



**Town of Surfside  
Town Commission Meeting  
May 11, 2010  
7 p.m.**

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

**AGENDA**

**1. Opening**

- A. Call to Order**
- B. Roll Call of Members**
- C. Pledge of Allegiance**
- D. Mayor's Remarks – Mayor Daniel Dietch**
- E. Agenda and Order of Business (Additions, Deletions)**
- F. Special Presentations**
  - 1. Emergency Preparedness - Assistant Chief John DiCenso
  - 2. Heather Oppenheimer – Baynanza 2010 Report
- G. Community Notes – Mayor Daniel Dietch**
- H. Community Center Update– Calvin, Giordano & Associates, Inc.**

**2. Quasi-Judicial Hearings**

**3. Consent Agenda**

*All items on the consent agenda are considered routine by the Town Commission and will be approved by one motion. There will be no separate discussion of these items unless a Commissioner so requests, in which event, the item will be moved to the main agenda under the appropriate heading for consideration.*

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

- A. Minutes – Town Commission Workshop, April 6, 2010  
Town Commission Agenda Review Meeting, April 12, 2010  
Town Commission Regular Meeting, April 13, 2010**
- B. Monthly Budget to Actual Summary - Martin Sherwood, Finance Support Services  
Department Head**
- C. Projects Progress Report – Calvin, Giordano & Associates, Inc.**

**4. Ordinances and Public Hearings**

**A. Second Readings (Ordinances)**

- 1. Construction Fencing Ordinance – Sarah Sinatra, Town Planner  
AN ORDINANCE OF THE TOWN COMMISISON OF THE TOWN OF**

**SURFSIDE, FLORIDA AMENDING CHAPTER 90 “ZONING” AND SPECIFICALLY AMENDING SECTION 90-56 “FENCES, WALLS AND HEDGES”; CREATING 90-56.1 “CONSTRUCTION FENCING” OF THE TOWN OF SURFSIDE CODE OF ORDINANCES PROVIDING FOR INCLUSION IN THE CODE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.**

**[This Ordinance provides specific construction fencing requirements for single family properties which limits fences to wood pickets and framed plywood or chain link with canvass. It also requires the posting of a bond and provisions for landscape buffers for multi-family and non-residential properties.]**

**2. Notice Requirement for Site Plan Approval – Lynn Dannheisser, Town Attorney**

**AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA AMENDING CHAPTER 90 “ZONING” AND SPECIFICALLY AMENDING SECTION 90-35 “PLANNING AND ZONING BOARD; APPLICATIONS FOR SPECIAL EXCEPTIONS, ZONING CHANGES, CONDITIONAL USES AND VARIANCES; RULES OF PROCEDURE” TO PROVIDE THAT NOTICE WILL BE REQUIRED FOR SITE PLAN APPROVAL AND ALL NOTICES SHALL BE AT APPLICANT’S COST; OF THE TOWN OF SURFSIDE CODE OF ORDINANCES PROVIDING FOR INCLUSION IN THE CODE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.**

**[This Ordinance imposes a new requirement for notice of site plan approvals to be posted and otherwise given in the same manner as other zoning and land use applications.]**

**B. First Readings (Public Hearings on Ordinances)**

**1. Landscape Ordinance – Lynn Dannheisser, Town Attorney**

**AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA AMENDING CHAPTER 90 “ZONING” AND SPECIFICALLY ARTICLE VIII “LANDSCAPE REQUIREMENTS”; AMENDING SECTIONS 90-92, 90-94 OF THE TOWN OF SURFSIDE CODE OF ORDINANCES PROVIDING FOR INCLUSION IN THE CODE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.**

**[This ordinance exempts the SD-B40 from the recent increase in landscaping requirements in order to avoid making every property in the district non-conforming.]**

2. Base Flood Level Elevations – Lynn Dannheisser, Town Attorney  
**AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA AMENDING CHAPTER 42 AND SPECIFICALLY SUBSECTIONS (1) AND (2) OF SECTION 42-92 “SPECIFIC STANDARDS” OF THE TOWN OF SURFSIDE CODE OF ORDINANCES RELATED TO BASE FLOOD LEVEL ELEVATIONS; PROVIDING FOR INCLUSION IN THE CODE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.**

**[This ordinance changes the definition of substantial improvement relating to the 50% rule.]**

3. RLUIPA SD-B40 Amendment Ordinance – Lynn Dannheisser, Town Attorney  
**AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA AMENDING CHAPTER 90 “ZONING” AND SPECIFICALLY ARTICLE IV “DISTRICT REGULATIONS”; AMENDING SECTION 90-41 “REGULATED USES” OF THE TOWN OF SURFSIDE CODE OF ORDINANCES; PROVIDING FOR INCLUSION IN THE CODE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.**

**[This ordinance proposes to amend the Zoning Code to provide a limited exception to the first floor prohibition for places of public assembly in the SD-B40 zoning district where such uses are located outside of the traditional downtown area.]**

## **5. Resolutions and Proclamations**

- A. Amnesty Resolution – Lynn Dannheisser, Town Attorney  
**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, WAIVING ALL CITATIONS THAT HAVE BEEN HERETOFORE ISSUED BY THE TOWN; ADOPTING AN AMNESTY PERIOD; MANDATING CONTINUED ENFORCEMENT OF LIFE SAFETY REQUIREMENTS OF THE FLORIDA BUILDING CODE; PROVIDING FOR PENALTIES, PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.**
- B. Appointing Planning and Zoning Board – Lynn Dannheisser, Town Attorney  
**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF**

**SURFSIDE, FLORIDA, APPOINTING MEMBERS OF THE PLANNING AND ZONING BOARD; PROVIDING FOR IMPLEMENTATION; AND, PROVIDING FOR AN EFFECTIVE DATE.**

C. Disposition of Surplus Equipment – John DiCenso, Assistant Police Chief  
**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, AUTHORIZING THE DISPOSITION OF SURPLUS EQUIPMENT FROM THE POLICE DEPARTMENT; PROVIDING FOR AN EFFECTIVE DATE.**

D. Insurance Broker Agent of Record – Martin Sherwood, Finance Support Services Director  
**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA APPROVING A CONTRACT WITH GEHRING GROUP TO BE THE INSURANCE BROKER FOR ALL OF THE TOWN'S SERVICES RELATED TO EMPLOYEE HEALTH, DISABILITY, LIFE, DENTAL AND OTHER RELATED BENEFITS PROGRAMS; AUTHORIZING AN INITIAL CONTRACT TERM OF NOT MORE THAN TWO AND ONE-QUARTER YEARS, WITH SERVICES TO CONTINUE UNTIL A SUBSEQUENT RFQ FOR THE SAME SERVICES IS ISSUED AND AWARDED; AND PROVIDING FOR AN EFFECTIVE DATE.**

**6. Good and Welfare**

*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**

A. Town Attorney Report

**8. Unfinished Business and New Business**

A. Consideration of Disposal of 9255 Abbott Avenue Property - Gary Word, Town Manager

B. Direction on Town Library – Gary Word, Town Manager

**9. Mayor, Commission and Staff Communications**

A. Status of report on the Lily Pad and Carlisle – Commissioner Marta Olchyk

B. Beach Walk – Commissioner Marta Olchyk

C. Surfside Color Guard Participation in Military Funerals – Vice Mayor Joe Graubart

D. Short Term Rentals – Vice Mayor Joe Graubart

E. Sharing Municipal Services - Commissioner Kopelman

F. Broadcasting of Pre-agenda Meetings – Mayor Daniel Dietch

G. Downtown Revitalization – Mayor Daniel Dietch

H. Committee Appointments – Mayor and Town Commission

**10. Adjournment**

Respectfully submitted,



Gary L. Word,  
Town Manager

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

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

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

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

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



**Town of Surfside  
Town Commission Workshop  
April 6, 2010  
7 p.m.**

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

**MINUTES**

**1. Opening**

**A. Call to Order**

The meeting was called to order at 7:05 p.m.

**B. Roll Call of Members**

Town Clerk, Debra Eastman called the roll and the following were present: Mayor Daniel Dietch, Vice Mayor Joe Graubart, Commissioner Edward Kopelman and Commissioner Michael Karukin. Commissioner Marta Olchyk was absent.

**C. Pledge of Allegiance**

Chief David Allen led the pledge.

**D. Public Comments**

Mayor Dietch opened the floor for public comments and there were none.

**2. Commission Orientation Process Summary – Town Manager, Gary Word**

Town Manager, Gary Word explained Commission Meetings, Commission Agendas, Public Hearings, Citizens comments, Conduct of Business at Commission Meetings, how correspondence is handled, Appointments to advisory boards and committees and how town staff conducts follow up after Commission meetings.

**3. Expectations – Town Manager, Gary Word**

Town Manager, Gary Word explained expectations of the Commission from the Town Manager and expectations of the Town Manager from the Town Commission.

**4. Overview of Town's Fund Balances – Town Manager, Gary Word**

Town Manager, Gary Word gave an overview of the Town's Governmental Funds and Enterprise Funds.

**5. Department Presentations**

Presentations were given by the following individuals on the services, functions, activities, accomplishments and goals.

**A. Finance Support Services – Martin Sherwood**

**B. Public Works – Fernando Rodriguez**

**C. Town Clerk – Debra Eastman**

- D. Building Department – Paul Gioia**
- E. Tourist Bureau – Duncan Tavares**
- F. Parks and Recreation – Tim Milian**
- G. Police – Chief David Allen**
- H. Front Office – Cathy Colonna**
- I. Legal – Lynn Dannheisser, Town Attorney**

**6. Summary**

Town Manager, Gary Word thanked everyone for their participation.

**7. Adjournment**

The meeting adjourned at 11:30 p.m.

Accepted this \_\_\_\_ day of \_\_\_\_, 2010.

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Daniel Dietch, Mayor

Attest:

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Debra E. Eastman, MMC  
Town Clerk



**Town of Surfside  
Town Commission Meeting  
April 13, 2010  
7 p.m.**

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

**MINUTES – Pre-agenda workshop on 4-12-10**

**1. Opening**

**A. Call to Order**

Mayor Daniel Dietch called the meeting to order at 8:30 a.m.

**B. Roll Call of Members**

Mayor Daniel Dietch, Vice Mayor Joe Graubart, Commissioners Edward Kopelman, Michael Kaurkin were in attendance. Commissioner Marta Olchyk was absent.

Mayor Daniel Dietch explained the purpose of the pre-agenda meetings and asked to add a section entitled Community Notes and a section for Mayor's Comments to the agenda for the Regular Meeting.

**C. Pledge of Allegiance** – No discussion.

**D. Agenda and Order of Business** (Additions, Deletions) No discussion.

**E. Special Presentations** No discussion.

**1. Police Officer of the Month** – Chief David Allen

**2. Employee of the Quarter** – Tim Milian, Director of Parks and Recreation

**3. Barbara Cohen** – Census Update

**4. Heather Oppenheimer** – Baynanza April 17, 2010

**2. Quasi-Judicial Hearings**

**3. Consent Agenda**

*All items on the consent agenda are considered routine by the Town Commission and will be approved by one motion. There will be no separate discussion of these items unless a Commissioner so requests, in which event, the item will be moved to the main agenda under the appropriate heading for consideration.*

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

**A. Minutes** – Town Commission Meeting Minutes March 9, 2010  
Town Commission Induction Meeting March 17, 2010  
Town Commission Workshop April 1, 2010

No discussion.

**B. Monthly Budget to Actual Summary** - Martin Sherwood, Finance Support Services  
Department Head



Town Manager, Gary Word explained the purpose of the report and the benchmark process.

- C. Projects Progress Report – George Keller, Calvin, Giordano & Associates  
It was requested that the Community Center update be pulled from this report and not appear on the consent agenda for the regular meeting, but rather appear in the presentation section.
  
- D. Resolution Certifying Election Results – Debra Eastman, Town Clerk  
**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA CERTIFYING AND DECLARING THE RESULTS OF THE TOWN OF SURFSIDE GENERAL MUNICIPAL ELECTION HELD ON MARCH 16, 2010 FOR THE ELECTION OF MAYOR AND FOUR (4) TOWN COMMISSIONERS; AND PROVIDING FOR AN EFFECTIVE DATE.**
  
- E. Proposed Mutual Aid Agreement with the City of Coral Gables Police Department – Chief David Allen  
**A RESOLUTION OF THE TOWN COMMISSION FOR THE TOWN OF SURFSIDE, FLORIDA, AUTHORIZING AND DIRECTING THE TOWN MANAGER AND TOWN CLERK TO EXECUTE A MUTUAL AID AGREEMENT FOR VOLUNTARY COOPERATION AND OPERATIONAL ASSISTANCE WITH THE CITY OF CORAL GABLES POLICE DEPARTMENT.**  
Commissioner Karukin requested that the ordinances include a summary in plain English on the agenda. The Town Attorney will provide that.

#### 4. Ordinances and Public Hearings

##### A. Second Readings (Ordinances)

- 1. Regulated Use Ordinance – Town Planner, Sarah Sinatra and Town Attorney, Lynn Dannheisser  
**AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA AMENDING CHAPTER 90 AND SPECIFICALLY SECTION 90-2 “DEFINITIONS” AND ARTICLE IV SECTION 90-41 “REGULATED USES” OF THE TOWN OF SURFSIDE CODE OF ORDINANCES PROVIDING FOR INCLUSION IN THE CODE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.**  
Town Attorney, Lynn Dannheisser explained that the ordinance will allow licensed therapeutic massage. After discussion, Town Attorney Lynn Dannheisser agreed to amend the ordinance to ensure that the therapeutic massage would be in connection with another business and not a standalone facility.

##### 2. First Readings (Public Hearings on Ordinances)

A. RLUIPA Ordinance – Lynn Dannheisser, Town Attorney  
**AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA AMENDING CHAPTER 90 “ZONING” AND SPECIFICALLY ARTICLE IV “DISTRICT REGULATIONS”; AMENDING SECTION 90-41 “REGULATED USES” OF THE TOWN OF SURFSIDE CODE OF ORDINANCES PROVIDING FOR INCLUSION IN THE CODE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.**

Town Attorney, Lynn Dannheisser explained places of public assembly, where they must currently be located, the proposed amendment and the process that the ordinance will follow from first reading through possible adoption.

B. Landscape Ordinance – Lynn Dannheisser, Town Attorney  
**AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA AMENDING CHAPTER 90 “ZONING” AND SPECIFICALLY ARTICLE VIII “LANDSCAPE REQUIREMENTS”; AMENDING SECTIONS 90-92, 90-94, 90-95 OF THE TOWN OF SURFSIDE CODE OF ORDINANCES PROVIDING FOR INCLUSION IN THE CODE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.**

Town Attorney, Lynn Dannheisser explained landscape buffers in the business district and the need for the amendment to the Town Code. It was decided that future agenda meetings will include the Town Planner and other staff who can assist with further explanation.

Vice Mayor Joe Graubart inquired about the purpose of the pre-agenda meeting and the decision to have the meeting at this hour of the day. Barbara McLaughlin requested that notice of the meeting be available on the website. Mayor Daniel Dietch explained that he will announce at the Regular Meeting where the notice will be posted for future meetings.

C. Construction Fencing Ordinance – Sarah Sinatra, Town Planner  
**AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA AMENDING CHAPTER 90 “ZONING” AND SPECIFICALLY AMENDING SECTION 90-56 “FENCES, WALLS AND HEDGES”; CREATING 90-56.1 “CONSTRUCTION FENCING” OF THE TOWN OF SURFSIDE CODE OF ORDINANCES PROVIDING FOR INCLUSION IN THE CODE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.**

Town Attorney, Lynn Dannheisser explained that the Planning and Zoning Board strives to make the zoning code readable and understandable and that this amendment will make clear the requirements of construction fencing. She further explained the bond requirement.

D. Notice Requirement for Site Plan Approval – Lynn Dannheisser, Town Attorney

**AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA AMENDING CHAPTER 90 “ZONING” AND SPECIFICALLY AMENDING SECTION 90-35 “PLANNING AND ZONING BOARD; APPLICATIONS FOR SPECIAL EXCEPTIONS, ZONING CHANGES, CONDITIONAL USES AND VARIANCES; RULES OF PROCEDURE” TO PROVIDE THAT NOTICE WILL BE REQUIRED FOR SITE PLAN APPROVAL AND ALL NOTICES SHALL BE AT APPLICANT’S COST; OF THE TOWN OF SURFSIDE CODE OF ORDINANCES PROVIDING FOR INCLUSIN IN THE CODE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.**

Town Attorney, Lynn Dannheisser explained that it recently came to the attention of the town that site plan approval does not require personal notification and that the amendment to the Town Could would now provide for it.

## 5. Resolutions and Proclamations

A. Proposed Strike Force – Chief David Allen

**A RESOLUTION OF THE TOWN COMMISSION FOR THE TOWN OF SURFSIDE, FLORIDA, AUTHORIZING AND DIRECTING THE TOWN MANAGER AND TOWN CLERK TO EXECUTE A MEMORANDUM OF UNDERSTANDING FOR VOLUNTARY COOPERATION AND OPERATIONAL ASSISTANCE WITH THE BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND EXPLOSIVES.**

Town Manager, Gary Word explained the intention of the resolution.

B. Sod and other incidental repair work at 96<sup>th</sup> Street Park – Tim Milian, Director of Parks and Recreation

**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, WAIVING THE BID PROCESS PURSUANT TO SECTION 3-13(3) OF THE TOWN OF SURFSIDE CODE OF ORDINANCES, APPROVING REPLACEMENT OF SOD AND OTHER INCIDENTAL REPAIR WORK AT 96<sup>TH</sup> STREET PARK TO BE PROVIDED BY COUNTRY BILL’S LAWN MAINTENANCE; PIGGYBACKING ON CITY OF NORTH MIAMI BID #12-06-07, AUTHORIZING EXECUTION OF PURCHASE ORDERS; AND PROVIDING FOR AN EFFECTIVE DATE.**

Town Manager, Gary Word explained the intensive use of the field, the process of piggybacking the bid process and plans to explore replacement of the turf with artificial in the future.

C. Adoption of Committee Rules – Lynn Dannheisser, Town Attorney

**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA APPROVING AND ADOPTING UPDATED RULES AND PROCEDURES FOR COMMITTEES CREATED BY THE TOWN COMMISSION; AND PROVIDING FOR AN EFFECTIVE DATE.**

Town Attorney, Lynn Dannheisser explained that the new Commission will have the opportunity to appoint new committee members and to ratify committees and to set a mission statement for the committees. It was suggested that this topic may be one that requires a separate workshop meeting to discuss.

**D. Amendment to Community Shuttle Bus Service Contract – Fernando Rodriguez, Director of Public Works**

**A RESOLUTION OF THE TOWN COMMISSION FOR THE TOWN OF SURFSIDE, FLORIDA, APPROVING THE AMENDMENT TO THE AGREEMENT BETWEEN THE TOWN OF SURFSIDE, FLORIDA AND LIMOUSINES OF SOUTH FLORIDA, INC.; AUTHORIZING THE TOWN OFFICIALS TO IMPLEMENT THE TERMS AND CONDITIONS OF THE AMENDMENT TO THE AGREEMENT; AUTHORIZING THE TOWN MANAGER TO EXPEND BUDGETED FUNDS; AUTHORIZING THE TOWN MANAGER TO EXECUTE THE AGREEMENT; AND PROVIDING FOR AN EFFECTIVE DATE.**

Town Manager, Gary Word explained that this is an amendment to the contract for a \$2.00 per hour increase. There was discussion about coordinating bus service with neighboring communities.

**6. Good and Welfare**

*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**

**8. Unfinished Business and New Business**

**9. Mayor, Commission and Staff Communications**

**A. Mayor's remarks on Agenda Discussion Items – Mayor Daniel Dietch**

Mayor Daniel Dietch encouraged the Commission to provide backup information for inclusion with any agenda item. Mayor Dietch explained that he will distribute a template that he prefers for the Commission to use for their agenda items. He asked that the deadline for submission of information be provided to the Commission.

**B. Charter Changes – Commissioner Michael Karukin**

It was discussed that this item will probably require a separate workshop.

**C. Committee Appointments – Debra Eastman, Town Clerk**

Mayor Dietch suggested that this item might also require a workshop.

Mayor Dietch suggested that the Good and Welfare portion still be heard at 8:15 as in the past. He suggested that the agenda be re-ordered. Town Manager, Gary Word will look into the order of the agenda.

**10. Adjournment**

The meeting adjourned at 10:45 a.m.

Accepted this \_\_\_\_ day of \_\_\_\_, 2010.

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Daniel Dietch, Mayor

Attest:

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Debra E. Eastman, MMC  
Town Clerk



**Town of Surfside  
Town Commission Meeting  
April 13, 2010  
7 p.m.**

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

**MINUTES**

**1. Opening**

**A. Call to Order**

Mayor Daniel Dietch called the meeting to order at 7 p.m.

**B. Roll Call of Members** Town Clerk, Debra Eastman called the roll with Commissioner Michael Karukin, Edward Kopelman, Marta Olchyk, Vice Mayor Joe Graubart and Mayor Daniel Dietch in attendance.

**C. Pledge of Allegiance**

Police Chief David Allen led the Pledge of Allegiance

**D. Mayor's Remarks – Mayor Daniel Dietch**

Mayor Daniel Dietch thanked the previous Town Commission for their service and welcomed everyone. Vice Mayor Joe Graubart thanked the voters for their trust.

**E. Agenda and Order of Business (Additions, Deletions)**

Commissioner Edward Kopelman requested that an item be added to section 9 to discuss pre-agenda meetings.

**F. Special Presentations**

**1. Police Officer of the Month – Chief David Allen**

Detectives Frank Colonna, Joseph Matthews and Sgt. Loxley Arch were named Officers of the Month for their role in the arrest of two violent criminals.

**2. Employee of the Quarter – Tim Milian, Director of Parks and Recreation**

Virginia Agramonte from the Parks & Recreation Department was selected as the 2010 First Quarter Employee of the Quarter winner.

**3. Barbara Cohen – Census Update**

Barbara Cohen gave an update of the census process and encouraged residents to take note of the impending deadline.

**4. Heather Oppenheimer – Baynanza April 17, 2010**

Ms. Oppenheimer reported on the upcoming shoreline cleanup and encouraged volunteers to participate.

**G. Community Notes – Mayor Daniel Dietch**

Mayor Daniel Dietch congratulated Surfside Youth Soccer for their two championships, reported that Ruth K. Broad Bay Harbor K-8 Center is holding teacher appreciation day on April 14, reported that Ruth K. Broad Bay Harbor K-8 Center is looking to receive a grant and the residents can assist by voting on line and that the Relay for Life will be held on May 1, 2010.

**H. Community Center Update – Calvin, Giordano & Associates, Inc.**

Chris Giordano reported on the Notice to Proceed and possible completion date of February, 2011. He reported that there will be an update added to the Town's website to provide for photos. Commissioner Marta Olchyk requested that dollars spent also be posted on the website.

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

**3. Consent Agenda**

**A. Minutes – Town Commission Meeting Minutes March 9, 2010**

Town Commission Induction Meeting March 17, 2010

Town Commission Workshop April 1, 2010

**B. Monthly Budget to Actual Summary - Martin Sherwood, Finance Support Services Department Head**

**C. Projects Progress Report – George Keller, Calvin, Giordano & Associates**

**D. Resolution Certifying Election Results – Debra Eastman, Town Clerk**

**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA CERTIFYING AND DECLARING THE RESULTS OF THE TOWN OF SURFSIDE GENERAL MUNICIPAL ELECTION HELD ON MARCH 16, 2010 FOR THE ELECTION OF MAYOR AND FOUR (4) TOWN COMMISSIONERS; AND PROVIDING FOR AN EFFECTIVE DATE.**

**E. Proposed Mutual Aid Agreement with the City of Coral Gables Police Department – Chief David Allen**

**A RESOLUTION OF THE TOWN COMMISSION FOR THE TOWN OF SURFSIDE, FLORIDA, AUTHORIZING AND DIRECTING THE TOWN MANAGER AND TOWN CLERK TO EXECUTE A MUTUAL AID AGREEMENT FOR VOLUNTARY COOPERATION AND OPERATIONAL ASSISTANCE WITH THE CITY OF CORAL GABLES POLICE DEPARTMENT.**

A motion to approve the items on the consent agenda was made by Commissioner Edward Kopelman. The motion received a second from Commissioner Michael Karukin. The Town Clerk called the roll and all were in favor.

**4. Ordinances and Public Hearings**

**A. Second Readings (Ordinances)**

1. Regulated Use Ordinance – Town Planner, Sarah Sinatra and Town Attorney, Lynn Dannheisser

**AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA AMENDING CHAPTER 90 AND SPECIFICALLY SECTION 90-2 “DEFINITIONS” AND ARTICLE IV SECTION 90-41 “REGULATED USES” OF THE TOWN OF SURFSIDE CODE OF ORDINANCES PROVIDING FOR INCLUSION IN THE CODE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.**

Town Clerk, Debra Eastman read the title of the ordinance. Town Attorney, Lynn Dannheisser explained the purpose of the ordinance. Vice Mayor Joe Graubart made a motion to adopt the ordinance. The motion received a second from Commissioner Michael Karukin.

After discussion from the Commission, Mayor Daniel Dietch opened the meeting for public comments. Heather Oppenheimer suggested adding therapeutic massage also in conjunction with a fitness center. Litza Shiner asked that it be clear that this is an accessory use. Alan Packard spoke in favor.

Commissioner Marta Olchyk moved to amend the motion to include fitness center. The motion to amend received a second from Commissioner Michael Karukin.

Town Clerk Debra Eastman called the roll on the amended motion and it passed 4-1 with Commissioner Kopelman voting in opposition.

2. **First Readings (Public Hearings on Ordinances)**

**A. RLUIPA Parking Ordinance – Lynn Dannheisser, Town Attorney  
AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA AMENDING CHAPTER 90 “ZONING” AND SPECIFICALLY ARTICLE IV “DISTRICT REGULATIONS”; AMENDING SECTION 90-41 “REGULATED USES” OF THE TOWN OF SURFSIDE CODE OF ORDINANCES PROVIDING FOR INCLUSION IN THE CODE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.**

Town Clerk, Debra Eastman read the title of the ordinance. Town Attorney, Lynn Dannheisser explained the history and the intention of the ordinance. Commissioner Edward Kopelman made a motion to introduce the ordinance on first reading. The motion received a second from Commissioner Marta Olchyk.

Mayor Daniel Dietch explained the district area. Mr. Gluck spoke in favor. Stanley Price spoke in favor. Richard Iacobacci asked about parking concerns. Litza Shiner spoke about parking concerns.

Town Clerk, Debra Eastman called the roll and all were in favor.



**B. Landscape Ordinance – Lynn Dannheisser, Town Attorney**  
**AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA AMENDING CHAPTER 90 “ZONING” AND SPECIFICALLY ARTICLE VIII “LANDSCAPE REQUIREMENTS”; AMENDING SECTIONS 90-92, 90-94, 90-95 OF THE TOWN OF SURFSIDE CODE OF ORDINANCES PROVIDING FOR INCLUSION IN THE CODE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.**

Town Clerk, Debra Eastman read the title of the ordinance. Town Planner, Sarah Sinatra explained the proposed changes. Commissioner Edward Kopelman made a motion to introduce the ordinance on first reading. The motion received a second from Commissioner Michael Karukin. Town Clerk, Debra Eastman called the roll and the motion passed 4-1 with Vice Mayor Graubart voting in opposition.

**C. Construction Fencing Ordinance – Sarah Sinatra, Town Planner**  
**AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA AMENDING CHAPTER 90 “ZONING” AND SPECIFICALLY AMENDING SECTION 90-56 “FENCES, WALLS AND HEDGES”; CREATING 90-56.1 “CONSTRUCTION FENCING” OF THE TOWN OF SURFSIDE CODE OF ORDINANCES PROVIDING FOR INCLUSION IN THE CODE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.**

Town Clerk, Debra Eastman read the title of the ordinance. Town Attorney, Lynn Dannheisser explained the requirements of the ordinance. Commissioner Edward Kopelman made a motion to introduce the ordinance on first reading. The motion received a second from Vice Mayor Joe Graubart. Town Clerk, Debra Eastman called the roll and all were in favor.

**D. Notice Requirement for Site Plan Approval – Lynn Dannheisser, Town Attorney**

**AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA AMENDING CHAPTER 90 “ZONING” AND SPECIFICALLY AMENDING SECTION 90-35 “PLANNING AND ZONING BOARD; APPLICATIONS FOR SPECIAL EXCEPTIONS, ZONING CHANGES, CONDITIONAL USES AND VARIANCES; RULES OF PROCEDURE” TO PROVIDE THAT NOTICE WILL BE REQUIRED FOR SITE PLAN APPROVAL AND ALL NOTICES SHALL BE AT APPLICANT’S COST; OF THE TOWN OF SURFSIDE CODE OF ORDINANCES PROVIDING FOR INCLUSION IN THE CODE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.**

Town Clerk, Debra Eastman read the title of the ordinance. Town Attorney, Lynn Dannheisser explained that this ordinance will add a requirement of noticing of site plans. Vice Mayor Joe Graubart made a motion to introduce the ordinance on first reading. The motion received a second from Commissioner Michael Karukin. Litza Shiner asked about how notices are sent. Town Clerk, Debra Eastman called the roll and all were in favor.

## 5. Resolutions and Proclamations

### A. Proposed Strike Force – Chief David Allen

**A RESOLUTION OF THE TOWN COMMISSION FOR THE TOWN OF SURFSIDE, FLORIDA, AUTHORIZING AND DIRECTING THE TOWN MANAGER AND TOWN CLERK TO EXECUTE A MEMORANDUM OF UNDERSTANDING FOR VOLUNTARY COOPERATION AND OPERATIONAL ASSISTANCE WITH THE BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND EXPLOSIVES.**

Town Clerk, Debra Eastman read the title of the resolution. Town Manager, Gary Word explained the purpose. Commissioner Edward Kopelman made a motion to adopt the resolution. The motion received a second from Commissioner Marta Olchyk. Town Clerk, Debra Eastman called the roll and all were in favor.

### B. Sod and other incidental repair work at 96<sup>th</sup> Street Park – Tim Milian, Director of Parks and Recreation

**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, WAIVING THE BID PROCESS PURSUANT TO SECTION 3-13(3) OF THE TOWN OF SURFSIDE CODE OF ORDINANCES, APPROVING REPLACEMENT OF SOD AND OTHER INCIDENTAL REPAIR WORK AT 96<sup>TH</sup> STREET PARK TO BE PROVIDED BY COUNTRY BILL'S LAWN MAINTENANCE; PIGGYBACKING ON CITY OF NORTH MIAMI BID #12-06-07, AUTHORIZING EXECUTION OF PURCHASE ORDERS; AND PROVIDING FOR AN EFFECTIVE DATE.**

Town Clerk, Debra Eastman read the title of the resolution. Town Manager, Gary Word explained the contract and the need. A motion to adopt the resolution was made by Commissioner Edward Kopelman. The motion received a second from Commissioner Michael Karukin. Kathy Imberman spoke of her concern of the high cost for few children impacted. Sasha Plutkin asked who will use the field. Shirley Barker asked about the amount of sod. Mayor Daniel Dietch called for the vote and the motion passed 4-1 with Vice Mayor Graubart voting in opposition.

### C. Adoption of Committee Rules – Lynn Dannheisser, Town Attorney

**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA APPROVING AND ADOPTING UPDATED RULES AND PROCEDURES FOR COMMITTEES CREATED BY THE TOWN COMMISSION; AND PROVIDING FOR AN EFFECTIVE DATE.**

Town Clerk, Debra Eastman read the title of the resolution. Town Attorney, Lynn Dannheisser explained the purpose of the resolution. Commissioner Edward Kopelman

made a motion to adopt the resolution. The motion received a second from Commissioner Marta Olchyk. After further discussion, Commissioner Kopelman withdrew his motion to adopt. Commissioner Kopelman made a motion to defer this item until after discussion at a workshop. The motion received a second from Commissioner Olchyk. Mayor Daniel Dietch called for the vote and all were in favor.

**D. Amendment to Community Shuttle Bus Service Contract – Fernando Rodriguez, Director of Public Works**

**A RESOLUTION OF THE TOWN COMMISSION FOR THE TOWN OF SURFSIDE, FLORIDA, APPROVING THE AMENDMENT TO THE AGREEMENT BETWEEN THE TOWN OF SURFSIDE, FLORIDA AND LIMOUSINES OF SOUTH FLORIDA, INC.; AUTHORIZING THE TOWN OFFICIALS TO IMPLEMENT THE TERMS AND CONDITIONS OF THE AMENDMENT TO THE AGREEMENT; AUTHORIZING THE TOWN MANAGER TO EXPEND BUDGETED FUNDS; AUTHORIZING THE TOWN MANAGER TO EXECUTE THE AGREEMENT; AND PROVIDING FOR AN EFFECTIVE DATE.**

Town Clerk, Debra Eastman read the title of the resolution. Town Manager, Gary Word explained the contract and the piggyback. Commissioner Edward Kopelman made a motion to adopt the resolution. The motion received a second from Commissioner Michael Karukin. Mayor Daniel Dietch called for the vote and all were in favor.

## **6. Good and Welfare**

Peter Neville congratulated the newly elected Town Commission and spoke of reopening the town library, previous town employees and the naming of the park.

Joe Whitman spoke of the need for a bike ordinance and parking concerns.

Richard Iacobacci suggested that trash pickup be delayed until after 9 a.m. to solve traffic congestion.

Steven Banks spoke regarding the approved hotel at 9200 Collins.

Matt Cogo suggested installation of seating and domino tables.

Randy McBride spoke in opposition to the waiver of any bids.

Frank McBride requested maintenance of trees at tot lot and repainting of no parking zone.

Shasa Plutkin asked that money paid to the previous commission be reimbursed and asked for enforcement of the no turn on red signs.

## **7. Town Manager and Town Attorney Reports**

## **8. Unfinished Business and New Business**

## **9. Mayor, Commission and Staff Communications**

**A. Mayor's remarks on Agenda Discussion Items – Mayor Daniel Dietch**

Mayor Daniel Dietch distributed a suggested format for Commissioners to provide to the Town Clerk for use in the agenda for each of their items.

**B. Charter Changes – Commissioner Michael Karukin**

Commissioner Michael Karukin explained the need for a Commission workshop regarding the proposed charter changes and the need to comply with the county deadline for getting the questions on the ballot for November, 2010.

Town Attorney, Lynn Dannheisser requested a workshop on quasi-judicial procedure.

**C. Committee Appointments – Debra Eastman, Town Clerk**

This item was deferred pending the Commission workshop on committees.

**D. Discussion regarding televising of Pre-agenda meetings – Commissioner Kopelman**

Kathy Imberman spoke in favor of televising the pre-agenda meetings. Litza Shiner spoke in favor of televising. Polly Kopelman spoke in opposition to televising.

Richard Iacobacci spoke in favor of not televising the pre-agenda meeting.

Commissioner Edward Kopelman made a motion to hold the pre-agenda meetings in the Commission Chambers and not to televise the meeting. The motion received a second from Commissioner Marta Olchyk. Town Clerk, Debra Eastman called the roll and the motion passed 4-1 with Vice Mayor Graubart voting in opposition.

**10. Adjournment** The meeting adjourned at 10:55 p.m.

Accepted this \_\_\_\_ day of \_\_\_\_, 2010.

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Daniel Dietch, Mayor

Attest:

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Debra E. Eastman, MMC  
Town Clerk

**TOWN OF SURFSIDE, FLORIDA**  
**MONTHLY BUDGET TO ACTUAL EXPENSE SUMMARY**  
**FISCAL YEAR 2009/2010**  
**As of February 28, 2010**  
**42% OF YEAR EXPIRED (BENCHMARK)**

Agenda Item # 3B

Agenda Date: May 11, 2010


ACTUAL EXPENSES	ANNUAL BUDGETED EXPENSES	% BUDGET
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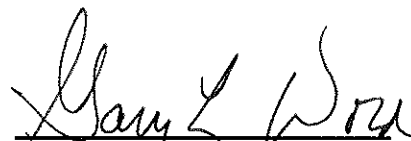
**GOVERNMENTAL FUNDS:**

GENERAL FUND	\$4,664,473	\$13,067,345	36%
RESORT TAX	\$62,905	\$134,000	47%
POLICE FORFEITURE/CONFISCATION	\$28,879	\$73,250	39%
TRANSPORTATION SURTAX	\$36,016	\$223,261	16%
CAPITAL PROJECTS	\$101,021	\$5,035,000	2%

**ENTERPRISE FUNDS:**

WATER & SEWER	\$864,810	\$4,850,096	18%
MUNICIPAL PARKING	\$90,076	\$2,097,100	4%
SOLID WASTE	\$415,864	\$1,282,304	32%
STORMWATER	\$45,432	\$246,000	18%

  
 Finance Support Svcs Dept Head

  
 Town Manager

## TOWN OF SURFSIDE

9293 Harding Avenue  
Municipal Building  
9293 Harding Avenue  
Surfside, Florida 33154  
(305) 861-4863  
(305) 861-1302



Daniel Dietch  
Mayor

Joe Graubart  
Vice Mayor

Marta Olchyk  
Commissioner

Michael Karukin  
Commissioner

Edward Kopelman  
Commissioner

Gary Word  
Town Manager

## TOWN OF SURFSIDE PROJECTS PROGRESS REPORT May, 2010

1. **Community Center** – The Contractor has begun mobilization, including the installation of construction fencing, temporary utilities and erosion control. The installation of the test pile will begin the week of May 3, 2010. The Town received a request for additional information from the State. The Architect responded to this request by April 28, 2010. We are currently awaiting the State's final approval. To date the Contractor has issued 59 submittals to date. These submittals are being reviewed by the Project Manager and Architect for approval/rejection.
2. **Planning and Community Development** – Staff has modified proposed ordinances for temporary construction fences and public notice requirements, which are scheduled for second reading on May 11, 2010. Staff has also worked on proposed landscape code changing the requirements of the business district so that the existing structures are conforming. Lastly, staff is currently working on an ordinance regarding roofing materials to correct inconsistencies in the code of ordinances.
3. **Website, Information Technology, TV Broadcasts** - IT has provided the finance department with capital improvement projects for the next fiscal year, including upgrading the phone system, the computers, and the e-mail archiving and spam filtering service. IT continues setting up and configuring the laptops and phones for the new commissioners. The new content management system has been launched for the town website, and IT staff has been trained, followed soon by town staff. IT staff will be working with the police department to allow connectivity to Florida Department of Law Enforcement from town computers.
4. **Public Utilities / Engineering** –

### **Bay Drive Drainage Improvements**

The Bay Drive Drainage Improvements are part of the Florida Department of Environmental Protection grant that included stormwater pumps and drainage wells. This project is scheduled for construction contemporaneously with the proposed water main replacement and the sanitary sewer renovation. Since

this work will occur simultaneously, the impacts to the roadways and the neighborhoods will be kept to a minimum.

As discussed previously the installation of conduit for future Florida Power and Light undergrounding is considerably expensive, as well as legally encumbering to the property owners and the Town. For instance, Florida Power and Light requires a 10 ft contiguous and exclusive easement outside the right of way - without landscaping, walls or other improvements to accommodate the underground conduit. The strict easement requirements linked with the high individual connection costs is considered prohibitive.

### **Florida Department of Environmental Protection Stormwater Project**

The Florida Department of Environmental Protection project consists of three below grade pump stations, 9 drainage wells, drainage structures, and stormwater collection system to improve both the water quality and quantity before discharging into the Biscayne Bay. The following items are complete:

Task 1: Surveying

Task 2: Engineering Design and Permitting (A Florida Department of Environmental Protection application is required by the contractor, however they have approved the plans)

Task 6: Grant Administration – in process

Task 7: Education – Required for the duration of the project

The Stormwater projects will require several phases to complete to coincide with the grant schedule and other funding sources. Construction of water mains, sanitary sewer and the undergrounding of cable and phone lines should also coincide with the stormwater sewer phases to reduce pavement restoration costs.

### **Stormwater Master Maintenance**

The contractor has cleaned the Town's catch basins and stormwater collection system and the pipes. A community-wide atlas showing each of the improvements, condition and recommendations will be needed to maintain the system on a yearly basis as required by the National Pollution Discharge Elimination System Permit. Repairs and replacement program will coincide with the Florida Department of Environmental Protection Stormwater project and grants will augment the CIP as necessary. The annual National Pollution Discharge Elimination System reports need to be submitted with Miami Dade County as a Co-Permittee.

### **Wastewater System**

The Surfside sanitary sewer meters were found to be reading high and were calibrated. The acceptance Miami Beach invoice will be finalized after receipt of the Town's sewer meter readings. Miami Beach has installed two dedicated Sewer Meters consistent with the tri-party agreement with Miami Beach, Bal Harbor and the Town of Surfside. Currently, four months of daily readings have been obtained and analyzed.

The design for wastewater improvements, including the sanitary sewer pump station replacements, sewer lining and repairs are currently being evaluated for implementation.

Costs and unit prices are being established for lining the moderately cracked pipes and point repairs for the broken pipes. Bidding of the repairs is expected this year for lining the existing sanitary lines and manholes. Calvin Giordano and Associates is currently coordinating with the Florida Department of Transportation and their engineering consultant to determine Harding and Collins overlay impacts to sanitary sewer lining/replacement. Plans (60%) were received from their consultant on March 1, 2010. Construction is scheduled for July of 2010.

The Miami Dade Environmental Resource Management Peak Flow Study was submitted February 4, 2010. The purpose of the study demonstrates the compliance with the current law, codes and Consent Decree.

The 2009 through 2010 Annual Sanitary Sewer System Evaluation and Rehabilitation Report was submitted to the County by Calvin Giordano and Associates on March 26, 2010. This is a yearly report required by the county in order to identify that the Town has been actively maintaining, repairing, restoring and/or replacing the sanitary sewer system. The report was favorable in the Town's behalf since the sewer system was cleaned and videoed in 2009 and a lining/replacement program is schedule for 2010.

### **Water System**

The water main replacement contract documents are complete with permitting in process. Advertisement, bid, award and replacement of the aging system are funded; however, the County has released the \$829,000 General Obligation Bond. The project was scheduled to start by the end of 2009; however, the funding delay and additional sewer work will require postponement until mid 2010.

Calvin Giordano and Associates is currently coordinating with the Florida Department of Transportation and their consultant to determine Harding and Collins overlay impacts to water main replacement. It is anticipated that 4 water main taps will need to occur on Harding prior to the Florida Department of Transportation overlay work is done. Plans (60%) were received from Florida Department of Transportation's consultant on March 1, 2010. Construction is scheduled for June of 2010.

### **Florida Department of Transportation Local Agency Program**

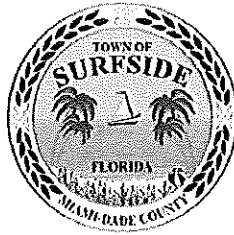
The Florida Department of Transportation Local Agency Program Project was bid and the bids were received on March 20, 2010. The project includes the replacement of 33 handicap ramps, 2 bus stop pads and 6 solar lights along 92<sup>nd</sup> Street between Harding and Collins Avenue. Calvin Giordano and Associates has reviewed the bids and forwarded them to the Florida Department of Transportation for review.

## **5. Transportation and Traffic Engineering**

- a. In regard with the applicant of the "Shul of Bal Harbor", the requested AM and PM peak hour traffic queuing analysis has not been received. Study shall take all gate specifications into consideration, such as opening/closing time.



6. **Parks** - State staff recommended that Surfside create a Town Recreational Trail map
  - a. Identifying all the points of public access to Indian Creek and the Atlantic Ocean, and identify all public parks and green spaces within the Town, including all parks within a 3-mile radius. Staff is currently working with the Miami-Dade Parks and Recreation staff, and the Metropolitan Planning Organization to request that the trail be adopted by the Miami-Dade County Commission.
  
7. **Grants** -
  - a. The FY 2010 an application for the Department of Environmental Protection Section 319 Non-point Source Management Program Grant will be submitted by May 23, 2010 for the stormwater improvements.
  - b. Grants for sanitary and water system improvements, as well as roadway improvements and other Town improvements are being reviewed as possible revenue sources to accomplish the projects.
  
8. **Capital Improvement Projects** - Calvin Giordano has provided the town with a list of concerns regarding safety issues and American Disability Act access for several Beach Walk Access points in the Capital Improvement Projects reports. Upon request by The Town, the Landscape Architecture Department will provide detailed plans to address these deficient areas.



## Town of Surfside Commission Communication

**Agenda Item #** 4A1

**Agenda Date:** May 11, 2010

**Subject:** Proposed Construction Fencing Ordinance

**Objective:** Add bonding requirements for the installation of temporary construction fences in the multi-family and commercial districts, and provide separate requirements for the installation of temporary construction fences in the single family districts.

**Background:** On March 9, 2010 the Town Commission adopted an Ordinance revising Section 90.56-1 and thereby added in regulations for Construction Fencing. After adoption Staff determined the adopted revisions required separate regulations for construction fencing within single family developments and required bonding requirements for construction fencing for multi-family and commercial properties..

**Analysis:** Staff is proposing an Ordinance that provides specific construction fencing regulations including the posting of a bond and the provisions of landscape buffers for construction fencing permits for multi-family and non-residential properties. The Ordinance also provides specific construction fencing regulations for single family properties, which limits fence types to wood pickets and framed plywood panel.

**Budget Impact:** Planning Staff's time was funded under the general services contract between the Town and CGA. Therefore the Town did not incur an additional budget impact for CGA's time.

**Growth Impact:** N/A

**Staff Impact:** N/A

**Recommendation** The Planning and Zoning Board recommended approval of this item to the Town Commission at its April 29, 2010 meeting with a revision to permitted maximum height of eight feet for construction fences in the multi-family and commercial district. It is recommended that the Surfside Town Commission adopt on second reading the attached Ordinance, amending sections 90.56-1 of the Town of Surfside Zoning Code.

Department Head

Town Manager

5/10/10

**ORDINANCE NO. 10-\_\_\_\_\_**

**AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA AMENDING CHAPTER 90 "ZONING" AND SPECIFICALLY AMENDING SECTION 90-56 "FENCES, WALLS AND HEDGES"; CREATING 90-56.1 "CONSTRUCTION FENCING" OF THE TOWN OF SURFSIDE CODE OF ORDINANCES PROVIDING FOR INCLUSION IN THE CODE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the Town Commission (the "Commission") recognizes the need to regulate fences, walls and hedges for the health, safety and welfare of the Town; and

**WHEREAS**, the Commission has attempted to create regulations to address the specific needs of the this unique community and continues to amend these regulations to address the placement of fences, walls and hedges as they may best suit the needs of the community; and

**WHEREAS**, the Planning and Zoning Board, as the local planning agency for the Town, held its hearing on the proposed amendments to the fence, walls and hedges regulations on April 29, 2010 with due public notice and input; and

**WHEREAS**, the Town Commission held its first public hearing on April 13, 2010, having complied with the notice requirements required by Florida Statutes; and

**WHEREAS**, the Town Commission shall have conducted a second duly noticed public hearing on these regulations as required by law on May 11, 2010.

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

Ordinance No. \_\_\_\_\_

**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:

**90-56.1 Construction Fencing**

A. Temporary construction fencing and bonds. No person or entity shall install or construct a temporary construction fence in this Town without first obtaining a permit from the Town's Building Department. Each fence constructed or maintained shall be constructed and anchored in accordance with the Florida Building code. For all multi-family and non-residential properties, the posting of a construction bond in favor of the Town in the amount of \$35,000.00 is required for a person or entity to install or construct a temporary construction fence. With regard to the bonds, if such construction bond is not furnished to the Town ten (10) days prior to the erection of a temporary construction fence, construction shall be delayed until such time as the construction bond is provided in a form acceptable to the Town Manager or designee. The construction bond must be approved by the Town Manager or designee, which approval shall not be unreasonably withheld. The construction bond shall be maintained until said construction work hereof is completed and a Certificate of Occupancy is issued. The intention of the furnishing of this bond is to secure the costs of cleanup, repair or replacement of damage or destruction, and/ or beautification or landscaping of the fence or the property itself. The bond shall be subject to forfeiture for purposes of paying any such costs.

B. ~~Permitted fences. Temporary construction fences for multi-family and non-residential properties:~~

(1) ~~Permitted Fences: Except on Harding Avenue and Collins Avenue, The following temporary construction fences are permitted for multi-family and non-residential properties and in accordance with section 90-56(1): in all the zoning districts~~

- (a) Wrought iron or blackened aluminum.
- (b) Stucco and stone which match main structure.
- (c) Masonry walls ~~pursuant to section 90-56(1).~~
- (d) Wood pickets.
- (e) Concrete wall ~~pursuant to section 90-56(1).~~
- (f) Frame plywood panel.
- (g) ~~Chain link fences with canvas (or similar material) are permitted if the property owner or agent has obtained a demolition permit from the Building Department. The chain link fence shall be permitted to be utilized as a demolition fence for a period of no longer than two (2) months or until expiration of the demolition permit, whichever occurs first. However, such demolition fence shall not be removed until the installation of a permitted construction fence, as defined in this section. The permitted construction fence shall be installed immediately upon removal of the temporary demolition fence. At no time shall the parcel~~

Ordinance No. \_\_\_\_\_

~~remain without a protective barrier. Any person or entity found to be in violation of this subsection shall be subject to a fine of \$500 per day.~~

(2) Chain-link fences with canvas (or similar material): Chain-link fences with canvas (or similar material) backing or meshing may be permitted, provided they are neatly designed and maintained as approved by the Town Manager or designee. The chain-link fence shall be permitted to be utilized as a demolition fence for a period of no longer than two (2) months or until expiration of the demolition permit, whichever occurs first. However, such demolition fence shall not be removed until the installation of a permitted construction fence, as defined in this section. The permitted construction fence shall be installed immediately upon removal of the temporary demolition fence. At no time shall the parcel remain without a protective barrier. Any person or entity found to be in violation of this subsection shall be subject to a fine of \$500 per day.

~~(2)(3) A temporary construction fence (as defined herein) shall be installed on the front, side, and rear, and secondary frontage property lines setbacks.~~

~~(3) Chain-link fences with canvas (or similar material) backing or meshing may be permitted, provided they are neatly designed and maintained as approved by the Building and Zoning Departments.~~

(4) Maximum and minimum height. All of the permitted fences are permitted a maximum height of eight (8) feet and a minimum height of six (6) feet.

(5) Setbacks. A temporary construction fence installed on the front of the property (and secondary frontage of the property) shall be situated six feet from the front property line (and secondary frontage property line), unless specifically waived by the Town Commission. The setback area between the temporary fence and the property line shall contain a continuous extensively landscaped buffer in accordance with Section 90-90(e) and which must be maintained in good healthy condition by the property owner. No temporary construction fence permit shall be issued unless a site plan is approved by the Town pursuant to section 90-20. The approved site plan must include details of the landscaping for the setback buffer. Failure to maintain the setback buffer landscaping will result in the Town taking action to replace same and lien the property for the costs of landscaping.

(6) Prohibited Fences. The following fences are not permitted:

- (a) Chain-link fences without canvas (or similar backing material).
- (b) Barbed-wire fences.
- (c) Fences made of canvas material.
- (d) Any fences that fail to meet the requirement of the Florida Building Code.

(7) Murals and graphics. Graphics and murals on temporary construction fencing are prohibited unless approved by the Town Commission at site plan review pursuant to section 90-20. The Town Commission, in its discretion, may permit graphics and painted

murals on temporary construction fences for aesthetic enhancement of the fence and advertisement of the project to be constructed at site plan review.

C. ~~Prohibited fences.~~

~~(1) The following fences are not permitted, except as otherwise provided in Code herein below:~~

- ~~(a) Chain-link fences.~~
- ~~(b) Barbed-wire fences.~~
- ~~(c) Fences made of canvas material.~~
- ~~(d) Any fences that fail to meet the requirement of the Florida Building Code.~~

~~(2) Chain link fences with canvas (or similar material) backing or meshing may be permitted to be utilized as a temporary construction fence for a period of no longer than 18 months, provided they are neatly designed and maintained as approved by the Building and Zoning Departments.~~

Temporary construction fences for single family properties:

(1) Permitted Fences: Temporary construction fences are required to be installed for the construction of a brand-new single family home. In order to ensure the safety of adjacent residents the Town Manager or Designee may require the installation of a Temporary Construction fence for the demolition of a single family home, installation of a swimming pool, construction of accessory structure, or the addition to the existing single family residence. The following temporary construction fences are permitted for single family properties and in accordance with section 90-56(1):

- (a) Wood pickets.
- (b) Frame plywood panel.

(2) Chain-link fences with canvas (or similar material): Chain-link fences with canvas (or similar material) backing or meshing may be permitted, provided they are neatly designed and maintained as approved by the Town Manager or designee. The chain-link fence shall be permitted to be utilized as a demolition fence for a period of no longer than two (2) months or until expiration of the demolition permit, whichever occurs first. However, such demolition fence shall not be removed until the installation of a permitted construction fence, as defined in this section. The permitted construction fence shall be installed immediately upon removal of the temporary demolition fence. At no time shall the parcel remain without a protective barrier. Any person or entity found to be in violation of this subsection shall be subject to a fine of \$500 per day.

(3) A temporary construction fence (as defined herein) shall be installed on the front, side, rear and secondary frontage property lines.

(4) Maximum height. All of the permitted fences are permitted a maximum height of six (6) feet.

(5) Prohibited Fences. All fence types not specifically described in Section 90-56.1(C)(1) are prohibited.

~~D. Maximum and minimum height. A fence is permitted a maximum height of 12 feet and a minimum height of six feet. Expiration of permit. A temporary construction fence permit issued under this Section shall expire upon the issuance of a certificate of occupancy or expiration of the building permit. The temporary fence shall remain on the property until the completion of construction, provided that it shall be removed in accordance with the terms of the Florida Building Code.~~

~~E. Setbacks. A temporary fence installed on the front of the property shall be situated six feet from the front property line unless specifically waived by the Town Commission. The setback area between the temporary fence and the property line shall contain a continuous extensively landscaped and which must be maintained in good healthy condition by the property owner. No temporary construction permit shall be issued unless a landscape plan is approved by the Town for the buffer. Failure to maintain the landscaping will result in the Town taking action to replace same and lien the property for the costs of landscaping. Required Clearance. Under no circumstances is any temporary construction fence to be located on a corner lot in such a way as to conflict with the requirements of Section 90-52 (Required Clearances) or fire codes, including concealment of fire hydrants.~~

~~F. Expiration of permit. A temporary construction fence permit issued under this chapter shall expire upon the issuance of a certificate of occupancy or expiration of the building permit. The temporary fence shall remain on the property until the completion of construction, provided that it shall be removed in accordance with the terms of the Florida Building Code. Fees. The Town Manager or designee may impose fees as he/she may determine appropriate for the use of construction fences for advertisement purposes in accordance with the schedule promulgated by the Building Official.~~

~~G Murals and graphics. Graphics and murals on temporary construction fencing are prohibited unless approved by the Town Commission at site plan review pursuant to section 90-20. The Town Commission, in its discretion, may permit graphics and painted murals on temporary construction fences for aesthetic enhancement of the fence and advertisement of the project to be constructed at site plan review. Required Clearance. Under no circumstances is any temporary construction fence to be located on a corner lot in such a way as to conflict with the requirements of Section 90-52 (Required Clearances) or fire codes, including concealment of fire hydrants.~~

~~H Fees. The Town Manager or designee may impose fees as he/she may determine appropriate for the use of construction fences for advertisement purposes in accordance with the schedule promulgated by the Building Official. Access gates. All temporary construction fences shall contain access gates with a minimum clear opening width of 12 feet. Access gates must be provided at the front of the enclosure. If the rear of the property abuts an alley, street, road, or beach, access gates must be provided at the front and rear of the enclosure. If the property has a secondary frontage that abuts a street or road, access gates must be provided at the rear and may be provided at either the front or secondary frontage of the enclosure. Gates must be kept unlocked during inspection hours.~~

~~I Access gates. All temporary construction fences shall contain access gates with a minimum clear opening width of 12 feet. Access gates must be provided at the front and rear of the~~

~~enclosure, access gates must be provided at the front and rear of the enclosure. Gates must be kept unlocked during inspection hours. Temporary construction signs. Construction, erection, and maintenance of temporary construction signs shall be governed by Article VI Signs.~~

~~J. Temporary construction signs. Construction, erection, and maintenance of temporary construction signs shall be governed by Town of Surfside Sign Code. Appeals. Any decision made by the Town Manager or designee regarding graphics, advertisement, and murals on a temporary construction fence may be appealed to the Town Commission.~~

~~K. Appeals. Any decision made by the Town Manager or designee regarding graphics, advertisement, and murals on a temporary construction fence may be appealed to the Town Commission. Enforcement and penalties. The Code Enforcement and Building Department shall be responsible for the enforcement of the provisions of this section. Any person or entity found to be in violation of this section shall be subject to a \$500 fine per day.~~

~~L. Enforcement and penalties. The Code Enforcement and Building Department shall be responsible for the enforcement of the provisions of this section. Any person or entity found to be in violation of this section shall be subject to a \$500 fine per day.~~

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

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

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

**Section 6. Effective Date.** This Ordinance shall be effective ten (10) days after adoption on second reading.

PASSED and ADOPTED on first reading this \_\_\_\_\_ day of \_\_\_\_\_, 2010.

Ordinance No. \_\_\_\_\_



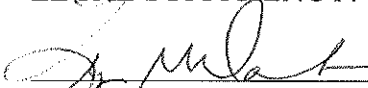
PASSED and ADOPTED on second reading this \_\_\_\_ day of \_\_\_\_\_, 2010.

\_\_\_\_\_  
Daniel Dietch, Mayor

Attest:

\_\_\_\_\_  
Debra E. Eastman, MMC  
Town Clerk

APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY:

  
\_\_\_\_\_  
Lynn M. Dannheisser, Town Attorney

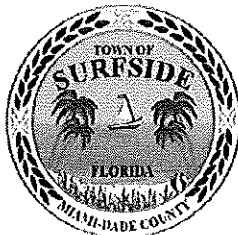
On First Reading Moved by: \_\_\_\_\_

On Second Reading Seconded by: \_\_\_\_\_

**Vote:**

Mayor Dietch	yes	_____	no	_____
Vice Mayor Graubart	yes	_____	no	_____
Commissioner Karukin	yes	_____	no	_____
Commissioner Kopelman	yes	_____	no	_____
Commissioner Olchyck	yes	_____	no	_____

Ordinance No. \_\_\_\_\_



**TOWN OF SURFSIDE  
Office of the Town Attorney**

MUNICIPAL BUILDING  
9293 HARDING AVENUE  
SURFSIDE, FLORIDA 33154-3009

Lynn M. Dannheisser  
Town Attorney

Telephone: 305 861-4863

**MEMORANDUM**

**TO:** Town Commission  
**FROM:** Lynn M. Dannheisser, Town Attorney *[Signature]*  
**cc:** Gary Word, Town Manager  
**DATE:** April 13, 2010  
**SUBJECT:** Notice requirements for site plan approval

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Recently, it came to my attention that our current code does not require published or posted notice for site plan approval applications. Such notice is deemed desirable and accordingly, we have so amended the code. Also, although it is current custom and practice, we are codifying the fact that fees and costs are to be borne by the applicant, not the Town.

**RECOMMENDATION:** It is recommended by Staff that you pass this ordinance on first reading.

ORDINANCE NO. 10-\_\_\_\_\_

**AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA AMENDING CHAPTER 90 "ZONING" AND SPECIFICALLY AMENDING SECTION 90-35 "PLANNING AND ZONING BOARD; APPLICATIONS FOR SPECIAL EXCEPTIONS, ZONING CHANGES, CONDITIONAL USES AND VARIANCES; RULES OF PROCEDURE" TO PROVIDE THAT NOTICE WILL BE REQUIRED FOR SITE PLAN APPROVAL AND ALL NOTICES SHALL BE AT APPLICANT'S COST; OF THE TOWN OF SURFSIDE CODE OF ORDINANCES PROVIDING FOR INCLUSION IN THE CODE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the Town Commission (the "Commission") recognizes the need to regulate public notice requirements for the health, safety and welfare of the Town; and

**WHEREAS**, the Commission has attempted to create regulations to address the specific needs of this unique community and continues to amend these regulations to address the public noticing requirement of land use and site plan amendments and planning and zoning board meetings as it may best suit the needs of the community; and

**WHEREAS**, the Planning and Zoning Board, as the local planning agency for the Town, held its hearing on the proposed amendments to the Planning and zoning board; applications for special exceptions, zoning changes, conditional uses and variances; rules of procedure regulations on April 29, 2010 with due public notice and input; and

**WHEREAS**, the Town Commission held its first public hearing on April 13, 2010, having complied with the notice requirements required by Florida Statutes; and

**WHEREAS**, the Town Commission shall have conducted a second duly noticed public

hearing on these regulations as required by law on May 11, 2010.

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

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

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

Sec. 90-35. Planning and zoning board; Town Commission; applications for site plan, amendments to the land use plan, special exceptions, zoning changes, conditional uses and variances; public noticing requirements; rules of procedure.

*Rules of procedure.* The following rules shall govern procedure on all applications for site plan, amendments to the land use plan, special exception, zoning changes, conditional uses, and/or variances:

(1) All applications shall be submitted to the ~~planning and zoning board~~ Town Manager or designee on the prescribed form and accompanied with the prescribed fee. The fees may be adjusted from time to time to defray the costs of processing and reviewing the application and providing requisite notice. (Professional fees will be charged to the applicant in accordance with the cost recovery program of the Town.) The planning and zoning board shall be required to schedule a public hearing not later than 30 days after ~~receipt of~~ determination by the Town Manager or designee that such site plan, amendment to the land use plan, special exception, zoning change, conditional use permit or variance request meets the criteria set forth in the Zoning Code. The board shall make its views and recommendations known to the commission for the commission's determination. If the board fails to take action within the prescribed time, the commission shall assume its duties.

(2) A ~~planning and zoning board and town commission~~ public hearing shall be advertised at least once in a local newspaper of general circulation or publicly posted in the Town Hall at least ten days prior to the public hearing. Written courtesy notices shall be sent by first class mail to affected property owners within a radius of 300 feet. Where practicable, such advertising shall contain, in addition to a legal description, a street address, together with the specific intended use in layman's language, i.e., "apartment house" rather than "multiple dwelling," "meat market" rather than "business zoning."

(3) A notice, 18 inches by 24 inches, shall be placed in a prominent place on the property by the applicant at his own expense denoting the following:

REQUEST FOR: \_\_\_\_\_  
PLANNING AND ZONING MEETING: DATE AND TIME  
TOWN COMMISSION MEETING: DATE AND TIME  
TOWN HALL  
9293 Harding Avenue  
Surfside, FL 33154

COMPLETE INFORMATION REGARDING THE APPLICATION IS AVAILABLE BY CONTACTING THE TOWN HALL AT \_\_\_\_\_.

Such notice to be posted not less than ten days prior to such planning and zoning board and town commission hearings.

(4) A The posted notice, as set forth in subsection (3) of this section, shall contain the requested use change in layman's language i.e., "apartment house" rather than "multiple dwelling," "meat market" rather than "business zoning." ~~as in subsection (3) of this section~~. Posted notice shall be ~~of standard size~~ in standard colors, approved by the Town Manager or designee before erection.

(5) All applications ~~for rezoning~~ must be made and presented by the fee title owner or owners of the property sought to be rezoned or by a tenant or attorney for the owner with the owner's written approval.

(6) Applications for site plan, special exceptions, variances and conditional uses shall be adjudicated by resolution.

(7) Applications for ~~zoning changes~~ amendments to the land use map ~~or and~~ rezonings shall be adjudicated through the same procedures as required for ordinance adoption as required by law.

(8) Application for zoning change review criteria. In order to approve an application for zoning change the town commission must find that the application complies with each of the following criteria. The applicant is required to provide a report at the time the application is filed which includes documentation that the application complies with each of the below criteria:

- a. The zoning change is consistent with the comprehensive plan;
- b. The proposed change will result in development that is consistent in scale and character with those within 300 feet of the site;
- c. The resulting boundaries of the zoning district are logically drawn;
- d. The proposed change will not reduce property values in the town;
- e. The proposed change will enhance the quality of life in the town; and
- f. There are substantial and compelling reasons why the proposed change is in the best interests of the town.

(9) Resolutions for approval of site plan, special exceptions, variances and conditional use shall be sent to each member of the planning and zoning board by the town manager or designee following approval by the commission (except for a rezoning of a parcel which shall be adopted by ordinance as provided by law, and forwarded to the planning and zoning board in the same manner). All resolutions approving site plan, special exceptions, conditional uses and variances granted by the commission shall be kept in a journal maintained for such purpose.

(10) The planning and zoning board hearing shall be conducted in accordance with the quasijudicial procedures set forth in this Code. The following applications are quasijudicial and shall comply with the town's quasijudicial legislation:

- a. Site-specific rezoning.
- b. Conditional use applications.
- c. Special exceptions.
- d. Variances, including, but not limited to: trees, signs, setback, distance requirements between buildings or other variances permitted by this chapter.
- e. Development of regional impact.
- f. Site Plan (or Site Plan Amendment). ~~Any other development approval deemed to be quasijudicial by the town attorney.~~
- g. Amendments to the Land Use Plan.
- f.h. Any other development approval deemed to be quasijudicial by the town attorney.

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

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

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

**Section 6. Effective Date.** This Ordinance shall be effective ten (10) days after adoption on second reading.

PASSED and ADOPTED on first reading this \_\_\_\_\_ day of \_\_\_\_\_, 2010.

PASSED and ADOPTED on second reading this \_\_\_\_ day of \_\_\_\_\_, 2010.


Ordinance No. \_\_\_\_\_

\_\_\_\_\_  
Daniel Dietch, Mayor

Attest:

\_\_\_\_\_  
Debra E. Eastman, MMC  
Town Clerk

APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY:

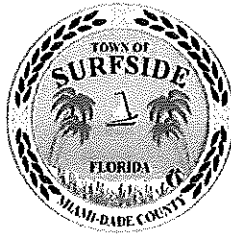
  
\_\_\_\_\_  
Lynn M. Dannheisser, Town Attorney

On First Reading Moved by: \_\_\_\_\_

On Second Reading Seconded by: \_\_\_\_\_

**Vote:**

Mayor Dietch	yes	_____	no	_____
Vice Mayor Graubart	yes	_____	no	_____
Commissioner Karukin	yes	_____	no	_____
Commissioner Kopelman	yes	_____	no	_____
Commissioner Olchyck	yes	_____	no	_____



# Town of Surfside Commission Communication

**Agenda Item #:** 4B1

**Agenda Date:** May 11, 2010

**Subject:** Landscaping in the Business District

**Objective:** Remove landscape provisions that require additional buffers and setbacks.

**Background:** It has come to Staff's attention that the landscape ordinance requires additional landscape buffers than what is currently present within the business district. Therefore if a property owner were to redevelop a site within the business district, larger setbacks and buffers may be required.

**Analysis:** The existing code requirements include a fifteen (15) foot landscape buffer when a lot is separated by a street or alley from a different zoning category and six (6) feet of landscaping surrounding a building. Staff has found that this resulted in requirements that are non-conforming to the existing lots in business district.

However, if a business district property is contiguous to a single family lot, a twenty foot landscape buffer is still required. The proposed ordinance does not recommend removing that requirement. The proposed ordinance only exempts lots that are separated by a street or alley from providing the required buffers.

The Planning and Zoning Board recommended approval of this item to the Town Commission at its April 29, 2010 meeting, with the condition that the fifteen (15) foot landscape buffer when a business district lot is separated by a street, alley or waterway from a single family lot remains in the code and is not struck. Therefore the only change proposed by the Planning and Zoning Board is to remove the six (6) feet of foundation plantings surrounding the building. This change resulted in the item being heard once again on first reading due to the substantial nature of the change.

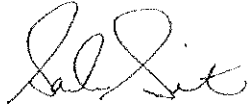
**Budget Impact:** Planning Staff's time was funded under the general services contract between the Town and CGA. Therefore the Town did not incur an additional budget impact for CGA's time.

**Growth Impact:** N/A

**Staff Impact:** N/A

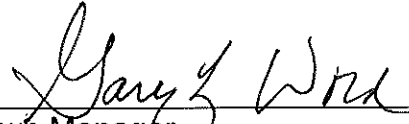


**Recommendation:** It is recommended that the Surfside Town Commission introduce on first reading the attached Ordinance, amending sections 90.92 and 90.94 of the Town of Surfside Zoning Code.



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Department Head



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Town Manager

ORDINANCE NO. 10-\_\_\_\_\_

**AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA AMENDING CHAPTER 90 “ZONING” AND SPECIFICALLY ARTICLE VIII “LANDSCAPE REQUIREMENTS”; AMENDING SECTIONS 90-92, 90-94 OF THE TOWN OF SURFSIDE CODE OF ORDINANCES PROVIDING FOR INCLUSION IN THE CODE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.**

WHEREAS, the Town of Surfside (“Town”) proposes to amend its Code of Ordinances to address landscape requirements; and

WHEREAS, the Planning and Zoning Board, as the local planning agency for the Town, held its hearing on the proposed amendments to the landscape regulations on April 29, 2010 with due public notice and input; and

WHEREAS, the Town Commission held its first public hearing on May 11, 2010 having complied with the notice requirements required by Florida Statutes; and

WHEREAS, the Town Commission shall have conducted a second duly noticed public hearing on these regulations as required by law on June 8, 2010.

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

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

Ordinance No. \_\_\_\_\_

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

**Section 90-92. Landscape buffer areas between residential and nonresidential properties and vehicular use areas.**

(a) *Applicability:* All proposed development or redevelopment sites and vehicular use areas serving H30C, H40, H120, ~~SD-B40~~ or municipal uses shall conform to the minimum landscaping requirements hereinafter provided. Interior parking landscape requirements under or within buildings and parking areas serving H30A and H30B districts are exempt. Additionally, ~~SD-B40 shall be exempt. is exempted when the adjacent or contiguous zoning district or use is the same with the exception of vehicular use areas for parking lots, loading, storage or screening of equipment requirements.~~ Expansive concrete or paver areas shall require landscaping to soften and scale the buildings.

(b) *Required buffer landscaping adjacent to streets and abutting properties:* On any proposed, redeveloped site, or open lot providing a vehicular use area for H30C, H40, H120, ~~SD-B40~~ adjacent or contiguous to H40, or municipal plots where such area is abutting street(s) and/or property lines, including dedicated alleys, landscaping shall be provided between such area and such perimeters as follows:

\* \* \* \* \*

**Section 90-94. Open space.**

All open space on any site shall conform to the following requirements:

(1) *General landscape treatment:*

a. Groundcover, shrubs, and other landscape materials (not including rocks, gravel, pavers, turf blocks, artificial turf, or other items) shall be installed to cover all open space areas not covered by paving or structures, using the required percentages specified in the plant material section. No substance including rocks, gravel, pavers, turf blocks, artificial turf or other materials which prevents water percolation shall be used in areas not approved for paving or structures. Proper horticultural planting practices shall comply with Xeriscape requirements.

b. Along all buildings and structures, mature landscaping at installation shall be installed at one-half the height of the building or structure at one tree per 25 linear feet of each building's facade on all sides for scaling and softening. On buildings over 75 feet in height the proposed trees/palms shall be at least 35 to 38 feet tall at time of installation. NOTE: If the landscape buffer is contiguous to the building then the landscape buffer requirement will supersede, with the exception of one tree per 25 feet being one-half the height of the building at installation. Additionally, shrubs and groundcovers shall be added to enhance the building. In all districts except the SD-B40 district, A a minimum

Ordinance No. \_\_\_\_\_

six-foot-wide landscape strip shall be provided not including overhands or awnings around all the buildings.

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

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

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

**Section 6. Effective Date.** This Ordinance shall be effective ten (10) days after adoption on second reading.

PASSED and ADOPTED on first reading this \_\_\_\_\_ day of \_\_\_\_\_, 2010.

PASSED and ADOPTED on second reading this \_\_\_\_ day of \_\_\_\_\_, 2010.


\_\_\_\_\_  
Daniel Dietch, Mayor

Attest:

\_\_\_\_\_  
Debra E. Eastman, MMC  
Town Clerk

Ordinance No. \_\_\_\_\_

APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY:

  
\_\_\_\_\_  
Lynn M. Dannheisser, Town Attorney

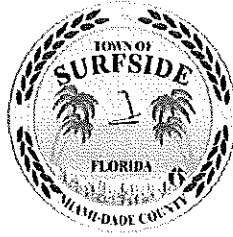
On First Reading Moved by: \_\_\_\_\_

On Second Reading Seconded by: \_\_\_\_\_

**Vote:**

Mayor Dietch	yes	_____	no	_____
Vice Mayor Graubart	yes	_____	no	_____
Commissioner Karukin	yes	_____	no	_____
Commissioner Kopelman	yes	_____	no	_____
Commissioner Olchyck	yes	_____	no	_____

Ordinance No. \_\_\_\_\_



# Town of Surfside Commission Communication

**Agenda Item #** 4B2

**Agenda Date:** May 11, 2010

**Subject:** Proposed Ordinance Amending Definition of Base Flood Level Elevations

**Objective:** To revise the definition of substantial improvement (floor height requirement) for new construction in Surfside as it relates to the 50% property improvement rule.

**Background:** Enforcement of flood elevation requirements has been problematic for several years leading to a number of properties in Surfside that are not compliant with flood zone requirements. The Town's Building Official has determined that a Code Amendment, which is not in conflict with FEMA standards, could be adopted which would make a number of properties (currently in non-compliance) compliant.

The Surfside Planning and Zoning Board (P&Z) has reviewed the proposed amendment and will hold a public hearing on the proposed amendment on May 27, 2010. The P&Z Board has recommended approval of the proposed amendment. The Board has determined that the adopted change would be in the best interest of the community.

**Analysis:** The proposed amendment would apply to residential and non-residential properties in Surfside. It has been determined that the Surfside definition of substantial improvement is more restrictive than FEMA's.

The Town Attorney has prepared an Ordinance Amendment with modified language changing the definition of substantial improvement to reflect compliance with FEMA (Att. A).

**Residential Impact:** To alleviate the more restrictive language for residential properties, the words ".....or substantial improvement...." would be removed from Division 3, Section 42-57 (1) of the Surfside Municipal Code and the following language would be inserted: "...that meets the criteria of substantial improvement as may be amended from time to time by FEMA..."

**Non-residential Impact:** For non-residential properties, the same wording described in the Residential Section would be deleted and inserted, respectively, in Division 3, Section 42-57 (2) of the Surfside Municipal Code.

**Growth Impact:** The proposed amendment, if adopted, would be in compliance with the Town's Comprehensive Plan.

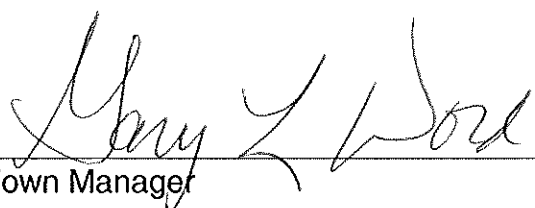
**Budget Impact:** If adopted, the ordinance amendment would make a number of properties in Surfside compliant with FEMA flood elevation standards. As such many properties would become compliant and further enforcement action would not be necessary. Therefore, enforcement and legal costs for this type of enforcement would be largely eliminated.

**Staff Impact:** Would reduce staff enforcement efforts by making more Surfside properties compliant with FEMA standards.

**Recommendation:** It is recommended that the Town Commission introduce for first reading an Ordinance Amending Chapter 42, subsections (1) and (2) of Section 42-92 (Standards) of the Town of Surfside relating to base flood level elevations. Second reading and possible adoption would be scheduled for June 8, 2010.

---

Department Head

  
Town Manager

**ORDINANCE NO. 10- \_\_\_\_\_**

**AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA AMENDING CHAPTER 42 AND SPECIFICALLY SUBSECTIONS (1) AND (2) OF SECTION 42-92 "SPECIFIC STANDARDS" OF THE TOWN OF SURFSIDE CODE OF ORDINANCES RELATED TO BASE FLOOD LEVEL ELEVATIONS; PROVIDING FOR INCLUSION IN THE CODE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE**

**WHEREAS**, the Town of Surfside ("Town") proposes to amend its Code of Ordinances to address base flood elevation and address an issue relating to the current floor height requirement of all construction.

**WHEREAS**, The Planning and Zoning Board, as the local planning agency for the Town, has held a public hearing on May 27, 2010 and recommended approval of the proposed amendments to the Code of Ordinances and also found the proposed Code amendments to be consistent with the Comprehensive Plan; and

**WHEREAS**, The Town Commission held its first public reading on May 11, 2010 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 Town Commission has conducted a second duly noticed public hearing on these regulations as required by law on June 8, 2010 and further finds the proposed change to the Code necessary and in the best interest of the community.

Ordinance No. \_\_\_\_\_



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. 42-92. Specific standards.**

In all A-zones where base flood elevation data have been provided (zones AE, AI-30, and AH), as set forth in division 3, section 42-57, the following provisions shall apply:

- (1) *Residential construction.* All new construction ~~or substantial improvement~~ of any residential building (including manufactured home) that meets the criteria of substantial improvement as may be amended from time to time by FEMA shall have the lowest floor, including basement, elevated to no lower than the base flood elevation. Should solid foundation perimeter walls be used to elevate a structure, openings sufficient to facilitate automatic equalization of flood hydrostatic forces on both sides of the exterior walls shall be provided in accordance with standards of division 5, subsection 42-92(3).
- (2) *Nonresidential construction.* All new construction ~~or substantial improvement~~ of any commercial, industrial, or nonresidential building (including manufactured home) s that meets the criteria of substantial improvement as may be amended from time to time by FEMA shall have the lowest floor, including basement, elevated to no lower than one foot above the base flood elevation. All buildings located in A-zones may be floodproofed, in lieu of being elevated, provided that all areas of the building components below the base flood elevation plus one foot are watertight with walls substantially impermeable to the passage of water, and use structural components having the capability of resisting hydrostatic and hydrodynamic loads and the effects of buoyancy. A registered professional engineer or architect shall certify that the standards of this subsection are satisfied using the FEMA Floodproofing Certificate. Such certification along with the corresponding engineering data, and the operational and maintenance plans shall be provided to the floodplain administrator.

**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.

Ordinance No. \_\_\_\_\_

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

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

**Section 6. Effective Date.** This Ordinance shall be effective ten (10) days after adoption on second reading.

PASSED and ADOPTED on first reading this \_\_\_\_\_ day of \_\_\_\_\_, 2010.

PASSED and ADOPTED on second reading this \_\_\_\_\_ day of \_\_\_\_\_, 2010.

\_\_\_\_\_  
Daniel Dietch, Mayor

Attest:

\_\_\_\_\_  
Debra E. Eastman, MMC  
Town Clerk

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

  
\_\_\_\_\_  
Lynn M. Dannheisser, Town Attorney

On First Reading Moved by: \_\_\_\_\_

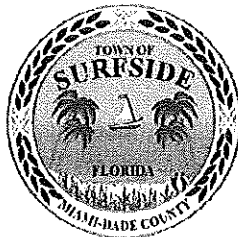
On Second Reading Seconded by: \_\_\_\_\_

Ordinance No. \_\_\_\_\_

**Vote:**

Mayor Dietch	yes _____	no _____
Vice Mayor Graubart	yes _____	no _____
Commissioner Karukin	yes _____	no _____
Commissioner Kopelman	yes _____	no _____
Commissioner Olchyck	yes _____	no _____

Ordinance No. \_\_\_\_\_



**TOWN OF SURFSIDE**  
**Office of the Town Attorney**

MUNICIPAL BUILDING  
 9293 HARDING AVENUE  
 SURFSIDE, FLORIDA 33154-3009

Lynn M. Dannheisser  
 Town Attorney

Telephone: 305 861-4863

## MEMORANDUM

**TO:** Town Commission

**FROM:** Lynn M. Dannheisser, Town Attorney *[Signature]*

**cc:** Gary Word, Town Manager

**DATE:** May 11, 2010

**SUBJECT:** RLUIPA SD-B40 Amendment Explanation

---

On April 29, 2010, the Planning and Zoning Board adopted an amendment that is material and substantial to the earlier ordinance and hence it is before you as a first reading once again. This amendment acknowledges that the first floor prohibition for places of public assembly in the SD-B40 zoning district encourages the creation of a pedestrian friendly and walkable environment, encourages repeat visits, creates a destination for dining and shopping activities within the Town of Surfside ("Town"), and supports the Town's economic development efforts on properties in the traditional downtown area fronting Harding Avenue between 94<sup>th</sup> and 96<sup>th</sup> Streets (referred to herein as the "traditional downtown area") but that properties located outside of this traditional downtown area that may be zoned SD-B40 are not similarly situated, and do not pose the same policy concerns. Thus this Ordinance proposes to amend the Zoning Code to provide a limited exception to the first floor prohibition for places of public assembly in the SD-B40 zoning district where such uses are located outside of the traditional downtown area.

**ORDINANCE NO. 10-\_\_\_\_**

**AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA AMENDING CHAPTER 90 “ZONING” AND SPECIFICALLY ARTICLE IV “DISTRICT REGULATIONS”; AMENDING SECTION 90-41 “REGULATED USES” OF THE TOWN OF SURFSIDE CODE OF ORDINANCES; PROVIDING FOR INCLUSION IN THE CODE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the first floor prohibition for places of public assembly in the SD-B40 zoning district encourages the creation of a pedestrian friendly and walkable environment, encourages repeat visits, creates a destination for dining and shopping activities within the Town of Surfside (“Town”), and supports the Town’s economic development efforts on properties in the traditional downtown area fronting Harding Avenue between 94<sup>th</sup> and 96<sup>th</sup> Streets (referred to herein as the “traditional downtown area”); and

**WHEREAS**, properties located outside of this traditional downtown area that may be zoned SD-B40 are not similarly situated, and do not pose the same policy concerns; and

**WHEREAS**, the Town therefore proposes to amend its Code of Ordinances to provide a limited exception to the first floor prohibition for places of public assembly in the SD-B40 zoning district where such uses are located outside of the traditional downtown area; and

**WHEREAS**, the Planning and Zoning Board, as the local planning agency for the Town, held its hearing on the proposed amendments to the district regulations on \_\_\_\_\_, 2010 with due public notice and input; and

WHEREAS, the Town Commission held its first public hearing on May 11, 2010, having complied with the notice requirements required by Florida Statutes; and

WHEREAS, the Town Commission shall have conducted a second duly noticed public hearing on these regulations as required by law on \_\_\_\_\_, 2010; and

WHEREAS, the Town Commission finds that this Ordinance is consistent with the Town's Comprehensive Plan and furthers the public health, safety and welfare.

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

**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. 90-41. Regulated uses.**

*Applicability and validity of tables.* Nothing shall be used to misconstrue or reinterpret the provisions, limitations and allowances made herein.

(a) *Purpose.* Permitted uses are considered to be fundamentally appropriate within the district in which they are located and are deemed to be consistent with the comprehensive plan. These uses are permitted as of right, subject to the required permits and procedures described in this section. Permitted uses require final site plan review and approval for compliance with the standards applicable to a particular permitted use as provided in this zoning code.

(b) *Permits required.* Except as explicitly provided herein, no use designated as a permitted use in this chapter shall be established until after the person proposing such use has applied for and received all required development permits.

(c) *Table--Regulated uses:*

\* \* \* \* \*

	H30A	H30B	H30C	H40	H120	SD-B40
Places of Assembly						
See RLUIPA Map and Ordinance 07-1479	-	-	P	-	-	P(9)

\* \* \* \* \*

Key: P: Permitted  
 (#): Refer to Notes  
 Blank: Not Permitted

(d) *Uses table notes.*

\* \* \* \* \*

9. Shall only be allowed above the first floor of all buildings. This regulation shall be applicable only to those places of assembly located in buildings that front Harding Avenue between 94<sup>th</sup> and 96<sup>th</sup> Streets.

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

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

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

**Section 6. Effective Date.** This Ordinance shall be effective ten (10) days after adoption on second reading.

PASSED and ADOPTED on first reading this \_\_\_\_ day of \_\_\_\_\_, 2010.

Ordinance No. \_\_\_\_\_

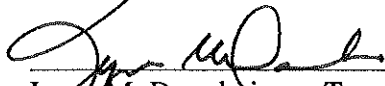
PASSED and ADOPTED on second reading this \_\_\_\_ day of \_\_\_\_\_, 2010.

\_\_\_\_\_  
Daniel Dietch, Mayor

Attest:

\_\_\_\_\_  
Debra E. Eastman, MMC  
Town Clerk

APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY:

  
\_\_\_\_\_  
Lynn M. Dannheisser, Town Attorney

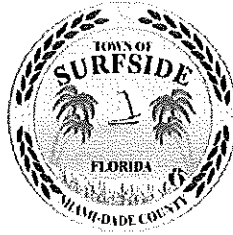
On First Reading Moved by: \_\_\_\_\_

On Second Reading Seconded by: \_\_\_\_\_

**Vote:**

Mayor Dietch	yes_____	no_____
Vice Mayor Graubart	yes_____	no_____
Commissioner Karukin	yes_____	no_____
Commissioner Kopelman	yes_____	no_____
Commissioner Olchyck	yes_____	no_____





# Town of Surfside Commission Communication

**Agenda Item #** 5A

**Agenda Date:** May 11, 2010

**Subject:** Proposed Temporary Zoning Amnesty Program

**Objective:** To temporarily abate progressive code enforcement for 120 days all courtesy code enforcement violations that were issued prior to May 31, 2010 except for life safety violations.

**Background:** Over the past several years the Town has issued several hundred courtesy code violation tickets that have not been progressively enforced. With mixed direction from the Town Commission regarding enforcement, discontinued use of special masters and budget constraints many violations remain without follow-up enforcement. Enforcement at this time might be problematic to achieve second level violation enforcement (fines).

Town staff is suggesting that a temporary amnesty program be initiated until such time as the Town Commission determines how it wishes to proceed with code enforcement initiatives and enforcement. Further, the amnesty period would allow current violators to voluntarily correct violations during the amnesty period without fear of progressive enforcement (fines / hearings).

**Analysis:** The proposed program is described as follows:

- 1) An inspection would be conducted for all prior cited violators who qualify for the amnesty program. Those who are still in violation would be sent information describing the amnesty program and how to comply during the amnesty period.
- 2) All violators existing on the 121<sup>st</sup> day of the program would be re-cited with a new "Courtesy Notice of Violation" and given 7-30 days (depending on the violation) to correct or abate the violation. Documentation (dated pictures) would be taken and a new file started.
- 3) A second inspection of the violation would be conducted after the time to abate or correct has expired. If the corrections were complete, the case would be closed. If

the violation was not corrected a second level citation would be issued and a fine would be imposed. The new citation would include a time frame for compliance with supporting dated documentation. If the violation(s) were not corrected a third notice of violation would be issued requiring the violator to appear at a hearing before a Special Master.

**Growth Impact:** There is no growth impact or threat to the Town's comprehensive plan. However, quality of life issues are at the core of this effort.

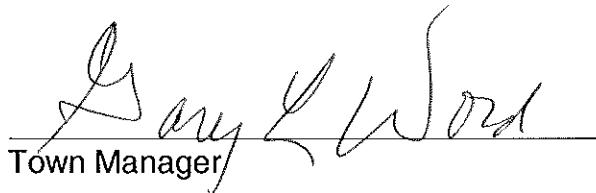
**Budget Impact:** While no funds are currently budgeted, the Town Commission would need to approve funds through the budget process to augment code enforcement efforts and enforcement initiatives.

**Staff Impact:** May require full-time code enforcement with administrative and legal support for progressive enforcement (Special Master process).

**Recommendation:** It is recommended that the Town Commission adopt the attached resolution authorizing a 120-day code enforcement amnesty program for non-life life safety code violations issued through May 31, 2010 (Attachment A). The program would cease on September 30, 2010.

---

Department Head

  
Town Manager

**RESOLUTION NO. 10-\_\_\_\_\_**

**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, WAIVING ALL CITATIONS THAT HAVE BEEN HERETOFORE ISSUED BY THE TOWN; ADOPTING AN AMNESTY PERIOD; MANDATING CONTINUED ENFORCEMENT OF LIFE SAFETY REQUIREMENTS OF THE FLORIDA BUILDING CODE; PROVIDING FOR PENALTIES; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the Town has issued a number of citations that heretofore have not been enforced and the Town Commission is about to globally address the issue of code enforcement as a policy and a budget matter: and

**WHEREAS**, there has been uncertainty on the part of the citizens and staff as to the direction the Town is to take on these matters; and

**WHEREAS**, the Town wishes to assist its citizens in this regard by waiving all code enforcement citations issued up to, and including, the date of passage of this resolution (unless the citation involves a structural safety issue or building code issue which is mandatory to enforce and shall be enforced) and grant an amnesty period of approximately one hundred and twenty days and secure direction from the Town Commission;

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

Section 1. Waiver and Amnesty. Notwithstanding anything to the contrary, the Town of Surfside hereby waives all code enforcement citations that have been issued up to the date of passage of this resolution and declares a special amnesty period for code enforcement violations to allow citizens to pay liens due and owing and remediate any violations. This Amnesty period shall begin on May 31, 2010 and shall continue through September 30, 2010, pending the conduct of a workshop, development of a policy by the Town Commission and adoption of a budget supporting this policy within said time frame. All owners of property on which a lien has been filed shall have this period of time to utilize the benefits of this resolution and pay back the liens without filing of foreclosure.

The provisions of this Section shall not be interpreted to supersede the following requirements which must be complied with by all structures at all times:

- (1) The following life-safety requirements of the current Florida Building Code:
  - (1) means of egress or escape
  - (2) requirement of shutters
  - (3) Hard-wired smoke detectors shall be installed as required by this Code.
  - (4) All aluminum electrical wiring shall be replaced with electrical wiring meeting the requirements of this Code.
  - (5) Ground fault interrupt (GFI) shall be installed as required by this Code.
  - (6) All new exterior doors shall be intrusion and burglar resistant as required by this Code.
  - (7) Full size pressure and temperature relief valved lines shall be installed on all water heaters as required by this Code.
  - (8) Handicapped access requirements of this Code and Chapter 553 of the Florida Statutes shall be complied with, as well as any other applicable State law requirement governing accessibility by disabled persons.
  - (9) All gas piping systems shall be bonded to ground.
  - (10) Handrails shall be inspected and replaced, if necessary, in full compliance with the requirements of this Code.

Section 2. Penalties for violation. Notwithstanding the provisions of this ordinance, the Building Official may at all times continue enforcement of the Code through any authorized means including issuance of a Notice of Violation, recording the same, commencement of a case before the Unsafe Structures Board or for any other building life safety issue. This Resolution shall not be construed or serve as a defense against any enforcement actions brought by the Building Official based on the current requirements of the code.

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

Section 4.     Effective Date. This Resolution becomes effective upon adoption.

PASSED AND ADOPTED this 11<sup>th</sup> day of May, 2010.

Motion by Commissioner \_\_\_\_\_, second by Commissioner \_\_\_\_\_.

**FINAL VOTE ON ADOPTION**


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

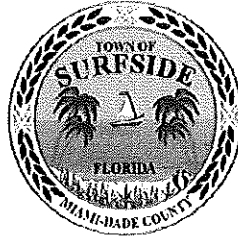
\_\_\_\_\_  
Daniel Dietch, Mayor

ATTEST:

\_\_\_\_\_  
Debra E. Eastman, MMC  
Town Clerk

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

  
\_\_\_\_\_  
Lynn M. Dannheisser  
Town Attorney



**TOWN OF SURFSIDE**  
Office of the Town Attorney


MUNICIPAL BUILDING  
9293 HARDING AVENUE  
SURFSIDE, FLORIDA 33154-3009

Lynn M. Dannheisser  
Town Attorney

Telephone: 305 861-4863

## MEMORANDUM

**TO:** Town Commission

**FROM:** Lynn M. Dannheisser, Town Attorney 

**cc:** Gary Word, Town Manager

**DATE:** May 11, 2010

**SUBJECT: APPOINTMENT OF MEMBERS OF THE PLANNING AND ZONING BOARD**

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Section 90-15 (d) of the Zoning Code provides as follows:

**"d) Board member term(s): The term of each board member appointment shall begin on the last Thursday of April of the year in which the board member is appointed and end when a successor board member is appointed or on the last Thursday in April, whichever dates comes first. The term of any board member filling a vacancy created on the board as provided in paragraph (e) shall begin at the time of the board members appointment and end the last Thursday in April or whenever a replacement is appointed. "**

**RECOMMENDATION: It is recommended the Commission now appoint the members of the P & Z Board in accordance with the Code.**

RESOLUTION NO. 2010-\_\_\_\_\_

**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, APPOINTING MEMBERS OF THE TOWN PLANNING AND ZONING BOARD; PROVIDING FOR IMPLEMENTATION; AND, PROVIDING FOR AN EFFECTIVE DATE.**

WHEREAS, pursuant to Section 90-52 (d) of the Town of Surfside Code of Ordinances provides in pertinent part:

“(d) *Board member term(s)*: The term of each board member appointment shall begin on the last Thursday of April of the year in which the board member is appointed and end when a successor board member is appointed or on the last Thursday in April, whichever dates comes first...” and

WHEREAS, Section 90. 15 (b) sets forth the requirements for the members of the Board as follows:

(b) *Minimum board member qualifications*: All board members must have been a town resident for a minimum period of one year, except for the licensed architects, including the Florida-licensed landscape architect, if applicable, who must have been a town resident for a minimum period of six months. The Florida-licensed architects must have a minimum of five years of practical experience in the field of landscape design. To the extent that no licensed architect (whether for service on the design review board only as more specifically described in section 90-18 hereinbelow) who is also a town resident can be identified and is willing to serve at the time of appointment to either board, then the commission may select a non-resident architect who otherwise fulfills the requirements of this section, provided that appointment shall be ratified by a majority of the board of commissioners; and

WHEREAS, the newly elected Town Commission desires to appoint and approve the members of the Planning and Zoning Board who meet the foregoing criteria;

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

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

**Section 2. Nominations.** The following citizens are nominated to the Planning & Zoning Board:

1. \_\_\_\_\_

2. \_\_\_\_\_

3. \_\_\_\_\_

4. \_\_\_\_\_

5. \_\_\_\_\_

**Section 3. Approval of Appointment.** That the Town Council, by majority vote, approves the foregoing nominations to serve on the Board in accordance with the provisions of Section 90-52.

**Section 4. Implementation.** That the Mayor and the Town Manager are authorized to take any and all action which is necessary to implement this Resolution.

**Section 5. Effective Date.** That this Resolution shall be effective immediately upon adoption.

**PASSED and ADOPTED** on this \_\_\_\_ day of \_\_\_\_\_ 2010.

Motion by Commissioner \_\_\_\_\_, second by Commissioner \_\_\_\_\_.

**FINAL VOTE ON ADOPTION**

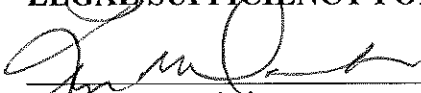
Commissioner Michael Karukin \_\_\_\_\_  
Commissioner Edward Kopelman \_\_\_\_\_  
Commissioner Marta Olchyk \_\_\_\_\_  
Vice Mayor Joseph Graubart \_\_\_\_\_  
Mayor Daniel Dietch \_\_\_\_\_

\_\_\_\_\_  
Daniel Dietch, Mayor

Attest:

\_\_\_\_\_  
Debra E. Eastman, MMC  
Town Clerk

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

  
\_\_\_\_\_  
Lynn M. Dannheisser  
Town Attorney





## Town of Surfside Commission Communication

**Agenda Item #:** 5C

**Date:** May 11, 2010

**Subject:** Surplus equipment

**Objective:** Disposal of Town equipment that is obsolete or not functioning.

**Background:** The Police Department has identified the following list of items that are either obsolete or not functioning. These items include two (2) older vehicles in the fleet that are in poor mechanical condition and are no longer cost effective to maintain. Also included are sixty (60) parking meter mechanisms. Due to their age, these mechanisms were unable to be reprogrammed to accept the new hourly parking rate and time allotment. The mechanisms are outdated and have no value other than as scrap. Town staff will attempt to sell these items via public auction.

1) 1996 Ford Crown Victoria	VIN: 2FALP71W8T159929	Mileage:* 61,912
2) 1999 Ford Crown Victoria	VIN: 2FAFP71W8X167399	Mileage: 92,921
3) Sixty (60) Parking meter mechanisms	Obsolete	
4) Three (3) Polaroid cameras	Obsolete	
5) Two (2) Sony video cameras	Obsolete	
6) Two (2) Dell monitors	Not functioning	
7) Two (2) Laptop computers	Obsolete	
8) Polaroid identification system	Obsolete	
9) Polaroid laminator	Obsolete	
10) Speed monitoring trailer	Not functioning	
11) AM-FM Receiver	Obsolete	
12) Segway personal transport	Not functioning	

\*Odometer not working, actual mileage is much higher.

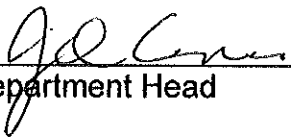
**Analysis:** N/A

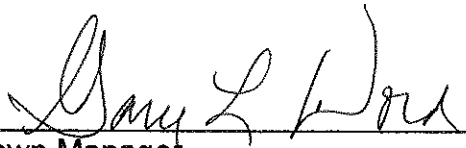
**Budget Impact:** Dependant upon sale of items.

**Growth Impact:** N/A

**Staff Impact:** N/A

**Recommendation:** It is recommended that the Surfside Town Commission approve the above listed items being declared as surplus equipment and sold if possible.

  
\_\_\_\_\_  
Department Head

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

RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, AUTHORIZING THE DISPOSITION OF SURPLUS EQUIPMENT FROM THE POLICE DEPARTMENT; PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS,** The Police Department has older vehicles and miscellaneous equipment which are no longer cost effective to maintain due to their age and mechanical condition; and

**WHEREAS,** The Police Department has identified the following list of items that are either obsolete or not functioning. These items include two (2) older vehicles in the fleet that are in poor mechanical condition and are no longer cost effective to maintain. Also included are sixty (60) parking meter mechanisms. Due to their age, these mechanisms were unable to be reprogrammed to accept the new hourly parking rate and time allotment. The mechanisms are outdated and have no value other than as scrap. Town staff will attempt to sell these items via public auction.

- |  |                       |                    |
|--|-----------------------|--------------------|
| 1) 1996 Ford Crown Victoria            | VIN: 2FALP71W8T159929 | Mileage:* 61,912   |
| 2) 1999 Ford Crown Victoria            | VIN: 2FAFP71W8X167399 | Mileage:<br>92,921 |
| 3) Sixty (60) Parking meter mechanisms |                       | Obsolete           |
| 4) Three (3) Polaroid cameras          |                       | Obsolete           |
| 5) Two (2) Sony video cameras          |                       | Obsolete           |
| 6) Two (2) Dell monitors               |                       | Not functioning    |
| 7) Two (2) Laptop computers            |                       | Obsolete           |
| 8) Polaroid identification system      |                       | Obsolete           |
| 9) Polaroid laminator                  |                       | Obsolete           |
| 10) Speed monitoring trailer           |                       | Not functioning    |
| 11) AM-FM Receiver                     |                       | Obsolete           |
| 12) Segway personal transport          |                       | Not functioning    |

\*Odometer not working, actual mileage is much higher.

WHEREAS, these vehicles and equipment have served their purpose and they will not be replaced; and as such Town staff wishes to surplus and dispose of the vehicles and equipment via public auction.

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 to Surplus and Dispose of Vehicles and Equipment.** The Town Commission hereby authorizes the surplusing and disposition of the above vehicles and equipment from the department.

**Section 3. Implementation.** The Town Manager or his designee and the Town Attorney are hereby authorized to take any and all action necessary to implement the terms of this Resolution.

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

PASSED and ADOPTED on this \_\_\_\_ day of \_\_\_\_\_ 2010.

Motion by Commissioner \_\_\_\_\_, second by Commissioner \_\_\_\_\_.

FINAL VOTE ON ADOPTION

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

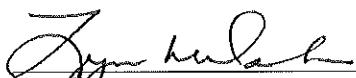
Resolution No. \_\_\_\_\_

\_\_\_\_\_  
Daniel Dietch, Mayor

Attest:

\_\_\_\_\_  
Debra E. Eastman, MMC  
Town Clerk

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

  
\_\_\_\_\_  
Lynn M. Dannheisser  
Town Attorney

Resolution No. \_\_\_\_\_



# Town of Surfside Commission Communication

**Agenda Item #** 5D

**Agenda Date:** May 11, 2010

**Subject:** Proposed Appointment of Insurance Broker (Agent) of Record

**Background:** For the past ten (10) years the Town has been served by Mr. Harry Notkin, CLU, ChFC, RHU as agent of record. Mr. Notkin is affiliated with the Claridge Group, Inc. and the benefit package negotiated expires September 30, 2010. The Town Manager and Staff were directed by Commission to solicit formal bids for an Insurance broker (Agent) of record. Professional services would encompass the Town's employee benefit services primarily related to health, dental, life, and disability insurance coverage. The Town has never performed a formal request for qualifications (RFQ) from Insurance brokers (agents).

The purpose of this RFQ was to seek qualified insurance brokers to assist Staff with the design, negotiation, implementation and provide ongoing customer service. Town Staff is also seeking to ensure we offer a financially affordable and competitive employee benefit package to all eligible employees.

**Analysis:** A recommendation committee was formed consisting of the Town Manager, Town Attorney, Police Chief, Finance Director and Human Resources Coordinator. Eleven (11) RFQ's were received from the following entities:

1. Claridge Group, Inc & James Schuler, Consumer Group Services Inc.
2. Citrin Financial & Insurance Inc.
3. Gallagher Benefit Service Inc.
4. Stanton M. Bershad, CLU & Associates
5. EMI – Employers Mutual Inc.
6. Gehring Group
7. Rhodes Insurance Group
8. McKinley Financial Services, Inc.
9. Brown & Brown Insurance, Inc.
10. Brown & Brown Public Risk Insurance Agency
- 70 11. EDIFY National Marketing

An evaluation sheet was provided to committee members in order for them to preliminarily rank each proposal separately. Finally, oral panel interviews were then completed with nine (9) semi-finalists. The rating process consisted of the following categories:

1. Qualification of the brokerage firm
2. Qualification of personnel & specific item commitments to the account.
3. Program approach for benefit analysis, insurance marketing, program maintenance and communications.
4. Proposal quality
5. References
6. Broker &/or firm domicile (including local vendor preference, if applicable)
7. Cost

A listing of overall averages in highest to lowest ranked order is provided (**ATTACHMENT A**).

The evaluation committee determined that the firm with the highest score (Gehring Group) had a 4.5 percent rating advantage over the second highest score. Additionally, it was the only firm to score a minimum average of greater than 95 points. A copy of the Gehring Groups proposal is provided (**ATTACHMENT B**).

The committee agreed to check in detail the references of the firm with the highest score. Accordingly, references were obtained from the following municipalities all of whom conveyed that they were extremely satisfied with the performance of the Gehring Group:

1. Town of Jupiter
2. Town of Lantana
3. Cooper City
4. Town of Jupiter Island
5. Town of Lake Park
6. City of Stuart

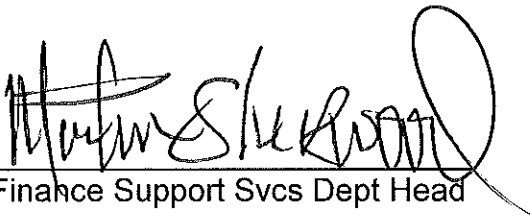
Subsequently, a satisfactory second oral panel interview with Gehring Group representatives and staff was held at Town Hall.

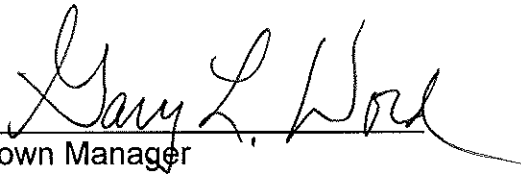
**Budget Impact:** Town staff negotiated a not-to-exceed fee of \$37,500 annually which will ultimately result in overall Townwide employee benefit cost savings.

**Staff Impact:** Employee\Management enhancements included with the Gehring Group proposal include:

1. Experts serving only the public sector
2. Value added Services such as: monthly communication literature, benefit booklets and initial training, employee satisfaction surveys, wellness and disease management programs including an annual employee health fair
3. Computerized , on-line benefit resource center, available 24 hours, 7 days a week
4. Provide new-hire orientations, as necessary
5. Regular evaluation and reporting of claims and utilization data to our HR Coordinator
6. Employee claim dispute resolution and assistance.

**Recommendation:** It is recommended that the Town Commission adopt the attached resolution appointing the Gehring Group as the Towns Insurance Broker (Agent) of record based on the highest and most qualified ranking, effective October 1, 2010. However, should the Town change its employee benefits renewal effective date to July 1, 2010 then the effective date will be July 1, 2010 (**ATTACHMENT C**). It is further recommended that the Town Manager be authorized to sign the agreement on behalf of the Town (**EXHIBIT 1**). However, should not-to-exceed pricing be the Town Commission sole priority then the appointment of Stanton M. Bershad, CLU and Associates, subject to the effective dates previously mentioned, is an alternative recommendation.

  
Finance Support Svcs Dept Head

  
Town Manager



## RESOLUTION NO. 10-\_\_\_\_

**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA APPROVING A CONTRACT WITH THE GEHRING GROUP TO BE THE INSURANCE BROKER FOR ALL OF THE TOWN'S SERVICES RELATED TO EMPLOYEE HEALTH, DISABILITY, LIFE, DENTAL, AND OTHER RELATED BENEFITS PROGRAMS; AUTHORIZING AN INITIAL CONTRACT TERM OF NOT MORE THAN TWO AND ONE-QUARTER YEARS, WITH SERVICES TO CONTINUE UNTIL A SUBSEQUENT RFQ FOR THE SAME SERVICES IS ISSUED AND AWARDED; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, on March 18, 2010 the Town received eleven (11) proposals from Claridge Group, Inc., Brown & Brown Insurance, Inc., Brown & Brown Public Risk Insurance Agency, Citrin Financial & Insurance, Inc., Gehring Group, Gallagher Benefit Services, Inc., The Rhodes Insurance Group, Stanton M. Bershad, CLU, Employers Mutual, Inc. (EMI), McKinley Financial Services, Inc., and Edify National Marketing and those bids were publicly opened and read.

**WHEREAS**, on March 25, 2010, all proposals were thoroughly reviewed and ranked by the Town on the basis of the following evaluation criterion: qualifications of the brokerage firm; qualifications of personnel and their specific time commitments to the account; program approach for benefit analysis, insurance marketing, program maintenance and communications; proposal quality; references; broker and/or firm domicile; and cost.

**WHEREAS**, after reviewing all proposals and conducting preliminary interviews as needed, Staff has made a recommendation to the Town Commission; and

**WHEREAS**, the Town Commission may in its discretion select the group it finds to be in the best interest of the Town.

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

**Section 1. Recitals.** The above recitals are true and correct and incorporated into this Resolution by this reference.

**Section 2. Approval.** The Town Commission approves the contract attached hereto as Exhibit "1" between the Town of Surfside and \_\_\_\_\_ as the Town's insurance broker.

**Section 3. Authorization.** The Town Manager is authorized to enter into the Brokerage Contract based on the terms of the bid and do whatever is necessary to effectuate the terms of these agreements.

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

**PASSED and ADOPTED** on this 11<sup>th</sup> day of May, 2010.

Motion by Commissioner \_\_\_\_\_, second by Commissioner \_\_\_\_\_.

**FINAL VOTE ON ADOPTION**

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

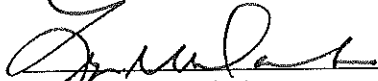
\_\_\_\_\_  
Daniel Dietch, Mayor

Attest:

---

Debra E. Eastman, MMC  
Town Clerk

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



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Lynn M. Dannheisser  
Town Attorney

TOWN OF SURFSIDE, FLORIDA																				
EVALUATION OF SUBMITTALS																				
RFQ # FY2010-HR 001																				
INSURANCE/BROKER (AGENT) SERVICES																				
<i>NOTE: Requests for clarification from proposers is permitted but must be in written format</i>																				
	Gehring Group	Rhodes Insurance	McKinley Financial	Gallagher Benefit	EDIFY	Brown & Brown	Stanton M. Bershad	Citrin Financial	Claridge Group											
Overall Averages	97.25	92.75	92.75	91.5	90	89.5	87	83	82.25											
with local vendor preference points applied, if any																				
Local Vendor																				
Preference Points requested & applied							3	3												
Not to Exceed Fee:																				
1st Year	\$37,500	\$30,628	\$20,000	\$50,000	\$35,000	\$51,609	\$15,000	\$60,000	\$26,700											
Thereafter	\$37,500	\$43,828	\$20,000	\$50,000	\$35,000	\$51,609	\$15,000	\$60,000	\$26,700											

# TOWN OF SURFSIDE

RFQ # FY2010-HR 001  
INSURANCE BROKER (AGENT) SERVICES

DUE DATE:  
THURSDAY, MARCH 18, 2010 @ 3:00 P.M.

*Submitted by:*

**GEHRING GROUP**  
PROFESSIONAL SERVICES

11505 Fairchild Gardens Avenue, Suite 202  
Palm Beach Gardens, Florida 33410  
(561) 626-6797  
(800) 244-3696 / (561) 626-6970 – Fax  
[www.gehringgroup.com](http://www.gehringgroup.com)

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❖ HISTORY

In 1992, Kurt Gehring founded the Gehring Group as a result of what he saw as a need for a higher level of service than was currently being provided by other insurance professionals. He experienced firsthand the challenges faced by employers on a daily basis regarding their benefit programs and observed many departments in need of enrollment assistance, employee education, claims servicing, and objective analysis that was simply not being provided.

Gehring Group was founded on the principle of individually addressing the needs and goals of businesses, industries, and labor and professional organizations whereby we are able to design and service insurance programs that best suit our clients' particular needs. In addition, the Gehring Group is an independent broker and consultant, having extensive experience with all major insurance carriers, and a comprehensive knowledge of all available products and funding methods. Our clients have grown to rely on our expertise and accessibility in dealing with all of their insurance and compliance needs. Gehring Group staff is cross-trained on each account and will make every effort to address each situation promptly and effectively. Our commitment to this high level of service is one of the many reasons that the Gehring Group continues to build long lasting client relationships.

Gehring Group works to consistently to deliver an unparalleled level of client service and industry expertise to the public sector market, serving many governmental entities including: city and county governments, special taxing districts, law enforcement agencies and school boards. Our experience with the requirements inherent in servicing this specialty market has enabled Gehring Group to become an extension of our clients' team, working with them, and for them year round to anticipate and respond to their needs, and deliver significant "value added" products.

**Leaders in Public Entity Benefit Programs**

Since 95% of the Gehring Group's client base consists of public entities our firm is uniquely qualified in its understanding of public entity issues. We understand the bid process and public record laws while maintaining familiarity with the constantly changing and complex Statutes that apply to governmental organizations. This specialized knowledge is especially vital when negotiating renewals and program changes with insurance carriers and health insurance consortiums. The experience we offer guarantees that no piece of the puzzle will be missing when a benefit change is implemented.

We also believe it is especially important as your insurance professional to develop credibility and a strong communication base with the Risk Management, Human Resource, Finance and Administrative Departments as well as other overseeing committees in order to ascertain an impartial and thorough analysis of all proposed options. The participation of all parties involved in these meetings and the feeling that an objective, competent insurance professional has assisted in the coordination of the process, will serve to make any transition as smooth as possible. These meetings will ensure that any changes or recommendations are communicated back in to the employee base in a positive and effective manner.

## ❖ ORGANIZATIONAL STRUCTURE

Gehring Group is an S-Corporation, incorporated in the State of Florida in October of 1992. The firm is 100% owned and operated by Mr. Kurt Gehring, President.

Gehring Group embodies an unparalleled commitment to providing a value proposition to its clients, employing high caliber professionals and remaining on the cutting edge of industry innovation. Gehring Group is not organized like a traditional insurance agency. Normally agencies grow by employing a number of producers who sell and manage a “silo” of accounts. Free of this business model, Gehring Group is able to maintain a supportive team environment and culture whereby all employees feel an allegiance and commitment to all of our clients as a whole. Additionally, the resources usually dedicated to commissions to these producers are funneled into additional value added services for our clients such as professional level communication materials, on-line benefits administration solutions, HR resource tools, etc. We provide an all inclusive service model so that our clients never hesitate to tap into our expertise.

Expertise is in abundance at the Gehring Group. We have a corporate culture of only employing high performing and talented professionals who add to our team. This employment model ensures that the primary and back up account managers, and evaluators assigned to your account will be proficient extensions of your human resources and benefits teams. And if you need to speak to someone and your representative isn't available; any of our other highly capable professionals will be willing (and have access to your information through our agency management system), to assist you. And from an evaluations and analysis standpoint, it is important to note that our evaluations team markets and bids all lines of coverage for all of our clients out of one central location, ensuring in-depth experience, negotiating influence and timely expertise is afforded to all of our clients.

### Client Focused Team Approach

Gehring Group's team of qualified experts will aid the Town in maintaining the most cost effective employee benefits program possible. This is a mainstay of our philosophy. Gehring Group places its sole focus on meeting the needs of our clients. Our commitment to client service is one of the major attributes of our reputation of integrity. We partner with each client and embrace each new client relationship with an operator's perspective. We envision our role to be a partner in your benefits program's success through the services we provide. Starting with the initial meeting of expectations, progressing through plan analysis & implementation including holding open enrollments, as well as the year round servicing, Gehring Group is truly an extension of your human resources and/or employee benefits department. We firmly believe we will exceed your expectations and the Town will come to appreciate our contribution and efforts to support staff and the organization, consistently, day to day.

## ❖ EDUCATION AND PROFESSIONAL ORGANIZATION MEMBERSHIP

Gehring Group has significant expertise with all products and arrangements in today's insurance market. In addition to maintaining memberships of the following associations, several Gehring Group staff members are regular speakers at the annual conferences of these associations, due to our knowledge of the industry:

- Annual Health Benefits Conference & Expo (Tampa)



- FAC – Florida Association of Counties
- FERMA – Florida Educational Risk Management Association
- FGFOA – Florida Government Finance Officers Association
- Florida League of Cities
- FPELRA – Florida Public Employer Labor Relations Association
- FPPA – Florida Public Personnel Association
- PRIMA – Public Risk Management Association
- RIMS – Risk & Insurance Management Society
- SHRM – Society for Human Resource Management

Because we believe in the efforts of these associations, Gehring Group maintains membership with each.

❖ **EXPERIENCE** (including servicing other public sector accounts, if any)

We feel Gehring Group is best qualified to serve the needs of the Town of Surfside based on our level of experience not only with public sector entities, but also due to the level of practical experience acquired regarding all types of insurance arrangements. We have served as agent of record for clients that are fully insured, self-insured with a TPA and pharmacy benefit manager, self-insured with an insurance carrier, self-insured with an HRA or HSA alongside, fully insured with an HRA or HSA alongside, insured under a minimum premium arrangement, covered under a multiple group risk pool or consortium, etc.

Gehring Group public sector clients were among the first in Florida to implement some of the cutting edge types of insurance and funding products recently made available through the various legislative updates such as Health Reimbursement Accounts (HRA) and Health Savings Accounts (HSA) in an attempt to maximize their shrinking benefits budget with great success.

Several of our clients have utilized tax advantaged funding arrangements while others have taken advantage of progressive types of health programs recently made available by the various insurance carriers. The Children's Services Council of Palm Beach County (CSC) is one such example. In late 2005, Gehring Group was appointed to investigate and implement a cost efficient plan alternative to their current fully insured HMO option. Gehring Group issued an RFP to accomplish this goal and provided a detailed analysis to the group upon completion. Upon review of the various options outlined, CSC elected to implement a high deductible health plan (HDHP) alongside a Health Savings Account (HSA). The cost savings of the HDHP in comparison to the renewal proposal of the in force HMO was significant enough to allow the employer to fund 75% of the deductible in each employee's HSA. In addition, the group still realized a total annual cost savings of over 9.5% for the 2006 plan year. The savings associated with this decision carried over to the 2007 plan year, resulting in a total cost for the group medical plan including the employer funding of the HAS, at a rate less than that of the 2005 plan year.

Gehring Group has also helped clients achieve cost savings by analyzing claims trends of the specific group and recommending plan changes accordingly. Another related example of Gehring Group's success in this area is the City of Stuart. Gehring Group was appointed agent of record for this group in 2003, at which time we began the process of streamlining the funding

and cost tracking of their current self-insured health program. We were able to pinpoint areas of their program where cost savings were achievable and direct the RFP process to ensure these areas were addressed, resulting in plan savings. As the City had experienced several years of large losses due to high utilization and catastrophic claims, a self-funded program was no longer proving to be a cost efficient option for the City to continue to pursue. As a result of the RFP process, the City took the Gehring Group's recommendation to transition from a self-insured program with a rented network, to a fully insured option with a reputable insurance carrier for the plan year beginning October 1, 2004. This change simplified the budget process and plan administration, as well as reducing claims costs due to deeper discounts associated with a carrier network versus a rented network.

A final example we would like to mention is the City of Dunedin. This client was not only looking for cost containment, but also to provide additional plan options to its employee population. With this goal in mind, Gehring Group aided the City in bidding, evaluating and implementing a new health program consisting of two plan options; one with an employer funded Health Reimbursement Account (HRA) and one traditional POS plan. Success of the new HRA option spread quickly among the employees and the interest in the HRA plan grew immensely during the following plan year.

There are numerous options to pursue to achieve cost savings, while also considering the needs and goals of the Town and its employees. Gehring Group would be pleased to assist the Town in accomplishing your objectives.

#### ❖ OFFICE LOCATION & RESOURCES

**Office location that would provide direct services and a full description of other resources that will be utilized for the Town's account.**

The Gehring Group office location that will be responsible for servicing the Town of Surfside is located at 11505 Fairchild Gardens Avenue in Palm Beach Gardens, Florida. Based on our convenient location, our staff is readily accessible for onsite meetings as requested. It is also important to note that Gehring Group never charges any fees for travel to attend onsite meetings under an Agent of Record appointment. Our office structure affords centralized extensive expertise under one roof ensuring that our experience in negotiating the benefit plans for our large public sector client base is tapped into and leveraged when servicing your account. Gehring group is a recognized industry leader throughout Florida and provides excellent service to its clients in diverse locations throughout the state including Clearwater, Key West, Charlotte County, Lakeland and Sarasota, for example.

Gehring Group's in-house capabilities far exceed those of a typical agency. Our office operates on a virtually paperless platform allowing for increased efficiency regarding internal processes and the servicing of our clients. We keep track of all client projects and claim issues within our web-based agency management system. All correspondence is stored electronically and accessible by our staff from any location. Due to this use of technology, our organization established several policies and procedures to ensure the confidentiality, integrity, and availability of all our information and information systems. We formed these policies and procedures to minimize any risks to the organization from internal and external events. These policies and procedures cover areas such as: hardware and software purchasing, anti-virus and

anti-spam systems, data management including data encryption and confidentiality, network and telecommunication security, and access controls and password usage.

Specific examples of the use of security techniques to protect information include the strict use and monitoring of VPNs between computer facilities, the use of secure FTP (FTP/ES) for transferring files between our organization and external parties, the use of PGP public key encryption to secure information stored on systems, and the use of encrypted email for transmitting sensitive information.

Additional in-house capabilities that will be utilized in servicing the Town include:

- In-house Graphics Department – Having these services available in-house enables us to assist our clients with their employee communication materials more effectively. As part of our agent of record services, we draft and produce employee communication pieces such as payroll stuffers, department posters, mass employee mailings, etc at no additional cost. This allows our clients to better communicate its employee benefit offerings and keep their employees well educated with regard to their employee benefit options and responsibilities. All of the communication materials included in **Tab F – Exhibits** such as posters, educational materials and employee benefit handbooks, were compiled and produced in-house.
- Employee Surveys – One of the most effective ways to acquire employee feedback regarding their benefits program, or any other topic of interest, is through an employee survey. Gehring Group has the ability to accomplish this via paper survey form, or electronically, via the internet. These surveys have proven to generate effective results that aid in future decision making. Please refer to **Exhibit 6 – Employee Survey Results**.
- Legislative & Compliance Updates – Gehring Group provides you with updates regarding any changes in applicable laws and how they might affect your benefits program. Samples of our Gehring Group newsletters are included in **Exhibit 5**. We are also available to review your processes and procedures to make recommendations with regard to compliance issues, HIPAA, FMLA, COBRA, etc.
- Online Benefits Resource Center – For our clients who may not be large enough to take advantage of BenTek®, our online enrollment and benefits administration system, Gehring Group offers the BenTek Benefits Resource Center (BRC) at no additional cost. BenTek's Benefits Resource Center (BRC) is an Internet based informational site designed to contain all of your pertinent benefits related information in one convenient, centralized location. The BRC provides you the ability to communicate your benefit offerings to current and potential employees 24 hours a day anywhere Internet connectivity is available. Some features of the site include:
  - ✓ Open Enrollment Facilitation
  - ✓ New Hire Information
  - ✓ Plan Summaries & Certificates
  - ✓ Carrier Links
  - ✓ Forms
  - ✓ Important Contact Information

✓ Personnel Policies

Please refer to **Exhibit 1** for additional information regarding the Benefits Resource Center.

A complete list of Gehring Group services included within the agent of record appointment is as follows:

1. Generate the Request for Proposal (RFP) within purchasing guidelines or upon request for all lines of employee benefits insurance
2. Evaluate plan designs and funding options
3. Produce in-depth evaluation booklets
4. Make recommendations to Staff
5. Make presentations to decision makers
6. Present to insurance committees and/or union representatives
7. Negotiate renewals for group medical, mental/nervous and substance abuse, employee assistance program, dental, vision, basic life, accidental life, supplemental life, dependent life, long term disability, short term disability, cancer, indemnity insurance and any other supplemental insurance, etc. with insurance carriers and TPA's
8. Design and provide open enrollment communication materials, including employee benefits booklet, payroll stuffers and posters as requested
9. Implement programs and changes
10. Coordinate and make presentations at enrollment meetings upon request
11. Coordinate and review all plan documents and summary plan descriptions
12. Review insurance contracts for conformity with client requirements
13. Translate benefit offerings at new employee orientations
14. Formulate PowerPoint presentation for New-Hire Orientations to ensure consistency
15. Meet with Staff regularly to review overall program efficiency
16. Coordinate and attend health fairs and wellness seminars
17. Provide updates on trends affecting client's benefits plans on an ongoing basis
18. Develop special plan design options as needed (i.e., high deductible plans, three tiered medical options, flex benefit plans, etc.)
19. Generate employee education materials as requested
20. Resolve employee claims issues and expedite employer resolution of contractual, coverage, eligibility and billing disputes
21. Provide guidance with regard to interpretation of the health care benefit policy
22. Represent client with best efforts regarding its employee benefits and when dealing with service providers.
23. Obtain specific reports and information from service providers in a timely manner.
24. Remain fully knowledgeable and up-to-date in order to interpret benefit policy and provide expert information regarding benefits issues
25. Develop, conduct and summarize the results of a variety of surveys including physician selection, employee satisfaction, and industry trends
26. Develop, conduct, and summarize benefits surveys of public employers, focusing on benefits, contribution practices, funding, premium structures, FMLA waiting period, etc.
27. Independently bid, evaluate and assist with development of on-site clinic
28. Assist in clinic implementation process
29. Provide on-site clinic follow up savings analysis
30. Develop, conduct, and summarize surveys for other purposes, such as disruption reports.

31. Provide the staff/resources/consultants that possess expertise in the following fields:
  - a. Project Management
  - b. Developing Requests for Proposals
  - c. Senior level administration
  - d. Group insurance underwriting
  - e. Actuarial science
  - f. Claims auditing
  - g. Statistical analysis
  - h. Plan design
  - i. Cost containment
  - j. Federal and State compliance regarding employee benefits
  - k. Communications materials
32. Provide legislative updates
33. Assist with compliance issues, including but not limited to:
  - a. OPEB
  - b. COBRA
  - c. Section 125 Cafeteria Plan
  - d. FMLA
  - e. Federal mandated benefits, such as HIPAA
  - f. State mandated benefits
  - g. Federal Form 5500 preparation
34. Provide periodic training sessions to educate staff regarding benefit options and considerations for decision-making as requested
35. Conduct detailed reviews, analysis and projection sessions with decision makers at key points throughout the year: mid-year, fourth quarter, and/or pre-renewal

❖ **MAJOR COMPLAINTS, CLAIMS OR LAWSUITS**, pending against the firm and that would be considered material to the firm's financial status.

Not applicable. Gehring Group has not been involved in any lawsuits nor had any complaints filed with the Florida DOI since incorporating in 1992.

- ❖ ERRORS & OMISSIONS insurance with at least a \$1 million dollar policy limit, provided by a carrier acceptable to the Town of Surfside.



ENDORSEMENT

This endorsement, effective May 22, 2009 12:01 A.M., forms a part of

Policy Number: AGY 3268816-04 issued to: The Gehring Group  
By: NAIFA Professional Liability Program 11505 Fairchild Gardens Avenue  
Plan Administrator Suite: 202  
Affinity Insurance Services Palm Beach Gardens, FL 33410-2848  
159 E. County Line Road  
Hatboro, PA 18040

Renewal Endorsement

In consideration of the payment of the renewal premium stated below, this policy, as amended by the endorsements attached thereto, is hereby renewed for the period stated below, subject to all its terms, except as otherwise stated below:

Renewal Premium:  
Policy Period: From: May 22, 2009 To: May 22, 2010  
Limit of Liability: \$3,000,000 each claim; \$3,000,000 aggregate  
Deductible: \$5,000 each claim  
Policy Premium of:  
PLUS Property Casualty Premium  
PLUS Financial Product Premium  
FL Hurricane Cat. Fund Assessment - 1%  
Total Policy Premium:

Furthermore, this policy is hereby amended as indicated by the placement of a X in one or more of the boxes below:

1.  Named Insured Changed as shown below
2.  Insured's Address Changes as shown below
3.  Other Change as shown below

All other terms, conditions and exclusions shall remain unchanged.

  
Authorized Representative

80763 09/04

Identify and describe the pertinent experience of the proposed account manager, other individuals who would support him or her, and marketing experts and other personnel who would be involved in servicing the account in any way. Provide information regarding the functions to be performed by these persons and how their activities would be directed and coordinated.

Include updated resumes of all key persons to be involved in servicing the account. For each person involved, describe his or her experience with employee benefit plans.

**Proposed Project Team:**

**Executive Staff:** Kurt Gehring, President  
**Project Manager:** Anna Maria Studley, Managing Director  
**Account Manager:** Stephanie Drost, Director – Account Management  
**Lead Analyst:** Christian Bergstrom, Director – Analytical Services

**Team Resumes:**

**Executive Staff:** Kurt Gehring, President  
**Professional Licenses:** Life, Health & Variable Annuity, General Lines Property & Casualty, Surplus Lines, Series 7  
**Education:** Florida State University  
**Degree:** Bachelors – Marketing

If selected to provide Benefits Consulting Services, Kurt Gehring will be the Executive staff member assigned to the Town. His extensive work over the past twenty years has placed him in direct communication with public sector agencies such as County Commissions, City and Town Councils, Municipal Managers and all related bargaining units along with the employee body as a whole. This exposure provides unparalleled practical experience within a learned understanding of the local governmental environment. Mr. Gehring remains at the forefront of the insurance industry by staying up to date on industry trends, compliance issues, new legislation and new types of health insurance programs being presented by insurance companies and third-party administrators.

Kurt Gehring’s responsibilities would include, but are not limited to, such items as:

- Meeting with the Town on an as needed basis at the Town’s request
- Overseeing the RFP, renewal and proposal evaluation process
- Negotiating with all carriers on the Town’s behalf
- Being available for all Staff and Commission meetings as needed
- Making benefits recommendations for the Town’s consideration
- Monitoring the group’s program and claims experience throughout the year

Kurt founded the Gehring Group with the mission of providing clients the highest level of service, exceeding not only industry standards, but also client expectations. Recognizing the

inherent challenges in servicing organizations with a large number of employees, various contracting parties, and various insurance obligations, the Gehring Group utilizes a unique, team-based approach customized to meet the specific needs of each client. Each Gehring Group employee makes an unprecedented effort to address each situation both promptly and effectively. The success of the Gehring Group is a direct result of this promised and delivered, unparalleled service standard.

Under the guidance and visionary leadership of Kurt Gehring, Gehring Group clients have successfully implemented leading edge concepts such as Consumer Directed Health Plans, Innovative Wellness Programs, Onsite Clinics, and OPEB reduction strategies. In addition, Gehring Group developed BenTek, a proprietary internet based employee benefits administration system in order to meet the growing benefit administration needs of its clients. This system allows our large group clients to conduct internet enrollments, and provides employees with internet access to an "Employee Benefits Center" help site. Gehring Group's growth and success in maintaining long lasting client relationships is a result of its strong commitment to personalized service to its clients as an independent resource, facilitator, advocate, and advisor.

Specifically relevant to this project is Kurt's experience with numerous South Florida municipalities. As the Broker of Record or Benefits Consultant for these entities, Kurt has been the lead resource in their continued effort to maintain a compliant, comprehensive, yet cost effective employee benefits program. He and his team closely monitor claims and demographic data and make recommendations accordingly.

**Account Executive:** Anna Maria Studley, Managing Director  
**Professional Licenses:** Life, Health & Variable Annuity  
**Education:** Suffolk Community College  
**Degree:** Associates - Accounting and Business Administration

Anna Maria Studley will serve as the primary Account Executive for the group. Anna Maria is a seasoned professional with over 25 years of experience in the insurance industry and has obtained vast experience undertaking many roles in the insurance sector. Her work history includes time as a General Agent and a Consultant, and experience as Director of Account Management with a national brokerage firm. Her responsibilities have included: providing analysis of benefit plans and claims utilization, oversight of the RFP and evaluation process, management of various funding arrangements, coordination of open enrollments and health fairs, and the handling of escalated member issues and billing reconciliation. She is supported by several other Gehring Group staff members including other account managers, administrative assistants and analytical staff.

In addition, Anna Maria brings invaluable insight and experience from her employment experience with two national health insurance carriers. Her years at these carriers enabled her to gain special expertise regarding the inner workings of an insurance carrier and provided the opportunity for the establishment of significant industry relationships.

Her experience here at Gehring Group includes servicing clients such as the Citrus County BOCC, the Martin County Sheriff's Office and the City of Sarasota and thus has the experience and knowledge to lead each client in their effort of maintaining a cost effective program.



As a member of the Gehring Group, Anna Maria is the Managing Director responsible for overseeing all aspects of account management to ensure delivery of the highest level of service with the ultimate goal of achieving both client and member satisfaction.

**Primary Account Manager:** Stephanie Drost, Director – Account Management  
**Professional Licenses:** Life, Health & Variable Annuity  
**Education:** University of Central Florida  
**Degree:** Bachelors – Organizational Communications

As the Town's primary account manager, Stephanie will serve as the primary resource and day to day contact person. Her experience includes claims assistance, coordinating and conducting open enrollments and new hire orientations, coordinating wellness fairs, providing assistance with billing and carrier issues, and acting as a resource to our clients regarding numerous compliance issues.

Stephanie's responsibilities to the Town would include:

- Assistance with resolving claim issues
- Coordination of annual open enrollment
- Assistance with new hire orientations
- Assistance with policy interpretation and other compliance issues
- Being available to Town Staff to respond to telephone inquiries as they arise
- Assistance with coordinating health and wellness fairs
- Coordinate and implement program/carrier changes
- Provide ongoing support as needed

Stephanie Drost graduated from The University of Central Florida with a Bachelor of Arts in Organizational Communications. After completion of her studies Stephanie attained her 215 Florida Health, Life and Variable Annuity Insurance License. Stephanie began her career in the insurance industry in 1998 where she worked for an independent consulting firm in Orlando, Florida that specialized in all aspects of the Section 125 administration. Stephanie was the Public Relations Manager, responsible for the education of employees on Section 125 plans and Flexible Spending Accounts. During that time, she also managed the health, life and disability coverages for privately owned corporations.

Stephanie joined the Gehring Group as a Senior Account Manager, in 2001 where her expertise in Section 125 Plans and Flexible Spending Accounts made her an exceedingly valuable member of the Gehring Group team. Stephanie's extensive knowledge allowed for a seamless interface with the account management staff.

In her current position as Director of Account Management, Stephanie's responsibilities include overseeing the day to day management of issues encountered by Gehring Group clients and their employees. Her proficiency in contractual and claims issues provides our clients with a direct line of resolution to complex inquires. In addition to claims servicing, Stephanie remains involved throughout the year to assist in the planning of open enrollments, health and wellness fairs, new-hire orientations and a multitude of other aspects of servicing an employee benefit program.

**Lead Analyst:** Christian Bergstrom, Director – Analytical Services  
**Professional Licenses:** Life, Health & Variable Annuity, General Lines Property & Casualty  
**Education:** University of Texas  
**Degree:** Bachelors – Public Administration

Christian Bergstrom along with his analytical services staff will be responsible for all aspects of the renewal and/or RFP process. His responsibilities include formulating RFP's for review, approval and distribution by the Town, reviewing all proposals received and producing clear, concise evaluation materials upon completion of analysis. His evaluation and analysis accomplishes the Gehring Group's goal of presenting complex analytical information language that can be understood by staff and the public-at-large.

Christian's responsibilities to the Town would include:

- Formulating and compiling all RFP documents
- Reviewing and spreadsheeting all proposals received in response to any RFP
- Renewing and spreadsheeting all renewal proposals in the event and RFP is not issued
- Negotiating with all carriers on the Town's behalf
- Monitoring the group's claims experience
- Being available for all Staff and Town meetings as needed
- Making any requested presentations
- Any additional services requested with the scope of work

Christian Bergstrom earned a Bachelor of Science Degree in Public Administration, Cum Laude from the University of Texas. He was a Fast Track student in Public Affairs and is an alumnus of Pi Sigma Alpha, the national political science honor society.

Christian joined the Gehring Group as a Senior Evaluator in 2003 and during his tenure, gained invaluable public sector experience associated with carrier and vendor relationships. He currently represents Gehring Group on the agent advisory boards of both BC&BS and Cigna Healthcare. During his years with Gehring Group, he has also grown to become an expert in evaluating all types of funding arrangements such as fully insured, self-insured and minimum premium. His knowledge also extends to the various tax-advantaged vehicles currently available to employers and employees.

Currently in his role as Director of Analytical Services, he is responsible for directing all aspects of analysis and evaluations. His projects range from developing RFP's, bidding and compliance during the RFP process, and providing detailed analysis of the bid's analytical data in order for an appropriate recommendation to be made. During the bid and negotiation process, Christian acts as the key liaison between the client and the insurance carrier. He has gained a reputation within the public sector and insurance industry for his unique analytical reviews of public sector insurance programs. He is able to capture all aspects of a high risk, high net worth insurance program and develop a clear and concise analysis. This unique trait is appreciated by both clients and insurance carriers alike.

## **ADDITIONAL SUPPORT STAFF**

### **Shawn Fleming, Senior Analyst**

#### **Professional Licenses: Life, Health & Variable Annuity**

Shawn began his insurance career in 2002 after earning his Bachelors of Science Degree in Business Administration from the University of Missouri. As Financial Representative for Northwestern Mutual, his responsibilities focused on advising clients in the purchasing of Life, Health, Disability Insurance, as well as small business insurance planning. He is licensed to transact Life, Health, and Variable Annuity Insurance and also holds a Series 6 and 63 Investment License in the State of Florida. In addition, he is recognized for having the “Certified in Long Term Care (CLTC)” professional designation.

Immediately prior to joining Gehring Group, Shawn worked with a brokerage firm that represented large partnerships, including many Top 25 AMLAW law firms and large advertising partnerships. Shawn’s responsibilities included analyzing current benefit plans for partners and employees, developing RFP’s, and providing plan analysis to clients. While there, Shawn earned a reputation for using his detailed contract, demographic, and product analysis to ensure proper plan design and selection. Shawn has brought his extensive analytical and presentation skills to his position as Senior Analyst for the Gehring Group.

At Gehring Group, Shawn is also the lead analyst with regards to onsite clinic consultation, a role in which he has been successful in analyzing and implementing four onsite clinics for public entity groups in 2009.

### **Kris Gehring, President – BenTek**

#### **Professional Licenses: Life, Health & Variable Annuity**

Kris joined the Gehring Group in 2001 and has since gained significant experience managing the many facets of Employee Benefits operations including overseeing the RFP process, evaluations, negotiating renewals and new business sales, staying abreast Legislative updates, product implementation and Account Management. Kris has also been charged with Special Project Implementations such as Health Savings Accounts, Health Reimbursement Accounts, Direct Assignment Plans and HIPAA Compliance.

Kris currently leads the IT Services Department including BenTek and Graphics & Media. The Gehring Group is a unique agency in which all of its Information Technology and Communications services are developed and produced on premises by Gehring Group/BenTek employees. Kris uses his experience in the Employee Benefits arena to bridge the gap between technology and the implementation/administration of employee benefit programs to ensure that these services are not only efficient and effective from a benefits standpoint, but are intuitive and easy to understand from an end-user perspective. Kris constantly instills the philosophy that “Benefits Technology” should always be the product of “Benefits People.”

Prior to joining the Gehring Group, Kris was the Director of Loss Prevention and Risk Management for the Ritz-Carlton Hotel Company, LLC where he worked for nearly 9 years. As the delegating intermediary between the benefit providers and the employee population, Kris had the opportunity to constantly hone his employee relations and customer service skills by balancing the objectives of the company while adhering to the needs of the employees.

Kris Gehring earned a Bachelors of Science degree in Marketing Management from Florida State University where he graduated in 1992.

**Danielle Shull, Senior Account Manager**

**Professional Licenses: Life, Health & Variable Annuity**

Danielle Shull is an alumnus of The University of Florida and graduated with a Bachelor of Arts in Business Administration with minors in Economics and Mass Communication. After completion of her studies Danielle joined a local branch of a national bank as a Financial Sales Representative focusing on identifying customer needs and serving as a product expert.

Danielle joined the Gehring Group in 2004 as an Account Manager and attained her 215 Florida Health, Life and Variable Annuity Insurance License. In her current position, Danielle is involved with all aspects of account management including expediting the resolution of contractual, coverage, billing and claim disputes, planning open enrollments, presenting at employee enrollment meetings, implementing comprehensive wellness programs, as well as organizing seminars and events. Danielle's reputation with the insurance carriers and vendors has proved to play an important role in the successful implementation of all employee benefit programs.

In addition, she currently sits on multiple wellness committees assisting clients with development of a strong worksite wellness programs. Danielle continues to deliver dynamic customer service to clients while remaining fully knowledgeable in the employee benefits arena. She has experience servicing clients with 30 employees to 2,000 employees and is the day-to-day contact for such group's as the City of West Palm Beach and the Children's Services Council of Palm Beach County.

**Ellen Jones, Director – Risk Management**

**Professional Licenses: Life, Health & Variable Annuity, General Lines Property & Casualty**

Ellen began her insurance career in 1999, working in the Workers' Compensation arena. Currently licensed for Health & Life as well as Property and Casualty General Lines, her wealth of experience has provided her clients with a vast knowledge of all insurance lines and the comprehensive management that is required.

Ellen joined the Gehring Group in 2003 as a Senior Account Manager. In her current position as Director of Risk Management Services, she continually assists clients in the bidding and renewal of insurance programs as well as providing them with analytical reports on loss control and safety procedures. Her primary function is to ensure that all necessary steps and procedures are accomplished while remaining involved in the continuity and effective outcome of all processes. Her organizational and professional experience is an invaluable asset to our clients throughout the plan year as unexpected needs may arise or as questions or concerns present themselves.

Ellen also brought with her six years of experience in the public sector. During her municipal tenure, Ellen was responsible for State and Federal grant programs verifying accuracy and compliance within each process. Her responsibilities in municipal government also included purchasing operations where she gained extensive familiarity with public entity requirements to

include the RFP process. Ellen is currently active in the Palm Beach Chapter of the Risk and Insurance Management Society (RIMS).

**Kate Grangard, CPA, Chief Financial Officer**

**Professional Licenses: Certified Public Accountant**

Kate Grangard graduated with honors from Fordham University in 1987 with a Bachelors of Science degree in Business Administration with a concentration in Public Accounting. She is a licensed Certified Public Accountant in Florida, and has also held licensure in New York. Kate is a member of the American Institute of Certified Public Accountants, the Florida Institute of Certified Public Accountants, and an associate member of the Association of Certified Fraud Examiners.

Kate started her career in public accounting with the Metropolitan Services Group of Price Waterhouse in Manhattan. As an auditor, she worked on a variety of industry clients including financial institutions, insurance companies, and pension funds. After moving to Florida, she continued her Price Waterhouse career in the West Palm Beach office.

Thereafter, Mrs. Grangard spent eleven years as Vice President of Finance for a Florida based regional restaurant chain. In her position, she developed and managed the accounting, risk management, employee benefits, and information technology departments. In this executive position, she designed and implemented highly successful internal control and risk management programs and formulated and implemented company policies and procedures. In addition, in the finance arena, she successfully obtained senior debt facility commitments and maintained the commercial bank and financing partner relationships. Notably, Kate's achievements in the risk management area while in this position resulted in substantial savings to the company. In managing this department she gained experience in the property and casualty, general liability, workers compensation, employee benefits, and umbrella insurance sectors. Her ability to first recognize contributing factors to trends and negative experience, and subsequently effectively negotiate and redesign program parameters resulted in substantial savings to her employer.

Kate brings her extensive management, finance, audit and analytical experience, and customer service commitment to her leadership role with the Gehring Group. She is responsible for overseeing the growth and development of the Company's finances, infrastructure, and staff so that Gehring Group is able to meet its commitment to provide the highest level of customer service to its clients.

**Cindy Thompson, Vice President – Operations**

**Professional Licenses: Life, Health & Variable Annuity**

Cindy earned her degree in Finance, Banking, and Business Administration from Palm Beach Atlantic College in West Palm Beach, Florida after which she obtained her Florida Health, Life, and Variable Annuity Insurance License.

Since joining Gehring Group 1994, Cindy has gained experience in all aspects of the products and services provided by the Gehring Group including developing Requests for Proposals and preparing bid evaluations from responses received from the insurance market for many major municipal and public entities throughout the State of Florida.

In her current position as Vice President – Operations, Cindy is responsible for overseeing the day-to-day operations of the Gehring Group. Cindy has worked with Gehring Group clients ranging from 50 employees to 20,000 employees that are fully insured, self-insured or under other types of funding arrangements. Cindy is an expert resource for staff and clients needing technical assistance or guidance.

## TAB C:

## DEMONSTRATING COMPETENCE

Below is a list of information you are encouraged to include in your proposal, or be prepared to address in an oral presentation:

- ❖ What experience does your firm have in handling employee benefit plans for employers' with more than 75 employees?

Since its incorporation in 1992, Gehring Group has specialized in serving the public sector. In fact, we have been serving such clients as the Palm Beach County Sheriff's Office and Seacoast Utility Authority for 18 years. Currently, over 90% of our client base consists of public sector entities; therefore, we are uniquely qualified in our understanding of public entity issues. A sample list of public sector clients is included in **Tab D: References**. We understand the bid process and public record laws while maintaining familiarity with the constantly changing and complex Statutes that apply to governmental organizations. This specialized knowledge is especially vital when negotiating renewals and program changes with insurance carriers and health insurance consortiums. The experience we offer guarantees that no piece of the puzzle will be missing when a benefit change is implemented.

The following includes a sample list of Gehring Group's Florida public sector clients:

Arcadia, City of
Belle Glade, City of
Boca Raton, City of
Brooksville, City of
Broward BOCC
Charlotte County BOCC
Children's Services Council, Palm Beach County
Clearwater, City of
Clerk of the Court, Palm Beach County
Dunedin, City of
Fellsmere, City of
Florida Keys Aqueduct Authority
Glades General Hospital
Health Care District of PBC
Juno Beach, Town of
Jupiter, Town of
Key West, City of
Lake Park, Town of
Lake Worth, City of
Lantana, Town of
Manalapan, Town of
Mangonia Park, Town of
Martin County BOCC

Martin County School District  
 Martin County Sheriff's Office  
 North Palm Beach, Village of  
 Okeechobee BOCC  
 Oldsmar, City of  
 Palm Beach County Sheriff's Office  
 Palm Beach Workforce Development  
 Royal Palm, Village of  
 Sanibel, City of  
 Seacoast Utility Authority  
 Sebastian, City of  
 Solid Waste Authority, PBC  
 Stuart, City of  
 Tax Collector, Palm Beach County  
 Tequesta, Village of  
 Treasure Island, City of  
 Vero Beach, City of  
 Wellington, Village of  
 West Palm Beach Police Benevolent Association  
 West Palm Beach, City of  
 West Palm Beach Housing Authority

- ❖ Discuss any innovative mechanisms you have used to minimize insurance and service costs to your clients.

As one of the first insurance professionals to implement a consumer drive health plan in the public sector back in 2001, Gehring Group remains at the forefront of the industry as it relates to innovative plan design, creative insurance solutions as well as leveraging technology to accomplish cost savings. Gehring Group provides numerous value added products and services that have been proven to not only save time and money, but also enhance benefit programs. Our most innovative product is BenTek®, our paperless open enrollment and administration system. BenTek was developed with a specific goal in mind; to lessen the demands of client staff and resources. Gehring Group assisted the Martin County School District (MCSD) in taking a step in this innovative direction to accomplish the goal of saving time and money. With over 2,300 employees and retirees, MCSD benefits staff was continuously faced with the numerous road blocks inherent in the manual paper processes associated with the administration of their current employee benefits programs. With over 50 different pay types and job codes, 20 different pay schedules, different benefits for different bargaining units, limited staff and a limited budget, MCSD was looking for a cost effective solution to streamline the administration process. According to a 2007 survey, it is estimated that HR and Benefits Staff spend 80% of their time responding to employee benefits questions. Therefore, with current staff at their workload capacity, Gehring Group initiated the process of developing a solution to increase the efficiency of the open



enrollment and program administration processes required for such a large group. The result was BenTek®.

MCSO completed its first electronic enrollment in 2004 and will soon begin its sixth annual open enrollment process via this paperless, internet based system. They have succeeded in redefining their open enrollment process by providing a web-based portal via the internet that is accessible 24/7 by their employees, not only during the annual open enrollment period, but throughout the year. As a centralized source of data management and communication, they now are able to store and transfer employee eligibility and payment information electronically. By implementing the BenTek system, MCSO has accomplished the goal of lessening the demands of staff and resources. Employees now the ability to log in and view their current benefit elections and payroll deductions, print confirmation statements, make qualifying event changes online and record life insurance beneficiary designations online.

In addition to BenTek, Gehring Group has also assisted our clients in the decision of whether to open their own onsite health clinic. Gehring Group is available to conduct an analysis to determine if our clients can take advantage of the potential cost saving benefits of opening an on-site or near-site clinic. By shifting costs from the medical plan to the clinics, many groups have been better able to manage specific areas of claims costs, while providing additional access to medical care to their employees. Gehring Group has experience in conducting the bid process to determine which clinic provider would best meet the needs of our clients, and in addition, is available to oversee the implementation process once a decision has been made. Our staff coordinated and conducted the entire bid and implementation process for the Charlotte County Board of County Commissioners who officially opened their *Employee Health Center* in April of 2009. We are currently working with the Palm Beach County Sheriff's Office, Martin County BOCC and the City of Clearwater who have each already selected a clinic provider and are in the midst of the implementation process. Each of these entities have had a very unique clinic experience: one selecting an onsite clinic administered by CIGNA; one chose to utilize a local urgent care vendor; and the third selected an independent clinic provider.

❖ **With which insurance carriers do you place the most business? Why?**

As an independent agent/consultant, Gehring Group focuses on recommending proposals that best meet the needs of our clients. We offer impartial and independent expertise and currently place over \$280 million in insurance premium annually. This clout in the marketplace affords our firm the credibility to negotiate with carriers effectively. We take into consideration how plan benefits may vary from carrier to carrier, physician network coverage, as well as A.M. Best rating in our goal of providing each client with the program is most in line with the client's employee benefits philosophy and budgetary constraints; therefore, the carriers with which we place the most business could change on an annual basis based upon which carrier is proposing the most competitively priced programs with the most comprehensive benefits. For the 2009/2010 fiscal year, Gehring Group has placed the most premium volume with the following carriers:

- Cigna HealthCare
- Blue Cross Blue Shield of Florida

- Florida League of Cities/Florida Municipal Health Insurance Trust
- Aetna HealthCare
- United Healthcare
- Humana

The following includes, but is not limited to, insurance providers with whom Gehring Group has a current relationship:

o Aetna US HealthCare	o Jefferson Pilot Financial
o Aflac	o Lincoln National Life Insurance Co.
o AIG Life	o Liberty Mutual
o American General Financial Group	o Neighborhood Health Partnership
o Ameritas Life Insurance	o Mass Mutual
o Ameritas Group Dental	o MetLife
o AvMed Health Plan	o Minnesota Life
o Blue Cross & Blue Shield	o Mutual of Omaha
o Canada Life	o Pacific Life & Annuity
o CIGNA Behavioral Health	o Paragon Dental Services
o CIGNA Health Care	o Paramount Dental Plan, Inc.
o CIGNA Group Benefits	o Principal Financial Group
o Colonial Life	o Prudential
o CompBenefits (Humana)	o Reliance Standard Life
o Conseco	o SafeGuard Health Plans
o Delta Dental	o Shenandoah Life
o Eye Med Vision	o Signature Dental Plan
o Florida Combined Life Insurance Co.	o Standard Insurance Company
o Florida League of Cities	o Sun Life of Canada
o Florida Health Care Plans	o Trustmark
o Guardian Life Insurance Co.	o United HealthCare
o Highmark Life	o United Concordia
o ING Employee Benefits/ReliaStar	o Unum Provident
o ITT Hartford	o Vision Care Inc.
o Humana Health Care Plans	o Vision Service Plan

❖ **When is it "right" to obtain competitive bids on employee benefit plans?**

There are numerous instances concerning the timing in which it is “right” to obtain competitive bids. It is “right” to obtain competitive bids after a thorough review of the proposed renewal rates, review of overall current plan and carrier satisfaction, consideration of purchasing requirements, and consideration of emerging plan designs, markets, and carrier vivacity have all been considered, in relationship to the goals and needs of the Town.

Upon appointment as Agent of Record, Gehring Group’s initial goal is to learn as much about the group as possible. The first step in the learning process is the gathering of all information pertinent to the current benefits program. During this process, we establish and distribute a tentative Calendar of Expectations of monthly or quarterly meetings, which would include the release of any purchasing directed RFP’s. During these monthly or quarterly meetings, we consistently review the group’s claims experience and provide renewal projections. A health plan the size of the Town of Surfside is rated based on a

combination of the group's claims experience, in addition to a manual rating factor determined by the insurance carrier. Therefore, a consistent review of the group's losses will be a significant determinant in anticipating if an RFP might be prudent to obtain the most competitive pricing. We also inquire as to employee satisfaction with the plan, and can conduct Employee Benefit Surveys, upon request, to obtain this valuable feedback.

In addition, due to Gehring Group's knowledge of other local public entity benefits programs, we provide additional insight based on the renewals proposed to our other clients within a similar time period. Our specific knowledge of the carriers' manual rating factors and level of market competitiveness has proven to be a valuable asset to our current clients.

❖ **How far in advance of renewal would you provide the Town with renewal information?**

The majority of insurance carriers will provide a formal renewal proposal 45 days from the renewal date for a group with fewer than 100 employees. However, Gehring Group will consistently monitor the group's claims experience throughout the year and formulate realistic renewal projections in order to provide the Town with renewal estimates throughout the year. These projections assist our clients in making informed decisions regarding budgeting and provide guidance in anticipating whether issuing an RFP for any particular line of coverage will be prudent or necessary.

❖ **How do you keep your clients aware of trends and new developments in employee benefits i.e. flex spending?**

Gehring Group provides our clients with regular updates regarding any changes in applicable laws and how they might affect your benefits program. **Exhibit 5: Sample Employee Benefit Newsletters** include several examples of such notifications on legislative changes such as:

- Children's Health Insurance Program Reauthorization Act of 2009
- Changes to HIPAA Rules: American Recovery and Reinvestment Act of 2009
- Autism Coverage Legislation Implementation
- COBRA provisions within Stimulus Package
- Dependent Health Coverage Extended to Age 30 in Florida

Due to our extensive experience with public sector clients, Gehring Group staff is also available to attend City Council/Commission meetings on behalf of staff. Gehring Group is proactive on follow-up and will also contact you directly in the event of any legislative changes that may affect your group or your coverage.

❖ **Supply a proposed time-line of activities you would perform on behalf of the Town during the contract period.**

The following includes a timeline of activities that Gehring Group anticipates performing for the Town of Surfside based on a renewal date of October 1st. Please note that the following

timeline is illustrative, and may change subject to the needs of the Town. Gehring Group strives to be available to our clients whenever the need arises. As always, there is never any additional cost associated for Gehring Group staff to attend meetings on-site.

<b>Sample Schedule of Activities</b>	
<b>Date</b>	<b>Action</b>
6 months prior to renewal	<ul style="list-style-type: none"> <li>• Gehring Group review of current employee benefits program including claims experience</li> <li>• Gehring Group will meet with staff to review anticipated renewal projections and discuss course of action.</li> <li>• Account management services as needed</li> </ul>
5 months prior to renewal	<ul style="list-style-type: none"> <li>• Gehring Group to request coverage renewals</li> <li>• Renewals Due at Gehring Group (if available)</li> <li>• Gehring Group to meet with Staff to discuss renewals</li> <li>• Review Quarterly claims experience &amp; meet with Staff</li> <li>• Review Renewals/Projection to determine if coverages need to be bid</li> <li>• Release RFP to market (if deemed necessary)</li> <li>• Additional meetings with Staff as needed</li> </ul>
4 months prior to renewal	<ul style="list-style-type: none"> <li>• Gehring Group receive proposals</li> <li>• Gehring Group review and analysis of proposals</li> <li>• Draft of initial review presented to Staff</li> <li>• Interview finalists (if deemed necessary)</li> <li>• Best and Final offers due</li> <li>• Gehring Group recommendation</li> <li>• Carrier selection</li> <li>• Additional meetings with Staff as needed</li> </ul>
3 months prior to renewal	<ul style="list-style-type: none"> <li>• Preparation of Open Enrollment Materials including Employee Benefit Highlights booklet.</li> <li>• Coordination of health fair.</li> <li>• Additional meetings with Staff as needed</li> </ul>
2 months prior to renewal	<ul style="list-style-type: none"> <li>• Finalize and receive town approval of Employee Benefit Highlights booklet.</li> <li>• Coordinate open enrollment with vendors.</li> </ul>
1 month prior to renewal	<ul style="list-style-type: none"> <li>• Open Enrollment Meetings</li> <li>• Additional meetings with Staff as needed</li> </ul>
Renewal Date	<ul style="list-style-type: none"> <li>• Plan Year Begins</li> </ul>
1 <sup>st</sup> Quarter of plan year	<ul style="list-style-type: none"> <li>• Review Quarterly claims experience &amp; meet with Staff</li> <li>• Additional meetings with Staff as needed</li> </ul>
2 <sup>nd</sup> Quarter of plan year	<ul style="list-style-type: none"> <li>• Review Quarterly claims experience &amp; meet with Staff</li> <li>• Additional meetings with Staff as needed</li> </ul>

❖ **How would you assist in creation of an overall benefits/compensation strategy for the employees at the Town of Surfside?**

Creating an overall benefits/compensation strategy involves many factors. As part of developing a strategy, Gehring Group would first survey your employees regarding their current benefit offerings to determine their level of satisfaction with the current program and seek comments regarding such. A sample of one such survey and results are included in **Exhibit 6**.

The next step would be to conduct a local entity survey to compare the Town's plan benefits, contribution levels, program offerings and other related benefits to those of other like entities. As previously mentioned, Gehring Group already maintains much of this information on many local entities due to our saturation of the public sector market; therefore, it is readily accessible.

The Town can also obtain compensation information available on the Florida Public Personnel Association (FPPA) website. The combination of all of the above mentioned data will allow Gehring Group to assist the Town in creating an overall strategy based on its compensation comparability, benefits philosophy, goals and budgetary allowance, and upon request, assist the Town in developing a Compensation Statement format to communicate these findings to their employees.

❖ **Describe your role in assisting the Town to communicate its benefit programs.**

Gehring Group offers the BenTek Benefits Resource Center (BRC) to our clients at no additional cost. BenTek's Benefits Resource Center (BRC) is an Internet based informational site designed to contain all of your pertinent benefits related information in one convenient, centralized location. The BRC provides you the ability to communicate your benefit offerings to current and potential employees 24 hours a day anywhere Internet connectivity is available. Some features of the site include:

- ✓ Open Enrollment Facilitation
- ✓ New Hire Orientation
- ✓ Plan Summaries & Certificates
- ✓ Carrier Links
- ✓ Forms
- ✓ Important Contact Information
- ✓ Personnel Policies
- ✓ And Much More!

Additional information on the Benefits Resource Center is included in **Exhibit 1**.

In addition to the Benefits Resource Center, Gehring Group employs an in-house Graphics Department. This enables us to assist our clients with employee communication materials. As part of our services, we draft and produce employee communication pieces such as payroll stuffers, department posters, mass employee mailings, etc. This allows our clients to better communicate its employee benefit offerings and keep their employees well educated

with regard to their employee benefit options and responsibilities. All of the communication materials included in the Exhibits such as posters, education materials and employee benefit handbooks, were compiled and produced in-house.

Gehring Group also produces benefits related news releases to announce important legislative and compliance issues. Samples are included in the Exhibit 5 of this proposal.

Lastly, your Account Manager is available to conduct employee informational meetings and open enrollment meetings to ensure any benefit changes are accurately communicated. Your Account Manager is also available to meet with employees one on one to assist them with any claim issues or just help them to better understand their benefits.

❖ **Describe how you might assist in developing an employee benefit handbook.**

Not only will Gehring Group assist the Town in developing an employee benefits handbook, we will prepare it from start to finish for the Town's approval. This booklet can be customized to include benefits information as well as any additional information the Town sees fit. There is no additional cost for this service under the agent of record appointment. Please refer to Exhibit 3 for samples of an Employee Benefits Booklets created for other similar entities.

❖ **Do you provide completed 5500, HIPAA and waiver Forms for your clients?**

Gehring Group will assist the Town in completing all forms as requested.

❖ **In what specific ways can you provide legislative or legal research assistance?**

In addition to Employee Communications and Employee Benefit Newsletter, Gehring Group is available to assist our clients with the resolution of claim problems and other issues legislative or legal research. Due to the specific knowledge and experience that is required in certain scenarios, we have learned that our clients may benefit from a more specialized level of quality service; therefore, our firm has developed alliances with outsourced professionals in specialty fields. For example, we have relationships with various attorneys, actuaries and auditors should the need for legal or financial advice arise. In addition, Gehring Group provides our clients with access to an online human resources tool.

## TAB D:

## REFERENCES

Your application should include no less than five (5) client references located within Florida, two (2) of which comprise groups of at least 50 or more members and which may be contacted by the Town of Surfside. Each reference shall include the name of the company, name and title of person responsible for the company's insurance, address, and telephone number.

**City of Sanibel**  
800 Dunlop Road  
Sanibel, FL 33957  
(239) 472-3700 x357  
Jim Isom, Manager of Administrative Services  
Number of Employees: 130

**City of Sebastian**  
1225 Main Street  
Sebastian, Florida 32958  
(772) 388-8202  
Debra Krueger, Director of Administrative Svcs.  
Number of Employees: 125

**Village of Tequesta**  
345 Tequesta Drive  
Tequesta, FL 33469  
(561) 575-6200 ext.256  
Merlene Reid,  
Human Resources Manager  
Number of Employees: 85

**Town of Jupiter Island**  
2 Bridge Road  
Hobe Sound, FL 33455  
(772) 545-0103  
Gwen Carlisle, Town Clerk  
Number of Employees: 72

**Palm Beach County Sheriff's Office**  
3228 Gun Club Road  
West Palm Beach, FL 33406  
(561) 688-3003  
Hilda Gonzalez, Manager, Risk & OHS  
Number of Employees: 3,700

**Seacoast Utility Authority**  
4200 Hood Road  
Palm Beach Gardens, FL 33410  
(561) 627-2900 x. 314  
Rim Bishop, Executive Director  
Number of Employees: 130

**City of Stuart**  
121 SW Flagler Avenue  
Stuart, FL 34994-2139  
(772) 288-5315  
Linda Skelton, Human Resource Director  
Number of Employees: 230

**Village of Wellington**  
14000 Greenbriar Boulevard  
Wellington, FL 33414  
(561) 791-4113  
Mireya McIlveen, CPA,  
Director Administrative & Financial Services  
Number of Employees: 255

**Town of Lake Park**  
535 Park Avenue  
Lake Park, FL 33403  
(561) 881-3350  
Anne Costello, Finance Director  
Number of Employees: 45

**Martin County Sheriff's Office**  
800 S.E. Monterey Road  
Stuart, FL 34994  
(772) 220-7022  
Major Robert Seaman, Director  
Number of Employees: 600

**City of Sarasota**  
111 South Orange Ave., Ste. 204  
Sarasota, FL 34236  
Kurt Hoverter, Director of Human Resources  
(941) 951-3638  
Number of Employees: 1,100

**City of Dunedin**  
750 Milwaukee Avenue  
Dunedin, FL 34698  
(727) 298-3042 / Fax: (727) 298-3052  
Nancy Duggan, Human Resources Director  
Number of Employees: 450

**Charlotte County Government**  
18500 Murdock Circle  
Port Charlotte, FL 33948-1094  
(941) 743-1260  
Bob Pryor, Risk Manager  
Number of Employees: 1,400+

**City of West Palm Beach**  
1000 45<sup>th</sup> Street, Ste. 12  
West Palm Beach, FL 33407  
(561) 659-8028  
Patricia Brosamer, Human Resources Officer  
Number of Employees: 1,500+

**Martin County Government**  
2401 SE Monterey Road  
Stuart, FL 34996  
(772) 221-1320  
Garry Gierlicz, Human Resources Adm.  
Number of Employees: 1,250

**Clerk & Comptroller, Palm Beach County**  
301 N. Olive Ave., 9<sup>th</sup> Floor  
West Palm Beach, FL 33402  
(561) 355-4991  
Andrea Mackey, Employee Benefits Specialist  
Number of Employees: 750+

**Citrus County Board of County Comm.**  
3600 W. Sovereign Path, Ste. 178  
Lecanto, FL 34461  
Sherry Anderson, Human Resources Director  
(352) 527-5360  
Number of Employees: 810

**City of Clearwater**  
100 South Myrtle Ave.  
Clearwater, FL 33756  
(727) 562-4845  
Allen Del Prete, Human Resources Director  
Number of Employees: 1,800+

**Martin County School District**  
500 East Ocean Blvd.  
Stuart, FL 34994  
(772) 219-1200 Ext. 30247  
Collette Gotte, Risk Manager  
Number of Employees: 2,000+

**City of West Palm Beach – Police Plan**  
2100 North Florida Mango Road  
West Palm Beach, FL 33409  
(561) 689-3745 – Phone  
Lou Penque, PBA Representative  
Number of Employees: 305

**City of Boca Raton**  
201 W. Palmetto Park Road  
Boca Raton, FL 33432  
(561) 393-7970  
Pam Gardner, Risk Manager  
Number of Employees: 1,050

**Tax Collector, Palm Beach County**  
301 North Olive Avenue, 3rd Floor  
West Palm Beach, FL 33401  
(561) 355-3921  
Marilyn Hannan, Human Resource Manager  
Number of Employees: 250



**Town of Jupiter**

210 Military Trail  
Jupiter, FL 33458  
(561) 741-2393  
Tim McPherson, Asst. Director of H.R.  
Number of Employees: 385

**Lakeland Area Mass Transit**

1248 George Jenkins Blvd  
Lakeland, FL 33815  
(863) 327-1308  
Deborah Porte, HR & Risk Manager  
Number of Employees: 120

**City of Key West**

P.O. Box 1409  
Key West, FL 33041-1409  
(305) 292-8232  
Sandy Gilbert, Human Resources Director  
Number of Employees: 450

**City of Arcadia**

PO Box 351  
Arcadia, FL 34265  
(863) 494-4114  
Markae Rupp, City Administrator  
Number of Employees: 75

**Children's Services Council, PB County**

2300 High Ridge Road  
Boynton Beach, FL 33426  
(561) 740-7000 ext 2252  
Shay Wolek, Human Resource Director  
Number of Employees: 105

**City of Eustis**

109-AE. Orange Avenue  
Eustis, FL 32727-0068  
(352) 483-5472  
Ann C. Isaacs, Director, Human Resources  
Number of Employees: 240

**Florida Keys Aqueduct Authority**

1100 Kennedy Drive  
Key West, FL 33040  
(305) 296-2454 – Phone  
Cheryl Sargent, Benefits Administrator  
Number of Employees: 350

**City of Vero Beach**

1053 20<sup>th</sup> Place  
Vero Beach, FL 32061-1389  
(561) 978-4923  
Barbara Morey, Risk Manager  
Number of Employees: 650+

**Solid Waste Authority, Palm Beach County**

7501 North Jog Road  
West Palm Beach, FL 33412  
(561) 640-4000 ext. 4402 – Phone  
Debra Laster, SPHR, Dir., Employee Relations  
Number of Employees: 450

**City of Brooksville**

201 Howell Avenue  
Brooksville, FL 34601-2041  
(352) 544-5435  
Jennene Norman-Vacha, City Manager  
Number of Employees: 110

**City of Cooper City**

9090 Southwest 50th Place  
Cooper City, FL 33329-0910  
(954) 434-4300 x 291  
Susan Poling, Director of Admin. Services  
Number of Employees: 100

**City of Fellsmere**

21 S. Cypress Street  
Fellsmere, FL 32948-6714  
(772) 571-1900  
Larry Napier, Director of Finance &  
Accounting  
Number of Employees: 30

**City of Fort Pierce**

100 N. U.S. 1  
Fort Pierce, FL 34954-1480  
(772) 460-2200 Ext. 332  
Gloria J. Johnson, Director of Finance  
Number of Employees: 425

**Town of Lantana**

500 Greynolds Circle  
Lantana, FL 33462  
(561) 540-5000 , Ext. 8  
Michael Bornstein, Town Manager  
Number of Employees: 105

**Town of Manalapan**

600 S. Ocean Blvd.  
Manalapan, FL 33462  
(561) 383-2546  
Linda Stumpf, Finance Director  
Number of Employees: 27

**Okeechobee County Government**

304 NW 2nd Street, Room 109  
Okeechobee, FL 34972  
(863) 763-9312  
Robbie Chartier, Deputy County Administrator  
Number of Employees: 225

**PB County Workforce Development Cons.**

315 South Dixie Highway, Ste. 102  
West Palm Beach, FL 33401  
(561) 340-1061 Ext 2217  
Mary Fleming, Manager, Human Resources  
Number of Employees: 104

**City of Juno Beach**

340 Ocean Drive  
Juno Beach, FL 33408  
(561) 626-1122  
Joe LoBello, Town Manager  
Number of Employees: 36

**Loxahatchee River District**

2500 Jupiter Park Drive  
Jupiter, FL 33458-8964  
(561) 747-5700 Ext 107  
D. Albrey Arrington, PhD, Executive Director  
Number of Employees: 75

**Village of North Palm Beach**

501 US Highway 1  
North Palm Beach, FL 33408  
(561) 841-3358  
Mary Kay McGann, H.R. Director  
Number of Employees: 150

**City of Oldsmar**

100 State Street West  
Oldsmar, Florida 34677-3655  
(813) 749-1110  
June Donald, Human Resources Administrator  
Number of Employees: 140

**Village of Royal Palm Beach**

1050 Royal Palm Beach Blvd.  
Royal Palm Beach, FL 33411  
(561) 790-5116  
Monika Bowles, Human Resources Director  
Number of Employees: 100

## TAB E:

## COST OF SERVICES

Gehring Group's proposed method of compensation is commission payable by the insurance carriers/TPA's based on an appointment as Agent of Record. Gehring Group offers full and complete disclosure of all direct and indirect compensation earned. No additional costs or fees will be paid by the Town. Gehring Group will provide full disclosure of all direct and indirect compensation as requested.

### Proposed Compensation

Line of Coverage	Commission Rate
Health Insurance	5%
Dental Insurance	10%
Group Life and AD&D	10%
Long Term Disability	10%
Short Term Disability	10%

In the event the proposed commission structure above is not in line with the current compensation, Gehring Group is open to discussion.

Please note that the above fees include:

- Development, production and printing of annual employee benefit guide (Samples included in Exhibit 6)
- All travel expenses
- BenTek® Benefit Resource Center

Gehring Group looks forward to working with the Town in the capacity proposed within this document. All compensation stated above is negotiable based on the needs and expectations of the Town.

Exhibit 1 .....BenTek – Benefits Resource Center  
Exhibit 2 ..... Sample Analytical Reports  
Exhibit 3 ..... Sample Employee Benefit Highlights  
Exhibit 4 .....Sample Employee Communications  
Exhibit 5 ..... Sample Employee Benefit Newsletters  
Exhibit 6 ..... Sample Employee Survey Results

**PLEASE REFER TO HARD COPY FOR EXHIBITS**

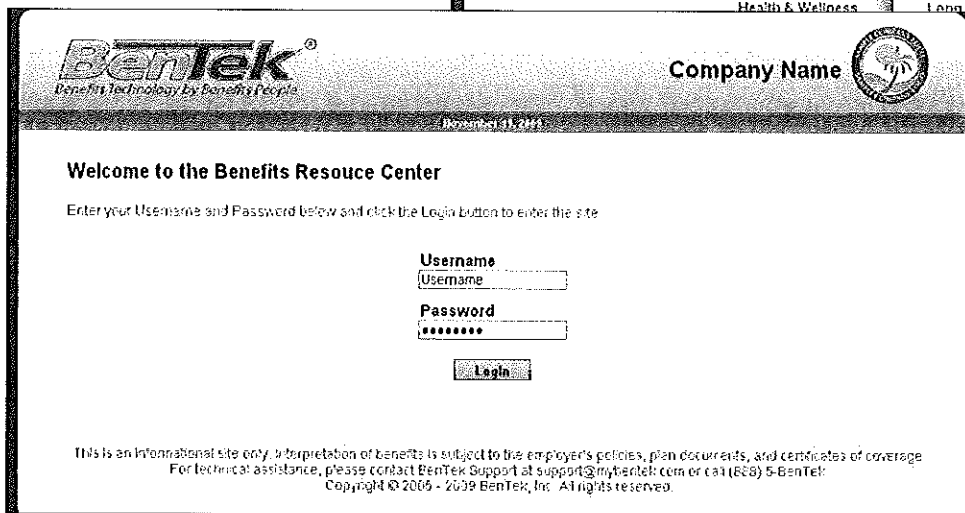
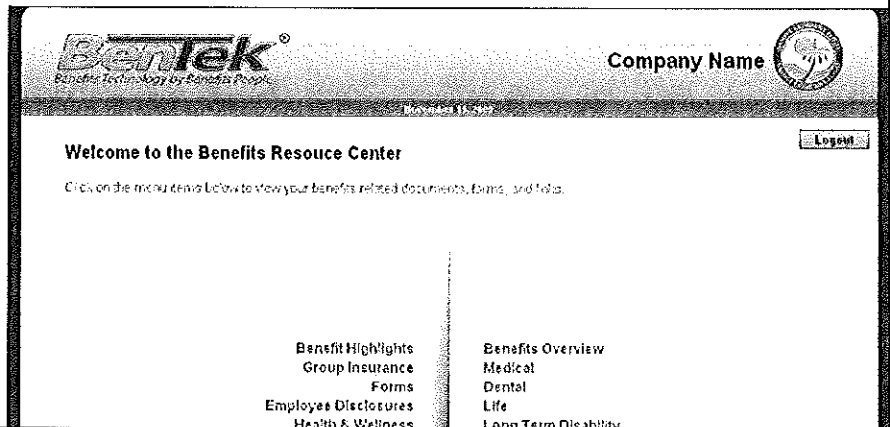


## Benefits Resource Center

For those employers not utilizing the online enrollment and benefits administration services of BenTek®, Gehring Group offers the BenTek Benefits Resource Center (BRC) at no additional cost.

BenTek's Benefits Resource Center (BRC) is an Internet based informational site designed to contain all of your pertinent benefits related information in one convenient, centralized location. The BRC provides you the ability to communicate your benefit offerings to current and potential employees 24 hours a day anywhere Internet connectivity is available. Some features of the site include:

- ✓ Open Enrollment Facilitation
- ✓ New Hire Orientation
- ✓ Plan Summaries & Certificates
- ✓ Carrier Links
- ✓ Forms
- ✓ Important Contact Information
- ✓ Personnel Policies
- ✓ And Much More!



**With BenTek's Benefits Resource Center, communicating your benefit offerings has never been easier.**

## Benefits Resource Center – Sample Screens

**BenTek**  
Benefits Resource Center

Company Name

Welcome to the Benefits Resource Center Logout

Click on the menu items below to view your benefits related documents, forms, and links.

- Benefit Highlights
- Group Insurance
- Forms
- Employee Disclosures
- Health & Wellness
- Holidays, Vacations, & Leave Types
- Important Contact Information

- Benefits Overview
- Medical
  - View my plan benefits
  - My Payroll Deductions
  - Find a Doctor
  - Visit the ER and Urgent Care
- Dental
- Life
- Long Term Disability
- Vision
- Flexible Spending Accounts
- COBRA

**Medical: Summary of Benefits**

- HMO Summary of Benefits
- HMO Certificate of Coverage
- PPO Summary of Benefits
- PPO Certificate of Coverage
- Indemnity Summary of Benefits

**BlueCare**  
Federally Qualified for Large Groups  
Benefit Summary Plan 10

Care must be received from or arranged by your Health Options contracting Primary Care Physician.

Benefits	Cost to You
<b>Physician Office Services</b>	
Primary Care Physician office services	\$15 copay per visit
Contracting Specialist office services	\$25 copay per visit
One annual wellness visit to contracting GYN for well-woman exam	\$25 copay per visit

These office services may include:

- Pediatric and well-baby care
- Periodic health evaluation and immunizations
- Other diagnostic services
- Health education
- Professional counseling
- Family planning, nutritional, and medical social services
- Vision and hearing screening
- Family planning services
- Office surgery

Additional services include:

- Allergy testing
- Allergy injections
- Outpatient diagnostic
- Hospital services
- Room and board
- These include:
  - Anesthesia
  - Oxygen

**Human Resources Contact List**

Name	Position	Telephone	Email
Jacqueline Smith	Director, Human Resources & Risk Management	(561) 741-2343	jac@benTek.fl.us
Tim McFly	Assistant Director of Human Resources	(561) 741-2390	tim@benTek.fl.us
Daisy Stravron	Human Resources Analyst	(561) 741-2312	daisy@benTek.fl.us
Kelli Robinson	Human Resources Analyst	(561) 741-2321	kelli@benTek.fl.us
Leah Jones	Human Resources Analyst	(561) 741-2311	leah@benTek.fl.us
Darrell Rescoe	Risk Manager	(561) 741-2615	darrell@benTek.fl.us

**My Payroll Deductions**

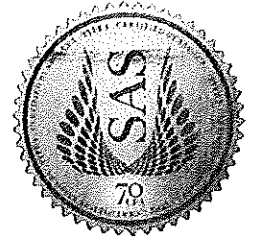
The table below summarizes your 2003 payroll deductions:

Coverage	BCBSFL Medical HMO Plan Name	BCBSFL Medical PPO Plan Name	Guardian Dental PPO Plan Name	Guardian Vision PPO Plan Name
Employee Only	\$ 0.00	\$ 81.26	\$0.00	\$0.00
Employee + Spouse	\$337.67	\$504.83	\$18.02	\$3.14
Employee + Child(ren)	\$159.66	\$322.41	\$21.88	\$3.30
Employee + Family	\$511.15	\$ 745.98	\$40.05	\$7.88

Coverage	BCBSFL Medical HMO Plan Name	BCBSFL Medical PPO Plan Name	Guardian Dental PPO Plan Name	Guardian Vision PPO Plan Name
Employee Only	\$ 0.00	\$ 71.10	\$0.00	\$0.00
Employee + Spouse	\$295.47	\$441.73	\$15.77	\$2.75
Employee + Child(ren)	\$139.89	\$282.11	\$19.15	\$2.89
Employee + Family	\$447.26	\$652.74	\$35.05	\$6.90

Telephone	Website / E-mail
(800) 244-6224	www.digna.com
(800) 835-3751	www.teladoc.com
(800) 244-6224	www.edgo.com
(888) 537-3339	www.benefitweekshop.BenTek
(800) 741-6224	www.eigna.com
(800) 865-3676	www.visioncare.com

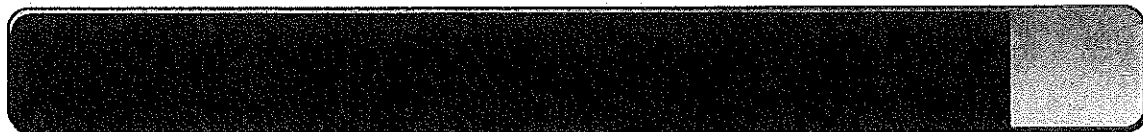
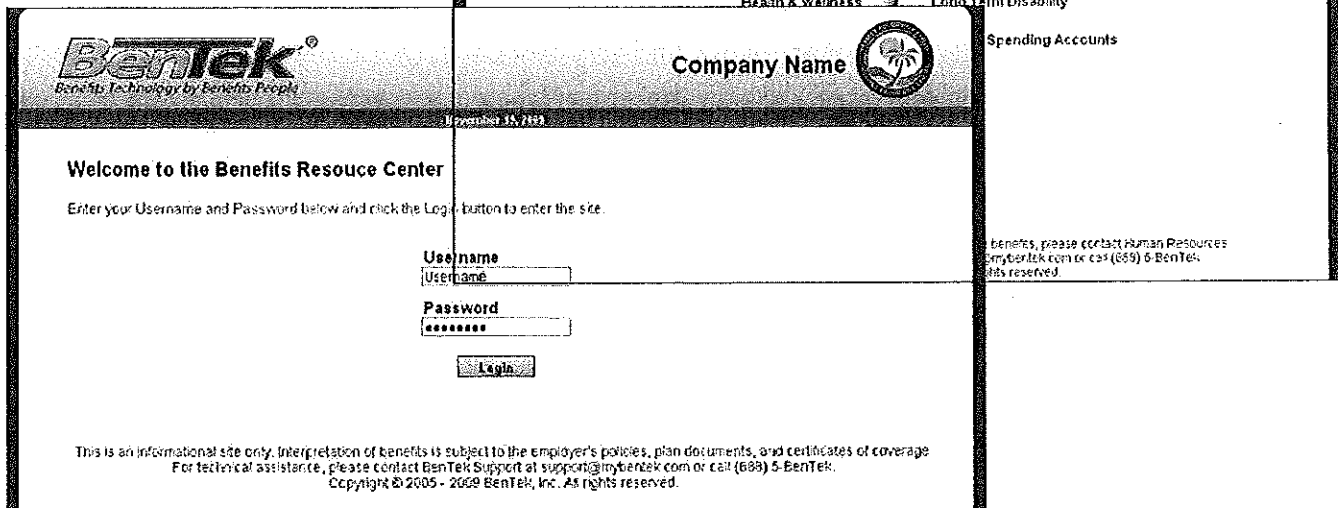
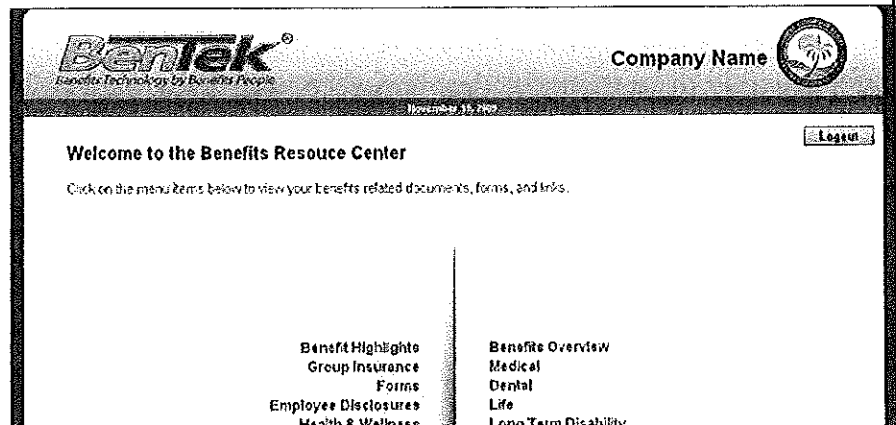


## Benefits Resource Center

For those employers not utilizing the online enrollment and benefits administration services of BenTek®, Gehring Group offers the BenTek Benefits Resource Center (BRC) at no additional cost.

BenTek's Benefits Resource Center (BRC) is an Internet based informational site designed to contain all of your pertinent benefits related information in one convenient, centralized location. The BRC provides you the ability to communicate your benefit offerings to current and potential employees 24 hours a day anywhere Internet connectivity is available. Some features of the site include:

- ✓ Open Enrollment Facilitation
- ✓ New Hire Orientation
- ✓ Plan Summaries & Certificates
- ✓ Carrier Links
- ✓ Forms
- ✓ Important Contact Information
- ✓ Personnel Policies
- ✓ And Much More!



# Benefits Resource Center – Sample Screens

## Welcome to the Benefits Resource Center

Click on the main items below to view your benefits related documents, forms, and links

- Benefit Highlights
  - Group Insurance Forms
  - Employee Disclosures
  - Health & Wellness
  - Holidays, Vacations, & Leave Types
  - Important Contact Information
- Benefits Overview
  - Medical
    - Summary of Benefits
    - My Payroll Deductions
    - Find a Doctor
    - Visit the BERS Web Store
  - Dental
  - Life
  - Long Term Disability
  - Vision
  - Flexible Spending Account
  - COBRA

## BlueCare

Federally Qualified for Large Groups  
Benefit Summary Plan 10

Care must be received from or arranged by your Health Options contracting Primary Care Physician

Benefits	Cost to You
Physician Office Services	
Primary Care Physician office services	\$15 copay per visit
Contracting Specialist office services	\$25 copay per visit
One annual self-referral to contracting GYN for well-woman exam	\$25 copay per visit

- These office services may include:
- Pediatric and pediatric care
  - Florida health evaluation and immunizations
  - Other diagnostic services
  - Health education
  - Professional counseling
  - Family planning, tubal ligation, and medical social services
  - Vision and hearing screening
  - Family planning services
  - In-office surgery

Additional  
Allergy to  
Allergy to  
Cigarettes  
Diagnosis

Hospital  
Room and  
These Inp  
• Appear  
• Oxygen

Name	Position	Telephone	E-mail
Jacqueline Smith	Director, Human Resources & Risk Management	(561) 741-2343	jackies@BenTel.fl.us
Tim McFey	Assistant Director of Human Resources	(561) 741-2333	timcfey@BenTel.fl.us
Daisy Sanderson	Human Resources Analyst	(561) 741-2312	daisy@BenTel.fl.us
Kelli Robinson	Human Resources Analyst	(561) 741-2321	kellie@BenTel.fl.us
Linda Jones	Human Resources Analyst	(561) 741-2311	linda@BenTel.fl.us
Danell Roscoe	Risk Manager	(561) 741-2615	danell@BenTel.fl.us

## My Payroll Deductions

The table below summarizes your 2009 payroll deductions:

Coverage	21 Pay Periods			
	BCBSFL Medical HMO Plan Name	BCBSFL Medical PPO Plan Name	Guardian Dental PPO Plan Name	Guardian Vision PPO Plan Name
Employee Only	\$ 0.00	\$ 81.26	\$0.00	\$0.00
Employee + Spouse	\$337.67	\$504.83	\$18.02	\$3.14
Employee + Child(ren)	\$159.86	\$322.41	\$21.88	\$3.30
Employee + Family	\$511.15	\$ 745.98	\$40.05	\$7.88

Coverage	24 Pay Periods			
	BCBSFL Medical HMO Plan Name	BCBSFL Medical PPO Plan Name	Guardian Dental PPO Plan Name	Guardian Vision PPO Plan Name
Employee Only	\$ 0.00	\$ 71.10	\$0.00	\$0.00
Employee + Spouse	\$285.47	\$441.73	\$15.77	\$2.75
Employee + Child(ren)	\$139.88	\$282.11	\$19.15	\$2.89
Employee + Family	\$447.26	\$652.74	\$35.05	\$6.90

Telephone	Website / E-mail
(800) 244-6224	www.cigna.com
(800) 835-3764	www.felding.com
(800) 244-6224	www.cigna.com
(888) 537-3539	www.benefitsworkshop.BenTel
(800) 244-6224	www.cigna.com
(800) 865-3676	www.visioncare.com





COVERAGE		CURRENT			RENEWAL		
HEALTH		United HealthCare			United HealthCare or CIGNA HealthCare		
POS CHOICE PLUS 38		Total	Employer	Employee	Total	Employer	Employee
Employee	106	\$583.84	\$583.84	\$0.00	\$538.76	\$513.76	\$25.00
EE+Spouse	41	\$1,249.42	\$1,077.55	\$171.87	\$1,152.95	\$956.09	\$196.86
EE+Child(ren)	36	\$1,080.10	\$951.95	\$128.15	\$996.71	\$843.56	\$153.15
EE+Family	72	\$1,745.71	\$1,445.70	\$300.01	\$1,610.90	\$1,285.89	\$325.01
<b>MONTHLY PREMIUM</b>		<b>\$277,687.98</b>	<b>\$244,427.19</b>	<b>\$33,260.79</b>	<b>\$256,245.87</b>	<b>\$216,610.49</b>	<b>\$39,635.38</b>
<b>ANNUAL PREMIUM</b>		<b>\$3,332,255.76</b>	<b>\$2,933,126.28</b>	<b>\$399,129.48</b>	<b>\$3,074,950.44</b>	<b>\$2,599,325.88</b>	<b>\$475,624.56</b>
<b>\$ INCREASE</b>		<b>N/A</b>	<b>N/A</b>	<b>N/A</b>	<b>-\$257,305.32</b>	<b>-\$333,800.40</b>	<b>\$76,495.08</b>
<b>% INCREASE</b>		<b>N/A</b>	<b>N/A</b>	<b>N/A</b>	<b>-7.7%</b>	<b>-11.4%</b>	<b>19.2%</b>
DENTAL		Dental Decisions			Dental Decisions		
DIRECT ASSIGNMENT		Total	Employer	Employee	Total	Employer	Employee
Employee	106	\$65.10	\$65.10	\$0.00	\$65.10	\$65.10	\$0.00
EE+Spouse	41	\$102.04	\$92.08	\$9.96	\$102.04	\$92.08	\$9.96
EE+Child(ren)	36	\$119.63	\$104.93	\$14.70	\$119.63	\$104.93	\$14.70
EE+Family	72	\$137.23	\$117.79	\$19.44	\$137.23	\$117.79	\$19.44
<b>MONTHLY COST</b>		<b>\$25,271.48</b>	<b>\$22,934.24</b>	<b>\$2,337.24</b>	<b>\$25,271.48</b>	<b>\$22,934.24</b>	<b>\$2,337.24</b>
<b>ANNUAL COST</b>		<b>\$303,257.76</b>	<b>\$275,210.88</b>	<b>\$28,046.88</b>	<b>\$303,257.76</b>	<b>\$275,210.88</b>	<b>\$28,046.88</b>
<b>\$ INCREASE</b>		<b>N/A</b>	<b>N/A</b>	<b>N/A</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>
<b>% INCREASE</b>		<b>N/A</b>	<b>N/A</b>	<b>N/A</b>	<b>0.0%</b>	<b>0.0%</b>	<b>0.0%</b>
HRA FUNDING		Benefits Workshop			Benefits Workshop		
		Total	Employer	Employee	Total	Employer	Employee
Employee	106	\$791.25	\$791.25	\$0.00	\$800.75	\$800.75	\$0.00
EE+Spouse	41	\$1,055.00	\$1,055.00	\$0.00	\$1,067.66	\$1,067.66	\$0.00
EE+Child(ren)	36	\$1,055.00	\$1,055.00	\$0.00	\$1,067.66	\$1,067.66	\$0.00
EE+Family	72	\$1,318.75	\$1,318.75	\$0.00	\$1,334.58	\$1,334.58	\$0.00
<b>ANNUAL COST</b>		<b>\$260,057.50</b>	<b>\$260,057.50</b>	<b>\$0.00</b>	<b>\$263,179.08</b>	<b>\$263,179.08</b>	<b>\$0.00</b>
<b>\$ INCREASE</b>		<b>N/A</b>	<b>N/A</b>	<b>N/A</b>	<b>\$3,121.58</b>	<b>\$3,121.58</b>	<b>\$0.00</b>
<b>% INCREASE</b>		<b>N/A</b>	<b>N/A</b>	<b>N/A</b>	<b>1.2%</b>	<b>1.2%</b>	<b>0.0%</b>
HRA / FSA ADMINISTRATION		Benefits Workshop			Benefits Workshop		
		Total	Employer	Employee	Total	Employer	Employee
HRA Administration	255	\$6.00	\$6.00	\$0.00	\$6.00	\$6.00	\$0.00
FSA Administration	25	\$5.00	\$5.00	\$0.00	\$5.00	\$5.00	\$0.00
<b>MONTHLY PREMIUM</b>		<b>\$1,655.00</b>	<b>\$1,655.00</b>	<b>\$0.00</b>	<b>\$1,655.00</b>	<b>\$1,655.00</b>	<b>\$0.00</b>
<b>ANNUAL PREMIUM</b>		<b>\$19,860.00</b>	<b>\$19,860.00</b>	<b>\$0.00</b>	<b>\$19,860.00</b>	<b>\$19,860.00</b>	<b>\$0.00</b>
<b>\$ INCREASE</b>		<b>N/A</b>	<b>N/A</b>	<b>N/A</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>
<b>% INCREASE</b>		<b>N/A</b>	<b>N/A</b>	<b>N/A</b>	<b>0.0%</b>	<b>0.0%</b>	<b>0.0%</b>
LIFE		Jefferson Pilot			Jefferson Pilot		
		Total	Employer	Employee	Total	Employer	Employee
Life Rate		\$0.20	\$0.20	\$0.00	\$0.20	\$0.20	\$0.00
AD&D Rate		\$0.03	\$0.03	\$0.00	\$0.03	\$0.03	\$0.00
Total Life and AD&D		\$0.23	\$0.23	\$0.00	\$0.23	\$0.23	\$0.00
Life Volume		\$17,891,300.00	\$17,891,300.00	\$0.00	\$17,891,300.00	\$17,891,300.00	\$0.00
<b>MONTHLY PREMIUM</b>		<b>\$4,115.00</b>	<b>\$4,115.00</b>	<b>\$0.00</b>	<b>\$4,115.00</b>	<b>\$4,115.00</b>	<b>\$0.00</b>
<b>ANNUAL PREMIUM</b>		<b>\$49,379.99</b>	<b>\$49,379.99</b>	<b>\$0.00</b>	<b>\$49,379.99</b>	<b>\$49,379.99</b>	<b>\$0.00</b>
<b>\$ INCREASE</b>		<b>N/A</b>	<b>N/A</b>	<b>N/A</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>
<b>% INCREASE</b>		<b>N/A</b>	<b>N/A</b>	<b>N/A</b>	<b>0.0%</b>	<b>0.0%</b>	<b>0.0%</b>
LONG TERM DISABILITY		Jefferson Pilot			Jefferson Pilot		
		Total	Employer	Employee	Total	Employer	Employee
LTD Rate		\$0.34	\$0.34	\$0.00	\$0.34	\$0.34	\$0.00
LTD Volume		\$805,491.00	\$805,491.00	\$0.00	\$805,491.00	\$805,491.00	\$0.00
<b>MONTHLY PREMIUM</b>		<b>\$2,738.67</b>	<b>\$2,738.67</b>	<b>\$0.00</b>	<b>\$2,738.67</b>	<b>\$2,738.67</b>	<b>\$0.00</b>
<b>ANNUAL PREMIUM</b>		<b>\$32,864.03</b>	<b>\$32,864.03</b>	<b>\$0.00</b>	<b>\$32,864.03</b>	<b>\$32,864.03</b>	<b>\$0.00</b>
<b>\$ INCREASE</b>		<b>N/A</b>	<b>N/A</b>	<b>N/A</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>
<b>% INCREASE</b>		<b>N/A</b>	<b>N/A</b>	<b>N/A</b>	<b>0.0%</b>	<b>0.0%</b>	<b>0.0%</b>
SHORT TERM DISABILITY		Jefferson Pilot			Jefferson Pilot		
		Total	Employer	Employee	Total	Employer	Employee
STD Rate		\$0.36	\$0.36	\$0.00	\$0.36	\$0.36	\$0.00
STD Volume		\$103,278.00	\$103,278.00	\$0.00	\$103,278.00	\$103,278.00	\$0.00
<b>MONTHLY PREMIUM</b>		<b>\$3,718.01</b>	<b>\$3,718.01</b>	<b>\$0.00</b>	<b>\$3,718.01</b>	<b>\$3,718.01</b>	<b>\$0.00</b>
<b>ANNUAL PREMIUM</b>		<b>\$44,616.10</b>	<b>\$44,616.10</b>	<b>\$0.00</b>	<b>\$44,616.10</b>	<b>\$44,616.10</b>	<b>\$0.00</b>
<b>\$ INCREASE</b>		<b>N/A</b>	<b>N/A</b>	<b>N/A</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>
<b>% INCREASE</b>		<b>N/A</b>	<b>N/A</b>	<b>N/A</b>	<b>0.0%</b>	<b>0.0%</b>	<b>0.0%</b>
SUMMARY		Total	Employer	Employee	Total	Employer	Employee
<b>TOTAL ANNUAL PREMIUM</b>		<b>\$4,042,291.14</b>	<b>\$3,615,114.78</b>	<b>\$427,176.36</b>	<b>\$3,788,107.40</b>	<b>\$3,284,435.98</b>	<b>\$503,671.44</b>
<b>\$ INCREASE</b>		<b>N/A</b>	<b>N/A</b>	<b>N/A</b>	<b>-\$254,183.74</b>	<b>-\$330,678.82</b>	<b>\$76,495.08</b>
<b>% INCREASE</b>		<b>N/A</b>	<b>N/A</b>	<b>N/A</b>	<b>-6.3%</b>	<b>-9.1%</b>	<b>17.9%</b>

Village of T. ata  
 Medical Insurance Renewal Evaluation (NEGOTIATED)  
 Effective Date: October 1, 2009



SCHEDULE OF BENEFITS	CURRENT		RENEWAL		NEGOTIATED RENEWAL		ALTERNATE ONE	
	CIGNA HealthCare Network Open Access POS In/Network Out of Network		CIGNA HealthCare Network Open Access POS In/Network Out of Network		CIGNA HealthCare Network Open Access POS In/Network Out of Network		CIGNA HealthCare Network Open Access POS In/Network Out of Network	
<b>Plan Details</b>	\$5 million		\$5 million		\$5 million		\$5 million	
Lifetime Maximum	\$1,500	\$4,500	\$1,500	\$4,500	\$1,500	\$4,500	\$1,500	\$4,500
Out of Pocket CYM	\$3,000	\$6,000	\$3,000	\$6,000	\$3,000	\$6,000	\$3,000	\$6,000
Single	No Deductible	\$500	No Deductible	\$500	No Deductible	\$500	\$500	\$1,000
Family	No Deductible	\$1,500	No Deductible	\$1,500	No Deductible	\$1,500	\$1,000	\$2,000
Calendar Year Deductible (CYD)	0%	40%	0%	40%	0%	40%	0%	40%
Coinsurance								
<b>Physician Services</b>								
Primary Care Physician	\$10	40%	\$10	40%	\$10	40%	\$20	40%
Specialist	\$25	40%	\$25	40%	\$25	40%	\$40	40%
Pre-Notal	\$10 / \$25	40%	\$10 / \$25	40%	\$10 / \$25	40%	\$20 / \$40	40%
Physical Exam Benefit	\$15	40%; \$250 CYM	\$15	40%; \$250 CYM	\$15	40%; \$250 CYM	\$20	40%; \$250 CYM
Chiropractic Services	\$25; 20 visits CYM	40%; No Ded	\$25; 20 visits CYM	40%; No Ded	\$25; 20 visits CYM	40%; No Ded	\$40; 20 visits CYM	40%; No Ded
Laboratory Services	No Charge	40%; 20 visits CYM	No Charge	40%; 20 visits CYM	No Charge	40%; 20 visits CYM	No Charge	40%; 20 visits CYM
Physical Therapy	\$25; 20 visits CYM	40%; 20 visits CYM	\$25; 20 visits CYM	40%; 20 visits CYM	\$25; 20 visits CYM	40%; 20 visits CYM	\$40; 20 visits CYM	40%; 20 visits CYM
<b>Hospital Services</b>								
Inpatient Hospital	\$500 per admission	40%	\$500 per admission	40%	\$500 per admission	40%	\$500 per admission + CYD	40%
Outpatient Hospital	\$250	40%	\$250	40%	\$250	40%	\$250 + CYD	40%
Emergency Room	\$100	40%	\$100	40%	\$100	40%	\$150	40%
Physician Services	No Charge	40%	No Charge	40%	No Charge	40%	CYD	40%
Ambulance	No Charge	40%	No Charge	40%	No Charge	40%	CYD	40%
Outpatient Therapy	\$10 / \$25; 20 visits CYM	40%; 20 visits CYM	\$10 / \$25; 20 visits CYM	40%; 20 visits CYM	\$10 / \$25; 20 visits CYM	40%; 20 visits CYM	\$20 / \$40; 20 visits CYM	40%; 20 visits CYM
<b>Mental and Nervous Services</b>								
Inpatient Hospital	\$50 per day	Not Covered	\$50 per day	Not Covered	\$50 per day	Not Covered	\$50 per day	Not Covered
Outpatient Hospital	\$30	Not Covered	\$30	Not Covered	\$30	Not Covered	\$40	Not Covered
<b>Substance Abuse Services</b>								
Inpatient Hospital	\$50 per day	Not Covered	\$50 per day	Not Covered	\$50 per day	Not Covered	\$50 per day	Not Covered
Outpatient Hospital	\$30	Not Covered	\$30	Not Covered	\$30	Not Covered	\$40	Not Covered
<b>Pharmacy Plan</b>								
Generic	\$15	Not Covered	\$15	Not Covered	\$15	Not Covered	\$20	Not Covered
Preferred Brand	\$30	Not Covered	\$30	Not Covered	\$30	Not Covered	\$40	Not Covered
Non Preferred Brand	\$50	Not Covered	\$50	Not Covered	\$50	Not Covered	\$60	Not Covered
Mail Order Copay	2x		2x		2x		2x	
<b>Summary</b>								
Employee	49	\$487.81	49	\$563.58	49	\$539.19	49	\$460.03
Employee + Spouse	10	\$1,043.92	10	\$1,206.08	10	\$1,153.88	10	\$984.48
Employee + Child(ren)	8	\$902.44	8	\$1,042.62	8	\$997.50	8	\$851.05
Family	25	\$1,463.43	25	\$1,690.75	25	\$1,617.58	25	\$1,380.10
Monthly Premium		\$78,147.16		\$90,285.93		\$86,378.61		\$73,697.17
Annual Premium		\$937,765.92		\$1,083,431.16		\$1,036,543.32		\$884,366.04
\$ Increase		N/A		\$145,665.24		\$98,777.40		-\$53,399.88
% Increase		N/A		15.5%		10.5%		-5.7%

SCHEDULE OF BENEFITS	CURRENT		ALTERNATE TWO		ALTERNATE TWO with Enhanced Rx		ALTERNATE THREE	
	CIGNA HealthCare		CIGNA HealthCare		CIGNA HealthCare		CIGNA HealthCare	
Plan Details	Network	Open Access Plus with CIGNA Care PPO Plan A	Network	Open Access Plus with CIGNA Care PPO Plan A	Network	Open Access Plus with CIGNA Care PPO Plan A	Network	Open Access Plus with CIGNA Care PPO Plan B
	In Network	Out of Network	In Network	Out of Network	In Network	Out of Network	In Network	Out of Network
Lifetime Maximum	\$5 million		\$5 million		\$5 million		\$5 million	
Out of Pocket CYM								
Single	\$1,500	\$4,500	\$500	\$2,000	\$500	\$2,000	\$1,000	\$4,000
Family	\$3,000	\$6,000	\$1,000	\$4,000	\$1,000	\$4,000	\$2,000	\$8,000
Calendar Year Deductible (CYD)								
Single	No Deductible	\$500	\$500	\$1,000	\$500	\$1,000	\$1,000	\$2,000
Family	No Deductible	\$1,500	\$1,000	\$2,000	\$1,000	\$2,000	\$2,000	\$4,000
Coinsurance	0%	40%	0%	30%	0%	30%	0%	50%
<b>Physician Services</b>								
Primary Care Physician	\$10	40%	\$15	30%	\$15	30%	\$15	50%
Specialist	\$25	40%	\$25 / \$40	30%	\$25 / \$40	30%	\$25 / \$40	50%
Pre-Natal	\$10 / \$25	40%	\$25 / \$40	30%	\$25 / \$40	30%	\$25 / \$40	50%
Physical Exam Benefit	\$15	40%; \$250 CYM	\$25 / \$40	30%; \$250 CYM	\$25 / \$40	30%; \$250 CYM	\$25 / \$40	50%; \$250 CYM
Chiropractic Services	\$25; 20 visits CYM	40%; No Ded	\$25 / \$40; 20 visits CYM	30%; 20 visits CYM	\$25 / \$40; 20 visits CYM	30%; 20 visits CYM	\$25 / \$40; 20 visits CYM	50%; 20 visits CYM
Laboratory Services	No Charge	40%; No Ded	No Charge	30%; No Ded	No Charge	30%; No Ded	No Charge	50%; No Ded
Physical Therapy	\$25; 20 visits CYM	40%; 20 visits CYM	\$25 / \$40; 20 visits CYM	30%; 20 visits CYM	\$25 / \$40; 20 visits CYM	30%; 20 visits CYM	\$25 / \$40; 20 visits CYM	50%; 20 visits CYM
<b>Hospital Services</b>								
Inpatient Hospital	\$500 per admission	40%	CYD	30%	CYD	30%	CYD	50%
Outpatient Hospital	\$250	40%	CYD	30%	CYD	30%	CYD	50%
Emergency Room	\$100	40%	\$150	30%	\$150	30%	\$150	50%
Physician Services	No Charge	40%	CYD	30%	CYD	30%	CYD	50%
Ambulance	No Charge	40%	CYD	30%	CYD	30%	CYD	50%
Outpatient Therapy	\$10 / \$25; 20 visits CYM	40%; 20 visits CYM	\$25 / \$40; 20 visits CYM	30%; 20 visits CYM	\$25 / \$40; 20 visits CYM	30%; 20 visits CYM	\$25 / \$40; 20 visits CYM	50%; 20 visits CYM
<b>Mental and Nervous Services</b>								
Inpatient Hospital	\$50 per day	Not Covered	\$50 per day	Not Covered	\$50 per day	Not Covered	\$50 per day	Not Covered
Outpatient Services	\$30	Not Covered	\$25	Not Covered	\$25	Not Covered	\$25	Not Covered
<b>Substance Abuse Services</b>								
Inpatient Hospital	\$50 per day	Not Covered	\$50 per day	Not Covered	\$50 per day	Not Covered	\$50 per day	Not Covered
Outpatient Hospital	\$30	Not Covered	\$25	Not Covered	\$25	Not Covered	\$25	Not Covered
<b>Pharmacy Plan</b>								
Generic	\$15	Not Covered	\$15	Not Covered	\$15	Not Covered	\$15	Not Covered
Preferred Brand	\$30	Not Covered	\$40	Not Covered	\$35	Not Covered	\$40	Not Covered
Non Preferred Brand	\$50	Not Covered	\$70	Not Covered	\$50	Not Covered	\$70	Not Covered
Mail Order Copay	2x	Not Covered	2.5x	Not Covered	2.5x	Not Covered	2.5x	Not Covered
<b>Summary</b>								
Employee	49	\$487.81	\$477.22	\$492.97	\$454.33			
Employee + Spouse	10	\$1,043.92	\$1,021.27	\$1,054.97	\$972.28			
Employee + Child(ren)	8	\$902.44	\$882.87	\$912.00	\$840.52			
Family	25	\$1,463.43	\$1,431.69	\$1,478.94	\$1,363.01			
Monthly Premium		\$78,147.16	\$76,451.69	\$78,974.60	\$72,784.38			
Annual Premium		\$937,763.92	\$917,430.28	\$947,695.15	\$873,412.56			
\$ Increase		N/A	-\$20,345.64	\$9,929.23	-\$64,353.36			
% Increase		N/A	-2.2%	1.1%	-6.9%			

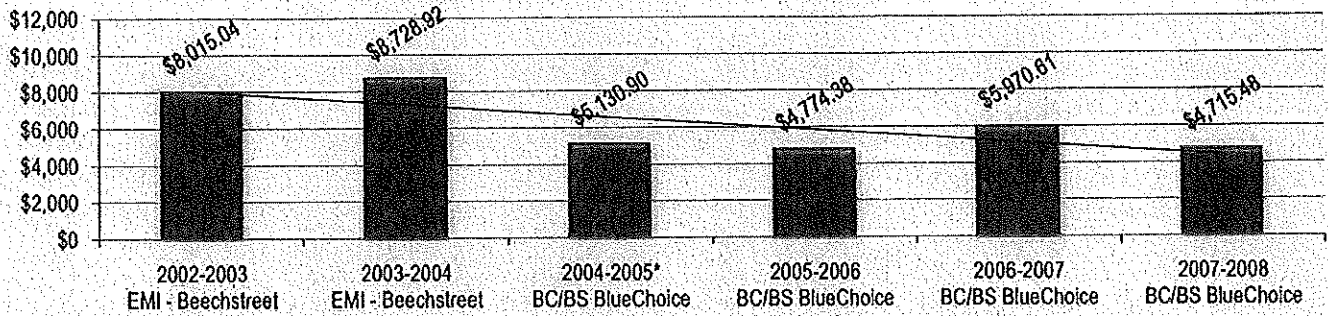
Martin County School District  
 BlueCare HMO PCP - Displacement Analysis  
 Date: January 1, 2007 - December 31, 2007



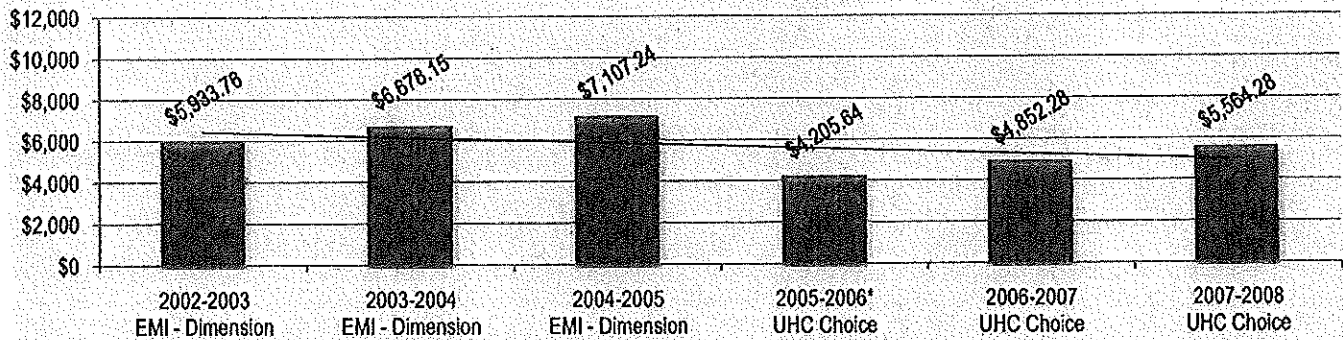
PROVIDER NAME	MEMBERSHIP COUNT	United Healthcare		GIGNA HealthCare
		Choice Network	FirstHealth (Wrap)	OAP
JEFFREY GORODETSKY	420	Yes	No	Yes
RICHARD WEISBERG	218	No	Yes	Yes
JON WUBBENA	167	Yes	No	Yes
RICHARD DUBE	159	No	Yes	Yes
GLYNNIS LYONS	119	Yes	No	Yes
JACKELINE BRICENO	117	Yes	No	Yes
GENON WICINA	111	No	Yes	Yes
MICHAEL SHERMAN	101	No	Yes	Yes
BEN GLASPEY	95	No	Yes	Yes
ANN HUTCHINSON	84	No	Yes	Yes
CHAD HARVEY	75	No	No	Yes
WILLIAM RITTER	75	No	Yes	Yes
CRAIG WILLERT	68	No	Yes	Yes
MATTHEW SPEICHER	64	No	Yes	Yes
LAWRENCE KANTOR	61	No	Yes	Yes
ANSON BUTTLES	52	No	No	No
ROBERT BARRY	50	No	Yes	Yes
ROBERT VAN VLIET	47	No	Yes	Yes
LYNN LYDON	46	Yes	No	Yes
KRISTEN WALKER	44	No	Yes	Yes
LISA RANKIN	43	No	Yes	Yes
ANNE MATESE	43	No	Yes	Yes
THERESA GOEBEL	42	No	Yes	Yes
ERIC HALL	39	No	No	Yes
LINDA KARDOS	38	No	No	Yes
<b>Sub Total of Counts</b>	<b>2378</b>	<b>5</b>	<b>16</b>	<b>24</b>
<b>Total</b>			<b>21</b>	<b>24</b>
<b>% Participation</b>			<b>84%</b>	<b>96%</b>

**Claims Cost Per Employee Per Year**  
**Rented Network to Carrier Network**

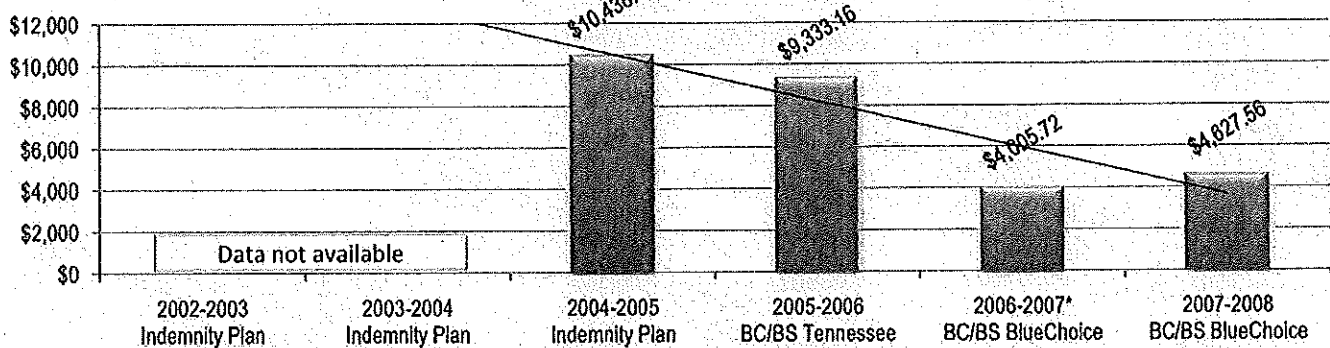
**City of Stuart - Health Insurance Claims Cost Per Employee Per Year**



**Village of North Palm Beach - Claims Cost Per Employee Per Year**



**Florida Keys Aqueduct Authority - Claims Cost Per Employee Per Year**

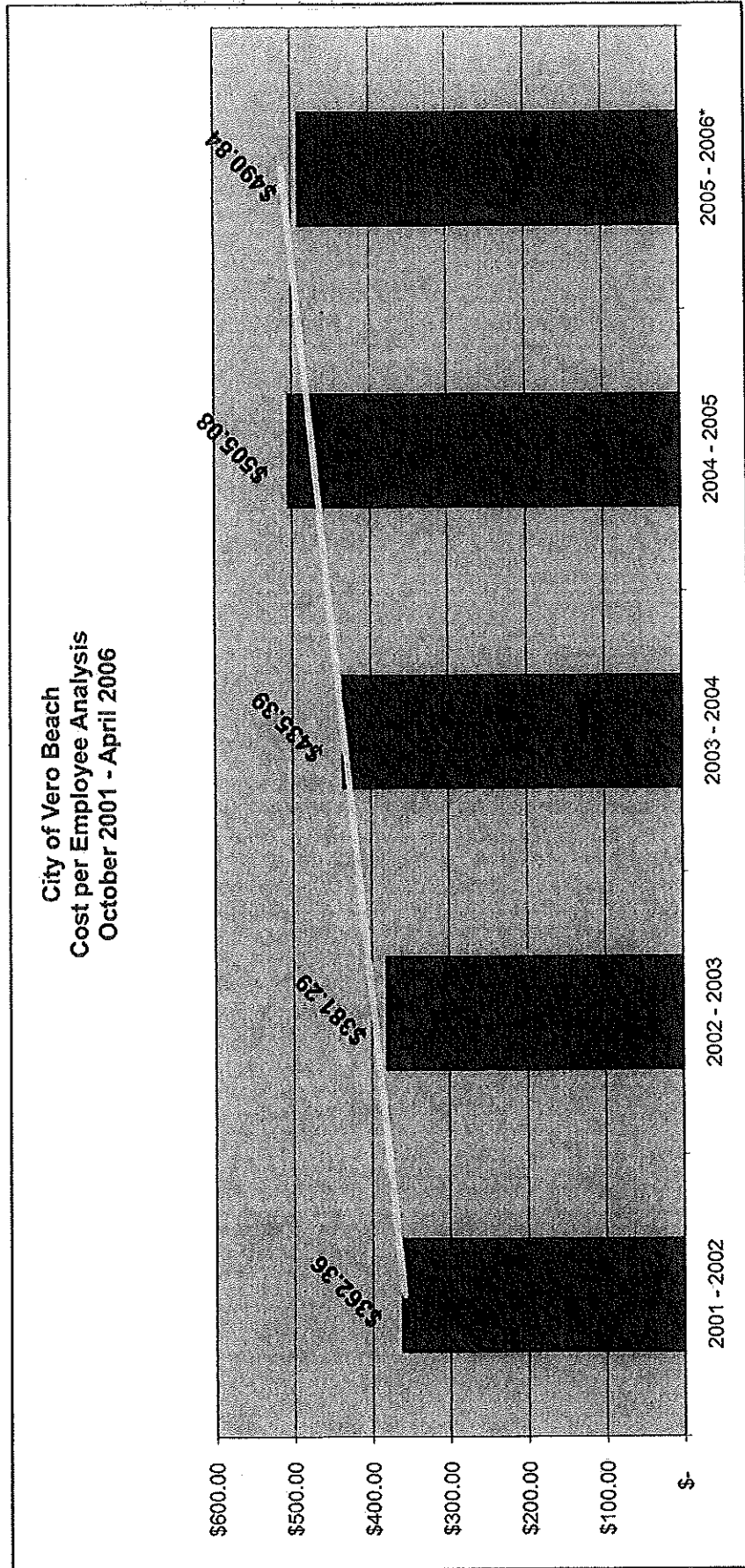


\* Indicates immature plan year (claims lag not factored from prior carrier/administrator)

- BC/BS BlueCross BlueShield of Florida Insurance Company
- EMI Employers Mutual, Inc. Third-Party Administrator
- UHC United Healthcare Insurance Company
- FWT Furniture Workers' Trust Third-Party Administrator

**City of Vero Beach  
Claims / Trend Analysis  
Period: October 2001 - April 2006**

Period	Claims Paid	Total Enrollment	Cost per EE	Actual Trend
2001 - 2002	\$ 2,728,574	7530	\$ 362.36	N/A
2002 - 2003	\$ 2,823,070	7404	\$ 381.29	5%
2003 - 2004	\$ 3,219,735	7395	\$ 435.39	14%
2004 - 2005	\$ 3,744,172	7413	\$ 505.08	16%
2005 - 2006*	\$ 2,116,514	4312	\$ 490.84	-3%
<b>Average Trend for the City of Vero Beach</b>				<b>8.2%</b>



\*2005-2006 Incomplete Claims

Sample Company  
 Claims Experience Report - BlueCross BlueShield of Florida  
 Plan Effective Date: October 1, 2004



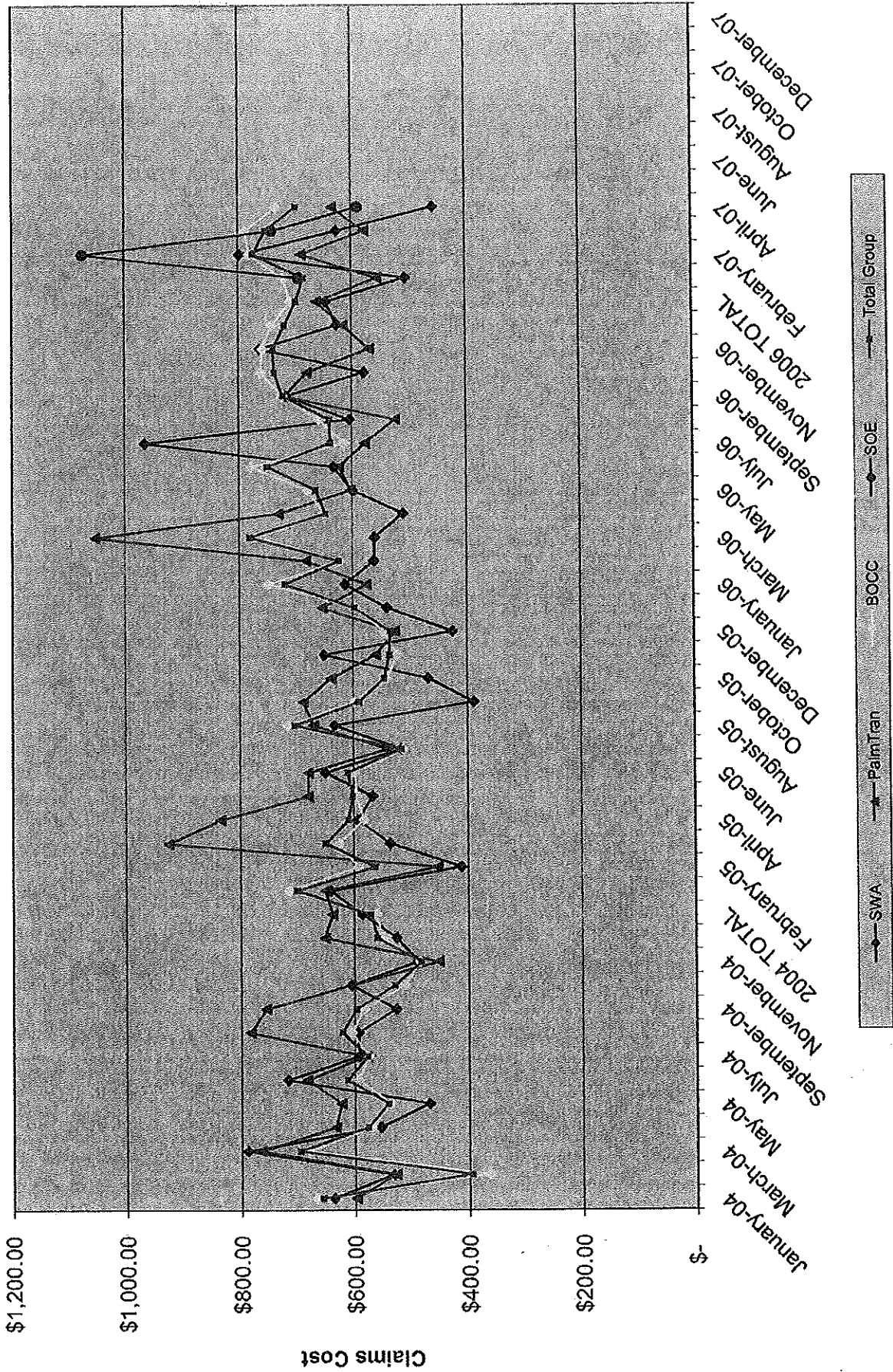
Year	MONTHLY PREMIUM	Total Hospital Claims	Total Physician Claims	Other Medical Claims	Pharmacy Retail/Mail	TOTAL PAID CLAIMS	Loss Ratio	EE	EE+S	EE+C	EE+F	TOTAL
2004-2005	\$ 2,081,686	\$ 594,542	\$ 307,757	\$ 59,002	\$ 220,088	\$ 1,181,389	57%					2703
October-05	\$ 193,086	\$ 17,539	\$ 42,957	\$ 12,742	\$ 21,842	\$ 95,080	49%	127	29	36	45	237
November-05	\$ 195,994	\$ 22,380	\$ 48,473	\$ 5,167	\$ 17,953	\$ 93,974	48%	125	29	35	47	236
December-05	\$ 195,797	\$ 71,078	\$ 47,071	\$ 8,865	\$ 31,770	\$ 158,784	81%	124	29	37	47	237
January-06	\$ 198,606	\$ 7,137	\$ 25,790	\$ 7,292	\$ 19,577	\$ 59,795	30%	124	28	36	48	236
February-06	\$ 197,311	\$ 28,717	\$ 34,816	\$ 6,679	\$ 25,015	\$ 95,226	48%	120	32	36	60	238
March-06	\$ 200,959	\$ 12,458	\$ 27,339	\$ 7,760	\$ 21,780	\$ 69,338	35%	118	34	36	50	238
April-06	\$ 207,642	\$ 17,856	\$ 26,965	\$ 8,446	\$ 23,682	\$ 76,949	37%	119	35	38	53	243
May-06	\$ 210,298	\$ 26,637	\$ 32,914	\$ 9,972	\$ 28,726	\$ 98,250	47%	119	34	35	54	242
June-06	\$ 208,982	\$ 36,097	\$ 42,357	\$ 6,657	\$ 35,084	\$ 119,194	57%	118	36	34	54	242
July-06	\$ 205,474	\$ 5,094	\$ 48,299	\$ 6,036	\$ 24,480	\$ 83,909	41%	115	38	32	55	240
August-06	\$ 213,464	\$ 16,166	\$ 31,203	\$ 11,937	\$ 25,630	\$ 84,936	40%	113	38	32	55	238
September-06	\$ 205,553	\$ 24,943	\$ 39,717	\$ 7,930	\$ 24,090	\$ 96,680	47%	112	37	32	59	240
2005-2006	\$ 2,433,165	\$ 286,102	\$ 447,900	\$ 98,483	\$ 299,630	\$ 1,132,116	47%					2867
October-06	\$ 207,580	\$ 60,603	\$ 68,133	\$ 10,352	\$ 28,037	\$ 167,125	81%	107	39	32	60	238
November-06	\$ 208,487	\$ 41,490	\$ 76,346	\$ 7,246	\$ 34,440	\$ 159,522	77%	107	40	33	62	242
December-06	\$ 203,094	\$ 42,479	\$ 45,235	\$ 7,318	\$ 27,317	\$ 122,349	60%	106	40	33	61	240
January-07	\$ 201,660	\$ 43,111	\$ 38,886	\$ 11,475	\$ 25,438	\$ 118,910	59%	110	38	34	58	240
February-07	\$ 203,149	\$ 28,428	\$ 38,715	\$ 5,282	\$ 27,017	\$ 99,442	49%	112	40	37	54	243
March-07	\$ 207,780	\$ 25,253	\$ 42,807	\$ 18,266	\$ 39,579	\$ 125,905	61%	114	37	37	57	245
April-07	\$ 198,034	\$ 353,676	\$ 36,707	\$ 9,846	\$ 25,298	\$ 425,527	215%	114	36	40	59	249
May-07	\$ 221,644	\$ 4,814	\$ 30,412	\$ 15,108	\$ 44,779	\$ 95,113	43%	114	36	41	60	251
June-07	\$ 213,329	\$ 14,888	\$ 30,893	\$ 8,889	\$ 27,753	\$ 82,423	39%	116	35	41	60	252
July-07	\$ 209,949	\$ 13,055	\$ 34,933	\$ 12,569	\$ 21,668	\$ 82,225	39%	114	36	42	61	253
August-07	\$ 217,609	\$ 29,115	\$ 53,462	\$ 13,650	\$ 47,680	\$ 143,907	66%	114	35	43	62	254
September-07	\$ 213,211	\$ 50,702	\$ 45,370	\$ 27,431	\$ 22,213	\$ 145,716	68%	113	34	42	62	251
2006-2007	\$ 2,505,526	\$ 707,614	\$ 541,899	\$ 147,432	\$ 371,219	\$ 1,768,164	71%					2958
October-07	\$ 209,265	\$ 6,332	\$ 34,361	\$ 10,395	\$ 29,499	\$ 80,587	39%	106	36	44	60	246
November-07	\$ 210,637	\$ 23,929	\$ 27,364	\$ 10,678	\$ 28,789	\$ 90,760	43%	105	36	43	61	245
December-07	\$ 211,923	\$ 54,025	\$ 26,936	\$ 12,985	\$ 23,923	\$ 117,869	56%	104	36	43	62	245
January-08	\$ 211,521	\$ 30,060	\$ 41,668	\$ 11,817	\$ 27,723	\$ 111,268	53%	102	38	42	61	243
February-08	\$ 212,515	\$ 25,899	\$ 38,024	\$ 10,681	\$ 43,216	\$ 117,819	55%	101	39	42	62	244
March-08	\$ 231,447	\$ 70,642	\$ 34,989	\$ 10,023	\$ 29,380	\$ 145,035	63%	101	39	42	62	244
April-08	\$ 210,087	\$ 42,075	\$ 36,977	\$ 20,721	\$ 33,320	\$ 133,094	63%	96	40	42	62	240
May-08												
June-08												
July-08												
August-08												
September-08												
2007-2008	\$ 1,497,395	\$ 252,962	\$ 240,319	\$ 87,300	\$ 215,851	\$ 796,431	53%					1707
PRIOR 12 MONTHS	MONTHLY PREMIUM	TOTAL HOSPITAL CLAIMS	TOTAL PHYSICIAN CLAIMS	OTHER MEDICAL CLAIMS	PHARMACY RETAIL/MAIL	TOTAL PAID CLAIMS	LOSS RATIO					COST / EE
	\$ 2,351,493	\$ 365,536	\$ 435,389	\$ 164,947	\$ 379,944	\$ 1,345,815	57%					\$ 453

**Solid Waste Authority  
Palm Beach County Consortium  
Claims Cost per Employee per Month**

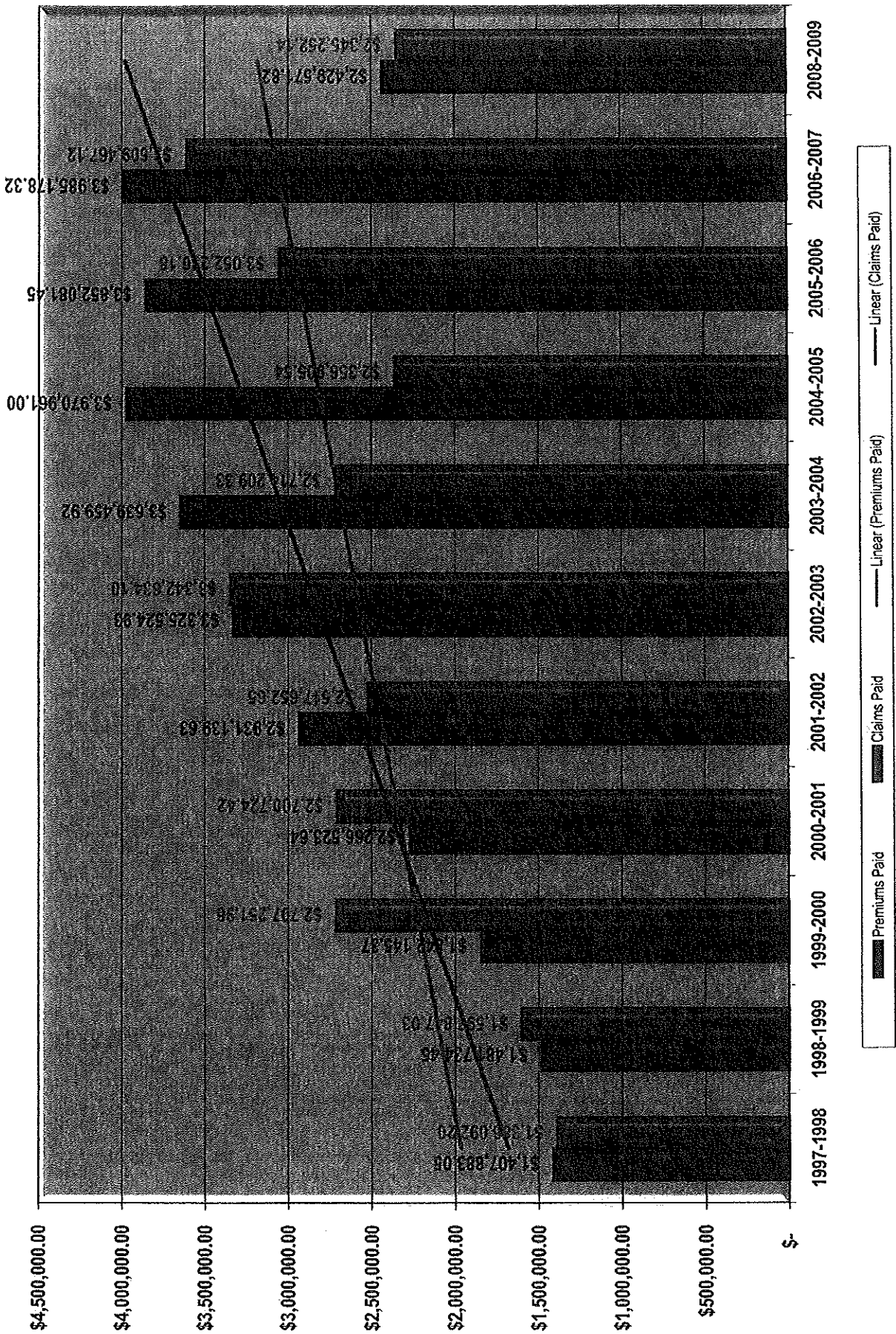
	SOLID WASTE AUTHORITY			PALM TRAN			BOARD OF COMMISSIONERS			SUPERVISOR OF ELECTIONS			TOTAL GROUP		
	Inforce	Claims	SWA	Inforce	Claims	PalmTran	Inforce	Claims	BOCC	Inforce	Claims	SOE	Inforce	Claims	Total Group
January-04	399	\$ 254,181	\$637.05	509	\$ 304,484	\$ 598.20	4102	\$ 2,733,770	\$666.45				5010	\$ 3,292,435	\$ 657.17
February-04	402	\$ 213,783	\$531.80	516	\$ 272,542	\$ 528.18	4076	\$ 1,480,326	\$363.18				4994	\$ 1,956,651	\$ 393.80
March-04	405	\$ 319,339	\$788.49	522	\$ 399,165	\$ 764.88	4091	\$ 2,780,657	\$679.70				5018	\$ 3,499,161	\$ 697.32
April-04	405	\$ 224,555	\$554.46	517	\$ 327,696	\$ 633.84	4101	\$ 2,342,504	\$571.20				5023	\$ 2,894,755	\$ 576.30
May-04	406	\$ 190,489	\$469.18	523	\$ 326,407	\$ 624.11	4129	\$ 2,219,785	\$537.61				5058	\$ 2,736,681	\$ 541.06
June-04	406	\$ 291,603	\$718.23	510	\$ 348,820	\$ 683.96	4142	\$ 2,455,929	\$592.93				5058	\$ 3,096,352	\$ 612.17
July-04	404	\$ 239,189	\$592.05	508	\$ 294,550	\$ 579.82	4162	\$ 2,393,860	\$575.18				5074	\$ 2,927,619	\$ 576.98
August-04	404	\$ 239,869	\$593.74	507	\$ 397,234	\$ 783.50	4135	\$ 2,501,129	\$604.87				5046	\$ 3,138,232	\$ 621.92
September-04	405	\$ 213,396	\$526.90	517	\$ 390,727	\$ 755.76	4141	\$ 2,414,089	\$582.97				5063	\$ 3,018,212	\$ 596.13
October-04	405	\$ 245,682	\$605.13	515	\$ 312,359	\$ 606.52	4151	\$ 2,123,855	\$511.65				5072	\$ 2,681,906	\$ 528.77
November-04	406	\$ 198,617	\$489.20	515	\$ 233,089	\$ 452.60	4151	\$ 2,016,787	\$485.85				5072	\$ 2,448,473	\$ 482.74
December-04	406	\$ 213,354	\$526.50	515	\$ 335,817	\$ 652.07	4151	\$ 2,286,900	\$550.93				5072	\$ 2,836,071	\$ 559.16
<b>2004 TOTAL</b>	<b>4,854</b>	<b>\$ 2,844,057</b>	<b>\$585.92</b>	<b>6,174</b>	<b>\$ 3,942,890</b>	<b>\$ 638.63</b>	<b>49,532</b>	<b>\$ 27,749,601</b>	<b>\$560.24</b>				<b>60,560</b>	<b>\$ 34,536,548</b>	<b>\$ 570.29</b>
January-05	395	\$ 253,493	\$641.75	503	\$ 327,129	\$ 650.36	4064	\$ 2,901,228	\$713.88				4962	\$ 3,481,850	\$ 701.70
February-05	397	\$ 163,356	\$411.48	513	\$ 232,391	\$ 453.00	4043	\$ 2,393,358	\$591.98				4953	\$ 2,769,105	\$ 563.11
March-05	398	\$ 213,393	\$536.16	513	\$ 474,890	\$ 925.71	4054	\$ 2,537,343	\$625.89				4965	\$ 3,225,626	\$ 649.67
April-05	400	\$ 237,136	\$592.84	519	\$ 433,263	\$ 834.80	4070	\$ 2,369,678	\$582.23				4989	\$ 3,640,077	\$ 609.36
May-05	398	\$ 224,441	\$566.77	518	\$ 352,263	\$ 680.04	4085	\$ 2,427,527	\$594.25				4999	\$ 3,004,231	\$ 600.97
June-05	393	\$ 255,578	\$650.33	518	\$ 352,263	\$ 680.04	4094	\$ 2,444,849	\$597.18				5005	\$ 3,052,690	\$ 609.93
July-05	397	\$ 204,601	\$515.37	522	\$ 282,052	\$ 540.33	4084	\$ 2,094,831	\$512.04				6003	\$ 2,581,484	\$ 515.99
August-05	402	\$ 254,653	\$633.47	514	\$ 344,539	\$ 670.31	4087	\$ 2,924,966	\$715.68				6003	\$ 3,524,158	\$ 704.41
September-05	402	\$ 156,006	\$388.07	514	\$ 353,808	\$ 688.34	4094	\$ 2,444,504	\$597.09				5010	\$ 2,954,318	\$ 589.68
October-05	402	\$ 168,419	\$468.70	514	\$ 328,579	\$ 639.26	4094	\$ 2,211,966	\$540.30				6010	\$ 2,728,984	\$ 544.71
November-05	404	\$ 263,010	\$651.01	507	\$ 284,108	\$ 560.37	4122	\$ 2,149,125	\$521.36				5033	\$ 2,696,243	\$ 535.71
December-05	399	\$ 169,605	\$425.08	526	\$ 276,828	\$ 526.29	4128	\$ 2,252,480	\$545.66				5053	\$ 2,698,913	\$ 534.12
<b>2005 TOTAL</b>	<b>4,785</b>	<b>\$ 2,583,691</b>	<b>\$539.98</b>	<b>6,181</b>	<b>\$ 4,042,113</b>	<b>\$ 653.96</b>	<b>49,019</b>	<b>\$ 29,161,875</b>	<b>\$594.71</b>				<b>59,985</b>	<b>\$ 35,777,079</b>	<b>\$ 596.44</b>
January-06	415	\$ 254,481	\$613.21	510	\$ 293,392	\$ 575.28	4185	\$ 3,133,835	\$748.83				5110	\$ 3,681,708	\$ 720.49
February-06	399	\$ 224,103	\$561.66	513	\$ 350,128	\$ 682.51	4178	\$ 2,600,577	\$622.45				5090	\$ 3,174,808	\$ 623.73
March-06	401	\$ 224,844	\$560.71	519	\$ 546,390	\$1,052.77	4135	\$ 3,180,216	\$769.10				5055	\$ 3,951,450	\$ 781.69
April-06	406	\$ 207,388	\$510.81	519	\$ 379,297	\$ 730.82	4138	\$ 2,689,161	\$649.87				5063	\$ 3,275,846	\$ 647.02
May-06	407	\$ 243,885	\$599.23	519	\$ 312,453	\$ 602.03	4107	\$ 2,786,131	\$678.39				5033	\$ 3,342,469	\$ 664.11
June-06	407	\$ 257,633	\$633.00	511	\$ 318,187	\$ 622.68	4137	\$ 3,218,210	\$777.91				5057	\$ 3,794,030	\$ 750.25
July-06	415	\$ 400,560	\$985.20	517	\$ 298,048	\$ 576.50	4203	\$ 2,576,503	\$613.02				5135	\$ 3,275,111	\$ 637.80
August-06	414	\$ 249,845	\$603.49	526	\$ 275,342	\$ 523.46	4153	\$ 2,731,379	\$657.69				5093	\$ 3,256,666	\$ 639.42
September-06	414	\$ 296,853	\$717.04	533	\$ 383,721	\$ 719.93	4149	\$ 2,998,001	\$722.58				5096	\$ 3,678,575	\$ 721.86
October-06	412	\$ 238,049	\$577.79	526	\$ 357,087	\$ 678.87	4181	\$ 3,177,088	\$759.69				5119	\$ 3,772,222	\$ 736.91
November-06	414	\$ 316,669	\$762.49	523	\$ 297,403	\$ 568.65	4198	\$ 3,180,806	\$757.70				5135	\$ 3,793,878	\$ 738.83
December-06	417	\$ 261,218	\$626.42	532	\$ 326,912	\$ 614.50	4167	\$ 3,068,064	\$741.08				5116	\$ 3,676,194	\$ 718.57
<b>2006 TOTAL</b>	<b>4,921</b>	<b>\$ 3,174,828</b>	<b>\$645.10</b>	<b>6,248</b>	<b>\$ 4,138,360</b>	<b>\$ 662.35</b>	<b>49,931</b>	<b>\$ 35,359,969</b>	<b>\$708.18</b>				<b>61,102</b>	<b>\$ 42,672,857</b>	<b>\$ 699.39</b>
January-07	418	\$ 211,264	\$505.42	538	\$ 298,510	\$ 554.85	4177	\$ 3,007,523	\$720.02	33	\$ 22,885	\$ 693.48	5166	\$ 3,540,182	\$ 685.28
February-07	420	\$ 334,859	\$797.28	531	\$ 366,042	\$ 689.34	4182	\$ 3,261,417	\$779.87	33	\$ 35,466	\$1,074.73	5166	\$ 3,997,764	\$ 773.86
March-07	424	\$ 265,370	\$625.67	534	\$ 308,006	\$ 576.79	4189	\$ 3,297,769	\$787.24	34	\$ 25,176	\$ 740.47	5181	\$ 3,896,321	\$ 752.04
April-07	427	\$ 194,797	\$456.20	534	\$ 338,463	\$ 633.83	4209	\$ 3,081,530	\$732.13	33	\$ 19,410	\$ 588.18	5203	\$ 3,634,200	\$ 698.48
May-07															
June-07															
July-07															
August-07															
September-07															
October-07															
November-07															
December-07															
<b>2007 TOTAL</b>	<b>1,689</b>	<b>\$ 1,006,290</b>	<b>\$595.79</b>	<b>2,137</b>	<b>\$ 1,311,021</b>	<b>\$ 613.49</b>	<b>16,757</b>	<b>\$ 12,648,239</b>	<b>\$754.80</b>	<b>133</b>	<b>\$ 102,937</b>	<b>\$ 773.96</b>	<b>20,716</b>	<b>\$ 15,068,487</b>	<b>\$ 727.38</b>
<b>PRIOR 12 MON.</b>	<b>4,989</b>	<b>\$ 3,270,002</b>	<b>\$655.44</b>	<b>6,324</b>	<b>\$ 3,880,174</b>	<b>\$ 613.56</b>	<b>50,052</b>	<b>\$ 36,404,419</b>	<b>\$727.33</b>	<b>133</b>	<b>\$ 102,937</b>	<b>\$ 773.96</b>	<b>61,500</b>	<b>\$ 43,657,532</b>	<b>\$ 709.88</b>
<b>TOTAL PLAN</b>	<b>21,104</b>	<b>\$12,480,131</b>	<b>\$591.36</b>	<b>26,791</b>	<b>\$16,579,427</b>	<b>\$ 618.84</b>	<b>213,025</b>	<b>\$ 128,715,543</b>	<b>\$604.23</b>	<b>133</b>	<b>\$ 102,937</b>	<b>\$ 773.98</b>	<b>261,055</b>	<b>\$ 157,878,038</b>	<b>\$ 604.77</b>



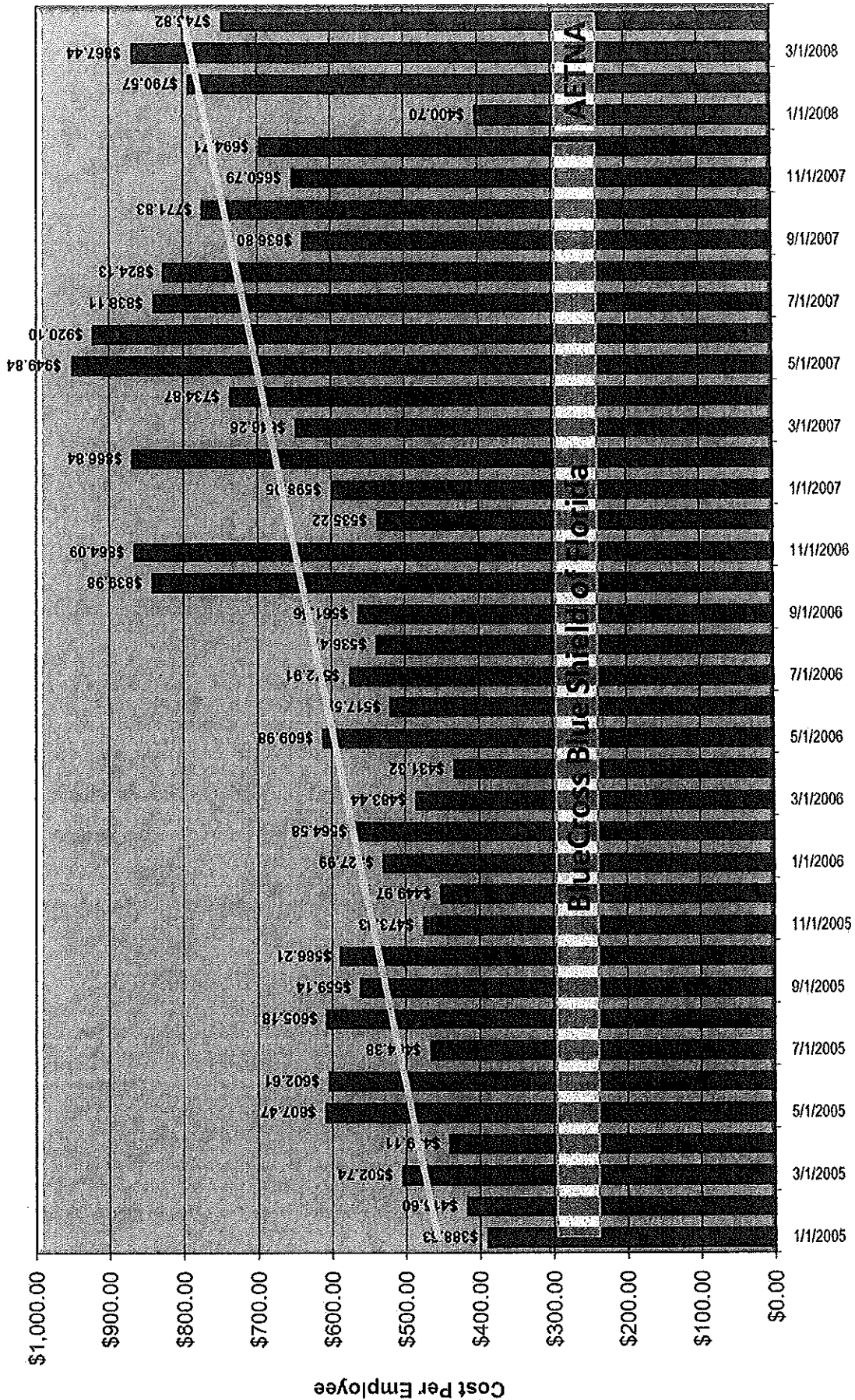
PALM BEACH COUNTY CONSORTIUM CLAIMS COST PER EMPLOYEE PER MONTH



City of Key West  
 Premium versus Claims  
 1997/1998 through 2007/2008 Plan Years



**Charlotte County Board of County Commissioners  
Cost Per Employee Per Month  
2005 - Present**



**City of Stuart**  
**Medical Insurance Renewal Projection**  
**Plan Effective Date: October 1, 2006**

*Claims Period: April 1, 2005 through March 31, 2006*

<b>Medical</b>		<b>Renewal Projection</b>
Total Paid Claims	= \$	1,309,986.40
Less Pooled Claims	- \$	-
Net Medical Claims	= \$	1,309,986.40
Maturation Factor (3%)	x	1.03
Estimated Incurred Claims	= \$	1,349,285.99
Average Setback Lives	/	234
Incurred Average Claims Per Employee Per Year	= \$	5,766.18
Current In Force	x	238
Adjusted Projected Annual Claims	= \$	1,372,350.71
Trend @ 11% / year Projected for 18 months	x	1.2104
Trended Claims	= \$	1,661,147.02
Plus Pooled Claims	+ \$	-
Plus Pooled Premium (Estimated @ \$30.00 PEPM)	+ \$	85,680.00
Total Trended & Pooled Claims	= \$	1,746,827.02
<b>Expected Medical Claims</b>	<b>= \$</b>	<b>1,746,827.02</b>
Desired Loss Ratio (18% Administration)	/	0.820
<b>Projected Premium for Claims &amp; Administration</b>	<b>= \$</b>	<b>2,130,276.85</b>
<b>Projected Premium Needed for 2006-2007 Plan Year</b>	<b>= \$</b>	<b>2,130,276.85</b>
<b>Actual Program Cost April 1, 2005 - March 31, 2006</b>	<b>/ \$</b>	<b>2,220,374.49</b>
<b>Estimated Amount Change for 2006-2007 Plan Year</b>	<b>= \$</b>	<b>(90,097.64)</b>
<b>Estimated Percentage Change for 2006-2007 Plan Year</b>	<b>=</b>	<b>-4.1%</b>

**GEHRING GROUP**  
PROFESSIONAL SERVICES

*This projection is for illustrative purposes only.*

A1

Clerk & Comptroller, Palm Beach County  
 Renewal Projection: Effective January 1, 2007  
 Claims Year: September 1, 2005 - August 31, 2006

	HMO	PPO	Total
<b>Medical Claims</b>			
Total Medical Claims	\$ 3,836,037.00	\$ 808,439.00	
Less Pooled Claims (\$100,000 Specific Deductible)	- \$ 168,829.17	\$ -	
Net Medical Claims	= \$ 3,667,207.83	\$ 808,439.00	
Maturation Adjustment (3%)	x 1.03	1.03	
Total Incurred Claims	= \$ 3,777,224.06	\$ 832,692.17	
Effective Trend for 16 months (10.4% HMO & PPO)	x 1.1481	1.1481	
Trended Claims	= \$ 4,336,461.06	\$ 955,976.43	
Plus Pooled Claims (1 claim exceeding Spec Ded)	+ \$ 100,000.00	\$ -	
Total Trended & Pooled Claims	= \$ 4,436,461.06	\$ 955,976.43	
Average Setback Lives	/ 553	109	
Incurred Average Claims Per Employee Per Year	= \$ 8,022.53	\$ 8,770.43	
Current In Force	x 562	114	
Adjusted Projected Annual Claims	= \$ 4,508,663.87	\$ 999,828.56	
Adjustment for Plan Changes	x 1.00	1.00	
<b>Expected Claims</b>	<b>= \$ 4,508,663.87</b>	<b>\$ 999,828.56</b>	<b>\$ 5,508,492.43</b>
<b>Fixed Costs</b>			
Administration Services Fees - 2007	+ \$ 331,872.24	\$ 63,981.36	\$ 395,853.60
Stop Loss Premium - 2007	+ \$ 573,677.52	\$ 136,437.00	\$ 710,114.52
<b>Total Fixed Costs</b>	<b>= \$ 905,549.76</b>	<b>\$ 200,418.36</b>	<b>\$ 1,105,968.12</b>
<b>Total Projected Annual Cost</b>	<b>= \$ 5,414,213.63</b>	<b>\$ 1,200,246.92</b>	<b>\$ 6,614,460.55</b>
<b>Current Plan Funding for this Period</b>	<b>/ \$ 5,093,288.80</b>	<b>\$ 1,063,523.33</b>	<b>\$ 6,156,812.13</b>
<b>\$ Increase Needed for 2007 Plan Year</b>	<b>= \$ 320,924.83</b>	<b>\$ 136,723.59</b>	<b>\$ 457,648.42</b>
<b>% Increase Needed for 2007 Plan Year</b>	<b>= 5.9%</b>	<b>11.4%</b>	<b>6.9%</b>

*This projection is for illustrative purposes only.  
 Trend utilized is United Healthcare Florida for 10/1/2006.*

*Increased plan utilization and/or catastrophic events could affect overall plan performance.*



**Seacoast Utility Authority**  
**Dental Renewal Projection**  
**Effective Date: January 1, 2007**

Total Dental Claims (September 2005 - August 2006)	\$	75,305.00
IBNR (60 days):	+ \$	12,378.90
Less Current Reserve:	- \$	14,131.60
Total Annualized Dental Claims + IBNR - Current Reserve:	= \$	73,552.30
Trend @ 6% / year Projected for 16 months	x	1.0831
Total Trended Dental Claims	= \$	79,662.38
Average Setback Lives	/	115
Average Claims Per Employee Per Year	= \$	692.72
Current In Force	x	121
Expected Claims	= \$	83,818.68
Expected Administration Costs	+ \$	3,527.50
<b>2007 Estimated Total Plan Cost</b>	<b>= \$</b>	<b>87,346.18</b>
<b>Actual Funding (September 2005 - August 2006)</b>	<b>\$</b>	<b>93,712.21</b>
<b>2007 Estimated Funding Increase</b>	<b>= \$</b>	<b>(6,366.03)</b>
<b>2007 Percentage Funding Increase</b>	<b>=</b>	<b>-6.8%</b>

Funding Factors PEPM		Current Funding	-7% Decrease
Employee	43	\$ 35.71	\$ 33.28
Employee + One	39	\$ 71.42	\$ 66.56
Employee + Family	39	\$ 99.98	\$ 93.18
Monthly Premium		\$ 8,220.13	\$ 7,661.16
Annual Premium		\$ 98,641.56	\$ 91,933.93
\$ Increase		N/A	\$ (6,707.63)

Average Claim Check 2005	\$	191.78	<i>Premium Increase 2005 to 2006 15.0%</i>
Average Claim Check 2006	\$	226.38	
% Increase		18.0%	

This projection is for illustrative and discussion purposes only.

102406 - SUA Dental Renewal Projection 2007

# 2008-2009 Employee Benefit Highlights



# Benefit Resource Directory

<b>Town of Manalapan: Benefit Inquires</b> Linda Stumpf Finance Director Telephone: (561) 585-9477 E-mail: lstumpf@manalapan.org	<b>Health Insurance</b> BlueCross BlueShield of Florida Customer Service: (877) 345-3885 www.bcbsfl.com	<b>Health Reimbursement Accounts</b> Eagles Benefits by Design Customer Service: (800) 726-5603 www.eaglesbenefits.com
<b>Life Insurance</b> Lincoln Financial Customer Service: (800) 237-6970 www.lfg.com	<b>Dental Insurance</b> Lincoln Financial Customer Service: (800) 423-2765 www.lfg.com	<b>Flexible Spending Accounts</b> Flex Claims Group Customer Service: (800) 950-0105 Fax: (913) 234-1111 www.myflexonline.com

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Life Insurance .....	7
Dental Insurance.....	8
Flexible Spending Accounts.....	9-10

## Qualifying Events

Under certain circumstances, you may be allowed to make changes to your benefits elections during the plan year, such as additions, deletions and cancellations, depending on whether or not you experience an eligible qualifying event as determined by the Internal Revenue Service (IRS) Code, Section 125. You may change a benefit election upon the occurrence of a valid qualifying event only if the event affects your own, your spouse's, or your dependent's coverage eligibility.

If you experience a qualifying event, you must report the qualifying event to Linda Stumpf in the Finance Department at (561) 585-9477 within 30 days of the event. Beyond 30 days, additions will be denied and the employee may be responsible both legally and financially for any claims and/or expenses incurred as a result of any dependent who continues to be enrolled but no longer meet the Town's eligibility requirements.

If approved, most election changes will be effective on the date of the qualifying event for additions; cancellations will be processed at the end of the month in which the event occurred.

Examples of Qualifying Events Include:	
♦ The birth / adoption / legal custody of a child	♦ A spouse or dependent child dies
♦ A marriage	♦ An increase in your work hours from part-time to full-time
♦ A divorce	♦ A decrease in your work hours
♦ A covered dependent is no longer eligible for coverage	♦ A spouse obtains employment
♦ A dependent returns to full-time student status	♦ A child gains or loses coverage with an ex-spouse



# Group Insurance Eligibility

The Town of Manalapan's group insurance plan year is November 1<sup>st</sup> through October 31<sup>st</sup>. For new employees eligible to participate in the Town's group insurance plans, coverage will be effective the first of the month following your date of hire. Example: if you are hired on January 11<sup>th</sup>, your coverage will be effective on February 1<sup>st</sup>. If you separate employment with the Town, your insurance will continue through the end of the month in which the separation occurred.

## Dependent Eligibility Requirements

A dependent is defined as the participant's legal spouse or an unmarried dependent child of the participant or the participant's spouse. The term "child" includes any of the following:

- ♦ A natural child.
- ♦ A stepchild.
- ♦ A legally adopted child.
- ♦ A foster child.
- ♦ A child for whom legal guardianship has been awarded to the participant or the participant's spouse.

**NEW! Dependent children may now be covered to the end of the calendar year in which the child reaches the age of 25 if meeting ALL of the following:**

1. The child is dependent upon the policyholder for support, and
2. The child is living in the household of the policyholder, or the child is a full-time or part-time student.

**NEW! Dependent children may be covered from the age of 25 to the end of the calendar year in which the child reaches the age of 30 if meeting ALL of the following:**

1. The child is unmarried with no dependents, and
2. The child is a resident of Florida or a full-time or part-time student, and
3. The child is otherwise uninsured and not entitled to Medicare.

Eligible employees who previously dropped coverage for a dependent because that dependent exceeded the previous age requirement (age 19 or 25) may elect to reinstate that dependent if he/she currently meets the new age requirement. You have until April 1, 2009 to make a written election to reinstate coverage, without proof of insurability. The plan may require the payment of a premium, as appropriate, subject to approval, for any period of coverage relating to a dependent's written election for coverage.

## Disabled Dependents

Coverage for an unmarried dependent child may be continued beyond age 30 if the dependent:

1. Is physically or mentally disabled, and
2. Coverage began prior to age 30, and
3. The dependent has continuously been insured on the group's plan.

Proof of disability will be required upon request.

Questions regarding the eligibility requirements for participation in the Town's group insurance plans may be directed to the Linda Stumpf in the Finance Department at (561) 585-9477.



# Health Insurance

BlueCross BlueShield of Florida  
Customer Service: (800) 345-3885  
www.bcbsfl.com

Effective November 1, 2008, the Town will continue to offer two health insurance options through BlueCross BlueShield (BCBS) of Florida. The health insurance employee costs per pay period are provided in the premium table below followed by descriptions of each plan option.

2008 - 2009 Health Insurance Premiums Employee Cost per Pay Period		
Tier of Coverage	BlueOptions PPO Plan	BlueOptions HRA Plan
Employee Only	\$0.00	\$0.00
Employee + Spouse	\$123.03	\$61.17
Employee + Child(ren)	\$102.04	\$48.71
Employee + Family	\$245.14	\$134.59

### BlueOptions PPO Plan (Plan #3667)

The BlueOptions PPO Plan is an "open access" plan that allows you to receive services without first coordinating your care through a Primary Care Physician (PCP). However, your out-of-pocket costs are less when receiving services from providers and facilities that participate in the BlueOptions Network. In-network physician services are only subject to copays as listed in the Schedule of Benefits table on the following page. For hospital services, your copay will vary based on the facility you utilize. Facilities that provide the plan the greatest discounts are classified as Tier 1 facilities; all others are classified as Tier 2.

The BlueOptions PPO Plan also provides benefits when services are received from providers and facilities that do not participate in the BlueOptions network. Your copay responsibilities (out-of-pocket costs) will be higher for services received out-of-network. Certain services received out-of-network also require you to first satisfy a deductible then pay a percentage of the charge incurred based on BCBS' discounted fee schedule (called coinsurance). Out-of-network providers may additionally "balance bill" which is the difference between BCBS' discounted fee and the out-of-network provider's own fee for any particular service. Therefore, coinsurance plus the balance bill amount equals your total out-of-pocket cost (after your deductible is met, when applicable).

### BlueOptions HRA Plan (Plan #3066/3067)

The BlueOptions HRA Plan is also an "open access" plan that allows you to receive services without first coordinating your care through a Primary Care Physician (PCP) and provides benefits when services are received out-of-network. The BlueOptions HRA plan first requires you to satisfy a deductible before plan benefits begin. However, the deductible is waived and coverage is provided at 100% for preventative services (see your BCBS enrollment materials for a listing of preventative services). Once your deductible is satisfied, your coinsurance responsibility will depend on whether the services you receive are from in- or out-of-network providers. The BlueOptions HRA Plan provides 100% coverage for in-network services once your calendar year deductible is met. For out-of-network services, your coinsurance is 20% of the BCBS' discounted fee plus any applicable balance bill amounts.

Employees who enroll to the BlueOptions HRA Plan will be provided Health Reimbursement Accounts (HRAs) funded by the Town. Funds in an HRA may be used to offset a wide variety of health related costs, incurred under the health plan, that apply towards your deductible or coinsurance. Funding will be based on your Tier of Coverage: \$1,500 for Employee Only coverage or \$3,000 for employees who cover dependents. Details regarding the HRA are provided on pages 5 & 6.

### Prescription Drug Coverage & The Rx Mail Order Program

Both health insurance plan options provide coverage for prescriptions. In addition, if you are prescribed certain maintenance medications, you have the opportunity to maximize your savings by participating in BCBS' prescription drug mail order program if you are enrolled in the PPO Plan #3667. There are no mail order benefits provided for the HRA plan. The mail order program allows you to receive a 3 month's supply of a maintenance medication at home by mail at a cost of only 2 copays. You save a month's copay and are provided the convenience of having your medications delivered directly to your home. Additional information including claim forms and mailing envelopes for the prescription mail order program may be obtained by contacting BCBS Customer Service or visiting [www.bcbsfl.com](http://www.bcbsfl.com).



# Health Insurance - Plan Benefit Summaries

Legend: CYM = Calendar Year Maximum; CYD = Calendar Year Deductible. Coinsurance percentages listed represent member responsibility.

Summary of Benefits	BlueOptions PPO Plan (Plan #3667)		BlueOptions HRA Plan (Plan #3066/3067)	
	In-Network	Out-of-Network	In-Network	Out-of-Network
<b>Calendar Year Deductible</b>				
Single	No Deductible	\$500	\$1,500	\$3,000
Family	No Deductible	\$1,000	\$3,000	\$6,000
<b>Physician Services</b>	<b>In-Network</b>	<b>Out-of-Network</b>	<b>In-Network</b>	<b>Out-of-Network</b>
Primary Care Physician	\$15	\$35	0% after CYD	CYD + 20%
Specialist	\$35	\$50	0% after CYD	CYD + 20%
Pre-Natal	\$35	\$50	CYD	CYD + 20%
Physical Exam Benefit	\$15 or \$35 (Specialist)	\$15 or \$35 (Specialist)	No Charge	20%
Chiropractic Services (\$2,500 CYM)	\$35	\$50	CYD	CYD + 20%
Laboratory Services	No Charge	40%	0% after CYD	CYD + 20%
Diagnostic Imaging	\$100	40%	0% after CYD	CYD + 20%
<b>Pharmacy Plan</b>	<b>In-Network</b>	<b>Out-of-Network</b>	<b>In-Network</b>	<b>Out-of-Network</b>
Generic	\$15	Not Covered	0% after CYD	Not Covered
Preferred Brand Name	\$30	Not Covered	0% after CYD	Not Covered
Non-Preferred Brand Name	\$50	Not Covered	0% after CYD	Not Covered
Mail Order Copay (90 Day Supply)	2x Retail Copay	Not Covered	Not Covered	Not Covered
<b>Hospital Services</b>	<b>In-Network</b>	<b>Out-of-Network</b>	<b>In-Network</b>	<b>Out-of-Network</b>
Inpatient Hospital	Tier 1 = \$500 Tier 2 = \$750	\$1,200	0% after CYD	CYD + 20%
Outpatient Hospital	Tier 1 = \$150 Tier 2 = \$250	40%	0% after CYD	CYD + 20%
Emergency Room	\$100	\$200	0% after CYD	CYD + 20%
Urgent Care Center	\$40	40%	0% after CYD	CYD + 20%
Physician Services	No Charge		0% after CYD	
Outpatient Therapy	Tier 1 = \$45 Tier 2 = \$60	40%	0% after CYD	CYD + 20%
<b>Mental and Nervous Services</b>	<b>In-Network</b>	<b>Out-of-Network</b>	<b>In-Network</b>	<b>Out-of-Network</b>
Inpatient Hospital (30 days CYM)	\$500 / \$750	\$1,200	0% after CYD	CYD + 20%
Outpatient Services (20 Visits CYM)	\$35	\$50	0% after CYD	CYD + 20%
<b>Substance Abuse Services</b>	<b>In-Network</b>	<b>Out-of-Network</b>	<b>In-Network</b>	<b>Out-of-Network</b>
Inpatient Hospital (\$2,500 Lifetime Maximum)	\$500 / \$750	\$1,200	0% after CYD	CYD + 20%
Outpatient Services	\$35	\$50	0% after CYD	CYD + 20%
<b>Out-of-Pocket CYM</b>	<b>In-Network</b>	<b>Out-of-Network</b>	<b>In-Network</b>	<b>Out-of-Network</b>
Single	\$2,500		\$1,500	\$6,000
Family	\$5,000		\$3,000	\$12,000
<b>Lifetime Benefit Maximum</b>	<b>In-Network</b>	<b>Out-of-Network</b>	<b>In-Network</b>	<b>Out-of-Network</b>
Per Covered Member	\$5 million		\$5 million	



# Health Insurance - The BlueOptions HRA Plan

Eagles Benefits by Design  
Customer Service: (800) 726-5603  
Fax: (772) 334-7059  
www.eaglesbenefits.com

Mailing Address:  
2336 SE Ocean Blvd.,  
Suite 301  
Stuart, FL 34996-3310

Questions and answers regarding the BlueOptions HRA Plan have been provided on the next two pages to help you understand how an HRA works in conjunction with your health coverage. Health insurance coverage under the BlueOptions HRA Plan is provided by BCBS; the administration of the HRA is provided by Eagles Benefits by Design.

## What is an HRA?

Employees who enroll in the BlueOptions HRA Plan will receive a Health Reimbursement Account (HRA) funded by the Town. HRA funds can be used for qualified medical expenses such as calendar year deductibles and coinsurance charges relating to services such as hospital stays, office visits, prescription drugs, and other medically necessary expenses. The HRA provides tax-free funds to cover those expenses paid by your health insurance plan.

## How much is funded into the HRA?

Under the BlueOptions HRA Plan, employees who elect Employee Only coverage will receive \$1,500 in an HRA and employees who cover dependents will be provided with an HRA in the amount of \$3,000.

Newly hired employees who enroll in BlueOptions HRA Plan will receive an HRA amount equivalent to one-twelfth of the annual HRA allocation (depending on tier of coverage selected) for each month remaining in the plan year after their effective date of coverage.

2008-2009 HRA Funding	
Tier of Coverage	Annual Funding
Employee Only	\$1,500
Employee + Spouse	\$3,000
Employee + Child(ren)	
Employee + Family	

## When would I have access to my HRA funds?

Employees who enroll in the BlueOptions HRA Plan will have access to their HRA funds 60 days from their date of hire (Note: the BlueOptions HRA Plan still provides health insurance coverage effective the first of the month following your date of hire).

## How are the HRA funds accessed?

There are two convenient ways to access your HRA funds:

- ♦ The "Take Care" Visa Debit Card; and
- ♦ Manually submit receipts for reimbursements. If this option is elected, you must pay for your medical expenses out-of-pocket and then submit a reimbursement request form along with the appropriate documentation to the HRA Plan Administrator, Eagles Benefits. The reimbursement request form can be found on the Eagles Benefits website or obtained from the Finance Department.

## What is the "Take Care" Visa Debit Card?

Following enrollment in the BlueOptions HRA Plan, you will be mailed a debit card along with materials explaining how to use the card. The Take Care Debit Card allows immediate access to your account balance for eligible expenses at approved providers, including a doctor's office, clinic, pharmacy, outpatient center or hospital that accepts the Visa Card. When you have an eligible expense, simply swipe your card and the funds are automatically deducted from your account (up to your available balance). If you are also purchasing other items or services, you should use a different payment method for those expenses. For example, if you are paying for a prescription and buying a gallon of milk at the pharmacy, you should only use the debit card for the prescription.

## What are the "Take Care" Visa Debit Card advantages?

- ♦ Eliminates the need to pre-pay an expense.
- ♦ Eliminates waiting for reimbursement.
- ♦ Allows online access to account information.



# Health Insurance - The BlueOptions HRA Plan

## If I use the "Take Care" Visa Debit Card, do I still submit my receipts?

Yes. All expenses must be submitted to Eagles Benefits along with the applicable expense documentation such as a receipt, bill or insurance statement (Explanation of Benefits) that shows the name of the service provider, the date of service, the nature of the service, and the amount of the expense. Debit card slips by themselves are not acceptable. The documentation should be mailed or faxed to Eagles Benefits within 72 hours of the date you incurred the expense. If you do not submit the required information within the time allowed, you will receive a reminder letter. Failure to provide adequate documentation in a timely manner could result in the suspension of your account.

## What happens to my unused HRA funds at the end of the 2008-2009 Plan Year?

Money in the HRA can accumulate and carry forward from year to year if you continue your enrollment in a HRA health insurance plan. Any balance remaining after the end of one plan year will be added to the next plan year's HRA amount.

## What happens to my unused HRA funds if I discontinue participation in an HRA Plan, separate employment or retire from the Town?

Your benefits under the HRA will generally cease, meaning that expenses incurred after you are no longer a participant will not be reimbursed. However, if you have been insured under the Town's HRA health insurance plan for 6 full plan years, your HRA balance (if any) is vested. In this case, any unused funds will roll into a Retirement Health Savings Plan. Details regarding the retirement component of the HRA will be provided at a later date.

## What is the difference between an HRA and an FSA?

The differences between an HRA and FSA (Flexible Spending Account) are summarized in the table below. FSAs are further explained on pages 9 & 10.

HRA & FSA Plan Differences	
Health Reimbursement Account (HRA)	Flexible Spending Account (FSA)
<ul style="list-style-type: none"> <li>◆ Employer Funded Account.</li> <li>◆ Enrollment is automatic if enrolled in the BlueOptions HRA Plan.</li> <li>◆ Funds may only be used for eligible medical expenses for you and your dependents who are enrolled in the BlueOptions HRA Plan.</li> </ul>	<ul style="list-style-type: none"> <li>◆ Employee Funded Accounts.</li> <li>◆ You must enroll annually during open enrollment prior to the start of each plan year.</li> <li>◆ Funds may be used for a variety of expenses (eligible medical, dental, vision, etc.) including dependent care expenses for you and your qualified dependents.</li> </ul>

## What are some examples of qualified expenses that would be eligible for reimbursement?

To confirm if an expense is eligible for reimbursement by an HRA, log on to the Eagles Benefits website or contact Customer Service. A sample listing is provided below; all expenses must be medically necessary.

Qualified expenses eligible for HRA reimbursement include, but are not limited to, the following:			
◆ Acupuncture	◆ Doctor fees	◆ Guide dogs	◆ Over-the-counter items
◆ Ambulance service	◆ Diagnostic tests/health screenings	◆ Injections and vaccinations	◆ Surgery
◆ Birth control pills	◆ Drug addiction/alcoholism treatment	◆ In vitro fertilization	◆ Wheelchairs
◆ Chiropractic care	◆ Prescription drugs	◆ Nursing services	◆ X-rays



# Health Insurance - BCBS Services

Get the most out of your BCBS health care plan with a host of free Wellness Resources, Programs, and Services that will help you stay healthy and make better informed health care decisions for you and your family.

## Blue Service

Blue Service provides 24 hour online access to review your benefits and coverage, view claims status, search for providers in your network, download forms, search FAQ's, and learn about BCBS's discount programs, etc. Log onto [www.bcbsfl.com](http://www.bcbsfl.com) for more information.

## Blue Complements

Blue Complements is a **FREE** discount program on products and services available to all members at no additional cost such as:

- ♦ 25% or more discounts on acupuncture or massage therapy with BCBS contracted providers
- ♦ 15%-45% on vitamins, smoking cessation, health related books, tapes and videos
- ♦ 20%-60% off retail rates at more than 1,500 participating Global Fit network fitness clubs
- ♦ 40%-50% off retail for bicycle helmets for members and families through Safe-Tech
- ♦ 20%-50% off various Jenny Craig Weight Loss programs

Examples of Blue Complements programs include:

- ✓ **EyeMed: Discounts on Vision Care:** Receive comprehensive vision care with significant savings on eye exams and eyewear. Members pay \$40 for eye exams and receive up to 40% off retail prices for frames and lenses. This program is offered through EyeMed. Visit participating optical departments at Sears, JC Penney Optical, Pearle Vision Centers and other independent vision care centers throughout Florida. To locate participating providers, please call EyeMed's toll-free number at (800) 793-8622 or visit EyeMed online at [www.enrollwitheyemed.com/select](http://www.enrollwitheyemed.com/select).
- ✓ **HEARx: Discounts on Hearing Products:** BCBS members receive free hearing examinations and a savings of 25% off the retail price of any hearing aid purchased at HEARx centers, or special promotional prices that provide even greater savings. Since this is a discount program through HEARx, it is not a benefit of your health care plan. Call HEARx toll-free at (800) 731-3277.
- ✓ **TruVision: Lasik Vision Correction Services:** Discount services include 15% off retail prices or 5% off the promotional price. For more information, call TruVision toll-free at (877) 747-2020 for a location near you and for the discount authorization.
- ✓ **TruVision: Contact Lens Mail Order Service:** Prices on average are 15% lower than other national contact lens mail-order programs. For more information or to place an order, call toll-free (877) 793-8622.
- ✓ **TruHearing: Discounts on Hearing Care and Products**  
TruHearing offers discounted hearing aids to BCBSF plan members. The free hearing exams are performed by a trained hearing consultant using the latest diagnostic equipment. For more information, call toll-free (866) 814-4327.



# Life Insurance

## Lincoln Financial

Customer Service: (800) 237-6970

[www.lfg.com](http://www.lfg.com)

The Town currently provides basic term life insurance for all eligible employees at no cost to you. Full-time regular employees are provided a benefit of \$20,000; Directors are provided a benefit equaling 1.5 times annual earnings up to \$100,000. The basic term life benefit is payable when death occurs due to natural causes.

Also at no cost to the employee, the Town provides Accidental Death & Dismemberment (AD&D) insurance which pays in addition to the basic life benefit when death occurs as a result of an accident. The AD&D benefit amount equals the basic term life benefit amount and a partial benefit is also payable based on the schedule below.

<p><b>100% of the AD&amp;D benefit will be paid for the loss of:</b></p> <ul style="list-style-type: none"> <li>♦ Life (accidental); or</li> <li>♦ Both hands or both feet; or</li> <li>♦ Sight of both eyes; or</li> <li>♦ Any two or more; 1 foot, 1 hand, or the sight of 1 eye.</li> </ul>	<p><b>One half the AD&amp;D benefit will be paid for the loss of:</b></p> <ul style="list-style-type: none"> <li>♦ One hand; or</li> <li>♦ One foot; or</li> <li>♦ Sight of 1 eye; or</li> <li>♦ Thumb and index finger of the same hand.</li> </ul>
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# Dental Insurance

Lincoln Financial

Customer Service: (800) 423-2765

www.lfg.com

## 2008-2009 Dental Insurance Premiums Employee Cost per Pay Period

The Town offers a PPO Dental Insurance plan through Lincoln Financial to all eligible employees. The dental plan allows you to visit any dental provider that participates in the Lincoln dental network without first selecting or coordinating your care through a primary dental provider. The dental insurance employee costs per pay period are provided in the premium table to the right followed by a plan description.

Tier of Coverage	Dental PPO Plan
Employee Only	\$0.00
Employee + Spouse	\$5.72
Employee + Child(ren)	\$6.95
Employee + Family	\$13.49

You have the ability to maximize your benefits under the PPO Dental Plan by receiving your services from dental providers that participate in the Lincoln network. Participating dentists in-network have agreed to accept Lincoln's discounted fee schedule for services rendered which means less cost for you. Charges incurred in-network will be paid based on a percentage (coinsurance) of the Lincoln discounted fee as illustrated in the summary of benefits provided below.

The PPO Dental Plan also provides out-of-network benefits should you wish to utilize dental providers that do not participate in the Lincoln network. Charges incurred out-of-network will be based on a percentage (co-insurance) of the "reasonable and customary" (R&C) fee for any particular service performed. However, services received by providers that do not participate in the Lincoln network may be subject to balance billing which is the difference above the R&C fee and the out-of-network provider's own charge. Therefore, coinsurance plus the balance bill amount equals your total out-of-pocket cost (after your deductible is met, when applicable).

Summary of Benefits	PPO Dental Plan	
	In-Network	Out-of-Network
<b>Calendar Year Maximum</b>		
Preventive, Basic & Major Services	\$1,000	
<b>Calendar Year Deductible (Waived for Preventive Services)</b>	<b>In-Network</b>	<b>Out-of-Network</b>
Per Person per Plan Year	\$50	
Per Family per Plan Year	\$150	
<b>Group I Services: Preventive</b>	<b>In-Network</b>	<b>Out-of-Network</b>
Oral Exams	100% , no deductible required	100%, no deductible required (subject to balance billing)
Cleanings		
Bitewing X-rays		
<b>Group II Services: Basic</b>	<b>In-Network</b>	<b>Out-of-Network</b>
Fillings	80% after deductible	70% after deductible (subject to balance billing)
Extractions		
Sealants		
Endodontics		
Periodontics		
<b>Group II Services: Major</b>	<b>In-Network</b>	<b>Out-of-Network</b>
Crowns	50% after deductible	40% after deductible (subject to balance billing)
Dentures		



# Flexible Spending Accounts

Eagles Benefits by Design  
Customer Service: (800) 726-5603  
Fax: (772) 334-7059  
www.eaglesbenefits.com

Mailing Address:  
2336 SE Ocean Blvd.,  
Suite 301  
Stuart, FL 34996-3310

The Town offers Flexible Spending Accounts (FSAs) as administered by Eagles Benefits by Design. Most of the money you spend on routine medical expenses comes from your after-tax income. This means you earn money, then pay taxes, and spend what is left. If you have predictable medical expenses for yourself or your family, such as deductibles and copays or any work-related day care expenses, FSAs may be right for you.

FSAs allow you to set aside money for reimbursement of medical and day care expenses you regularly pay. The amount you set aside is not taxed and is automatically deducted from your paycheck and deposited into the FSA. During the year, you have access to this account for reimbursement of some expenses that are not covered by insurance. An FSA not only results in a substantial tax savings, it also increases your spending power. There are two types of FSAs:

**Health Care  
Reimbursement Account**

This account allows you to set aside an amount up to an annual maximum of \$3,000 during open enrollment only. This money will not be taxable income to you and can be used to offset the cost of a wide variety of health-related expenses incurred by you or your qualified dependents under medical or dental insurance plans. Examples of these expenses include copays for physician office visits, inpatient hospital stays, prescription drugs, over the counter drugs and other expenses not covered by insurance that generate an out-of-pocket cost to the employee.

Employees can also receive reimbursement for expenses related to dental and vision care (that are not classified as cosmetic). Other common expenses that qualify for reimbursement are: doctor visits, deductibles, copays, prescription drugs, mental healthcare, dental services and orthodontics, Lasik surgery, eye exams, glasses and contacts.

**Dependent Care  
Reimbursement Account**

This account reimburses you for day care expenses up to an annual maximum of \$5,000 (\$2,500 if you file a separate tax return) for eligible children and adults. Qualified expenses include adult and child day care centers, preschool, and before/after school care.

Please note that if your family's annual income is over \$20,000, this reimbursement option will most likely save you more money than the dependent care tax credit you take on your tax return. To qualify, your dependent must be:

- ♦ a child under the age of 13 or,
- ♦ a child, spouse or other dependent that is physically or mentally incapable of self-care and spends at least 8 hours a day in your household.

Once you determine what FSA elections you wish to make and the plan year total dollar amount, simply take that amount and divide by the number of pay periods (26). Worksheets have been provided on the following page to assist you with this determination. However, be conservative when estimating your expenses. IRS regulations state that any unused funds which remain in your FSA after a plan year ends and all claims have been filed cannot be returned to you nor carried forward to the next plan year. This is known as the "use it or lose it" rule.

**A sample list of qualified expenses eligible for reimbursement include, but are not limited to, the following:**

♦ Acupuncture	♦ Diagnostic tests/health screenings	♦ Guide dogs	♦ Orthodontic fees
♦ Ambulance service	♦ Doctor fees	♦ Hearing aids and exams	♦ Over-the-counter items
♦ Birth control pills	♦ Drug addiction/alcoholism treatment	♦ Injections and vaccinations	♦ Surgery
♦ Chiropractic care	♦ Prescription drugs	♦ In vitro fertilization	♦ Wheelchairs
♦ Contact lenses (corrective)	♦ Experimental medical treatment	♦ Nursing services	♦ X-rays
♦ Dental fees	♦ Eyeglasses	♦ Optometrist fees	





# Flexible Spending Accounts

When considering your Health Care FSA election amount, you need to first understand what your insurance plans will pay. The FSA will not reimburse you for expenses paid by insurance.

The worksheet on the right may help you estimate your annual contributions to cover certain medical expenses for yourself and any dependents. You may want to talk to your doctor, dentist, or other providers as well as your qualified dependents to help you estimate your expenses.

Dependent Care FSA expenses are somewhat more predictable. You just figure out what you spend on a per paycheck basis for preschool, after-school or care for older dependents that is necessary for you to work. If you are married, the same applies for both you and your spouse to work.

The day care can be provided in a licensed day care center or by an individual in your home or the day care provider's home. Day camps are also eligible if the services are used in lieu of regular day care.

## Submitting a Claim

To submit a claim for reimbursement, employees can complete and fax or mail Eagles Benefits a Request for Reimbursement form along with the expense documentation; such as an Explanation of Benefits statement from an insurance carrier or receipts from the provider. Reimbursement forms can be obtained from the Human Resources Department or at the Eagles Benefits website. Reimbursement checks will be mailed directly to the employee's home.

Health Care FSA Worksheet	
Deductible	
Copays	
Coinsurance	
Contact Lenses	
Dental Care	
Eyeglasses/Contacts	
Prescription drugs	
Surgery	
Other	
<b>This is the amount to consider contributing to the Health Care FSA</b>	
Divide by the Number of Pay Periods	Divide by 26
Health Care FSA Contribution Per Pay Period	

Dependent Care FSA Worksheet	
Child Day Care Expenses	
Preschool Expenses	
Summer Day Camp Expenses	
Adult Day Care Expenses	
Other	
<b>This is the amount to consider contributing to the Dependent Care FSA</b>	
Divide by the Number of Pay Periods	Divide by 26
Dependent Care FSA Contribution Per Pay Period	



**GEHRING GROUP**  
PROFESSIONAL SERVICES

11505 Fairchild Gardens Avenue, Suite 202

Palm Beach Gardens, FL 33410

Telephone: (561) 626-6797

Toll Free: (800) 244-3696

Fax: (561) 626-6970

[www.gehringgroup.com](http://www.gehringgroup.com)

# REMINDER

## FSA Deadline is March 15th!

### Do you have money left in your Flexible Spending Account (FSA) from the 2009 plan year?

If you have unused 2009 Health Care and/or Dependent Care FSA dollars for the plan year that ended on December 31, 2009, these funds can be used to pay for eligible expenses incurred between January 1 – December 31, 2009 plus an extended 2-1/2 month claim period of January 1 – March 15, 2010. Any funds remaining in an FSA after March 31, 2010 will be forfeited per federal regulations.

All flexible spending claims for reimbursement should be submitted directly to Eagles Benefits by Designs. Claim forms are in Risk Management or online at Charlotte's Web. If you do not have any claims receipts to submit, remember that you can purchase some of these Over the Counter Items (OTC) with your unused FSA dollars.

#### Example OTC Items Include:

- Antiseptics
- Asthma Medications
- Cold, Flu, & Allergy Medications
- Diabetes
- Ear & Eye Care
- Health Aids
- Pain Relief
- Personal Test Kits
- Skin Care
- Stomach Care

For a complete list, visit Eagles Benefits online at [www.eaglesbenefits.com](http://www.eaglesbenefits.com)

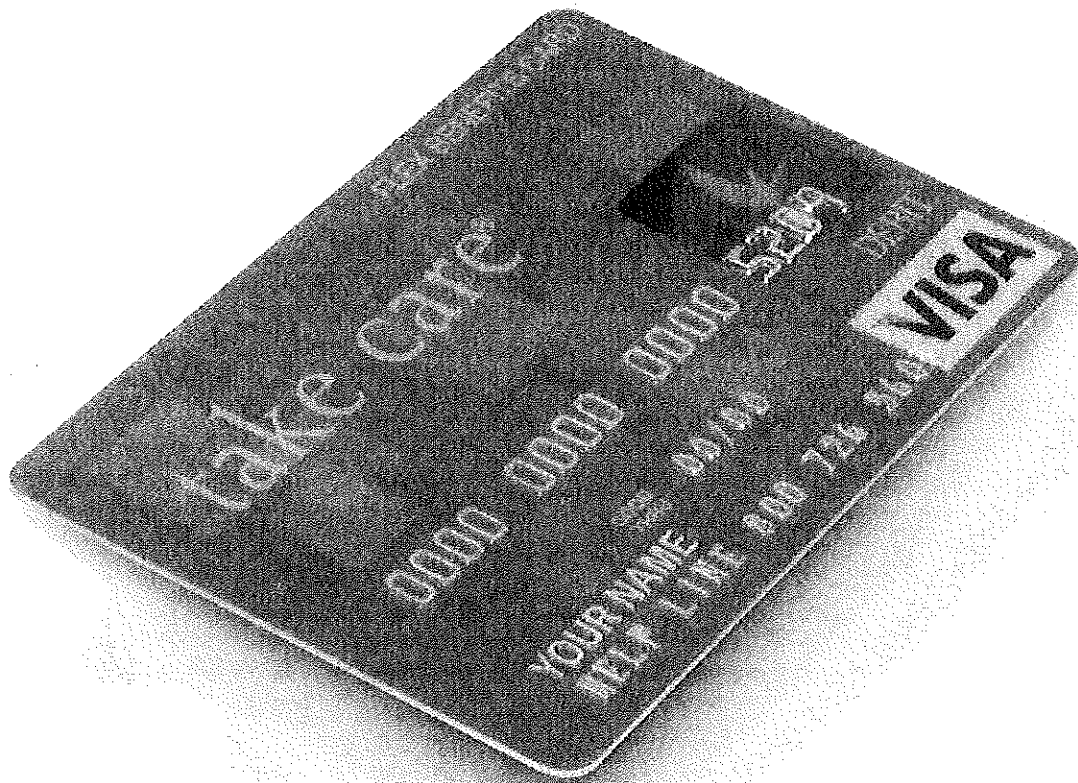




The **VISA**

take care<sup>®</sup>

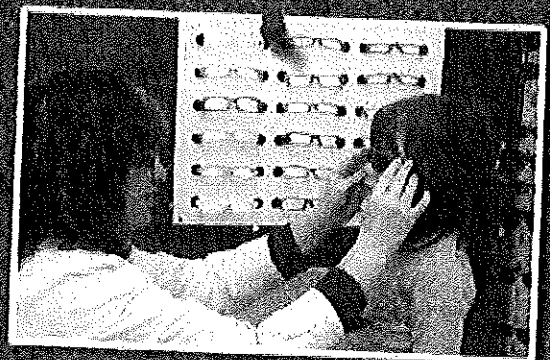
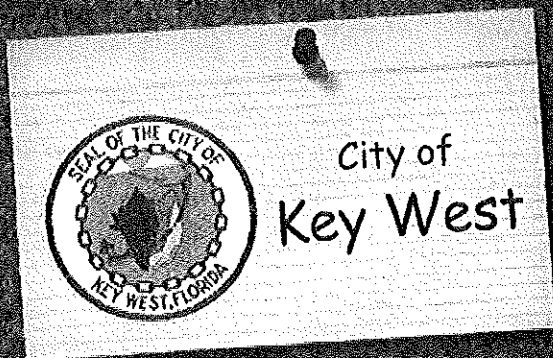
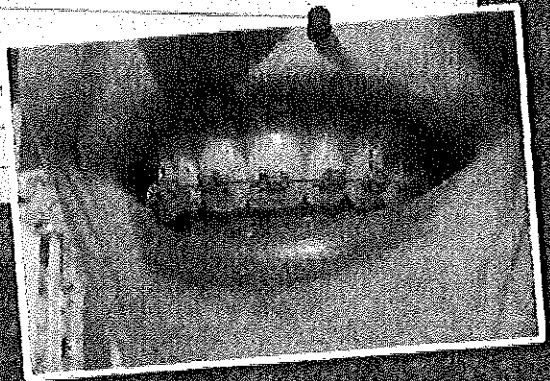
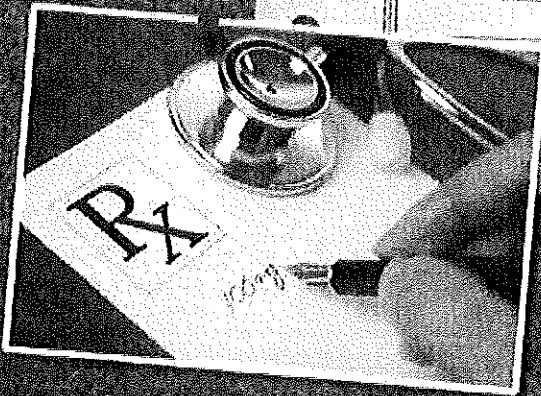
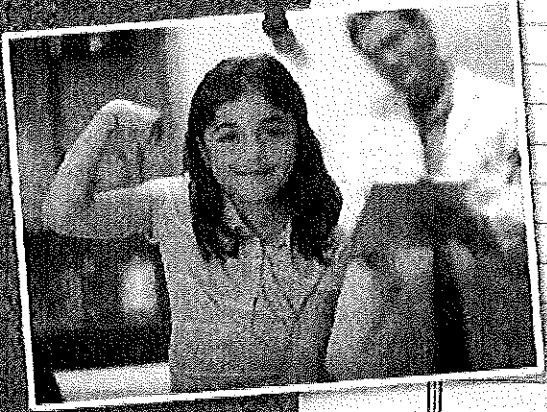
FSA Debit Card Program



Plan Year 2008

Introducing...

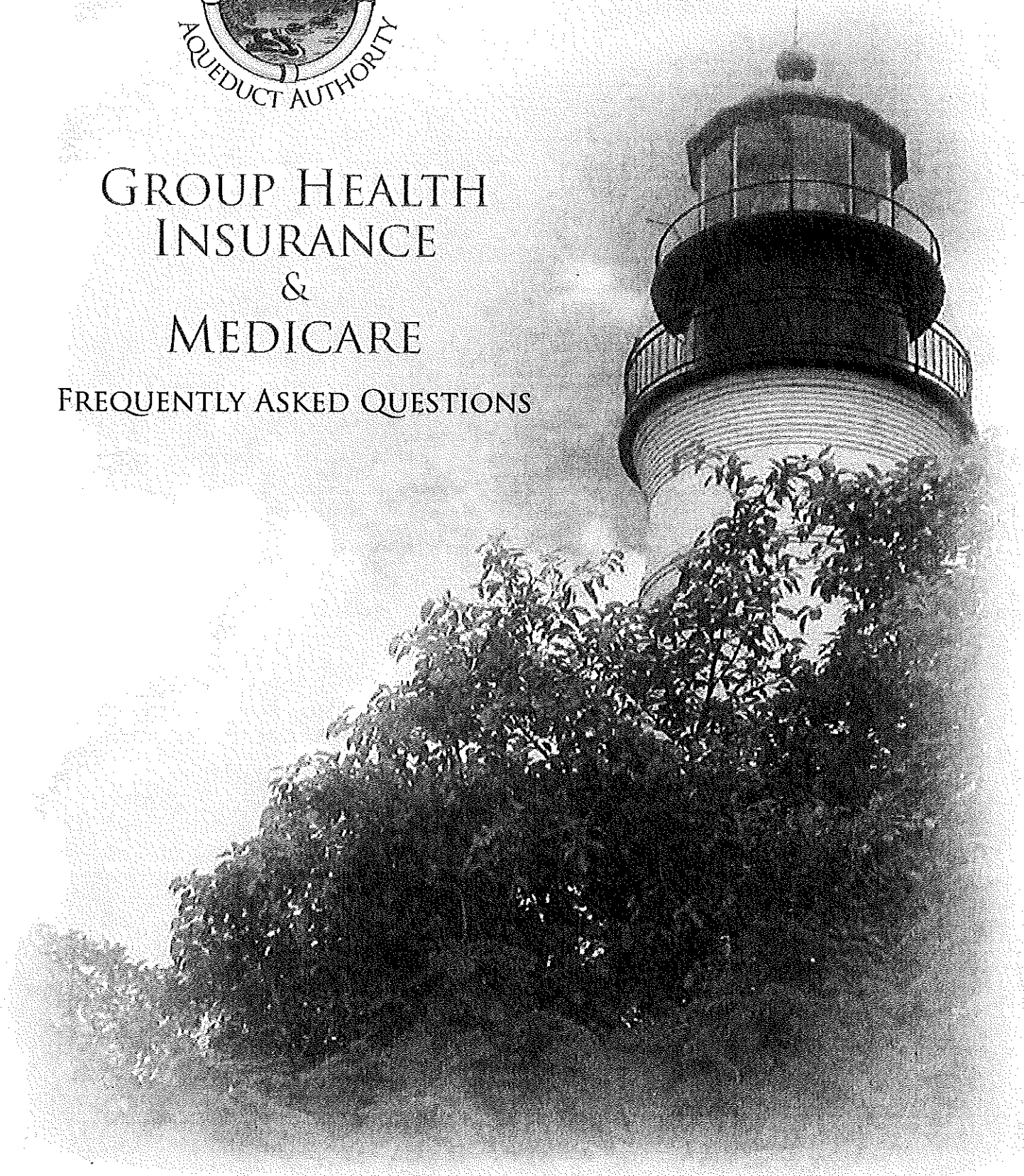
# Flexible Spending Accounts





# GROUP HEALTH INSURANCE & MEDICARE

## FREQUENTLY ASKED QUESTIONS



If I am enrolled in both FKAA's BCBS Group Medical Plan and Medicare, how do the plans coordinate?

Coverage through FKAA's group health plan after you retiree is known as "Retiree Coverage." Retiree Coverage may fill in some of Medicare's gaps in coverage and may include additional benefits; however, it is important to note that Retiree Coverage under FKAA's group plan is NOT a Medigap Policy.

The manner in which expenses will be paid when a retiree is insured by more than one health plan or health program is called "Coordination of Benefits" (COB). The plan or program paying benefits first is called the "Primary Payer" and the plan or program paying benefits second is considered the "Secondary Payer". If you are enrolled in both Medicare and FKAA's BCBS Group Health Plan, the order is determined by many varying factors and some of the most common are discussed below. Please note that if you receive medical benefits from other insurance or programs not mentioned such as COBRA, Veteran's Benefits (VA), TRICARE, no-fault insurance, liability insurance, or Workers' Compensation the order of payers may differ from what is listed below and you can contact 1-800-MEDICARE (800-633-4227) for more information.

Who is the Primary Payer if I am:

1. OVER age 65;
2. ACTIVELY employed by FKAA; and
3. Insured under BOTH the FKAA Group Plan AND Medicare?

Generally, if you are age 65 or older and covered by FKAA's group health plan due to eligibility based on your current employment, Medicare is the secondary payer. The FKAA group health plan is primary, meaning it will pay first on your hospital and medical bills. If FKAA's group health plan doesn't pay your entire bill, the doctor or other provider should submit the claim to Medicare for possible secondary payment. Medicare will review the benefits paid by your group health plan for Medicare-covered health care services and will consider payment on any additional Medicare-approved amounts.

Who is the Primary Payer if I am:

1. OVER age 65;
2. RETIRED from FKAA; and
3. Insured under BOTH the FKAA Group Plan as a retiree AND Medicare?

Under this scenario, generally, Medicare will be the "primary" payer for your health care bills and your Retiree Coverage through the FKAA Group Health Plan will be "secondary". This means that BCBS pays only those charges that Medicare does not cover. Also, in the event that Medicare's payment exceeds BCBS' Allowed Amount, no payment will be made by BCBS for such services.

Who is the Primary Payer if I am:

1. Under age 65;
2. Covered by FKAA's group health plan; and
3. Also receiving Medicare due to a qualifying disability?

FKAA currently employs over 100 employees who are eligible for the group health plan; therefore, its medical plan is considered a "Large Group Health Plan". As a result, FKAA's Group Health plan is usually the "primary" payer and Medicare is the "secondary" payer.

*This booklet serves as a general informational guide only. To confirm its contents or if further explanation is required, please contact Medicare at 1-800-MEDICARE (800-633-4227).*

**Since I am insured by both Medicare and FCAA's Group Health Plan, will all of my medical bills be paid in full?**

It is common for people to think that since they are insured by two or more insurance plans or programs, they have 100% coverage, but this is not necessarily correct. You will be responsible for the costs of any service(s) that Medicare or the group health plan does not cover.

**How will Medicare and the FCAA's Group Health Plan Carrier know that I have other group insurance?**

Neither Medicare nor FCAA's Group Health Plan Carrier automatically knows if you have other insurance coverage. When you first enroll in Medicare, a questionnaire is sent to you about three months before your entitlement. It is important that you complete this questionnaire accurately since your responses to the questions on this form is how you will notify Medicare that you have other health insurance. If you have already completed this form some time ago, you will need to contact Medicare at 1-800-MEDICARE (800-633-4227) to inform them of your enrollment in FCAA's BCBS Group Health Plan. In addition, you can contact the current FCAA Group Health Carrier, BCBS of Florida, by calling the number on the back of your ID card to inform them of your Medicare coverage.

It is also important to tell your doctors as well as other providers of any different health insurance plans or programs in which you may be enrolled, in order for them to process your bills correctly.

**What if my provider accepts Medicare, but is not a BCBS PPO provider?**

In this case, any benefits payable under your BCBS coverage will be subject to the "out of network" schedule of benefits. Benefits payable to "out of network" providers or facilities will be at a reduced level according to your policy.

**If I decide to drop my Retiree Coverage through FCAA's Group Plan, can I re-enroll at a later date?**

No. If you drop your Retiree Coverage through FCAA, you will not be permitted to re-enroll at a later date.

**If I have more questions about how FCAA's Group Plan coordinates with Medicare, who do I contact?**

You can contact Cheryl Sargent, FCAA's Benefits and Insurance Administrator at (305) 296-2454. The 1-800-MEDICARE (800-633-4227) help line can answer many of your questions 24 hours a day, including weekends. Please be sure to have your Medicare card readily available when you call.

**If I am enrolled in both FCAA's Group Medical Plan and Medicare Part D (prescription drug coverage), how do these plan plans coordinate?**

Your Retiree Coverage through FCAA's Group Health Plan includes a prescription drug benefit that "is at least equal to or better than" Medicare's prescription drug benefit. This is called "Creditable Coverage" and FCAA will provide you with a "Certificate of Creditable Coverage" on an annual basis. As a result, if you elect to waive Medicare's prescription drug coverage (Part D) because of your enrollment in FCAA's BCBS medical plan, you will not be subject to late entry penalty fees if you elect to enroll in a Medicare Part D Drug Plan at a later date. Private insurance companies offer numerous Medicare approved prescription drug plans to choose from; however, there is typically little or no advantage to being enrolled in BOTH the FCAA Group Medical Plan which includes drug coverage and a Medicare Part D Prescription Drug Plan.

*This booklet serves as a general informational guide only. To confirm its contents or if further explanation is required, please contact Medicare at 1-800-MEDICARE (800-633-4227).*





1100 KENNEDY DRIVE  
KEY WEST, FLORIDA 33041  
(305) 296-2454  
[WWW.FKAA.COM](http://WWW.FKAA.COM)

## **Obama Signs Stopgap COBRA Subsidy Extension**

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An additional COBRA premium subsidy extension of 31 days was signed into law by President Obama on March 2 after being earlier approved by the Senate on a 78-19 vote.

Effective now, the government will continue to reimburse employers of health plans and subsidize 65 percent of the premium for workers who lose their jobs from March 1 through March 31, 2010. The extension is also available to employees who first lost group coverage due to reduced hours and were then laid off after March 1, pending to certain conditions.

Prior to the extension, employees laid off after Feb. 28, 2010, would have been ineligible for the subsidy.

The Senate will continue deliberation on legislation that would make the subsidy available to those laid off through Dec. 31, 2010, and would provide them with coverage for up to 12 months.

Of major concern regarding the changing legislation is the continued need for HR and benefits administrators to be knowledgeable on the extension. The Department of Labor will also have to issue new notices.

If you have questions regarding this important and emerging area, please contact your Gehring Group representative.

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## **New Requirements for Mental Health and Substance Use Disorder Coverage**

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### **EXECUTIVE SUMMARY**

On February 2, 2010, interim final rules regarding coverage for treatment of mental health and substance use disorders were issued. The new rules implement the Mental Health Parity and Addiction Equity Act of 2008 (MHPAEA) and apply to employers with 50 or more workers who choose to offer mental health or substance use disorder benefits in a group health plan.

Group health plans do not have to provide mental health or substance abuse benefits. But if they do, plans must:

- Offer the same access to care and patient costs for mental health and substance use disorder benefits as those that apply to general medical or surgical benefits.
- Treat them equally in terms of out-of-pocket costs, benefit limits and practices such as prior authorization and utilization review used by the insurer for medical and surgical benefits.
- Contain a single combined deductible for mental health and medical/surgical coverage.
- Comply with the new rules for plan years beginning on or after July 1, 2010. Note that the MHPAEA has been effective since October 3, 2009 and employers should already be in good faith compliance.

This Gehring Group Legislative Brief provides an overview of the interim final regulations. Please read below for more information and contact your Gehring Group representative with any questions.

### **OVERVIEW OF THE PARITY REQUIREMENTS**

#### **The Laws**

The MHPAEA and the Mental Health Parity Act of 1996 (MHPA) together require parity between medical/surgical benefits and mental health or substance use disorder (MH/SUD) benefits with respect to aggregate lifetime and annual dollar limits, financial requirements (such as co-pays and deductibles) and treatment limitations (such as visit limits). The MHPAEA and MHPA do not mandate that a plan provide MH/SUD benefits. Rather, if a plan provides medical/surgical and MH/SUD benefits, it must comply with the laws' parity provisions.

The laws apply to plans sponsored by private and public sector employers with more than 50 employees, including self-insured as well as fully-insured arrangements. The laws also apply to health insurance issuers who sell coverage to employers with more than 50 employees.

#### **The Regulations – What's New?**

Interim final rules which implement the MHPAEA were issued on February 2, 2010. Parity requirements may now apply to a broader category of health plans, because of new rules where combinations of medical/surgical benefits and MH/SUD benefits may be treated as a single plan.

#### **What Are Some of the New Rules Plans Need to Consider?**

- **Financial Requirements** – The general parity requirements are extended to financial requirements, such as co-pays and co-insurance.

- **Deductibles** - Combined deductibles are required for MH/SUD benefits and medical/surgical benefits. Separate deductibles are now prohibited. That is, a plan may not apply one deductible to MH/SUD benefits and another deductible to medical/surgical benefits.
- **MH/SUD Benefits** - So that benefits are not misclassified, plans must use generally recognized independent standards of current medical practice in defining whether benefits are MH/SUD benefits.
- **Treatment Limitations** - Both quantitative (e.g., visit limits) and nonquantitative (e.g., medical management standards) treatment limitations are subject to the parity requirements.
- **Coverage Units** - Plans must apply parity requirements for financial requirements and treatment limitations based on each "coverage unit" (e.g., self-only, family, and employee plus spouse).
- **Prescription Drugs** - Plans are permitted to divide prescription drug coverage into tiers and apply the parity requirements separately to each tier of drug coverage based upon reasonable factors such as cost, generic versus brand name, and mail order versus pharmacy pick up.
- **Disclosures** - Disclosures from ERISA plans can follow existing requirements. Plans not subject to ERISA must provide disclosures within a reasonable time and in a reasonable manner.
- **Exemptions** - If applicable, the increased cost exemption can only be claimed for alternating years.

#### Steps to Take Now

Plan sponsors should become familiar with the interim final regulations and review their health plans. It is likely that additional plans may now be subject to the parity requirements. Plans will need to evaluate whether any substantive changes must be made to their plan designs, such as providing for a combined deductible. Plans will also need to review their administration of benefits in order to ensure that administrative procedures are in compliance by the regulatory deadline.

#### Stay Tuned ...

The MHPAEA interim final rules are intended to address the most pressing issues that affect the ability of plans and issuers to comply in the near term. However, stay tuned for additional rules and further helpful examples. The Departments are soliciting public comments until May 3, 2010, on areas including "scope of services," "continuum of care" and the increased cost exemption.

For a copy of the MHPAEA, see: [www.govtrack.us/congress/bill.xpd?bill=h110-1424](http://www.govtrack.us/congress/bill.xpd?bill=h110-1424)

For a copy of the Interim Final Regulations, see: [edocket.access.gpo.gov/2010/pdf/2010-2167.pdf](http://edocket.access.gpo.gov/2010/pdf/2010-2167.pdf)

If you have questions regarding this important and emerging area, please contact your Gehring Group representative.

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## **Congress Approves Extension of COBRA Premium Subsidy**

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The American Recovery and Reinvestment Act of 2009 (ARRA) provided a temporary subsidy for the cost of COBRA continuation health coverage. On December 21, 2009, President Obama signed legislation **extending the COBRA premium subsidy**. The new law addresses the uncertainties employers were facing regarding the subsidy.

### **Eligibility Period – Extended through February 28, 2010**

Before the subsidy extension, an individual had to be eligible for COBRA before December 31, 2009, in order to receive the premium subsidy. This was true even if the individual was involuntarily terminated from employment before December 31, 2009. The extension provides that individuals who become eligible for COBRA because of an involuntary termination occurring during the period from **September 1, 2008, through February 28, 2010**, will be eligible for the subsidy if they elect COBRA.

### **Length of Subsidy – Extended to 15 months**

Initially, the COBRA premium subsidy was available to AEIs for a maximum of nine months. The new legislation extends the premium subsidy period by six months to a total of **15 months**. However, employees and employers should keep in mind that the COBRA premium subsidy does not affect the length of COBRA coverage itself.

### **Retroactive Payments – How to Handle Employees Caught In the Middle**

The new law contains provisions regarding AEIs whose 9-month subsidy period expired before the extension was passed. These AEIs may have let their COBRA coverage lapse because it was too costly without the subsidy. Others may have kept the coverage and started paying the full amount of the premium. These AEIs will be able to benefit from the subsidy extension retroactively. Special notices to these individuals are required, as explained below.

AEIs who failed to pay their COBRA premiums once their initial subsidy period expired can retroactively pay the premiums to maintain COBRA at subsidized rates for the additional six months. The premiums must be paid no later than **February 19, 2010, or 30 days after the AEI receives notice** of the extension, whichever is later.

If an AEI paid the full amount of the COBRA premiums after the 9-month subsidy period ended, but is now eligible for additional assistance, the employer must either reimburse the individual for the excess premium amount paid or provide a credit that reduces later premium payments.

### **Notice Requirements**

The legislation includes additional notice requirements for group health plans. In general, plan administrators must provide notice of the subsidy extension to individuals who are AEIs at any time on or after October 31, 2009. The notice must be provided by **February 19, 2010**. Also, election notices sent to individuals who experience a qualifying event on or after October 31, 2009, must include information regarding the subsidy extension.

The new law also requires notices to the following individuals: (a) those who are eligible to make retroactive premium payments because they let their COBRA coverage expire once their subsidy period ended, and (b) those who are entitled to receive reimbursement or credit because they are eligible for additional assistance but paid the full amount of the premium for coverage. The plan administrator must notify these individuals of the subsidy extension within the first 60 days of the individual's transition period. The transition period includes any period of coverage beginning before December 21, 2009, that will now be covered by the subsidy due to the extension.

If you have questions regarding this important and emerging area, please contact your Gehring Group representative.

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EAS 12/09

## Medicare Part D Employer Responsibilities Checklist

For most of you, your annual employee benefits open enrollment period is either here or fast approaching. During this time of year, Gehring Group would like to remind all of our clients of the two major responsibilities that you, as an employer, are required to do as a result of the Medicare Prescription Drug, Improvement and Modernization Act of 2003 (MMA). The MMA, among other things, made changes to the existing Medicare program as well as created a voluntary prescription drug program for Medicare Part D eligible individuals. The following outlines your responsibilities and the associated deadlines.

### Creditable or Non-Creditable Coverage Disclosure Notices

The final regulations of the MMA provide that group health plans — or entities that offer prescription drug coverage on a group basis to active and retired employees and to Medicare Part D eligible individuals — must provide, or arrange to provide, a **notice of creditable or non-creditable prescription drug coverage** to Medicare Part D eligible individuals who are covered by, or who apply for, prescription drug coverage under the entity's plan. This creditable coverage notice alerts the individuals as to whether or not their prescription drug coverage is at least as good as the Medicare Part D coverage. Medicare beneficiaries who are not covered by creditable prescription drug coverage and who choose not to enroll in Part D before the end of their initial enrollment period, and enroll at a later date, will likely pay higher premiums.

At a minimum, Disclosure Notices for creditable or non-creditable coverage must be provided at the following times:

- 1) **Prior to the Medicare Part D Annual Coordinated Election Period – beginning November 15<sup>th</sup> through December 31<sup>st</sup> of each year;**
- 2) Prior to an individual's Initial Enrollment Period for Part D;
- 3) Prior to the effective date of coverage for any Medicare eligible individual that joins the plan;
- 4) Whenever prescription drug coverage ends or changes so that it is no longer creditable or becomes creditable; and
- 5) Upon a beneficiary's request.

**Individuals who did not receive a notice of creditable or non-creditable coverage on or after November 15 of last year must be provided with a notice no later than November 14 of this year.**

An updated "Medicare Part D model Creditable Coverage Disclosure Notice" is attached to this newsletter. A model notice for non-creditable coverage and additional information about the creditable coverage disclosure requirement in general is available on the CMS Creditable Coverage web page at <http://www.cms.hhs.gov/CreditableCoverage/>.  
**Note:** All Gehring Group clients' health plans include prescription drug benefits that are considered "creditable."

### Disclosure to CMS

In addition to Creditable or Non-Creditable Coverage Disclosure Notices to individuals, plan sponsors are required to disclose to CMS whether their prescription drug coverage is creditable or non-creditable. The disclosure must be made to CMS on an annual basis, or upon any change that affects whether the coverage is creditable. **Disclosure of creditable coverage status must be provided within 60 days after the beginning date of the plan year** for which the entity is providing the disclosure to CMS. Disclosure notices must also be filed with CMS within 30

days after the termination of a plan's prescription drug coverage or after any change in its creditable coverage status.

**Specifically, plan sponsors are required to use the disclosure form on the CMS Creditable Coverage Disclosure Web Page at <http://www.cms.hhs.gov/CreditableCoverage/>, unless specifically exempt as outlined in related CMS guidance. This is the sole method for compliance with the disclosure requirement. The disclosure form lists required data fields that must be completed in order to generate the Disclosure Notice to CMS, such as types of coverage, number of options offered, creditable coverage status, period covered by the Disclosure Notice, number of Part D eligible individuals covered, date the Creditable Coverage Disclosure Notice is provided to Part D eligible individuals, and change in creditable coverage status. The form is not complicated and should only take a few minutes to complete.**

Additional information about this disclosure requirement and about creditable coverage in general is available on the CMS Creditable Coverage web page at <http://www.cms.hhs.gov/CreditableCoverage/>.

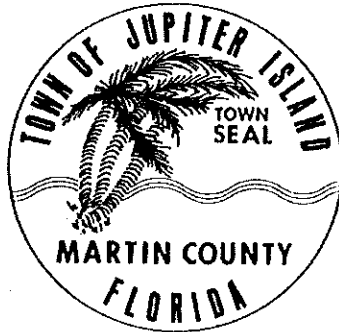
Please contact your Gehring Group representative with any questions.

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EM 8/09

# 2009 EMPLOYEE BENEFITS SURVEY RESULTS



SURVEY OF 71 EMPLOYEES CONDUCTED IN JUNE 2009  
IN CONJUNCTION WITH

**GEHRING GROUP**  
PROFESSIONAL SERVICES

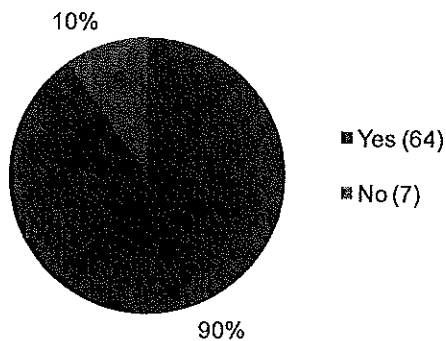




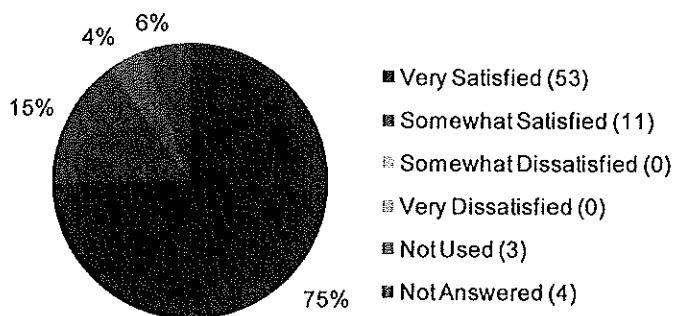
TOWN OF JUPITER ISLAND  
2009 EMPLOYEE BENEFITS SURVEY RESULTS

**Health Insurance  
Blue Cross Blue Shield of Florida**

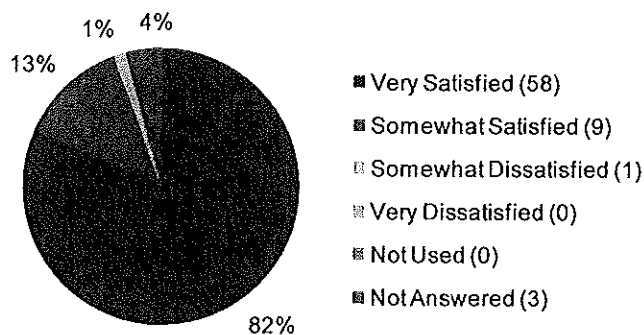
1. Have you utilized medical services under the Blue Cross & Blue Shield of Florida (BC&BS) program?



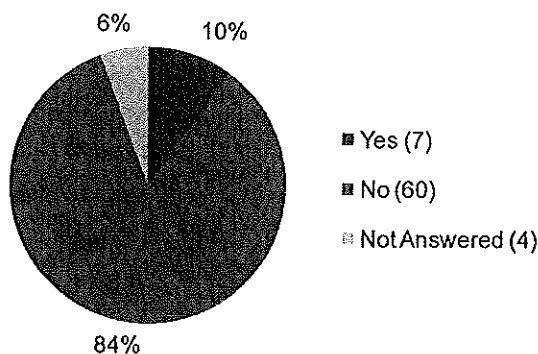
2. Rate your overall level of satisfaction with the benefits of your BC&BS health insurance plan



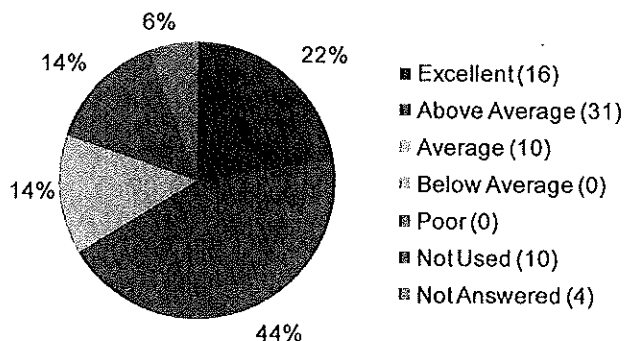
3. Rate your overall level of satisfaction with the selection of physicians in the BC&BS network.



4. Is there a specific physician(s) that you would like to use that is currently not in the BC&BS network?



5. How would you rate the customer service provided by BC&BS?



**Health Insurance Observations**

Based on the survey results illustrated within, the overall level of satisfaction with the Blue Cross & Blue Shield health plan remains high. The results show that 79% of the employee population are Very Satisfied and 16% are Somewhat Satisfied with the benefits of the plan. These statistics are very significant considering that 90% of the employee population have utilized the benefits of the plan. Another result that is important to note is that there were no negative employee responses regarding the level of customer service provided by BC&BS.

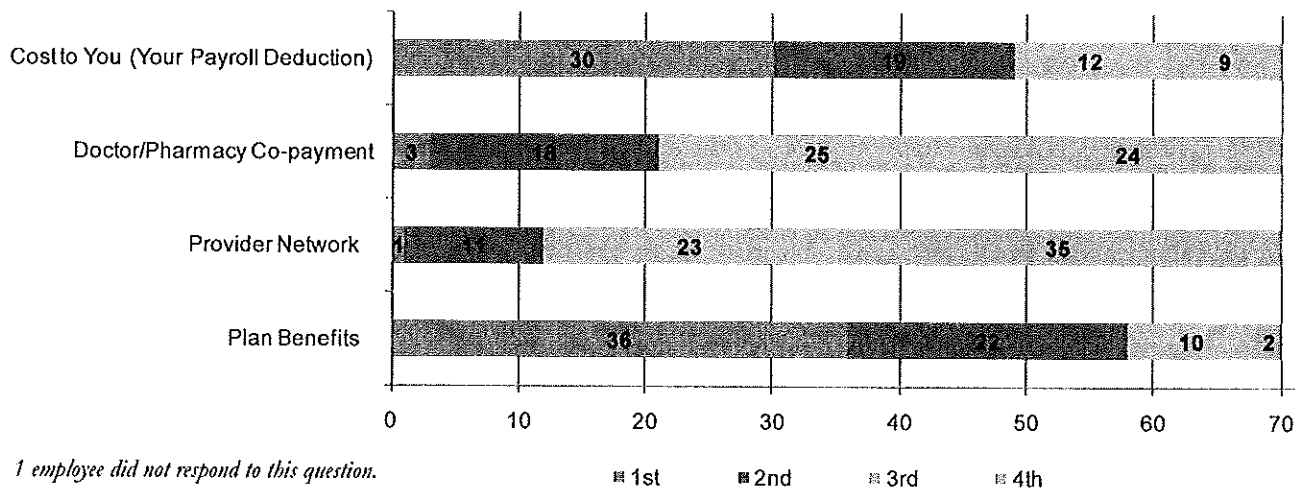
TOWN OF JUPITER ISLAND  
2009 EMPLOYEE BENEFITS SURVEY RESULTS

**Health Insurance  
Blue Cross Blue Shield of Florida**

6. Please rate the following factors from 1 to 4 in order of importance to you (1 being the most important and 4 being the least important). NOTE: You cannot use any rating number more than once.

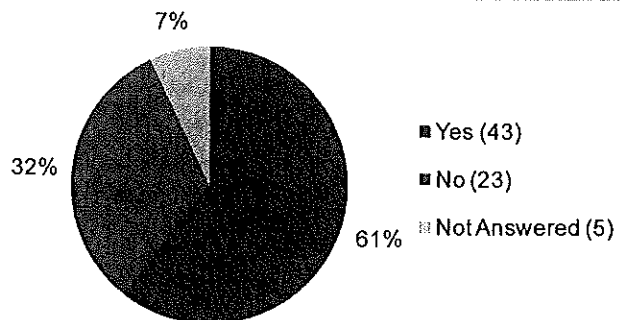
- \_\_\_ Plan Benefits
- \_\_\_ Provider Network
- \_\_\_ Doctor / Pharmacy Copayment
- \_\_\_ Cost to you (Payroll Deduction)

**EMPLOYEE HEALTH INSURANCE PRIORITIES**



The results to the above question illustrate that Plan Benefits and Premium Cost (payroll deductions) rank the highest when it comes to employee concern. With 36 of 70 people indicating that Plan Benefits are their top priority and 30 out of 70 people indicating that the Premium Cost is their top priority, the concern is spread evenly among the respondents. It is our experience that those who utilize the plan tend to prefer a plan with more comprehensive coverage. In the Town's case, the results also show that employees would prefer that the Town continue its current policy of not requiring its employees to contribute to the cost of the health plan.

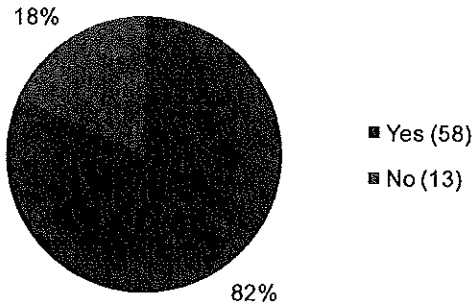
7. Would you be willing to have higher copays or deductibles in order to keep health premium costs (Your Payroll Deduction) as low as possible?



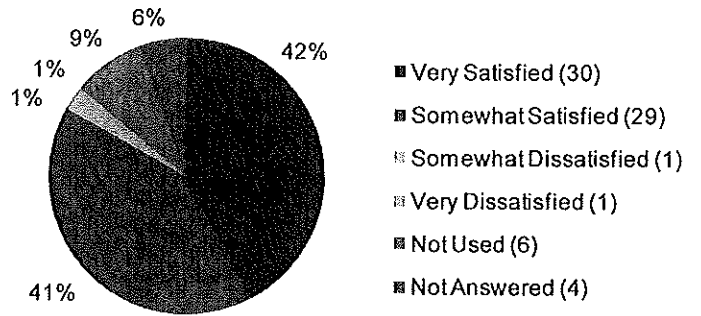
TOWN OF JUPITER ISLAND  
2009 EMPLOYEE BENEFITS SURVEY RESULTS

**Dental Insurance  
Guardian Dental**

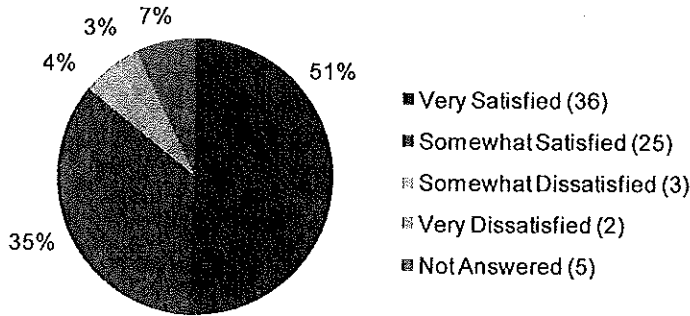
8. Have you utilized dental services under the Guardian Dental program?



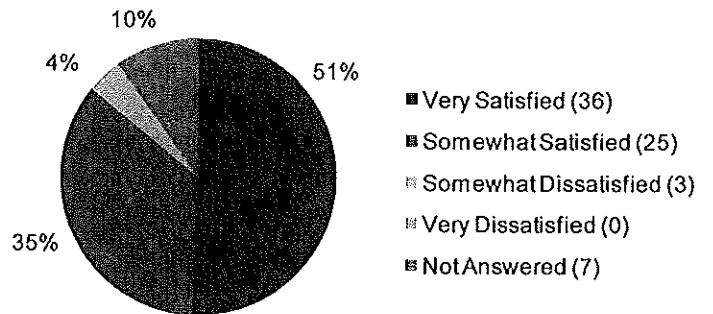
9. Rate your overall level of satisfaction with your Guardian Dental plan.



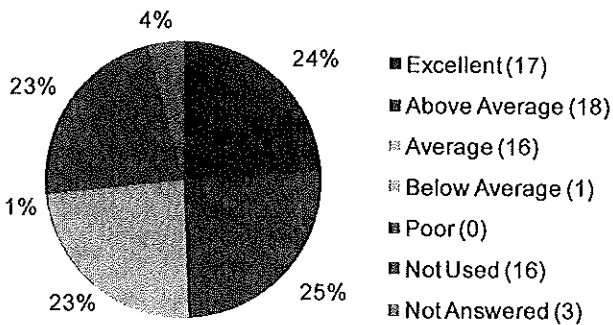
10. Rate your overall level of satisfaction with the selection of dentists in the Guardian network.



11. How would you rate the ease of use of the Guardian dental program?



12. How would you rate the customer service provided by Guardian?



**Dental Insurance Observations**

Based on the survey results illustrated within, the overall level of satisfaction with the Guardian Dental plan is very positive. With 82% of the employees having used the plan, and 83% of employees claiming to be Very Satisfied and Somewhat Satisfied, it is apparent that the Town's dental program is meeting the needs of the insured. Also, the majority of the employees indicated that they are pleased with the selection of dental providers.

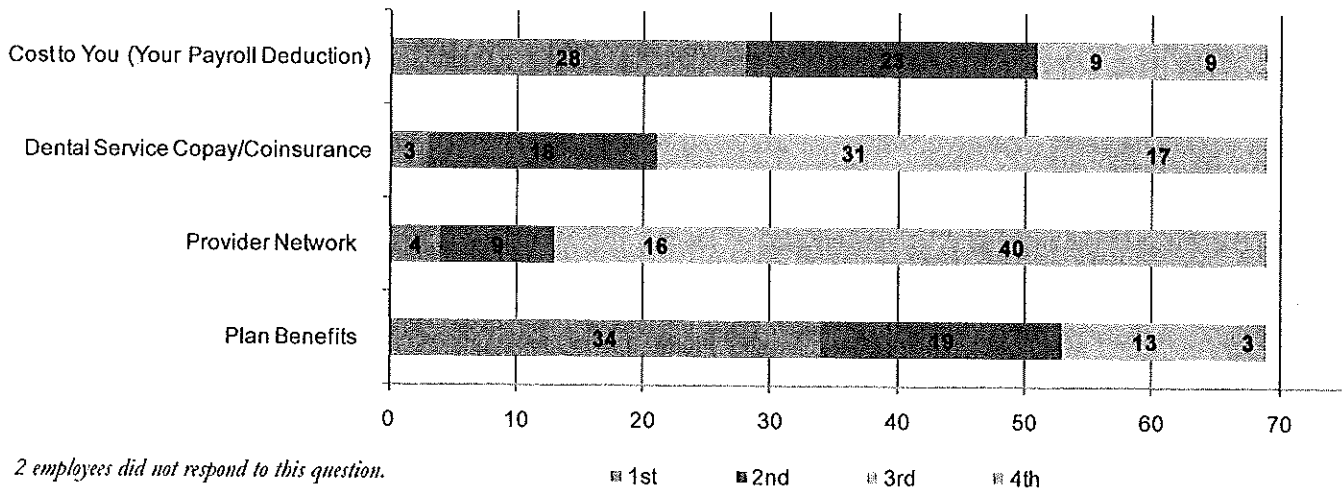
TOWN OF JUPITER ISLAND  
2009 EMPLOYEE BENEFITS SURVEY RESULTS

**Dental Insurance  
Guardian Dental**

13. Please rate the following factors from 1 to 4 in order of importance to you (1 being the most important and 4 being the least important). NOTE: You cannot use any rating number more than once.

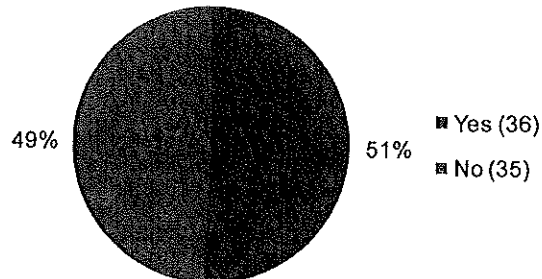
- \_\_\_ Plan Benefits
- \_\_\_ Provider Network
- \_\_\_ Dental Service Copay/Coinsurance
- \_\_\_ Cost to you (Payroll Deduction)

**EMPLOYEE DENTAL INSURANCE PRIORITIES**



Like the health insurance results, the above chart also illustrates that Plan Benefits and Premium Cost (payroll deductions) rank the highest when it comes to employee concern. With 34 of 69 people indicating that Plan Benefits are their top priority and 28 out of 69 people indicating that the Premium Cost is their top priority, the concern is spread evenly among respondents. The above graph also allows us to see that the dental Provider Network is of the least concern to your employees regarding their dental insurance.

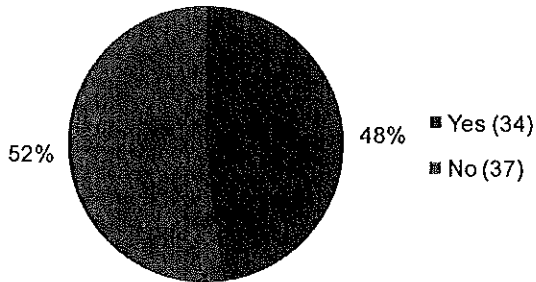
14. Would you be willing to have higher copays or deductibles in order to keep dental premium costs (Your Payroll Deduction) as low as possible?



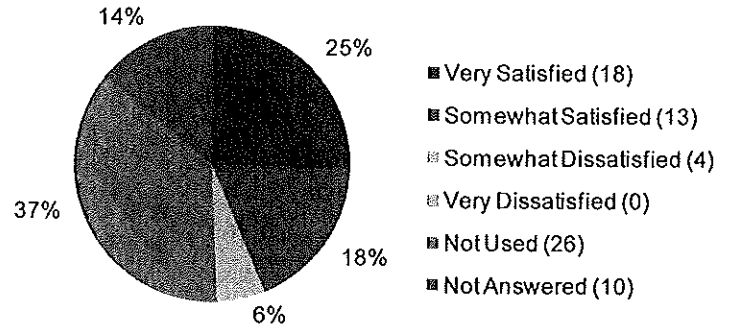
TOWN OF JUPITER ISLAND  
2009 EMPLOYEE BENEFITS SURVEY RESULTS

**Vision Insurance  
Vision Service Plan**

15. Have you, or any of your dependents, utilized the vision plan through Vision Service Plan (VSP)?

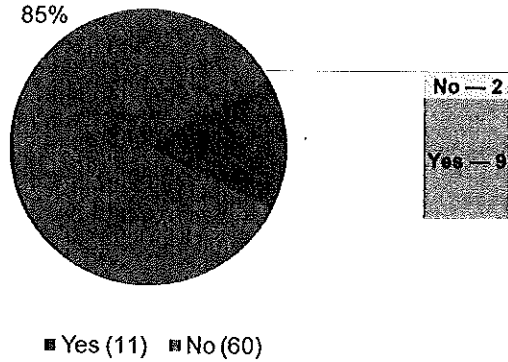


16. Rate your level of satisfaction with Vision Service Plan (VSP).



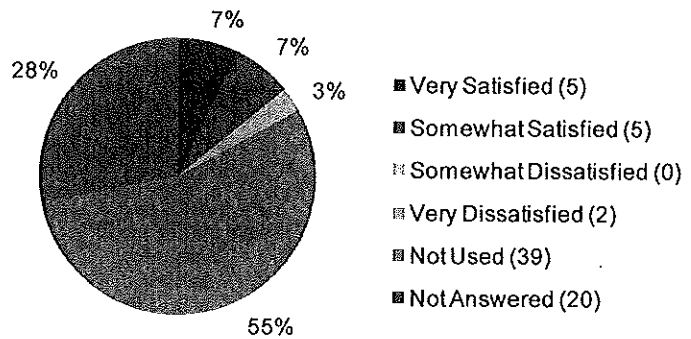
**Employee Assistance Program  
Horizon Health**

17. Have you, or any of your dependents, utilized the employee assistance program through Horizon Health .



19. If used, would you use them again as a resource?

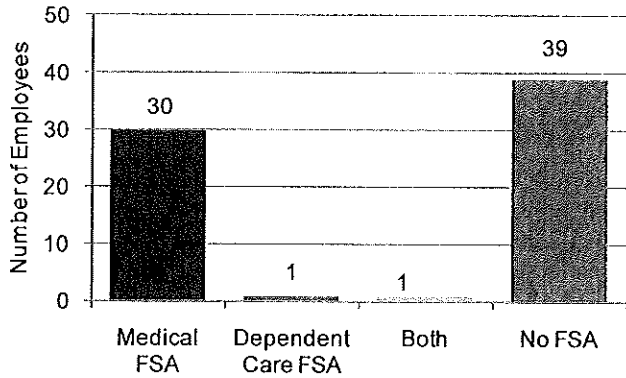
18. Rate your level of satisfaction with Horizon Health?



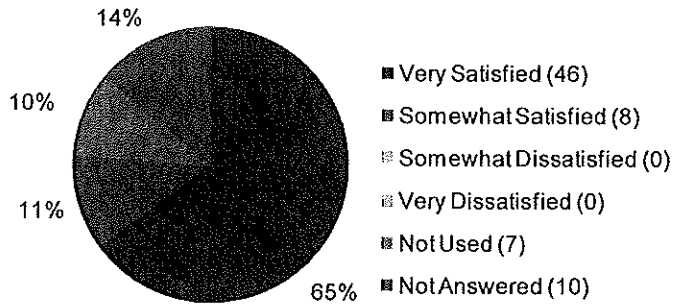
TOWN OF JUPITER ISLAND  
2009 EMPLOYEE BENEFITS SURVEY RESULTS

**Flexible Benefits Plan / Flexible Spending Account**

20. Other than your employer-paid contribution (\$750), do you contribute additional money to a Medical FSA, Dependent Care FSA, Both or No FSA at all?



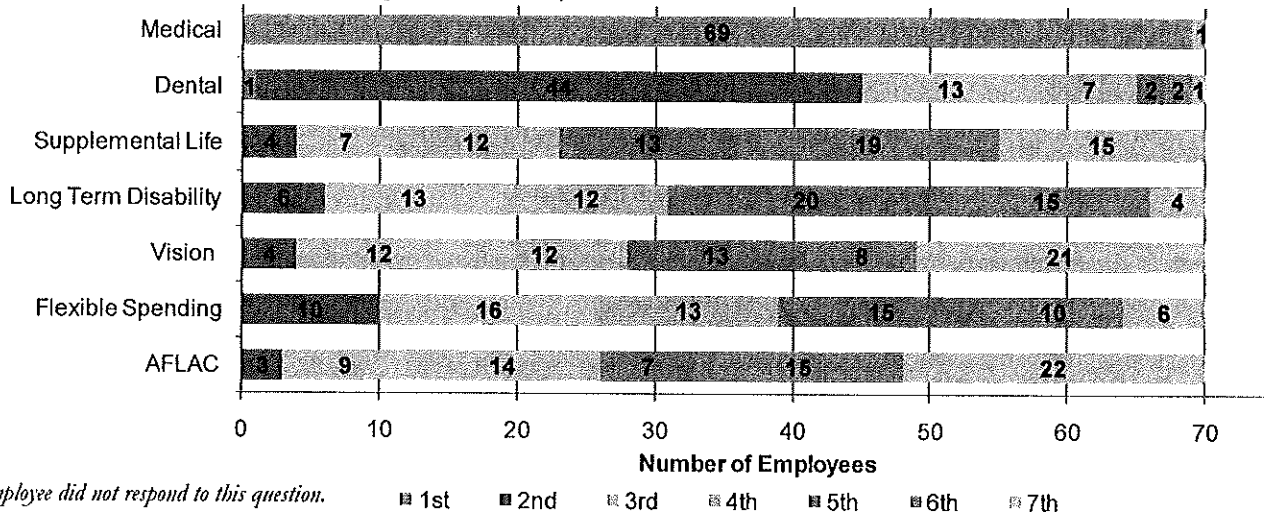
21. Rate your level of satisfaction with the \$750 employer funded Flexible Spending Account (FSA).



**Conclusion Question**

22. Of the current plans offered, please rate from 1 to 7 in order of importance to you (1 being the most important and 7 being the least important). NOTE: You cannot use any rating number more than once.

- |                                 |                       |
|---------------------------------|-----------------------|
| ___ Medical                     | ___ Vision            |
| ___ Dental                      | ___ Flexible Spending |
| ___ Supplemental Life Insurance | ___ AFLAC             |
| ___ Long Term Disability        |                       |



The responses to the above question indicate that the Town's employees share the same concern as employees nationwide, thus ranking medical insurance as their top priority when it comes to their employee benefits plan.

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**AGREEMENT TO PROVIDE AGENT OF RECORD SERVICES  
RELATING TO EMPLOYEE BENEFITS**

THIS AGREEMENT ("Agreement" is made this \_\_\_\_ day of \_\_\_\_\_, 2010, by and between the TOWN OF SURFSIDE, headquartered at 9293 Harding Avenue, Surfside, FL 33154, hereinafter referred to as "TOWN", and The Gehring Group, Inc., with its principal place of business located at 11505 Fairchild Gardens Avenue, Suite 202, Palm Beach Gardens, FL 33410, hereinafter referred to as "GEHRING GROUP".

**RECITALS:**

- a. TOWN is a municipal corporation existing under the State of Florida, and in the conduct of its business, desires to obtain certain consulting services relating to its benefits program.
- b. GEHRING GROUP is an active corporation, existing under the State of Florida, experienced in the foregoing and agrees to perform these services for the TOWN under the terms and conditions set forth in this Agreement.

In consideration of the mutual premises set forth in this Agreement, it is agreed by and between TOWN and GEHRING GROUP as follows:

**SECTION ONE  
NATURE OF WORK**

GEHRING GROUP will perform consulting and advisory services on behalf of the TOWN with respect to its benefits program, as more particularly described in the "SCOPE OF SERVICES" as set forth in **EXHIBIT "A"**, attached hereto and incorporated herein by reference,

**SECTION TWO  
PLACE OF WORK**


GEHRING GROUP agrees, on request, to come to the TOWN's offices in Surfside, Florida, or such other places as reasonably designated by the TOWN, to meet with representatives of the TOWN, as necessary.



**SECTION THREE  
TIME DEVOTED TO WORK**

In the performance of services, the services and hours GEHRING GROUP is to work on any given day, will be entirely within GEHRING GROUP'S control and TOWN will rely upon GEHRING GROUP to devote such time, as is reasonably necessary, to fulfill the intent and purpose of this Agreement, which is initially to source and provide on a cost effective basis, the benefit programs required by the Town to be effective as of October 1, 2010, providing for adequate time to hold an orderly open enrollment period for employees. The TOWN will provide the necessary support documents so GEHRING GROUP can provide the benefit analysis in a time frame appropriate for an October 1, 2010 effective date. Should the TOWN change its employee benefits renewal effective date to July 1, 2010 then this contract shall be effective on JULY 1, 2010.

**SECTION FOUR  
PAYMENT**

 GEHRING GROUP will be compensated through payment of commissions received from the various carriers who have contracted with the TOWN to provide coverage to the TOWN, ~~or through direct payment from TOWN to GEHRING GROUP~~ as outlined in **EXHIBIT "B"** entitled "Commissions". The annual services to be provided by the GEHRING GROUP to the TOWN are described in **EXHIBIT "A"** entitled "SCOPE OF SERVICES TO BE PROVIDED BY GEHRING GROUP." The undertaking by GEHRING GROUP to perform professional services defined within this Agreement extends only to those services specifically described herein. If upon the request of the TOWN, GEHRING GROUP agrees to perform additional services hereunder, the TOWN shall pay GEHRING GROUP for the performance of such additional services an amount (in addition to all other amounts payable under this Agreement) based on the hourly fees established herein, plus reimbursable expenses incurred by GEHRING GROUP, or pursuant to an addendum to this Agreement is executed by the parties to this Agreement addressing the additional services.

**SECTION FIVE  
TERM**

The term shall commence upon the parties' execution of the Agreement. ("Commencement Date"). The term of this Agreement shall be three years, and may be renewed for additional one year terms at the sole option of the TOWN. The TOWN's option of extending the Agreement for each additional year shall be deemed automatically exercised, unless the TOWN gives written

notice to the GEHRING GROUP of its intent not to exercise the option at least 90 days in advance of the anniversary of the Commencement Date.

## **SECTION SIX STATUS OF GEHRING GROUP**

This Agreement calls for the performance of the services of GEHRING GROUP as an independent contractor, and GEHRING GROUP, an active Florida corporation, will not be considered an employee of the TOWN for any purpose.

## **SECTION SEVEN INDEMNIFICATION**

GEHRING GROUP shall protect, defend, indemnify, and hold harmless, the TOWN, its employees, agents, elected or appointed officials, and representatives from any and all claims and liabilities, including all attorney's fees and court costs, including appeals, for which TOWN, its employees, agents, elected or appointed officials, and representatives can or may be held liable as a result of injury to persons or damage to property occurring by reason of any negligent acts or omissions or willful misconduct of GEHRING GROUP, its employees, or agents arising out of or connected with this Agreement or any breach of this Agreement by GEHRING GROUP. GEHRING GROUP shall not be required to indemnify TOWN or its agents, employees, or representatives when an occurrence results solely from the wrongful acts or omissions of TOWN, or its agents, elected or appointed officials, employees, or representatives.

## **SECTION EIGHT TERMINATION**

Notwithstanding Section Five, the TOWN may terminate this Agreement for any reason, with or without cause, by giving GEHRING GROUP 90 days advance written notice of the TOWN's intent to terminate the Agreement.

## **SECTION NINE MISCELLANEOUS**

1. As an independent contractor, GEHRING GROUP shall pay all expenses in connection with its consulting business and GEHRING GROUP will not incur any indebtedness on behalf of TOWN with this AGREEMENT.
2. In the event either party hereto shall file a lawsuit to enforce any of the terms hereof, the prevailing party shall be entitled to recover all costs, charges, and expenses of enforcement, including reasonable attorney's fees incurred in a trial of appellate proceeding.

3. This Agreement, constitutes the entire Agreement between the parties relative to the transaction contemplated herein and neither this Agreement nor any term or provision hereof may be waived, except by an instrument in writing executed by the TOWN and GEHRING GROUP.
4. This Agreement shall be interpreted and enforced in accordance with the laws of the State of Florida, and the venue for any action brought or arising out of this Agreement shall be Dade County, Florida.
5. Should any term or provision of this Contract be held, to any extent, invalid or unenforceable, as against any person, entity or circumstance during the term hereof, by force of any statute, law, or ruling of any forum of competent jurisdiction, such invalidity shall not affect any other term or provision of this Contract, to the extent that the Contract shall remain operable, enforceable and in full force and effect to the extent permitted by law.
6. This Contract may be amended, extended, or renewed only with the written approval of the parties.
7. This Contract states the entire understanding and agreement between the parties and supersedes any and all written or oral representations, statements, negotiations, or agreements previously existing between the parties with respect to the subject matter of this Contract. The GEHRING GROUP recognizes that any representations, statements or negotiations made by TOWN staff do not suffice to legally bind the TOWN in a contractual relationship unless they have been reduced to writing and signed by an authorized TOWN representative. This Contract shall inure to the benefit of and shall be binding upon the parties, their respective assigns, and successors in interest.
8. This opportunity is also made available to any and all local, County, and State of Florida governments. Pursuant to their own governing laws, and subject to the agreement of the Contractor, other entities may be permitted to make purchases at the terms and conditions contained herein.

**IN WITNESS WHEREOF**, the parties or their duly authorized representatives hereby execute this Contract on the date first written above.

TOWN OF SURFSIDE, FLORIDA

ATTEST:

BY: \_\_\_\_\_

DANIEL DIETCH, MAYOR

BY: \_\_\_\_\_

DEBRA EASTMAN, TOWN CLERK

GEHRING GROUP

BY: \_\_\_\_\_

KURT GEHRING, PRESIDENT

**EXHIBIT A**  
**SCOPE OF SERVICES TO BE PROVIDED BY GEHRING GROUP**

**It is the Intent of this Exhibit to comprehensively include all services required to be provided per RFQ #FY21-HR 01 which includes:**

1. Designing, marketing, obtaining quotations, evaluating insurers' financial status, placing and servicing all of the Town's employee benefit plans
2. Identifying, measuring and analyzing the Town's funding options.
3. Providing other services related to Town's employee benefit plans, including the following:
  - a. Expert analysis and interpretation of insurance policy language and coverage;
  - b. Expert assistance in establishing insurance program structures, which attract and keep valued personnel, in coordination with the Town's resources;
  - c. Expert assistance in the settlement of claims issues;
  - d. Expert assistance in promoting wise utilization of benefits;
  - e. Expert assistance in negotiating with potential carriers for employee benefit insurance coverage;
  - f. Expert assistance in keeping the Town in compliance with all HIPAA, local, state and federal legislation and regulation;
  - g. Expert financial and actuarial consultation;

**The following Scope of services will be provided by Gehring Group in fulfillment of the above list of services, and as additional services:**

- A. Conduct detailed review, analysis and projection sessions with decision makers at key points throughout the year: mid-year, fourth quarter, and pre-renewal.
- B. Negotiate renewal rates, benefits, and services with group insurance carriers to maximize value for the Town.
- C. Attend and/or conduct group insurance committee meetings with employees and management. Conduct review sessions and renewal negotiations based on experience periods.
- D. Include in the process:
  - a. Planning/discussion with the Town Manager and key personnel

- b. Discussions with employees
  - c. Mid-year review/analysis/projection
  - d. Fourth quarter review/analysis/projection
  - e. Present original renewal offer from current carrier
  - f. Negotiate renewal options/present to Town
  - g. Conduct formal RFQ process, if directed
  - h. Assist in analysis of Proposals
  - i. Renegotiate with carrier, if directed
  - j. Present information to Town Commission, if directed
  - k. Coordinate contract processing
- E. Provide review/analysis/projection sessions to include:
- a. Projected renewal costs
  - b. Enrollment analysis and comparisons
  - c. Claims analysis and comparisons
  - d. High cost claim summary
  - e. Network utilization and cost avoidance reports
- F. Support the Town administrative staff by resolving important enrollment and billing problems.
- G. Serve the Town's employees by resolving individual benefit delivery issues including special problems with providers and claims.
- H. Provide feedback to the Town's administrative staff on the results of work on behalf of individual employees.
- I. Update Town on changes in applicable laws and how they affect Town benefits.
- J. Produce and print annual employee benefit guide
- K. Conduct periodic on-site meetings with employees and/or dependants on a voluntary basis for individual claim resolution and benefits counseling.
- L. Assist with annual employee open enrollment meeting for the purpose of supporting and improving service to employees.

- M. Provide Experience Utilization Reports to Town (at least quarterly).
- N. Provide detailed quarterly reports analyzing plan revenues, claims, and administrative expenses in a format that is easy to understand and helpful in decision-making.
- O. Be available for questions, explanations, discussions, and respond to requests from Human Resources within the time frame requested.
- P. Provide guidance and assistance with COBRA compliance and administration.
- Q. Provide BenTek® Benefit Resource Center

## EXHIBIT "B"

### Commissions

GEHRING GROUP will be paid a monthly commission equal to the following percentage for insurance programs secured by GEHRING GROUP. Such commissions will be paid by the insurance providers and may be adjusted in order for the total payment not to exceed \$37,500 per fiscal year (October 1 – Sept 30).

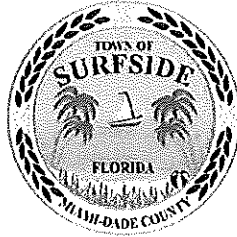
Health Insurance	5%
Dental Insurance	10%
Group Life and AD&D	10%
Vision Insurance	10%
Disability insurance	10%

No additional costs or fees will be paid by the Town. Gehring Group will provide full disclosure of all direct and indirect compensation as requested.

Please note that the above fees include:

- Development, production and printing of annual employee benefit guide
- All travel expenses
- BenTek® Benefit Resource Center





**TOWN OF SURFSIDE**  
Office of the Town Attorney

MUNICIPAL BUILDING  
9293 HARDING AVENUE  
SURFSIDE, FLORIDA 33154-3009

Lynn M. Dannheisser  
Town Attorney

Telephone: 305 993-1065

## MEMORANDUM

**TO:** Town Commission

**FROM:** Lynn M. Dannheisser, Town Attorney *LMD*

**cc:** Gary Word, Town Manager  
Debra E. Eastman, M.M.C., Town Clerk

**DATE:** May 11, 2010

**SUBJECT:** Town Attorney Monthly Update

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This has been an extremely busy couple of months since your induction on March 17, 2010 at which time you received an updated and re-created Town Attorney Handbook.

In this report, I will summarize some of the specific issues we have been dealing with and frame them within the context of some of the repetitive processes that occur each and every month in the Town Attorney's Office. Thereafter, each month I will just give you summary updates only on those matters which are not already reflected in the monthly Commission agenda or in the Town Manager's report. Please understand, my office is a service arm of the Town, and essentially, I am involved in **most** matters affecting the Commission, the Manager, and Department Heads including the preparation of all back up materials contained in your monthly Commission agenda packet. These things do not and will not need to be addressed in the Town Attorney report.

- 1. Workshop Preparation.** The Manager and I have devised, attended and been preparing materials for you for training sessions we have recently had and will continue to have throughout this month. These include your April "Do's and Don'ts of being an Elected Official" and "Orientation for Newly Elected Officials." Prepared this month are back up materials for the upcoming "Quasi-judicial and Committee Workshop" and "Goals and Objectives Budget Workshop" and an upcoming Charter Review workshop all designed to assist you as a brand new Commission in transitioning into your roles as elected officials, to educate you both in the laws and process for a successful administration as well as inform you on pending issues before the Town. This has and will continue to require a

good deal of dedicated time also in both individual meetings and telephone calls. Your diligence in this regard has been extraordinary and should be noted.

## 2. Litigation.

### Pending:

John Davis v. Town of Surfside Case No. 07-17286 CA 08, Circuit Court of the Eleventh Judicial Circuit in and for Miami-Dade County, Florida. This case has been consolidated with a previous case filed by a former sergeant in the Town's police department, John Davis who seeks to prevent the Town from proceeding with disciplinary action against him pursuant to IA investigations where it was determined that Davis breached his duties as a police officer and he was terminated in October, 2007. The case remains in the discovery stage including depositions as well as several all-day meetings and strategy sessions. We continue to explore settlement avenues. If this results in anything concrete, we will have an executive session. In the meantime, we simultaneously prepare to go to trial.

**Florida League of City Cases:** We monitor, coordinate witnesses from our staff, and confer with League counsel on those injury cases that are covered by the FMIT. These are as follows:

John Davis v. Town of Surfside OJCC Case No.: 07-024495C. John Davis filed a Workers' Compensation claim for compensation of a hypertension-hyperglycemic condition he claims he suffered as a result of his work with the Town of Surfside. This matter continues in the discovery phase. Final Hearing is scheduled for August 30, 2010.

Warren Blum v. Town of Surfside Case No. 02-19134 CA 08. This action commenced in 2001 against the Town, former Town Manager, Rodriguez and former Police Chief, Boemler. Blum, a former police officer alleges breach of contract, violation of policeman's bill of rights and fraud in the inducement. Discovery is ongoing and this case has not been set for trial.

Deborah Schilling Jrade v. Town of Surfside Case No. 09-61497 CA 32 Circuit Court of the Eleventh Judicial Circuit in and for Miami-Dade County, Florida. This incident stems from a rear-end automobile collision between the plaintiff and a Town of Surfside garbage truck. This case was settled in the last several days for a sum of \$2500.

Dina Agin v. Town of Surfside Case No. 07-41974 CA 30 Dina Agin filed a complaint seeking damages for injuries allegedly arising from a trip and fall accident due to a defective condition on the property/premises/sidewalk near the corner of 96<sup>th</sup> Street and Bay Drive in the Town of Surfside. Discovery is ongoing,

Mediation was held on April 28 which resulted in an impasse. No trial date has been set. Plaintiff intends to amend the complaint to add Bay Harbor Islands, Bal Harbour and Miami-Dade County as co-defendants.

**New Litigation:**

Elizabeth Bankes vs. Town of Surfside. Case No. 10-24860 CA 22

A complaint has been served on the Town of Surfside alleging a violation of Ms. Bankes' procedural due process rights to participate in a quasi-judicial land use hearing conducted by the Town of Surfside regarding the 9200 Collins Avenue property. In addition, Ms. Bankes petitioned the Court to issue a Writ of Certiorari directed to the Town of Surfside quashing the quasi-judicial action and requested the Court issue an Order to Show Cause why the Petition should be granted. The answer is due May 18<sup>th</sup> and we have requested an extension of time to file the Town's response.

- 3. Budget Preparation.** In connection with upcoming budget workshops, and the budget timetable in general, we have been advising the Finance Director on various budget issues as well as continued our own budget preparation. My legal assistant, Linda Miller, has been gathering the data and we have been analyzing it together with what we believe will be next year's legal issues to determine where we can reduce the budget if possible and make it more accurately reflect the true cost of my office. I will share these ideas with you then.

**4. Ongoing Matters of Interest:**

Ongoing construction and permitting issues related to the Community Center continue to require legal attention.

Commencement of review of the FOP agreements in order to lend support to the Town Manager and Chief in the collective bargaining. To the extent feasible, I will try to handle these issues without special labor counsel.

Assist with Hurricane Wilma closeout issues that have been successfully concluded by the Finance Director.

Water/Sewer study RFQ and contract is upcoming.

90<sup>th</sup> Street Seawall issues for Public Works.

Downtown Business District Issues including parking and licensing.

Closed acquisition of 9450 Collins Ave.

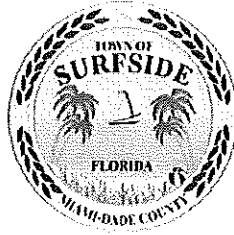
The Fire Department Opt Out (Declined for this year).

Tourist Bureau issues such as short term rentals continue to be grappled with.

Surf Club 75<sup>th</sup> anniversary legal and insurance issues have been mostly resolved.

Research issues this month included Town liability on Medical Clinics, Collective Bargaining process issues, election Issues, Parliamentary Issues for boards, numerous planning, zoning and/or building issues, including but not limited to RLUIPA questions, small scale amendments; bid issues, business license revocation, liens; water and sewer matters, conflicts of interest, and short term rental prohibition and enforcement.

We also continue to monitor legislation out of Tallahassee and Miami Dade County that would impact the Town including opinions issued by other municipalities all of which I have sent you. Of particular note this month was the red light camera legislation.



## Town of Surfside Commission Communication

**Agenda Item #** 8A

**Agenda Date:** May 11, 2010

**Subject:** Proposed Disposal of Property at 9255 Abbott Avenue

**Objective:** To receive direction from the Town Commission on what to do with the single family dwelling at 9255 Abbott Avenue, Surfside, recently acquired.

**Background:** In late March the Town of Surfside officially closed on a single residential property at 9255 Abbott Avenue as part of a settlement agreement. Currently, the house and property are being evaluated for deficiencies. It was generally understood at the time of the acquisition that the house would be listed for sale to recover some, if not all, of the costs associated with the settlement agreement.

**Options / Analysis:** Town staff has identified several options for consideration. They are summarized as follows:

- 1) Request written proposals for the sale of the property in the basic condition it was received by the Town. No broker would be retained. Offers the advantage to "unload" the property fairly quickly with the least amount of cost to the Town. Negatively, the market may not support recovery of the cost to acquire.
- 2) Upgrade the condition of the house to improve marketability (i.e. \$15,000 - \$20,000) and then market the property without a broker. The down side would be the extra expense incurred without a guarantee of return and would delay the disposal of the property. The upside is that the Town could be in an improved position to achieve cost recovery.
- 3) Upgrade the property, rent the property for a year or two to see if the housing market improves and value appreciation occurs. The down side is that the Town would become a landlord. As such, there is no assurance the housing market will improve substantially, and the Town would assume responsibility for taxes, insurance,

maintenance and repairs. Advantages include additional income from rents received and allows time for housing market improvement.

- 4) Make necessary improvements to the property for other uses such as a temporary library or for storage of records and equipment. This would help alleviate some the identified needs of the Town. However, the site may not be acceptable for the type of suggested use and the Town would incur additional costs to make adjustments to meet the preferred need function. Further, there would be additional delay in recovering the Town's costs of acquisition.
- 5) Demolish the single family structure and make a small neighborhood park or community dog park. There would be costs to demolish (est. \$15,000), develop and landscape (costs unknown). Further, the park would add to park maintenance burden but would provide additional open space within the community. This option would mean no cost recovery.

Pending Commission discussion, the preferred approach would be option one (1) above. This approach would provide the quickest turnaround and would allow the Town to recover some, if not all, of its costs associated with the acquisition of the property. The request for proposals (RFP) process to purchase would be coordinated in-house by the Town's Building Official. A draft notice of request has been prepared (Att. A). In addition, a draft "data sheet" on the property has been prepared as well (Att. B).

**Growth Impact:** Pending the direction of the Town Commission, additional park or green space could be added to the community.

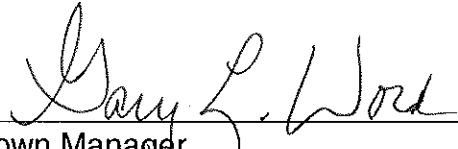
**Budget Impact:** No funds have been budgeted for any improvements to the subject property. Any expenditures on the property would need to be taken from reserves or re-programmed from the existing budget or, perhaps, delayed until the FY 2010-11 Budget is adopted with appropriate expenditures included.

**Staff Impact:** Staff would coordinate the showing and sale of the subject property. If rented, staff would be required to respond to demands for maintenance and repairs. If the site were to become a park or open space, maintenance would be needed. If the site were to become a library, staffing would be required.

**Recommendation:** It is recommended that the Town Commission direct its staff to pursue preparation of a request for proposals (RFP) to coordinate the sale of property located at 9255 Abbott Avenue in essentially "as is" condition. Proposals received would be returned to the Town Commission for authorization to sell to the appropriate bidder(s).

---

Department Head

  
Town Manager



**DRAFT**

**THE TOWN of SURFSIDE, FLORIDA  
NOTICE OF REQUEST FOR PROPOSALS  
FOR  
THE PURCHASE OF CITY PROPERTY  
RFP #2010-01**

**PUBLIC NOTICE is hereby given that the Town of Surfside, Florida is currently soliciting Proposals from qualified person or persons to bid on a single property Located at 9255 Abbott Ave. Surfside, Fl. .**

**Interested parties may obtain a copy of the Request for Proposals (RFP) from the Town's website [www.Townofsurfsidefl.gov](http://www.Townofsurfsidefl.gov) or by contacting Paul A. Gioia, Building Official (305) 861-4863**

**Sealed Proposals, comprised of one (1) original and seven (7) copies of the required information and documents in one (1) sealed envelope, entitled "RFP #2010-01:bid to purchase Property" will be received by the Town Clerk, Town Administrative Offices, 9293 Harding Ave. Surfside, FL 33154, on or before OOOOOO May000 2010 no later than 2:00 pm, at which time they will be publicly opened and announced. Late submittals and facsimile submissions will not be considered. The Proposer shall bear all costs associated with the preparation and submission of the response to the RFP.**

**The Town reserves the right to reject any or all proposals, to terminate the process at any time (and recommence it at a later time from the beginning), to waive any informalities or irregularities in any submittal, to award in whole or in part to one or more Proposers or take any other such actions that may be deemed in the best interest of the Town.**

**Pursuant to the Town's Ethics Ordinance, a Cone of Silence is hereby imposed whereby Town staff and Commission members are prohibited from discussing details of this particular RFP with other staff members, other Commission members, and the public.**

**Debra Eastman, Town Clerk**

**DRAFT****DATA SHEET FOR: REQUEST FOR PROPOSALS No. 2010-01**

Location: 9255 Abbott Ave.  
 Surfside, Florida 33154  
 Legal Description: Lot 17, Block 5, ALTOS DEL MARCH, NO. 5  
 Plat Book 8 page 92, Miami-Dade County, Florida  
 Folio Number: 14-2235-006-0780  
 Taxes: \$ 4,796.05  
 Assessed Value:  
     Land \$ 196,562  
     Building \$ 29,276  
     Total \$ 225,838  
 Land size: 50 feet x 112.5 feet 5,625 Square Feet  
 Description: One story containing approximately 1,665 square feet  
 Bedroom /Bathrooms: 3/3.5  
 Age: 1961  
 Remarks: A small portion of the residence located on the South side of the subject  
 property encroaches on the subject property  
 Utilities:  
     Water: Miami-Dade County Water & Sewer Department  
     Sewer: Miami-Dade County Water & Sewer Department  
     Electricity: Florida Power & Light Company  
     Phone: AT&T  
 Zoning: RS2, Single Family by the Town of Surfside.

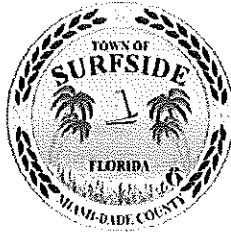
**Scaled bid deadline May 0000 2010 2:00 PM**  
**All sealed bids are to be submitted to the Town Clerk:**

Debra Eastman  
 9293 Harding Ave. 2<sup>nd</sup> Floor  
 Town of Surfside , Fl. 33154

**Inspection of Property by Appointment Only**

**Contact: Paul A. Gioia @ (305) 861-4863**





## Town of Surfside Commission Communication

**Agenda Item #:** 8B

**Agenda Date:** May 11<sup>th</sup>, 2010

**Subject:** Surfside Library Commission Directive

**Objective:** Seek a Commission Direction regarding the Surfside Library

**Background:** The Surf-Bal-Bay Library was established in 1956 in the Town of Surfside. In exchange for their residents' access to the Library, both Bal Harbour and Bay Harbor Islands financially contributed to the Library's operating expense. Both towns terminated this relationship in 2006 as they opted for a Miami-Dade Library Card Reimbursement Program for their residents as a cost savings measure for their respective towns. Therefore the financial expense of operating the Surf-Bal-Bay Library became the sole responsibility of the Town of Surfside.

The Surfside Library was moved from the Community Center building to a temporary modular in March 2008. The FY 08/09 operational budget of a full-time Library was \$268,222 (Attachment A). At that time, due to limited space within the temporary modular, most of the book inventory was consigned, at an expense to the Town, to a private off-site storage company where it remains to this day.

Due to the budgetary constraints of FY 09/10, the Library was closed as of October 1<sup>st</sup>, 2009. The present FY 09/10 operational budget of a closed Library is \$53,203 (Attachment B).

On October 27, 2009, a meeting was held with potential volunteers in an attempt to operate a limited service Library. Of the twelve names submitted as potential volunteers, only six (two being teenagers) were in attendance at this meeting. Subsequently it was determined that the volunteers were unable to commit sufficient hours of their time to effectively offer a very limited Library service to the residents of Surfside. It was also determined that a staff member would need to be present as the Library and its contents require appropriate stewardship. This staff member would also oversee the volunteer base and monitor the patrons' use of a Library service. It is important to note that the Town had just experienced a severe reduction in staffing levels due to budgetary constraints and the adoption of the FY 09/10 Budget thus limiting the ability to provide adequate staff coverage for this venture.

A Commission Directive on December 8<sup>th</sup>, 2009, (Attachment C) established a program to reimburse Surfside residents for a Miami-Dade Library Card. This program was based on similar programs presently offered by Bal Harbour and Bay Harbor Islands to their residents.

The Commission directed an initial \$5,000 to be allocated for this program in FY 09/10. The reimbursement was offered to Surfside residents retroactively from October 1<sup>st</sup>, 2009 – the closing date of the Surfside Library. In addition to this reimbursement program, the route of the Surfside Shuttle, funded through CITT, was adjusted to provide complimentary shuttle service for Surfside residents to the Miami-Dade North Shore Library Branch at 7501 Collins Avenue.

**Analysis:** Presently there are a number of options that the Commission could consider with regard to establishing a direction for the Surfside Library:

- 1) To re-establish a full service Town Library with three (3) full-time and one (1) part-time staff requires a minimum of \$268,622 per fiscal year. This is based on the Library's operation budget of FY 08/09 (Attachment A). The Library would remain in the temporary modular and most of its book inventory would remain in storage.
- 2) The current Library modular lease is set to expire on April 30<sup>th</sup>, 2011. If the liquidation of Library assets and the removal of the Library modular were conducted by this date, there would be a one-time addition to the Town's revenue from the sale of assets (amount TBD) and there would be an operational savings of \$20,535 for FY 10/11. Please note that there is nominal fee of \$2500 associated with the removal of the modular.
- 3) The liquidation of Library assets and the removal of the Library modular by September 30<sup>th</sup>, 2010, would result in a one-time addition to the Town's revenue from the sale of assets (amount TBD) and an operational savings of \$53,203 for FY 10/11 Budget. Please note that there is nominal fee of \$2500 associated with the removal of the modular.
- 4) The continuation of the existing Miami-Dade Library Card Reimbursement program at \$50 per household. To date, for FY 09/10, 84 Households have applied for and received reimbursement at a cost of \$4200. A projected annual budgetary expense of \$10,000 would cover this program going forward (Attachment C).
- 5) The operation of a limited service Library on a part-time basis with the utilization of possible volunteers. The annual operating expense would be \$53,203 in the present temporary modular. There would be an additional expense of hiring one (1) or two (2) part-time staff members to oversee this service: \$13,000 (approximate) for part-time staff based on 25 hours/week for 52 weeks at \$10/hour. Thus the annual budgetary expense would be \$66,203. Please note that this excludes the expenses associated with machinery and equipment as well as the purchasing of additional current reading materials: \$35,175 as outlined in the FY 08/09 Budget (Attachment A). Therefore the total operational budget could be \$101,378.

**Budget Impact:** See above Analysis and Attachments.

**Growth Impact:** The elimination of the Library modular and liquidation of the Library assets would result in a reduction in the Town's operating budget and provide for a one-time addition to the Town's revenue that could be utilized on other Town projects and services.

The continuation of the Miami-Dade Library Reimbursement Program, and additional Shuttle service, has a nominal impact of the Town's budget while providing access to up-to-date library services to those residents of Surfside who choose to utilize the service.

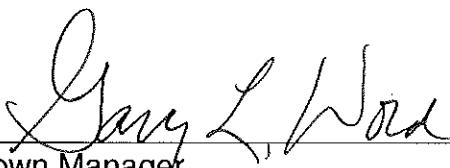
The re-establishment of a full service, or limited service, Library would provide a convenient access to limited Library offerings. These services also come with additional fiscal responsibilities for the Town at a time of dwindling revenue.

**Staff Impact:** The staff impact is directly related to the direction the Commission decides for the Surfside Library:

- 1) The re-establishing of a full service Town Library would require the hiring of three (3) full-time and one (1) part-time staff members.
- 2) Liquidation of Library assets and the removal of the Library modular would require existing staff supervision and the possible contracting of an asset liquidator.
- 3) Establishing a limited Library service would require the hiring of one (1) or two (2) part-time staff members to manage the functions of this service, to co-ordinate a volunteer base and monitor patron use of the Library.

**Recommendation:** Staff makes no recommendation at this time pending Commission direction.

\_\_\_\_\_  
Department Head

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

## Leisure Services: Library Services Division Adopted Expenditures

Line Item prefix: 001-6500-571:		FY 2006 Actual*	FY 2007 Actual	FY 2008 Projected	FY 2009	% Change
Suffix	Object Description					
1210	Regular Salaries	103,576	104,738	118,193	127,009	7.5%
1310	Other Salaries	11,289	13,381	9,561		-100.0%
1410	Overtime			2,170	500	-77.0%
1510	Special pay				5,750	
2110	Payroll Taxes	8,631	8,955	10,680	9,716	-9.0%
2210	Retirement Contribution				4,874	
2310	Life & Health Insurance	15,994	13,994	16,250	16,438	1.2%
2410	Workers Compensation	6,719	13,440	8,650	724	-91.6%
<b>TOTAL</b>	<b>PERSONAL EXPENSES</b>	<b>146,209</b>	<b>154,508</b>	<b>165,504</b>	<b>165,011</b>	<b>-0.3%</b>
4110	Telecommunications	798	789	589	900	52.8%
4111	Postage	179	23	0	125	
4310	Electricity	690			5,400	
4402	Building Rental/Leasing			44,472	46,080	3.6%
4403	Equipment/Vehicle Leasing	44,107	27,116	2,700	5,500	103.7%
4510	Property and Liability Insurance	5,446	8,355	5,302	6,055	14.2%
4601	Maintenance Service/Repair Contracts	3,110	2,996	2,055		-100.0%
4710	Printing & Binding				2,000	
4911	Other Current Charges				650	
5110	Office Supplies	7,490	2,797	3,100	1,500	-51.6%
5290	Miscellaneous Operating Supplies	195		6,995	1300	-81.4%
5410	Subscriptions and Memberships	100			350	
5420	Conferences and Seminars		100	50	250	400.0%
<b>TOTAL</b>	<b>OPERATING EXPENSES</b>	<b>62,115</b>	<b>42,176</b>	<b>65,263</b>	<b>70,110</b>	<b>7.4%</b>
6210	Buildings	36,674				
6310	Improvements other than Building	2,882				
6600	Books, Publications, Library Materials	39,539	32,869	32,000	33,500	4.7%
<b>TOTAL</b>	<b>CAPITAL OUTLAY</b>	<b>79,095</b>	<b>32,869</b>	<b>32,000</b>	<b>33,500</b>	<b>4.7%</b>
<b>TOTAL</b>	<b>Department Total</b>	<b>287,419</b>	<b>229,553</b>	<b>262,767</b>	<b>268,622</b>	<b>\$5,855</b>

\* Actuals for FY 2006 and FY 2007, and Projected FY 2008 are from the Library Fund. These amounts did not actually expend from the General Fund, but are provided here for reference.

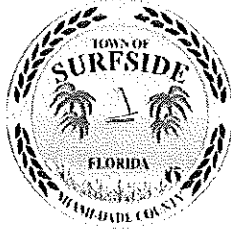
Major Variance or Highlights of the Departmental Budget		
Code	Amount	Explanation
		No Significant increases are planned for Library Services in FY 2009

## Leisure Services: Library Services Division Expenditures

Line Item prefix: 001-6500-571:		FY 2007 Actual*	FY 2008 Actual	FY 2009 Projected	FY 2010	% Change
Suffix	Object Description					
1210	Regular Salaries	104,738	112,265	125,000	0	-100.00%
1310	Other Salaries	13,381	14,079		0	
1410	Overtime		3,183	0	0	0.00%
1510	Special pay		4,413	5,750	0	-100.00%
2110	Payroll Taxes	8,955	10,249	9,670	0	-100.00%
2210	Retirement Contribution			4,415	8,134	84.24%
2310	Life & Health Insurance	13,994	16,507	15,715	0	-100.00%
2410	Workers Compensation	13,440	9,116	530	0	-100.00%
<b>TOTAL</b>	<b>PERSONAL EXPENSES</b>	<b>154,508</b>	<b>169,813</b>	<b>161,080</b>	<b>8,134</b>	
4110	Telecommunications	789	591	0	0	
4111	Postage	23	35	125	0	-100.00%
4310	Electricity			0	3,583	
4402	Building Rental/Leasing		50,914	49,580	49,620	0.08%
4403	Equipment/Vehicle Leasing	27,116	2,608	5,815	0	-100.00%
4510	Property and Liability Insurance	8,355	7,471	5,555	0	-100.00%
4601	Maintenance Service/Repair Contracts	2,996	3,107		0	
4710	Printing & Binding			2,000	0	-100.00%
4911	Other Current Charges			325	0	-100.00%
4912	Newspapers and Magazines		4,764	4,000	0	-100.00%
5110	Office Supplies	2,797	2,064	1,500	0	-100.00%
5290	Miscellaneous Operating Supplies		8,920	650	0	-100.00%
5410	Subscriptions and Memberships			350	0	-100.00%
5420	Conferences and Seminars	100	100	100	0	-100.00%
<b>TOTAL</b>	<b>OPERATING EXPENSES</b>	<b>42,176</b>	<b>80,574</b>	<b>70,000</b>	<b>53,203</b>	<b>-13.1%</b>
6410	Machinery and Equipment		2,494			
6600	Books, Publications, Library Materials	32,869	32,681	26,000	0	-100.00%
<b>TOTAL</b>	<b>CAPITAL OUTLAY</b>	<b>32,869</b>	<b>35,175</b>	<b>26,000</b>	<b>0</b>	
8210	Aid to Private Organizations	0	0	0	15,000	
<b>TOTAL</b>	<b>NON-OPERATING EXPENSES</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>15,000</b>	
<b>TOTAL</b>	<b>Department Total</b>	<b>229,553</b>	<b>285,563</b>	<b>257,080</b>	<b>76,337</b>	<b>-70.31%</b>

\* Actuals for FY 2007 and FY 2008 are from the Library Fund. These amounts did not actually expend from the General Fund, but are provided here for reference.

Code	Amount	Explanation
Personnel	(\$152,946)	FY 2010 Personnel Reduction
6600	(\$26,000)	Reduction to Library Materials Purchases FY 2010



## Town of Surfside Commission Communication

**Agenda Item #**

**Agenda Date:** December 8, 2009

**Subject:** Proposed Reimbursement of Library Cards

**Background:** The limited Surfside Library operation on a volunteer part-time basis is not feasible at this time given the response from potential volunteers. Both Bal Harbour and Bay Harbor Islands instituted a reimbursement of Miami-Dade Library Cards to their respective residents since opting out of the Surf-Bal-Bay Library program.

**Analysis:** In order to provide library services for Surfside residents, the Surfside Commission could authorize the reimbursement of up to two (2) Miami-Dade library cards per household effective October 1<sup>st</sup>, 2009. The current cost per card is \$50.00. Children under 17 would need parental consent to obtain a library card. The two closest libraries are located at Sunny Isles City Hall, 18070 Collins Avenue, and in Miami Beach at 7501 Collins Avenue. Residents would obtain a receipt from the Miami-Dade Library System for their purchase of their library card(s). To receive reimbursement, they would need to obtain and complete a reimbursement form, submit the form for the card or both cards at the same time, with the library card(s) and receipt(s), as well as provide a photo ID and proof of Surfside Residency at Town Hall. The reimbursement form would be available at Town Hall.

**Budget Impact:** \$15,000 was allocated for some form of continued Library Service in the Fiscal Year 09/10 Adopted Budget. Based on data received from Bal Harbour and Bay Harbor Islands, the cost to the Town of Surfside is estimated at \$5,000.00 to \$8,000.00 per year.

**Staff Impact:** The impact to Staff is minimal. The reimbursement of the cost for the Library Card(s) will be processed by staff (see sample of reimbursement form attached). Staff is currently investigating the possibility of having the Surfside Mini-Bus Shuttle add one of the neighboring library branches to its route.

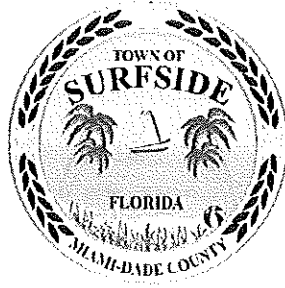
**Recommendation:** At this time, based on the experience of Bal Harbour and Bay Harbor Islands, Staff recommends that the Town of Surfside Commission concur with Staff assessment to provide for the Reimbursement to Surfside Residents for their Miami-Dade Library Cards as outlined above.

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Department Head

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Town Manager



**Town of Surfside**  
**Library Card Reimbursement Request Form**

*One Card Per Residence*  
*(Please Print Legibly)*

Date: \_\_\_\_\_

Name library card was issued to: \_\_\_\_\_

Card: \_\_\_\_\_

Address: \_\_\_\_\_

City, State, Zip: Surfside, FL 33154

Home Phone Number: \_\_\_\_\_

**Photo Identification, library card , proof of Surfside residency, and receipt from the Miami-Dade Public Library System ([www.mdpls.org](http://www.mdpls.org)) must be submitted along with this completed form.**

Reimbursement checks will be made payable to the name printed below and mailed to the Surfside address indicated above within 30 days.

***I hereby certify that I am currently a Surfside resident, and that I am entitled to receive reimbursement for the library card from the Miami-Dade Public Library System.***

\_\_\_\_\_  
Signature of Surfside Resident Completing Application      Date

\_\_\_\_\_  
Printed Name of Surfside Resident Completing Application

**Verified by Town Staff:** \_\_\_\_\_ **Date:** \_\_\_\_\_  
**Attach Photo Copy of Library Card**

**Town Manager's Approval:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**Finance Processing:** \_\_\_\_\_ **Date:** \_\_\_\_\_  
**#001-6500-571-4911 Vendor # 99999**



**Town of Surfside  
Town Commission Meeting  
May 11, 2010  
7 p.m.**

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

**DISCUSSION ITEM MEMORANDUM**

**Title:** Occupancy Regulations

**Objective:** Update

**Consideration:**

Update status on the issue raised last month of the occupancy regulations at the Lily Pad hotel and the Carlyle Condominium.

The basis for this item is that complaints have been received that the Lily Pad allows renters to exceed the capacity allowed per unit , and the Carlyle advertises that they have units for rent on daily ,weekly or monthly basis.

Both would represent code violations.

Marta Olchyk, Commissioner



9B  
Commissioner  
Olchyk



**Town of Surfside  
Town Commission Meeting  
May 11, 2010  
7 p.m.**

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

**DISCUSSION ITEM MEMORANDUM**

**Title:** Beach Walk Beautification

**Objective:** Weekly Clean up

**Consideration:**

We should be taking steps into assign employees to clean up on a weekly basis at least, the debris, dogs, cats excrements that have been accumulating in the bushes for quite a while and produces bad odors.

Police personnel should be assigned so that at least a few times during the day they oversee and enforce the law of having dogs on leash and not allowing trash to be discarded on public domain .

Marta Olchyk, Commissioner



**Town of Surfside  
Town Commission Meeting  
May 11, 2010  
7 p.m.**

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

**DISCUSSION ITEM MEMORANDUM**

**Title: Surfside Color Guard – Participation In Military Funerals**

**Objective: Desire for the Surfside Color Guard to attend military and/or non-military funerals of Veterans that called Surfside home. I would like to see this same duty/honor/privilege given to any and all (past, present and future) Town of Surfside Police Officers.**

**Consideration: I attended a funeral of a resident of Surfside, who was also a Marine.**

**I believe it is both an honor and obligation our Town has to those that served our Nation.**

**Police Department input is both crucial and appreciated.**

**Respectfully,**

**Joe Graubart**

**Vice Mayor**



**Town of Surfside  
Town Commission Meeting  
May 11, 2010  
7 p.m.**

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

**DISCUSSION ITEM MEMORANDUM**

**GRAUBART**

**Title: SHORT TERM RENTALS – Single Family Homes and Condominiums**

**Discussion Only – Determine if Commission shares my concerns re: Short Term Rentals**

**Objective: Discuss SHORT TERM RENTALS – Single family homes – Condominiums**

**Consideration: Determine: The impact of SHORT TERM RENTALS**

**Example: SIX MONTH RENTAL MINIMUM**

**Taxes currently collected??? \$ \_\_\_\_\_ Learn what if any benefits Town has?**

**Economic impact of proposed ordinance?? PUBLIC WORKS IMPACT (water/sewer)**

**Enforcement: Difficult, yes. SURFSIDE P D INPUT re: this subject.**

**Need to have the ‘law’ or Ordinance – so as to let would be investors know that Town policy is: NO SHORT TERM RENTALS and that enforcement is possible. To help prevent and persuade investors from buying homes as an investment - to rent out and therefore, to go elsewhere. To now, get ahead of the problem.**

**Discuss if Condo ‘Docs’ (rules and regs) cover their unique concerns. And, Condo owners need/desire to be covered by this Ordinance.**

**Respectfully, Joe Graubart**



**Town of Surfside  
Town Commission Meeting  
May 11, 2010  
7 p.m.**

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

**DISCUSSION ITEM MEMORANDUM**

**FROM: COMMISSIONER KOPELMAN**

**Title: SHARING MUNICIPAL SERVICES WITH SURROUNDING TOWNS**

**Objective: Discuss the viability of sharing municipal services, explore which services make sense from a management and legal perspective and what other towns are interested in doing?**

**Consideration: Should this Commission give town manager and town attorney direction on this matter and request information on what budgetary savings can result from this.**



**Town of Surfside  
Town Commission Meeting  
May 11, 2010  
7 p.m.**

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

**DISCUSSION ITEM MEMORANDUM  
Agenda Meeting Broadcast**

**Title:** Agenda Meeting Broadcast

**Objective:** To revisit the issue of broadcasting the Commission agenda meetings and either affirm previous Commission policy or revise the policy to broadcast the meetings.

**Consideration:** My intent with advocating to not broadcast the Commission agenda meetings was to create an environment in which the newly elected Commission could work thru the inevitable early group forming stages (i.e., storming and norming) with grace and dignity. The intent was never to exclude the public from our discussions.

If our collective goal as a Commission is to work towards restoring the public trust in its elected officials, then we should at least discuss whether the intent and associated benefits outweigh the perception that has resulted; specifically that the Commission is hiding its discussions and not providing for maximum transparency.



**Town of Surfside  
Town Commission Meeting  
May 11, 2010  
7 p.m.**

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

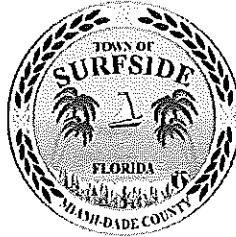
**DISCUSSION ITEM MEMORANDUM  
Downtown Revitalization**

**Title:** Downtown Revitalization

**Objective:** To discuss the downtown revitalization approach/framework developed by staff, the Planning & Zoning Board and our previous Town Commission and gain consensus on a path forward.

**Consideration:** Staff, the Planning & Zoning Board and the previous Town Commission developed the attached downtown revitalization approach/framework. Progress has been made, but much work remains which will require financial and staff resources that are not currently budgeted. As we approach budget season, I submit that this is a priority for our Town and it is not too soon to begin our discussions and see if there is consensus amongst the Commission to identify this opportunity as a budget priority.

attachments



**TOWN OF SURFSIDE**  
**Office of the Town Attorney**

MUNICIPAL BUILDING  
9293 HARDING AVENUE  
SURFSIDE, FLORIDA 33154-3009

Lynn M. Dannheisser  
Town Attorney

Telephone: 305 861-4863  
Facsimile: 305 861-1302  
E-mail: ldannheisser@townofsurfsidefl.gov

**MEMORANDUM**

**TO:** Planning & Zoning Boardmembers  
Design Review Boardmembers

**FROM:** Lynn M. Dannheisser, Town Attorney

**cc:** Town Commission  
Tourist Bureau Committee  
Gary Word, Town Manager  
Paul Goia, Building Official  
Duncan Tavares, Tourist Bureau Director

**DATE:** November 19, 2009

**SUBJECT: BUSINESS DISTRICT REVITALIZATION EFFORT**

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**Background.** As economic conditions decline, the Town is also witnessing a decline in economic retail and tourist business (and concomitant decline in standards of property maintenance) as well as an increase in the number of vacant storefronts and tourist business. The Planning & Zoning Board (as well as several Commissioners, Tourist Bureau members, the Building Official and Code Enforcement Officer) who attended the last P & Z meeting) has expressed an interest in creating a revitalization and redevelopment strategy for the downtown business district that will eventually be recommended to the Town Commission.

You asked Sarah Sinatra and I to create a plan as well as a timeline for its accomplishment for the P & Z Board to consider at this month's meeting - considering both things that can be done immediately (and with little cost) as well as some long range efforts. Sarah and I have researched and brainstormed these issues considering the Town's charrette

documents, our collective municipal and planning experience and attendant expertise with regard to parking, design, economic revitalization, public works and traffic, code enforcement, and constitutional/property law/zoning legal issues. We would propose the following which is intended only but, as a minimum, to form the basis for discussion and debate.

Specifically, the following are things that can be done immediately and with little cost:

### **November - January**

- ❖ Code Enforcement (i.e. real estate signs, signs and awnings in disrepair)
- ❖ Color Palette (i.e. choosing colors choices for façade improvements)
- ❖ Awning colors (i.e. choosing colors choices for new awnings)
- ❖ Pressure clean sidewalks
- ❖ Replace landscaping
- ❖ Special event promotion (3<sup>rd</sup> Thursdays, etc.)
- ❖ Create better property maintenance standards (i.e., add things like: "every merchant, storekeeper or operator of a business in the city shall sweep or cause to be swept the sidewalks adjoining his respective place of business, and continuing as often as necessary thereafter to keep the area clean, on each day such business shall be operated. The sweepings shall be picked up and not swept into the gutter...")

The foregoing in our opinion are all things on which we have heard a general consensus of opinion. Thereafter, however, Sarah and I felt less certain on whether a consensus has been achieved. When faced with such situations in the past, I have found one recommended course of action is to learn what a majority of people in a municipality want or envision by virtue of developing a survey. Hence, if you agree, we would propose the following as the next step:

### **December - February**

- ❖ Formulate a Town Survey / Questionnaire to Residents, examples below:
  - Do you want a unified theme for the Surfside Business District?
    - Trashcans, benches, signage, landscape, elevations, Publix look, etc.
    - If undecided or don't want to create uniformity with regard to all items, do you want to see some uniformity on individual items such as:
      - signs
      - trashcans
      - benches
      - elevations, i.e., the Publix "look"
      - lighting
      - windows
      - colors
  - Do you want to see mixture of uses?
    - Retail, office & residential, or
    - Retail & office
  - Do you want a pedestrian friendly environment? If yes, would you like to see:
    - Wider sidewalks



- Narrower roads
- Pedestrian only streets or malls
- Bicycle paths and racks
- Do you want to see a common brand? If so, which of the following:
  - MIMO Surfside
  - Historic Surfside
  - Beachfront Surfside
  - Other\_\_\_\_\_
- Do you want a slogan? For example:
  - Hometown by the Sea
  - Town with a Heart
  - Other\_\_\_\_\_

### **February –March**

- ❖ Send out and receive survey results

### **March**

- ❖ Begin reviewing survey results

### **April – July**

- ❖ Quantify survey results and determine cost estimates for execution
- ❖ Prepare a Request for Proposals for firms to do redevelopment plan & hire firm
- ❖ Review Town Charrette to determine what concepts could be utilized
- ❖ Hire branding firm (if survey results indicate a brand is desired)

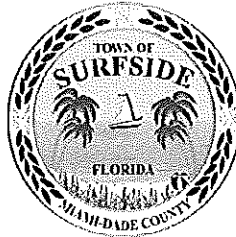
### **July –October**

- ❖ Workshops with stakeholders (i.e. merchants, business owners, etc.)
- ❖ Formula retail analysis
- ❖ Complete redevelopment plan and determine cost before adoption of annual budget

### **November - January**

- ❖ Present redevelopment plan to Planning and Zoning
- ❖ Present redevelopment plan to Commission
- ❖ Implement zoning changes

We hope the foregoing is helpful in beginning the discussion on this very important subject.



**TOWN OF SURFSIDE**  
**Office of the Town Attorney**

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Lynn M. Dannheisser  
Town Attorney

Telephone: 305 861-4863  
Facsimile: 305 861-1302  
E-mail: ldannheisser@townofsurfsidefl.gov

**MEMORANDUM**

**TO:** Planning & Zoning Boardmembers  
Design Review Boardmembers

**FROM:** Lynn M. Dannheisser, Town Attorney

**cc:** Town Commission  
Tourist Bureau Committee  
Gary Word, Town Manager  
Paul Goia, Building Official  
Duncan Tavares, Tourist Bureau Director

**DATE:** January 7, 2010

**SUBJECT: BUSINESS DISTRICT REVITALIZATION EFFORT UPDATE**

At the November 19, 2009 Planning & Zoning Board Meeting, we discussed a possible plan of action for the Revitalization of the Business District. The Board adopted that plan as set forth in my memorandum of November 19<sup>th</sup>. On December 15, 2009, the Town Planner, Town Manager, Chairman of the P & Z Board, Tourist Director and I met and laid out the course of action. This is intended as an update on action taken to date.

**November – January**

- ❖ **Code Enforcement** (i.e. real estate signs, signs and awnings in disrepair)  
Town Manager advises: Code Enforcement – The Code Enforcement Officer is making a pass through the downtown area daily when on duty. A meeting with the Code Enforcement Officer and the Surfside Planning and Zoning Committee is scheduled in early winter to address enforcement standards and possible changes to the code.
- ❖ **Pressure clean sidewalks** Town Manager advises: Pressure Cleaning Sidewalks – Pressuring cleaning of downtown sidewalks began the third week of November. Focus is on areas with significant bird droppings. Cleaning will be done monthly.

- ❖ **Replace landscaping** Town Manager advises: Landscaping – New trash can tops were installed on trash containers in the downtown in November. Department of Public Works personnel will be cleaning the new tops twice each week. New landscaping, replacing over 90% of the pre-existing plantings, was installed at the SW corner of 95<sup>th</sup> Street and Collins in November. New mulch is installed in planting beds along Harding Avenue twice each year.
- ❖ Color Palette (i.e. choosing colors choices for façade improvements) **Deferred until Branding**
- ❖ Awning colors (i.e. choosing colors choices for new awnings) ) **Deferred until Branding**
- ❖ Special event promotion (3<sup>rd</sup> Thursdays, etc.) **Continuing**
- ❖ Create better property maintenance standards (i.e., add things like: “every merchant, storekeeper or operator of a business in the city shall sweep or cause to be swept the sidewalks adjoining his respective place of business, and continuing as often as necessary thereafter to keep the area clean, on each day such business shall be operated. The sweepings shall be picked up and not swept into the gutter...”)  
**Ordinance created and due for discussion by P & Z January 7; first reading at Commission January 12.**
- ❖ **It was decided that we would hold a meeting with the stakeholders (property owners and merchants alike) to solicit their input and determine how much participation in these efforts we can expect from them. That meeting is being scheduled for February.**
- ❖ **It was decided that once the information is gathered, we should defer the Manager advises that...remaining items including a course of action until after the elections in March.**

## Town of Surfside Committees/Boards

### PREVIOUS

### 2010 RECOMMENDED

#### Beautification Committee

Member 1 (Burkett): Jennifer Brilliant  
 Member 2 (Weinberg): David Steinfeld  
 Member 3 (Calderon): Tina Gaber  
 Member 4 (Imberman): Randall Rubin  
 Member 5 (Levine): Adrianne D'Annunzio  
 Liaison: M. Imberman

Member 1 (Dietch) \_\_\_\_\_  
 Member 2 (Graubart) \_\_\_\_\_  
 Member 3 (Karukin) \_\_\_\_\_  
 Member 4 (Kopelman) \_\_\_\_\_  
 Member 5 (Olchyk) \_\_\_\_\_  
 Liaison: \_\_\_\_\_

#### Charter Review Board

Member 1 (Burkett): Marta Olchyk  
 Member 2 (Weinberg): Ken Arnold  
 Member 3 (Calderon): Lou Cohen  
 Member 4 (Imberman): Michael Karukin  
 Member 5 (Levine): Shoshana Feingold-Studnik, PhD  
 Liaison: None

Member 1 (Dietch) \_\_\_\_\_  
 Member 2 (Graubart) \_\_\_\_\_  
 Member 3 (Karukin) \_\_\_\_\_  
 Member 4 (Kopelman) \_\_\_\_\_  
 Member 5 (Olchyk) \_\_\_\_\_  
 Liaison: \_\_\_\_\_

#### Design Review Board

Member 1 (Burkett): Peter Glynn  
 Member 2 (Weinberg): Jorge Gutierrez  
 Member 3 (Calderon): Aram Brazilian  
 Member 4 (Imberman): Daniel Dietch  
 Member 5 (Levine): Richard Iacobacci  
 Architect Member: Elizabeth Ogden  
 Architect Member: Roberto Gambach, R.A. (11-10-09)  
 (\*note same members as P&Z + \*2 architect members)

Member 1 (Dietch) \_\_\_\_\_  
 Member 2 (Graubart) \_\_\_\_\_  
 Member 3 (Karukin) \_\_\_\_\_  
 Member 4 (Kopelman) \_\_\_\_\_  
 Member 5 (Olchyk) \_\_\_\_\_

#### Parks and Recreation Committee

Member 1 (Burkett) Vacant (formerly Carlos Rosa)  
 Member 2 (Weinberg): Christy Rautbord  
 Member 3 (Calderon): Andrew Craven  
 Member 4 (Imberman): Rick Zambrano  
 Member 5 (Levine): Rasciel Socarras  
 Liaison: H. Weinberg

Member 1 (Dietch) \_\_\_\_\_  
 Member 2 (Graubart) \_\_\_\_\_  
 Member 3 (Karukin) \_\_\_\_\_  
 Member 4 (Kopelman) \_\_\_\_\_  
 Member 5 (Olchyk) \_\_\_\_\_  
 Liaison: \_\_\_\_\_

#### Pension Board

Member 1 Stan Bershad\*  
 Member 2 Michael Feldman, Chairman\*  
 Town Manager – Gary Word  
 Employee Rep – Yamileth Slate-McCloud  
 Police Rep – Julio Torres  
 \*(resident appointed by Commission)

**PREVIOUS**

**RECOMMENDED**

**Personnel Appeals Board**

Member 1 (Burkett): Linda Scarcell DeGrave  
Member 2 (Weinberg): Brian Dooreck  
Member 3 (Calderon): Tiffany Cannava  
Member 4 (Imberman): Ruben Coto  
Member 5 (Levine): Jay Abramowitz  
Liaison: C. Burkett

Member 1 (Dietch) \_\_\_\_\_  
Member 2 (Graubart) \_\_\_\_\_  
Member 3 (Karukin) \_\_\_\_\_  
Member 4 (Kopelman) \_\_\_\_\_  
Member 5 (Olchyk) \_\_\_\_\_  
Liaison: \_\_\_\_\_

**Planning and Zoning Committee**

Member 1 (Burkett): Peter Glynn  
Member 2 (Weinberg): Jorge Gutierrez  
Member 3 (Calderon): Aram Brazilian  
Member 4 (Imberman): Daniel Dietch  
Member 5 (Levine): Richard Iacobacci  
Liaison: E. Calderon

Member 1 (Dietch) \_\_\_\_\_  
Member 2 (Graubart) \_\_\_\_\_  
Member 3 (Karukin) \_\_\_\_\_  
Member 4 (Kopelman) \_\_\_\_\_  
Member 5 (Olchyk) \_\_\_\_\_  
Liaison: \_\_\_\_\_

**Police Officers Pension Trust Fund**

Member 1 (Resident): Ted Arboleda  
Member 2 (Resident): John Gentile  
Member 3 (PD Elected): Joe Matthews  
Member 4 (PD Elected): Roberto Silvagni  
Member 5 (PD Elected): Julio Yero

Member 1 (Resident) \_\_\_\_\_  
Member 2 (Resident) \_\_\_\_\_

**Tourist Bureau**

Member 1 (Burkett): Barbara Cohen  
Member 2 (Weinberg): Eric Bogart  
Member 3 (Calderon): Elaine Killeen  
Member 4 (Imberman): Barbara McLaughlin  
Member 5 (Levine): Eli Tourgeman  
Liaison: S Levine

Member 1 (Dietch) \_\_\_\_\_  
Member 2 (Graubart) \_\_\_\_\_  
Member 3 (Karukin) \_\_\_\_\_  
Member 4 (Kopelman) \_\_\_\_\_  
Member 5 (Olchyk) \_\_\_\_\_  
Liaison: \_\_\_\_\_

**75<sup>th</sup> Anniversary Committee**

Member 1 (Burkett): Ricardo Mualin  
Member 2 (Weinberg): Anthony Blate  
Member 3 (Calderon): Randy Rubin  
Member 4 (Imberman): Dana Kulvin  
Member 5 (Levine): Joseph Graubart  
Honorary Member: Seth Bramson  
Liaison: S Levine

Member 1 (Dietch) \_\_\_\_\_  
Member 2 (Graubart) \_\_\_\_\_  
Member 3 (Karukin) \_\_\_\_\_  
Member 4 (Kopelman) \_\_\_\_\_  
Member 5 (Olchyk) \_\_\_\_\_  
Honorary Member: \_\_\_\_\_  
Liaison: \_\_\_\_\_

**Green Committee - Inactive**  
**Education Committee - Sunset 12-8-09**