



**Town of Surfside  
Town Commission Meeting  
AGENDA**

**February 9, 2016  
7 p.m.**

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

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

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

*Any person who received compensation, remuneration or expenses for conducting lobbying activities is required to register as a lobbyist with the Town Clerk prior to engaging in lobbying activities per Town Code Sec. 2-235. "Lobbyist" specifically includes the principal, as defined in this section, as well as any agent, officer or employee of a principal, regardless of whether such lobbying activities fall within the normal scope of employment of such agent, officer or employee. The term "lobbyist" specifically excludes any person who only appears as a representative of a not-for-profit corporation or entity (such as charitable organization, a trade association or trade union), without special compensation or reimbursement for the appearance, whether direct, indirect, or contingent, to express support or opposition to any item.*

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

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

**1. Opening**

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

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

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

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

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

**A. Minutes – Sandra Novoa, MMC, Town Clerk**

**December 8, 2015 Quasi-Judicial Hearing Minutes**

**January 12, 2016 Regular Commission Meeting Minutes**

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

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

- 1. See Click Fix
- 2. Development Applications
- 3. Commercial Property Maintenance Standards Workshop
- 4. Payments on Code Compliance Cases
- 5. Parks and Recreation Programs
- 6. Police Department Re-Accreditation
- 7. Uniform Crime Report
- 8. 2015 Leo Awards Finalists
- 9. Police Events
- 10. Pressure Washing/Trash Pick up
- 11. Survey
- 12. 2016 Election Candidates’ Forums
- 13. Information Technology and TV Broadcasts
- 14. Beach Access

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

**E. Committee Reports – Guillermo Olmedillo, Town Manager**

- November 18, 2015 Coastal Issues Committee Meeting Minutes
- December 14, 2015 Tourist Board Meeting Minutes
- December 16, 2015 Coastal Issues Committee Meeting Minutes
- December 17, 2015 Planning and Zoning Board Meeting Minutes
- January 11, 2016 Tourist Board Meeting Minutes

**F. Purchase of a Visual Message Sign – Guillermo Olmedillo, Town Manager**

**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, (“TOWN”) AUTHORIZING THE EXPENDITURE OF FUNDS IN THE AMOUNT OF \$11,000.00 FROM THE FISCAL YEAR 2015/2016 MUNICIPAL PARKING BUDGET FUND ACCOUNT NO. 402-9500-545-6410, FOR THE PURCHASE OF A VISUAL MESSAGE SIGN; PROVIDING FOR APPROVAL AND AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE.**

**4. Ordinances**

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

**A. Second Reading Ordinances**

**1. Second Floor Balcony – Guillermo Olmedillo, Town Manager**

**AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA AMENDING CHAPTER 90, ARTICLE IV “DISTRICT REGULATIONS”; SPECIFICALLY AMENDING SECTION 90-48. “MODIFICATION OF SIDE AND REAR YARD REGULATIONS”; CLARIFYING SECOND FLOOR BALCONIES OR TERRACES WILL NOT BE COUNTED TOWARDS THE SETBACK; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR CONFLICTS AND PROVIDING FOR AN EFFECTIVE DATE.**

**2. Vacant Lot Fencing Ordinance Amendment – Guillermo Olmedillo, Town Manager**

**AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA AMENDING CHAPTER 14 “BUILDINGS AND BUILDING REGULATIONS”; ARTICLE III “PROPERTY MAINTENANCE STANDARDS”; SPECIFICALLY AMENDING SECTION 14-55 “MAINTENANCE OF VACANT LOTS”; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR CONFLICTS AND PROVIDING FOR AN EFFECTIVE DATE.**

**3. Contract Requirements for Non-Discrimination – Commissioner Barry Cohen**

**AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA AMENDING CHAPTER 3 “PURCHASING”; SPECIFICALLY CREATING SECTION 3-1.1. “NON-DISCRIMINATION; CONTRACT REQUIREMENTS; WAIVER”; PROHIBITING THE TOWN FROM PROCURING GOODS OR SERVICES FROM, OR OTHERWISE CONTRACTING WITH A BUSINESS WHICH ENGAGES IN THE BOYCOTT OF A PERSON OR ENTITY BASED ON RACE, COLOR, RELIGION, GENDER, OR NATIONAL ORIGIN; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR CONFLICTS AND PROVIDING FOR AN EFFECTIVE DATE.**

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

**B. First Reading Ordinances**

**5. Resolutions and Proclamations**

*(Set for approximately 8:15 p.m.) (Note: Depends upon length of Good and Welfare)*

**A. Town Commission Recognition Policy and Procedures – Mayor Daniel Dietch**

**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, (“TOWN”) ESTABLISHING THE TOWN’S RECOGNITION POLICY AND PROCEDURE; PROVIDING FOR AUTHORIZATION AND IMPLEMENTATION; PROVIDING FOR AN EFFECTIVE DATE.**

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

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

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

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

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

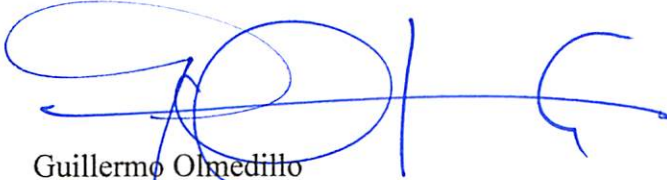
**8. Unfinished Business and New Business**

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

- A. Solid Waste Assessment Survey – Guillermo Olmedillo, Town Manager**
- B. Traffic Mitigation Efforts – Guillermo Olmedillo, Town Manager**
- C. Paced Development – Guillermo Olmedillo, Town Manager**
- D. Recognition of Committee Member – Guillermo Olmedillo, Town Manager (Verbal)**

## 10. Adjournment

Respectfully submitted,



Guillermo Olmedillo  
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 THAT ARE DISABLED; WHO NEED SPECIAL ACCOMMODATIONS TO PARTICIPATE IN THIS MEETING BECAUSE OF THAT DISABILITY SHOULD CONTACT THE OFFICE OF THE TOWN CLERK AT 305-861-4863 EXT. 226 NO LATER THAN FOUR DAYS PRIOR TO SUCH PROCEEDING.

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

AGENDA ITEMS MAY BE VIEWED AT THE OFFICE OF THE TOWN CLERK, TOWN OF SURFSIDE TOWN HALL, 9293 HARDING AVENUE. ANYONE WISHING TO OBTAIN A COPY OF ANY AGENDA ITEM SHOULD CONTACT THE TOWN CLERK AT 305-861-4863. A COMPLETE AGENDA PACKET IS ALSO AVAILABLE ON THE TOWN WEBSITE AT [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  
Special Town Commission Meeting  
Quasi-Judicial Hearing  
MINUTES  
December 8, 2015  
6 p.m.**

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

**1. Opening**

**A. Call to Order**

Mayor Dietch called the meeting to order at 6:03 P.M.

**B. Roll Call of Members**

Town Clerk Sandra Novoa called the roll with the following members present: Mayor Dietch, Commissioner Olchyk, and Commissioner Cohen. Commissioner Karukin arrived at 6:06 p.m. and Vice Mayor Tourgeman was absent.

**C. Pledge of Allegiance**

Police Chief Allen led the Pledge of Allegiance

**2. Quasi-Judicial Hearings**

**A. 8800 COLLINS AVENUE AKA 8809 HARDING AVENUE – Guillermo Olmedillo, Town Manager**

**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, APPROVING A SITE PLAN APPLICATION, PURSUANT TO SECTION 90-41 ET SEQ. OF THE ZONING CODE, TO PERMIT DEVELOPMENT OF 28 DWELLING UNITS WITH 50 PARKING SPACES WITH AN ADDRESS OF 201, 203, 205, 207, 209, 215 – 88TH STREET AND 8809 HARDING AVENUE, SURFSIDE, FLORIDA, AS SUBMITTED BY 8809 HARDING DEVELOPMENT, LLC; SUBJECT TO CERTAIN CONDITIONS WHICH SHALL BE INCLUDED IN A RECORDED COVENANT RUNNING WITH THE LAND, AND PROVIDING FOR A SEVERABILITY CLAUSE AND AN EFFECTIVE DATE.**

Mayor Dietch spoke on the process and rulings of a quasi-judicial hearing. Town Clerk Sandra Novoa confirmed that compliance with advertising notice requirements have been met. She said she received a communication from Vice Mayor Tourgeman.

Attorney Miller asked the Town Commission if anyone had ex-parte communications with the Applicant or any objector.

Mayor Dietch said he has had communication with the applicant just general questions.

Commissioner Cohen said he had received an email from Vice Mayor Tourgeman which he ignored. He also received a phone call from Mr. Barshel they spoke briefly and said Mr. Barshel is in attendance tonight.

Commissioner Karukin said he did receive an email request which he declined.

Commissioner Olchyk had no ex-parte communications with the applicant.

Town Clerk Sandra Novoa swore in everyone wishing to speak in favor or against the item.

Town Planner Sarah Sinatra presented the project to the Town Commission and had a visual of the plan. Staff has met with the applicant and provided comments and all comments have been addressed. Staff is recommending approval based on the fact that the applicant has met all zoning code and comprehensive plan requirements and without any variances. Staff is also recommending approval with the proposed conditions.

Commissioner Olchyk had questions regarding exceeding footage. Town Planner addressed the question and said the applicant is increasing the size of a bedroom but actually lowering square footage in some areas and is working with the town to not create large massing.

Carlie Koshal representing the applicant gave a general overview of the project with a power point presentation.

Mayor Dietch opened the public hearing.  
No one wishing to speak the Mayor closed the public hearing.



Commissioner Karukin had a question regarding the \$20,000 upgrade for the public beach. Town Manager Olmedillo explained it was a contribution to the city to use as part of public access.

He also asked about \$5,000 for replacement of only two benches and asked if we could get additional benches for that amount of money. The Town Manager said we are not limited to only two benches. The Mayor suggested that the number two be struck from the condition. On staff recommendation Item 5 regarding time frame Commissioner Karukin asked if it also applies to Item 6. Town Manager Olmedillo said it does. He asked the applicant if we would be losing any on street parking when the project is finished and Ms. Koshal said no parking spaces will be lost.

Regarding the bus shelter he asked if the shelter would have rain protection. Commissioner Olchyk said it has to be the same as all the others which do have rain protection. Commissioner Karukin asked for a copy of the slide presented by Ms. Koshal.

Mayor Dietch had a question under Item 14 regarding street pavement and wants it clear that this should not be just a replacement as it is today but as the town would like it to be. Town Manager Olmedillo said the sidewalks are an important part of the city and speak about the town. He suggests that in all future projects we should have the vocabulary used in the Grand Beach project so to be consistent. The applicant said they would change the language to be more specific and will work with staff.

Commissioner Olchyk asked when the construction will begin and ending date. Ms. Koshal said they do not have dates as yet as they are still in the approval stages but the project should take approximately 18 months to complete. Commissioner Olchyk asked about traffic and if 88<sup>th</sup> Street, Collins and Harding will all be affected. Ms. Koshal did not know at this time but they will be working on this to have the least disturbance. Town Manager Olmedillo said they will also be working with DOT but Commissioner Olchyk has concerns about other developments that may be going on at the same time.

The Mayor thanked the applicant for bringing the project forward and said it will provide a nice gateway into the city. He also asked if they would accept the friendly amendments made by the Commission.

Commissioner Cohen made a motion to approve the site plan with accepting the friendly amendments. The motion received a second from Commissioner Karukin and all voted in favor with Vice Mayor Tourgeman absent.

### 3. Adjournment

The meeting adjourned at 6:36 p.m.

Respectfully submitted,

Accepted this \_\_\_\_\_ day of \_\_\_\_\_, 2015

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

Attest:

\_\_\_\_\_  
Sandra Novoa, MMC  
Town Clerk



**Town of Surfside  
Town Commission Meeting  
MINUTES  
January 12, 2016  
7 p.m.**

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

**1. Opening**

**A. Call to Order**

Mayor Dietch called the meeting to order at 7:01 P.M.

**B. Roll Call of Members**

Town Clerk Sandra Novoa called the roll with the following members present: Mayor Dietch, Commissioner Karukin and Commissioner Cohen. Commissioner Olchyk arrived at 7:03 p.m. and Vice Mayor Tourgeman was absent.

**C. Pledge of Allegiance**

Police Chief Allen led the Pledge of Allegiance

**D. Mayor and Commission Remarks – Mayor Daniel Dietch**

Commissioner Cohen reminded all that there are only three more Commission Meetings before elections. He said he was honored to have served and enjoyed it. He believes this Commission has accomplished many things. He urged everyone that if they want their voice to be heard they must register and vote in the upcoming election.

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

Commissioner Olchyk made a motion to add a discussion item as 9-I regarding garbage rates. The motion received a second from Commissioner Karukin and all voted in favor with Vice Mayor Tourgeman absent.

Commissioner Karukin made a motion to link Items 9C and 9H. The motion received a second from Commissioner Olchyk and all voted in favor with Vice Mayor Tourgeman absent.

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

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

**G. Presentation of Certificate of Achievement for Excellence in Financial Reporting**

– Guillermo Olmedillo, Town Manager

Manager Olmedillo said the town received a Certificate of Achievement for Excellence in Financial Reporting. The award was issued by the Government Finance Officers Association and the Manager read a letter from the Association which stated that this is a very high honor. Mayor Dietch reminded all that this was the fifth year in a row that the town has received this honor.

Manager Olmedillo recognized Finance Director Nelson and his staff for their hard work.

**2. Consent Agenda**

Commissioner Karukin pulled Item 3H.

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

**A. Minutes** – Sandra Novoa, MMC, Town Clerk

**December 8, 2015 Regular Commission Meeting Minutes**

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

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

1. See Click Fix
2. Development Applications
3. Alleyway Improvements
4. Code Compliance Payments on Code Compliance Cases
5. Parks and Recreation Programs
6. Police Department Re-Accreditation Dates Changed to January 20, 21 and 22.
7. Auto Crimes
8. Police Events
9. 2016 Election Candidates’ Forums
10. Information Technology and TV Broadcasts
11. Beach Access
12. Sand Replacement Project Update

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

**E. Committee Reports** – Guillermo Olmedillo, Town Manager

- November 19, 2015 Planning and Zoning Board Minutes

**F. Work Utility Vehicle 4x4 – Beach/Lifeguard Operations** – Guillermo Olmedillo, Town Manager

**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, AUTHORIZING, AFTER THE FACT, THE EXPENDITURE OF FUNDS IN THE AMOUNT OF \$9,400.00 FROM THE FISCAL YEAR 2015/2016 PARKS AND RECREATION DEPARTMENT BUDGETED ACCOUNT NO. 001-6000-572-64-10, FOR THE PURCHASE OF A NEW 4x4 WORK UTILITY VEHICLE; AS PART OF THE DAILY**

**BEACH/LIFEGUARD OPERATIONS; PROVIDING FOR APPROVAL AND AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE.**

Approved on consent

**G. Purchase a 2015 Kubota RTVX 900 off-road utility vehicle – Guillermo Olmedillo, Town Manager**

**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, AUTHORIZING, AFTER THE FACT, THE EXPENDITURE OF FUNDS IN THE AMOUNT OF \$10,960.00 FROM THE FISCAL YEAR 2015/2016 PUBLIC WORKS FUND ACCOUNT NO. 001-5000-539-6410, FOR THE PURCHASE OF A 2015 KUBOTA RTVX-900 OFF-ROAD UTILITY VEHICLE; PROVIDING FOR APPROVAL AND AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE.**

Approved on consent.

**H. Purchase a 2015 Mack Truck with dump and grapple – Guillermo Olmedillo, Town Manager (Item pulled by Commissioner Karukin)**

**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, AUTHORIZING, AFTER THE FACT, THE EXPENDITURE OF FUNDS IN THE AMOUNT OF \$156,965.00 FROM THE FISCAL YEAR 2015/2016 PUBLIC WORKS FUND ACCOUNT NO. 403-4000-534-6410, FOR THE PURCHASE OF A 2015 MACK TRUCK WITH DUMP AND GRAPPLE; PROVIDING FOR APPROVAL AND AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE.**

Public Speaker Victor May had questioned the amount of money spent and the number of trucks and drivers the city has. Manager Olmedilla explained the budget process and Director Kroll gave information on the trucks we now have and the new one needed.

Commissioner Karukin made a motion to approve. The motion received a second from Mayor Dietch, after passing the gavel. The motion carried with Mayor Dietch and Commissioner Karukin in favor and Commissioner Olchyk in opposition. Commissioner Cohen and Vice Mayor Tourgeman were absent.

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

**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, PROVIDING FOR THE FISCAL YEAR 2015/2016 POLICE CONFISCATION FUND EXPENDITURE IN THE AMOUNT OF \$1,041.60 FROM THE FORFEITURE FUND FOR THE PURCHASE OF LESS LETHAL EQUIPMENT; PROVIDING FOR AUTHORIZATION AND APPROVAL; PROVIDING FOR AN EFFECTIVE DATE.**

Approved on consent.

**3. Quasi-Judicial Hearings (none)**

**4. Ordinances**

**A. Second Reading Ordinances**

**1. Corridor Analysis – Guillermo Olmedillo, Town Manager**

**AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA AMENDING THE TOWN OF SURFSIDE CODE OF ORDINANCES BY AMENDING CHAPTER 90 ZONING TO IMPLEMENT THE CORRIDOR ANALYSIS PROPOSALS FOR THE AREA BETWEEN COLLINS AND HARDING AVENUES FROM 94<sup>TH</sup> STREET TO 88<sup>TH</sup> STREET; AMENDING SECTION 90-2 “DEFINITIONS”; AMENDING SECTION 90-44 “MODIFICATIONS OF HEIGHT REGULATIONS”; AMENDING SECTION 90-45 “SETBACKS”; AMENDING SECTION 90-50 “ARCHITECTURE AND ROOF DECKS”; AMENDING SECTION 90-50.1 “ARCHITECTURE”; AMENDING SECTION 90-51 “MAXIMUM FRONTAGE OF BUILDINGS”; AMENDING SECTION 90-61 “PAVING IN FRONT AND REAR YARDS IN H31 AND H40 DISTRICTS”; AMENDING SECTION 90-61.2 “CURB CUTS FOR PROPERTIES FRONTING ON COLLINS AVENUE HARDING AVENUE AND EVERY EAST-WEST STREET IN BETWEEN COLLINS AVENUE AND HARDING AVENUE, EXCLUDING H30B DISTRICT PROPERTIES”; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR SEVERABILITY; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; AND PROVIDING FOR AN EFFECTIVE DATE.**

Town Clerk Sandra Novoa read the title of the ordinance.

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

Mayor Dietch wanted it clear that there is an establishment for historic districts. Town Planner Sinatra said this ordinance has exclusion for historic properties and gave more details.

Mayor Dietch opened the public hearing.

Public Speaker Mathew Barnes wanted to thank everyone who worked on this ordinance and had one minor request for a change. He asked that the extra five foot setback be removed. Mayor Dietch and Commissioner Olchyk were not in favor of the request. No one else wishing to speak the Mayor closed the public hearing.

**2. 150 Feet of Frontage in H120 – Commissioner Michael Karukin**

**AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA AMENDING THE TOWN OF SURFSIDE CODE OF ORDINANCES BY AMENDING CHAPTER 90 ZONING SECTION 90-51. “MAXIMUM FRONTAGE OF BUILDINGS”; SPECIFICALLY AMENDING SECTION 90-51.1 CONTINUOUS WALL FRONTAGE OF 150 FEET IN THE H120 DISTRICT; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR SEVERABILITY; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; AND PROVIDING FOR AN EFFECTIVE DATE.**

Town Clerk Sandra Novoa read the title of the ordinance.

Commissioner Karukin made a motion for discussion. The motion received a second from Commissioner Olchyk and all were in favor.

Commissioner Cohen asked what the difference was between this ordinance and the one previously presented. Town Planner Sinatra gave more details on the difference between the two ordinances. Commissioner Karukin also gave more details on the item.

Mayor Dietch opened the public hearing.

Public Speaker George Kousoulas had a visual presentation of the skyline pattern that has developed in Surfside and supports the ordinance.

Public Speaker Marianne Meischeid would like the code language to go back to the 2008 language.

No one else wishing to speak the Mayor closed the public hearing.

Commissioner Karukin made a motion to approve. The motion received a second from Commissioner Olchyk and the motioned carried 3/1 with Commissioner Cohen voting in opposition. Vice Mayor Tourgeman was absent.

3. **Resort Tax Ordinance Amendment**– Guillermo Olmedillo, Town Manager

**AN ORDINANCE OF THE TOWN COMMISSION AND THE RESORT TAX BOARD OF THE TOWN OF SURFSIDE, FLORIDA AMENDING CHAPTER 70 “TAXATION” AND SPECIFICALLY AMENDING SECTION 70-126 “POWER AND DUTIES” 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 Sandra Novoa read the title of the ordinance.

Mayor Dietch opened the public hearing.

No one wishing to speak the Mayor closed the public hearing.

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

**B. First Reading Ordinances**

1. **Second Floor Balcony** – Guillermo Olmedillo, Town Manager

**AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA AMENDING CHAPTER 90, ARTICLE IV “DISTRICT REGULATIONS”; SPECIFICALLY AMENDING SECTION 90-48. “MODIFICATION OF SIDE AND REAR YARD REGULATIONS”; CLARIFYING SECOND FLOOR BALCONIES OR TERRACES WILL NOT BE COUNTED TOWARDS THE SETBACK; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR CONFLICTS AND PROVIDING FOR AN EFFECTIVE DATE.**

Town Clerk Sandra Novoa read the title of the ordinance.

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



**2. Vacant Lot Fencing Ordinance Amendment – Guillermo Olmedillo,  
Town Manager**

**AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA AMENDING CHAPTER 14 “BUILDINGS AND BUILDING REGULATIONS”; ARTICLE III “PROPERTY MAINTENANCE STANDARDS”; SPECIFICALLY AMENDING SECTION 14-55 “MAINTENANCE OF VACANT LOTS”; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR CONFLICTS AND PROVIDING FOR AN EFFECTIVE DATE.**

Town Clerk Sandra Novoa read the title of the ordinance

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

**3. Contract Requirements for Non-Discrimination –  
Commissioner Barry Cohen**

**AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA AMENDING CHAPTER 3 “PURCHASING”; SPECIFICALLY CREATING SECTION 3-1.1. “NON-DISCRIMINATION; CONTRACT REQUIREMENTS; WAIVER”; PROHIBITING THE TOWN FROM PROCURING GOODS OR SERVICES FROM, OR OTHERWISE CONTRACTING WITH A BUSINESS WHICH ENGAGES IN THE BOYCOTT OF A PERSON OR ENTITY BASED ON RACE, COLOR, RELIGION, GENDER, OR NATIONAL ORIGIN; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR CONFLICTS AND PROVIDING FOR AN EFFECTIVE DATE.**

Town Clerk Sandra Novoa read the title of the ordinance. Commissioner Cohen and Town Attorney Miller gave details of the item.

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

**5. Resolutions and Proclamations**

## 6. Good and Welfare

Mayor Dietch opened the meeting to Good and Welfare.

### Public Speakers:

-Dr. Marvin Shuster spoke about speeding in residential areas and suggested speed bumps to curtail the traffic.

-Lou Cohen said the Commission should establish a communication with the people who cannot attend the meetings but want to participate and be able to ask questions from home.

-Larisa Alonso spoke about putting in sheds and the process which she feels is a waste of time and money. She also spoke about a special letter that was posted on the website and also placed in the Gazette about the beach sand replacement project. She said there was no acknowledgement of the many residents, Vice Mayor Tourgeman or the Sand Committee who worked very hard to get this resolved. She further stated that the administration failed to acknowledge who was at fault in this issue.

-Deborah Cimadevilla also spoke about the Manager's letter that was posted and how it failed to thank all the people responsible for seeing this project through and the hundreds of residents who came out to town hall meetings, not only a few as the letter stated. She also said there is still construction debris on the beach.

-Marianne Meischeid said the letter was self-serving and a mischaracterization of the whole process. It did not reflect the hard work and the time spent by the residents to get the beach cleaned up of construction debris. She also spoke of the lack of knowledge of Board Members.

-George Kousoulas spoke about the Planning and Zoning Board and their lack of experience and lack of knowledge on issues and asks the Commission to ask for better decisions.

-Victor May was against fencing and spending money on the Town Hall Parking Lot and would like to see a presentation as to what is being proposed. He also said a Town Manager's contract should be signed in December.

-Clara Diaz-Leal spoke about the traffic problem and how we have given up our right to live in a peaceful community and instead have become a pass through. Nothing has been done to resolve the problem and suggestions have been made about closing streets and gating the community but no planning for a solution is being done.

-A representative for Josh Greissman spoke about traffic and had a visual presentation showing speeding cars and indicated some of the problems.

-Barbara Cohen invited all to attend Music through the Ages on January 21 between 95<sup>th</sup> Street between Collins and Harding.

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

Commissioner Karukin spoke in defense of the Planning and Zoning Board and reminded all that the board members are residents of the town who are trying to do the best they can and said there are qualified people on that Board. As to the traffic he said because of our geographic location there isn't very much they can do.

Commissioner Olchyk spoke of the issue regarding the Grand Beach and the illumination that shines into people's homes all night. She did not anticipate that this would happen until it was done. She spoke about the sidewalk that was closed and has finally been

resolved but it took too long to have it done. However it was not done correctly and can become problematic.

Commissioner Cohen said he agrees with Lou Cohen and would like to have people at home able to communicate during a meeting. He spoke on traffic and parking as well and asked that instead of taking personal attacks on the Commission they should come up with solutions. He also spoke of the sea level rise problem. He is in favor of gating the community and said we should find out who is interested in gating.

Mayor Dietch thanked Lou Cohen regarding interaction with people at home during meetings. He said it has been brought up before and they will look into it.

Addressing Ms. Alonso regarding sheds he said at first there were no sheds allowed and now they are allowed with restrictions and said they will revisit the issue. He said he was sorry that some feel that the contributions of the residents regarding the sand issue were not recognized. Addressing Mr. May who feels the Manager should be on an annual contract the Mayor said it is a continuing contract and either party can terminate with sixty day notice. He also spoke of traffic and urged residents to call the Police Dept. when they see something that needs their attention. Speaking about traffic and parking, Manager Olmedillo gave an overview as to what has been done and what is being done to help with this issue. The Mayor asked the Manager to prepare a plan of the initiatives that have been implemented and those that are being monitored and those that are coming next. This can be in memo form and presented at the next meeting.

The Mayor addressed the remark about the Planning and Zoning Board and reiterated what was said that the members are residents of the town and works for the town and do their best. Commissioner Olchyk said it is difficult to get people to serve on committees and she personally has asked people to serve and they have a shortage of members on the Park and Recreation Committee. She said she was upset with the Coastal Committee and felt they should have had something to vote on by now. Commissioner Cohen said by criticizing board members is not a way of getting people involved but we should have training or manuals for committee members. Mayor Dietch said committee members do get some training and have staff members for support.

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

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

**8. Unfinished Business and New Business**

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

**A. Designation to the Miami Dade League of Cities Board of Directors–**  
Guillermo Olmedillo, Town Manager

The Mayor asked to reappoint Commissioner Cohen as liaison to the Board and Commissioner Karukin as alternate.

Commissioner Olchyk made a motion to approve the Mayor's appointments of Commissioner Cohen and Commissioner Karukin. The motion received a

second from Commissioner Karukin and all voted in favor with Vice Mayor Tourgeman absent.

**B. Discussion on re-structuring the Southwest Parking Lot at Town Hall -**  
Guillermo Olmedillo, Town Manager

Manager Olmedillo presented the item and is requesting \$30,000.

Commissioner Olchyk had questions as to where the money will be spent. Manager Olmedillo said the money will provide fencing, gating, to make it more secure. Director Kroll said Public Works would be doing most of the work and gave further details as to what has to be done.

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

**C. Referendum for Parking Structure –** Commissioner Michael Karukin  
(Linked with Item 9H.)

Commissioner Karukin presented the item. Commissioner Olchyk supports the item but wants the item to be very clear if put on a ballot. Commissioner Cohen was not in favor of the referendum and feels it would hurt development of the town. Commissioner Karukin does agree that the Post Office lot is the best to go forward on but Commissioner Cohen said the Post Office lot does not need a referendum and would just slow things up.

Mayor Dietch opened the public hearing.

Public Speakers:

-Mathew Barnes feels requiring a referendum would hinder development.

-Daniel Gielchinsky said he does not see what we gain by having a reference.

-George Kousoulas is not in favor and asks the Commission to reject the idea.

Manager Olmedillo gave two options and explained both. Mayor Dietch said he was not in favor of the referendum as it may hurt the town. Commissioner Olchyk after hearing the discussion is not in favor of the item.

Commissioner Karukin made a motion to approve the referendum. After a spirited discussion, the motion died for lack of a second.

**D. Initial Performance Evaluation - Town Manager Guillermo Olmedillo –**  
Mayor Daniel Dietch

Mayor Dietch gave an overview of the evaluation process. The Mayor said he received three evaluations and the Manager's performance rating was above average and asked the Commission if a salary increase was warranted at this time. Commissioner Olchyk said she felt Mr. Olmedillo was the best City Manager they have ever had and is in favor of an increase to \$160,000 as requested by Manager Olmedillo when first hired. She did say that the Manager should get back to them more quickly on issues. Manager Olmedillo said he would waive the 12 month evaluation as it was done now. Commissioner Cohen spoke highly of Manager Olmedillo.

Commissioner Olchyk made a motion to wave the 12 month evaluation and approve a salary increase to \$160,000 for Manager Olmedillo. The motion received a second from Commissioner Karukin with all voting in favor with Vice Mayor Tourgeman absent.

**E. Business District Property Maintenance Standards** – Mayor Daniel Dietch  
The Mayor gave an overview of the item. The Commission agreed to move forward on the item.

**F. Town Commission Recognition Policy and Procedures** – Mayor Daniel Dietch  
Mayor Dietch presented the item. The Town Commission directed staff to bring back a policy in a form of a resolution next month.

**G. FIU Proposal- Surfside, Bal Harbour and Bay Harbor Islands Interlocal Shuttle System** – Guillermo Olmedillo, Town Manager  
The Mayor said this will only go forward with Bay Harbor and Bal Harbour paying their fair share. For the record he asked the Manager to assure that our bus service contractor is on board with our standards and can meet the expectations of our contract.

Commissioner Karukin made a motion to proceed with staff recommendations. Commissioner Olchyk made a friendly amendment that the bus service contractor is in compliance with the contract. Commissioner Karukin accepted the friendly amendment. The motion received a second from Commissioner Cohen and all voted in favor with Vice Mayor Tourgeman absent.

**H. RFP Parking Structures** – Commissioner Barry Cohen (Linked with Item 9C.) Commissioner Cohen gave an overview of the item.

Commissioner Cohen made a motion to renew and only issue one RFP for the Post Office lot and not the 94<sup>th</sup> Street lot. The motion received a second from Commissioner Karukin.

Commissioner Olchyk said she was under the impression that the owner of the Post Office lot was not interested in the proposed project. She also spoke of the parking problem and lack of spaces especially for people who attend the Community Center and feels we should look at all the spaces available.

Mayor Dietch opened the public hearings

Public Speakers:

-Daniel Gielskinsky said he has been following this item and said it seems we are not getting things done because we keep adding more items for discussion and it is becoming baffling.

-George Kousoulas agrees with Mr. Gielskinsky and agrees with trying to get the post office lot owner to work with us. He said focus only on the post office lot at this time.

-Clara Diaz-Leal spoke about the parking problem.

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

Mayor Dietch said we should select one site and if not successful move on to the second site.

Commissioner Cohen withdraws his motion.

Commissioner Cohen made a motion to renew the parking RFP. The motion received a second from Commissioner Karukin. The motion carried 3/1 with Commissioner Olchyk voting in opposition and Vice Mayor Tourgeman absent.

Commissioner Cohen made a motion to issue one RFP just for the post office lot with a minimum of an additional 100 parking spaces and expenses paid by developer as a public and private partnership (conditions that were set at the November meeting). The motion received a second from Commissioner Karukin. The motion carried 3/1 with Commissioner Olchyk voting in opposition and Vice Mayor Tourgeman absent.

**I. Garbage Rates (added by Commissioner Olchyk)**

Commissioner Olchyk said she is paying more now for less service and believes the new system is unfair. Manager Olmedilla said the rate system is based on volume. Commissioner Olchyk said the information she received regarding condominiums and the business district was incorrect but has since been corrected. However, she still feels they are paying more for less pickups. Mayor Dietch tried to explain the system as it works and Director Kroll explained why the change was made.

Public Speaker Victor May agrees with Commissioner Olchyk and feels garbage should be picked up five days a week.

Commissioner Olchyk made a motion to study for thirty days the frequency of pickups and rates for the condominiums/business district and to assess the effectiveness of the new program and possible change. The motion received a second from Commissioner Karukin and all voted in favor with Commissioner Cohen and Vice Mayor Tourgeman absent.

Commissioner Cohen left the meeting at 10:27 p.m.

**10. Adjournment**

The meeting adjourned at 10:42 p.m.

Respectfully submitted,

Accepted this \_\_\_\_ day of \_\_\_\_\_, 2016

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

Attest:

\_\_\_\_\_  
Sandra Novoa, MMC  
Town Clerk

**TOWN OF SURFSIDE, FLORIDA  
MONTHLY BUDGET TO ACTUAL SUMMARY  
FISCAL YEAR 2015/2016**

**AS OF**

**November 30, 2015**

**17% OF YEAR EXPIRED (BENCHMARK)**

Agenda Item #

Page

1 of 3

Agenda Date: February 9, 2016

		ANNUAL BUDGETED	% BUDGET
<b>GOVERNMENTAL FUNDS</b>	<b>ACTUAL</b>		
<i>GENERAL FUND</i>			
REVENUE	\$1,305,726	\$12,429,832	11%
EXPENDITURES	2,437,527	\$12,429,832	20%
Net Change in Fund Balance	(1,131,801)		
Fund Balance-September 30, 2015 (Unaudited)	5,362,611 <b>A</b>		
Fund Balance-November 30, 2015 (Reserves)	<u>\$ 4,230,810</u>		
<i>RESORT TAX (TEDAC SHARE)</i>			
REVENUE	\$ 38,407 <b>B</b>	\$661,870	6%
EXPENDITURES	71,322	\$661,870	11%
Net Change in Fund Balance	(32,915)		
Fund Balance-September 30, 2015 (Unaudited)	345,969		
Fund Balance-November 30, 2015 (Reserves)	<u>\$ 313,054</u>		
<i>POLICE FORFEITURE/CONFISCATION</i>			
REVENUE	\$ -	\$80,000	0%
EXPENDITURES	18,398	\$80,000	23%
Net Change in Fund Balance	\$ (18,398)		
Fund Balance-September 30, 2015 (Unaudited)	112,666		
Fund Balance-November 30, 2015 (Reserves)	<u>\$ 94,268</u>		
<i>TRANSPORTATION SURTAX</i>			
REVENUE	\$ 30,000	\$260,350	12%
EXPENDITURES	33,204	\$260,350	13%
Net Change in Fund Balance	(3,204)		
Fund Balance-September 30, 2015 (Unaudited)	435,359		
Fund Balance-November 30, 2015 (Reserves)	<u>\$ 432,155</u>		
<i>CAPITAL PROJECTS</i>			
REVENUE	\$ 49	\$152,700	0%
EXPENDITURES	0	\$152,700	0%
Net Change in Fund Balance	49		
Fund Balance-September 30, 2015 (Unaudited)	647,342		
Fund Balance-November 30, 2015 (Reserves)	<u>\$ 647,391</u>		

**NOTES:**

\* Many revenues for October 2015 are received in subsequent months (timing difference) and are recorded on a cash basis in the month received. November 2015 revenue accounts include the reversal of revenues that are for the prior fiscal year.

A. Includes \$2,000,000 available for hurricane/emergencies. The balance of \$3,362,611 is unassigned fund balance (reserves).

B. Resort Tax Revenues total collected through October 2015 is \$103,061, (\$38,407 is the TEDAC and \$64,654 is the General Fund). Revenues collected in November 2015 are for Resort Tax Registration Renewals.



**ENTERPRISE FUNDS**

**ACTUAL**

<b>ANNUAL BUDGETED</b>	<b>% BUDGET</b>
------------------------	-----------------

**WATER & SEWER**

REVENUE	\$ 495,105	\$3,098,177	16%
EXPENDITURES	220,579	\$3,098,177	7%
Change in Net Position	274,526		
Unrestricted Net Position-September 30, 2015 (Unaudited)	(1,846,415)		
Restricted Net Position	1,260,776 C1		
Unrestricted Net Position-November 30, 2015 (Reserves)	\$ (311,113) C2		

**MUNICIPAL PARKING**

REVENUE	\$ 172,601	\$1,042,000	17%
EXPENDITURES	152,801	\$1,042,000	15%
Change in Net Position	19,800		
Unrestricted Net Position-September 30, 2015 (Unaudited)	1,096,280		
Unrestricted Net Position-November 30, 2015 (Reserves)	\$ 1,116,080		

**SOLID WASTE**

REVENUE	\$ 245,307	\$1,576,387	16%
EXPENDITURES	444,750	\$1,576,387	28%
Change in Net Position	(199,443)		
Unrestricted Net Position-September 30, 2015 (Unaudited)	425,634		
Unrestricted Net Position-November 30, 2015 (Reserves)	\$ 226,191		

**STORMWATER**

REVENUE	\$ 82,400	\$678,848	12%
EXPENDITURES	37,500	\$678,848	6%
Change in Net Position	44,900		
Unrestricted Net Position-September 30, 2015 (Unaudited)	4,029,729		
Restricted Net Position	347,140 C3		
Unrestricted Net Position-November 30, 2015 (Reserves)	\$ 4,421,769		

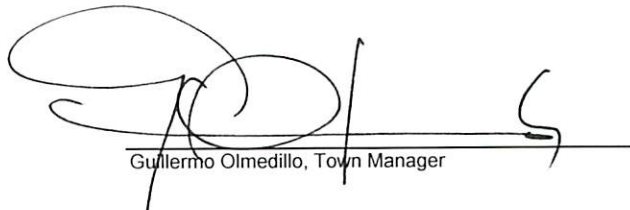
**NOTES:(con't)**

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

C2. The reserves balance of (\$311,113) is the result of a change in current net position as of November 2015 of \$274,526 net position as of September 30, 2015 of (\$1,846,415) includes \$651,144 for rate stabilization, plus Restricted Net Position of \$1,260,776.

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

  
 Donald G. Nelson, Finance Director  
**\*\*ATTACHMENT**

  
 Guillermo Olmedillo, Town Manager

**Town of Surfside**  
**Fund Balance (Reserves)**  
**11/30/2015**

FUND	9/30/2013	9/30/2014	9/30/2015	11/30/2015
General	\$ 5,304,042	\$ 6,366,391	\$ 5,362,611	\$ 4,230,810
Resort Tax	94,497	180,297	345,969	313,054
Police Forfeiture	138,143	159,626	112,666	94,268
Transportation Surtax	131,475	396,740	435,359	432,155
Capital	255,263	849,445	647,342	647,391
Water & Sewer	(5,261,333)	(3,501,884)	(1,846,415)	(311,113)
Parking	1,066,574	1,000,355	1,096,280	1,116,080
Solid Waste	227,274	116,662	425,634	226,191
Stormwater	2,520,512	3,838,412	4,029,729	4,421,769
<b>Total</b>	<b>\$ 4,476,447</b>	<b>\$ 9,406,044</b>	<b>\$ 10,609,175</b>	<b>\$ 11,170,605</b>



## **TOWN MANAGER'S REPORT FEBRUARY 2016**

### **COMMUNITY PROGRAMS / INITIATIVES / ENHANCEMENTS**

1. **See Click Fix** -- Report attached.

### **PLANNING, ZONING AND DEVELOPMENT**

#### **2. Development Applications**

A. 9133-9149 Collins Avenue – A site plan application for the Surf Club II has been received and a Development Review meeting was held on September 4, 2015. The applicant received Staff comments and will be required to resubmit revisions prior to scheduling of future meetings. The plans include restoring a 16 dwelling unit historic building (the Seaway Villas) and adding a 34 unit, 12 story building immediately north of the Surf Club I.

B. 9011 Collins Avenue – A site plan amendment application for the northwest building at the Surf Club has been received. A Development Review meeting has not been scheduled at this time.

C. 9011 Collins Avenue – A site plan amendment application to add one pool and modify the landscaping at the rear of the Surf Club site has been received. A Development Impact Committee meeting has been scheduled for February 11, 2016 at 1:00pm.

### **TOWN DEPARTMENTS**

#### **Code Compliance**

#### **3. Commercial Property Maintenance Standards Workshop**

The Town of Surfside held a Commercial Property Maintenance Standards Workshop on January 28, 2016. Commercial property owners, their lessees and Town staff members were in attendance. The Town Manager gave welcoming and introductory comments, and explained to the attendees the importance of the Workshop. Code Compliance Director Alan Graham distributed materials to the attendees.

The Town Manager showed the attendees photos that were taken by him on December 1, 2015 during an inspection of the East Harding Avenue businesses that abut the alleyway. The photos illustrated the current condition of the rear of the buildings adjacent to the alleyway, as well as cars that were improperly parked in or near the alley right-of-way. The Town Manager explained the effect that the depicted code violations have on the Town and the business on Harding Avenue, and the responsibility of property owners and their lessees of adhering to the Town's property maintenance standards. Finally, the Town Manager led a "question & answer" period, and thanked everyone present for attending the Workshop.

Following the Workshop, the Code Compliance Director mailed out an informational letter to each Harding Avenue property owner to advise them that the Town will begin strict enforcement activities in the business district beginning on March 1, 2016.

#### **4. Payments on Code Compliance Cases**

Unresolved Code Compliance cases accrue fines until the code violation is resolved. After the violation is abated, then the property owners are notified to remit the fine amount due. In many cases, the fine amount is either paid, settled via a settlement agreement, or referred to the Town's Special Master for a hearing and ruling on the fine amount due.

The following is a summary by Fiscal Year:

FY 15/16: 44 cases have submitted payments totaling \$69,860  
FY 14/15: 26 cases paid/settled for a total of \$86,869  
FY 13/14: 6 cases paid/settled for a total of \$67,293  
FY 12/13: 9 cases paid/settled for a total of \$15,750  
FY 11/12: 8 cases paid/settled for a total of \$16,875

### **Parks and Recreation**

#### **5. Programs**

- The Parks and Recreation Department hosted the annual Family Fun Day on January 24, 2016. The event brought in over 550 participants to the Park at 96<sup>th</sup> Street. The event featured food, DJ, dancing, rides and additional activities to celebrate the day.
- The Miami Dolphins will be conducting its annual Cancer Challenge Ride on February 20, 2016. The ride will begin at the University of Miami and ride through Miami-Dade County and end at Sun Life Stadium. The Challenge Ride began in 2010 and has raised over \$11.5 million. The Town of Surfside 96<sup>th</sup> Street Park will be host to a water station for the ride challenge. The park will host approximately 500 participants throughout the ride. This is the first year the Town of Surfside is a designated water station. We hope to continue the relationship for future Miami Dolphins cancer challenge events.
- The Community Center Pool and Water Tot Lot will be closed February 22, 23 and 24 for our annual pre-spring cleaning and general maintenance.
- The Town of Surfside 10<sup>th</sup> Annual Beach 5K Run will be held on Sunday, February 21, 2016 8:00 am at the hard pack located behind the Community Center.
- Miami Dade County will be hosting the 6<sup>th</sup> Great Park Summit in April. The event is going to highlight the significant public/private partnerships supporting the great Power of Parks and the solidarity of the parks systems. During the event, a PowerPoint will be presented to show how the parks systems work in collaboration and the efforts of each agency. Each agency was asked to submit photos along with explanations of the accomplishments as part of the presentation. The Town of Surfside Parks and Recreation Department submitted the requested

information and was used as the model for other agencies for the submission of the material. The material submitted demonstrated the Parks and Recreation Department's commitment to working with joint agencies along with a variety of additional attributes.

## **Police Department**

### **6. Police Department Re-Accreditation**

On January 20<sup>th</sup> and 21<sup>st</sup>, the Commission for Florida Law Enforcement Accreditation assessors from Jacksonville, Palm Beach, and Key West were onsite reviewing policies and procedures, examining accreditation files as well as interviewing staff, inspecting units, and conducting ride alongs with officers. The assessors held an exit interview with Chief Allen. They will recommend awarding re-accreditation status before the State Commission in March in St. Augustine. The assessors had high praise for SPD civilian and sworn staff for their positive attitudes, strong partnership with community and family type relationship within the PD. In particular, they mentioned Captain Julio Yero, Lt. John Bambis, Sgt. Patrick McKenna, Parking Operations Manager Elinor Joseph, Communications Supervisor Susie Sperbeck, Officer Tammy Campbell, NRO Dianna Hernandez, CSA Danny Sanchez, and Parking Officer Josue Castro.

The credit for this accomplishment goes to Lt. John Bambis. The re-accreditation process is a three year project. Lt. Bambis was hired last year to manage the Support Services Division as well as accreditation. He had about six months to learn and fix our accreditation concerns and worked many hours including evenings and weekends and holidays to catch up. In November a mock accreditation was held and we had issues to resolve. Lt. Bambis formed a team with Sgt. Pat McKenna and CSA Danny Sanchez to concentrate full time on this project. Sgt. Jay Matelis, Sgt. Rory Alberto and his detectives and Elinor Joseph also spent countless hours compiling proofs and documents to meet the mandatory standards for Patrol and the Criminal Investigations and Property and Evidence Units. Congratulations is in order to the SPD for their dedication and commitment to completing this mission.

Chief Allen, Lieutenant Bambis and Sergeant McKenna will attend the Commission for Law Enforcement Accreditation Conference on February 24<sup>th</sup> in St. Augustine. The Department will be reviewed by the State Commission members who will make the final determination of the re-accreditation status of Surfside Police Department.

### **7. Uniform Crime Reports**

Florida Department of Law Enforcement Uniform Crime Reports (UCR)

- Total Offenses in 2015 were 137 and a 13.3% decrease from 158 in 2014
- Total Non-Violent Crimes (Burglary, Larceny, Motor Vehicle Theft) in 2015 were 128 (8 burglaries, 112 larcenies, 8 motor vehicle thefts) and 154 (16 burglaries, 131 larcenies, 7 motor vehicle thefts) in 2014
- Total Violent Crimes (Homicide, Sexual Battery, Robbery, Aggravated Assault) in 2015 were 9 (3 robberies, 6 aggravated assaults) and 4 (2 robberies, 2 aggravated assaults) in 2014

	<b>Index</b>		<b>Violent</b>		<b>Property</b>				<b>Crime</b>	
	<b>Total Crimes</b>	<b>%CH</b>	<b>Crime</b>	<b>%CH</b>	<b>Crimes</b>	<b>%CH</b>	<b>Population</b>	<b>%CH</b>	<b>Rate</b>	<b>%CH</b>
2011	183	9.6	4	-69.2	179	16.2	5,749	1.1	3183.2	8.4
2012	167	-8.7	15	275.0	152	-15.1	5,776	0.5	2891.3	-9.2
2013	123	-26.3	7	-53.3	116	-23.7	5,794	0.3	2,122.90	-26.6
2014	158	28.5	4	-42.9	154	32.8	5,722	-1.2	2,761.3	30.1
2015	137	-13.3	9	125.0	128	-16.9	5,703	-0.3	2,402.2	-13.0

### Annual Enforcement Statistics

- Arrests in 2015 were 151 and 142 in 2014. 4,647 traffic citations were issued in 2015 and 4,311 in 2014. 3,825 traffic warnings were issued in 2015 and 3,235 in 2014. 13,816 parking citations were issued in 2015 and 13,963 in 2014.
- 267 traffic crashes were investigated in 2015 and 246 in 2014. SPD conducted 190 community/ crime prevention events in 2015 and 113 in 2014. Total calls for service were 23,216 in 2015 and 22,800 in 2014.

### 8. 2015 Leo Awards Finalists

Officer Craig Lovellette, Communications Operator Peter Filiberto, Community Service Aide Daniel Sanchez and Executive Assistant Dina Goldstein have been selected as finalists for the prestigious 2015 Miami-Dade County LEO Awards. The winners will be chosen at the awards ceremony on March 19, 2016 at Jungle Island.

### 9. Police Events

- The Monthly Crime Stoppers' Board of Directors meeting was held at Miami-Dade Police Department Headquarters on February 3 at 10:00 a.m. NRO Hernandez will attend.
- The Shul of Bal Harbour hosted their 34<sup>th</sup> Annual Dinner and Formal Ground Breaking Celebration on February 4 at 6:00 p.m. Captain Julio Yero will attend.
- The Florida Department of Transportation hosted a 2016 "Drive Safe" Aggressive Driving Awareness media event on February 5 at 9:30 a.m. at FDOT in Miami. Sgt. Torres will attend.
- The National Conference Host Committee Meeting presented Preventing Crime in the Black Community on February 9 from 10:00 a.m. to 12:00 p.m. at the Urban League of Broward County. NRO Dianna Hernandez will attend.
- The Surfside Police Department and AmTrust Bank are hosting a free Fraud Awareness seminar on February 10 from 5:00 p.m. to 7:00 p.m. at AmTrust Bank in Surfside. NRO Dianna Hernandez will attend.

- The Surfside Police Department will host a Mobile Department of Motor Vehicles event for residents to apply for and renew their driver's licenses on February 17 from 9:30 a.m. to 2:30 p.m. in the Commission Chambers.
- The monthly Bike with the Chief will be February 24, 2016 at Town Hall; Coffee with the Cops will be February 26, 2016 at Starbucks.
- The Police Department is scheduled to receive a DAVID Audit Site inspection from the Florida Highway Safety and Motor Vehicles on March 1 at 11:30 a.m. The audit will ensure all that Surfside Police Department is in compliance with all regulations and practices of the Department of Florida Highway Safety and Motor Vehicles.

## **Public Works**

### **10. Pressure Washing/Trash Pick up**

Public Works has taken the initiative to pressure wash the sidewalks in the downtown area and cleaned the front and back of several business locations. These businesses have been invoiced accordingly. Public Works is also cleaning and picking up trash in the business district in the dumpster areas and invoicing accordingly.

### **11. Survey**

Public Works has created an assessment survey and hand delivered to every Condo and apartment building along the Collins avenue corridor for feedback on the solid waste service, pricing and communication. This is an agenda item for the February Town Commission meeting.

## **Town Clerk**

### **12. 2016 Election Candidates' Forums**

The Town of Surfside has partnered with the League of Women Voters of Miami-Dade County to host two Candidates' Forums. The Mayoral Forum is scheduled for February 22, 2016 at 6:30 p.m., and the Commissioners' Forum is scheduled for February 24, 2016 at 6:30 p.m. in the Town Hall Commission Chambers.

Residents will be allowed to submit questions for the candidates; questions will be accepted up to a half hour prior to the Candidates Forum's starting time.

Residents not attending the forum will be provided with the opportunity to submit questions via email. Questions will be accepted until 2:00 pm on the day of the forum.

## **PROJECTS PROGRESS UPDATES**

### **13. Information Technology and TV Broadcasts**

IT is processing the lease renewal for the Konica copy machines. A WebEx training is being scheduled for all department heads for SeeClickFix. Microsoft Project software is being tested for use in better planning, managing and reporting on projects. The upgrade for the Microsoft Exchange e-mail server will be completed by the end of February. IT is researching pricing for replacement

desktops for the next budget cycle. A quote has been provided to the Police Department for upgrading police radios.

#### 14. Beach Access

Work has begun on 88<sup>th</sup> Street. The curbing and sidewalks were poured and are complete. Pavers are being installed from the street to the seawall utilizing pavers left over from previous jobs on 95<sup>th</sup> Street end with an expected completion date February 5. Paving is scheduled for February 6, from existing pavement east to the seawall. From the seawall to the hard pack the same material that is currently on the hard pack will be utilized providing for consistency. The landscape planting which includes coconut palms, sea grapes, sea oats and shrubs was completed February 5. An emergency roadway will be opened February 13 for public safety and public works only.

Respectfully submitted:



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Guillermo Olmedillo, Town Manager

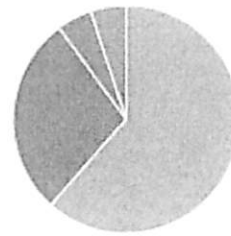


Between Jan 01, 2016 and Jan 31, 2016

Issues by Source

18 issues were opened

41 issues were closed



The average time to close was 180.8 days.

SERVICE REQUEST TYPE	OPENED	CLOSED	DAYS TO CLOSE
Code Compliance (Violation)	3	9	108.1
Parking Issue	4	4	2.3
Beach Issue	4	3	1.0
Street lights (PW)	0	10	482.8
Barking Dog	3	4	21.7
Code Compliance (Safety Concern)	1	6	249.2
Other	1	2	6.7
Construction Issues	1	1	1.3
Drainage/Flooding (PW)	1	1	0.0
Police (Safety Concern)	0	1	3.7
96 Street Park (P & R)	0	0	0.0
Beach Patrol	0	0	0.0
Community Center (P & R)	0	0	0.0
Dead Animal	0	0	0.0
Dog Stations (P & R)	0	0	0.0
Graffiti (PW)	0	0	0.0
Graffiti (in park) (P & R)	0	0	0.0
Hawthorne Tot-Lot (P & R)	0	0	0.0
Pothole (PW)	0	0	0.0
Solid Waste (Commercial) (PW)	0	0	0.0
Solid Waste (Residential)	0	0	0.0

Jan 01, 2016 to Jan 31, 2016

(PW)			
Surfside Dog Park (P & R)	0	0	0.0
Utilities (Water/Sewer) (PW)	0	0	0.0
Veterans Park (P & R)	0	0	0.0

# Town of Surfside, FL

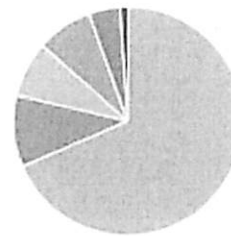
Between Jan 01, 2008 and Feb 01, 2016

270 issues were opened

266 issues were closed

The average time to close was 45.3 days.

Issues by Source



SERVICE REQUEST TYPE	OPENED	CLOSED	DAYS TO CLOSE
Other	75	75	22.0
Police (Safety Concern)	53	53	9.8
Beach Issue	28	28	23.0
Code Compliance (Violation)	24	21	67.3
Street lights (PW)	17	17	331.0
Parking Issue	10	10	1.0
Code Compliance (Safety Concern)	12	12	138.3
96 Street Park (P & R)	7	7	4.5
Surfside Dog Park (P & R)	6	6	1.4
Drainage/Flooding (PW)	6	6	43.8
Barking Dog	5	4	21.7
Utilities (Water/Sewer) (PW)	5	5	0.6
Hawthorne Tot-Lot (P & R)	4	4	5.2
Pothole (PW)	4	4	5.6
Community Center (P & R)	3	3	0.1
Graffiti (PW)	3	3	25.2
Dog Stations (P & R)	3	3	0.1
Construction Issues	2	2	0.7
Solid Waste (Residential) (PW)	2	2	2.6

Solid Waste (Commercial) (PW)	1	1	0.0
Beach Patrol	0	0	0.0
Dead Animal	0	0	0.0
Graffiti (in park) (P & R)	0	0	0.0
Veterans Park (P & R)	0	0	0.0



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

**TO:** Town Commission

**FROM:** Linda Miller, Town Attorney *LM*

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

**DATE:** February 9, 2016

**SUBJECT:** Office of the Town Attorney Report for February 9, 2016

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

- January 18, 2016– Southeast Florida Regional Climate Change Compact Municipal Workshop, Miami Beach
- January 20, 2016 – Coastal Issues Committee
- January 20, 2016 – Special Master Hearing
- January 21, 2016 – Florida Reef Resilience Program’s 10-year Anniversary Symposium, Oceans Climate Coalition Brainstorm Group
- January 27, 2016 – Campaign Skills Seminar
- January 28, 2016 – Planning and Zoning and Design Review Board
- January 28, 2016 – Commercial Property Maintenance Workshop
- January 28-29, 2016 – New, Different, Unusual & Uncertain - Environmental & Land Use Law Issues Facing All Floridians
- February 1, 2016 – Tourist Board Meeting
- February 9, 2016 – Town Commission Meeting

**Ordinances for Second Reading:**

- Contract requirements for Non-Discrimination and Boycott
- Second Floor Balconies
- Vacant Lot Fencing

**Resolutions prepared and reviewed:**

- Purchase of a visual message sign
- Recognition policy and procedure

**Town Commission/Town Manager:**

- Preparation of RFP for parking structure
- Follow up on FIU proposal and review, provide counsel, and communicate with Bal Harbour and Bay Harbor Islands on coordination of Surf-Bal-Bay transportation service
- Follow-up research for paced development
- Research surrounding municipalities for permitted construction hours
- Commercial property standards

**Town Clerk:**

- Research and follow-up on election process

**January 28, 2015 Planning and Zoning and Design Review Board:**

A. Request of the Owner of Property located at 9180 Byron Avenue - an after the fact permit for a garage conversion.

B. Request of the Owner of Property located at 9057 Garland Avenue - an after the fact permit for a garage conversion.

C. Request of the Owner of Property located at 9349 Collins Avenue - proposing a monument sign on facing Collins Avenue.

D. Request of the Owner of Property located at 9549 Carlyle Avenue - to change the façade on a previously granted approval for the construction of a new two story single family residence at the September 24, 2015 Planning and Zoning meeting.

E. Request of the Owner of Property located at 919 92<sup>nd</sup> Street - the construction of a new two story single-family residence.

**Planning and Zoning:**

Ordinance Amending Chapter 90, Article IV “District Regulations”; Specifically Amending Section 90-48. “Modification Of Side And Rear Yard Regulations”; clarifying second floor balconies or terraces will not be counted towards the setback

**Coastal Issues Committee:**

- Provided counsel and research on draft beach chair ordinance
- Provided information to Committee on climate change, sea level rise and coral reefs
- Communicated with City of Miami Beach on beach chair updates
- Research and analysis of litter and noise ordinances
- Guidance on parliamentary procedure

**Building Department/Code Enforcement:**

- Ongoing review with Code Compliance regarding regulating beach furniture
- Follow up with Code Enforcement and Building Official for on-going settlement of cases
- Review of Code Procedures and preparation for Special Master proceedings
- Research and provide counsel on building permit fees
- Research and analysis of Code for preparation of Commercial Property Maintenance Workshop

**Finance Department:**

- Review and analyze Florida Statutes regarding P3 requirements
- Prepare for FY2016-17 Budget process

**Parks and Recreation:**

- Collaborate on beach concession management ideas and implementation
- Earth Day participant agreement

**Tourist Bureau/Downtown Vision Advisory Board/Tourist Board:**

- Research laws and Attorney General Opinions regarding use of Resort Tax

**Public Works:**

- Solid waste recycling contract

- Review DEP permit on dune restoration/invasive plant removal

**Police Department:**

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

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

1. On June 28, 2014, Claimant alleges while walking in the east alley behind 9577 Harding Avenue she fell through a broken storm grate and sustained severe lacerations to her right leg. FMIT is investigating this claim.
2. Julien Deleon - Equal Employment Opportunity Commission (EEOC) Charge #510-2014-05171. Mr. Deleon has filed a Notice of Charge of Discrimination against the Town and the Town has filed a response.
3. Claimant alleges a false arrest on June 1, 2014. FMIT is investigating this claim.
4. Pieter Bakker v. Town of Surfside, a municipal corporation of the State of Florida and Young Israel of Bal Harbour, Inc. On May 30, 2012, Pieter Bakker filed a complaint in State Court against the Town which alleges counts against the Town including contract zoning, Charter violations, and a request for a writ of certiorari to quash Resolution 12-Z-2078 approving a Site Plan Application to permit Young Israel to build a synagogue on 9580 Abbott Avenue. On September 30, 2013, the Court ordered this matter to be transferred to the Appellate Division. Petitioner, Mr. Bakker filed an Amended Petition for Writ of Certiorari and De Novo Complaint and a Motion for Summary Judgment. The Court has issued an Order dismissing the Amended Petition for Writ of Certiorari without prejudice. Petitioner, Pieter Bakker has filed a Third Amended Petition for Writ of Certiorari and Surfside is required to respond.
5. Parker, et. al. v. American Traffic Solutions, et. al.: United States District Court for the Southern District of Florida Civil Action No. 1:14-CV-24010. This is a class action case brought by plaintiffs who have received red light traffic violations against vendors who contract with municipalities and counties for red-light camera services (American Traffic Solutions “ATS”, “Xerox State and Local Solutions “Xerox”, and Gatso) along with 69 municipalities and counties. The complaint alleges that the local government defendants have improperly outsourced to the vendors their legislatively granted authority to issue traffic citations and unlawfully delegated to the vendor defendants the authority to



determine whether a traffic violation has occurred. The Town and other Defendants filed a Motion to Dismiss. The Court dismissed the federal claims, however, did not dismiss the claims for unjust enrichment, declaratory and injunctive relief. The Court has stayed the case during the pendency of an appeal. This matter has been fully briefed and awaits the Court's decision. Counsel does not anticipate an oral argument.

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

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



**Town of Surfside  
Coastal Issues Committee  
MINUTES**

November 18, 2015 – 7:30 pm  
Town Hall Commission Chambers  
9293 Harding Ave, 2<sup>nd</sup> Floor, Surfside, FL 33154

**1. Call to Order and Roll Call**

Chair Larisa Alonso called the meeting to order at 7:35pm

Chair Alonso made a comment on protocol procedures, that it is inappropriate and distracting for any member, resident, developer, or representative of developer to come to the table and speak to Committee Members or staff. If they have comments, they need to bring those during Public Comment period.

Chair Alonso acknowledged the presence of Vice-Mayor Eli Tourgeman.

Recording Clerk Nissa Benjamin called the roll with the following members present: Chair Larisa Alonso, Vice Chair Daniel Gielchinsky, Committee Secretary Bertha Goldenberg, Committee Member David Carmona, and Committee Member Lou Cohen.

Other officials present: Mayor Daniel Dietch, Town Manager Guillermo Olmedillo, Town Attorney Linda Miller and Code Compliance Director Alan Graham.

**2. Approval of Minutes – October 21, 2015**

**Vice Chair Gielchinsky made a motion to approve the minutes. The motion received a second from Board Member Cohen and all voted in favor.**

**Committee Member Cohen made a motion to move item 4 up, prior to item 3. The motion received a second by Vice Chair Gielchinsky and all voted in favor.**

**3. Miami-Dade Beach Renourishment (Item 4 on the Agenda)**

Brian Flynn, Special Projects Administrator for Miami Dade County, DERM (Division of Environmental Resources Management), who heads the Beach Management Program for the County; provided an update on the Beach Project. He said that now that the turtle season is over, the sand that was placed on the beach, as part of the Surf Club development, is being removed and replaced with sand from central Florida. They will be removing the northern part this week and next week will remove the southern part. They will be bringing sand, about 27,000 cubic yards, which will take about a week or two. Going forward, Surfside will be scheduled for an Army Corps of Engineers project, which will occur next summer, 2017, where sand will be trucked likely from the same source. That will extend the width of the beach, about 100 feet or so beyond what it is now.

Mr. Flynn stated that Surfside has held pretty good. They have done a couple of projects in Bal Harbour, which have benefitted Surfside, because sand moves from north to south. The County is working with Bal Harbour to move sand from Haulover Cut to Bal Harbour on a regular basis.

Chair Alonso asked the name of the mine where the sand is coming from. Mr. Flynn responded that it is called Ortona, and it is located west of Lake Okeechobee. It is an old sand dune, when the sea was that high, and the State has approved it for beach nourishment projects.

Secretary Goldenberg asked if that is the same source than the sand that was placed on Bal Harbour recently, he said yes.

Town Manager Olmedillo asked about the program in the next couple of years. Mr. Flynn stated that the County Commission recently passed a resolution which reallocated \$10 million of funds from General Obligation Bond (GOB) Fund to beach nourishment. The plan is that about half of that will go for a project that they have this summer in Miami Beach and the remaining funds will be split between Sunny Isles and Surfside the following year. The Mayor has stated that they are looking at allocation \$5 million per year, to match State funding.

Chair Alonso asked what is the time line for the renourishment project. Mr. Flynn stated that because we don't have offshore sand, all the sand will have to be trucked in and it will take longer. He gave the example of Miami Beach where they will be placing 250,000 cubic yards and they are estimating about 200 days. He doesn't know if Surfside will be that large. They do not have to close the beach for that.

#### **4. Beach Furniture Draft Ordinance (Item 3 on Agenda)**

Town Manager Olmedillo presented the graphics, which divided the length of the beach in sections. He explained that the aerials that were used are the most recent ones, but not taken today. So, it is not accurate as where the sand is today. Yellow shows street ends, which is what has been considered to be chair free and the blue lines is the offset from the dunes and the mean high water line (MHWL). The beach is narrow in some places. He said that this gives you an idea of the 15, 20, and 30 feet offsets. The red areas in Group 2 represent the 50% and 20% frontage, the idea is to be able to visualize it.

Vice Chair Gielchinsky stated that in some areas there is not enough room to place any chairs. He asked about the lifeguard and the Town Manager reminded him that that is an area where no chairs should be placed.

Committee Member Cohen said the beach changes on a weekly basis. Vice Chair Gielchinsky asked Code Compliance Director Graham about the Group 2, if he has looked at the package, and what kind of staff or manpower he needs for enforcement. He responded that, at this time, the enforcement consists of one staff person and himself. They may need additional staff. Basically, they will have to go up and down the beach all day long. They will need to educate the public, about the rules and regulations. We have beautiful signs to the entrance of the beach and people forget. In addition, he needs staff to work with condos, apartments, and hotel management teams, as to the placement of the chairs; as to where they can be placed in relation to the ordinance. Right now, he doesn't have enough staff.

Secretary Goldenberg commented that she does not foresee every property will have chairs, it is not happening today. She stated that last time, we agreed on the "who" and there were comments

about taking baby steps, and not do everything at once. One option is to go back and consider the ordinance for hotels only and the enforcement will be limited.

The Town Manager stated that we are bounded by whatever ordinance comes out of this Committee.

Committee Member Cohen asked Mr. Graham if he has someone now that goes up and down the beach, and if that is done by the Town or the County. Town Manager Olmedillo clarified that the County does maintenance on the beach and they do it periodically. There is a different activity going on now, because of the construction.

Vice Chair Gielchinsky thanked the Town Manager for the aerials. He said that we have gone the long path by using traditional planning mechanisms. They work well with a neighborhood, because homes don't move, but because the beach topography moves, it doesn't work that well. Chairs will move through out the day and they will be creating an unwieldy situation. The beach chairs should not go in front of street ends. There are other ways of addressing the problem, maybe limiting the number of chairs that can be stored on the beach.

Chair Alonso asked Code Compliance Director Graham if that was going to be a problem to enforce with changing topography.

Director Graham responded that they will be able to enforce what ever ordinance is passed, but need clear direction. It will require some staff to walk the beach.

Secretary Goldenberg said that MHWL is fluid, but the dune doesn't move.

Committee Member Carmona said he agrees with the comment. He said that we need to realize that this is a natural resource and if there is not enough beach area. This season, the water could be up to the dune. If there is no beach, no one can put chairs.

Chair Alonso asked if we were to enact percentage, it that that can be enforced. Director Graham said that he can enforce it, if he is given directions. He will have to work with the public, and educate everyone. It's the first thing you do in code enforcement, it is a new ordinance and you need to inform the people.

Vice Chair Gielchinsky asked about the cost of enforcement. Director Graham said that the Town doesn't have the funding at this time.

Committee Member Cohen asked about the draft ordinance. Town Attorney Miller clarified that last month it was decided to move forward with the concept and not get into the details.

Committee Member Cohen said that looking at the materials we have, we should place emphasis on the amount of chairs that are stacked, no setbacks.

Secretary Goldenberg said that it is important to have set setbacks, because chairs could be placed covering the entire frontage. Looking at the percentages, the 20 feet setback will be workable for most properties. At the time of permit, the applicant should submit a plan that could be used by the enforcement staff.

Vice Chair Gielchinsky said that he is concerned because <sup>between</sup> the 88<sup>th</sup> and 90<sup>th</sup> Streets ~~cannot put~~ chairs today. *the current setbacks would not be able to be placed*

Chair Alonso asked the Town Attorney whether condos still be able to contract with 3<sup>rd</sup> party vendors. Town Attorney Miller said they will research that.

Vice Chair Gielchinsky asked how to go about a property that has both hotel and condo. He has seen an alternate proposal from Mr. Kousoulas and he requested that he be allowed to make a presentation at this time.

**Vice Chair Gielchinsky made the motion to open the meeting up to Public Comment (Item 9), but only as to the “where” the chairs should be placed. The motion received a second by Committee Member Cohen and all voted in favor.**

#### 5. Public Comment (Item 9 on Agenda)

George Kousoulas passed out a graph showing what we get if we follow the draft approach. He came to the conclusion that there is a better way. He showed the nature of the problem that we have. He looked at the frontage of properties, the houses behind the frontage, and the area available for residents. He applied an assumption of 4 people per house, 2 people per hotel room, and 2 people per condo unit. The graph on the far right, of the first page, represents the number of people per linear foot of frontage. The overall high of the 3 bars represents the total number of people per linear foot of frontage. The ratio of upland people to single family, per linear foot, is about 7:1 ratio. This shows why the Grand Beach is such a focus of attention. The second page shows the frontages by selected properties, for Surf Club, Four Winds, and Grand Beach. The biggest concern is that the beach will be reserved. He looked at the controls that we can apply.

**Vice Chair Gielchinsky made a motion to extend George Kousoulas presentation an additional 3 minutes. The motion received a second by Committee Member Carmona and all voted in favor.**

Mr. Kousoulas' graph is based on frontage, the frontage of the dune, to control overnight storage. He derived a percentage of the number of chairs that can be stored on the beach. That can be inspected at night by what is stored. He pointed to the chart “Schedule of Chairs Allowed by Permit on Beach and Pre-Placed in AM”. If you take 35% and you look at the frontage, you can look at the number of chairs you can store. You can look at the bottom part of the chart and see the number of chairs by frontage for all the properties and see a total number of chairs on the beach.

Chair Alonso asked about the percentage. He said he will only put a 10-foot in the back for emergency vehicles.

Cohen asked if we can only control the amount of chairs they can stock overnight. Mr. Kousuolas confirmed.

Secretary Goldenberg asked about the example of the Grand Beach, if they can cover the entire frontage. He thinks it is reasonable and confirmed that they can place 70 chairs. She has a concern that they can cover the entire frontage, on both sides; and there will not be space for the properties at either side and for the residents.

Chair Alonso agreed that just regulating the number is not enough, they can take the entire frontage. Her concern is where the rest of the residents are going to place their chairs. She disagrees that we cannot regulate. Sanibel has regulated the chairs and it works. We can regulate our beach.

George Kousoulas said the Grand Beach is the poster child of everything gone wrong. It is unlikely that what happened there will happen in other areas.

Chair Alonso said that they will take the entire frontage, it is not uncommon they will do that every single weekend. We are here to protect the public beach. Chair Alonso thanked Mr. Kousoulas for the presentation. She thinks is possible to regulate the beach.

Vice Chair Gielchinsky said that he talked to the Grand Beach and told them they were storing too many chairs and the beach and they have reduced the number of chairs since then.

-Sylvia Coltrane said that her property is very much affected. The Town's position has been adverse to their property. She wants to continue working with the Town but needs to protect her property. To deny the Marriott to have chairs on the beach is damaging to their property. The Town doesn't have the right to regulate "who" seats there. She has discussed this with her attorney but doesn't want to go that route.

**Committee Member Cohen made a motion to extend the comment period for Sylvia Coltrane an additional 3 minutes. The motion received a second by Vice Chair Gielchinsky and all voted in favor.**

Sylvia Coltrane continued her comments. Her property is not on the beach, but the properties on the beach, don't own the beach, if they are allowed to place chairs on the beach, then her hotel should also be allowed to place chairs on that sand. Her property generates a lot of tourist tax. They want to be there, and they want to be regulated because they are good neighbors. They want to have the same rights that others have.

Vice Chair Gielchinsky asked if it was her expectation, when she got the approval for her project, that she was going to be able to stack the chairs on the beach, or that she was going to have to move them in and out every day?

Ms. Coltrane responded that at the time of her application there was no regulation and no one was storing chairs on the beach, none of this was contemplated. Moving the chairs every day will be taxing on them and could cause damage to the beach.

-Debbie Cimadevilla thanked George for his presentation. She defends the single family also. The Town is developing new properties and there will be consecutive properties code compliance situations. The Town needs another code compliance person and need the measurements. There are many tractors every day and there are kids playing near by. She said her measure will be 30% frontage and 70% allowed for the rest of the residents, and the setbacks 25 feet in the front and 15 feet. In the back. For mixed developments, only the hotel frontage should have preset chairs.

-Sean McKeen waived this comment because Sylvia Coltrane covered them.

- Marianne Meischeid wanted to endorse a simple approach to this as George has mentioned. She said we should not open it up to the Marriott. It should be uplands properties only.

-Tina Paul provided photos from 1982 with just a few chairs on the beach. The view was not blocked. She suggested that the Marriott provides folding chairs to its guests. Need to protect the public and the beach. Need to stack the chairs on the property.

Vice Chair Gielchinsky brought a book of history of Surfside showing chairs on the beach at different times. In the 50s, 70s, and 80s there were chairs on the beach.

Chair Alonso closed the Public Comment

Vice Chair Gielchinsky asked about his previous legal question on easements on the right of way, on the hardpack. Town Attorney Miller, looked into it, and she said that the permittee can voluntarily give the Town a perpetual easement. However, the permittee could also provide a temporary easement concurrent with the permit. The temporary easement will be challenging from a legal perspective.

The Committee discussed the presentation by Mr. Kousoulas, the public comments, and the enforcement options. Code Compliance Director Graham and Town Manager Olmedillo provided clarification on the enforcement options.

Vice Chair Gielchinsky suggested that committee members take a walk to Bal Harbour Beach to look at how they stack their chairs overnight. The covers help with the aesthetics of the beach.

Town Mayor Dietch gave the example of the sidewalk cafes, which have a process that those that want to have that amenity can follow. It is reasonable to tell the properties that they cannot place more than certain percentage of their total allotment at the start of the day. The likelihood of meeting that demand is remote.

Vice Chair Gielchinsky asked if the Committee has to address staff needs. Mayor Dietch responded that in the past when budgets were limited they got creative and used technology. The Committee has to give consideration to the management and compliance, rather than enforcement.

Secretary Goldenberg asked about the sidewalk cafes enforcement. Town Manager Olmedillo responded that they don't check everyday, but the enforcement has worked.

Chair Alonso said that it is importance to consider the frontage, this is a residential beach and many residents have children and they need space for the children to play. Surfside should not be just an adult resort town.

Town Manager Olmedillo suggested that the Committee make a motion. Various motions were discussed.

**Committee Secretary Goldenberg made a motion to establish a set back, in the front and the back, of 20 feet, 80% of frontage, and 50% of allowable chairs, based upon the number calculated by Mr. Kousoulas formula of 35%; will be set in the morning; with the rest being on demand. The motion received a second by Committee Member Cohen and the motion carried 4-1 with Chair Alonso voting in opposition.**

Chair Alonso explained that she was in agreement with the 20-20 setbacks, but cannot agree with the 80% frontage.

#### **6. The Compact of Mayors**

Town Mayor Dietch discussed some initiatives the town is involved with. He mentioned that the United Nations Conference of the Parties (COP) is meeting in Paris in early December and they are looking at putting together guidelines for all nations, to reduce the carbon footprint of those countries. He stated that through a number of organizations he is involved with, he received the information asking all majors to participate in this. He discussed the information that was included with the Agenda, which includes a three-year program. He recommended that the Town establish a baseline of what its carbon footprint is and develop a framework to reduce emissions.

This is presented for the Committee information and to bring the Committee on Board on these issues. He has been talking to Miami Beach about their plans. He is suggesting taking Miami Beach's Sustainability Plan and modifying it for the Town. To develop a guide for the Town and the Commission as to how we should continue to develop; interact better with our neighbors; lead by example in Surfside, in building sustainability in Surfside; working on resiliency initiatives, adaptation, mitigation, the climate, and sea level rise; and all the issues associated with living in a barrier island.



Chair Alonso asked how this fits with the Committee. The Mayor explained that ninety-nine percent of scientists in the world recognize that anthropogenic sources of carbon are accelerating the rate of sea level rise. He will argue that for our generation and future generations that live in Surfside, this is the most pressing issue. This Committee was originally conceived by the Sand Committee to expand the focus of the sand. Sea level rise is accelerating in an exponential fashion and it is our obligation to address.

Secretary Goldenberg reminded the committee members that at the last meeting she passed out copies of the new sea level rise projections.

Mayor Dietch said that we have a good story to tell but there is more to look at. Need to have brainstorming session of what we need to do. Surfside is part of the Regional Compact and there is a Summit of the Compact in the first week of December. The Compact has action plans and also the County's most recent actions have started a series of new initiatives and we can look at. He will put together a binder for next meeting for committee members.

**7. Beach Awareness Day –Daniel Gielchinsky, Chair**

Vice Chair Gielchinsky discussed his proposal of beach awareness day and the various activities that could take place. He wants to focus on education and awareness. He formalized his thoughts in a memo that was handed out. The memo lists the organizations that could assist with these activities. He recommends a half-day event at the Community Center. Parks and Recreations Department can assist with the organization. He requested that each Committee member take one of the organizations and work with them.

Secretary Goldenberg said she will work with the Florida Yards & Neighborhoods (FYN) Program, because she works with them as part of the County's Water Conservation Program.

Committee Member Cohen said he could work with CLEO Institute, since he is familiar with that organization.

Chair Alonso said that the agenda goes beyond the beach and it is more like environmental awareness. We should reconsider the title of the event. She said that we should consider other organizations such as the Fisheries and Wildlife, their Marine School can teach a lot about coastal issues and marine life. Also the Earth Rose Institute, which is here locally, not for profit. That Institute disseminates information on environmental toxins and their impacts.

Town Manager Olmedillo asked for a list of additional organizations.

**Vice Chair Gielchinsky made a motion to direct the Town Manager to bring the proposal to the Town Commission and seek their approval and guidance. The motion received a second by Committee Member Cohen and all voted in favor.**

- Lee Gottlieb, with the Youth Environmental Alliance made a presentation about his organization, which is already involved in the Town enhancing the dune system and removing Scaevola from the dunes. He provided a flyer.

**8. Committee Member Issues – There were none**

**9. New Business** – There was none

**10. Public Comment** – no more Public comments

**11. Next meeting**

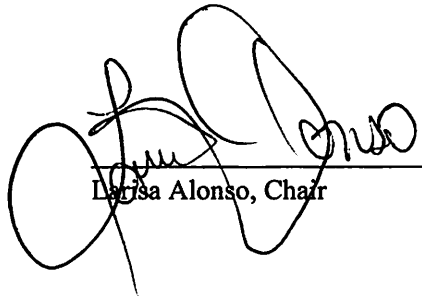
Chair Alonso said that the next meeting is on December 16, 2015; 7:30 pm

**12. Adjournment**

Vice Chair Gielchinsky made a motion to adjourn the meeting. The motion received a second from Committee Member Cohen and all voted in favor. The meeting adjourned at 10:14 p.m.

Respectfully submitted,

Accepted this 20 day of January, 2016

  
\_\_\_\_\_  
Leticia Alonso, Chair

Attest:

  
\_\_\_\_\_  
Bertha Goldenberg, Secretary



**Town of Surfside  
Tourist Board Meeting  
Meeting Minutes  
December 14, 2015  
6:30 p.m.**

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

**Opening**

**A. Call to Order**

Vice Chair Sean McKeen called the meeting to order at 6:30pm.

**B. Roll Call of Tourist Board Members**

Vice Chair Sean McKeen, Board Member Barbara Cohen, Board Member Jessica Levison, Board Member Sarah Liss, Town Attorney Linda Miller, Vice Mayor Eli Tourgeman and Duncan Tavares, TEDACS Director, were present. Board Member Joel Baum was absent.

Vice Chair Sean McKeen announced the resignation of Chair Michelle Kligman and thanked her for her service to the Tourist Board. Vice Chair Sean McKeen also announced Commissioner Martha Olchyk appointed Sarah Liss to the Tourist Board.

Board Member Barbara Cohen made a motion to move Item 13 and open for discussion. Board Member Jessica Levison seconded the motion. The motion passed unanimously.

**13. Tourist Board Calendar**

Duncan Tavares, TEDACS Director, suggested moving the January monthly Tourist Board Meeting to January 11, 2016 to accommodate the schedule of Turkel Brands.

Board Member Barbara Cohen made a motion to move the monthly Tourist Board Meeting to January 11, 2016. Board Member Jessica Levison seconded the motion. The motion passed unanimously.

Vice Mayor Eli Tourgeman spoke to the Board about the importance of Tourist Board Member attendance at Tourist Board sponsored events. He also spoke about the success of the Holiday Caroling event by Bay Harbor Elementary students earlier that day. He also announced the success of the Simply Surfside Classic Auto Show with 29 car participants and a collection of \$750 and more than 3-dozen toys for the Surfside Police Department Toy Drive. The next holiday event will be the judging of holiday decorations in Surfside. He stated that he has received many complaints about the holiday lights on Harding Avenue not being lighted. The company addressing the issues has been responsive and the lights have been repaired in a timely manner. He added his support and congratulations to the Tourist Board for the success of the holiday lights project. Duncan Tavares, TEDACS Director, commented that the weather and more particularly the rain, will trigger the GFIs to turn off the lights as a safety measure. In addition, he

commented that the majority of issues have resulted from individuals manually unplugging the lights.

**X. Election of Tourist Board Chair**

Board Member Barbara Cohen made a motion to elect a Tourist Board Chair, as there was no way to guarantee full Board attendance at any meeting. Board Member Jessica Levison seconded the motion. The motion passed unanimously.

Board Member Barbara Cohen nominated Sean McKeen as Tourist Board Chair. Board Member Jessica Levison seconded the motion. Roll call voting produced four (4) affirmative votes. The motion passed unanimously.

**X. Election of Tourist Board Vice Chair**

Board Member Jessica Levison nominated Barbara Cohen as Tourist Board Vice Chair. Chair Sean McKeen seconded the motion. Roll call voting produced four (4) affirmative votes. The motion passed unanimously.

**X. Approve Tourist Board Meeting Minutes – November 2, 2015**

Vice Chair Barbara Cohen motioned to approve the November 2, 2015 Tourist Board Meeting Minutes. Board Member Jessica Levison seconded the motion. The motion passed unanimously.

**X. Approve Tourist Board Workshop Minutes – November 24, 2015**

Board Member Jessica Levison motioned to approve the November 24, 2015 Tourist Board Workshop Minutes. Vice Chair Barbara Cohen seconded the motion. The motion passed unanimously.

**X. A/R Resort Tax Collection Report**

Duncan Tavares, TEDACS Director, presented the Resort Tax Collection spreadsheet to the Tourist Board. Additionally, he reported that for FY 14/15 over \$1.6 million in Resort Tax has been collected for the Town of Surfside.

**X. A/P Report**

Duncan Tavares, TEDACS Director, commented that he would provide a FY 14/15 expense report at the January Tourist Board meeting. Vice Chair Barbara Cohen inquired if the Town Commission is working on bringing new software and technology to the town departments. Vice Mayor Eli Tourgeman responded that it has been an initiative of the Town Commission to upgrade all the systems for some time. The process has started but it will be an expensive and comprehensive progression. Chair Sean McKeen inquired if the spreadsheet could include Accounts Payable versus the Budget for comparison. Duncan Tavares, TEDACS Director, responded that he would need to create such a document for next meeting.

**7. Amendment to the Resort Tax Ordinance**

AN ORDINANCE OF THE TOWN COMMISSION AND THE RESORT TAX BOARD OF THE TOWN OF SURFSIDE, FLORIDA AMENDING CHAPTER 70 TAXATION AND SPECIFICALLY AMENDING SECTION 70-126 POWER AND DUTIES 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**

Duncan Tavares, TEDACS Director, gave a brief history of this amendment and asked for approval from the Tourist Board.

Vice Chair Barbara Cohen motioned to discuss the Amendment to the Resort Tax Ordinance. Board Member Jessica Levison seconded the motion. The motion passed unanimously.

Vice Chair Barbara Cohen commented on her support for this amendment. Vice Mayor Eli Tourgeman asked for clarification on the five-sevenths rule for adoption. Town Attorney Linda Miller responded that five-sevenths of the council vote, which equates to four-fifths of a council vote, must be affirmative to move the amendment to the Town Commission for second reading. She continued that the Town Attorney's office searched the state archives, legislative history and legal opinions to come to the conclusion that the amendment needs a super-majority vote to move to the Town Commission for approval. Chair Sean McKeen inquired as to the original language concerning the ability to change portions to the ordinance. Town Attorney Linda Miller responded that the ordinance includes the process on how to change the ordinance.

Board Member Sarah Liss made a motion to approve the Amendment to the Resort Tax Ordinance. Board Member Jessica Levison seconded the motion. Roll call voting produced four (4) affirmative votes. The motion passed unanimously.

**X. Trade Shows and Sales Missions**

Chair Sean McKeen recused himself due to a conflict of interest.

Duncan Tavares, TEDACS Director, gave a history of last year's support of Trade Shows and Sales Missions program in accordance with the approved Five Year Tourism Strategic Plan. This year the Grand Beach Hotel Surfside and Residence Inn Surfside desired to participate in the program. Board Member Sarah Liss asked about the details of the program. Duncan Tavares, TEDACS Director, responded that the financial contribution from the Board, as part of their budget, covers the attendance fees to the trade shows and sales missions. Vice Chair Barbara Cohen inquired if the financial contribution also includes Tourist Board collateral. Duncan Tavares, TEDACS Director, responded that it does. Harald Bindeus, Director of Sales and Marketing of Grand Beach Hotel Surfside, spoke about his experience during Trade Shows and Sales Missions as last year's representative for the Board. Duncan Tavares, TEDACS Director, stated that the TEDACS Trade Shows and Sales Missions program resulted in over \$1,000,000 in Resort Tax revenue from an investment of \$50,000 to run the program. Board Member Jessica Levison asked if the registration fees are for any hotel to participate. Duncan Tavares, TEDACS Director, explained that the registration fees presented are lower than normal because it is a group purchase with the GMCVB and hotel partners. Harald Bindeus, Director of Sales and Marketing of Grand Beach Hotel Surfside, added that if the hotel wanted

to participate in the trade shows alone it would cost more. Board Member Sarah Liss asked about the demographics of the attendees. Harald Bindeus, Director of Sales and Marketing of Grand Beach Hotel Surfside, responded that the trade shows and sales missions are mostly comprised of tour operators, event planners, and travel agents. He then showed a photo of the VisitFlorida booth at a trade show last year.

Board Member Jessica Levison motioned to approve the Trade Shows and Sales Missions program. Board Member Sarah Liss seconded the motion. The motion passed unanimously.

#### **X. Simply Surfside Classic Auto Show**

Duncan Tavares, TEDACS Director, gave a brief summary of the successful event. Vice Mayor Eli Tourgeman provided more insight into the day. Duncan Tavares, TEDACS Director, enjoyed meeting the visitors to the Town as well as the excitement from the car owners.

#### **X. Turkel Brands Update**

Duncan Tavares, TEDACS Director, gave the Board an update on the status of the contract negotiations as well as the timing of the project. He continued that during the January Tourist Board Meeting, Turkel Brands would like to gain feedback and explore the Tourist Board members' ideas of branding Surfside as a tourist destination. Board Member Sarah Liss asked what Turkel Brands would be bringing to the January Tourist Board Meeting. Duncan Tavares, TEDACS Director, responded that Turkel Brands would bring their ideas for branding, messaging and direction, as well as gain feedback from the Tourist Board members on their likes and dislikes. Board Member Sarah Liss stated her support for having an opportunity for the public to weigh in on the branding. Vice Mayor Eli Tourgeman responded that each Tourist Board meeting is public and any member of the community can give their opinion during the meeting. Duncan Tavares, TEDACS Director, stated that he would place a special invitation in the Gazette inviting community involvement at the January Tourist Board Meeting. Vice Chair Barbara Cohen asked Chair Sean McKeen when the Residence Inn Surfside would be opening. Chair Sean McKeen responded that it is tentatively scheduled for March 1, 2016. Vice Chair Barbara Cohen asked Duncan Tavares, TEDACS Director, if the visitors to the Simply Surfside Classic Auto Show had any opinions on Surfside. Duncan Tavares, TEDACS Director, responded that the visitors were thrilled to attend a family-friendly event. Board Member Sarah Liss inquired if the families knew about the Surfside Community Center. Duncan Tavares, TEDACS Director, responded that the Surfside Community Center holds over 90 different programs resulting in a challenge to manage the communication of all the programs to visitors as there is no "one list". Board Member Sarah Liss suggested managing these events on social media. Duncan Tavares, TEDACS Director, responded that the Town of Surfside does not have a social media policy and previously the TEDACS department managed social media with a solely tourism/visitor focus. There even exists a Tourist Board approved visitor social media policy. He continued that the TEDACS department was directed to shut down the social media accounts. Board Member Jessica Levison commented that with no social media there is no way for residents or visitors to express their viewpoints about the Town of Surfside. Duncan Tavares,

TEDACS Director, responded that there had been a different interactive technology that was taken before the Town Commission for approval however it was not approved.

**X. Other Business**

Vice Mayor Eli Tourgeman commented on the history of Resort Tax collection on take-out establishments in the Town of Surfside. He continued that the Town of Surfside has two take-out only establishments and recommends waiving the collection the Resort Tax from those businesses. Town Attorney Linda Miller responded that the Tourist Board can not change that component of the Resort Tax without changing the Resort Tax Ordinance.

Chair Sean McKeen inquired if the Tourist Board members could be invited to future Tourist Board events by calendar requests. Duncan Tavares, TEDACS Director, responded that this will be done from now on.

Chair Sean McKeen also inquired about the judging of holiday decorations in Surfside. Vice Mayor Eli Tourgeman gave a brief history of the event and the logistics on how the Surfside Business Association organizes and sponsors the event with the support of the Tourist Board. Duncan Tavares, TEDACS Director, added that Vice Mayor Eli Tourgeman is a representative of the Surfside Business Association and non-voting member of the Tourist Board, and if one member of the Tourist Board is in attendance then it will not be considered an official Tourist Board meeting. However if two or more members were in attendance the event would have to be posted beforehand.

**X. Tourist Board Site Inspection of The Surf Club / Four Seasons**

Chair Sean McKeen announced this would take place on Tuesday, December 15 at 5pm.

Board Member Jessica Levison made a motion to adjourn the meeting at 7:52pm. Vice Chair Barbara Cohen seconded the motion. The motion passed unanimously.

Accepted this 1 day of Feb, 2015

Sean McKeen  
Member (print)

[Signature]  
Signature

Attest:

[Signature]



**Town of Surfside  
Coastal Issues Committee  
MINUTES**

December 16, 2015 – 7:30 pm  
Town Hall Commission Chambers  
9293 Harding Ave, 2<sup>nd</sup> Floor, Surfside, FL 33154

**1. Call to Order and Roll Call**

Chair Larisa Alonso called the meeting to order at 7:42pm

Recording Clerk Nissa Benjamin called the roll with the following members present: Chair Larisa Alonso, Vice Chair Daniel Gielchinsky, Committee Secretary Bertha Goldenberg, Committee Member David Carmona, and Committee Member Lou Cohen.

Other officials present: Town Manager Guillermo Olmedillo, Assistant Town Attorney Jane Graham, and Code Compliance Director Alan Graham.

**2. Approval of Minutes – November 18, 2015 – deferred to the January 20, 2016 Meeting**

Town Manager Olmedillo requested that Item 4 on the Agenda be postponed until the January 20, 2016 Meeting. The Town is still evaluating this information. Chair Alonso agreed to defer the item.

**3. Climate Change and Sustainability Discussion**

a. Urban Environmental Management and Resources Conservation

- Betsy Wheaton, Assistant Building Director, Environmental & Sustainability Division, City of Miami Beach. Town Manager Olmedillo introduced Ms. Wheaton. She started with the City eight years ago and she has seen the Department change and moving to more sustainability. Her Department is organized in three groups: Adaptation (sea level rise, working Public Works on those efforts), Mitigation (sustainability: increasing recycling, improving energy efficiency), and Urban Forest (Tree Permitting program). She discussed beach issues. They coordinate very closely with Miami Dade County. The County is responsible for beach maintenance and renourishment. They have the 2016 project, which will bring sand to 53rd St and 46<sup>th</sup> St. and looking at potentially adding Surfside, but it depends on how the contract develops and if the funding would allow it. The way the Corps and the County has divided it, they look at the most eroded areas and they prioritize them, not by city boundaries. Then they evaluate the funding.

Most recently, they have been working in the dune management strategy. They have a Dune Management Plan, which provides a framework for enhancing the dune system. They have a plating pallet that they developed, which they provide to developers, when they do restorations. In 2014, they began a project for \$300,000, where they did almost a full removal of non-natives, except some selected sections, which removed Scaevola, and replanted with native species. They try to build upon existing projects. They are in the process of working on a beach walk system. They have a 15-foot paver pathway, that extends on a number of section, working on closing the gap on those sections, and when



they do that they include the dune enhancement. They get FDOT (Florida Department of Transportation) funds, they fund about \$1 million, which is a significant amount. The most recent section is middle beach, which connects 47th St to 64th St, and they received \$530,000 for design, which covers the entire design and \$1 million for construction. If you want to provide an alternative transportation pathway for your residents, you can apply for FDOT funding. They usually provide the funding in one million dollar increments. FDOT wants to promote alternative modes of transportation, to get people out of their cars. The City recently retained a consultant to do a pedestrian and bicycle count, to know exactly how many people they are removing for the road. Residents that live in north beach and work in south beach, once they connect to north beach, could use the path. Tourists and commuters are using the path. The purpose is to get people off the road.

The project began in the late 1990s, and the idea was to build a wood boardwalk for the entire beach, but the State preferred the paver design, because of concerns with hurricanes. They use resort tax to fund the remainder of the path.

Chair Alonso asked who maintains the pathway. Ms. Wheaton responded that in most cases they have been able to construct the pathway on City owned land but the next section, which is middle beach, will be on State property and the City will be charged with maintaining it.

Chair Alonso asked where the funds come from for maintaining. Ms. Wheaton responded that the funds come from the City operating budget, from the different departments. It cost the City \$5 per linear foot, as calculated two years ago, for a beach walk and \$55 per linear foot for the wood boardwalk. They now have a landscaping crew that serves the dune and the sanitation crew serving trash and recycling bins.

Secretary Goldenberg asked if they are replacing the remaining wood boardwalk. Ms. Wheaton responded that yes, they are going to replace what remains. They are in the process of finalizing a contract with the firm of Calvin, Giordano, and Associates to design the new pathway. Their Transportation Department has initiated a series of meetings with other municipalities and Broward to talk about a beach walk project to have a continued walk system so that residents could safely walk from Broward County to Miami Beach.

Committee Member Cohen asked if she was familiar with the Broward beach renourishment project. She doesn't communicate with Broward on the beach renourishment because they have a different structure.

Vice Chair Gielchinsky brought up the issue with the hardpack, which are privately owned, and asked whether she had encountered that in Miami Beach. Ms. Wheaton responded that yes, it is currently happening south of Fifth Street, they were able to get easements from only some properties, so they shifted the pathway towards the dune system. When new development comes in they ask them to either fund or construct the pathway.

Chair Alonso asked if the State allowed them to move the dune system. Ms. Wheaton responded that yes, that they are constructing in State land and adding additional dune to mitigate. In the middle beach, they are constructing in the dune, because they did not have hardpack. The State wants the path on the west side of the crest of the dune.

Committee Member Cohen asked if that had to be coordinated with the Army Corps of Engineers. Ms. Wheaton responded that these projects don't have to be coordinated with the Corps. They work with them on the beach renourishment projects.

Vice Chair Gielchinsky asked if her agency has had to deal with beach chairs? Do you have guidelines for property owners as to how you want storage to occur? Ms. Wheaton responded that her division doesn't handle concessioners; it is done through their Asset Management. They have rules and regulations for that and concessionaires' agreements. They have 11 concessioners, which operate at private condos or buildings. That is included in their Beach Management Plan, which they are in the process of updating. Their Plan includes rules and regulations, which they are concurrently updating. The rules include the workable area where they can set up the chairs, storage, size of storage, and whether they can cook.

Vice Chair Gielchinsky asked for a copy of the City's Beach Management Plan and the Rules and Regulations to be sent to the Town Manager. He also asked for data on the effectiveness of the pumps the City installed to address sea level rise. Ms. Wheaton said the pumps are working as designed. The project started about a year and a half ago and they now have 15 pump stations online, out of the 70-75 planned. Also, the back flow preventers have been very successful.

Committee Member Carmona asked about the concern of some City residents about the water quality in the Bay. He asked if the City is looking at a contingency plan for the pollutants in the water. Ms. Wheaton explained that the City is making sure they keep the water clean. In Miami-Dade County there are two ways to dispose of stormwater, by injection or discharge to the Bay. The majority of the City's system is by gravity and when it rains it discharges to the Bay. In lower areas the wells are not working. The new system requires water treatment prior to discharging to the Bay. They have pollution control boxes and screen to capture large objects. They are still working on the issues with turbidity. They are looking at aerating the water prior to discharge, and other options. They are adding water quality stations to monitor the water quality, for specific pollutants, which the County is not currently monitoring. When they first turned the pumps there were a lot of sediments. As they move forward with their adaptation strategies, they are looking at doing it better.

Committee Member Carmona asked about fixing the long-term problems. Ms. Wheaton said that they are evaluating that on a continuing base. They have retained the firm of AECOM to evaluate their stormwater master plan and help them develop a resiliency plan. As for the pumps, they size the structure where the pumps sit, larger than the existing pump, so in a few years they will replace with a larger pump, based on the sea rise. They are building seawalls for what they think they need for 50 years. They are bringing an item to their Commission in January to require that all City seawalls must be 5.7 feet elevation, and residential seawalls at 4.0 feet, but to support a higher wall in the future. They are also looking at their building code as to how they can incentivize more resilient construction, as base floor elevation. They are already elevating streets and taking a phase approach.

Committee Member Carmona asked if they are finding that because of the State position their job is more difficult? She is very fortunate to work with the City of Miami Beach

where they can openly talk about climate change and sea level rise. They could use more funding assistance.

Committee Member Cohen mentioned a New York Times article about a pond in a park, which filters the water before going to the surface, at the confluence of two rivers. The park is a very interest concept. Ms. Wheaton said that they are learning from what others are doing. They see how a project can be adapted here. The Compact has allowed for a lot of these discussions to happen and we can leverage our conversation together.

Secretary Goldenberg asked the Town Manager whether the Town has done any assessment about the impact of sea level rise. The Town Manager said they rely on the work the County is doing.

**b. Climate Change Summit Recap**

- Bertha Goldenberg CIC Secretary gave a summary of the 7<sup>th</sup> Annual Southeast Florida Regional Climate Leadership summit, which took place Key West on December 1-3, 2015. Duncan Tavares was given an assignment by the Town Manager and could not attend the CIC Meeting. Four counties formed the Compact in 2010: Monroe, Miami-Dade, Broward, and Palm Beach. Many municipalities have joined the Compact and Surfside in one of those. Every year, the summit is held, where the participants share what they are doing to address climate change. This year there were a number of workshops, like modeling, the new sea level rise projections were presented and there was a lot of discussion because the references are different. There were also innovation showcases, like companies doing innovation in energy, solar, and distribution systems. David Guggenheim made a presentation about reefs in Cuba and how they don't seem to be impacted by climate change. They think that because there is not much pollution in that area they have not been stressed as much. There was a panel where local communities did presentations. Betsy did a presentation about Miami Beach, and there were also presentations from the Keys, and Palm Beach County. Ms. Goldenberg did a presentation about what the Water and Sewer Department. They have done a significant amount of assessments, and have developed design criteria. Because the wastewater treatment plants are on the coast, the design criteria is more stringent, looking at elevating electrical equipment about 20 feet.

There were presentations by FEMA, how to protect the coastal areas with natural systems and dunes, on legal issues and insurance. The insurance companies are going to drive how we change the building codes.

Vice Chair Gielchinsky asked about presentations from natural systems, Secretary Goldenberg said that she would try to get copies of the presentations and bring to the next meeting.

**5. Committee Member Issues**

Committee Member Cohen brought up the case of Long Beach in New York City by Jamaica Bay. When Sandy came along it destroyed the boardwalk and the entire area was flooded. When they reconstructed, they require that people around the Bay install sea walls. The seawall around our park is being constructed. He asked if the Town has required the residents to install seawalls. The wall stops at the park. Town Manager Olmedillo said that the Town is doing the public property with assistant from the State, and that property owners were offered to do theirs at the same price

than the Town, but it is voluntary and it is a substantial cost for anyone that it is on the water to make it mandatory. The Commission will have to address. Some people took advantage of the offer, but the special price is about \$20,000.

Vice Chair Gielchinsky wants to continue working on the Beach Awareness Day. Town Manager Olmedillo said that they already a list of efforts on the way, which have are being coordinate with Tavares and Parks and Recreations. They will have the list of activities at the next meeting.

Vice Chair Gielchinsky thinks that April 23 may not be a good day for the event, since it is the day after Passover. Needs further discussion.

**6. New Business – There was none**

**7. Public Comment**

-Marianne Meisheid asked why the November minutes were not included. Town Manager Olmedillo explained that the minutes were not ready.

-George Kousoulas provided a handout with a new suggestion about the chairs. Instead of talking about where people can place chairs, he suggested to establish chair free zones. This aggregates the free areas in more usable ones.

-Debbie Cimadevilla talked about fairness for the residents, because 91<sup>st</sup> St is blocked and there is no street end that the Committee should consider adding two extra 150 feet in the area.

- Tina Paul mentioned that everyone should consider their personal beach experience and what to expect for the future, we need to find common ground for everyone to be happy.

**8. Next meeting**

Chair Alonso said that the next meeting is on January 20, 2016; 7:30 pm

**9. Adjournment**

Vice Chair Gielchinsky made a motion to adjourn the meeting. The motion received a second from Committee Member Carmona and all voted in favor. The meeting adjourned at 8:42 p.m.

Respectfully submitted,

Accepted this 20 day of January, 2016

  
Larisa Alonso, Chair

Attest:

  
Bertha Goldenberg, Secretary



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

Town Hall Commission Chambers  
9293 Harding Ave., 2<sup>nd</sup> Floor  
Surfside, Florida 33154

**DECEMBER 17, 2015  
7:00 PM**

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**MINUTES**

**DESIGN REVIEW BOARD**

**1. CALL TO ORDER**

Chair Lindsay Lecour called the meeting to order at 7:01 pm.

**2. ROLL CALL**

Recording Clerk Nissa Benjamin called the roll with the following members present: Chair Lindsay Lecour, Vice Chair Jacob Kligman, Board Member Jorge Gutierrez, Board Member Armando Castellanos, Board Member Moshe Rubenstein, and Board Member Peter Glynn. Board Member James Mackenzie was absent. Liaison, Commissioner Cohen was absent.

**3. APPROVAL OF MINUTES: **NOVEMBER 19, 2015****

Board Member Glynn made a motion to approve. The motion received a second from Board Member Gutierrez and all voted in favor with Board Member Mackenzie absent.

Board Member James Mackenzie entered at 7:03 p.m.

**4. DESIGN REVIEW BOARD APPLICATIONS:**

**A. Request of the Owner of Property located at 525 92 Street**

The applicant is requesting to build an addition to the front of the house.

Town Planner Sarah Sinatra presented the item. The architect Ekrem Vzman gave more details on the project and both Mr. Vzman and Town Planner Sinatra addressed questions from Board Members. Board Member Mackenzie questioned the location of the shed and ac in front of the house. Suggestions of removing the shed and moving the ac were discussed.

Board Member Rubenstein made a motion to approve. The motion received a second from Board Member Gutierrez and the motion carried 6/1 with Board Member Mackenzie voting in opposition.

**B. Request of the Owner of Property located at 9559 Harding Avenue**

The applicant is requesting to replace an existing cabinet sign.

Town Planner Sarah Sinatra presented the item and is recommending with conditions. The sign installer answered questions from the Board.

Board Member Castellanos made a motion to approve with the following conditions.

1. Applicant shall provide evidence that “Authorized Dealer” is part of the trade name or a registered logo. Otherwise, it shall be removed.
2. If the applicant provides evidence that “Authorized Dealer” is permitted, the sign shall be a type of individually mounted letter signage, permitted by section 90-73 (a)(3)b1 of the Town Code.

The motion received a second from Board Member Gutierrez and all voted in favor.

**C. Request of the Owner of Property located at 225 95 Street**

The applicant is requesting a reverse channel sign for a new restaurant.

Town Planner Sarah Sinatra presented the item and is recommending with the following condition. A representative from the sign company spoke about the sign and said a sign has to reflect what the business is.

Board Member Rubenstein made a motion to approve with the following condition.

1. Applicant shall provide evidence that “Rockin Asian Kitchen” is part of the trade name or a registered logo. Otherwise, it shall be removed.

The motion received a second from Board Member Gutierrez and all voted in favor.

**D. Request of the Owner of Property located at 9013 Dickens Avenue**

The applicant is requesting to add a four foot high decorative picket style fence with two rolling gates at the front of the property.

Town Planner Sarah Sinatra presented the item and staff is recommending denial.

Board Member Rubenstein made a motion to deny. The motion received a second from Board Member Glynn and all voted in favor.

**E. Request of the Owner of Property located at 9200 Bay Drive**

The applicant is requesting to add a pre-fabricated shed to the rear of the property. Town Planner Sarah Sinatra presented the item and staff is recommending approval with no conditions. Vice Chair Kligman asked where the shed is to be located as he did not see it in the plans. The applicant spoke and said the plan was submitted and Town Planner Sinatra had a copy of the plan which she shared with the Board.

Vice Chair Kligman made a motion to approve. The motion received a second from Board Member Gutierrez and all voted in favor.

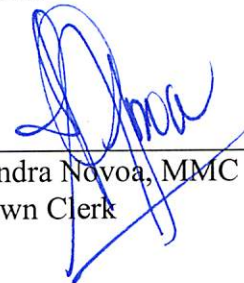
**5. ADJOURNMENT.**

There being no further business to come before the Design Review Board the meeting adjourned at 7:34 p.m.

Accepted this 28<sup>th</sup> day of January, 2016

  
Chair Lindsay Lecour

Attest:

  
\_\_\_\_\_  
Sandra Novoa, MMC  
Town Clerk

**PLANNING AND ZONING BOARD**  
**MINUTES**  
**DECEMBER 17, 2015**  
**7:00 PM**

**1. CALL TO ORDER**

Chair Lindsay Lecour called the meeting to order at 7:34 pm.

**2. ROLL CALL**

Recording Clerk Nissa Benjamin called the roll with the following members present: Chair Lindsay Lecour, Vice Chair Jacob Kligman, Board Member Armando Castellanos, Board Member Moshe Rubenstein, and Board Member Peter Glynn. Commissioner Cohen attended as liaison.

**3. APPROVAL OF MINUTES: NOVEMBER 19, 2015**

Board Member Rubenstein made a motion to approve. The motion received a second from Vice Chair Kligman and all voted in favor.

**4. ORDINANCES:**

**A. AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA AMENDING THE TOWN OF SURFSIDE CODE OF ORDINANCES BY AMENDING CHAPTER 90 ZONING TO IMPLEMENT THE CORRIDOR ANALYSIS PROPOSALS FOR THE AREA BETWEEN COLLINS AND HARDING AVENUES FROM 94<sup>TH</sup> STREET TO 88<sup>TH</sup> STREET; AMENDING SECTION 90-2 "DEFINITIONS"; AMENDING SECTION 90-44 "MODIFICATIONS OF HEIGHT REGULATIONS"; AMENDING SECTION 90-44.2; AMENDING SECTION 90-45 "SETBACKS"; AMENDING SECTION 90-50 "ARCHITECTURE AND ROOF DECKS"; AMENDING SECTION 90-50.1 "ARCHITECTURE"; AMENDING SECTION 90-51 "MAXIMUM FRONTAGE OF BUILDINGS"; AMENDING SECTION 90-61 "PAVING IN FRONT AND REAR YARDS IN H31 AND H40 DISTRICTS"; AMENDING SECTION 90-61.2 "CURB CUTS FOR PROPERTIES FRONTING ON COLLINS AVENUE HARDING AVENUE AND EVERY EAST-WEST STREET IN BETWEEN COLLINS AVENUE AND HARDING AVENUE, EXCLUDING H30B DISTRICT PROPERTIES"; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR SEVERABILITY; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.**

Recording Clerk Nissa Benjamin read the title of the ordinance.

Town Planner Sinatra presented the item and said courtyards will now be referred to as forecourts. Planner Sinatra had some visuals on the item. Commissioner Cohen had



suggestions on the concept and landscaping. He also asked if consideration was given to sea level rise. Planner Sinatra said sea level rise is a different item and Chair Lecour would like that item to be a priority and asked it be put on the agenda on top of the list for future items.

Chair Lecour opened the meeting to public speakers.

Public Speakers:

Michael Karukin speaking not as Commissioner, thanked the Board for bringing this ordinance forward as this has been discussed for a long period of time.

Nick Barshel filling in for Mr. Kasdin who represents the owner, requested a change in the ordinance in Section 90-45 regarding an extra 5 ft side setback (top floor) and feels it is not necessary. Other than that the applicant is in favor of the ordinance. Planner Sinatra addressed the request of Mr. Barshel and explained why the ordinance was written that way.

Board Member Glynn was not in favor of the change. Commissioner Cohen asked if there could be some flexibility on that subject. Board Member Rubenstein asked Planner Sinatra her opinion of the ordinance. She said there was a give and take and feels they have reached a fair balance with the ordinance as written.

Jorge Gutterez as a public speaker spoke on the subject and would like to see the length of the building reduced.

Public Speaker Victor May spoke and had questions about parcels being developed.

Chair Lecour said the ordinance pretty much addresses all that they have been discussing over the months and would like to see it move forward. She did suggest a language change in a couple of sentences to soften it.

Chair Lecour closed the public comment.

Vice Chair Kligman made a motion to recommend to the Commission. The motion received a second from Board Member Rubenstein and all voted in favor.

**B. AN ORDINANCE OF THE TOWN OF SURFSIDE, FLORIDA AMENDING ARTICLE VI "SIGNS" OF CHAPTER 90 ZONING" OF THE TOWN OF SURFSIDE CODE OF ORDINANCES; SPECIFICALLY AMENDING SECTION 90-69 "DEFINITIONS"; SPECIFICALLY AMENDING SECTION 90-74 "TEMPORARY SIGNS"; PROVIDING FOR REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.**

Recording Clerk Nissa Benjamin read the title of the ordinance.

Town Planner Sinatra presented the item.

Commissioner Cohen suggested that the sign could be placed flat against a window and not 12 inches back as a sign is allowed to be placed flat against a wall on the outside. There was discussion on the number of temporary signs that may be placed. Planner Sinatra said this ordinance increases the number from one to three. Commissioner Cohen feels only allowing three signs are impractical as there may be more than three running for office and someone's rights may be taken away. Board Member Rubenstein mentioned that more signs on a window would cover up the inside of the store and the appearance from the outside would not be very nice. There was much discussion over political signs, real estate signs, and other signs. Town Attorney Miller said this ordinance was not designed just for political signs but for the façade and aesthetics.

Chair Lecour said they are removing the placement of 12 inches from windows and signs may be placed against the window but she is not in favor of allowing more than three signs. Board Member Rubenstein feels leaving it as three signs is misleading.

Board Member Glynn suggested the signs be limited to a certain number of square feet. Planner Sinatra said in the code for the business district each sign can be three square feet. She also said we need to be simple in the ordinance or it will be difficult to enforce. Michael Karukin, public speaker not as Commissioner, agrees with Planner Sinatra and asks the Board to keep it simple and enforceable. Building Official Ross Praetor gave his point of view on the issue.

Public Speaker Victor May said there should be no limits on the number of political signs.

Commissioner Cohen questioned the language regarding a banner. Planner Sinatra gave some details on banners and their temporary use.

Board Member Glynn made a motion that the signs in the business district (SP40) be no more than 8 1/2x 11 inches. The motion passed 3/2 with Board Members Kligman and Rubenstein voting in opposition. A roll call was taken regarding the number of only 3 signs (8 1/2 x 11) in the retail district. The motion passed 4/1 with Board Member Rubenstein voting in opposition.

Vice Chair Kligman made a motion to move the ordinance to the Commission with the one change of a sign being 8 1/2 x 11 inches. The motion received a second from Board Member Castellanos and all voted in favor with Board Member Rubenstein in opposition.

**C. AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA AMENDING THE TOWN OF SURFSIDE CODE OF ORDINANCES BY AMENDING CHAPTER 90 ZONING SECTION 90-51 MAXIMUM FRONTAGE OF BUILDINGS AND SPECIFICALLY AMENDING SECTION 90-51.1 CONTINUOUS WALL FRONTAGE OF 150 FEET IN THE H120 DISTRICT; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR SEVERABILITY; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.**

Recording Clerk Nissa Benjamin read the title of the ordinance.  
Town Planner Sinatra presented the item.

Michael Karukin public speaker not as Commissioner, has been advocating for this for many years and feels we have learned our lesson and should go back to the 150 ft max.

Board Member Glynn and Rubenstein are in favor of pursuing this. Vice Chair Kligman and Board Member Castellanos were not in favor. Chair Lecour was not ready to say yes and would like more information on the item.

Vice Chair Kligman made a motion to recommend denial to the Commission. The motion received a second from Board Member Castellanos and passed 4/1 with Board Member Glynn voting in opposition.

**5. DISCUSSION ITEMS:**

**1. Residential zoning district – Massing Study**

Town Planner Sinatra gave an update on the item and had a comparison chart with options. There were suggestions and changes given as well as discussion on sea level rise. Board Member Glynn suggested that our architects are available when this is discussed again.

**2. Future Agenda Items**

Revisiting zoning codes per sea level issues

Town Planner Sinatra said The Commission did not recommend the referendum regarding the one way street plan and is not moving forward at this time although it was an interesting plan.

Commissioner Cohen exited at 9:08 P.M.

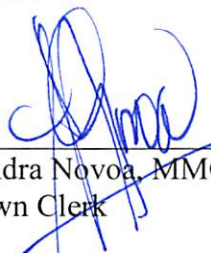
**6. ADJOURNMENT.**

There being no further business to come before the Planning and Zoning Board the meeting adjourned at 9:16 p.m.

Accepted this 28<sup>th</sup> day of January, 2016

  
Chair Lindsay Lecour

Attest:

  
Sandra Novoa, MMC  
Town Clerk



**Town of Surfside  
Tourist Board  
Meeting Minutes  
January 11, 2016  
6:30 p.m.**

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

**Opening**

**A. Call to Order**

~~Vice~~ Chair Sean McKeen called the meeting to order at 6:32pm.

**B. Roll Call of Tourist Board Members**

Chair Sean McKeen, Vice Chair Barbara Cohen, Board Member Joel Baum, Board Member Jessica Levison, Board Member Sarah Liss, Town Manager Guillermo Olmedillo, Assistant Town Attorney Jane Graham, and Duncan Tavares, TEDACS Director, were present. A quorum was established.

**1. Approval of December 14, 2015 Meeting Minutes**

The December 14, 2015 Tourist Board meeting minutes will be presented at the February Tourist Board Meeting.

**2. A/R – Resort Tax Collection**

Duncan Tavares, TEDACS Director, provided the Tourist Board with the A/R Resort Tax Collection Spreadsheet. Board Member Joel Baum inquired about the one business that is very delinquent. Duncan Tavares, TEDACS Director, responded that some businesses pay on a quarterly basis including the fees associated and that the Finance Department is in contact with these businesses. Vice Chair Barbara Cohen asked if the Resort Tax Delinquency Letter has been sent to the businesses. Duncan Tavares, TEDACS Director, responded that the letter is still being reviewed by the Finance Department.

**3. A/P**

Duncan Tavares, TEDACS Director, provided the Tourist Board with the A/P Spreadsheet.

**4. Turkel Brands Update**

Bruce Turkel, from Turkel Brands, provided an overview on the branding process and presented to the Tourist Board three potential strategies Turkel Brands developed to represent Surfside as a tourism destination. The first strategy is “The oasis between Miami and Ft. Lauderdale.” The second strategy is “The Beach within the Beach.” The third strategy is “Where families connect.”

Vice Chair Barbara Cohen made a motion to open this item for discussion. Board Member Jessica Levison seconded the motion. The motion passed unanimously.

Board Member Jessica Levison thought that all the strategies were great but had an immediate connection to “The Beach within the Beach” idea and the VW bug idea from the first strategy. Vice Chair Barbara Cohen enjoyed the first strategy the most. Chair Sean McKeen expressed that “The Beach within the Beach” strategy was appealing to him. Board Member Sarah Liss agreed with Chair Sean McKeen on the second strategy and the VW bug, but did not like the idea of going back in time and felt the third strategy was too narrowly focused. Board Member Sarah Liss suggested combining the first and second strategies. Board Member Jessica Levison agreed with Board Member Sarah Liss to rework the Snow-Globe icon. Chair Sean McKeen expressed his support of the “Beach within the Beach” strategy did not support the Snow-Globe icon. Board Member Joel Baum inquired into the selection of media and advertising. Bruce Turkel, of Turkel Brands, explained that those decisions would be made after a strategy is selected. Board Member Sarah Liss asked if the VW Bug is practical. Duncan Tavares, TEDACS Director, explained that any icon whether the VW Bug or Snow-Globe would help as a marketing tool, however the practicality of turning the VW Bug into a working shuttle would be difficult. Bruce Turkel, of Turkel Brands, added that the symbol could be used in promotional items and activities. Chair Sean McKeen stressed the importance of connecting the icon with the Town. Duncan Tavares, TEDACS Director, suggested revamping the icon to reflect the new luxury properties that will be opening.

Daniel Peralta, from Jacober Creative, stressed the importance of the execution to create a successful campaign. He continued that the strongest component was the VW bus which could be used as a marketing tool. Sandra Argow, Surfside Resident, expressed her love for all of the strategies and gave a list of keywords that she would like to be present in the campaign. Andrea Morales, from 26 Sushi & Tapas, would like to see the health conscious side of Surfside and the modern elements of Surfside represented more. Board Member Sarah Liss asked what her patrons, especially tourists, think of surfside. Andrea Morales from 26 Sushi & Tapas, responded that her patrons think that Surfside is becoming more modern. Galena Mosovich, Surfside downtown patron, commented that the types of tourists and patrons that the town would like to attract now and in the future should be reflected in the strategy. She continued that the Snow-Globe might have a Christmas connotation. Board Member Sarah Liss asked if the ideal tourist was ever identified. Bruce Turkel, of Turkel brands, responded that he received demographic information from the Grand Beach Hotel Surfside but would like to have a strategy that would be general and then modify it to target specific groups. Board Member Jessica Levison asked Galena Mosovich, Surfside downtown patron, her opinion about “The Beach within the Beach.” Galena Mosovich, Surfside downtown patron, responded that she loved the strategy. Board Member Jessica Levison commented on her support of the VW bus regardless of the different demographics. Board Member Sarah Liss suggested the symbol of a cabana. Barbara McLaughlin, Surfside resident, commented that it is important to communicate where Surfside is located. Harald Bindeus, of Grand Beach Hotel Surfside, expressed that in reality couples and families are the main target market, the VW bus and children in the ads gave him an emotional response, and the Snow-Globe was not a strong enough symbol to market the destination independently. June Neville, Surfside resident, commented on her appreciation of the Town of Surfside for giving the employees the Martin Luther King, Jr. Day off. Johanna Hoffman, Surfside resident, said that the “Shop Local and Eat Local” idea was strong for people who travel a lot. She continued that the VW bus and “The Beach within the Beach” concept was appealing to

her. Duncan Tavares, TEDACS Director, reminded the Board that while the approach should appeal to residents, the primary objective is to appeal and resonate with the people who would come and stay in the hotels and patronize the downtown district.

Duncan Tavares, TEDACS Director, stated that he would use the feedback to speak with Bruce Turkel, of Turkel Brands, and set a meeting with Jacober Creative to bring back to the Board the final recommended strategy. Vice Chair Barbara Cohen agreed with Duncan Tavares, TEDACS Director, and provided history into a past culinary event. Andrea Morales from 26 Sushi & Tapas, inquired about doing an event in April. Duncan Tavares, TEDACS Director, commented on the Surfside Spice that previously happened and the difficulties around it.

#### **5. Third Thursday Update**

Duncan Tavares, TEDACS Director, updated the Board that the event series will begin next week on Thursday, January 21, 2015 at 7pm with the theme of the 1950s with dance lessons and costume contest. Surfside Circle will continue with a VIP section and raffle for a Sunset Cruise from The Charter Agency. Board Member Sarah Liss inquired about the involvement of the local businesses. Duncan Tavares, TEDACS Director, gave a brief history into the involvement of Surfside businesses and stated that any businesses interested in participating could contact him directly. Chair Sean McKeen inquired if there is any revenue generated at this event. Duncan Tavares, TEDACS Director, explain this event series has a Public Relations focus for Downtown Surfside. Board Member Sarah Liss inquired about the possibility of including Surfside businesses into the event series. Duncan Tavares, TEDACS Director, explained the difficulties of getting multiple Surfside businesses involved and the challenges of organizing the businesses. Galena Mosovich, Surfside downtown patron, suggested using the hotel partners to do an event. Barbara McLaughlin, Surfside Resident, inquired about partnering with the Surfside Business Association. Duncan Tavares, TEDACS Director, explained that the Town of Surfside is not a member of the Surfside Business Association as it is a separate entity.

#### **6. Other Business**

Vice Chair Barbara Cohen commented on the lack of consistency and organization of the Holiday Lights with the outages.

Town Manager Guillermo Olmedillo responded that there are two issues. One issue is that people manually unplug the lights and the second issue is that outlets (GFIs) trip due to certain weather conditions as a safety measure. Duncan Tavares, TEDACS Director, continued that the trees have to be manually reset after each rain occurrence and the only way to avoid this is to hire someone to walk the streets to reset after every rain occurrence resulting in overtime. Town Manager Guillermo Olmedillo responded that another option would be permanent lighting fixtures to the trees. Vice Chair Barbara Cohen inquired into the reason why the landscaping does not turn off. Duncan Tavares, TEDACS Director, responded that those lights are permanent fixtures and he would look into the cost for permanent fixtures.

Vice Chair Barbara Cohen made a motion to turn the Holiday Lights off for this year and make sure the electricity issues are addressed. Due to the lack of a second, the motion died.

Vice Chair Barbara Cohen requested a white paper on the definition and uses of the Resort Tax. Duncan Tavares, TEDACS Director, responded that he has been working with the Town Attorney's office to create this. Assistant Town Attorney Jane Graham, continued that they have been working on this item and offered to conduct a presentation to the Tourist Board.

Board Member Joel Baum commented that the hotels should receive subsidized advertising funding from the Resort Tax fund. Duncan Tavares, TEDACS Director, responded that they do receive support through various projects throughout the year, which are presented to the Tourist Board for approval.

Vice Chair Barbara Cohen suggested that in the application form to become a member of the Tourist Board there should be a commitment from Board members to attend meetings.

**7. Next Tourist Board Meeting: Monday, February 1, 2016 at 6:30pm**

**8. Public Comment**

**9. Adjournment**

Board Member Jessica Levison made a motion to adjourn the meeting at 7:44pm. Board Member Joel Baum seconded the motion. The motion passed unanimously.

Accepted this 1 day of Feb, 2016

Sean McKern  
Member (print)

[Signature]  
Signature

Attest:

[Signature]



## Town of Surfside Commission Communication

**Agenda Item #** 3F

**Agenda Date:** February 9, 2016

**Subject:** Purchase of a Visual Message Sign

**Background:** The Department requested to purchase a new visual message sign (VMS) in the Fiscal Year 15/16 Municipal Parking Budget and it was approved. The VMS is utilized daily to notify drivers of traffic and parking alerts, community events, and crime trends.

**Analysis:** The current VMS is over ten years old is not cost effective and it regularly breaks down. In addition, due to its age it presents safety and reliability concerns.

**Budget Impact:** The cost to purchase the VMS is \$11,000 from the Municipal Parking Budget. The amount financed includes a one year warranty. Three companies were contacted and provided their cost for this equipment. QPR was the least expensive and neighboring municipalities have purchased this same piece of equipment and are very satisfied with its performance.

**Staff Impact:** N/A

**Recommendation:** Staff recommends a motion to approve a resolution to authorize the purchase of a Visual Message Sign for \$11,000 from the Fiscal Year 15/16 Municipal Parking Fund.

David Allen, Chief of Police

Donald Nelson, Finance Director

Guillermo Olmedillo, Town Manager





# Town of Sutherland Commission Communication

Agenda Item #

Agenda Date: February 9, 2016

Subject: Purchase of a Visual Message Sign

Background: The Department requested to purchase a new visual message sign (VMS) in the Fiscal Year 15/16 Municipal Parking Budget and it was approved. The VMS is critical daily to notify drivers of traffic and parking alerts, community events, and other the like.

Analysis: The current VMS is over ten years old is not cost effective and it regularly breaks down. In addition, due to its age it presents safety and reliability concerns.

Budget Impact: The cost to purchase the VMS is \$11,000 from the Municipal Parking Budget. The amount financed included a one year warranty. Three companies were contacted and provided their cost for this equipment. OPR was the least expensive and neighboring municipalities have purchased this same piece of equipment and are very satisfied with its performance.

Staff Impact: Nil

Recommendation: Staff recommends a motion to approve a resolution to authorize the purchase of a Visual Message Sign for \$11,000 from the Fiscal Year 15/16 Municipal Parking Fund.

\_\_\_\_\_  
Doreen Nelson, Finance Director

\_\_\_\_\_  
David Allen, Chief of Police

\_\_\_\_\_  
Catherine O'Meara, Town Manager

RESOLUTION NO. 16 - \_\_\_\_\_

**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, AUTHORIZING THE EXPENDITURE OF FUNDS IN THE AMOUNT OF \$11,000.00 FROM THE FISCAL YEAR 2015/2016 MUNICIPAL PARKING BUDGET FUND ACCOUNT NO. 402-9500-545-6410, FOR THE PURCHASE OF A VISUAL MESSAGE SIGN; PROVIDING FOR APPROVAL AND AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the current visual message sign (“VMS”) utilized daily to notify drivers of traffic and parking alerts, community events and crime trends is over ten (10) years old, regularly breaks down and presents safety and reliability concerns; and

**WHEREAS**, the Surfside Police Department contacted three (3) companies who provided quotes for the cost of a new VMS (See Attachment “A” ”B” and “C”); and

**WHEREAS**, QPR Engineered Solutions For Infrastructure was the least expensive and best option for the Town; and

**WHEREAS**, it is in the best interest of the Town to authorize the expenditure of funds in the amount of \$11,000.00 for the VMS from the Fiscal Year 2015/2016 Municipal Parking Budget Fund Account No. 402-9500-545-6410.

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

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

**Section 2. Approval and Authorization to Expend Funds.** The Town Commission hereby approves and authorizes the Town Manager to purchase a new visual message sign, in the amount of \$11,000.00, from the Fiscal Year 2015/2016 Municipal Parking Fund Account No. 402-9500-545-6410.

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

**PASSED AND ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

Motion by \_\_\_\_\_,

Second by \_\_\_\_\_.

**FINAL VOTE ON ADOPTION**

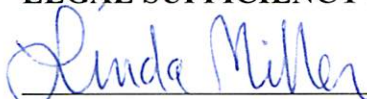
Commissioner Barry Cohen \_\_\_\_\_  
Commissioner Michael Karukin \_\_\_\_\_  
Commissioner Marta Olchyk \_\_\_\_\_  
Vice Mayor Eli Tourgeman \_\_\_\_\_  
Mayor Daniel Dietch \_\_\_\_\_

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

**ATTEST:**

\_\_\_\_\_  
Sandra Novoa, MMC, Town Clerk

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

  
\_\_\_\_\_  
Linda Miller, Town Attorney



# Quote

From: Michael Thornton

Date: 1/27/16  
Quote #:  
Promo Code:  
Expiration Date:

Company Name: Town of Surfside Beach  
Contact: Daniel Sanchez  
Street Address:  
City, ST, Zip Code: Surfside, FL 33154  
Phone No.:  
Mobile:  
Fax No.:

Salesperson	Requested By	Shipping Method	Shipping Terms	Delivery Date	Payment Terms	Due Date
Michael Thornton	Daniel Sanchez	Truck	Delivery Included			

Qty	Product No.	Description	Your Price	Total
1	274633	SMC 4000- Mast Based Mini Message Center 4'X8' Full Matrix Display	\$11,000/	\$11,000

Subtotal \$ 11,000.00  
Tax 1pt Status Must be  
Estimated Freight Incl.  
Total \$11,000

**K&K Systems**

**Systems**

**QUOTATION**

687 Palmetto Road  
Tupelo, MS 38801  
www.k-ksystems.com

email: wkasal@k-ksystems.com  
Phone: 662-372-0164  
Fax: 662-566-7123 TollFree 888-414-3003

Quotation #: Q160127WK-1  
Quotation Date: 1/27/2016  
Customer Type: Retail

Customer Contact: Daniel Sanchez  
Quote Valid: 45 days  
Prepared by: Wayne Kasal

<p><b>Bill To:</b> Name: Daniel Sanchez Company Name: Town of Surfside Police Department Street Address: 9293 Harding Ave Address 2: City, ST ZIP Cod Surfside, FL 33154 Tel: 305-861-4862 Cell: Fax: email: dsanchez@townofsurfsidefl.gov</p>	<p><b>Ship To:</b> (Update if different than Bill To address) Name: Daniel Sanchez Company Name: Town of Surfside Police Department Street Address: 9293 Harding Ave Address 2: City, ST ZIP Code Surfside, FL 33154 Tel: 305-861-4862 Cell: Fax: email: dsanchez@townofsurfsidefl.gov</p>
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**Product**

Model #	Description	Base Price
<b>MB9757WT</b>	Solar Powered, Portable Changeable Message Sign. Capable of three lines of alphanumeric 12" high text and graphics/animations, all LED display, self contained on-board computer, multiple alphanumeric fonts, powder coat paint system. Display is 97" x 57", with winch style trailer (telescopic). Also supports up to 260 predefined messages (text and graphics). Supports storage of up to 100 changeable messages. System comes standard with six-(6) 6-volt batteries (totaling 675 12V amps) and 160 watts of solar. NTCIP Compliant.	<b>\$11,953.00</b>

**Packaging**

**K&K Delivers**

**Options and Accessories - PER UNIT**

QTY per Unit	Item #	Description	Price Each	Price per Unit
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**Special Notes**

**Terms of Purchase**

**FOB:** Tupelo, MS 38801  
**Delivery (weeks):** 4-6 Weeks  
**Warranty:** 1 year limited warranty, Factory Depot

**Per System Total:** **\$11,953.00**  
**Total QTY of Systems:** 1 **\$11,953.00**  
**Total Shipping Costs:** **\$800.00**  
**Taxes:**  
**GRAND TOTAL:** **\$12,753.00**

**Sales Person Signature:** Wayne Kasal

**Work Order#** ENTER WO #

**Sales Manager Signature:** Timothy Keith

**Client PO#** ENTER PO #

*Please note: The above specifications and quotation does not include shipping, permits, or taxes unless otherwise stated. The freight charge is an approximate estimate for your reference; the actual charge may vary.*

*\*Lead-time committed is based on the date Purchase Order is received by K&K Systems and deposit made and/or credit approved. Lead time is not based on the date quoted.*



**SAFETY PRODUCTS INC.**

**QUOTE**

P.O. BOX 1688  
 EATON PARK, FL 33840  
 Phone: 1-863-665-3601  
 Fax: 1-863-666-2580  
 http://www.spisafety.com

Number	364037
Date	01/28/16
Page	1

<b>Ship To:</b> SAME	TOWN OF SURFSIDE 9293 HARDING AVE. MIAMI BEACH, FL 33154	<b>Bill To:</b> SUR048	TOWN OF SURFSIDE 9293 HARDING AVE. MIAMI BEACH, FL 33154
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REFERENCE #	EXPIRES	SLSP	TERMS	WH	FREIGHT	SHIP VIA
	04/27/16	17	NET 30 DAYS	01	PRE/ADD	U

QUOTED BY: DS	QUOTED TO: DANIEL SANCHEZ
---------------	---------------------------

ITEM	DESCRIPTION	QTY	PRICE	UM	EXTENSION
WVTMMM	COMPACT VARIABLE MESSAGE SIGN 12 DISPLAY MODULE	1	12111.1	EA	12111.15
FREIGHTCHARGE	FREIGHT TO BE ADDED TO INVOICE FROM ORIGIN	1	650.00	EA	650.00

MERCHANDISE	MISC	TAX	FREIGHT	TOTAL
12761.15	.00	.00		12761.15

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## Town of Surfside Commission Communication

**Agenda #:** 4A1  
**Agenda Date:** January 12, 2016 / February 9, 2016  
**Subject:** Second Floor Balconies  
**From:** Sarah Sinatra Gould, AICP, Town Planner

**Background:** Numerous applicants have presented plans that utilize interior balconies in an attempt to meet the additional setbacks required for the second floor. In an attempt to further limit the mass of a structure, the proposed modification would clarify that second floor balconies or terraces will not be counted towards the setback, except when the roof line of the balcony meets the average setbacks for the second floor.

The proposed language clarifies the intent of the original ordinance that provided greater setbacks for the second floor as well as less visible massing of the second floor.

**Budget Impact:** None

**Growth Impact:** None

**Staff Impact:** None

**Staff Recommendation:** Staff requests direction from the Planning and Zoning Board on any modifications to the proposed language and then direct staff to prepare any applicable ordinances.

Sarah Sinatra Gould, AICP, Town Planner

Guillermo Olmedillo, Town Manager

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

**AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA AMENDING CHAPTER 90, ARTICLE IV “DISTRICT REGULATIONS”; SPECIFICALLY AMENDING SECTION 90-48. “MODIFICATION OF SIDE AND REAR YARD REGULATIONS”; CLARIFYING SECOND FLOOR BALCONIES OR TERRACES WILL NOT BE COUNTED TOWARDS THE SETBACK; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR CONFLICTS AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, numerous applicants have presented plans that utilize interior balconies in an attempt to meet the additional setbacks required for the second floor; and

**WHEREAS**, in an attempt to further limit the mass of a structure, the proposed amendment to the Code will clarify that second floor balconies or terraces will not be counted towards the setback, except when the roof line of the balcony meets the average setbacks for the second floor; and

**WHEREAS**, the proposed amendment clarifies the intent of the original ordinance that provided greater setbacks for the second floor as well as less visible massing of the second floor; and

**WHEREAS**, the Town Commission held its first public reading on January 12, 2016 and recommended approval of the proposed amendments to the Code of Ordinances having complied with the notice requirements by the Florida Statutes; and

**WHEREAS**, the Planning and Zoning Board, sitting as the Local Planning Agency, has reviewed the revisions to the code for consistency with the Town’s Comprehensive Plan at a duly noticed hearing on January 28, 2016 and recommended approval; and

**WHEREAS**, the Town Commission has conducted a second duly noticed public hearing on these regulations as required by law on February 9, 2016 and further finds the proposed change to the Code necessary and in the best interest of the community.

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

**Section 1. Recitals.** The above Recitals are true and correct and are incorporated herein by this reference:

**Section 2. Town Code Amended.** Chapter 90, Article IV “District Regulations” is hereby amended as follows:



**Sec. 90-48. Modification of side and rear yard regulations.**

\*\*\*

90-478.6 New balconies or decks located more than five feet above grade on new or existing single family homes shall not encroach into any setbacks.

90-48.7 Second floor balconies or terraces shall not be counted towards the setback, except when the roof line of the balcony meets the average setbacks for the second floor.

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

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

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

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

**PASSED and ADOPTED** on First Reading the \_\_\_\_\_ day of \_\_\_\_\_, 2016.

**PASSED and ADOPTED** on Second Reading this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

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


**ATTEST:**

\_\_\_\_\_  
Sandra Novoa, MMC, Town Clerk

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

Page 2

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

  
\_\_\_\_\_  
Linda Miller  
Town Attorney

On Final Reading Moved by: \_\_\_\_\_

On Final Reading Seconded by: \_\_\_\_\_

**VOTE ON ADOPTION:**

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

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

Page 3



## Town of Surfside Commission Communication

**Agenda #:** 4A2  
**Agenda Date:** January 12, 2016 / February 9, 2016  
**Subject:** Vacant Lot Fencing Ordinance Amendment  
**From:** Alan P. Graham, Code Compliance Director

**Background:** Currently, under Town Ordinance Section 14-55 (a)(6), Vacant Lots or Buildings, the owners of unsecured vacant lots or buildings are required to install fencing and such fencing shall comply with the Town's Fences, Walls and Hedges Ordinance (Section 90-56).

Code Section 90-56 provides conflicting information as to the type of fencing required as it relates to Code Section 14-55. Since Section 14-55 falls under the Code Chapter relating to Building and Building Regulations, the proposed Ordinance amendment to section 14-55 aims to clarify and simplify the intent of the original Ordinance by amending subsection (6) to describe the desired fence height, the desired fence opacity, and the fence material restriction (chain link).

**Budget Impact:** None

**Growth Impact:** None

**Staff Impact:** None

**Staff Recommendation:** Staff recommends the Town Commission approve the ordinance amendment.

Alan P. Graham  
Code Compliance Director

Guillermo Olmedillo  
Town Manager

**Sec. 14-55. - Vacant lots or buildings.**

(a) Vacant lot. The owner protects and maintains the lot as follows:

- (1) The owner will not permit garbage and solid waste to accumulate on the property.
- (2) Unsafe buildings and structures shall be demolished.
- (3) Junked materials, construction equipment, or construction materials will not be stored on the lot.
- (4) The owner shall maintain the lot in a park-like setting in accordance with a landscape plan approved by the city manager or his/her designee. At a minimum, the park-like setting must be grass or appropriate ground-cover encompassing the entire lot.
- (5) The owner will maintain plants and landscaping on the lot in accordance with this chapter. The lots shall be trimmed and mowed, with the height of grass and weeds being no more than eight inches.
- (6) ~~Fencing will be required and shall comply with the town's Fences, Walls and Hedges Ordinance (Section 90-56) as may be amended from time to time.~~ Vacant lots shall be fenced with a four foot decorative fence. The fence shall maintain a maximum of 50% opacity. Chain-link fencing shall not be permitted.

The foregoing shall not apply to active construction sites defined as those sites with active building permits on which work is being continuously pursued within the discretion of the building official.

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

**AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA AMENDING CHAPTER 14 “BUILDINGS AND BUILDING REGULATIONS”; ARTICLE III “PROPERTY MAINTENANCE STANDARDS”; SPECIFICALLY AMENDING SECTION 14-55 “MAINTENANCE OF VACANT LOTS”; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR CONFLICTS AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, it is in the best interest of the Town to amend the Code to authorize the Town Manager to prescribe reasonable conditions for owners of unsecured vacant lots or buildings to install fencing to minimize adverse effects upon the community; and

**WHEREAS**, Section 14-55 (a)(6), Vacant Lots or Buildings, requires owners of unsecured vacant lots or buildings to install fencing in compliance with the Town’s Fences, Walls and Hedges Ordinance (Section 90-56); and

**WHEREAS**, the proposed amendment clarifies the current Code by creating uniform standards for fencing on vacant lots for aesthetic enhancement of the Town, proscribing the fence height, fence opacity, and restrictions on fence materials; and

**WHEREAS**, the proposed amendment expedites and facilitates the process by which a vacant lot owner installs fencing by eliminating the requirement for approval by the Design Review Board; and

**WHEREAS**, the Town Commission held its first public reading on January 12, 2016 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 February 9, 2016 and further finds the proposed change to the Code necessary and in the best interest of the community.

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

**Section 1. Recitals.** The above Recitals are true and correct and are incorporated herein by this reference:

**Section 2. Article III. “Property Maintenance Standards”** of the Code is hereby amended as follows:

**Sec. 14-55. - Vacant lots or buildings.**

\*\*\*

(a) Vacant lot. The owner protects and maintains the lot as follows:

- (1) The owner will not permit garbage and solid waste to accumulate on the property.
- (2) Unsafe buildings and structures shall be demolished.
- (3) Junked materials, construction equipment, or construction materials will not be stored on the lot.
- (4) The owner shall maintain the lot in a park-like setting in accordance with a landscape plan approved by the city manager or his/her designee. At a minimum, the park-like setting must be grass or appropriate ground-cover encompassing the entire lot.
- (5) The owner will maintain plants and landscaping on the lot in accordance with this chapter. The lots shall be trimmed and mowed, with the height of grass and weeds being no more than eight inches.
- (6) ~~Fencing will be required and shall comply with the town's Fences, Walls and Hedges Ordinance (Section 90-56) as may be amended from time to time.~~ Vacant lots shall be fenced with a four foot fence. The fence shall maintain a maximum of 50% opacity. Chain-link fencing shall not be permitted. Fences under this section do not require approval by the Design Review Board.

The foregoing shall not apply to active construction sites defined as those sites with active building permits on which work is being continuously pursued within the discretion of the building official.

\*\*\*

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

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

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

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

Ordinance No. \_\_\_\_\_  
Page 2

**PASSED** and **ADOPTED** on First Reading the \_\_\_\_\_ day of \_\_\_\_\_, 2016.


**PASSED** and **ADOPTED** on Second Reading this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

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

**ATTEST:**

\_\_\_\_\_  
Sandra Novoa, MMC, Town Clerk

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

  
\_\_\_\_\_  
Linda Miller  
Town Attorney

On Final Reading Moved by: \_\_\_\_\_

On Final Reading Seconded by: \_\_\_\_\_

**VOTE ON ADOPTION:**

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

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

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**TOWN OF SURFSIDE  
COMMISSION COMMUNICATION**

**Agenda Item:** # 4A3

**Agenda Date:** January 12, 2016 / February 9, 2016

**From:** Commissioner Barry Cohen

**Subject:** Contract Requirements for Non-Discrimination

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**Background:** The Town Commission strongly opposes the practice of economic discrimination and the boycotting of persons and/or entities on the basis of race, color, religion, gender or national origin. The Town Commission desires to protect the interests of its citizens by ensuring that the Town will not be party to discriminatory business practices and boycotts.

**Analysis:** The Village of Bal Harbour has adopted and the City of Miami Beach is considering on second reading an ordinance requiring that the municipality shall not enter into a contract with a business unless the contract includes a representation that the business is not currently engaged in, and an agreement that the business will not engage in, a boycott. *Boycott* means to blacklist, divest from, or otherwise refuse to deal with a nation or country, or to blacklist or otherwise refuse to deal with a person or entity when the action is based on race, color, national origin, religion, sex, gender identity, sexual orientation, marital or familial status, age, or disability in a discriminatory manner. The term boycott does not include a decision based upon business or economic reasons, or boycotts, embargoes, trade restrictions, or divestments that are specifically authorized or required by federal law or state law.

**Recommendation:** Town Commission to approve the ordinance on first reading creating Section 3-1.1 “Non-discrimination; contract requirements; waiver.”



ORDINANCE NO. 2016-\_\_\_\_\_

**AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA AMENDING CHAPTER 3 “PURCHASING”; SPECIFICALLY CREATING SECTION 3-1.1. “NON-DISCRIMINATION; CONTRACT REQUIREMENTS; WAIVER”; PROHIBITING THE TOWN FROM PROCURING GOODS OR SERVICES FROM, OR OTHERWISE CONTRACTING WITH A BUSINESS WHICH ENGAGES IN THE BOYCOTT OF A PERSON OR ENTITY BASED ON RACE, COLOR, RELIGION, GENDER, OR NATIONAL ORIGIN; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR CONFLICTS AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the Town Commission strongly opposes the practice of economic discrimination and boycotts of persons and/or entities on the basis of race, color, religion, gender or national origin; and

**WHEREAS**, the Town Commission desires to protect the interests of its citizens by ensuring that the Town will not be party to discriminatory business practices and boycotts; and

**WHEREAS**, the Town Commission held its first public reading on January 12, 2016 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 February 9, 2016 and further finds the proposed change to the Code necessary and in the best interest of the community.

**NOW THEREFORE, IT IS HEREBY ORDAINED BY THE TOWN COMMISSION OF SURFSIDE TOWN, FLORIDA; AS FOLLOWS:**

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

**Section 2. Town Code Amended.** That Chapter 3 “Purchasing”, Section 3-1.1 “Non-discrimination; contract requirements; waiver” of the Surfside Town Code of Ordinances is hereby created and shall read as follows:

**3-1.1. Non-discrimination; contract requirements; waiver.**

*(a) Definitions.*

As used in this section, the following terms shall have the following meaning:

Boycott means to blacklist, divest from, or otherwise refuse to deal with a nation or country, or to blacklist or otherwise refuse to deal with a person or entity when the action is based on race, color, national origin, religion, sex, gender identity, sexual orientation, marital or familial status, age, or disability in a discriminatory manner. The term boycott does not include a decision based upon business or economic reasons, or boycotts, embargoes, trade restrictions, or divestments that are specifically authorized or required by federal law or state law.

Business means any sole proprietorship, organization, association, corporation, limited liability partnership, limited liability company, or other entity or business association, including wholly owned subsidiaries, majority-owned subsidiaries, parent companies, or affiliates of those entities or business associations awarded a contract pursuant to this article.

*(b) Contract requirements; waiver.*

- (1) The town shall not enter into a contract with a business unless the contract includes a representation that the business is not currently engaged in, and an agreement that the business will not engage in, a boycott, as defined in this section.
- (2) The town commission may, in its sole discretion, elect to waive the requirements of this section upon an affirmative vote when the town commission deems the waiver necessary for the health, safety, or welfare of the town.

**Section 3. Severability.** That the provisions of this Ordinance are declared to be severable and if any section, sentence, clause or phrase of this Ordinance shall for any reason be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses and phrases of this Ordinance but they shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

**Section 4. Inclusion in the Code.** That it is the intention of the Town Commission, and it is hereby ordained that this Ordinance shall become and made part of the Town Code; that the sections of this Ordinance may be renumbered or relettered to accomplish such intention; and that the word “Ordinance” shall be changed to “Section” or other appropriate word.

**Section 5. Conflict.** That all sections or parts of sections of the Village Code, all ordinances or parts of ordinances and all resolutions or parts of resolutions in conflict with this Ordinance are repealed to the extent of such conflict.

**Section 6. Effective Date.** That this Ordinance shall be effective immediately upon adoption on second reading.

PASSED AND ADOPTED on first reading this \_\_\_ day of \_\_\_\_\_, 2016.

PASSED AND ADOPTED on second reading this \_\_\_ day of \_\_\_\_\_, 2016.

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

**ATTEST:**

\_\_\_\_\_  
Sandra Novoa, MMC, Town Clerk

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

*Linda Miller*  
\_\_\_\_\_  
Linda Miller  
Town Attorney

On Final Reading Moved by: \_\_\_\_\_

On Final Reading Seconded by: \_\_\_\_\_

**VOTE ON ADOPTION:**

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



**Town of Surfside  
Town Commission Meeting  
February 9, 2016  
7:00 pm**

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

**Agenda #:** 5A  
**Date:** February 9, 2016  
**From:** Daniel Dietch, Mayor  
**Subject:** Town Commission Recognition Policy and Procedure

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**Objective:** To approve the Town Commission Recognition Policy and Procedure Resolution.

**Consideration:** This matter was first presented to the Town Commission on May 12, 2015 and was deferred. It was then placed on the June 9, 2015 Commission Agenda and no action was taken. It should be noted that two members of the Town Commission were absent from the June 9, 2015 Commission Meeting. The item was brought back to the Town Commission again as a discussion item on January 12, 2016 at which time the Town Commission directed the Town Manager and Town Clerk to prepare the Town Commission Recognition Policy and Procedure in the form of a Resolution, which is attached.

**Recommendation:** Approve the Town Commission Recognition Policy and Procedure Resolution.

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

**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, (“TOWN”) ESTABLISHING THE TOWN’S RECOGNITION POLICY AND PROCEDURE; PROVIDING FOR AUTHORIZATION AND IMPLEMENTATION; PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the Town Commission has various ways to recognize citizens and staff, including, but not limited to the Key to the Town, Certificates, Community Center Bricks and Proclamations; and

**WHEREAS**, the Town does not currently have clear policies and procedures to guide such recognitions, and Article IV “Rules of Procedure for the Town Commission” only provides general guidance; and

**WHEREAS**, establishing the Town’s Recognition Policy and Procedure will clarify the steps needed to recognize the honors and achievements of special individuals and organizations to our community; and

**WHEREAS**, the policies and procedures set forth in “Proclamation, Certificate, Coin, and Key to the Town Policy and Procedure” (Attachment “A”) and “Proclamation, Certificate, Coin and Key to the Town Request Form” (Attachment “B”) establish the policies and procedures by which the Town may recognize the accomplishments of citizens, organizations, and staff; and

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

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

**Section 2. Authorization and Implementation.** The Town Administration is hereby directed to ensure that the matters set forth in this Resolution shall serve as the Town’s Recognition Policy and Procedure (Attachment “A” and Attachment “B”) and is hereby authorized to take any and all action necessary to implement this Resolution.

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

**PASSED AND ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

Motion by \_\_\_\_\_

Second by \_\_\_\_\_

**FINAL VOTE ON ADOPTION**

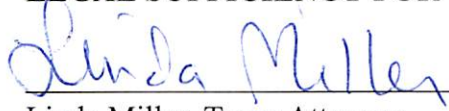
Commissioner Barry Cohen \_\_\_\_\_  
Commissioner Michael Karukin \_\_\_\_\_  
Commissioner Marta Olchyk \_\_\_\_\_  
Vice Mayor Eli Tourgeman \_\_\_\_\_  
Mayor Daniel Dietch \_\_\_\_\_

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

**ATTEST:**

\_\_\_\_\_  
Sandra Novoa, MMC, Town Clerk

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

  
\_\_\_\_\_  
Linda Miller, Town Attorney



**TOWN OF SURFSIDE, FLORIDA**  
**PROCLAMATION, CERTIFICATE, COIN AND KEY TO THE TOWN**  
**POLICY AND PROCEDURE**  
**OFFICE OF THE TOWN CLERK**

**PROCLAMATIONS AND/OR COINS**

Proclamations and/or Coins are ceremonial items issued by the Mayor with the consent of the Town Commission that recognize, celebrate and honor extraordinary achievements. They may include but are not limited to the citizens of the Town of Surfside; residents of Miami-Dade County, certain organizations' occasions of importance and significance; days that are noteworthy or historically significant; and special events. Proclamations are not automatically renewed and are limited to one (1) recipient per event, per calendar year.

Proclamations and/or Coins will not be issued for matters of political controversy; ideological or religious beliefs or individual conviction; and campaigns or events contrary to Town policies, espousing hatred, violence or racism. Proclamations are strictly honorary and they are issued as a courtesy. In addition, they are not legally binding and do not constitute an endorsement by the Town of Surfside.

**CERTIFICATES OF RECOGNITION AND/OR ACHIEVEMENT**

Certificates of Recognition and/or Achievement, which are inclusive of any other similar type of recognition, are honorary items issued by the Mayor that may be used to honor special events or individuals. These may include but are not limited to participation at conferences; conventions; seminars; professional celebrations; retirements; family reunions; community celebrations; award ceremonies; college graduations; significant birthdays; anniversaries and other achievements. Certificates of Recognition and/or Achievement are not automatically renewed and are limited to one (1) recipient per event, per calendar year.

**KEY TO THE TOWN**

The Key to the Town is an honor bestowed by the Mayor with the consent of the Town Commission upon esteemed residents, visitors, and others whom, the Town wishes to honor. A Key to the Town is strictly honorary.

**POLICY AND PROCEDURE**

The Mayor, Town Commission Members, individuals and organizations seeking a Proclamation, Certificate, Coin or Key to the Town shall submit their request in writing to the Town of Surfside Office of the Town Clerk. Requestors may use the Town's Proclamation, Certificate, Coin and Key to the Town Request Form or a letter to submit their request.



**TOWN OF SURFSIDE, FLORIDA**  
**PROCLAMATION, CERTIFICATE, COIN AND KEY TO THE TOWN**  
**POLICY AND PROCEDURE**  
**OFFICE OF THE TOWN CLERK**

The Proclamation, Certificate, Coin and Key to the Town Request Form is available on the Town's website at [www.TownofSurfsidefl.com](http://www.TownofSurfsidefl.com) and at the Office of the Town Clerk via telephone at (305) 561-4863 or via e-mail at [snovoa@townofsurfsidefl.gov](mailto:snovoa@townofsurfsidefl.gov).

Request letters must include the following information:

- Contact person's first and last name, address, telephone number, and e-mail address (if available).
- The name and date of the day, week, month or event to be proclaimed or recognized.
- A brief summary and/or background of the event, organization, or person.
- Draft text for the proclamation including 4 – 6 "whereas" clauses.
- Date to be presented and/or when needed.
- An indication of whether the Proclamation, Certificate, Coin or Key to the Town is to be mailed, picked-up, or if the requestor wishes to have this presented at a Commission Meeting.

Upon the Town Commission's approval of a Proclamation and/or Key to the Town, the Mayor, Commission Members and Town Manager shall be invited to attend the event at which the Proclamation and/or Key to the Town is to be awarded if other than at the scheduled Commission Meeting.

In addition, the Town Commission Members and Town Manager shall be invited to attend the event in which a Certificate or Coin is to be awarded.

Note: Submission of a request for a Proclamation, Certificate, Coin or Key to the Town does not guarantee issuance.





**TOWN OF SURFSIDE, FLORIDA**  
**PROCLAMATION, CERTIFICATE, COIN AND KEY TO THE TOWN**  
**REQUEST FORM**  
OFFICE OF THE TOWN CLERK

Request for: Proclamation \_\_\_ Certificate \_\_\_ Key \_\_\_ Coin \_\_\_ (check one)

Date of Request: \_\_\_\_\_

Name of Requestor: \_\_\_\_\_

Organization: \_\_\_\_\_

Address: \_\_\_\_\_

Phone / E-Mail: \_\_\_\_\_

Name of Individual / Organization to be honored:  
\_\_\_\_\_

Title for Proclamation or Certificate:  
\_\_\_\_\_

Date of Recognition: \_\_\_\_\_

Reason for Recognition (Please attach 4 – 6 "whereas clauses" as draft text for a Proclamation):  
\_\_\_\_\_

Document is to be:

- Presented at a Commission Meeting in \_\_\_\_\_ (month / year)
- Presented at the following event \_\_\_\_\_ (Please attach event information to the request form)
- Picked up by \_\_\_\_\_ on \_\_\_\_\_ (date)

Administrative Use Only

Proclamation \_\_\_\_\_ Certificate \_\_\_\_\_ Key \_\_\_\_\_ Coin \_\_\_\_\_

Approved: Yes \_\_\_ No \_\_\_ If no, state reason: \_\_\_\_\_

Approved Date: \_\_\_\_\_

Date Submitted for Mayor's Signature: \_\_\_\_\_

Date Issued: \_\_\_\_\_



## Town of Surfside Commission Communication

**Agenda Item #:** 9A

**Agenda Date:** February 9, 2016

**Subject:** Solid Waste Assessment Survey

**Background:** At the January 12, 2016 Commission meeting, the Town Commission instructed the Public Works Director to do an assessment survey of condominiums and apartments in the Town. The assessment survey would garner information in regards to complaints and satisfaction with the new solid waste service.

**Analysis:** Public Works created a survey with questions to address the concerns of the Commission, which is attached. These assessments surveys were hand delivered to each condominium and multi-family property in Town. These surveys were to be filled by building management. These surveys were returned back to Public Works to summarize the feedback, which is attached.

**Staff Impact:** Public Works Director and the Public Works Coordinator

**Budget Impact:** \$1,272.78

**Recommendation:** N/A

  
Joseph S. Kroll, Public Works Director

  
Guillermo Olmedillo, Town Manager



## CONDO ASSESSMENT SURVEY

1. Did the Town inform you, in a timely manner, about changes to the Solid Waste pick-up schedule?

Yes  No

If no, please explain.

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2. On a scale from 1 -5, with (1) being the lowest and (5) being the highest, how satisfied were you with explanation by the Town about the Solid Waste changes?

(1) Not Satisfied  (2) Somewhat Satisfied  (3) Satisfied  (4) Very Satisfied  
 (5) Extremely Satisfied

If you're not satisfied, please explain.

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3. Does the new schedule satisfy your needs?

Yes  No

If no, please explain.

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4. Are you satisfied with the ability to change your service schedule between season and off-seasons?

Yes  No

If no, please explain.

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5. Do you believe that the new pricing structure is a fair representation of service rendered by the Town?

Yes  No

If no, please explain.

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6. Have you called the Town to complain about the new Solid Waste program?

Yes  No

If no, please explain.

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7. If you answered yes to the previous question, was the answer you received from the Town acceptable.

Yes  No

If no, please explain.

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\*\*\*\*\*

**Please fill bottom portion out in its entirety. (Please Print Clearly)**

Building Name: \_\_\_\_\_ Address: \_\_\_\_\_

Name \_\_\_\_\_ Title \_\_\_\_\_

Signature \_\_\_\_\_ Date \_\_\_\_\_



## Solid Waste Assessment Survey Summary

Between condominiums and apartments, there are 45 properties on Collins Avenue. Public Works hand-delivered the surveys, in which thirty-eight (38) surveys were delivered to the building managers or association officer. Seven (7) were non-deliverable due to non-presence of building or office manager. To date, Public Works received only five (5) completed surveys.

Below is a summary of all five completed and received surveys for review.

**Question 1:** Did the Town inform you, in a timely manner about the changes to the Solid Waste pick up schedule?

(3) - Yes                      (2) - No

**Question 2:** On a scale from 1 – 5 (1) being the lowest and (5) being the highest, how satisfied were you with the explanation by the Town about the Solid Waste changes?

(2) - Not satisfied, (1) - Very satisfied,  
(1) - Somewhat satisfied, (1) - Extremely satisfied

**Question 3:** Does the new schedule satisfy your needs?

(4) - Yes                      (1) - No

**Question 4:** Are you satisfied with the ability to change your service schedule between season and off-season?

(5) - Yes

**Question 5:** Do you believe that the new pricing structure is a fair representation of service rendered?

(3) - Yes                      (2) – No

**Question 6:** Have you called the Town to complain about the new solid waste program?

(3) - Yes                      (2) - No

**Question 7:** If you answered yes to the previous question was the answer you received from the Town acceptable.

(3) - Yes    (1) – No    (1) - No Answer



# Town of Surfside Commission Communication

**Agenda Item #:** 9B

**Agenda Date:** February 9, 2016

**Subject:** Traffic Mitigation Efforts

**Background:**

At the January Town Commission meeting, the Commission requested a synopsis of staff's traffic mitigation efforts. The following is an overview of police operations, analysis, meetings, recommendations and actions reported to the Town Commission over the last year pertaining to the ongoing traffic congestion in the Town of Surfside and surrounding areas. Surfside requires authorization from FDOT for any changes to Collins Avenue, Harding Avenue and 96 Street, which are all state roads. Authorization from Miami-Dade County is required for changes to the residential neighborhoods including the placement of signage, speed calming devices, closing of streets, or changing streets to one ways.

In January 2015, an overtime traffic detail was initiated to strictly monitor and enforce traffic on Byron Avenue. Officers worked during the afternoon rush hour periods focusing on speeders and identifying drivers using Byron Avenue to avoid A1A congestion. Decoy vehicles were deployed at strategic locations to slow down drivers.

On January 20, 2015, the SPD hosted a Community Meeting brought on by the increasing complaints of speeders and congestion on Byron Avenue. Several residents primarily from Byron Avenue voiced their concerns. Mr. Ayman Elbermawy, Section Head of Traffic operations from the Traffic Engineering Division of Miami-Dade County was present. Several residents primarily from Byron Avenue attended and voiced their concerns.

January 27, 2015, in response to a Town Mayor inquiry, SPD reported that months earlier the regional traffic study for area traffic signals was presented to the town commission at a meeting. The cost was split between Bal Harbour and Surfside. Surfside's cost was picked up by developers. The study recommended loop detections installed at traffic signals in Surfside. There was no action taken by the commission. This was also the same recommendation from the 2012 traffic study. The county would not pay for the installation.

In February 2015, officers were used to temporarily close streets (90 Street & Byron Avenue & 94 Street & Byron Avenue) in an attempt to divert cross through traffic of drivers avoiding Collins Avenue congestion.

Beginning February 3, 2015, the Surfside Police Department implemented a pilot residential parking permit program for the 9400 and 9500 blocks of Byron Avenue only. The program was to be re-evaluated after 90 days. Only residents and their guests were allowed to park on the two blocks. The purpose of the program was to mitigate the daily problem of workers, beach goers and others parking on these two blocks. Residents were required to provide proof of residency, and complete a registration application which was available in the Communications Unit. The program has been a success and continues in effect to date.

In the February 2015 Commission Meeting, the police department reported Town staff held meetings with Miami-Dade County and Florida Department of Transportation officials over several months discussing options to address and improve the traffic congestion. Town staff also met with residents of Byron Avenue who were strongly in favor of changes to ensure their safety and quality of life. The following bullet points were introduced:

- Surfside has conducted two traffic studies (Calvin, Giordano and Associates, 2012 and Advanced Transportation Engineering Consultants, 2014). Both recommended improvement to the operational efficiency to the traffic signals on Collins and Harding Avenues. Adjustments in the timing were made by the County but vehicle and pedestrian detections are needed at Harding Ave. and 96 St., Harding Ave. and 95 St., Harding Avenue and 94 St., and Harding Avenue and 93 St. This will allow traffic to flow better north and southbound when there are no vehicles waiting at the cross street. Currently the traffic signals cycle automatically and when not needed.
- The Police Department staffed Byron Avenue with personnel on a daily basis to deter traffic violators and congestion. Hundreds of citations and warnings were issued on Byron Avenue.
- The Police Department also temporarily closed blocks to traffic on Byron Avenue during rush hours to deter drivers from cutting through the residential neighborhoods to avoid heavily traveled Collins Avenue.
- Miami-Dade County officials conducted a study on Byron Avenue in order to review some of our recommendations. A resolution from the Town Commission requesting a review and approval for Miami-Dade County to address and work cooperatively with Surfside on this public safety issue would be significant to expedite the process.



In March 2015, the Police Department reported the following totals of issued Uniform Traffic Citations by the four Patrol Squads for the months of December, January & February:

3 months - Total issued = 1291

In the month of January, during the peak of the Byron Avenue detail officers issued the following: January - Total issued = 631

The majority of citations issued in the residential area occurred on Byron Avenue. Officers conducted radar enforcement throughout Byron Avenue at rush hours and issued numerous speeding violations, primarily in the 9500 block of Byron. Other blocks heavily enforced were from 90th. Street to 93rd. Street. The speeding violations were mostly in the 30 mph range, with the occasional driver clocked in the low 40 mph range. A continuous focus was directed at 95 Street & Byron Avenue where there were constant violations of running the stop signs. Often drivers would complain that the traffic circle (calming device) confused them and that was the reason they did not come to a complete stop. Verbal traffic warnings well exceeded the number of citations issued.

In the efforts to mitigate traffic congestion and primarily drivers cutting through the residential neighborhood ongoing discussions touched on topics such as creating one-way streets and even opening Carlyle Avenue.

Other efforts were tested such as having officers temporarily close 95 Street & Abbott Avenue at peak hours. Closing 95<sup>th</sup> Street & Abbott Avenue in particular seemed to create a problem by causing a large backup of eastbound traffic on 96 Street approaching Abbott Avenue. Drivers were frustrated and the closures were stopped immediately.

Another discussion item has been creating a Special Taxing District and developing a gated community. The SPD has presented the steps required to begin such a process and provided the following guide to often asked questions:

## **SPECIAL TAXING DISTRICTS MOST FREQUENTLY ASKED QUESTIONS**

### **1. What is a Special Taxing District?**

A special taxing district is a mechanism used to provide public improvements and special services which could not conveniently or equitably be provided otherwise.

### **2. Under what legal provision are these districts created by the County?**

Chapter 18 of the Miami-Dade County Code.

### **3. How is the process to create a Special Taxing District initiated?**

An official incorporated homeowners' association, for the same area under consideration, or in its absence at least 10% of the area property owners, request a petition package from the Public Works Department Special Taxing Districts Division, 111 NW 1st Street, Suite 1500, Miami, Florida 33128. The request letter must describe desired improvements, district boundaries and level of service.

### **4. What does the process consist of?**

#### **I. The Petition**

The Special Taxing Districts Division prepares the petition package, tailored to the request of the community as well as Public Works Department's requirements, and adjusted, for security guard districts, to reflect Police and Fire Rescue concerns. This petition will provide a description of the proposed improvements, as well as the range of assessments estimated for

the project. A traffic study by an independent consultant, and at the expense of the community, may be required in security guard districts involving street closures prior to issuance of the petition. For road improvement projects, full right-of-way dedication will be required prior to preparation of the petition package.

Community volunteers then circulate the petition among all district property owners. A maximum of four months is allowed for the collection of signatures.

The petition, once returned to Miami-Dade County, is validated by the Public Works Department's Special Taxing Districts Division. The petition must contain signatures of 50% or more of the resident property owners for the process to continue (we use homestead exemption as an indication of residency or require new property owners who become district residents after the filing date for homestead exemption to provide us a notarized affidavit so indicating). The petition and the results of the validation are filed with the Clerk of the Board.

## II. The Cost & Feasibility Study (for valid petition request)

The Public Works Department prepares a report detailing improvements, cost estimate, assessment method, and district boundaries. Then, an informational community meeting is held, normally at a neutral site such as a community school, to which all district property owners are invited by mail by the Public Works

Department's Special Taxing Districts Division. Facts pertaining to the proposal are presented to the district residents and questions by the community pertaining to the process and the proposal are entertained. No decision is made at that meeting. The Public Works Department's

report is then filed with the County Manager who in turn files his written report and recommendation with the Clerk of the Board, and schedules a formal public hearing.

### III. District Creation

The Board of County Commissioners then conducts a Public Hearing to which all property owners are invited by letter from the Clerk of the Board. Notices are published by the Clerk in a newspaper of general circulation and are also posted in five public places within the district. If the Board decides that the proposal should move forward, an ordinance creating the district is adopted. The assessment roll resolution is usually adopted at the same public hearing as the creation ordinance. The resolution authorizes and directs the Miami-Dade County Tax Collector to place special assessments on a specified year's tax bill.

### IV. District Ratification

Election is conducted by mailed ballot on an available election date set by the County. All registered voters residing within district boundaries are eligible to vote. A majority vote of returned ballots in favor of the project is needed to ratify district creation.

### V. Collection of Special Assessments

Those districts which are approved by the electorate are billed in advance for each fiscal year (October 1 through September 30) and are included as an itemized portion of the annual combined tax bill.

### VI. Implementation Phase

Final engineering of capital improvements, bidding (for capital improvements and/or service) and construction take place. The improvement would then be placed in service or the service would commence.

5. Is community consensus a requirement to begin the process?

We highly recommend that the whole community be brought into the process early on and that improvements and economic implications be agreed upon before the request for the petition package is sent to the County.

6. Who has final jurisdiction over decisions concerning District boundary administration and operation?

Dade County has final jurisdiction over all decisions concerning District boundaries, administration and operation.

7. How is the cost of services or improvements calculated and allocated?

The calculation of each district property owner's special assessment is based upon the district's specific assessment method and project cost (methods used are: front footage in street lighting, road and water projects; square footage in landscape and recreational districts; and unit in security districts.)

8. How long does it take to create and implement a Special Taxing District?

The process takes approximately a year for most projects. Stationary guard districts, because of traffic and delivery of emergency services issues, require approximately 18 months.

9. How is the assessment billed and collected?

Special assessments are billed in advance for each fiscal year and are included as an itemized portion of the annual combined tax bill under the non-ad valorem section. They are payable at the time the real property tax bill is due. For street lighting in existing communities, landscaping and stationary security guard districts, the total capital improvement costs and one year of service are billed at the beginning of the first fiscal year after district ratification, as well as creation and other administrative costs. Service, administration and maintenance costs are billed annually each year thereafter. For capital improvement districts (water, sewer, roads), a bill is sent to the property owner. If the owner decides not to pay his full share in a lump sum, he may elect to finance the cost, typically over ten years, with the first installment starting on the next November tax bill (interest will be added). For bonded projects, if he elects to pay in a lump sum, bond costs will be deducted from his bill.

10. What happens if I favor the proposal but cannot afford to pay the assessment?

The Board of County Commissioners considers specific requests by property owners to review perceived inequities of assessments, deferment or abeyance of assessments and exemptions at the Assessment Roll Resolution public hearing held following the creation public hearing, usually on the same agenda.

11. Is a lien placed on my property if I do not pay the special assessment?

Yes. Unpaid special assessments, similarly to unpaid ad valorem taxes, will cause a lien to be placed on your property and the certificate sold the following June.

12. How are undercollections and overcollections of assessments handled?

All District under and overcollections in any one year are adjusted in the following fiscal year, for undercollections by way of an increased assessment rate, and for overcollections by way

of a reduced assessment rate, except that all adjustments for first year costs of stationary security guard districts will be made only after all final capital improvement costs have been entered, which may or may not be reflected in the second assessment year

13. Do the property owners have any input as to security service provider selection? The security service provider is selected through a request for proposal process, followed by review of the proposals by a selection committee composed of 2-3 County staff members and 4-5 representatives from the community.

14. Do the property owners in security guard and landscape maintenance districts have any input in the budget process?

Any change in service level must be proposed by the community, which will be advised of the cost implications. An automatic provision for a 5% rate increase in security service provider contracts every two years is standard procedure.

15. Is the special assessment itemized on the tax bill tax deductible?

We suggest you contact the IRS or your tax consultant.

16. What are the chances that the assessments will increase at uncontrollable levels to provide the services?

Apart from the standard 5% increase every two years for the service provider, the assessments should remain at a stable level unless additional improvements are requested by the community, unbudgeted repairs need to be effected in the district, and/or the community decides to increase the district's level of service.

17. Can Miami-Dade County create special taxing districts all over its territory, including in municipalities?

Special taxing districts for water, sewer, street lighting and road improvements are created by Miami-Dade County only in Unincorporated Miami-Dade County. Districts for landscape/landscaping maintenance, security guard (stationary and/or roving patrol) and recreational service can be created by Miami-Dade County in all of Miami-Dade County, including municipalities.

18. If the district is located, wholly or partially, within the boundaries of a municipality, what, if any, City support is required for the project?

If any portion of a proposed district lies within the boundaries of a municipality, said municipality must, once the petition has been validated, authorize the County by official action to create the district. The municipality must hold a public hearing on the proposal.

19. Are there different types of security guard districts?

There are two types of security guard districts:

- a) Stationary - with guardhouses manned usually by commercial guards; and
- b) Roving patrols - provided by off-duty police officers (City officers in the municipalities and Florida Highway Patrol officers in Unincorporated Miami-Dade County), or commercial guards. Police officers are armed; commercial guards, because of liability issues, are not.

20. Is the input of any group, besides the Special Taxing Districts Division, required prior to issuance of a petition for security guard districts?



We require, prior to the preparation of the petition package, an indication by the appropriate City or County Fire/Rescue and Police Department that the delivery of emergency services will not be unduly delayed by any requested closure or loss of access to existing fire hydrants. We also require that the Public Works Highway Division review the implications of any street closure and as a result, it is sometimes mandated that the requestor submit, at his expense, a traffic study conducted by a registered traffic engineering firm. The Miami-Dade County Planning Director must also certify if the proposed improvement is consistent with the County's master plan.

21. Do street closures affect the delivery of emergency services?

The Fire Rescue Department determines, prior to issuance of the petition, whether the proposed street closure will affect the delivery of emergency services. If the Fire Rescue Department determines that the proposal will significantly hamper such delivery, it will generally request that additional guardhouses (entrances) be provided for.

22. Do these districts really serve to deter crime?

Pre- and post-district creation statistics recently obtained from Miami-Dade and various municipal police departments indicate a decrease in various types of crime in the security districts.

23. Who determines the location of the guardhouses and whether street closures are required to achieve the purpose of the security district?

Community initiators of the petition process, usually from homeowners associations, indicate the wish of the community in the request they submit for a petition. After a review of the traffic issues related to the requested proposal, and the comments from Fire/Rescue, Police, and

Planning, the Public Works Department determines the final location of the guardhouses and the feasibility of the desired closures.

24. Who manages the day-to-day operation of the service (street lighting, security, landscape) district?

The Special Taxing Districts Division of the Miami-Dade County Public Works Department manages security guard and street lighting districts. The County's Park and Recreation Department manages the landscape/landscaping maintenance districts.

25. Who implements and administers the capital improvement projects?

Miami-Dade County in Unincorporated Miami-Dade County and the respective municipal government in the municipality, the latter under interlocal agreement with the County. The Public Works Department enters into interdepartmental agreements with the Water and Sewer Department for the execution of water and sewer projects, where the cost is specified. Road improvement projects are managed by the Public Works Department by bidding the appropriate jobs or accesses existing open contracts.

26. Do stationary guard districts restrict public access to the district area?

Public access to streets encompassed within a district is never prohibited. A requirement of Chapter 18 of the Miami-Dade County Code is that special taxing districts can only be created on public roads.

27. Does Miami-Dade County allow unmanned gates and video cameras?

Unmanned gates are never allowed. Video systems are allowed if the scope of service in the districts creating ordinance allows it. Existing security districts will need to be amended through the same process that creates them to allow cameras.

28. Do residents have to stop at the guardhouse?

All cars must come to a complete stop when they approach the guardhouse. Where resident lanes exist with card control access, the residents drive through once the gate arm has been activated by their card. Where only one resident/visitor lane exists, the guard will activate the gate arm upon detection of the resident decal affixed to their vehicle windshield.

29. Do visitors have to identify themselves?

Visitors do not need to provide any information to the guard. Once the vehicle has stopped, the guard will note the tag number and description of the vehicle and let it go through. The guard, however, does have a map of the district and can provide, if requested by the visitor, directions to a destination within the district if an address is known. The guard will not call residents to announce visitors.

30. Is the guard in contact with the residents and the police by telephone?

In roving patrol districts, yes. In stationary guard districts, the guard is linked by telephone to the security company dispatcher. If the guard observes unusual or dubious activity, he will immediately contact his dispatcher, who will in turn call the police. Once the vehicle has stopped at the gate, the guard will register its tag number and description, and will then allow the car to enter the district.

31. What are residents to do when they note probable unlawful activity in the district?

They must call 911 immediately. If they have a roving patrol, they can then call the patrol number.

32. When street closures are considered, is it possible to eliminate both vehicular and pedestrian traffic?

Only vehicular access is prohibited. Sidewalks remain open.

33. Can special taxing districts be amended or dissolved?

A process identical to the creation of districts is followed to amend or dissolve a district.

34. Have lawsuits been brought in the past against special taxing districts? Have they been successful?

Lawsuits have been brought, over the years, against special taxing districts, relating particularly to assessment methods, benefit and election issues. The County has successfully defended all of them.

35. What is the amount of liability a district can be responsible for?

Per State Statute, the maximum liability for personal injury or property damage claim or judgment by any one person is \$100,000, for a total of \$200,000 per incident or occurrence arising as a result of the negligence of a government entity.

36. Can landscape be installed as part of a security guard special taxing district and who maintains it?

Yes. Landscape in the immediate area of the guardhouses can be installed at district expense. However, unless a landscape maintenance district is also established, the maintenance must be handled by the homeowners' association.

37. Who can get gate cards or decals?

Only property owners and documented renters.

38. How are security guard operational procedures changed by the homeowners' association?

All changes must be requested through the Special Taxing Districts Division.

39. Who may you call for additional information?

Please call the Special Taxing Districts Division at (305) 375-2203.

On April 14, 2015, in another Commission Communication the following was presented:

A plan of action has been developed with the support of area residents to address the public safety matters related to vehicular traffic in the single family residential areas. After lengthy reviews of documented traffic studies, analysis and temporary measures, the following actions will take place:

- 90 Street & Byron Avenue will be closed to northbound vehicular traffic. A landscaped concrete curb will be installed on the north side of the intersection of 90 Street & Byron Avenue allowing pedestrian, special needs and bicyclist's access only. The 9000 block of Byron Avenue will become a dead end street with vehicular access from the north / 91 Street. 18 of the 18 residents who live on this block are in favor of the closing.

- 94 Street and Byron Avenue will be closed to southbound vehicular traffic. A landscaped concrete curb will be installed on the south side of the intersection of 94 Street & Byron Avenue allowing pedestrian, special needs and bicyclist's access only. The 9300 block of Byron Avenue will become a dead end street with vehicular access from the south / 93 Street. 13 residents are in favor of the change, 3 are not, and 3 did not respond of the 19 who live on this block.
- The traffic circle in the intersection of 95 Street & Byron Avenue will be removed or reduced in size. That intersection will be a three way stop intersection.
- The 9500 block of Byron Avenue will be enhanced by the addition of four landscaped concrete curb extensions, two at the beginning of the block (North side of intersection at 95 Street & Byron Avenue) and two more at mid-block. The curb extensions will better delineate a single northbound vehicle lane. This feature will make it easier and safer for those exiting residential driveways in the block. 16 of the 20 residents living at these locations are in favor of the enhancements. We did not get a response from the other four.
- There will be speed calming tables installed at the following locations:
  - 88 Street, west of Garland Avenue
  - 91 Street & Abbott Avenue
  - 9500 block of Byron Avenue (Mid-block)
- Budget Impact: Approximately \$25,000 in funds from the Miami-Dade County Citizens Independent Transportation Trust.
- Recommendation: Town staff recommends that the Town Commission provide direction to a more permanent solution to address this public safety issue and vehicular traffic concern.

\*\*\* The closing of streets became a highly contested issue among residents who felt traffic from Byron Avenue would be directed toward their streets.

Town Commission held a Special Commission Meeting on April 27, 2015 to discuss short term and long term solutions to the traffic concerns in Town. Traffic experts from Miami-Dade County, the Florida Department of Transportation, and Calvin, Giordano and Associates presented information and answered questions for the Town Commission and the residents. The Town Commission directed the Town Manager to develop a plan of action for short term solutions that can be implemented immediately to relieve the traffic congestion issues.

A Commission Communication was submitted May 12, 2015, titled Traffic Management Plan – Short Term Solutions. The following was described as measures that were executed:

- Two decoy police vehicles have been deployed in the high traffic residential neighborhoods and will be rotated between 89 Street and 95 Street.
- A minimum of one Police Officer has been assigned during rush hours Monday through Friday on Byron Avenue to enforce traffic violations and control traffic congestion. Additional Officers will be assigned, staffing permitted, to Byron Avenue during peak traffic volume hours and between calls for service. Officers on overtime will also be assigned if needed.
- Lane closures on Harding and Collins Avenue are opened to traffic during morning and afternoon rush hours.
- A traffic management plan meeting with command officers from Surfside, Bal Harbour, and Bay Harbor Islands Police Departments was held on April 28, 2015 to coordinate traffic control among the three towns.
- The traffic signals on the state roads have been synchronized. Vehicle and pedestrian traffic loop detections as recommended by both traffic studies would further assist with

vehicular movement along the state roads. The cost is approximately \$31,000 for the installation at five signals.

- Surfside, Bal Harbour, and Bay Harbor Islands have developed traffic control plans for critical incidents within their own jurisdictions. These plans have been implemented in the past during traffic blockage from bridge closures, fires, crashes involving serious injury or fatality, and gas leaks.
- Police Officers will execute temporary lane closures if necessary in the residential neighborhood upon authorization of the police command staff.
- FDOT has completed a study on a new traffic signal at 96 Street and Abbott Avenue and removing the traffic signal at 96 Street and Byron Avenue and denied it. FDOT will take a second review at the request of the Town Commission.
- Staff will review intersections in need of stop signs and request approval through Miami-Dade County.
- Staff will request FDOT to install U-Turn sign on 96 Street near Bay Drive.
- Staff will develop signage to designate residential neighborhoods.  
*This has been completed and the signage is installed.*
- Additional traffic details will operate routinely in the following areas:
  - Bay Drive - Speeding.
  - Surfside Blvd (91 Street) – Speeding.
  - A1A Collins and Harding Avenues – Speeding.
  - 88 Street & Byron Avenue – Calming device violations.
  - No thru trucks on the restricted residential streets.  
*Traffic details continue to be done on an ongoing basis.*
- An informational pamphlet will be created that officers can distribute on traffic stops to provide safe driving tips and cooperation among residents.



*The informational pamphlet was developed, printed and is distributed routinely with a verbal warning in place of a traffic citation.*

A Commission Communication was submitted June 9, 2015, titled Traffic Management Plan – Long Term Solutions. The Town Commission had directed the Town Manager to develop a plan of action for short term solutions that can be implemented immediately to relieve the traffic congestion issues. The short term solutions were implemented and discussed at the May 12 Town Commission meeting. The Town Commission also at the May 12 meeting directed staff to develop more permanent traffic solutions for the June 9 meeting for discussion.

The following measures were recommended by staff:

- Continue traffic enforcement and visibility in the residential area and on Byron Avenue during afternoon rush hours.
- Install vehicle and pedestrian traffic loop detections as recommended by both traffic studies to further assist with vehicular movement along the state roads. The cost is approximately \$31,000 from the Miami-Dade County Citizens Transportation Trust or the installation at the five signals.
- FDOT has completed a study on a new traffic signal at 96 Street and Abbott Avenue and removing the traffic signal at 96 Street and Byron Avenue and denied it. FDOT will take a second review at the request of the Town Commission. At this time staff is waiting for a response from FDOT.
- Staff will review intersections in need of stop signs and request approval through Miami-Dade County.
- Remove the FDOT No U-Turn sign on 96 Street near Bay Drive. Staff is waiting on a response from FDOT.
- Staff will develop signage to designate residential neighborhoods.

- Remove or reduce in size the traffic circle in the intersection of 95 Street & Byron Avenue. That intersection will be a three way stop intersection.
- Enhance the 9500 block of Byron Avenue by the adding of four landscaped concrete curb extensions, two at the beginning of the block (north side of intersection at 95 Street & Byron Avenue) and two more at mid-block. The cost is \$25,000 from the Miami-Dade County Citizens Transportation Trust. Install speed calming devices and place “20 MPH” lettering to the street.

On the July 14, 2015, Commission Meeting another Commission Communication was presented titled Traffic Management Plan – Long Term Solutions (9500 block off Byron Avenue). Town staff made recommendations for permanent traffic solutions at the June 9 Town Commission meeting. The Town Commission directed staff at that meeting to include visual aids for the permanent traffic solutions for the 9500 block of Byron Avenue. Two different diagrams were submitted (one set of with two curb extensions and one with one set of curb extensions), a diagram of speed calming devices, and two photographs of curb extensions were also submitted.

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

- Reduce the size of the traffic circle in the intersection of 95 Street & Byron Avenue. The intersection will be a three way stop sign intersection.
- Add four landscaped concrete curb extensions, two at the beginning of the block (north side of intersection at 95 Street & Byron Avenue) and two more at mid-block.
- Install speed calming devices between the mid-block curb extensions.
- Place “20 MPH” lettering on the roadway surface.

- Eliminate the solid white lanes from the roadway surface that designate the three travel lanes.
- The total cost is approximately \$25,000 funded from the Miami-Dade County Citizens Independent Transportation Trust.

The Town Commission approved the above recommendations. Public Works was directed to begin work on the reduction of the traffic circle and installing curb extensions. The project was completed in September of 2015.

Additional actions regarding stemming the vehicle congestion in the Business District area have included moving a taxi stand that was on 95 Street between Harding and Abbott Avenue to Collins Avenue north of 94 Street. The SPD is also working closely with business deliveries to better manage quality of life matters in conjunction with business operations.


As is the usual pattern, the summer months had reduced traffic congestion. Factors that contribute to the reduction in traffic during the summer months are having no school and less visitors / snowbirds in the Town and surrounding communities.

The same pattern of heavy traffic congestion and irate residents developed once again beginning after Thanksgiving of 2015. The growing number of visitors flocking to the South Florida area for the holidays in combination with the large number of part time residents who live in the area during the winter months increase vehicles on the roadways. Much of the drivers are disoriented and contribute to the slow moving traffic. Traffic congestion peaked from late December to the beginning of the New Year. In part, along with holiday travelers, the Orange Bowl football game, an event that attracts nationwide attention brought

approximately 80,000 fans (and their cars) to the area. The Bal Harbour Shops and their increasing number of fine eating establishments has also drawn more people. The daily lane closures due to new developments in Surfside, Bal Harbour, Bay Harbor Islands, and Sunny isles beach add to the congestion. The 96 Street Bridge has also been under construction and repair for over a year and is reduced to one lane and has frequent breakdowns.

The Town of Surfside does not host a large sporting event, there are no arenas, large venues or shopping malls, there is no convention center, and no major events such as Boat Shows or Art Festivals, however, all of the things named occur within close proximity of the Town. Those events bring hundreds of thousands of people to the area which at times generates more traffic than the thoroughfares to travel can handle. Therefore, traffic congestion in Surfside can only be managed to a certain extent. The traffic congestion is caused in most part by outside forces that the Town has little to no power or authority in controlling.

  
\_\_\_\_\_  
David Allen, Chief of Police

  
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Guillermo Olmedillo, Town Manager



## Town of Surfside Commission Communication

**Agenda #:** 9C  
**Agenda Date:** February 9, 2016  
**Subject:** Paced Development

**Background:** At the December Commission meeting, staff presented the concept of paced development wherein development is managed based on certain criteria to avoid overdevelopment. Staff attempted to utilize a cursory analysis of the total water and sewer capacity to determine the Town's total overall capacity to accommodate proposed and future development. The conceptual analysis performed utilized extrapolated water and sewer flows for the existing development, approved or under construction development, and ultimate build-out scenario based on maximum density potential within the Comprehensive Plan. The short term solution proposed was to limit building permits for hotel and multi-family development of 10% of the maximum units over a 10 year period, resulting in no more than approximately 235 units (not including single family) approved per year.

**Analysis:** Due to the conceptual nature of the limited data as part of this analysis, it is recommended that a hydraulic model analysis be performed to determine efficiency in the water and sewer systems for the lines on Collins and Harding Avenues. It is not recommended to attempt to limit the development to the previously stated figure without true data that will support the limitation on permits. The analysis may show that a 10% maximum over a 10 year period is sufficient, not necessary or not enough of a cap on development. The hydraulic model analysis would demonstrate if the Town's infrastructure could actually support that amount of development, or if there should be modifications to the Comprehensive Plan reducing overall density to match the infrastructure capacity of the Town.

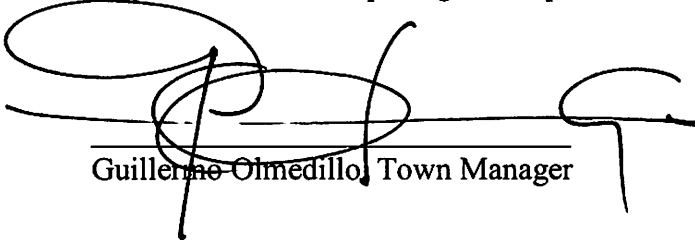
**Budget Impact:** A hydraulic model analysis would result in an additional cost, which can either be placed in the FY17 budget or could be potentially mitigated through voluntary development proffers. The water model will cost \$32,276.75 and the sewer model will cost \$38,899.35.

**Growth Impact:** The existing and limited information indicates that, although there is total capacity, the unknown factor of efficiency of the lines would need to be further reviewed to either confirm that there is adequate capacity to support continued development or demonstrate that there is insufficient capacity to support continued development, in which case development

would need to be curtailed until such time as the infrastructure upgrades could be funded and constructed.

**Staff Impact:** N/A

**Staff Recommendation:** Staff recommends the Town Commission to direct Administration to prepare an ordinance pacing development.



Guillerme Olmedillo, Town Manager