Given that cycling has a tremendous following and network, our sponsors' logos will be seen in various cities throughout the country.

With your sponsorship, you will receive a jersey and shorts, as well as recognition in our newsletter. I ask that you please support the male and female cyclists of this country by becoming a sponsor. The BAC is a non-profit organization under Section 501(c)(3) of the Internal Revenue Code, so your donation is fully tax-deductible.

You can make your check payable to Bicycle Action Committee and mail it back in the enclosed envelope or you can make your contribution on our website.

Thank you for your help in making our country a safer place for cyclists.

Safety and Solidarity,

Richard A. Cahlin

CEO and Founder, Bicycle Action Committee

RICHARD A. CAHLIN

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SPONSORSHIP LEVELS



THE CITY OF CORAL GABLES

The City of Coral Gables' Bicycle and Pedestrian Master Plan includes more than 27 miles of new or improved bikeways sidewalks and crosswalks. It recommends a comprehensive expansion and diversification of facilities to expand the demographics of residents who bicycle. Beyond constructing a network of safe bikeways, education, encouragement and programming are playing a critical role in making Coral Gables more bike friendly.



THE VILLAGE OF PINECREST

The Village of Pinecrest adopted the Village Bicycling Plan, which was developed by the Transportation Advisory Committee (TAC), a resident committee, and approved by Village Council. The proposed project will add bike lanes and bike routes throughout the Village to increase safety and promote connectivity along those roads that accommodate safe environment for sharing the roadway with vehicular traffic.



CITY OF MIAMI

The City of Miami is working to create a more vibrant and livable community that is safe and convenient to bicycle. Through the implementation of bicycle lanes, shared use lane markings, signage, and greenways, Miami has begun to develop a bicycle network. Miami has been working to increase safe and convenient bicycle parking, as well as a robust bicycle share program.



MIAMI BEACH

The Miami Beach City Commission adopted the Atlantic Greenway Network (AGN) Master Plan, also known as the Bike Master Plan, in 2007. As an outcome of the AGN Master Plan, the City has constructed over 15 miles of bicycle facilities and has over seven more miles in construction and design stages. Other initiatives include the Miami Beach Bike Sharing Program, Bicycle Safety Campaign, Miami Beach Community Bike Ride and Bike to School Day.



CITY OF FORT LAUDERDALE

The City of Fort Lauderdale is working to create a resilient, livable community that is safe and convenient to bicycle, walk and take transit. The City is working to accomplish this goal through a multipronged approach including education, engineering, enforcement, encouragement and evaluation. The City has a Transportation & Mobility Department that is dedicated to this goal and has been working on bicycle initiatives including adding new facilities, developing a Safety Action Plan, promoting awareness through events such as an Open Streets, and facilitating safety education.



CITIES UNDER REVIEW

North Miami
Miami Lakes
Doral
Village of Palmetto Bay
Sunny Isles
City of Aventura



The Miami Herald

PINECREST OKS GRANT FOR GREEN TRANSIT STUDY

By Brittny C. Valdes

The future of Pinecrest is looking more bicycle and pedestrian friendly.

The Village Council recently approved a \$32,000 bicycle and pedestrian mobility plan grant from the Miami-Dade County Metropolitan Planning Organization to help fund a study that will analyze how to better connect the village's eastern residential area to its three-mile U.S. 1 corridor.

The study stems from the Village Council's 2012 vision plan that proposed to beautify and improve Pinecrest's U.S. 1 corridor by adding sidewalks, new and wider bike lanes, bike racks, and possible shower and changing facilities behind commercial outlets on the corridor.

"This will allow residents to go between properties without having to go to U.S. 1," said Village Manager Yocelyn Galiano Gomez, who added the plan promotes an interactive community because residents will be able to safely walk and bike to the corridor instead of drive.

Galiano Gomez said the lack of bike and pedestrian routes in the village is one reason there is so much traffic on the corridor. The Village Council must match 20 percent of the grant, which is \$8,000, to pay for the \$40,000 study.

A consultant has not been chosen and there are no exact dates for the study to commence, but Galiano Gomez said Pinecrest has a strong biking community, so this plan is vital.

Richard Cahlin, a former Pinecrest resident who now lives in Coconut Grove, agrees. "Any road biker has heard of someone who has fallen, gotten hit or died," said Cahlin, a certified public accountant who road-bikes as a hobby and created the Bicycle Action Committee (BAC) in 2008 to promote bicycle safety throughout Miami-Dade County.

The Miami Herald

The BAC, made up of business owners, city representatives and cyclists, has previously partnered with Miami and Coral Gables by adopting the cities' logos, manufacturing cycling outfits with the cities' logos on them, and then selling them to cyclers to raise money for bicycling initiatives in each of the cities.

The BAC was able to fund a mountain bike trail in Virginia Key for the city of Miami and bike racks for Coral Gables. Cahlin, who works for Mallah Furman in Brickell, receives donations from his firm, colleagues and friends to help pay for the outfits, which BAC sells for \$75 (top and bottom).

Now Cahlin has asked Pinecrest's Village Council members to join his efforts, and they agreed.

"It's complimentary to what we are trying to do," said Galiano Gomez. Cahlin will present the outfits he designed for Pinecrest at the next Village Council meeting on July 16 at 6 p.m.

"It's a road paved with bureaucrats that all have good intentions," Cahlin said about his reasons to fundraise for bike initiatives. "More and more people are electing to bike for health, eco and money reasons. The awareness that this creates is important for anybody on the road."

BICYCLE ACTION COMMITTEE IN THE NEWS



BIKE ACTION COMMITTEE CREATES CAMPAIGN TO PROMOTE SAFETY

By Raquel Garcia

Richard A. Cahlin will not tell you he is “over the hill,” but he will say that as he approaches that proverbial hill, he figured it would be easier on his physique to get there on a bike rather than by running. Today the retired distance runner and CPA — who averages about 75 to 80 miles weekly on his road bike — also chairs the City of Miami Bike Action Committee private / public partnership. The group currently is selling biking jerseys and shorts designed with the Coral Gables city seal in order to promote bike safety and fund bicycle racks in the City Beautiful.

“About three years ago a group of us started to get together once a month to promote bike safety and awareness,” Cahlin said. “It’s like school lunches, no one is against bike safety but as an initiative it can be a very difficult task.” The group of city employees and avid bikers decided a light-hearted way to push for the cause would be to sell biking gear and use the proceeds to enhance bike safety in the sponsoring municipality.

According to Trenda Mcpherson, State Bicycle Safety Program manager with the Florida Department of Transportation (FDOT), biking fatalities in Florida have gone down from a high of 126 in 2008 to 83 in 2010 (most recent available numbers). In Miami-Dade County there were 527 bicyclists injured and seven killed in traffic accidents in 2010 according to figures from David Henderson, Bicycle/Pedestrian Coordinator with the Miami-Dade County Metropolitan Planning Office.

The City of Miami sponsored the first Bike Action Committee campaign where 100 biking outfits were sold with the city seal and the proceeds went to support the mountain biking trail on Virginia Key. The spandex-style outfits are made locally by Veloce Speedwear and range in cost from \$75 to \$200. Company logos are placed on the outfit as they would appear on a racecar driver’s uniform and logo placement cost varies depending on donation.

BICYCLE ACTION COMMITTEE IN THE NEWS



Cahlin recently made a presentation to the Village of Pinecrest and was approved so he will be starting a campaign there soon. The presentation to South Miami also met with approval from commissioners.

FDOT's "Alert Today Alive Tomorrow" pilot program conducted a one month analysis of pedestrian and biker safety in Miami-Dade County. From a survey of 4,084 individuals, it determined that 85 percent of bicyclists are male, 86.5 percent do not wear helmets, 90 percent did not use lights at night (a statutory requirement) and only 22.5 percent were riding correctly against traffic. They also found that 44.5 percent of motorists in Dade County do not yield to pedestrians or bicyclists.

Cahlin has traveled the country on biking adventures to Maine, California, Vermont, but says the best riding is right here in South Florida. "Key Biscayne is one of the most beautiful rides, across the bridge with water on both sides; it doesn't get much better than that. We have the most beautiful weather year round to take advantage of cycling, and make it safe."



SPONSORSHIP FORM

Enclosed is a check / credit card payment for Bicycle Action Committee

PAYMENT METHOD & TOTAL AMOUNT _____

☐ Check Enclosed *Please make check payable to Bicycle Action Committee*

☐ Visa ☐ Mastercard ☐ Discover Card ☐ American Express

Credit Card # _____ Exp. _____ CVC Code _____

Name on Card _____ Signature _____

Email Address _____ *Email required for credit card confirmation*

Billing Address _____

City _____ State _____ Zip Code _____

Phone _____ *To call to follow-up as needed*

Please include me/us as a sponsor at the following level

(Placement options shown visually on following page)

- _____ \$900 — Back of Jersey
- _____ \$500 — Side of Jersey
- _____ \$500 — Side of cycling short
- _____ \$350 — Front of Jersey
- _____ \$350 — Jersey Sleeve
- _____ \$350 — Back of jersey small
- _____ \$350 — Back of cycling Short

BAC is a non-profit organization under section 501(c)(3) of the Internal Revenue code, so your donation is fully tax deductible.

DONATE AND/OR SHOP ONLINE AT WWW.BICYCLEACTIONCOMMITTEE.COM

Please mail this form along with your payment to:

BICYCLE ACTION COMMITTEE

1001 Brickell Bay Drive, Suite 1400 Miami, FL 33131

Questions? Please contact **RICHARD A. CAHLIN** at
305.371.6200 ext.1107 | rcahlin@bicycleactioncommittee.com



**Town of Surfside
Town Commission Meeting
MINUTES
May 12, 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

Town Manager Olmedillo said Finance Director Nelson was handing the Commission a budget preparatory calendar and asked they review it and get back to him by June 1st to set up meeting dates. He also informed all that the meeting room has a capacity of 99 people and the doors must be closed. There is room downstairs for additional people where there is a TV and this area can also accommodate people with children. Commissioner Olchyk asked that the Mayor see to it that the public follow proper decorum at all meetings and the Mayor said he would do his best to see that those standards are held. Commissioner Cohen agreed with Commissioner Olchyk and further stated that decorum should be set by the Commission also.

Commissioner Karukin thanked HR Director Yami Slate-McCloud for her help with the Cancer Society.

Vice Mayor Tourgeman gave an update on the Miami-Dade Legal Cities Board of Directors meeting on May 6, 2015 regarding MPO. He encouraged all to attend the Memorial Day event on Monday May 25, 2015.

For the record, the Vice Mayor also expressed his disappointment and dissatisfaction with the way the joint meeting of the Commission and Tourist Board was conducted on May 4, 2015. He said plans for this meeting originated in February 2014 and due to misinformation given by the Tourist Director and our Town Attorney the meeting was delayed month after month until May 2015. Staff has to remember that

advocacy is not part of their role but to present the facts fairly and adequately. The meeting produced only more questions rather than solutions or consensus. The reason behind this was being a lack of preparation, lack of focus, and lack of preparing and sharing both the Board and Commission with input and direction. A document was presented which resulted in two hours of point of views with no action. This should be a lesson in the making for any board to conduct unproductive meetings in the future.

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

4.A2 Restructure of Solid Waste Commercial Rates – Linked to Item 3J
Restructure of Solid Waste Commercial Rates

F. Community Notes – Mayor Daniel Dietch

The Mayor gave special thanks to Candy and Pablo Claussall for their support on Baymanza. He also thanked the participants of the Mayor's Challenge for Water Conservation.

Mayor Dietch announced the upcoming community events which can be found in the Gazette and on the Town's website.

The Mayor acknowledged those on staff and residents who have lost loved ones -Tim Milian. Randy Stokes, Jose Feliz, and the family of Sid Tepper. He also acknowledged Representative Geller who lost his mother. There was a moment of silence.

2. Quasi-Judicial Hearings (None)

3. Consent Agenda

Commissioner Karukin pulled items Click Fix on page 37 (Town Manager Report); Vice Mayor Tourgeman pulled item 3H; Mayor Dietch pulled item 3F and item 3G.

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

A. Minutes – Sandra Novoa, CMC, Town Clerk

April 14, 2015 Regular Commission Meeting Minutes

April 27, 2015 Special Commission Meeting – Traffic Management Plan

B. Budget to Actual Summary as of February 28, 2015 – Guillermo Olmedillo, Town Manager

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

Page 37 See Click Fix pulled by Commissioner Karukin

Commissioner Karukin likes the software product but feels many people are not using it and still calling in problems. Mayor Dietch directed the Town Manager to develop a way to use the tool as a matrix to input data and work orders. He asked for performance measures such as an item being open, acknowledged, closed and submit a monthly report back to the Commission.

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

E. Committee Reports – Guillermo Olmedillo, Town Manager

- March 2, 2015 Tourist Board Meeting Minutes
- March 16, Park and Recreations Committee Meeting Minutes
- March 26, 2015 Planning and Zoning Board Meeting Minutes

F. A Resolution Requesting that the Florida Department of Transportation and Miami-Dade County Coordinate its Projects with Municipalities for Projects within those Municipalities – Vice Mayor Tourgeman

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE FLORIDA, REQUESTING THAT THE FLORIDA DEPARTMENT OF TRANSPORTATION AND MIAMI-DADE COUNTY COORDINATE ITS PROJECTS WITH MUNICIPALITIES FOR PROJECTS WITHIN THOSE MUNICIPALITIES; PROVIDING DIRECTION TO THE TOWN CLERK TO TRANSMIT A COPY OF THIS RESOLUTION TO THE SECRETARY OF FLORIDA DEPARTMENT OF TRANSPORTATION 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; PROVIDING AN EFFECTIVE DATE.

Item pulled by Mayor Dietch

Mayor Dietch asked whether we are receiving all updates from FDOT. Town Manager Olmedillo gave input on the matter and said he has had a good relationship with FDOT. The Mayor said it appears that FDOT is coordinating with the town and doing everything it is supposed to be doing. Vice Mayor Tourgeman said he was just reinforcing that FDOT advise the town when they are doing projects but if the Mayor disagreed it is okay and just take a vote.

The Mayor suggested that before preparing a resolution which is time consuming for the town attorney, it may be better to bring the item before the Commission and if it is deemed to be important enough then have a resolution prepared. Vice Mayor Tourgeman was in disagreement with the Mayor.

Vice Mayor Tourgeman made a motion to accept. The motion received a second from Commissioner Olchyk. A vote was taken and the motion failed 4 to 1 with Vice Mayor voting for acceptance.

G. A Resolution Supporting Senate Bill 378 (2015) to Expand Law Enforcement Officers' Ability to Give a Warning, Inform the Parents/Guardian or Issue Civil Citations for a Diversion Program to Juveniles in Lieu of Arrest – Vice Mayor, Tourgeman

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE FLORIDA, SUPPORTING SENATE BILL 378 (2015) TO EXPAND LAW ENFORCEMENT OFFICERS' ABILITY TO GIVE A WARNING, INFORM THE PARENTS/GUARDIAN OR ISSUE CIVIL CITATIONS FOR A DIVERSION PROGRAM TO JUVENILES IN LIEU OF ARREST; PROVIDING DIRECTION TO THE TOWN CLERK TO TRANSMIT A COPY OF THIS RESOLUTION TO 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; PROVIDING AN EFFECTIVE DATE.

Item pulled by Mayor Dietch said he was against the resolution and wondered if it had any value at this time. Town Assistant Attorney Jane Graham presented the item in more detail and gave an update.

Vice Mayor Tourgeman made a motion to accept. The motion received a second from Commissioner Olchyk and the motion carried 4-1 with Commissioner Cohen in opposition.

H. Flavored Tobacco and Electronic Cigarettes Urging Resolution – Vice Mayor Tourgeman

A RESOLUTION OF THE TOWN OF SURFSIDE, FLORIDA, URGING RETAILERS TO STOP THE SALE AND MARKETING OF FLAVORED TOBACCO PRODUCTS AND E-CIGARETTES IN SURFSIDE, FLORIDA; AND TO PROHIBIT THE USE OF ELECTRONIC CIGARETTES AND OTHER NICOTINE DISPENSING DEVICES IN TOWN OWNED OR OPERATED ENCLOSED INDOOR WORKPLACES; PROVIDING DIRECTION TO THE TOWN CLERK TO TRANSMIT A COPY OF THIS RESOLUTION TO THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, MIAMI-DADE COUNTY LEAGUE OF CITIES, AND FLORIDA LEAGUE OF CITIES; AND PROVIDING FOR AN EFFECTIVE DATE.

Item pulled by Vice Mayor Tourgeman. The Vice Mayor gave an update on the item. Assistant Town Attorney Graham gave more details on the item.

Vice Mayor Tourgeman made a motion to accept. The motion received a second from Commissioner Olchyk and the motion carried 4-1 with Commissioner Karukin in opposition.

Public Speakers:

Rubi Arguello representing Students against Tobacco and Georgette Kores urged the Commission to pass the resolution.

Commissioner Karukin felt that electronic cigarettes are a deterrent from regular cigarettes and was not sure if the resolution was even legal. Studies have not been concluded if there are any dangers in using electronic cigarettes and therefore does not support the resolution. The Vice Mayor cited that a report indicated that young people using electronic cigarettes eventually will use regular cigarettes.

***I. Contributions for Downtown Harding Avenue Business District Tree Lights – Guillermo Olmedillo, Town Manager**

A RESOLUTION OF THE TOWN OF SURFSIDE, FLORIDA ACCEPTING CONTRIBUTIONS TO SUSTAIN THE LIGHTING OF THE DOWNTOWN HARDING AVENUE BUSINESS DISTRICT TREE LIGHTS; PROVIDING AUTHORITY TO THE TOWN MANAGER TO ACCEPT ON BEHALF OF TOWN COMMISSION CONTRIBUTIONS FOR DOWNTOWN HARDING AVENUE BUSINESS DISTRICT TREE LIGHTS; AND PROVIDING FOR AN EFFECTIVE DATE.

Approved on consent.

J. Restructure of Solid Waste Commercial Rates – Guillermo Olmedillo, Town Manager *[Linked to Item 4A2]

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE FLORIDA, ESTABLISHING A NEW RATE STRUCTURE FOR COMMERCIAL SOLID WASTE REMOVAL FROM A FLAT RATE TO A PER YARD FEE WHICH SHALL BE EFFECTIVE JULY 1, 2015; PROVIDING FOR AUTHORIZATION AND APPROVAL; PROVIDING AN EFFECTIVE DATE.

Approved on consent.

***K. Town of Surfside Sewage Conveyance Services - Guillermo Olmedillo, Town Manager**

A RESOLUTION OF THE TOWN OF SURFSIDE, FLORIDA, AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH THE CITY OF MIAMI BEACH TO PROVIDE SEWAGE CONVEYANCE SERVICES; PROVIDING FOR AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Approved on consent.

4. Ordinances

A. Second Reading Ordinances

- 1. Amending Chapter 54 “Prohibited Noises”, specifically Section 54-77 “Waiver of Division Provisions” – Commissioner Marta Olchyk**

AN ORDINANCE OF THE TOWN OF SURFSIDE, FLORIDA AMENDING CHAPTER 54 “PROHIBITED NOISES”; SPECIFICALLY AMENDING SECTION 54-77 “WAIVER OF DIVISION PROVISIONS”; PROVIDING FOR INCLUSION IN THE CODE; 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 Olchyk made a motion to accept. The motion received a second from Vice Mayor Tourgeman and all voted in favor.

Commissioner Olchyk had concerns about enforcement of the ordinance. Town Manager Olmedillo assured that they have enough staff to do so and are committed to uphold the ordinance.

The Mayor opened the public hearing.

Public Speaker Jeffery Platt asked what happens when there is a violation and if there is a fine for noncompliance. Town Manager Olmedillo explained the process and having them comply with code enforcement and ultimately there are fines.

Commissioner Olchyk made a motion to take the pulled items next. The motion received a second from Vice Mayor Tourgeman and all voted in favor.

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

***2. Restructure of Solid Waste Commercial Rates – Guillermo Olmedillo, Town Manager [Linked to Item 3J]**

AN ORDINANCE OF THE TOWN OF SURFSIDE, FLORIDA, AMENDING SECTION 66-35, “SCHEDULE OF FEES” OF THE CODE OF ORDINANCES TO ESTABLISH A NEW RATE STRUCTURE FOR COMMERCIAL SOLID WASTE REMOVAL FROM A FLAT RATE TO A PER YARD FEE WHICH SHALL BE EFFECTIVE JULY 1, 2015; PROVIDING FOR INCLUSION IN THE CODE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Town Clerk Sandra Novoa read the title of the ordinance.

Vice Mayor Tourgeman made a motion to accept. The motion received a second from Commissioner Cohen and all voted in favor.

The Mayor opened the public hearing. There being no one wishing to speak the Mayor closed the public hearing.

***3. Ordinance Amending Town of Surfside Code Chapter 26 entitled “Elections”, by Creating Section 26-13 thereof entitled “Supplemental Qualifying Period” – Linda Miller, Town Attorney**

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA AMENDING TOWN OF SURFSIDE CODE CHAPTER 26 “ELECTIONS”, BY ADDING THERETO SECTION 26-13 ENTITLED “SUPPLEMENTAL QUALIFYING PERIOD”, FOR THE PURPOSE OF ESTABLISHING BY ORDINANCE, (PURSUANT TO TOWN CHARTER SECTION 105(8)) THAT NO FURTHER SUPPLEMENTAL QUALIFYING PERIOD SHALL BE ESTABLISHED IF A VACANCY IN CANDIDACY OCCURS WITHIN THIRTY-FIVE (35) DAYS PRIOR TO THE DATE OF AN ELECTION FOR THE OFFICE OF TOWN COMMISSIONER OR MAYOR; PROVIDING FOR SEVERABILITY, CONFLICT, INCLUSION IN TOWN CODE AND EFFECTIVE DATE.

Town Clerk Sandra Novoa read the title of the ordinance.

Vice Mayor Tourgeman made a motion to accept. The motion received a second from Commissioner Olchyk and all voted in favor.

The Mayor opened the public hearing. There being no one wishing to speak the Mayor closed the public hearing.

- *4. An Ordinance of the Town commission of the Town of Surfside, Florida amending pursuant to Florida Statue sections 100.3605(2) and 166.021(4), Section 101 of the Town of Surfside Charter regarding “Qualifying for Elected Office” with limited applicability to establishment of qualifying dates for the Town’s March 15, 2016 General Election, and establishing end date for supplemental qualifying period for said March 15, 2016 Election; providing for severability, conflict, inclusion in Town Charter/Code, notification to County and effective date. – Linda Miller, Town Attorney**

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA AMENDING PURSUANT TO FLORIDA STATUTE SECTIONS 100.3605(2) AND 166.021(4), SECTION 101 OF THE TOWN OF SURFSIDE CHARTER REGARDING “QUALIFYING FOR ELECTED OFFICE” WITH LIMITED APPLICABILITY TO ESTABLISHMENT OF QUALIFYING DATES FOR THE TOWN’S MARCH 15, 2016 GENERAL ELECTION, AND ESTABLISHING END DATE FOR SUPPLEMENTAL QUALIFYING PERIOD FOR SAID MARCH 15, 2016 ELECTION; PROVIDING FOR SEVERABILITY, CONFLICT, INCLUSION IN TOWN CHARTER/CODE, NOTIFICATION TO COUNTY AND EFFECTIVE DATE.

Town Clerk Sandra Novoa read the title of the ordinance.

Vice Mayor Tourgeman made a motion to accept. The motion received a second from Commissioner Olchyk and all voted in favor.

The Mayor opened the public hearing. There being no one wishing to speak the Mayor closed the public hearing.

B. First Reading Ordinances

***1. Water Supply Facilities Work Plan - Guillermo Olmedillo, Town Manager**

AN ORDINANCE OF THE TOWN OF SURFSIDE, FLORIDA, AMENDING THE TOWN'S WATER SUPPLY FACILITIES WORK PLAN AND APPLICABLE ELEMENTS WITHIN THE TOWN'S COMPREHENSIVE PLAN RELATING TO WATER SUPPLY PLANNING; PROVIDING FOR INCLUSION IN THE TOWN OF SURFSIDE COMPREHENSIVE PLAN; PROVIDING FOR REPEAL OF CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Town Clerk Sandra Novoa read the title of the ordinance. Town Planner Sarah Sinatra presented the item.

Vice Mayor Tourgeman made a motion to accept. The motion received a second from Commissioner Olchyk and all voted in favor.

2. Practical Difficulty Variance – Commissioner Barry Cohen

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.

Duncan Tavares, TEDACS Director, read the title of the ordinance. Town Planner Sarah Sinatra presented the item.

Vice Mayor Tourgeman made a motion to approve. The motion received a second from Commissioner Cohen.

Town Planner Sinatra answered questions posed by the Mayor regarding limitations. Commissioner Karukin was not in favor of the ordinance and feels it is a slippery slope to make it easier to obtain variances and allowing for development of larger homes on smaller lots.

Vice Mayor Tourgeman thinks the ordinance is a good idea as demographics have changed and more young families have moved into the community and

many are converting garages for additional living space. He fully supports the ordinance.

Commissioner Cohen gave an overview on the item and said the language can be tweaked to satisfy the concerns of some on the Commission.

The Mayor asked that we go to Good and Welfare as that is a set time item and then come back to this item. After the closing of Good and Welfare discussion continued on Ordinance 4.B2

Commissioner Karukin thanked Commissioner Cohen for bringing this forward but is not in favor of building larger homes on small lots which is not the character of the town.

Public Speaker Brian Roller spoke in favor of the ordinance and as having a young family gave his reasons for support of the item.

The Mayor asked Planner Sinatra to elaborate on lot coverage. There were some questions which Planner Sinatra addressed. Mayor Dietch said he did not disagree with what has been said this evening but feels there has to be a limit and does not know what that limit should be. The Mayor said he would not be in attendance at the next meeting and in its current form he does have some concerns and asked if the item can be deferred so they can find the right balance.

After all the discussion and points of views, Commissioner Cohen withdrew his second to the motion. The motion died for a lack of a second.

Mayor Dietch suggested a motion to defer the item and see that they address limitation in the language and failsafe so it cannot be abused, address the concept of the least amount necessary for hardship and only be allowed once per applicant and an offset to any second floor to whatever the square footage gain on the first floor. Commissioner Cohen was in agreement and suggested the Mayor pass the gavel and make this a motion.

The Mayor passed the gavel and made a motion to that effect. The motion received a second from Commissioner Cohen. A vote was taken and ended in a tie with Mayor Dietch and Commissioner Cohen in favor, Commissioner Karukin and Commissioner Olchyk in opposition. Vice Mayor Tourgeman was absent for the vote.

Commissioner Cohen made a motion to reconsider the motion to defer. The motion received a second from Vice Mayor Tourgeman. A vote was taken and the motion passed to defer 4-1 with Commissioner Karukin in opposition.

Vice Mayor Tourgeman made a motion to accept the variance. The motion received a second from Commissioner Olchyk. The motion carried 3-2 with Mayor Dietch and Commissioner Karukin voting in opposition.

Commissioner Karukin asked the Town Attorney to review the procedure just taken to assure all was done correctly.

3. Residential Sheds – Guillermo Olmedillo, Town Manager

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.

Town Clerk Sandra Novoa read the title of the ordinance.

Vice Mayor Tourgeman made a motion to approve. The motion received a second from Commissioner Olchyk. The motion carried 3-2 with Mayor Dietch and Commissioner Karukin voting in opposition.

Public Speaker Marisa Alonso said the addition of landscaping puts more of a burden on owners and feels it should not be included.

Mayor Dietch and Commissioner Karukin did not feel that landscaping was necessary. Vice Mayor Tourgeman said we have to consider one's neighbors as sheds are not pretty but understands the need for them. Not all homes have fences or landscaping and if a shed is put up it should not have to be viewed by a neighbor and therefore he feels landscaping is necessary. Mayor Dietch said the language is not clear and one could place some flowers and call it landscaping. Vice Mayor Tourgeman said he attended the Planning and Zoning Meeting where this was discussed and it was their intention that landscaping be installed so the shed would not be an eyesore to a neighbor. He said this is an opportunity to do things right as more sheds will be coming as people are converting their garages into living space.

Commissioner Karukin disagrees with the Vice Mayor and said this is overreach into someone's back yard and is unenforceable. He feels we should not be manicuring the town. The Vice Mayor totally disagrees with the

statement of manicuring the town and said we can then have weeds growing all over.

Commissioner Cohen thought that landscaping should be defined to block the view of newly placed sheds.

Commissioner Olchyk said she realizes that there can never be 100% enforcement but we should require some landscaping. She feels if we let this go it will only get worse.

The Mayor made a friendly amendment that the language be changed to read “provide landscaping if not already provided.” Vice Mayor Tourgeman accepted the amendment. A vote was taken and the ordinance passed 4-1 with Commissioner Karukin voting in opposition.

5. Resolutions and Proclamations

- *A. Seawall Inspection Condition Report & Florida Inland Navigation District (FIND) Grant Funding Opportunity – Guillermo Olmedillo, Town Manager**

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA (“TOWN”) APPROVING ASSISTANCE UNDER THE FLORIDA INLAND NAVIGATION DISTRICT WATERWAYS ASSISTANCE PROGRAM, AUTHORIZING CALVIN GIORDANO AND ASSOCIATES, INC. (“CGA”) TO PREPARE GRANT APPLICATIONS; PROVIDING AUTHORIZATION TO THE TOWN MANAGER; AND PROVIDING FOR AN EFFECTIVE DATE.

Chris Giordano of CGA gave update.

Commissioner Cohen made a motion to accept. The motion received a second from Commissioner Olchyk and the motion passed 4-1 with Commissioner Karukin absent for the vote.

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

Mayor Dietch opened the meeting to Good and Welfare.

Public Speakers:

-Jeffrey Platt asked what the Chateau was doing across the street from them as they now have seven properties blocked off. He also thanked Chief Allen for the increased presence of officers on the beach. He said last month it was agreed that the sand had to be removed and replaced and does not understand why the town is putting in new plants

on the dunes when it has to be removed. He also wanted it defined what it means by “private beach front owners” and questions regarding beach chairs.

-Larissa Alonso asked what is happening regarding the sand issue. She also mentioned concerns about the Tot Lot and rusted equipment. She took offense at being scolded at the last meeting regarding noise and her child when cell phones rang and nothing was said.

-Debbie Cimadevilla thanked them for the TV downstairs as it will help parents with children who want to attend the meetings. She also asked that the town post on the website any development especially consent orders so the public has time to view it and appeal if necessary. She specifically spoke about the sand issue.

-Rick Superstein said he attended the Planning and Zoning Meeting regarding the corridor analysis and it does not include the designated historic area. A separate zoning was mentioned as new facades of these buildings will be done and he feels this area would be beneficial to the town as it will be historically attractive. He would appreciate any help from the Commission.

-Deborah Duvdevani asked that a ramp be put in at the 92nd Street access to the beach as there are only stairs and cannot accommodate strollers or handicap. She also asked the reason why there is a police car daily in front of the Surf Club. If they are off duty why are they in uniform and using a city vehicle. She also asked if there was approval of the Surf Club apartments and Seaway Villas.

-Peter Neville said Channel 77 is not broadcasting.

No one else wishing to speak the Mayor closed Good and Welfare.

Responding to Mr. Platt, Town Manager Olmedillo said the Surf Club is purchasing additional property but the town does not know what their future plans are. To his knowledge there has been no application as to the property that has a construction fence around it. Regarding the sand issue, Manager Olmedillo also said he has been in communication with FDEP and gave an update. As to the chairs on the beach Manager Olmedillo feels we need an ordinance to deal with the issue and use public safety as a tool to control activities on the beach. He has been working with staff and beach property owners to come to a balanced decision regarding chairs on the beach.

Manager Olmedillo said the town will look into the 92nd Street access to the beach as well as the Tot Lot.

Chief Allen explained the process of lane closures and that the Surf Club pays for the off-duty police officers as well as administrative fees.

Commissioner Olchyk addressed the issue of children at Commission Meetings and although it is admirable to have children of age attend with their parents to see how government works, it is not good when there is a disruption because of young children in attendance. Commissioners spend a lot of time preparing for these meetings to try to accomplish as much as they can in the time allowed and it is to the detriment of the town when there is a disruption and items are not covered and have to be brought back and added to the agenda of the next meeting.

Commissioner Karukin thanked the Town Manager for a step in the right direction regarding the lounge chairs. As to the equipment in the Tot Lot he suggested bringing it to the attention of the Parks and Recreation Dept. As to the corridor analysis he said the historic preservation issues were part of a review with the Town Planner. He has no problem with the children at meetings and with police presence even when off duty.

Commissioner Cohen suggested that one read the 100 Day Report which shows the skill of our Town Manager. He stressed how we all should work together for the betterment of the town.

The Mayor addressed Mr. Superstein and said it is a complex issue but agrees the historic area could be a gem for Surfside.

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

***A. Sustainability Committee – Mayor Daniel Dietch**

Mayor Dietch presented the item.

Commissioner Cohen made a motion to approve and the motion received a second from Commissioner Olchyk.

Vice Mayor Tourgeman questioned how effective a committee such as this can be. He does not oppose this but would rather see committees with a specific purpose such as the sand committee, rather than addressing several items and feels this is too broad.

The Mayor asked if they were agreeable with the concept then to proceed with a draft charter. Commissioner Cohen feels that members of such a committee should also have subject matter expertise. He is supportive of this committee and feels it is important to do especially on environmental issues.

For the record the Vice Mayor read a statement regarding a committee can bring in expertise to help with a subject matter.

Commissioner Karukin said he is not comfortable with this as we have a lot on our plate and feels adding to it would be more of a burden especially on staff. He feels we are not ready for this at this time.

Manager Olmedillo said we may need additional staff for this committee and it may be addressed when we do the budget. Commissioner Olchyk said if we need to hire additional staff for this she will vote in opposition.

The Mayor said he would be happy to have a scoping meeting to have communication with the community and then come back with additional information.

A vote was taken and the motion failed 3-2 with Mayor Dietch and Commissioner Cohen accepting and Vice Mayor Tourgeman, Commissioner Karukin and Commissioner Olchyk in opposition.

***B. 94th Street Parking Structure Land Use/Zoning Analysis – Commissioner Barry Cohen**

Commissioner Cohen presented the item and gave an overview and update. He said the proposed plan includes retail space which would produce income which can pay for any expenses the town may incur. Commissioner Karukin asked if expanding the business district south would require a referendum. Town Planner Sinatra explained when and where a referendum would be required.

Commissioner Cohen took offense to a remark made by resident Jeffrey Platt while the Commission was in discussion. Mayor Dietch cautioned Mr. Platt to save his remarks for outside and to show respect at the meeting or leave.

The comprehensive plan and land use was discussed. Commissioner Karukin had issues with the commercialization part of the plan. Vice Mayor Tourgeman is in favor of the retail part.

Commissioner Cohen introduced town resident George Kousoulas who put together a power point presentation of the parking garage feasibility study which includes retail space.

Vice Mayor Tourgeman said he likes the concept presented and asks the Mayor to direct the Town Manager to move forward on this with an RFP or the most appropriate form of solicitation and come back with recommendations in sixty days but brief the Commission in thirty days. The Town Manager was given this direction and to also meet with the property owners in the community for their input.

Public Speakers

-Deborah Cimadevilla said she was against the idea of adding retail. She feels there should be a discussion with residents as this will impact them and bring in more people which will create a greater need for parking.

-Jeffrey Platt said the plan presented shows a block of four story buildings. He feels this is going to be a huge impact on the community.

- Clara Diaz-Leal feels this should be thought about more carefully especially about putting in more density. She feels Surfside is losing its balance.

Commissioner Olchyk exited at 10:57 p.m.

Commissioner Karukin made a motion to extend the meeting thirty minutes. The motion received a second from Vice Mayor Tourgeman and all voted in favor with Commissioner Olchyk absent.

- *C. Parking Lot Parking Structure Update** – Guillermo Olmedillo, Town Manager
Minimum discussion was held under item 8B.

Vice Mayor Tourgeman exited at 11:09 p.m.

9. Mayor, Commission and Staff Communications

- *A. Newspaper Advertisement Cost Analysis** – Guillermo Olmedillo, Town Manager

Manager Olmedillo gave an account of advertising in the Miami Herald which is costly. It was suggested we use our own website for this item and staff will check if we can accommodate email blasts. Commissioner Karukin asked that this be presented again during the Budget Workshop.

- B. Traffic Management Plan – Short Term Solutions** – Guillermo Olmedillo, Town Manager

Police Chief Allen gave an update on this item. Funding sources (31K) for traffic lights was discussed. The Mayor said that people using Google maps are creating some of the traffic problems. He asked the Town Manager if there was anything we could do and suggested contacting Google to let them know the route being suggested takes traffic into residential areas. Other safety measures were suggested as well as 95th Street/Byron Circle Study. Commissioner Cohen mentioned gating of the community and Town Manager Olmedillo explained what that process would be and there would be costs involved.

Public Speaker Clara Diaz-Leal spoke and gave some suggestions and asked to allow the bump stops.

- C. Clarification of Town Policies and Procedures for Representation of Town of Surfside and Town Commission Recognition Policies and Procedures** - Guillermo Olmedillo, Town Manager
Item deferred.

10. Adjournment

The meeting adjourned at 11:29 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
June 9, 2015
7 p.m.**

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

1. Opening

A. Call to Order

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

B. Roll Call of Members

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

C. Pledge of Allegiance

Resident Lou Cohen led the Pledge of Allegiance

Vice Mayor Tourgeman asked the Commission if they would honor the request of Commissioner Cohen and have him participate via telephone. At the request of Commissioner Karukin, Town Attorney Miller read the rules regarding telephone participation.

Commissioner Karukin made a motion to allow Commissioner Cohen to participate via telephone. The motion received a second from Commissioner Olchyk and all voted in favor with Mayor Dietch absent.

D. Mayor and Commission Remarks – Vice Mayor Tourgeman

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

Commissioner Olchyk made a motion to move Item 9D to after item 1G on the agenda. The motion received a second from Commissioner Karukin and all voted in favor with Mayor Dietch absent.

Vice Mayor Tourgeman asked for a motion to make his Tourist Board appointment after item 1G on the agenda. The motion was made by Commissioner Olchyk and seconded by Commissioner Karukin and all voted in favor with Mayor Dietch absent.

Commissioner Karukin made a motion to link Item 8 on the Town Manager's Report with Item 4B1 and Item 9C regarding the corridor analysis and items 3 and 25 of the Town Manager's Report.

The motion received a second from Commissioner Olchyk and all voted in favor with Mayor Dietch absent.

F. Community Notes – Vice Mayor Tourgeman

Commissioner Karukin announced an upcoming car wash event on June 28th benefiting the Alzheimer Association and also an upcoming Walk at Museum Park. Dates and details on these items can be found on the town website.

Vice Mayor Tourgeman recognized Chief Allen as today he is celebrating his birthday. Vice Mayor Tourgeman announced the upcoming community events which can be found in the Gazette and on the Town's website.

G. Introduction of New Community Garden President and Vice President – Guillermo Olmedillo, Town Manager

Duncan Tavares, TEDACS Director introduced the new President and Vice President of the Community Garden. The new President Dr. Freddy Chiche and Secretary Barbara Woolverton spoke briefly on the garden.

Passing the gavel, Vice Mayor Tourgeman made a motion to appoint Mr. Sean McKeen to the Tourist Board as his appointee. The motion received a second from Commissioner Olchyk and all voted in favor with Mayor Dietch absent. Mr. McKeen took a moment to address the Town Commission.

2. Quasi-Judicial Hearings (None)

3. Consent Agenda

Commissioner Olchyk pulled item 3H Forfeiture Funds page 87.

Commissioner Karukin pulled item 3 SCALA, page 12; item 25(linked to Item 3), page 19 from the Town Manager's Report and item 5, page 42 from the Town Attorney's Report.

Commissioner Karukin asked the Town Manager if possible to indicate which items have been updated from the previous report.

Commissioner Olchyk made a motion to approve the consent agenda minus the pulled items. The motion received a second from Commissioner Karukin and all voted in favor with Mayor Dietch absent.

A. Minutes – Sandra Novoa, CMC, Town Clerk

May 4, 2015 Joint Tourist Board and Commission Meeting Minutes

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

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

1. Bus Service – Multi-jurisdictional Study-Bus Service Improvement and Operational Efficiencies.
2. Film Ordinance
3. Channel 77 Improvements (linked to Item 25)
4. See Click Fix
5. Sidewalk Ordinance Implementation
6. Five Year Tourism Strategic Plan
7. Historic Preservation
8. Land Development Regulations – Block between Harding and Collins Avenue (linked with 4B.1 and 9C)
9. Ten Year Water Supply Plan
10. Development Applications
11. FEMA National Flood Insurance Program (NFIP)
12. Community Rating System (CRS)
13. Forty Year Building Certification for Collins, Harding, Abbott Avenues and Surfside Blvd.
14. Development Projects
15. Code Compliance Cases Settled
16. Enterprise Resource Planning (ERP)
17. Silver Sneaker Program
18. 96th Street Park Renovation
19. Place Making Micro-Grant Application
20. Traffic Issues
21. Police Department Events
22. Solid Waste Commercial Rates Structure
23. Point Lake
24. Beach Management Agreement
25. Information Technology & TV Broadcasts (linked to Item 3)
26. Public Utilities/Engineering
27. Town-Owned Seawall Repair

Pulled Items:

Items 3, Item 25 linked and pulled by Commissioner Karukin. His suggestion was to add music instead of being mute when the slide shows are on before the video streaming.

Item 5 from Town Attorney Report pulled by Commissioner Karukin. His concern is whether Surfside will have to refund any monies regarding the red light camera issue now in the courts with a class action suit and what is the likelihood of anything happening on this. Attorney Miller said it is now in the courts and we are waiting to hear back. Chief Allen said we have to wait for the decision of the judge.

- *D. Town Attorney's Report** – Linda Miller, Town Attorney
E. Committee Reports – Guillermo Olmedillo, Town Manager

- April 6, 2015 Tourist Board Meeting Minutes
- April 27, 2015 Parks and Recreation Committee Meeting Minutes
- April 30, 2015 Planning and Zoning Board Meeting Minutes

F. Mutual Aid Agreement between the Miami Dade County Police Department and the Town of Surfside Police Department – Guillermo Olmedillo, Town Manager

A RESOLUTION OF THE TOWN OF SURFSIDE, FLORIDA ACKNOWLEDGING THE LAW ENFORCEMENT MUTUAL AID AGREEMENT BETWEEN MIAMI-DADE COUNTY, FLORIDA AND THE TOWN OF SURFSIDE, FLORIDA FOR VOLUNTARY COOPERATION AND OPERATIONAL ASSISTANCE; 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.

Adopted on Consent

G. Mutual Aid Agreement between the Town of Golden Beach Police Department and the Town of Surfside Police Department – Guillermo Olmedillo, Town Manager

A RESOLUTION OF THE TOWN OF SURFSIDE, FLORIDA ACKNOWLEDGING THE MUTUAL AID AGREEMENT BETWEEN THE TOWN OF SURFSIDE, FLORIDA AND THE TOWN OF GOLDEN BEACH, 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.

Adopted on Consent

H. Approval of Expenditure of Forfeiture Funds to Purchase Two Ballistic Resistant Shields – Guillermo Olmedillo, Town Manager

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, PROVIDING FOR THE FISCAL YEAR 2014/2015 POLICE CONFISCATION FUND EXPENDITURE IN THE AMOUNT OF \$3,418.00 FROM THE FORFEITURE FUND FOR THE PURCHASE OF 2 (TWO) POINT BLANK BELLATOR SHIELDS 24”X40” WITH VIEW PORT LEVEL; PROVIDING FOR AUTHORIZATION AND APPROVAL; PROVIDING FOR AN EFFECTIVE DATE.

Town Clerk Sandra Novoa read the title of the ordinance.

Item pulled by Commissioner Olchyk

Commissioner Olchyk made a motion for discussion. Passing the gavel, the motion received a second from Vice Mayor Tourgeman.

Commissioner Olchyk asked if we were assured of getting the best price and if there was a warranty. Chief Allen said we were getting the best price and as to warranty, this was a onetime deal.

Commissioner Olchyk made a motion to approve. Passing the gavel, the motion received a second from Vice Mayor Tourgeman. The motion carried 2-1 with Commissioner Karukin voting in opposition. Commissioner Cohen and Mayor Dietch were absent.

I. Approval of Expenditure of Forfeiture Funds to Purchase Radio Equipment –
Guillermo Olmedillo, Town Manager

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, PROVIDING FOR THE FISCAL YEAR 2014/2015 POLICE CONFISCATION FUND EXPENDITURE IN THE AMOUNT OF \$5,036.70 FROM THE FORFEITURE FUND FOR THE PURCHASE OF RADIO EQUIPMENT; PROVIDING FOR AUTHORIZATION AND APPROVAL; PROVIDING FOR AN EFFECTIVE DATE.

Adopted on Consent

J. Resolution to Terminate Interlocal Agreement between the Town of Surfside and Miami Dade County for Curbside Recycling Pickup - Guillermo Olmedillo, Town Manager

A RESOLUTION OF THE TOWN OF SURFSIDE, FLORIDA, AUTHORIZING THE TOWN MANAGER TO TERMINATE THE INTERLOCAL AGREEMENT FOR INCLUSION IN THE MIAMI-DADE COUNTY CURBSIDE RECYCLING PROGRAM; PROVIDING FOR AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Adopted on Consent

K. Resolution to Support the School Nurse Initiative - Guillermo Olmedillo, Town Manager

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA (“TOWN”) AUTHORIZING THE MAYOR TO ENTER INTO A MEMORANDUM OF UNDERSTANDING (“MOU”) BETWEEN THE CITY OF MIAMI BEACH, NORTH BAY VILLAGE, THE TOWN OF BAY HARBOR ISLANDS, THE TOWN OF SURFSIDE, BAL

HARBOUR VILLAGE AND THE MIAMI BEACH CHAMBER EDUCATION FOUNDATION, INC., TO IMPLEMENT A NURSE INITIATIVE FOR THE 2015-2016 SCHOOL YEAR AND AUTHORIZING THE APPROPRIATION OF \$3,667.00 FROM THE FISCAL YEAR 2015-2016 ANNUAL BUDGET FOR THE TOWN OF SURFSIDE'S PROPORTIONATE SHARE OF FUNDING FOR THE NURSE ENHANCEMENT INITIATIVE SUBJECT TO APPROVAL IN THE TOWN'S FISCAL YEAR 2015-2016 ANNUAL BUDGET; PROVIDING FOR AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Adopted on Consent

L. Additional Contribution for Downtown Harding Avenue Business District Tree Lights - Guillermo Olmedillo, Town Manager

A RESOLUTION OF THE TOWN OF SURFSIDE, FLORIDA ACCEPTING CONTRIBUTIONS TO SUSTAIN THE LIGHTING OF THE DOWNTOWN HARDING AVENUE BUSINESS DISTRICT TREE LIGHTS; PROVIDING AUTHORITY TO THE TOWN MANAGER TO ACCEPT ON BEHALF OF TOWN COMMISSION CONTRIBUTIONS FOR DOWNTOWN HARDING AVENUE BUSINESS DISTRICT TREE LIGHTS; AND PROVIDING FOR AN EFFECTIVE DATE.

Adopted on Consent

Commissioner Olchyk made a motion to approve the pulled items from the consent agenda. The motion received a second from Commissioner Karukin and all voted in favor with Commissioner Cohen and Mayor Dietch absent.

4. Ordinances

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

A. Second Reading Ordinances

1. Practical Difficulty Variance – Commissioner Barry Cohen

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.

Town Clerk Sandra Novoa read the title of the ordinance.

Commissioner Olchyk made a motion for discussion purposes. After passing the gavel the motion received a second from Vice Mayor Tourgeman.

Town Planner Sarah Sinatra gave an update and more details on the ordinance.

Commissioner Karukin thinks the ordinance is a bad idea as it opens up a “slippery slope” to make it easier for getting variances. He also questions how many times can one do this and feels the suggestion by a Planning and Board member to include language to state a variance can be applied only one time per property. He does not support this ordinance as he has deep concerns about it.

Vice Mayor Tourgeman said Surfside is changing and more young families are moving in the town. Many are converting garages to add additional living space. He was against changing the code but feels this ordinance gives some flexibility to a home owner. He has no problem with this ordinance.

Vice Mayor Tourgeman opened for public comment.

Public Speakers:

-Anthony Blake agrees with Commissioner Karukin. He said we are very crowded in Surfside and it doesn't make sense to allow an increase of an additional 25%. He asks if this ordinance applies only for a specific district or across the board. He also feels the specific request for the variance in question should be carefully looked at.

-George Kousoulos does not think the zoning should be changed in the variance. He cautions about the 50% issue in the ordinance and other than that he feels the ordinance is good.

-Charles Ness thanked all who put their efforts into this ordinance. He understands the concerns of some that there has been some over building in some areas but feels this ordinance is stringent enough and asks for approval by the Commission.

No one else wishing to speak Vice Mayor Tourgeman closed the public comments.

Passing the gavel Vice Mayor Tourgeman made a motion to approve. The motion received a second from Commissioner Cohen. Commissioner Karukin made a friendly amendment to include the language “one time only per property.” Vice Mayor Tourgeman and Commissioner Cohen accepted the friendly amendment. The motion carried 3-1 with Commissioner Karukin voting in opposition. Mayor Dietch was absent.

2. Residential Sheds – Guillermo Olmedillo, Town Manager

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.

Town Clerk Sandra Novoa read the title of the ordinance.

Commissioner Karukin made a motion to approve only if the 70 foot provision in the ordinance is included. Town Planner Sinatra read the revision for clarification. At 70 square feet landscaping is not required but if it exceeds 70 square feet but less than 100 square feet landscaping will be at the discretion of the Planning and Zoning Board.

Commissioner Karukin withdrew his motion to approve.

Passing the gavel Vice Mayor Tourgeman made a motion to approve as stated. There being no second the motion died.

Commissioner Cohen left the meeting at 9:24 p.m.

B. First Reading Ordinances

- 1. Amendment to Section 90-51. Maximum Frontage of Buildings -**
Commissioner Karukin (linked with Item 9C and Item 8)

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 approve. The motion received a second from Commissioner Olchyk and all voted in favor with Commissioner Cohen and Mayor Dietch absent.

Vice Mayor Tourgeman opened for public comments.

Public Speaker Neison Kasdin representing the owners of the property on 91st Street said this ordinance will greatly impact them and asks the Commission to reconsider this ordinance. He gave an explanation as to why he asks they do not move forward on this item.

No one else wishing to speak Vice Mayor Tourgeman closed the public comments.

Commissioner Karukin said he has been working on this issue quite long and gave an update on this corridor analysis and why we should go forward now and getting something into the books.

Commissioner Olchyk spoke in favor of the ordinance.

5. Resolutions and Proclamations

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

Vice Mayor Tourgeman opened the meeting to Good and Welfare.

Public Speakers:

-Deborah Cimadevilla spoke about the sand issue and gave an update. She began reading a letter from her attorney.

-Larisa Alonso continued reading the letter from Ms. Cimadevilla's attorney.

No one else wishing to speak Vice Mayor Tourgeman closed Good and Welfare.

Town Manager Olmedillo said he has sent his communications with Miami-Dade to the Commission. Vice Mayor Tourgeman asked the Town Manager to send via email the updates to Ms. Cimadevilla and Ms. Alonso.

Vice Mayor Tourgeman then resumed item 9D.

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

***A. Town Policies and Procedures** – Guillermo Olmedillo, Town Manager
Manager Olmedillo gave an update and his suggestions.

Commissioner Karukin made a motion for discussion purposes. The motion received a second from Commissioner Olchyk.

Commissioner Olchyk does not like the item because it will make the situation more convoluted as everyone would have to agree to a recommendation of an appointee.

Commissioner Karukin thinks these are reasonable approaches as to who will be representing us at various meetings.

Vice Mayor Tourgeman does not think this is practical as it is written.

No action taken on this item.

9. Mayor, Commission and Staff Communications

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

Chief Allen gave an update and said they would continue the high visibility especially on Byron at rush hours. He mentioned upcoming plans for a new traffic signal as well as other speed slowing devices. Signage indicating residential area are being created. Removing the traffic circle on Byron and putting in stop signs. Vice Mayor Tourgeman was against removing the circle but feels the circle should be made smaller. The Commission agrees to keep the circle but make the circle smaller.

Chief Allen also suggested adding speed bumps in several areas. Commissioner Karukin requested the Chief provide a schematic of the areas in question at the next meeting. He would like to see exactly where they would be placed and also see where Vice Mayor Tourgeman suggested they be placed. It is too difficult to visualize without a schematic and Commissioner Olchyk agreed. The Commission agrees with all the bullets except the last one.

B. Emergency Operations Plan [VERBAL]- Guillermo Olmedillo, Town Manager

Chief Allen described the emergency operations plan with a power point presentation.

C. Corridor Analysis Update – Guillermo Olmedillo, Town Manager (linked with 4B1 and Item 8)

Town Planner Sarah Sinatra gave an update and highlights on the item. She gave staff and Planning and Zoning Board recommendations. There was a short power point presentation. Commissioner Karukin thanked Planner Sinatra for all her hard work.

Vice Mayor Tourgeman opened the public comments.

Public Speakers

-Rick Superstein spoke about the potential historic preservation designation and asks that they take that into account in their decision making.

-George Kousoulos said the Harding Ave area is not as nice as it could be. He suggests they look more closely at this.

No one else wishing to speak Vice Mayor Tourgeman closed the public comments.

Commissioner Karukin asked Town Planner to reference page 168 that Mr. Kousoulos was talking about. She answered the questions posed by Mr. Kousoulos.

D. Parking Solution Options– Guillermo Olmedillo, Town Manager

Town Manager Olmedillo said he has met with the community and gave an update. His recommendations for short term was to build a parking garage on the 94th Street lot and for long term look for a public/private partnership development in one of the other locations to address the remainder of the parking shortage. TEDACS Director Duncan Travares gave a presentation showing the different lots and approximate parking spaces for the sites. Commissioner Karukin gave a presentation of the parking survey results from residents.

Vice Mayor Tourgeman opened the public hearing.

Public Speakers:

-Pamela O'Hagan asked the Commission not to ruin the community and the spirit of what Surfside is. She indicated that she will fight anything that threatens her home because of the building of parking lots.

-Denyse Fowley who owns the home next to Ms. O'Hagan said her family has been there for over 60 years. She does not want her home taken from her and feels Surfside should be left beautiful the way it is and putting in multi-level parking garages on 93rd and 94th Street is disgusting. Her suggestion is to add parking behind the business district and around town hall.

-Donald Fowley agrees with what has been said and is monitoring the parking lots on 93rd and 94th Street at his expense and would be happy to share his data.

-Pieter Bakker asks if there is really a need for parking garages. He has surveyed all the parking lots over a period of a couple of months at different times of the day and presented the results to the Commission. It showed many empty spaces in all lots.

-Michael Chiche lives across from where the town wants to build a larger parking lot. The lot there is never full but has many construction vehicles. He does not feel we need more garages.

-Clara Diaz-Leal said the Abbot Lot is flawed and too close to residents. She said the survey the Commission has is incorrect as she has surveyed the lots videoed them and there are plenty of empty spaces.

-George Kousoulos gave a comparison of the survey the Commission has and said it is flawed and it would be very costly to the town and the town would be in a deficit. He said no one is just building parking garages but are including retail.

No one else wishing to speak Vice Mayor Tourgeman closed the public comments.

Commissioner Karukin said the debate over parking lots has been going on for years. He thanked all who gave their input but as a Commissioner he has to look at all sides. He said the previous survey has good data but does not agree with all their suggestions. As to the 94th Street lot his concern is that it is the last flat area for the town to have community activities.

Vice Mayor Tourgeman said they will take a quick break and then go to Good and Welfare as that is a time certain item on the agenda. After Good and Welfare they will continue the discussion on the parking item.

Commissioner Olchyk said she disagrees with the resident survey regarding the Abbott lot as she always has difficulty finding a parking space. She does agree that it would not serve the community to build an expensive parking garage. She is in favor of a public/private partnership for development. She strongly disagrees with taking of houses of people who are living there. We have to define who will benefit most and if it is the business community we have to find a solution to that. If it is the condominiums then we have to look at that position. She feels we have to look at what is really needed in the community and not what is the easiest. She liked the presentation by Mr. Kousoulos which showed the town would be losing money which is a red flag in her book and also Commissioner Karukin's presentation as to how the residents feel. She does not see a need to make a decision now on this item.

Vice Mayor Tourgeman gave a brief history on the parking debate from years back. He said in the business district when people could not find parking they would leave. He said we have to look toward the future and not just for today's needs and we must be open minded. He said we do have a parking deficiency.

Commissioner Karukin made a motion to defer the item to the next Commission Meeting, July 14, 2015. The motion received a second from Commissioner Olchyk and the motion carried 3-1 with Vice Mayor Tourgeman voting in opposition. Mayor Dietch was absent.

10. Adjournment

The meeting adjourned at 10:43 p.m.

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

April 30, 2015

58% OF YEAR EXPIRED (BENCHMARK)

Agenda Item #

Page

1 of 3

Agenda Date: July 14, 2015

GOVERNMENTAL FUNDS	ACTUAL	ANNUAL BUDGETED	% BUDGET
GENERAL FUND			
REVENUE	\$ 9,352,181	\$12,040,318	78%
EXPENDITURES	6,952,986	\$12,040,318	58%
Net Change in Fund Balance	2,399,195		
Fund Balance-September 30, 2014 (Audited)	6,366,391 A		
Fund Balance-April 30, 2015 (Reserves)	\$ 8,765,586		
RESORT TAX (TEDAC SHARE)			
REVENUE	\$ 328,314 B	\$635,465	52%
EXPENDITURES	246,816	\$634,465	39%
Net Change in Fund Balance	81,498		
Fund Balance-September 30, 2014 (Audited)	180,297		
Fund Balance-April 30, 2015 (Reserves)	\$ 261,795		
POLICE FORFEITURE/CONFISCATION			
REVENUE	\$ 16,214	\$90,300	18%
EXPENDITURES	63,151	\$90,300	70%
Net Change in Fund Balance	\$ (46,937)		
Fund Balance-September 30, 2014 (Audited)	159,626		
Fund Balance-April 30, 2015 (Reserves)	\$ 112,689		
TRANSPORTATION SURTAX			
REVENUE	\$ 126,419	\$197,000	64%
EXPENDITURES	78,153	\$197,000	40%
Net Change in Fund Balance	48,266		
Fund Balance-September 30, 2014 (Audited)	396,740		
Fund Balance-April 30, 2015 (Reserves)	\$ 445,006		
CAPITAL PROJECTS			
REVENUE	\$ 66,962	\$1,249,322	5%
EXPENDITURES	599,930	\$1,249,322	48%
Net Change in Fund Balance	(532,968)		
Fund Balance-September 30, 2014 (Audited)	849,445		
Fund Balance-April 30, 2015 (Reserves)	\$ 316,477		

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 April 2015 are received in May 2015, the (Total collected through April 2015 is \$962,127) (\$328,314 is for TEDAC and \$633,813 is the General Fund).

ENTERPRISE FUNDS

ACTUAL

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

WATER & SEWER

REVENUE	\$ 2,240,652	\$2,909,908	77%
EXPENDITURES	1,331,699	\$2,909,908	46%
Change in Net Position	908,953		
Unrestricted Net Position-September 30, 2014 (Audited)	(3,501,884)		
Restricted Net Position	1,260,776		C1
Unrestricted Net Position-April 30, 2015 (Reserves)	<u>\$ (1,332,155)</u>		C2

MUNICIPAL PARKING

REVENUE	\$ 565,530	\$1,062,878	53%
EXPENDITURES	568,221	\$1,062,878	53%
Change in Net Position	(2,691)		
Unrestricted Net Position-September 30, 2014 (Audited)	1,000,355		
Unrestricted Net Position-April 30, 2015 (Reserves)	<u>\$ 997,664</u>		

SOLID WASTE

REVENUE	\$ 1,019,615	\$1,261,360	81%
EXPENDITURES	766,616	\$1,261,360	61%
Change in Net Position	252,999		
Unrestricted Net Position-September 30, 2014 (Audited)	116,662		
Unrestricted Net Position-April 30, 2015 (Reserves)	<u>\$ 369,661</u>		

STORMWATER

REVENUE	\$ 290,177	\$505,000	57%
EXPENDITURES	298,029	\$505,000	59%
Change in Net Position	(7,852)		
Unrestricted Net Position-September 30, 2014 (Audited)	3,838,412		
Restricted Net Position	347,140		C3
Unrestricted Net Position-April 30, 2015 (Reserves)	<u>\$ 4,177,700</u>		

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 (\$1,332,155) is the result of a change in current net position as of April 2015 of \$908,953 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)
4/30/2015

FUND	9/30/2012	9/30/2013	9/30/2014	4/30/2015
General	\$ 5,266,374	\$ 5,304,042	\$ 6,366,391	\$ 8,765,586
Resort Tax	171,496	94,497	180,297	261,795
Police Forfeiture	122,272	138,143	159,626	112,689
Transportation Surtax	122,302	131,475	396,740	445,006
Capital	132,783	255,263	849,445	316,477
Water & Sewer	(1,931,707)	(5,261,333)	(3,501,884)	(1,332,155)
Parking	1,258,325	1,066,574	1,000,355	997,664
Solid Waste	228,437	227,274	116,662	369,661
Stormwater	104,651	2,520,512	3,838,412	4,177,700
Total	\$ 5,474,933	\$ 4,476,447	\$ 9,406,044	\$ 14,114,423

TOWN OF SURFSIDE, FLORIDA

**STATEMENT OF NET POSITION
PROPRIETARY FUNDS**

SEPTEMBER 30, 2014

	Business-type Activities - Enterprise Funds				
	Water and Sewer	Municipal Parking	Sanitation	Stormwater Utility	Totals
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	750,383	1,560,193	253,717	4,271,683	6,835,976
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
	24,356,279	3,280,262	378,200	3,358,950	31,373,691
Less: accumulated depreciation	(2,077,471)	(993,774)	(331,853)	(113,774)	(3,516,872)
Total Capital Assets, Net	22,278,808	2,286,488	46,347	3,245,176	27,856,819
Total Noncurrent Assets	23,213,960	2,286,488	46,347	3,717,415	29,264,210
Total Assets	23,964,343	3,846,681	300,064	7,989,098	36,100,186
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	3,643,523	34,354	55,964	300,912	4,034,753
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	13,866,841	10,984	81,091	4,656,685	18,615,601
Total Liabilities	17,510,364	45,338	137,055	4,957,597	22,650,354
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	(3,501,884)	1,000,355	116,662	3,838,412	1,453,545
Total Net Position	\$ 6,453,979	\$ 3,286,843	\$ 163,009	\$ 3,031,501	\$ 12,935,332

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



TOWN MANAGER'S REPORT JULY 2015

COMMUNITY PROGRAMS / INITIATIVES / ENHANCEMENTS

1. Bus Service – Bus Service Improvements and Operational Efficiencies

Phase I completed – the new Surf-Bal-Bay routing pamphlet will be distributed throughout the three municipalities.

2. See Click Fix

Report attached.

RESORT TAX BOARD

3. Resort Tax Board Ordinance

The Tourist Board approved one amendment to the Resort Tax Board Ordinance at the June 1, 2015 meeting. This item will be brought before the Town Commission at the August 11, 2015 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 contacted the Town to indicate they will be requesting an additional three month deferral from the Board in order to further work with the property owners and the Town on the proposed district. This request was granted by the Historic Preservation Board on June 17, 2015. The designation hearing of this district has been deferred to the September meeting of the Historic Preservation Board.

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

have been 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 was scheduled for the April 14, 2015 Town Commission. Due to the length of the agenda, the Town Commission deferred this item until May 12, 2015. It was approved on first reading and transmitted to the State of Florida for review and comment. The State provided comments and staff is addressing the comments. It is tentatively scheduled for second reading at the August 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, however there have been numerous comments and a resubmittal has not been provided to date.
- 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 meeting has been scheduled for July 22, 2015 at 1:30 pm in the Town Commission Chambers. The meeting will be televised.
- 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 at 10:00 am in the Commission Chambers. The application is now scheduled for the July 30, 2015 Planning and Zoning Board meeting.

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 Tyler Technologies and Springbrook submittals have been evaluated by the Evaluation Committee. Presentations from each on the vendors has been scheduled for July 15, 2015 and July 16, 2015 from 10 AM to 2 PM. The goal of the presentation 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. That information was prepared and submitted for approval.

10. Police Department Events

- **Police Teen Summer Camp:** the Police Department's annual Teen Summer Camp is scheduled from June 11 to July 30 on Tuesday and Thursdays. The teens visited the Coast Guard Air Base, Homestead US Customs and Border Protection Air Base, and Miami-Dade Fire Air Rescue. The teens also attended presentations by the Miami-Dade Schools Police K-9 squad, North Miami Police Crime Scene Technician, and dog safety trainer in June.
- **Crime Watch:** the Police Department along with the Miami-Dade Citizens Crime Watch implemented a crime watch program on June 15, 2015 for the 9000 block of Abbott Avenue. Fourteen residents attended the first meeting. The second meeting was held on July 1, 2015 and residents received their crime watch stickers for their homes. Crime watch signs were also installed in the 9500 block of Abbott Avenue.
- The Surfside Police Department submitted a Grant/Program Application to participate in the 2015-2016 FDOT High Visibility Enforcement for Pedestrian and Bicycle Safety Program for the period of July 2015 through May 2016. The grant if awarded will reimburse overtime for officers assigned to the business district to educate the public of pedestrian and bicycle safety and enforce violations.

- All police officers were qualified with their firearms and attended building search/ active shooter simunition training during the month of June 2015.

Projects Progress Updates

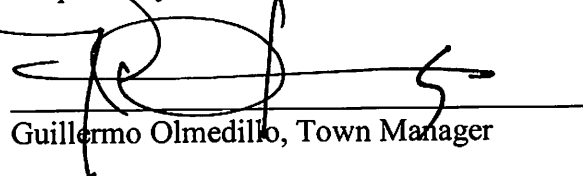
11. Information Technology & TV Broadcasts

IT is researching pricing to add music to the SCALA broadcast system on Channel 77. IT is in the process of upgrading all users from Microsoft Office 2010 to Microsoft Office 2013. IT is setting up presentations for HyperScreen boards for the Town Manager. 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 with 150 days to Substantial Completion, and 180 days to Final Completion for a Final Completion date of October 3, 2015. The Contractor commenced with construction of Site #1 (Surfside Park on Bay Drive; south of 96th Street), of Site #2 (the street end at 95th Street), of Site #3 (Froude Ave), of Site #4 (Biscaya Dr) and Site #5 (Carlyle Ave). King and batter piles are complete at Sites 1-4 and have commenced at Site 5. Contractor is currently in the process constructing the concrete sea wall cap at Site #1. At Site #2, the Contractor has installed the vertical / king piles. The concrete cap work has commenced at Site 1 (to be completed early July 2015) and Site 3 (Cap completed). The Contractor coordinated, prepared and received approval to modify the County permit to allow construction of Site #4 (the street end at Froude Avenue) and Site #5 (the street end at Carlyle Avenue) from the water side (via barge) as opposed to working from the land side. Work is now proceeding unhindered. After major construction activities are completed and 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 01, 2015

154 issues were opened

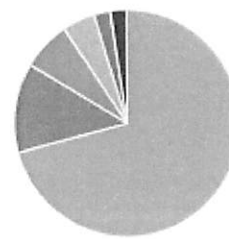
58 issues were acknowledged

133 issues were closed

The average time to acknowledge was 6.4 days.

The average time to close was 20.7 days.

Issues by Source




- iphone - 107
- web - 19
- widgets - 12
- mobile web - 7
- android - 5
- city initiated - 4
- facebook - 0

SERVICE REQUEST TYPE	OPENED	ACKNOWLEDGED	CLOSED	DAYS TO ACK.	DAYS TO CLOSE
Other (PW)	41	12	40	13.8	33.1
Police (Safety Concern)	37	16	37	9.0	13.1
Street lights (PW)	14	10	1	1.5	46.5
Code Compliance (Violation)	9	5	6	0.2	5.1
Beach Issue (PW)	9	0	9	0.0	38.6
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
Drainage/Flooding (PW)	3	2	3	2.0	68.3
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
Hawthorne Tot-Lot (P & R)	3	0	3	0.0	6.6
Pothole (PW)	2	1	2	0.0	0.0
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: July 14, 2015

SUBJECT: Office of the Town Attorney Report for July 14, 2015

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

June 12, 2015 – Southeast FL Regional Compact Climate Change Municipal Working Group
 June 23, 2015 – DIC meeting – 8800 Collins Avenue
 June 25, 2015 – Planning and Zoning and Design Review Board Meeting *[Deferred]*
 July 8, 2015 – Tourist Board Meeting
 July 14, 2015 – Town Commission Budget Meeting
 July 14, 2015 – Town Commission Meeting

Ordinances for Second Reading:

- Amending Section 90-51 Maximum Frontage of Buildings *[Deferred]*

Ordinances for First Reading:

- Corridor Analysis

Resolutions prepared and reviewed:

- Proposed Operating Millage Rate for Fiscal Year 2015/2016

- 2014/2015 Budget Amendment
- Establish Coastal Issues Committee
- Approve purchase of 2015 Ford F-250 Pickup Truck
- Approve purchase of a 2015 Case SR 160 Skid Steer Loader

Town Commission/Town Manager:

- Follow up on ownership of Parcel 119 at NW 47th Ave land use
- Regulating beach concessions: Ongoing research and legal analysis on authorized uses on the beach and potential for regulation. Discussed options for regulation with officials from municipalities that currently regulate beach concessions, including Miami Beach, Panama City Beach, Fort Myers Beach, Sanibel Island, and Sunny Isles Beach
- Develop framework for Coastal Issues Committee including beach management
- 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
- Communicate with Miami-Dade County regarding beach maintenance, escarpments, and sea turtles
- Parking solution team meetings. Research Florida Statutes 287.057(4)-(6) Public-Private Partnerships
- Research Notice of Zoning in Progress for Corridor Analysis

Town Clerk:

- Provided counsel on Rules of Procedure in Town Code
- Review and research Attorney General opinions for public meetings and Sunshine between two bodies

June 25, 2015 Planning and Zoning and Design Review Board

Meeting Deferred

Building Department/Code Enforcement:

- Follow up with Code Enforcement for on-going settlement of cases
- Ongoing review with Code Compliance regarding regulating beach chairs
- 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:

- Collaborated with Finance regarding parking structures
- Review and preparation of budget documents

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
- Reviewed musician contract for Independence Day Event in Community Center

Tourist Bureau/Downtown Vision Advisory Board/Tourist Board:

- Prepared Orientation Package and briefed new Tourist Board Member Sean McKeen
- Research and analyze Florida law and Attorney General Opinions on use of Resort Tax funds

Public Works:

- Review documents to purchase truck

Human Resources:

- Review agreement with Wellness Fair participant
- Review Independent Contractor agreement

Police Department:

- Follow-up review of conditions in approved development resolutions related to traffic
- Research Miami-Dade County's new civil penalties ordinance. Discuss with Commissioner Sally Heyman's office and MDPD legal office for preparation of an interlocal agreement between the Town and Miami-Dade County for civil fines for possession of cannabis and drug paraphernalia.

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 occurred. She alleges 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 is investigating the claim.

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 sever 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.
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. Town has filed a Motion to Dismiss which has not yet been heard by the Court.
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. Discovery is ongoing. FMIT provides coverage for legal defense of this matter.

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



**TOWN OF SURFSIDE
PENSION BOARD MEETING**

Tuesday, February 24, 2015 – 2:00 p.m.
9293 Harding Avenue - Town Hall – Chambers

MINUTES

Pension Board Members

Michael K. Feldman, Chair
N. Abraham Issa
Guillermo Olmedillo
Sgt. Julio E. Torres
Yamileth “Yami” Slate-McCloud

Town of Surfside Consultants

Alyce Jones, A.M. Jones – C.P.A., P.A.
Burgess Chambers, Burgess Chambers, & Associates
Grant McMurry, ICC Capital Management
Larry Wilson, Gabriel, Roeder, Smith & Company
Robert Klausner, Esq, Klausner & Kaufman
Donald Nelson, Finance Director
Mayte Gamiotea, Third Party Administrator
Frantza Duval, Recording Clerk

1. Call to Order and Roll Call

The Chair, Michael Feldman at 2:05pm, called the meeting to order.

The Pension Board members noted above were present and a quorum was established.

Also in attendance were the above noted consultants and Town staff with the exception of Alyce Jones and Mayte Gamiotea. Adam Levinson attended for Klausner & Kaufman.

2. Approval of Minutes

- a. Regular Pension Board Meeting – December 4, 2014

MOTION:

The Town of Surfside Pension Board recommended approval of the December 4, 2014 minutes of the Regular Board meeting. Yamileth Slate-McCloud moved; Julio Torres seconded. The motion passed unanimously.

3. Agenda Additions and Deletions

None

4. Public Participation

None

5. Reports and Updates

a. Burgess Chambers & Associates

- **Reports: Investment Performance Quarter Ending December 31, 2014**
At the end of the year the asset of the plans are at 17.5 million dollars.

For the rolling five-year period, the Plan earned 9.1% per year (8.7% net) ahead of the 7.5% actuarial assumed rate of return.

At the requests of Adam Levinson, Burgess briefly provided an overview of his company and its role, for Guillermo Olmedillo, the new Town Manager.

The rankings outperformed 85% (15th percentile) and have improved over the years.

- **Multi-Employer Property Trust (MEPT) Performance Report for Quarter ending December 31, 2014**

Burgess Chambers provided an overview on the MEPT Performance Report for the quarter ending December 31, 2014.

- **MEPT: The Quarterly Trust Report**
Included in the agenda packet was the MEPT Quarterly Trust Report for Board members to review.
- **Westwood Trust Holdings Summary**
Burgess Chambers provided an overview on Westwood Trust Holdings Summary.

b. ICC Capital Management

At the requests of Adam Levinson, Grant briefly provided an overview of his company and its role, for Guillermo Olmedillo, the new Town Manager.

- **Reports: Investment Review for Quarter Ending: December 31, 2014**

Grant provided an overview on the investment review for the quarter ending December 31, 2014.

- **ICC – Portfolio Asset Summary Appraisal as of December 31, 2014**
Grant provided, as part of the agenda packet, ICC's Portfolio Asset Summary Appraisal for the quarter ending December 31, 2014.
- **ICC – Portfolio Appraisal as of December 31, 2014**
Grant provided, as part of the agenda packet, ICC's Portfolio Appraisal for the quarter ending December 31, 2014.
- **ICC – Portfolio Asset Summary Appraisal as of January 31, 2015.**
Grant provided, as part of the agenda packet, ICC's Portfolio Asset Summary Appraisal for the quarter ending January 31, 2015.

- **ICC Merger Letter**

ICC has entered into an agreement with Argent Financial Group, Inc. and its subsidiary, Highland Capital Management, LLC for ICC to become part of the Highland family. ICC will conduct business under the name Highland Capital Management after the transaction is completed. The closing date of the transaction should occur by the end of the first quarter 2015.

Adam Levinson inquired if Burgess Chambers & Associate have had an opportunity to review the documents about the merger. Burgess advised that his company is still reviewing the information regarding the arrangement/purchase provided to his company as a result of ICC's merger.

Adam Levinson read into the record the title of the agreement "The Acknowledgement and Consent" the document states that "the undersigned hereby acknowledges and consents to the deemed assignment of the undersigned client contract arising from the combination of ICC Management with Highland Capital Management"

Grant McMurry advised that the same people will still be working on the Town's portfolio and he will still attend the meetings.

MOTION:

The Town of Surfside Pension Board recommended approval to authorize the Chair to sign the acknowledgement and consent form of ICC's Merger with Highland Management. Abraham Issa moved; Yamileth Slate-McCloud seconded. The motion passed unanimously.

c. **Gabriel Roeder Smith & Company**

Larry Wilson provided an overview of the company and its role.

Larry Wilson inquired on the status of a few items needed for the actuarial valuation report. There are still some data questions that he needs answered and there have been no financial information provided to him to date.

Donald Nelson advised that the budget process starts in April with budget document presented to the Town Commission in July. Mayte and Alyce has been out sick and the report is delayed.

Abraham Nissa suggested a back up plan if Mayte is not able to provide the information for the report to meet the deadline. He suggested hiring a temp Certified Public Accountant/ Third Party Administrator (TPA).

Yamileth Slate-McCloud advised that due to past experiences she wouldn't recommend hiring an outside TPA because in the past it was a disaster. Yamileth advised if asked, that she could temporarily assume the role of the TPA because she has access to the information.

Chair Michael Feldman suggested looking into the Town's CPA (outside auditor) to fill in for Alyce Jones.

Donald Nelson has confidence that Mayte will complete her pension portion of the work. He can also contact Marcum LLP to get an engagement letter from them if Alyce is unable to complete her portion.

Abraham Issa motioned to authorize the Town to put out letters for alternative CPA/TPA's and to come back with a quote agreeable to Pension Board within a specified timeframe.

Larry Wilson advised that the specified time frame is not feasible in order for him to complete his report.

Abraham Issa stroked his motion and wants to consider the options.

MOTION:

The Town of Surfside Pension Board recommended approval to have Marcum LLP fill-in as needed as a fall back to assist with this year's audit on a contingent basis in the event that the TPA cannot complete the report in order to present the information the CPA. Abraham Issa moved; Julio Torres seconded. The motion passed unanimously.

Larry Wilson advised that GASB 67 true up is needed from Alyce Jones.

Larry Wilson also advised that he is missing the pay received by DROP participants during fiscal year 14.

GASB 68 is coming into play and Larry Wilson wants to include it in this year's evaluation. Senate Bill 534 is due 60 days after the Board approves the report.

d. Klausner & Kaufman – Adam Levinson

- Klausner, Kaufman, Jensen & Levinson Annual Client Conference
Adam Levinson introduced the company and service they offer to the Pension Board.

Adam provided the investment assumptions for Florida governmental defined benefit plan.

- Special Tax Notice
Adam Levinson provided, as part of the agenda packet, Special Tax Notice information.
- Attorney's Report
Adam Levinson reminded the Board of Klausner, Kaufman, Jensen & Levinson 17th Annual Client Conference being held March 15-18, 2015.

6. Administrator

a. DROP Election for Employees

- Edner Mehu – Effective October 1, 2014 (Election: 50% Joint and Contingent)

MOTION:

The Town of Surfside Pension Board recommend approval for the Chair to sign and approve the election for 50% joint and contingent for Edner Mehu prepared by the actuary. Yamileth Slate-McCloud moved; Abraham Issa seconded. The motion passed unanimously.

b. Refunds of Contributions:

- Gisella Rojas – Term: 12/31/2014 \$2,983.63

MOTION:

The Town of Surfside Pension Board recommend approval to payout the refund contribution to the aforementioned Town employee. Yamileth Slate-McCloud moved; Julio Torres seconded. The motion passed unanimously.

7. Approval of Invoices

a. A.M. Jones, C.P.A., P.A.

- Invoice Pending

b. Burgess Chambers & Associates, Inc.

- Invoice #15-71 2/19/2015 \$5,000.00

MOTION:

The Town of Surfside Pension Board recommend approval of Burgess Chambers & Associates, Inc invoice for \$5,000.00. Julio Torres moved; Yamileth Slate-McCloud seconded. The motion passed unanimously.

c. Gabriel Roeder Smith & Company

- Invoice #123196 1/7/2015 \$5,294.00

MOTION:

The Town of Surfside Pension Board recommend approval of Gabriel Roeder Smith & Company invoice for \$5,294.00. Yamileth Slate-McCloud moved; Abraham Issa seconded. The motion passed unanimously.

d. ICC Capital Management

- Invoice #57534161 2/31/2014 \$7,756.49

MOTION:

The Town of Surfside Pension Board recommend approval of ICC Capital Management invoice for \$7,756.49. Julio Torres moved; Abraham Issa seconded. The motion passed unanimously.

- | | | |
|-----------------------|------------|-------------------|
| e. Klausner & Kaufman | | |
| • Invoice #16380 | 11/30/2014 | \$427.50 |
| • Invoice #16472 | 12/31/2014 | <u>\$2,479.50</u> |
| | | \$2,907.00 |

MOTION:

The Town of Surfside Pension Board recommend approval of Klausner & Kaufman invoice for \$2,907.00 Yamileth Slate-McCloud moved; Julio Torres seconded. The motion passed unanimously.

- | | | |
|------------------|-----------|----------|
| f. Frantza Duval | | |
| • Invoice #15-01 | 12/5/2014 | \$258.75 |

MOTION:

The Town of Surfside Pension Board recommend approval of Frantza Duval invoice for \$258.75. Yamileth Slate-McCloud moved; Julio Torres seconded. The motion passed unanimously.

- | | | |
|--------------------|----------|------------|
| g. SunTrust Bank | | |
| • Invoice #6895223 | 1/2/2015 | \$4,712.57 |

MOTION:

The Town of Surfside Pension Board recommend approval of SunTrust Bank invoice for \$4,712.57. Julio Torres moved; Abraham Issa seconded. The motion passed unanimously

- | | | |
|-------------------|--|------------|
| h. Mayte Gamiotea | | |
| • Invoice #15-01 | | \$2,767.50 |

MOTION:

The Town of Surfside Pension Board recommend approval of Mayte Gamiotea invoice for \$2,767.50. Julio Torres moved; Yamileth Slate-McCloud seconded. The motion passed unanimously

- | | | |
|--------------------------------------|----------|------------------|
| i. Florida Municipal Insurance Trust | | |
| • Invoice # 1 | 12/11/14 | \$4,763.00 |
| • Invoice #2 | 12/11/14 | \$ 100.00 |
| • Invoice #3 | 12/11/14 | <u>\$ 250.00</u> |
| | | \$5,113.00 |

MOTION:

The Town of Surfside Pension Board recommend approval of Florida Municipal Insurance Trust invoice for \$5,113.00. Yamileth Slate-McCloud moved; Julio Torres seconded. The motion passed unanimously

8. New Business/Old Business

- Annual Retirement Statements – Yamileth Slate-McCloud
Yamileth Slate-McCloud presented an email from John Madden (included in the agenda packet) to the Board and question to the Actuary, Larry Wilson.

It was advised by Mr. Wilson that the plan tells you the benefit multiplier x service x final average pay when you leave. The payment has nothing to do with his contributions and Mr. Madden is not a current employee. The payments are calculated at his time of separation with the Town. The benefits are fixed. It is a defined benefit.

- **Employee Contributions – Yamileth Slate-McCloud**
Elinor Joseph, Parking Operation Manager was also present for the Pension Meeting.
Yamileth Slate-McCloud advised that the Town has been contributing 6% since 2003. The general employees would like to increase their contributions from 6-8% to be equal to what the police officers are contributing.

Yamileth Slate-McCloud advised that it should be a one-time option for those willing to change their contribution rate.

Larry Wilson advised that for example increasing the employees contribution by 1% without changing the benefits would decreased the Town's obligation by 1 ½ %.

MOTION:

The Town of Surfside Pension Board recommended having the Third Party Administrator, the Human Resources Director, and Town administration to work with the actuarial on scenarios for increasing the contributions for the general employees and present it at the next scheduled meeting. Yamileth Slate-McCloud moved; Abraham Issa seconded. The motion passed unanimously

Abraham Issa congratulated the employees on the idea for the increased contribution.

- **Mortality Table – Yamileth Slate-McCloud**
Yamileth Slate-McCloud inquired if there will be a report done on the premium table or will it still be based on the middle table, as approved by the state, as it is currently now.
Larry Wilson advised that it would not be done this year, but he would also need to look at assumptions (i.e pay).

Adam Levinson suggested waiting until Larry Wilson is done with the valuation and to do an updated review of all the assumptions (salary, payroll, mortality, etc.), when time permits.

Abraham Issa suggested putting it as an agenda item, so that it is not forgotten.

9. Trustees' Comments/Concerns
None.

10. Next Regular Scheduled Meeting Date

- **May 21, 2015 (Thursday) @ 2:00pm**

11. Adjournment

There being no further business to come before the Board , the meeting unanimously adjourned at 4:27pm with the motion made by Yamileth Slate-McCloud; receiving a second from Julio Torres.

Accepted this 11 day of Jan, 2015


Michael Feldman, Chairman

Attest:

Frantza Duval
Recording Clerk



**TOWN OF SURFSIDE
SPECIAL PENSION BOARD MEETING**

Monday, April 13, 2015 – 3:00 p.m.

9293 Harding Avenue - Town Hall – Conference Room

MINUTES

Pension Board Members

Michael K. Feldman, Chair

N. Abraham Issa

Guillermo Olmedillo

Sgt. Julio E. Torres

Yamileth “Yami” Slate-McCloud

Town of Surfside Consultants

Alyce Jones, A.M. Jones – C.P.A., P.A.

Burgess Chambers, Burgess Chambers & Associates

Grant McMurry, ICC Capital Management

Larry Wilson, Gabriel, Roeder, Smith & Company

Robert Klausner, Esq, Klausner & Kaufman

Donald Nelson, Finance Director

Mayte Gamiotea, Third Party Administrator

Frantza Duval, Recording Clerk

1. Call to Order and Roll Call

Secretary, Guillermo Olmedillo called the meeting to order at 3:07pm.

The Pension Board members noted above were present with the exception of the Chair, Michael Feldman. A quorum was established.

Also in attendance were the above noted consultants and Town staff with the exception of Alyce Jones, Burgess Chambers, Grant McMurray and Larry Wilson.

Robert Klausner participated in the meeting via telephone conference.

2. Alyce Jones Resignation

a. Contract

Donald Nelson advised that on Friday, April 10, 2015 Alyce Jones, CPA rendered her resignation to the Town. She advised that she is no longer able to do the annual financial report for the fiscal year ending September 30, 2014 due to her health.

The Town is in need of a replacement and the most feasible replacement would be Marcum LLP, currently responsible for the comprehensive annual financial report (CAFR) for the Town of Surfside.

The pension's comprehensive report is a component of the CAFR and the Town was waiting on Alyce to complete her portion of the report.

Donald Nelson contacted Michael Futterman of Marcum LLP and inquired if they could take over the financial report for the fiscal year ending September 30, 2014. Mr. Futterman stated that the proposed fee for the first year would be \$21,000 to conduct the financial report for the 2014 financial audit. Alyce Jones was doing a comprehensive report for \$23,500 a year. If the Board decides to retain Marcum for a second year the fee would be \$16,500.

Robert Klausner advised that Marcum is a good firm and he has worked with them in the past. Mr. Klausner suggested having Marcum produce a separate engagement letter than that of what the Town already has. It would create an obligation on Marcum's behalf to reveal to the Board any mismanaging, which would then obligate them to reveal that to the Board.

Donald Nelson advised that Marcum stated they would be able to start right away upon the execution of the engagement letter.

b. Fees

Robert Klausner inquired if the Town has paid Alyce Jones for her services. Donald Nelson advised that Alyce Jones was funded two installments, which was paid out at the approval of the December 2014 meeting in the amount of \$15,800. Alyce did send Mayte an email which talked about the refund of the fees. Donald Nelson advised that there has been no completed work done by Alyce and would recommend the full amount being refunded to the Town. Robert Klausner suggested paying her labor for reviewing the records at an hourly rate if she could submit time records and the rest be refunded back to the Town. If no material work was done then the full amount should be refunded.

Yamileth Slate-McCloud advised that she spoke to Alyce who advised that she was paying a third party to do the accounting. Robert Klausner inquired as to the cost incurred through the third party, in which the response is unknown.

The email provided by Alyce stated that she did some work, but Mayte advised that she hasn't received anything from her.

Mr. Klausner suggested that if Marcum is retained for their services that they look into the work that Alyce stated that she did to see if it has any value and does it save them any labor. Donald Nelson advised that in talking with Mr. Futterman, Marcum, LLP would have to start the financial report from the beginning. Donald Nelson recommends speaking with Alyce and Marcum again to come with a resolution and present it to the Board at the May 21, 2015 meeting.

Yamileth Slate-McCloud read into the record an email from Alyce Jones, CPA to Mayte Gamiotea reference the fees:

From: AMJCPA@aol.com [mailto:AMJCPA@aol.com]
Sent: Sunday, April 12, 2015 5:04 PM
To: Mayte Gamiotea
Cc: Donald Nelson
Subject: Retirement Plan for Employees of the Town of Surfside

Hi Mayte,

Will you be available tomorrow> I would like to discuss the Retirement Plan. As you can imagine, it is with a very heavy heart that I have to report that we cannot continue with the audit. I did speak with Michael Futterman regarding this matter.

I would like to discuss all with you.

Also, I will return at your direction, the fees I received from the Pan. I have done a lot of work on this; however, I am sure the new firm will do their own work.

I look forward to speaking with you.

Best regards,

Best regards,
Alyce M. Jones, C.P.A., P.F.S.
A.M. Jones, C.P.A. P.A.
3421 North Powerline Road
Pompano Beach, Florida 33069
Phone: 954-973-3421
Fax 954-968-8215
Miami-Dade Line: 305-948-5608
email: amjcpa@aol.com

Robert Klausner suggested paying her the fair amount of the value of her work, if done.

Abraham Issa inquired under whose direction Alyce Jones was given the permission to speak to Marcum. Donald Nelson advised that no direction from staff was given to her to speak to Marcum. Alyce has previously worked with Marcum and our actuary for portions of the report.

Guillermo Olmedillo stated that the Board now needs to decide on the matter of the fees and Marcum's proposal.

MOTION:

The Town of Surfside Pension Board recommended approval to accept the resignation of Alyce Jones, CPA. Julio Torres moved; Abraham Issa seconded. The motion passed unanimously.

Donald Nelson advised that he will work with the administrator and Alyce Jones to determine the appropriate adjustment, if any, to the \$15,800 paid out to Alyce and to have it presented at the next scheduled meeting on May 21, 2015.

3. Marcum Accountants & Advisors Proposal

Abraham Issa inquired about bringing the price down from \$21,000 to \$16,000. Donald Nelson advised that given the circumstances they have to review all of Alyce's files by going to her office to review her papers and records, which requires more involvement in the first year.

Yamileth Slate-McCloud inquired if the service from Marcum will be the same as that of which Alyce provided. Donald Nelson advised that they will prepare the annual financial report, but will not attend the meetings. If it is desired by the Board then a separate agreement will be created for the service in the future. Alyce's function to review numbers, retirement calculation, and invoices will not be continued by Marcum.

Robert Klausner advised that the Board would need to authorize the Secretary (Guillermo Olmedillo) to sign and enter into an agreement with Marcum, LLP upon his review of the contract.

Yamileth Slate-McCloud suggested for next year to have proposals from other firms and to include it in the next agenda for discussion.

MOTION:

The Town of Surfside Pension Board recommended approval to retain Marcum, LLP to do the annual financial report audit for the fiscal year ending September 30, 2014. Julio Torres moved; Yamileth Slate-McCloud seconded. The motion passed unanimously.

Mayte Gamiotea advised that she is not familiar in doing the Management Discussion Analysis. Donald Nelson advised that Alyce did not do it due to a conflict of interest and that she has hired a third party to complete it. Donald Nelson could reach out to the third party about completing it in the future.

MOTION:

The Town of Surfside Pension Board recommended approval to authorize the Secretary into an engagement with Marcum, LLP to conduct the financial audit for September 30, 2014. Yamileth Slate-McCloud moved; Julio Torres seconded. The motion passed unanimously.

4. Robert Klausner

None.

5. Trustees' Comments/Concerns

None.

6. Next Regular Scheduled Meeting Date

- **May 21, 2015 (Thursday) @ 2:00pm**

7. Adjournment

There being no further business to come before the Board, the meeting unanimously adjourned at 3:37pm with the motion made by Yamileth Slate-McCloud; receiving a second from Abraham Issa.

Accepted this 11 day of June, 2015


Michael Feldman, Chairman

Attest:

Frantza Duval
Recording Clerk



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.

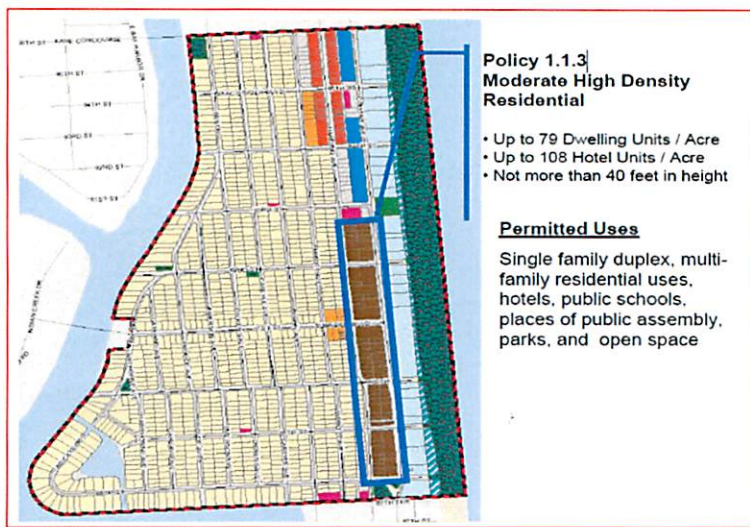
On September 9, 2014, the Town Commission adopted Ordinance No. 14-1625A to provide greater separation between building towers by limiting the height of a 270 foot long platform to 30 feet and limit towers to 150 feet in length.

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.

ATTACHMENT "A"

Future Land Use (2030)



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

0 450 900 1,350 1,800 Feet

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

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 #: 4B1
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.

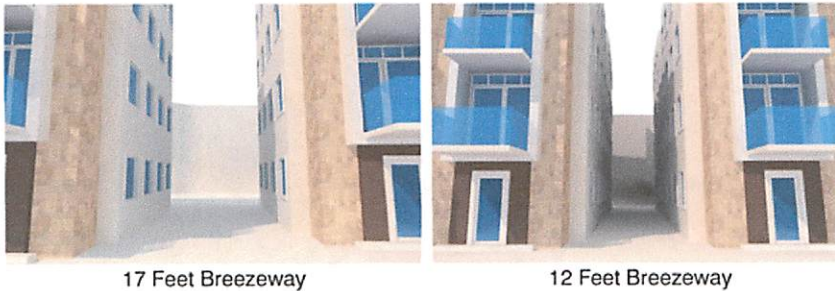
Staff has worked since December to prepare language, in conjunction with the public and the Planning and Zoning Board, that provides limitations on building lengths and requires additional articulation for buildings.

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)



- 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

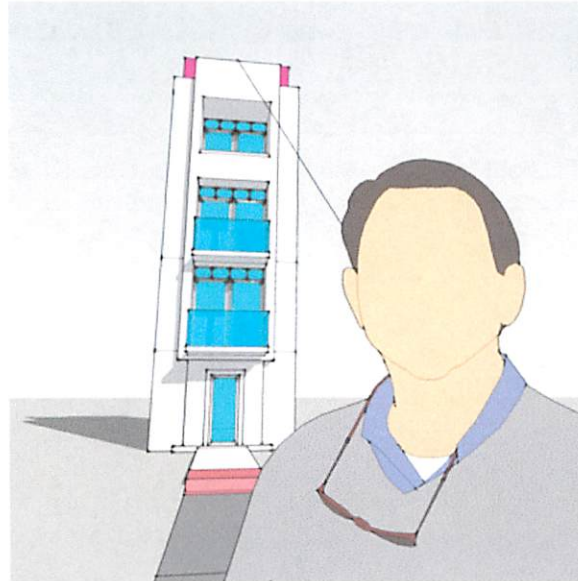
- Require additional articulations for facades facing Collins Avenue and Harding Avenue. (demonstrated below)



- 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 Olmedillo, 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 September 8, 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>	

Corridor

Rear	10 FT
Secondary frontage (Corner only)	10 FT

H40 - Wider than 50 ft

Minimum Setback (Feet)

Primary Frontage	20 FT
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Collins Avenue and Harding Avenue Corridor frontage 20 FT; 25 FT setback for any portions above 30 FT, except on structures in districts designated as historic

Interior side	7 FT
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Interior side, Collins Avenue and Harding Corridor Minimum or 10% of the total interior frontage up to 15 FT, whichever is greater

Rear	10 FT
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Secondary frontage (Corner only)	10 FT
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H120

Minimum Setback (Feet)

Primary frontage	40 FT
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Side	10% of the lot frontage, no less than 10 feet
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Rear	30 FT
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Secondary frontage (Corner only)	10% of the lot frontage, no less than 20 feet
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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.

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 # 5A

Agenda Date: July 14, 2015

Subject: FY 14/15 Proposed Budget Amendment Resolution

Background: The State of Florida, the Charter of the Town of Surfside, and sound financial management practices, require monitoring of the Town's budgetary condition. Budget requirements include maintaining a balanced budget and a prohibition against entering into encumbrances for which there is not sufficient appropriation.

The Town Commission monitors the budget to actual summary at the fund level monthly on each agenda. The Town Manager is authorized by the Charter to make adjustments within funds so long as the appropriation for each fund is not exceeded. The purpose of this budget amendment is for the Town Commission to amend the FY 14/15 Budget or to recognize changes in revenues and expenditures that differ from the adopted budget.

The attached documents represent the amendments which are proposed to ensure compliance with State law, Town Charter and sound financial management practices.

Analysis: Staff has revisited and scrutinized all FY 14/15 approved revenues and expenditures. A summary discussion, on a fund by fund basis, follows:

GENERAL FUND (Attachment A)

The budget amendment to the General Fund projects revenue increases of \$513,738 and unassigned reserves in the amount of \$943,613 are being reallocated to fund ongoing operating expenditures and additional budgetary needs. The use of General Fund reserves is primarily due to a transfer to the Capital Projects Fund for: Surfside Seawall replacement (Phase I \$656,858; Phase II \$51,400), Town Hall Improvements to replace roof drains during the new roof project (\$20,610), chiller system additional needs (\$2,829), and 95th Street

Phase II enhancements (\$28,917); a transfer to the Solid Waste Fund for the purchase of a new garbage truck (\$182,999); town manager recruitment/transition (\$32,990); town manager final compensation (\$29,242); and sand project costs (\$36,270); and General Fund expenditures for other items. These expenditures are projected to be in excess of the originally budgeted amounts and the adjustments are detailed within the justification column of Attachment A.

CAPITAL PROJECTS FUND (Attachment B)

The Capital Projects Fund has a projected increase in revenues primarily from the reappropriation of fund balance for FY 13/14 budgeted funds not expended for Town Hall improvement projects: chiller system (\$321,600) and roof replacement (\$53,010); and a General Fund transfer in for: Surfside Seawall replacement (Phase I \$656,858; Phase II \$51,400), Town Hall Improvements to replace roof drains during the new roof project (\$20,610), chiller system additional needs (\$2,829), and 95th Street Phase II enhancements (\$28,917).

POLICE FORFEITURE FUND (Attachment B)

The Police Forfeiture Fund is being amended to record treasury confiscation revenue of \$16,202.

MUNICIPAL TRANSPORTATION FUND (Attachment B)

Municipal Transportation Fund expenditures increased by \$27,755 for the cost of asphalt repairs and reserves of \$25,755 are allocated to fund these costs not originally budgeted.

WATER AND SEWER FUND (Attachment C)

The Water and Sewer Fund projects an increase in revenues from development fees of \$504,543 and a corresponding increase in renewal and replacement reserves of \$504,543; an increase in service revenues of \$230,630; and the appropriation of reserves in the amount of \$351,079 to fund the Bal Harbour sewer main project expenditure balance. The budget amendment also adjusts water capital project expenditures of \$69,625 and State Revolving Fund debt service \$161,005 in excess of originally budgeted amounts.

MUNICIPAL PARKING FUND (Attachment C)

Parking fund expenditures increased by \$23,194 for single space meters warranties (\$3,000); asphalt repairs to the Abbott Lot (\$6,994); and merchant fee expense for Paybyphone transaction fees (\$13,200). This fund will use reserves of \$23,194 for these additional expenditures not originally budgeted.

SOLID WASTE FUND (Attachment C)

This fund had additional revenues of \$14,308 from an increase in late fees/penalties and container sales; a \$182,999 transfer in from the General Fund and miscellaneous revenue \$20,000 from the trade-in of a garbage truck which will be used to purchase a new garbage truck. Expenditures increased by \$244,281 for operating expenditures in excess of originally budgeted amounts (\$41,282), and the purchase of a new garbage truck (\$202,999).

STORMWATER FUND (Attachment C)

A total of \$333,267 of reserves are appropriated for: Biscaya Island Drive drainage improvements (\$117,035) which is a reappropriation of funds not expended in FY 13/14; stormwater capital project expenditures (\$25,659) not originally budgeted in FY 13/14; and debt service costs (\$190,573) in excess of originally budgeted amounts.

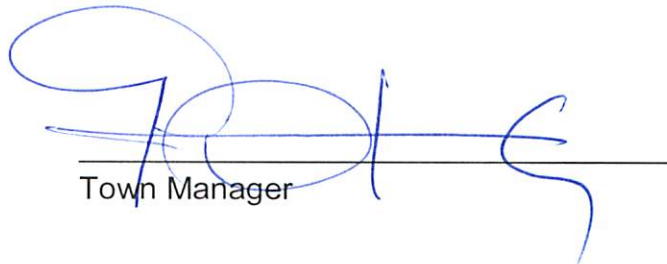
Budget Impact: Adoption of this resolution will amend the original budget for estimated revenues and expenditures in the General Fund, Capital Projects Fund, Police Forfeiture Fund, Municipal Transportation Fund, Water and Sewer Fund, Municipal Parking Fund, Solid Waste Fund, and Stormwater Fund, and affect their respective fund balance (reserves) as shown in Attachments A, B and C.

Staff Impact: No layoffs, furloughs, or position reductions are required to re-balance the budget and meet the Town's fiduciary responsibilities.

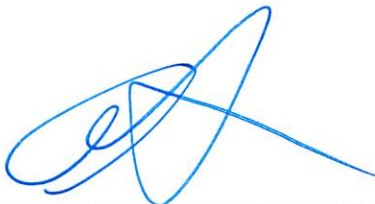
Recommendation: It is recommended that the Surfside Town Commission adopt the proposed FY 14/15 General Fund, Capital Projects Fund, Police Forfeiture Fund, Municipal Transportation Fund, Police Forfeiture Fund, Water & Sewer Fund, Municipal Parking Fund, Solid Waste Fund and Stormwater Fund budget amendment resolution per attachment D.



Finance Director



Town Manager



Budget Officer

RESOLUTION NO. 15 - _____

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.

WHEREAS, the Town of Surfside adopted Resolution No. 14-2267 on September 23, 2014 establishing revenues and appropriations for the Town of Surfside, Florida for the fiscal year ending September 30, 2015; and

WHEREAS, to address amendments in the budget of expenditures and revenues, the Finance Director and Budget Officer have met with the Town Manager and Department Heads to identify modifications with no impact on service delivery; and

WHEREAS, an increase to the budgeted revenue estimates and expenditure estimates is required for the General Fund, the Police Forfeiture Fund, and the Municipal Transportation Fund; and an increase in transfers in and expenditures is required for the Capital Projects Fund; an increase in budgeted revenue estimates and expenditures is required for the Water and Sewer Fund, the Municipal Parking Fund, the Solid Waste Fund, and the Stormwater Fund, to comply with State Statutes and the Town's commitment to sound budgeting practices, where budgeted expenses may not exceed anticipated revenues. Accordingly, this resolution proposes to amend the FY 2014/2015 annual budget as set forth as Attachments A, B and C; and

WHEREAS, it is in the best interest of the Town of Surfside to adopt the proposed FY 2014/2015 amendatory General Fund, Capital Projects Fund, Police Forfeiture Fund, Municipal Transportation Fund, Water & Sewer Fund, Municipal Parking Fund, Solid Waste Fund and Stormwater Fund budget resolution as submitted.

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

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

Section 2. Authorization. The Town Commission hereby approves and authorizes the proposed FY 2014/2015 budget amendments.

Section 3. Implementation. The Town Manager is 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 July 2015.

Motion by _____,

Second by _____.

FINAL VOTE ON ADOPTION

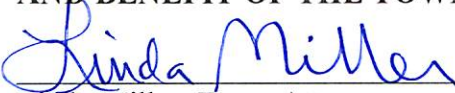
Commissioner Barry R. Cohen	_____
Commissioner Michael Karukin	_____
Commissioner Marta Olchyk	_____
Vice Mayor Eli Tourgeman	_____
Mayor Daniel Dietch	_____

Daniel Dietch, Mayor

ATTEST:

Sandra Novoa, Town Clerk

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



Linda Miller, Town Attorney

**TOWN OF SURFSIDE
BUDGET AMENDMENT
ATTACHMENT A**

Fiscal Year: 2014/2015
BA # 1 Budget Amendment
Fund No. 001 General Fund

7/14/2015
Department: GF Multiple

Account Number	Account Description	Justification	Original Budget	Increase	Adjusted Budget
REVENUES					
001-0000-314-1000	Electric Utility	Adjust budget to YTD actual collections	486,000	44,000	530,000
001-0000-316-0200	Miami-Dade Occ Licenses Tax Share	Adjust budget to YTD actual collections	8,400	10,650	19,050
001-0000-316-0300	Surfside Local Business License Penalty	Adjust budget to YTD actual collections	550	1,160	1,710
001-0000-322-8500	Contractor Registration	Adjust budget to YTD actual collections	45,000	5,400	50,400
001-0000-322-9600	Permits - 40 Year Certification	Adjust budget to YTD actual collections	0	1,500	1,500
001-0000-342-1010	Special Police Detail - Extra Duty	Adjust budget to YTD actual collections	150,000	269,125	419,125
001-0000-347-2006	Recreation - Winter Camp	Adjust budget to YTD actual collections	3,600	1,445	5,045
001-0000-347-2022	Recreation - Spring Camp	Adjust budget to YTD actual collections	0	6,200	6,200
001-0000-351-5030	Red Light Enforcement	Adjust budget to YTD actual collections	410,000	100,000	510,000
001-0000-359-4000	Code Enforcement Fees and Penalties	Adjust budget to YTD actual collections	15,000	52,000	67,000
001-0000-369-9010	Other Miscellaneous Revenues	Adjust budget to YTD actual collections	28,000	5,509	33,509
001-0000-389-8010	Developer Contributions	Grand Beach Hotel contribution for BigBelly/SmartBelly	0	11,980	11,980
001-0000-389-8020	Developer Contributions	Surf Club contribution for BigBelly/SmartBelly	0	4,769	4,769
001-0000-392-0000	Appropriated (Use of) Fund Balance	Seawalls Construction	495,314	656,858	
001-0000-392-0000	Appropriated (Use of) Fund Balance	Seawalls Phase II		51,400	
001-0000-392-0000	Appropriated (Use of) Fund Balance	Replacement of Roof Drains		20,610	
001-0000-392-0000	Appropriated (Use of) Fund Balance	Chiller System		2,829	
001-0000-392-0000	Appropriated (Use of) Fund Balance	Garbage Truck		182,999	
001-0000-392-0000	Appropriated (Use of) Fund Balance	95th Street Phase II		28,917	1,438,927
TOTAL	GENERAL FUND REVENUES		1,641,864	1,457,351	3,099,215
EXPENDITURES					
001-2000-512-1210	EX - Regular Salaries	M. Crotty Sick/Vacation Pay	304,119	28,824	
001-2000-512-1210	EX - Regular Salaries	Interim Town Manager - TM transitions 16 days TCM 12/09/14		8,862	341,805
001-2000-512-2110	EX - Payroll Taxes	M. Crotty Sick/Vacation Pay	23,418	418	
001-2000-512-2110	EX - Payroll Taxes	Interim Town Manager January 2015 TCM 12/09/14		678	24,514
001-2000-512-4009	EX - Car Allowance	Adjustment for New Town Manager	5,400	450	5,850
001-2000-512-3110	EX - Professional Fees	Executive Search - Town Manager TCM 09/29/14	15,000	23,000	
001-2000-512-3110	EX - Professional Fees	Updated Salary Study - Cody & Associates		4,800	42,800
001-2000-524-3110	PC - Professional Services	Survey Street RW Termination at Bulkhead	235,250	8,466	243,716
001-2100-513-6410	FD - Machinery & Equipment	Laser check printer	0	1,146	1,146
		Reappropriate balance of Community Rating Service Reso 13-2198 funded in FY13/14 but expended in FY 14/15	0	11,666	11,666
001-2500-524-3110	BD - Professional Services				
001-3000-521-1520	PS - Special Pay - Extra Duty	Adjust expenditures per YTD revenues adjustment offset	150,000	250,000	400,000
001-3000-521-2110	PS - Payroll Taxes	Adjust expenditures per YTD revenues adjustment offset	232,960	19,125	252,085
001-3000-521-4915	PS - Red Light - State Portion	Adjust expenditures per YTD revenues adjustment offset	100,000	100,000	200,000
001-5000-539-6410	PW - Machinery & Equipment	BigBelly/SmartBelly Collins Ave - Surf Club	0	4,769	
001-5000-539-6410	PW - Machinery & Equipment	BigBelly/SmartBelly Collins Ave. -Grand Beach Hotel		9,289	14,058
001-5000-539-4611	PW - Miscellaneous Maintenance	BigBelly/SmartBelly Garbage Bags - GBH	58,250	2,691	60,941
001-7900-590-3110	ND - Professional Services	Sand Project expenditures	30,000	36,270	
001-7900-590-3110	ND - Professional Services	Traffic Study Phase I - Bal Harbour (ATEC)		3,284	69,554
001-7900-581-9130	ND - Interfund Transfer to Capital Projects Fund	Seawall Project TCM 04/15/15	100,000	656,858	
		Seawalls Phase II Design, Permitting, Construction Documents, Inspection & Grant Application TCM 04/15/15		51,400	
001-7900-581-9130	ND - Interfund Transfer to Capital Projects Fund	Replacement of Roof Drains		20,610	
001-7900-581-9130	ND - Interfund Transfer to Capital Projects Fund	Chiller System		2,829	
001-7900-581-9130	ND - Interfund Transfer to Capital Projects Fund	95th Street Phase II benches, walkway and other enhancements		28,917	860,614
		Transfer to fund garbage truck purchase Reso 15-2281 TCM 01/13/15	0	182,999	182,999
TOTAL	GENERAL FUND EXPENDITURES		1,254,397	1,457,351	2,711,748

Requested by: _____
Budget Officer

Approved : _____
Finance Director

Approved : _____
Town Manager

**TOWN OF SURFSIDE
BUDGET AMENDMENT
ATTACHMENT B**

Fiscal Year: 2014/2015
 BA # 1 Budget Amendment
 Fund Nos. 301 Capital Projects Fund
 105 Police Forfeiture Fund
 107 Municipal Transportation Fund

7/14/2015

Account Number	Account Description	Justification	Original Budget	Increase	Decrease	Adjusted Budget
CAPITAL PROJECTS FUND						
REVENUES						
301-0000-381-0100	Interfund Transfer from General Func	Seawall Phase II project	100,000	51,400		
301-0000-381-0100	Interfund Transfer from General Func	Seawall project		656,858		
301-0000-381-0100	Interfund Transfer from General Func	Balance of Chiller System and Roof Replacemen		23,439		
301-0000-381-0100	Interfund Transfer from General Func	95th Streetend Phase II		28,917		860,614
301-0000-384-0000	Debt Proceeds	Seawall project not financed through interim deb	494,445		494,445	-
301-0000-392-0000	Fund Balance - Reappropriated Fund Bal	Reappropriation of funds not expended in FY 13/14 Roof Replacement	0	53,010		
301-0000-392-0000	Fund Balance - Reappropriated Fund Bal	Reappropriation of funds not expended in FY 13/14 Chiller System		321,600		374,610
TOTAL	CAPITAL PROJECTS FUND REVENUES		594,445	1,135,224	494,445	1,235,224
EXPENDITURES						
301-4400-539-6220	Town Hall Improvements	Roof Replacement	0	73,620		
301-4400-539-6220	Town Hall Improvements	Chiller system		324,429		398,049
301-4400-541-6310	Improvements Other Than Building	95th Steetend Project Phase II	35,432	28,917		64,349
301-4400-541-6340	Infrastrcture - Seawalls Phase I	Seawall Project Award 04/14/2015	988,890	162,413		1,151,303
301-4400-541-6330	Infrastrcture - Seawalls Phase II	Seawall Project Phase II	0	51,400		51,400
TOTAL	CAPITAL PROJECTS FUND EXPENDITURES		1,024,322	640,779		1,665,101
POLICE FORFEITURE FUND						
REVENUES						
105-0000-359-2005	Treasury Confiscations	Treasury confiscations revenue	0	16,202		16,202
105-0000-392-0000	Use of Restricted Fund Balance	Adjustment for revenues received	90,300		16,202	74,098
TOTAL	POLICE FORFEITURE FUND REVENUES		90,300	16,202	16,202	90,300
MUNICIPAL TRANSPORTATION FUND						
EXPENDITURES						
107-8500-549-4910	Other Current Charges	Asphalt repairs	0	23,261		23,261
107-8500-549-5310	Road Materials	Asphalt repairs	0	2,494		2,494
107-8500-549-9310	Contingency/Reserves		40,547		25,755	14,792
TOTAL	MUNICIPAL TRANSPORTATION FUND EXPENDITURES		40,547	25,755	25,755	40,547

Requested by: _____
 Budget Officer

Approved : _____
 Finance Director

Approved : _____
 Town Manager

**TOWN OF SURFSIDE
BUDGET AMENDMENT
ATTACHMENT C**

Fiscal Year: 2014/2015
BA # 1 Budget Amendment
Fund No. 401 Water & Sewer Fund
402 Municipal Parking Fund
403 Solid Waste Fund
404 Stormwater Fund

7/14/2015

Account Number	Account Description	Justification	Original Budget	Increase	Decrease	Adjusted Budget
WATER AND SEWER FUND						
REVENUES						
401-0000-363-2300	Development Fees	Development Fee Surf Club	0	504,543		504,543
401-0000-343-3000	Water Utility Service Revenue	Projected collections in excess of budget	1,337,948	140,630		1,478,578
401-0000-343-5000	Wastewater Utility Service Revenue	Projected collections in excess of budget	1,314,631	90,000		1,404,631
401-0000-391-1020	Use of Restricted Net Assets Renewal & Replacement	For balance of Bal Harbor Force Main	0	351,079		351,079
TOTAL	WATER AND SEWER FUND REVENUES		2,652,579	1,086,252	0	3,738,831
EXPENDITURES						
401-9900-536-6311	Sewer Improvement - Bal Harbour	Bal Harbour Force Main Project cost in excess of budget	0	351,079		351,079
401-9900-536-6320	Improvements Other Than Building	Water capital project expenditures	0	69,625		69,625
401-9900-536-7115	Principal - State Revolving Fund Loan	Adjustment to new payment schedule	109,386	146,274		255,660
401-9900-536-7215	Interest - State Revolving Fund Loan	Adjustment to new payment schedule	183,036	14,731		177,767
401-9900-536-91BD	Reserves - Renewal & Replacement	From Development Fees for Capital Improvements/Expansion	0	504,543		504,543
TOTAL	WATER AND SEWER FUND EXPENDITURES		272,422	1,086,252	0	1,358,674
MUNICIPAL PARKING FUND						
EXPENDITURES						
402-9500-545-4601	Maintenance Service/Repair Contracts	Single Space Meters Warranty	76,946	3,000		79,946
402-9500-545-4611	Miscellaneous Maintenance	Abbott Lot Asphalt Repairs	7,500	6,994		14,494
402-9500-545-5225	Merchant Fees	Paybyphone Technologies transaction fees	60,000	13,200		73,200
402-9500-545-9910	Contingency/Reserves		34,935	-	23,194	11,741
TOTAL	MUNICIPAL PARKING FUND EXPENDITURES		179,381	23,194	23,194	179,381
SOLID WASTE FUND						
REVENUES						
403-0000-343-9001	Late Fees & Penalties	Increased to record YTD late fee payments	10,000	2,950		12,950
403-0000-343-9002	Garbage Container Sales	Adjust budget to YTD actual collections (offset Equipment Maint 4603)	7,572	11,358		18,930
403-0000-364-0000	Miscellaneous Revenues Disposal of Assets	Garbage truck trade in	0	20,000		20,000
403-0000-381-0100	Intragovernmental Transfer In - General Fund	To fund purchase of garbage truck - Reso 15-2281 01/15/2015	0	182,999		182,999
403-0000-392-1000	Appropriated Net Assets	Excess of expenditures over revenues - garbage truck repairs & rental expenses	0	26,974		26,974
TOTAL	SOLID WASTE FUND REVENUES		17,572	217,307	0	234,879
EXPENDITURES						
403-4000-534-4403	Equipment Leasing	Garbage truck rear loader rental	9,100	12,564		21,664
403-4000-534-4603	Equipment Maintenance	2 CY slant containers	8,900	11,358		20,258
403-4000-534-4612	Vehicle Maintenance	Truck repairs	28,000	17,360		45,360
403-4000-534-6410	Machinery & Equipment	Purchase of Garbage Truck	0	202,999		202,999
TOTAL	SOLID WASTE FUND EXPENDITURES		46,000	244,281	0	290,281
STORMWATER FUND						
REVENUES						
404-0000-391-1000	Appropriated Unrestricted Net Assets	Reappropriation of funds not expended in FY 13/14 Biscaya Island Drive drainage improvements (project under budget \$24,034)	0	117,035		
404-0000-391-1000	Appropriated Unrestricted Net Assets	Use of reserves for Stormwater capital improvement project expenditures not originally budgeted		25,659		
404-0000-391-1000	Appropriated Unrestricted Net Assets	Use of reserves for debt service adjustments to new payment schedule		190,573		333,267
TOTAL	STORMWATER FUND REVENUES		0	333,267	0	333,267
EXPENDITURES						
404-5500-538-6310	Pollution Control Project	Stormwater capital project expenditures balance	0	25,659		25,659
404-5500-538-6320	Infrastructure - Drainage Imp Biscaya Island Dr	Drainage improvements Biscaya Island Drive reappropriation from FY 13/14	0	117,035		117,035
404-5500-538-7110	Principal	Regions Loan adjustment to estimated	91,607	51,530		143,137
404-5500-538-7115	Principal - SRF	State Revolving Loan Fund adjustment to estimated	20,523	64,697		85,220
404-5500-538-7210	Interest	Regions Loan adjustment to estimated	77,031	46,145		123,176
404-5500-538-7215	Interest - SRF	State Revolving Loan Fund adjustment to estimated	31,055	28,201		59,256
TOTAL	STORMWATER FUND EXPENDITURES		220,216	333,267	0	553,483

Requested by: _____
Budget Officer

Approved: _____
Finance Director

Approved: _____
Town Manager



Town of Surfside Commission Communication

Agenda Item #: 5B

Agenda Date: July 14, 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 July 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 66D ²	Cargo box and rear bumper <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 CHMSL, rear bumper, spare tire, and spare tire carrier \$400 credit)²</i>	\$200.00 ¹	\$454.00 ²
58Y ¹ 58Y ²	AM/FM stereo radio	\$30.00 ¹	\$20.00 ²
M57 ¹ 572 ²	Air conditioning <i>IF ORDERING VEHICLES WITHOUT A/C PAYMENT WILL BE REQUIRED UPON ORDER. "NON-REFUNDABLE" ²</i>	\$500.00 ¹	\$100.00 ²
51X ¹ 51X ²	Full size spare tire and rim	\$50.00 ¹	\$50.00 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 99T 44W ²	Engine upgrade - specify <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>	\$8,400.00 ¹	\$8,479.00 ²
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>Vocations 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 98F ²	CNG 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> <i>CNG/LPG GASEOUS PREP ²</i>	\$314.00 ¹	\$314.00 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

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 gvw 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 anti theft 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

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

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

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
3k ¹ 3K ²	Additional Key(s) or Key Fob(s) when applicable Use \$226 for programmed Remote fob ¹ Dealer provided third key **Add \$175.00 for additional Remote w/Power Window Group ²		\$126.00 ¹	\$140.00 ²
AIRBAG ¹	Side air bags		Std ¹	Std
18B ¹ 18B ²	Cab steps 6" Angular Black Molded-In-Color Running Board ¹		\$319.00 ¹	\$319.00 ²
LSL ¹ L SPOT ²	Left-hand pillar mounted 6" spotlight with clear halogen bulb, dealer installed for Go-Light remote operated spot light add \$700 includes bed mounted Pole in lieu of roof mount. ¹ (DOOR MOUNT) Add \$175 for LED light ²		\$495.00 ¹	\$480.00 ²
2SL ¹ LR SPOT ²	Left & right-hand pillar mounted 6" spotlight with clear halogen bulb, dealer installed for Go-Light remote operated spot light add \$700 includes bed mounted Pole in lieu of roof mount. ¹ (DOOR MOUNT) Add \$350.00 for LED lights ²		\$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 Not available with power window group ²		\$130.00 ¹	\$145.00 ²
BS ¹ BS ²	Bug shield Dealer provided plastic hood protector ²		\$195.00 ¹	\$197.00 ²
54D ¹	Trailer tow mirrors For Power telescopic (54F) use \$164. Requires model upgrade package 603a. (54K) power glass included with 90L ¹		Std ¹	Std
WGG ¹ WGG ²	Wrap-around grille guard Warn brand or equal ¹ Add \$300.00 for winch mount plate ²		\$1,296.00 ¹	\$995.00 ²
TBX ¹ ATB ²	Heavy duty aluminum tool box AA brand, single lid locking with two keys. ¹ Dealer Provided HD Aluminum Diamond Plate Tool Box 14" Depth (ADD \$50 18" Depth TOOL BOX) ²		\$395.00 ¹	\$429.00 ²
85L ¹ 85L ²	Bedliner Plastic drop in liner ¹ Plastic drop in bed liner. (Dealer provided drop in bed liner \$325) ²		\$349.00 ¹	\$349.00 ²
85S ¹ 85S ²	Spray-on bedliner for pick-up truck (Rhino, Line-X or approved equivalent) Factory supplied light duty spray liner. For HD liner at increased thickness use \$565 ¹ Factory THIN spray-on-bed liner w/ plastic tailgate cover. (SOB - Dealer provided HD Spray-on-Bedliner \$579.00) ²		\$474.00 ¹	\$474.00 ²
TCD ¹ TBM ²	All terrain tread tires 4 LT265 Includes Black side wall spare ¹ LT245/75RX17E BSW All Terrain. -or- (TCD - LT 265/70R17E OWL All Terrain tires \$454) ²		\$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 Knapeheide knapkap model. For gelcoat spaceKap transferable slide in body use code SKWild at \$8800 ¹ 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		\$4,400.00 ¹	\$2,879.00 ²

VEHICLE:	F-250 SD (F2A)			
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BASE PRICE:	\$19,676.00	\$19,676.00	\$19,631.00	\$20,431.00

		Std	Std
	Tow hooks		
LG12 ¹	1,200 lb. lift gate	\$2,895.00 ¹	\$2,818.00 ²
LG12 ²	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		
8KW ¹	8,000 lb. winch with remote	\$1,200.00 ¹	\$1,195.00 ²
8KW ²	Requires WGG, Warn Brand winch ¹ Requires Wrap around grill w/winch plate ²		
TOWPKG ¹	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.	\$865.00 ¹	\$670.00 ²
CLIVWC ²	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		
SBS ¹	Spray-on bedliner for utility body	\$785.00 ¹	\$695.00 ²
USOB ²	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		
98ASW ¹	Knapheide, Reading or approved equivalent utility body - specify	\$5,800.00 ¹	\$4,875.00 ²
PSB96S-P ²	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		
696J ¹	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.)	\$5,400.00 ¹	\$4,985.00 ²
K696J ²	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 galvaneal 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		
SUL98ASW ¹	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.)	\$5,117.00 ¹	\$5,062.00 ²
U98ASW	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 LightsSlam 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		
SL ²	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		

VEHICLE:	F-250 SD (F2A)			
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ZONE:	★ Western	★ Northern	★ Central	★ Southern
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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	\$44.00 ¹	\$44.00 ²
	Immobilize daytime running lights <i>Don't order 942</i> ²	Std	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>(1200ATR - 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/expanded 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

VEHICLE:	F-250 SD (F2A)			
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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) VMAC: 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

	5 yr 75,000 mile(5000 mile interval, includes a total of (15) visits) gas engine Maintenance Plan.(ADD \$990 for diesel engine) ²			
MP610 ¹ BMP6100 ²	Maintenance Plan - specify 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 6 yr 100,000 mile(5000 mile interval, includes a total of (20) visits) gas engine Maintenance Plan.(ADD \$1210 for diesel engine) ²			\$2,400.00 ¹ \$1,140.00 ²
EB575 ¹ EC575 ²	Warranty - specify 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 Extra Care 5 yr 75k mile extended warranty (\$0 Ded)(ADD \$555 for fire/emergency use). ²			\$1,725.00 ¹ \$2,015.00 ²
EE575 ¹ PC575 ²	Warranty - specify 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 Premium Care 5 yr 75k mile extended warranty (\$0 Ded)(ADD \$555 for fire/emergency use). ²			\$2,015.00 ¹ \$2,825.00 ²
EP575 ¹ PC6100 ²	Warranty - specify 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 Premium Care 6 yr 100k mile extended warranty (\$0 Ded)(ADD \$555 for fire/emergency use). ²			\$2,825.00 ¹ \$3,710.00 ²
FB575 ¹ EC575 ²	Diesel Warranty - specify 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 \$3950 ¹ Extra Care 5 yr 75k mile extended warranty (\$0 Ded)(ADD \$555 for fire/emergency use). ²			\$1,830.00 ¹ \$2,150.00 ²
FE575 ¹ PC575 ²	Diesel Warranty - specify 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 Premium Care 5 yr 75k mile extended warranty (\$0 Ded)(ADD \$555 for fire/emergency use). ²			\$2,150.00 ¹ \$3,010.00 ²
FP575 ¹ PC6100 ²	Diesel Warranty - specify 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 Premium Care 6 yr 100k mile extended warranty (\$0 Ded)(ADD \$555 for fire/emergency use). ²			\$3,010.00 ¹ \$3,835.00 ²



Town of Surfside Commission Communication

Agenda Item #: 5C

Agenda Date: July 14, 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.

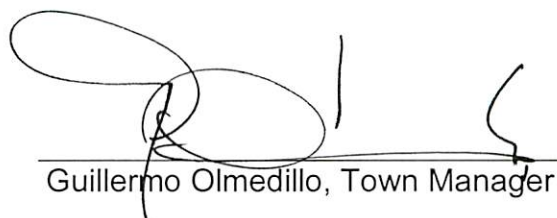
Staff Impact: N/A

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. 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 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 maneuver; 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 July 2015.

Motion by _____,

Second by _____.

FINAL VOTE ON ADOPTION

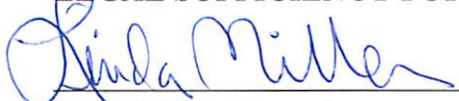
Commissioner Barry Cohen	_____
Commissioner Michael Karukin	_____
Commissioner Marta Olchyk	_____
Vice Mayor Eli Tourgeman	_____
Mayor Daniel Dietch	_____

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.

Contract No.: 760-000-10-1

Page 1 of 2

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 N•m)

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 N•m)
- 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)



-SL4A 01

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



-SL4A 01

**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
			S	• Jumper Harness - 84407841
		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
		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**

July 14, 2015

7:00 pm

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

Agenda #: 5D
Date: July 14, 2015
From: Guillermo Olmedillo, Town Manager
Subject: **Coastal Issues Committee**

Objective: To move forward with establishing a continuing Coastal Issues Committee as an advisory committee to the Town Commission on beach management and coastal issues.

Background: At the September 11, 2014 meeting, the Town Commission directed the Town to move forward with the formation of a Surfside resident-only continuing committee to address beach management and coastal issues. The Coastal Issues Committee will advance stewardship of the beach for Surfside residents, visitors and future generations, and address beach management topics, including beach concessions, beach nourishment, and strategies to adapt to sea level rise and climate change.

The Town of Surfside Charter Article II. Sec. 31 provides that the Town Commission may appoint boards or commissions to be composed of citizens who are registered qualified electors of Miami-Dade County, Florida, whose legal residence is in the Town of Surfside.

Pursuant to the Rules and Procedures for Committees created by the Town Commission, the Mayor shall designate a member of the Commission as the liaison between the Coastal Issues Committee and the Commission. Continuing Committees exist until abolished by the Town Commission. Each member of the Commission shall appoint one (1) member to the Coastal Issues Committee. Members of the Coastal Issues Committee shall be co-terminus with the term of the Member of the Commission who appoints the Committee Member.

Budget Impact: Town Administration recommends the Code Compliance Director serve as the Staff Facilitator to the Coastal Issues Committee. The estimated budget impact includes staff time for preparation of Agendas, follow-up research and support to provide services to the Committee which includes administrative/clerk responsibilities, audio-visual support for streamlining and further duties as determined by the Administration. The estimated budget impact is \$50,000.

Recommendation: To approve the Coastal Issues Committee with requested funding.

RESOLUTION NO. 15 - _____

**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.**

WHEREAS, the Commission finds that it is appropriate to establish a Coastal Issues Committee as a continuing committee to advance stewardship of the beach for Surfside residents, visitors and future generations, and address beach management topics, including beach concessions, beach nourishment, and strategies to adapt to sea level rise and climate change; and

WHEREAS, pursuant to Article II, Section 31 of the Charter, the Town Commission may appoint boards and commissions to be composed of citizens who are registered qualified electors of Miami-Dade County, Florida, whose legal residence is in the Town of Surfside; and

WHEREAS, pursuant to the Rules and Procedures for Committees created by the Town Commission, the Mayor shall designate a member of the Commission as the Liaison between the Coastal Issues Committee and the Commission; and

WHEREAS, the Coastal Issues Committee shall exist until abolished by the Town Commission; and

WHEREAS, each Member of the Town Commission shall appoint one (1) committee member to the Coastal Issues Committee and members of the Coastal Issues Committee shall be co-terminus with the term of the Member of the Town Commission who appoints the committee member; and

WHEREAS, the Commission finds that establishing the Coastal Issues Committee is in the best interest of the Town.

NOW, THEREFORE, THE COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA HEREBY RESOLVES AS FOLLOWS:

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

Section 2. Establishment of Coastal Issues Committee. The Town Commission hereby establishes the Coastal Issues Committee as a continuing committee to advance stewardship of the beach for Surfside residents, visitors and future generations, and address beach management topics, including beach concessions, beach nourishment, and strategies to adapt to sea level rise and climate change.

Section 3. Committee Rules and Procedures. Members of the Coastal Issues Committee shall be appointed in accordance with and shall follow the Rules and Procedures for Committees created and adopted by the Town Commission and shall be subject to the Florida's Government-in-the-Sunshine and Public Records Laws and the State of Florida, Miami-Dade County and Town of Surfside Code of Ethics.

Section 4. Authorization and Implementation. That the Town Clerk and Town Manager are hereby authorized and directed to take any and all such actions as are required to implement the terms of this Resolution.

Section 5. Effective Date. This Resolution shall take effect immediately upon its adoption.

PASSED and ADOPTED on this _____ day of July 2015.

Motion by _____,

Second by _____.

FINAL VOTE ON ADOPTION

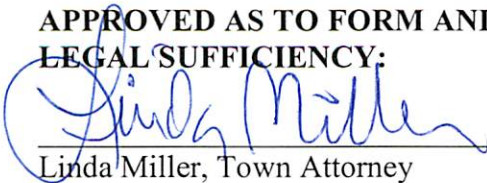
Commissioner Barry R. Cohen	_____
Commissioner Michael Karukin	_____
Commissioner Marta Olchyk	_____
Vice Mayor Eli Tourgeman	_____
Mayor Daniel Dietch	_____

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 Item #: 9A

Agenda Date: July 14, 2015

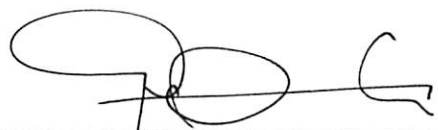
Subject: Traffic Management Plan – Long Term Solutions (9500 Block of Byron Avenue)

Background: 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. Town staff made recommendations for permanent traffic solutions at the June 9 Town Commission meeting. The Town Commission directed staff at this meeting to include visual aids for the permanent traffic solutions for the 9500 block of Byron Avenue. Attached are two different diagrams (one set of with two curb extensions and one with one set of curb extensions), a diagram of speed calming devices, and two photographs of curb extensions.

The following measures are recommended by staff for the 9500 block of Byron Avenue:

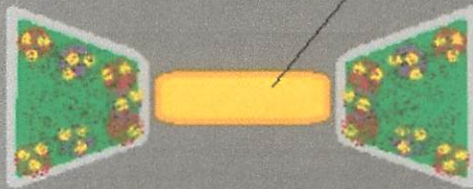
- Reduce the size of the traffic circle in the intersection of 95 Street & Byron Avenue. The intersection will be a three way stop sign intersection.
- Add four landscaped concrete curb extensions, two at the beginning of the block (north side of intersection at 95 Street & Byron Avenue) and two more at mid-block.
- Install speed calming devices between the mid-block curb extensions.
- Place "20 MPH" lettering on the roadway surface.
- Eliminate the solid white lanes from the roadway surface that designate the three travel lanes.
- The total cost is approximately \$25,000 funded from the Miami-Dade County Citizens Independent Transportation Trust.


David Allen, Chief of Police


Guillermo Olmedillo, Town Manager



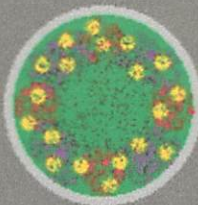
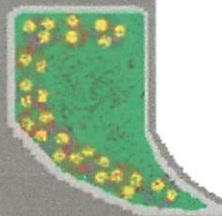
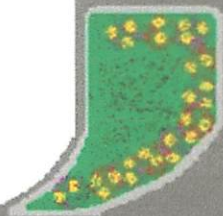
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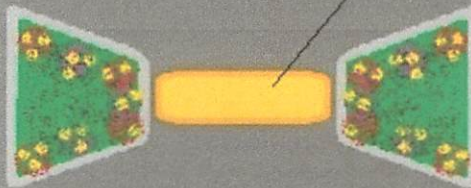
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95 STREET



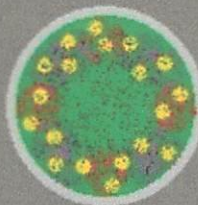
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95 STREET

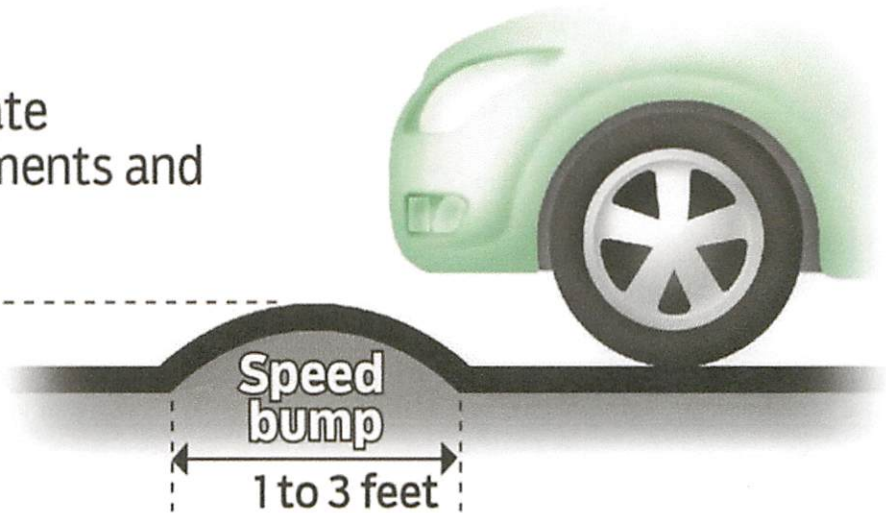
Traffic-control methods

Traffic-control devices are installed on public roads and in private developments. They are not used on main roads such as U.S. 1 and Military Trail.

1 Speed bump

Used mostly in private residential developments and shopping centers.

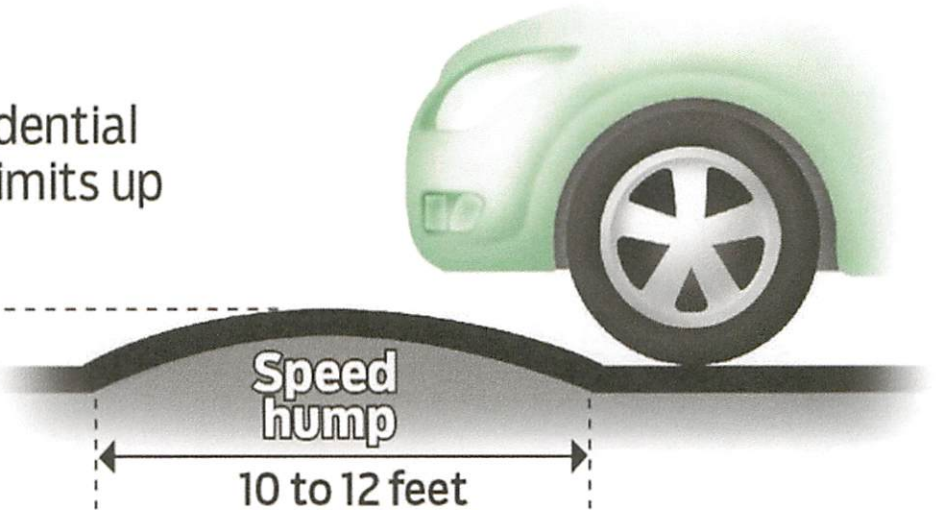
4 to 6 inches



2 Speed hump

Used mostly on residential streets with speed limits up to 25 mph.

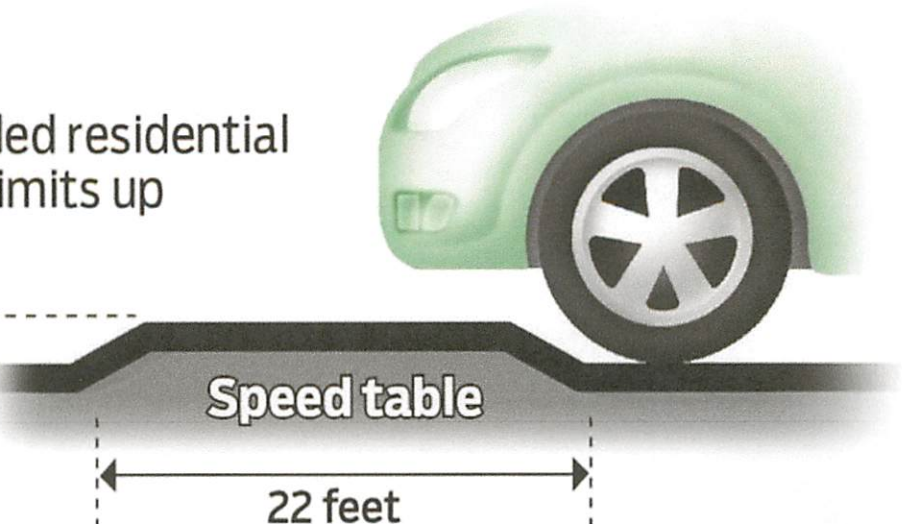
3 to 4 inches



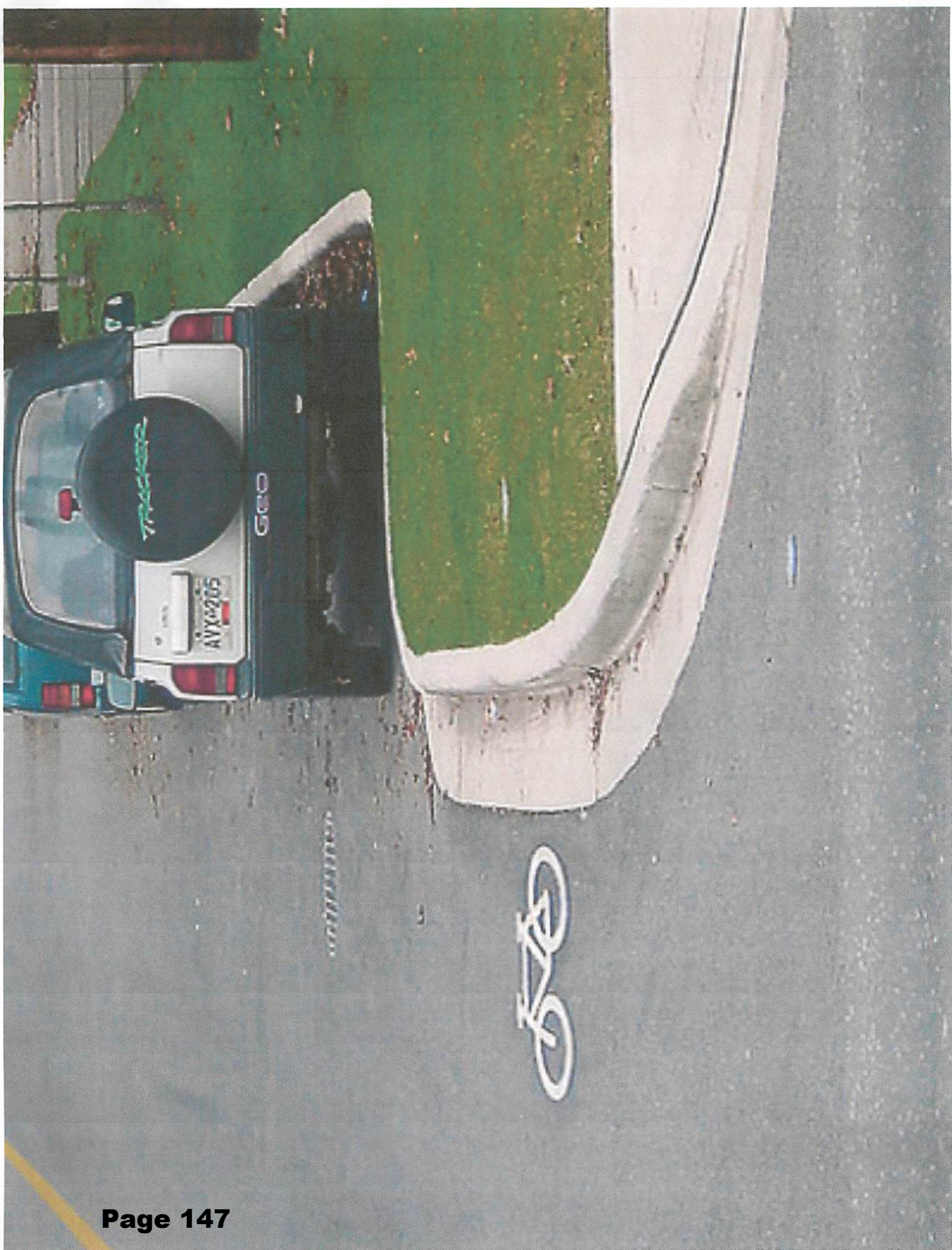
3 Speed table

Used on more traveled residential streets with speed limits up to 30 mph.

3 to 4 inches



Note: Drawings not to scale







Town of Surfside Commission Communication

Agenda Item # 9B

Agenda Date: July 14, 2015

Subject: Parking Garage

Background: This item was deferred to this month's meeting by the Town Commission at the June 9, 2015 meeting (Attachment A).

The Town Commission directed the Administration to return at this meeting with the item and include a template of a draft Request For Proposal (RFP) for a Design / Build firm (Attachment B is an RFP for the Miami Parking Authority). This RFP would be modified by Town Staff and would require a minimum of five months of process before a recommended firm is brought before the Town Commission for approval (January 2016 at the earliest).

Analysis: Per Town Commission direction, the Administration held a Community Dialogue Meeting on Parking Solution Options on June 4, 2015. There remains community concern on whether or not a parking garage is warranted and who would benefit from such a facility. The parking demand analysis from the September 2011 Florida Transportation Engineering Report and the information provided in the March 2013 Parking Structure Feasibility Study addressed these matters. Numerous public meetings addressed these issues through the Downtown Vision Advisory Committee (DVAC) and the DVAC Parking Structure Subcommittee.

One possible solution to finally address the ongoing community debate is to conduct a parking count every month for an entire year. This would delay addressing the parking issue but could provide a final concise response to the community. The approximate cost would be \$100,000 for the yearlong review with the funding being provided by the Parking Fund (not ad valorem/ resident property taxes).

Budget Impact: TBD.


Staff Impact: TBD.

Recommendation: Seeking Town Commission direction on the following options:

- 1) Should the Town conduct a yearlong parking count?
If yes, then the following questions could be addressed after the review of the parking count report in October 2016.
- 2) Should the Town issue an RFP for a Design / Build for a parking garage (parking only)?
This is a five month process (minimum) before the Town Commission approves a qualified and vetted firm.

If yes, then for which site? Options:

- a) Existing 94th Street Parking Lot.
 - b) 93rd to 94th Street (Harding Avenue). Requires the purchase of three properties therefore adding an unknown amount of time to the process.
 - c) Abbott Parking Lot.
 - d) Town Hall municipal complex. Requires a referendum therefore adding time to the process (amount of time to be determined).
- 3) Issue an Invitation To Negotiate (Attachment C is a template draft Miami-Dade County ITN for a Zoo Miami Entertainment Area Development) for the private sector to return to the Town with any and all proposals for any and all sites? Responses may include unsolicited proposals that the Administration has been contacted on and may include uses other than the parking requirement. A Public Private Partnership could be the final recommendation. A six month process (minimum) before Town Commission review.



Duncan Tavares, TEDACS Director



Guillermo Olmedillo, Town Manager



Town of Surfside Commission Communication

Agenda Item

Agenda Date: June 9, 2015

Subject: Parking Solution Options

Background:

ATTACHMENTS

Attachment 1: Parking Study Feasibility Study (Rich & Associates, C3TS, Stantec)

– Executive Summary

Attachment 2: Surfside Parking Solution – The Next Step (April 2014)

Attachment 3: Parking Concepts and Designs (CGA, May 28, 2015)

– Project Description (Scenarios)

This memorandum has been prepared in response to a directive by the Town Commission on May 12, 2015 to present solutions for public parking deficiencies within the Town of Surfside. The issue of parking has been ongoing for several years and the Town Commission is intent on reaching a solution to mitigate the problem. In spite of the relatively long history, the most recent efforts to reach a solution began in earnest in 2012/13. At that time, the Town engaged Rich & Associates (and C3TS/Stantec) to assess the Town's parking inventory and, specifically, quantify its parking needs (referred to herein as the Parking Study – the Executive Summary provided herein within Attachment 1). An additional task within the Parking Study was to identify if a parking structure was necessary or feasible for addressing the Town's current and/or future parking requirements. Among the research, analysis, and in-depth discussion presented in the Parking Study, there are two key items upon which to focus:

- 1.) The Parking Study identified a parking deficiency of 276± spaces; however, accounting for potential lease-up of vacant commercial space, as well as added demand from approved projects contributing to the Parking Fund, the calculated parking shortage could reach 446± spaces.
- 2.) In the effort to effectively mitigate the parking shortage, three sites were identified as possible locations for the Town's first parking structure(s), and identified as follows: *Abbott Lot*; *Post Office Lot*; and, *94th Street Lot*. Notably, the Town either owns all of the land within a

respective location, or the Town owns a large portion of the proposed site, with private ownership comprising other portions of the proposed site(s). A discussion of each site is detailed further below.

The Parking Study, which was completed in March 2013, provided conceptual design(s) and an economic evaluation of each of the three lots identified above. In response to the findings and recommendations within the Parking Study, the Town Commission was presented with a report titled *Parking Solution – The Next Step* in April 2014 (included in Attachment 2).

During the period since the delivery of the *Parking Solution* report, Staff completed the assessment of a public/private partnership on the *Post Office Lot* per Town Commission direction. Based on the latter report, and furthermore as per the May 12, 2015 Town Commission meeting, the Town Commission advised Staff to also prepare updated conceptual designs and economic evaluations for both the *Abbott Lott* and *94th Street Lot*.

Therefore, based upon the findings and recommendations set forth within the Parking Study, along with all of the efforts completed in subsequent phases since that report, the remainder of this memorandum provides the critical information that the Town Commission may use to reach consensus on its Parking Solution Options. The Town Hall option is included as the Town presently owns all of the property required to facilitate a viable garage at this site.

Analysis:

SITE EVALUATIONS

The site evaluation process considers all of the regulatory, physical, design, and economic components affecting the potential development of a parking garage on the three sites proposed within the Parking Study. Although the Parking Study provided preliminary programmatic, design and economic considerations for each site, Calvin Giordano & Associates (CGA) prepared updated programmatic and conceptual designs for select sites in response to commentary from the Parking Study. Furthermore, some of the sites include alternative development options beyond those presented in the Parking Study. Attachment 3 provides CGA's illustrative design concepts and detailed documentation of assumptions and findings (including the resultant inventory of net new parking), which are based upon the following options:


94th Street Lot (Existing Available Area): For the parcel presently used as a parking lot on 94th Street and Harding, there are various options for design, including: *Scenario 1: Double Helix Design*; *Scenario 2: Coil Ramp Design*; and, *Scenario 3: Flat Plate Ramp Design*. "Parking" is the current permitted use – no required Land Use Zoning changes or Referendum requirement.

94th Street Expanded (Harding Ave. frontage between 93rd and 94th Streets): In this scenario (*Scenario 4*), the parking facility extends an entire block south to 93rd Street and encompasses 3 parcels (21,400 square feet total) not owned by the Town. The design considers a parking garage that anticipates access exclusively from the 93rd and 94th Streets frontages. Only a Zoning change is required – no Referendum required.

Abbott Ave. (frontage between 95th and 96th Streets): The design for this location (*Scenario 5*) anticipates that access to the parking garage would be exclusively from the Abbott Avenue and 95th Street frontages, in order to avoid negatively impacting the traffic flow along 96th Street. "Parking" is the current permitted use – no required Land Use Zoning changes or Referendum requirement.

Town Hall Parking Garage: The lots on the immediate east and south of Town Hall can accommodate a parking garage, facilitated by the depth of the lot that stretches from Collins to Harding Avenue. There are two conceptual designs prepared for this site, as follows: *Scenario 6* - is a continuous ramp from 93rd Street up to the first floor plate and continue the rise of the ramp as it makes the bend westward; and, *Scenario 7* - utilizes the areas east of the Town Hall structure (which presently are occupied by the Public Works yard and parking fronting Collins Avenue) to construct a single helix coil to serve as the vertical circulation for the parking garage. Land Use Zoning change and a Referendum are required.

Of note, the *Post Office Lot* was also assessed as an alternative site; however, the only viable option to accommodate a parking garage on this site is to incorporate the land underneath the existing Post Office property. As the Town Commission is aware, the Town was unable to reach any reasonable terms with the Post Office property owner and, as a result, the *Post Office Lot* is no longer deemed a feasible option. This site has been eliminated as an alternative parking garage site at this time.

In addition to the conceptual plans and parking inventory prepared by CGA for each site, Lambert Advisory (Lambert) prepared updated economic evaluations for each site/scenario identified above and detailed within Attachment 4. Comprehensive traffic analysis has not been conducted at this juncture.  Detailed economic evaluations are also being undertaken in the near future.

Based upon the work completed by Staff, CGA and Lambert, the table below presents a summary matrix of the key programmatic assumptions and economic factors resulting from each individual scenario. Importantly, there are a few key elements to the analysis completed herein:

- ✓ The conceptual designs presented herein are for parking garage development only; therefore, there is no consideration for integrating retail/commercial uses. Should these mixed use elements be considered, it will have a major impact on the amount of public parking inventory, design, mobility and project economics from concepts presented herein. Also, the designs, accompanying parking counts and costs are based on projects that employ a "zero lot line" design. By including non-required setbacks, and accompanying landscaping buffers, will adversely affect sites such as the 94th St (existing lot) to the extent that the site may no longer be viable.
- ✓ The total development cost for each concept is the same regardless of design, and is based solely upon order of magnitude estimate. More refined cost estimating is required based upon final concepts, including ramping, quality of construction, buffering requirements, façade, and other exterior/interior design considerations.
- ✓ Parking revenue estimates are based upon analysis completed as part of the original Parking Study, with slight modifications for select operating and financing assumptions.

Any adjustment to these assumptions may have a material impact on the resultant cash flow and debt service requirement.

Town of Surfside

Alternative Parking Site Development – Summary Matrix

	Total Potential Spaces	Net New Spaces	Estimated TDC	Estimated Annual Net Parking Revenue*	Estimated Annual Debt Service*	Estimated Annual Operating Subsidy*
Location						
94th Street Lot (Existing)						
Scenario 1	147	48	\$9,386,000	\$429,054	(\$801,785)	(\$372,731)
Scenario 2	250	151	\$9,500,000	\$434,265	(\$811,523)	(\$377,258)
Scenario 3	261	162	\$9,918,000	\$453,373	(\$847,230)	(\$393,857)
94th Street Lot Expanded)**						
Scenario 4	519	383	\$19,722,000	\$766,305	(\$1,684,722)	(\$918,417)
Abbott Lot						
Scenario 5	510	303	\$19,380,000	\$726,160	(\$1,655,507)	(\$929,347)
Town Hall						
Scenario 6	229	173	\$8,702,000	\$397,787	(\$743,355)	(\$345,568)
Scenario 7	264	208	\$10,032,000	\$458,584	(\$856,969)	(\$398,384)

* Estimated Annual Revenue, Debt Service and Operating Subsidy based upon

Notes: Year 3 Stabilized Operations / Based on 5.75% financing

** Total Development Cost (TDC) for 94th Street Expanded option does not include estimated cost to acquire private property

IMPLEMENTATION TOOLS

The opportunity to develop a viable parking garage (and/or mixed use development) on any of the three sites outline above could utilize a myriad of implementation tools to effectuate development. Importantly, for 94th Street Lot (Scenarios 1 through 3), Abbott Lot (Scenario 5) and Town Hall Complex (Scenario 6 & 7), the Town can move ahead with the parking garage development immediately, since they own and control the land and there are effectively no major regulatory and/or financial challenges impeding the process. However, for other proposed programs such as the expanded 94th Street program (Scenario 4), the Town would need to acquire the abutting private properties. This expense is not factored into the cost estimate of the above summary matrix.

Should the Town Commission choose to evaluate options requiring the integration of private property, or contemplate a mixed use (retail/commercial) development within any proposed parking garage, there are a number of implementation processes that may need to be considered, including but not limited to:

Land Use Zoning Change/Referendum: Attachment 2, Surfside Parking Solution – The Next Step (April 2014), and information provided as part of the Town Commission May 12, 2015 reports, outline in detail any required Land Use Zoning Changes and any Referendum requirement.

Ballot Questions Related to Parking: Any ballot initiative is subject to the timeline for approval by the Miami-Dade County Supervisor of Elections.

Ballot questions may be grouped into three categories:

1. General Ballot questions such as, “Should the Town have a parking garage?” “Should the parking garage be placed on Abbott Avenue?”
2. Ballot questions related to methods of financing the parking garage.
3. The Town has the option on the above two questions to conduct a “stand alone” election at a cost of approximately \$17,000 (excluding the cost for informational campaigns/community outreach, etc.).
4. A Ballot question related to amending Section 4 of the Town of Surfside Charter, which reads as follows:

...The density, intensity, and height of development and structures within the Town of Surfside shall not exceed the maximum allowable units per acre, floor area ratios or the maximum allowable building heights in stories and feet that are set out in the Town of Surfside Comprehensive Plan or the Code of the Town of Surfside, whichever provisions are most restrictive, which were in effect in 2004. This amendment to the Town of Surfside Charter shall not be repealed, revised, amended, or superseded unless repeal, revision, amendment, or superseding provisions are placed on the ballot at a **regularly scheduled election of the Town of Surfside** and approved by a vote of the electors of the Town of Surfside. [Emphasis supplied].

The language for the term “regular scheduled election” limits the election to the Surfside General Election i.e., the third Tuesday in March of any even-numbered year. (March 15, 2016).

Miami-Dade County Supervisor of Elections has provided the following election schedule.

- March 15, 2016 Election/Ballot Questions Deadline: December 22, 2015
- August 30, 2016 Election/Ballot Questions Deadline: June 10, 2016
- November 8, 2016 Election/Ballot Questions Deadline: August 9, 2016

The cost to coincide with a Countywide Election is \$8,000 (excluding the cost of informational campaigns/community outreach, etc.).

For all ballot questions, the timeframe must account for at least sixty days prior to the scheduled election for the Town to pass a Resolution with the ballot language. The deadline to place a question on the ballot is sixty days before the election to ensure that the text is

translated properly and provided to the municipality for adhering to legal advertisements as required by law.

Unsolicited Proposals: The Town has been approached by several individuals expressing interest in one or more of the proposed site locations. The unsolicited proposals range from design/build services, to mixed use development concepts incorporating Town owned lots. The latter would fall under the provision of a Public/Private Partnership (see below). To this point, the Town has been responsive to the unsolicited proposals; however, all of these unsolicited inquiries have been highly conceptual and informal in nature and none have adequately addressed the regulatory, design, land ownership and economic elements that impact the development process. Moreover, to the extent that the Town will be developing only a parking garage on its own land, then engaging unsolicited proposals is not an option – the Town will need to bid out for a design/build contract through the public solicitation process.

Public/Private Partnerships (P3): The six conceptual plans provided herein do not currently incorporate any retail/commercial component within the design. In this case, a public/private partnership is not warranted since the Town will simply bid out for a design/build contract. However, in the event any retail/commercial element is integrated in the parking structure(s), then consideration for the P3 option is advisable. The key to a P3 process is that it is fully transparent and encourages competitiveness within the bidding process. It can also provide for contributory funding from the private sector. The P3 solicitation can be undertaken as either a Request for Proposal (RFP) or Invitation To Negotiate (ITN), either of which will serve the Town's needs. It is anticipated that the P3 solicitation process will require a minimum 180 days from the time Staff begins document preparation to final negotiation/agreement. Naturally, the timeline will be dictated by the regulatory and public process.

Eminent Domain: In the case of *94th Street Expanded* option (as well as the *Post Office Site*), the Town will need to utilize abutting private property to accommodate its proposed program. The outright acquisition of these properties by the Town is preferred; accordingly, a public/private partnership is also advisable should the Town and private property owner(s) be able to reach a fair and equitable operating structure. However, should either of these options fail to materialize, Eminent Domain is another option.

Funding Options: Possible financing including the issuing a municipal bond or a bank loan. The debt service for any respective parking garage development will be supported by net revenue generated from the parking garage itself. The fact is, though, that the net parking revenue from the parking garage alone falls well short of the debt service payment – as illustrated in the matrix above. Therefore, funding commitments to service the bonds will require revenue from other resources (ie. The Parking Fund, General Fund or other sources). Options that can be explored include the creation of a Special Taxing District for the Business District and or the multifamily district, which is plausible considering the fact that public parking within Surfside provides a major public benefit to both the business community and certain residential areas of Town where there is a recognized parking shortage.

Budget Impact: As identified in the above matrix.

Staff Impact: Existing Staff would work with CGA the Town's approved engineering firm and a Town Commission approved Design/Build Firm.

Recommendation:

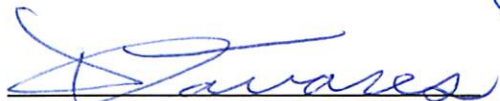
Short Term: Authorize the Town to issue an RFP for Design/Build at the 94th Street Lot (Existing) for parking only and to start the financing process.

While possibly limiting the future of a Public / Private Partnership, and only partially addressing the parking shortage, the location close to the downtown business district and the ease of process (no Land Use Zoning change of Referendum requirement) facilitate an expeditious move forward.


As the Town's approved engineering services firm, CGA, is able to assist Staff with the RFP process, the Town Commission could have a recommended Design/Build firm to evaluate and approve by the end of the year.

Long Term: Since the above recommendation does not fully address the parking shortage, the following two scenarios could be explored as longer term solutions:

- Economic market forces may bring a viable Private / Public Partnership opportunity before the Town Commission to deliberate.
- A Town Hall Parking Garage would address the existing multifamily residential parking shortage, facilitate the removal of the business district parking passes (those spaces would then become available to the general public) and provide parking for the Community Center as well as staff and Town vehicles.



Duncan Tavares, TEDACS Director



Guillermo Olmedillo, Town Manager



Section 1 – Executive Summary

Section 1 – Executive Summary

Introduction

Downtown Surfside was once a premier shopping area with national retailers. Situated between the City of Miami Beach and the Village of Bal Harbour, the commercial district over the last 50 years has experienced a slow and steady decline. In recent years however, there has been a new energy downtown due to new initiatives by the Town and its Downtown Vision Advisory Committee (DVAC) as new residential and hotel projects have been approved and started construction. The new development projects, coupled with reduced vacancies in existing commercial space and conversion of service type businesses to retail and restaurant establishments has created a parking deficiency in public parking particularly during the four month winter season and on summer weekends. Because not all residents are convinced that a parking shortage exists, the Town commissioned this study by Rich and Associates and C3TS/ Stantec to not only quantify and qualify the Town's parking needs but also to identify if a parking structure(s) is/are necessary or feasible for addressing the Town's parking requirements both now and in the future to ensure the long-term survival of downtown.

Results Summary

Study Area

The defined study area extends from 92nd Street to just north of 96th Street and from the Ocean to just west of Abbott Avenue. This area is primarily the commercial district of Surfside which encompasses four blocks centered on Harding Avenue and extending from 96th Street to 94th Street between Collins Avenue on the east to Abbott Avenue on the west. Slightly further south of the core commercial district is the Town's Community Center and Town Hall at 93rd Street at Collins Avenue.

Parking Supply

Within the downtown there are a few private parking areas intended for customer / visitor use which means that most customers or visitors to the downtown are relying upon the public parking provided by the Town in one of six public lots or use of on-street parking. The private areas that are provided for customer use such as the Publix Lot, Wells Fargo Bank Lot and Big Daddy's Lot are all generally intended for use only while visiting that business which would mean that if someone wished to make multiple stops they would have to physically move their vehicle or risk being towed. In order to facilitate a pedestrian friendly environment, Rich and Associates generally recommends that a community provide or control the parking such that at least 50 percent of the parking is publicly available. This means that someone can park once

and visit multiple destinations (shopping, dining, personal business etc) without having to move their vehicle. Excluding the parking intended for residential use, Surfside has 58 percent of its parking publicly available which after completion of the Grand Beach Hotel (opening late 2013) and 92nd Street Hotel projects in conjunction with development of some other residential privately developed and provided parking will reduce the proportion of publicly available supply to just 36 percent of the total non-residential affiliated parking spaces downtown. This means that public parking is not keeping up with private parking supply due to new developments.

Apart from the private parking lots associated with the businesses noted above, much of the other privately provided parking is in small groupings or along the Harding Avenue alleys which because of their location and condition are generally not intended for customer or visitor use. Even though a business may have some parking adjacent such as in the alleys or small parking areas, many may find that the amount of parking is insufficient to provide for all their needs and so must rely upon the public parking. As such, many of the downtown businesses, particularly the restaurants, are relying on the publicly provided parking to provide for their customer and staff needs.

The existing publicly provided parking totals 601± spaces with 461± off-street parking spaces and 140± on-street spaces. All publicly available spaces require payment. This is accomplished using either using a series of "Master Meters" which cover multiple parking spaces in the Town's parking lots and along certain on-street location or 51 single head meters at several locations. A trial whereby the old individual mechanical parking meter heads were replaced with 30 new meter heads that will now accept credit cards resulted in the revenue during the first two months of the experiment increasing by 184 percent.

Parking Demand

In order to assess the parking needs in downtown Surfside, Rich and Associates has relied upon a proven methodology of collecting information via surveys unique to the community which is then validated by on-site observations recording parking lot occupancies. As noted previously Surfside, like many South Florida communities, experiences increased pressure on its parking system particularly during the winter months. Recognizing this, the surveys distributed to business owners asked for levels of activity during both the out-of-season period as well as during the in-season months. This permitted the firm to conduct the occupancy counts during the out-of-season period and correlate the results to the level of reported activity based on the survey material. The accuracy of this information then allowed the application of the in-season results to the demand model and the extrapolation of the expected parking lot occupancies during the season. This confirmed anecdotal reports of high occupancy as the analysis showed that Surfside would experience full occupancy of its public parking lots on which so many businesses depend due to a lack of alternative private parking.

In addition to the defined parking demand from customer/visitors and staff to downtown Surfside destinations, there is additional pressure placed on the parking system from nearby workers. These include contractors finishing downtown condominium residences and during certain periods of the year employees of the Bal Harbour Shops in the Village of Bal Harbour across 96th Street from downtown making use of Surfside parking. While the added parking demand from contractors is not expected to continue indefinitely, it is expected to continue for the next three to perhaps four years.

Correlation of the results from the surveys to the occupancy of the existing parking supply has resulted in Rich and Associates concluding that the lack of parking is a constraint on existing and future businesses being able to reach their full potential. Lack of parking is likely to discourage some patrons to visit Surfside as the need to “hunt for parking” is just not worth the inconvenience.

This led to an analysis of the amount of parking being provided in downtown Surfside compared to the amount of parking required by application of the Town’s zoning ordinance to the defined square footage by land use. This analysis shows a current deficiency of 276± spaces between the number of parking spaces required and the total number of public and private parking spaces provided. This deficiency accounts for agreed reductions in the requirements by certain religious organizations recognizing the needs of the Orthodox community. This deficiency may be due in part to accommodation made by the Town through its Offsite Parking Fund Ordinance which allows business which may be deficient in the amount of parking that they can provide to pay a set amount for each deficient space to the Town which the Town would then apply to development of additional public parking.

Projections of parking demand and supply to be created as part of several development projects either under construction, in-process or being reviewed by the Town show that additional parking demand will be created. While most of the anticipated developments will provide for their needs, at least two projects will likely require the use of publicly available parking to satisfy a portion of their needs. Assuming the occupancy of an additional 14,000 square feet of building space which is currently vacant plus the added demand from the development projects means that the downtown is projected to be short by a net 303± spaces within the next several years as these additional projects are completed. The potential to eliminate approximately 72 spaces along Harding Avenue as part of a streetscape project could increase the potential shortage to 375± spaces. Additional adjustments that deduct a total of 71± private spaces developed in excess of the zoning code requirement for The Chateau and two hotel projects that would not be available to the general public and artificially reduce the parking deficit would increase the calculated shortage to 446± spaces. This information is explained in Section 2.

Alternatives

Given the magnitude of existing and projected parking deficits Rich and Associates and C3TS/Stantec have investigated various parking structure alternatives to help address this parking shortfall. Three sites were identified by the Town as possible sites for the Town's first parking structure. Each of these is an existing surface parking lot and all three are on separate blocks downtown. The three sites identified are:

- a) Abbott Avenue Lot.
- b) Post Office Lot (plus the adjoining privately owned building housing the Surfside Post Office).
- c) 94th Street Lot (with possibility of partnering with owner of adjacent properties for combined development).

The Abbott Avenue Lot site and 94th Street Lot site are sufficient to accommodate a parking structure on just the Town owned property while the Post Office site would require the site of the adjacent building. These three sites are the only sites that would have sufficient dimension to accommodate the geometry of a parking structure.

Financing options and costs as discussed for each of the projects assume the Town finances the development of the parking structure through issuance of a tax-exempt Parking Revenue Bond which would be guaranteed by downtown parking revenues. With complementary uses associated with each of the sites, there are also possibilities for public / private partnership opportunities to have the Town and others jointly develop the projects or through other possible arrangements have the parking developed independent of Town financing.

It should be noted with each of the options discussed that the parking capacities noted are limited by the existing 40 foot height limit downtown. If additional spaces were needed, in many cases this could be accommodated by adding additional levels but obviously would require amending current codes. Therefore, the capacities have been limited to comply with existing height restrictions. It should also be noted that the cost discussed with each of the alternatives in the next few pages reflect the project cost to be financed which includes not only the cost of construction but also includes professional fees, insurance, contingencies and assumes that approximately \$1.5 million in equity from the Parking Trust Fund would be contributed to reduce the amount borrowed for each alternative.

Abbott Avenue Lot

Three alternatives have been developed using the Abbott Avenue site.

Alternative 1 would be a two-level underground parking structure beneath the entire length and width of the Abbott Avenue parking lot and actually extending to the west beneath Abbott

Avenue for a more efficient parking structure. This option also proposes replacing the existing surface parking lot with a public park. The underground parking structure would provide 448± spaces replacing the existing 207± space surface lot resulting in a net addition of 241± spaces for the downtown. However, as an underground parking facility this structure would have a total project cost to be financed (excluding the cost of the above ground Public Park) of \$27.4 million. This figure includes the cost of building the underground parking structure and the slab which forms the roof of the building and supports the park as well as professional fees, contingencies, insurance and the equity contribution from the Parking Trust Fund of \$1.5 million. It is possible to reduce this cost with alternative methods of financing the park.

The second alternative proposed for the Abbott Avenue lot would be an above grade facility, encompassing approximately one-half of the existing parking lot. The parking structure would be situated at the north end of the property while the southern half nearest 95th Street would be developed as a smaller version of the public park associated with Alternative 1. This parking structure would have a capacity of 414± spaces producing 207± net additional parking spaces for the downtown. Another amenity possible with this project would be townhomes constructed along the west face of the structure facing Abbott and therefore providing a buffer between the parking and the residential properties (and Young Israel project) to the west. It is expected that this would be built by a private developer selected by the Town independent of the parking structure construction. This parking structure (excluding the Public Park and townhomes) would have project cost to be financed of approximately \$13 million.

The final alternative investigated for the Abbott Avenue Lot would be a derivative of Alternative 2 in which instead of only using one-half of the parking lot, the parking structure would extend the full length of the site. This would eliminate the possibility of the public park but would still allow for the possibility of the townhomes along the western face. This structure would have a project cost to be financed of just over \$7.2 million after accounting for the equity contribution from the Parking Trust Fund of \$1.5 million. This parking structure would provide 514± spaces or 307± net additional spaces for the downtown.

Post Office Lot

Due to the size of the parcel associated with the Post Office site, only one option is possible to meet the design geometry of the parking structure. This however would require the adjoining building presently housing the Surfside Post Office. This building is not owned by the Postal Service but by a private individual who leases the space to the Postal Service. This may also afford a public / private partnership opportunity to develop the parking structure and replace the post office within the newly constructed building.

A parking structure if developed on this site would have a capacity of 280± spaces which produces 219± new spaces for the downtown. Not including the cost of the existing building or property, this alternative would have a project cost to be financed of \$5.3 million.

94th Street Lot Site

Two alternatives were investigated for the 94th Street Lot site. One alternative sought to take advantage of a possible opportunity to cooperate with an adjoining property owner(s) to develop parking and associated commercial space on combined parcels. This alternative has the benefit of extending the downtown commercial district and at the same time expanding the downtown parking supply in a public / private partnership opportunity. This could mean that the Town develops the parking on the combined parcel while the private developer constructs the commercial space and relies on the public parking structure for its needs. An alternative could have the developer lease the Town's parking lot parcel and develop the entire project independently with the Town guaranteed that a certain number of parking spaces would be publicly available.

Assuming the condition whereby the Town built the parking, this project is anticipated to provide 370± spaces. After deducting the spaces in the existing surface lot and the spaces likely needed by the commercial space (assuming 50,000 gsf), this project would provide 88± net additional spaces for the downtown. This facility is projected to have a \$9.2 million project costs to be financed. This analysis does not include the additional property taxes and potential food and beverage (2%) taxes that would be created by the project.

The final alternative considered on the 94th Street lot site limited the parking structure to just the existing parking lot parcel. As such, this would only allow the development of a parking structure without the associated benefits (such as added commercial or public benefit space) but would meet the goal of adding to the parking supply downtown. This structure would provide 223± total parking space or 124± additional parking spaces for the downtown. With a project cost to be financed at just over \$3.5 million it is the least expensive of the alternatives investigated.

While the economic analysis associated with each of the options has shown that several projects could require significant parking rate increases, these must also be weighed in the context of additional public benefits that could be created in conjunction with the parking structure development (e.g., a new downtown park). The determination of whether the Town could construct a parking structure or structures could also have an impact on the proposed streetscape project that could eliminate on-street parking along Harding and provide wider sidewalks. Not only are the wider sidewalks more pedestrian friendly, they may also allow more restaurants to have outdoor dining. Obviously, such a project could not proceed without replacement parking created such as in a parking structure. Added opportunities to partner with the private sector may also allow the Town to realize the mutual benefit of added parking and additional community development at lesser costs and rates.





PARKING SOLUTION: THE NEXT STEP

APRIL 2014

**Submitted by:
Michael P. Crotty, Town Manager**



PARKING SOLUTION: THE NEXT STEP

Overview

The title of this report – “Parking Solution: The Next Step” is indicative of the effort over the past several months to move the parking solution from discussion/analysis to implementation.

This report attempts to provide the necessary information to the Town Commission, residents and business community regarding the process and issues to achieve a parking solution. This report is a product of the combined efforts of Town Staff who worked diligently in its preparation.

What is the Next Step in the Parking Solution? A dual track approach is recommended to be implemented to begin this Next Step. The report outlines the analysis and process utilized to recommend the following action steps regarding next steps to achieving the parking solution.

Recommendation

A. Abbott Lot (2 Story Level Parking Structure with possible option for rooftop level parking; 390 Spaces)

- 1. Authorize a survey of the Abbott Lot (including all utilities; alley setbacks and building heights of Harding Avenue buildings) and geotechnical/soil analysis (minimum 8 borings) \$30,000.**
- 2. Authorize the consulting engineering firm selected as a result of the current RFQ solicitation to develop/prepare a Request for Proposal for design/build services to include identification of milestones during the process for community and Commission input/review; design creativity/features; architectural standards; parking structure technical, and structure features and layout; landscaping; safety/security/traffic; and parking systems.**

~and~

B. Post Office Lot – Public-Private Partnership (P3)

Approve the March 21, 2014 Public-Private Partnership Advisory Services proposal submitted by Lambert Advisory in the amount of \$18,500 in order to begin the P3 process by conducting analysis and developing an outline of strategic opportunities for the Post Office Lot.

PARKING SOLUTION: THE NEXT STEP

I. Introduction

The Parking Structure Feasibility Study (Parking Study) authorized by the Town Commission in 2012 was completed in March 2013 by Rich & Associates, Inc. The report identifies three sites with a number of alternatives for a parking structure (Abbott Lot, Post Office and 94th Street Lot).

As part of the introduction to the report, it is useful to outline what is not the focus/purpose of the report and what the focus/purpose of the report is.

This report is **not** intended to reiterate the findings of the Parking Study or attempt to validate the Parking Study's findings. For those interested in obtaining specific details of the Parking Study, the Parking Study's Executive Summary is included in this report as **Attachment 1** and the table detailing the Parking Study's determination of parking space deficiency (303 parking space deficiency) is **Attachment 2**. Also, the full Parking Study is available on the Town's website: www.townofsouthsidefl.gov.

Therefore, the focus/purpose of this report is to determine how the Town can take the next step in arriving at a parking solution. More specifically, the report is intended to be responsive to the direction provided by the Commission at its October 2013 meeting as follows:

- Acknowledging the parking deficiencies in the business district; (shortage of parking spaces presents unacceptable conditions for businesses and customers and needs a comprehensive solution).
- Supporting the outreach effort to develop a final report to be prepared no later than April 1, 2014 containing: detailed recommendations on parking facility improvements to address deficiencies including location; financing options and construction timeframes.
- Recognition that the Commission retains the ultimate decision making authority in how the recommendations of the report are implemented, including method of approval.

[Attachment 3 Parking Outreach Report approved by the Town Commission action at its October 8, 2013 meeting]

In addition to meeting the above direction provided by the Commission at its October 2013 meeting, recommendations contained in this report will, at a minimum, provide recommendation(s) on a parking solution addressing 60% of the Parking Study's identified deficiency of parking spaces (60% x 303 = 182 spaces). This will provide a meaningful recommendation to substantially address the documented parking deficiency.

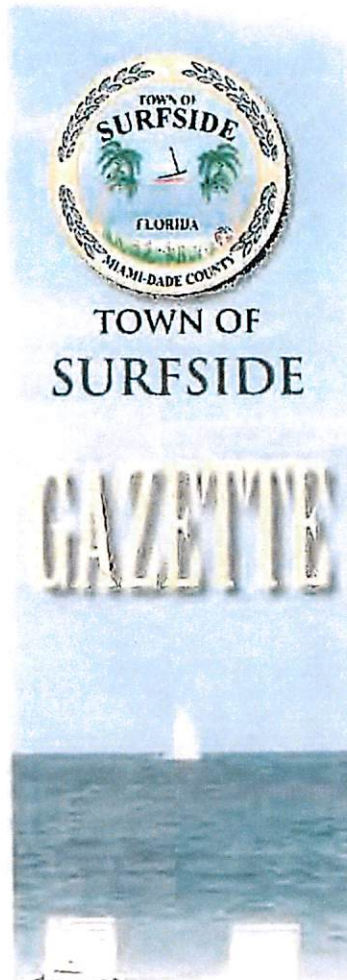
II. Approach/Methodology for Preparation of Report

1. Public Notification and Involvement

The public process utilized to address the decades old challenge of parking in Southside is a key component in bringing about a successful outcome.

In order to provide transparency to the process and encourage public participation and input, the initial steps were devoted to public outreach and education including:

- November DVAC meeting being devoted to discussion with business owners on the Parking Study. Each business owner received an invitation to the meeting.
- A Community Dialogue was held on December 18, 2013 as an opportunity for residents to participate in the process. The front page of the December 2013 Gazette provides the invitation to residents:



Town Manager's Message

PARKING!

Community Dialogue on Parking
December 18, 2013 at 7 pm
Commission Chambers - Town Hall, 2nd Floor

Of the many things I have learned since becoming your Town Manager, a comprehensive Town-wide parking solution is a critical community need. We as a community need to stem the tide of falling further and further behind in solving this challenge and tackle it head on.

The Town Commission has demonstrated the leadership to reinvigorate the process by authorizing a Parking Feasibility Study. This comprehensive report (on the Town's website) details not only the parking deficiencies for both the downtown and multi-family district, it also provides a variety of viable solutions. This study, added to the number of committee and community discussions, has laid the ground work for a community awareness on a vision for addressing parking needs.

We are at the final stages of a process to garner understanding, consensus and support before a recommendation is presented to the Town Commission in April 2014. I recognize that there are those in our community who wish to maintain the status quo or are concerned with the consequences of change. I encourage you to be an active participant in this process. Your views are important and the process requires that all views of the community are included in this community dialogue.

What can be done to ultimately address this long standing community issue? Most importantly, attend the December 18 meeting. The presentations made to the DVAC and Town Commission regarding the Parking Feasibility Study are being rebroadcast on Channel 77 or can be viewed via the Town website: www.townofsurfsidefl.gov (see box below).

We must come together as a community to identify a clear path for the Town Commission's ultimate action on an approval, implementation and funding of a parking solution. It will enhance and support a downtown district that is reclaiming its storied and successful past and has struggled for decades on this issue. Also, it will lay the groundwork for developing a town-wide parking strategy that will include the multi-family districts. How and what we do requires your input and validation. I need your help. See you on December 18!

Wishing you and your family a great holiday season.

Michael Crotty, Town Manager

Residents are encouraged to watch, or record for later viewing, the Parking Structure Feasibility Study Presentation to DVAC (March 20) and to the Town Commission (April 9) on Channel 77, or streaming on the Town's website, between 11am and 2 pm daily. Both of these meetings are also available through the Commission & Miscellaneous Meeting Videos on the Public Records section of the Town's website.

- As noted in the above Gazette article, previous meetings at which the Parking Structure Feasibility Study was presented to DVAC and the Commission was re-broadcasted on Channel 77 at least 12 times leading up to the December 18 Community Dialogue. Also notification of the meeting was sent out as a website eblast.
- Approximately 40 residents attended the Community Dialogue. The Parking Study was discussed along with various proposals to address the parking shortage. The majority in attendance expressed their support of the Town to proceed in the most

expeditious manner to build a structure. One person in attendance advocated for a referendum on the issue. There was a favorable response to a possible solution at the Town Hall/Community Center Municipal complex and there was support for more than one structure. Support was voiced for a private, public partnership for the 94th Street Lot and for a parking structure at the Abbott Lot and/or Post Office Lot. There were a few residents who expressed their opinion that there is not a need to address the parking situation as they feel the need does not exist.

The Town Manager followed up and met with residents who expressed opinions that a structure wasn't warranted. Also, a resident prepared a self-prepared parking count report in support of his position that there is not a parking shortage. This report was submitted to DVAC and the Commission.

2. Process Leading to Report Preparation

In addition to the public outreach, the following activities/steps were initiated to assist in the preparation of this report:

A. Discussion with "Subject Matter Experts"

Five meetings were held with subject matter experts in both public and private sectors in order to assist Staff in its analysis of the options contained in the Parking Study including privatization of Town's parking facilities/programs (parking concession option); options available to implement parking structure (design/bid/build; design/build; Best Value; P3, etc.); and "piggy-backing" on a public entities approved list of design/build firms.

B. Public-Private Partnerships (P3)

Each of the locations for a possible parking structure contained in the Parking Study includes at least one option for a P3. The authority for a P3 is contained in Section 343.962 F.S. (**Attachment 4**). Considerable effort was invested in the preparation of this report relating to P3's including:

- Attendance by the Assistant Town Attorney at a 2 day educational session entitled "The Nuts and Bolts of P3 Projects in Florida – How to Get Started with PPP Opportunities Including Unsolicited Proposals". The session was sponsored by Florida Council for Public-Private Partnerships and the Greater Miami Chamber of Commerce.
- Held numerous meetings/discussions with individuals and/or development companies interested in possible P3 relationships on sites identified in the Parking Study. Reflective of the interest of the development community to invest in Surfside, each of the contacts were unsolicited by the Town.
- Discussion held with owner of the Post Office property and U.S. Postal representatives.
- Meetings/discussions with 3 firms who provide professional services relating to P3's.

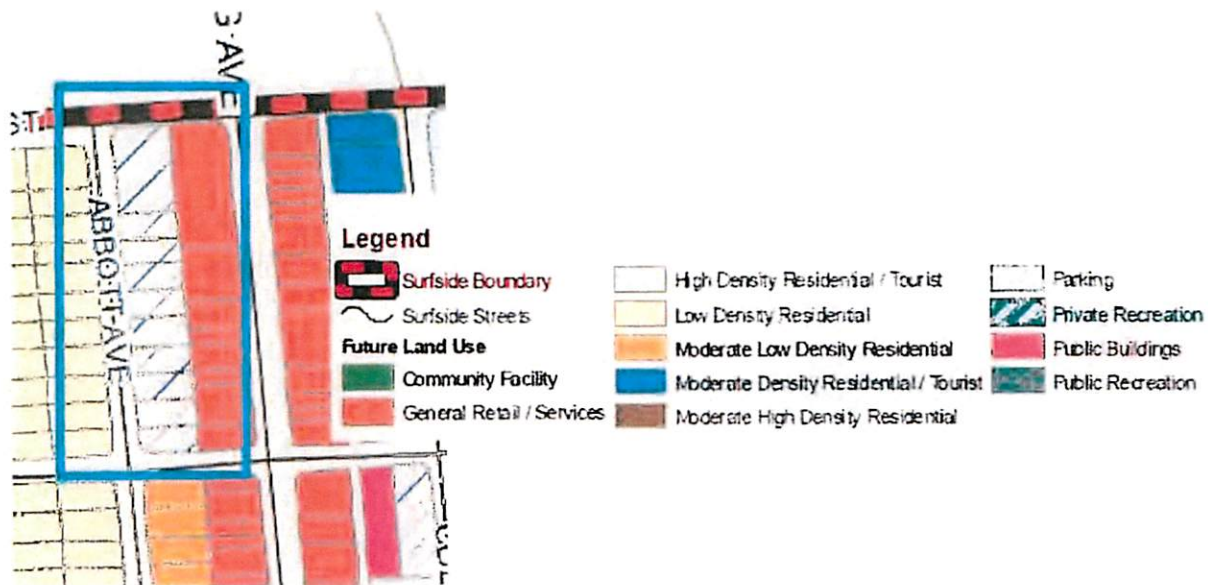
III. Analysis of Land Use and Zoning Issues for Each Site Identified in the Parking Study for Location of a Parking Structure

In order to make a valid legal decision regarding the next step in the parking solution, a full discussion and analysis of land use and zoning issues is necessary. In Surfside, certain land use and zoning changes are further regulated by Charter requirements. Though lengthy, the following discussion and analysis of each potential site is prudent.

A. Abbott Lot

Land Use

The Abbott Lot's land use designation is "Parking." The Comprehensive Plan permits an FAR of 3.0 with a 40 foot height designation as designated on the below illustration:



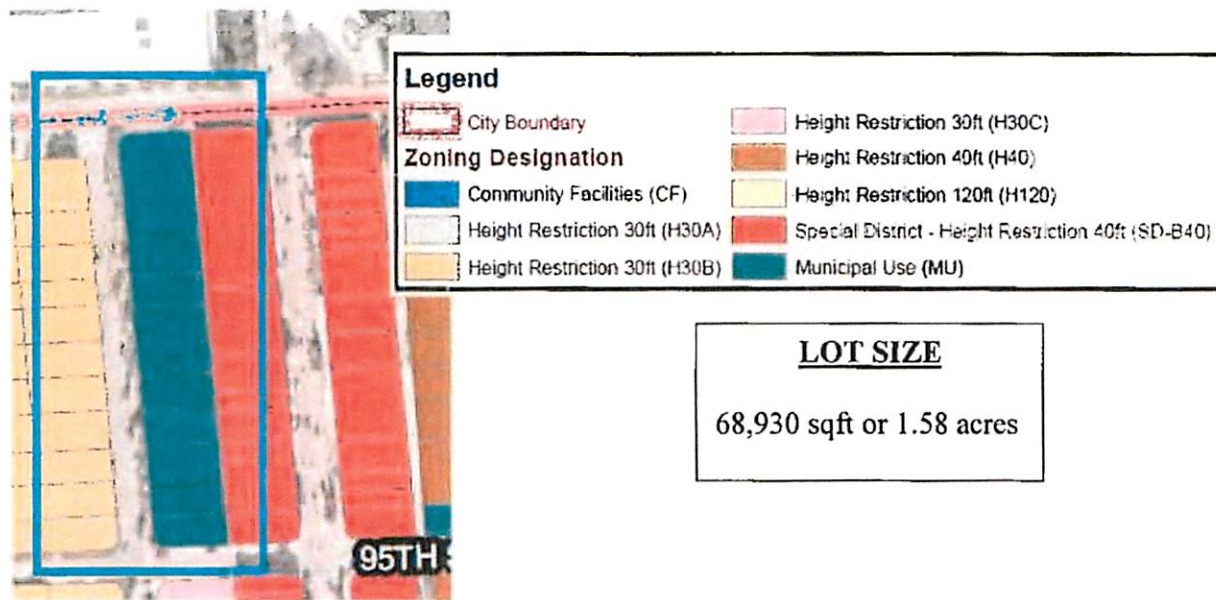
The only permitted use in this category is parking. If a residential use is added as suggested by the Parking Study, density will be added to a land use that currently has no density allocation provided. This "increase" in density will result in the need for a referendum. Also, a Land Use Text and Map amendment will be required to be reviewed by the Planning and Zoning Board sitting as the Local Planning Agency, two readings at the Town Commission and reviews by the State agencies.

If the Town proceeds with a parking structure only, no changes are required and the Town can proceed with preparing a site plan for a parking structure.

Zoning

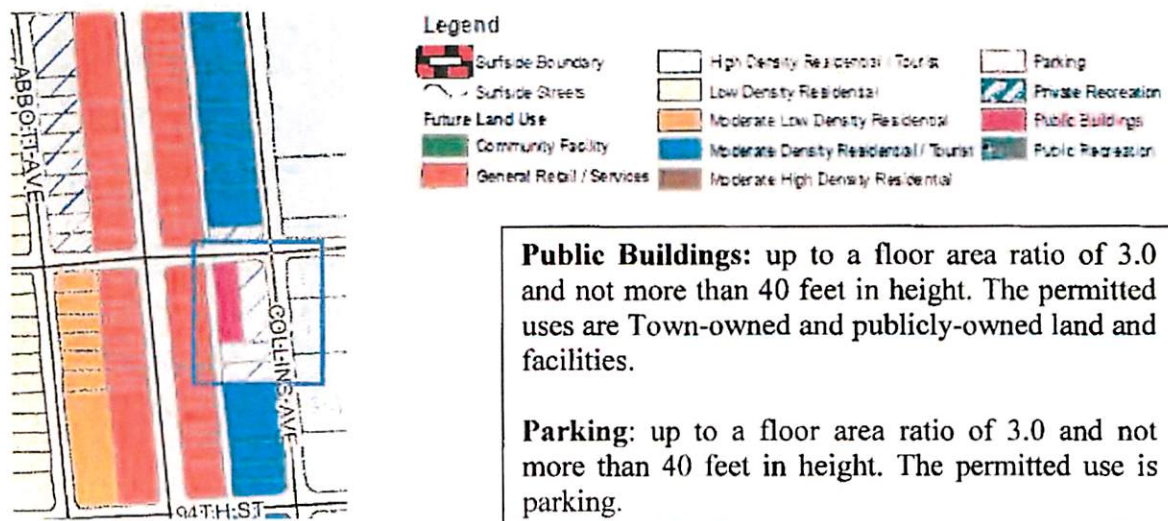
This site is zoned MU, which permits parking structures. The MU designation does not have a height numerical limitation and instead it follows the "surrounding designation."

The MU lot is immediately adjacent to the SD-B40 zoning district, which has a 40 foot height limitation. However, the single-family district is across Abbott Avenue and is limited to a 30 foot height maximum. Since the H30B single family zoning district is across Abbott Avenue from this site, it could be interpreted that the property's height is limited by this zoning category and therefore, a 30 foot high parking garage would be permitted. Although the Comprehensive Plan permits a 40 foot height maximum, the Zoning Code is more restrictive and will govern as outlined below:



B. Post Office Lot

The land use of the properties comprising the Post Office Lot and Town parking lot is split between "Public Buildings" and "Parking" as illustrated below:



Since the floor area ratio (FAR) for both land use categories (Public Buildings and Parking) is 3.0, no increase in intensity would result from relocating the Post Office anywhere throughout the property. However, a land use change would be required to permit the Post Office outside of the area designated "Public Buildings." The land use change required is a Comprehensive Plan Map Amendment reviewed by the Planning and Zoning Board sitting as the Local Planning Agency, two readings at the Town Commission and reviews by the State agencies.

There is a 40 foot height limitation on this site, which will permit a four level garage with rooftop level parking.

The property is zoned Municipal (MU), except for the southernmost parcel, which is zoned H40. This site would require a rezoning to MU. This process requires review by the Planning and Zoning Board sitting as the Local Planning Agency and two readings at the Town Commission.

The site is divided into two zoning and land use designations. The following analysis describes the zoning and land use of the lot:

Zoning

The parking lot portion of the site is zoned MU and the existing Post Office portion of the site is zoned H40. The current zoning of MU permits a library, a park, a playground, a community center, a gymnasium, town offices, police facilities, parking and a pump station by a conditional use permit.

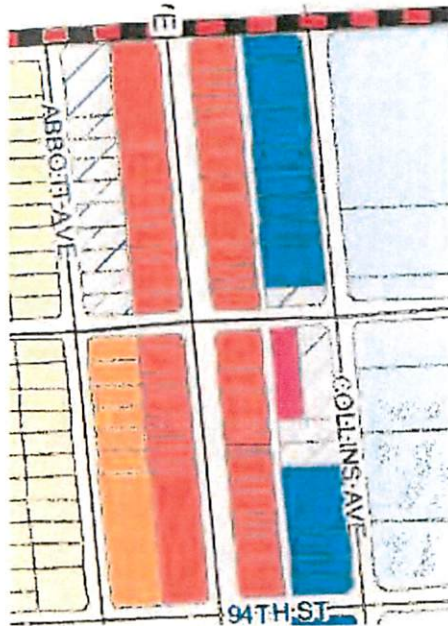
The portion of the lot that currently houses the Post Office is zoned H40. No commercial is permitted under this zoning category. The existing Post Office is considered a non-conforming use under the zoning designation. If the use were to be eliminated from this location, the existing zoning will permit residential or hotel units only.



Legend	
City Boundary	Height Restriction 30ft (H30C)
Zoning Designation	Height Restriction 40ft (H40)
Community Facilities (CF)	Height Restriction 120ft (H120)
Height Restriction 30ft (H30A)	Special District - Height Restriction 40ft (SD-B40)
Height Restriction 30ft (H30B)	Municipal Use (MU)

Land Use

The parking lot portion of the site has the land use designation of Parking and the Post Office portion of the site has the land use designation of Public Buildings. The only permitted use within the Parking designation is parking and the only permitted use under the Public Building designation is Town-owned and publicly-owned land and facilities. Therefore, the Post Office portion of the site does not have consistent land use and zoning and any use of the property other than the existing use will require a land use and/or zoning amendment.



LOT SIZES

Post Office building property	12,460 sqft
Town owned parking lot*	<u>28,260 sqft</u>
TOTAL	40,720 sqft
	0.935 acres

**portion leased to Post Office for parking and Postal fleet operations*

Legend

Surfside Boundary	High Density Residential / Tourist	Parking
Surfside Streets	Low Density Residential	Private Recreation
Future Land Use	Moderate Low Density Residential	Public Buildings
Community Facility	Moderate Density Residential / Tourist	Public Recreation
General Retail / Services	Moderate High Density Residential	

If the Town wished to add commercial uses, such as retail, restaurant and offices to this site the following modifications will be needed:

1. Comprehensive Plan text amendment to modify the General Retail district's land use category to permit parking.
2. Comprehensive Plan map amendment to change the land use designations from Public Buildings and Parking to General Retail.
3. Modify the Zoning Code to permit structured parking in the SD-B40 zoning district.
4. Rezone the property to SD-B40.

The 40 foot height limitation is the same in the General Retail district as the existing districts and the FAR also remains the same at 3.0. Therefore, a referendum would not be required for this location as the intensity or height will not be increased from the proposed change.

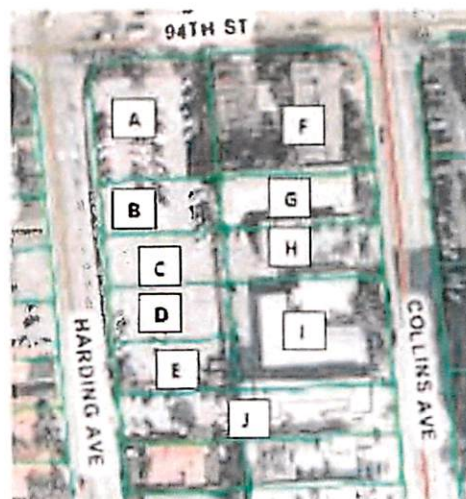
C. 94th Street Lot

The third site identified for a parking structure in the Parking Study is the 94th Street Parking Lot. As detailed in Section IV (Analysis of Study's Parking Structure Alternatives) this site is not included as an option for the purpose of this report as the "net gain" of parking spaces does not meet the goal of additional 182 public parking spaces. However, the location of this lot adjacent to properties potentially suited for redevelopment make the 94th Street Lot a prime candidate for a Public-Private Partnership (P3), possibly in the foreseeable future.

Therefore, the 94th Street site will be included for informational purposes. The following analysis was prepared by Staff as a result of an inquiry from a private development concern addressing specific lots adjacent to the 94th Street Parking Lot.

Based on this unsolicited inquiry, the P3 would include the following properties:

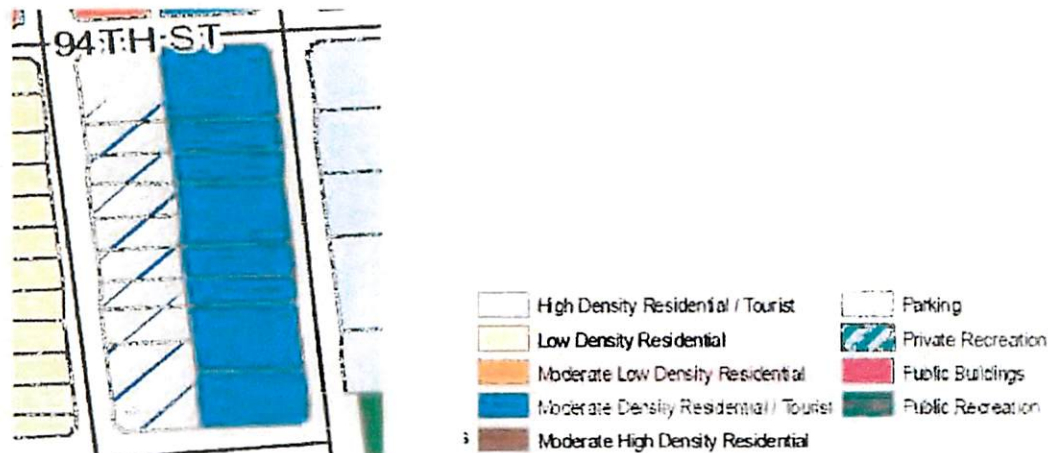
Folio number	Owner	Cross reference with map
14-2235-006-0310	Town of Surfside	A
14-2235-006-0330	Town of Surfside	B
14-2235-006-0340	Town of Surfside	C
14-2235-006-0350	Town of Surfside	D
14-2235-006-0360	Town of Surfside	E
14-2235-006-0300	Ninety Four W, LLC	F
14-2235-006-0290	Bratt Holdings, LLC	G
14-2235-006-0280	Bratt Holdings, LLC	H
14-2235-006-0270	Bratt Holdings, LLC	I
14-2235-006-0260	Gulfstream & Moises Inv Group, Corp.	J



Future Land Use Designation

The Future Land Use Designation for the parcels on the east side of Harding Avenue is "Parking" which has a Floor Area Ratio of 3.0 and a maximum height of 40 feet. The only permitted use is parking.

The Future Land Use Designation for the parcels on the west side of Collins Avenue is "Moderate Density Residential/Tourist" which allows up to 58 residential dwelling units per acre or up to 108 hotel units per acre and not more than 40 feet in height. The permitted uses are single family, duplex, and multi-family residential uses, hotels, public schools, and parks and open space.



Zoning District

The Zoning Districts for the parcels on the east side of Harding Avenue are Municipal and H40. The Zoning District for the parcel on the west side of Collins Avenue is H40 which allows a maximum building height of 40 feet. Permitted Uses are single family; duplex; multi-dwelling; townhouse; hotel; suite hotel; schools; parks and open space; and play grounds.



Charter Section 4

The density, intensity, and height of development and structures within the Town shall not exceed the maximum allowable units per acre, floor area ratios or the maximum allowable building heights in stories and feet that are set out in the Town of Surfside Comprehensive Plan or the Code of the Town of Surfside, whichever provisions are most restrictive, which were in effect in 2004. This amendment to the Town of Surfside Charter shall not be repealed, revised, amended, or superseded unless repeal, revision, amendment, or superseding provisions are placed on the ballot at a regularly scheduled election of the Town of Surfside and approved by a vote of the electors of the Town of Surfside.

The addition of any residential uses on the lots with the land use of parking will be considered an increase in density and therefore will require a referendum.

Parking Study

The Parking Structure Feasibility Study indicates there are two options for this property. The first alternative is a 370 space parking garage with a commercial component. This option includes the municipal parking lot and the privately owned lots. The second alternative is a 223 space stand-alone parking garage utilizing only the municipal parking lot. The first alternative takes into account the parking needed to support the proposed commercial. It also addresses the existing 99 parking spaces already available at the lot, resulting in a net increase of 88 parking spaces available to the public.

The Parking Study addresses the addition of commercial uses, but does not take into account any hotel or residential uses, which require a separate parking count from commercial. An analysis of number of units for either residential or hotel, along with any proposed commercial square footages would need to be analyzed to determine the net increase in parking. The net increase would not include the existing 99 parking or any of the parking necessary to support the new uses.

Summary – 94th Street Lot

This site and options do not meet the goal of addressing 60% (182 spaces) of the identified deficiency in parking spaces.

The land use and zoning on the west side of Collins Avenue will permit residential and hotel. If retail is desired at this location, a land use and zoning change must be completed. This change will not affect intensity or density. The land use and zoning on the east side of Collins Avenue will only permit parking (except for parcel “J” which permit residential and hotel uses). If retail is requested for this parcel, a land use and zoning change will be required. There is a Floor Area Ratio maximum of 3.0 which cannot be exceeded. To add residential or hotel densities to these sites, a land use and zoning change will also need to be completed, along with a referendum that provides residential and/or hotel density.

[Note: If a parking structure is constructed at the Abbott Lot, Post Office Lot or the 94th Street Lot, the project would need to meet the requirements of Section 90-49.4 (Structural Parking Garages) and Section 90-91.2 (Required Buffer Landscaping Adjacent to Streets and Abutting Properties). Attachment 5 contains these sections of the Town Code.]

IV. Analysis of Study's Parking Structure Alternatives

To determine which alternatives are feasible to consider for implementation, a two pronged approach will be utilized – number of additional/new spaces to be created (minimum 182) and financial feasibility.

Space Test

The first test is straight forward. Which alternatives for the three sites creates, at a minimum, 182 additional parking spaces?

The following table from the Parking Study (Table 11) provides a detailed description of each site alternative. A final column has been added to indicate whether the specific alternates at each site meets the minimum criterion of a net gain of 182 parking spaces.

Table 11 – Summary of the Alternatives

Site	Description	Capacity	Net Added Spaces	Parking Structure Project Cost to be Financed	Added Features	Meets Standard for 182 Additional Spaces
Abbott Lot (1)	Two level underground with public park above	448	241	\$27,400,000 as shown in Table 12, line 10	Public park, replacing existing surface lot. Park to cost estimated \$2,240,000 in addition to parking structure	YES
Abbott Lot (2)	Parking structure stretching along approximately one-half length of existing Abbott Lot. Parking replaced with public park at south end + townhomes along western face	414	207	\$13,019,000 as shown in Table 13, line 10	Townhomes along western face of facility. Small public park at south end of site. Park to cost estimated \$1,120,000 in addition to parking structure	YES
Abbott Lot (3)	Above grade parking structure replacing existing surface parking lot. Townhomes along western face	514	307	\$7,198,000 as shown in Table 16, line 10	Townhomes along western face	YES
Post Office Site	Grade +3 supported level parking structure. Post Office replaced in new parking structure + added commercial space along Collins Avenue	280	219	\$5,301,000 as shown in Table 18, line 10	Post Office replaced in 1st floor of parking structure + potential to create added commercial along east face (Collins Avenue)	YES
94th Street Lot (1)	Parking structure constructed as part of mixed use development	370	88	\$9,160,000 as shown in Table 20, line 10	Developed in conjunction with mixed use opportunity with developer construction approximately 50,000 square feet of	NO

					commercial space could be opportunity for public/private partnership with parking developed at little to not costs to Town	
94th Street Lot (2)	Parking structure only on Town's existing surface lot	223	124	\$3,528,000 as shown in Table 22, line 10	Façade treatments could be added to disguise appearance of parking structure from Harding Avenue properties	NO

Therefore, for the purpose of this report, the 94th Street Lot will not be considered as a possible option. However, this location as outlined in the Land Use and Zoning Analysis Section (III-C) of this report could be a key location for a P3 project should there be a southerly expansion of the business district and/or redevelopment in the area between Harding and Collins and 93rd to 94th Street.

Also, the Parking Study rightly points out that although a parking structure at the 94th Street Lot “does not have the added public benefits and amenities of some of the other options, a consideration which would have to be weighed by the community, it does provide needed additional parking supply for the downtown. As a project financed by the Town from parking revenues, it may do so less expensively than other alternatives.”

Financial Test

Prior to considering the financial matrix, a discussion is necessary on the financial projections and assumptions contained in the Parking Study. Staff's review of the Parking Study financials indicates certain projections need to be considered prior to a final financial decision being made. These include:

1. The Parking Study included the use of \$1.5M from the Parking Fund reserves in order to reduce the total cost of the project. The Parking Fund reserve balance at September 30, 2013 is projected to be \$1,205,000 and is not recommended to be drawn down to zero to reduce the parking garage cost. The Parking Fund reserves should be reserved for, at least in part, contingencies for parking improvements and costs unrelated to the new proposed garage.
2. The Parking Study used a fixed interest rate in March, 2013 of 4.5% to finance the cost of the Parking Garage over a 30 year term, whereas the current fixed interest rate is 6.79%. The interest rate increase results in a higher annual interest expense of \$117,000 on a \$7 million project.
3. The Parking Study includes revenue of \$198,462 (FY 14/15) from parking citation revenue as part of the total revenue to operate the parking fund and finance the cost (debt service) of the new parking structure. These revenues are currently General Fund revenues and part of the General Fund Budget. Going forward as the Town commits to a new parking structure and growth revenue from infill development is received, Staff supports this allocation of parking citation revenues to the Parking Fund support a parking solution. Ultimately, this will be a decision made by the Town Commission.

4. The Parking Study's financial projections include annual payments to the Parking Trust Fund totaling \$96,750 (\$78,750 for a project currently in the review process and \$18,000 from a condominium relating to a still unresolved issue on a number of parking spaces). These are not included in the current financial analysis for the Abbott Lot.
5. The Parking Study's projections for annual revenues from an above ground, 514 space parking structure are \$252,703 for the first year of operation. This projection appears to be conservative as the 2013 revenues from the current open space Abbott Lot with 207 spaces totaled \$425,836.85. Going forward, this increased revenue will be available to help offset the financial issues identified in items #1-4 above.

A financial matrix incorporating the financial data from the Parking Study identifies the alternatives that make financial sense.

Financial Test

Site	Description	<u>Parking Study</u> Project Cost to be Financed	<u>Parking Study</u> Net surplus/Deficit in Parking Fund if Implemented	Additional Costs	Financially Feasible
Abbott Lot (1)	Two level underground with public park above	\$27,400,000; annual debt service payment: \$1,930,000	Deficit FY 14/15: (\$1,535,462) Deficit FY 18/19: (\$1,247,596) Deficit FY 23/24: (\$889,901)	\$1.5M upfront payment; \$2.24M for park development; additional annual interest on \$27.4M -- \$456K	NO
Abbott Lot (2)	Parking structure stretching along approximately one-half length of existing Abbott Lot. Parking replaced with public park at south end + townhomes along western face	\$13,019,000; annual debt service payment: \$906,000	Deficit FY 14/15: (\$408,852) Deficit FY 18/19: (\$108,107) Surplus FY 23/24: \$267,983	\$1.5M upfront payment; \$1.12M for park development; additional annual interest on \$13.01M -- \$217K	NO
Abbott Lot (3)	Above grade parking structure replacing existing surface parking lot. Townhomes along western face	\$7,198,000; annual debt service payment: \$501,000	Surplus FY 14/15: \$108,198 Surplus FY 18/19: \$414,723 Surplus FY 23/24: \$799,068	\$1.5M upfront payment; additional annual interest \$120K	YES; subject to financial adjustments listed above and size of structure ultimately constructed
Post Office	Grade +3 supported level parking structure. Post Office replaced in new parking structure + added commercial space along Collins	\$5,301,000; annual debt service payment: \$435,000	Surplus FY 14/15: \$108,198 Surplus FY 18/19: \$414,723 Surplus FY 23/24: \$799,068	\$1.5M upfront payment; additional annual interest of \$89K. Does not include cost of Post office property or financial benefits derived by the P3	Possibly; depends on a number of factors would be determined during the P3 negotiations

Attachment 6: Parking Study's Financial Analysis of Revenue Bond Financing
(Provides full financial analysis of each alternative)

The remainder of this report will provide the basis for a recommendation on the next step in the parking solution based on the two site alternatives that meet the space and financial tests – Abbott Lot (alternate 3; above ground structure) and the Post Office (P3).

V. Parking Structure Option

A. Abbott Lot – Above Grade Parking Structure (Alternate 3)

Challenges

The above ground parking structure identified in the Parking Study is a four level parking structure designed to accommodate 514 vehicles. This alternate includes a residential liner (townhomes) on the west boundary (facing Abbott Avenue) of the parking structure. The intent of including townhomes is to provide a residential buffer between the parking structure and the single family residences on the west side of Abbott Avenue. Also, the townhomes provide a financial offset to the overall cost of the project.

Over the past 2 months, Staff has reviewed the Abbott Lot above ground structure with the intent of presenting a recommendation on the best “fit” for a parking structure at this location.

A major challenge to utilizing the Abbott Lot is twofold. First, land use and zoning practices encourage buffer zones which assist transitioning from commercial districts to single family residential districts. Typically, these buffer zones consist of multi-family housing units such as the townhomes as included in the Parking Study. If a parking structure is located at the Abbott Lot, residential units lining the structure should be included to act as a buffer to the single family homes. However, the underlying land use of this site is Parking, which does not have a density allocation and thereby is an increase in density. Any increase in density is prohibited by the Charter unless a referendum is held to approve the increase in density.

Second, the height of the proposed parking structure could be problematic on several fronts, as stated in Section III of this report, the zoning designation for the Abbott Lot is MU which does not have a height limitation and instead follows the “surrounding designation”.

The Abbott Lot is immediately adjacent to the SD-B40 zoning district, which has a 40 foot height limitation. However, the single family district is across Abbott Avenue and is limited to a 30 foot maximum. Since the H30B single family zoning district is across Abbott Avenue from this site, it could be interpreted that the property’s height is limited by this zoning category and therefore, a 30 foot high parking garage would be permitted. Although the Comprehensive Plan permits a 40 foot height maximum, the Zoning Code is more restrictive and will govern.

Rightsizing Abbott Lot Parking Structure

In order to address these two major concerns/issues, Staff has reworked this parking structure option by recommending:

1. Reducing the number of levels of the parking structure from 4 to 2 (with the possible option of roof top level parking) depending upon ultimate design features including layout; setbacks/buffering; and height.
2. Replace the townhome component with a landscaped linear park and consider designing the west wall to have an exterior residential appearance of townhomes.
3. Reduction in the number parking spaces from 514 to approximately 390 spaces.

Staff has attempted to identify the advantages and disadvantages of this site in order to assist the Commission in its review.

Advantages

- Size of the site provides flexibility of design and uses for space
- Size of site suited to phasing of construction
- Parking structure would allow for the elimination of metered parking spaces on Abbott Avenue, thus eliminating congestion, visibility issues, etc.
- Parking structure with a lush linear park along its west wall could improve neighborhood aesthetics by eliminating the view of dumpsters and traffic movements in the lot; improve evening conditions for the abutting residents by containing evening and late night activities within a closed structure (headlights, noise, traffic movement, etc.)
- Commercial loading zone for trucks is an option thus eliminating trucks blocking Abbott, Harding and 96th Street to unload. Also eliminates noise and pollution; and complaints from residents on Abbott Avenue
- Easiest and quickest to build
- Largest of lots
- Could handle business parking permits on top floor
- Storage of Town vehicles during storm
- Reduced size, height and buffering to provide better buffering
- Ideally located for access to Harding commerce by patrons and employees
- Greatly alleviates or potentially solves Town parking deficiency
- Busiest lot of all – more demand
- Could attract new or keep current businesses in place

Disadvantages

- Lack of alternate parking sites during construction
- Ingress/egress issues
- Proximity to residential area
- Building a stand-alone parking structure on the largest Town owned lot potentially eliminates future mixed use/commercial/P3 opportunities

Financial Considerations

The financial components of the Parking Study were used to prepare this financial analysis of a downsized parking structure to two levels (with possible rooftop level parking) from the proposed

four levels. The Abbott Avenue site would encompass an above grade parking structure (ground floor, second floor, and possible roof top level parking). The structure would provide approximately 390 parking spaces and would be a net increase of 183 parking spaces above the existing 207 parking spaces currently provided at the Abbott surface lot.

The parking structure would have an estimated construction cost of \$7,020,000, including professional fees for architectural, engineering, survey, insurance and contingency costs. The Parking Structure Feasibility Study included the use of \$1.5 million from the Parking Fund Reserve in order to reduce the total cost of the project. However, as stated previously it is not recommended to drain the reserves of the Parking Fund for this purpose.

The estimated cost for the downsized parking structure is \$7,020,000 and financed over a period of 30 years with an annual fixed interest rate of 6.79% would result in an annual principal and interest payment of \$614,000.

The Parking Fund total projected annual revenue from all sources including the new parking garage is \$1,141,000 and the total annual projected expenditures for all parking facilities is \$1,384,000 including operating expenses for the new parking garage of \$58,800 and annual debt service of \$614,000. This results in an additional \$243,000 that would need to be funded from the other available revenue sources listed under the Financial Test portion of Section IV Analysis of the Study's Parking Structure Alternatives (pages 12-13). The projected parking revenue also includes a change in the hourly parking rate from \$1.25 to \$1.50 per hour per the Parking Study.

Implementation

During our research and outreach to subject matter experts to assist with the preparation of this report, a design/build process was identified as an industry standard that would provide for construction of a parking structure to proceed in a timely and efficient manner.

Staff met with Arthur Noriega V, Chief Executive Officer of the Miami Parking Authority. Specific discussions were held on the Authority's design/build project for a 400-450 parking structure at Virginia Key. The Authority has a pre-qualified list of approved vendors – one for projects over \$2M and one for under \$2M. The Town could "piggy back" on the Authority's list of approved vendors for the Abbott Lot project.

Currently, the Town is out to bid for a Request for Qualifications (RFQ) for engineering services. As part of this solicitation, the successful proposer will provide the technical expertise to prepare specifications, coordinate and oversee design/build services.

Recommendation

- 1. Authorize a survey of the Abbott Lot (including all utilities; alley setbacks and building heights of Harding Avenue buildings) and geotechnical/soil analysis (minimum 8 borings) \$30,000 [Note: several subject matter experts confirmed this is the necessary first step]. Source of funds: Parking Fund**

2. **Authorize the consulting engineering firm selected as a result of the current RFQ solicitation to develop/prepare a Request for Proposal for design/build services to include identification of milestones during the process for community and Commission input/review; design creativity/features; architectural standards; parking structure technical, and structure features and layout; landscaping; safety/security/traffic; and parking systems.**

Timeframe

Once the RFP is finalized and available for bid, the timeframe for construction of a parking structure is approximately 18 months (6-7 months of bidding process, bid award, contract signing and issuance of notice to proceed; and 12 months for construction). The Abbott Lot parking structure potentially would have a phased construction schedule in order to provide parking during construction. The construction period could be an additional 3-4 months if this phasing occurs.

B. Post Office Lot (P3)

A possible Public-Private Partnership (P3) presents a unique and fascinating opportunity to the Town not only to address the parking deficiency but to enhance the Town's commercial district; provide an upgraded postal facility which will help secure the future of the Post Office in Surfside and to provide quality development to compliment the quality infill development currently authorized.

A P3 initiative at this site can be structured in a number of different approaches. Perhaps, the Parking Study narrative best captures the range of possibilities:

The Post Office site differs from the Abbott Avenue structures because of the possibility for a public-private partnership. This is due because the Town owns the parking lot while a private individual owns the building housing the Post Office. In order to develop the parking structure on this site would likely require cooperation between the Town and building owner because the building owner presently leases space to the U.S. Postal Service and it is assumed would like to continue to do so.

Therefore, this gives two options. Under the first option, the Town could develop the parking structure and Post Office space and adjoining commercial area fronting the up front development cost for this space. Depending on the value of this space as a proportion of the total project cost would determine whether the financing issue was tax exempt or would have to be taxable. Therefore, Rich and Associates are showing a worse case condition with the financing for this option calculated assuming the Town develops the structure using a taxable issue with a slightly higher interest rate. Depending on the negotiated terms between the Town and building owner, it may be possible to still develop the combined facility using tax exempt financing...

Alternatively, the Town could lease the existing parking lot to the adjoining property owner and permit them to develop the parking structure and adjoining building space. The Town could be paid a lease amount for the former parking lot property with a guarantee for a defined number of public use spaces within the newly developed parking structure. This is a possibility where the Town could

realize additional parking at little to no cost to the Town and have the parking lot parcel go back on the tax rolls. In this case the developer would be responsible for obtaining the necessary financing for the project and would receive the revenue from the parking structure spaces. The difficulty with this option is that the parking rates for the structure may have to be higher than the surrounding market because the higher costs of financing and the lack of guaranteed revenue from the rest of the parking system to help support the garage which can make the parking garage less attractive as a parking location. This potential would obviously require further review and discussion between the Town and the property owner, but is a viable option.

As indicated in the introduction, Staff devoted considerable effort dealing with the myriad of options and opportunities available through a P3 at this location. This included discussions with the current owner of the Post Office property; U.S. Postal Service leasing representatives; and two private developers (unsolicited discussions). All indicated an interest and willingness, to varying degrees, to further pursue a P3.

Recognizing the technical, legal and financial complexities of a P3 arrangement, discussions were held with three firms who could provide professional assistance to the Town should the Commission authorize moving forward with a possible P3. Two of the firms are located in South Florida and the other was an out of state firm recommended by Rich & Associates Inc., who prepared the Parking Study.

After conducting the discussions with the three firms, specific proposals from the two firms to provide the necessary planning, technical and professional services to evaluate the feasibility of P3 on the Post Office site and outline potential strategic options. These professional services will provide the information necessary to make an informed decision on the P3 option.

As a result of Staff discussion with the firms and review of the two proposals, Staff's opinion is that the proposal of Lambert Advisory is best suited to undertake the necessary market/economic analysis and has demonstrated a comprehensive approach to assist in a possible P3 project for the Post Office Lot.

Recommendation

Approve the March 21, 2014 Public-Private Partnership Advisory Services proposal (Attachment 7) submitted by Lambert Advisory in the amount of \$18,500 in order to begin the P3 process by conducting analysis and developing an outline of strategic opportunities for the Post Office Lot.

Cost: \$18,500. This is a necessary and cost effective expenditure in order for the Town to perform its due diligence in taking the next step to arrive at a parking solution.

Source of Funds: Parking Fund

Code Requirements: Section 3-13 (Exemptions from Competitive Bidding) exempts from bidding professional services except those governed by the Consultants Competitive Negotiations Act.

VI. Other Issues

1. Off-site Parking During Construction: Irrespective of option(s) ultimately selected, identification of temporary parking spaces/sites during construction to offset loss of parking spaces during construction needs to be part of the parking solution. Due to the current and known future demand for off-site parking for development projects, a resolution to this issue cannot logically be planned or finalized at this time due to the fluidity of development projects. For example, additional off-site spaces could usually have been leased in Bay Harbor Island's parking structure. During the preparation of this report, it was discovered that Bay Harbor Islands no longer has spaces available for lease in their structure. This is an issue that needs to be addressed concurrently when each project is in its actual planning stages.
2. Parking Trust Fund: The Town's Parking Trust is a mechanism that allows properties and uses located in the SD-B40 zoning district and for religious places of public assembly in Town, at their discretion, to satisfy their parking requirements by paying into a Parking Trust a fee (\$22,500) per space to meet up to 100% of their parking obligation (Section 90-77 Off-street parking requirements; **Attachment 8**). Until such time that the parking solution is implemented, it is recommended that this Code provision be revisited by the Commission to determine if it should be amended. Issues to be considered could include: a moratorium; revise Code to give the Commission the authority to authorize this procedure to satisfy parking requirements as opposed to the applicant being able to automatically select this option; limit the number of spaces available to be included in this option (i.e. 20% of required parking); establish a means test to determine available off-site parking; eliminate provision; etc.

VII. Conclusion

Over the past year, community discussion and news articles indicates that the Town has been waiting for a parking solution since at least 1986.

The efforts of the Commission, residents, businesses and Staff over the last 3 years have paved the way to provide the parking solution and end "kicking this can down the road"!

This report contains two specific recommendations to achieve the next step necessary for the parking solution. Staff recommends that the Town Commission approve both recommendations as a dual track. The two recommendations provide a clear and logical path to addressing the Town's parking needs and do so in a responsive and financially reasonable manner. These recommendations will provide an answer to the Town's long standing parking challenge.

Recommendation

A. Abbott Lot

1. Authorize a survey of the Abbott Lot (including all utilities; alley setbacks and building heights of Harding Avenue buildings) and geotechnical/soil analysis (minimum 8 borings) \$30,000.
2. Authorize the consulting engineering firm selected as a result of the current RFQ solicitation to develop/prepare a Request for Proposal for design/build services to include identification of milestones during the process for community and Commission input/review; design creativity/features; architectural standards; parking structure technical, and structure features and layout; landscaping; safety/security/traffic; and parking systems.

~and~

B. Post Office Lot (P3)

Approve the March 21, 2014 Public-Private Partnership Advisory Services proposal submitted by Lambert Advisory in the amount of \$18,500 in order to begin the P3 process by conducting analysis and developing an outline of strategic opportunities for the Post Office Lot.

Parking Concepts & Designs

IN GENERAL

Several factors are to be considered at important determinants for the design of a parking garage, but the two most critical components that determine the efficiency or result of the design are

- (a) circulation widths and
- (b) the vertical connection (or 'circuits') of the floor plates.

Circulation widths determine if the travel ways within the parking garage will be for 1-way or 2-way traffic. 1-way travel lanes can be, at their minimum, either 15 feet wide or 22 feet wide, depending if the vehicles will be parked in angled or perpendicular arrangements, respectively, to allow for ease of backing-out of a parking space.

The vertical connection of the floor plates can be either level-stacked or coiled (aka 'helix') or a combination of these. The efficiency of these is completely dependent on the specifics and constraints of each unique project site.

An example of a 'stacked' parking garage is 1111 Alton Road at the end of Lincoln Road, where the floor plates are flat and are interconnected by a ramp.

Examples of helix and double-helix parking garages are much more prevalent, one of which is the Miami Beach municipal parking garage at the southern end of Convention Center Drive on 17th Street, across from City of Miami Beach's City Hall Building.

Most garages are a combination of these two types of arrangements. The rule of thumb is, the more complex the geometry, the more space it will need – particularly to account for the minimum interior clearances required by the South Florida Building Code. [SEE FIGURE A]

Additionally, it is important to note that ultimately, what the garage looks like from the exterior does not have to be influenced by its circulation or circuit design. The designer can 'wrap' the garage with whatever façade he/she can imagine.

94TH STREET PARKING LOT – EXISTING AVAILABLE AREA

For the parcel presently used as a parking lot on 94th Street and Harding, we explored various options for design. The component of providing retail on the ground floor was not explored, as it would reduce the amount of parking that could be provided overall.

First, it is important to note the actual dimensions of the property:
[SEE FIGURE B]

It is also necessary to identify the zoning constraints applied to all scenarios:

- Maximum Building Height: 40 feet
- Minimum Setbacks: 0 feet
- Parking allowed on top-most floor-plate

Scenario 1 – Double Helix Design

The double helix design (double coil) [SEE FIGURE C] required that each 'coil' provide a 1-way travel. Because of the double coil nature of the design, coupled with the requirement of the South Florida Building Code (Section 406.2.5 Ramps) that limits the maximum slope of any interior garage ramp with parking at 1:15 or 6.67% and the limited length of the parcel to achieve adequate over-head floor-to-floor clearances, the double helix strategy resulted in the less efficient of the options. It generated a parking count of 147 spaces. Additionally, due to the geometry of the design and the need to transfer and connected the up-ward travel spiral with the down-ward travel spiral, the design was not able to take advantage of the allowable zoning height of 40 feet; instead, it achieved its maximum height at approximately 34 feet. [SEE FIGURE D]

After reducing the counts for parking that is existing 99 spaces which will be replaced by the garage, this scenario represents a net gain of approximately 48 parking spaces.

An example of a built, similar double helix garage is a Municipal Parking Garage in Coral Gables, on Andalusia Avenue between Ponce de Leon Blvd and Salzedo Street, behind the Miracle Mile Theatre.

Scenario 2 –Coil Ramp Design

The coil ramp design [SEE FIGURE E] provides flat, stacked parking levels with dedicated circular ramps connecting each floor-plate. One circular ramp on each end of the garage serves for 1-way traffic. The length of the site exactly allowed for a maximum slope of 15% on the connecting ramps. Even though the slope can be functional, its steepness is less comfortable to maneuver.

This configuration generated 250 spaces without exceeding the maximum 40-foot allowable height. This is due to the fact that this design maximizes parking opportunities on the ground floor and reduces loss of parking areas typically associated with ramps. [SEE FIGURE F]

After reducing the counts for parking that is existing 99 spaces which will be replaced by the garage, this scenario represents a net gain of approximately 151 parking spaces.

An example of a built, similar coil ramp garage is a Municipal Parking Garage in Coral Gables, on Aragon Avenue between Ponce de Leon Blvd and Salzedo Street, across from the Books and Books Bookstore.

Scenario 3 –Flat-plate with Ramp Design

The flat-plate with ramp design [SEE FIGURE G] provides flat, stacked parking levels with 2-way travel and perpendicular parking on both sides and a 2-way ramp with parking on a single side connecting each floor-plate. This scenario also afforded the option to provide additional parking on the ground floor (up to 50 spaces) with a separate access and exit than access to the garage's ramp. This two-set parking strategy was utilized at the City of Miami Beach's new parking garage servicing the City Hall, where the ground floor parking provides metered-parking use for short-term patrons, while the garage services those patrons looking to park in increments of greater time and who are billed in 1-hour increments.

This configuration generated 261 spaces without exceeding the maximum 40-foot allowable height. This is due to the fact that this design maximizes parking opportunities with the use of perpendicular parking, rather than angled parking. [SEE FIGURE H]

After reducing the counts for parking that is existing 99 spaces which will be replaced by the garage, this scenario represents a net gain of approximately 162 parking spaces.

A similar example of a built garage is the recently constructed parking garage servicing the Kane Concourse Business District in the Town of Bay Harbor Islands, on 95th Street between Bay Harbor Drive and Bay Harbor Terrace, across from the school.

BLOCK-LONG PARKING GARAGES (HARDING AVE FRONTAGE BETWEEN 93RD AND 94TH STREETS; AND ABBOTT AVE FRONTAGE BETWEEN 95TH AND 96TH STREETS)

As an exploration, we investigated the feasibility of providing parking garages that spanned the entire block for the following two locations:

- Harding Ave frontage between 93rd and 94th Streets; and
- Abbott Ave frontage between 95th and 96th Streets

Both locations have the same dimension, at 114 feet deep by 605 feet in length. [SEE FIGURE I] Because of their long spans and the ability of these to facilitate clearances, coupled with the findings of the more restrictive 94th Street Parking configuration listed above, it was determined that the design model for 'Scenario 3' would be the best suited to maximize opportunities for parking.

Scenario 4 - Harding Ave frontage between 93rd and 94th Streets

The flat-plate with ramp design utilized in Scenario 3 was adapted for use in this scenario because of its efficiency. The design for the parking garage anticipates that access to the long-term parking garage would be exclusively from the 93rd and 94th Streets frontages, in order to not negatively impact the traffic flow along Harding Avenue, while it is envisioned that 2 egress points onto Harding Avenue may be permissible from the short term parking area on the ground floor. Additionally, the 'dead' space in the center of the layout provides an opportunity to increase the Town's storage capacity for equipment. [SEE FIGURE J]

This configuration generated 519 spaces without exceeding the maximum 40-foot allowable height. It necessitates that the parcels of land or portions thereof at the addresses 9340 Collins Ave, 9333 Harding Ave, and 9325 Harding Ave would be purchased by the Town.

After reducing the counts for parking that is existing 136 spaces which will be replaced by the garage, this scenario represents a net gain of approximately 383 parking spaces.

Scenario 5 - Abbott Ave frontage between 95th and 96th Streets [SEE FIGURE K]

The flat-plate with ramp design utilized in Scenarios 3 and 4 was adapted for use in this scenario because of its efficiency. The design for the parking garage anticipates that access to the long-term parking garage would be exclusively from the Abbott Avenue and 95th Street frontages, in order to not negatively impact the traffic flow along 96th Street, similarly with added ingress and egress points onto Abbott Avenue from the short term parking area on the ground floor. The garage envisions a covered breezeway serving for pedestrian connections between Abbott and the rear of the commercial establishments at the mid-block location. [SEE FIGURE L]

Because of the change in access, different from the layout in Scenario 4, this configuration generated 510 spaces without exceeding the maximum 40-foot allowable height. Unlike the previous scenario, this option does not require any additional land be purchased by the Town.

After reducing the counts for parking that is existing 207 spaces which will be replaced by the garage, this scenario represents a net gain of approximately 303 parking spaces.

TOWN HALL PARKING GARAGE

The lots on the immediate east and south of Town Hall can accommodate a parking garage, facilitated by the depth of the lot that stretches from Collins to Harding Avenue. Additionally, the lot is L-shaped, which adds its own complexity to the design, in addition to the fact that the zoning for the immediate abutting area (H40/H30c) limit building heights to 40 feet fronting Collins and 30 feet fronting Harding. [SEE FIGURE M]

Scenario 6 – Town Hall Parking Option 1 [SEE FIGURE N]

The first scenario is to build a continuous ramp from 93rd Street up to the first floor plate and continue the rise of the ramp as it makes the bend westward. The benefit of this solution lies in the fact that it provides ample clearance beneath the southern portion of the garage to accommodate a surface parking lot at grade. This is important because currently vans, police vehicles and some mechanical/commercial vehicles are being parked in the current lot. It also provides enough clearance to allow for existing dumpsters and other mechanical equipment to be accounted for. Similarly, the areas immediately abutting the eastern façade of the Town Hall will remain a surface lot because it also has several dumpster locations that cannot be otherwise located within the garage structure.

This configuration generated 229 spaces without exceeding the maximum 40-foot allowable height facing Collins Avenue or the 30-foot height facing Harding

After reducing the counts for parking that is existing 56 spaces which will be replaced by the garage, this scenario represents a net gain of approximately 173 parking spaces.

Scenario 7 – Town Hall Parking Option 2 [SEE FIGURE O]

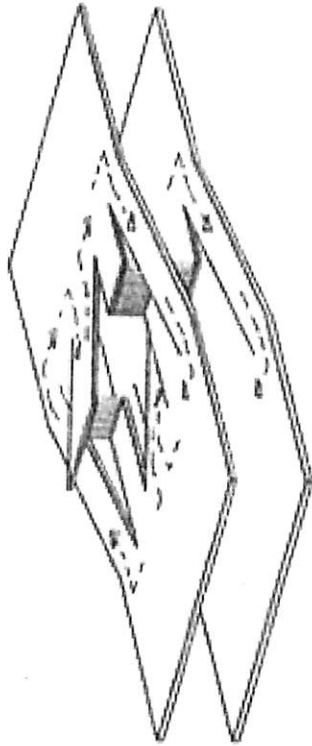
The second scenario contemplates utilizing the areas east of the Town Hall structure (which presently are occupied by the Public Works yard and parking fronting Collins Avenue) to construct a single helix coil to serve as the vertical circulation for the parking garage. The areas immediately south of the Town Hall facility would serve as a surface parking lot and Public Works yard with a clearance of 18 feet, able to accommodate large machinery and/or equipment. This is important because currently vans, police vehicles and some mechanical/commercial vehicles are being parked in the current lot. It also provides enough clearance to allow for existing dumpsters and other mechanical equipment to be accounted for. Once the garage's helix coil reaches a 20-foot height, it will connect to a flat floor-plate that will bridge over the ground level surface lot and yard.

This configuration generated 264 spaces without exceeding the maximum 40-foot allowable height facing Collins Avenue or the 30-foot height facing Harding

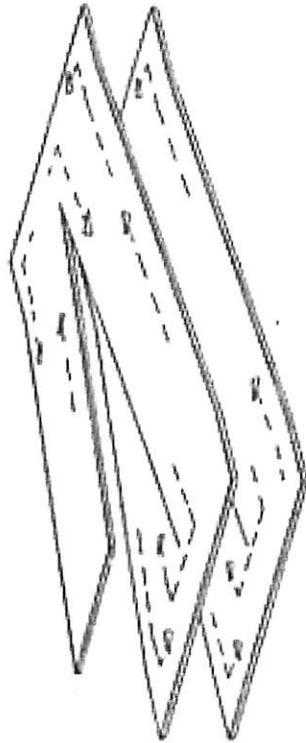
After reducing the counts for parking that is existing 56 spaces which will be replaced by the garage, this scenario represents a net gain of approximately 173 parking spaces.

OBSERVATIONS

For all garage design options provided in the scenarios, because of the shallow depth of the lots or its geometry, it must be noted that garages will have to be built with zero setbacks on all frontages and no landscaping will be provided. Any Land Use Zoning Changes and/or Referendum requirements are identified in the accompanying June 9, 2015 report to the Town Commission.



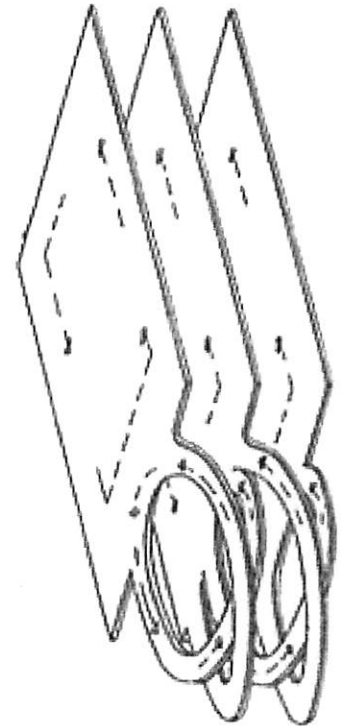
STAGGERED FLOORS - TWO-WAY CENTER RAMP



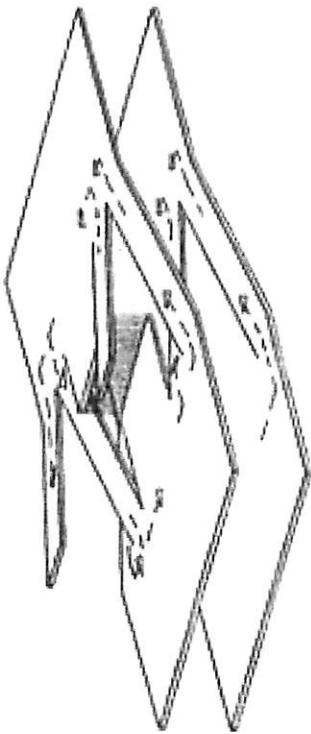
SLOPING FLOORS - TWO-WAY CIRCULATION



SLOPING FLOORS - CROSS CONNECTED ONE-WAY CIRCULATION



CONCENTRIC OPPOSED PLANE HELICAL RAMP



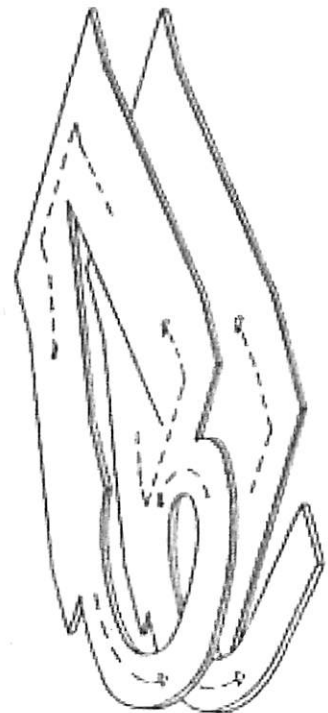
STAGGERED FLOORS - ONE-WAY CIRCULATION



FLAT FLOORS - STRAIGHT, ONE-WAY RAMP



SLOPING FLOORS - ONE WAY CIRCULATION



SLOPING FLOOR WITH EXPRESS HELICAL DOWN RAMP

FIGURE 6

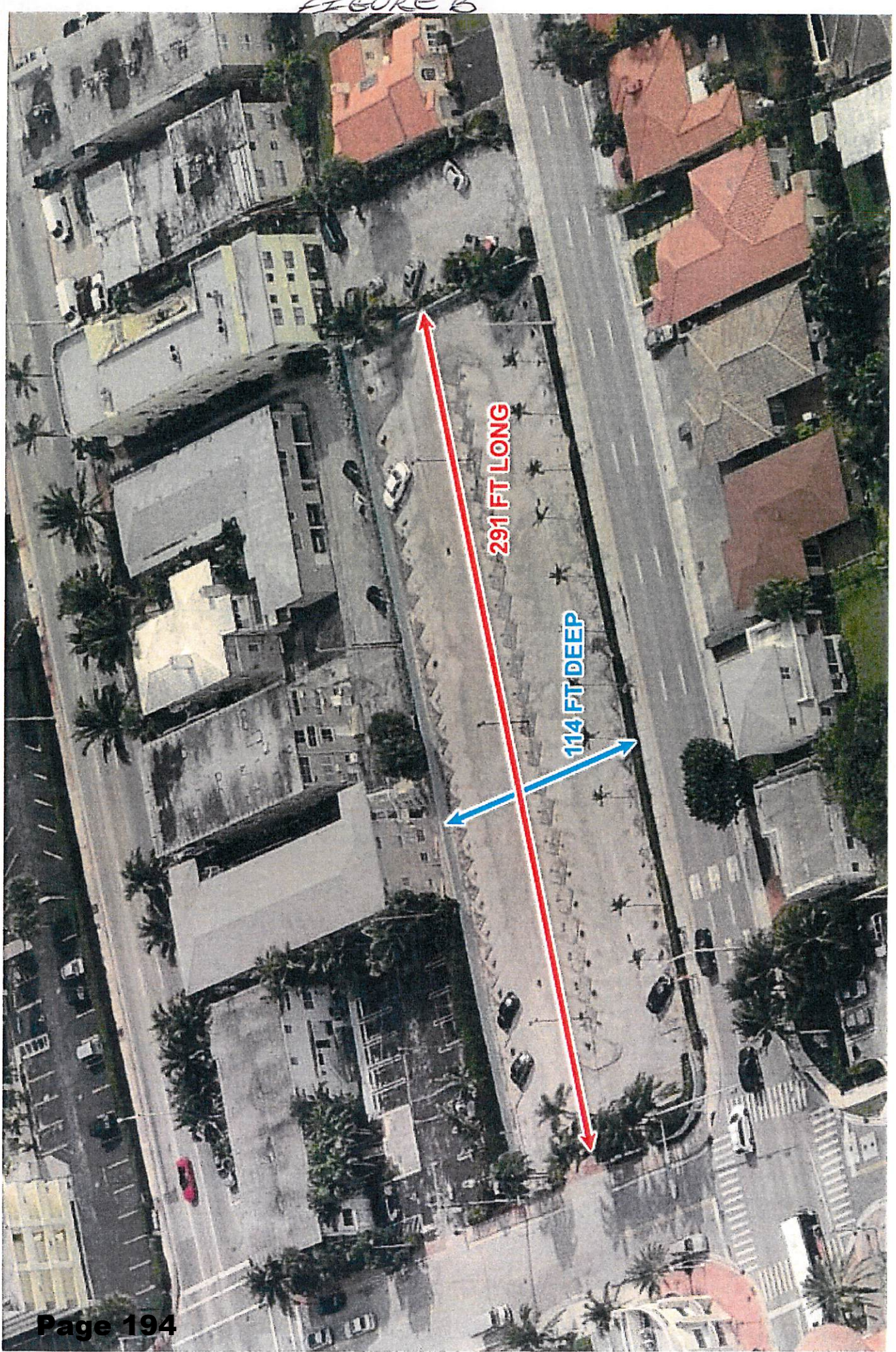


FIGURE C

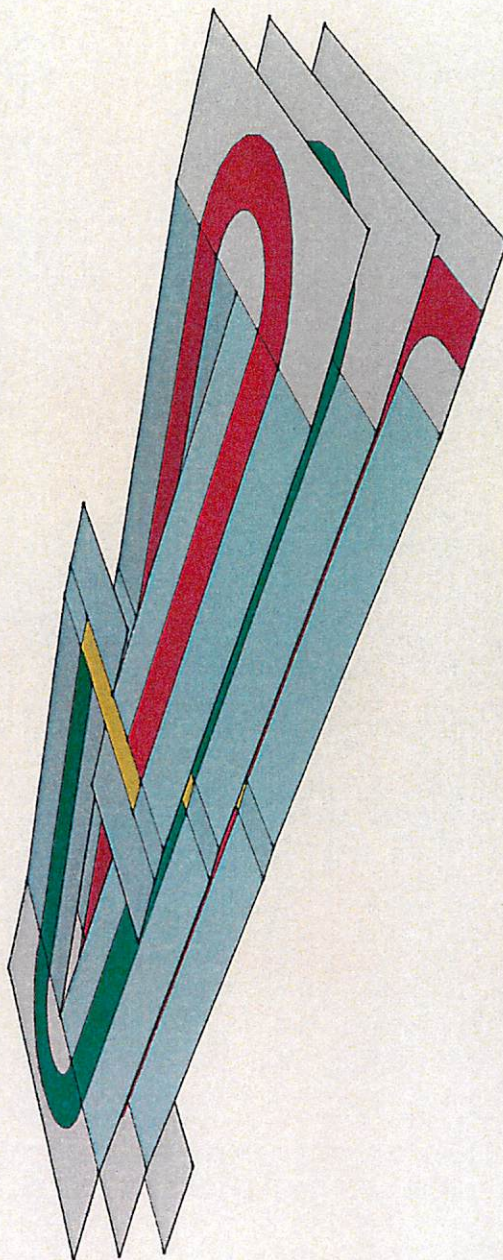


Figure A

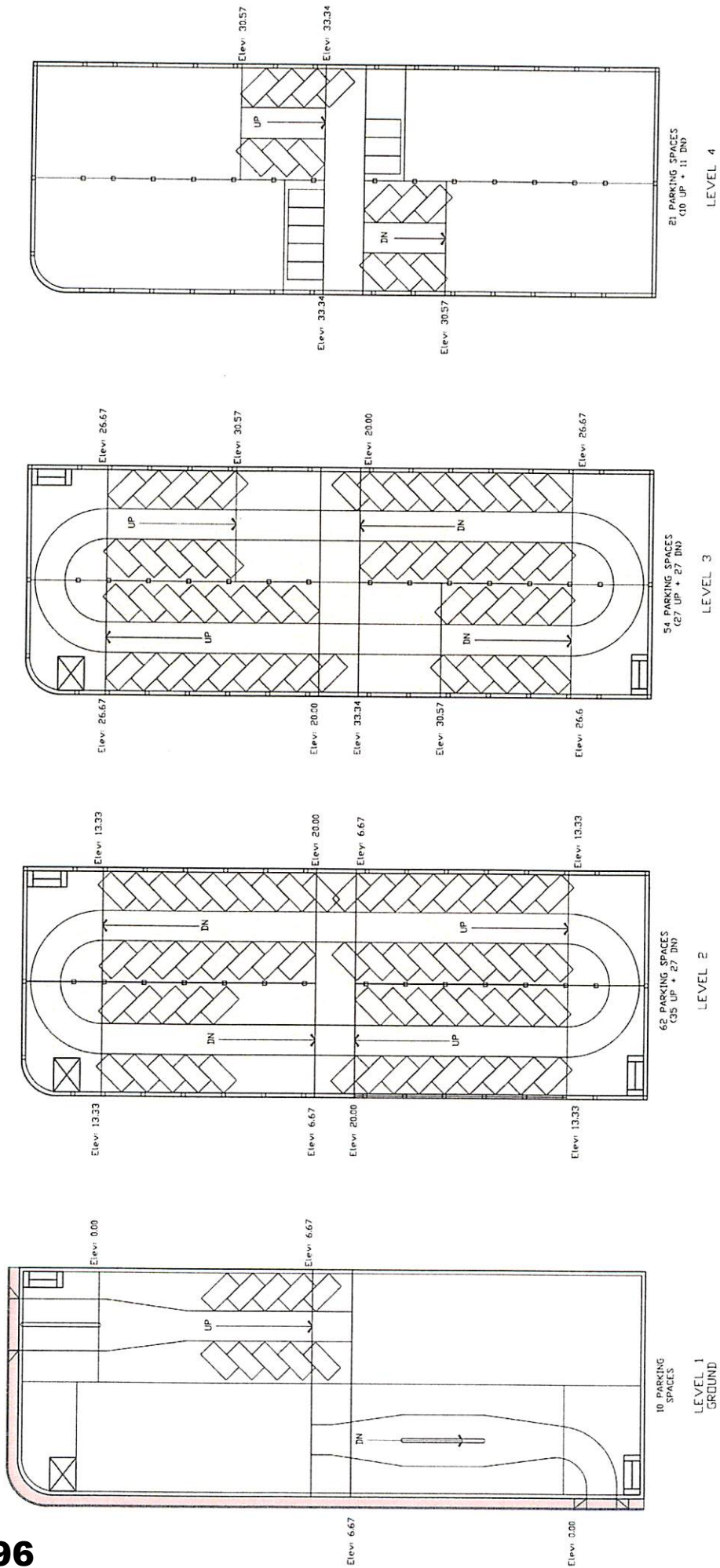


FIGURE 5

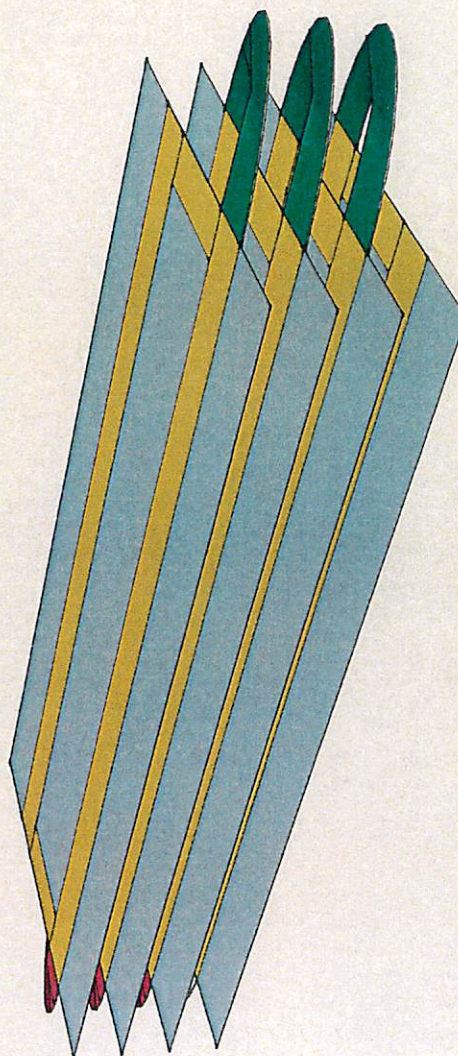


FIGURE F

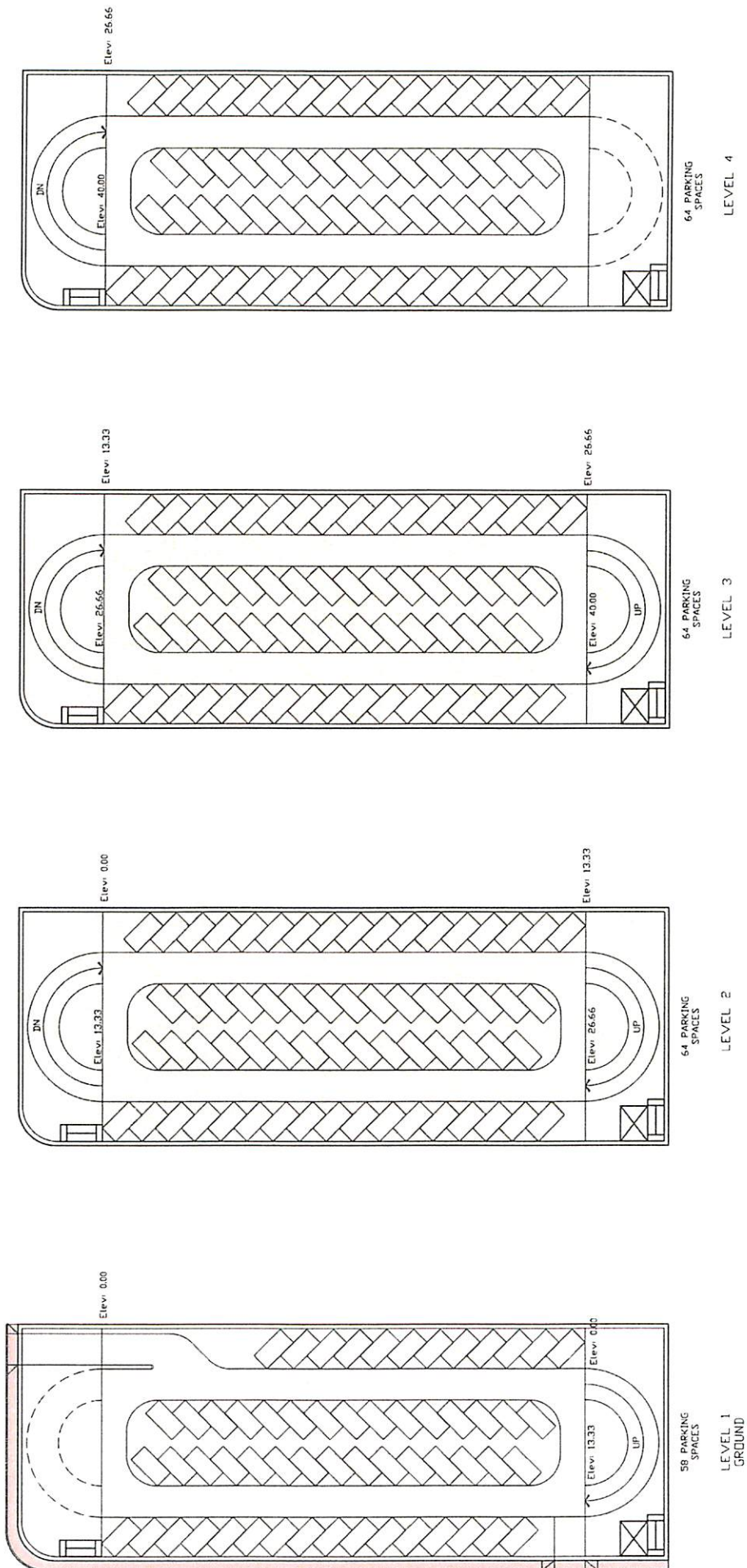


FIGURE 3

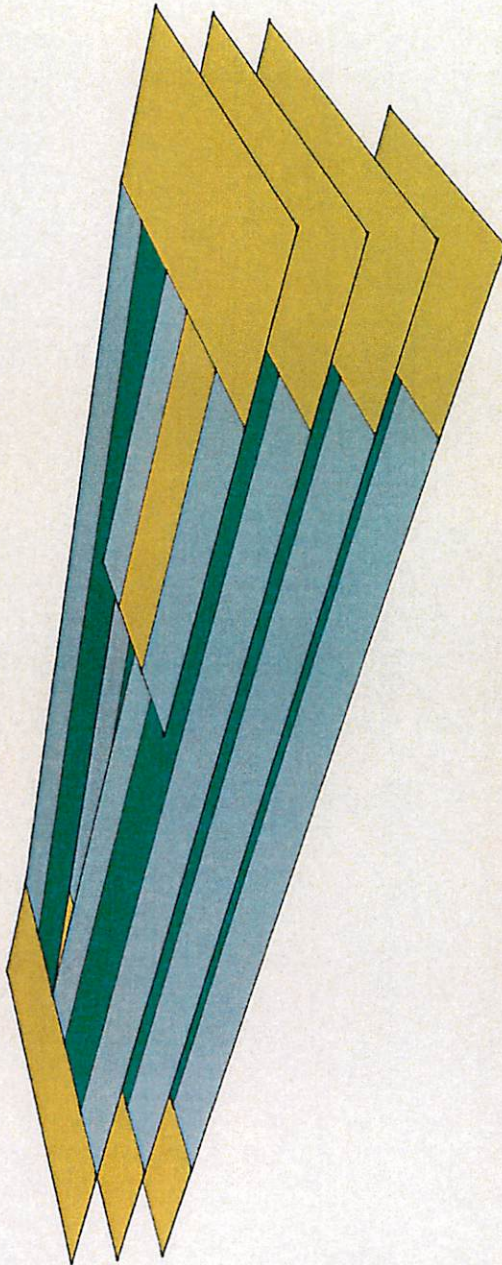
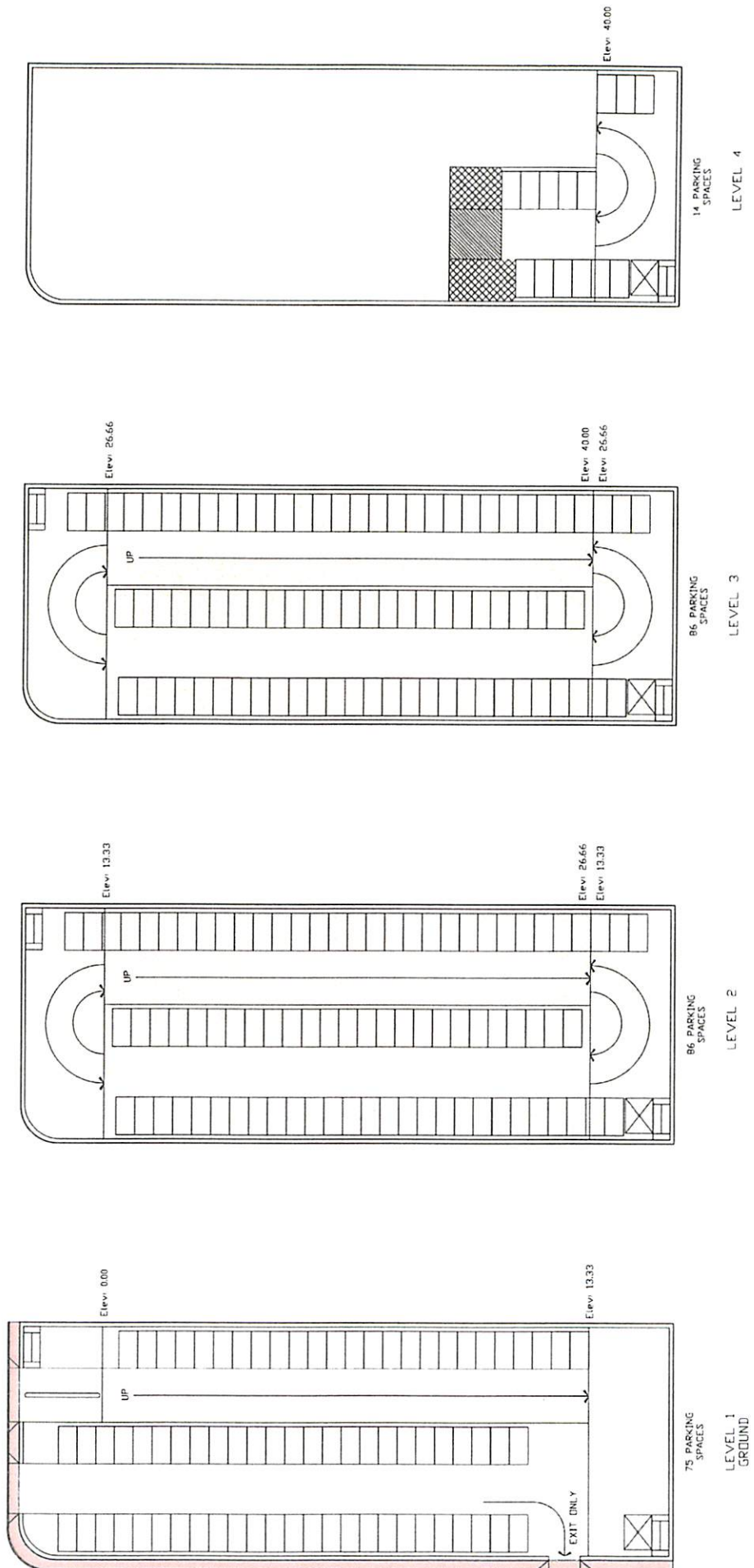


FIGURE H



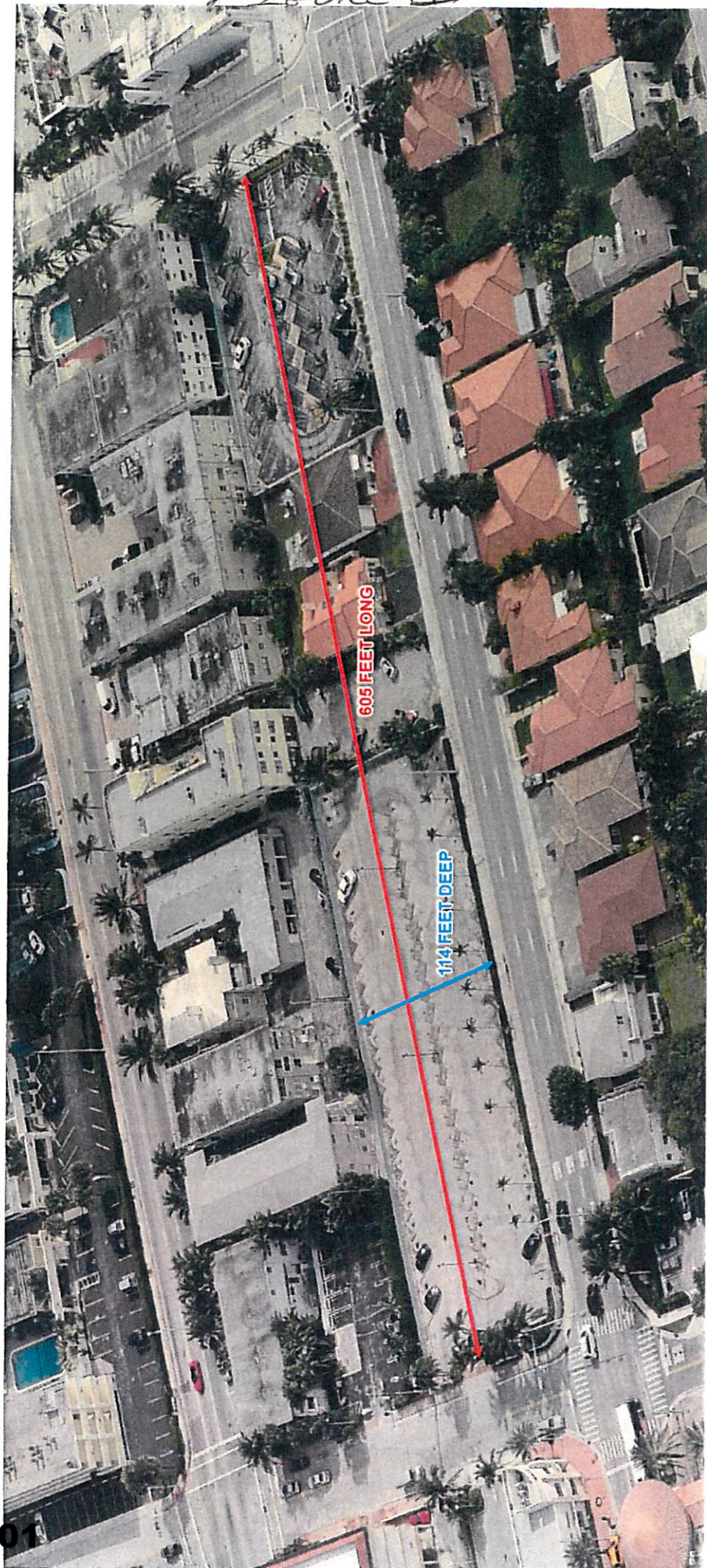
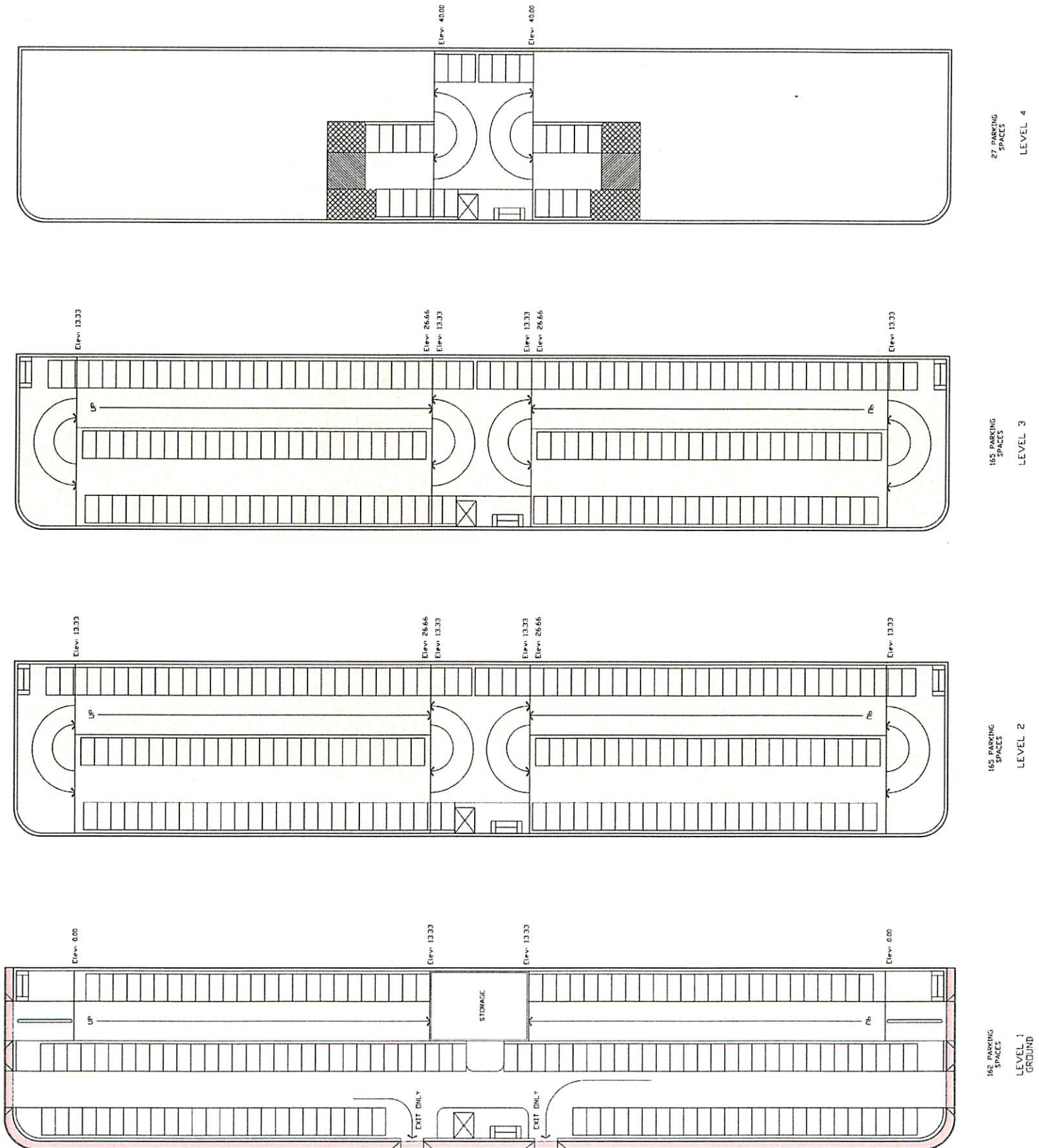


FIGURE J



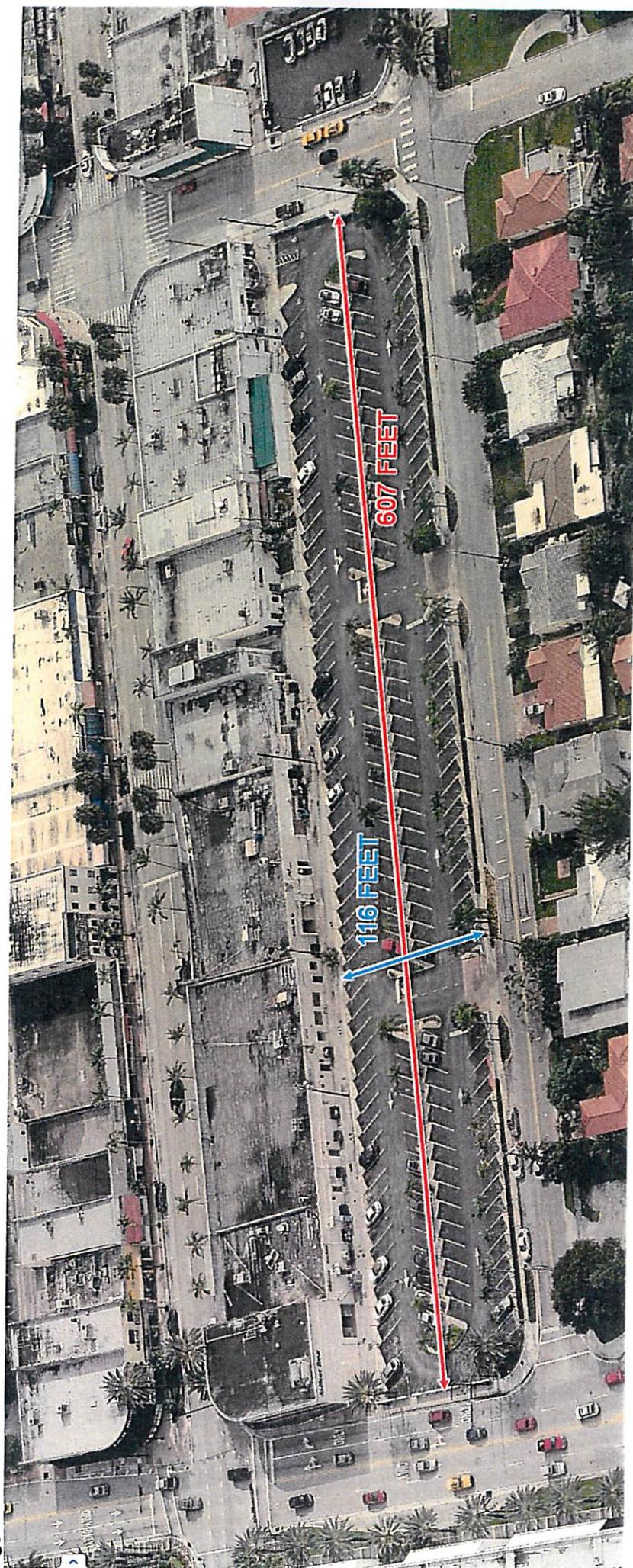
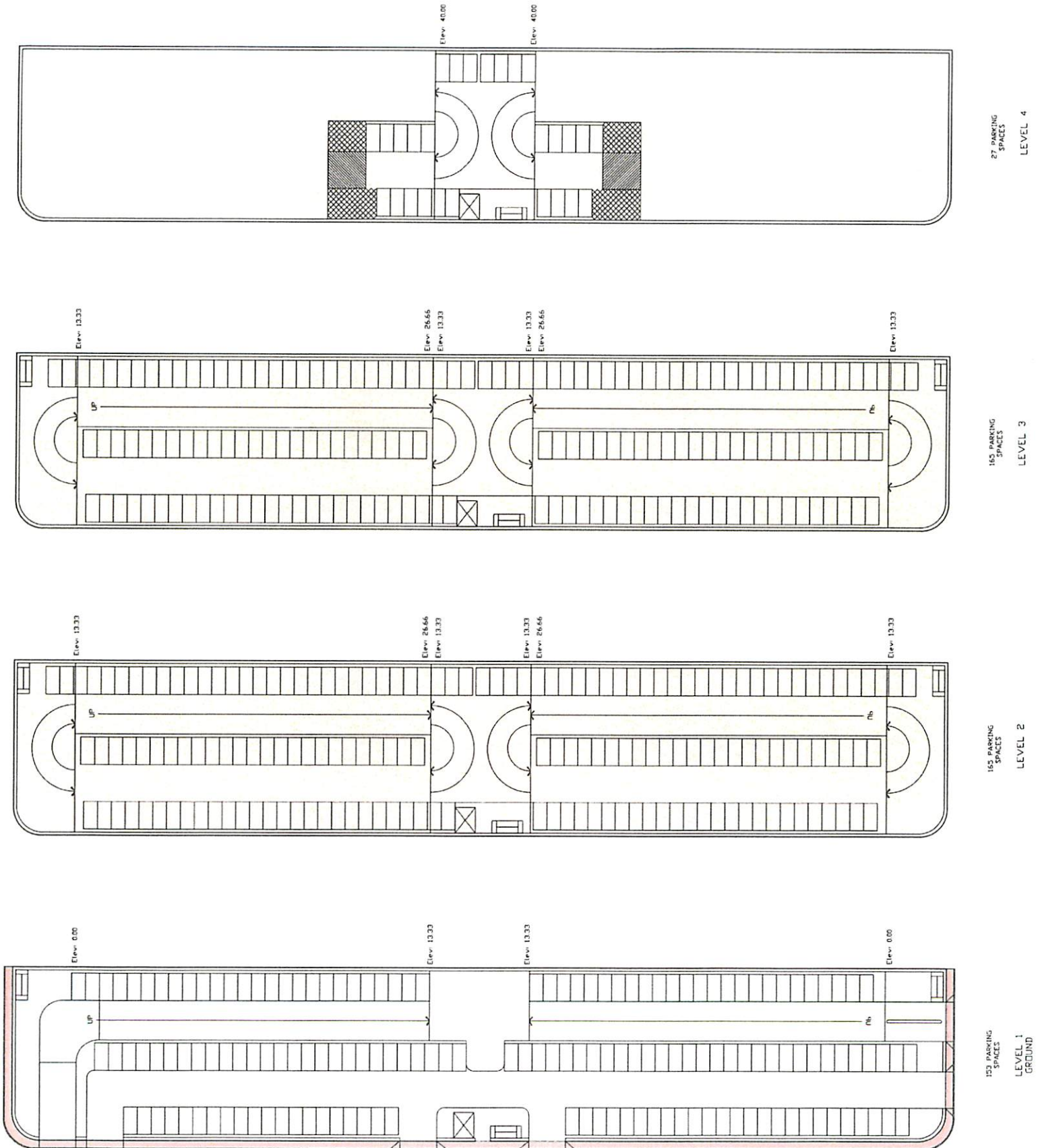


FIGURE L



105 FEET

262 FEET

96 FEET

246 FEET

FIGURE N

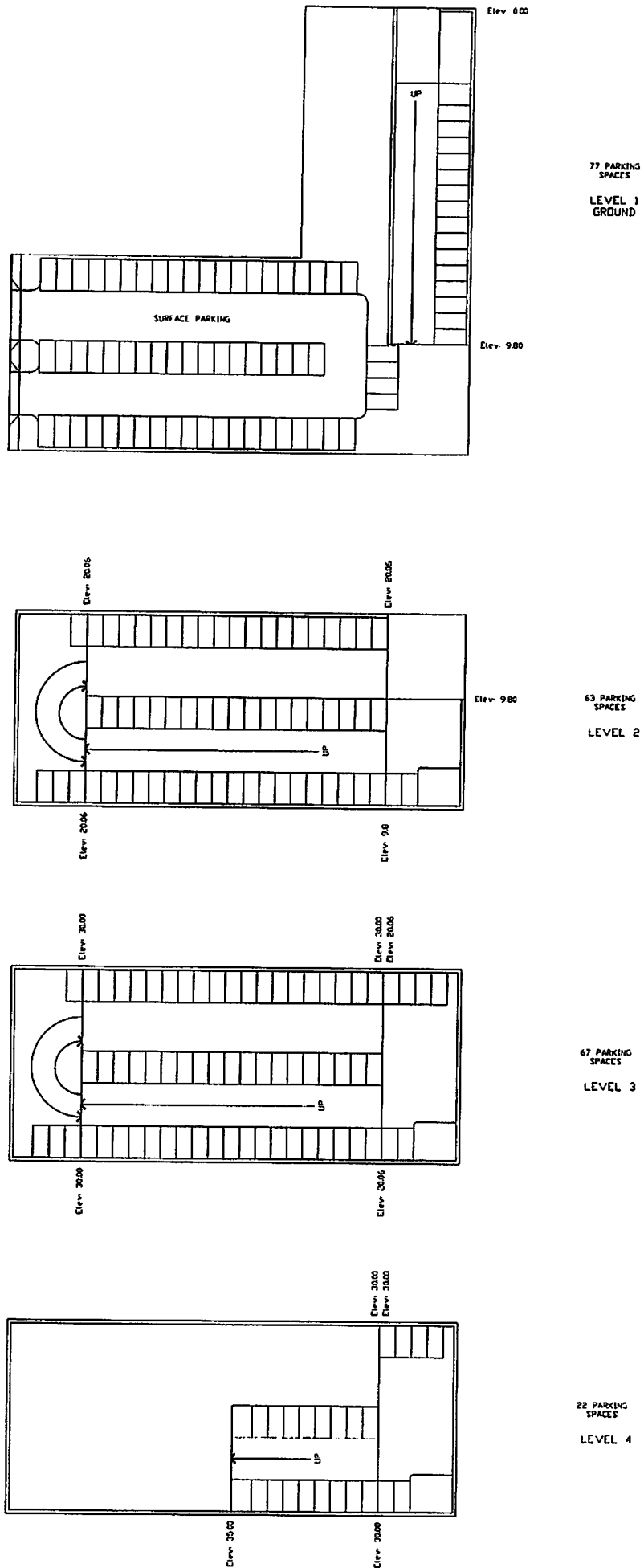
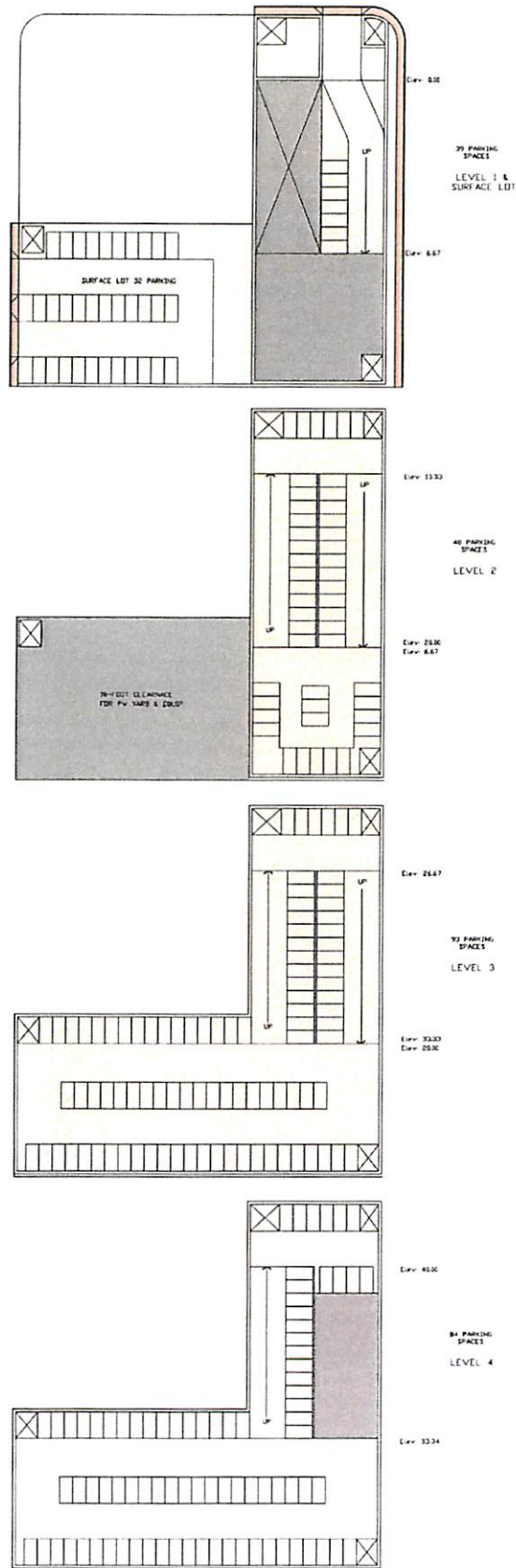


FIGURE 0



**REQUEST FOR PROPOSAL
FOR
DESIGN-BUILD SERVICES**

RFP No. 14-01



Contracting Officer
Rolando Tapanes
Director of Planning & Development

SUBMISSIONS ARE DUE AT THE ADDRESS SHOWN BELOW
NO LATER THAN
March 10th, 2014 by 2:00 PM (Local Time)

At

Miami Parking Authority
40 NW 3rd Street
Suite 1103
Miami Florida, 33128
(305) 373-6789

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1. PUBLIC NOTICE

The Department of Off-Street Parking of the City of Miami d/b/a Miami Parking Authority (MPA) is seeking Proposals (“Proposals”) from Contractors to be considered for a Design-Build development of a parking Garage with a minimum 400 spaces but not to exceed 450 spaces. The site (“Site”) is in the City of Miami, at 3301 Rickenbacker Causeway. The MPA has prepared an RFP which includes specifications which will be the basis for the Design-Build Proposals. The Design-Build Contractor is responsible for hiring an Architect to be known as the “AE of Record” as well as all necessary professionals and consultants needed to participate as members of his team in preparing the Design-Build Bid Proposal. Contractors will submit lump-sum proposals based on the specifications contained in the RFP documents prepared by the MPA’s Consultant. In reviewing the submittals, emphasis will be placed on the firm's experience with multi-level garages, and Design-Build experience.

Interested firms and individuals (“Respondents”) may pick up a copy of the Request for Proposal (“RFP”) to be issued on January 6, 2014. The RFP contains detailed and specific information about the scope of the submission requirements and the selection procedures.

Submissions must be delivered to the administrative offices of the Miami Parking Authority, 40 N.W. 3rd Street, Suite 1103, Miami, Florida 33128 no later than March 10, 2014 2:00 p.m. Submissions received past such deadline and/or submitted to any other location or office shall be deemed not responsive and summarily rejected.

The “Selection Committee” reserves the right to accept any Proposal deemed to be in the best interest of Authority, to waive any irregularities in any Proposal, and/or to reject any and or all Proposals and re-advertise for new Proposals.

This RFP will be available on our website at www.miamiparking.com

2. DEFINITIONS

The following words and expressions used in this Solicitation shall be construed as follows, except when it is clear from the context that another meaning is intended:

- A. The “Selection Committee” refers to the body which will review all submissions with regards to their experience, relevance and pricing. Members of the Committee to be selected by the CEO of MPA.
- B. The word “Proposer” means the Team, Business Entity, Firm, Corporation, Partnership or Joint Venture that receives any award of a Contract from the Miami Parking Authority

as a result of this Solicitation. If the team (for example - a joint venture) consists of more than one entity, that must be clearly stated, and every entity in the team must jointly and separately sign the applicable proposal (and any resulting agreement).

- C. The Acronym “MPA” means the Miami Parking Authority.
- D. The words “Submitter” or “Respondent”, used interchangeably with “Proposer” means the person, team, proposers, entity or organization submitting a response to this Solicitation.
- E. The words “Proposal” or “Proposal Submission,” used interchangeably, mean the documentation presented by Proposers in response to this RFP.
- F. The word “Solicitation” means this Request for Proposals (RFP), and all associated addenda and attachments.
- G. The words “Subcontractor” or “Sub consultant” means any person, Proposers, entity or organization, other than the employees of the Proposer, who contracts with the Proposer to furnish labor, or labor and materials, in connection with the Work or Services to the Miami Parking Authority, whether directly or indirectly, on behalf of the Proposer.
- H. The words “Work,” “Services, ” “Program,” “Project” or “Engagement” means all matter and things that will be required to be done by the Proposer in accordance with the Scope of Services and the terms and conditions of this Solicitation.

3. GENERAL PROJECT DESCRIPTION

The Design/Build project delivery method has been chosen for a proposed new parking structure to be constructed in the City of Miami, at 3301 Rickenbacker Causeway. The new garage is to house a minimum of 400 spaces but not to exceed 450 spaces. The structure will be designed to accommodate smooth traffic flow and meet all applicable codes.

STRUCTURE: All proposed designs must be of precast or cast-in-place concrete. (Inclusive of ADA Van Accessible spaces).

Having examined the Project Site and considering the specific project requirements, we propose to construct the Work of this Project according to the Contract Documents for the Lump Sum of: **Seven Million Dollars (\$7,000,000.00).**

Proposers are expected to provide high quality materials, construction, finishes, fixtures, equipment and systems without exceeding the project budget.

4. TERMS AND CONDITIONS

A. Award

The award, if any, shall be made by the Selection Committee to the selected Proposer whose proposal shall be deemed by the Selection Committee to be in the best interest of the MPA. The Review Panel's decision of whether to make the award, and which proposal is in the best interest of the MPA, shall be final. The Review Panel expressly reserves the right to reject any or all proposals, to re-solicit the proposal, to waive minor, technical and non-material technicalities, irregularities, or mistakes in the proposal submission.

B. Development Costs

The selected Proposer will be required to obtain any necessary permits and pay all required fees. The selected Proposer shall be responsible for any/all hard and soft costs and expenses incurred in connection with the proposed development. Any development fees imposed by any municipality, the Authority or any other agency or appropriate jurisdiction in connection with the development will be the responsibility of the Proposer.

C. Permits and Approvals

No construction will commence without possession of all appropriate approvals, certificates and permits from all governing jurisdictions.

D. Bond and Security Requirements

1. Bid Bond/Bid Security

A cashier's or certified check, or a Bid Bond signed by a recognized surety company that is licensed to do business in the State of Florida, payable to the Community Redevelopment Agency, for 5% of the bid amount is required from all bidders. This check or bond guarantees that a bidder will accept the order or contract, as bid, if it is awarded to bidder. Bidder shall forfeit bid deposit to the MPA should MPA award contract to Bidder and Bidder fails to accept the award. The MPA reserves the right to reject any and all surety tendered to the MPA. Bid deposits are returned to unsuccessful bidders within ten (10) days after the award and successful bidder's acceptance of award. If ninety (90) days have passed after the date of the formal opening of the bids, and no contract has been awarded, all bid deposits will be returned on demand.

2. Payment and Performance Bond

The selected Proposer or his agent shall provide, or cause to be provided, to the MPA a payment and performance bond in substantially the form prescribed by 255.05 Florida Statutes, issued by a responsible surety company licensed to do business in Florida, and be in a form satisfactory to the MPA, the Risk Manager and the City Attorney. Such performance bond shall guarantee to the MPA that the work will be performed in accordance with the contract documents and shall be in an amount not less than 100% of the cost of said improvements. The Labor and Materials Payment Bond shall be the bond required from the Proposer or his agent in which the surety will guarantee to the MPA that the Proposer (or his agent a contractor) will pay for the labor and materials used in the performance of the Contract. The claimants will be those having direct contracts with the Proposer or his agent, a contractor. These bonds are required by law and cannot be waived or excused.

E. Environmental

A Phase I Environmental Assessment has been conducted at the proposed site. This report found the parcel to be free and clear of any contaminants. During the "due diligence" period, the selected Proposer shall have access to said report and may request that a copy be given to them for review.

F. Insurance

The selected Proposer shall be required to maintain throughout the construction period insurance typical to the approved project (in amounts and with limits determined appropriate by the MPA, in consultation with the City Risk Manager, in a form and with carriers acceptable to the MPA and the City Risk Manager), acting for and through the City's Risk Management Administrator including, but not limited to, comprehensive general liability, workers' compensation, all risk Site insurance, automobile liability, personal Site, business interruption, builder's risk, , and any other insurance required by law or by the City's Risk Management Administrator, in the reasonable exercise of their professional discretion. The MPA must be named as an additional insured. The selected Proposer shall furnish, within fifteen (15) business days of award by the MPA a Certificate(s) of Insurance that shows that insurance coverage has been obtained that meets the requirements as outlined in Exhibit A. Failure to submit the required insurance within the specified time will cause the award to be rescinded. This rescission shall be without recourse

as having the required insurance is a condition to execution of the Agreement with the MPA. Exhibit A contains the minimum insurance coverage that will be required by the MPA and it must be maintained at all times during the term. Failure to maintain the required insurance shall be an act of default, which will result in cancellation.

G. Additional Information/Addenda

Requests for additional information or clarifications must be made in writing and received by the MPA's Contracting Officer for this RFP, no later than the deadline for receipt of questions specified in the RFP Timetable. The request must contain the RFP number and title, Proposer's name, name of Proposer's contact person, address, phone number, and facsimile number. Only answers contained in the formal written Addenda will be binding. Oral and other interpretations of clarifications will be without legal effect. Facsimiles requesting additional information will be sent to fax number (305) 371-9451 attention Rolando Tapanes, Director of Planning & Development. Facsimiles must have a cover sheet which includes, at minimum, the Respondent's name, name of Respondent's contact person, address, number of pages transmitted, phone number, and RFP number and title.

E-Mail requesting additional information will be sent to rtapanes@miamiparking.com. E-Mail must have RFP number on subject line and include, at a minimum, the Respondent's name, name of Respondent's contact person, address, phone number and return e-mail address.

The Contracting Officer will issue responses to inquiries and any other corrections or amendments it deems necessary in written addenda issued prior to the Proposal Due Date. Proposers should not rely on any representations, statements or explanations other than those made in this RFP or in any written addendum to this RFP. Where there appears to be conflict between the RFP and any addenda issued, the last addendum issued shall prevail.

It is the Respondent's responsibility to assure receipt of all addenda. The Respondent should verify with the designated RFP Contracting Officer prior to submitting a proposal that all addenda have been received. Respondents are required to acknowledge the number of addenda received as part of their proposals.

Respondents who obtain copies of this RFP from sources other than the MPA's Contracting Officer risk the potential of not receiving addenda, since their names will not be included on the Vendor List for this particular RFP. Such Respondents are solely responsible for those risks.

H. Modified Proposals

A Respondent may submit a modified Proposal to replace all or any portion of a previously submitted proposal up until the Proposal Due Date, but not afterwards. The Evaluation/Selection Committee will only consider the latest version of the Proposal submission.

I. Withdrawal of Proposals Submission

Proposals shall be irrevocable until contract award unless the proposal is withdrawn. A proposal may be withdrawn in writing only, addressed to the MPA contact person for this RFP, prior to the Proposal Due Date or upon the expiration of ninety (90) calendar days after the opening of Proposals.

J. Late Proposals, Late Modifications and Late Withdrawals

Proposals received after the Proposal Due Date are late and will not be considered. Modifications received after the Proposal Due Date are also late and will not be considered unless withdrawn as specified above. Letters of withdrawal received either after the Proposal Due Date or after contract award, whichever is applicable, are late and will not be considered.

Proposals will be due at the time and place specified. Proposals received after the first proposal due date will not be considered. The responsibility for submitting a proposal to the MPA on or before the stated time and date is solely and strictly the responsibility of the Proposer. The MPA is not responsible for delays caused by any mail, package or couriers service, including the U.S. mail, or caused by any other occurrence not solely within the control of the MPA.

K. RFP Postponement/ Cancellation

The MPA may, at its sole and absolute discretion, reject any and all, or parts of any and all proposals; re-advertise this RFP; postpone or cancel, at any time, this RFP process; or waive any minor, technical, or non-substantial irregularities defects and mistakes in this RFP or in the proposals received as a result of this RFP.

L. Costs Incurred By Respondents

All expenses involved with the preparation and submission of proposals to the MPA, including, without limitation, the costs of consultants, attorneys or agents, or any work performed in connection therewith, shall be borne by the Respondent(s). No payment will be made for any responses received, or for any other effort required of, or made by the Respondent(s), prior to commencement of work as defined by a contract approved by the MPA. Such costs are to be funded by the respondents and shall not in any instance, be reimbursed by the MPA.

M. Oral Presentations

The MPA may require selected Respondents to give oral presentations in support of their proposals or to exhibit or otherwise demonstrate the information contained therein. If required,

the presentations are anticipated to be conducted on the date indicated in this RFP Submission Schedule Timetable.

N. Proprietary/Confidential Information

Proposers are hereby notified that all information submitted as part of, or in support of, proposals will be available for public inspection after opening of proposals, in compliance with Chapter 119, Florida Statutes, popularly known as the “Public Record Law.”

O. Exception to the RFP

Respondents may take exceptions to any of the terms of this RFP unless the RFP specifically states where exceptions may not be taken. All exceptions taken must be specific, and the Respondents must indicate clearly what alternative is being offered to allow the MPA a meaningful opportunity to evaluate and rank submissions, and the cost implications of the exception (if any).

Where exceptions are taken, the MPA shall determine the acceptability of the proposed exceptions. The MPA, after completing evaluations, may accept or reject the exceptions. Where exceptions are rejected, the MPA may insist that the Respondent furnish the services or goods described herein or negotiate an acceptable alternative.

All exceptions shall be referenced by utilizing the corresponding Section, paragraph and page number in this RFP. However, the MPA is under no obligation to accept any exceptions. If no exception is stated, the MPA will assume that the Respondent will accept all terms and conditions.

P. Negotiations

The MPA may award a contract on the basis of initial offers received, without discussions. Therefore, each initial offer should contain the Proposer's best terms from a monetary and technical standpoint. The MPA reserves the right to reject any or all proposals. The MPA reserves the right to re-solicit this proposal.

The MPA reserves the right to enter into contract negotiations with the selected Proposer. If the MPA and the selected Proposer cannot negotiate a successful contract, the MPA may terminate said negotiations and begin negotiations with another selected Proposer. This process will continue until a contract acceptable to the MPA has been executed or all proposals are rejected. No Proposer shall have any rights against the MPA arising from such negotiations or termination thereof. No contractual relationship shall exist until execution of the contract by the parties. A

contract will be furnished by the MPA, and will be in a form acceptable to the City Attorney, and the Chief Executive Officer of the MPA.

Q. Rights of Protest

Any respondent who perceives itself aggrieved in connection to this RFP solicitation or proposal award of the contract may protest to the Executive Director: (i.) within three days of issuance of the RFP (if a protest of the RFP solicitation); or (ii) within two days of the recommendation of the award by the Chief Executive Officer is received or known by the Respondent. A protest is limited to deviations from established selection/negotiation procedures set forth in the City of Miami Procurement ordinance. A protest may not be based upon or challenge the relative weight of the evaluation criteria, the formula for assigning points or from a simple disagreement with the opinion(s) of the Selection/Negotiation Committee or the Executive Director. A protest may not be based upon a failure to recommend a particular Respondent for funding. The written protest must be timely delivered to the Chief Executive Officer within the time frame set forth herein. Late or misdelivered protests cannot be considered.

The written protest shall state with particularity the specific facts and law upon which the protest of the solicitation or award is based, and shall include all pertinent documents and evidence.

All protest shall be accompanied by a filing fee in the form of a money order or cashier's check payable to the MPA in an amount equal to one (1%) of the amount of the work or project or \$5,000.00, whichever is less. If the protest is upheld, the filing fee (less any actual costs incurred by the MPA) shall be refunded, less interest, to the Respondent. If the protest is denied, the filing fee shall not be refunded but shall be retained by the MPA. Protest shall comply with 18-104 of the City Code. The filing of a protest shall be a condition precedent to any other action challenging an award.

R. Rules, regulations and licensing requirements

The Respondent shall comply with all City of Miami, Miami-Dade County, State of Florida and Federal laws, ordinances and regulations applicable to the services contemplated herein, especially those applicable to ethnics, procurement including "Cone of Silence", set forth in 18-74 of the City of Miami Code, as applicable conflict of interest and collusion. Respondents are presumed to be familiar with all federal, state and local laws, ordinances, codes, rules and regulations that may in any way affect the goods or services offered, especially Executive Order No. 11246 entitled "Equal Employment Opportunity" and as amended by Executive Order No. 11375, as supplemented by the Department of Labor Regulations (41 CFR, Part 60), the Americans with Disabilities Act of 1990 and implementing regulations, the Rehabilitation Act of 1973, as amended, Chapter 553 of Florida Statutes and any and all other local, state and federal directives, ordinances, rules, orders, and laws relating to people with disabilities.

S. Review of Proposals For Responsiveness/ Responsibility

Each Proposal will be reviewed to determine if the submission is responsive to the requirements outlined in the RFP. A responsive submission is one which follows the requirements of the RFP, includes all documentation, is submitted in the format outlined in the RFP, is of timely submission, and has the appropriate signatures as required on each document. Failure to comply with these requirements may result in a Proposal being deemed non-responsive. A responsible Proposer is one that has the capability, as ultimately determined by the Selection Committee and the MPA, in all respects to perform fully the contract requirements, and the integrity and reliability of which gives reasonable assurance of good faith performance. Only a Proposer who best meets the applicable criteria and who is found by the Selection Committee to be both responsive and responsible will be eligible for the award.

T. Bankruptcy

Any Respondent who, at the time of Proposal submission, is involved in an ongoing bankruptcy as a debtor, or in a reorganization, liquidation, or dissolution proceeding, or if a trustee or receiver has been appointed over all or a substantial portion of the property of the Respondent under federal bankruptcy law or any state insolvency law, may be deemed not responsible.

U. Public Entity Crimes

Pursuant to Paragraph 2(a) of Section 287.133, Florida Statutes, as amended, a person or affiliate who has been placed on the convicted vendor list following a conviction for a public entity crime may not submit a proposal for a contract to provide any goods or services to a public entity; may not submit a proposal on a contract with a public entity for the construction or repair of a public building or public work; may not submit proposals on leases of real property to a public entity; may not be awarded or perform work as a contractor, supplier, subcontractor, or consultant under a contract with any public entity; and, may not transact business with any public entity in excess of the threshold amount provided in Section 287.017 for CATEGORY TWO (\$10,000) for a period of thirty six (36) months from the date of being placed on the convicted vendor list.

W. Contracting Officer

Rolando Tapanes
Director of Planning & Development
Miami Parking Authority
40 NW 3rd Street
Suite 1103
Miami Florida, 33128

5. SUBMISSION INFORMATION

The project schedule will include regularly established job coordination meetings participated in by the Contractor, active or near-active Subcontractors, the Developer and the MPA. Job coordination meetings will be held on-site, twice per month or more often if conditions warrant, to establish the current state of completion and revise the schedule as necessary in order to complete the project within the time permitted by the Contract.

Proposals will be received for an “A”, Technical Proposal and “B”, Cost/Guaranteed Lump Sum, not to exceed the budget limit, including all work specified in these bid documents. All Proposals shall remain valid for 90 days after the Cost Proposal opening. Contract drawings will be approved by the Developer/MPA on a phased basis to permit the start of construction as soon as possible after the necessary approvals.

Proposers agree, by submitting a proposal, that their Technical Proposal may be rejected by the MPA during the evaluation process prior to opening Cost Proposals and that such rejection is recognized as cause to not open the sealed Cost Proposal. By submitting a proposal for this project, the proposer further agrees to the evaluation process and further agrees not to object to or make any claim against the MPA based on the rejection of its Technical Proposal or the results of the evaluation process.

The two-part proposal shall be submitted as follows. NOTE: Technical and Cost submissions must be properly marked and sealed, referencing project name and date of opening.

Any change orders requested or required by the MPA shall be estimated by the Contractor. Review for code compliance and coordination of the work shall be performed by the Architect/Engineer members of the Contractor team. The contractor shall submit to the MPA the following forms. AIA G701- 2000.

6. SUBMISSION SCHEDULE

A. RFP Timetable

RFP Available to Public	January 6, 2014
Proposal Pre-Submission Conference	
Attendance is Mandatory	TBD
3:00 PM	
Deadline for Receipt of Questions	February 3, 2014
5:00 PM	
Proposal Submission Deadline	March 10, 2014
2:00 PM	
Oral presentations	TBD
Recommendation for Approval	April 2014
Contract Award	May 2014
Expected Commencement of Construction	10 days after Notice to Proceed
Expected Completion of Garage	12 Months after Notice to Proceed

Copies of this RFP package can be obtained by visiting, phoning or writing Miami Parking Authority. Our contact is:

40 NW 3rd Street
Suite 1103
Miami Florida, 33128
(305) 373-6789

The RFP is also available on MPA's website; www.miamiparking.com. There is no charge for the first copy of the solicitation package. A fee of \$5.00 will be charged for each additional package requested by any person or entity. An additional \$5.00 fee will be charged to mail the package.

To request the RFP package through the United States Postal Service, mail your request with the following information: the RFP number and title, the name of the prospective Proposer's contact person, mailing address, telephone number and fax number, along with a \$5.00 check or money order made payable to Miami Parking Authority.

Proposers who obtain copies of this Solicitation from sources other than the Authority risk the potential of not receiving addenda, since their names will not be included on the list of firms

participating in the process for this particular Solicitation. Such Proposers are solely responsible for those risks.

B. Instructions to Proposers

Proposers should carefully follow the format and instructions outlined below, observing format requirements where indicated. All materials (except for plans and schematics) are to be submitted on 8 1/2" X 11" pages, neatly typed on one side only, with normal margins and spacing. All documents and information must be fully completed and signed as required. The original document package must not be bound. The document package copies should be individually bound. Proposals that do not include the required documents may be deemed non-responsive and may not be considered for contract award. The original and all copies must be submitted in a sealed envelope or container stating on the outside the Respondent's name, address, telephone number, the RFP number, RFP title, and Proposals due date to:

**Rolando Tapanes
Director of Planning & Development
Miami Parking Authority
40 N.W. 3rd Street
Miami, FL 33128**

Hand carried proposals may be delivered to the above address only between the hours of 8:00 a.m. and 4:30 p.m.; Mondays through Fridays (however, please note that proposals are due at the above address on the date and at the time indicated in the submission schedule. Proposers are responsible for informing any commercial delivery service, if used, of all delivery requirements and for ensuring that the required address information appears on the outer wrapper or envelope used by such service.

The Proposal must be signed by an authorized officer of the Proposer who is legally authorized to enter into a contractual relationship in the name of the Proposer. The submittal of a proposal by a Proposer will be considered by the Authority as constituting an offer by the Proposer to provide the services outlined in the Scope of Services on this RFP at the stated prices.

7. TECHNICAL PROPOSAL - SUBMISSION REQUIREMENT

- A.** An unbound one (1) sided original and four (4) bound copies (a total of 5) of the Technical submission, submitted in a three ring, three inch binder, enclosed in a package properly marked and sealed

Five (5) sets, including one (1) original 24" X 36" drawings of proposed design, enclosed in a package properly marked and sealed to include:

1. Site Plan
 2. Floor Plan (all levels)
 3. Elevations
 4. Elevation Details
 5. Foundation Plan & Typical Structural Framing Plan
 6. One 24" X 36" color display board with exterior rendering of facade sufficient to show exterior design intent
 7. An Outline of Specifications
 8. Soil Boring Report w/corresponding recommendations
- C.** Executive Summary: Provide a two (2) page (maximum) summary highlighting why you feel your team's qualifications and project approach provide the value for this project.
- D.** Preconstruction and Construction Phase Organizational charts, featuring all key design and construction team members
- E.** Provide a completed and current copy of AIA Document F-254 and F-255 (for Architect of Record and Structural Engineer). For contractor, provide a completed and current copy of AIA A305 Contractor's Qualification Statement.
- NOTE: For F- J below, provide: dollar value of project, size, firm's role on project, start/complete dates and brief description.
- F.** Listing of Design/Build parking garage projects delivered by Contractor within last 5 years
- G.** Listing of other parking garage projects delivered by Contractor within last 5 years
- H.** Listing of parking garage projects delivered by Architect of Record within last 5 years
- I.** Listing of parking garage projects delivered by Structural Engineer within last 5 years

- J.** Listing of Design/Build parking garage projects performed jointly by team (firm) members (Contractor-Architect and/or Contractor/Structural Engineer)
- K.** Provide the following information on each of your key design and construction team personnel:
1. Name, Title, Proposed Position
 2. Education (Including post graduate and any specialized training)
 3. Articles or publications authored
 4. Licenses: List current licenses by State
 5. Years employed by your organization
 6. Years employed in the construction industry
 7. Listing of similar project performed by individual
- L.** Provide reference letters for last three parking garages performed by Contractor (if not parking projects, provide reference letter for last three similar projects). Include telephone numbers.

NOTE: M – R Below Relate to the Proposed Design/Build Contractor:

M. Bonding.

The proposer's bonding company must be listed in the Federal Register circular 570 published by the U.S. Department of Treasury and should have at least an "A" rating as established by the A.M. Best Company. Please provide the following bonding information:

1. Proposer's current bonding capacity for this type of work with an eligible surety company
2. Proposer's surety company and the current line of bonding credit that company has extended to the proposer
3. Name, address, and telephone numbers of the proposer's current surety agent or underwriting contact
4. Indicate whether any Performance or Payment Bond claims have ever been made to a surety for any project by an owner, subcontractor, or other claimant. If yes, please describe the claim, provide the name, address and telephone number of the company and person making the claim, and state the resolution of the claim

5. Has any company refused to bond the proposer on any project in the last five years? If yes, provide the name and address of the surety company and specify the reasons given for the refusal

N. Legal Proceedings & Claims

Identify any lawsuits, administrative orders, hearings, or proceedings initiated by the Environmental Protection Agency, National Labor Relations Board, Occupational Safety and Health Administration, or the Internal Revenue Service or similar state or local government agencies in the last five years concerning any labor practices, project environmental, health or safety practices, or tax liability, respectively, of the proposer. Identify the nature of the proceeding and its ultimate resolution.

O. References *(this requirement only applies to vendors and contractors not currently qualified by MPA)*

Provide the company name, address, telephone and fax numbers, contact person, title, and years of relationship for each reference.

1. Owner References (preferably from similar parking garage projects)
2. Major Trade References (provide a minimum of six)
3. Bank References

P. Schedule

Provide a detailed design and construction schedule, including date of substantial completion.

Q. Job Plan

Provide a written description of the planned construction with methods, means and processes for accomplishing the major segments of the work. The plan should include the following:

1. Clearly describe material and equipment staging, security, parking, equipment access, lighting, site aesthetics, dust/mud control and plans to eliminate conflicts with existing operations
2. Identify any major areas of potential problems/challenges and possible solutions or proposed plan of action to mitigate them

3. Explain methods for controlling costs and maintaining the schedule, voiding/minimizing material/labor/equipment shortages, labor problems and other potential delay
4. Provide a brief narrative statement by the proposed project manager, in his/her own words, that explains his/her understanding of the goals and major challenges for this project, his/her personal style of project management, and why he/she is the right person for the project
5. Discuss quality control procedures to be applied to this project and list most recent project where these procedures were used. Describe the quality control organization reflecting authority and responsibility for key personnel
6. Discuss the issue of job safety for both workmen and occupants, identify personnel responsible. Provide a safety plan from a similar project
7. Address the aspects of dispute resolution, contractor claims, interpretation of construction documents, weather delays, change orders/proposals, Requests for Information, submittals, and any other factors which your organization deems are important as part of this evaluation process
8. Provide information on awards, commendations, etc. that your organization believes will assist the Miami Parking Authority in evaluating its qualifications for this project
9. Provide details for your preferred partnering process explaining your views on the value of the process and your experience using the partnering process
10. Provide details for web based management, scheduling and communications. Submit methods, procedures and address issues of web security.

R. Building Systems

Provide a written narrative or basis of design for the following items:

1. Structural System
2. Exterior Finishes
3. MEP Systems (including Lighting and Vertical Transportation Systems if applicable)
4. Fire Protection/Life Safety Systems

S. Design Creativity and Originality

The Technical Proposal should demonstrate the full creative and problem-solving capabilities of the Design-Build Team. Provide a narrative response to the following issues/features:

1. Security features
2. Pedestrian Flow
3. Traffic Flow
4. ADA Compliance
5. Signage
6. Durability, maintenance and life cycle cost issues
7. Aesthetic Design
8. Discuss features provided beyond those required by the RFP

8. COST PROPOSAL - SUBMISSION REQUIREMENT

A. Proposal B. Cost Proposal

One copy of the Cost Proposal, Bid Certification Form (Exhibit “B”) is to be included in each Proposal Package, one (1) original and four (4) copies, enclosed in a sealed and properly marked “COST PROPOSAL” 9” x 12” envelope.

9. EVALUATION AND SELECTION

A. Technical Proposals

Qualifications of Design and Construction team: 50 points (maximum)

Design Creativity, Job Plan and Schedule: 50 points (maximum)

TOTAL POINTS AVAILABLE: 100 points

The highest scoring technical proposal will be assigned a score of 100. Other scores will be arrived at by the following formula:

Score of proposal being evaluated/Highest technical score evaluated x 100 = Technical Score

NOTE: A Design/Build team must receive a minimum score of 75 in order to continue in the evaluation process by the Technical Review Committee.

B. Cost Proposals

The Cost Proposals that meet the minimum qualitative criteria will be opened (75 points minimum). The lowest cost proposal will be assigned a score of 100. Other scores will be arrived at by the following formula:

Lowest cost score evaluated/Cost of proposal being evaluated x 100 = Cost Score

To determine the successful design/build proposal, the total of the technical and cost scores will be added to arrive at a total score for each proposal.

1. The Selection Committee will use the RFP and other submitted material to evaluate the proposals. The Committee will inform each proposer if any adjustments are necessary for full compliance with the requirements of the RFP. Any proposal that fails to meet the established parameters will be rejected before formal evaluation and ranking is accomplished.
2. During evaluation, the MPA may require that proposers make adjustments to their designs identified by the Committee. At this stage of the process, cost proposals will not have been opened, so cost will not be known to the other proposers or the Committee. If the requirements of the MPA result in changes to the Technical Proposal which add or deduct amounts from the Cost Proposal, the agreed-to additive or deductive amounts will be confirmed by the proposer, in writing, to the MPA. To arrive at the final proposed cost, those additive or deductive amounts will be applied to the cost stated in the sealed Cost Proposal.
3. It is the Committee's responsibility to clearly identify the date and time of receipt from the proposers of any detail sheets, manufacturer's information, additional specification information, studies, etc. These documents, along with the Technical and Cost Proposals, shall become the basis for the Contract with the selected proposer.
4. When the Committee has conducted a final evaluation of all proposals, they will then submit a consensus Rating Summary to the person holding the sealed Cost Proposals. The proposals will be opened and the cost information evaluated as indicated above.

5. Any Cost Proposals that exceed the budget limit may be rejected.
6. When the Cost Proposals have been evaluated and the proposals have been ranked by the combined Technical and Cost scores, the Committee shall make its recommendation on the selection of a proposer to the MPA Executive Director.
7. Award of the Design/Build contract shall be made to the proposer that submits the highest-valued proposal (combination of Cost & Technical Proposals).
8. The Selection Committee will notify all proposers who submitted proposals of the name of the successful proposer. The Selection Committee can notify all proposer of the intent to award by posting the intent to award on the MPA website (www.miamiparking.com), by mail, electronic mail or facsimile.

10. CONTRACT & RECORD DRAWINGS & SPECIFICATIONS

- A. After the Design/Build Proposer has been selected and a contract signed, the selected Design/Build Contractor will submit four (4) additional copies of the preliminary drawings and specifications within seven days after contract award. The Design/Build contractor will prepare and submit drawings and specifications for the first construction phase (Site and Foundation Design) of the project, followed by the Final Design, as indicated in the pursuant contract... Each design submission will consist of four (4) sets of drawings and specifications, and each shall be incorporated into the drawings and will become part of the contract documents. All documents shall be sealed and signed.
- B. Four (4) sets of the approved construction documents will be required by the Miami Parking Authority for the administration/permitting of the contract.

11. BASIS FOR DESIGN, GARAGE COMPONENT

Section 1 - Code Requirements and Dead Loads

The design of the Parking Garage structure shall comply with Florida Building Code, Federal, State and Industry standards and regulations hereinafter referred to as “Code Requirements” in the design and construction of the parking structures. When codes conflict, the most stringent code will govern. This section identifies the primary codes that are to be followed. The latest applicable version of each code is to be used. The Designer is responsible for complying with these codes and any other codes that may be applicable. Any conflict among codes is to be promptly brought to the attention of the owner and the owner’s Project Architect or Design Criteria Developer.

- A. Minimum Design Loads

1. Dead loads: Actual dead load of structural members, topping slab, permanent equipment and systems: Refer to FBC.
 2. Live loads: driving and parking areas: Refer to FBC.
 3. Pedestrian bridge, stairs and lobbies: Refer to FBC.
 4. Vehicle barriers: Refer to FBC.
 5. Wind loads: Refer to FBC.
- B. Compliance with codes, statues, regulations, state agency requirements and Miami Parking Authority requirements shall be the responsibility of proposers and Contractors.

Section 2 – Architectural

- A. The parking structure shall be an open structure. The 400-450 space structure's footprint will fit within the attached Site Plan Block Diagram. The façade shall be cast-in-place concrete tilt-up panels or precast concrete spandrel panels with an interior top of spandrel height 42" above the top of concrete slab elevation.
- B. The design is to be efficient. Building corners and other space that cannot be used for parking shall be used for required stairwells and storage space, etc. to the extent possible.
- C. The design and material selection shall consider the need for ease of maintenance, economy and durability. The approved structural system shall be cast-in-place post-tensioned concrete or pre-stressed precast concrete.
- D. The parking structure shall be designed in such a manner that there shall be no discharge of storm waters off the exterior and interior edges of the elevated floors. Under normally expected rainfall conditions, every effort shall be made to slope each floor toward the interiors of the structures and to provide positive drainage. Water shall drain away from elevators and stairwells. All occupied spaces, the top deck, the deck above the storage rooms, the mechanical rooms and/or the electrical rooms are to be waterproofed.
- E. UL fire-rated metal doors with metal doorframes shall be used throughout the building. Use rust-resistant material.
1. Hardware shall be of a heavy-duty type.

2. Doors to any storage rooms and equipment rooms, which are accessible to the public, shall be lockable and master-keyed to the Miami Parking Authority locking system.
3. Doors in stairwells (if any) shall have vision panels.

Section 3-Landscaping/Streetscaping

- A. If needed, the repaving of existing streets within the defined project area, and replacement of existing curbs and gutters, is included in the project design. Patching of existing streets, as required as a result of utility connections for the project, shall be included in the project. However, rerouting of utility lines and sewers will be excluded from the project. NOTE: The Owner will assist in coordination with any appropriate utility involved.
- B. A Landscaping Plan for the project shall be provided by the proposer and shall be included in the Contractor's Scope of Work. The primary focus of the landscaping included in the Design/Build Base Bid will be to include all necessary walks (ADA requirements), curbs, and appropriate back fill if necessary for planting.

Section 4-Parking Structure Layouts

- A. Parking spaces shall be accessible for self-parking, i.e., no spaces shall be "stacked" or situated in such a manner to make it necessary to move another vehicle to utilize a parking space.
- B. Vertical clearance at the ground parking level shall be 8' – 6" minimum to accommodate specially equipped vans per ADA requirements. Above the ground parking levels shall have a minimum vertical clearance of 7'-0". Signage and hanging bars shall indicate the minimum clearance.
- C. Pedestrian access to parking structure shall be provided at points along their perimeters that are convenient to pedestrian circulation. Pedestrian and vehicle conflicts at ingress/egress points shall be minimized. Vehicle ingress/egress crossovers shall be eliminated.
- D. Parking structure entrances shall provide vehicle reservoir space for cars entering/exiting the parking structure. All vehicular egress and access shall be from NW 11th Street.
- E. A layout that allows vehicle to travel in straight paths after passing the entrance or approaching the exit control point is preferable.

- F. A sufficient number of entry and exit lanes shall be provided at each location to accommodate the expected traffic flows upon exit and entry. Wherever practical, place entries and exits adjacent to each other to provide observation of the entry lanes.
- G. The exit area shall have minimal visual obstructions and sight distance should be maximized as the driver exits the facility.
- H. Parking geometrics, including parking stall size, aisle width and resultant dimensions shall be comparable or better than industry standards for parking garages. Parking stall shall have a “footprint” minimum of 8’ – 6” in width x 18’ – 0” in length. Use of compact parking spaces is not permitted. One-way drive aisle widths between lines of angular parking stalls shall be in accordance with recommendations of the Parking Consultant’s Council of the National Parking Association (NPA). The use of “Standard” car stall spaces in conjunction with handicapped and/or van accessible car stalls shall be the criteria for meeting the 400 to 450 car space requirements for the parking garage.
- I. Long span construction shall be used. Interior columns in the typical parking bay are not acceptable. Grid dimension shall provide clear parking bays throughout each structure. Accessible spaces shall be provided per ADA requirements.
- J. Parking bay floor slope gradients should not exceed the maximum allowed by code for floors used for parking.
- K. Any entrances, exits, adjacent sidewalks, curbs, and aprons to exterior streets or surface parking shall be flush with pedestrian right-of-way.

Section 5-Support Facilities

- A. Electrical rooms as required.
- B. Storage room for maintenance to be approximately 300 sf. with double doors in 6’ x 7’

Section 6-Safety and Security

- A. Provide rough-in conduits with pull string at various locations for future CCTV and audio alarms based on industry standards. Coordinate with the Owner during design.
- B. Openings between parking structure levels, in stairwells, elevator waiting areas, parking areas, etc., shall be designed to promote passive security and minimize hiding places. The exterior of the first open grade level shall include security screening above the open areas between grade and second level spandrel.

- C. Added consideration will be given respondents with a design which is “Green” in its approach to architecture and construction.
- D. Paths of pedestrian and vehicle circulation shall be lighted per the Illuminating Engineering Society (IES) and NPA recommendations.
- E. Stairwells shall be visible from the exterior to enhance passive security.
- F. Elevators shall be located where the door and open car are visible to the public using the facility.

Section 7-Structural

- A. A clear span design shall be used to maximize parking efficiency and allow for future parking flexibility.
- B. Barrier walls: Refer to FBC.
- C. Stair and landing areas shall be of slip-resistant concrete construction.
- D. Curb heights shall not exceed 6”.
- E. The structure system shall be designed and constructed to be durable and minimize future maintenance problems. The structural system shall be either:
 - 1. Cast-in-place post tensioned concrete, or;
 - 2. Pre-stressed, precast concrete system, pre-topped or with cast-in-place 3” (minimum) topping.
 - a. The concrete mix for cast-in-place and pre-cast concrete shall be normal weight, 5,000 psi, 28-day strength proportioned to meet ACI requirements and structural engineers design for exposed areas and maximum water/cement ratios.
 - b. A super-plasticizer may be used.
 - c. Aggregate conforming to ASTM Standard C-33 shall be used.
 - d. A water/cement ratio of 0.40 or less shall be used except for foundations, which may have up to a 0.45 water/cement ratio.

- e. Shrinkage MPACKs shall be minimized by recommended practices for placing, finishing and curing concrete.
 - f. Embedded metallic items shall be hot-dipped galvanized.
 - g. A traffic bearing membrane shall be used above all occupied spaces, storage rooms and mechanical/electrical rooms and at top deck levels.
3. Regardless of whether a cast-in-place or precast system is used, a 50 year life span (minimum) on the concrete mix is required.
- G. Pre-stressing steel shall be stranded, stress relieved, 7-wire cables conforming to ASTM 416 with a minimum ultimate strength of 270,000 psi.
 - H. Entire post tensioning system, if used, shall be encapsulated.
 - I. Use closure pour strips (if required) for intermediate stressing.
 - J. Slabs poured on grade shall be a minimum of 5" thick placed over 6" of washed gravel, and reinforced with welded wire fabric.
 - K. Proposer shall provide a Soil Boring Report and will provide recommendations on the required bearing capacity and the nature of soils at the project site.
 - L. No materials containing intentionally added chloride ions shall be used in concrete.
 - M. Control joints in slabs-on-grade shall be arranged so that the long side panel dimension does not exceed the short side panel dimension by more than 50%. ($A < 1.75B$). Panel area shall not exceed 600 sf., with a maximum of 25' between control joints.
 - N. Control joints shall be tooled when C.I.P. topping is used. Construction and control joints shall be sealed with a high quality, flexible polyurethane sealant (TT-S-2271), Class A, Type 1 or 2, two components). A five-year guarantee shall be provided.
 - O. Expansion joints shall be adequate in number, properly placed, watertight and easily maintained. The expansion joint seal system shall be a complete system of compatible materials designed by the manufacturer to produce a waterproof, traffic-bearing expansion joint seal. The electrometric joint shall be performed to a continuous length. Systems approved for use under this section shall meet minimum industry requirements as prescribed.

Section 8-Mechanical

- A. Parking facility shall be designed as open-air design and construction.

- B. Piping shall be located and installed so that it does not reduce vertical minimum clearances.
- C. Sleeking through beams when provided, shall be protected from rusting. Ferrous sleeves shall be hot-dipped galvanized or PVC composition. Sheet metal sleeves are not permitted. All exposed piping is to be painted.
- D. Fire alarm and sprinkler systems shall be provided as required by code.
- E. Hose connections and valves should be adequate in number and location as to provide easy access and shall not protrude in such a way as to present a safety hazard to pedestrians.
- F. Floor drains shall be of adequate size and located frequently enough to effectively capture runoff. Floor drains in driving aisles should be avoided. Floor drains shall be located as required.
- G. Heavy-duty cast iron, vandal-resistant drains with strainers shall be used. Set drains below the finished floor elevations and finish slab down to the drains to insure that low points do not occur immediately adjacent to the drains.
- H. Storm water drain lines, including leaders from the roof of elevator banks and stairwells, shall be protected from damage by vehicles with metal covers, bollards and/or steel

Section 9-Electrical

- A. Electrical service, adequate to meet the parking structure requirements, shall be connected to the appropriate electric power company source by an underground service entrance.
- B. Every effort should be made to utilize exposed conduit wherever possible. Only rigid galvanized conduits shall be used. For rigid conduit, utilize threaded connectors only. Except where otherwise required by code, they shall be run exposed and attached to the surface of the underside of slabs or the surface of beams, columns, and walls, unless otherwise approved. Where exposed conduits encounter obstructions, the obstructions shall be sleeved to accept the conduit. Ferrous sleeves shall be hot-dipped galvanized or PVC. Sheet metal sleeves are not permitted.
- C. Central lighting control panels, secure from unauthorized use or tampering, shall be provided. Circuit outside lights separate from interior lights. Outer row of lights on

covered tiers shall be controlled by photocell or astronomic clock programmed to turn light out during daylight.

- D. Any switches, controls, or thermostat not in the central panel shall not be easily accessible to the public or be protected from unauthorized use.
- E. GFI electrical outlets (20 amp-120 volt) shall be provided at each stairwell on each level.
- F. The lighting system design shall address the following:
 - 1. Lighting intensity shall consider the intensity of natural light as it relates to various parts of the parking structures
 - 2. Visibility shall be optimized with respect to the vertical and horizontal planes and uniformity of illumination.
 - 3. Lighting appearance, color, and intensity shall be as approved by Owner.
- G. The lighting system design shall be economical, efficient and provide for minimum maintenance.
 - 1. It shall be energy efficient.
 - 2. Fixtures shall use tamper-proof fasteners, be vandal resistant and be weather resistant wherever such fixtures are readily available.
 - 3. Fixture locations shall be easily accessible for maintenance.
- H. Minimum illumination levels measured at the floor level and 30" above the floor level shall be determined through photometric analysis and established based upon structural system, method of operation and user groups to be served.
- I. Minimum average illumination levels and uniformity shall meet Article Six of the Miami Code, the Illuminating Engineering Society (IES) and National Parking Association (NPA) recommendations for lighting of parking structures as well as the following:

Area	Intensity (FC)
Drive Isles	10
Parking Areas	5
Roof	2

The above average initial illumination intensities shall be produce by a lighting system with an average/minimum uniformity ratio not exceeding 3/1. Proposed location of lighting shall be coordinated with structural system.

Lighting shall be controlled by a combination of manual on-off switches. Seven-day electronic time switches provided with reserve power, photo controls, and/or astronomic type time clocks.

- K. Lamp sort for all fixture types shall be metal halide, except as specified. The selected light fixtures shall have upright feature.
1. Parking Areas – 150W depending on a lighting analysis, plastic, aluminum or stainless steel housings, tamper-proof fasteners and vandal resistant pendant-mounted luminaries with necessary bird-proof enclosures.
 2. Stairwells and Lobby/Landing Areas – Metal halide or enclosed, vandal resistant florescent type based on building design. See attached fixture schedule.
 3. Roofs-Pole mounted anodized or die-cast aluminum. 150 or 250-watt metal halide luminaire, medium cutoff, high impact lens, enclosed and gasketed, with integral ballast and adjustable knuckle shall be specified. Square anodize aluminum or composite hinged poles shall be provided. Poles located on the perimeter are to hinge inward. Other poles must hinge so as not to meet obstruction. Height of poles shall be sufficient for lumination, but not at s height to affect installation or servicing.
 4. Exit Signs-self-luminous, vandal resistant.
 5. Traffic Control Signals-Each vehicle entrance and exit lane shall be controlled by a traffic signal or sign, reading OPEN and CLOSED.
 6. All labor, equipment, overhead, profit, etc. necessary for all fixture and lighting control installation shall be included in the Base Bid.
- L. An emergency lighting system, in accordance with code requirements, shall be provided.
- M. Circuits to serve elevator motors shall be sized in accordance with the needs of the specific elevator equipment as well as all power requirements for other electrical devices as specified.

Section 10-Parking Control System

- A. Parking structure shall be designed to be fully automated. However, provisions for conduit and power rough-ins for systems such as parking attendant booth, meeting all ADA requirements and control gates shall be included in the proposal.
- B. The rough-in conduits shall be properly installed with pull strings and properly capped.
- C. Raised concrete land control curbing and equipment islands with appropriate rough-ins as noted above shall be addressed.
- D. Electronically operating rolling grills are to be provided at all entry/exit lanes.

Section 11-Elevators

- A. Provide elevators as required by the Florida Building Code.
- B. Minimum requirements are a 2,500# capacity and 250fpm.
- C. Provide stainless steel grade frames and doors at all lobbies.
- D. Provide call boxes, vandal resistant call buttons and hall lanterns.
- E. Provide all necessary amenities necessary to meet ADA requirement.
- F. Elevator shall include auto lowering battery pack.

Section 12-Paints and Coatings

- A. Painting of any elements of the structure shall be compatible with the substrate.
- B. Do not paint stainless steel, galvanized and non-ferrous metal surfaces.
- C. Work performed shall be guaranteed in writing free of defects relating to workmanship or material deficiency for one (1) year from date of final acceptance.
- D. Double yellow line floor stripes shall be provided.

Section 13-Signage

- A. Signage for parking structures shall meet or exceed industry standards and consist of a system of signs and graphics which shall provide for proper traffic flow and use of parking spaces, and present a coordinated appearance.

- B. Traffic control signs at driving lanes to and from the parking structure, and any associated exterior surface parking, shall conform to the Manual on Uniform Traffic Control Devices for Street and Highways, U.S. Department of Transportation, FHWA.
- C. The background color of similar sign types in the parking structures shall be uniform and not vary by level (except tier designations). Different sign types such as driver and pedestrian oriented signs may have different background colors.
- D. Vehicular signs shall have reflective numbers, letters and symbols. Pedestrian signs may be painted. Backs of signs shall be painted.
- E. Parking level indicator area required.
- F. Signs shall be aluminum alloy, minimum sheet thickness .0125 inches, complying with strength and durability properties specified in ASTM B-209 for 5005-1115.

12. AFFIDAVITS

The Proposer must complete, sign as required, and submit the following documents as part of its Technical Proposal:

- A. Trench Safety Act Affidavit (attached)
- B. Certificate of Authority (attached)
- C. Bidder Qualification Statement (attached)
- D. Minority/Women Business Affairs Registration (attached)
- E. Sample of Affirmative Action Policy for Equal Employment Opportunity (attached)
- F. Debarment and Suspension (attached)

TRENCH SAFETY ACT COMPLIANCE STATEMENT

Project Name _____ Project No. _____

Project Location _____

Instructions

Chapter 553.60-553.64 of the Laws of Florida requires all Contractors engaged by the Department of Off-Street Parking of the City of Miami to comply with Occupational Safety and Health Administration Standard 29 C.F.R.S. 1926.650 Subpart P. All prospective Contractors are required to sign the compliance statement and provide compliance cost information where indicated below. The costs for complying with the Trench Safety Act must be incorporated into this project's base bid as shown on page 1 of this document.

Certify this form in the presence of a notary public or other officer authorized to administer oaths.

Certification

1. I understand that Chapter 553.60-553.64 of the Laws of Florida (The Trench Safety Act) requires me to comply with OSHA Standard 29 C.F.R.S. 1926.650 Subpart P. I will comply with Trench Safety Act, and I will design and provide trench safety systems at all trench excavations in excess of five feet in-depth for this project.
2. The estimated cost imposed by compliance with the Trench Safety Act will be:

_____ Dollars \$ _____

(written)(figures)
3. The amount listed above has been included in the Base Bid in the Bid Form.

Certified: _____

(Company/Contractor)

By: _____

(President's Signature)

(President's Typed or Printed Name)

CERTIFICATE OF AUTHORITY
(IF CORPORATION)

I HEREBY CERTIFY that at a meeting of the Board of Directors of _____, a corporation organized and existing under the laws of the State of _____, held on the ____ day of _____, _____, a resolution was duly passed and adopted authorizing _____ as _____ of the corporation to
(Name) (Title)

execute bids on behalf of the corporation and providing that his/her execution thereof, attested by the secretary of the corporation, shall be the official act and deed of the corporation.

I further certify that said resolution remains in full force and effect.

IN WITNESS WHEREOF, I have hereunto set my hand this _____, day of _____, 20____.

Secretary: _____

Print: _____

FAILURE TO COMPLETE, SIGN, AND RETURN THIS FORM SHALL DISQUALIFY THIS BID.

CERTIFICATE OF AUTHORITY
(IF PARTNERSHIP)

I HEREBY CERTIFY that the partnership agreement of _____, a partnership organized and existing under the laws of the State of _____, authorizes _____ as _____ of the partnership
(Name) (Title)

to execute bids on behalf of the partnership and provides that his/her execution thereof, attested by a partner, shall be the official act and deed of the partnership.

I further certify that said partnership agreement remains in full force and effect.

IN WITNESS WHEREOF, I have hereunto set my hand this ____, day of _____, 20__.

Partner: _____

Print: _____

FAILURE TO COMPLETE, SIGN, AND RETURN THIS FORM SHALL DISQUALIFY THIS BID.

CERTIFICATE OF AUTHORITY

(IF JOINT VENTURE)

Joint venturers must submit a joint venture agreement indicating that the person signing this bid is authorized to sign bid documents on behalf of the joint venture. If there is no joint venture agreement, each member of the joint venture must sign the bid and submit the appropriate Certificate of Authority (corporate, partnership, or individual).

FAILURE TO COMPLETE, SIGN, AND RETURN THIS FORM SHALL DISQUALIFY THIS BID.

CERTIFICATE OF AUTHORITY
(IF INDIVIDUAL)

I HEREBY CERTIFY that I, _____,
(Name of Individual)

individually and doing business as (d/b/a) _____ (if applicable) have executed and are bound by the terms of the bid to which this attestation is attached.

IN WITNESS WHEREOF, I have hereunto set my hand this _____, day of _____, 20____.

Signed: _____

Print: _____

STATE OF _____)

) SS:

COUNTY OF _____)

The foregoing instrument was acknowledged before me this _____ day of _____,

20____, by _____,

who is personally known to me or who has produced _____ as identification and who (did / did not) take an oath.

SIGNATURE OF NOTARY PUBLIC
STATE OF FLORIDA

PRINTED, STAMPED OR TYPED
NAME OF NOTARY PUBLIC

FAILURE TO COMPLETE, SIGN, AND RETURN THIS FORM SHALL DISQUALIFY THIS BID.

BIDDER QUALIFICATION STATEMENT

INSTRUCTIONS:

This questionnaire is to be included with your bid. Do not leave any questions unanswered. When the question does not apply, write the word(s) "None", or "Not Applicable", as appropriate. Please print.

COMPANY NAME:

COMPANY OFFICERS:

President _____ Vice President _____

Secretary _____ Treasurer _____

COMPANY OWNERSHIP:

_____	_____ % of ownership
_____	_____ % of ownership
_____	_____ % of ownership
_____	_____ % of ownership

LICENSES:

1. County or Municipal Occupational License No.
(attach copy with bid)\
2. Occupational License Classification
3. Occupational License Expiration Date:
4. Metro-Dade County Certificate of Competency No.
(attached copy if requested in Bid or RFP)

5. Social Security or Federal I.D. No.

EXPERIENCE:

6. Number of Years your organization has been in business: _____
7. Number of Years' experience BIDDER/PROPOSER (person, principal of firm, owner) has had in operation of the type required by the specifications of the Bid or RFP:
8. Number of Years' experience BIDDER/PROPOSER (firm, corporation, proprietorship) has had in operation of the type required by the specifications of the Bid or RFP:
9. Experience Record: List references who may be contacted to ascertain information on past and/or present contracts, work, jobs, that BIDDER has performed of a type similar to that required by specifications of the MPA's Bid with whom you have done business with in the past three (3) years.

FIRM NAME/ADDRESS

DATE OF JOB

DESCRIPTION OF JOB

CONTACT PERSON: _____

PHONE NO.: _____

FIRM NAME/ADDRESS

DATE OF JOB

DESCRIPTION OF JOB

CONTACT PERSON: _____ PHONE NO.: _____

FIRM NAME/ADDRESS

DATE OF JOB

DESCRIPTION OF JOB

CONTACT PERSON: _____ PHONE NO.: _____

FIRM NAME/ADDRESS

DATE OF JOB

DESCRIPTION OF JOB

CONTACT PERSON: _____ PHONE NO.: _____

FAILURE TO COMPLETE, SIGN, AND RETURN THIS FORM SHALL DISQUALIFY THIS BID.

MINORITY/WOMEN BUSINESS AFFAIRS REGISTRATION AFFIDAVIT

Please Check One Box Only ☐ Hispanic ☐ Female ☐ Black ☐ Not Applicable

If business is not 51% minority/female owned, affidavit does not apply. If not applicable, notarization is not required.

I (We), the undersigned agree to the following conditions:

- 1) that we have read Section 2.25 of the General Terms and meet the fifty-one percent (51%) ownership and management requirement for minority/women registration status and will abide by all of the policies and regulations governing the City of Miami Minority and Women Business Enterprise Procedures;
- 2) that if at any time information submitted by the undersigned applicant in his/her Bidder Application should prove to be false, inaccurate, or misleading, applicant's name will be struck from the MPA's Master Bidder list with no further consideration given to this applicant;
- 3) that the MPA maintains the right, through award of bid/contract, to revoke the award, should it be found that false, inaccurate or misleading information or a change in the original information have occurred;
- 4) to notify the MPA within thirty (30) days of any change in the firm's ownership, control, management or status as an ongoing minority/women business concern as indicated on the Bidder Application, and that the MPA, upon a finding to the contrary, may render a firm's registration with the MPA null and void and cease to include that firm in its registered list of minority and women-owned businesses;
- 5) that the MPA has a right to diligently verify all information submitted by applicant in his/her Bidder Application to monitor the status of the Minority/Women Business Enterprise, once registered;
- 6) that the MPA may share a firm's registration information concerning its minority/women status and its capability with other municipal or state agencies for the sole purpose of accessing the firm to their procurement opportunities, unless otherwise specified by the firm in writing.

I (We) certify under the penalties of perjury that the information contained in any and all application documents submitted to the MPA is correct as per Ordinance No. 10062 as amended.

Firm Name: _____

(If signing as a corporate officer, kindly affix corporate seal)

Name: _____ Title: _____ Date: _____

Name: _____ Title: _____ Date: _____

This application must be signed by at least one general partner of a partnership or the proprietor of a sole proprietorship or all partners of a joint venture.

NOTARIZATION

COUNTY, SS

COUNTY OF DADE Date: _____

That: _____ personally appeared

before me and acknowledged the foregoing instrument as his/her act and deed.

That he/she has produced _____ as identification.

NOTARY PUBLIC: _____ My Commission Expires: _____

FAILURE TO COMPLETE, SIGN, AND RETURN THIS FORM MAY DISQUALIFY THIS BID.

SAMPLE OF AFFIRMATIVE ACTION POLICY

For

EQUAL EMPLOYMENT OPPORTUNITY

AFFIRMATIVE ACTION / EQUAL EMPLOYMENT OPPORTUNITY - POLICY STATEMENT

It is the policy of _____ (Company Name) to base its hiring and promotions on merit, qualifications and competency and that its personnel practices will not be influenced by an applicant's or employee's race, color, place of birth, religion, national origin, sex, age, marital status, veteran and handicapped status.

One of the management duties of all principals at _____ (Company Name) is to ensure that the following personnel practices are being satisfied:

1. Take every necessary affirmative action to attract and retain qualified employees, regardless of race, color, place of birth, religion, national origin, sex, age, marital status, veteran and handicapped status.
2. Maintain equitable principles in the recruitment, hiring, training, compensation and promotion of employees.
3. Monitor and review personnel practices to guarantee that equal opportunities are being provided to all employees, regardless of race, color, place of birth, religion, national origin, sex, age, marital status, veteran and handicapped status. (Company Name): _____ is committed to take affirmative action and aggressively pursue activities that will serve to enable all employees and applicants opportunities available throughout this organization.

Clearly, the above actions cannot be accomplished as a secondary duty for any individual, despite the full support of management. And so, to monitor our efforts, (Company Name): _____ has assigned one of its principals as the Affirmative Action Director to monitor all activities of this program.

Employees may contact (Name of assigned principal) at (telephone number) regarding this Affirmative Action Policy.

DATE : _____ SIGNATURE/TITLE): _____

FAILURE TO COMPLETE, SIGN, AND RETURN THIS FORM MAY DISQUALIFY THIS BID.

DEBARMENT AND SUSPENSION
CITY OF MIAMI ORDINANCE NO. 12271, SEC. 18-107

(a) Authority and requirement to debar and suspend:

After reasonable notice to an actual or prospective contractual party, and after reasonable opportunity to such party to be heard, the Chief Executive Officer, after consultation with the Director of Planning and Development and the City Attorney, shall have the authority to debar a contractual party for the causes listed below from consideration for award of MPA contracts. The debarment shall be for a period of not fewer than three (3) years. The Chief Executive Officer shall also have the authority to suspend a contractor from consideration for award of MPA contracts if there is probable cause for debarment. Pending the debarment determination, the authority's right to debar and suspend contractors shall be exercised in accordance with regulations which shall be issued by the Director of Planning and Development after approval by the Chief Executive Officer, the City Attorney, and the Board of Directors.

(b) Causes for debarment or suspension include the following:

1. Conviction for commission of a criminal offense incident to obtaining or attempting to obtain a public or private contract or subcontract, or incident to the performance of such contract or subcontract;
2. Conviction under state or federal statutes of embezzlement, theft, forgery, bribery, falsification or destruction of records, receiving stolen property, or any other offense indicating a lack of business integrity or business honesty;
3. Conviction under state or federal antitrust statutes arising out of the submission of bids or proposals;
4. Violation of contract provisions, which is regarded by the Chief Procurement Officer to be indicative of nonresponsibility. Such violation may include failure without good cause to perform in accordance with the terms and conditions of a contract or to perform within the time limits provided in a contract, provided that failure to perform caused by acts beyond the control of a party shall not be considered a basis for debarment or suspension;
5. Debarment or suspension of the contractual party by any federal, state or other governmental entity;
6. False certification pursuant to paragraph (c) below.

7. Found in violation of a zoning ordinance or any other City ordinance or regulation and for which the violation remains noncompliant.
8. Found in violation of a zoning ordinance or any other City ordinance or regulation and for which a civil penalty or fine is due and owing to the City.
9. Any other cause judged by the Chief Executive Officer to be so serious and compelling as to affect the responsibility of the contractual party performing MPA contracts.

(c) Certification:

All contracts for goods and services, sales, and leases by the MPA shall contain a certification that neither the contractual party nor any of its principal owners or personnel has been convicted of any of the violations set forth above or debarred or suspended as set forth in paragraph (b) (5).

(d) Debarment and suspension decisions:

Subject to the provisions of paragraph (a), the Chief Executive Officer shall render a written decision stating the reasons for the debarment or suspension. A copy of the decision shall be provided promptly to the Contractual Party, along with a notice of said party's right to seek judicial relief.

The undersigned hereby certifies that neither the contractual party nor any of its principal owners or personnel has been convicted of any of the violations set forth above, or debarred or suspended as set forth in paragraph (b) (5).

Company name: _____

Signature: _____

Date: _____

FAILURE TO COMPLETE, SIGN, AND RETURN THIS FORM SHALL DISQUALIFY THIS BID.

13. ATTACHMENTS

SUBSURFACE EXPLORATION REPORT

BOUNDARY SURVEY

PHASE 1 ENVIRONMENTAL REPORT

EXHIBIT “A”

INSURANCE REQUIREMENTS FOR A CERTIFICATE OF INSURANCE

I. Builders’ Risk

A. Limits of Liability

To be determined in accordance with the terms of the construction contract.

B. Endorsements Required

- “All Risk” Form
- Non-Reporting Form - Completed Value
- Specific Coverage (Project Location and Description)
- Loss or Damage to building material, and property of every kind and description, including insured’s property to be used in, or incidental to construction
- Business Interruption
- Boiler and Machinery
- Transit
- Foundation Coverage
- Scaffolding and Forms Coverage
- Plans, Blueprints, and Specifications Coverage
- Collapse
- Flood, including inundation, rain, seepage and water damage
- Earthquake
- Subsidence
- Windstorm including hurricane
- Freezing and Temperature Extremes or changes coverage
- Ordinance or building laws

- Theft or burglary
- Coverage for loss arising out of Faulty Work or Faulty Materials
- Coverage for loss arising out of Design Error or Omission
- Testing
- Debris Removal
- Soft (Additional Financing) Costs Coverage
- Replacement Cost Valuation
- Coinsurance Requirements Waived
- Waiver of Subrogation
- Maintenance of Insurance Coverage through warranty period

II. Commercial General Liability

A. Limits of Liability

Bodily Injury and Property Damage Liability

Combined Single Limit

Each Occurrence	\$1,000,000
-----------------	-------------

General Aggregate Limit	\$2,000,000
-------------------------	-------------

Personal and Advertising Injury	\$1,000,000
---------------------------------	-------------

B. Endorsements Required

- City of Miami included as an Additional Insured
- Products/Completed Operations-Coverage should be kept in force for a period of not less than three years from the date of which the work was performed
- Employees included as insured
- Independent Contractors Coverage
- Personal Injury

- Contractual Liability
- Waiver of Subrogation
- Premises/Operations
- Care, Custody and Control Exclusion Removed
- Explosion, Collapse and Underground Hazard
- Incidental Medical Malpractice
- Loading and Unloading
- Mobile Equipment (Contractors Equipment) whether owned, leased, borrowed or rented by the contractor or employees of the contractor

III. Business Automobile Liability

A. Limits of Liability

Bodily Injury and Property Damage Liability
 Combined Single Limit
 Any Auto
 Including Hired, Borrowed or Non-Owned Autos
 Any One Accident \$1,000,000

B. Endorsements Required

City of Miami included as an Additional Insured
 Employees included as insured
 Waiver of Subrogation

IV. Worker's Compensation

Limits of Liability
 Statutory-State of Florida
 Waiver of subrogation

V. Employer's Liability

A. Limits of Liability

\$1,000,000 for bodily injury caused by an accident, each accident

\$1,000,000 for bodily injury caused by disease, each employee
\$1,000,000 for bodily injury caused by disease, policy limit

VI. Umbrella Policy

A. Limits of Liability

Bodily Injury and Property Damage Liability	
Combined Single Limit	\$ 5,000,000
Each Occurrence	\$ 5,000,000
Aggregate	
Products/Completed Operations	
Aggregate Limit	\$ 5,000,000

B. Excess Coverage over the policies as follows:

Commercial General Liability
Business Automobile Liability
Employers' Liability

EXHIBIT "B"
BID CERTIFICATION FORM

PROJECT IDENTIFICATION:	COMMUNITY REDEVELOPMENT AGENCY GARAGE
CONTRACT IDENTIFICATION & NUMBER	0-MUNICIPAL GARAGE
THIS BID SUBMITTED TO:	ROLANDO TAPANES DIRECTOR OF PLANNING & DEV. MIAMI PARKING AUTHORITY 40 N.W. 3rd STREET Miami, Florida 33128

- I. The undersigned BIDDER proposes and agrees, if this BID is accepted, to enter into an agreement with the MPA in the form included in the Contract Documents to perform and furnish all Work as specified or indicated in the Contract Documents for the Bid Price and within the Bid Times indicated in this Bid and in accordance with other terms and conditions of the Contract Documents.
- II. BIDDER accepts all of the terms and conditions of the Instructions to Bidders. This Bid will remain subject to acceptance for One Hundred Twenty Days after the day of Bid opening. BIDDER will sign and deliver the required number of counterparts of the Agreement and other documents as required by the Bidding Requirements.
- III. In submitting this Bid, BIDDER represents, as more fully set forth in the Agreement that:
 - A. BIDDER has examined and carefully studied the Bidding Documents and the following Addenda, receipt of all which is hereby acknowledged (List Addenda by Addendum Number and Date).

- B. BIDDER has visited the site and become familiar with and is satisfied as to the general, local and site conditions that may affect cost, progress, performance and furnishing of the work:
- C. BIDDER is familiar with and is satisfied as to all federal, state and local Laws and Regulations that may affect cost, progress, performance and furnishing of the work.
- D. BIDDER has correlated the information known to BIDDER, information and observations obtained from visits to the site, reports and drawings identified in the Bid Documents and all additional examinations, investigation, explorations, tests, studies and data with the Bid Documents.
- E. BIDDER has given ENGINEER written notice of all conflicts, err ambiguities or discrepancies that Bidder has discovered in the Bid Documents and the written resolution thereof by ENGINEER is acceptable to BIDDER, and the Bid Documents are generally sufficient to indicate and convey understanding of all terms and conditions for performing and furnishing the work for which this Bid is submitted.
- F. This Bid is genuine and not made in the interest of or on behalf of any undisclosed person, firm or corporation and is not submitted in conformity with any agreement or rules of any group, association, organization or corporation; BIDDER has not directly or indirectly induced or solicited any other Bidder to submit a false or sham Bid; BIDDER has not solicited or induced any person, firm or corporation to refrain from bidding; and BIDDER has not sought by collusion to obtain for itself any advantage over any other Bidder or over MPA.
- G. Accompanying this proposal is Contractor completed Qualifications Form AIA Document A305.

IV. BIDDER will complete the Work in accordance with the Contract Documents for the following price(s);

V. LUMP SUM BID
PRICE _____
(\$ _____)

- A. **Include with Bid, a Schedule of Values** showing each of the major components of the project. (Drainage, Paving, Grading, Pavement Marking, Water, Electrical, Lighting, Irrigation, Landscape, Curbs, Stripping, etc.)
- B. In Schedule of Values include cost for Performance and Payment Bonds.
- C. All Permit costs shall be excluded from the Lump Sum bid and will be paid directly by MPA to appropriate permitting agency.

VI. If Bidder is subcontracting more than 10% of the work, list all potential subcontractors below:

List of Subcontractors:

Company Name	Address	Phone/Fax	Years of Experience

Attach additional list as needed:

VII. CONTRACT EXECUTION

- A. Upon notification of acceptance of this proposal, Contractor and The Miami Parking Authority shall execute a formal contract within fifteen (15) days.

VIII. TIME OF COMPLETION

- A. Contractor shall apply for a Building Permit within five (5) working days of an executed contract.
- B. Within fifteen (15) days of issuance of a City of Miami building permit, Contractor shall commence on-site construction. That on-site construction shall establish the "Date of Commencement".
- C. The Contract time will be _____ Calendar days from time of commencement. Liquidated Damages of \$500 per day will be included in the contract.

SUBMITTED ON: _____

STATE CONTRACTOR'S LICENSE NO: _____

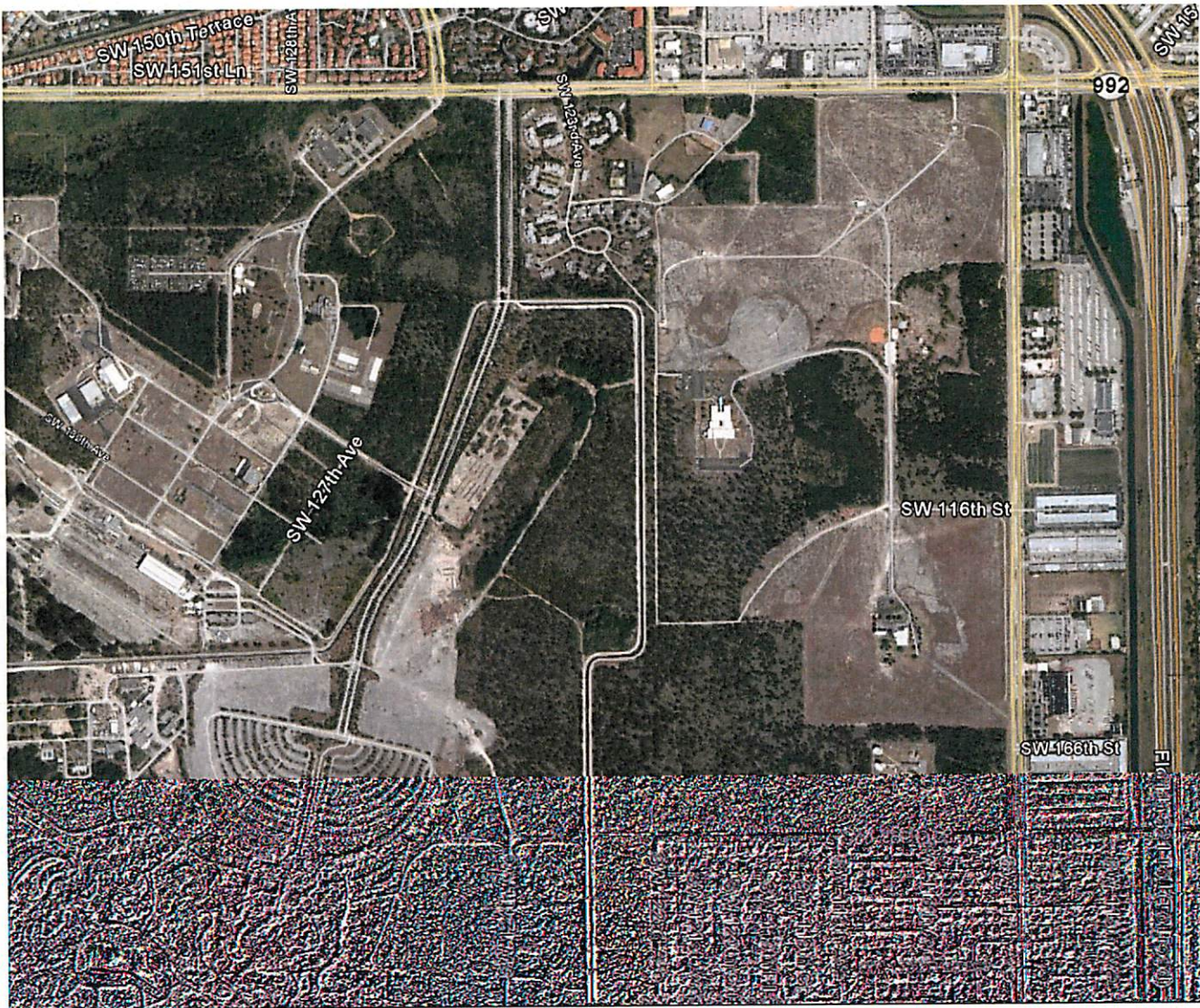
INDIVIDUAL'S NAME & TITLE: _____

COMPANY NAME: _____

ADDRESS: _____

SIGNATURE: _____

**INVITATION TO NEGOTIATE ("ITN")
FOR
ZOO MIAMI ENTERTAINMENT AREA DEVELOPMENT**



PROPOSALS ARE DUE ON:

April 19, 2013 at 2:00 PM (local time)
At CLERK OF THE BOARD
Stephen P. Clark Center
111 NW 1st Street, 17th Floor, Suite 202
Miami, Florida 33128-1983

Contact Person

Bill Solomon
275 NW 2nd Street, 5 FL, Miami, Florida 33128
(305) 755-7873
E-mail: PBS@miamidade.gov

Additional solicitation information can be obtained at <https://www.miamidade.gov/DPMww/SolicitationList.aspx>
and titled "ITN Zoo Miami Entertainment Area"

1.0 PROJECT DEVELOPMENT OVERVIEW**1.1 Introduction**

Miami-Dade County, hereinafter referred to as the County, as represented by the Miami-Dade County Park, Recreation and Open Spaces Department ("Department"), is soliciting proposals from one or more experienced and capable parties to finance, develop, construct and operate under various lease, license and real estate agreements for multiple attractions, amusements, lodging, food service and retail establishments within Zoo Miami, Gold Coast Railroad Museum Park and Coast Guard properties collectively known as the Zoo Miami Entertainment Area ("ZMEA").

The County conducted an Expression of Interest (EOI) process as a first step in a two phase solicitation process for an economic development opportunity of the Zoo Miami Entertainment Area. The EOI was released in March 2012. Seven interested parties submitted expressions of interest in various forms. Subsequently, the County conducted interviews with all interested parties in an effort for the County to better understand the parties' development concepts and for the parties to better understand the County's desires, objectives and any parameters. As stated in the EOI, the second phase would include an Invitation to Negotiate (ITN) process, which would open the process up to all who showed interest in the EOI and to any who did not participate in the EOI.

This Invitation to Negotiate is issued through the provisions of Florida Statute (FS) Section 125.045, which provides Counties with certain powers and duties to facilitate the growth and creation of business enterprises. Section 125.045 provides the County greater flexibility in the methods of selecting entities to develop such projects which provide for economic development. As such, the county seeks responses to this ITN in order to determine whether interested parties can meet the requirements set forth in this ITN. To participate in this ITN, interested parties will need to provide certain information, documentation and other requirements as stipulated in Section 3 of this ITN. The County will then determine, in its sole and absolute discretion, whether to engage in further discussions and negotiations with one or more interested parties for all or portions of the ZMEA. The County retains the right to cancel this process, or any portions thereof including portions of property within the ZMEA, and to pursue other methods to award contract(s). Final awards and contracts, if any, will need to be approved by the Board of County Commissioners of Miami-Dade County. The County anticipates awarding lease(s), license(s) and/or real estate agreement(s) for terms of twenty years or more, with options to renew.

The anticipated schedule for this ITN is approximately as follows, unless amended:

ITN Release:	December 18, 2012
Deadline for receipt of questions:	March 1, 2013, Close of Business
Proposal due date:	See front cover for date, time and place.

1.2 General Proposal Information

Respondents are hereby notified that all information submitted as part of, or in support of proposals will be available for public inspection after opening of proposals, in compliance with Chapter 119, Florida Statutes, popularly known as the "Public Records Law". The Respondent shall not submit any information in response to this ITN which the Respondent considers to be a trade secret, proprietary or confidential. The submission of any information to the County in connection with this ITN shall be deemed conclusively to be a waiver of any trade secret or other protection, which would otherwise be available to Respondent. In the event that the Respondent submits information to the County in violation of this restriction, either inadvertently or intentionally, and clearly identifies that information in the proposal as protected or confidential, the County may, in its sole discretion, either (a) communicate with the Respondent in writing in an effort to obtain the Respondent's written withdrawal of the confidentiality restriction or (b) endeavor to redact and return that information to the Respondent as

quickly as possible, and if appropriate, evaluate the balance of the proposal. The redaction or return of information pursuant to this clause may render a proposal non-responsive.

The County reserves all rights as it pertains to this ITN and may, at its sole and absolute discretion, reject any and all or parts of any or all responses; accept parts of any and all responses; further negotiate project scope and fees; postpone or cancel at any time this ITN process; or waive any irregularities in this ITN or in the responses received as a result of this process.

The Clerk of the Board business hours are 8:00 a.m. to 4:30 p.m., Monday through Friday. Additionally, the Clerk of the Board is closed on holidays observed by the County. All proposals received and time stamped by the Clerk of the Board prior to the proposal submittal deadline shall be accepted as timely submitted. The responsibility for submitting a proposal on or before the stated time and date is solely and strictly the responsibility of the Proposer. The County will in no way be responsible for delays caused by mail delivery or caused by any other occurrence. The County reserves the right to accept proposals filed later than this date upon the County's receipt of a reasonable statement from the Proposer as to why it could not send it by such date and time. All expenses involved with the preparation and submission of proposals to the County, or any work performed in connection therewith, shall be borne by the Proposer(s).

Requests for additional information or inquiries must be made in writing and received by the County's contact person for this Solicitation. The County will issue responses to inquiries and any changes to this Solicitation it deems necessary in written addenda issued prior to the proposal due date. Proposers who obtain copies of this Solicitation from sources other than the County's Internal Services Department website at www.miamidade.gov/dpm or the Vendor Assistance Unit risk the possibility of not receiving addenda and are solely responsible for those risks.

1.3 Cone of Silence

Pursuant to Section 2-11.1(t) of the Miami-Dade County Code, as amended, a "Cone of Silence" is imposed upon this ITN after advertisement and release and terminates at the time a written recommendation is issued. In summary, the Cone of Silence prohibits any communication regarding solicitations between, among others:

- potential Proposers, service providers, lobbyists or consultants **and** the County's professional staff including, but not limited to, the County Manager and the County Manager's staff, the Mayor, County Commissioners or their respective staffs;
- the Mayor, County Commissioners or their respective staffs **and** the County's professional staff; or
- potential Proposers, service providers, lobbyists or consultants, any member of the County's professional staff, the Mayor, County Commissioners or their respective staffs **and** any member of the respective selection committee.

The provisions do not apply to, among other communications:

- oral communications with the staff of the Vendor Assistance Unit, the responsible Procurement Agent or Contracting Officer, provided the communication is limited strictly to matters of process or procedure already contained in the solicitation document;
- oral communications at pre-proposal conferences, oral presentations before selection committees, contract negotiations during any duly noticed public meeting, public presentations made to the Board of County Commissioners during any duly noticed public meeting; or
- communications in writing at any time with any county employees, official or member of the Board of County Commissioners unless specifically prohibited by the applicable RFP or RFQ documents.

When the Cone of Silence is in effect, all potential vendors, service providers, bidders, lobbyists and consultants shall file a copy of any written correspondence concerning the particular RFP or RFQ with the Clerk of the Board, which shall be made available to any person upon request. The County shall respond in writing (if County deems a response necessary) and file a copy with the Clerk of the Board, which shall be made available to any person upon request. Written communications may be in the form of e-mail, with a copy to the Clerk of the Board at clerkbcc@miamidade.gov.

1.4 Public Entity Crimes

Pursuant to Paragraph 2(a) of Section 287.133, Florida Statutes, a person or affiliate who has been placed on the convicted vendor list following a conviction for a public entity crime may not submit a proposal for a contract to provide any goods or services to a public entity; may not submit a proposal on a contract with a public entity for the construction or repair of a public building or public work; may not submit proposals on leases of real property to a public entity; may not be awarded or perform work as a contractor, supplier, subcontractor, or consultant under a contract with any public entity; and, may not transact business with any public entity in excess of the threshold amount provided in Section 287.017 for Category Two for a period of thirty-six (36) months from the date of being placed on the convicted vendor list.

1.5 Lobbyist Contingency Fees

- a) In accordance with Section 2-11.1(s) of the Code of Miami-Dade County, after May, 16, 2003, no person may, in whole or in part, pay, give or agree to pay or give a contingency fee to another person. No person may, in whole or in part, receive or agree to receive a contingency fee.
- b) A contingency fee is a fee, bonus, commission or non-monetary benefit as compensation which is dependent on or in any way contingent upon the passage, defeat, or modification of: 1) any ordinance, resolution, action or decision of the County Commission; 2) any action, decision or recommendation of the County Manager or any County board or committee; or 3) any action, decision or recommendation of any County personnel during the time period of the entire decision-making process regarding such action, decision or recommendation which foreseeably will be heard or reviewed by the County Commission or a County board or committee.

1.6 Collusion

Where two (2) or more related parties, as defined herein, each submit a proposal for any contract, such proposals shall be presumed to be collusive. The foregoing presumption may be rebutted by the presentation of evidence as to the extent of ownership, control and management of such related parties in preparation and submittal of such proposals. Related parties shall mean Respondent or the principals thereof which have a direct or indirect ownership interest in another Respondent for the same contract or in which a parent company or the principals thereof of one Respondent have a direct or indirect ownership interest in another Respondent for the same contract. Furthermore, any prior understanding, agreement, or connection between two or more corporations, firms, or persons submitting a proposal for the same services shall also be presumed to be collusive. Proposals found to be collusive shall be rejected. Respondents who have been found to have engaged in collusion may be considered non-responsible, and may be suspended or debarred, and any contract resulting from collusive bidding may be terminated for default.

1.7 Contract Measures

Except as otherwise exempt by applicable law, all privately funded construction with a total value over \$200,000 must comply with Sections 10-33.02 and 2-10.4.01 of the Code of Miami Dade County (the "Code"), which govern the County's Community Small Business Enterprise ("CSBE") and Community Business Enterprise ("CBE") programs. The Selected Proposer(s) shall submit or cause to be submitted the Design and Construction Packages, to the Small Business Development Division of Regulatory and Economic Resources Department ("SBD/RERD") prior to advertisement of the Design

and Construction Packages, for review and determination of appropriate small business program measures, and the application of same. All packages must be advertised and awarded with the applicable small business measures in accordance with the requirements of the above mentioned Codes.

1.8 Small Business Enterprises (SBE)

The Selected Proposer(s) must adhere to the following Small Business Programs, where applicable. All Selected Proposer(s) must adhere to the contract measure established for each bid package to include, a contract set-aside, or a trade set-aside, or a subcontract goal, or a bid preference, or a selection factor, singly or in any combination. Small Business measures may be applied to any subsequent agreement for this project between the Selected Proposer(s) and its Subcontractors.

- **COMMUNITY SMALL BUSINESS ENTERPRISE PROGRAM (CSBE) (Section 10-33.02 of the Miami-Dade Code AS AMENDED, and Ordinance 12-05);**
- **COMMUNITY BUSINESS ENTERPRISE PROGRAM (CBE) (Section 2-10.4.01 of the Miami-Dade Code AS AMENDED, and Ordinance 12-05);**
- **SMALL BUSINESS ENTERPRISE PROGRAM (SBE) (Ordinance 05-29 and Administrative Order 3-41);**
- **COMMUNITY WORKFORCE PROGRAM (CWP) (ORDINANCE 03-1 AS AMENDED); and**
- **RESPONSIBLE WAGES AND BENEFITS ORDINANCE 90-143.**
- **ARTS IN PUBLIC PLACES PROGRAM (ORDINANCE 94-12 AS AMENDED)**

The provisions of Miami-Dade County's Responsible Wages and Benefits Ordinances (Section 2-11.16 of the code of Miami-Dade County) stipulate that for construction contracts valued greater than \$100,000, all laborers and mechanics employed or working upon a project will be paid the full amount of wages and fringe benefits (or cash equivalent thereof) computed at rates not less than those contained in the wage determination in effect at the time the work is performed, regardless of any contractual relationship which may be alleged to exist between the contractor and such laborers and mechanics.

1.9 Performance And Payment Bond

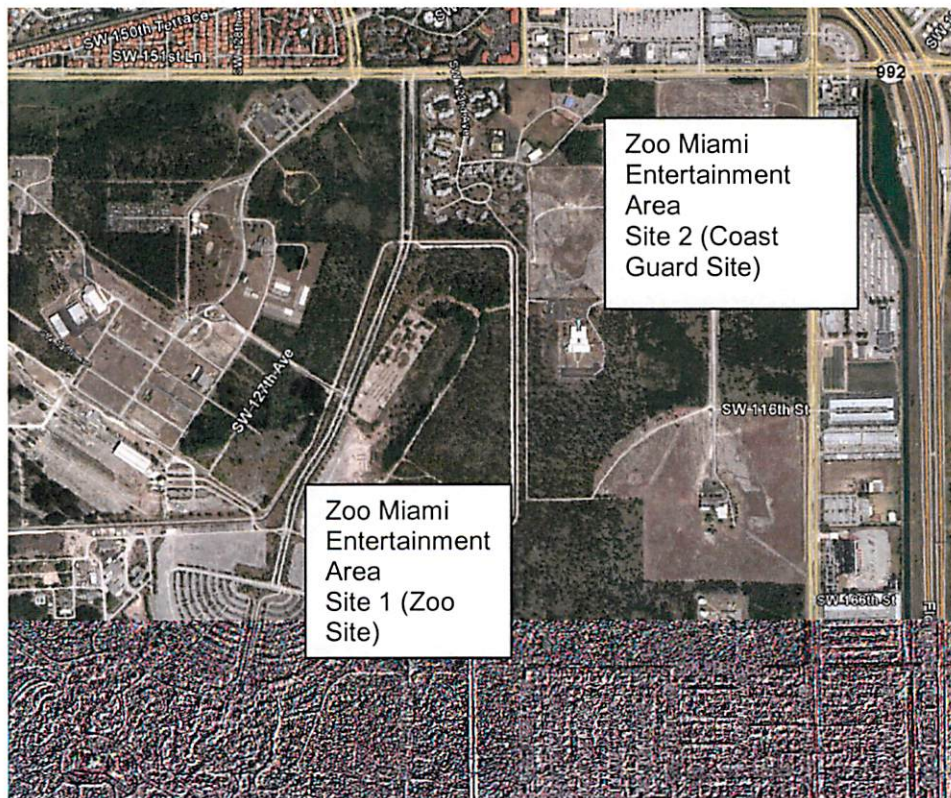
The Selected Proposer(s) shall execute and deliver prior to the issuance of a Notice-to-Proceed, a Performance and Payment Bond pursuant to Chapter 255.05 of the Florida Statutes.

2.0 SCOPE OF DEVELOPMENT PROJECT

2.1 Introduction

Zoo Miami, considered one of the finest zoological parks within the United States, occupies only a portion of the over 700 acres. It lies adjacent to a 279-acre U.S. Coast Guard communications facility. Portions of undeveloped and underdeveloped lands within Zoo Miami and portions of developed and underdeveloped lands within the Coast Guard facility are being made available for development (Exhibit 1). While the County does not currently own most of the property within the U.S. Coast Guard communications facility site, this ITN nevertheless also allows Proposers to submit proposals on a plan to acquire and develop those federally-owned portions of the U.S. Coast Guard site and to develop the U.S. Coast Guard site as part of the larger Zoo Entertainment Area. This ITN seeks to increase resident and tourist visitation through the creation of a multi-attraction Zoo Miami Entertainment Area on the land with an overall goal of economic development for the County. Secondary objectives include expanding the visitor market, expanding area venues, extending stay time, increasing income to the Zoo Miami. The County seeks qualified Proposers who want to independently, collectively and/or collaboratively develop these Sites with the County through various leases, licenses and common land agreements. While the County seeks proposals to develop the entire Zoo Miami Entertainment Area, the County will only execute contract(s) for those properties currently owned by the County. Any contract(s) for the portions of the U.S. Coast Guard facility site not currently owned by the County will only be executed once ownership and control of the property is transferred to Miami-Dade County and/or the Proposer.

Exhibit 1
Zoo Miami Entertainment Area
Two Development Sites



Proposers may propose to develop all, or selected portions of the properties made available, although the County would prefer to negotiate and contract with one master developer for all of the properties.

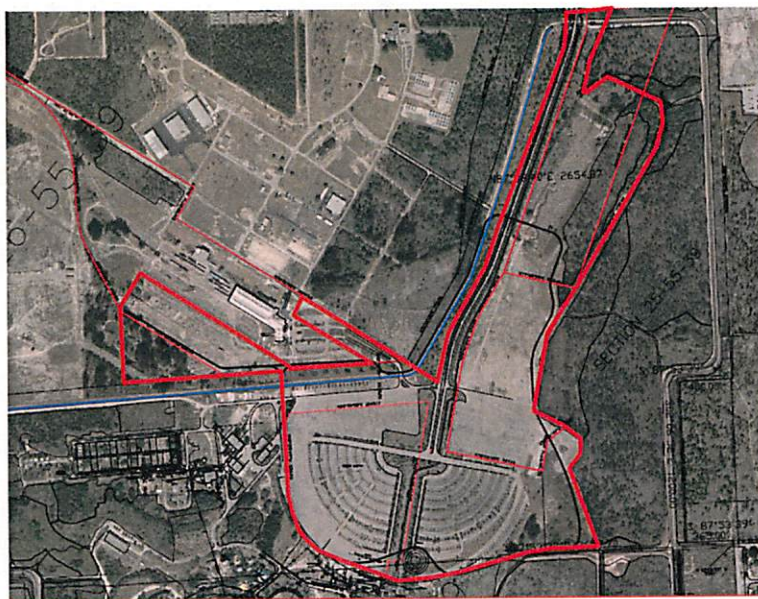
Ultimately, the County will negotiate and contract with the Proper or Proposers that propose developments that the County determines, in its sole and absolute discretion, is in the best interest of the County.

2.2 Descriptions of the Sites

The Sites (Exhibit 2) occupy a prominent location within south Miami-Dade County, near recreation open spaces, tourist attractions and natural areas and are adjacent to major transportation corridors (Homestead Extension of the Florida Turnpike). The County desires to have these two sites developed into facilities benefiting greater Miami-Dade County that are both complimentary and compatible improvements to the Zoo Miami. The combination of development is expected to bring significant economic improvements to the lives of County residents and the financial stability of Zoo Miami. The Sites are provided in as-is condition.

Exhibit 2 Zoo Miami Entertainment Area

Site 1- Zoo Miami Site



Site 2-Coast Guard Site



The respective area for Site 1 is approximately 118 acres and Site 2 is 279 acres.

The County owns the entirety of Site 1, will maintain ownership of the land within Site 1, and will establish leases, licenses and real estate agreements with selected Proposer(s) to develop and operate any improvements, although the facilities constructed therein will be privately owned, managed and operated during the term of any Agreement. The County only owns 39-acres within Site 2. The County may maintain its interest in a portion of Site 2 (39-acre housing area), and assist with the selected Proposer(s) to both relocate Coast Guard facilities and acquire the remaining property for private ownership and development. Each Proposer must take into account the long-range costs and responsibilities of managing, operating and maintaining all development and facilities. The County will not execute any contract(s) for the development of Site 2, with the exception of the 39-acre portion already owned by the County, until such property is conveyed to the County and/or the developer/Proposer.

The selected Proposer(s) shall, on Site 1, be required to improve all parking required by Miami-Dade County Code for ZMEA parking, but, depending on the configuration and negotiated use of the property, may be required to include such land within leased, licensed or common real estate agreement areas. All such parking within Site 1 shall be shared with all operating entities. The

selected Proposer(s) shall improve all parking required by Miami-Dade County Code for parking on Site 2, but, depending on the configuration and negotiated use of the property, may not be required to include such land within leased or licensed areas.

2.3 General Qualifications

The selected Proposer(s) and/or its subcontractors (as applicable) shall have: 1) an understanding of market factors suggestive of the best and most appropriate mix and design of ZMEA improvements; 2) knowledge and experience in all phases of the design, permitting, construction, operation and maintenance of ZMEA attractions, amusements, lodging, food service and retail facilities; and 3) adequate financial strength to capitalize the project and pay the County over the course of its development and operation; 4) and demonstrated qualifications in job creation and urban redevelopment, all of which is further described in Section 3; and the ability to plan and implement a relocation strategy for adjacent lands.

2.4 Planning and Development

A. Project Locations

The ZMEA was established and approved by Miami-Dade County to expand the permissible uses of the property to include, in addition to park and museums, the addition of attractions, amusements, lodging, food service and specialty themed retail. Respondents shall generally limit planned improvement of the property to those uses, intensity of uses and acres established in the Comprehensive Development Master Plan (CDMP) and Development of Regional Impact governing the property (Exhibit 3 and 4). **Certain ZMEA uses are expressly permissible in the form of parks, museums, attractions, amusements, lodging, food service and specialty theme retail, while other conventional development alternatives in the form of residential, commercial, industrial, office and conventional retail may not be permissible.**

Exhibit 3
Site 1 CDMP Uses

Use (Type)	Area (Acres)	Parking (Spaces)
Zoo Miami	622	2,565
Attraction	23	500
Amusement	20	275
Hotel	15	275
Entrance/Parking	67	1,000
Gold Coast Railroad Museum	50	385
	797	5,000

Exhibit 4
Site 1 Permissible Intensity of Use

Buildable Areas (Type of Zoning Applications)						
Miami Metrozoo Entertainment Area	FAR	Acres	Covert Total Acres to Sq Ft.	Allowable Sq Ft. Based on FAR (Buildable Sq Ft)	Potential Stories	Sq Ft. per Floor (If equally distributed)
Formula	a	b	b*43,560=c	c/a=d	e	f*0.40=g
Attractions and Recreation						
Water Park (Unusual Use)	0.3	23	1,001,620	300,564	4	75,141
Food Service (100 seats - 7,500 sq ft.)**						
Gold Coast Railroad Museum* (Unusual Use)	0.3	46	1,990,200	582,060	3	196,020
Restaurants (600 seats - 30,000 sq ft.)**						
Specialty Themed Retail (20,000 sq ft.)	0.4	20	871,200	217,800	4	54,450
Family Entertainment Center (BU-2)						
Food Service (200 seats - 10,000 sq ft.)**						
Hotel and Other Lodging						
Hotel-200 rooms (RU-4a)	0.4	15	653,400	163,350	7	23,336
200 Rms - 150,000 sq ft.						
Total Buildable Areas		103				

A 4.95 acre addition to the Gold Coast Railroad Museum Park (Parcel 7 below) has been acquired to provide additional parking to the ZMEA (beyond the 5,000 space limitation in the DRI), in order that sufficient parking is available for shared use between respective use areas.

Site 1 (Exhibit 5) is composed of various parcels that have different boundaries and constraints. Certain parcels (Parcels 1, 2 and 9) have been released from deed restrictions that allow them to be leased for further development. Other parcels are still constrained by deed restrictions that only allow them to be licensed (Parcels 3, 4, 5, 6, 8, and 10). The entirety of Site 1, except for Parcels 4, 5, 6, and 7, are within the boundary of the previously established Cutler Ridge/Perrine Enterprise Zone that offers significant business development and job creation incentives to developers. Development proposals may include leased, licensed and common real estate areas.

1. Parcel 1

This parcel is approximately twenty four-acres (24.53 acres) and lies northwest of the front gate of Zoo Miami (Exhibit 5). The site, currently unimproved, is specifically exempted from development restrictions by deed and referendum and can be leased for private development.

2. Parcel 2

This parcel is approximately nineteen-acres (19.52 acres) and lies northwest of the front gate of Zoo Miami (Exhibit 5). The site, currently improved as parking, is specifically exempted from development restrictions by deed and referendum, and can be leased for private development.

3. Parcel 3

This parcel is approximately twenty-three acres (23.31 acres) and lies northwest of the front gate of Zoo Miami (Exhibit 5). The site, currently improved as parking, can be part of the parking for Zoo Miami that can be shared among developments, and can only be licensed for private development.

4. Parcel 4

This parcel is approximately four-acres (4.32 acres) and lies immediately adjacent to the Zoo entry (Exhibit 5). The site, currently a landscaped area and parking lot, is part of the property that can be shared among developments, can only be licensed for private development.

5. Parcel 5

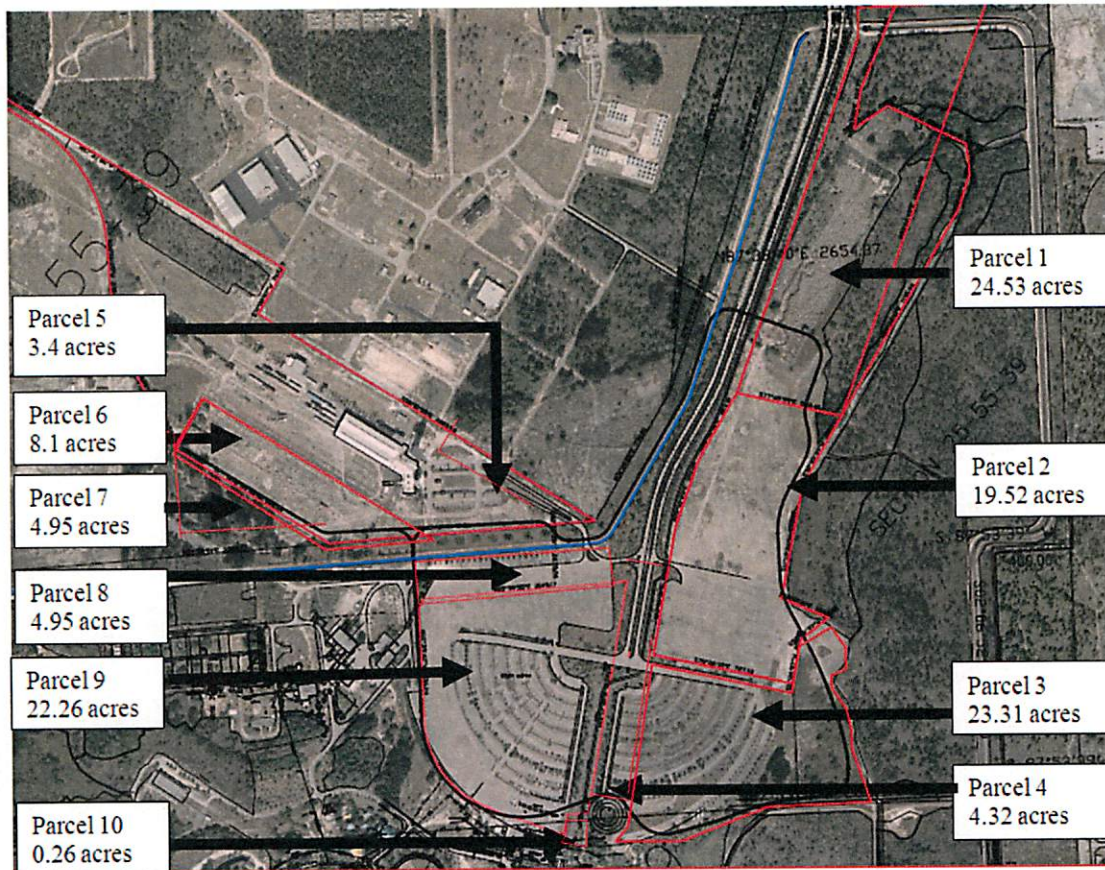
This parcel is approximately three-acres (3.4 acres) and lies immediately adjacent to the Gold Coast Railroad Museum entry (Exhibit 5). The site, currently a landscaped area and parking lot, can be only licensed for private development.

6. Parcel 6

This parcel is approximately six-acres (8.1 acres) and lies immediately adjacent to the Gold Coast Railroad Museum entry (Exhibit 5). The site, currently unimproved, can only be licensed for private development.

Exhibit 5

Site 1 Parcels



7. Parcel 7
This parcel is approximately five-acres (4.95 acres) and lies immediately adjacent to the Gold Coast Railroad Museum entry (Exhibit 5). The site, currently unimproved, can only be licensed for parking only.
8. Parcel 8
This parcel is approximately nine-acres (6.45 acres) and lies immediately adjacent to the Gold Coast Railroad Museum entry (Exhibit 5). The site, currently a parking lot and moat, can only be licensed for private development.
9. Parcel 9
This parcel is approximately twenty-two acres (22.26 acres) and lies immediately adjacent to the Zoo Miami entry (Exhibit 5). The site, currently a parking lot, is specifically exempted from development restrictions by deed and referendum, and can be leased for private development.
10. Parcel 10
This parcel is less than one acre (0.26 acres) and lies immediately adjacent to the Zoo Miami entry (Exhibit 5). The site, currently a landscaped area, is planned as a restaurant/banquet area within the ZMEA location, and can only be licensed for private development.

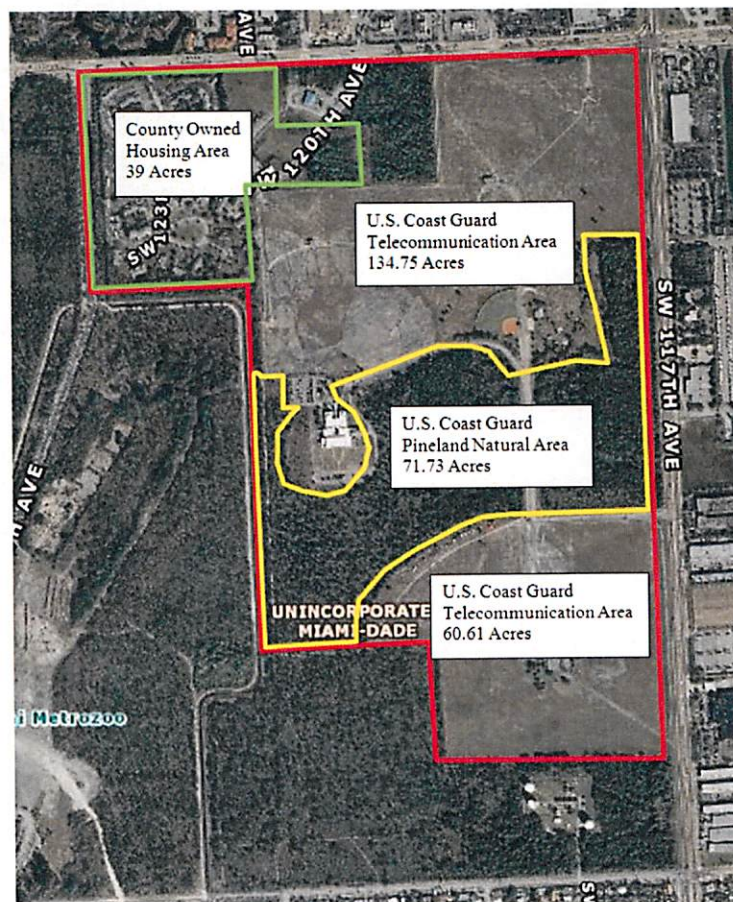
Site 1 has been delineated to require that certain parcels may be leased while other parcels may only be licensed, pursuant to a Release and Transfer of Deed Restrictions agreed upon by the County and National Park Service. These lease areas, determined by a former 2002 site plan, which is now unlikely to effectively accomplish County project objectives in 2012, may benefit from slight changes. As a result, the County will now allow for limited flexibility in the boundary and configuration of the proposed leased areas, not the quantity of leased areas (66.31 acres), to allow for a new proposed site plan for the Site 1, all subject to Federal review and approval. Site 1 has also been delineated to avoid

adjacent Natural Forest Communities containing intact portion of the globally endangered Richmond Pineland. However, a limited portion of Parcel 1 contains non-intact pineland growing on altered substrate. All development scenarios for Site 1 must either retain intact natural areas in place and show no adverse impacts to their biological systems, or show no or low acceptable impacts to non-intact natural areas, as determined by the County.

Site 2, encompassing the adjacent Coast Guard property, is included in this ITN, but Proposers have the option of including Site 2 or portions thereof in their proposals, as the County does not own the entirety of Site 2. Exhibit 6 shows a County-owned 39-acre portion of the original Coast Guard base containing 100 residential units in the form of two and three bedroom attached townhomes, three and four bedroom detached single family houses and related residential support facilities. Upon approval of development plans for the Site 2 part of the Zoo Miami Entertainment Area, the housing units may be demolished by the selected Proposer at any time within three (3) years from the execution date of any Agreement governing the development of the Site, all subject to a reasonable notice by the County to persons occupying the housing units. Until then, the County will continue operating the area on a year by year basis as a transitional housing area.

Approximately 71 net acres of Site 2 (Exhibit 6) contains an intact portion of the globally endangered Richmond Pineland. As part of any relocation of the Coast Guard function, and acquisitions for Zoo Miami Entertainment Area purposes, the County will likely seek to acquire these lands for inclusion into its Environmentally Endangered Lands program. Adjacent areas within Site 2 contain non-intact plant communities that may also contain endangered species. All development scenarios for Site 2 must retain intact natural areas in place and show no adverse impacts to their biological systems. Development scenarios for non-intact areas, however, may be subject to site plan modifications to preserve or conserve endangered species.

Exhibit 6
Site 2 Parcels



Miami-Dade County does not own the entire Coast Guard site, so any proposal for this site shall include a plan with the methods to obtain all or part of the ownership and development rights to this property. Development proposals for Site 2 must include how the County can assist the selected Proposer(s) to relocate the U.S. Coast Guard base to a functional replacement property. Relocation may include the 44,000 square foot administrative office component, as well as all or a part of the transmitting and receiving communications antennae component. Relocation of the two components need not be to the same location. Relocation may require acquisition of an office building and land suitable to construct antennae arrays.

1. Housing Parcel

This parcel is approximately thirty nine-acres (39 acres) and lies northeast of the front gate of Zoo Miami. The site, currently improved, contains approximately 100 residential housing units in the form of attached townhouses, detached single family homes and community recreation and maintenance facilities needed to support them. The parcel is County owned and may be sold or leased as-is to a Proposer.

2. Telecommunication Parcel

This parcel is approximately one hundred thirty four-acres (134.75 acres) and lies south of SW 152 Street. The site, currently improved, contains transmitting towers, support structures and administrative offices and parking. It also contains a former Base Exchange and a small natural area that may or may not be retained by the County for a natural area.

3. Pineland Parcel

This parcel is approximately seventy one-acres (71.73 acres) and across the middle of the property. The site currently contains an intact natural forest area of globally endangered Pineland. This property is likely to be acquired from the Coast Guard and retained by the County in order to preserve the high quality natural area.

4. Telecommunication Parcel

This parcel is approximately sixty-acres (60.61 acres) and lies immediately south of the Pineland. The site is currently an improved antenna area.

B. Project Requirements-Site 1

The County's original 2002 development plan for Site 1 included a water park, family entertainment center and hotel. After the County received input through the EOI, it is now open to 2013 submissions from Proposers that may reflect different site plans and development area configurations, as long as they address the general requirements of improvements permissible within the ZMEA and achieve project goals discussed elsewhere in this document.

1. Attractions. The proposed venue or venues is approved for attractions and elements commonly found in other contemporary and successful venues. Development proposals may include water parks, interactive play areas, educational museums or any other attraction or attractions meeting the requirements of this ITN. Attractions and elements should appeal to visitors of all ages.
2. Amusements. The proposed venue or venues is approved for combination of games, play features, recreational elements indoor challenge areas, and outdoor children's areas. Other more contemporary entertainment facilities like bowling alleys, movie theaters may also be considered. The following attractions shall not be included in any development proposal: miniature golf, aquariums and certain aquatic marine animal attractions, and any undesirable attractions, as determined at the County's sole discretion, not already permissible under the land use designation.

3. **Lodging.** The proposed venue is approved for some combination of two hundred (200) rooms for lodging in one or more locations. The lodging can be the primary anchor of the Entertainment Area, or an ancillary part of a larger resort. Proposers may consider any type of lodging product line including traditional hotel/motel rooms, suites and cabins, and may provide it within a more dense multi-storied building or less dense campus. Lodging may occupy a single location or be made part of different locations, depending on the brand and density of development.
4. **Food Service and Specialty Themed Retail.** The proposed venue is already approved for 145,000 sf of indoor/outdoor ZMEA food service and specialty themed retail areas, some of which may contain a pedestrian Main Street and some of which may be for other ZMEA areas including: 1) 75,000 sf associated with amusements; 30,000 sf of food service area and 20,000 sf of specialty themed retail associated with the Gold Coast area; and 20,000 sf associated with the attraction. An additional 110,000 sf is proposed, but not yet approved, for any Main Street venue connecting Zoo Miami, Gold Coast Railroad Museum Park and other attractions.
5. **ZMEA Restaurant/Banquet (located at the entrance of the Zoo – Exhibit 5, Parcel 10).** The proposed venue is already approved for two signature event rental spaces in the form of two (2) ZMEA/banquet halls. A ZMEA Banquet Hall was part of a previously approved Zoo Miami plan. It is conceived and approved for a two story themed ZMEA structure of 19,000 sf, where the bottom 9,000 sf support a conventional ZMEA at the front gate of Zoo Miami, while the second floor of the facility supports a 10,000 sf banquet hall for catered events. There is some expectation that this venue may include animal exhibits, and the County will commit to certain maintenance of these areas at its expense. A second railroad themed banquet area within the Gold Coast Railroad Museum area was previously approved for up to 50,000 sf as part of a second Train Shed. This parcel is on the outside periphery of the ZMEA, however, it may be considered for development within a proposal.
6. **Parking and Related Infrastructure.** The various proposed development areas will have to provide for parking and related infrastructure in accordance with use and prevailing Code. There are opportunities for the Proposer to develop parking wholly contained within each developed area, or to propose a shared parking arrangement where the Proposer would improve existing County parking areas through common real estate agreements to comply with existing code. Parking sufficient to support the Zoo Miami and Gold Coast Railroad Museum Park parking must be part of any proposal. Approximately 5,000 parking spaces are already permissible within the approved Development of Regional Impact order, as the maximum amount of parking on Zoo Miami and Gold Coast Railroad Museum lands. Additional parking, without specificity, may also be provided on a newly acquired 4.95 acre addition (Exhibit 5, Parcel 7), next to the Gold Coast parcel. In any location or configuration, these parking areas provide the uppermost limit of the parking for the completed ZMEA.

C. Project Requirements-Site 2

The County's original development plan for Site 2 included a large resort style hotel and theme park. Based on an accompanying acquisition plan, the County is now open to submissions from Proposer that may reflect different site plans as long as they address the general requirements of improvements permissible within the ZMEA and achieve project goals discussed elsewhere in this document. Because the County does not own the vast majority of Site 2, any proposal will need to include a plan for acquisition of the property and the County will not execute any agreement for Site 2 or portions thereof until the portion(s) of Site 2 that are to be developed have been conveyed to the County and/or to the Proposer.

1. **Attractions.** The proposed venue may contain a theme park with elements commonly found in contemporary and successful theme parks. Proposers may consider the provision of one or

more attraction venues with features that appeal to visitors of all ages that are limited to a venue attracting approximately 1,500,000 visitors annually.

2. Amusements. The proposed venue may include an amusement area or areas. This does not preclude development proposals from considering the inclusion of other amusement, museum, retail or food service areas that are acceptable by use and Code.
3. Lodging. The proposed venue is approved for up to 600 resort style rooms with an array of conventional amenities. Alternative approaches may lower the number of approved rooms, or divide them between two or more lodging facilities. Proposers may also consider other types of suites and cabins, and may provide it within a more dense multi-storied building or less dense campus.
4. Business Conference Center. The proposed venue is approved for a conference center, independent or attached to lodging offering approximately 130,000 sf of event venue space. The business function is specifically intended to increase the draw and duration of business uses by providing leisure related opportunities.
5. Food Service and Specialty Themed Retail. The proposed venue may contain a variety of indoor/outdoor ZMEA food service and specialty themed retail areas. Retail areas are limited to venues that contribute toward a unified and unique entertainment area theme, without seeking to replicate or duplicate more common retail locations associated with malls, strip centers or stand-alone big box establishments. These venues may be related to attractions, amusements, lodging, business conference center, or simply a stand-alone aggregate, all serving to link anchor attractions, amusements, museums and lodging. The number and size of total food service and retail areas will be governed by the Floor Area Ratios (0.3 and 0.4) contained in Exhibit 4
6. Parking and Related Infrastructure. The various proposed development area will have to provide for parking and related infrastructure in accordance with use and prevailing Code. There are opportunities for the Proposer to develop parking wholly contained within each area, or to propose a shared parking arrangement where the Proposer would improve existing County parking areas to comply with existing code.

2.5 Construction and Facility Improvements

As part of this proposed development of the ZMEA, the County will make available certain undeveloped and underdeveloped land within Sites 1 and 2 (Zoo Miami, Gold Coast Railroad Museum Park and Coast Guard properties) that it owns, and assist the selected Proposer in acquiring lands it does not own. All new improvements shall be constructed by the selected Proposer(s). The sites are provided in as-is condition.

1. Once selected, the Proposer(s) shall perform all facility renovation and improvements in compliance with all approved development orders, applicable building codes, and with all necessary permits and approvals. Department approval of the design and plans must be obtained prior to submission to the Building Department.
2. Once selected, the Proposer(s) shall, if asked by the Department, include provisions for additional companion improvement of ZMEA utilities, at the Department's sole expense and reimbursable through any mutually acceptable means.
3. Once selected, the Proposer(s) shall develop a comprehensive and detailed timeline for construction of all agreed upon phases of all development and include provisions for minimizing or eliminating the impact of development on existing operations within the ZMEA. In the County's sole discretion, where construction impacts by the selected Proposer(s) may be

determined to be detrimental to the ZMEA whether they are proposed or actual, the selected Proposer(s) shall be directed to modify its timeline or construction project to address such negative impacts.

4. Once selected, the Proposer(s) shall develop a detailed cost estimate of the construction of all renovation and improvements, including the required site improvement and equipment.
5. Once selected, the Proposer(s) shall bear all costs associated with all improvements and installations of the ZMEA and all such improvements and installations shall become the property of the County at the termination of any agreement as a result of this Solicitation.
6. The selected Proposer(s) shall complete the construction and begin full operation not later than the agreed upon days included respective leases and licenses and in the comprehensive timeline, after obtaining all required permits. In the case that delays are beyond the control of the selected Proposer(s), the County may, at its sole discretion, grant a written extension.

2.6 Operation and Management

The selected Proposer(s) shall operate any or all ZMEA entities in a manner associated with high quality standards. The selected Proposer(s) shall provide the services that include, but are not limited to the following.

1. Once operational, the Proposer(s) will have utilization and access (exclusive and non-exclusive) of the entire ZMEA twenty-four hours a day, seven days a week, as governed and limited by access provisions established in respective leases, licenses and common real estate agreements to protect Zoo Miami.
2. Once operational, all facilities constructed by the Proposer shall be operated in a manner that complies with all applicable Code and development orders governing the property. Hours of operation for the ZMEA shall be modified to support the hours of operation generally needed by the proposed development. The County, in coordination with the selected Proposer, shall determine the hours of operation for the ZMEA.
3. Once operational, the selected Proposer(s) shall promote the ZMEA through marketing. The Department will allow and cooperate on the utilization of certain signage and commercial advertising, unless otherwise deemed appropriate by the Department. The County reserves the right to evaluate the attractiveness and appropriateness of the selected Proposer(s)'s advertisement for the ZMEA.
4. Once operational, the selected Proposer(s) and its staff shall be distinctively uniformed so as to be distinguishable as the selected Proposer(s)'s staff and not as employees of the County.
5. Once operational, the selected Proposer(s) shall take good care of ZMEA improvements and shall use the same in a careful manner and shall, at its own cost and expense, repair County property or facilities damaged by its operations.
6. Once operational, the selected Proposer(s) shall have access and egress rights for it and its customers to and through all ZMEA common lands for the purpose of entry and parking.
7. Once operational, the selected Proposer(s) shall coordinate with the County to address the expanded need for additional maintenance and control of all parking areas, including providing for lighting and security during hours of operation, providing personal and vehicle security, maintenance of delineated parking lot facilities and provision of internal and possibly external site transportation within designated areas. Costs associated with these expanded requirements are expected to be funded through the establishment of ZMEA parking fee.

8. Once operational, the selected Proposer(s) shall furnish high-quality, prompt and efficient service, adequate to meet all reasonable demands, including establishing minimum schedule and hours of operation, subject to approval by the Department.
9. Once operational, the selected Proposer(s) shall provide and have access to the number of parking spaces required by Miami-Dade County Code to be shared with all other operating entities within the ZMEA, but in no case shall such use of existing parking or additionally constructed parking by the selected Proposer(s) diminish the number of spaces required by Zoo Miami or the Gold Coast Railroad Museum Park. Where approved, the selected Proposer(s) may add parking at their sole cost in a form and location approved by the County.
10. Once operational, the selected Proposer(s) shall comply with Miami-Dade County Ordinance No. 08-07, Chapter 26 "Miami-Dade County Park and Recreation Department Rules and Regulations, Article III, The Shannon Melendi Act".

2.7 Payments to County

For Site 1, the County seeks reimbursement and payments for the respective use of various parcels through individual Agreements, with multiple entities, or for multiple parcels through a Master Agreement. In each case, the selected Proposer(s) shall pay an initial rent, a guaranteed monthly rent, and a percentage rent. The payments are further described in Section 3.2.D.2 and shall be documented in the attached Price Sheet.

For Site 2, where the County does not own the entirety of the property, it is expected that the Proposer may acquire the property outright through fee simple purchase of County owned lands and fee simple or surplus conveyance of the balance of Coast Guard lands that the County will assist in accomplishing. The County may seek purchase or lease compensation for the Proposer's purchase of the 39-acre parcel the County already owns. The purchase price would be established by MAI appraisal and limited to no less than the amount the County paid to acquire the property. The Proposer and the County may also have the option of having the County retain title and fee simple ownership of all or portions of Site 2, including any new lands acquired from the Coast Guard and then entering into long-term lease or other agreements for the use of those properties by the Proposer(s). The payments are further described in Section 3.2.D.2 and shall be documented in the attached Price Sheet.

3.0 RESPONSE REQUIREMENTS

3.1 Proposal Requirements

The County desires that Proposers address the following in their proposals. Proposers shall complete Form A-1 in its entirety and sign as requested. The Proposer who signs the proposal must be an entity existing prior to submission of the ITN (and not one that will be created at some future time) and shall have a readily identifiable Federal Employer Identification Number. The Proposal shall be clear as to the Site(s)/Parcels/other location it is proposing to develop or wish to retain an option to develop.

3.2 Required Proposal Content

The County desires that Proposals include: 1) Project Narrative; 2) Qualifications and Experience of the Respondent; 3) Financial Capability; and 4) Non-financial and financial return to County. Proposals submitted in response to this ITN will provide the County with the opportunity to fully review and negotiate an Agreement with a Proposer(s) for the development of Sites within the ZMEA. Any agreement entered into for the development of the Sites shall comply with the requirements of all applicable laws.

A. Project Narrative. Provide a Project narrative responding to the items below, addressing all of the County's objectives.

1. **Description of Proposed Development Approach:** Provide a description of the proposed improvements and amenities at the Property. Describe the overarching approach to the project theme and how compatible and complimentary it is to Zoo Miami and the Gold Coast Railroad Museum Park. Demonstrate where applicable how the project meets objectives specified in Section 2.1 of this ITN and where, if any, licensed or branded intellectual property is being used and under what permissions.
2. **Description of Proposed Improvements:** Provide a detailed plan(s) that illustrates the entire ZMEA development approach on all portions of the Site(s) being addressed by this response, in compliance with all relevant conditions imposed by prior deed restrictions, changes to deeds, land use amendments and site conditions. The description should include the following elements:
 - a. **ZMEA Site Plan:** Provide a site plan showing the proposed improvements and amenities within the ZMEA inclusive of all new attractions, amusements, museums, lodging, retail, food service and amenity areas, along with existing improvements, common roads and parking areas. All such plans shall indicate the size, location, dimensions and configuration of buildings to be developed all at scale. The Site Plan should be based on the following elements:
 - **General Plan Compliance:** The Respondent should insure compliance with any requirements of the approved Zoo Miami and Gold Coast Railroad General Plans (see approved General Plans in addendum).
 - **Land Use Compliance:** The Respondent should insure compliance with any requirements of the approved Release and Transfer of Deed Restrictions, Zoo Miami Entertainment Area Land Use designations (See Exhibit 4).
 - b. **Zoo Miami Plan:** Respondents may consider linking their ZMEA capital and operating proposal to planned Zoo Miami capital and operating

programs. Through either or both of the items below, describe how these specific linkages may contribute to the advancement of the Zoo Miami General Plan or its operations.

- Provide a summary site plan of Zoo Miami showing specifically where any proposed improvements, amenities, renovations or infrastructure upgrades of or in Zoo Miami are linked to the ZMEA proposal. These may include additional exhibits, expansion of the monorail system, utility installations, creation of boating and waterway opportunities, pedestrian circulation, new rides and attractions, etc.
- Provide a summary marketing plan that clearly presents linkages between the ZMEA proposal and program sponsorships or branding on any portion of the Zoo Miami site, outside of the ZMEA. These may include new shows and entertainment, development sponsorship of exhibits and special events. Where possible, detail the monetary impacts of such a marketing plan.

Any monetary sponsorships or contributions offered by a proposer separately through Zoo Miami or the Zoological Society of Florida and not linked to the proposer's ZMEA proposal will not be considered when evaluating proposals in response to this solicitation.

3. **Proposed Renovations/Improvement Costs:** The proposal must include an Order of Magnitude general renovation and improvement costs estimate for the individual attractions, amusements, lodging, retail, food service and ancillary elements that together create the proposed thematic approach to the project. The estimates, inclusive of infrastructure costs of the Project, shall be complete and realistic in that general quantities and prices used in developing the estimate reflect actual market level or best estimates of future price levels and credible in that the estimating methodology used is consistent with applicable industry standards and practices. Expected cost estimates for renovations and improvements include:

- Development of individual attractions, amusements, lodging, retail, food service and ancillary elements.
- Installation of all new utilities necessary to independently support proposed development.
- Common roadway entry into the Site(s) will require improvement to adjust for the location of improvements, vehicular access, queuing, moat crossings, parking lot management and ancillary amenities.
- Common lands between attractions, amusements and lodging, should be improved to provide for all visitor needs in the form of seating, shade cover, signage, restrooms, event space and social settings.
- All parking areas, either exclusive to a use or common to the Site(s) should be improved to current code.
- All parking, access and facility should meet all applicable ADA requirements

4. **Proposed Renovations/Improvement Schedule:** The proposal must include a general and expected renovation and improvement schedule for each Site(s). The schedule shall include all variously phased renovation improvements for Sites 1 and 2, and shall be provided in a summary Gantt chart that may be amended as necessary.

5. **Renderings:** The proposal must include renderings (photo simulations of the proposed project) showing views of the overall renovations and improvements, including: 1) at-grade views from the front of Zoo Miami; 2) an aerial perspective; and 3) from within the various Project(s), including the improvements, key architectural elements/features, parking, plazas, greenways, open spaces, pedestrian walkways and signage.

B. Qualifications and Experience of Respondent: Provide detailed information about the Proposer and its development team members. The following information should be provided, but the County may, in sole and absolute discretion, consider proposals that do not include all of the following information and/or request that Proposer(s) provide any of the following information that is missing at any time after proposals are due and prior to the award of any contract(s):

1. **Qualifications Development Team:**

Submit a Table of Organization and evidence of the development team members' discipline qualifications to successfully undertake and complete the proposed project. The Proposer and/or its development team members shall, at minimum demonstrate professional expertise in the disciplines outlined below. An organizational chart for the Project should graphically depict the names and corporate entities for each team member. This requirement applies equally to each member of the development team.

- **Architectural:** The Development team should have at least one (1) architect licensed and registered in the State of Florida as required by Chapter 481, Part I of the Florida Statutes, Architecture with at least ten (10) years' experience and should have substantial experience in the design and renovation of the specified uses within the ZMEA.
- **Landscape Architectural:** The Development team should have at least one (1) landscape architect licensed and registered in the State of Florida as required by Chapter 481, Part II, Landscape Architecture, of the Florida Statutes with at least ten (10) years' experience and shall have substantial experience in the design and renovation of the specified uses within the ZMEA.
- **General Contracting and/or Construction Management:** The Development team should have at a minimum one (1) General Contractor licensed in the State of Florida or authorities having jurisdiction with at least ten (10) years' experience and should have substantial experience in obtaining permitting for construction of the specified uses within the ZMEA.
- **Additional Development Team Members (Consultants):** The consultant(s) to the Proposer, if any, may be one firm possessing all the required expertise or may be several individuals or firms which combined, possess all the required expertise. Consultant teams may also include professional planning and design consultants and sub-consultants, financial and marketing sub-consultants and operation and management consultant(s). Consultants or general contractors may submit their qualifications for more than one Development Team. However, the Proposer and other permanent (management/operational) staff of the Project (team members required beyond the construction phase, as in principals, operations and management personnel) shall only submit their names in one submission and shall not be part of any other submission in any capacity.

2. Experience of Development Team:

- Name of the Proposer's official representative or executive officer. This person will be the recipient of all official communications from the County (Department) relating to the submitted proposal and the entity with whom the County will be contracting.
- Statements specifying the ownership and form of legal entity for the Proposer's organization(s) submitting the proposal. If a consortium or a joint venture agreement, properly executed documents by each legal entity shall be submitted. The statements of ownership shall include appropriate resolutions designating the individuals who may commit each Respondent's organization(s). Respondent's name, mailing address, contact person, phone number, e-mail address and street address.
- Proposals shall include the professional qualifications and credentials that demonstrate the Development Team's ability to successfully undertake and complete the Project. Proposer or its team should demonstrate at least ten (10) years of experience in design and construction of successful entertainment areas, themed attractions, lodging venues or other comparable destinations of equal size and complexity.

For each key member of the Development Team, the Proposer shall complete and provide a list of completed representative projects according to the following criteria:

- i) current project function, i.e. food concession establishment, attraction, entertainment area, etc;
- ii) time schedule required for completion of these representative projects;
- iii) the dollar amount of the renovations on these representative projects; and
- iv) the role(s) played by each development team member that was involved.

3. Qualifications and Experience of Operations/Management Team: Where known, and where it is critical to the proposal, provide the legal name of the Proposer, the names of the Principals and the names and positions of the key personnel comprising the subsequent Management and Operations Team.

Proposals should include the professional qualifications and credentials that demonstrate the Management/Operation Team's ability to successfully undertake and complete the Project. Operator or its team shall demonstrate at least ten (10) years of experience in management of successful operation of entertainment areas, themed attractions, lodging venues or other comparable destinations of equal size and complexity.

The Management/Operations Team as a whole must have the requisite expertise, financial and management capability to operate a ZMEA destination facility or projects with similar scope and complexity as identified in the project objectives. For the purpose of this ITN "Management/Operations Team" is defined as the group of persons managing and operating the array of amusements, attractions, retail, food service and other essential tasks within the ZMEA, including the principal(s) submitting the proposal if the County would enter into subsequent lease or sub-leases for the Property, if awarded.

For each member of the Management/Operations Team, the Proposer shall complete and provide a list of completed representative projects according to the following criteria:

- a list of projects comparable to the current project, that the management/operations team member was involved;
- The duration of time each management/operations team member who was involved for completion of these representative projects;
- the specific role(s) played by each management/operations team member that was involved;
- describe the success/failure of the project and any lessons learned; and
- the dollar cost of the project financed the management/operations of these representative projects.

C) Financial Capability. The Proposer shall show all elements or components of the capital plan required to finance the Project. To the extent feasible, the Proposer shall describe in detail all sources of capital, operations and maintenance funds dedicated to the Project. Outside of Florida Enterprise Zone incentives and available tourism and economic development funding, Proposers are to show only limited reliance on public funds, subsidies, credit enhancements, loans, loans guarantees, or other sponsored financial mechanism for the development or maintenance of the Project. Notwithstanding the foregoing, the County may, in sole and absolute discretion, consider proposals that do not include all of the following information and/or request that Proposer(s) provide any of the following information that is missing at any time after proposals are due and prior to the award of any contract(s)

1. **Financial Feasibility:** Proposals shall include a cash flow pro forma analysis integrating revenues, operating expenses, renovation/improvement costs, and debt service for a minimum startup period inclusive of the first ten (10) years of the project's operation.

The financial analysis and feasibility of the project shall be presented to enable a clear understanding of financial feasibility and financial inflows and outflows both on any phased basis and an integrated total basis over any phased schedule, and shall also enable a clear understanding of the projected rents and any other financial returns to the County anticipated over the projection period.

2. **Financial Capacity:** Provide evidence of Proposer's financial capacity so that a determination can be made if the Respondent is capable of undertaking the Project. Additionally, provide documentation as to what resources will be utilized to provide equity for the Project.

Proposer needs to provide a minimum of three (3) financial documentations below for the specific project. Evidence of or possession of or access to equity capital and financing resources to carry out the proposed Project shall be provided, where appropriate, by submittal of all of the following:

- **Credit Report:** A credit report generated by a reputable and recognized independent source no earlier than one month prior to submission, as applicable for existing companies or Development Entities and/or all members of the proposed Management/Operations team.
- **Financial Commitments:** A statement by a bank, financial institution or Certified Public Accountant (CPA) certifying that the Proposer(s) has a private net worth or access to private equity in excess of the amount necessary to develop, manage and/or operate the Project, as may be applicable to their participation.

Proposals are expected to illustrate the level of private financial commitments to fund the primary Project and, if planned, any limited

dependence upon any public funds; subsidies, public credit enhancements, loans, loan guarantees, or other publically sponsored financial mechanism for infrastructure or other Project costs. The Proposer should describe in detail all sources of capital funds for the Project including, but not limited to, the following:

- i) **Private Sector Equity Contributions** - The Proposer shall estimate the amount of expected equity contributions and shall describe the expected sources of these equity funds based on its past experience to raise and invest similar capital for projects of a similar scale. Any terms and conditions relating to these commitments shall be identified. Where possible, Proposers are encouraged to substantiate equity commitments through an informal banker's letter of credit or other appropriate banking instrument. The formal letter of equity commitment shall not be required until the end of a financial due diligence period, commencing after execution of an agreement with the selected Proposer.
- ii) **Debt Related Financing** - The Proposer shall identify the amounts of debt related financing and shall describe the methods for obtaining such financing. The Proposer shall also identify the risks associated with this debt financing, including the terms and maturity of such debt, and describe any guarantees or other securities pledged to the repayment of such debt and any restrictions and covenants associated with this debt. The cost associated with underwriting and issuing this debt instrument as well as the method of issuance (e.g., public offering or private placement) shall be discussed under this section.
- iii) **Public Funding** – The Proposer shall identify the amount of public debt financing in the form of bonds, grants or trust allocations it will seek to complete financing of the Project. Proposer shall identify the public agency and the manner through which such funding shall be allocated and approved. The public cost associated with underwriting and issuing these debt instruments, as well as the method of issuance (e.g., bond allocation or trust fees), shall be discussed under this section.
- **Previous Financial Commitments:** Recent history, preferably within the last 2-3 years, in obtaining financing commitments, detailing the type of project, financing source, amounts committed, etc. Proposer may submit a written statement(s) from their financing source(s) describing past projects which said source has financed for said Proposer, detailing the amount of capital, the size of the project and any other pertinent information that will assist the County in determining the availability of equity or subordinate capital to fund the Project.
- **Financial Statements:** The Proposer should provide financial statements or similar documentation of fiscal capacity, prepared by a suitably certified accounting firm, to substantially verify their financial capability and current liquid assets available to carry out the Project. For a newly established Development Team, audited financial statements for the past four (4) years for individual principal and/or joint venture participants, including statement of changes in financial position and statements of any parent

organizations and any materially relevant subsidiary units, identifying any projects with negative cash flows, amount of Proposer's resource debt, any non-performing loans, and the amount of guarantees and/or contingent liabilities. For established Development Teams, published corporate financial statements for the last four (4) years, prepared by a certified accounting firm, will be accepted.

- A statement(s) signed by authorized principal(s) of the lending entity(ies) affirmatively stating extent of financial support towards the Project.

D) Non-Financial and Financial Returns to the County: This Project is being solicited according to State statutes governing economic development projects. Proposals shall include a stated intent and supporting documentation which illustrates improvements to the economic well-being of the County overall and the financial return to the County by increased revenue to Zoo Miami.

- 1. Economic Development Statement:** Proposers must submit an economic impact statement indicating how their proposed development will have a positive impact on Miami-Dade's economy. This statement should address job creation (distinguish between temporary and permanent); labor compensation and wage rates; the County's taxable property tax base; and tax increment at current property tax rates.
- 2. Direct Economic Benefit Table:** Summarize the following direct economic benefits from the proposed development plan using the following table.

Specific Economic Development Evaluation Criteria (by applicable phase of development)	Phase I	Phase II	Phase III	Phase IV
Phase Completion Dates: ¹				
Criteria:				
Construction Expenditures				
Amount of hard costs associated with project				
Amount of expenditures for Design, Engineering and other soft costs				
Additional attendance to Zoo Miami Entertainment District venues ²				
Amount of additional attendance, Zoo Miami				
Amount of additional attendance, new venues				
Amount all additional attendees that will be overnight visitors staying in Miami-Dade				
Number of new FTE ³ jobs from operations of <u>individually proposed venues</u> (attractions, amusements, lodging, retail or food service)				
Amount of new FTE jobs requiring high school degree or less				
Average annual salary (excluding benefits) of new FTE jobs				
What % are management and operations?				
What % are food service workers?				
What % are cleaning and janitorial?				

Notes: 1) If development will proceed in phases, then indicate the completion date for each phase. 2) Additional attendance above current levels per year at Zoo Miami, other existing attractions, and proposed new attractions. 3) FTE job represents an employee of a proposed new or expanding existing establishment working 35 hours per week, 52 weeks per year.

The County will quantitatively analyze the above information to validate and calculate an economic impact of the proposed project. If a proposer wishes to submit a separate economic

impact analysis of their project, the County will only consider quantitative analyses using either an IMPLAN model or a REMI model for Miami-Dade County.

3. **Rent:** The County expect to be compensated for the valuable resources that the County is offering as part of this ITN. As such, Proposer must provide projected payments to the County in the form of a reimbursement, initial rent, minimum guaranteed rent and percentage(s) of gross revenues. Proposer will deliver a financial proposal to the County that provides the aforementioned sources of funds and that fairly compensates the County for its resources and allows the County to share, to some extent, in the financial success of the development(s). The Proposer's financial proposal shall be subject to continued negotiation, but shall contain sufficient details to be a starting point of negotiations. The initial price proposal shall further evidence that the Proposer has the financial ability and wherewithal to carry out the project and understanding to carry out the project scope. The County may, at any time, request additional information regarding the Proposer's price proposal.

- Reimbursement. The County has invested certain funding to establish permissible development approvals for the project related to modifying land use designations and amending the existing Development of Regional Impact order. Based on the \$240,000 already spent by the County for Site 1, proposer(s) awarded a contract for any or all of Site 1 shall be expected to reimburse the County by making a one-time payment of \$240,000 or \$2,033/acre payment to the County immediately upon execution of the contract(s). Based on the \$90,000 already spent by the County for the County-owned portion of Site 2, proposer(s) awarded a contract for the County-owned portion of Site 2 shall be expected to reimburse the County by making a one-time payment of \$90,000 or \$313/acre payment to the County immediately upon execution of the contract(s).

The County has invested certain funding to acquire the 39-acre housing portion of the Coast Guard base. The Selected Proposer may be required to reimburse the County for the purchase price as established by MAI appraisal and limited to no less than the \$16.2 million the County paid to acquire the property. Conversely, the County may determine, at its sole discretion, that leasing the property may be a more advantageous course of action pursuant to plans submitted by proposers.

- Initial Rent. The selected Proposer shall pay the County an Initial Rent annually for the period between the Lease Effective Date and the Date of Beneficial Occupancy (after improvements) at any or all of the respective leased or licensed improvement areas. Based on the latest appraised value of the property, the County estimates for Site 1 and possibly Site 2 lands an Initial Rent of **\$3,275/acre per year for leased or licensed lands**. Rent is subject to negotiation.
- Minimum Annual Guaranteed Rent. After the Date of Beneficial Occupancy and through the termination date of the Agreement, the selected Proposer shall pay the County a Minimum Annual Guaranteed Rent to the County on the first day of each month (after improvements) at the respective Locations. Based on the latest fair market appraisal of the property, the County estimates a Minimum Annual Guaranteed Rent for Site 1 and possibly Site 2 of **\$25,000/acre per year for leased lands**. Common real estate areas associated with access roads,

parking, natural and buffer lands will not count against any Minimum Annual Guaranteed Rents. Rent is subject to negotiation

- Percentage of Monthly Gross Receipt Rent. In addition to the Guaranteed Monthly Rent, the selected Proposer shall pay the County on a monthly basis a Percentage of Adjusted Gross Receipts, for revenue from the sale of all fees, goods and services provided at the Location as of Date of Beneficial Occupancy (after improvements) at the respective Locations. The minimum Percent of Monthly Rent the County estimates for various leased or licensed areas within Site 1 and possibly Site 2, depending on the specific land and specific use, approximate **4% for years 1-5, and 7% for years 5-10 and 9% for years 11+**, plus any annualized inflationary adjustments. Actual percent rents will be negotiated based on site plans provided by the selected Proposer. Rent is subject to negotiation

E) List any exceptions taken by Proposer.

3.3 Proposal Submission Package

The County prefers to contract with a single Master Proposer for the entirety of the two Sites. Development Proposals shall be separately submitted and labeled prominently, as either:

- (1) Master Developer Proposals can contain only one proposal which shall, at a minimum, include the Zoo Miami lands and the County-owned portion of the Coast Guard lands. The balance of non-County owned Coast Guard lands may be included as well.

OR

- (2) Minor Developer Proposals can contain only one proposal which shall be comprised of separate and individual smaller portions of any part of Zoo Miami or Coast Guard lands that are categorized and labeled, according to the type of development, as either:
 - (a) Attraction;
 - (b) Amusement;
 - (c) Lodging/conference center;
 - (d) Food service/Restaurant/Banquet Hall;
 - (e) Specialty themed retail; and/or
 - (f) Other

The aforementioned categories shall be referred to as "Minor Development Categories".

A Proposer shall use only one of the aforementioned Minor Development Categories in labeling a Minor Development Proposal. Proposers wishing to offer proposals in more than one category of Minor Developer Proposals shall submit a separate proposal for each category of interest.

The proposal shall be written in sufficient detail to permit the County to conduct a meaningful evaluation of the proposed services. However, overly elaborate responses are not requested or desired.

Submittals shall include, at a minimum, the following:

1. Development Approach (Section 3.2.A.1)
2. Site Plan (Section 3.2.A.2).

3. Improvement Cost Estimate (Section 3.2.A.3)
4. Improvement Schedule (Section 3.2.A.4)
5. Improvement Renderings (Section 3.2.A.5)
6. Development Team Table of Organization and Required Disciplines (Section 3.2.B.1)
7. Development Team Experience and Qualifications (Section 3.2.B.2)
8. Management/Operations Team Experience and Qualifications (Section 3.2.B.3)
9. Local Participation (Section 3.2.B.4)
10. 10-Year Pro Forma (Section 3.2.C.1)
11. Evidence of Financial Capability (Section 3.2.C.2)
12. Economic Development Statement (Section 3.2.D.1)
13. Direct Economic Benefit (Section 3.2.D.2)
14. Rent Payment (Section 3.2.D.3)
15. Proposal Submission Package

4.0 EVALUATION PROCESS

4.1 Review of Proposals for Responsiveness

Each proposal will be reviewed to determine if the proposal is responsive to the submission requirements outlined in this ITN. A responsive proposal is one which follows the requirements of this ITN, includes all documentation, is submitted in the format outlined in this ITN, is a timely submission, and has the appropriate signatures as required on each document. Failure to comply with these requirements may result in the proposal being deemed non-responsive.

4.2 Review Criteria

Proposals will be studied by a Review Committee to be designated by the County to evaluate and rank proposals based on criteria listed below. The Committee will be comprised of appropriate County personnel and members of the community, as deemed necessary, with the appropriate experience and/or knowledge to evaluate Proposals. The Committee will be assisted by a Technical Advisory Committee comprised of persons having specific experience and knowledge to support the Review Committee.

The Review Committee will evaluate how well Proposal(s) create a unified and continuously themed Zoo Miami Entertainment Area by seamlessly weaving together existing County venues (Zoo Miami and Gold Coast Railroad Museum) with new complimentary and compatible attraction, amusement, lodging, food service and retail venues, all lying on or adjacent to Zoo Miami, and all managed and operated to provide the best financial and economic development return to the County. Each Proposal shall be evaluated based on how:

- The Project approach, site plan and renderings imaginatively create a destination that complies with existing site constraints and development orders and its phased development cost and schedule can reasonably be accomplished (see Section 3.2 A)
- The experience and qualifications of its Development and Operations/Management Teams are uniquely suited to design, construct and operate the various venues proposed (see Section 3.2 B)
- The financial feasibility of the Project, coupled with the well documented financial capacity of the Proposer, demonstrates the unique capabilities to fund the overall Proposal (see Section 3.2 C)
- The financial return to the County is consistent with County expectations and the non-financial economic development impact to the County is documented and comparable to other similarly sized projects (see Section 3.2 D)
- Any link between the proposed ZMEA site plan improvements and the existing Zoo Miami site plan is clearly documented as advancing their combined development and marketing (see Section 3.2 A.2b.)

4.3 Review

The County prefers to contract with a single Master Proposer for the entirety of the two Sites. Seeking to optimize the best interest of the County as it pertains to development of the Zoo Miami Entertainment Area, the Review Committee is empowered to utilize any and all evaluation tools available to them, at their sole discretion, to present a recommendation to the County Mayor for further action(s) including any negotiations.

As set forth in Section 3.3, Development Proposals shall be submitted to the Review Committee as either Master Developer Proposals or Minor Developer Proposals with the Minor Development Category specified. Master Developer Proposals shall be reviewed and evaluated by the Committee, as necessary, based on the above Review Criteria. Minor Developer Proposals for each Minor Development Category shall similarly be reviewed and evaluated within each Minor Development

Category by the Committee, as necessary, based on the above Review Criteria. Although the County prefers to select one Master Developer for the entirety or majority of the Site(s), the Review Committee may alternatively select one Master Developer Proposal and one or more Minor Developer Proposals, or may only select several Minor Developer Proposals, all as determined in the sole discretion of the County.

To accomplish this, the Review Committee will: 1) open and consider all Master and Minor Development proposals; 2) use the above criteria to separately rank Master and Minor Developer Proposals based on how best each proposal(s) accomplishes objectives in Section 2.1 and addresses Review Criteria in Section 4.2 for the establishment of the ZMEA. The County, in its sole discretion, may decide to commence negotiations with any Master Developer for a complete project. In the alternative, the County may at any time decide to commence negotiations with any combination of Master Developers or Minor Developers for partial or complete projects offered with a view to obtaining an integrated program for development of the project site. During the process of evaluation of the proposals, the County may, but shall not be required to, allow proposers to redefine their concept and integrate Minor Developers as subcontractors or team participants for purposes of offering to the County an integrated proposal for the development that is more favorable to the County than the one originally offered. In such instance, the County may, but shall not be required to, reevaluate and rerank such proposal in comparison to other proposals for the same site or sites. The decision to negotiate with one or more proposers, and any decision to contract for a portion of any site or for a partial or complete concept, shall be in the sole discretion of the County.

4.4 Oral Presentations

The County may choose to request that Proposers present their Proposals before the Review Committee members.

4.5 Negotiations

Subject to a Mayoral recommendation, the County will establish a Negotiating Committee through which it will negotiate required leases, licenses and common real estate agreements with Proposer(s) recommended by the Review Committee. The Committee will be comprised of appropriate County personnel and members of the community, deemed necessary, with the appropriate experience and/or knowledge. The Committee may recommend that negotiations take place with one or any number of proposers for one or more locations for economic development deemed to be in the best interest and at the sole discretion of the County. In its sole discretion, the County Mayor or designee may direct negotiations with the highest ranked Proposer, negotiations with multiple Proposers, or may request best and final offers. The County reserves the right to request and evaluate additional information during the Negotiation phase from any respondent and to select any Proposer as the County deems necessary. However, all agreements must be fully negotiated prior to any contract award(s) by the Board of County Commissioners.

4.6 Contract Award

Any contract, if one is recommended by the Negotiating Committee, will be submitted to the County Mayor or designee for recommendation of approval by the Board of County Commissioners. All Proposers will be notified in writing when the County Mayor or designee makes an award recommendation. The Contract award, if any, shall be made to the Proposer(s) whose proposal shall be deemed by the County to be in the best overall economic interest of the County. Notwithstanding the rights of protest listed below, the County's decision of whether to make the award and to which Proposer shall be final.

4.7 Rights of Protest

A recommendation for contract award or rejection of all proposals may be protested by a Proposer in accordance with the procedures contained in Sections 2-8.3 and 2-8.4 of the County Code, as amended, and as established in Implementing Order No. 3-21.

5.0 TERMS AND CONDITIONS

The terms and conditions summarized below are of special note:

a) Vendor Registration

Prior to being recommended for award, the Proposer shall complete a Miami-Dade County Vendor Registration Package. Effective June 1, 2008, the new Vendor Registration Package, including a Uniform Affidavit Packet (Affidavit form), must be completed. The Vendor Registration Package, including all affidavits can be obtained by downloading from the website at http://www.miamidade.gov/DPM/vendor_registration.asp or from the Vendor Assistance Unit at 111 N.W. 1st Street, 13th Floor, Miami, FL. The recommended Proposer shall affirm that all information submitted with its Vendor Registration Package is current, complete and accurate, at the time they submitted a response to the ITN, by completing an Affirmation of Vendor Affidavit form.

b) Insurance and Indemnification Requirements

The Contractor shall furnish to the County, prior to the commencement of any work under any agreement, Certificates of Insurance which indicate insurance coverage has been obtained that meets County requirements. The Contractor shall indemnify and hold harmless the County and its officers, employees, agents and instrumentalities from any and all liability, losses or damages, including attorneys' fees and costs of defense, which the County or its officers, employees, agents or instrumentalities may incur as a result of claims, demands, suits, causes of actions or proceedings of any kind or nature arising out of, relating to or resulting from any development by the Contractor or its employees, agents, servants, partners principals or subcontractors. The Contractor shall pay all claims and losses in connection therewith and shall investigate and defend all claims, suits or actions of any kind or nature in the name of the County, where applicable, including appellate proceedings, and shall pay all costs, judgments, and attorney's fees which may issue thereon. The Contractor expressly understands and agrees that any insurance protection required under any agreement reached as a result of this ITN or otherwise provided by the Contractor shall in no way limit the responsibility to indemnify, keep and save harmless and defend the County or its officers, employees, agents and instrumentalities as herein provided.

c) Contractor agrees to comply, subject to applicable professional standards, with the provisions of any and all applicable Federal, State and the County orders, statutes, ordinances, rules and regulations which may pertain to the Development stated hereunder.

d) As part of any consideration for any agreement resulting from this ITN, the County will not approve any agreement for property that is not owned by the County.



**TOWN OF SURFSIDE
DISCUSSION ITEM**

Agenda Item # 9C

Agenda Date: July 14, 2015

From: Guillermo Olmedillo, Town Manager

Subject: Beach Chair Management

Background: Town Administration has received complaints of too many beach chairs on Surfside beach, which block public access and obstruct health and safety vehicles.

On October 2, 2012, Miami-Dade Commissioner Sally Heyman sponsored legislation for Miami-Dade County through its Parks and Recreation and Open Spaces Department to formalize an Upland Lease Agreement with the State of Florida to regulate concessions, among other things, on the beach in Surfside. After numerous letters and communications, the State of Florida denied the County's Upland Lease Application. Thereafter, the Town of Surfside decided to explore other options to regulate beach management. The Town Manager, Town Attorney's Office and Parks and Recreation Director communicated with the Chief of the Bureau of Public Land Administration and a Senior Attorney from the Florida Department of Environmental Protection (FDEP) as well as various municipalities throughout Florida to discuss options for the Town to regulate beach management.

Analysis: 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 municipality may not exercise its police power in an arbitrary, capricious, or unreasonable manner.

Regulation may be accomplished regardless of the ownership of this area, with the exception of state ownership, and without regard to whether the public has been expressly or impliedly allowed to use that area of the beach by a private property owner who may hold title to the property. It is important to note that private beachfront owners, known as littoral owners, have certain special rights with regard to the water, including the right of access to the water, the right to use the water for certain purposes, the right to an unobstructed view of the water, and the right to receive accretions and relictions to the littoral property. Stop the Beach Renourishment, Inc. v. Florida Department of Environmental Protection, 130 S. Ct. 2592 (2009).

Models from Florida Municipalities and Counties: A number of municipalities and counties in Florida regulate beach management. Ordinances range from "Leave no Trace" regulations such as Panama City Beach to broad beach vendor permitting schemes such as the City of Destin, to more

pecially tailored ordinances for beach furniture and equipment in Fort Myers Beach and solely beach chairs in Sunny Isles Beach (Attachment “A”).

Recommendation: After reviewing different options, Town Administration recommends that the Town Commission direct Town Staff to move forward with an ordinance similar to Sunny Isles Beach which deals directly and specifically with beach chairs in a permitting scheme to limit the number of chairs placed on the beach by commercial businesses. Town Administration is also seeking direction from the Town Commission to address issues including enforcement and monitoring, and budgetary concerns.

Budgetary Impact: \$45,000 for staffing of Code Compliance Officers to carry out enforcement duties.

SUNNY ISLES BEACH

ARTICLE II - Beach Chairs

[Adopted 2-15-2007 by Ord. No. 2007-276]

§ 108-7. - Purpose and intent.

The following regulations are established to ensure the placement of private beach chairs and equipment on publicly owned or controlled beach area complies with the aesthetic objectives of the City and preserves the health, safety and welfare of the residents.

§ 108-8. - Definitions.

The following words, terms and phrases, when used in this article, shall have the following meanings, except where the context clearly indicates a different meaning:

ABANDONED BEACH CHAIRS AND/OR EQUIPMENT — Any beach chair and/or equipment left outside the permitted area which is not in use for a period of two hours or more, or upon the public beach after sunset, excluding beach chairs and/or equipment that are temporarily unoccupied where its user is in the water or within sight.

BEACH CHAIRS AND/OR EQUIPMENT — Includes, but is not limited to, any chair, umbrella or other object that is used on the beach.

CITY — The City of Sunny Isles Beach.

CODE — The City of Sunny Isles Beach Code of Ordinances and applicable sections of the Code of Miami-Dade County as made applicable to the City pursuant to Article 8, Section 8.3 of the City Charter, as may be amended from time to time, or such other land development regulations or ordinances as may be adopted by the City thereafter.

CODE ENFORCEMENT AND LICENSING DEPARTMENT — The City of Sunny Isles Beach Code Enforcement and Licensing Department.

EMERGENCY RESPONSE PATH — The area located between the easternmost property line and the Miami-Dade County garbage cans for the purpose of providing access for emergency response personnel and enforcement.

OWNER — Any person, entity, hotel, hotel operator, condominium, condominium association or representative that owns or controls a beach chair(s) and/or equipment and allows another party to use such beach chair and/or equipment for a fee or as part of a short-term paid lodging or residency arrangement.

PERMIT — The license issued by the City to the owner of a beach chair(s) and/or equipment authorizing the placement of such beach chair(s) and/or equipment in a designated location(s) on the public beach.

PUBLIC BEACH — Any publicly owned or controlled area lying east of the private property line (boundary line) namely the ROS (Recreational Open Space) District on the east side of the MUR District.

STORAGE — The stacking of equipment upon private property during the day or overnight.

§ 108-9. - Permit required.

It shall be unlawful for any owner, as defined in this article, to place a beach chair or equipment on a publicly owned or controlled beach area within the City without first obtaining a permit.

- A. Application. Any owner, as defined above in this article, shall apply for a permit on a form prepared by the City and submit same, along with the applicable permit application fee, to the Code Enforcement and Licensing Department for processing. All permit applications shall include the following:
 - (1) A twenty-five-dollar application fee, as may be amended from time to time by the City Commission;
 - (2) The proposed placement of the beach chairs and/or equipment;
 - (3) Operational plan describing the equipment, number and types;
 - (4) Evacuation plan, in case of a natural disaster such as a tropical storm or hurricane, including storage area;
 - (5) Acknowledgment and authorization form (if applicant is a representative).
- B. Exemption. Nothing in this article shall require a permit from the general public to place beach chairs and/or equipment on the beach for personal use.
- C. Review of permit application. A permit shall be granted upon the submittal of a completed application and the required fee, unless the City 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.
- D. Guidelines for the placement of beach chairs. The City Manager or designee shall establish guidelines for the placement of beach chairs and equipment on the public beach. These guidelines shall designate specific locations for the beach chairs and equipment.
- E. Appeals. Any party aggrieved by the terms of a permit issued by the City under this provision, or by the City's decision to deny the permit or by the revocation of a permit issued by the City may, within 10 days of the decision, appeal to the City Manager, whose decision shall be final.

§ 108-10. - Permit conditions.

The following conditions shall apply to the placement of beach chairs and equipment:

- A. Maintenance of beach chairs and equipment. The owner shall be responsible for ensuring that the beach chairs and equipment are maintained in good condition, free from evidence of deterioration, weathering, and discoloration, at all times.
- B. No obstruction to general public. Beach chairs and/or equipment shall be deployed in a manner that will assure public access and will encourage public use of the beach.
- C. No obstruction to emergency response path. The placement and/or use of beach chairs and equipment shall not obstruct the view of the lifeguard or the emergency response path 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 chair or equipment can be placed beyond the permitted location.
- D. Storage during declared emergency required. In the event of a tropical storm warning or hurricane watch issued by the National Weather Service, the owner or his/her designee shall immediately remove, or cause to be removed, the beach chairs and equipment. In the event of a declared state of emergency, the City Manager or designee may by providing at least eight hours' notice issue a warning to the owner to remove and secure the beach chairs and equipment. If the applicant fails to remove the beach chairs and equipment within the required period, the City, at its option, may remove the beach chairs and equipment from the public beach. The applicant shall be jointly and severally liable for all costs incurred by the City for the removal of the beach chairs and equipment under these circumstances.

§ 108-11. - Preservation of nesting grounds for sea turtles.

The owner shall comply with any order issued by the State of Florida and/or cooperate with Miami-Dade County Parks Department regulation 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 may be taken.

§ 108-12. - Enforcement.

The Code Enforcement and Licensing Department shall be responsible for the enforcement of the provisions of this article.

§ 108-13. - Penalties for offenses.

Any person or entity found to be in violation of any condition of the permit issued herein shall first be issued a warning notice. The violator shall have 48 hours from the date of the warning notice to correct the violation. Failure to correct the violation within the prescribed deadline may result in revocation of

the permit or a fine of \$200 per occurrence. Failure to obtain the required permit shall subject the owner to a fine of \$500 per day.



**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 #: 9D
Date: July 14 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 # 9E

Agenda Date: February 27, 2015 / July 14, 2015

Subject: Community Rating Systems (CRS) Program for Public Information (PPI)


Background: The Town of Surfside has developed an outreach program over the past year to educate the community concerning matters pertaining to floodplain management and to highlight the importance of flood mitigation to the community. This outreach has included participation with Miami-Dade County and input from volunteers and community stakeholders. With the implementation of the 2013 CRS Coordinator's Manual, the Town of Surfside determined the importance of developing its own Program for Public Information.

Analysis: The Committee for the Program for Public Information along with Town consultants CRS Max developed an action plan that will bring all pertinent flood hazard and flood insurance information to the public. This program seeks to inform both general audiences and target audiences alike with the goal of disseminating this information to the greatest number of people. This program also seeks to maximize the number of points that can be obtained for the Town's application to the Insurance Services Office (ISO) under the Community Rating Systems (CRS) evaluation grading scale for this activity.

Budget Impact: The Program for Public Information (PPI) has no budget impact.

Staff Impact: The Building Department is the repository of records required for the Town's Floodplain Management Program under the position of Building Official who serves as the Town's Certified Flood Manager therefore the staff impact is, at present, accounted for.

Recommendation: Staff recommends acceptance of the Program for Public Information (PPI) in support of the Town's application to the Insurance Services Office (ISO) for inclusion into the Community Rating System's (CRS) flood insurance discount program.



Department Head



Town Manager

Town of Surfside, Florida
Program for Public Information (PPI)
March 2015

Background

The Town of Surfside has developed an outreach program over the past year to educate the community concerning matters pertaining to floodplain management and to highlight the importance of flood mitigation to the community. This outreach has included participation with Miami-Dade County and input from volunteers and community stakeholders. With the implementation of the *2013 CRS Coordinator's Manual*, the Town of Surfside determined the importance of developing its own Program for Public Information.

After having been relegated to a Class 10 in the CRS Program, the Town of Surfside has performed all of the requirements to comply with the National Flood Insurance Program (NFIP) and is becoming qualified again for the Community Rating System (CRS) Program. CRS is a component of the NFIP, which provides reductions to flood insurance premiums for residents and businesses within participating communities. The reductions are based on community floodplain management programs, including public information activities. To keep those discounts, communities must continue to implement their programs and provide status reports to the NFIP each year. This year the Town has prioritized the dissemination of flood-related information to its residents and businesses.

The Town of Surfside has emphasized not only the life and property protection components of floodplain management but also the natural and beneficial functions of floodplains and the maintenance of open space. Furthermore, it continues active compliance with the MS4 program (Municipal Separate Storm Sewer Systems). The MS4 program is part of the US Environmental Protection Agency's efforts to reduce pollution caused by untreated stormwater runoff.

The Town is pleased that its efforts to disseminate flood hazard information are not only beneficial to the Surfside community through mitigation of the hazardous effects of flooding, but are also beneficial in maximizing credit in the CRS program by conforming to the PPI standard outlined in the *2013 CRS Coordinator's Manual*.

PPI Committee

The Program for Public Information Committee is comprised of both key staff members from pertinent departments as well as community stakeholders representing pertinent professions and constituents in the Town. Since this was a group that included busy professionals and leaders of the community, the meeting times were chosen to maximize participation. Participation was very strong at both meetings, which were held at the Town Manager's Conference Room at Town Hall.

The PPI Committee members included three stakeholders and three Town staff members.

PPI Committee - Town of Surfside Stakeholders:

James Corpora, representing the **contractors** in the Town of Surfside. Mr. Corpora is a Certified General Contractor in JM Group, USA, Inc.

Ruben Coto, representing the **insurance** profession in the Town of Surfside. Mr. Coto is President of R. Coto and Associates, Inc. He is also Vice President of Surfside Business Association.

Eli Tourgeman, representing the **business** professions in the Town of Surfside. Mr. Tourgeman is President of Surfside Business Association, Vice President of HSBC Bank in Surfside, and Chairman of the Surfside Tourist Board.

PPI Committee - Town of Surfside Staff:

Joe Damien, representing **Public Information** and **Code Compliance**. Mr. Damien serves as the Town's Code Compliance Director.

Joe Kroll representing **public works**. Mr. Kroll serves as the Town's Director of Public Works.

Ross Prieto, representing **floodplain management, planning and building**. Mr. Prieto serves as both the Town's Building Official and the CRS Coordinator.

CRS Max Consultants, Inc. served as facilitator in the development of the PPI.

Assessment of Public Information Needs

The Committee's first meeting was held on January 13, 2014. PPI Committee Chair, Ross Prieto, opened the meeting by thanking the members for their participation in this important effort and by explaining the value of the Community Rating System to the Town of Surfside. The facilitator, CRS Max Consultants, followed with a brief introduction to the National Flood Insurance Program (NFIP) in general and the Program for Public Information in particular. The Committee began by describing some of the outreach projects currently undertaken by the Town and beginning to assess the community's public information needs. Perhaps the cornerstone of the Town's outreach has been its monthly newsletter, *Surfside Gazette*, which is distributed to all addresses in the community. The February and March 2015 newsletters were written so as to encompass all the topics earning credit under CRS guidelines and all the notifications of services offered. Stakeholder Eli Tourgeman pointed out the particular value of utilization of the *Gazette*. The fact that the *Surfside Gazette* is published every month enables the Town to emphasize flood related materials often.

Among the additional outreach projects the Town has used are the following:

- Brochures printed by the Town, including *Flood Insurance Information*
- Brochures printed by other agencies and stakeholders

- Letters and enclosures to Repetitive Loss Area addresses
- Website
- Email blasts

The second meeting of the PPI Committee was held on February 20, 2015. After a brief recap of the items previously discussed, the committee got to work on the remaining tasks incumbent upon the development of a PPI. The Town has chosen not to apply for credit under Activity 370, Flood Insurance Promotion, at this time. Accordingly, the exercises and maps for this item are not herein included. However the Committee did perform a brief evaluation of the flood insurance coverage in the town. Given the fact that Surfside is a small community, it is very well covered, as seen by the fact that there are 2,591 policies in effect. Interestingly, over half of these policies are located outside the Special Flood Hazard Areas.

Discussion ensued on what areas of the town are particularly vulnerable to flooding. It was noted that there are only three repetitive loss properties with accompanying areas for each. Public Works Director Joe Kroll pointed out that the shops between 95th and 96th Streets are subject to flooding, a situation that is being addressed by a regional effort to enhance stormwater infrastructure. The business area in its totality was deemed to be an appropriate target area.

Target Areas:

1. Target audience #1: Business Area: The targeting of the businesses strip that runs along the Town's major corridors was determined to be an appropriate target area.
2. Target audience #2: Residents and businesses within the Repetitive Loss Areas: Any area that has been subject to repetitive losses from flooding, as defined by the NFIP, needs to be especially targeted for public information. A special outreach project, entailing an advisement to the property owners in these areas in the Town will be undertaken at least on an annual basis. The information specified in the *2013 CRS Coordinator's Manual* will be included.
3. Target audience #3: Biscaya Island Condo Association The Biscaya Island Condo Association is located in an area that is unique in its stormwater drainage system. Accordingly it needs to be addressed separately from the rest of the Town.

Target Audiences:

The Committee recognized one additional target audience, other than those characterized by target areas, that needs flood hazard and flood protection information.

4. Target audience #4: Condominium associations: Because condominium associations typically concern themselves with matters vital to their respective communities, this was determined to be an appropriate target audience.

Discussion ensued on the importance of utilizing stakeholders to disseminate information pertaining to flooding. Research has shown that a message that is propagated through a variety

of sources tends to be taken more seriously than a message that is only propagated through a single source, i.e., the Town. Stakeholder Eli Tourgeman pointed out that he is in a very good position to disseminate information to all the businesses in the Town. Not only is he a member of the Downtown Vision Advisory Committee, but he is also President of the Surfside Business Association. As such, he has the emails to all the businesses and can effectively get the word out about matters pertaining to flooding. Insurance stakeholder Ruben Coto is also in a position to disseminate information, especially as it pertains to flood insurance.

A strategy was discussed for an effective way in which to reach all of the target audiences within the next month. Using several vehicles of distribution, the PPI Committee members intend to perform the outreaches to all the targeted audiences that have been designated.

Other Public Information Efforts

The committee discussed some of the public information efforts that are conducted not only by the Town but also by other agencies. Mention was made, for example, of how the community is tasked with disseminating information pertaining to the National Pollutant Discharge Elimination System, previously referred to in this report as the MS4 program. This public information task is already being accomplished on a regular basis.

As discussion within the Committee continued, it became clear that others within the community were already involved in public information outreach, some of which was already focused on the flood hazard message. Committee members identified some of the organizations and their respective projects; these are listed in Table 1.

Table 1. Other Public Information Efforts			
Organization	Project	Subject Matter	Frequency
Town of Surfside	<i>Surfside Gazette</i>	Public interest	Monthly
Town of Surfside	Website	Various	Year-round as needed
Town of Surfside	Email blasts	Various subjects as deemed appropriate	As needed
Town of Surfside	Press Releases	Various	As deemed appropriate
Town of Surfside	Utilities Bills	Bills and miscellaneous inserts	Monthly
Town Building Department	Map inquiry service	Flood hazard areas, insurance 101, flood protection	Year-round
Town Public Works Department	MS4 Projects, Swale and Canal Maintenance, Illegal Dumping Signage	Take care of your storm drain Protect water quality, no illegal dumping	Year round

Organization	Project	Subject Matter	Frequency
Town of Surfside	Cable TV Channel 77	Public interest	Year-round
Town of Surfside Parks and Recreation	Family Fun Day	Public interest	Annually
Channel 4 TV (CBS)	Hurricane Preparedness Guide	Hurricane and flood preparedness	Annually in May
Channel 7 TV (FOX)	Hurricane Preparedness Guide	Hurricane and flood preparedness	Annually in May
Miami-Dade County	Website, miscellaneous regional projects	Hurricane and flood preparedness and response	Year-round
Regional network TV and radio stations	FloodSmart commercials	Be prepared Get flood Insurance	Year-round
South Florida Water Management District	Website	Flood protection programs	Year-round
South Florida Water Management District	Brochures	Stormwater and drainage information	Year-round
Insurance agencies	Handouts on flood insurance	Flood insurance	As needed
Surfside Business Association	Email blasts and other miscellaneous projects	Business interest	As needed

Messages and Outcomes

After assessing the Community's flooding information needs, the PPI Committee identified the following as the priority messages for 2014-2015. Each message has a desired, measurable, outcome, as shown in Table 2.

Table 2. Messages and Desired Outcomes	
Message	Outcome
1. Know your flood hazard	More hits on flood hazard pages of Town's website
2. Insure your property for flood hazard	Increase in the number of flood insurance policies in the community
3. Protect people from the hazard	Fewer water rescues and police citations for ignoring barricades
4. Protect your property from the hazard	Reduced property loss due to flooding

5. Build responsibly	Reduced number of building department citations
6. Protect natural floodplain functions	Improved water quality as reported in NPDES; maintenance or increase in Open Space acreage in floodplain
7. PPI: Stormdrain maintenance	Reduced street flooding events caused by clogged stormdrains
8. PPI: Sea level rise	Enhanced planning that accounts for sea level rise
9. PPI: Storm surge	Increased evacuation in storm events
10. PPI: Hurricane preparedness	Reduced property loss from hurricanes

Projects and Initiatives

The PPI Committee identified 26 projects and initiatives that either have been implemented within the last year or could be implemented in the following years. Only those items whose implementation will take place by the time the PPI is submitted for review by the Insurance Services Office/CRS will be counted for CRS points in the current year. Implementation for future audiences will be determined based on cost and availability of resources. These are organized by target audience and message in Table 3.

The PPI Committee acknowledges the importance of advertising through public outreaches the various outreaches that the Town offers, some of which are credited in the CRS program under other activities. In particular, the Town will continue to advertise the following assistance that it offers:

- Activity 320 (Map Information Service)
- Activity 330 (Outreach Projects)
- Activity 340 (Hazard Disclosure)
- Activity 350 (Flood Protection Information)
- Activity 360 (Flood Protection Assistance)
- Activity 420 (Open Space Preservation), educational materials in natural areas
- Activity 540 (Drainage System Maintenance), publicizing dumping regulations

Flood Response Preparations

In addition to projects that are implemented every year, the PPI Committee recommends projects that could be implemented immediately before, during and after a flood or hurricane event. These projects are ready for reproduction and dissemination after a flood or hurricane warning. These projects are briefly described in this PPI in Table 3.

Implementation, Monitoring and Evaluation

The various entities listed in Table 3 will work to implement the projects included in the PPI. The CRS Coordinator will monitor the projects as they are developed, as well as their results. He/She will record inputs from the PPI Committee members and suggestions from other Town employees and stakeholders participating in the activities. That input will be sent by e-mail to the committee members for consideration and evaluation.

The PPI Committee will meet at least once each year to review the implementation of these projects and initiatives. At that time, the status of the projects will be explained and progress toward the outcomes will be discussed. The Committee will recommend to the appropriate Town offices and the stakeholders who implement projects whether the projects should be changed or discontinued.

At least once each year, staff will draft an update to Table 3 and send it to the Committee members. The Committee will meet and review the outcomes of each individual activity to change, add, delete or approve them. Table 3 will be revised accordingly. The outcomes and revisions will be submitted as part of the Town's annual recertification package to the Community Rating System. Furthermore, an update will be submitted on an annual basis to the Town Commission.

Adoption

This program become effective on March 10, 2015, at which time it was adopted by the Town Commission.

Table 3. PPI Projects and Initiatives							
OP Number	Target Audience	Message(s) (See Table 2)	Outcome (See Table 2)	Outreach Projects (OP)			
				Outreach Project	Assignment	Schedule	Stakeholder
OP#1	All properties in the City	8	8	Gazette - June 2014	CRS Coordinator	June	
OP#2	N/A	8	8	Climate Change Workshop	N/A	April	CLEO Institute
OP#3	All properties in the City	6, 7	6, 7	Gazette - March 2014	CRS Coordinator	March	
OP#4	All properties in the City	5 - 9	5 - 9	Gazette - April 2014	CRS Coordinator	April	
OP#5	All properties in the City	7	7	Gazette - September 2014	CRS Coordinator	September	
OP#6	All properties in the City	7	7	Gazette - January 2015	CRS Coordinator	January	
OP#7	All properties in the City	1 - 5, 7, 10	1 - 5, 7, 10	Gazette - February 2015	CRS Coordinator	February	
OP#8	All properties in the City	2	2	Flood Insurance Card	CRS Coordinator	February	

OP Number	Target Audience	Message(s) (See Table 2)	Outcome (See Table 2)	Outreach Project	Assignment	Schedule	Stakeholder
OP#9	All properties in the City	1 – 5, 7, 10	1 – 5, 7, 10	Monthly Town Email Feb15	CRS Coordinator	February	
OP#10	N/A	1-4,7,9, 10	1-4,7,9, 10	Miami-Dade 2014 Hurricane Guide	N/A	Year-round	Miami-Dade County
OP#11	N/A	8	8	Gazette - June 2014 (lobby)	CRS Coordinator	June	
OP#12	N/A	8	8	Climate Change Workshop (lobby)	N/A	April	CLEO Institute
OP#13	N/A	6, 7	6, 7	Gazette - March 2014 (lobby)	CRS Coordinator	March	
OP#14	N/A	5 - 9	5 - 9	Gazette - April 2014 (lobby)	CRS Coordinator	April	
OP#15	N/A	7	7	Gazette - September 2014 (lobby)	CRS Coordinator	September	
OP#16	N/A	7	7	Gazette - January 2015 (lobby)	CRS Coordinator	January	
OP#17	N/A	1 – 5, 7, 10	1 – 5, 7, 10	Gazette - February 2015 (lobby)	CRS Coordinator	February	
OP#18	N/A	2	2	Flood Insurance Card (3 locations)	CRS Coordinator	February	
OP#19	Repetitive Loss Areas	1, 2, 4	1, 2, 4	Repetitive Loss - Letters	CRS Coordinator	February	

OP Number	Target Audience	Message(s) (See Table 2)	Outcome (See Table 2)	Outreach Project	Assignment	Schedule	Stakeholder
OP#20	Repetitive Loss Areas	1 – 10	1 – 10	Repetitive Loss - Fliers	CRS Coordinator	March	
OP#21	Condo Associations	1 – 10	1 – 10	Condos - Letters	CRS Coordinator	March	
OP#22	Biscaya Island Condo	1 – 10	1 – 10	Biscaya Island Condo - Letters	CRS Coordinator	March	
OP#23	Business Community	1 – 10	1 – 10	Email blast to all businesses	Surfside Business Association	March	Business community
OP#24	N/A	1 – 10	1 – 10	Family Fun Day Booth	CRS Coordinator	July	
OP#25	N/A	1 – 10	1 – 10	Block Party Booth	CRS Coordinator	Third Thursday of month – at least one time per year	
OP#26	N/A	7	7	Wrap on Town Garbage Truck	Public Works Director	Message is changed quarterly	

FRP Number	Target Audience	Message(s) (See Table 3)	Outcome (See Table 3)	Project	Assignment	Schedule	Stakeholder
FRP#1	N/A	3	3	Facebook PSAs	Police Department PIO	Before the storm	N/A
FRP #2	N/A	3, 4	3, 4	Twitter PSAs	Police Department PIO	Before the storm	N/A
FRP #3	N/A	2, 3, 4, 10	2, 3, 4, 10	Email PSAs	Police Department PIO	Before the storm	N/A
FRP #4	N/A	2, 3, 10	2, 3, 10	Brochure handouts	Police Department PIO	Before the storm	N/A

FRP #5	N/A	3, 4	3, 4	TV/ Radio PSAs	Police Department PIO	Before the storm	N/A
FRP #6	N/A	3, 4	3, 4	Reverse 911 messages	Police Department PIO	Before the storm	N/A
FRP #7	N/A	3, 4, 7, 10	3, 4, 7, 10	Newspaper PSAs	Police Department PIO	Before the storm	N/A
FRP#8	N/A	1, 3, 4, 7	1, 3, 4, 7	EOC communications	Police Department PIO	Before the storm	N/A
FRP#9	N/A	3	3	Facebook PSAs	Police Department PIO	During the storm	N/A
FRP#10	N/A	3	3	Twitter PSAs	Police Department PIO	During the storm	N/A
FRP#11	N/A	3	3	Email PSAs	Police Department PIO	During the storm	N/A
FRP#12	N/A	3	3	Brochure handouts	Police Department PIO	During the storm	N/A
FRP#13	N/A	3	3	TV/ Radio PSAs	Police Department PIO	During the storm	N/A
FRP#14	N/A	3	3	Reverse 911 messages	Police Department PIO	During the storm	N/A
FRP#15	N/A			Newspaper PSAs	Police Department PIO	During the storm	N/A
FRP#16	N/A			EOC communications	Police Department PIO	During the storm	N/A
FRP#17	N/A	2, 3, 4, 5, 7	2, 3, 4, 5, 7	Facebook PSAs	Police Department PIO	After the storm	N/A

FRP#18	N/A			Twitter PSAs	Police Department PIO	After the storm	N/A
FRP#19	N/A	2, 3, 4, 5, 7	2, 3, 4, 5, 7	Email PSAs	Police Department PIO	After the storm	N/A
FRP#20	N/A			Brochure handouts	Police Department PIO	After the storm	N/A
FRP#21	N/A	10	10	TV/ Radio PSAs	Police Department PIO	After the storm	N/A
FRP#23	N/A			Newspaper PSAs	Police Department PIO	After the storm	N/A
FRP#24	N/A	1 – 5, 7	1 – 5, 7	EOC communications	Police Department PIO	After the storm	N/A



**TOWN OF SURFSIDE
DISCUSSION ITEM**

Agenda Item: # 9G

Agenda Date: July 14, 2015

From: Commissioner Michael Karukin

Subject: Zoning In Progress – Ordinance – Corridor Analysis between
Collins and Harding Avenues

At the September 30, 2013 Joint Planning and Zoning and Town Commission meeting, there was a discussion regarding the need to further regulate building lengths and building articulation along the corridor described as the area being between Collins and Harding Avenues from 94th Street to 88th Street, hereinafter the “Corridor Analysis.” 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. The ordinance on the Corridor Analysis is placed on the Town Commission Agenda for first reading on July 14, 2015.

To address the situation of potential new development that is inconsistent with proposed zoning changes, the Town incorporates “Zoning in Progress” regulations at Sec. 90-6 of the Code of Ordinances. The “Zoning in Progress” doctrine generally allows the Town to temporarily “pause” the processing of applications for new development while new zoning regulations are being prepared for adoption, if the new development will be affected by the anticipated changes in zoning regulations. Zoning in Progress, for example, will stop the review of any site plan application within this corridor until the Corridor Analysis code modifications are adopted or three months from now, whichever occurs first.

Recommendation: Direct the Town Clerk to publish a Notice of Zoning in Progress as provided in Section 90-6 “Zoning in Progress” of the Code of Ordinances, in order to apply a hold on the processing of development applications that are submitted to the Town after the date of the publication of the Notice. Provided, however, that the Notice shall not apply to any pending applications for development approvals which have been determined to be complete applications as of the date of the Notice of Zoning in Progress.



Town of Surfside Commission Communication

Agenda Item #: 9H

Agenda Date: July 14, 2015

Subject: Comprehensive Annual Financial Report (CAFR) for the Fiscal Year Ended September 30, 2014.

Background: The Comprehensive Annual Financial Report (CAFR) for the fiscal year ended September 30, 2014 was audited by the independent auditing firm of Marcum, LLP and have issued their opinion dated June 29, 2015. The independent auditors' opinion is located in the front of the CAFR and states: In our opinion, the financial statements referred to above present fairly, in all material respects, the respective financial position of the governmental activities, the business-type activities, each major fund, and the aggregate remaining fund information of the Town as of September 30, 2014, and the respective changes in financial position and, where applicable, cash flows thereof for the year then ended in accordance with accounting principles generally accepted in the United State of America. The Town's Management Discussion and Analysis immediately follows the independent auditors report and provides a narrative introduction overview and analysis of the basic financial statements. Additionally, Marcum provided the Town Commission with a Communication Letter dated June 29, 2015 located in the back of the CAFR. The Financial Statements were prepared in conformity with generally accepted accounting principles in accordance with the Governmental Accounting Standards Board.

Recommendation: It is recommended that the Town Commission accept the Comprehensive Annual Financial Report, as audited by Marcum LLP for the fiscal year ended September 30, 2014, including the communication letter dated June 29, 2015. It is further recommended that the Town Commission join me in expressing gratitude and congratulations to the Finance Director Donald Nelson and his staff, Mayte Gamiotea, Front Office Manager/ Controller, Marisol Rodriguez, Accounting Clerk, and Andria Meiri, Budget Officer for their diligence and hard work and effort leading up to the production of the CAFR.

Donald G. Nelson
Finance Director

Guillermo Olmedillo
Town Manager



**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 #: 9I
Date: July 14 2015
From: Daniel Dietch, Mayor
Subject: Florida for Solar Choice Support Resolution

Objective: To seek direction from the Town Commission whether it desires that the Town Attorney's Office prepare an urging resolution to 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: Direct the Town Attorney to conduct the necessary analysis to confirm that the urging resolution does not conflict with our inter-local agreement with Florida Power & Light and if no conflict exists to prepare an urging resolution similar to the ones passed by the City of Pinecrest and the City of South Miami (see attached).

RESOLUTION NO. 2015-18

**A RESOLUTION OF THE VILLAGE OF PINECREST,
FLORIDA, ENCOURAGING THE FLORIDA
LEGISLATURE TO REMOVE BARRIERS TO
CUSTOMER-SITED SOLAR POWER AND
EXPRESSING SUPPORT FOR THE FLORIDIANS
FOR SOLAR CHOICE BALLOT PETITION;
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 companyⁱⁱ; 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

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 VILLAGE COUNCIL OF PINECREST, FLORIDA, AS FOLLOWS:


Section 1. That the Village Council 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 2. This resolution shall become effective upon adoption.

PASSED AND ADOPTED this 17th day of March, 2015.


Cindy Lerner, Mayor

Attest:


Guido H. Inguanzo, Jr., CMC
Village Clerk

Approved as to Form and Legal Sufficiency:


Mitchell Bierman
Village Attorney



Motion by: Councilmember McDonald
Second by: Vice Mayor Ross

Vote: Councilmembers Ball, Kraft, McDonald, Vice Mayor Ross, and Mayor Lerner voting Yes

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://www.dsireusa.org/documents/summarymaps/3rd_Party_PPA_Map.pdf

ⁱⁱⁱ SEIA-GTM. *U.S. Solar Market Insight Report. Q3 2014.*

^{iv} Northstar Opinion Research, Survey of Florida Registered Voters, October 2014, at: http://www.cleanenergy.org/wp-content/uploads/FL_Energy_Presentation_for_Release.pdf

Resolution No. 040-15-14379

A Resolution of the City of South Miami in support of removing barriers to customer-sited solar power and support for the Floridians for solar choice ballot petition.

WHEREAS, Unlike conventional power generation, 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.¹ 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 company²; 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

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;³ and

WHEREAS, Florida spends about 58 billion dollars 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

¹ 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>

² Department of Energy, et. al, *Database of State Incentives for Renewables and Efficiency*, at http://www.dsireusa.org/documents/summarymaps/3rd_Party_PPA_Map.pdf

³ SEIA-GTM. *U.S. Solar Market Insight Report: Q3 2014*.

providers for their electricity. Removing barriers to solar choice will allow more Floridians to take advantage of the power of the sun;⁴

NOW THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COMMISSIONERS OF THE CITY OF SOUTH MIAMI, FLORIDA:

Section 1. The Mayor and City Commission of the City of South Miami hereby urges the Florida Legislature to remove the barrier that limits the sale of solar-generated electricity directly to a customer by anyone other than a power company, and alternatively supports the Floridians for Solar Choice ballot petition to amend the Florida Constitution to remove the barrier to customer-sited solar power.

Section 2. This resolution shall become effective immediately upon adoption by vote of the City Commission.

PASSED AND ADOPTED this 17th day of March, 2015.

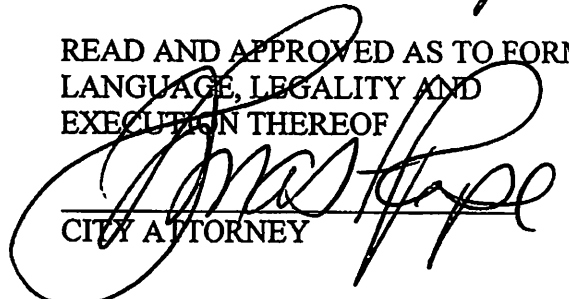
ATTEST:


CITY CLERK

APPROVED:


MAYOR

READ AND APPROVED AS TO FORM,
LANGUAGE, LEGALITY AND
EXECUTION THEREOF


CITY ATTORNEY

COMMISSION VOTE:	5-0
Mayor Stoddard:	Yea
Vice Mayor Harris:	Yea
Commissioner Edmond:	Yea
Commissioner Liebman:	Yea
Commissioner Welsh:	Yea

⁴ Northstar Opinion Research, Survey of Florida Registered Voters, October 2014, at:
http://www.cleanenergy.org/wp-content/uploads/FL_Energy_Presentation_for_Release.pdf

CONSTITUTIONAL AMENDMENT PETITION FORM

Note:

- All information on this form, including your signature, becomes a public record upon receipt by the Supervisor of Elections.
- Under Florida law, it is a first degree misdemeanor, punishable as provided in s. 775.082 or s. 775.08, Florida Statutes, to knowingly sign more than one petition for an issue. [Section 104.185, Florida Statutes]
- If all requested information on this form is not completed, the form will not be valid.

Your Name: _____
(Please Print Name as it appears on your Voter Information Card)

Your Address: _____

City: _____ Zip: _____ County: _____

☐ Please change my legal residence address on my voter registration record to the above residence address (check box, if applicable).

Voter Registration Number: _____ (or) Date of Birth: _____

I am a registered voter of Florida and hereby petition the Secretary of State to place the following proposed amendment to the Florida Constitution on the ballot in the general election:

BALLOT TITLE: Limits or Prevents Barriers to Local Solar Electricity Supply

BALLOT SUMMARY: Limits or prevents government and electric utility imposed barriers to supplying local solar electricity. Local solar electricity supply is the non-utility supply of solar generated electricity from a facility rated up to 2 megawatts to customers at the same or contiguous property as the facility. Barriers include government regulation of local solar electricity suppliers' rates, service and territory, and unfavorable electric utility rates, charges, or terms of service imposed on local solar electricity customers.

ARTICLE AND SECTION BEING CREATED OR AMENDED: Add new Section 29 to Article X

FULL TEXT OF PROPOSED AMENDMENT:

Section 29. Purchase and sale of solar electricity. -

(a) **PURPOSE AND INTENT.** It shall be the policy of the state to encourage and promote local small-scale solar-generated electricity production and to enhance the availability of solar power to customers. This section is intended to accomplish this purpose by limiting and preventing regulatory and economic barriers that discourage the supply of electricity generated from solar energy sources to customers who consume the electricity at the same or a contiguous property as the site of the solar electricity production. Regulatory and economic barriers include rate, service and territory regulations imposed by state or local government on those supplying such local solar electricity, and imposition by electric utilities of special rates, fees, charges, tariffs, or terms and conditions of service on their customers consuming local solar electricity supplied by a third party that are not imposed on their other customers of the same type or class who do not consume local solar electricity.

(b) **PURCHASE AND SALE OF LOCAL SMALL-SCALE SOLAR ELECTRICITY.**

(1) A local solar electricity supplier, as defined in this section, shall not be subject to state or local government regulation with respect to rates, service, or territory, or be subject to any assignment, reservation, or division of service territory between or among electric utilities.

(2) No electric utility shall impair any customer's purchase or consumption of solar electricity from a local solar electricity supplier through any special rate, charge, tariff, classification, term or condition of service, or utility rule or regulation, that is not also imposed on other customers of the same type or class that do not consume electricity from a local solar electricity supplier.

(3) An electric utility shall not be relieved of its obligation under law to furnish service to any customer within its service territory on the basis that such customer also purchases electricity from a local solar electricity supplier.

(4) Notwithstanding paragraph (1), nothing in this section shall prohibit reasonable health, safety and welfare regulations, including, but not limited to, building codes, electrical codes, safety codes and pollution control regulations, which do not prohibit or have the effect of prohibiting the supply of solar-generated electricity by a local solar electricity supplier as defined in this section.

(c) **DEFINITIONS.** For the purposes of this section:

(1) "local solar electricity supplier" means any person who supplies electricity generated from a solar electricity generating facility with a maximum rated capacity of no more than 2 megawatts, that converts energy from the sun into thermal or electrical energy, to any other person located on the same property, or on separately owned but contiguous property, where the solar energy generating facility is located.

(2) "person" means any individual, firm, association, joint venture, partnership, estate, trust, business trust, syndicate, fiduciary, corporation, government entity, and any other group or combination.

(3) "electric utility" means every person, corporation, partnership, association, governmental entity, and their lessees, trustees, or receivers, other than a local solar electricity supplier, supplying electricity to ultimate consumers of electricity within this state.

(4) "local government" means any county, municipality, special district, district, authority, or any other subdivision of the state.

(d) **ENFORCEMENT AND EFFECTIVE DATE.** This amendment shall be effective on January 3, 2017.

Date: _____ X _____

(Date of signature)

(Signature of registered voter)

Initiative petition sponsored by Floridians for Solar Choice, Inc., 120 E. Oakland Blvd., Suite 105, Ft. Lauderdale, FL 33334

If paid petition circulator is used:

Circulator's Name _____

Circulator's Address _____

For official use only
Serial number: 14-182
Date approved: 12/23/2014