



Town of Surfside

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

TOWN MANAGER'S REPORT NOVEMBER 2014

COMMUNITY PROGRAMS/INITIATIVES/ENHANCEMENTS

1. Bus Service - Multi-jurisdictional Study – Bus Service Improvements and Operational Efficiencies

Discussions have now been completed with the Managers of Bal Harbour, Bay Harbor Islands and Sunny Isles Beach. Each municipality has expressed its desire to participate in this multi-jurisdictional transportation analysis in order to provide a bus transportation system that is more responsive to its residents ridership needs by attempting to provide a coordinated schedule and routes; expand designation options (Mount Sinai; Aventura Mall, etc.); reduce costs by eliminating overlapping routes and number of vehicles; and provide linkages to the Miami-Dade transportation system.

Miami-Dade CITT has agreed to organize the coordination of the three bus circulators (Surfside, Bal Harbour and Bay Harbor) in an attempt to identify a more efficient routing that would reduce the overall operating costs.

Each community will appoint a contact person to identify the stops that are necessary. Sunny Isles did not attend but will be asked to participate. Expected timeline for this effort is three (3) months, at which time a revised routing plan should be available for local review, ultimately leading to an interlocal agreement. Duncan Tavares will serve as the Town's representative. The Finance Director, Donald Nelson attended the CITT Municipal Transportation Workshop on behalf of the Town on July 24, 2014.

A meeting was held on August 21, 2014 between MD CITT and the Surf-Bal-Bay representatives. MD CITT discussed the ridership statistics provided by each community and discussions continued on coordinating all of the schedules as well as possible connector locations. The next meeting was earmarked for mid-September to formalize route options with the objective of bringing these before the respective communities in the Fall for feedback. A meeting was also held on August 22, 2014 with the TEDACS, Finance, Parks and Recreation, and Public Works Departments to discuss the recent CITT workshop, plans for a coordinated route and other aspects related to the shuttle such as the existing contract.

A follow up meeting between MD CITT and Surf-Bal-Bay representatives was hosted on September 17, 2014 in Surfside. Representatives from Sunny Isles Beach and Miami-Dade Transit (MDT) were also in attendance. MDT has agreed to review all of the schedules and provide recommendations on better coordination by mid-October. The TEDACS Director will follow up with them to ensure that

this process proceeds on a timely basis notwithstanding the multi-jurisdictional coordination complexities. Surfside's position of having this completed as soon as possible is known by all involved.

After conducting outreach on an update to this process, the following email was received:

From: Bryan, Gerald E. (MDT) [<mailto:gbryan@miamidade.gov>]

Sent: Monday, November 03, 2014 8:38 AM

To: 'Amber Riviere'; Toledo, Nestor (CITT); dtavares@townofsurfsidefl.gov; 'J C Jimenez'; bevans@sibfl.net

Cc: joldenburg@balharbour.org

Subject: RE: Municipal route maps

My staff has not yet had the opportunity to analyze the municipal services. We are presently in preparation for the MDT November service changes. I envision within the next couple of months having the available staff for this effort.

The TEDACS Director will continue to monitor the progress on this initiative.

2. Joint Skate Park with City of Miami Beach

The proposal of a skate park located between 86th and 87th streets through a partnership between the Town of Surfside and Miami Beach was presented by Miami Beach Parks and Recreation Department to the Miami Beach Commission on January 15, 2014. The Miami Beach Commission requested staff to prepare a comprehensive Master Plan for the considerable amount of land in the very extreme north area of Miami Beach owned by the City. The City Commissioners indicated that this area should be developed as part of an overall plan. Miami Beach staff reports that the recreational master planning process for the North Beach area is moving forward and a skate park is included in the project; however, the location will likely be several blocks to the south and incorporated near or in the development of a recreation complex at the Log Cabin site.

At the April 23 Miami Beach Commission meeting, follow-up discussion was held and the Commission did not support a skate park in this vicinity. Miami Beach Parks and Recreation Director John Rebar wrote following the April 23 meeting that, "at this time, Commission is not in support of a skate park anywhere along the west lots 79th through 87th. These lots are now part of a much larger North Beach revitalization plan. The direction is to not invest any capital funds on these lots until the long range vision has been determined". Discussions will continue to explore these options with Miami Beach representatives.

3. Citizen Survey

Identified as an item in the "Manager's Transition: Status Report and Work Plan", with \$5000 allocated in the approved FY 13/14 budget for this initiative, the TEDACS Director is in the process of contacting the following vendors for proposals:

- Barry University (conducted North Bay Village's survey)
- FIU Metropolitan Center (approached by the Town to conduct a survey in 2011)
- Kerr & Downs (conducted Miami Beach's survey)

This item is earmarked as a Town Commission discussion item at the October 14, 2014 meeting. However, due to length of the meeting it will be rescheduled.

4. Film Ordinance

The TEDACS Director, Town Attorney's Office and Code Compliance Director met with Sandy Lighterman, Film and Commissioner (Miami-Dade), on August 14, 2014 to discuss a possible interlocal agreement with the Town. This is earmarked as a discussion item for the Town Commission at the December 9, 2014.

5. Miami-Dade Design (Climate Resiliency, Sustainability and Mitigation) Charrette Group 2

Also identified in the Town Manager's Transition Plan, an initial meeting was spearheaded by the Tropical Audubon Society on June 21, 2014. At that meeting groups were formed according to location. Group 2 consisted of attendees from coastal communities including Mayor Dietch and the TEDACS Director. A laundry list of items to address was conceived with a commitment from the group to conduct a subsequent meeting. On August 26, 2014, members of Group 2 met at the Surfside Community Center. The group is committed to create a presentation on achievable initiatives and programs that can be used to educate the community. The next meeting was earmarked to be scheduled for early October.

The follow up meeting is presently on hold (a meeting will not take place in October) due to the unavailability of participants. More information will be provided to the Town Commission when it becomes available.

DOWNTOWN BUSINESS DISTRICT AND TOURISM

6. Sidewalk Ordinance Implementation

On October 29, 2014, Courtesy Notices were issued to both landlords and restaurateurs providing for a 15 day period to apply for and begin the approval process for sidewalk cafes. It is anticipated that beginning November 17, Civil Violation Notices will be issued to those who have not made application, and requiring that they cease and desist operating on the sidewalk. Failure to comply with the timelines in said Notices may result in sidewalk café furnishings and equipment to be removed by the Town.

7. Parking Structure Feasibility Study

The report entitled "Parking Solution: The Next Step" was presented to the Commission on April 1, 2014 and was an agenda item for the April 8 Commission meeting.

At the May meeting, the Commission approved the proposal of Lambert Advisory to assist in the process of evaluating the Public Private Partnership (P3) recommendation contained in the April 1, 2014 report for the Post Office site. The initial work to be undertaken includes necessary

economic/market analysis to ultimately determine feasibility of a P3 and identification of strategic opportunities to ensure a successful P3.

Due to the heightened interest in development opportunities, the Town has recently been approached by multiple parties interested in public private partnership opportunities for the Abbott, Post Office and 94th Street Parking Lots. The Town's parking study identifies these three lots as the potential locations for a parking structure to address the Town's parking deficit. The development community has expressed much interest in the programs identified in the study and has asked the Town for the next steps to proceed with a partnership.

In order to avoid receiving numerous unsolicited proposals/inquiries, Staff is requesting direction. Staff recommends that the Town issue a Request for Information (RFI) or similar public solicitation to receive concepts from the development community. This method would provide the development community with the opportunity to submit design concepts/interest and possible financial options to the Town Commission to allow an informed discussion.

Staff believes that this approach will enable options to be more clearly identified and possibly provide a quicker parking solution. This will be an agenda item at the December Commission meeting.

8. Five Year Tourism Strategic Plan

The new Tourist Board Members have been provided with the Plan as well as the Resort Tax Ordinance (including the recommended changes), FY 13/14 Budget documents etc. The Tourist Board will focus on the FY 14/15 budget as identified in the Five Year Tourism Strategic Plan over the next couple of months. A joint meeting of the Town Commission and Tourist Board is set for October 6, 2014 at 6 pm to discuss revising the Resort Tax Ordinance and to address the Board's governance, authority, and composition. An official tour of the Grand Beach Hotel Surfside was conducted on August 20, 2014 as part of an ongoing effort to forge synergy and a cooperative relationship between the Board and hotel. The joint meeting did not occur due to a lack of availability of participants. The next joint meeting awaits Town Commission commitment. Please note that some Tourist Board members are only available to meet on the regularly scheduled Tourist Board meeting date. (Action Item)

Holiday Lights: Following the Tourist Board and Town Commission approvals for holiday lights to be installed in the Harding Avenue Business District, a logistics meeting was held with the vendor (Miami Christmas Lights), TEDACS Director, Public Works Director, Lukes Landscaping and the Police Chief on August 21, 2014. Once an install time period is identified, the Town Commission, community and business district will be notified. The lights are earmarked to be ready to light by November 21, 2014. The Public Works Department is working on securing a new nativity scene for the upcoming season. As the holiday tree lights have been installed, the Tourist Board voted at the November 3, 2014 meeting to have the tree lights be on from November 13, 2014. The holiday decorations and entrance feature lights will be installed in time for the Thanksgiving holiday.

Mobile App: The Tourist Board approved funding a mobile app at the August 11, 2014 meeting. This app will promote the Town's hotels, stores and restaurants. It will also be used to promote events such

as Third Thursdays and has the capability of expanding into a communication tool to locate and pay for parking. *The agreement will come before the Town Commission at the October 14, 2014 meeting for consent as it already has the Tourist Board's approval. (Provided as part of the consent agenda).* The item was approved at the November 6, 2014 Special Town Commission Meeting. Staff will work with the vendor and getting the app operational and will report back to the Commission with any pertinent updates.

Sister Cities: This initiative, while approved by the previous Tourist Board, is set for discussion by the new Tourist Board at their November 3, 2014 meeting. The focus will be on educating the Board on this initiative and to determine a path forward. At the November 3, 2014 meeting the Board approved moving ahead with the initiative but needs more time and information before providing a recommendation to the Town Commission. This initiative will be addressed by the Board over the next few months with updates provided to the Commission when available.

Benches: Prior to the downtown streetscape project, sponsorship of downtown benches was explored as a means to secure seating in the downtown district. While there was interest from a number of businesses at the time, this initiative was put on hold due to the improvement project and the committee choice of benches that cost more than the previously discussed sponsorship amount. The Town Commission will address particulars of a bench sponsorship initiative at the October 14, 2014 meeting. This item is now on the Town Commission agenda for November 18, 2014 (**Agenda Item**)

INFRASTRUCTURE AND UTILITIES

9. 95th Street End Project

The 95th Street End Project is 90% complete. All of the concrete work, paver installation and landscaping is finished. The shower is installed and operational. We are waiting for the concrete bench, which will be located in the circle on the pavers; we are expecting delivery November 17, 2014 with installation by the end of that week. Foot traffic is now open to the public for access to the beach. This project was completed on time and \$2000.00 under proposed staff budget and approx. \$43,000.00 under outside contract.

10. Seawall Project

Per the direction of the Commission, a report was scheduled for the September Commission meeting recommending a plan to address seawall deficiencies within available resources. However, due to the length of other agenda items, this item was delayed until the October meeting. Again, the item was deferred from the October meeting and was finally heard at the November 6, 2014 Special Commission Meeting. At this meeting the Commission directed CGA to contract with PAC COMM, INC to complete the seawalls listed as "Option 5". Option 5 included the following seawalls:

1. Carlyle Ave and 88th St
2. End of 88th St on Isles of Biscaya
3. 95th St and Bay Drive
4. Froude Ave and 88th St
5. Surfside Park

These walls will be completed for the budgetary cost of \$1,100,000.00. The Notice to Proceed with be issued in November 2014.

11. Biscaya Drainage

The project began on September 21, 2014. Staff worked diligently with minor delays and completed the underground work on November 7, 2014. Cleanup and removal of material is scheduled for the week of the 10th and new pavement is scheduled for the 19th and 20th of November. This project was a great accomplishment for the utility department as all work was performed in house with a savings to the Town of over \$100,000.00.

12. Town Hall Improvements

Town Hall

Town Hall roof and chiller system projects have begun. The roof portion of this project was completed on November 7, 2014. The chiller unit was delivered and installed October 27, 2014. We have five fresh air handlers will be installed the week of November 17th with the remaining connection and change-out of the old system to the new system the week of November 25th. Once the roof and A/C system are complete we will be able to address the inside portion of this project, replacing the ceiling tiles, carpet and painting the walls in the Commission Chambers, training room, code compliance office and the Police Chief's office. This project is scheduled for completion by the end of December.

PLANNING, ZONING AND DEVELOPMENT

13. Historic Preservation

The staff of the Miami-Dade Historic Preservation Board (Board) has identified 9 buildings along the west side of Collins Avenue as potentially historic structures. These include 9016, 9024, 9025, 9033, 9040, 9048, 9054, 9064 and 9340 Collins Avenue. The property owners were notified of the Board's interest in these buildings through a letter each property owner received notifying them that their property is now subject to a moratorium on all building permits until the Board held a public hearing to determine if the structure would be designated historic. The property owners contacted the Town asking for assistance in this matter. At that time, the Town contacted the Board's staff requesting a meeting to discuss the implications of this moratorium and inform them of the Town's ongoing plans, including the parking structure analysis and the discussion of development standards on the block between Collins and Harding. Based on Town staff discussion with the Board's staff, Town staff indicated that it would be appropriate to request a deferral of a decision by the Board. The Board meeting was held on June 18, 2014 and Town staff requested a six month deferral to provide for an opportunity to work with the Board's staff. An attorney for one of the affected property owners was also present and asked for a three month deferral. The Board granted a three month deferral of the decision to designate the properties historic.

The Town coordinated a meeting for residents with Historic Preservation Staff on September 10. This presented an opportunity for Historic Preservation Staff to inform residents of the process and get questions answered. Approximately 50 residents attended.

Town Staff attended the September 17, 2014 Board meeting to request a second deferral. The Board granted a six month deferral of the two applications that were being reviewed. Residents of the Seaway Condominium were in attendance at this meeting and requested that the Board direct their staff to begin an analysis of their building to determine if it is eligible for historic preservation. The Board voted to approve this request. The Board will be determining if the Seaway should be granted historic designation at their November 19, 2014 meeting. Town Staff have asked the Board's staff to notify the Town of all correspondence occurring between the Historic Preservation Office and properties in Town.

The Building Official reports that Miami-Dade County's Office of Historic Preservation contacted the Building Department on July 24, 2014 requesting the review of plans for the following addresses:

- 9300 Collins Ave
- 9316 Collins Ave
- 9332 Collins Ave
- 9348 Collins Ave
- 9364 Collins Ave
- 9372 Collins Ave
- 9380 Collins Ave
- 9309-9317 Collins Ave

Property owner Bratt Holdings filed building demolition applications on August 1, 2014 for the following addresses, 9348 Collins, 9364 Collins and 9372 Collins. Property owner 9300 Collins Avenue Investment Group filed a building demolition application on August 8, 2014 for address 9300 Collins. Miami-Dade County's Office of Historic Preservation has not issued a moratorium on permits for these addresses and as such these applications will now precede any such abeyance on the permitting process.

On October 7, the County Commission approved a Historic Preservation ordinance on first reading to amend the current provision. Staff reviewed the County's Historic Preservation amending ordinance sponsored by Commissioner Sally Heyman. Basically, if approved, it would be another tool available to municipalities to decide what direction it wants to proceed with historic preservation issues. Municipalities now under the County's Historic Preservation regulations must remain because they did not opt out in 1982 when that option was available. The amendment would allow municipalities to now opt out and establish their own Historic Preservation Boards/regulations. This is at the heart home rule where municipalities can determine for themselves how they wish to be

governed. Therefore, this is something the Town should support as it would give us another option in our home rule tool box.

If this amendment is adopted by the County Commission, it does not commit the Town to establishing its own Historic Preservation Board as there are many considerations prior to undertaking that effort. [Note: The ordinance passed on first reading by a reported 7-5 vote].

The next meeting of the County's Historic Preservation Board is scheduled for November 19 (day after the November Commission Meeting). A resolution will be presented to the Commission which provides Town direction/position. (**Agenda Item**)

14. Land Development Regulations – Block Between Harding and Collins Avenues

At the September 30, 2013, Joint Planning and Zoning and Town Commission meeting, there was a discussion about the block between Collins and Harding Avenues and the high interest in redevelopment of this corridor. In an effort to stay ahead of the new construction, there was interest from both boards to prepare criteria to help guide future development into the desired development pattern. Based on that, a budget item was included for an analysis and preparation of zoning criteria which includes the following:

- Preparation of new zoning criteria and comparison of existing conditions
- A review of green book traffic engineering standards as well as Miami-Dade County and FDOT as it relates to mid-block accessibility, walkways, pedestrian activity
- Impacts to existing buildings and strategies for potential non-conformities such as if there is a modification to an existing building, under what circumstances would the entire development need to be brought up to the proposed code
- Consistency of new criteria with comprehensive plan, including the 1989 Comprehensive Plan, which provided for a study of this corridor
- Consistency of new criteria with other sections of the zoning code such as off-street parking, signs, accessory structures, conditional uses, landscaping
- Requirements for open space in terms of landscaping, public space
- Coordination with legal in terms of vested rights, reduced density or intensity resulting from new zoning criteria
- Design criteria for pedestrian walkways

At the June, 2014 Planning and Zoning meeting, the Board voted unanimously to establish this as a top priority. This project was funded in the FY 14/15 budget and the project will be underway immediately following the execution of the work authorization with CGA. The work authorization was approved on November 6, 2014. Work will commence immediately. The Town Planner has been requested to establish, plan/schedule and to coordinate a “kick-off” meeting.

15. Ten Year Water Supply Plan

The Town is required to update its Ten Year Water Supply Plan including identifying any alternate water supply sources and analyzing/updating data from our current supplier. Funds for this project have been included in the FY 14/15 Budget. Work Authorization No. 89 – Ten Year Water Supply Plan has been executed with CGA in the amount of \$7,466.92.

TOWN COMMISSION

16. November 4, 2014 Special Election - Seven Ballot Questions for the Town Charter

Based on preliminary (unofficial) results, Town residents approved five of the seven ballot questions on Charter Amendments. Ballot Questions (Qualification for Office) and Question 6 (Establishing Elected Official's Staggered Terms and Increasing Town Commissioner's Terms from two to four years) were not approved. A resolution will be prepared once the official results are received.

TOWN DEPARTMENTS

Building Department

17. FEMA National Flood Insurance Program (NFIP)

The follow-up visit date is pending and has not been determined.

18. Community Rating System (CRS)

The community verification visit date is pending and has not been determined

19. Forty Year Building Certification for Collins, Harding, Abbott Avenues and Surfside Blvd.

The 40 Year Building Certification Program is progressing as follows:

Reported certifications: 122 in present case file
Completed certifications: 43
Time extensions granted: 0
Exempt from Certification: 3
Vacant commercial properties: 11
Sent to Code Enforcement for non-compliance: 9
150 day repair order: 1
On hold: 4
Inspections: 3

20. Development Projects

The Chateau

The Chateau is progressing with their underground parking garage and has completed the first of its major concrete pour operations.

The Surf Club

The Surf Club has continued its daily lane closures under approved MOT permits. The sky-mat, its major structural element consisting of 1200 plus cubic yards of concrete, is scheduled to be poured in early December.

The Marriott

The Marriott continues to conduct the majority of its operations from on-site with limited lane closures on Collins and Harding for delivery of materials.

21. Document Scanning

The scanning program continues to collect funds through its expired permit outreach effort. The fees collected under this project should fully fund the scanning program drawing no funds from the Building Services Department's budget. The sale of the scanner is pending.

Code Compliance Department

22. Sight Triangle (Hedges) and Corner Visibility

The Town Attorney drafted an Ordinance amending the existing Town Code sight triangle/corner visibility provisions which was approved by the Town Commission on first reading, and recommended by the Planning & Zoning Board at their October 2014 meeting. The second reading of Ordinance for final adoption is scheduled for the November 18, 2014 Commission Meeting, at which time the Administration will provide a policy and enforcement standards for the Commission's consideration. (**Agenda Item**)

Parks and Recreation

23. Beach Management Agreement

Progress on a Town/Miami-Dade County Beach Management Agreement is dependent upon the County receiving specific authorization from FDEP permitting the County to assign certain management responsibilities to local municipalities. The County sent a letter to FDEP on March 17, 2014 requesting a determination that the County can assign maintenance/regulations to local governments. The County once again has received a denial from the State to move forward with this request. At this time the County is not able to move forward on a staff level with any type of agreement. This has been an unsuccessful effort to this point despite Staff's efforts over the past couple of years. This has been identified as a priority for the new Town Manager on the Transition Plan.

24. Tennis Programing

The Parks and Recreation Department will present options for operations including court rentals. The proposed budget did not include the funding request for the recreational software for the tennis facility. Due to budget constraints and the cost of the requested recreation software, other options will be explored. The Parks and Recreation Department will work with the Parks and Recreation Committee to review tennis court rentals and reservations. The Parks and Recreation Committee along with staff will look into the expansion of the tennis programming to include court fees. This will be completed by December and any changes in the operations will begin after the New Year.

25. Police Department

A. Women's Self Defense Class

The Surfside Police Department hosts ongoing Women's Self Defense Classes on Thursdays from 6:00 pm to 8:00 pm in the police training room. The training shows how to resist and how to escape a sexual assault. The techniques are easy-to-learn and easy-to-use. The training also shows how to escape a standing assault and what to do if the attacker has you pinned on the ground. These techniques do not require strength, speed or coordination and are perfect for women of all ages and physical types. Classes are free of charge. Residents should contact Dina Goldstein, 305-861-4862 for dates of the classes.

B. Police Explorer Program

Surfside, Bal Harbour, and Bay Harbor Islands have implemented a new Police Explorer Program. Eight teenagers have signed up to be new Explorers. Officer Dianna Hernandez is the liaison for the program and the contact person for new recruits.

C. Emergency Preparedness Program – Condominiums

The Surfside Police Department is offering emergency preparedness seminars to condominium associations. Officer Dianna Hernandez is the contact.

D. Security Assessment

The Surfside Police Department is offering free residential and commercial security assessments for residents and business owners. Sgt. Jay Matelis is the contact.

E. Citizens Police Academy

The 13th Citizens Police Academy participants will graduate on November 17, 2014 at 6:00 pm in the Commission Chambers. The Academy was the best one ever with outstanding instructors and 25 residents attending.

F. Surfside Safe Space

Some cities have reported their residents becoming victims of fraud or robbery when meeting with customers or sellers to conduct online transactions. The Surfside Police will offer residents a safe place to conduct their transactions at the police station. The premise is to conduct business in a safe environment to deter crime.

H. Bike with the Chief and Coffee with Cops Programs

The Bike with the Chief and Coffee with the Cops programs are monthly. Bike with the Chief is the last Wednesday of each month leaving Town Hall at 5:00 pm. Coffee with the Cops is the last Friday of each month at Starbucks at 10:00 am.

I. Halloween Safety Night

The annual Police Halloween Safety Night in the 9200 block of Byron Avenue was a safe and successful event. Over 100 glow sticks and 1000 bags of candy were distributed to children by police personnel. The streets were packed with families. There were no incidents or crimes reported. is October 31 from 6:00-8:00 pm in the 9200 block of Byron Avenue. Executive Assistant Dina Goldstein and NRO Hernandez will oversee the event. All and your families are welcome to attend.

J. Cell Phone Donation Program

The Surfside Police Department is implementing a new community initiative. We are collecting cell phones and donating them to a local domestic violence shelter. It is important to delete all your personal information from the cell phones including stored phone numbers, call history and text messages. Make sure that the service is disconnected to avoid any fees. Also be sure that the phone works and that the battery stays charged. A working charger must accompany the cell phone donation. If the phone doesn't work or you don't have the charger, please recycle the phone. The drop off location is at the Communications Unit of the Police Department. For further information please contact Neighborhood Resource Officer Dianna Hernandez.

K. Arrest

SPD detectives on November 9, 2014 arrested the subject who stole two Rolex watches valued at \$56,000 from a local Surfside business on October 29, 2014.

L. PAL Thanksgiving Event

SPD will participate and distribute food baskets for the Miami Beach Police Department PAL annual food drive on November 25, 2014

M. My Life My Power

Chief Allen and NRO Dianna Hernandez were recognized for their support for the My Life My Power anti-violence/ anti-bullying program by the Founder Daniel Puder at a gala event in Miami on November 1, 2014.

26. Human Resources

A. General Employees Union Representation

On November 6, the Town received a "Recognition-Acknowledgement Petition" from AFSCME Council 79. The petition was accompanied by employee signature cards which designate Florida Public Employees Council 79, AFSCME as their "collective bargaining agents in all matters pertaining to rate of pay, hours and other terms and condition of employment." At this time, I am merely notifying the Commission of the petition. The staff and special counsel met on November 10th to review the submitted documents.

B. Request for Commission Action on Personnel Salaries

During the first budget hearing on September 9th, the Commission passed a motion "*to approve a millage rate of 5.0293 with the provision that the cuts would include eliminating salary increases in October for department heads, part of the step two process. It would also include eliminating a two percent increase in salary for the Finance Director who was not listed on the document.*" The minutes show that the Commission approved this millage rate to avoid a substantially-reduced millage at the majority vote rate (4.6201 mills), which would have required an additional reduction of approximately \$500,000 in the FY 14/15 budget. However, this action has caused significant uncertainty and concern among our employees at all levels. In a previous memo to the Commission, I outlined the concerns and recommended Commission action:

- 1. Merit increase for Finance Director.** The Town Manager is solely responsible for personnel actions, including the evaluation of employees to determine whether merit increases are warranted. Since the Commission's action is contrary to this principle, I recommend that the Commission leave this matter to the Town Manager's discretion and rescind this merit-increase prohibition.
- 2. Funding for step-two salary adjustments designed to address salary disparities for five Department Heads.** At the 12/10/13 regular Commission meeting, the Commission discussed disparities in Department Head salaries. "*The Town Commission agreed that this issue is totally under the Town Manager's purview and to take necessary actions to assure fairness in the salaries of Department Heads.*" Following this direction and consistent with the Commission-approved Wage Study, I initiated a two-step plan to increase Department Head salaries in January and September 2014. The two-step phasing of the plan was to mitigate budget impacts for FY 13/14. The January increase was implemented, but the Commission cancelled the September increase at the 9/9/14 meeting. I understand that some Commission members felt that the proposed salary adjustments were excessive or even unwarranted. However, the Commission has already acknowledged that this is a fairness issue. Our Department Heads are loyal, dedicated employees who provide outstanding service; and the ones with the low salaries are the ones who have served us the longest. To recognize these employees and their value to our municipal operation, I recommend that the Commission consider the step-two salary adjustments as a stand-alone item independent of other issues and fund the second salary adjustments that were promised to them.

It was my intention to place this item on the November 6 meeting agenda; however, one member of the Commission could not attend. These two items deserve the attention of the full Commission; therefore, I recommend that they be placed on an agenda when the full Commission will be present. These are fundamental issues of fairness that must be addressed to ensure a sound personnel management system.

Respectfully submitted

by: _____
Michael P. Crotty, Town Manager