



**Town of Surfside  
Town Commission Meeting  
AGENDA  
April 12, 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**
- G. Legislative Update – Town Lobbyist Fausto Gomez**
- H. Miami Dade Fire Rescue (MDFR) Annual Report – Guillermo Olmedillo, Town Manager**

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

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

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

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

**A. Minutes – Sandra Novoa, MMC, Town Clerk Page 1 - 10**

**March 8, 2016 Regular Commission Meeting Minutes**

**B. Budget to Actual Summary as of January 31, 2016 – Guillermo Olmedillo, Town Manager**

**\*C. Town Manager’s Report – Guillermo Olmedillo, Town Manager Page 11 - 20**

- 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 March Significant Arrests
- 7. Traffic/Parking Improvement Recommendation Meeting
- 8. Town of Surfside Loading Zones
- 9. Surfside Police Enforces Seat Belt Law
- 10. Commercial Security Assessment of Young Israel Synagogue
- 11. Traffic Calming
- 12. 2015 Leo Awards Winners
- 13. Police Events
- 14. Parking Lot Restructure
- 15. Hazardous Waste Day
- 16. Historic Preservation Task Force
- 17. Parcel 119 at NW 47<sup>th</sup> Avenue
- 18. 9340 Collins Gallery of Surfside History
- 19. Information Technology and TV Broadcasts

**\*D. Town Attorney's Report** – Linda Miller, Town Attorney Page 21 - 26

**E. Committee Reports** – Guillermo Olmedillo, Town Manager Page 27 - 40

- **February 1, 2016 Tourist Board Meeting Minutes**
- **February 17, 2016 CIC Meeting Minutes**
- **February 25, 2016 Planning and Zoning Board Meeting Minutes**

**F. Election Certification** – Sandra Novoa, MMC, Town Clerk Page 41 - 48

**RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA CERTIFYING AND DECLARING THE RESULTS OF THE TOWN OF SURFSIDE GENERAL MUNICIPAL ELECTION HELD ON MARCH 15, 2016 FOR THE ELECTION OF MAYOR AND FOUR (4) TOWN COMMISSIONERS; AND PROVIDING FOR AN EFFECTIVE DATE.**

**G. Mutual Aid Agreement between the Town of Medley Police Department and the Town of Surfside Police Department** – Guillermo Olmedillo, Town Manager Page 49 - 61

**A RESOLUTION OF THE TOWN OF SURFSIDE, FLORIDA ACKNOWLEDGING THE COMBINED VOLUNTARY COOPERATION AND OPERATIONAL ASSISTANCE MUTUAL AID AGREEMENT BETWEEN THE TOWN OF MEDLEY, FLORIDA AND THE TOWN OF SURFSIDE, FLORIDA; AUTHORIZING THE TOWN MANAGER AND CHIEF OF POLICE TO EXECUTE AND IMPLEMENT THE TERMS AND CONDITIONS OF THE MUTUAL AID AGREEMENT; PROVIDING FOR APPROVAL; AND PROVIDING FOR AN EFFECTIVE DATE.**

**4. Ordinances**

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

**A. Second Reading Ordinances**

*(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. 4<sup>th</sup> of July Fireworks – Guillermo Olmedillo, Town Manager Page 62 - 68**

**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, APPROVING THE EXPENDITURE FOR ZAMBELLI FIREWORKS MANUFACTURING CO. FOR EXHIBITION AND DISPLAY OF FIREWORKS; APPROVING THE EXPENDITURE OF \$4,000.00 FROM THE RESORT TAX FUND, ACCOUNT NO. 102-8000-552-48-10 AND \$8,000.00 FROM THE GENERAL FUND, PARKS & RECREATION DEPARTMENT, ACCOUNT NO. 001-6000-572-4810; PROVIDING FOR AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE.**

**B. Purchase 2CY and 3CY Poly Commercial Containers for Solid Waste- Guillermo Olmedillo, Town Manager Page 69 - 83**

**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, AUTHORIZING, AFTER THE FACT, THE EXPENDITURE OF FUNDS IN THE AMOUNT OF \$34,182.00 FOR THE PURCHASE OF 2CY AND 3CY POLY COMMERCIAL DUMPSTER CONTAINERS FROM THE FISCAL YEAR 2015/2016 SOLID WASTE FUND, ACCOUNT NO. 403-4000-534-4911; PIGGYBACKING OFF THE PURCHASE PRICE OF THE COMPETITIVELY BID CONTRACT AWARDED BY THE HOUSTON-GALVESTON AREA COUNCIL OF GOVERNMENTS; PROVIDING FOR APPROVAL AND AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE.**

**C. Additional Funding Needed for the 2016 Mack Rear Load Tipppers -  
Guillermo Olmedillo, Town Manager Page 84 - 94**

**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, AUTHORIZING, AFTER THE FACT, THE EXPENDITURE OF FUNDS IN THE AMOUNT OF \$19,000.00 FROM THE FISCAL YEAR 2015/2016 PUBLIC WORKS FUND ACCOUNT NO. 403-4000-534-6410, WAIVING THE BID PROCESS PURSUANT TO SECTION 3-13(6) OF THE TOWN OF SURFSIDE CODE OF ORDINANCES; AUTHORIZING THE TOWN MANAGER TO PURCHASE A 2016 MACK REAR LOAD TIPPER ATTACHMENT FROM A SOLE SOURCE EXEMPT FROM THE TOWN'S BIDDING PROCEDURES; PROVIDING FOR APPROVAL AND AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE.**

**D. Town Parking Lot Wall Maintenance – Guillermo Olmedillo, Town  
Manager Page 95 - 103**

**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, AWARDED THE PROPOSAL TO TRENCHLESS EXCAVATION, INC. FOR THE MAINTENANCE OF THE WALLS AT THE TOWN OWNED PARKING LOTS; AUTHORIZING THE EXPENDITURE OF FUNDS IN THE AMOUNT OF \$8,830.36 FROM THE MUNICIPAL PARKING FUND ACCOUNT NO. 402-9500-545-4611; PROVIDING FOR APPROVAL AND AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE.**

**E. Wyland Challenge for Water Conservation – Guillermo Olmedillo, Town  
Manager Page 104 - 107**

**A RESOLUTION OF THE TOWN OF SURFSIDE SUPPORTING THE NATIONAL "WYLAND MAYOR'S CHALLENGE FOR WATER CONSERVATION" IN THE TOWN OF SURFSIDE; DIRECTING THE TOWN CLERK TO TRANSMIT A COPY OF THIS RESOLUTION TO THE FLORIDA LEGISLATURE, THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT, THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, AND ALL THE MUNICIPALITIES OF MIAMI-DADE COUNTY; AND PROVIDING FOR AN EFFECTIVE DATE.**

**F. Support for Miami-Dade County Parks and Open Space Master Plan –**  
Mayor Daniel Dietch Page 108 - 110

**A RESOLUTION OF THE TOWN OF SURFSIDE, FLORIDA SUPPORTING AND ENDORSING THE MIAMI-DADE PARKS AND OPEN SPACE MASTER PLAN; DIRECTING THE TOWN CLERK TO TRANSMIT A COPY OF THIS RESOLUTION TO THE MIAMI-DADE COUNTY BOARD OF COUNTY COMMISSIONERS; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR APPROVAL AND AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE.**

**G. FY 2015/2016 Mid-Year Budget Amendment Resolution –** Guillermo Olmedillo, Town Manager Page 111 - 118

**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, AMENDING THE ANNUAL BUDGET RESOLUTION ADOPTED FOR FISCAL YEAR OCTOBER 1, 2015 TO SEPTEMBER 30, 2016; FOR THE PURPOSE OF AMENDING THE ANNUAL BUDGET IN THE GENERAL FUND, CAPITAL PROJECT FUND, MUNICIPAL TRANSPORTATION FUND, MUNICIPAL PARKING FUND, AND SOLID WASTE FUND; AND OTHER ADJUSTMENTS TO THE BUDGET FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2016; PROVIDING FOR APPROVAL AND AUTHORIZATION; 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. Coastal Issues Committee Abolishment –** Commissioner Michael Karukin Page 119

**B. Boards and Committees Appointments (Verbal) –** Guillermo Olmedillo, Town Manager

- C. **Administrative Assistant for Legislative Department** – Commissioner Daniel Gielchinsky Page 120
- D. **November 2016 Regular Commission Meeting Date Change (Verbal)** – Sandra Novoa, Town Clerk
- E. **Pelican Harbor Seabird Station 36<sup>th</sup> Anniversary Celebration Fundraising Event** – Guillermo Olmedillo, Town Manager Page 121
- F. **Planning and Zoning Board Resolution No. 2016-Z-2360** – Sea Level Rise – Guillermo Olmedillo, Town Manager Page 122 - 219
- G. **Planning and Zoning Board Resolution No. 2016-Z-01** – Streetscape – Guillermo Olmedillo, Town Manager Page 220 - 223
- H. **Bal Harbour Shops Status Update** – Guillermo Olmedillo, Town Manager Page 224 - 225

## 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  
Town Commission Meeting  
MINUTES  
March 8, 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 7:00 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. Vice Mayor Tourgeman and Commissioner Olchyk were absent for the roll call.

Commissioner Olchyk arrived at 7:01 p.m. Vice Mayor Tourgeman arrived at 7:02 p.m.

**C. Pledge of Allegiance**

Police Chief Allen led the Pledge of Allegiance

As a point of privilege the Mayor paid tribute to former Vice Mayor Novak who recently passed away and asked for a moment of silence in her honor.

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

Commissioner Olchyk thanked the residents for their confidence in her and electing her to the Commission over the past years. Commissioner Cohen also recognized former Vice Mayor Novak. He thanked the residents for allowing him to serve them over the past two years and hopes to come back and serve again. Vice Mayor Tourgeman said it has been an honor to serve the past two years and encourages all to get involved and hopes to serve as a leader in the coming years.

Mayor Dietch said in recognition of her service and involvement in Surfside a “Marta Olchyk Day” was set aside to honor her. The Mayor thanked Commissioner Olchyk for her service to the town and said even though they disagreed on some items it was a pleasure to work with her. He also thanked the community and his colleagues for the privilege of serving the people of Surfside.

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

Vice Mayor Tourgeman made a motion to add Passive Park as a discussion item, 9C. The motion received a second from Commissioner Olchyk and all voted in favor.

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



Mayor Dietch announced the upcoming community events which can be found in the Gazette and on the Town's website. He reminded all of the upcoming Municipal Election and Presidential Primary which will be held on March 15<sup>th</sup>. Vice Mayor Tourgeman gave an update on the Tourist Board. Commissioner Olchyk publically thanked Police Officer Hector Perez for looking after her well beings after the meetings.

**G. Surfside Police Department (SPD) Re-Accreditation** – Guillermo Olmedillo, Town Manager

Manager Olmedillo thanked Commissioner Olchyk for all the help she has given him. He then gave an update on the item and said they have received re-accreditation for another three-year period. Chief Allen also spoke on the item and thanked his command staff and especially Lieutenant John Bambis for which a plaque was given. Mayor Dietch praised Chief Allen for his leadership.

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

**3. Consent Agenda**

Vice Mayor Tourgeman pulled Item 3C, Item 13, IT and TV Broadcasts. On behalf of the residents, Mayor Dietch pulled Item 3 E.

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

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

**February 9, 2016 Regular Commission Meeting Minutes**

**B. Budget to Actual Summary as of December 31, 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**  
Pulled by Vice Mayor Tourgeman 3C, Item 13 IT & TV Broadcasts) The Vice Mayor had concerns that when telephone lines went down there was no communication with the Police Dept. Chief Allen responded and said that has been corrected and the Police lines do not go down completely as they have a backup.
- 4. Payments on Code Compliance Cases**
- 5. Programs**
- 6. Police Department Re-Accreditation**
- 7. Police Civilian of the Year**
- 8. Police Department Personnel Changes**
- 9. 2015 Leo Awards Finalists**
- 10. Police Events**

**11. 88<sup>th</sup> Street End/ Beach Access**

**12. Dumpsters**

**13. Information Technology and TV Broadcasts**

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

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

- November 19, 2015 Pension Board Minutes
- January 20, 2016 Coastal Issues Committee Meeting Minutes
- January 28, 2016 Planning and Zoning Board Meeting Minutes
- March 2, 2016 Coastal Issues Committee Draft Report

(Pulled by Mayor Dietch 3E) Manager Olmedillo gave an update on the Coastal Issues Committee Report and said several meetings were held and were open to the public. The Mayor thought it prudent to have a workshop. Vice Mayor Tourgeman said the workshop should be all inclusive and property owners advised. Commissioner Karukin feels additional work has to be done as he does not agree with some of the Committee's recommendations.

Vice Mayor Tourgeman made a motion not to accept the Coastal Issues Committee Report. The motion received a second from Commissioner Karukin. The Mayor spoke about the Committee and the work they put into it and feels it disrespectful to reject as the report is not a reflection of the content of the report. The motion carried 4/1 with Mayor Dietch voting in opposition.

Public Speakers:

- Silvia Coltrane just wanted to say thank you to Commissioner Olchyk.
- Joel Simmonds said his organization is willing to work with the town as everyone has a right to enjoy the beach.
- Larisa Alonso encourages that everyone in the community be advised of the upcoming workshop. She also spoke about beach issues and hopes the new Commission listens to the needs of its residents.
- Deborah Cimadevilla has previously asked that the meetings of this Committee be televised and many residents were not aware of the meetings being held. She also spoke of beach issues they are facing and more to come.
- Ray Marvel was unhappy with the decisions made that have taken away their dream of living on the beach. A big issue is the placing of chairs by groups and which take up space and residents cannot come and place their chairs.
- Elizabeth Cimadevilla said the city has to think about its citizens not just the developers.

**F. Donation to Do the Right Thing Program** – Guillermo Olmedillo, Town Manager

**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, AUTHORIZING THE EXPENDITURE OF FUNDS IN THE AMOUNT OF \$500.00 FOR A DONATION TO THE “DO THE RIGHT THING OF MIAMI, INC.” PROGRAM FROM THE FISCAL YEAR 2015/2016 GENERAL FUND, OTHER GRANTS/AID, ACCOUNT NO. 001-1000-511-8300; PROVIDING FOR APPROVAL AND AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE.**

Approved on consent.

**G. Marta Olchyk Day: After-the-Fact Resolution – Mayor Daniel Dietch**

**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA APPROVING AN AFTER-THE-FACT PROCLAMATION PROCLAIMING MARCH 8, 2016 AS “MARTA OLCHYK DAY”; PROVIDING FOR APPROVAL AND AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE.**

Approved on consent.

**H. Approve a proclamation designating April 17, 2016 as the Town’s Arbor Day to be recognized as a Tree City USA participant and authorize the Mayor to execute – Guillermo Olmedillo, Town Manager**

**A RESOLUTION OF THE TOWN OF SURFSIDE ADOPTING A PROCLAMATION HONORING THE IMPORTANCE OF TREES FOR THE TOWN OF SURFSIDE’S COMMUNITY AND ENVIRONMENT; PROCLAIMING APRIL 17 IN THE TOWN OF SURFSIDE AS “ARBOR DAY”; PROVIDING APPROVAL AND AUTHORIZATION; PROVIDING FOR AN EFFECTIVE DATE.**

Approved on consent.

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

**4. Ordinances**

**A. Second Reading Ordinances (none)**

**B. First Reading Ordinances (none)**

**5. Resolutions and Proclamations**

**A. Town Commission Climate Change Urging Resolution – Mayor Daniel Dietch**

**A RESOLUTION OF THE TOWN OF SURFSIDE, FLORIDA, URGING THE UNITED STATES CONGRESS TO ESTABLISH A FUND TO FINANCIALLY ASSIST AND SUPPORT LOCAL GOVERNMENTS, SUCH AS THE TOWN OF SURFSIDE, FLORIDA IN DEVELOPING AND IMPLEMENTING SOLUTIONS TO SEA LEVEL RISE AND RELATED IMPACTS; DIRECTING THE TOWN CLERK TO TRANSMIT A COPY OF THIS RESOLUTION TO EACH MEMBER OF THE FLORIDA CONGRESSIONAL DELEGATION, EACH MEMBER OF THE MIAMI-DADE COUNTY COMMISSION AND EACH MAYOR OF THE MUNICIPALITIES IN MIAMI-DADE COUNTY; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR APPROVAL AND AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE.**

Town Clerk Sandra Novoa read the title of the resolution. Mayor Dietch gave an update on the item

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

**B. Approval to improve the Southwest parking lot at Town hall – Guillermo Olmedillo, Town Manager**

**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, APPROVING THE EXPENDITURE OF FUNDS FOR THE RESTRUCTURING AND REPAVING OF THE TOWN HALL SOUTHWEST PARKING LOT; AMENDING THE TOWN'S BUDGET FOR FISCAL YEAR 2015/2016; AUTHORIZING THE APPROPRIATION AND EXPENDITURE IN THE AMOUNT OF \$30,000.00 FROM THE FISCAL YEAR 2015/2016 MUNICIPAL PARKING FUND, IMPROVEMENTS OTHER THAN BUILDING ACCOUNT; ACCOUNT NO. 402-9500-545-6310; PROVIDING FOR APPROVAL AND AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE.**

Town Clerk Sandra Novoa read the title of the resolution.

Manager Olmedillo gave an update on the item. Director Joe Kroll gave more details on the item. Commissioner Olchyk questioned the amount of money being spent and feels it is not justified. Commissioner Karukin supported the item. Vice Mayor Tourgeman asked the Manager where the money was coming from since it was not a budgeted item. The Manager said it was coming from the parking fund.

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

**C. Resolution Authorizing Issuance of a contract for mandated smoke testing of the sanitary sewer system utilizing a previously competitive bid contract with a vendor providing similar services within the State – Guillermo Olmedillo, Town Manager**

Town Clerk Sandra Novoa read the title of the resolution. Chris Giordano from CGS presented the item.

**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, AUTHORIZING THE EXPENDITURE OF FUNDS IN THE AMOUNT OF \$11,238.49 TO CONTRACT WITH USSI TO PROVIDE SEWER SMOKE TESTING SERVICES FROM THE FISCAL YEAR 2015/2016 WATER AND SEWER FUND, ACCOUNT NO. 401-9900-536-3110; PIGGYBACKING OFF THE COMPETITELY BID CONTRACT AWARDED BY TOHO WATER AUTHORITY; PROVIDING FOR APPROVAL AND AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE.**

The Mayor asked that the residents be informed of the project so they are not alarmed when seeing smoke coming out of the sewer.

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

**D. Approval for work authorization No. 96 to Calvin Giordano & Associates for Traffic Signal Modification Engineering – Guillermo Olmedillo Town Manager**

**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA APPROVING CALVIN, GIORDANO & ASSOCIATES, INC. WORK AUTHORIZATION NO. 96 FOR ENGINEERING, SURVEYING AND DESIGN SERVICES FOR MODIFICATION TO THE EXISTING TRAFFIC SIGNALS; AMENDING THE TOWN'S BUDGET FOR FISCAL YEAR 2015/2016; AUTHORIZING THE APPROPRIATION AND EXPENDITURE IN THE AMOUNT OF \$84,994.62 FROM THE CITIZENS INDEPENDENT TRANSPORTATION TRUST FUND FROM THE FISCAL YEAR 2015/2016 MUNICIPAL TRANSPORTATION FUND RESERVES, ACCOUNT NO. 107-8500-549-3110; PROVIDING FOR APPROVAL AND AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE.**

Town Clerk Sandra Novoa read the title of the resolution.

Manager Olmedillo presented the item. Chris Giordano from CGA clarified that this was not a study. Commissioner Olchyk thought this was outrageously expensive and said she was told that DOT could handle this. Mr. Giordano said DOT could not do this and any information she may have gotten to get this done cheaper was incorrect. He gave further details on what needs to be done. Mayor Dietch asked Manager Olmedillo his thoughts and the Manager said he felt this was a fair proposal. Commissioner Karukin had questions which Mr. Giordano answered to his satisfaction. Vice Mayor Tourgeman also had questioned light timing and did not agree with Mr. Giordano's response.

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

**E. Recommendation to the United States Coast Guard to Support the Modification of the Operating Schedule for the 63 Street Bridge and the 96 Street Bridge – Guillermo Olmedillo, Town Manager**

**A RESOLUTION OF THE TOWN OF SURFSIDE, FLORIDA, SUPPORTING THE UNITED STATES COAST GUARD MODIFICATION OF THE OPERATING SCHEDULE OF THE 63<sup>RD</sup> STREET BRIDGE ACROSS INDIAN CREEK, MILE 4.0 AT MIAMI BEACH, FLORIDA, PURSUANT TO DOCKET NUMBER USCG-2015-0940; URGING THE UNITED STATES COAST GUARD TO CONSIDER MODIFICATIONS TO THE OPERATING SCHEDULE OF THE 96<sup>TH</sup> STREET BRIDGE ACROSS BAY HARBOR ISLANDS; DIRECTING THE TOWN CLERK TO TRANSMIT A COPY OF THIS RESOLUTION TO THE FEDERAL ERULEMAKING PORTAL, THE CLERK OF THE CITY OF MIAMI BEACH, THE CLERK OF THE TOWN OF BAY HARBOR ISLANDS, THE CLERK OF THE VILLAGE OF BAL HARBOUR, THE CLERK OF THE CITY OF NORTH MIAMI AND THE CLERK OF MIAMI-DADE COUNTY; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR APPROVAL AND AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE.**

Town Clerk Sandra Novoa read the title of the resolution.

Manager Olmedillo presented the item. Chief Allen gave more details on the item.

Commissioner Karukin made a motion to approve. The motion received a second from Commissioner Olchyk. The motion carried 4/1 with Vice Mayor Tourgeman absent for the vote.

## **5. Good and Welfare**

Mayor Dietch opened the public speaking.

### Public Speakers:

-Sandra Argow thanked the Commission for sharing their time and service to Surfside and feels they have left the town better than when they first took office.

-Dr. Marvin Shuster spoke about speeding cars and the installation of speed bumps as no one pays attention to stop signs.

Steven Parker spoke about the Shul traffic and pick-up of children in the alley which causes lots of traffic in the residential area. He also spoke in general about traffic on Byron and 95<sup>th</sup> and gave some suggestions. He asked that when planning for the expansion of the business district consideration be given to traffic which may reflect on residential streets.

-Rebecca Shionis spoke about environmental change and the adding of parking lots only encourages the use of more cars. She also asked for more bike racks and more pedestrian friendly crossings. She feels we should reduce the amount of garbage pickups and increase the amount of recycling pickups.

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

The Mayor commented on the traffic issues by the Shul and also addressed environmental change and explained why some decisions are made. Commissioner Cohen spoke on access to the beach ocean for those who are in wheelchairs. Commissioner Olchyk commented on pedestrian access to cross streets even to go to a Publix.

## **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. Recommendation to Modify the Travel Lanes at 90 Street and Harding Avenue** – Guillermo Olmedillo, Town Manager  
Manger Olmedillo presented the item. There was a visual on the item.  
Chief Allen gave details on the item.

The Mayor opened the item to public hearing.

### Public Speakers:

-Konrad Danza had concerns especially on one-way traffic and construction.

-Deborah Cimadevilla agrees with Mr. Danza and would like to see a traffic light there. She also said we need to do something about Byron Ave.

-Elizabeth Cimadevilla agrees with Mr. Danza and does not think this is the solution to the problem. She believes a traffic light would help and thinks another solution should be looked at and all residents should have a say in this as this may be putting neighbor against neighbor.

The Mayor asked Chief Allen to address why some of the suggestions made were rejected by FDOT. He indicated that they have put in for a grant to put a pedestrian blinking light. Pedestrian safety was very much discussed. After hearing from the speakers, Commissioner Karukin was not too sure if this was the right way to go. Commissioner Cohen feels we have to look at this more closely and was concerned with the comment made by Ms. Cimadevilla regarding "neighbor against neighbor." Vice Mayor Tourgeman suggested having a gate bar on 94<sup>th</sup> Street and Abbott where residents would have a transponder.

Passing the gavel, the Mayor made a motion to direct the City Manager to come up with a comprehensive Traffic Mitigation Program and to put initiatives together as to everything that has been done and what can be done. Also, to have a workshop with the community within 45 days from now and present it to the new Commission. The motion received a second from Commissioner Olchyk and all voted in favor.

**B. Condominium Termination Law Urging Resolution – Mayor Daniel Dietch**

Mayor Dietch presented the item. He asked members of the Commission if they had been approached by condo residents for help. Commissioner Olchyk said she was told by some residents that they are being forced to move out of their homes. Commissioner Cohen feels this should be left for the new Commission as this is a very complex matter.

Commissioner Olchyk made a motion to have the town attorney look into it. Passing the gavel, Mayor Dietch seconded. The motion failed with Vice Mayor Tourgeman, Commissioner Cohen and Commissioner Karukin voting in opposition.

Commissioner Karukin and Commissioner Cohen changed their mind and a new vote was taken. The motion carried 4/1 with Vice Mayor Tourgeman in opposition.

Public Speaker Barbara Cohen said this is a moot point and it is too late now for this legislation session.

Commissioner Cohen made a motion to take Item 3E before Item 9C. The motion received a second from Commissioner Olchyk and all voted in favor.

**C. Passive Park (Item added by Vice Mayor Tourgeman)**



The Vice Mayor asked that the Commission consider a play area for children at the Community Center.

Vice Mayor Tourgeman made a motion to have the Parks and Recreation Dept. go to the process of exploring some play equipment for children in the back of the Community center. The motion received a second from Commissioner Karukin. Mayor Dietch reminded that there is a 5-year capital plan in place. Commissioner Karukin made a friendly amendment that the deliberation includes the 5-year plan. Vice Mayor Tourgeman accepted the amendment. The motion passed with all voting in favor.

**10. Adjournment**

The meeting adjourned at 10:02 pm.

Respectfully submitted,

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

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

Attest:

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



## **TOWN MANAGER'S REPORT APRIL 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. The plans were resubmitted on March 18. The second Development Review meeting will be held on April 18, 2016.

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 was held on February 11, 2016. The Planning and Zoning Board is expected to hear this application in April.

D. 9300 Collins Avenue – A site plan application for 68 townhouse units, replacing 101 multifamily units, has been submitted. A Development Review meeting was held on March 10, 2016.

E. 8851 Harding Avenue – a site plan application for 23 units was submitted in 2014. A Development Review meeting was held in January 2015. No resubmittal has been received to date.

### **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.

Informational letters were mailed to each Harding Avenue property owner to advise them that the Town will begin strict enforcement activities in the business district beginning the week of March 15, 2016.

On March 22, 2016, the Code Compliance Unit and a Surfside Police Department Neighborhood Resource Officer conducted a Harding Avenue Alleyways commercial property inspection. The Officers noted and photographed many code violations, and issued code violation notices to the property owners and to their tenants.

#### **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: 65 cases have submitted payments totaling \$78,530 (thru March 20, 2016)
- 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 Town of Surfside 12<sup>th</sup> Annual Spring Egg Hunt was held on March 19, 2016 at 96<sup>th</sup> Street Park. The event had over 325 participants; activities included face painting, egg hunt, DJ and a parent egg hunt.
- The Third Annual Spring Adventure Camp was held at the Community Center during school spring break March 21 - March 25. This program had 45 participants this year and over \$6,000 in revenue was collected.
- The Boy's Under 8 Soccer Team placed second during the NEMS soccer tournament held in March at St. Patrick's Park.
- The Parks and Recreation Department staff participated in the Miami Dade County Bike to Work Day (Bike 305) held on March 4, 2016 in Coral Gables.
- The Town of Surfside will be a host site for the annual Bayanza Shoreline Clean-Up. The date will be Saturday, April 16, 2016 from 9:00 am – noon at the Community Center.

### **Police Department**

#### **6. March Significant Arrests**

Grand Theft Arrest (1) – March 7, 2016: subject was arrested and charged with three counts of grand theft and one count of fraudulent use of credit card in connection with the three separate crimes.

Residential Burglary Arrest (1) – March 11, 2016: with the assistance of Miami Beach Crime Scene, Detectives were able to identify, locate and arrest the subject. The subject was charged with two counts of burglary (1) occupied (1) unoccupied and two counts of grand theft.

### **7. Traffic/Parking Improvement Recommendation Meeting**

The Town of Surfside will host a Traffic/Parking Improvement Recommendation meeting for residents on Tuesday April 19, 2016, at 5:00 pm at Surfside Town Hall, 9293 Harding Avenue, in the Commission Chambers.

The meeting will include a presentation on the current traffic mitigation systems, traffic calming devices and enhanced loading zones. Recommendations will also be discussed about modified traffic patterns between Collins Avenue and Harding Avenue and expanding the use of on-street parking. The goal of the meeting is to present considerations for these topics and allow for needed feedback from the public.

### **8. Town of Surfside Loading Zones**

In an effort to enhance the flow of vehicular traffic on Harding Avenue and increase the availability of loading zones for businesses. The following locations will be loading zones between the hours of 6am–10am, Monday through Friday:

- 9500 block of Harding Avenue on the west-side in front of the CVS store (4 parking spaces)
- 9400 block of Harding Avenue on the west-side in front of the Publix Supermarket (4 parking spaces)
- 300 block of 95<sup>th</sup> Street on the south-side adjacent to the parking lot (3 parking spaces)

These spaces will allow sufficient parking for large trucks that need to unload or load items and place these vehicles outside of the residential areas of Surfside. The new loading zones are operational as of March 5. The aforementioned additional loading zones supplement the existing permanent loading zones that are located in the business district at the following locations:

- 200 block of 95<sup>th</sup> Street on the south-side (1 parking space)
- 300 block of 95<sup>th</sup> Street on the south-side (extended area)
- 300 block of 95<sup>th</sup> Street on the north-side (extended area)

The additional loading zones coupled with the existing loading zones are expected to reduce double parking occurrences on Harding Avenue in the business district and therefore enhance traffic flow and reduce traffic crashes. Surfside Police Officers and Parking Enforcement Officers will monitor these areas for compliance.

### **9. Surfside Police Enforces Seat Belt Law**

The Surfside Police Department participated in a statewide Click It or Ticket campaign March 1-14 as law enforcement agencies statewide dedicated resources to enforce seat belt laws and encourage people to wear their seat belts. A total of 242 citations in connection with the campaign were issued by Surfside officers in the two week period. An additional 98 citations were issued for

violations ranging from speeding to driving with suspended license. Officers also made 24 arrests for DUI, Warrants and Narcotics on the traffic stops during this campaign.

#### **10. Commercial Security Assessment of Young Israel Synagogue**

On March 15, 2016, Neighborhood Resource Officer Dianna Hernandez conducted a commercial security assessment of the Young Israel Synagogue.

#### **11. Traffic Calming**

Traffic calming speed bumps have been installed in two areas on Byron Avenue between 93rd and 95th and on Bay Drive between 93rd and 95th. These calming devices are designed to slow cars down creating a safer experience for those residents who walk or bike.

#### **12. 2015 Leo Awards Winners**

Officer Craig Lovellette and Communications Operator Peter Filiberto won LEO awards at the annual Miami-Dade County Law Enforcement Officer of the Year Gala on March 19, 2016. They tracked, and located by cell phone a suicide victim and called for emergency assistance to save his life.

#### **13. Police Events**

- Parks and Recreation will be hosting an Earth Day Event on April 17 from 8:00 a.m. to 12:00 p.m. The Community Service Aide or Parking Enforcement Officer will cross volunteers (200-300 volunteers expected) at 93 and Collins to community Center. An on duty officer will be assigned to the Polaris on the beach during the event. Parking will not be enforced at the 94<sup>th</sup> Street lot, Town Hall lot or Community Center lot during event.
- 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 April 20 from 9:30 a.m. to 2:30 p.m. in the Commission Chambers.
- The monthly Bike with the Chief will be April 27, 2016 at Town Hall at 5:00 p.m.; Coffee with the Cops will be April 29, 2016 at Starbucks at 10:00 a.m.
- The Surfside Police Department is hosting a National Take Back Initiative on April 30 from 10:00 a.m. to 2:00 p.m. The National Take Back Initiative is an opportunity for the public to surrender expired, unwanted and unused pharmaceutical controlled substances and other medications to law enforcement for destruction. A collection box will be located in front of dispatch.

#### **Public Works**

#### **14. Parking Lot Restructure**

Public Works has begun construction on the southwest parking lot. Paving is expected to take place the first week of April with completion by April 15.

## **15. Hazardous Waste Day**

Public Works has scheduled their annual Hazardous Waste pickup day, which is May 14, 2016 at Town Hall. Residents can bring their hazardous waste to Town Hall between the hours of 9 am – 12 pm that day for proper disposal of their waste. Public Works holds this annual event in an effort to allow for a safe way for residents to dispose of their unwanted, sometimes unsafe chemical products. In addition, it has an environmental effect as well by not having these products going to the landfill if thrown into the daily collection, which is not allowed. Information is posted in the Gazette, Channel 77 and Town website.

## **Town Attorney**

## **16. Historic Preservation Task Force**

Miami-Dade County Historic Preservation meeting

- On March 3, 2016, the Town Manager and Town Attorney's Office attended the Miami-Dade Mayor's Advisory "Work Group" on the Historic Preservation Ordinance
- The Work Group voted to send a letter to Mayor Gimenez with a set of suggested revisions and recommendations on Miami-Dade County's Historic Preservation Ordinance
- The recommendations include:
  - allowing municipalities the ability to remove themselves from County jurisdiction at any time provided the municipalities demonstrate the minimum criteria for administering their own preservation program
  - providing a way for the County to take back jurisdiction of the municipality's historic preservation program in the event they cannot continue to do it on their own

## **17. Parcel 119 at NW 47<sup>th</sup> Avenue**

- The Town owns the 25' strip (Parcel 119) at NW 47<sup>th</sup> Avenue
- FDOT is seeking the property for right of way purposes
- The Town may elect to (1) voluntarily convey the parcel to FDOT (via quit claim deed) for no consideration; or (2) request an appraisal from FDOT and sell the parcel for fair market value

## **18. 9340 Collins Gallery of Surfside History**

- The Miami-Dade County Office of Historic Preservation has required the development at 9340 Collins Avenue to provide a publically accessible gallery and interpretative exhibit space, either within the 9340 building or at another suitable, publically accessible space like the Town Hall or Community Center.
- As of this date, the Town Attorney's office has not received a detailed scope of the exhibit proposal. The Town Attorney is initially receptive to the concept with a number of caveats. The Town of Surfside must be provided with a plan that describes the cost, time, need for space and scope of the project.

- The Town of Surfside Town Commission must approve the plan to relocate the exhibit to the Town Hall or the Community Center.

## **PROJECTS PROGRESS UPDATES**

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

IT is currently managing the Audio/Video subcontractor and the upgrade is moving ahead on schedule. The radio upgrade for the Police Department has been completed and training is scheduled. IT is working with Dell on obtaining pricing for new Police and Tall Hall computers. IT is working with the newly elected Commissioners to provide them with IPHones and IPads. The replacement aircards for the Police Department have been obtained and distributed to the Officers. IT is working with Finance to purchase updated versions of Microsoft Exchange. IT is working with the Police Department to provide data from COPLINK to LinX. IT will be completing general housekeeping in the server room during April.

Respectfully submitted:



Guillermo Olmedillo, Town Manager

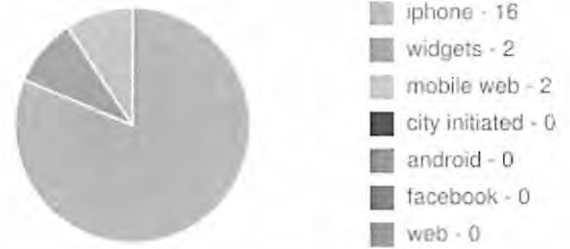
Between Mar 01, 2016 and Mar 31, 2016

20 issues were opened

23 issues were closed

The average time to close was 10.1 days.

Issues by Source



SERVICE REQUEST TYPE	OPENED	CLOSED	DAYS TO CLOSE
Beach Issue	3	3	1.1
Other	3	4	3.1
Code Compliance (Violation)	2	3	42.0
Parking Issue	2	2	0.1
Utilities (Water/Sewer) (PW)	3	3	1.1
Barking Dog	2	2	17.9
Construction Issues	1	2	16.1
Police (Safety Concern)	1	1	2.6
Solid Waste (Commercial) (PW)	1	1	0.1
Solid Waste (Residential) (PW)	1	1	7.9
Street lights (PW)	1	1	8.0
96 Street Park (P & R)	0	0	0.0
Beach Patrol	0	0	0.0
Code Compliance (Safety Concern)	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
Drainage/Flooding (PW)	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
Surfside Dog Park (P & R)	0	0	0.0
Veterans Park (P & R)	0	0	0.0

Between Jan 01, 2008 and Mar 31, 2016

299 issues were opened

296 issues were closed

The average time to close was 42.0 days.

Issues by Source




SERVICE REQUEST TYPE	OPENED	CLOSED	DAYS TO CLOSE
Other	84	84	19.9
Police (Safety Concern)	54	54	9.7
Beach Issue	31	31	20.9
Code Compliance (Violation)	26	24	69.9
Street lights (PW)	18	18	313.1
Parking Issue	12	12	0.8
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)	7	7	37.7
Utilities (Water/Sewer) (PW)	8	8	0.8
Barking Dog	7	6	20.5
Hawthorne Tot-Lot (P & R)	4	4	5.2
Pothole (PW)	4	4	5.6
Construction Issues	4	4	8.4
Dog Stations (P & R)	4	4	0.2
Community Center (P & R)	3	3	0.1
Graffiti (PW)	3	3	25.2
Solid Waste (Residential) (PW)	3	3	4.3

Solid Waste (Commercial) (PW)	2	2	0.1
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 

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

**DATE:** April 12, 2016

**SUBJECT:** Office of the Town Attorney Report for April 12, 2016

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

March 10, 2016 – 9300 Collins Development Review Group Meeting

March 16, 2016 – Special Master Hearing

March 16, 2016 – Elected Officials Swearing-in Ceremony

March 31, 2016 – Planning and Zoning and Design Review Board Meeting

March 31, 2016 – Planning and Zoning Board Quasi-judicial Hearing  
 on Variance – 9169 Dickens Avenue

April 4, 2016 – Tourist Board Meeting

April 5, 2016 – Elected Officials Orientation

April 12, 2016 – Town Commission Quasi-Judicial Hearing –  
 9464 Byron Avenue to permit a Practical Difficulty Variance

April 12, 2016 – Town Commission Meeting

**Resolutions prepared and reviewed:**

- Certifying the election results
- Authorizing expenditure of funds for Town parking lot wall maintenance
- Acknowledging the Combined Voluntary Cooperation and Operational Assistance Mutual Aid Agreement between the Town of Medley, Florida and the Town of Surfside
- Approving the Zambelli Fireworks agreement
- Authorizing, after the fact, the expenditure of funds for the purchase of a 2016 Mack rear load tipper attachment
- Authorizing, after the fact, expenditure of funds for the purchase of 2CY and 3 CY Poly Commercial Dumpster Containers
- Supporting Miami-Dade County Park Master Plan
- Supporting the National “Wyland Mayor’s Challenge For Water Conservation”

**Town Commission/Town Manager:**

- Prepared Welcome Packages for Newly Elected Officials
- Preparation for 9300 Collins Development Review Group meeting
- Guidance on Committee and Board term limits
- Provide information and research on sea level rise efforts of Town
- Review and discuss drainage issue on 96<sup>th</sup> Street and Abbott Avenue
- Review Miami-Dade County Sewer Consent Agreement and review contract with USSI to provide sanitary sewer smoke testing services to facilitate compliance
- Meeting with Harvard School of Design on sea level rise adaptation and modeling

**Town Clerk:**

- Review Board and Committee requirements
- Election law

**March 31, 2016 Planning and Zoning and Design Review Board:**

***Design Review Board Applications:***

- A. 8819 Byron Avenue – add a patio roof to the rear of an existing single family residence

- B. 9458 Harding Avenue - install a channel lettering sign and a window sign for a new retail clothing store
- C. 9473 Harding Avenue - install a reverse channel lettering sign
- D. 9013 Dickens Avenue - install a four foot high picket style fence along the north and south property lines, in the front of the property.
- E. 8727 Carlyle Avenue - replace existing asphalt shingle roof with new asphalt shingles
- F. 8859 Carlyle Avenue - The applicant requested to provide a shingle roof for the home under construction.
- G. 725 93<sup>rd</sup> Street - convert a screen patio to a garage, construct a driveway, convert the existing storage room/façade and add a second story addition above the proposed garage in an existing single family residence.
- H. 701 94<sup>th</sup> Street #1 - construction of a new two story single-family residence
- I. 701 94<sup>th</sup> Street # 2 - construction of a new two story single-family residence
- J. 9169 Dickens Avenue - add a 425 square foot addition to the existing single family house. The home was built in 1941. The existing home has a six foot side setback. The current code requires a seven foot six inch side setback. The applicant requested to construct the addition to be flush with the existing home.

***Planning and Zoning Board:***

***Quasi-Judicial Application:***

**A RESOLUTION OF THE TOWN OF SURFSIDE, FLORIDA PLANNING AND ZONING BOARD CONSIDERING THE APPLICATION OF 9169 DICKENS AVENUE TO PERMIT AN UNNECESSARY AND UNDUE HARDSHIP VARIANCE FROM THE REQUIREMENTS OF SECTION 90-45 "SETBACKS" OF THE TOWN OF SURFSIDE CODE OF ORDINANCES; REQUESTING AN 18 INCH SIDE SETBACK VARIANCE FOR THE NORTH PROPERTY LINE TO ADD A 425 SQUARE FOOT ADDITION TO THE EXISTING SINGLE FAMILY HOUSE; PROVIDING FOR AN EFFECTIVE DATE.**

***RESOLUTIONS:***

**A. Sea Level Rise**

**A RESOLUTION OF THE TOWN OF SURFSIDE, FLORIDA PLANNING AND ZONING BOARD; RECOMMENDING TO THE TOWN OF SURFSIDE COMMISSION PURSUANT TO SECTION 90-15(8) OF THE TOWN OF SURFSIDE CODE OF ORDINANCES TO APPROPRIATE RESOURCES FROM THE GENERAL FUND TO THE PLANNING AND ZONING BOARD AS**

**REQUESTED TO PROVIDE FOR THE CONSULTATION, IMPLEMENTATION AND STUDY RELATED TO SEA LEVEL RISE SOLUTIONS IN THE TOWN OF SURFSIDE; DIRECTING THE TOWN CLERK TO INCLUDE A COPY OF THIS RESOLUTION IN THE APRIL 12, 2016 TOWN COMMISSION AGENDA; PROVIDING FOR RECOMMENDATION OF APPROVAL; PROVIDING FOR AN EFFECTIVE DATE.**

**B. Pedestrian Friendly Streetscape**

**A RESOLUTION OF THE TOWN OF SURFSIDE, FLORIDA PLANNING AND ZONING BOARD; RECOMMENDING TO THE TOWN OF SURFSIDE COMMISSION PURSUANT TO SECTION 90-15(8) OF THE TOWN OF SURFSIDE CODE OF ORDINANCES TO APPROPRIATE RESOURCES FROM THE GENERAL FUND TO THE PLANNING AND ZONING BOARD AS REQUESTED TO PROVIDE FOR THE CONSULTATION AND STUDY RELATED TO A PEDESTRIAN FRIENDLY STREETScape; DIRECTING THE TOWN CLERK TO INCLUDE A COPY OF THIS RESOLUTION IN THE APRIL 12, 2016 TOWN COMMISSION AGENDA; PROVIDING FOR RECOMMENDATION OF APPROVAL; PROVIDING FOR AN EFFECTIVE DATE.**

***Discussion Items:***

- A. Commercial Sign Code Definition
- B. Future Agenda Items

**Building Department/Code Enforcement:**

- Special Events Permitting and policy
- Revise sidewalk café letter
- Short-term rentals
- Auction of real and personal property
- Follow up with Code Enforcement and Building Official for on-going settlement of cases
- Review of Code Procedures and preparation for Special Master proceedings
- Review and research other municipalities' demolition permits and contractors' bill of rights ordinances
- Review Section 10-27 penalties on dog violations

**Parks and Recreation:**

- Finalize letter to Cintas
- Review Community Center rental policies and procedures

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

- Review use of Resort Tax
- Intellectual property/trademark review for Town branding

**Public Works:**

- Research parcel 119 at NW 47th Avenue
- Review Chapter 66, Solid Waste, Section 66-46 (b) regarding screening/enclosure of dumpsters
- Review Chapter 66, Solid Waste regarding recycling

**Police Department:**

- Review Red light camera litigation and related proceedings

**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 a Third Amended



Petition for Writ of Certiorari. The Town and Young Israel have filed a response to the Third Amended Petition for Writ of Certiorari and a request for Oral Argument.

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. This case has been scheduled for Oral Argument during the week of June 13, 2016 in the 11<sup>th</sup> Circuit Court of Appeals in Miami, Florida. The Court granted Bakker’s motion for an extension of time to file a reply for 30 days, until April 14, 2016.
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  
Tourist Board  
Meeting Minutes  
February 1, 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 6:41 pm.

**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, Assistant Town Attorney Jane Graham, and Duncan Tavares, TEDACS Director, were present. A quorum was established.

Vice Mayor Eli Tourgeman was absent.

\*Arrived after Roll Call and Items 1-6

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

Board Member Jessica Levison made a motion to approve the December 14, 2015 Meeting Minutes. Board Member Joel Baum seconded the motion. The motion passed unanimously.

**2. Approval of January 11, 2016 Meeting Minutes**

Board Member Jessica Levison made a motion to approve the January 11, 2016 Meeting Minutes. Board Member Joel Baum seconded the motion. The motion passed unanimously.

**3. A/R**

Duncan Tavares, TEDACS Director, provided the Tourist Board with the A/R Spreadsheet. Board Member Joel Baum inquired if there was any new information on the payments and the recourse avenues that could be taken for delinquency. Duncan Tavares, TEDACS Director, responded that the situation and process has not changed. The Financial Department has started to issue the Resort Tax Collection Letter approved by the Tourist Board. The delinquency issues will eventually be processed through the Code Compliance Department.

**4. A/P**

Duncan Tavares, TEDACS Director, provided the Tourist Board with the A/P Spreadsheet and an explanation of the different fields.

**5. Turkel Brands Update**

Duncan Tavares, TEDACS Director, updated the Tourist Board on his meetings with Bruce Turkel, of Turkel Brands, to review the comments and information from the January Tourist Board Meeting. During the March Tourist Board Meeting, Bruce Turkel, of Turkel Brands, will present a revised concept of the brand and a communication plan. Chair Sean McKeen mentioned that he would like to see options for the next steps. Duncan Tavares, TEDACS Director, responded that once the Tourist Board decides on the brand then the TEDACS Department can vet options. Board Member Joel Baum inquired if there would be more opportunities to work on the brand development process. Duncan Tavares, TEDACS Director, responded that Turkel Brands was contracted for a specific time period and mission and that, after March, a new contract would have to be developed and approved. Chair Sean McKeen expressed that he would like to see other options so the plan does not lose momentum. Duncan Tavares, TEDACS Director, said he will ask Bruce Turkel, of Turkel Brands, to prepare options for the March Tourist Board Meeting.

**6. Third Thursday Update**

Duncan Tavares, TEDACS Director, commented that the first Third Thursday was very successful and that the event was attended by a few hundred people. The next Third Thursday will be held on February 18, 2016 and the theme will be the '60s.

**7. Other Business**

Duncan Tavares, TEDACS Director, commented on the Holiday Lights concerns that were brought up at the January Tourist Meeting and at previous Commission Meetings. The TEDACS Department is currently working with the Public Works Department to find options and analyze the cost of installing adaptable lights to address the concerns and other features previously requested. Chair Sean McKeen expressed his approval of this idea. Duncan Tavares, TEDACS Director, mentioned that this initiative might come back to the Tourist Board to fund.

Chair Sean McKeen expressed that one of the challenges for developing the brand will be the closure of the Miami Convention Center and that he supports the expansion of FAM (Familiarization) tours to help supplement the closure and the hiring of someone to manage FAMs. Duncan Tavares, TEDACS Director, responded that FAM tours have been a component of the Tourism 5 Year Plan and it would be possible to expand on a successful program that included the attendance at Trade Shows & Sales Missions. He confirmed that there is a need for someone to concentrate on these efforts as demonstrated by all other tourism destinations and identified in the Tourism 5 Year Plan. Harald Bindeus, of Grand Beach Hotel Surfside, commented that the Town of Surfside Tourism initiatives are funded similarly to the GMCVB from Miami-Dade County. Additionally, it will be difficult to solely rely on the GMCVB for promotion, thus resulting in his support of funding FAM tours in Surfside with a dedicated person to focus on this initiative as seen in other destinations.

**8. Next Tourist Board Meeting: Monday, March 7, 2016 at 6:30pm.**

**9. Public Comment**

Victor May, Surfside Resident, in reference to the Surfside Tourism Brand, expressed his dislike of the Snow Globe and VW Bus as a branding symbol. He is in support of looking at modern symbols. Additionally, he expressed the difficulties surrounding the parking rules in Surfside for tourists and recommends developing Channel 77 programming.

Board Member Sarah Liss inquired if there are parking regulations at the hotel properties. Duncan Tavares, TEDACS Director, responded that the Grand Beach Hotel Surfside is covered by their parking requirements and the Residence Inn/ Marriott was approved for additional spaces that could be available to the public. Vice Chair Barbara Cohen commented that the Town of Surfside should purchase parking spaces from the Residence Inn/ Marriott as parking next to the Community Center has become more difficult.

**10. Adjournment**

Board Member Jessica Levison made a motion to adjourn the meeting at 7:25pm. Board Member Joel Baum seconded the motion. The motion passed unanimously.

Accepted this 7 day of March, 2016

Sarah Liss

Member (print)

[Signature]  
Signature

Attest:

[Signature]



**Town of Surfside  
Coastal Issues Committee  
MINUTES**

February 17, 2016 – 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 7:40 pm

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

Other officials present: Mayor Daniel Dietch, Assistant Town Attorney Jane Graham, and Code Compliance Director Alan Graham.

**2. Approval of Minutes – January 20, 2016**

**Committee Member Cohen made a motion to approve the January 20, 2016 Minutes. The motion received a second from Committee Member Carmona and all voted in favor.**

**Committee Member Cohen made a motion to move item 4, Beach Furniture Ordinance, before item 3. The motion received a second by Committee Member Carmona. After discussion, Committee Member Cohen retracted the motion.**

**3. Beach Chair Set-up Presentation – Grand Beach/Surf Club: William Spencer, Joel Simmonds, Collins Clark, and Cecelia Ward, AICP.**

Mr. Spencer introduced the speakers and provided an overview of the Grand Beach Hotel. He said that all the chairs are placed on the dry sand seaward of the erosion control line, which is owned by the State and he thinks the proposed ordinance will not be accepted by the State. He provided some pictures of the beach through various years. He pointed out that the hard pack is an arterial going north and south, then there is the sand path, and the proposed setback will be an additional path. He provided color-coded aerial pictures, showing the various paths.

Chair Alonso asked Assistant Town Attorney Graham to clarify whether all properties in Surfside extend to the erosion control line. Ms. Graham responded that some do and some don't. Mr. Spencer repeated that the hard pack portion is within the confines of the privately owned lands west of the erosion control line.

Vice Chair Gielchinsky said that he has seen the same surveys, that have been issued to him by FDEP, and he agrees with Mr. Spencer that the hard pack is part of the private property.

Assistant Town Attorney Graham said that this is a public presentation and it is not a quasi-judicial proceeding.

Mr. Simmonds, Grand Beach Hotel Operations, said he respects the right of the general public to have access to the beach. They start in the morning with a set-up, from 7:00 to 9:00 am. During turtle nesting season, they do it after inspectors have gone by. The initial set-up is no more than 60 chairs and side tables. They set-up two rows, with a break in the middle. He showed pictures of the set-up. The number of chairs depends on occupancy and the weather. They leave a clear path east of the dune and by the water. Once guests come down, they ask how many chairs they want and they check their names. During the course of the day, more chairs are set-up on as needed basis. They don't have more than 10% vacant chairs. During the course of the day, they recycle the chairs. The trashcans are emptied on a regular basis. The chairs are stored with covers, they could be in boxes; but moving them out of the beach is not practical. They are complying with all regulations. They understand that the public can sit in any part of the beach not occupied by the chairs. They have a hurricane plan, which has been discussed with the Town. After a storm warning, they remove all furniture from the beach.

Colin Clark, General Manager of the Four Seasons, said their first goal is to ensure the safety of the beach and second the enjoyment of the beach. He showed pictures of their Palm Beach operation. They also start at 7:00am. They rake the beach and also have tractors, they pick-up all debris and garbage. Every two months they organize beach clean up. They get an average of 535 guests, usually have 210 at the pool and 280 at the beach. In the Surf Club, they could have about 900 guests. They estimate they will have 200 chairs on the beach, which is a small number considering the length of the beach. They will balance the number of empty chairs on the beach. They will store the chairs at the beach, at night.

Cecelia Ward, President of JC Consulting, provided handouts of her presentation. She looked at Surfside's characteristics and development by the beach. She had discussions with Town Staff, to get their perspective on the beach operations. She also contacted other coastal communities in Florida. She found out that there are more similarities between communities on the east coast. She handed out the Surfside future land use map, which shows the type of development that has been planned for. She said that when the town encourages that type of development on the beach (condo, multi-family, resort) it comes with an expectation of certain activities on the beach. Surfside is pretty much built-out and a lot of redevelopment is not anticipated. Surfside tourism plan included the type of resorts like Grand Beach and Surf Club. Other cities in the east coast have similar plans. On the west coast, they have focus on conservation plans. Public access to the beach in Surfside is very unique, which have a lot north-south public access. Miami Beach and Surfside have in common that the beach is owned by the State of Florida, and it took many years to develop a beach management plan. They have a letter of agreement between upland properties and the City. Need to find a balance with the type of development that has been encouraged in the Town. Ms. Ward showed pictures showing how the erosion control line has moved through time.

Mr. Spencer provided a summary. He advocates beach management plans in the form that they are doing, and like other communities have done. He restated that they don't feel that the permitting process, as it has been proposed, is the proper way.

Assistant Town Attorney Graham said that the Town went the route of drafting an ordinance because the Town, unlike Miami Beach, does not have a contract with the State. The contract with the State has specific requirements. The Town has tried to get contract with the State and was not able to get one. After that, the Town had conversations with the Florida Department of Environmental Protection (FDEP) and they said that for the protection of public safety there are things a municipality can do. Sunny Isles in a similar situation and the first draft of the Ordinance was drafted based on the one for Sunny Isles.

Vice Chair Gielchinsky asked Assistant Town Attorney Graham whether she has shown the draft ordinance to FDEP. Ms. Graham responded that as of now, they have not shared the ordinance with FDEP. Vice Chair Gielchinsky said that the recommendation to the Commission should include that the draft ordinance be shared with FDEP for their input.

Vice Chair Gielchinsky asked both property managers about their morning set-up. Mr. Colin said that for Palm Beach is a different set-up, for Surfside they plan to do similar to their colleges. Their initial set-up maybe 40 or 50, depending on demand, weather, and sea conditions. Mr. Simmonds said that they met with the Town Manager and it was agreed to start with 60 chairs, for initial set-up.

Vice Chair Gielchinsky asked about the number of chairs after a Holiday. Mr. Simmonds responded that they would look at occupancy and keep less at the beach, when demands are lower.

Committee Member Cohen said that during busy weekends chairs go beyond the property line, north and south. Mr. Simmonds responded that they provide chairs for The Waves, per their agreement. Their initial set-up is inside their property line and about 20 chairs for The Waves. Their policy is an initial set-up of 60 chairs and then they put out about 10% more, as demand increases.

Vice Chair Gielchinsky asked Ms. Ward what other planning tools are available to the Town to regulate public safety and welfare. Ms. Ward responded that the first thing is to define what problem the Town is trying to solve, but she doesn't see what the problem is. The operators have come with management plans and willing to work with the Town.

Chair Alonso added that part of the problem to be addressed is the residential community, many residents are upset and don't want to have the beach covered with chairs. Their presentation did not address the needs of the residents, only the needs of the guests. Ms. Ward said that was the point she was making earlier. The Town has 38 acres of beach and they are only talking about 1-1/2 acres.

Chair Alonso continued by saying that the Committee was formed to protect the residents and they are just other stakeholders. Ms. Ward stated that she talked to Town staff to get input on the issues and heard the public comments from Town residents.

#### Public Speakers:

- Michael Kaftan thanked the Committee for addressing the issue. He said he understands how hard is to balance all the issues. He said he is concerned about the comment that the residents don't have a place to put a chair, and that is not the case in Surfside. He doesn't see a problem finding a place on the beach.

- Tina Paul thanked Chair Alonso for bringing up the residents. She said the beach did not have chairs before. Her condo doesn't have chairs on the beach. The Grand Beach presentation did not show space for residents, they have to make the beach more accessible. They have a problem with litter, and no hurricane plan was presented. In the Palm Beach presentation there were not a lot of chairs by the beach, and she likes that. It looks like the Surf Club looks better than the Grand Beach.

- Debora Cimadevilla thinks there is a giant problem here, and everybody is shocked that there may be about 200 chairs in front of Surf Club. She is concerned about other properties that have been sold recently. The Committee needs to look beyond the Grand Beach and the Surf Club. She said that the beach needs to be family oriented. She showed pictures of Palm Beach Surf Club, where there is not a population of residents and stakeholders. There is a need for space for safety.

- Colin Clark clarified that the Surf Club in Palm Beach is different operation, but the condominium on the west side use the beach and they have a space for storage.
  - Jeff Platt said he is one of the residents and he lives in an upland property. The presenters just want a private beach. They have about 400 chairs stored now, and they will put them out when needed. When people come out to the beach they are like residents, it is a public beach. Why do they have the right to store chairs on the beach? There is no room for the residents to sit. The representative said that the hotel could have 900 guests; he thought they have less room. He has to judge every property like the Grand Beach Hotel. The Surf Club expects privacy, does that mean they don't want anyone on the beach?
  - Joel Simmonds said that the residents said they couldn't sit in front of the chairs at the Grand Beach. As long as the chairs are set-up as needed, anyone can sit there. No one person has more right to sit in any part of the beach. It is a 38-acre beach and there is not a problem right now. They will prepare beach management plan.
  - George Kousoulas said the important thing is to keep it simple and the central concern is where the residents can go. He is an architect and understands dimensions, and when you have 20 feet setback in the front and the back, where would the people go. He presented the plan of setting up a football field at the end of every street, a reservation of about 40 to 50 percent of the beach, which is a vast space.
- Vice Chair Gielchinsky asked Mr. Kousoulas about the issue of properties next to the street ends. He responded that no one has a right to the beach and that anyone can drag a chair there. He suggested a line of 150 feet north and 150 feet south, from the centerline of the street entrance. In the reservation area there will not be morning set up.
- Committee Member Cohen asked how that would be enforced. Mr. Kousoulas said that there would be some markers. Committee Member Cohen added that would take space away from properties on the corner. Mr. Kousoulas thinks that would provide a balance for all the properties and it is simple.
- Marianne Meisched said that as resident she is here for the future and sees the need for regulatory action. Further development is coming and need action. She is not comfortable with the agreements. There needs to be some negotiation and compromise.

#### **4. Beach Furniture Draft Ordinance**

Chair Alonso said that the Committee needs to complete the recommendations to the Commission. She said that at the last Commission meeting residents expressed concern about reservation of space.

**Passing the gavel, Chair Alonso made a motion to adopt the Sanibel Ordinance. The motion died for lack of a second.**

**Committee Member Cohen made a motion to send the two motions that have been passed and the draft ordinance to the Commission. The motion died for lack of a second.**

**Committee Member Cohen made a motion to continue the discussion. The motion received a second by Vice Chair Gielchinsky and all voted in favor.**



Committee Members continued the discussion on the options for the ordinance, taking into consideration previous public comments.

Mayor Dietch made the comment that various approaches have been proposed and Mr. Kousoulas has made various suggestions. The reservation area, excluding commercial operations, is a simple approach for the residents. People don't want to walk to the beach and then have to walk around a set-up. It is a proximity issue. The reservation area would have to be acceptable to the State. There are four basic points: need to have a balance, the operation has to be internal to the property, need a site plan for enforcement, and it will have to be revocable.

Public Speakers:

- William Spencer asked for clarification on the 50 percent factor. He thinks that is invalid. He said that if the original ordinance is supported, the permit condition "vendor must remove all beach furniture from the public beach by sunset" should be removed. He recommends that the Town counsel to consult with FDEP prior to sending the recommendation to the Commission.

- Joel Simmonds said that what the Committee suggested that the proposed ordinance would not be workable. He thinks the moment that the Chateau Property and Azure Property find out that this is going to the Commission, the first thing they will be doing is appointing lawyers to fight it; because to tell them, high end properties, that they cannot set-up beach chairs outside their property they are going to fight it. The Committee doesn't seem to be counting the area outside the Community Center, which is public beach, and the area to have direct access to the beach. The beach management plan is a supportable recommendation to the Commission

- Michael Kaftan said that Mr. Simmonds made good points. He thinks that this is a rush to judgment and that doesn't work. He just wants to work something out and come to a solution.

**Vice Chair Gielchinsky made a motion to extend the meeting to 11:30pm. The motion received a second by Committee Member Carmona and all voted in favor.**

- Jeff Platt said that the 20/20 motion that got passed is impossible to pass, with all the vehicles that pass it is impossible to sit there. It is an unusable space. He thinks that the solution proposed by Mr. Kousoulas is more sensible, that works for everybody.

- Deborah Cimadevilla showed a brochure of Surfside. She likes the Sanibel Ordinance, but George's idea came about from talking about the residents, to have those areas reserved. They agree to create areas at the street ends and it was about living that space reserved for the resident, and the permittee people are contained in that other area. That was the issue, Bertha had a problem with that, but she is just one person and all you guys are in agreement. She doesn't know the legal ramifications. She made the request that because 91<sup>st</sup> St is blocked by the Surf Club, the amount of space to be given to 91<sup>st</sup> St. entrance be divided up and given to the other entrances.

**Committee Member Carmona made a motion to reconsider the motion made at the January 2016 meeting to have a setback of 20 feet on the dune side and 20 feet on the ocean side. The motion received a second by Vice Chair Gielchinsky and all voted in favor.**

**Committee Member Cohen made a motion to incorporate all changes into the first reading ordinance that was presented, with a safety buffer of 150 feet at each street egress, north and**

south, reserved for public access; reserving at least 20 feet from the dune for public safety; overnight storage is permitted, subject to an operation plan approved by the Town, subject to revocation; and removing the overnight storage restrictions in the Draft Beach Furniture Ordinance. The motion received a second by Committee Member Carmona. The motion carried 3-1, with Chair Alonso voting in opposition.

**5. Coastal Issues Committee Report to the Town Commissions**

Vice Chair Gielchinsky made a motion to strike items two and three, from Section IV, and replace them with the motion made tonight; supplement Section IV with the recommendations that the Town Attorney review the proposal for legal sufficiency and the Town Attorney be directed to engage FDEP in a dialogue about their thoughts on the jurisdictional issues being proposed to the Commission. The motion received a second from Committee Member Carmona and all voted in favor.

Vice Chair Gielchinsky made a motion to amend what is now Section IV, number three to read "support the Town and its staff...". The motion received a second from Committee Member Carmona and all voted in favor.

**6. New Business**

There was no new business.

**7. Committee Member Issues**

Vice Chair Gielchinsky, on the Beach Awareness Day, April 17, commended the Town staff on doing a great job in moving that forward.

**8. Public Comment**

There were no more public comment cards.

**9. Next Meeting**

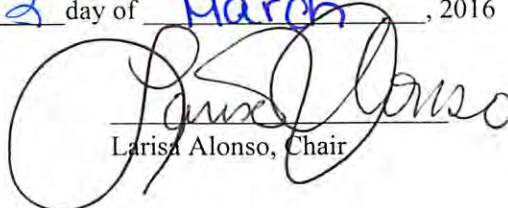
Chair Alonso said that the next meeting is on March 2, 2016 at 7:30 pm.

**10. Adjournment**

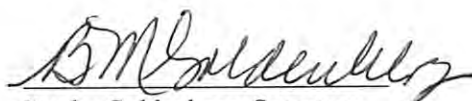
Vice Chair Gielchinsky made a motion to adjourn the meeting. The motion received a second from Committee Member Carmona and all voted in favor. The meeting adjourned at 11:33 p.m.

Respectfully submitted,

Accepted this 2 day of March, 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

**FEBRUARY 25, 2016  
7:00 PM**

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**MINUTES**

**DESIGN REVIEW BOARD**

**1. CALL TO ORDER**

Vice Chair Jacob Kligman called the meeting to order at 7:02 pm.

**2. ROLL CALL**

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

**3. APPROVAL OF MINUTES: **JANUARY 28, 2016****

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

**4. DESIGN REVIEW BOARD APPLICATIONS:**

**A. Request of the Owner of Property located at 9477 Harding Avenue.**

The tenant is requesting a reverse channel LED lettering sign for a restaurant.

Town Planner Sarah Sinatra presented the item. Board Member Gutierrez recused himself.

Jerry Foland representing the applicant spoke on the item and gave an update on the application process regarding the code. He also presented a visual of the proposed sign. Board Member Glynn had questions about the support structure and feels the sign should

be smaller. There was further discussion about the sign, structure and lettering and reducing the sign on each side. Town Attorney Miller gave more insight on the code.

Board Member Castellanos made a motion to approve. The motion received a second from Board Member McKenzie. The motion carried 4/1 with Board Member Glynn voting in opposition and with Chair Lecour absent and Board Member Gutierrez recused.

**B. Request of the Owner of Property located at 9349 Collins Avenue.**

The applicant received approval at the January 28, 2016 Design Review Board meeting for a monument sign on facing Collins Avenue with a marble veneer with frosted glass to provide the LED sign. The sign has been revised therefore, the applicant has submitted a new style with an aluminum backing for push through lettering.

Town Planner Sarah Sinatra presented the item. A visual of the sign was presented.

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

**C. Request of the Owner of Property located at 9257 Dickens Avenue.**

The applicant is proposing the construction of a new two story single-family residence.

Town Planner Sarah Sinatra presented the item. Architect Matt Polak gave details of the proposed project. Miguel Serrano presented visual renderings of the proposed house. The Board had some questions which Planner Sinatra answered to their satisfaction. There was further discussion regarding size of the home, retaining walls and concerns of neighboring houses. Coastal flooding was also brought up by Board Member Glynn and raising properties.

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

1. The applicant shall make efforts to reduce the height of the fill on the north and south side setbacks.

The motion received a second from Board Member Gutierrez and all voted in favor with Chair Lecour absent.

Commissioner Cohen arrived at 7:45 p.m.

**D. Request of the Owner of Property located at 9464 Byron Avenue.**

The applicant is requesting to add a bedroom at the front of the home.

Town Planner Sarah Sinatra presented the item. The architect Eduardo Vasquez gave a detailed presentation of the project.

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

1. Conditioned on the approval of the variance by the Town Commission.

The motion received a second from Board Member Gutierrez and all voted in favor with Chair Lecour absent.

Before adjournment Board Member McKenzie suggested that we have a standard for presentations as some come before the Board with detailed information and renderings and some do not which leave many open questions.

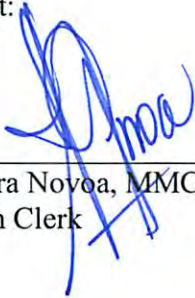
**5. ADJOURNMENT.**

There being no further business to come before the Design Review Board the meeting adjourned at 8:33 p.m.

Accepted this 31<sup>st</sup> day of March, 2016

  
Chair Lindsay Lecour

Attest:

  
Sandra Novoa, MMC  
Town Clerk

**PLANNING AND ZONING BOARD**

**MINUTES**

**FEBRUARY 25, 2016**

**7:00 PM**

**1. CALL TO ORDER**

Vice Chair Jacob Kligman called the meeting to order at 8:34 pm.

**2. ROLL CALL**

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

**3. APPROVAL OF MINUTES: JANUARY 28, 2016**

Board Member Castellanos made a motion to approve. The motion received a second from Board Member Rubenstein and all voted in favor with Chair Lecour absent.

**4. QUASI-JUDICIAL APPLICATIONS:**

**A. 9464 BYRON AVENUE**

**A RESOLUTION OF THE TOWN OF SURFSIDE, FLORIDA PLANNING AND ZONING BOARD CONSIDERING THE APPLICATION OF 9464 BYRON AVENUE TO PERMIT A PRACTICAL DIFFICULTY VARIANCE FROM THE REQUIREMENTS OF SECTION 90-49 OF THE TOWN OF SURFSIDE CODE OF ORDINANCES PURSUANT TO SECTION 90-36.1 OF THE TOWN OF SURFSIDE CODE OF ORDINANCES; TO PERMIT 7% ADDITIONAL LOT COVERAGE FOR AN ADDITION AND RENOVATION TO THE FIRST FLOOR OF THE EXISTING SINGLE FAMILY HOME; PROVIDING FOR RECOMMENDATION OF APPROVAL; PROVIDING FOR AN EFFECTIVE DATE.**

Recording Clerk Frantza Duval read the title of the resolution.

Vice Chair Kligman read the process and rulings of a quasi-judicial hearing.

Recording Clerk Frantza Duval confirmed that compliance with advertising notice requirements have been met.

Attorney Miller asked the Board if anyone had ex-parte communications with the Applicant or any objector. The Board answered no.

Recording Clerk Frantza Duval swore in those who wished to speak on the item.

Town Planner Sinatra presented the item and staff is recommending approval. Vice Chair Kligman opened the public hearing.

Public Speaker Eduardo Vazquez architect gave some details in support of the project.

No one else wishing to speak Vice Chair Kligman closed the public hearing.

Board Member Glynn was in favor of the project and thought the design fit into the neighborhood. Commissioner Cohen was happy that this can go forward.

Board Member Castellanos made a motion to recommend to the Commission. The motion received a second from Board Member Glynn and all voted in favor with Chair Lecour absent.

**5. DISCUSSION ITEMS:**

**1. Single Family Massing**

Town Planner Sinatra presented information on the item and a discussion she had with an architect and some of the problems they have. The Board discussed roof options and sea level rise.

**2. Future Agenda Items**


None

**6. ADJOURNMENT.**

There being no further business to come before the Design Review Board the meeting adjourned at 9:02 p.m.

Accepted this 31<sup>st</sup> day of March, 2016

Attest:

  
\_\_\_\_\_  
Sandra Noyoa, MMC  
Town Clerk

  
\_\_\_\_\_  
Chair Lindsay Lecour



## Town of Surfside Commission Communication

**Agenda Item #:** 3F

**Agenda Date:** April 12, 2016

**Subject:** Certification of Surfside General Municipal Election – March 15, 2016

**Objective:** The results of the March 15, 2016 Town of Surfside General Municipal Election were certified on March 25, 2016 by the Miami-Dade County Supervisor of Elections, Christina White. For the Town record, the Town Commission must now certify the election results.

**Background:** The Town of Surfside elected one Mayor and 4 Commissioners. In the Commissioner race, the highest vote getter will serve as the Vice Mayor for the two year term.

**Analysis:** N/A

**Budget Impact:** The budgeted amount for this election for FY 15/16 is \$25,000. The Town has not received the invoice from Miami-Dade County Elections as of April 4, 2016.

**Growth Impact:** N/A

**Staff Impact:** N/A

**Recommendation:** It is recommended that the Town Commission adopt the attached resolution.

Sandra Novoa, MMC, Town Clerk

Guillermo Olmedillo, Town Manager



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

**RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA CERTIFYING AND DECLARING THE RESULTS OF THE TOWN OF SURFSIDE GENERAL MUNICIPAL ELECTION HELD ON MARCH 15, 2016 FOR THE ELECTION OF MAYOR AND FOUR (4) TOWN COMMISSIONERS; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the Town Commission held a general municipal election on Tuesday, March 15, 2016, for the election of Mayor and four Commissioners of the Town of Surfside, Florida; and

**WHEREAS**, the qualifying period for said election closed on Monday, December 7, 2015; and

**WHEREAS**, Daniel Dietch, Eli Tourgeman and Victor May qualified as candidates for the Office of Mayor, and

**WHEREAS**, Barry Cohen, Daniel Gielchinsky, Jaymy Bengio, Michael Karukin and Tina Paul qualified to run for Town Commissioner; and

**WHEREAS**, an election was held on March 15, 2016 as called and the returns of the Inspectors and Clerk of the General Election have been delivered to the Town Commission; and

**WHEREAS**, the Miami-Dade County Canvassing Board has canvassed the returns, has tabulated the ballots of the absentee voters and has determined the total number of votes at such election for the candidates as shown by said returns.

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

**Section 1.** The above and foregoing recitals are true and correct.

**Section 2.** That the Town Commission finds, declares and certifies the results of the General Municipal Election held on Tuesday, March 15, 2016 for the Office of the Mayor and the Office of Town Commissioners pursuant to Certificate of County Canvassing Board Miami-Dade County (See Exhibit "A" attached).

**Section 3.** It is hereby certified and declared that pursuant to the votes cast in the General Municipal Election held on Tuesday, March 15, 2016, Daniel Dietch was duly elected Mayor, Barry Cohen was duly elected Vice Mayor and Daniel Gielchinsky, Michael Karukin and Tina Paul were duly elected to the Town Commission for the term which shall commence at 8:00 p.m. on Wednesday, March 16, 2016 and end on the third Wednesday in March 2018.

**Section 4.** That the Town Clerk is hereby authorized and directed to perform any and all incidental duties in connection herewith as required by law.

**PASSED** and **ADOPTED** on this \_\_\_\_\_ day of April 2016.

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

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

**FINAL VOTE ON ADOPTION**

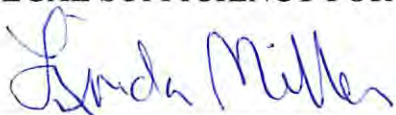
Commissioner Daniel Gielchinsky	_____
Commissioner Michael Karukin	_____
Commissioner Tina Paul	_____
Vice Mayor Barry Cohen	_____
Mayor Daniel Dietch	_____

\_\_\_\_\_  
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

\*\*\*Official\*\*\*

**CERTIFICATE OF COUNTY CANVASSING BOARD  
MIAMI-DADE COUNTY**

We, the undersigned, County Judge SHELLEY J. KRAVITZ, **Chairperson**, County Judge TANYA BRINKLEY, **Member** and Supervisor of Elections CHRISTINA WHITE, **Member**, constituting the Board of County Canvassers in and for said County, do hereby certify that we met on the Twenty-fifth day of March, 2016 A.D., and proceeded publicly to canvass the votes given for the offices and persons herein specified at the **Surfside General Municipal Election** held on the Fifteenth day of March, 2016 A.D., as shown by the returns on file in the office of the Supervisor of Elections. We do hereby certify from said returns as follows:

For **MAYOR** the whole number of votes cast was 1,382 of which number

Daniel Dietch received 782 votes

Victor May received 84 votes

Eli Tourgeman received 516 votes

For **TOWN COMMISSIONER**, the whole number of votes cast was 2,988 of which number

Jaymy Bengio received 441 votes

Barry Cohen received 712 votes

Daniel Gielchinsky received 549 votes

Michael Karukin received 674 votes

Tina Paul received 612 votes

\_\_\_\_\_  
County Judge SHELLEY J. KRAVITZ  
**Chairperson**

\_\_\_\_\_  
County Judge TANYA BRINKLEY  
**Member**

\_\_\_\_\_  
Supervisor of Elections CHRISTINA WHITE  
**Member**

Total ballots cast in Surfside was 1,456 for a 46.58 percent turnout.

SURFSIDE

PRESIDENTIAL PRIMARY  
MIAMI-DADE COUNTY, FLORIDA  
MARCH 15, 2016  
NONPARTISAN

OFFICIAL RESULTS

RUN DATE:03/25/16 04:17 PM

REPORT-EL30A PAGE 0090-04

0090 PRECINCT 009.0

	TOTAL VOTES	%	ED OSS	ED IVO	ABSENTEE	EV OSS	EV IVO	PROV
<b>SURFSIDE: MAYOR</b>								
Vote for 1								
Daniel Dietch . . . . .	782	56.58	451	0	223	108	0	0
Victor May . . . . .	84	6.08	42	0	27	15	0	0
Eli Tourgeon . . . . .	516	37.34	335	0	145	35	0	1
Total . . . . .	1,382		828	0	395	158	0	1
Over Votes . . . . .	5		2	0	3	0	0	0
Under Votes . . . . .	69		30	0	24	15	0	0
<b>SURFSIDE: OFFICE OF TOWN COMMISSIONER</b>								
Vote for 4								
Jaymy Bengio . . . . .	441	14.76	278	0	123	40	0	0
Barry Cohen . . . . .	712	23.83	427	0	201	84	0	0
Daniel Gielchinsky . . . . .	549	18.37	341	0	147	61	0	0
Michael Karukin . . . . .	674	22.56	389	0	217	68	0	0
Tina Paul . . . . .	612	20.48	354	0	187	70	0	1
Total . . . . .	2,988		1,789	0	875	323	0	1
Over Votes . . . . .	0		0	0	0	0	0	0
Under Votes . . . . .	2,836		1,651	0	813	369	0	3

SURFSIDE

RUN DATE:03/25/16 03:55 PM

PRESIDENTIAL PRIMARY  
MIAMI-DADE COUNTY,FLORIDA  
MARCH 15, 2016  
STATISTICS

OFFICIAL RESULTS

REPORT-EL45A PAGE 001

	TOTAL VOTES	%	ED OSS	ED IVO	ABSENTEE	EV OSS	EV IVO	PROV
PRECINCTS COUNTED (OF 1)	1	100.00						
REGISTERED VOTERS - TOTAL	3,126							
REGISTERED VOTERS - REPUBLICAN	835	26.71						
REGISTERED VOTERS - DEMOCRATIC	1,184	37.88						
REGISTERED VOTERS - NONPARTISAN	1,107	35.41						
BALLOTS CAST - TOTAL	1,456		860	0	422	173	0	1
BALLOTS CAST - REPUBLICAN	498	34.20	269	0	154	75	0	0
BALLOTS CAST - DEMOCRATIC	611	41.96	357	0	170	83	0	1
BALLOTS CAST - NONPARTISAN	347	23.83	234	0	98	15	0	0
VOTER TURNOUT - TOTAL		46.58						
VOTER TURNOUT - REPUBLICAN		59.64						
VOTER TURNOUT - DEMOCRATIC		51.60						
VOTER TURNOUT - NONPARTISAN		31.35						

*[Handwritten signature]* 3/25/16

SURFSIDE  
 RUN DATE:03/25/16 03:55 PM

PRESIDENTIAL PRIMARY  
 MIAMI-DADE COUNTY,FLORIDA  
 MARCH 15, 2016  
 NONPARTISAN

OFFICIAL RESULTS  
 REPORT-EL45A PAGE 002

	TOTAL VOTES	%	ED OSS	ED IVO	ABSENTEE	EV OSS	EV IVO	PROV
<b>SURFSIDE: MAYOR</b>								
Vote for 1								
Daniel Dietch . . . . .	782	56.58	451	0	223	108	0	0
Victor Hay . . . . .	84	6.08	42	0	27	15	0	0
Eli Tourgeman . . . . .	516	37.34	335	0	145	35	0	1
Total . . . . .	1,382		828	0	395	158	0	1
Over Votes . . . . .	5		2	0	3	0	0	0
Under Votes . . . . .	69		30	0	24	15	0	0
<b>SURFSIDE: OFFICE OF TOWN COMMISSIONER</b>								
Vote for 4								
Jaymy Bengio . . . . .	441	14.76	278	0	123	40	0	0
Barry Cohen. . . . .	712	23.83	427	0	201	84	0	0
Daniel Gielchinsky . . . . .	549	18.37	341	0	147	61	0	0
Michael Karukin . . . . .	674	22.56	389	0	217	68	0	0
Tina Paul . . . . .	612	20.48	354	0	187	70	0	1
Total . . . . .	2,988		1,789	0	875	323	0	1
Over Votes . . . . .	0		0	0	0	0	0	0
Under Votes . . . . .	2,836		1,651	0	813	369	0	3

SURFSIDE

PRESIDENTIAL PRIMARY  
MIAMI-DADE COUNTY, FLORIDA  
MARCH 15, 2016  
NONPARTISAN

OFFICIAL RESULTS

RUN DATE:03/25/16 03:56 PM

REPORT-EL30A PAGE 0090-02

0090 PRECINCT 009.0

	TOTAL VOTES	%	ED OSS	ED IVO	ABSENTEE	EV OSS	EV IVO	PROV
<b>SURFSIDE: MAYOR</b>								
Vote for 1								
Daniel Dietch . . . . .	782	56.58	451	0	223	108	0	0
Victor May . . . . .	84	6.08	42	0	27	15	0	0
Eli Tourgeman . . . . .	516	37.34	335	0	145	35	0	1
Total . . . . .	1,382		828	0	395	158	0	1
Over Votes . . . . .	5		2	0	3	0	0	0
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<b>SURFSIDE: OFFICE OF TOWN COMMISSIONER</b>								
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Daniel Gielchinsky . . . . .	549	18.37	341	0	147	61	0	0
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Tina Paul . . . . .	612	20.48	354	0	187	70	0	1
Total . . . . .	2,988		1,789	0	875	323	0	1
Over Votes . . . . .	0		0	0	0	0	0	0
Under Votes . . . . .	2,836		1,651	0	813	369	0	3



## Town of Surfside Commission Communication

**Agenda Item #** 3G

**Agenda Date:** April 12, 2016

**Subject:** Mutual Aid Agreement between the Town of Medley Police Department and the Town of Surfside Police Department

**Objective:** It is the responsibility of the Town of Medley and the Town of Surfside to ensure the public safety of their citizens by providing adequate levels of police to address any foreseeable routine or emergency situation; and because of existing and continuing possibility of the occurrence of law enforcement problems and other natural or manmade conditions which are likely to be, beyond the control of the services, personnel, equipment or facilities of the participating police departments; these municipalities have the authority to enter into a Mutual Aid Agreement in order to adequately address any and all of these conditions, to protect the public peace and safety, and to preserve the lives and property of the people of the municipalities.

**Background:** The Mutual Aid Agreement specifies the policies and procedures for joint operations and activities of the Town of Medley Police Department and the Town of Surfside Police Department. The Agreement will be in effect from the date of signing to January 1, 2021.

**Analysis:** The Surfside Police Department requires approval and authorization to enter into the new Mutual Aid Agreement at the request of the Town of Medley Police Department.

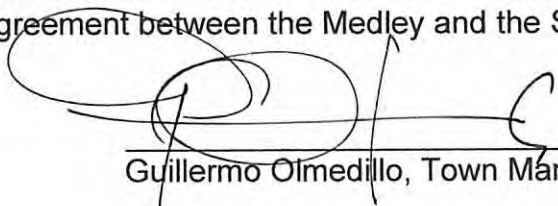
**Budget Impact:** N/A

**Growth Impact:** N/A

**Staff Impact:** N/A

**Recommendation:** It is recommended that the Surfside Town Commission approve the resolution authorizing the Mutual Aid Agreement between the Medley and the Surfside Police Departments.

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

  
\_\_\_\_\_  
Guillermo Olmedillo, Town Manager



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

**A RESOLUTION OF THE TOWN OF SURFSIDE, FLORIDA ACKNOWLEDGING THE COMBINED VOLUNTARY COOPERATION AND OPERATIONAL ASSISTANCE MUTUAL AID AGREEMENT BETWEEN THE TOWN OF MEDLEY, FLORIDA AND THE TOWN OF SURFSIDE, FLORIDA; AUTHORIZING THE TOWN MANAGER AND CHIEF OF POLICE TO EXECUTE AND IMPLEMENT THE TERMS AND CONDITIONS OF THE MUTUAL AID AGREEMENT; PROVIDING FOR APPROVAL; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, it is the responsibility of the Town of Medley and the Town of Surfside to ensure the public safety of their citizens by providing adequate levels of police to address any foreseeable routine or emergency situation; and

**WHEREAS**, there is an existing and continuing possibility of the occurrence of law enforcement problems and other natural and manmade conditions which are, or are likely to be, beyond the control of the services, personnel, equipment or facilities of the participating Police Departments; and

**WHEREAS**, the Town of Medley and the Town of Surfside are so located in relation to each other that it is in the best interest and advantage of each to receive and extend mutual aid in the form of law enforcement services and resources; and

**WHEREAS**, it is in the best interest of the Town to enter with the Town of Medley into the Combined Voluntary Cooperation and Operational Assistance Mutual Aid Agreement (Attachment "A") due to the indispensable need for public safety.

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

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

**Section 2. Authorization and Approval.** The Town Commission authorizes and approves the Town Manager and Chief of Police to execute and implement the Combined

Voluntary Cooperation and Operational Assistance Mutual Aid Agreement between the Town of Medley, Florida and the Town of Surfside, Florida (Attachment "A").

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

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

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

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

**FINAL VOTE ON ADOPTION**

Commissioner Daniel Gielchinsky	_____
Commissioner Michael Karukin	_____
Commissioner Tina Paul	_____
Vice Mayor Barry Cohen	_____
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

COMBINED VOLUNTARY COOPERATION AND  
OPERATIONAL ASSISTANCE  
MUTUAL AID AGREEMENT  
BETWEEN  
THE TOWN OF MEDLEY, FLORIDA AND  
THE TOWN OF SURFSIDE, FLORIDA

This Voluntary Cooperation and Operational Assistance Mutual Aid Agreement is made as of this \_\_\_\_ day of \_\_\_\_\_, 2016, by and between the TOWN OF MEDLEY, FLORIDA, a Florida municipal corporation, having its principal office at 7777 NW 72 Avenue, Medley, Florida 33166, and the TOWN OF SURFSIDE, FLORIDA, a Florida municipal corporation having its principal office at 9293 Harding Avenue, Surfside, Florida 33154, and states as follows:

**WHEREAS**, it is the responsibility of the governments of the Town of Medley, Florida, and the Town of Surfside, Florida, to ensure the public safety of their citizens by providing adequate levels of police services to address any foreseeable routine or emergency situation; and

**WHEREAS**, there is an existing and continuing possibility of the occurrence of law enforcement problems and other natural and man-made conditions which are, or are likely to be, beyond the control of the services, personnel, equipment, or facilities of the Town of Medley Police Department or the Town of Surfside Police Department; and

**WHEREAS**, the Town of Medley and the Town of Surfside are so located in relation to each other that it is in the best interest and advantage of each to receive and extend mutual aid in the form of law enforcement services and resources to adequately respond to:

- (1) Continuing, multi-jurisdictional criminal activity, so as to protect the public peace and safety, and preserve the lives and property of the people; and

- (2) Intensive situations including, but not limited to, natural or manmade disasters or emergencies as defined under Section 252.34, Florida Statutes; and
- (3) Joint provision of certain law enforcement services specified herein and allowed pursuant to Florida Statute 166.0495; and

**WHEREAS**, the Town of Medley and the Town of Surfside have the authority under The Mutual Aid Act, Chapter 23, Part I, Florida Statutes, to enter into a combined mutual aid agreement for law enforcement services which:

- (1) Permits voluntary cooperation and assistance of a routine law enforcement nature across jurisdictional lines; and
- (2) Provides for rendering of assistance in a law enforcement emergency.

**NOW, THEREFORE, BE IT KNOWN**, that the Town of Medley, a political subdivision of the State of Florida, and the Town of Surfside a political subdivision of the State of Florida, in consideration for mutual promises to render valuable aid in times of necessity, do hereby agree to fully and faithfully abide by and be bound by the following terms and conditions.

**SECTION 1: PROVISIONS FOR VOLUNTARY COOPERATION**

Each of the aforesaid law enforcement agencies hereby approve and enter into this agreement whereby each of the agencies may provide voluntary cooperation and assistance of a routine law enforcement nature across jurisdictional lines. The nature of the law enforcement assistance to be rendered shall include but not be limited to:

- a. Concurrent law enforcement jurisdiction in and throughout the territorial limits of the Town of Medley and the Town of Surfside for arrests, made pursuant to the laws of arrest, for felonies and misdemeanors, including arrestable traffic offenses, which spontaneously take place in the presence of the arresting officer, at such times as the arresting officer is traveling from place to place on official business outside of his or her jurisdiction, for

example, to or from court, or at any time when the officer is within the territorial limits of his or her jurisdiction.

- b. Concurrent law enforcement jurisdiction in and throughout the territorial limits of the Town of Medley and the Town of Surfside for arrests, made pursuant to the laws of arrest, of persons identified as a result of investigations of any offense constituting a felony or any act of Domestic Violence as defined in Section 741.28, Florida Statutes, when such offense occurred in the municipality employing the arresting officer.
- c. Concurrent law enforcement jurisdiction in and upon the jurisdictional waters of the Town of Medley and the Town of Surfside for arrests, made pursuant to the laws of arrest, for felonies and misdemeanors and boating infractions.
- d. Participating in exigent situations, without the need for a formal request, including, but not limited to, area searches for wanted subjects, perimeters, crimes in progress, escaped prisoners, traffic stops near municipal boundaries, requests for assistance when no available local units are nearby, calls indicating a crime or incident has occurred in which a citizen may likely be injured and the assisting municipality is closer to the area than the officer receiving the call.
- e. Concurrent law enforcement jurisdiction in and throughout the territorial limits of the Town of Medley and the Town of Surfside for investigations of homicides, sex offenses, robberies, assaults, batteries, burglaries, larcenies, gambling, motor vehicle thefts, drug violations pursuant to Chapter 893, Florida Statutes, and inter-agency task forces and/or joint investigations.

Prior to any officer taking enforcement action pursuant to paragraphs (a) through (e) above, the officer shall notify the jurisdiction in which the action will be taken, unless exigent circumstances prevent such prior notification, in which case notification shall be made as soon after the action as practicable. If the agency having normal jurisdiction responds to the scene the assisting agency's officer may turn the situation over to them and offer any assistance requested including, but not limited to, a follow-up written report documenting the event and the actions taken.

These provisions are not intended to grant general authority to conduct investigations, serve warrants and/or subpoenas or to respond without request to emergencies already being addressed by the agency of normal jurisdiction, but is intended to address critical, life-threatening or public safety situations, prevent bodily injury to citizens, or secure apprehension of criminals whom the law enforcement officer may encounter.

## **SECTION II: PROVISIONS FOR OPERATIONAL ASSISTANCE**

The aforesaid law enforcement agencies hereby approve and enter into this agreement whereby each of the agencies may request and render law enforcement assistance to the other to include, but not necessarily be limited to dealing with, the following:

1. Joint multi-jurisdictional criminal investigations.
2. Civil affray or disobedience, disturbances, riots, large protest demonstrations and assemblies, controversial trials, political conventions, labor disputes, and strikes.
3. Any natural, technological or manmade disaster.
4. Incidents which require rescue operations and crowd and traffic control measures including, but not limited to, large-scale evacuations, aircraft and shipping disasters, fires, explosions, gas line leaks, radiological incidents, train wrecks and derailments, chemical or hazardous waste spills, and electrical power failures.
5. Terrorist activities including, but not limited to, acts of sabotage.
6. Escapes from, or disturbances within, prisoner processing facilities.
7. Hostage and barricaded subject situations, and aircraft piracy.
8. Control of major crime scenes, area searches, perimeter control, back-ups to emergency and in-progress calls, pursuits, and missing person calls.
9. Enemy attack.
10. Transportation of evidence requiring security.

11. Major events, e.g., sporting events, concerts, parades, fairs, festivals, and conventions.
12. Security and escort duties for dignitaries.
13. Incidents requiring utilization of specialized units; e.g., underwater recovery, marine patrol, aircraft, canine, motorcycle, bicycle, mounted, SWAT, bomb, crime scene and police information.
14. Emergency situations in which one agency cannot perform its functional objective.
15. Joint training in areas of mutual need.
16. Joint multi-jurisdictional marine interdiction operations.
17. Off-duty special events.
18. DUI Checkpoints.

### **SECTION III: PROCEDURE FOR REQUESTING OPERATIONAL ASSISTANCE**

1. Mutual aid requested or rendered will be approved by the Chief of Police, or designee. The Chief of Police, or designee, of the agency whose assistance is sought shall evaluate the situation and the agency's available resources, consult with his/her supervisors, if necessary, and will respond in a manner he/she deems appropriate.

2. The Chief of Police in whose jurisdiction assistance is being rendered may determine who is authorized to lend assistance in his/her jurisdiction, for how long such assistance is authorized, and for what purpose such authority is granted. This authority may be granted either verbally or in writing as the particular situation dictates.

3. Specific reporting instructions for personnel rendering mutual aid will be included in the request for mutual aid. In the absence of such reporting instructions, personnel will report to the ranking on-duty supervisor on the scene.

4. Communications instructions should be included in each request for mutual aid and each agency's communications centers will maintain radio contact with each other until the mutual aid situation has ended.

5. Incidents requiring mass processing of arrestees, transporting prisoners, and operating temporary detention facilities will be handled per established procedures of the requesting agency or Chief of Police involved.

**SECTION IV:           COMMAND AND SUPERVISORY RESPONSIBILITY**

**a.       COMMAND:**

The personnel and equipment that are assigned by the assisting Chief of Police shall be under the immediate command of a supervising officer designated by the assisting Chief of Police. Such supervising officer shall be under the direct supervision and command of the Chief of Police or his/her designee of the agency requesting assistance.

**b.       CONFLICTS:**

Whenever an officer is rendering assistance pursuant to this agreement, the officer shall abide by and be subject to the rules and regulations, personnel policies, general orders, and standard operating procedures of his/her own employer. If any such rule, regulation, personnel policy, general order or standing operating procedure is contradicted, contravened or otherwise in conflict with a direct order of a superior officer of the requesting agency, then such rule, regulation, policy, general order or procedure shall control and shall supersede the direct order.

**c.       HANDLING COMPLAINTS:**

Whenever there is cause to believe that a complaint has arisen as a result of a cooperative effort as it may pertain to this agreement, the Chief of Police or his/her designee of the agency employing the officer who is the subject of the complaint shall be responsible for the investigation of the complaint. The Chief of Police or designee of the requesting agency should ascertain at a minimum:

1. The identity of the complainant;
2. An address where the complaining party can be contacted;
3. The specific allegation; and
4. The identity of the employees accused without regard as to agency affiliation.



If it is determined during the investigation of a complaint that the accused is an employee of the assisting agency, the above information, with all pertinent documentation gathered during the receipt and processing of the complaint, shall be forwarded without delay to the agency for administrative review. The requesting agency may conduct a review of the complaint to determine if any factual basis for the complaint exists and/or whether any of the employees of the requesting agency violated any of their agency's policies or procedures.

**SECTION V: LIABILITY**

Each party engaging in any mutual cooperation and assistance, pursuant to this agreement, agrees to assume responsibility for the acts, omissions or conduct of such party's own employees while engaged in rendering such aid pursuant to this agreement, subject to the provisions of Section 768.28, Florida Statutes, where applicable.

**SECTION VI: POWERS, PRIVILEGES, IMMUNITIES AND COSTS**

a. Employees of the Town of Medley and the Town of Surfside when actually engaging in mutual cooperation and assistance outside of their normal jurisdictional limits but inside this State, under the terms of this agreement, shall, pursuant to the provisions of Section 23.127(1), Fla. Stat. (as amended), have the same powers, duties, rights, privileges and immunities as if the employee was performing duties inside the employee's political subdivision in which normally employed.

b. Each party agrees to furnish necessary personnel equipment, resources and facilities and to render services to each other party to this agreement as set forth above; provided, however, that no party shall be required to deplete unreasonably its own personnel, equipment, resources, facilities, and services in furnishing such mutual aid.

c. The political subdivision that furnishes equipment pursuant to this agreement must bear the cost of loss or damage to that equipment and must pay any expense incurred in the operation and maintenance of that equipment.

d. The political subdivision furnishing aid pursuant to this agreement shall compensate its employees during the time of the rendering of aid and shall defray (provide for the payment of) the actual travel and maintenance expenses of its employees while they are rendering aid, including any amounts paid or due for compensation for personal injury or death while its employees are rendering aid.

e. The privileges and immunities from liability, exemption from laws, ordinances and rules, and pension, insurance, relief, disability, workers' compensation, salary, death, and other benefits that apply to the activity of an employee of an agency when performing the employee's duties within the territorial limits of the employee's agency apply to the employee to the same degree, manner, and extent while engaged in the performance of the employee's duties extraterritorially under the provisions of this mutual aid agreement. This section applies to paid, volunteer, reserve and auxiliary employees.

f. Nothing herein shall prevent the requesting agency from requesting supplemental appropriations from the governing authority having budgeting jurisdiction to reimburse the assisting agency for any actual costs or expenses incurred by the assisting agency performing hereunder.

#### **SECTION VII: FORFEITURES**

It is recognized that during the course of the operation of this agreement, property subject to forfeiture under Sections 932.701- 932.707, Florida Statutes, known as the "Florida Contraband Forfeiture Act," may be seized. The property shall be seized, forfeited, and equitably distributed among the participating agencies in proportion to the amount of investigation and participation performed by each agency pursuant of the provisions of the "Florida Contraband Forfeiture Act."

#### **SECTION VIII: INSURANCE**

Each political subdivision shall provide, upon request, satisfactory proof of liability insurance by one or more of the means specified in Section 768.28, Florida Statutes, in an

amount which is, in the judgment of the governing body of that political subdivision, at least adequate to cover the risk to which that party may be exposed. Should the insurance coverage, however provided, of any party be canceled or undergo material change, that party shall notify all parties to this agreement of such change within ten (10) days of receipt of the notice or actual knowledge of such change.

**SECTION IX: EFFECTIVE DATE**

This agreement shall take effect upon execution and approval by the hereinafter named officials and shall continue in full force and effect until \_\_\_\_\_, 2020. Under no circumstances may this agreement be renewed, amended or extended except in writing.

**SECTION X: CANCELLATION**

Either party may cancel its participation in this agreement upon delivery of written notice to the other political subdivision.

**IN WITNESS WHEREOF**, the parties hereto cause to these presents to be signed on the date first written above.

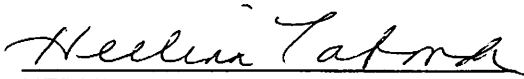
AGREED AND ACKNOWLEDGED this \_\_\_\_\_ day of \_\_\_\_\_, 2016.



ROBERTO MARTELL  
Town Mayor  
Town of Medley, Florida  
Date: 3-7-2016

\_\_\_\_\_  
GUILLERMO OLMEDILLO  
Town Manager  
Town of Surfside, Florida  
Date: \_\_\_\_\_

ATTEST:



HERLINA TABORDA  
Town Clerk  
Town of Medley, Florida

ATTEST:

\_\_\_\_\_  
SANDRA NOVOA, MMC  
Town Clerk  
Town of Surfside, Florida

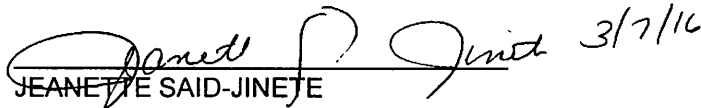
APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY:



WEISS SEROTA HELFMAN COLE & BIERMAN, P.L.  
Town Attorney  
Town of Medley, Florida

APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY:

\_\_\_\_\_  
LINDA MILLER  
Town Attorney  
Town of Surfside, Florida



JEANETTE SAID-JINETE  
Chief of Police  
Town of Medley, Florida

\_\_\_\_\_  
DAVID ALLEN  
Chief of Police  
Town of Surfside, Florida



## Town of Surfside Commission Communication

**Agenda Item #** 5A

**Agenda Date:** April 12, 2016

**Subject:** 4<sup>th</sup> of July Fireworks

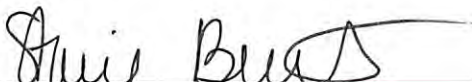
**Objective:** Celebrate the Fourth of July holiday with a day full of activities concluding with a fireworks display.

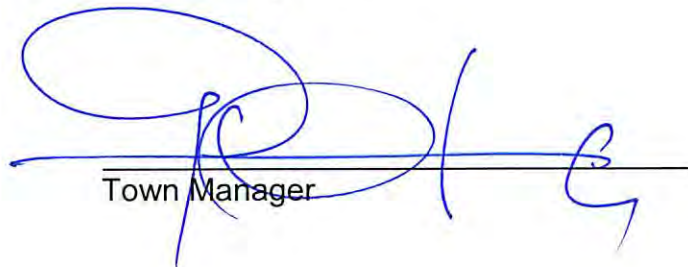
**Background:** The Town of Surfside has previously held celebrations to commemorate the 4<sup>th</sup> of July. The Town of Surfside has an established working relationship with Zambelli Fireworks. Zambelli Fireworks is a highly reputable fireworks company, known nationwide. An annual contract is done by the Town with Zambelli to execute the firework display each year. A resolution is requested for approval of the cost of the fireworks display.

**Analysis:** Hosting a day of activities at the Community Center will continue to showcase the facility along with a capstone event by a national fireworks company that understands the importance of providing top-notch quality service. In addition to the fireworks display, other activities planned for the 4<sup>th</sup> of July celebration include: Live Band, Swim Races, DJ/Emcee, Giveaways, Children Arts & Crafts, and Raffles.

**Budget Impact:** The event/activities during the day are currently budgeted through the Parks and Recreation Department. Total budget impact for the fireworks display is \$12,000. The Tourist Board provides 1/3 of the cost (\$4,000) of the \$12,000 thus reducing the Parks and Recreation Department's cost to \$8,000.

**Recommendation:** It is recommended that the Town Commission approve the Resolution authorizing the contract with Zambelli Fireworks in the amount of \$12,000 for the Town's 4<sup>th</sup> of July celebration.

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

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

  
\_\_\_\_\_  
Finance Director

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

**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, APPROVING THE EXPENDITURE FOR ZAMBELLI FIREWORKS MANUFACTURING CO. FOR EXHIBITION AND DISPLAY OF FIREWORKS; APPROVING THE EXPENDITURE OF \$4,000.00 FROM THE RESORT TAX FUND, ACCOUNT NO. 102-8000-552-48-10 AND \$8,000.00 FROM THE GENERAL FUND, PARKS & RECREATION DEPARTMENT, ACCOUNT NO. 001-6000-572-4810; PROVIDING FOR AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the Town of Surfside (“Town”) is celebrating the 4<sup>th</sup> of July holiday at the Surfside Community Center; and

**WHEREAS**, Zambelli Fireworks Manufacturing Co. (hereinafter “Zambelli”) specializes in designing and performing exhibitions and displays of fireworks and has previously done work for the Town providing the same services as agreed upon in Attachment “A”; and

**WHEREAS**, Section 3-13(7)(c) of the Town of Surfside Code provides that performing artists and entertainers as approved by the Town Manager/purchasing agent when deemed in the Town’s best interests, for the benefit of the citizens of Surfside and the general public at any Town function are exempt contractual services and products are not subject to the competitive procurement requirements of the Town Code; and

**WHEREAS**, the total cost of the agreement is \$12,000.00 (as reflected in Attachment “A”) and will be funded with \$4,000 from the Resort Tax Fund, Account No. 102-8000-552-48-10 and \$8,000.00 from the General Fund, Parks & Recreation Department, Account No. 001-6000-572-4810; and

**WHEREAS**, the Town desires to enter into the Agreement with Zambelli to ensure preparation in time for the 4<sup>th</sup> of July celebration at the Community Center.

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

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

**Section 2. Approval of Agreement.** The Agreement (Attachment “A”) between Zambelli and the Town to provide fireworks display for the Town’s 4<sup>th</sup> of July holiday celebration at the Surfside Community Center is approved.

**Section 3. Authorization of Fund Expenditure.** The Town Manager is authorized to expend \$4,000 from the Resort Tax Fund, Account No. 102-8000-552-48-10 and \$8,000.00 from

the General Fund, Parks & Recreation Department, Account No. 001-6000-572-4810 to implement the terms and conditions of the Agreement.

**Section 4. Effective Date.** This Resolution shall be effective immediately from adoption hereof.

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

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

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

**FINAL VOTE ON ADOPTION**

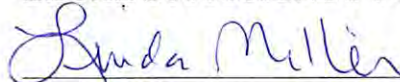
Commissioner Daniel Gielchinsky	_____
Commissioner Michael Karukin	_____
Commissioner Tina Paul	_____
Vice Mayor Barry Cohen	_____
Mayor Daniel Dietch	_____

\_\_\_\_\_  
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

**ZAMBELLI FIREWORKS MANUFACTURING CO.**

THIS CONTRACT AND AGREEMENT (this "Contract") is made effective as of this 6th day of January, 2016, by and between:

*Zambelli Fireworks Manufacturing Co.* of New Castle, Pennsylvania (hereinafter referred to as "Zambelli"),

-AND-

*Town of Surfside, FL* (hereinafter referred to as "Client").

WHEREAS, Zambelli is in the business of designing and performing exhibitions and displays of fireworks; and

WHEREAS, Client desires that Zambelli provide an exhibition and display of fireworks for Client's benefit pursuant to the terms and conditions hereof, and Zambelli desires to perform an exhibition and display of fireworks for Client's benefit pursuant to the terms and conditions hereof.

NOW, THEREFORE, in consideration of the mutual agreements herein contained:

Zambelli, intending to be legally bound, agrees as follows:

1. Zambelli agrees to sell, furnish and deliver to Client a fireworks display [per the program submitted by Zambelli to Client, accepted by Client and made a part hereof] (hereinafter referred to as the "Display") to be exhibited on the display date set forth below (hereinafter referred to as the "Display Date"), or on the postponement date set forth below (hereinafter referred to as the "Postponement Date") if the Display is postponed as provided herein. which Display Date and Postponement Date have been agreed upon at the time of signing this Contract.

**Display Date:** July 4, 2016

**Postponement Date:** \_\_\_\_\_

2. Zambelli agrees to furnish the services of display technicians (hereinafter referred to as "Display Technicians") who are sufficiently trained to present the Display. Zambelli shall determine in its sole discretion the number of Display Technicians necessary to take charge of and safely present the Display.
3. Zambelli agrees to furnish insurance coverage in connection with the Display for bodily injury and property damage, including products liability, which insurance shall include Client as additional insured regarding claims made against Client for bodily injury or property damage arising from the operations of Zambelli in performing the Display provided for in this Contract. Such insurance afforded by Zambelli shall not include claims made against Client for bodily injury or property damage arising from failure of Client, including through or by its employees, agents and independent contractors, to perform its obligations under this Contract, including without limitation those set forth in paragraphs 5 and 6 below. Client shall indemnify and hold Zambelli harmless from all claims and suits made against Zambelli for bodily injury or property damage arising from failure of Client, including through or by its employees, agents and independent contractors, to perform its obligations under this Contract, including without limitation those set forth in paragraphs 5 and 6 below.

Client, intending to be legally bound, agrees as follows:

4. Client agrees to pay Zambelli the sum of **\$12,000** (hereinafter referred to as the "Purchase Price"), fifty percent (50%) of which is due upon signing this Contract and the balance of which is due at noon three (3) days prior to the Display Date. Zambelli reserves the right to add to Client's invoice an equitable transportation surcharge in the event of any material increase in transportation costs (including the cost of fuel and third party shipping costs) to Zambelli after the date of this Contract. In addition, Client agrees to pay a postponement fee of fifteen percent (15%) of the Purchase Price plus Additional Third Party Charges (as defined in paragraph 11 below) if the Display is fired on the Postponement Date, or twenty-five percent (25%) of the Purchase Price plus Additional Third Party Charges if the Display is fired on a date other than the Display Date or the Postponement Date ("Alternate Date"). The Alternate Date must occur within six months of the original Display Date at a time agreeable to both Zambelli and the Client. Generally, Alternate Dates will not include the period from June 28<sup>th</sup> through July 7<sup>th</sup>. This Checks shall be made payable to Zambelli Fireworks Manufacturing Co., unless otherwise authorized in writing by Zambelli. NO CASH shall be paid to any agent or employee of Zambelli, unless otherwise authorized in writing by Zambelli. There shall be no refund of the Purchase Price due and payable under this paragraph 4, except as specifically provided in paragraph 11 below.
5. Client agrees to meet all deadlines outlined in the Design and Production Provisions, which has been provided to Client, including but not limited to the following:



- (a) Client must select a suitable place for the Display, including a firing and debris zone reasonably acceptable to Zambelli (hereinafter referred to as the "Display Area") and submit such selection to Zambelli no later than sixty (60) days prior to the Display Date. The Display Area shall adhere to or exceed applicable National Fire Protection Association ("NFPA") standards including the Zambelli guideline that the Display Area have a radius of at least 100 feet per inch (or as mutually agreed to between Zambelli and Client) of the largest diameter pyrotechnic from the firing site in all directions to any parking area, spectators, inhabited buildings, public roads, or active railroad. Client shall submit a site map (attached hereto as Exhibit A) to Zambelli accurately representing the physical characteristics of the Display Area as pertains to NFPA and Zambelli guidelines. The content of the Display may be limited by the selection of the Display Area due to the requirement to provide sufficient safety zones.
  - (b) Zambelli will secure all permits necessary for the Display as required, including but not limited to police, local, and state permits, and arrange for any security bonds or insurance as required by law. In addition Zambelli will notify and obtain permission from the FAA to display fireworks. Client will assist Client when appropriate in completing permit applications.
  - (c) If the Display is choreographed to music, the final selection of the music must be submitted to Zambelli by Client no later than ninety (90) days prior to the Display Date.
6. If, in its sole discretion, Client designates an area for members of the public to view the Display (hereinafter referred to as the "Spectator Area") or an area for vehicular parking (hereinafter referred to as the "Parking Area"), Client shall (a) ensure that the Spectator Area does not infringe on the Display Area, (b) have sole responsibility for ensuring that the terrain of the Spectator Area and any structures thereon, including but not limited to grandstands and bleachers are safe for use by spectators, (c) have sole responsibility for ensuring that the Parking Area is safe for use, (d) have sole responsibility to police, monitor and appropriately control spectator access to the Spectator Area and the Parking Area and police and monitor and appropriately control the behavior of persons in these areas. It is expressly agreed that Zambelli shall not inspect any area other than the Display Area, except to ensure that any Spectator or Parking Areas are outside the Display Area.
  7. Prior to, during, and immediately following the Display, Client shall monitor the Display Area and will be solely responsible to keep all persons and property not authorized by Zambelli out of the Display Area and behind safety zone lines and limits.
  8. Following the Display, Client shall be solely responsible for policing of the Display Area and for cleanup except as specifically provided in the sentence immediately following. Zambelli shall be responsible for the removal of unexploded fireworks and the cleanup of material debris, the removal of frames, sets and lumber from the Discharge Area, and the refilling of holes created by Zambelli or on behalf of Zambelli within the Discharge Area.
  9. Client will include a direct reference to "Zambelli Fireworks" in all promotional material, including but not limited to event schedules; radio, television, newspaper and internet announcements; newspaper articles; and other media.

The parties, intending to be legally bound, mutually agree as follows:

10. It is agreed and understood by the parties hereto that should inclement weather prevent firing of the Display on the Display Date, as determined by the Authority Having Jurisdiction (as defined in paragraph 14 below) or as reasonably determined by Zambelli, then the program shall be postponed and fired on the Postponement Date. If there is no Postponement Date and the Display is not fired on the Display Date, or if inclement weather prevents firing of the Display on the Postponement Date, as determined by the Authority Having Jurisdiction or as reasonably determined by Zambelli, the Display will be cancelled and there will be no refund of the Deposit or fifty percent (50%) of the Purchase Price, whichever is greater.
11. Client's cancellation of the Display will only be effective upon receipt by Zambelli of a written notice from an authorized person representing Client. In the event of cancellation of the Display, the parties agree as follows:
  - (a) If Client cancels the Display more than sixty-one (61) days prior to the Display Date, Client agrees to pay Zambelli a cancellation fee equal to ten percent (10%) of the Purchase Price plus Additional Third Party Charges, as defined below.
  - (b) If Client cancels the Display from thirty-one (31) to sixty (60) days prior to the Display Date, Client agrees to pay Zambelli a cancellation fee equal to twenty percent (20%) of the Purchase Price plus Additional Third Party Charges, as defined below.

- (c) If Client cancels the Display from five (5) days prior the Display to thirty (30) days prior to the Display Date, Client agrees to pay Zambelli a cancellation fee equal to thirty percent (30%) of the Purchase Price plus Additional Third Party Charges, as defined below.
  - (d) If Client cancels the Display less than five (5) days prior to the day of the Display, Client agrees to pay Zambelli a cancellation fee equal to fifty percent (50%) of the Purchase Price plus Additional Third Party Charges, as defined below.
  - (e) "Additional Third Party Charges" shall mean all costs and expenses incurred by Zambelli and paid or payable to third parties in connection with the Display, including but not limited to security fees, permits and licensing fees and expenses, barge and tow expenses, and firewatch fees.
12. Zambelli reserves the exclusive right to make minor modifications and substitutions to the Display, provided that such changes are reasonable and necessary and do not materially adversely affect price, time of delivery, functional character or performance of the Display.
  13. It shall be within Zambelli's and/or the Authority Having Jurisdiction's discretion to terminate the firing of the Display if any unsafe or unsuitable condition is identified. If such condition is not corrected, Zambelli may cancel the Display without further liability to Client for such cancellation.
  14. The parties agree to cooperate with the regulatory authorities having jurisdiction over the Display, including, but not limited to local fire and police departments, the Bureau of Alcohol, Tobacco, Firearms and Explosives, the Department of Transportation, the Department of Homeland Security, and the USCG (any such authority having jurisdiction over the Display is sometimes referred to herein as, the "Authority Having Jurisdiction"). The parties acknowledge that such governmental regulatory authorities having jurisdiction over the Display have the right to prohibit the Display until unsafe or unsuitable conditions are corrected.
  15. This contract shall be deemed made in the State of Florida and shall be construed in accordance with the laws of the State of Florida, excluding its conflict of law rules. The parties agree and consent to the jurisdiction of the courts of the State of Florida and the Federal District Court for the Southern District of Florida to decide all disputes regarding this Contract.
  16. If Client becomes bankrupt or insolvent, or if a petition in bankruptcy is filed by or against Client or if a receiver is appointed for Client, Zambelli may refuse to perform under this Contract and may terminate this Contract without prejudice to the rights of Zambelli. If Client's financial condition becomes unsatisfactory to Zambelli, Zambelli may require that Client deposit the balance of the Purchase Price in escrow or provide sufficient proof of its ability to pay the balance of the Purchase Price.
  17. Except to the extent, if any, specifically provided to the contrary herein, in no event shall Zambelli be liable to Client for any indirect, special, consequential, incidental or punitive damages or lost profits, however caused and on any theory of liability (including negligence of any kind, strict liability or tort) arising in any way out of this contract, whether or not Zambelli has been advised of the possibility of damages.
  18. If Client fails to pay the monies due under this Contract, Zambelli is entitled to recover the balance due plus interest at one and one-half percent (1 ½ %) per month on amounts past due sixty (60) days or more. Further, on balances outstanding one hundred twenty (120) days or more, Zambelli is entitled to recover the balance due, plus accrued interest, plus attorneys fees of ten percent (10%) of the amount past due, plus court costs, or, if less, the maximum amount permitted by law.
  19. This Contract shall not be construed to create a partnership or joint venture between the parties or persons mentioned herein.
  20. Each party hereunder shall be excused for the period of delay in the performance of any of its obligations hereunder and shall not be liable for failure to perform or considered in default hereunder, when prevented from so performing by a cause or causes beyond its reasonable control, including but not limited to fire, storm, earthquake, flood, drought, accident, explosion, operation malfunction, or interruption, strikes, lockouts, labor disputes, riots, war (whether or not declared or whether or not the United States is a member), Federal, state, municipal or other governmental legal restriction or limitation or compliance therewith, failure or delay of transportation, shortage of, or inability to obtain materials, supplies, equipment, fuel, power, labor or other operational necessity, interruption or curtailment of power supply, or act of God, nature or public enemy.
  21. This Contract constitutes the sole and entire understanding of the parties with respect to the matters contemplated hereby and supersedes and renders null and void all prior negotiations, representations, agreements and

understandings (oral and written) between the parties with respect to such matters. No change or amendment may be made to this Contract except by an instrument in writing signed by each of the parties.

- 22. Notices, consents, requests or other communications required or permitted to be given by either party pursuant to this Contract shall be given in writing by first class mail, postage prepaid addressed as follows: if to Zambelli, to the address set forth below; if to Client, to 9293 Harding Avenue, Surfside, FL 33154.
- 23. This Contract may be executed in one or more counterparts, each of which shall be deemed to be an original but all of which together shall be deemed to be one and the same instrument. The exchange of copies of this Contract and of signature pages by facsimile transmission shall constitute effective execution and delivery of this Contract as to the parties and may be used in lieu of the original Contract for all purposes. This Contract and all the rights and powers granted by this Contract shall bind and inure to the benefit of the parties and their respective successors and assigns.
- 24. \_\_\_\_\_  
\_\_\_\_\_

IN WITNESS WHEREOF, we set our hands and seals to the agreement in duplicate the day and year first above written.

**FOR Client:**

**FOR: Zambelli Fireworks Manufacturing Co.**

BY \_\_\_\_\_  
date

BY \_\_\_\_\_  
date

Please sign contract where indicated for Client and return all copies for final acceptance to:  
**Zambelli Fireworks Manufacturing Co.**  
1 West Camino Real Blvd. Ste 100  
Boca Raton, FL 33498  
561-395-0955 FAX 561-395-1799



## Town of Surfside Commission Communication

**Agenda Item #:** 5B

**Agenda Date:** April 12, 2016

**Subject:** Purchase 2CY and 3CY Poly Commercial Containers for Solid Waste


**Background:** The Public Works Department budgeted in the 2015/2016 operating budget for Solid Waste \$50,000 to purchase poly dumpster containers for the commercial and multi-family accounts. These dumpsters are to replace the metal dumpster containers currently in use, which were purchased by the property owner. The new poly dumpsters will replace the current metal containers and are now the responsibility of Public Works through the Solid Waste Division. This will allow Public Works to clean and maintain the dumpsters more regularly. These poly dumpsters are more efficient and have a longer shelf life.

**Analysis:** These poly dumpsters are either 2CY or 3CY in size and are lighter to move around. Also, due to the makeup of the dumpsters, they will last longer than the 2-3 year cycle we currently have with the metal dumpsters.

**Staff Impact:** N/A

**Budget Impact:** The cost to purchase the poly dumpsters is \$34,182.00 which was budgeted. Funding for the Poly Dumpsters will be financed from Solid Waste Account # 403-4000-534-4911.

**Recommendation:** Approval after the fact expenditure in the amount of \$34,182.00 for the purchase of the Poly Dumpsters from Rehrig Pacific from the Fiscal Year 15/16 Solid Waste budget.

  
Joseph S. Kroff, Public Works Director

  
Guillermo Olmedillo, Town Manager

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

**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, AUTHORIZING, AFTER THE FACT, THE EXPENDITURE OF FUNDS IN THE AMOUNT OF \$34,182.00 FOR THE PURCHASE OF 2CY AND 3CY POLY COMMERCIAL DUMPSTER CONTAINERS FROM THE FISCAL YEAR 2015/2016 SOLID WASTE FUND, ACCOUNT NO. 403-4000-534-4911; PIGGYBACKING OFF THE PURCHASE PRICE OF THE COMPETITIVELY BID CONTRACT AWARDED BY THE HOUSTON-GALVESTON AREA COUNCIL OF GOVERNMENTS; PROVIDING FOR APPROVAL AND AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the Public Works Department requested twelve (12) 2CY and thirty-six (36) 3CY poly commercial dumpster containers to replace the metal dumpster containers currently in use; and

**WHEREAS**, the current metal containers were originally purchased by the property owner and are now the responsibility of the Public Works Department through the Solid Waste Division; and

**WHEREAS**, the new poly dumpster containers will last longer than the 2-3 year cycle provided by the current metal containers. They are lighter to move around and will enable the Public Works staff to clean and maintain them on a more regular basis; and

**WHEREAS**, the Town Commission of the Town of Surfside, Florida purchased commercial dumpster containers for a purchase price of \$34,182.00 (see Invoice, "Attachment "A") by piggybacking off the pricing structure of the competitively bid contract awarded by the Houston-Galveston Area Council of Governments (see Attachment "B") with Rehrig Pacific; and

**WHEREAS**, Rehrig Pacific Company was selected by the Houston-Galveston Area Council of Governments pursuant to Bid No. RC01-16, and in accordance with the Surfside procurement process and pursuant to Section 3-13(3) of the Town of Surfside Code of Ordinances, purchases made under state general service administration contracts, federal, county or other governmental contracts are exempt from the Town's competitive bidding procedures; and

**WHEREAS**, it is in the best interest of the Town to authorize, after the fact, the expenditure of funds in the amount of \$34,182.00, which was approved in the budget, from the Fiscal Year 2015/2016 Solid Waste Fund, Account No. 403-4000534-4911, for

the purchase of twelve (12) 2CY and thirty-six (36) 3CY poly commercial dumpster containers.

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

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

**Section 2. Approval and Authorization to Expend Funds.** The Town Commission hereby authorizes and approves, after the fact, the expenditure in the amount of \$34,182.00 for the purchase of 2CY and 3CY poly commercial dumpster containers from the Fiscal Year 2015/2016 Solid Waste Fund, Account No. 403-4000534-4911.

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

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

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

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

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

**FINAL VOTE ON ADOPTION**

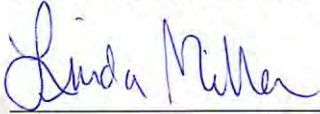
Commissioner Daniel Gielchinsky	_____
Commissioner Michael Karukin	_____
Commissioner Tina Paul	_____
Vice Mayor Barry Cohen	_____
Mayor Daniel Dietch	_____

\_\_\_\_\_  
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

PLEASE REMIT FROM THIS INVOICE TO:  
 REHRIG PACIFIC COMPANY  
 P.O. BOX 514457  
 LOS ANGELES, CA 90051-4457



4010 East 26th Street Los Angeles, CA 90058  
 (323) 415-5550

INVOICE DATE 02/12/16  
 PAGE 1

SHIP DATE 02/12/16

PERIOD 12-2016

INVOICE NUMBER LA201400R

CUSTOMER NUMBER TO218

CUSTOMER NUMBER TO218A

SOLD TO  
 TOWN OF SURFSIDE  
 9293 Harding Ave  
 SURFSIDE FL 33154  
 USA

SHIP TO  
 TOWN OF SURFSIDE  
 9293 Harding Ave  
 SURFSIDE FL 33154  
 USA

**I N V O I C E**

F.O.B.: POINT OF SHIPMENT  
 TERMS: 0.00%-0,Net30  
 SHIP-VIA: E/P  
 SALESREP: 412 M Callier  
 WAYBILL: 01-90843

11228 CUSTOMER ORDER NUMBER LA622538 10/15/15  
 ABOVE SALES ORDER NUMBER/DATE  
 TERMS

QUANTITY	ITEM	PRODUCT/DESCRIPTION	UNIT	UNIT PRICE	EXT. PRICE	SHIP DATE	TAXABLE
12	001	NU602NC00RE999 2-Yard RL Commercial Container No Color	EA	523.0000	6,276.00	02/12/16	NO
12	002	HD196 Drain Plug	EA	10.0000	120.00	02/12/16	NO
REPLACEMENT FOR LA201400							
							6,396.00
							3,306.00
							9,702.00

FREIGHT: \*\* SUB-TOTAL \*\*\*  
 Date Due: 03/13/16 \*\*\*\*\* TOTAL \*\*\*



PLEASE REMIT FROM THIS INVOICE TO:  
 REHRIG PACIFIC COMPANY  
 P.O. BOX 514457  
 LOS ANGELES, CA 90051-4457

**Rehrig Pacific Company**  
 Los Angeles, CA 90058  
 (323) 415-5550

4010 East 26th Street

INVOICE DATE 02/12/16 PAGE 1

SHIP DATE 02/12/16

PERIOD 12-2016

INVOICE NUMBER LA201400C

CUSTOMER NUMBER TO218

CUSTOMER NUMBER TO218A

SOLD TO  
 TOWN OF SURFSIDE  
 9293 Harding Ave  
 SURFSIDE FL 33154  
 USA

SHIPTO  
 TOWN OF SURFSIDE  
 9293 Harding Ave  
 SURFSIDE FL 33154  
 USA

**I N V O I C E**

F.O.B.: POINT OF SHIPMENT  
 TERMS: 0.00%-0, Net30  
 SHIP-VIA: E/P  
 SALESREP: 412 M Callier  
 WAYBILL: 01-90843

LA622538 10/15/15  
 SALES ORDER NUMBER/DATE

ABOVE TERMS

11228 CUSTOMER ORDER NUMBER

QUANTITY	ITEM	PRODUCT/DESCRIPTION	UNIT	UNIT PRICE	EXT. PRICE	SHIP DATE	TAXABLE
-12	001	NU602NC00RE999 2-Yard RL Commercial Container No Color	EA	523.0000	-6,276.00	02/12/16	NO
-12	002	HD196 Drain Plug	EA	120.0000	-1,440.00	02/12/16	NO
CREDIT FOR INVOICE #LA201400 TO ADJUST UNIT PRICE							
FREIGHT:							
Date Due: 03/13/16 ***** TOTAL ***:							-7,716.00
							-3,306.00
							-11,022.00

PLEASE PERMIT  
FROM THIS INVOICE  
TO:  
REHRIG PACIFIC COMPANY  
P.O. BOX 514457  
LOS ANGELES, CA 90051-4457

**Rehrig Pacific Company**  
Los Angeles, CA 90058  
4010 East 26th Street (323) 415-5550

INVOICE DATE 01/22/16  
PAGE 1

SHIP DATE 01/22/16

PERIOD 11-2016

INVOICE NUMBER LA201399

CUSTOMER NUMBER TO218

CUSTOMER NUMBER TO218A

SOLD TO  
TOWN OF SURFSIDE  
9293 Harding Ave  
SURFSIDE FL 33154  
USA

SHIP TO  
TOWN OF SURFSIDE  
9293 Harding Ave  
SURFSIDE FL 33154  
USA

# INVOICE

F.O.B.: POINT OF SHIPMENT  
TERMS: 0.00%-0,Net30  
SHIP-VIA: E/P  
SALESREP: 412 M Callier  
WAYBILL# 01-90843  
SHIP DATE 01-22-16 TAXABLE

11228 CUSTOMER ORDER NUMBER

IA622539 SALES ORDER NUMBER/DATE 10/15/15

ABOVE TERMS

QUANTITY	ITEM	PRODUCT/DESCRIPTION	UNIT	UNIT PRICE	EXT. PRICE
36	001	NU603NC00RE999 3-Yard RL Commercial Container NO Color	EA	670.0000	24,120.00
		3 Yard RL Lid 31x56			
		3-Yard RL Commercial Container			
36	002	HD196 Drain Plug	EA	10.0000	360.00
					NO
** SUB-TOTAL ***:					24,480.00
Date Due: 02/21/16 ***** TOTAL ***:					24,480.00

PLEASE REMIT FROM THIS INVOICE TO:  
REHRIG PACIFIC COMPANY  
P.O. BOX 514457  
LOS ANGELES, CA 90051-4457

**Rehrig Pacific Company**  
Los Angeles, CA 90058  
(323) 415-5550

4010 East 26th Street

SHIP DATE  
01/22/16

PERIOD  
11-2016

CUSTOMER NUMBER  
TO218

CUSTOMER NUMBER  
TO218A

SOLD TO  
TOWN OF SURFSIDE  
9293 Harding Ave  
SURFSIDE FL 33154  
USA

SHIP TO  
TOWN OF SURFSIDE  
9293 Harding Ave  
SURFSIDE FL 33154  
USA

11228  
CUSTOMER ORDER NUMBER

ABOVE TERMS

LA622538 10/15/15  
SALES ORDER NUMBER/DATE

QUANTITY ITEM PRODUCT/DESCRIPTION

UNIT UNIT PRICE

EXT. PRICE

12 001

NU602NC00RE999

EA 523.0000

6,276.00

NO

✓

2-Yard RL Commercial Container  
No Color  
2 Yard RL Lid 31x49  
2-Yard RL Commercial Container

12 002

HD196

EA

120.0000

1,440.00

NO

✓

Drain Plug

120.00

FREIGHT:

Date Due: 02/21/16 \*\*\*\*\* TOTAL \*\*\*:

\*\* SUB-TOTAL \*\*\*:  
7,716.00  
3,306.00  
11,022.00

INVOICE DATE  
01/22/16

PAGE  
1

INVOICE NUMBER  
LA201400

*also rehrig.com  
mcallier@rehrig.com*

# INVOICE

F.O.B.: POINT OF SHIPMENT  
TERMS: 0.00%-0, Net30  
SHIP-VIA: E/P  
SALESREP: 412 M Callier  
WAYBILL: 01-90843  
SHIP DATE: 01-22-16 TAXABLE

A CONTRACT BETWEEN  
HOUSTON-GALVESTON AREA COUNCIL  
Houston, Texas  
AND  
REHRIG PACIFIC COMPANY  
Los Angeles, California

This Contract is made and entered into by the Houston-Galveston Area Council of Governments, hereinafter referred to as H-GAC, having its principal place of business at 3555 Timmons Lane, Suite 120, Houston, Texas 77027, AND, Rehrig Pacific Company, hereinafter referred to as the CONTRACTOR, having its principal place of business at 4010 East 26th Street, Los Angeles, California 90058.

**ARTICLE 1:****SCOPE OF SERVICES**

The parties have entered into a Refuse and Recycling Containers & Lifters Contract to become effective as of January 1, 2016, and to continue through December 31, 2017 (the "Contract"), subject to extension upon mutual agreement of the CONTRACTOR and H-GAC. H-GAC enters into the Contract as Agent for participating governmental agencies, each hereinafter referred to as END USER, for the purchase of Refuse and Recycling Containers & Lifters offered by the CONTRACTOR. The CONTRACTOR agrees to sell Refuse and Recycling Containers & Lifters through the H-GAC Contract to END USERS.

**ARTICLE 2:****THE COMPLETE AGREEMENT**

The Contract shall consist of the documents identified below in order of precedence:

1. The text of this Contract form, including but not limited to, Attachment A
2. General Terms and Conditions
3. Bid Specifications No:RC01-16, including any relevant suffixes
4. CONTRACTOR's Response to Bid No:RC01-16, including but not limited to, prices and options offered

All of which are either attached hereto or incorporated by reference and hereby made a part of this Contract, and shall constitute the complete agreement between the parties hereto. This Contract supersedes any and all oral or written agreements between the parties relating to matters herein. Except as otherwise provided herein, this Contract cannot be modified without the written consent of both parties.

**ARTICLE 3:****LEGAL AUTHORITY**

CONTRACTOR and H-GAC warrant and represent to each other that they have adequate legal counsel and authority to enter into this Contract. The governing bodies, where applicable, have authorized the signatory officials to enter into this Contract and bind the parties to the terms of this Contract and any subsequent amendments thereto.

**ARTICLE 4:****APPLICABLE LAWS**

The parties agree to conduct all activities under this Contract in accordance with all applicable rules, regulations, directives, issuances, ordinances, and laws in effect or promulgated during the term of this Contract.

**ARTICLE 5:****INDEPENDENT CONTRACTOR**

The execution of this Contract and the rendering of services prescribed by this Contract do not change the independent status of H-GAC or CONTRACTOR. No provision of this Contract or act of H-GAC in performance of this Contract shall be construed as making CONTRACTOR the agent, servant or employee of H-GAC, the State of Texas or the United States Government. Employees of CONTRACTOR are subject to the exclusive control and supervision of CONTRACTOR. CONTRACTOR is solely responsible for employee payrolls and claims arising therefrom.

**ARTICLE 6:****END USER AGREEMENTS**

H-GAC acknowledges that the END USER may choose to enter into an End User Agreement with the CONTRACTOR through this Contract and that the term of said Agreement may exceed the term of the H-GAC Contract. However this acknowledgement is not to be construed as H-GAC's endorsement or approval of the End User Agreement terms and conditions. CONTRACTOR agrees not to offer to, agree to or accept from END USER any terms or conditions that conflict with or contravene those in CONTRACTOR's H-GAC contract. Further, termination of this Contract for any reason shall not result in the termination of the underlying End User Agreements entered into between CONTRACTOR and any END USER which shall, in each instance, continue pursuant to their stated terms and duration. The only effect of termination of this Contract is that CONTRACTOR will no longer be able to enter into any new End User Agreements with END USERS pursuant to this Contract. Applicable H-GAC order processing charges will be due and payable to H-GAC on any End User Agreements surviving termination of this Contract between H-GAC and CONTRACTOR.

**ARTICLE 7:**

**SUBCONTRACTS & ASSIGNMENTS**

CONTRACTOR agrees not to subcontract, assign, transfer, convey, sublet or otherwise dispose of this Contract or any right, title, obligation or interest it may have therein to any third party without prior written notice to H-GAC. H-GAC reserves the right to accept or reject any such change. CONTRACTOR shall continue to remain responsible for all performance under this Contract regardless of any subcontract or assignment. H-GAC shall be liable solely to CONTRACTOR and not to any of its Subcontractors or Assignees.

**ARTICLE 8:**

**EXAMINATION AND RETENTION OF CONTRACTOR'S RECORDS**

CONTRACTOR shall maintain during the course of its work, complete and accurate records of items that are chargeable to END USER under this Contract. H-GAC, through its staff or its designated public accounting firm, the State of Texas, or the United States Government shall have the right at any reasonable time to inspect copy and audit those records on or off the premises of CONTRACTOR. Failure to provide access to records may be cause for termination of this Contract. CONTRACTOR shall maintain all records pertinent to this Contract for a period of not less than five (5) calendar years from the date of acceptance of the final contract closeout and until any outstanding litigation, audit or claim has been resolved. The right of access to records is not limited to the required retention period, but shall last as long as the records are retained. CONTRACTOR further agrees to include in all subcontracts under this Contract, a provision to the effect that the subcontractor agrees that H-GAC'S duly authorized representatives, shall, until the expiration of five (5) calendar years after final payment under the subcontract or until all audit findings have been resolved, have access to, and the right to examine and copy any directly pertinent books, documents, papers, invoices and records of such subcontractor involving any transaction relating to the subcontract.

**ARTICLE 9:**

**REPORTING REQUIREMENTS**

CONTRACTOR agrees to submit reports or other documentation in accordance with the General Terms and Conditions of the Bid Specifications. If CONTRACTOR fails to submit to H-GAC in a timely and satisfactory manner any such report or documentation, or otherwise fails to satisfactorily render performance hereunder, such failure may be considered cause for termination of this Contract.

**ARTICLE 10:**

**MOST FAVORED CUSTOMER CLAUSE**

If CONTRACTOR, at any time during this Contract, routinely enters into agreements with other governmental customers within the State of Texas, and offers the same or substantially the same products/services offered to H-GAC on a basis that provides prices, warranties, benefits, and or terms more favorable than those provided to H-GAC, CONTRACTOR shall notify H-GAC within ten (10) business days thereafter of that offering and this Contract shall be deemed to be automatically amended effective retroactively to the effective date of the most favorable contract, wherein CONTRACTOR shall provide the same prices, warranties, benefits, or terms to H-GAC and its END USER. H-GAC shall have the right and option at any time to decline to accept any such change, in which case the amendment shall be deemed null and void. If CONTRACTOR is of the opinion that any apparently more favorable price, warranty, benefit, or term charged and/or offered a customer during the term of this Contract is not in fact most favored treatment, CONTRACTOR shall within ten (10) business days notify H-GAC in writing, setting forth the detailed reasons CONTRACTOR believes aforesaid offer which has been deemed to be a most favored treatment, is not in fact most favored treatment. H-GAC, after due consideration of such written explanation, may decline to accept such explanation and thereupon this Contract between H-GAC and CONTRACTOR shall be automatically amended, effective retroactively, to the effective date of the most favored agreement, to provide the same prices, warranties, benefits, or terms to H-GAC.

The Parties accept the following definition of routine: A prescribed, detailed course of action to be followed regularly; a standard procedure. *EXCEPTION: This clause shall not be applicable to prices and price adjustments offered by a bidder, proposer or contractor, which are not within bidder's/ proposer's control [example; a manufacturer's bid concession], or to any prices offered to the Federal Government and its agencies.*

**ARTICLE 11:**

**SEVERABILITY**

All parties agree that should any provision of this Contract be determined to be invalid or unenforceable, such determination shall not affect any other term of this Contract, which shall continue in full force and effect.

**ARTICLE 12:**

**DISPUTES**

Any and all disputes concerning questions of fact or of law arising under this Contract, which are not disposed of by agreement, shall be decided by the Executive Director of H-GAC or his designee, who shall reduce his decision to writing and provide notice thereof to CONTRACTOR. The decision of the Executive Director or his designee shall be final and conclusive unless, within thirty (30) days from the date of receipt of such notice, CONTRACTOR requests a rehearing from the Executive Director of H-GAC. In connection with any rehearing under this Article, CONTRACTOR shall be afforded an opportunity to be heard and offer evidence in support of its position. The decision of the Executive Director after any such rehearing shall be final and conclusive. CONTRACTOR may, if it elects to do so, appeal the final and conclusive decision of the Executive Director to a court of competent jurisdiction. Pending final decision of a dispute hereunder, CONTRACTOR shall proceed diligently with the performance of this Contract and in accordance with H-GAC'S final decision.

**ARTICLE 13:** LIMITATION OF CONTRACTOR'S LIABILITY  
Except as specified in any separate writing between the CONTRACTOR and an END USER, CONTRACTOR's total liability under this Contract, whether for breach of contract, warranty, negligence, strict liability, in tort or otherwise, but excluding its obligation to indemnify H-GAC described in Article 14, is limited to the price of the particular products/services sold hereunder, and CONTRACTOR agrees either to refund the purchase price or to repair or replace product(s) that are not as warranted. In no event will CONTRACTOR be liable for any loss of use, loss of time, inconvenience, commercial loss, lost profits or savings or other incidental, special or consequential damages to the full extent such use may be disclaimed by law. CONTRACTOR understands and agrees that it shall be liable to repay and shall repay upon demand to END USER any amounts determined by H-GAC, its independent auditors, or any agency of State or Federal government to have been paid in violation of the terms of this Contract.

**ARTICLE 14:** LIMIT OF H-GAC'S LIABILITY AND INDEMNIFICATION OF H-GAC  
H-GAC's liability under this Contract, whether for breach of contract, warranty, negligence, strict liability, in tort or otherwise, is limited to its order processing charge. In no event will H-GAC be liable for any loss of use, loss of time, inconvenience, commercial loss, lost profits or savings or other incidental, special or consequential damages to the full extent such use may be disclaimed by law. Contractor agrees, to the extent permitted by law, to defend and hold harmless H-GAC, its board members, officers, agents, officials, employees, and indemnities from any and all claims, costs, expenses (including reasonable attorney fees), actions, causes of action, judgments, and liens arising as a result of CONTRACTOR's negligent act or omission under this Contract. CONTRACTOR shall notify H-GAC of the threat of lawsuit or of any actual suit filed against CONTRACTOR relating to this Contract.

**ARTICLE 15:** TERMINATION FOR CAUSE  
H-GAC may terminate this Contract for cause based upon the failure of CONTRACTOR to comply with the terms and/or conditions of the Contract; provided that H-GAC shall give CONTRACTOR written notice specifying CONTRACTOR'S failure. If within thirty (30) days after receipt of such notice, CONTRACTOR shall not have either corrected such failure, or thereafter proceeded diligently to complete such correction, then H-GAC may, at its option, place CONTRACTOR in default and the Contract shall terminate on the date specified in such notice. CONTRACTOR shall pay to H-GAC any order processing charges due from CONTRACTOR on that portion of the Contract actually performed by CONTRACTOR and for which compensation was received by CONTRACTOR.

**ARTICLE 16:** TERMINATION FOR CONVENIENCE  
Either H-GAC or CONTRACTOR may cancel or terminate this Contract at any time by giving thirty (30) days written notice to the other. CONTRACTOR may be entitled to payment from END USER for services actually performed; to the extent said services are satisfactory to END USER. CONTRACTOR shall pay to H-GAC any order processing charges due from CONTRACTOR on that portion of the Contract actually performed by CONTRACTOR and for which compensation is received by CONTRACTOR.

**ARTICLE 17:** CIVIL AND CRIMINAL PROVISIONS AND SANCTIONS  
CONTRACTOR agrees that it will perform under this Contract in conformance with safeguards against fraud and abuse as set forth by H-GAC, the State of Texas, and the acts and regulations of any funding entity. CONTRACTOR agrees to notify H-GAC of any suspected fraud, abuse or other criminal activity related to this Contract through filing of a written report promptly after it becomes aware of such activity.

**ARTICLE 18:** GOVERNING LAW & VENUE  
This Contract shall be governed by the laws of the State of Texas. Venue and jurisdiction of any suit or cause of action arising under or in connection with this Contract shall lie exclusively in Harris County, Texas. Disputes between END USER and CONTRACTOR are to be resolved in accord with the law and venue rules of the state of purchase. CONTRACTOR shall immediately notify H-GAC of such disputes.

**ARTICLE 19:** PAYMENT OF H-GAC ORDER PROCESSING CHARGE  
CONTRACTOR agrees to sell its products to END USERS based on the pricing and other terms of this Contract, including, but not limited to, the payment of the applicable H-GAC order processing charge. On notification from an END USER that an order has been placed with CONTRACTOR, H-GAC will invoice CONTRACTOR for the applicable order processing charge. Upon delivery of any product/service by CONTRACTOR and acceptance by END USER, CONTRACTOR shall, within thirty (30) calendar days or ten (10) business days after receipt of payment, whichever is less, pay H-GAC the full amount of the applicable order processing charge, whether or not CONTRACTOR has received an invoice from H-GAC. For sales made by CONTRACTOR based on this contract, including sales to entities without Interlocal Contracts, CONTRACTOR shall pay the applicable order processing charges to H-GAC. Further, CONTRACTOR agrees to encourage entities who are not members of H-GAC's Cooperative Purchasing Program to execute an H-GAC Interlocal Contract. H-GAC reserves the right to take appropriate actions including, but not limited to, contract termination if CONTRACTOR fails to promptly remit H-GAC's order processing charge. In no event shall H-GAC have any liability to CONTRACTOR for any goods or services an END USER procures from CONTRACTOR.

**ARTICLE 20:** LIQUIDATED DAMAGES  
Any liquidated damages terms will be determined between CONTRACTOR and END USER at the time END USER's purchase order is placed.

**ARTICLE 21:** PERFORMANCE AND PAYMENT BOND FOR INDIVIDUAL ORDERS  
H-GAC's contractual requirements DO NOT include a Performance & Payment Bond (PPB), and offered pricing should reflect this cost saving. However, CONTRACTOR must be prepared to offer a PPB to cover any specific order if so requested by END USER. CONTRACTOR shall quote a price to END USER for provision of any requested PPB, and agrees to furnish the PPB within ten business (10) days of receipt of END USER's purchase order.

**ARTICLE 22:** CHANGE OF CONTRACTOR STATUS  
CONTRACTOR shall immediately notify H-GAC, in writing, of ANY change in ownership, control, dealership, franchisee status, Motor Vehicle license status, or name, and shall also advise whether or not this Contract shall be affected in any way by such change. H-GAC shall have the right to determine whether or not such change is acceptable, and to determine what action shall be warranted, up to and including cancellation of Contract.

**ARTICLE 23:** LICENSING REQUIRED BY TEXAS MOTOR VEHICLE BOARD [IF APPLICABLE]  
CONTRACTOR will for the duration of this Contract maintain current licenses that are required by the Texas Motor Vehicle Commission Code. If at any time during this Contract period, any CONTRACTOR'S license is not renewed, or is denied or revoked, CONTRACTOR shall be deemed to be in default of this Contract unless the Motor Vehicle Board issues a stay or waiver. Contractor shall promptly provide copies of all current applicable Texas Motor Vehicle Board documentation to H-GAC upon request.

IN WITNESS WHEREOF, the parties have caused this Contract to be executed by their duly authorized representatives.

Signed for Houston-Galveston Area Council, Houston, Texas: [Signature]  
Jack Steele, Executive Director

Attest for Houston-Galveston Area Council, Houston, Texas: [Signature]  
Deidre Vick, Director of Public Services  
Date: Dec 4, 2015

Signed for Rehrig Pacific Company Los Angeles, California: [Signature]  
Printed Name & Title: William J. Rehrig, President  
Date: November 18, 2015

Attest for Rehrig Pacific Company Los Angeles, California: [Signature]  
Printed Name & Title: Rajesh J. Luhar, CFO  
Date: November 18, 2015

**Attachment A**  
**Rehrig Pacific Company**  
**Refuse and Recycling Containers & Lifters**  
**Contract No.: RC01-16**

H-GAC Product Code	Item Description	Offered Price	Minimum Quantity
AG255	Rehrig Pacific Company ROC-20: 20 gallon capacity residential rollout cart: universal dumping design, injection molded, integrally molded stop bar, 8" wheels	\$54.75	108
AG256	Rehrig Pacific Company ROC-35: 35 gallon capacity residential rollout cart: universal dumping design, injection molded, integrally molded stop bar, 8" wheels	\$46.75	108
AG257	Rehrig Pacific Company ROC-65: 65 gallon capacity residential rollout cart: universal dumping design, injection molded, integrally molded stop bar, 10" wheels	\$55.75	108
AG258	Rehrig Pacific Company ROC-65Y: 65 gallon capacity residential rollout cart: for yard waste, universal dumping design, injection molded, integrally molded stop bar, 10" wheels	\$70.75	108
AG259	Rehrig Pacific Company ROC-95: 95 gallon capacity residential rollout cart: universal dumping design, injection molded, integrally molded stop bar, 10" wheels.	\$60.75	108
AG260	Rehrig Pacific Company ROC-95FA: 95 gallon capacity residential rollout cart: fully automated dumping design, injection molded, 10" wheels	\$60.75	108
AG261	Rehrig Pacific Company ROC-95NG: 95 gallon capacity residential rollout cart: fully automated dumping design, injection molded, 10" wheels	\$60.75	108
AG262	Rehrig Pacific Company ROC-40L: 40 Liter Organic Waste Recycling Cart: pull handle and air tight snap lock lid, injection molded	\$29.45	108
AG263	Rehrig Pacific Company ROC-80L: 80 Liter Organic Waste Recycling Cart: Weatherproof Rodent Resistant Locking Lid, Lightweight, 8" Snap Wheels, injection molded	\$46.75	108
AG265	Rehrig Pacific Company ROC-80L: 80 Liter Residential Roll Out Cart: Universal Dumping Design, 8" Snap-On Wheels, injection molded	\$46.75	108
AG266	Rehrig Pacific Company ROC-35DD: 35 Gallon Capacity Document Destruction Cart with Slotted Lid: Locking Hasp or Internal Lock with Key	\$71.75	108
AG267	Rehrig Pacific Company ROC-65DD: 65 Gallon Capacity Document Destruction Cart with Slotted Lid: Locking Hasp or Internal Lock with Key	\$80.75	108
AG268	Rehrig Pacific Company ROC-95DD: 95 Gallon Capacity Document Destruction Cart with Slotted Lid: Locking Hasp or Internal Lock with Key	\$85.75	108
BG269	Rehrig Pacific Company RB-14: curbside recycling bin: 14 gallon capacity, injection molded	\$7.25	200
BG270	Rehrig Pacific Company RB-18: curbside recycling bin: 18 gallon capacity, injection molded	\$7.95	200
BG271	Rehrig Pacific Company RB25: industrial-public litter/refuse container/recycling bin: 25 gallon capacity, injection molded, manual/automated dumping design	\$17.25	200
BG272	Rehrig Pacific Company RB32: industrial-public litter/refuse container/recycling bin: 32 gallon capacity, injection molded, manual/automated dumping design	\$18.15	200
BG273	Rehrig Pacific Company RB-SS: stacking recycling bins: 11.85 gallon capacity, 3 bin stacking system, injection molded	\$10.00	200



CG274	Rehrig Pacific Company ARB-6G: apartment recycling bin: 6 gallon capacity, injection molded with handle	\$7.50	200
CG275	Rehrig Pacific Company ORB-4G: office recycling bin: 4.0 gallon capacity, injection molded, desk side bin	\$6.50	200
CG276	Rehrig Pacific Company FWC-2G: kitchen food waste container: 2.0 gallon capacity, injection molded	\$5.75	200
DG277	Rehrig Pacific Company Commercial Container-2Y: 2 yard Front Load dumpster: rotational molded, replaceable molded in plastic sleeves, includes Lids and Casters	\$625.00	1
DG278	Rehrig Pacific Company Commercial Container-3Y: 3 yard Front Load dumpster: rotational molded, replaceable molded in plastic sleeves, includes Lids and Casters	\$725.00	1
DG279	Rehrig Pacific Company Commercial Container-4Y: 4 yard Front Load dumpster: rotational molded, replaceable molded in plastic sleeves, includes Lids and Casters	\$810.00	1
DG280	Rehrig Pacific Company Commercial Container-6Y: 6 yard Front Load dumpster: rotational molded, replaceable metal or plastic sleeves, includes Lids and Skid Plates	\$1,005.00	1
DG281	Rehrig Pacific Company Commercial Container-8Y: 8 yard Front Load dumpster: rotational molded, replaceable plastic or metal sleeves, includes Lids and Skid Plates	\$1,225.00	1
DG282	Rehrig Pacific Company Commercial Container-3YR: 3 yard Rear Load dumpster: rotational molded, trunnion bar and 1.5 ton rear mounted cable hook, includes Lids and Casters	\$685.00	1
DG283	Rehrig Pacific Company PLC-60G: public litter container: 60 gallon capacity, rotational molded, manual/automated collection	\$400.00	5
DG284	Rehrig Pacific Company PLC-75G: public litter container: 75 gallon capacity, rotational molded, manual/automated collection	\$500.00	5
GA001	Rehrig Pacific Company ROC-100L: 100 Liter Organic Waste Recycling Cart: Weatherproof Rodent Resistant Locking Lid, Lightweight, 8" Snap Wheels, injection molded, non-penetrating catch bar	\$63.75	108
GA002	Rehrig Pacific Company Commercial Container-2YR: 2 Yard Rear Load dumpster: rotational molded, trunnion bar and 1.5 ton rear mounted cable hook, includes Lids and Casters	\$605.00	1
GA003	Rehrig Pacific Company Assembly and Distribution of carts to House: Quantities 3,000 - 5,000	\$7.75	3000
GA004	Rehrig Pacific Company RFID-UHF Retrofit Costs of existing Containers Minimum 3,000 carts (does not include Tag Cost) homes	\$8.00	3000
GA005	Rehrig Pacific Company RFID-LF Retrofit Costs of existing Containers Minimum 3,000 carts (does not include Tag Cost)	\$10.00	3000
GA006	Rehrig Pacific Company Purchase of RFID Reader Hardware and/or GPS systems for Commercial, Semi Automated and Fully Automated Collection Vehicles	\$13,000.00	1
GA007	Rehrig Pacific Company Lease of RFID Reader Hardware and/or GPS systems for Commercial, Semi Automated and Fully Automated Collection Vehicles (RPC to Maintain Ownership of Equipment and a three (3) year agreement is required. Only offered for qualified customers/projects)	700 per truck per month	
GA008	Rehrig Pacific Company C.A.R.T.S. (Container Asset Recovery Tracking System)-Inventory & Work Order Module	\$1000 per month	
GA009	Rehrig Pacific Company C.A.R.T.S. (Container Asset Recovery Tracking System)-C.A.R.T.S. Collection Data Tracking Module	\$300 per truck, per month	
GA010	Rehrig Pacific Company C.A.R.T.S. (Container Asset Recovery Tracking System)-C.A.R.T.S. Vehicle & Service Tracking Module (On Google Maps Platform)	\$300 per truck, per month	
GA011	Rehrig Pacific Company Rehrig Pacific ROC-95Y: 95 gallon capacity residential rollout cart for yard waste, universal dumping design, injection molded integrally molded stop bar, 10" wheels	\$75.75	108

GA012	Rehrig Pacific Company Residential mailer/survey can include website development/entries and post cards delivered and received through postal service (excluding postage) polling and compiling of responses, minimum of 2,000	4.00 per participant	2000
GA013	Rehrig Pacific Company RFID-UHF and Barcode: Quantities 1,000 - 5,000	\$2.25	200
GA014	Rehrig Pacific Company RFID-UHF Rigid Tag and/or Rigid RFID/Barcode Tag Combo for Commercial Container Application	\$25.00	200
GA016	Rehrig Pacific Company RFID/Barcode - Commercial Container Retrofit of Existing Containers in Field	\$35.00 per container, does not include tag cost	
GA017	Rehrig Pacific Company Route Audit: Update Customer Database by Recording Cart Type and Serial Number from Each House: Min 5,000 Homes	\$3.50	5000
GA019	Rehrig Pacific Company Cart Washing at Customer Facility, minimum of 100 containers to be washed at a time. Customer must provide wash area and water disposal. (Limited to areas where RPC has local resources).	\$7.00 per cart wash	
GA020	Rehrig Pacific Company RFID System Monthly Cellular Data Charges	\$75 per month, per truck	
GA022	Rehrig Pacific Company Custom Integrations with Back Office Systems and/or Programming Fees for Specialized Projects-- Container Maintenance (for each \$12,500 per month, RPC will include one technician and one vehicle to process up to 30 work orders per day and drive up to 125 miles per day). Operations will be run out of customer facility for no additional cost and a three year contract is requested.	\$20,000 per month	
GA023	Rehrig Pacific Company Container Maintenance/Service Transaction Price in Applicable Areas (Where RPC Resources are available)	\$50 per ticket/transaction	
GA024	Rehrig Pacific Company Container Maintenance Service Day Rate in Applicable Areas - (Where RPC Resources are available)	\$1,700 per day per technician	
GA025b	Rehrig Pacific Company Rehrig Pacific ROC-95Y: 95 gallon capacity residential rollout cart for yard waste, universal dumping design, injection molded, integrally molded stop bar, 10" wheels	\$75.75	108
GA026b	Rehrig Pacific Company Residential mailer/survey can include website development/entries and post cards delivered and received through postal service (excluding postage) polling and compiling of responses, minimum of 2,000	\$4. per participant	2000



## Town of Surfside Commission Communication

**Agenda Item #:** 5C

**Agenda Date:** April 12, 2016

**Subject:** Additional funding needed for the 2016 Mack rear load tippers

**Background:** The Public Works Department received approval to purchase the 2015 Mack rear load truck for solid waste at the January 13, 2015 Commission meeting. The tippers are a necessary component for rear load trucks that was not included in the original Commission approval. The tippers are needed to empty the 2 and 3 cubic yard dumpsters and the large residential cans. The tippers were an added component to the truck that does not come from the factory.

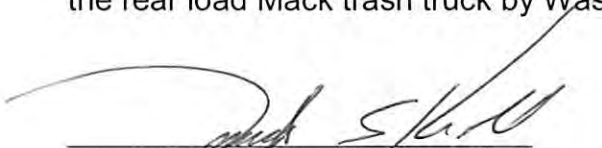
Waste Equipment and Parts is the warranty company for all Mack and Leach tippers which is the type of rear load tipper that we have on the Mack truck. By using Waste Equipment and Parts we do not void the manufacturer warranty. A memo to the Town Manager is attached to this communication outlining the aforementioned.

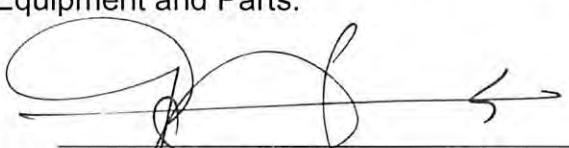
**Analysis:** Tippers are an important part of the functionality of these trucks and efficiency of the department. We would not be able to perform our tasks without them.

**Staff Impact:** N/A

**Budget Impact:** The cost to purchase and install the tippers is \$19,000 by Waste Equipment and Parts. Public Works has the funding in the Machinery and Equipment, account number 403-4000-534.6410 for this purchase.

**Recommendation:** Staff recommends approval of an after the fact purchase for tippers on the rear load Mack trash truck by Waste Equipment and Parts.

  
\_\_\_\_\_  
Joseph S. Kroll, Public Works Director

  
\_\_\_\_\_  
Guillermo Olmedillo, Town Manager

  
\_\_\_\_\_  
Donald Nelson, Finance Director

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

**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, AUTHORIZING, AFTER THE FACT, THE EXPENDITURE OF FUNDS IN THE AMOUNT OF \$19,000.00 FROM THE FISCAL YEAR 2015/2016 PUBLIC WORKS FUND ACCOUNT NO. 403-4000-534-6410, WAIVING THE BID PROCESS PURSUANT TO SECTION 3-13(6) OF THE TOWN OF SURFSIDE CODE OF ORDINANCES; AUTHORIZING THE TOWN MANAGER TO PURCHASE A 2016 MACK REAR LOAD TIPPER ATTACHMENT FROM A SOLE SOURCE EXEMPT FROM THE TOWN'S BIDDING PROCEDURES; PROVIDING FOR APPROVAL AND AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, on January 13, 2015, the Town Commission approved Resolution No. 15-2281 to purchase a 2016 Mack truck (Exhibit "A"); and

**WHEREAS**, the 2016 Mack rear load tipper attachment for the 2016 Mack truck was not included in the January 13, 2015 Commission approval; and

**WHEREAS**, the 2015 Mack rear load tipper attachment is needed to empty the two and three cubic yard dumpsters and large residential cans; and

**WHEREAS**, the Public Works Department purchased the 2016 Mack rear load tipper attachment (Exhibit "B" – Invoice from Waste Equipment and Parts, LLC); and

**WHEREAS**, pursuant to Section 3-12 of the Town Code, after conducting a good faith review of available sources, due to the nature of the goods and in receipt of a written request by the department head (See Exhibit "C") pursuant to Section 3-13(6) of the Town Code, the Town Manager has recommended that it is in the Town's best interest to waive the Town's competitive bidding procedures as a sole source exemption; and

**WHEREAS**, it is in the best interest of the Town to authorize, after the fact, the expenditure of funds in the amount of \$19,000.00 from the Fiscal Year 2015/2016 Public Works Fund Account No. 403-4000-534-6410.

**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, after the fact, the Town Manager to purchase the 2016 Mack

rear load tipper attachment for the 2016 Mack truck, in the amount of \$19,000.00 from the Fiscal Year 2015/2016 Public Works Fund Account No. 403-4000-534-6410.

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

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

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

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

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

**FINAL VOTE ON ADOPTION**

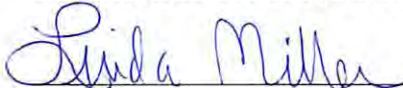
Commissioner Daniel Gielchinsky	_____
Commissioner Michael Karukin	_____
Commissioner Tina Paul	_____
Vice Mayor Barry Cohen	_____
Mayor Daniel Dietch	_____

\_\_\_\_\_  
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

RESOLUTION NO. 15 - 2281

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, TO APPROVE THE PURCHASE OF A 2016 MACK TRUCK WITH A 25 YARD REAR LOADER; TRANSFERRING FUND BALANCE (RESERVES) FROM THE GENERAL FUND BALANCE TO SOLID WASTE FUND ACCOUNT NO. 403-4000-534-64.10 APPROPRIATING THE FUNDS IN THE SOLID WASTE FUND; AMENDING THE TOWN'S BUDGET FOR FISCAL YEAR 2014/2015; PROVIDING FOR APPROVAL AND AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the 2001 Mack truck has met its replacement criteria of miles (275,000) and years (14) in service; and

WHEREAS, the Town is only one square mile and the trucks operate beyond the normal wear and tear of an average cycle due to a 5 day solid waste pick-up for residential customers and 6 day solid waste pick-up for commercial customers; and

WHEREAS, in order to continue this level of service, equipment needs to be maintained and replaced accordingly; and

WHEREAS, to keep the 2001 Mack truck in service, the Town has spent in Fiscal Year 2013 \$21,530.00, Fiscal Year 2014 \$19,139.00 and the first three months of Fiscal Year 2015 \$12,449.00 for a total of \$53,118.00; and

WHEREAS, to purchase a new truck through the Florida Sheriff's State Bid No. 14-12-0904 (Attachment "A") will cost \$202,998.50; and

WHEREAS, the truck dealer Nextran (Attachment "B") has offered to buy the 2001 Mack truck for \$20,000.00; and

WHEREAS, the net cost of the new Mack truck including the trade-in sale will cost the Town \$182,998.50; and

WHEREAS, the purchase of a new Mack truck was not budgeted in the 2014/2015 Fiscal Year Budget and the cost of the purchase requires transfer of Fund Balance (Reserves) in the total amount of \$182,998.50 from the General Fund Balance to the Solid Waste Fund Account No. 403-4000-534-64.10, amending the 2014/2015 budget to appropriate the funds in the Solid Waste Fund; and

WHEREAS, in order to continue to provide the Town with the best level of service for solid waste pick-up, the Public Works Department recommends that the Town

Commission approve and authorize the purchase of the 2016 Mack truck with a 25 yard rear loader through the annual Florida Sheriff Bid and the trade-in sale of the 2001 Mack of \$20,000.00 for a total net cost of \$182,998.50.

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

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

**Section 2. Approval and Authorization.** The Town Commission hereby approves and authorizes the Town Manager and/or designee to trade-in the 2001 Mack truck for \$20,000.00 and to purchase the 2016 Mack truck with a 25 yard rear loader for a net cost of \$182,998.50.

**Section 4. Budget Amendment.** The Town Commission authorizes the Town Manager to amend the budget previously adopted by Resolution No. 14-2257 to transfer the amount described in Section 2 hereinabove from the General Fund Balance to Solid Waste Account No. 403-4000-534-64.10.

**Section 5. Implementation.** The Town Manager and/or designee and the Public Works Director are hereby authorized to take any and all action necessary to implement this Resolution.

**Section 6. Effective Date.** This Resolution shall become effective immediately upon its adoption.

PASSED AND ADOPTED this 13<sup>th</sup> day of January, 2015.

Motion by Commissioner Karukin,

Second by Commissioner Cohen.

**FINAL VOTE ON ADOPTION**

Commissioner Barry Cohen

yes

Commissioner Michael Karukin

yes

Commissioner Marta Olchyk

yes

Vice Mayor Eli Tourgeman

absent

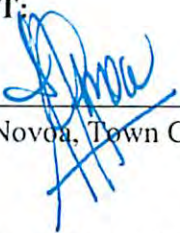
Mayor Daniel Dietch

yes

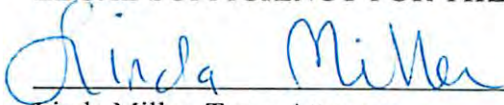


Daniel Dietch, Mayor

ATTEST:

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

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

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



# BUYER'S ORDER

ATTACHMENT "A"



Sold to: Town of Surfside  
 9293 Harding Avenue  
 Surfside, FL 33154

Invoice Number: \_\_\_\_\_  
 Date: October 16, 2014  
 PO #: \_\_\_\_\_  
 Salesman: \_\_\_\_\_

Mark Hansen

Make	Year	Model	Type	VIN NUMBER	Amount
MACK	2016	GU813	NEW	ORDER OUT	\$ 203,216.00

IN ACCORDANCE WITH FLORIDA SHERIFFS STATE BID NO. 14-12-0904  
 SPECIFICATION # 14 , REFUSE TRUCK

TRUCK SPECIFICATION		
BASE TRUCK	Mack GU813	\$ 108,755.00
	Allison 4500 RDS	\$ 18,910.00
	20,000 FRT axle	\$ 2,176.00
	46,000 Rear axle	\$ 3,095.00
	46,000 Rear Suspension	\$ 6,060.00
Ext Warranty	Engine/Aftertreatment	\$ 2,950.00
	5year/250K miles	\$ -
	Tire tax credit	\$ (368.00)
Leach 2R-III	25 CU YD Rear Loader	\$ 61,638.00
	<b>TRUCK TOTAL</b>	<b>\$ 203,216.00</b>

Total Selling Price: \$ 203,216.00  
 Tire Tax Credit \$ (232.00)  
 Disposal Fee: \$ 14.50  
 Sub Total: \$ 202,998.50

AMOUNT DUE: \$ 202,998.50

P.O. # \_\_\_\_\_

  
 Salesman Signature

Customer Signature

MV Registration#: MV12152  
 Our Service Manager is Joe Ponder  
 Our Parts Manager is Matt Lenhart  
 Our Sales Manager is Barry Sessions  
 Feel free to call if you need any assistance!

2200 W. Landstreet Rd., Orlando, FL 32809  
 Phone: 800-800-6225 Fax: 407-398-0297

**From:** Mark Hansen [<mailto:mhansen@nexttrancorp.com>]  
**Sent:** Monday, January 05, 2015 12:12 PM  
**To:** Joseph Kroll  
**Subject:** Fwd: Trade

Sent from my iPad

Begin forwarded message:

**From:** Joseph Kroll <[jkroll@townofsurfsidefl.gov](mailto:jkroll@townofsurfsidefl.gov)>  
**Date:** December 16, 2014 at 3:25:35 PM EST  
**To:** Mark Hansen <[mhansen@nexttrancorp.com](mailto:mhansen@nexttrancorp.com)>  
**Subject:** RE: Trade

Mark thanks

Joseph S Kroll  
Public Works Director  
Town of Surfside

-----Original Message-----

**From:** Mark Hansen [<mailto:mhansen@nexttrancorp.com>]  
**Sent:** Monday, December 15, 2014 1:12 PM  
**To:** Joseph Kroll  
**Subject:** Trade

Joseph:

Our Wholesaler will give \$20,000 for your 2001 trade. Trucks and Parts in Tampa is the wholesaler.

If you need anything from me please let me know.

Best Regards,

Mark Hansen - Account Manager  
Nexttran Truck Centers  
Office - 800-780-0089  
Mobile - 321-302-5203

NOTE: Florida Public Records Law provides that most written communications to or from Municipal employees regarding town business are public records, available to the public and media upon request. Therefore, this e-mail message may be subject to public disclosure.

**INVOICE**

INVOICE #: INV-03256  
 DATE: 02/01/2016  
 NET TERMS: NET DUE



**WEP OF SOUTH FLORIDA, LLC**  
 1907 NW 40TH COURT  
 POMPANO BEACH, FL 33064  
 PHONE: (954) 366-5232  
 FAX: (813) 241-1990

**BILL TO:** Town of Surfside  
 9293 Harding Ave.  
 Attn: Parts/Shop Department  
 Surfside, FL 33154  
 United States

**SHIP TO:** Town of Surfside  
 9293 Harding Ave.  
 Attn: Parts/Shop Department  
 Surfside, FL 33154  
 United States

Reference Number: Two Cart Tipper Installs  
 02/01/2016

**DUE DATE:**

SHIP VIA	MESSAGE
Truck	SO-02188 New Leach s/n RL15701UEI Mack VIN N033692 Mack VIN M067537

ITEM ID	ITEM NAME	QUANTITY	PRICE	EXTENDED PRICE
LABOR	INSTALLED A SINGLE QC LIFTER KIT ON A BRAND NEW UNIT. CUT, GRIND AND WELD STEEL TO POSITION TIPPER ON TAILGATE. INSTALL NEW LATCHES ON EACH SIDE AND MAKE LONGER HYDRAULIC HOSES TO REACH TIPPER.	78	\$105.00	\$8,190.00
QC-RAH100	BOSS LIFTER (ROTARY)	1	\$2930.00	\$2,930.00
QC-STAP	SINGLE TAP-IN KIT	1	\$910.00	\$910.00
STEEL	CONTAINER ATTACHMENT STEEL TUBE BUMPERS	2	\$37.69	\$75.38
701691	LATCH ARM EXT. SILL	2	\$201.03	\$402.06
FITTINGS	TIPPER FITTING	2	\$5.72	\$11.44
FITTINGS	TIPPER DIVERTER VALVE ADAPTER	1	\$63.48	\$63.48
HOSES	#8 X 73" L HOSE & FITTINGS	1	\$54.09	\$54.09
HOSES	#8 X 64" L HOSE & FITTINGS	1	\$49.77	\$49.77
OIL	HYDRAULIC OIL (GALLON)	8	\$9.60	\$76.80
LABOR	INSTALLED A SINGLE QC LIFTER KIT ON A BRAND NEW UNIT. CUT, GRIND AND WELD STEEL TO POSITION TIPPER ON TAILGATE. INSTALL NEW LATCHES ON EACH SIDE AND MAKE LONGER HYDRAULIC HOSES TO REACH TIPPER.	77	\$105.00	\$8,085.00
QC-RAH100	BOSS LIFTER (ROTARY)	1	\$2930.00	\$2,930.00
QC-STAP	SINGLE TAP-IN KIT	1	\$910.00	\$910.00
STEEL	CONTAINER ATTACHMENT STEEL TUBE BUMPERS	2	\$61.86	\$123.72
STEEL	LH/RH CONTAINER ATTACHMENT LATCH LOCKS	1	\$53.85	\$53.85
FITTINGS	TIPPER DIVERTER VALVE ADAPTOR	1	\$63.48	\$63.48
FITTINGS	TIPPER ADAPTOR	1	\$3.02	\$3.02

Remit all payments to:  
**WEP OF SOUTH FLORIDA, LLC**  
 4902 SOUTH 16TH AVENUE, SUITE E, TAMPA, FL 33619  
 PHONE: (954) 366-5232 FAX: (954) 532-7439  
**THANK YOU FOR YOUR BUSINESS**

FITTINGS	TIPPER FITTING	2	\$5.72	\$11.44
HOSES	8 X 73" L HOSE AND FITTINGS	1	\$54.09	\$54.09
HOSES	8 X 64" L HOSE AND FITTINGS	1	\$49.77	\$49.77
MISC. SERV	DIESEL FUEL	1	\$76.92	\$76.92
SHIPPING	SHIPPING	1	\$103.79	\$103.79
DISCOUNT	DISCOUNT FOR TWO TIPPER INSTALLS	1	\$-6228.10	\$-6,228.10
			<b>SUBTOTAL</b>	<b>\$19,000.00</b>
			<b>Sales Tax</b>	<b>\$0.00</b>
			<b>TOTAL</b>	<b>\$19,000.00</b>



Town of Surfside  
Public Works Department  
9293 Harding Avenue – Surfside, Florida 33154  
[www.townofsurfsidefl.gov](http://www.townofsurfsidefl.gov)

## MEMORANDUM

TO: Guillermo Olmedillo, Town Manager  
FROM: Joseph S. Kroll, Public Works Director  
SUBJECT: Sole source for repairs and/or parts  
DATE: March 29, 2016

Public Works is utilizing Waste Equipment and Parts for any of it's work to the solid waste trucks. Since Waste Equipment is the authorized equipment repair company for our rear load garbage trucks. With that in mind the installation of the tippers that needed to be put onto the trucks before they went into service, made sense to use Waste Equipment so my warranty would stay valid and we would not have any issues. These tippers are used to dump the large 2 and 3 yard containers as well as the 95 gallon residential cans. Waste Equipment is the only authorized dealer in the tri-county area for this equipment. The next closest dealer is in Tampa .



## Town of Surfside Commission Communication

**Agenda Item #:** 5D

**Agenda Date:** April 12, 2016

**Subject:** Town parking lot wall maintenance

**Background:** The Public Works Department received three (3) bids to pressure wash, patch, perform minor repairs where needed, prime, and paint the walls at Town owned parking lots.

Trenchless Excavation, Inc.	\$8,830.36
Thousand and One Painting	\$9,394.00
Source Brick & Stone	\$9,394.00

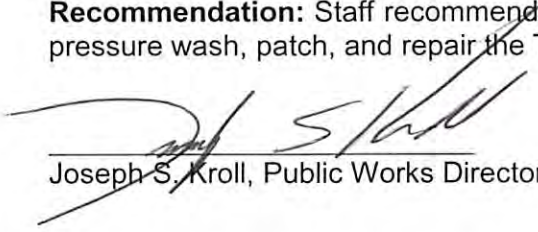
The Abbott, 94<sup>th</sup> Street and north facing Town Hall lots are due for maintenance on the walls that border the above mentioned parking lot locations. It has been three years since the last time they were painted and repaired. Public Works does periodically maintain the walls throughout the year to help keep their appearance.

**Analysis:** It is necessary that we maintain a regular maintenance schedule for the preservation of Town owned facilities and properties. These parking lots are very busy, providing a place for customer's to park their cars as they shop or eat in the business district. A clean and maintained parking area is essential.

**Staff Impact:** N/A

**Budget Impact:** The budget impact is \$8,830.36 per the bid provided by Trenchless Excavation, Inc. Funding for this project is budgeted in the Municipal Parking Fund Account # 402-9500-545-4611.

**Recommendation:** Staff recommends the Town Commission approve and award the bid of \$8,830.36 and to pressure wash, patch, and repair the Town Hall parking lots.

  
Joseph S. Kroll, Public Works Director

  
Guillermo Olmedillo, Town Manager

  
Donald Nelson, Finance Director

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

**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, AWARDED THE PROPOSAL TO TRENCHLESS EXCAVATION, INC. FOR THE MAINTENANCE OF THE WALLS AT THE TOWN OWNED PARKING LOTS; AUTHORIZING THE EXPENDITURE OF FUNDS IN THE AMOUNT OF \$8,830.36 FROM THE MUNICIPAL PARKING FUND ACCOUNT NO. 402-9500-545-4611; PROVIDING FOR APPROVAL AND AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the Public Works Department received the following three (3) proposals (see Attachment "A") to pressure wash, patch, prime, and paint the walls at the Town owned parking lots:

- |                                    |            |
|------------------------------------|------------|
| 1) Trenchless Excavation, Inc.     | \$8,830.36 |
| 2) Thousand and One Painting Corp. | \$9,343.00 |
| 3) Source Brick & Stones, LLC      | \$9,343.00 |

**WHEREAS**, clean and well maintained parking lots attract and retain customers that dine and shop in the Business District; and

**WHEREAS**, the Town owned parking lots are very busy and it is important to keep a regular maintenance schedule for the preservation of the Town owned facilities and properties; and

**WHEREAS**, after reviewing all three proposals submitted to the Town, the Public Works Director recommends the selection of Trenchless Excavation, Inc. whom was chosen to be the lowest and most responsible and responsive bidder; and

**WHEREAS**, it is in the best interest of the Town to authorize the expenditure of funds in the amount of \$8,830.36 from the Municipal Parking Fund Account No. 402-9500-545-4611 to pressure wash, patch, prime, and paint the walls at the Town owned parking lots.

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

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

**Section 2. Approval and Award of Proposal.** Town Commission hereby approves and awards the proposal to Trenchless Excavation, Inc. to pressure wash, patch, perform minor repairs where needed, prime, and paint the walls at the Town owned parking lots.

**Section 3. Approval and Authorization to Expend Funds.** The Town Commission hereby approves and authorizes the Town Manager and/or designee to expend funds in the amount not to exceed \$8,830.36 from the Municipal Parking Fund Account No. 402-9500-545-4611 to pressure wash, patch, prime, and paint the walls at the Town owned parking lots.

**Section 4. Implementation.** The Town Manager and/or designee are hereby authorized to take any and all action necessary to implement this Resolution.

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

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

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

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

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

**FINAL VOTE ON ADOPTION**

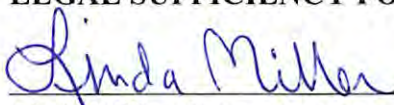
Commissioner Daniel Gielchinsky	_____
Commissioner Michael Karukin	_____
Commissioner Tina Paul	_____
Vice Mayor Barry Cohen	_____
Mayor Daniel Dietch	_____

\_\_\_\_\_  
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**

**Trenchless Excavation, Inc.**

INVOICE # 801  
DATE: MARCH 21, 2016

625 CASA LOMA BLVD. UNIT 908  
Boynton Beach, FL 33435  
Phone (954)-213-2751 Fax (561)739-3111  
skyorlovsky@yahoo.com

TO: Town of Surfside  
Joseph S. Kroll  
Public Works Director

**Scope of Work**  
**9394 SQ. FT. of walls**

ITEM #	DESCRIPTION		LINE TOTAL
1	Pressure clean exterior walls with 4000 psi		
2	Apply primer/sealer to all exterior walls		
3	Apply 100% Acrylic paint to all exterior walls		
4	Match existing colors		
		SUBTOTAL (ITEM 1-4)	\$8,830.36
5	Additional quote for patching holes and cracks on all exterior walls Price	SUBTOTAL (ITEM 5)	\$1,870.00
			TOTAL
			\$10,700.36

Due upon receipt.

Quotation prepared by: 

This is a quotation on the goods named, subject to the conditions noted below: [Describe any conditions pertaining to these prices and any additional terms of the agreement. You may want to include contingencies that will affect the quotation.]

To accept this quotation, sign here and return: \_\_\_\_\_

THANK YOU FOR YOUR BUSINESS!

March 18, 2016

City of Surfside  
Project: Paint exterior lower walls 3 parking lots.  
Location: Town of Surfside, FL  
ATTN: Joseph S Krol

## PROPOSAL

We hereby propose to furnish materials, equipment, all labor and supervision necessary for section 09900 Painting Only

### INCLUSIONS:

1. Exterior stucco walls based on approximated 9,394' Sq feet

2.

### SCOPE OF WORK EXTERIOR:

3. Pressure clean walls with 4000 PSI minimum.
4. Apply primer / Sealer to all stucco walls.
5. Apply 100% Acrylic Paint to all exterior walls
6. Match existing colors.

### EXCLUSIONS:

7. Floor coatings

**Total Bid \$ 9,394.**

All work and material is guaranteed to be as specified and the above work to be performed in accordance with the drawings and Specifications 09900, completed in a clean professional, workmanlike manner and According to industry standards.

### **Alternative:**

- a) Provide labor for touch up prior to turn over Rate \$ 35.00 per hour

Respectfully submitted:

**Omar Jalmes**  
President

Thank you for this opportunity. If you have any questions, please do not hesitate to contact me at: Cell 954-868-7304, 954 582-0202 or [omar@1001painting.com](mailto:omar@1001painting.com). **Note:** this proposal may be withdrawn by us if not accepted within 90 days.

### ACCEPTANCE OF PROPOSAL

The above prices, specifications, and conditions  
Are satisfactory and are hereby accepted.  
You are authorized to do the Work as specified.  
Payment will be made as Billed or Contract agreement.

Accepted By: \_\_\_\_\_

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

Dade: 05 Bs000939 Broward: 00 9638-PU- X. W.P.B  
Government Certification: MBE, SBE,  
Liability Insurance: \$1,000,000-  
Auto Insurance:  
Workers Compensation:

SOURCE BRICK & STONES LLC  
 680 CYPRESS CLUB WAY APT. P  
 POMPANO BEACH, FL 33064

(954)826-5099  
 SAMNARAP@HOTMAIL.COM

# Estimate

Date	Estimate #
03/21/2016	1033
Exp. Date	
	04/21/2016

Address
Town of Surfside 9293 Harding Avenue Surfside, FL 33154

Activity	Quantity	Rate	Amount
<ul style="list-style-type: none"> <li>• - Pressure clean all exterior walls.</li> <li>- Apply primer / sealer to all exterior walls.</li> <li>- Apply 100% Acrylic paint to all exterior walls.</li> <li>- Match existing colors.</li> </ul> <p>Minor repairs and patching if needed will be extra.</p>	9394	1.00	9,394.00
<b>Total</b>			<b>\$9,394.00</b>

Accepted By

Accepted Date

# QUOTE

## Trenchless Excavation, Inc.

INVOICE # 801  
DATE: MARCH 21, 2016

625 CASA LOMA BLVD. UNIT 908  
Boynton Beach, FL 33435  
Phone (954)-213-2751 Fax (561)739-3111  
skyorlovsky@yahoo.com

TO: Town of Surfside  
Joseph S. Kroll  
Public Works Director

### Scope of Work 9394 SQ. FT. of walls

ITEM #	DESCRIPTION		LINE TOTAL
1	Pressure clean exterior walls with 4000 psi		
2	Apply primer/sealer to all exterior walls		
3	Apply 100% Acrylic paint to all exterior walls		
4	Match existing colors		
		SUBTOTAL (ITEM 1-4)	\$8,830.36
5	Additional quote for patching holes and cracks on all exterior walls Price	SUBTOTAL (ITEM 5)	\$1,870.00
TOTAL			\$10,700.36

Due upon receipt.

Quotation prepared by:  \_\_\_\_\_

This is a quotation on the goods named, subject to the conditions noted below: [Describe any conditions pertaining to these prices and any additional terms of the agreement. You may want to include contingencies that will affect the quotation.]

To accept this quotation, sign here and return: \_\_\_\_\_

THANK YOU FOR YOUR BUSINESS!

March 18, 2016

City of Surfside  
Project: Paint exterior lower walls 3 parking lots.  
Location: Town of Surfside, FL  
ATTN: Joseph S Krol

## PROPOSAL

We hereby propose to furnish materials, equipment, all labor and supervision necessary for section 09900 Painting Only

### **INCLUSIONS:**

1. Exterior stucco walls based on approximated 9,394' Sq feet

2.

### **SCOPE OF WORK EXTERIOR:**

3. Pressure clean walls with 4000 PSI minimum.
4. Apply primer / Sealer to all stucco walls.
5. Apply 100% Acrylic Paint to all exterior walls
6. Match existing colors.

### **EXCLUSIONS:**

7. Floor coatings

**Total Bid \$ 9,394.**

All work and material is guaranteed to be as specified and the above work to be performed in accordance with the drawings and Specifications 09900, completed in a clean professional, workmanlike manner and According to industry standards.

### **Alternative:**

- a) Provide labor for touch up prior to turn over Rate \$ 35.00 per hour

Respectfully submitted:

**Omar Jaimes**  
President

Thank you for this opportunity. If you have any questions, please do not hesitate to contact me at: Cell 954-868-7304, 954 582-0202 or [omar@1001painting.com](mailto:omar@1001painting.com). Note: this proposal may be withdrawn by us If not accepted within 90 days.

### **ACCEPTANCE OF PROPOSAL**

The above prices, specifications, and conditions  
Are satisfactory and are hereby accepted.  
You are authorized to do the Work as specified.  
Payment will be made as Billed or Contract agreement.

Accepted By: \_\_\_\_\_

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

SOURCE BRICK & STONES LLC  
 680 CYPRESS CLUB WAY APT. P  
 POMPANO BEACH, FL 33064

(954)826-5099  
 SAMNARAP@HOTMAIL.COM

# Estimate

Date	Estimate #
03/21/2016	1033
Exp. Date	
	04/21/2016

Address
Town of Surfside 9293 Harding Avenue Surfside, FL 33154

Activity	Quantity	Rate	Amount
<ul style="list-style-type: none"> <li>• - Pressure clean all exterior walls.</li> <li>- Apply primer / sealer to all exterior walls.</li> <li>- Apply 100% Acrylic paint to all exterior walls.</li> <li>- Match existing colors.</li> </ul> <p>Minor repairs and patching if needed will be extra.</p>	9394	1.00	9,394.00
<b>Total</b>			<b>\$9,394.00</b>

Accepted By

Accepted Date



**TOWN OF SURFSIDE  
Commission Communication**

**Agenda Item #** 5E  
**Agenda Date:** April 12, 2016  
**From:** Guillermo Olmedillo, Town Manager  
**Subject:** Wyland Challenge for Water Conservation

---

**Background:** The Town of Surfside is becoming a leader in environmental sustainability. All of us in Surfside should be doing our part to conserve our precious drinking water.

**Analysis:** The Town of Surfside, as well as the State of Florida, the South Florida Water Management District and Miami-Dade County have designated April as Water Conservation Month. The fifth annual National Mayor's Challenge for Water Conservation is a healthy, non-profit competition for cleaner communities and a water use and pollution reduction competition between our cities. The Town of Surfside wishes to inspire its residents and its neighboring communities to take the "Wyland Mayor's Challenge for Water Conservation" by making a series of online pledges at [www.mywaterpledge.com](http://www.mywaterpledge.com) to reduce their impact on the environment and to see immediate savings in their water, trash, and electricity bills.

**Recommendation:** I suggest the Town Commission pass this resolution to declare support for the "Wyland Mayor's Challenge for Water Conservation" and that the program is to be implemented from April 1- 30, 2016, through a series of communication and outreach strategies.

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

**A RESOLUTION OF THE TOWN OF SURFSIDE SUPPORTING THE NATIONAL “WYLAND MAYOR’S CHALLENGE FOR WATER CONSERVATION” IN THE TOWN OF SURFSIDE; DIRECTING THE TOWN CLERK TO TRANSMIT A COPY OF THIS RESOLUTION TO THE FLORIDA LEGISLATURE, THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT, THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, AND ALL THE MUNICIPALITIES OF MIAMI-DADE COUNTY; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the Town of Surfside Commission recognizes the importance of high quality drinking water to the public's health, safety and welfare; and

**WHEREAS**, the Town of Surfside, as well as the State of Florida, the South Florida Water Management District and Miami-Dade County have designated April as Water Conservation Month; and

**WHEREAS**, the Town Commission further recognizes the importance of conserving this precious resource; and

**WHEREAS**, the Town of Surfside is within Miami-Dade County’s critical "water caution area" as declared by the South Florida Water Management District and our limited water resources are being shared between our environment, agriculture, and urban areas; and

**WHEREAS**, conservation plays an important role in protecting and preserving the delicate ecosystem; and

**WHEREAS**, by conserving our water resources we are also saving money -- the more we preserve the longer our water supply will last; and

**WHEREAS**, the Town of Surfside continues to explore ways to manage residential consumption of water, and to inspire its residents to care for our natural resources; and

**WHEREAS**, the fifth annual National Mayor’s Challenge for Water Conservation is a healthy, non-profit competition for cleaner communities and a water use and pollution reduction competition between our cities; and

**WHEREAS**, with the encouragement of the Town, residents may register their participation in the Town’s Challenge online by making simple pledges to decrease their water use and to reduce pollution for the period of one year, thereby assisting the Town



to apply State and Federal water conservation strategies and to target mandated reductions; and

**WHEREAS**, from April 1- 30, 2016, the Town of Surfside wishes to inspire its residents and its neighboring communities to take the "Wyland Mayor's Challenge for Water Conservation" by making a series of online pledges at [www.mywaterpledge.com](http://www.mywaterpledge.com) to reduce their impact on the environment and to see immediate savings in their water, trash, and electricity bills.

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

**Section 1.** The Town of Surfside supports the "Wyland Mayor's Challenge for Water Conservation" and that the program is to be implemented from April 1- 30, 2016, through a series of communication and outreach strategies.

**Section 2. Direction to the Town Clerk.** The Town Clerk is hereby directed to send a copy of this Resolution to the Florida Legislature, the South Florida Water Management District, the Board of County Commissioners of Miami-Dade County, and all the municipalities of Miami-Dade County.

**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**

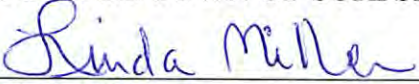
Commissioner Daniel Gielchinsky	_____
Commissioner Michael Karukin	_____
Commissioner Tina Paul	_____
Vice Mayor Barry Cohen	_____
Mayor Daniel Dietch	_____

\_\_\_\_\_  
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  
Town Commission Meeting  
April 12, 2016  
7:00 pm**

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

**RESOLUTION COVER MEMORANDUM**

**Agenda #:** 5F  
**Agenda Date:** April 12, 2016  
**From:** Mayor Daniel Dietch  
**Subject:** Support for Miami-Dade County Parks and Open Space Master Plan

---

**Objective:** That the Surfside Town Commission approve the attached resolution to support and endorse the Miami-Dade County Parks and Open Space Master Plan.

**Background:** Parks, open spaces and preserves are vital to the quality of life of all Miami-Dade County residents. The Town of Surfside is committed to the fundamental values of equity, recreation opportunity and environmental stewardship. Parks are also economic engines, they impact property values, assist in revitalizing communities, provide a place for recreation and open space and welcome all citizens.

**Analysis:** The Miami-Dade County Parks and Open Space Master Plan was created to envision parks, public spaces, natural and cultural areas, streets, greenways, blueways and trails to form a framework for more sustainable communities. Parks in Miami-Dade County are part of the public realm and integrated into the fabric of the community. The goal of the Master Planning process is to “create a seamless, sustainable system of parks, recreation and conservation open spaces for this and future generations.”

On April 14<sup>th</sup> and 15<sup>th</sup>, Mayor Carlos Gimenez will host the 2016 Great Park Summit (<http://www.miamidade.gov/parksmasterplan/great-parks-summit.asp>). The Summit program will address innovative planning, design and development trends and initiatives and includes experts from around the country as well as local recognized leaders who will share ideas and best practices in the field of parks and recreation.

**Recommendation:** To approve the attached resolution to support and endorse the Miami-Dade County Parks and Open Space Master Plan.

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

**A RESOLUTION OF THE TOWN OF SURFSIDE, FLORIDA SUPPORTING AND ENDORSING THE MIAMI-DADE PARKS AND OPEN SPACE MASTER PLAN; DIRECTING THE TOWN CLERK TO TRANSMIT A COPY OF THIS RESOLUTION TO THE MIAMI-DADE COUNTY BOARD OF COUNTY COMMISSIONERS; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR APPROVAL AND AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, parks, open spaces and preserves are vital to the quality of life of all residents of Miami Dade County; and

**WHEREAS**, the Town of Surfside is committed to the fundamental and abiding values of equity, recreation opportunity and environmental stewardship; and

**WHEREAS**, parks are economic engines, they impact property values, assist in revitalizing communities, provide a place for recreation and open space and welcome all citizens; and

**WHEREAS**, the Miami-Dade Parks and Open Space Master Plan was created to envision parks, public spaces, natural and cultural areas, streets, greenways, blueways, and trails to form a framework for a more sustainable community; and

**WHEREAS**, parks in Miami-Dade County are part of the public realm, and integrated into the fabric of the community. The goal of the Miami-Dade Parks and Open Space Master Plan process is to “create a seamless, sustainable system of parks, recreation and conservation open spaces for this and future generations; and

**WHEREAS**, we know that there is strength in unity.

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

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

**Section 2. The Town of Surfside supports and endorses the Miami-Dade Parks and Open Space Master Plan.** The Town of Surfside endorses the Miami-Dade Parks and Open Space Master Plan and fully supports the principles on which it stands.

**Section 3. Authorization and Implementation.** The Town Manager is hereby authorized to take any and all action necessary to implement this Resolution.

**Section 4. Direction to the Town Clerk.** The Town Clerk is hereby directed to send a copy of this Resolution to the Miami-Dade County Board of County Commissioners.

**Section 5. 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 Daniel Gielchinsky \_\_\_\_\_  
Commissioner Michael Karukin \_\_\_\_\_  
Commissioner Tina Paul \_\_\_\_\_  
Vice Mayor Barry Cohen \_\_\_\_\_  
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 Commission Communication

**Agenda Item #** 5G

**Agenda Date:** April 12, 2016

**Subject:** FY 2015/2016 Budget Amendment Resolution

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

The Town Commission monitors the budget to actual summary at the fund level monthly on each agenda. The Town Manager is authorized by the Charter to make adjustments within funds so long as the appropriation for each fund is not exceeded. The purpose of this budget amendment is for the Town Commission to amend the FY 2015/2016 Budget and to recognize changes in revenues and expenditures that differ from the adopted budget.

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

**Analysis:** Staff has revisited and reviewed all FY 2015/2016 approved revenues and expenditures. A summary discussion, of the recommended change to the FY 2015/2016 Budget follows:

### **GENERAL FUND (Attachment A)**

The amendment to the General Fund projects revenue increases of \$324,541; and unassigned reserves in the amount of \$410,489 are being appropriated to fund ongoing operating expenditures and additional budgetary needs. The use of General Fund reserves is primarily due to an adjustment to building inspectors' personnel costs (\$177,441), a

transfer to the Capital Projects Fund for the Seawall Project Phases 1 & 2 (\$66,384), a Public Safety vehicle (\$33,400), a Code Compliance vehicle (\$23,000), a CITT required increase to the Town's Maintenance of Effort MOE (\$20,000), and expenditures for other items. These expenditures are projected to be in excess of the originally budgeted amounts and the adjustments are detailed within the justification column of Attachment A.

### **CAPITAL PROJECTS FUND (Attachment B)**

The Capital Projects Fund has a projected increase in revenues from a General Fund transfer in for the Seawall Project Phases 1 & 2 expenditures (\$66,384).

### **MUNICIPAL TRANSPORTATION FUND (Attachment B)**

Municipal Transportation Fund reserves of \$106,419 are being appropriated to fund the cost of modifying travel lanes at 90<sup>th</sup> St. & Harding Avenue (\$15,000), traffic signal modification engineering (\$84,995), and for equipment (\$6,424) not originally budgeted.

### **MUNICIPAL PARKING FUND (Attachment C)**

Municipal Parking Fund reserves of \$69,715 are appropriated for the southwest parking lot project (\$35,950), the MultiSpace meter maintenance contract (\$23,200) and for additional expenditures not originally budgeted.

### **SOLID WASTE FUND (Attachment C)**

The Solid Waste Fund projects additional service revenue of \$17,410. Reserves of \$202,999 are being re-appropriated for the purchase of a garbage truck. Additional expenditures for personnel costs (\$46,474) and costs associated with the date of implementing in-house recycling (\$92,924) are funded from reserves.

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

**Staff Impact:** No impact to staff is required to re-balance the budget and meet the Town's fiduciary responsibilities.

**Recommendation:** It is recommended that the Surfside Town Commission adopt the FY 2015/2016 budget amendment resolution per attachment A, B and C.

  
\_\_\_\_\_  
Finance Director

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

  
\_\_\_\_\_  
Budget Officer



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

**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, AMENDING THE ANNUAL BUDGET RESOLUTION ADOPTED FOR FISCAL YEAR OCTOBER 1, 2015 TO SEPTEMBER 30, 2016; FOR THE PURPOSE OF AMENDING THE ANNUAL BUDGET IN THE GENERAL FUND, CAPITAL PROJECT FUND, MUNICIPAL TRANSPORTATION FUND, MUNICIPAL PARKING FUND, AND SOLID WASTE FUND; AND OTHER ADJUSTMENTS TO THE BUDGET FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2016; PROVIDING FOR APPROVAL AND AUTHORIZATION; PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the Town of Surfside (“Town”) adopted Resolution No. 15-2316 on September 21, 2015 establishing revenues and appropriations for the Town for the Fiscal Year ending September 30, 2016; and

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

**WHEREAS**, an increase to the budgeted revenue estimates, transfers and expenditure estimates is required for the General Fund, Capital Projects Fund, Municipal Transportation Fund, Municipal Parking Fund, and Solid Waste Fund, to comply with Florida Statutes and the Town’s commitment to sound budgeting practices, where budgeted expenditures may not exceed anticipated revenues.

**WHEREAS**, this resolution amends the Fiscal Year 2015/2016 annual budget as set forth as Attachments “A”, “B” and “C”; and

**WHEREAS**, it is in the best interest of the Town to adopt the Fiscal Year 2015/2016 amendatory General Fund, Capital Projects Fund, Municipal Transportation Fund, Municipal Parking Fund, and Solid Waste Fund budget resolution as submitted.

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

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

**Section 2. Approval and Authorization.** The Town Commission hereby approves and authorizes the proposed Fiscal Year 2015/2016 budget amendments as set forth as Attachments “A”, “B” and “C”.

**Section 3. Implementation.** The Town Manager is hereby authorized to take any and all action necessary to implement this Resolution.

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

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

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

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

**FINAL VOTE ON ADOPTION**

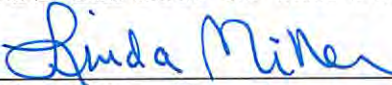
Commissioner Daniel Gielchinsky	_____
Commissioner Michael Karukin	_____
Commissioner Tina Paul	_____
Vice Mayor Barry Cohen	_____
Mayor Daniel Dietch	_____

\_\_\_\_\_  
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

**TOWN OF SURFSIDE  
BUDGET AMENDMENT  
ATTACHMENT A**

Fiscal Year: 2015/2016  
BA # 1 Budget Amendment  
Fund No. 001 General Fund

4/12/2016  
Department: GF Multiple

Account Number	Account Description	Justification	Original/ Adjusted Budget	Increase	Decrease	Adjusted Budget
<b>REVENUES</b>						
001-0000-322-1000	Building Permits	Adjust for permit revenue from The Shul	\$ 260,000	\$ 177,441		\$ 437,441
001-0000-342-1010	Special Police Detail - Extra Duty	Adjust budget to YTD actual collections	200,000	66,900		266,900
001-0000-359-4000	Code Enforcement Fees and Penalties	Adjust budget to YTD actual collections	15,000	80,200		95,200
001-0000-392-0000	Appropriated (Use of) Fund Balance	Increase Fund Balance from additional revenues	0		324,541	324,541
<b>TOTAL</b>	<b>GENERAL FUND REVENUES</b>		<b>\$ 475,000</b>	<b>\$ 324,541</b>	<b>\$ 324,541</b>	<b>\$ 1,124,082</b>
<b>EXPENDITURES</b>						
001-2000-524-3420	PC - Other Code Services	Lot lawn mowing for liened property	\$ -	\$ 2,000		\$ 2,000
001-2000-524-6410	PC - Machinery & Equipment	Code Compliance Vehicle	0	23,000		23,000
001-2500-524-1310	BS - Other Salaries	Adjustment to inspectors' salaries	163,889	164,831		328,720
001-2500-524-2110	BS - Payroll Taxes	Adjustment to inspectors' salaries	29,904	12,610		42,514
001-3000-521-1320	PS - Special Pay - Extra Duty Reserve Officer	Reserve Officers for Extra Duty - Revenue Offset	0	44,900		44,900
001-3000-521-2110	PS - Payroll Taxes	For Reserve Officers for Extra Duty - Revenue Offset	237,349	3,435		240,784
001-3000-521-1520	PS - Special Pay - Extra Duty	Extra Duty - Revenue Offset	185,000	17,247		202,247
001-3000-521-2110	PS - Payroll Taxes	For Extra Duty - Revenue Offset	240,784	1,318		242,102
001-3000-521-6410	PS - Machinery & Equipment	Replace Public Safety Vehicle	0	33,400		33,400
001-5000-539-4601	PW - Maint. Serv/Repair Contracts	Trane Elevator Maintenance Service Contract adjustment	30,100	4,464		34,564
001-5000-541-4611	PW - Miscellaneous Maintenance	Increase for Maintenance of Effort MOE to CITT requirement		20,000		20,000
001-5000-539-6410	PW - Machinery & Equipment	Auto shop diagnostic equipment \$2k; Pressure washer \$1,915; Emergency lighting on 4x4 \$1,385	10,000	5,300		15,300
001-7900-590-3110	ND - Professional Services	Adams Benefit, Inc. Reso No 15-2319 adjustment	30,000	3,600		
001-7900-590-3110	ND - Professional Services	Media Consulting		8,000		41,600
001-7900-581-9130	ND - Interfund Transfer to Capital Projects Fund	Seawalls Phase I Change Order No. 1, Permit Inspections, Legal Costs, Permit Extensions	152,700	66,384		219,084
001-7900-590-9910	ND - Contingency / Return to Reserves		59,319		59,319	0
001-0000-392-0000	Appropriated (Use of ) Fund Balance	Use of Fund Balance for additional budgetary needs	324,541		351,170	(26,629)
<b>TOTAL</b>	<b>GENERAL FUND EXPENDITURES</b>		<b>\$ 1,463,586</b>	<b>\$ 410,489</b>	<b>\$ 410,489</b>	<b>\$ 1,463,586</b>

Requested by: \_\_\_\_\_  
Budget Officer

Approved: \_\_\_\_\_  
Finance Director

Approved: \_\_\_\_\_  
Town Manager

**TOWN OF SURFSIDE  
BUDGET AMENDMENT  
ATTACHMENT B**

Fiscal Year: 2015/2016  
 BA # 1 Budget Amendment  
 Fund Nos. 301 Capital Projects Fund  
 105 Police Forfeiture Fund  
 107 Municipal Transportation Fund

4/12/2016

Account Number	Account Description	Justification	Original/ Adjusted Budget	Increase	Decrease	Adjusted Budget
<b>CAPITAL PROJECTS FUND</b>						
<b>REVENUES</b>						
301-0000-381-0100	Interfund Transfer from General Fund		\$ 152,700	\$ 66,384		\$ 219,084
301-0000-392-0000	Fund Balance - Reappropriated Fund Bal	Seawalls Phase I (\$2,412) and Phase II (\$51,400)	0	53,812		53,812
<b>TOTAL</b>	<b>CAPITAL PROJECTS FUND REVENUES</b>		<b>\$ 152,700</b>	<b>\$ 120,196</b>	<b>\$ -</b>	<b>\$ 272,896</b>
<b>EXPENDITURES</b>						
301-4400-541-6330	Infrastrcture - Seawalls Phase I	Seawalls Phase I Change Order No. 1, Legal Costs, Permit Extensions, Reappropriation of funds from FY 14/15 balance	\$ -	\$ 50,652		\$ 50,652
301-4400-541-6330	Infrastrcture - Seawalls Phase I	Special Seawall Inspections required by MDC	50,652	18,144		\$ 68,796
301-4400-541-6340	Infrastrcture - Seawalls Phase II	Reappropriation of funds for CGA Phase II of Seawall project from FY 14/15 to FY 15/16	0	51,400		\$ 51,400
<b>TOTAL</b>	<b>CAPITAL PROJECTS FUND EXPENDITURES</b>		<b>\$ 50,652</b>	<b>\$ 120,196</b>		<b>\$ 170,848</b>
<b>MUNICIPAL TRANSPORTATION FUND</b>						
<b>REVENUES</b>						
107-0000-392-0000	Use of Restricted Fund Balance	Appropriate Fund Balance for Additional Budgetary Needs	\$ 43,350	\$ 106,419		\$ 149,769
<b>TOTAL</b>	<b>MUNICIPAL TRANSPORTATION FUND REVENUES</b>		<b>\$ 260,350</b>	<b>\$ 106,419</b>	<b>\$ -</b>	<b>\$ 366,769</b>
<b>EXPENDITURES</b>						
107-8500-549-4911	Other Current Charges	Modify Travel Lanes at 90th St. & Harding Ave. 9A 03/08/2016		\$ 15,000		\$ 15,000
107-8500-549-3110	Professional Fees	Traffic Signal Modification Engineering 5D 03/08/2016		84,995		84,995
107-8500-549-6410	Machinery & Equipment	Surface Preparator Deluxe Smith SPS10	0	6,424		6,424
<b>TOTAL</b>	<b>MUNICIPAL TRANSPORTATION FUND EXPENDITURES</b>		<b>\$ 260,350</b>	<b>\$ 106,419</b>	<b>\$ -</b>	<b>\$ 366,769</b>

Requested by: \_\_\_\_\_  
 Budget Officer

Approved: \_\_\_\_\_  
 Finance Director

Approved: \_\_\_\_\_  
 Town Manager

**TOWN OF SURFSIDE  
BUDGET AMENDMENT  
ATTACHMENT C**

Fiscal Year: 2015/2016  
 BA # 1 Budget Amendment  
 Fund No. 401 Water & Sewer Fund  
 402 Municipal Parking Fund  
 403 Solid Waste Fund  
 404 Stormwater Fund

4/12/2016

Account Number	Account Description	Justification	Original/ Adjusted Budget	Increase	Decrease	Adjusted Budget
<b>MUNICIPAL PARKING FUND</b>						
<b>REVENUES</b>						
402-0000-391-1000	Appropriated Net Assets	Appropriate Fund Balance for Additional Budgetary Needs	\$ -	\$ 41,476		\$ 41,476
<b>TOTAL</b>	<b>MUNICIPAL PARKING FUND REVENUES</b>		<b>\$ -</b>	<b>\$ 41,476</b>	<b>\$ -</b>	<b>\$ 41,476</b>
<b>EXPENDITURES</b>						
402-9500-545-1210	Regular Salaries	Merit pay and compensation plan adjustments	\$ 292,767	\$ 8,783	\$ -	\$301,550
402-9500-545-2110	Payroll Taxes	Merit pay and compensation plan adjustments	25,206	672		25,878
402-9500-545-4112	Mobile Phone Allowance	Adjustments	1,440	1,110	-	2,550
402-9500-545-4601	Maintenance Service/Repair Contracts	MultiSpace Meters	9,400	23,200		32,600
402-9500-545-6310	Improvements Other Than Building	Southwest parking lot restructure 5B 03/08/2016		35,950		35,950
402-9500-545-9910	Contingency/Reserves		28,239	-	28,239	0
<b>TOTAL</b>	<b>MUNICIPAL PARKING FUND EXPENDITURES</b>		<b>\$ 357,052</b>	<b>\$ 69,715</b>	<b>\$ 28,239</b>	<b>\$ 398,528</b>
<b>SOLID WASTE FUND</b>						
<b>REVENUES</b>						
403-0000-343-4000	Solid Waste Collection Charges	Adjustment for new service Marriott Hotel	\$ 1,238,591	\$ 17,410		\$1,256,001
403-0000-364-0000	Disposal of Assets	Trade in for garbage truck		20,000		20,000
403-0000-391-1000	Use of Prior Year Retained Earnings	Reappropriate funds from FY 14/15	36,600	182,999		219,599
403-0000-391-1000	Use of Prior Year Retained Earnings	FY 15/16 Expenditures not originally budgeted	219,599	121,988		341,587
<b>TOTAL</b>	<b>SOLID WASTE FUND REVENUES</b>		<b>\$ 1,494,790</b>	<b>\$ 342,397</b>	<b>\$ -</b>	<b>\$ 1,837,187</b>
<b>EXPENDITURES</b>						
403-4000-534-1210	Regular Salaries	Merit pay and compensation plan adjustments	\$ 412,032	\$ 9,345	\$ -	\$421,377
403-4000-534-2110	Payroll Taxes	Merit pay and compensation plan adjustments	33,701	715		34,416
403-4000-534-1410	Overtime	Estimated adjustment	15,500	17,000		32,500
403-4000-534-2110	Payroll Taxes	Overtime adjustment	34,416	1,301		35,717
403-4000-534-1210	Regular Salaries	Retired Employee Vacation & Sick Payout	421,377	16,826		438,203
403-4000-534-2110	Payroll Taxes	Retired Employee Vacation & Sick Payout	35,717	1,287		37,004
403-4000-534-3420	Recycling Expense	Residential Recycling October 2015 to April 2016. Implementation of new in-house program June 2016.	10,000	92,924		102,924
403-4000-534-6410	Machinery & Equipment	Reappropriation of funds for garbage truck	160,000	202,999		362,999
<b>TOTAL</b>	<b>SOLID WASTE FUND EXPENDITURES</b>		<b>\$ 1,122,743</b>	<b>\$ 342,397</b>	<b>\$ -</b>	<b>\$ 1,465,140</b>

Requested by: \_\_\_\_\_  
 Budget Officer


Approved: \_\_\_\_\_  
 Finance Director

Approved: \_\_\_\_\_  
 Town Manager



**Town of Surfside**

**DISCUSSION ITEM**

**Agenda #:** 9A  
**Date:** April 12, 2016  
**From:** Commissioner Michael Karukin   
**Subject:** Coastal Issues Committee Abolishment

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**Objective:** To abolish the Coastal Issues Committee and to allow the Planning and Zoning Board to assume its duties to formulate strategies to adapt to sea level rise and climate change.

**Background:** In July 2015, the Town Commission established the Coastal Issues Committee, a continuing committee, to advance stewardship of the beach for Surfside residents, visitors and future generations, and to address beach management topics, including beach concessions, beach nourishment and strategies to adapt to sea level rise and climate change. In addition, the Chair of the Planning and Zoning has expressed interest in formulating planning constructs to address sea level rise.

On March 31, 2016, the Planning and Zoning Board adopted Resolution No. 16-Z-2360 and recommended pursuant to Section 90-15(8) of the Town of Surfside Code, that the Town Commission appropriate resources from the General Fund to the Planning and Zoning Board as requested to provide for the consultation, implementation, and study related to sea level rise solutions in the Town of Surfside.

On March 8, 2016, the Town Commission directed Town Administration to schedule a public workshop on beach concessions and to notify all property owners. A date has not yet been set and shall not be affected by abolishing the Coastal Issues Committee.

Pursuant to the Town of Surfside Rules and Procedures for Committees Created by the Town Commission, continuing committees shall exist until abolished by the Town Commission.

**Recommendation:** For the Town Commission to abolish the Coastal Issues Committee to allow the Planning and Zoning Board to focus on sea level rise solutions and for the Town Administration to move forward on public workshops as needed on beach concessions and beach management.



**TOWN OF SURFSIDE  
Discussion Item**

**Agenda Item #** 9C

**Agenda Date:** April 12, 2016

**From:** Commissioner Daniel Gielchinsky

**Subject:** Administrative Assistant for Legislative Department

---

**Background:** The Town currently does not have a dedicated staff member who is devoted to serving as an administrative assistant or “point person” for the Mayor, Vice Mayor and three Town Commissioners. While various staff member are currently utilized for this purpose, this practice detracts from the staff’s ability to perform their primary functions and creates other inefficiencies.

**Recommendation:** (1) Amend the budget to provide for the hiring an administrative assistant that is dedicated to the Legislative Department on a part-time basis and (2) request the Manager or his designee to conduct a job search for a suitable candidate.



**TOWN OF SURFSIDE  
Discussion Item**

**Agenda Item # 9E**

**Agenda Date: April 12, 2016**

**From: Guillermo Olmedillo, Town Manager**

**Subject: Pelican Harbor Seabird Station 36<sup>th</sup> Anniversary Celebration Fundraising Event**

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**Background:** Pelican Harbor Seabird Station (“Pelican Harbor”), a non-profit organization is the oldest and largest full service wildlife hospital in Miami-Dade County. Pelican Harbor is dedicated to the rescue, rehabilitation and release of sick, injured or orphaned brown pelicans, seabirds and other native wildlife. In 2015, Pelican Harbor treated more than 2,000 patients, which include 145 species from small hummingbirds to hawks and Sandhill Cranes. Two dozen patients came from Surfside. Pelican Harbor has indicated they would coordinate a public release of a seabird at the Community Center or a local park if the Town is interested.

On April 30, 2016, Pelican Harbor will host their annual fundraising event for the 36<sup>th</sup> Anniversary Celebration which will be held at the Miami Shores Country Club. They have asked for the Town’s support as a sponsor. In 2015, the annual event had more than forty sponsors including six municipalities: El Portal, Biscayne Park, North Bay Village, South Miami, North Miami and North Miami Beach.

**Recommendation:** (1) Approve the sponsorship in the amount of \$1,000 from the Legislative Department Account No. 001-1000-511-8300; and (2) coordinate with Pelican Harbor Seabird Station for a public release of a seabird at the Community Center.





**TOWN OF SURFSIDE  
Commission Communication**

**Agenda Item #** 9F

**Agenda Date:** April 12, 2016

**From:** Guillermo Olmedillo, Town Manager

**Subject:** Planning and Zoning Board Resolution No. 2016-Z-2360 – Sea Level Rise

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**Background:** The Planning and Zoning Board during the March 31, 2016 meeting passed Resolution No. 2016-Z-2360 which recommends the Town Commission appropriate resources from the general fund to the Planning and Zoning Board as requested to provide for consultants, studies, and other information and expertise as needed to develop local planning and zoning solutions to address the vulnerabilities the Town faces from sea level rise. The Resolution directed the Town Clerk to include a copy of Resolution No. 2016-Z-2360 in the April 12, 2016 Town Commission Agenda.

**Analysis:** Pursuant to Resolution No. 13-2152, the Town of Surfside Commission and Town Administration have been authorized to take all necessary steps to consider integrating the Southeast Florida Regional Climate Change Compact Regional Climate Action Plan framework in whole or part for the Town of Surfside. In accordance with the Regional Climate Action Plan, there is a need to develop planning and zoning policies, strategies and standards that will serve to reduce future risk and economic losses associated with sea level rise and flooding to foster sustainable growth patterns, multi-modal transportation options, transit, mixed use development, and the use of sustainable building techniques.

Section 90-15(8) of the Town of Surfside Code of Ordinances provides that the Town Commission may authorize the expenditure by the Planning and Zoning Board of such funds as the Town Commission may deem necessary to perform the requirements of Chapter 90 “Zoning” of the Town of Surfside Code of Ordinances. The Town Commission may appropriate from the general fund as set up in the annual budget and such sums as it may from time to time authorize the board to expend. The Planning and Zoning Board may not incur indebtedness without prior Town Commission approval.

**Recommendation:** Staff recommends the Town Commission considers Resolution No. 2016-Z-2360.

**TOWN OF SURFSIDE PLANNING AND ZONING BOARD  
RESOLUTION NO. 16-Z- 2360**

**A RESOLUTION OF THE TOWN OF SURFSIDE, FLORIDA PLANNING AND ZONING BOARD; RECOMMENDING TO THE TOWN OF SURFSIDE COMMISSION PURSUANT TO SECTION 90-15(8) OF THE TOWN OF SURFSIDE CODE OF ORDINANCES TO APPROPRIATE RESOURCES FROM THE GENERAL FUND TO THE PLANNING AND ZONING BOARD AS REQUESTED TO PROVIDE FOR THE CONSULTATION, IMPLEMENTATION AND STUDY RELATED TO SEA LEVEL RISE SOLUTIONS IN THE TOWN OF SURFSIDE; DIRECTING THE TOWN CLERK TO INCLUDE A COPY OF THIS RESOLUTION IN THE APRIL 12, 2016 TOWN COMMISSION AGENDA; PROVIDING FOR RECOMMENDATION OF APPROVAL; PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, Miami-Dade County, its wildlife, natural lands, water supply, vital facilities, and infrastructure are especially vulnerable to the impacts of sea level rise; and

**WHEREAS**, parts of Miami-Dade have already experienced an increased frequency of urban flooding caused by higher tides, elevated groundwater levels, and over-saturated soils, and without any action, these rising tides will pose a significant threat to the Town's residential community and businesses; and

**WHEREAS**, pursuant to Resolution No. 13-2152 (See "Attachment A") the Town Commission and Town Administration were authorized to take all necessary steps to consider integrating the Southeast Florida Regional Climate Change Compact Regional Climate Action Plan (Regional Climate Action Plan) framework in whole or part for the Town of Surfside; and

**WHEREAS**, the Town of Surfside Commission subsequently adopted multiple resolutions to implement the recommendations of the Regional Climate Action Plan, including but not limited to Resolution No. 14 – 2222: Supporting the Central Everglades Planning Project, Resolution No. 15 – 2280: Supporting the Miami-Dade Sea Level Rise Task Force Recommendations and Resolution No. 15 – 2313: Supporting the Creation of the South Florida Mayor's Beach Alliance (See "Composite Attachment B"); and

**WHEREAS**, in accordance with the Regional Climate Action Plan, the Planning and Zoning Board of the Town of Surfside recognizes the need to develop planning and zoning policies, strategies and standards that will serve to reduce future risk and economic losses associated with sea level rise and flooding to foster sustainable growth patterns, multi-modal transportation options, transit, mixed use development, and the use of sustainable building techniques; and

**WHEREAS**, the Planning and Zoning Board requires funding and resources to implement planning and zoning in the Town of Surfside for consultation, implementation, and the study of sea level rise solutions; and

**WHEREAS**, Section 90-15(8) of the Town of Surfside Code of Ordinances provides that the Town Commission may authorize the expenditure by the Planning and Zoning Board of such funds as the Town Commission may deem necessary to perform the requirements of Chapter 90 "Zoning" of the Town of Surfside Code of Ordinances. The Town Commission may appropriate from the general fund as set up in the annual budget and such sums as it may from time to time authorize the board to expend. The Board may not incur indebtedness without prior Commission approval; and

**WHEREAS**, the Planning and Zoning Board recommends the Town of Surfside Commission supports the Planning and Zoning Board through appropriating funds from the general fund for consultants, studies, and other information and expertise as needed to develop local planning and zoning solutions to address the vulnerabilities the Town faces from sea level rise.

**NOW THEREFORE, BE IT RESOLVED BY THE PLANNING AND ZONING BOARD OF THE TOWN OF SURFSIDE, FLORIDA, AS FOLLOWS:**

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

**Section 2. Urging the Town of Surfside Commission to Appropriate Resources to the Planning and Zoning Board to Study, Consult and Implement Sea Level Rise Solutions.**

The Planning and Zoning Board recommends to the Town of Surfside Commission pursuant to Section 90-15(8) of the Town of Surfside Code to appropriate resources from the General Fund to the Planning and Zoning Board as requested to provide for the consultation, implementation, and study related to sea level rise solutions in the Town of Surfside.

**Section 3. Approval.** The Planning and Zoning Board recommends approval of this Resolution.

**Section 4. Direction to the Town Clerk.** The Town Clerk is hereby directed to include a copy of this Resolution in the April 12, 2016 Town Commission Agenda.

**Section 5. Effective Date.** This Resolution shall become effective immediately upon adoption.

PASSED AND ADOPTED this 31<sup>st</sup> day of March, 2016

Motion by Planning and Zoning Board Member Glynn  
Second by Planning and Zoning Board Member Castellanos

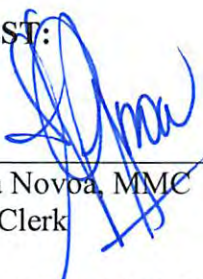
**FINAL VOTE ADOPTION**

Member, Armando Castellanos  
Member, Peter Glynn  
Member, Moshe Rubenstein  
Vice Chair, Jacob Kligman  
Chair, Lindsay Lecour

yes  
yes  
Absent  
Absent  
yes

  
Lindsay Lecour, Chair

**ATTEST:**

  
Sandra Novoa, MMC  
Town Clerk

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

  
Linda Miller, Town Attorney

RESOLUTION NO. 13- 2152

**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA ("TOWN"); ENDORSING THE MAYORS' CLIMATE ACTION PLEDGE; AFFIRMING SUPPORT FOR THE SOUTHEAST FLORIDA REGIONAL CLIMATE CHANGE COMPACT; AGREEING TO CONSIDER IMPLEMENTING THE REGIONAL CLIMATE ACTION PLAN IN WHOLE OR IN PART AS APPROPRIATE FOR EACH MUNICIPALITY; AND URGING ALL MAYORS OF MIAMI-DADE COUNTY TO SUPPORT THE MAYORS' CLIMATE ACTION PLEDGE; PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, Florida is considered one of the most vulnerable areas of the country to the consequences of global climate change with Southeast Florida being at the frontline to experience the impacts of a changing climate, especially sea level rise; and

**WHEREAS**, in recognition of the need for immediate, coordinated and visionary action to address the impacts of a changing climate and provide for economic and environmental resilience in Southeast Florida, in 2010 the counties of Palm Beach, Broward, Miami-Dade and Monroe (Compact Partners) entered into the Southeast Florida Regional Climate Change Compact (Compact); and

**WHEREAS**, further recognizing the role of State water managers and local governments in this regional initiative, the South Florida Water Management District and one municipal representative from each participating county were invited to participate in this early phase; and

**WHEREAS**, in accordance with the Compact commitment and through a two year collaborative process involving nearly 100 subject matter experts representing public and private sectors, universities, and not-for-profit organizations, the Compact Partners developed the Regional Climate Action Plan (RCAP) (Attachment "A"); and

**WHEREAS**, the RCAP offers recommendations that provide the common integrated framework for a stronger and more resilient Southeast Florida, including:

- Providing the common framework for Sustainable Communities and Transportation Planning to be aligned across the region;
- Recognizing the need to protect and address vulnerable Water Supply Management and Infrastructure and preserve fragile Natural Systems and Agricultural resources;

- Providing steps to move towards resilience and reducing emissions through exploring alternatives and decreasing the use of Energy and Fuel;
- Building upon strength as effective emergency responders and integrating climate change hazards in Risk Reduction and Emergency Management Planning;
- Providing for effective Public Outreach initiatives to educate the public on the consequences of climate change and providing guidance for developing and influencing Public Policies related to climate change; and

**WHEREAS**, recognizing that there are more than 100 municipalities within the region that will play an important role in the implementation of the RCAP, the Compact Partners included municipalities in the development of the RCAP; and

**WHEREAS**, municipalities individually have been working to achieve sustainability, and the RCAP presents an opportunity to align these individual local efforts with the regional framework and vision; and

**WHEREAS**, municipalities play a key role in the annual Regional Climate Leadership Summits, participated in RCAP Working Groups and now is the time to solidify local government support to advance the RCAP; and

**WHEREAS**, the RCAP now serves as the foundation document of Climate Resilience Planning as part of the seven county Prosperity Plan in support for economic development; and

**WHEREAS**, the RCAP does not provide a mandate but rather serves as a living guidance document with options that each regional and local government may align to their own plans and adopt and utilize based on their interests and vision for the future; and

**WHEREAS**, the willingness of counties and municipalities to jointly develop and advocate for mutually beneficial agreements, policies and strategies intended to influence regional, state and national resilience efforts advances "Good Neighbor" relationships; and

**WHEREAS**, in 2005 the U.S. Conference of Mayors adopted the U.S. Mayors' Climate Protection Agreement (Mayors' Agreement) that became a national model for effective collaboration and the framework for more than 1,000 municipalities throughout the nation to take actions to reduce global warming and address the impacts of a changing climate (climate disruption); and

**WHEREAS**, in 2013 the need exists for Mayors within the region of Southeast Florida to collaborate on a renewed agreement that will advance regional climate action planning within Southeast Florida efforts while continuing to advance the national goals of the U.S. Mayors' Agreement; and

**WHEREAS**, utilizing the U.S. Mayors' Agreement as a model for influencing regional climate policies and effective public outreach, all municipalities throughout the Southeast Florida region are invited to sign on to the 2012 South Florida Mayor's Climate Action Pledge and to collaborate on implementation of the RCAP starting today and for tomorrow.

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

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

**Section 2. Mayors' Climate Action Pledge Approval.** The Town Commission approves and endorses the Mayors' Climate Action Pledge and affirms support for the Southeast Florida Regional Climate Change Compact.

**Section 3. Authorization and Approval.** The Town Mayor, Town Commission and Town Manager are hereby authorized to take all necessary steps to consider integrating the Regional Climate Action Plan framework in whole or in part as appropriate for the Surfside municipality into existing and future municipal sustainability action plans, comprehensive plans and/or climate action plans where and when appropriate and financially feasible.

**Section 4. Expression of Concern.** The Town Commission hereby expresses its concern and urges all Mayors within Miami-Dade County to join the Mayors' Climate Action Pledge.

**Section 5. Direction to Town Clerk.** The Town Clerk is hereby directed to send a certified copy of this resolution to all of the municipal clerks of Miami-Dade County.

**Section 6. Effective Date.** This Resolution shall become effective immediately upon its adoption.

**PASSED AND ADOPTED** this 15<sup>th</sup> day of May, 2013.

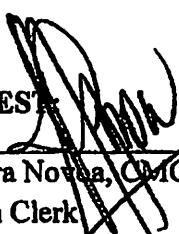
Motion by ~~Commissioner~~ <sup>Vice Mayor</sup> Karukin, second by Commissioner Olchyk.

**FINAL VOTE ON ADOPTION**

Commissioner Joseph Graubart	<u>yes</u>
Commissioner Michelle Kligman	<u>Absent</u>
Commissioner Marta Olchyk	<u>yes</u>
Vice Mayor Michael Karukin	<u>yes</u>
Mayor Daniel Dietch	<u>yes</u>

  
Daniel Dietch, Mayor

ATTEST:

  
Sandra Novoa, CMC  
Town Clerk

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

  
Linda Miller, Interim Town Attorney



# A Region Responds to a Changing Climate

Southeast Florida Regional Climate Change Compact Counties

Regional Climate Action Plan

October 2012







## A Region Responds to a Changing Climate

Southeast Florida Regional Climate Change Compact Counties

Regional Climate Action Plan

October 2012

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## ACKNOWLEDGEMENTS

This Regional Climate Action Plan is the result of true collaboration – this document and its many supporting publications are the product of existing staff and resources from the various cooperating agencies. No additional public dollars were dedicated to this effort. The Southeast Florida Regional Climate Change Compact was forged during the most difficult national economy since the Great Depression. We came together with purpose and quickly realized the value of sharing resources, expertise and information. Competitors became collaborators. Challenges became successes. At a moment when local government is pressed to achieve maximum efficiency, the Compact enabled a level of intergovernmental cooperation unprecedented in Southeast Florida's history. Many have contributed to the Compact process, including more than 90 members of the public that took the time to submit comments to a previously published draft. While several individuals are recognized here, Appendix C contains a full list of the people and organizations that helped bring this Regional Climate Action Plan to fruition.

### Staff Steering Committee

Mr. Jon Van Arnam, Palm Beach County  
 Ms. Carrise LeJeune, City of Boynton Beach (Palm Beach County)  
 Dr. Jennifer Jurado, Broward County  
 Ms. Patti Webster, Broward County  
 Ms. Susanne Torriente, City of Fort Lauderdale (Broward County)  
 Ms. Nichole Hefty, Miami-Dade County  
 Mr. Mark Woerner, Miami-Dade County  
 Mr. Roman Gastesi, Monroe County  
 Mr. Michael Roberts, Monroe County  
 Ms. Alison Higgins, City of Key West (Monroe County)  
 Mr. Rod Braun, South Florida Water Management District  
 Ms. Kim Shugar, South Florida Water Management District (former)  
 Mr. Jim Murley, South Florida Regional Planning Council (ex officio)  
 Mr. Steve Adams, Institute for Sustainable Communities (staff)

### Support and Technical Staff

Ms. Bonnie Finneran, Palm Beach County  
 Mr. John Reiser, Palm Beach County  
 Dr. Nancy Gassman, Broward County  
 Mr. Donald Burgess, Broward County  
 Ms. Debbie Griner, Miami-Dade County  
 Ms. Rhonda Haag, Monroe County  
 Mr. Kevin Wilson, Monroe County  
 Mr. Doug Gregory, Monroe County  
 Ms. Diana Umpierre, South Florida Water Management District  
 Dr. Jayantha Obeysekera, South Florida Water Management District  
 Mr. Chris Bergh, The Nature Conservancy

### Joint Policy Advisory Team

Mr. Jon Van Arnam, Palm Beach County  
 Mr. Todd Bonlarron, Palm Beach County  
 Mr. Robert Robbins, Palm Beach County  
 Ms. Bonnie Finneran, Palm Beach County  
 Mr. Rich Walesky, Palm Beach County (former)  
 Dr. Jennifer Jurado, Broward County  
 Ms. Patti Webster, Broward County  
 Ms. Susanne Torriente, City of Fort Lauderdale  
 Mr. Joe Rasco, Miami-Dade County  
 Mr. Paul Voight, Miami-Dade County  
 Mr. Roman Gastesi, Monroe County  
 Mr. Michael Roberts, Monroe County  
 Mr. Rod Braun, South Florida Water Management District  
 Ms. Kim Shugar, South Florida Water Management District (former)

## I. Executive Summary

Welcome to the first Southeast Florida Regional Climate Action Plan. The Southeast Florida Regional Climate Change Compact (Compact), a unique and collaborative effort among Palm Beach, Broward, Miami-Dade, Monroe Counties, their municipalities and partners, has worked over the past two years to develop this plan with an initial five-year horizon. The plan is a critical milestone of the Compact, entered into by Palm Beach, Broward, Miami-Dade, and Monroe Counties in January 2010. Much of the Compact's work up to this point has served to unite, organize, and assess our region through the lens of climate change in setting the stage for action. Specific accomplishments include the development of regionally-consistent methodologies for mapping sea-level rise impacts, assessing vulnerability, and understanding the sources of regional greenhouse gas emissions. Collectively, these work products provide the foundation for this Regional Climate Action Plan, which calls for concerted action in reducing greenhouse gas emissions and adapting to regional and local impacts of a changing climate. The recommendations presented here aim to accomplish those goals while also serving to protect the assets of the region's unique quality of life and economy, guiding future investments, and fostering livable, sustainable and resilient communities.

The Compact was established with a strong recognition of the region's diversity and its commonalities. It accepted the varying degrees of progress in the areas of climate change adaptation and mitigation in order to inform, to improve, and to advance regional planning efforts together. This Regional Climate Action Plan too recognizes the diversity of Southeast Florida, yet provides the common framework for **Sustainable Communities and Transportation Planning** to be aligned across the region, as implemented. Inevitably this will occur at various stages and varying degrees, but with the benefit of working within a regional context. This is Southeast Florida, with all its uniqueness; the plan recognizes the need to protect and address our vulnerable **Water Supply, Management and Infrastructure** and preserve our fragile **Natural Systems and Agricultural** resources. The plan provides for steps to move toward resilience and reduce emissions through exploring alternatives and decreasing our use of **Energy and Fuel**. The plan builds upon our strength as effective emergency responders and integrates climate change hazards in **Risk Reduction and Emergency Management** planning. Finally, the Regional Climate Action Plan creates a common vocabulary for **Outreach and Public Policy** development to effectively communicate the steps from risk to resilience with the general public, voters, elected officials and decision makers in Southeast Florida, the state and the nation.

The specific recommendations put forth in this plan were developed through a collaborative process involving nearly 100 subject matter experts from a host of professions representing the

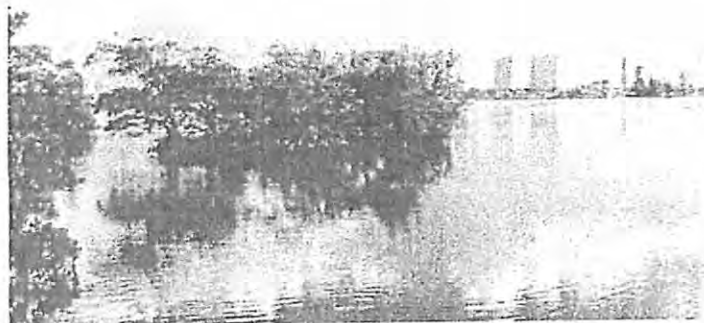
*Southeast Florida is considered one of the most vulnerable areas to climate change and sea level rise.*

public and private sectors, area universities, and not-for-profit organizations. These stakeholders brought to the table the knowledge of their "craft" as well as information on successful initiatives already underway locally or in other communities. Many of the recommendations build upon best practices sprinkled throughout our region, such as regional collaboration on transportation planning and land use criteria that foster walkable and healthy communities. Others delve into "new" frontiers in calling for the integration of climate change into planning and decision-making processes in ways that no local government has yet implemented.

The overall objective was and remains to integrate climate adaptation and mitigation into existing decision-making systems and to develop a plan that can be implemented through existing local and regional agencies, processes and organizations. It is in that spirit that this plan provides the common integrated framework for a stronger and more resilient Southeast Florida starting today and for tomorrow.

The 110 action items detailed in the plan's seven goal areas are to be accomplished over the next five years with annual reports to mark progress. The policy recommendations will be implemented through several approaches including:

- existing legal structures, planning and decision-making processes;
- the development of new policy guiding documents by local and regional governing bodies; the development of operational guidance documents;
- the development of consistent goals and progress indicators throughout the various governments in the region;
- a coordinated multi-disciplinary outreach and education program; and
- processes for focused and prioritized investments



Every organization in the region has a role to play in making Southeast Florida a resilient and sustainable community of communities.

## II. Introduction and Background: Southeast Florida Climate Change Compact Guidance for Regional Policy and Planning

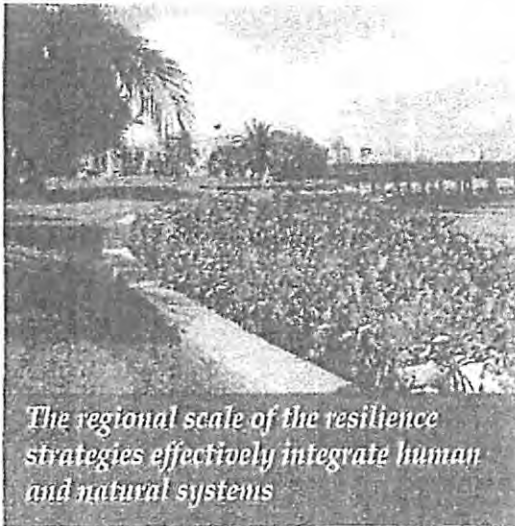
Southeast Florida is considered one of the most vulnerable areas to climate change and sea level rise. In the spring of 2009, several Southeast Florida counties and cities were making the rounds in the halls of Congress to advocate for climate policy. A great deal of work had been invested individually by each jurisdiction; however, each had slightly different baseline emissions figures at different points of time and different sea level rise planning scenarios. The need for regional coordination became quite evident. With 5.6 million residents within the geographic boundaries of the four counties as of the 2010 Census, exceeding the population of 30 states and representing 30 percent of Florida's population and Gross Domestic Product, there is an obvious and unique strength in the region's size and in numbers. That realization paved the way for a unique arrangement – the Compact – a voluntary and cooperative partnership among governing bodies to tackle one of, if not the most important issue facing our generation. This targeted and focused collaborative is the vision and framework for regional resilience. It respects the diversity of the region and the autonomy of the many governing bodies.

The Compact began with a commitment among elected officials representing each of the four counties to return to Southeast Florida and to coordinate in the hosting of a regional climate summit. The Summit would serve as a platform for broader discussion among county and municipal elected officials and the community as to the pressures and challenges that climate change poses for Southeast Florida with a call for unified action. Just four months later, their vision began to take shape when the four County Commissions jointly held the 2009 Regional Climate Leadership Summit. This first Regional Summit led to the ratification of the Southeast Florida Regional Climate Change Compact by January 2010, with unanimous votes within each County Commission (Appendix A). Since adoption, the Counties have assigned existing staff resources to support implementation of the Compact under the direction of a Compact Staff Steering Committee.

The Compact Staff Steering Committee is comprised of two staff members from each county, one municipal representative from each county and a non-voting member from the South Florida Water Management District who was invited to participate. Municipal members represent the cities of Fort Lauderdale, Key West and Boynton Beach. The Compact Staff Steering Committee is a small, core group of professional staff engaged in this process since 2009.

The Compact commitments include:

- Joint legislative policy development;
- Development of a regional greenhouse gas (GHG) baseline;
- Development of regionally consistent sea level rise projections for the coming decades;
- Development of Preliminary Inundation Mapping;
- Development of a Regional Climate Action Plan; and
- Coordination of Annual Leadership Summits.



*The regional scale of the resilience strategies effectively integrate human and natural systems*

The Compact paved the way for early work in 2010 to develop the unified regional baseline and sea level rise planning scenarios. Summaries of these work products are provided in Section IV. This early work served as the foundation for the development of this regional framework through three Work Groups: Built Environment, Transportation, and Land and Natural Systems. These Work Groups were chaired by Staff Steering Committee members and expanded to include local and regional experts from the public and private sectors and academia.

### III. Compact Awards and Recognitions

Since adoption, the Compact has won recognition through awards from ICLEI and the National Association of Counties, a requested white paper from the White House Domestic Policy Council, a request to host a listening session for the White House Council on Environmental Quality's (CEQ) Interagency Adaptation Task Force, and specific references within the Task Force's Final Report to the president. Subsequent federal agency engagement in the Compact has been highlighted in CEQ reports to the president, including the most recent Task Force report submitted in October 2011.

## IV. Compact Work Completed

The adoption of the Compact initiated an ambitious schedule requiring the completion of a robust body of work leading to this Regional Climate Action Plan. Since Compact adoption in January 2010, the four Compact Counties have completed the following:

### a. Policy and Advocacy

Sections 1 – 4 of the Compact Resolution commit the Compact Counties to develop joint climate and energy-related policy positions and advocacy strategies to influence state and federal legislation. Specifically, provisions of the Compact call for urging Congress to pass legislation that: recognizes the unique vulnerabilities of Southeast Florida to climate change impacts, especially sea level rise; allocates federal climate change funding based on vulnerabilities; designates areas of Southeast Florida as uniquely vulnerable and of federal interest for the purpose of securing enhanced levels of federal participation in regional adaptation projects; and supports strengthening policies relating to global climate change.

Since the ratification of the Compact, the Compact partners have advanced policy and advocacy goals through joint positions, resolutions, letters and funding proposals and advocacy in Tallahassee and Washington, D.C. In addition, during the 111<sup>th</sup> and 112<sup>th</sup> sessions of the United States Congress, the Compact partners collaborated in the submittal of a *joint Climate Adaptation Pilot Project Proposal*, a funding request to support regional hydrologic modeling needed to guide adaptation planning in response to projected sea level rise. In May 2010, elected officials and other leaders representing the Compact Counties jointly advocated in Washington, D.C. to highlight the region's vulnerabilities and needs related to climate change impacts, to seek support for greater recognition of adaptation strategies in federal climate policies and for the appropriations of projects such as the regional Pilot Project.

On June 24, 2010, in response to the Deepwater Horizon Oil Spill that threatened the region's environment and economy, the Compact Counties conducted a well-attended conference calling for comprehensive federal energy policy and protection of Florida's state and federal waters from the impact of oil drilling. In concert with local municipalities and Leagues of Cities, the event produced the Southeast Florida Response to Deepwater Horizon Oil Spill Letter to President Obama and resolutions in support for comprehensive climate legislation, restoration of damages due to the oil spill and for a ban on oil drilling within Florida's Territorial Waters.



As a centerpiece of the Compact Counties' commitment to developing regional legislative policies and advocacy strategies, the Compact Counties adopted the 2011 and 2012 *Southeast Florida State and Federal Energy and Climate Legislative Programs* and utilized these programs as the basis of joint advocacy to Congress and the Florida Legislature. The 2011/12 State and Federal Legislative Programs include support for:

- the Southeast Florida Climate Adaptation Pilot Project Proposal;
- providing a definition of "Adaptation Action Areas (AAA)" in state law;
- greater recognition of adaptation as a critical climate strategy;
- adopting a State Renewable Energy Portfolio Standard of 20 percent renewable energy by 2020;
- federal legislation to create and fund new infrastructure programs to assist local governments in adapting to the impacts of sea level rise;
- federal recognition of AAA's for the purpose of funding infrastructure vulnerable to sea level rise
- removing federal barriers to Property Assessed Clean Energy (PACE) and PACE-like programs, posed by the Federal Housing Finance Agency, to encourage energy efficiency and renewable energy improvements for residential homes and commercial buildings; and
- opposing oil drilling in federal waters on Florida's Outer Continental Shelf and the Everglades.

*The plan is a critical milestone of the Compact ...*

*... a vision and framework for regional resilience.*



*The four County Commissions jointly held the first Regional Climate Leadership Summit in 2009.*

Utilizing the Compact Counties' Legislative Programs as guidance during the 2011 Florida Legislative Session, the Compact Counties were successful in helping to amend state law to reflect priority policy goals. The regional partners helped draft and led efforts to provide for a designation of "Adaptation Action Areas"

in Florida's growth management laws, thus creating a new tool for local governments to identify areas vulnerable to coastal flooding resulting from the impacts of sea level rise and to prioritize infrastructure improvements and funding for improved resilience. Immediately following changes to

state law, a Members Letter was signed by several members of Florida's Congressional Delegation requesting support for defining AAA in federal law. Subsequent to the Members Letter, the Compact Counties' lobbyists and Delegation Members have requested the inclusion of language enabling at-risk, multi county regions impacted by sea level rise to qualify for 2012 Energy and Water Appropriations. During the 2012 Florida Legislative Session the Compact Counties were successful in helping to amend the Florida Energy Act to provide for commercial buildings to qualify for energy efficiency program funding through the Local Option Sales Tax.

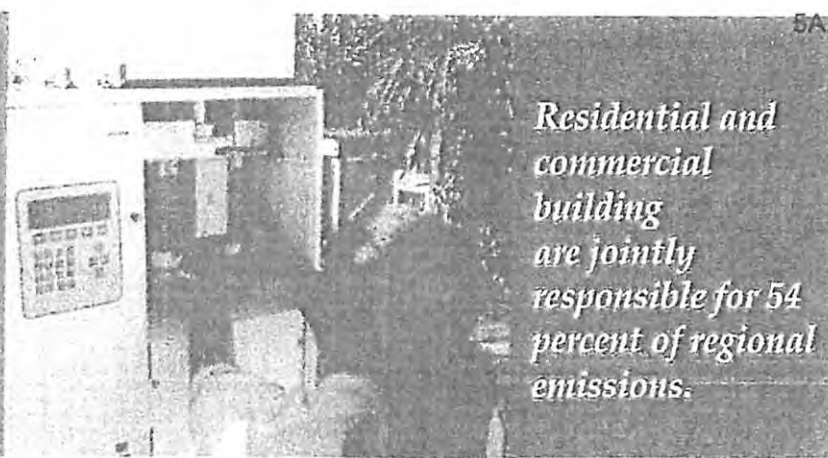
The Regional Climate Action Plan contains actionable recommendations related to public policy and outreach in recognition of the fact that a continued commitment to collaborate with local, state and federal policy makers, as well as the non-profit and private sectors, is fundamental to long-term success of the Compact. Additionally, the continued and enhanced role of policy advocacy through regional collaboration, especially during tumultuous economic and political times, are important to ensure that current efforts are not undermined and the Compact Counties' future efforts related to sustainability are achieved.

## **b. A Baseline of Greenhouse Gas Emissions for Southeast Florida**

Prior to the Compact, many jurisdictions within Southeast Florida had completed emission inventories using a variety of baseline years. The Compact called for the identification and quantification of Greenhouse Gas (GHG) emissions across Southeast Florida "with a particular focus on emissions from inter-county travel and commerce." Consistent with this charge, staff estimated GHG emissions resulting from an inventory of select sectors – transportation and the built environment divided into residential, commercial and industrial subsectors – using the ICLEI International Local Government Emissions Analysis Protocol (IEAP) within the ICLEI Clean Air and Climate Protection 2009 (CACP 2009) software. "Non-regional" emissions such as the waste sector (including landfill and wastewater treatment) and local government operations were not included as they were deemed to be primarily under the control of individual jurisdictions. Other sectors such as natural areas and agriculture (including their carbon sequestration or "sink" capacity) were not included here due to lack of local information.

As emissions track closely with economic output and as this analysis was initiated during the most significant economic downturn since the 1930s, staff decided to inventory annual emissions for each year from 2005 through 2009 (five full years) and average the results for each sector over those five years for use as a future baseline. By doing so, the inventory averages contain years of both high growth and contraction. The full Regional Inventory report is included as a supporting document to the Regional Climate Action Plan process.

*The transportation sector is the largest single source of regional emissions.*



*Residential and commercial building are jointly responsible for 54 percent of regional emissions.*

Southeast Florida peaked in total GHG emissions in 2006 and declined in the following three years, consistent with the performance of the national economy during this period (Table 1). The relative emissions contribution of each County to the aggregated regional emissions reflects population and size.

Table 1: Regional Emissions by County (MMTCO<sub>2</sub>e)

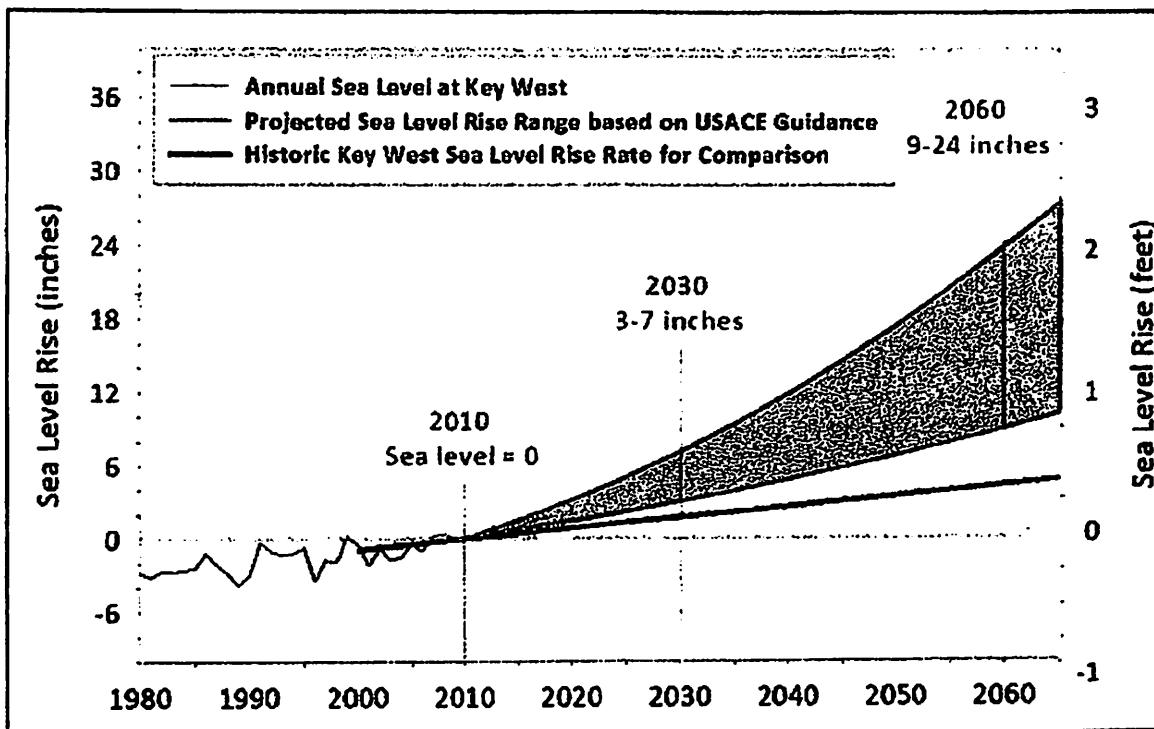
County	2005	2006	2007	2008	2009
Broward	22,655,421	22,657,880	21,921,832	21,216,712	20,810,719
Miami-Dade	28,715,847	29,058,677	27,832,307	27,057,988	26,859,326
Monroe	1,504,047	1,532,500	1,465,634	1,408,288	1,417,206
Palm Beach	16,588,536	16,658,369	15,920,070	15,785,752	15,675,174
Regional Sources	254,537	250,984	237,691	222,113	155,359
Totals	69,718,390	70,158,412	67,377,537	65,690,854	64,917,785

Regional emissions, across all sectors examined, were approximately 64.9 million metric tonnes of carbon dioxide equivalent (MMTCO<sub>2</sub>e) in 2009, down from 69.7 MMTCO<sub>2</sub>e in 2005. The five-year average of emissions (67.6 MMTCO<sub>2</sub>e) shows that the transportation sector is the largest single source of regional emissions. The Residential and Commercial buildings sectors jointly contribute 54 percent to regional emission (Table 2).

Table 2: Regional Emissions by Sector (MMTCO<sub>2</sub>e)

Sector	2005	2006	2007	2008	2009	Five Yr Avg
Residential	19,963,638	19,989,441	18,685,833	18,186,886	18,237,990	19,012,757
Commercial	17,884,892	18,212,352	17,356,620	17,314,930	17,083,809	17,570,521
Industrial	1,075,979	1,103,572	961,883	888,111	811,016	968,112
Transportation	30,793,879	30,853,046	30,373,200	29,300,926	28,784,969	30,021,204
Totals	69,718,390	70,158,412	67,377,537	65,690,854	64,917,785	67,572,596

### c. Unified Sea Level Rise Projection



**Figure 1: Unified Southeast Florida Sea Level Rise Projection for Regional Planning Purposes.** This projection uses historic tidal information from Key West and was calculated by Kristopher Esterson from the United States Army Corps of Engineers using USACE Guidance (USACE 2009) intermediate and high curves to represent the lower and upper bound for projected sea level rise in Southeast Florida. Sea level measured in Key West over the past several decades is shown. The rate of sea level rise from Key West over the period of 1913 to 1999 is extrapolated to show how the historic rate compares to projected rates. Methods are described in a supporting document, "A Unified Sea Level Rise Projection for Southeast Florida" available online at: [southeastfloridaclimatecompact.org](http://southeastfloridaclimatecompact.org).

At the first Regional Climate Leadership Summit, the local diversity in sea level rise (SLR) projections was highlighted as a concern, and a barrier, to achieving regionally consistent adaptation policies and demonstrating a coordinated local effort to higher decision-making levels. Following the summit, the Compact Staff Steering Committee recognized the critical need to unify the existing local SLR projections to create a single regional SLR projection. Key participants in developing the existing projections and other local scientists specializing in the areas of sea level rise and climate change were invited to participate as the Regional Climate Change Compact Technical Ad hoc Work Group (Work Group). Their objective was to work toward developing a unified SLR projection for the Southeast Florida region for use by the Compact Counties and partners for planning purposes to aid in understanding potential vulnerabilities and to provide a basis for outlining adaptation strategies for the region.

Through a series of facilitated discussions, the Work Group reviewed the existing projections and the current scientific literature related to SLR with particular emphasis on the impact of accelerating ice melt on projections. The Work Group recommended that the SLR projection be based on the United States Army Corp of Engineers (USACE) July 2009 Guidance Document until more definitive information on future SLR is available. The projection uses Key West tidal data from 1913-1999 as the foundation of the calculation and references the year 2010 as the starting date of the projection. Two key planning horizons are highlighted: 2030 when SLR is projected to be 3-7 inches and 2060 when SLR is projected to be 9-24 inches. Based on the projection, a SLR of one foot is projected to occur between 2040 and 2070 with sea level continuing to rise into the future. Due to the rapidly changing body of scientific literature on this topic, the Work Group recommended that the projection be reviewed and possibly revised four years from final approval by the Compact Staff Steering Committee and after the release of United Nations Intergovernmental Panel on Climate Change Fifth Assessment Report. "A Unified Sea Level Rise Projection for Southeast Florida" White Paper is available as a supporting document to this Regional Climate Action Plan.

*Mapping different SLR inundation scenarios helps to identify areas at potential risk and aids in planning for adaptation strategies.*

#### **d. Inundation Mapping and Vulnerability Assessment of Areas at Risk by Sea Level Rise**

Southeast Florida is highly vulnerable to SLR due to its peninsular geography and low topography. Mapping different SLR inundation scenarios helps to identify areas at potential risk and aids in planning for adaptation strategies. The Compact Inundation Mapping and Vulnerability Assessment Work Group was formed to perform a regional vulnerability assessment. Geographic Information System (GIS)



practitioners, representing the Compact Counties as well as the South Florida Water Management District (SFWMD), local universities and federal agencies, worked with National Oceanographic and Atmospheric Administration (NOAA) Coastal Services Center (CSC) experts to understand inundation mapping methodologies, define the local challenges, review available topographic

source data and create a consensus set of methods and criteria for inundation mapping. Additional discussions, surveys and workshops were used to develop planning parameters that would be part of the regional SLR vulnerability assessment. Using these commonly agreed to parameters and data sources, the SFWMD produced inundation layers to represent areas potentially vulnerable to one-, two- and three-foot SLR scenarios. These layers were used by each of the four Compact Counties to perform a vulnerability assessment for their jurisdiction. See the supporting publication for the County level assessments and detailed methods for inundation mapping and the vulnerability analyses.

*This understanding of a likely future allows us to take action now to protect assets and invest wisely.*

All of the Compact Counties are vulnerable to SLR. However, the degree and extent of potential impacts vary across the region due to differences in land elevation and geomorphology. The southernmost counties are expected to experience the greatest direct impacts, with lessening impacts as one travels northward. Nearly 80 percent of the lands potentially affected regionally in the one-foot scenario are conservation lands, especially coastal wetlands. Low lying natural systems made up of buttonwood, mangrove, scrub mangrove, and herbaceous coastal saline and freshwater wetlands are significantly impacted in all SLR scenarios. The upper estimate of current taxable property values in Monroe, Broward, and Palm Beach Counties vulnerable in the one-foot scenario is \$4 billion with values rising to more than \$31 billion at the three-foot scenario. The greater values reflected in the financial impacts are coastal residential properties with ocean access and high taxable value.

In terms of the critical infrastructure reviewed, projected inundation is often confined to marginal areas of the properties or impacting existing drainage infrastructure on site. This is generally true for the region's ports, airports, schools, landfills and hospitals. Monroe County is the exception with predicted building and infrastructure damage to these critical resources especially at the two



*Taxable property value vulnerable in the one-foot SLR scenario is \$4 billion ...*

*with values rising to more than \$31 billion at the three-foot SLR scenario.*

*Southeast Florida Regional Climate Change Compact Counties Regional Climate Action Plan*

and three-foot SLR scenarios. Three of Monroe's four hospitals, 65 percent of schools and 71 percent of emergency shelters are located on property at elevations below sea level at the one-foot scenario. Power plant properties in Miami-Dade and Broward as well as energy transmission facilities in Monroe begin to become inundated at the one-foot scenario. While railroads are negligibly impacted, more than 81 miles of roadway from Miami-Dade through Palm Beach are impacted at the one-foot scenario, increasing to more than 893 miles at the three-foot scenario.

The intent of the GIS-based analysis conducted by the Compact Work Group was to provide a preliminary assessment of sea level rise vulnerabilities for regional planning and policymaking purposes. This analysis did not include other possible impacts associated with sea level rise that require more complex modeling efforts, or indirect impacts, such as delineating what properties may become less accessible due to inundated roadways. Despite these limitations, the GIS-based vulnerability assessment conducted by the Compact Work Group serves to identify areas of potential concern for regional planning of adaptation strategies. It also highlights the need for continued mitigation of greenhouse gas emissions as a means to reduce future sea level rise impacts.

To prepare Southeast Florida for the likely impacts of sea level rise estimated by the vulnerability assessment, cooperation is vital, not only among the Compact Counties, but also among the municipalities, local, regional, state and federal agencies serving the region. Strengthening this regional effort will be critical in order to coordinate public policies and adaptation measures that ensure the region's sustainability and economic growth.

## **V. Southeast Florida Regional Climate Action Plan Planning Process**

Members of the Compact Staff Steering Committee and representatives of numerous federal, state, and county agency partners met in February 2011 for a workshop to review the work completed to date and plan a course of action going forward. Workshop participants brainstormed issues including the scope of the Regional Climate Action Plan, criteria to select priority issues, defining regional versus local efforts, areas of expertise needed in issue specific work groups and how best to separate issue areas to be examined into logical, workable groupings. Also discussed were the timeline for the planning process and how to incorporate feedback from the Compact Staff Steering Committee and other stakeholders.

The Compact Staff Steering Committee organized three work groups to develop specific recommendations for reducing GHG emissions and building climate resilience across the region.

The three work groups, **Built Environment**, **Transportation**, and **Land and Natural Systems** were designed to bring local experts with differing work experiences and areas of responsibility together to share knowledge and expertise. Each work group consisted of more than 30 individuals from all parts of the four-county region, listed in Appendix C. Work group participants included representatives of academia, non-profits, the private sector and all levels of government. After several work sessions, surveys and much correspondence, draft recommendations were presented to the Compact Staff Steering Committee at a July 2011 workshop. After review and comment, the Compact Staff Steering Committee provided guidance to the three work groups in finalizing the strategies to be included in the Regional Climate Action Plan and convened a "Super Committee" to address three cross-cutting issues that emerged separately from the work groups. The full extent of recommendations from each work group is available as a supporting publication.

*Every organization in the region has a role to play in making Southeast Florida a resilient and sustainable community of communities.*

## Structure of the Regional Climate Action Plan

To further review, consolidate, and categorize the numerous recommendations, the Super Committee was created consisting of key representatives from each Work Group, the Work Group chairs, and representative County staff. The Super Committee worked to consolidate the recommendations into seven categories, including:

- Sustainable Communities and Transportation Planning
- Water Supply, Management and Infrastructure
- Natural Systems
- Agriculture
- Energy and Fuel
- Risk Reduction and Emergency Management and
- Outreach and Public Policy

The definition of each category and the recommendations are detailed as the Regional Climate Action Plan.

The draft Regional Climate Action Plan was released at the third annual Regional Climate Leadership Summit held in Key Largo on December 8 and 9, 2011. The Compact Staff Steering Committee aggressively sought public input and feedback from December through March 2012.



During this time, many public presentations on the draft plan and the Regional Compact were delivered throughout the region. Officially, 105 distinct comments were received through the Compact website from 91 individuals. All comments were reviewed by the Compact Staff Steering Committee and the Work Group Chairs. Since many comments were focused on the details of implementation, those thoughts and ideas are captured in the Implementation Guide that is published as a companion resource to the Regional Climate Action Plan. This public comment period resulted in a more robust regional document.

## **RCAP ... Regional and Municipal Government Collaboration and Shared Implementation**

The Southeast Florida Regional Climate Change Compact emerged in 2009 as a collaborative venture among Palm Beach, Broward, Miami-Dade and Monroe Counties and as such, served as the impetus for creating a common framework for climate change mitigation and adaptation strategies throughout the Southeast Florida region. This initial effort for the Compact Counties to collaborate on a regional scale, proved to be an important first step in gaining public and political support required for the advancement of this comprehensive planning initiative. Early on, municipal government engagement and commitment was also recognized as critically important to the success of the Compact.

There are more than 100 local city governments in the region, each at varying stages of climate mitigation and adaptation planning and implementation. To formally begin collaborative efforts among local governments, the Compact Counties



met jointly with municipal government representatives at the Second Annual Climate Leadership Summit in 2010. More recently, the Compact Staff Steering Committee membership was expanded with municipal representation to ensure involvement of cities in the drafting of the Regional Climate Action Plan. Successful implementation of the Regional Climate Action Plan strategies requires this continued collaboration.

In the forthcoming years, the Compact Counties expect to build coalitions with more municipalities, the various Leagues of Cities, special districts and other governmental entities, including the Treasure Coast counties participating in the Seven50 Sustainable Communities Initiative.

The Compact Counties and municipal partners are committed to the implementation of the Regional Climate Action Plan. Of course, implementation strategies must be sensitive to the different governance structures of counties and municipalities. Because of the variances in government structures, management policies, land use authorities, charters (where present), and the political environments of member counties and municipalities, implementation is expected to take on different forms. This Plan should be viewed as a framework to help guide policies and projects and implementation must be flexible to address specific local conditions.

It is also important to emphasize that the Regional Climate Action Plan does not provide a mandate for any county or municipal actions, but rather serves as a living document with options that each regional or local government may adopt and utilize based on their interests and vision for the future. Over time, this document will be enhanced as more data becomes available, scientific projections are refined, and best management practices are developed and tested.

The success of the planning efforts thus far is a testament to the political leadership and staff dedication to Southeast Florida. We recognize that by combining our efforts and resources, we are in a better position moving forward. The Compact is at an important turning point. As each partner continues to implement different initiatives, at its own pace and within the context of each individual entity, these individual steps will lead to collective results for a more resilient region. Join us, no step is too big or too small.

## VI. Regional Plan Recommendations

The following recommendations are the result of much labor by many individuals and organizations dedicated to a more sustainable and resilient Southeast Florida. The 110 actionable recommendations presented here form the core of Southeast Florida's first Regional Climate Action Plan. These measures draw from and build upon the experience of each partner gained prior to regional collaboration. Some, therefore, are familiar requiring only additional partners for differing scales of implementation. Others are new and designed specifically to address the challenges that become evident through a regional perspective. The Compact Staff Steering Committee has produced a companion document, titled the *Regional Climate Action Plan Implementation Guide*, to provide further insight and guidance on how each of these recommendations can be put to work for Southeast Florida. The Regional Climate Action Plan Implementation Guide is available online at: [southeastfloridaclimatecompact.org/](http://southeastfloridaclimatecompact.org/).

## Sustainable Communities and Transportation Planning

With the establishment of a Unified SLR Projection and the Preliminary Vulnerability Analysis, the picture of the likely future of our region is coming into focus. While the specific conditions at a given point in the future are impossible to predict, the range of potential future conditions has been defined based upon the best available science which includes an agreed upon level of uncertainty. This understanding of a likely future allows us to take action now to protect assets and invest wisely. As the science, monitoring, and modeling of impacts continue to be refined, this area of the plan recommends actions to integrate climate change consideration into existing and future policy decision making processes and municipal and county Comprehensive Plans with the goal to achieve resilience, reduce risk and further greenhouse gas emissions reductions.

As one of many tools available in the comprehensive planning process, this section includes several recommendations addressing the designation and implementation of Adaptation Action Areas which are expected to aid in focusing technical assistance and funding opportunities to areas most vulnerable to the impacts of sea level rise and coastal flooding. In 2011, the Florida Legislature amended state law to provide for Adaptation Action Areas as an optional designation in local comprehensive plans for those identified areas experiencing coastal flooding due to extreme high tides and storm surge and the related impacts of sea level rise. The law also provides for the development of adaptation policies and will maximize funding opportunities for infrastructure needs associated with Adaptation Action Areas. Subsequent to recent changes to state law, members of Congress have since requested the definition of Adaptation Action Areas in federal law to provide for appropriations for adaptation planning and infrastructure needs in designated areas. It is realistic to believe that future funding opportunities will become available through federal and state appropriations and grants for Adaptation Action Areas or areas similarly designated for adaptation planning.



## Sustainable Communities

*GOAL: Reduce financial and physical losses in our building stock by reshaping where and how we build.*

SP-1 Support implementation of the Regional Climate Action Plan by including

recommendations from the Plan into existing land use and policy decisions and related elements of the municipal and county Comprehensive Plans, as appropriate; and recognize the Plan as a basis for the development of new goals, objectives and policies through the appropriate local government Comprehensive Plans.

- SP-2 Develop policies, strategies and standards that will serve as guidance for climate change related planning efforts. Municipal and county planning authorities are encouraged to develop policies to improve resilience to coastal and inland flooding, salt water intrusion, and other related impacts of climate change and sea level rise in their Comprehensive Plans, Sustainability Action Plans, Vision Plans, Stormwater Master Plans, Transit Development Plans, Long Range Transportation Plans, Adaptation Action Area Plans, Climate Change Plans and other green planning efforts.
- SP-3 Incorporate "Adaption Action Area" definition (as provided for in Florida law) into municipal and/or county Comprehensive Plans, to provide a means to identify those areas deemed most vulnerable to sea level rise and other climate change impacts including but not limited to extreme high tides, heavy local rain events, and storm surge for the purpose of prioritized funding and adaptation planning.
- SP-4 Develop criteria in collaboration with municipal and county planning authorities for the purpose of defining Adaptation Action Areas as well as other areas requiring adaptation improvements related to coastal flooding and sea level rise that may include, but not be limited to:
- Areas below, at, or near mean higher high water;
  - Areas which have a hydrological connection to coastal waters;
  - Areas designated as evacuation zones for storm surge; and/or
  - Other areas impacted by climate related drainage/flood control issues.



*Southwest Florida Regional Climate Change Compact Counties - Regional Climate Action Plan*

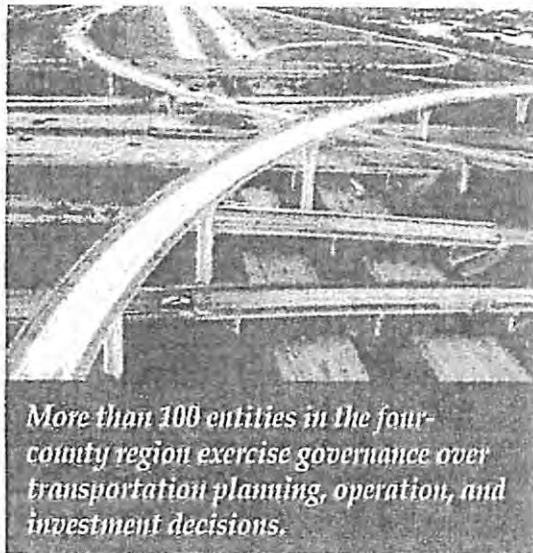
- SP-5 Conduct new or utilize existing vulnerability analysis and other technical tools as they are developed as a means for identifying Adaptation Action Areas as well as other areas requiring adaptation improvements related to coastal flooding and sea level rise, to provide guidance for adaptation planning efforts in areas especially at risk to sea level rise, tidal flooding and other related impacts of climate change.
- SP-6 Develop policies, as provided for in Florida law and in collaboration with the appropriate municipal and county planning authorities, related to areas designated as Adaptation Action Areas or similarly vulnerable areas to improve resilience to coastal flooding, sea level rise and other climate related vulnerabilities and provide guidance for other adaptation planning efforts.
- SP-7 Develop sea level rise scenario maps to be considered for inclusion in appropriate Comprehensive Plans and/or regional planning documents as determined by the appropriate local government to guide municipal and county government climate adaptation planning efforts and continue to update regional and local planning efforts as more data becomes available and scientific projections are refined.
- SP-8 Identify locations within Adaptation Action Areas or similarly vulnerable areas where targeted infrastructure improvements, new infrastructure, or modified land use and/or development practices could reduce vulnerability and/or improve community resilience.
- SP-9 Coordinate regionally across municipalities and county planning authorities on the development of projects and funding proposals to seek prioritized funding for identified infrastructure needs and specific adaptation improvements required within Adaptation Action Area or other related adaptation planning areas.
- SP-10 Work with appropriate local, regional and state authorities to revise building codes and land development regulations to discourage new development or post-disaster redevelopment in vulnerable areas to reduce future risk and economic losses associated with sea level rise and flooding. In these areas, require vulnerability reduction measures for all new construction, redevelopment and infrastructure such as additional hardening, higher floor elevations or incorporation of natural infrastructure for increased resilience.
- SP-11 Identify within Adaptation Action Areas and similarly impacted areas populations and communities most vulnerable or of special concern for the purpose of ensuring the

proper consideration of individual needs and resources as part of local and regional planning activities.

- SP-12 Develop new community flood maps reflective of a 100-year storm event under future sea level rise scenarios and use this information, in conjunction with similarly updated storm surge models for revising required elevations for new and redevelopment, and in the permitting/licensing of transportation projects, water management systems, and public infrastructure.
- SP-13 Designate or otherwise recognize “Restoration Areas” to identify undeveloped areas that are vulnerable to climate change impacts for the purpose of environmental restoration, dune restoration, agriculture, conservation of natural resources or recreational open space, or as stormwater retention areas. Local governments and appropriate regional planning authorities should prioritize land acquisition in these areas. These areas could also be established or acquired through mitigation or transfer-of-development rights initiatives.
- SP-14 Designate or otherwise recognize “Growth Areas” as areas outside of Adaptation Action Areas, or other areas subject to adaptation planning efforts, where growth is encouraged due to higher topographic elevation and the presence of existing infrastructure, such as transportation and water and sewer infrastructure. Growth Areas should be developed with Urban Design guidelines that address character of urban place and provide a high quality pedestrian experience through landscaping and the creation of public space.
- SP-15 Modify or develop new design standards for transportation infrastructure located in identified vulnerable areas to include environmentally supportive road materials, bridge design, elevation, and stormwater management. Include different pitches combined with stormwater design to effectively remove water from the roadway; explore roadway materials that may be utilized in road construction that are more tolerant of extended periods of extreme temperatures.
- SP-16 Develop policies to address new transportation infrastructure development in light of anticipated future climate impacts, such as consideration of future floodplain conditions and vulnerable areas which could require the rerouting of roads because of potential flooding and related damage.

- SP-17 Analyze potential blighted sites and develop an approach for converting underutilized or unused properties and structures, including properties in financial distress, into community gardens or farmers' markets. (i.e., Redfields to Greenfields)

## Transportation Planning



The transportation sector contributes 45 percent of the region's greenhouse gas emissions, with the majority of trips taken for family and personal purposes in single occupancy vehicles. Reducing vehicle miles traveled (VMT), which reduces emissions, can be achieved by shifting trips taken in the personal vehicle to walking, biking, and public transportation, and shortening or avoiding trips altogether through community design and sustainable development strategies. Recent studies demonstrate the significant impact this approach

can have on avoiding greenhouse gas emissions - estimating that the five "Ds" of compact development - density, diversity, design, destination and distance to transit - are expected to reduce VMT by 12 to 18 percent (Urban Land Institute). Clearly, the success of this reduction is dependent on the extent and timing of implementation. While recommendations in this area call for increased funding for mobility solutions that achieve a reduction in greenhouse gas emissions and also increase the livability and economic strength of the region by reducing our dependence on the personal vehicle, others focus on more immediate strategic service improvements as well as initiatives to attract individuals who could drive their cars but who choose to ride transit or share a ride because of the conveniences and other benefits represented by these choices.

More than 100 entities in the four-county region, including municipalities, county and state governments, metropolitan planning organizations, and regional planning bodies, exercise governance over transportation planning, operation, and investment decisions. A continued and expanded collaborative approach to these activities will be a cornerstone to implementing these recommendations that not only serve to reduce greenhouse gas emissions but will realize cross-cutting benefits of more livable and desirable communities within our region.

*GOAL: Reduce greenhouse gas emissions by planning, designing, and prioritizing walkable, affordable communities supported by sustainable multimodal transportation options.*

- SP-18 Identify means to effectively engage the multiple public and private sector entities with roles and responsibilities involving the provision and maintenance of transportation infrastructure and the delivery of transportation services in the region, in climate adaptation and mitigation initiatives. Document current and evolving coordination efforts among these entities.
- SP-19 Focus transportation investments and service expansions on projects and strategies contributing to greenhouse gas emissions reductions and enhancing resilience to climate change.
- a. Continue to enhance and implement regionally coordinated transportation planning through the Regional Long Range Transportation Plan (RLRTP). Identify goals and objectives in the RLRTP which, as they are attained, reinforce the desired achievement of greenhouse gas emissions reductions and enhanced resilience to climate change. Articulate the supportive role of these goals and objectives for emissions reductions and climate resilience.
  - b. Give higher investment priority to and advocate for state and federal transportation infrastructure investments, programs and services that will reduce greenhouse gas emissions and enhance resilience and adaptability to climate change. Performance standards for climate and related metrics, such as reduced VMT and increased mode split, should be incorporated in transportation plans and programs. Transportation planning should include performance measures<sup>1</sup> in major decision-making phases such as land use visioning, long range transportation plans, corridor studies, programming, environmental review, and performance monitoring.
  - c. Incorporate evaluation criteria and processes to prioritize projects that meet RLRTP goals and objectives — into local and regional planning and programming processes — with an initial emphasis on evaluation criteria that reduce VMT and increase use of transportation modes other than the personal vehicle. Projects that enhance economic vitality should also be given priority, such as projects and service expansions along transit-oriented corridors and those that improve connections to major airports and seaports.
  - d. Prioritize studies funded through existing programs and other sources addressing effective climate adaptation and mitigation strategies, particularly those addressing barriers to adaptation and assisting in integrating land use and transportation planning.



- e. Improve coordination among economic development, land-use/housing, transportation and water resource planning activities. Review local and regional planning and decision making processes to ensure a complementary approach toward developing and maintaining a transportation network, including for purposes of reducing VMT and providing more transportation choices.

SP-20 Require that new development and redevelopment in areas with existing and planned multimodal corridors that connect urban and other centers in the region be planned and designed to support walking, biking and transit use.

SP-21 Support effective planning and implementation of transit oriented developments (TODs)<sup>2</sup>, from both a local and regional scale, in coordination with effective planning and delivery of transit services, particularly transit stations<sup>3</sup>, to maximize ridership.

- a. Recognize that planning for TOD requires consideration of transit and land use issues at the system, corridor and station levels, as well as evaluation of adequate infrastructure such as water and sewer mains.
- b. Develop policies to streamline approval processes involving TODs.
- c. Ensure equitable distribution of the benefits of TOD and premium type transit services.

SP-22 Introduce a new activity-based regional travel demand forecast model to directly simulate individual trip making and mode choice behaviors. Simulations done using the model will allow for robust tests of the effectiveness of policy alternatives.

SP-23 Consider regional implementation of rapid transit zones to maintain land use control around a station with multiple jurisdictions. Modify local land use plans and ordinances to support compact development patterns, creating more walkable and affordable communities.

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<sup>1</sup>One example of incorporating sustainable transportation performance measures into existing planning processes is: Environmental Protection Agency's Guide to Sustainable Transportation Performance Measures (EPA 231-K-10-004, August 2011).

<sup>2</sup>Transit oriented developments (TODs) are compact moderate to high intensity and density mixed use areas, within one-half mile of transit stations, designed to maximize walking trips and access to transit.

<sup>3</sup>A transit station in this context means one serving a premium type of transit including commuter rail, light rail, express bus service such as the 95 Express Bus, bus rapid transit service (as defined by the Federal Transit Authority), or a station that functions as a local bus hub or transfer station, serving a minimum of three fixed routes operating with headways of 21-30 minutes or less.

*Recommendation:  
Work regionally  
to improve safety  
for pedestrians and  
bicyclists.*

- a. Identify potential future land use map and other comprehensive plan changes at the local level. Also address the subject in regional level plans.
- b. Adopt form-based codes that have physical form, design of buildings and the public realm, and an emphasis on mixed and evolving land uses as organizing principles.
- c. Consider regional implementation of rapid transit zones or other such designations to maintain land use control around transit stations, including ones with multiple jurisdictions.



- SP-24 Consider the adoption of green neighborhood certification programs, such as LEED ND (Neighborhood Development) to guide decision making and development and to provide an incentive for better location, design, and construction of new residential, commercial, and mixed-use developments with the goal of increasing transportation choices while reducing household transportation costs. Incorporate sustainable building and neighborhood ratings or national model green building codes, including but not limited to those defined in Section 255.253(7), Florida Statutes, into municipal codes region-wide.
- SP-25 Adopt or create a green rating system for roads to reduce emissions from construction, maintenance, and agency operations through practices such as using recycled materials, purchasing materials found or manufactured sustainably in the region, and requiring construction contractors to implement emissions reductions practices such as using alternative fueled vehicles and clean diesel practices.
- SP-26 Improve movement and safety for non-motorized modes through the adoption and implementation of best practice models including Complete Streets.
- a. Develop policy, ordinances, guidelines, models and projects to accelerate implementation.

- b. Identify partners and resources to support training and the research into new techniques for transportation design and other professionals.

SP-27 Complete, expand and connect networks of bicycle and pedestrian facilities, including supporting access to transit.

- a. Prioritize implementation of planned bicycle and pedestrian networks. Improve overall coordination of local and regional agency planning and implementation efforts. Evaluate whether these facilities are connected regionally and on a local scale to major employment, education, and recreation centers.
- b. Implement a roadway design project checklist that includes measures of pedestrian, bicycle, and transit (e.g. bus bay) accommodation.
- c. Work regionally to improve safety for pedestrians and bicyclists.
- d. Consider regional adoption of Transit, Pedestrian, and Biking programs that aim to improve access to transit.
- e. Develop policies to increase designated bike parking facilities at office and retail developments.



SP-28 Continue to implement strategies aimed at maximizing the efficiency of the existing transportation network by all agencies across the region. Many of these strategies also result in greenhouse gas emissions reductions. There is a need for a toolbox of successful strategies that can be duplicated across the region. Agencies should make an effort to collect information that will allow for evaluation of the effectiveness of a strategy in reducing greenhouse gas emissions. Information collected by implementing agencies should include emissions reductions, fuel reductions, VMT impacts, or other performance measures as appropriate. Information collected should also include steps for implementation, costs, and lessons learned. Among the strategies to consider are use of roundabouts, real time operation of the traffic signal system, traffic signal prioritization and queue jumps for transit, interstate ramp metering, and employment

of a virtual freight network (freight network managed in real time using intelligent transportation systems).

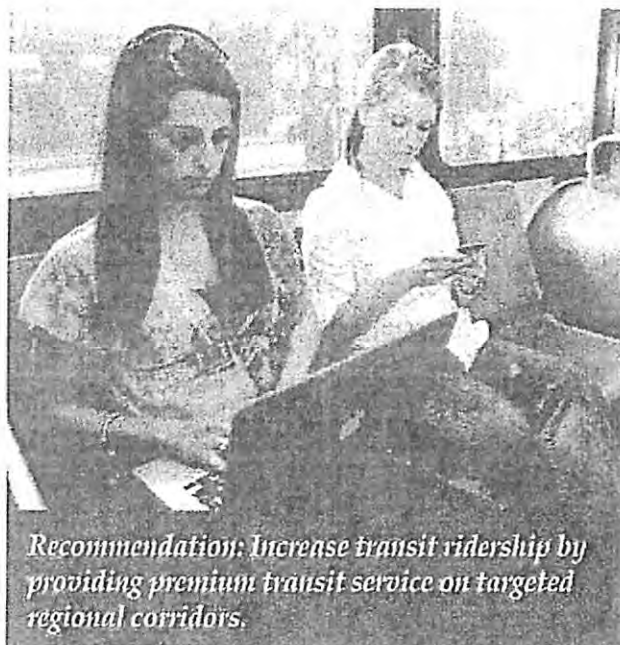
- SP-29 Increase transit ridership by providing premium transit service<sup>4</sup> on targeted regional corridors. Examples of successful routes include the I-95 Express bus service and “The Flyer” route from Miami International Airport to Miami Beach. The goal of these routes is to bring people who might otherwise drive to work (known as “choice riders”) from residential areas to regional centers of employment. Agencies should review levels of service policies and service standards and modify as necessary to prioritize increasing services along corridors with dense land use. Improve quality of service by continuing to monitor and address safety and performance.
- SP-30 Increase the amenities and infrastructure available to transit riders, such as shade, shelters, kiosks utilizing solar power when feasible, and route and real time boarding information.
- SP-31 Provide seamless transitions to increase the use of low carbon modes for the movement of people and freight in the region.
- a. Improve connections among Tri-Rail and county transit service, municipal trolley and community shuttle bus services which may include realignment of routes. District circulators, such as the Metro Mover in downtown Miami, which connects to Metro Rail, provide the last leg of a commute for transit riders and should have high frequency and ease of transfer.
  - b. Implement seamless regional transit fare and transfer media (traditional or virtual) across transit services in the region while improving walking and biking access to transit.
  - c. Develop planning strategies to address planning for the “First and Last Mile” of transit trips, which act as barriers for commuters who could potentially take transit but whose starting point or final destination cannot be conveniently accessed from

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<sup>4</sup> The term premium transit service in this context means rail, express bus service, or the Federal Transit Authority definition of Bus Rapid Transit service, which are routes predominantly on fixed guideways or high frequency bus service with the following elements: substantial transit stations, traffic signal priority or preemption, low-floor vehicles or level platform boarding, and separate branding of the service. High-frequency service is defined as 10-minute peak and 15-minute off-peak headways for at least 14 hours of service operations per day.

the nearest transit stop/station due to distance, terrain (street patterns), or real or perceived safety issues (traffic, crime).

- d. Partner to implement a Virtual Freight Network as part of the region's comprehensive Intelligent Transportation System/Transportation System Management and Operations Programs. Establish a software application to provide "load matching" for shippers and truckers to alleviate "deadheading" of empty trucks traveling back to destination.
- e. Incorporate climate adaptation strategies and greenhouse gas emissions inventories into Seaport and Airport Master Plans and Regional Freight Plans. Plans should address the critical last mile to and from major seaports and airports in part by providing comprehensive plan land use designations, policies, and standards that protect that function of roadway segments connecting seaports and airports (hubs) to corridors, such as interstates.



*Recommendation: Increase transit ridership by providing premium transit service on targeted regional corridors.*

- f. Establish performance measures including VMT reduction and emissions reductions monitoring for freight projects such as ship to rail projects which remove drayage truck operations<sup>5</sup>.
- g. Support clustering of distribution facilities to promote intermodal centers and economic development.

<sup>5</sup> "Drayage truck operations" refer to truck container pickup from or delivery to a seaport terminal with both the trip origin and destination in the same urban area.

- SP-32 Use and expand Transportation Demand Management (TDM) strategies, which reduce peak hour and single-occupant vehicle travel.
- a. Vanpool and Carpool Programs - Work with MPOs, South Florida Commuter Services and South Florida Vanpool to identify and pursue opportunities to more fully utilize and expand these programs.
  - b. Car and Bike Sharing Programs - Work with companies providing these services and strategic partners (universities, municipalities, large employers, etc.) to establish zip car, bike sharing and personal vehicle sharing programs.
  - c. Employee Benefits – Encourage sharing of information on and use of employee benefits that support use of walking, biking and transit modes for work commutes (e.g., pre-tax benefits and Emergency Ride Home program).
  - d. Commute Trip Reduction Programs - Local governments should promote participation in programs such as the EPA Commuter Choice Program and explore the adoption of commute trip reduction ordinances.
- SP-33 Coordinate initiatives with those of the seven-county Southeast Florida Prosperity Plan, known as Seven50, to maximize the opportunities presented as Seven50 is developed (e.g., sharing data and analyses; participating in alternative future scenario planning; engaging a myriad of public, private and civic partners) and actively engage in Seven50 implementation efforts, designed to address the following Livability Principles:
- Provide more transportation choices
  - Promote equitable, affordable housing
  - Enhance economic competitiveness
  - Support existing communities
  - Coordinate policies and leverage investment;
  - Value communities and neighborhoods and
  - Enhance community resilience to the impacts of Climate Change

## Water Supply, Management and Infrastructure

Climate change presents serious challenges for water managers with impacts on the quality and abundance of water supplies, water and wastewater infrastructure, and drainage and flood control operations. An effective response will require the coordinated efforts of governmental agencies and service providers and a holistic approach that treats water supply, disposal and management as integrated systems.

In Southeast Florida, climate change is predicted to influence precipitation patterns with both water supply and water management implications. Fewer storm events, drier winter and spring months, and an increase in local evapotranspiration rates (water lost to the atmosphere through evaporation and plant transpiration) will increase the frequency and severity of droughts while less frequent but more intense storms will tax water management systems causing both inland and coastal flooding. Impacts will be compounded by sea level rise with the loss of coastal wellfields due to saltwater intrusion and constraints on water management operations due to increases in groundwater levels and reduced discharge potential at canal water control structures. Addressing the impacts of climate change will require: finding solutions to consistently maintain high quality and adequate water supplies for all local communities, strategies to reduce the cost and energy demands of alternative water supplies, consideration of future conditions with respect to the placement of infrastructure, and investments in new and upgraded infrastructure to maintain essential drainage and flood control operations. Additionally, SLR from climate change is threatening the Florida Everglades, the backbone of our natural resource system, highlighting the urgent need for restoration of the Everglades with improved delivery and distribution of water flow to provide both natural resources and water supply benefits.

Given these challenges, it is essential to identify practical solutions today to help mitigate the impact of climate change on our future water supply. The Regional Climate Action Plan proposes recommendations to provide regionally coordinated water management plans that address

*Climate change presents serious challenges for water managers.*



*It is essential to identify practical solutions today.*

stormwater use and disposal, traditional and alternative water supplies, wastewater disposal and reuse, water conservation measures, and continued support for Everglades restoration efforts.

A unified effort among government, businesses, and consumers is needed to implement near-term solutions and develop long-term strategies to mitigate adverse impacts of climate change on water supplies while developing new sources that add diversity to our water supplies. Efforts will require optimized use of all water resources, with conservation being paramount, along with development of new sources less vulnerable to changing climate conditions. The challenge will be to implement these necessary projects without marked increases in energy consumption, a difficulty that underscores the value of conservation as a priority strategy. Policy and regulatory changes, funding for infrastructure, development of alternative water supplies, and public education will all be necessary in order to make significant progress. The issues are vast and the investments to be great, with effective response requiring the collaboration of the public, financial participation of state and federal governments, and the exploration of new finance strategies.

*GOAL: Advance water management strategies and infrastructure improvements needed to mitigate for adverse impacts of climate change and sea level rise on water supplies, water and wastewater infrastructure, and water management systems.*

- WS-1 Develop local and, where appropriate, regional inventories of existing potable water supply delivery and collection systems, vulnerable wellfields, wastewater collection and/or treatment infrastructure, septic tanks/drainfields, and stormwater drainage and treatment facilities; assess the potential impact from climate change of each component; and develop different climate change scenarios and adaptation strategies for high-risk utilities and/or infrastructure which may require replacement, reinforcement, or relocation to ensure the long-term viability of the system (e.g., modified site, depth, elevation, materials, or connection requirements).
- WS-2 Develop a regional saltwater intrusion baseline and utilize saltwater intrusion models to identify wellfields and underground infrastructure at risk of contamination/infiltration by saltwater with increases in sea level.
- WS-3 Utilize existing and refined inundation maps and stormwater management models to identify areas and infrastructure at increased risk of flooding and tidal inundation with increases in sea level, to be used as a basis for identifying and prioritizing adaptation needs and strategies.



- WS-4 Evaluate the impacts of rising sea and groundwater levels on soil storage, infiltration rates and inflow to stormwater and wastewater collection and conveyance systems; consider longer-term influences on water quality; and develop strategies for implementing reclaimed water and stormwater reuse projects that account for current and future conditions.



- WS-5 Develop and apply appropriate hydrologic and hydraulic models to further evaluate the efficacy of existing water management systems and flood control/drainage infrastructure under variable climate conditions. Quantify the capacity and interconnectivity of the surface water control network and develop feasible adaptation strategies.
- WS-6 Coordinate with the South Florida Water Management District, Drainage/Water Control Districts, and utilities/public works officials to identify flood control and stormwater management infrastructure already operating below the design capacity. Further examine water control structures to ensure that they can provide for inland or upstream migration of riparian species as freshwater habitats become more saline.
- WS-7 Develop Integrated Water Management Plans that present a joint assessment and planning strategy involving local water utilities, wastewater service providers, water managers, and partners to the Southeast Florida Regional Climate Change Compact, for coordinated consideration of stormwater use and disposal, traditional and alternative water supplies, wastewater disposal and reuse, and water conservation measures for use by local leadership to guide planning decisions as well as amendments to applicable codes and regulations.
- WS-8 Develop and test water management and drainage system adaptation improvements needed to maintain existing levels of service relating to drainage, flood control, and water supply, and use cost-benefit analyses to prioritize potential improvements.

- WS-9 Incorporate and prioritize preferred climate adaptation improvement projects in capital improvement plans and pursue funding.
- WS-10 Encourage, foster, and support investigative work and scientific research that improves the understanding of local and regional climate change impacts specific to Southeast Florida, including:
- Improved down-scaling of global climate models for representation of precipitation at the regional/local scales
  - Identification and targeting of gaps in monitoring to improve quantification of the hydrologic system and its response to climate change, such as evapotranspiration, groundwater levels, and precipitation, and local sea level
  - Development of risk-based decision support tools and processes for application in analysis of infrastructure design, water resource management, natural systems management, and hazard mitigation alternatives. Tools should provide for consideration of potential economic costs of comparative planning scenarios, management decisions, and infrastructure investments and the evaluation of potential tradeoffs.
- WS-11 Undertake efforts to fill identified data gaps through local program efforts, agency collaborations, and advocacy for additional state/federal resources, as needed.
- WS-12 Foster the development and exchange of new information, methods and technical capabilities to address key questions of concern related to climate variability and sea level rise to support management decisions:
- Assess impacts of observed and predicted climate variability and sea level rise on the frequency, duration, and intensity of flooding as a result of extreme tidal excursions, storm surge, and 100-year storm events, and where impacts are likely to be greatest.
  - Examine the effects of climate change on water availability and groundwater vulnerability due to sea level rise, and predicted changes in precipitation and evapotranspiration patterns and rates.
  - Establish a venue for a periodic exchange of ideas between resource managers, policy makers, and researchers.

WS-13 Develop agency capabilities to provide rapid deployment of resources in immediate response to intense precipitation and storm events through use of Next RAD technology.

WS-14 Cultivate partnerships with federal and state agencies and professional associations with expertise in integrated water resource planning (such as the U.S. Army Corps of Engineers Institute for Water Resources, the United States Geological Survey, and Water

Foundations) as sources of important research, reports, and information regarding climate change, and efforts being undertaken in other communities.

WS-15 Monitor changes in rainfall patterns, temperature means and extremes and sea level rise through coordination with NOAA and other key organizations/partners to better predict future wet-season and dry-season rainfall. Monitor emerging science in order to assess the adequacy of regional climate models. Choose an annual conference or other venue at which such trends can be reviewed at regular intervals.

WS-16 Manage water storage in the region's publicly-owned uplands and wetlands and in other land uses compatible with water storage, including wetland restoration, certain agricultural operations and certain renewable energy production facilities. This will further serve to protect high quality drinking water supply, increase aquifer recharge, and as a means for managing saltwater intrusion.

WS-17 Support complete implementation and funding for the Comprehensive Everglades Restoration Plan (CERP) and its updated versions as fundamental to Everglades restoration, to include increased freshwater flows to the Everglades system, thereby improving water quality, maximizing regional freshwater storage and aquifer recharge, and providing potential to abate saltwater intrusion, which will become increasingly important under variable climate conditions and in the face of sea level rise.

WS-18 Combine existing and develop new land acquisition priorities in a regional setting to protect high quality drinking water supply.



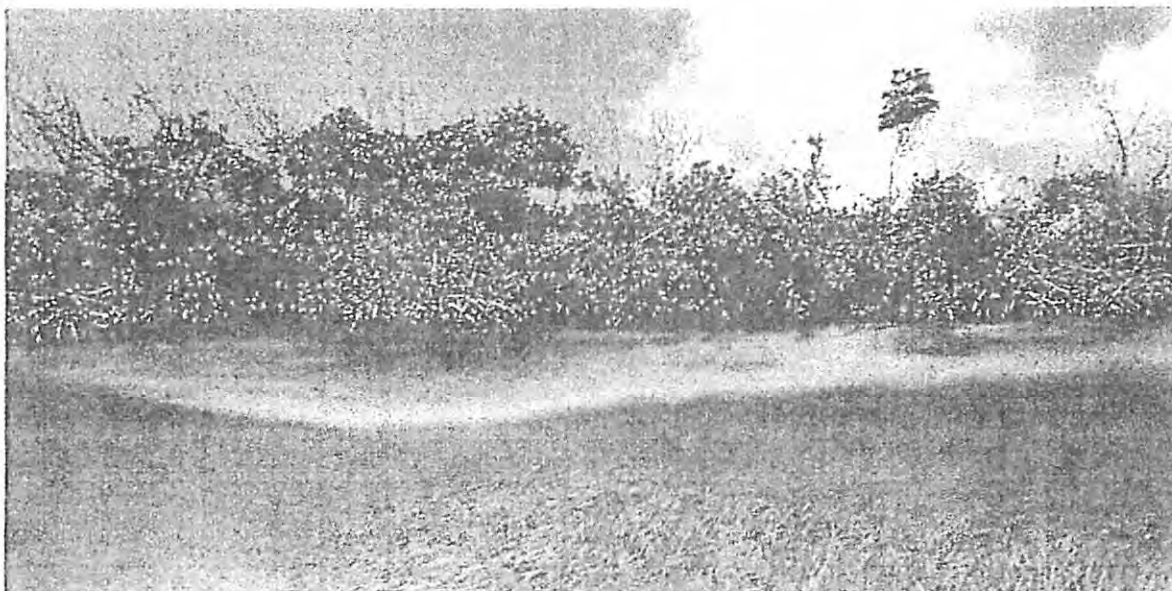
***Recommendation: Mitigate climate change on water supplies, water and wastewater infrastructure, and water management systems.***

## Natural Systems

Southeast Florida's natural communities exist within specific climate, water and salinity regimes; coral reefs and seagrasses grow in clear, shallow seawater with abundant sunlight and stable temperatures while mangroves thrive in the often brackish areas between the low and high tide lines. Freshwater-dependent hardwood hammocks and pine rockland forests support an abundance and diversity of rare plants and animals unrivaled in the United States. Similarly, Everglades tree islands depend upon wet and dry seasonal rainfall patterns that have existed for centuries. Climate change threatens many of the native plants and animals important to Southeast Florida's culture, economy and distinctive sense of place.

Changing weather patterns are not new to the native flora and fauna of Southeast Florida. Plants and animals are always living and competing on the edge of their limits. Wetland plants gain ground, moving up the slope in wet years and perhaps losing that same ground in dry years. But in many climate change scenarios, the speed and direction of such changes may be unprecedented. Climate change may exceed the capacity of native species to keep pace. By taking specific action now, we may be able to manage our native flora and fauna without losing species diversity and without introducing potentially harmful species.

Coral reefs are vital to local fisheries and the economy. Healthy oceans provide most of the oxygen in the air we breathe. Much research is already underway regarding the impact of climate change on the world's oceans. Locally, strategies are being developed to maintain our ocean in the face of climate change. In estuarine systems, mangroves and seagrasses are primary converters of sunlight energy to food energy. However, they are both limited



*Southeast Florida Regional Climate Change Compact Counties - Regional Climate Action Plan*



by water depth. As seas rise, they may not survive in their current locations. It will be incumbent on us to ensure that newly inundated areas are available for them to colonize. The fate of freshwater wetlands is currently harder to predict. Tide water may reach further inland and some freshwater sources may become more brackish. These 'lightly salty' estuaries can be biologically healthy habitats but we must ensure that other land uses, including drinking water supplies, are not threatened.

Most of the regions' freshwater wetlands and native uplands are supplied with rainwater. At this time, no one knows exactly what changes in rainfall patterns are in store for us. What we do know is that storage of freshwater is an important mitigation option whether rainfall is too much or too little – or both. Having freshwater storage options allows us to collect flood waters and hold them for later release during drought.

Given the opportunity, some species can adapt, migrate, or transition. Adaptation and migration or transition, necessary for sustaining natural plant and animal communities, will require careful and thoughtful planning. Land use planning and land acquisition programs will have to allow for such transitions. Hardened shorelines may be transformed to living shorelines. Open lands or vacant parcels may be suitable locations for habitat restoration.

The following strategies recommend ways in which all levels of government can share information necessary to plan for and implement the maintenance of natural areas, rare and endangered native species populations as well as the green industries necessary for our local economy.

*GOAL: Implement monitoring, management, and conservation programs designed to protect natural systems and improve their capacity for climate adaptation.*

NS-1 Develop a vital signs status and trends monitoring program for biological communities. Key parameters may include rate of sea level rise, saltwater intrusion boundary and monitoring wells, landscape-level vegetation patterns, percent coral cover and condition in offshore reef zones, water temperature and pH in areas, and occurrence and range of invasive exotic plants and animal species.

- NS-2 Promote collaborative federal, state and local government conservation land acquisition programs. Explore fee simple and less-than-fee approaches which reflect regional acquisition priorities and result in conserving a diversity of natural areas including hot spots of biological diversity, protecting open space and buffer areas to create or maintain resilience and adaptive capacity of existing natural areas to transition inland/upslope.
- NS-3 Support regional fire management coordination efforts emphasizing frequent, low intensity fire regimes in wetland and pine forest systems to maximize habitat quality, resilience to change and carbon neutrality while preventing hazardous fuel load buildup that leads to major carbon releases.
- NS-4 Quantify monetary values of hazard mitigation and adaptation provided by natural systems using Ecosystem Services Valuation or comparable model. Create a sustainable funding mechanism for their protection and management.
- NS-5 Mainrain or restore multiple areas of habitat and large-scale connectivity to facilitate native species population stability and habitat shifts resulting from climate change.
- NS-6 Coordinate and implement regional invasive exotic species prevention and control efforts to minimize the diversity and abundance of habitat-homogenizing exotic plants and animals by emphasizing prevention of new invasions and early detection/rapid response to nascent invasions.
- NS-7 Coordinate "living shorelines" objectives at regional scale to foster use of natural infrastructure (e.g. coral reefs, native vegetation and mangrove wetlands) instead of or in addition to grey infrastructure (e.g. bulkheads).
- NS-8 Leverage existing work of the Florida Reef Resilience Program's "Climate Change Action Plan for Florida's Coral Reef System 2010-2015" for protection of marine habitat.



- NS-9 Engage and cooperate with marine resource agencies to maintain coral reef (e.g., selective breeding) and mangrove ecotones as estuarine habitat and natural barriers to storm surge that also maintain coastal biodiversity.
- NS-10 Advocate for federal and state funding for applied monitoring and climate related science:
- identify economic and physical linkages between marine systems (e.g. reefs and mangroves) and hazard risk/damage claim reduction
  - monitor coastal and freshwater marsh vegetation tolerance to changing salinity, depth and other climate variables
  - improve data on estuarine bathymetry and use appropriate models to help identify habitats at risk
  - develop refined climate projections, hydrologic and ecological models to aid in planning
- NS-11 Support regulatory requirements that provide for ecologically beneficial uses of clean, dredged materials.
- NS-12 Develop long-term turtle-nesting beach preservation and management strategies to reduce nest vulnerability and mortality.
- NS-13 Compile information on rare plant species in threatened natural communities and develop adaptation plans that include, at a minimum, seed bank repository collection and assisted propagation.
- NS-14 Maintain/restore urban tree canopy.

*Sea level rise from climate change is threatening the Florida Everglades, the backbone of our natural resource system.*



## Agriculture

Agriculture is consistently one of the three economic drivers to Florida's economy. When the economic impact of tourism, development and agriculture are reviewed over many years, agriculture tends to be the stabilizing component of the economy.

Southeast Florida is unlike any other growing area in the nation due to a 12-month growing season and ample local market potential. More than 250 different and unique crops grow in Southeast

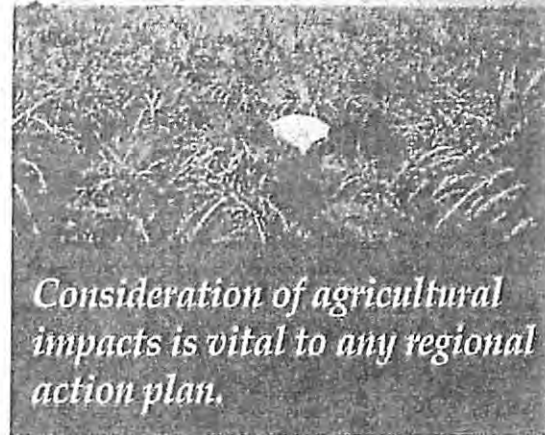
Florida. These crops supply the entire east coast of the United States with winter vegetables, contributing to the food security of the nation. Many tropical and ethnic crops are also grown and marketed to the diverse population of the region.

Farmers are actively adapting Best Management Practices that efficiently utilize nutrient application (right time, right place) and conserve water resources. They are also evaluating alternative methods to utilize and retain water when it's not harmful to current or projected growing practices.

The agriculture community is committed to sustainability, and the economic viability of regional agriculture will allow farmers to remain on the land to grow food, fuel and fiber for area residents as well as the nation. Consideration of agricultural impacts is vital to any regional action plan which should include action plans to address flooding, salt-water intrusion, exotic pests and disease introduction and crop changes due to climate change.

*GOAL: Ensure the continued viability of agriculture in Southeast Florida through policies which remove barriers to production, promote economic incentives, improve water reliability, and provide research on best management practices, thereby encouraging sustainable production in the face of a changing climate.*

- AG-1 Promote policies which preserve the economic viability of agriculture as the industry adapts in the face of climate change.
- AG-2 Develop and seek regional, state, and county-based funding for willing buyer/willing seller Agriculture Purchase of Development Rights Program to maintain agricultural land for its



*Consideration of agricultural impacts is vital to any regional action plan.*



ability to lessen climate change impacts and provide for national food security.

AG-3 Support academic research in the agriculture sector on best management practices for crops presently grown or new crops which may be grown as climate conditions change in Southeast Florida.

AG-4 Provide incentives to growers/land owners to manage agricultural lands to lessen impacts of climate change regionally and provide environmental benefits (which may include, but not be limited to: open space, water aquifer recharge and storage, carbon sequestration, wind farms, biofuels, and wildlife habitat).

AG-5 Ensure availability of water supply, at reasonable cost, to meet the diversity of needs across Southeast Florida to include agricultural irrigation needs and crop freeze protection.

AG-6 Identify and reduce obstacles for permitting agricultural practices (including growing and selling produce) in urban areas, in order to encourage urban farming and reduce greenhouse gas emissions related to the transport of farm produce.



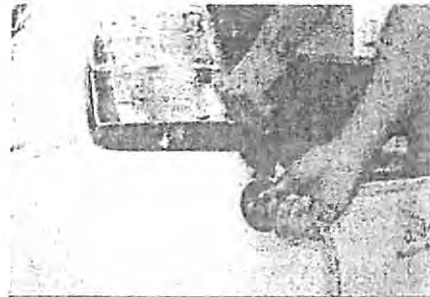
*More than 250 crops grow in Southeast Florida, contributing to the food security of the nation.*

## Energy and Fuel

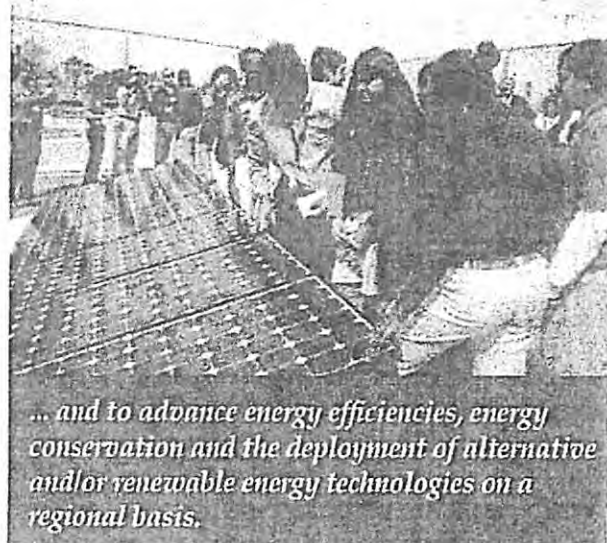
The vast majority of the energy consumed in the region is to fuel our vehicles and to generate electricity for our buildings. It is widely understood that the most accessible and cost-effective way to reduce energy consumption is through efficiency and conservation. The recommendations in this area address these important strategies and also take the next step by encouraging the use of alternative and renewable energy. They call for public-private partnerships and addressing barriers, including regulatory processes, which currently prevent the broad application of these technologies. Recommendations are comprehensive, ranging from setting regional goals, increasing renewable energy capacity to establishing a regional framework to deliver finance options. Recommendations also aim to reduce idling and prepare our region for the shift to plug-in electric vehicles.

*GOAL: Increase renewable energy capacity and reduce consumption of electricity and fuel.*

- EF-1 Undertake regional efforts to advance energy efficiencies, energy conservation and the deployment of alternative and/or renewable energy technologies in existing and proposed developments through local ordinance, incentives, education, and energy efficiency financing strategies.
- EF-2 Work toward the establishment of a regional framework to deliver Energy Efficiency and Renewable Energy finance options, in addition to other local government initiatives and partnerships, to achieve regional greenhouse gas emissions reductions, the use of alternative and renewable energy technologies, in furtherance of green sector economic development.
- EF-3 Set a recurring five-year regional goal to increase renewable energy capacity and conservation – which includes the co-benefits of economic development and job creation – through revising building and zoning codes and architectural design guidelines to allow for, encourage, and integrate renewable energy sources into the power supply.
- EF-4 Seek amendments to existing land development regulations and development standards and revise or eliminate provisions that act as a barrier to the installation and use of renewable energy systems pursuant to Section 163.04, F.S.
- EF-5 Develop policies to facilitate and streamline the deployment of energy efficient and renewable energy such as the installation of LEDs and use of solar power for public infrastructure such as street lighting, parks, and parking facilities. Survey counties, cities and regional agencies with lighting infrastructure to determine the



*Recommendations aim to reduce idling and prepare our region for the shift to plug-in electric vehicles...*



*... and to advance energy efficiencies, energy conservation and the deployment of alternative and/or renewable energy technologies on a regional basis.*

level of deployment and to gather best practice policies and implementation steps to facilitate the application of efficient, environmentally sensitive (sea turtles), and responsive lighting practices in additional infrastructure.

- EF-6 Support or facilitate development and distribution of *local* sources of sustainable fuels and availability of fueling infrastructure. Adopt policies to facilitate the development of *locally sourced* sustainable alternative fuels, those achieving a reduction in lifecycle greenhouse gas emissions when compared to conventional fossil fuels (including, but not limited to, waste-based bio-diesel and methane gas from sources like landfills). Include these policies in regional plans and Local Comprehensive Plans. Identify incentives and modify local code to encourage the establishment of a local alternative energy industry.
- EF-7 Establish a working group of public and private stakeholders to develop a strategy to promote the use of Plug-in Electric Vehicles in the region.
- a. Establish locations where infrastructure and/or battery switching stations are needed. Solar charging and other renewable options should be designated a priority to maximize emission reduction benefits and to improve the community's emergency management preparedness in times of power outages.
  - b. Develop policies to provide incentives for the deployment of infrastructure to complement transit oriented corridors. Preferred and/or reduced parking fees should be a consideration for riders accessing transit facilities by electric or other alternative fuel vehicles. Transit facilities should develop plans to establish electric vehicle charging infrastructure.
  - c. Work with relevant stakeholders to streamline permitting processes associated with charging equipment to encourage the safe and expeditious installation on customer premises and elsewhere.
  - d. Coordinate monetary and non-monetary incentives available to the general public and organizations purchasing electric vehicles.
  - e. Support regional efforts to establish a framework for siting/locating public electric vehicle charging stations.
- EF-8 Develop a strategy to promote the development of truck parking with electrification facilities and the use of auxiliary power units to reduce extended idling by trucks.

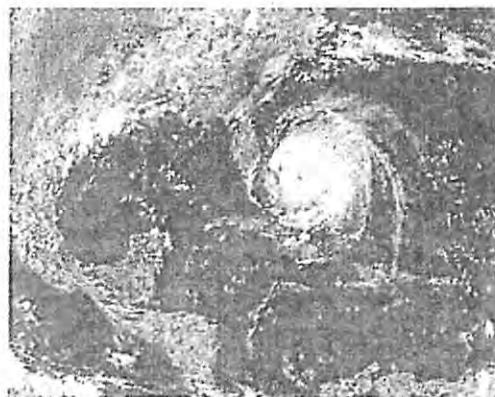
- a. Survey state, local and regional transportation agencies for existing studies identifying trucking patterns and needs.
- b. Identify strategic locations for truck parking facilities and seek competitive funding opportunities as a region.

## Risk Reduction and Emergency Management

The recommendations presented in this section of the Southeast Florida Regional Climate Action Plan provide a foundation for establishing a more predictable physical environment in the face of climate change through regulations, adaptation strategies, and emergency operations, with the goal of reducing future economic losses and threats to public safety. Southeast Florida is no stranger to the devastating effects of hurricanes and other severe weather. Our experience has made us experts in planning, preparedness, response, mitigation, and recovery. Our emergency managers are trained in an all risk-based, all hazards approach. Disaster can strike anytime, anywhere. It takes many forms – a hurricane, a tornado, a flood, a fire or a hazardous spill, an act of nature or an act of terrorism. In fact, in the aftermath of September 11, homeland security preparedness was easily incorporated into Southeast Florida's all hazards approach to emergency management. An emergency can build over days or weeks, or hit suddenly, without warning. Southeast Floridians are resilient and accustomed to this and can mitigate, prepare, respond, recover, and return to better than normal.

*Planning for more and possibly new weather-related threats needs to be incorporated into our emergency preparedness and hazard mitigation plans.*

Climate change differs, however, with impacts that may not be immediately evident as the changing conditions are slower and occur over longer time scales. With climate change there is no overnight return to "normal." Sea level rise does not appear on the on 6 o'clock news weather map moving towards the coast of Florida. It is that difference that makes it more difficult for the general public to understand and to react to climate change. Yet, we are already experiencing more extreme weather conditions – from extreme rain to extreme droughts, from unseasonable heat waves to early cold fronts. Climate



is changing. Adapting and planning for more and possibly new weather-related threats need to be incorporated into preparedness procedures, and one step further is to include climate change in our emergency preparedness and hazard mitigation plans.

The collection of strategies and actions in this area is aimed at integrating climate change risk into all-hazards emergency management planning and response models. This approach provides support for the objectives of the Coastal Zone Management Act of 1972 which recognizes sea level rise as a threat to coastal communities and encourages strategies for improved protection of life and property, and builds upon requirements of Section 163.3178 and Chapter 252 F.S. relating to coastal and emergency management plans.

*GOAL: Provide a more resilient natural and built physical environment in light of climate change.*

- RR-1 Perform vulnerability analysis to identify and quantify the economic value of regional infrastructure at risk under various sea level rise scenarios and other climate change scenarios utilizing inundation mapping, modeling, and other appropriate tools. While the initial regional vulnerability assessment completed by the Compact Counties for use in this Regional Climate Action Plan has yielded important new insights on regional risk, additional and ongoing analysis is required to further refine our current understanding and to monitor changes in Southeast Florida's risk profile over time.
- RR-2 Evaluate and improve adaptation responses for communities at risk, to include:
- Development and implementation of methodologies for the assessment and evaluation of evacuation and relocation options
  - Development of model evacuation policies and procedures for communities at increased risk of flooding
  - Development of model relocation policies for affected communities.
- RR-3 Incorporate climate change adaptation into the relevant Local Mitigation Strategy (LMS) to reduce or eliminate long-term risk to human life and property from disasters. Within the LMS, update local risk assessments to include climate change in the hazard analysis and vulnerability assessment section. Develop strategies for hazard mitigation and post-disaster redevelopment planning.

RR-4 Identify transportation infrastructure at risk from climate change in the region, and determine whether, when, where, and to whom projected impacts from climate change might be significant. Employ inundation mapping, modeling and other appropriate tools to assess the vulnerability of transportation infrastructure to the projected impacts of climate change under various sea level rise and other climate change scenarios. At a minimum, assess the vulnerability of the following transportation infrastructure:

- local transportation networks of the Compact Counties
- the Regional Transportation Network designated by the Southeast Florida Transportation Council composed of interconnected, strategic corridors (roadway, rail line, waterway), hubs (airports, seaports, intermodal terminals, freight terminals, passenger rail and intercity bus terminals) and connectors critical to the mobility of people and freight and the region's economic competitiveness and quality of life (map included in Appendix D); and evacuation routes adopted under the Statewide Regional Evacuation Corridor Program.



*Recommendation: Communicate the risks related to climate change.*

RR-5 Enforce Coastal Construction Control Line and build upon goals, objectives and policies related to Coastal High Hazard Area designations in Comprehensive Plans.

RR-6 Adopt consistent plans at all levels of regional government that adequately address and integrate mitigation, sea level rise and climate change adaptation. The following plans must all be consistent: disaster recovery and redevelopment plans, comprehensive plans, long-range transportation plans, comprehensive emergency management plans, capital improvement plans, economic development plans, Local Mitigation Strategy, Climate Change Action Plan, and Future Land Use Plan.

RR-7 Continue to implement and enforce strong building codes that require new construction and substantial improvements to existing structures to mitigate against the impacts of flooding, severe winds, and sea level rise, and which are consistent with Climate Change Adaptation policy.

## Outreach and Public Policy

Outreach and Public Policy recommendations are combined in recognition of the fact that the best planning efforts in the world will not be implemented or reach their full potential without the support of the public, often through local government public outreach programs, and without the leadership of local, state and federal policy makers and private sector decision makers who are committed to a sustainable planet.

### Public Outreach

Today's world is marked by instant communication, immediate information and multitasking behaviors. News and information related to climate change is difficult to communicate in a sound bite. It's relatively easy to communicate the threat of an imminent storm, tornado or other natural disaster, but much more difficult to mobilize the public to hazards that unfold over years and decades. The state of the current economy also makes a long-term discussion on climate change more difficult when many Americans are thinking about short-term housing, employment and other immediate needs. And, of course, the science of climate change is still contested by some.

The strategies and actions in this area aim to educate stakeholders in all sectors and at all levels – from the general public and voters to elected officials, professionals and other decision makers. These are initiatives to inform and create a common understanding of the benefits of energy independence, energy use reduction, water conservation, smart growth, and natural area protection that will create demand for a healthy, sustainable and resilient region.

*GOAL: Communicate the risks related to climate change and the value of adopting policies and practices to achieve resiliency throughout the region.*

- PO-1 Provide outreach to residents, stakeholders and elected officials on the importance of addressing climate change adaptation and preparedness and develop a program to educate specific interest groups about the Compact, Regional Climate Action Plan, and the benefits of Adaptation Action Area. Consider utilizing the Academy concept to educate elected leaders, academic interests and other decision makers.
- PO-2 Collaborate among counties, municipalities and appropriate agencies to develop and carry out outreach/educational programs to increase public awareness about hazards

exacerbated by climate change, mitigation efforts, and adaptation strategies to minimize damage and risk associated with climate change.

*Successful implementation of the Regional Action Plan strategies requires continued collaboration.*

- PO-3 Provide education and improve communications on energy conservation and available technologies with a focus on both short-term and life-cycle economic benefits, and incentives available within the region.
- PO-4 Modify existing and encourage new public outreach, education and messaging programs associated with natural areas including upland, wetland, marine, coastal and nearshore environments and the Everglades to include climate change mitigation and adaptation messaging and volunteer opportunities to create awareness about the impacts of climate change on the environment.
- PO-5 Initiate a regional public education campaign to educate residents, business owners, and policy makers on the merits of preserving open land as an “insurance policy” for adaptation to sea level rise in Southeast Florida.
- PO-6 Develop early warning systems and social media applications to both inform residents and visitors of extreme high-tide events and to raise overall awareness on sea level rise and climate change issues. Also consider roadway signage for tidal flooding zones.
- PO-7 Leverage resources for campaign and promotional advertisements by coordinating public transportation messaging in the region to attract non-transit-dependent (choice) riders. Messages should focus on making riding transit “cool.”
- PO-8 Deploy social media applications, to facilitate use of transit including access to real-time information such as arrival times.
- PO-9 Develop strategies to promote fuel efficient driving habits, including anti-idling practices, and to raise awareness of rules and safety practices for sharing the road





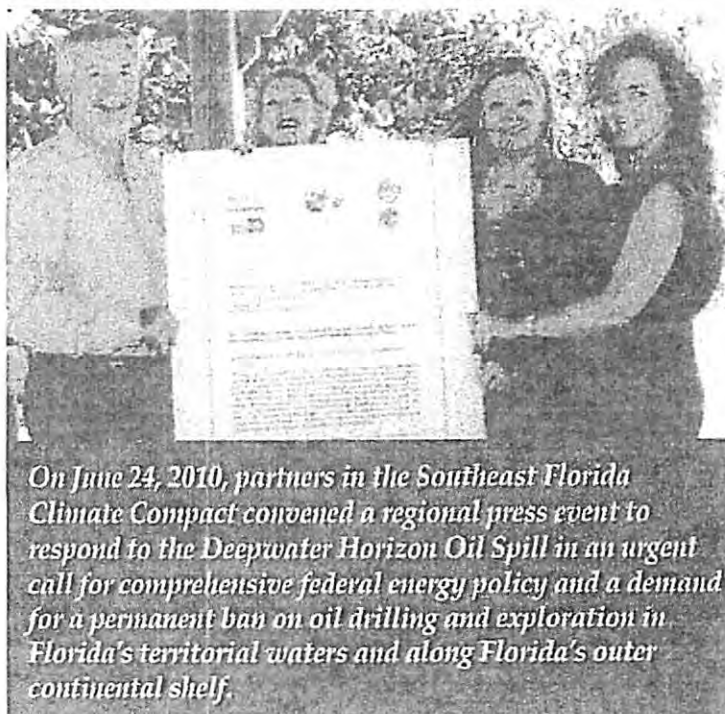
with bicyclists and pedestrians. Conduct best practice research on existing campaigns and look for opportunities to integrate tools into existing high school, county and municipal driver education courses, traffic school curriculum, truck driver training, and fleet associations. Also include messaging on the benefits of purchasing fuel efficient vehicles.

PO-10 Coordinate outreach efforts with states, regions and counties that are subject to the impacts of climate change with special emphasis on coastal entities experiencing sea level rise and coastal flooding to create a national Climate Adaptation Coalition for the purpose of impacting public policy and influencing appropriations requests.

PO-11 Create a working group to expand marketing efforts such as Redland Raised to promote local organic and sustainable agriculture and economy by connecting farmers with local users such as restaurants, grocers, and farmers markets and encourage the establishment of farm-to-school initiatives and community supported agriculture programs.

## Public Policy

Public policy development and advocacy are core components of the Compact and commitments that the Compact partners have fulfilled. Recent amendments to Florida law that provide for Adaptation Action Area designation for areas vulnerable to the impacts of climate change, and the subsequent request by members of Congress to amend federal law to mirror this action are just a few examples of the Compact's success to influence policies. The Regional Climate Action Plan provides the next step to gain support for ordinances, regulations and state and federal policies on behalf of the region. The Public Policy goal complements numerous other recommendations noted in the Sustainable Communities and Transportation Planning sections of this Plan.



*On June 24, 2010, partners in the Southeast Florida Climate Compact convened a regional press event to respond to the Deepwater Horizon Oil Spill in an urgent call for comprehensive federal energy policy and a demand for a permanent ban on oil drilling and exploration in Florida's territorial waters and along Florida's outer continental shelf.*

Additionally, the continuation of regional efforts to influence public policy is key to ensure that state and national policies considered during these uncertain times do not impede regional efforts already underway. Compact successes to date can easily be undermined without vigilance in monitoring policy developments on all levels of government.

*(GOA) Guide and influence local, regional, state and federal climate change related policies and programs through collaboration and joint advocacy.*

- PP-1 Compact Partners will continue the support for the core Compact policies and the role of joint advocacy as provided for in Sections 1 – 4 of the Compact calling for changes to federal law that better recognize the unique vulnerabilities of Southeast Florida to climate change and for providing appropriations based on vulnerabilities, with special attention to funding infrastructure projects to adapt to sea level rise.
- PP-2 Compact partners will continue to develop state and federal legislative programs on a yearly basis that will serve as guidance for advocacy in Tallahassee and Washington, D.C. Regional programs will be considered for inclusion into Compact partners' legislative packages and joint advocacy in Tallahassee and Washington, D.C., is encouraged when appropriate.
- PP-3 Continue to seek the support of other municipal and county jurisdictions including the Leagues of Cities, Florida Association of Counties (FAC), etc. within Florida and the National Association of Counties (NACo) and other entities that influence national policy for the purpose of building coalitions, sharing resources, and influencing state and national policy on mutual climate related issues through joint advocacy.
- PP-4 Counties, municipalities, regional agencies and other appropriate government and private sector partners should integrate consideration of climate change impacts and adaptation strategies into existing and future systemwide planning, operations, policies, and programs. The guiding principles developed by the Interagency Task Force on Climate Change Adaptation<sup>6</sup> for federal agencies should be incorporated by entities when designing and implementing adaptation strategies:

<sup>6</sup>( <http://www.fedcenter.gov/programs/climate/guidingprinciples/> )

- Prioritize the most vulnerable
- Use best-available science
- Build strong partnerships
- Apply risk-management methods and tools
- Apply ecosystem-based approaches
- Maximize mutual benefits
- Continuously evaluate performance

*We will continue to seek the support of entities that influence national policy for the purpose of building coalitions, ...*

- PP-5 Advocate for new authorization of the federal surface transportation programs with increased priority for funding public transit and non-motorized travel and integrated regional and local planning as means to reduce the greenhouse gas emissions from the transportation sector. Such a federal program should explicitly incorporate climate change and shift priorities toward programs that encourage reinvestment in existing infrastructure and communities ("fix-it-first" programs), support public transportation and transit-oriented development, and address congestion management through means other than new road building.
- PP-6 Support federal actions to reform transportation models and enhance the National Environmental Policy Act (NEPA) processes to integrate climate change analysis. The essential purpose of NEPA is to ensure that environmental factors are weighted equally when compared to other factors in the decision making process. NEPA processes are central to highway and transit project investment analysis.
- PP-7 Advocate for stronger Corporate Average Fuel Economy (CAFE) Standards and other initiatives to promote clean fuel alternatives and encourage more stringent vehicle emission standards in recognition of the value of these initiatives to mitigate the impacts of climate change by reducing greenhouse gas emissions.
- PP-8 Support and advocate for continued implementation and funding on the state and federal levels for the Comprehensive Everglades Restoration Plan (CERP) in recognition of the important role of CERP in climate adaptation planning and local water resource management related to regional water storage and aquifer recharge, important under variable climate conditions and sea level rise.
- PP-9 Advocate to interests in Tallahassee for the preservation of the authority and resource capacity of the Water Management Districts in support of their continued

participation in integrated water resource planning, particularly in Southeast Florida where climate change and sea level rise pose additional challenges to the complex issues of alternative water supply development, Everglades restoration, salt water abatement, and drainage and flood control operations.

*... sharing resources, and influencing state and national policy on mutual climate related issues through joint advocacy.*

- PP-10 Encourage federal support for research and investigations of potential energy efficiencies in pumping and water treatment processes necessary for meeting energy reduction goals concurrent with a growing reliance on pumps and advanced treatment technologies for drainage and flood control, water production and wastewater operations.
- PP-11 Urge Congress to provide recognition of an "Adaptation Action Area" designation in federal law for the purpose of prioritizing funding for infrastructure needs and adaptation planning, with special attention to modifications in law that enhance funding opportunities through USACE and EPA appropriations processes, as requested by members of Congress.
- PP-12 Urge Congress to pass legislation that would create a permanent funding source to finance infrastructure projects to adapt to the impacts of climate change with emphasis on investments in areas such as water management, water supply, transportation and other projects that serve to reduce risks to urban infrastructure from extreme weather events and rising sea levels.
- PP-13 Urge Congress to pass legislation that removes federal barriers posed by the Federal Housing Finance Agency to Property Assessed Clean Energy (PACE) residential initiatives that are intended to assist property owners to finance energy efficiency and renewable energy improvements.



## VII. Conclusions

This Regional Climate Action Plan provides the initial framework for an ongoing regional commitment to building resilience and sustainability as cornerstones of Southeast Florida's regional economic, social and ecological system. The five-year scope of this document is indicative of the fact that this is the beginning rather than the end of the Regional Compact process. The Compact Counties recognize that a given document is less important than the ongoing collaborative process of assessing progress over time, developing new policies and collaborations among the public, private and nonprofit sectors to adjust accordingly and incorporating new knowledge provided by ongoing scientific endeavors. While much can be learned about sustainability and resilience from past experience, new technologies, changes in the regional economy and changes in the historical climatic conditions within Southeast Florida require active learning over the decades to come. The Southeast Florida Regional Climate Change Compact has developed the institutional capacity to enable the collaborative learning required to meet these challenges over time.

### The Significance of the Southeast Florida Regional Climate Change Compact

While providing direct benefits to the region, the Compact has provided a national model for state and federal agency engagement with local government around the specific issues of place. As the Compact is led by local government and further, as the Compact represents a significant aggregation of effort by four counties containing over 100 municipalities, it has become a highly efficient mechanism for state and federal agency engagement in the local process. Since its adoption in early 2010, the Compact has received extensive technical support from NOAA, the United States Geological Survey, the U.S. Army Corps of Engineers, EPA Region IV as well as the Florida Department of Transportation, the Florida Department of Economic Opportunity and the South Florida Water Management District.

The regional scale of the Compact has enabled participants to develop resilience strategies that effectively integrate human and natural systems. The Regional Climate Action Plan has effectively connected resilience efforts within the urban core of Southeast Florida with broader ecosystem scale efforts including



comprehensive Everglades restoration, protection of the Southeast Florida coral reef tract, and regionally important threatened and endangered species and habitats. The ecosystem services provided to the human settlements of the region are evident in the nature of projected vulnerabilities such as salt water intrusion into local drinking water supplies and the increased exposure to storm surge impacts associated with the loss of natural barriers. And the strategies developed to enhance environmental and habitat quality fully recognize the benefits these strategies will have for the ongoing livability of the region.

*The Compact  
has provided a  
national model  
for state and  
federal agency  
engagement with  
local government.*

The Compact has enjoyed stable, bipartisan political support since its initiation in 2009 despite the swings in the political salience of global climate change observed over this time in state and federal political dynamics. This stability has remained despite the departure of early champions of the Regional Compact from County Commission seats and a change of administration within one of the four Compact Counties. The scope and extent of regional engagement made possible by the Regional Compact has served to foster on-going bipartisan support as the Compact continues to enjoy strong political leadership from each of the Compact Counties.

As an ongoing collaboration, the Compact provides a formal framework for policy development, implementation and evaluation that is so critical to enable learning over time. Implementation of this Regional Climate Action Plan will require the active participation of many actors, not least of which are the many municipalities within the four county region who have primacy in many cases for the decisions that will determine the shape of Southeast Florida in the years to come. The Regional Compact process has benefited greatly from the active participation of municipal representatives who have contributed much perspective and many insights thus far. As implementation progresses, this ongoing collaboration will be all the more critical for success.

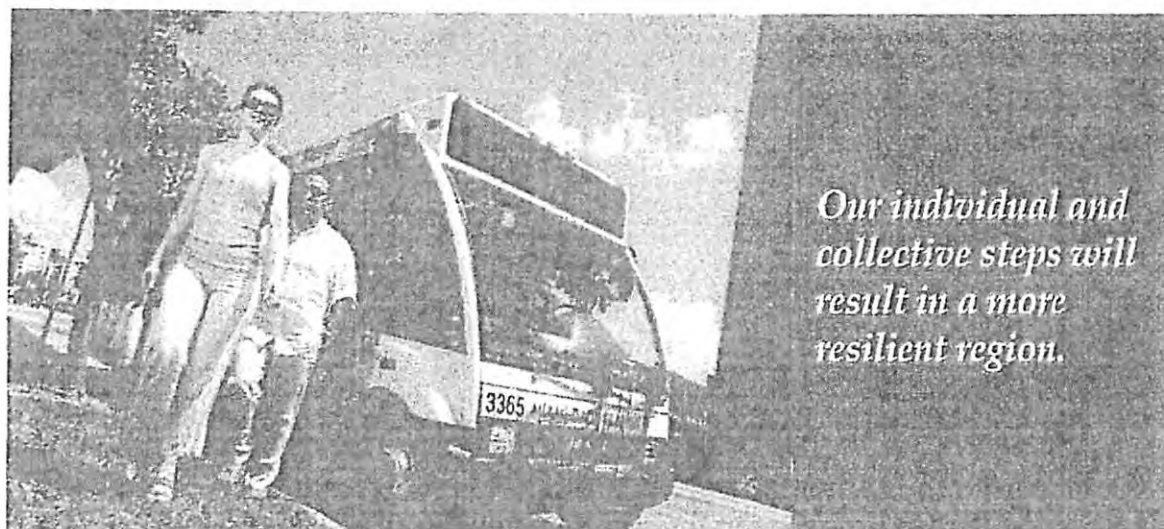
## Next Steps

The release of this Regional Climate Action Plan is the first of several subsequent steps to follow in the Regional Compact process. The following provides an overview of these subsequent next steps:

- Upon completion of the final Regional Climate Action Plan, the Compact Staff Steering Committee will transmit the final plan to the four Boards of County Commissioners for the acceptance and/or approval of the final recommendations.
- The Compact Counties will continue development of a set of progress indicators for use in monitoring and evaluating the impact of implemented recommendations in building resilience and sustainability in Southeast Florida.
- The Compact Counties will continue to collaborate with the Southeast Florida Regional Sustainable Communities Initiative funded by the U.S. Department of Housing and Urban Development in addressing a wide range of sustainability and livability considerations for Southeast Florida. The Compact Counties will continue to collaborate with the Southeast Florida Regional Partnership in addressing a wide range of sustainability and livability considerations for the region, including through development and implementation of the Seven50 Regional Vision and Blueprint for Economic Prosperity.
- Annually, the Compact Policy Coordination Team will continue the Compact energy and climate policy coordination process for state and federal legislation and will continue to monitor legislative developments in both levels of government.
- In early 2013, the Sea Level Rise Projection Technical Advisory Committee will reconvene following the December 31, 2012 publication deadline for peer-reviewed scientific literature to be used in the Fifth Assessment Report of the Intergovernmental Panel on Climate Change due in 2014. Members of the technical advisory committee have advised that they anticipate many new publications in 2012 that will have significant bearing on mid- to longer-term rates of sea level rise as an issue of concern for Southeast Florida. At that time, the technical committee will provide regionally consistent sea level rise projections for use in the Compact process through 2100 while adjusting guidance provided for 2030 and 2060 as warranted by the science.

*There are more than 100 local governments in the region, each at varying stages of climate mitigation and adaptation planning and implementation.*

This first Regional Climate Action Plan recommends several first steps toward reducing emissions and building resilience to climatic impacts across Southeast Florida, but it isn't the final outcome of the Compact. Compact participants have the opportunity to learn from early implementation: what works and what doesn't, what are the implications of new science, and what are the



*Our individual and collective steps will result in a more resilient region.*

implications of changes in state and federal policy. Over the next few months, the Compact Counties will continue working with the Coastal Services Center at NOAA to develop a set of performance indicators for use in monitoring and evaluating progress made in implementing this first Regional Climate Action Plan. By implementing an ongoing set of performance metrics for this Regional Plan and by remaining engaged with leading practitioners of science and public policy, the Compact will be well positioned to capitalize on success, learn from challenges, and produce subsequent future iterations of this Regional Climate Action Plan as a means to securing a more prosperous Southeast Florida.

Join us on this journey and visit our website for more information, source documents and to view the Implementation Guide: [southeastfloridaclimatecompact.org](http://southeastfloridaclimatecompact.org).



## VIII. Appendices

### Appendix A - Southeast Florida Regional Climate Change Compact



### Southeast Florida Regional Climate Change Compact

WHEREAS, there is consensus among the world's leading scientists that global climate change is among the most significant problems facing the world today; and

WHEREAS, Florida is considered one of the most vulnerable areas in the country to the consequences of climate change with Southeast Florida on the front line to experience the impacts of climate change, especially sea level rise; and

WHEREAS, Broward, Miami-Dade, Palm Beach and Monroe Counties, herein the four counties that constitute the Southeast Florida Region, share in common a strong quality of life rooted in the region's rich cultural heritage, vigorous economy, and environmental resources of global significance; and

WHEREAS, the aforementioned four counties of Southeast Florida, which represent approximately 30% of the population of the State of Florida, are physically linked one to the other by the Atlantic Ocean coastline and share some of the world's most renowned natural resources such as the Everglades, our unique coral reefs, beautiful beaches, and fragile Keys ecosystem; and

WHEREAS, the four counties of Southeast Florida and their respective populations, totaling more than five million residents, are expected to share in disproportionately high risks associated with climate change due to low land elevations, rising sea level projections, and anticipated increases in tropical storm events; and

WHEREAS, rising sea levels could limit the effectiveness of critical drainage infrastructure, endanger beaches, and coastal natural resources and increase incidents of saltwater intrusion on the Biscayne Aquifer – putting at risk the drinking water supply for the entire population of Southeast Florida; and

WHEREAS, local governments, and the region as a whole, must give significant consideration to adaptation strategies designed to protect public infrastructure, property, water resources, natural areas and native species, and basic quality of life; and

**WHEREAS**, the aforementioned four counties of Southeast Florida account for a combined Gross Domestic Product of more than \$2.5 billion annually and more than 37% of statewide economic output; and

**WHEREAS**, while the four counties of Southeast Florida have independently taken steps to address global climate change, all parties recognize that coordinated and collective action on this, the defining issue for Southeast Florida in the 21<sup>st</sup> Century, will best serve the citizens of the region;

**NOW THEREFORE, BE IT RESOLVED BY THE BOARDS OF COUNTY COMMISSIONERS OF THE FOUR COUNTIES OF SOUTHEAST FLORIDA:**

**SECTION 1:** That each county shall work in close collaboration with the aforementioned counties of Southeast Florida party to this compact to develop a joint policy position urging the United States Congress to pass legislation that recognizes the unique vulnerabilities of Southeast Florida to the impacts of climate change and to further a joint policy position that includes specific recommendations regarding the allocation of federal climate change funding based on vulnerability to climate change impacts. Such recommendations might include designation of areas of Southeast Florida as uniquely vulnerable and of federal interest for the purpose of securing enhanced levels of federal participation in regional adaptation projects.

**SECTION 2:** That each county shall work in close collaboration with the other counties party to this compact to develop additional legislative policy statements relating to global climate change and future legislation to be considered by the Congress of the United States for transmittal to the Congressional Delegation representing, in part or in whole, districts within the area covered by this compact.

**SECTION 3:** That each county shall work in close collaboration with other counties party to this compact in developing joint position statements on proposed State legislation and energy/climate policies including but not limited to issues such as the region's energy and climate security and a renewable energy portfolio standard that defines renewable energy sources as wind, solar, geothermal, biomass, landfill gas, qualified hydropower, and marine and hydrokinetic energy, and also including nuclear energy, and to collaborate on other emerging energy/climate issues that may be considered by the 2010 Florida Legislature for transmittal to the Legislative Delegation representing, in part or in whole, districts within the area covered by this compact.

**SECTION 4:** That each county shall work with other counties party to this compact in developing joint position statements for future State legislation that may be considered by the Florida Legislature for transmittal to the Legislative Delegation representing, in part or in whole, districts within the area covered by this compact.

**SECTION 5:** That each county shall commit appropriate staff resources and expertise, within budget constraints, to participate in a Regional Climate Team with other counties party to this compact toward the development of a Southeast Florida Regional Climate Change Action Plan.

**SECTION 6:** That each county shall work with other counties party to this compact in developing a Southeast Florida Regional Climate Change Action Plan, understanding that no county will work at cross-purposes with the other counties. The Action Plan could, at a minimum, include the following components:

- (a) A baseline of greenhouse gas emissions for Southeast Florida;
- (b) Strategies for coordinated emission reductions throughout the built environment to include the use of energy efficiency, energy conservation, and the use of demand-side renewable energy resources;
- (c) Strategies for coordinated emission reductions from the transportation sector to include increased reliance on public transit, emerging vehicle technologies, and advanced biofuels;
- (d) Strategies for coordinated emission reductions resulting from changes in local and regional land use;
- (e) Strategies for the coordinated regional preparation for and adaptation to a rapidly changing global environment based upon regional mapping of projected sea-level rise and any resulting amplification of localized impacts of tropical cyclone events. Such strategies shall incorporate climate preparation concerns for the regional economy, regional infrastructure and the built environment, social and cultural needs, and natural systems within the four counties party to this compact.

**SECTION 7:** That each county shall commit to participating with other counties party to this compact in hosting the Second Southeast Florida Regional Climate Change Summit in October, 2010.



Adopted December 8, 2009



Adopted December 1, 2009



Adopted January 20, 2010<sup>1a</sup>



Adopted December 15, 2009

\*City of Key West: Resolution of support for the Compact – December 15, 2009

<sup>1</sup> Second adoption date following minor changes made by partnering Counties

## **Appendix B - Work Group Recommendations**

*The recommendations put forth in the Regional Climate Action Plan were developed through a collaborative process involving nearly 100 subject matter experts from a host of professions representing the public and private sectors, area universities, and not-for-profit organizations. These stakeholders brought to the table the knowledge of their "craft" as well as information on successful initiatives already underway locally or in other communities.*

*Many of the recommendations build upon best practices sprinkled throughout our region, such as regional collaboration on transportation planning and land use criteria that foster walkable and healthy communities. Others delve into "new" frontiers in calling for the integration of climate change into planning and decision-making processes in ways that no local government has yet implemented.*

*Below are the full set of recommendations, organized as focal areas and strategies, offered by each of the three working groups: Built Environment Working Group, Land and Natural Systems Working Group, and the Transportation Working Group, as they were submitted.*

### **Built Environment Work Group**

#### **Focal Areas and Strategies**

Final Draft August 15, 2011

#### **Focal Area 1**

#### **Create Land Development Strategies for Climate Resilience, Sustainable Growth, Risk Reduction, and Emergency Preparedness**

There is a demonstrated synergy between sustainable development practices and efforts to improve community resilience to climate change impacts. By promoting a "no regrets" approach, it is possible to affect positive outcomes that further regional climate change mitigation and adaptation goals while improving community livability, economic opportunities and resource sustainability. These adaptation strategies address: building design, elevation and hardening; transportation networks; other critical public infrastructure (potable water, wastewater, stormwater and energy/power); and green infrastructure.

#### **Strategies**

1) **Regional Planning:** Incorporate "Adaptation Action Area" designation, and other applicable provisions, into local Comprehensive Plans and regional planning documents to identify those areas deemed most vulnerable to sea level rise and other climate change impacts including extreme high tides, heavy local rain events, storm surge, or inadequate drainage systems.

**Action 1:** Perform vulnerability analysis to identify and quantify the economic value of regions and infrastructure at risk under various sea level and other climate change scenarios utilizing inundation mapping, modeling, and other appropriate tools.

**Action 2:** Identify and designate "Adaptation Action Areas" (AAA) based on the results of vulnerability analyses. Inside AAA, local governments should identify "Adaptation Areas," "Restoration Areas," and "Growth Areas."

**Adaptation Areas** – designate areas within the AAA that include developed vulnerable land targeted for infrastructure improvements or modified land use and/or development practices in order to reduce risks and improve hazard mitigation. In these areas, the high cost of retrofitting, building and maintaining infrastructure is outweighed by the return in investment.

**Restoration Areas** - designate areas within the AAA that include vulnerable lands that may or may not be already developed and could include Coastal High Hazard area and high storm surge areas. Local governments should place priority on the acquisition of land in these areas for restoration, agriculture, or recreational open space.

**Growth Areas** – to consist of areas outside of the AAA where growth is encouraged due to higher topographic elevations and the presence of existing transportation infrastructure. These designated areas should be developed with Urban Design guidelines that address character of urban place and provide a high quality pedestrian experience through landscaping, and the creation of public space.

**Action 3:** Provide public outreach and education to better inform the community about the need for climate change planning, the provision in state law that provides for the designation of “Adaptation Action Areas,” and the purpose and implications of such a designation.

**2) Local Planning and Zoning:** Develop policies, strategies, and standards that will serve to reduce future risk and economic losses associated with sea level rise and flooding in these designated areas through infrastructure improvements and by directing future development and redevelopment to areas outside AAA. This will also foster sustainable growth patterns, multi-modal transportation options, transit, mixed use development, and the use of sustainable building techniques.

**3) Building Code:** Revise building codes and require increased resiliency of buildings and infrastructure for new and redevelopment, particularly for those areas within Adaptation Action Areas.

**4) Emergency Preparedness:** Evaluate adaptation responses for communities at risk and enhance preparedness measures to address climate-related risks and hazards.

**Action 1:** Improve adaptation responses for communities at risk with the development and implementation of:

- Methodologies for the assessment and evaluation of evacuation and relocation options
- Model evacuation policies and procedures for communities at increased risk of flooding
- Model relocation policies for affected communities

**Action 2:** Incorporate climate change adaptation in the relevant Local Mitigation Strategy (LMS) to reduce or eliminate long-term risk to human life and property from disasters. Within the LMS, update local risk assessments to include climate change in the hazard analysis and vulnerability assessment section.

**5) Education:** Develop outreach programs to increase public awareness about hazards exacerbated by climate change and mitigation and adaptation strategies by the local government to minimize damage and risk.

## Focal Area 2

### Ensure the Long-term Adequacy of Surface Water Management Systems, Water Supplies and Wastewater Infrastructure

Climate change presents an array of challenges to future water supply planning and water management efforts. The combined influences of altered precipitation patterns, increased groundwater elevations, and sea level rises present complex hurdles to regional and local efforts in providing critical drainage and flood control; high quality, sustainable, and abundant water supplies; and effective management of stormwater and wastewater. By assuming an integrated approach to water resource management and climate adaptation planning, the influence of a changing climate on the quality and quantity of water resources and related infrastructure can be effectively addressed. Interrelationships between stormwater management, water supply, wastewater disposal and water reuse must be reviewed and actions implemented to ensure the beneficial supply and use of all available water resources in a manner that benefits the public, protects resources, accounts for future conditions, and provides for necessary levels-of- service.

#### Strategies

1) **Risk Assessments:** Inventory existing potable water, wastewater, and stormwater treatment, delivery and collection systems; assess the status of each component; determine the potential impact from climate change; and develop different climate change scenarios and adaptation strategies for high-risk utilities and/or infrastructure which may require replacement, reinforcement, or relocation to ensure the long term viability of the system.

Action 1: Identify and/or develop baseline hydrologic conditions to provide a measure for comparison in assessing the potential impacts of climate change on regional and local water resources and infrastructure, including the short-term the development of a saltwater intrusion baseline.

Action 2: Utilize inundation mapping, variable density models, and water management models to identify areas and infrastructure at risk.

Action 3: Identify and quantify vulnerable wellfields, water supply infrastructure, wastewater collection and/or treatment infrastructure, and drainage facilities, and devise strategies to protect or relocate, as needed.

2) **Reuse and Aquifer Recharge:** Identify opportunities to advance beneficial use of stormwater and reclaimed water to reduce potable water demands and provide aquifer recharge and implement as appropriate, as an alternative to disposal.

Action 1: Evaluate the impacts of rising sea and groundwater levels on soil storage, infiltration rates and inflow to stormwater and wastewater collection and conveyance systems; consider longer-term influences on water quality; and develop strategies for implementing reclaimed water and stormwater reuse projects that account for current and future conditions.

Action 2: Identify potential sites for use in providing stormwater storage and mechanisms to increase aquifer recharge as a means for managing saltwater intrusion and enhancing water supplies.

Action 3: Consider regional projects and opportunities to gain efficiencies through collaborative approaches and projects.

3) **Integrated Water Resource Planning**: Develop Integrated Water Management Plans that present a joint assessment and planning strategy involving local water utilities, wastewater service providers, water managers, and partners to the Southeast Florida Regional Climate Change Compact, for coordinated consideration of stormwater use and disposal, traditional and alternative water supplies, wastewater disposal and reuse, and water conservation measures for use by local leadership to guide planning decisions as well as amendments to applicable codes and regulations.

4) **Drainage and Flood Control**: Identify and pursue adaptation strategies to improve drainage and flood control in areas designated as "Adaptation Action Areas" and where changing hydrologic conditions are anticipated to impact surface water management.

Action 1: Coordinate with the South Florida Water Management District, Drainage/ Water Control Districts, and public works officials to identify flood control and stormwater management infrastructure already operating below the design capacity.

Action 2: Develop and apply appropriate hydrologic and hydraulic models to further evaluate the efficacy of existing water management systems and flood control/drainage infrastructure under variable climate conditions.

Action 3: Develop and test adaptation improvements needed to maintain existing levels of service and conduct a cost-benefit analysis to prioritize potential improvements, trade-off decisions, and any proposed land acquisitions.

Action 4: Incorporate and prioritize preferred improvement projects in capital improvement plans and pursue funding.

5) **Everglades Restoration**: Support and advocate for complete implementation and funding for the Comprehensive Everglades Restoration Plan as fundamental to Everglades restoration, but also the viability of local water resource management efforts given the overall contributions of the Everglades to regional water storage and aquifer recharge, which will become increasingly important under variable climate conditions and in the face of sea level rise.

### Focal Area 3

#### **Reduce Greenhouse Gas Emissions through Improved Regional Strategies for Energy Efficiency, Conservation & Renewable Energy**

Climate change mitigation can be addressed through plans, incentives, and regulations which promote the efficient use of energy in buildings, transportation and industry; through the use of less carbon-intensive energy sources; and through the production and use of renewable energy. Regulatory barriers to alternative energy generation must be removed in order to allow these sources of energy to be tapped. Federal and state policies that promote alternative energy use, such as renewable energy portfolio standards for utilities and tax credits for home owners installing small-scale renewable systems must be developed.

#### **Strategies**

1) **Regional Coordination**: Undertake regional efforts to advance energy-efficiencies, energy conservation and the deployment of renewable and alternative energy technologies in existing and proposed developments through local ordinance, incentives, education, and energy efficiency financing.

2) **Green Building Code:** Incorporate sustainable building and neighborhood ratings or national model green building codes, including but not limited to those defined in Section 255.253(7), F.S., into municipal codes region-wide.

3) **Local Codes:** Develop and implement amendments to local and state building codes, land use regulations and laws to facilitate and encourage the installation of renewable energy systems. Examine existing zoning codes and development standards and revise and update provisions that act as a barrier to the installation and use of renewable energy systems.

4) **Finance:** Work collaboratively toward the establishment of regional framework to deliver Energy Efficiency and Renewable Energy finance options, in addition to other local government initiatives and partnerships, to advance regional greenhouse gas emissions goals, the use of alternative and renewable energy technologies, and in furtherance of green sector economic development.

5) **Goals:** Set recurring 5-year regional goals to increase renewable energy capacity – which include the co-benefits of economic development and job creation – through revision of building and zoning codes and architectural design guidelines to allow for, and encourage, integration of renewable energy sources and technologies.

6) **Measures:** Build upon established methodologies and mechanisms for Greenhouse Gas measurement, verification and validation to create quantifiable recordkeeping and reporting which conforms with accepted global standards.

7) **Education:** Provide education and improve communications on energy efficiency and available technologies with a focus on both short-term and life-cycle economic and energy gains, incentives available within the region (federal, state, local and commercial).

## Land and Natural Systems Working Group

### Priority Recommendations

#### Monitor Climate Change

- a. Establish coordination with NOAA regarding trends in rainfall patterns. Choose an annual conference or other venue at which such trends can be reviewed at regular intervals.
- b. Monitor changes in rainfall patterns to better predict future wet-season and dry- season rainfall as well as the salt content in the wells of agricultural lands.
- c. Develop a vital signs status and trends monitoring program for biological communities. Key parameters may include rate of sea-level rise; saltwater intrusion boundary and monitoring wells; landscape-level vegetation patterns; percent cover in offshore reef zones; water temperature and pH in areas; and occurrence and range of invasive exotic plants and animal species. Ensure Department of Health beach water quality monitoring continues and expand methods of notifying the public and tourism industry when exceedances are detected.

#### Water Storage

It is probable that climate change will also bring about changes in rainfall patterns, either by quantity, intensity in any given rain event or seasonality and perhaps all of these. Although the extent of such changes cannot be known, it is known that fresh water storage can ameliorate such changes.



- a. **Identify lands to be used for water storage to ameliorate changes in rainfall patterns. Storage areas and methods should be planned and located to accommodate drinking water supply, agricultural consumption, accepting flood waters and to maintain hydroperiods on natural lands.**
- b. **Identify and promote other land uses compatible with water storage including wetland restoration, certain agricultural operations and certain renewable energy production facilities. Develop joint acquisition and management strategies with these other entities.**
- c. **Manage water storage in the region's publicly-owned uplands and wetlands.**
- d. **Encourage continued funding for the Comprehensive Everglades Restoration Plan (CERP).**
- e. **Support CERP Everglades Agricultural Area (EAA) flow-way plans that increase freshwater flows to the Everglades, maximize freshwater storage and provide opportunities to improve water quality by establishing marsh communities.**

### **Resource Acquisition**

**Acquisition efforts should emphasize preserving existing species diversity as well as considering changing rainfall patterns and elevated saline waters, increasing the region's resiliency against the impacts of natural hazards.**

- a. **Develop acquisition priorities in a regional setting to:
 
  - 1. **Ensure preservation of many habitat types and that those types will be represented in a changing climate.**
  - 2. **Protect high quality drinking water supply**
  - 3. **Identify hot spots of biological diversity and ensure those locations are either protected or are identified for future land acquisition.**
  - 4. **Identify and protect higher level lands to which mangrove and salt-marsh species might 'retreat'.****
- b. **Assess acquisition priorities in light of changing rainfall patterns, i.e., if rainfall is more, is the parcel still valuable for identified vulnerable species, if rainfall is less, is the parcel still valuable to other vulnerable species. Consider linkages and migration opportunities for vulnerable species.**
- c. **Incorporate "Adaptation Action Area" designation into local comprehensive plans and regional planning documents to identify those natural areas deemed most vulnerable to climate change impacts including changes in sea level and rainfall patterns.**
- d. **Share acquisition priorities among planning and regulatory agencies**
- e. **Promote federal, state and local government conservation land acquisition programs that including fee simple and less-than-fee approaches to conserve natural areas, protect open space and create or maintain resilience and adaptive capacity by maintaining or creating connectivity among natural areas from the coast to inland/upslope.**
- f. **Following the model set by Monroe County, link rate of new construction permit issuance to conservation land acquisition rate.**
- g. **Monetize ecological services provided by natural systems and create a sustainable funding mechanism for their protection and management.**

## **Resource Management**

Climate change will likely bring about more rapid introduction of exotics species. Some tools, such as prescribed fire, may become more difficult to implement. Management efforts may become more intense as lands are managed for certain vulnerable species. Regional cooperation among land management entities will become more essential.

- a. Coordinate regional invasive exotic species prevention and control efforts emphasizing prevention of new invasions and early detection/rapid response to nascent invasions.
- b. Coordinate regional fire management efforts emphasizing frequent, low intensity fire regimes in wetland and pine forest systems to maximize habitat quality, resilience to change and carbon neutrality while preventing fuel load build up that leads to major carbon releases.
- c. Coordinate "living shorelines" objectives at regional scale to foster use of green infrastructure (e.g. coral reefs and mangrove wetlands) instead of or in addition to grey infrastructure (e.g. bulkheads).
- d. Leverage existing work of the Florida Reef Resilience Program's "Climate Change Action Plan for Florida's Coral Reef System 2010-2015 for protection of marine habitat.
- e. Maintain natural resources critical to support the Region's Largest Economic Sectors

## **Migration & Species Diversity**

- a. Identify potential species and habitat vulnerabilities to extremes in precipitation, including extended drought and intense storms, combined with higher temperatures.
- b. Examine water control structures to ensure that they can provide for inland or upstream migration of riparian species as freshwater habitats become more saline.
- c. With the assistance of climate models, maintain or restore multiple areas of habitat and large-scale connectivity to facilitate population stability and habitat shifts resulting from climate change.
- d. Minimize diversity and abundance of habitat-homogenizing exotic plant and animal species by monitoring for introductions, colonization, establishment, and connections with other populations.
- e. Engage and cooperate with marine resource agencies to maintain coral reef (e.g., selective breeding) and mangrove ecotones as estuarine habitat and natural barriers to storm surge for maintaining coastal biodiversity.

## **Public Outreach**

- a. Modify existing public outreach, education and engagement programs at natural areas (including upland, wetland, marine, coastal and nearshore environments) to include climate change mitigation and adaptation messaging and volunteer opportunities to enhance green infrastructure that will facilitate climate change resilience and adaptation.
- b. Initiate a regional public education campaign to educate residents, business owners, policy makers on the merits of preserving open land as an 'insurance policy' for adaptation to sea level rise in South Florida.

## **Agricultural Lands**

### Research

- a. Identify & secure research funding to include but not limited to:
  - i) Review and document freshwater marsh peat potential responses to saltwater intrusion.
  - ii) Monitor root-zone salinities and changes to vegetation communities. Adapt planning and management in response to surprises.
  - iii) Identify seagrass, mangrove, and coastal freshwater marsh environmental tolerances to changing factors such as salinity, water depth, substrate, and nutrients. Use this information with climate and hydrological modeling to aid management.
  - iv) Improve Florida Bay shallows bathymetry and use SLR and storm surge modeling to aid identification of habitats at risk.
  - v) Better identify linkages between marine system (e.g. coral reefs and mangrove wetlands) area/condition and hazard risk reduction.

### Policy

- a. Develop regulatory requirements that compatible dredge material may be utilized in the restoration of previously existing or establishment of new seagrass beds.
- b. Ensure that zoning regulations allow for the ability of plant and animal species to migrate inland as sea levels rise (e.g., limit armoring.) Ensure that land acquisition priorities consider landscape features which may limit species ability to migrate in response to sea level rise and other impacts related to climate change.
- c. Enforce Coastal Construction Line and Coastal High Hazard Area designations.
- d. Develop policies and regulations that will serve to reduce future risk and economic losses associated with sea-level rise and flooding in these designated areas through infrastructure improvements, insurance subsidization of high- hazard development and by directing development and growth to non-vulnerable areas.

## **Protected and Vulnerable Species**

In the coastal Everglades, higher elevation plant species may be at more of a risk from sea-level rise than the surrounding freshwater marsh because the marsh can migrate inland, but the upland berms are isolated and their dependent species have no path for migration. Twenty-one of the 43 critically imperiled species extant in Everglades National Park occur in the buttonwood forests coastal hammocks of the Everglades and Florida Keys. In all initiatives aimed at protecting the natural environment, first emphasize a broad ecosystem approach, then evaluate potential conflicts with specific protected resources. Where conflicts are recognized, attempt to resolve them with the least compromise to broad ecosystem values.

- a. Identify those narrow beaches lacking natural dunes which might possess high turtle-nesting density but which might also be prone to high nest mortality due to nest wash-out during more frequently expected storms and identify more stable 'receiving' beaches to which nest may be relocated.

- b. Develop long-term turtle-nesting beach preservation strategies and methods in advance of anticipated coastal armoring which might result in loss of beach nesting habitat.
- c. Identify zoos, aquariums, herbariums and gardens that might be the repository for seed stock and captive breeding programs for those listed plants and animals under imminent threat of local extirpation due to sea-level rise.
- d. Compile species information for rare plant species in coastal hardwood hammocks and buttonwood forests and develop adaptation plans that include, at a minimum, seed bank repository collection and assisted propagation.

#### **Additional Language for Consideration:**

During the five years of this initial Regional Action Plan, those areas within the Southeast Florida region that have been deemed most vulnerable to impacts associated with sea-level rise based upon LiDAR mapping and vulnerability assessments, will be monitored for impacts. These impacts may be from extreme high tides, heavy local rain events, storm surge, or inadequate drainage systems. Those areas most impacted by these events will be considered for inclusion into one or more of the "Adaptation Action Areas".

Climate change imposes long-term, continuous change on systems. Continuous changes make management goals a moving target and an observable systems response to actions under current conditions only a partial indicator of success. An adaptive management strategy must include preparation for long-term, often gradual changes with potential for large abrupt changes. Successful use of this strategy will require ecological and physical modeling to develop hypotheses and goals. Integration of directed research, management, and research-focused monitoring, risk assessment, and database management will be critical.

### **Transportation Working Group**

#### **Focal Areas and Strategies**

The first focal area addresses adapting transportation infrastructure to the impacts of climate change as well as planning policies to guide prioritization and investment that take into account climate change impacts and emissions reductions. Incorporating climate change considerations into planning and project programming processes would provide the opportunity for transportation professionals and decision makers to develop the most cost effective strategies to best address the impacts of climate change on transportation infrastructure.

The next focal areas are strategies to reduce emissions and are organized by the following categories: alternative fuels and vehicle efficiency, system operation efficiencies, and vehicle miles traveled. Each area is often referred to as a leg of a stool, recognizing the importance of addressing all areas to achieve a balance, a strong foundation to build upon. Clearly, there is no silver bullet approach to reducing emissions; it will take a variety of approaches to achieve emissions reductions. Strategies to reduce vehicle miles traveled and provide for multiple modes of travel should be emphasized because of their long-term emissions reductions benefits and health and social benefits. This approach addresses the three pillars of sustainability and aligns with the Federal Livability Principles developed in 2009 to help guide transportation and other planning conducted at the local and regional levels and federal investment decisions.

A final focal area is dedicated to funding issues and federal policies and programs critical to the success of local and regional efforts.

## Focal Area 1

Develop strategies to evaluate risk, adapt the existing transportation infrastructure, and prioritize future investments that maximize resiliency and greenhouse gas (GHG) emissions reductions.

### Strategies

- 1) Identify means to effectively engage the multiple public and private sector entities with roles and responsibilities involving the provision and maintenance of transportation infrastructure and the delivery of transportation services in the region. Document current and evolving coordination efforts among these entities.
- 2) Work together to identify transportation infrastructure at risk from climate change in the region; determine whether, when, where, and to whom projected impacts from climate change might be significant. Employ inundation mapping, modeling and other appropriate tools to assess the vulnerability of transportation infrastructure to the projected impacts of climate change under various sea level rise and other climate change scenarios. At a minimum, assess the vulnerability of the following transportation infrastructure:
  - a) Local transportation networks of the Compact Counties
  - b) The tri-county Regional Transportation Network<sup>1</sup> designated by the Southeast Florida Transportation Council (SEFTC), which includes facilities that provide the highest level of mobility, strategic transportation facilities that are critical to region's economy and quality of life, including corridors (roadway, rail, waterway), airports, seaports, freight rail terminals, passenger rail and intercity bus terminals, and evacuation routes.
- 3) Develop adaptation actions that prioritize the people, places, and infrastructure most vulnerable to the projected impacts on the transportation network. Use a risk-management approach to adapt the existing network including criteria such as timing, likelihood, intensity of anticipated risks as well as costs relative to action versus inaction (description in the Circular on Adapting Transportation to the Impacts of Climate Change State of the Practice 2011 <http://onlinepubs.trb.org/onlinepubs/circulars/ec152.pdf>. Best practices also available from NY, CA, and London.)
  - a) Develop regional priorities for short and long term maintenance and retention of the transportation network for a 50 year and a 100 year timeframe; evaluate the costs and benefits for maintenance and retention of existing transportation infrastructure, or construction, maintenance and retention of new infrastructure.
  - b) Address issues of inequality and environmental justice associated with climate change impacts and adaptation. Involve all parts of society in the development design and implementation of adaptation actions addressing the transportation network.
  - c) Identify those strategies that provide co-benefits, such as improving disaster preparedness, promoting sustainable resource management, and reducing GHG emissions including the development of cost-effective technologies.

<sup>1</sup>SEFTC, Technical Memorandum #8: Regional Transportation Network, April 2010. This network for Miami-Dade, Broward and Palm Beach counties is composed of regional interstate and expressway facilities; major regional facilities (urban or rural principal arterial roadways and other roadways that cross county lines); regional connection facilities, regional facility designation extensions, Strategic Intermodal System hubs, corridors and connectors designated by the Florida Department of Transportation; adopted physical extensions of current regional facilities; and the statewide regional evacuation network with termini determined by the South Florida and Treasure Coast Regional Planning Councils and the state legislature.

- 4) Integrate consideration of climate change impacts and adaptation into the planning, operations, policies, and programs of local and regional transportation agencies.
- a) Develop policy statements to incorporate the consideration of climate adaptation into planning processes and investment decisions and adopt the U.S. Department of Transportation's Guiding Principles for Climate Change Adaptation
- Adopt integrated approaches.
  - Prioritize the most vulnerable.
  - Use best-available science.
  - Build strong partnerships.
  - Apply risk-management methods and tools.
  - Apply ecosystem-based approaches.
  - Maximize mutual benefits.
  - Continuously evaluate performance.
- (<http://www.dot.gov/docs/climatepolicystatement.pdf> )
- b) Develop policies to incorporate climate change adaptation strategies into hazard mitigation and post-disaster redevelopment planning.
- c) Develop policies to address new transportation infrastructure development - to consider future floodplain conditions and vulnerable areas – e.g. rerouting of roads because of potential flood damage.
- d) Modify or develop new design standards for transportation infrastructure located in identified vulnerable areas, e.g. asphalt concrete composition, bridge design, elevation, stormwater management. i.e. Include different pitches combined with stormwater design and/or use of more permeable surfaces to effectively remove water from the roadway; Explore roadway materials that may be utilized in road construction that are more tolerant to quick changes in hot or cold weather, or more tolerant of extended periods of extreme temperatures, in order to decrease repair costs, enhance safety, and increase longevity of road surfaces.
- e) Develop and require a training program to educate professionals in relevant fields (e.g., architecture, engineering, and construction management) to incorporate adaptation to climate change as a basis for establishing design criteria for new transportation infrastructure. Completion of such training to be a condition for relicensing. (FL Energy & Climate Action Plan – Adaptation Strategies, pg. 8-7).
- f) Consider the adoption of a "Green" road design and construction sustainability rating system. (Best practice research: NYDOT, University of Washington)
- 5) Focus investments and service expansions on strategies contributing to greenhouse gas emissions reductions and enhancing resilience to climate change.
- a) Continue and enhance regionally coordinated transportation planning through the Regional Long Range Transportation Plan (RLRTP). Identify goals and objectives in the

RLRTP whose ultimate attainment reinforces the desired achievement of GHG emission reductions and enhancing resilience to climate change. Articulate the supportive role each objective has with respect to emissions reductions.

b) **Transportation Investment Priorities.** Give higher investment priority to transportation infrastructure, programs and services that will reduce greenhouse gas emissions. Performance standards for climate and related metrics, such as reduced VMT and increased mode split, should be incorporated in transportation and infrastructure programs.

i) **Develop policies in local and regional planning processes to incorporate evaluation criteria and a process to rank and prioritize projects that meet plan goals and objectives, with an emphasis on those that reduce VMT and use of transportation modes other than the personal vehicle. Projects that enhance economic vitality should also be given priority, such as projects and service expansions along transit oriented corridors and those that improve connections to major airports and seaports. Develop performance measures related to climate change (i.e. VMT reduction) as a means to prioritize projects for funding.**

c) **Prioritize the funding of studies addressing effective adaptation and mitigation strategies, particularly those addressing barriers and assisting in integrating land use and transportation planning approach towards developing a transportation network that reduces vehicle miles traveled by ensuring transportation choices other than the use of personal vehicles.**

e) **Implement the recommendations in the RLRTP to incorporate/use modal prioritization tools.**

6) **Other**

a) **Develop early warning systems and social media applications (apps) to both inform residents and visitors of high-tide events and to raise overall awareness.**

b) **Identify incentives to encourage migration to less vulnerable areas.**

**Additional language for consideration:**

Incorporate "Adaptation Action Area" designation into local comprehensive plans and the Regional Climate Change Action Plan for those areas within the Southeast Florida region that have been deemed most vulnerable to impacts associated with sea level rise. Within the "Adaptation Action Areas", special regulations will be established to reduce or eliminate the potential for damage from flooding. During the five years of this initial Regional Action Plan, those areas within the Southeast Florida region that have been deemed most vulnerable to impacts associated with sea level rise based upon LiDAR mapping and vulnerability assessments, will be monitored for impacts. These impacts may be from extreme high tides, heavy local rain events, storm surge, or inadequate drainage systems. Those areas most impacted by these events will be considered for inclusion into one or more of the "Adaptation Action Areas".

## Focal Area 2

Develop strategies to reduce GHG emissions through use of alternative fuels, vehicle and system operation efficiencies, vehicle miles traveled (VMT) reduction, and provision of multiple transportation choices.

### Strategies

#### Alternative Fuels & Vehicle Efficiency

1) Develop policies to create conditions for the development of alternative fuel (bio-diesel/ waste- based bio-diesel) and include these policies in regional plans and Local Comprehensive Plans. Incentivize and remove legislative, local code that may act as obstacle to stimulate the alternative energy industry.

*(Example: Plan and program infrastructure improvements for Electric Vehicle Infrastructure (EVI) in collaboration with local utilities. Policies should be developed to incentivize private deployment of infrastructure. Solar charging for electric vehicles should be prioritized to improve the community's emergency management preparedness in times of power outages.)*

2) Establish a working group of public and private stakeholders to develop a strategy to promote the use of Plug-In Electric Vehicles in the region.

a) Establish locations where infrastructure is needed. Solar charging options should be prioritized to maximize mitigation benefits and to improve the community's emergency management preparedness in times of power outages.

b) Develop policies to incentivize the deployment of infrastructure to complement transit oriented corridors. Reduced transit fares should be a consideration for riders accessing transit facilities by electric vehicles.

c) Work with relevant stakeholders to streamline permitting processes associated with charging equipment to encourage the safe and expeditious installation on customer premises and elsewhere.

d) Coordinate monetary and non-monetary incentives available to the general public and organizations purchasing electric vehicles.

3) Develop strategies to promote fuel efficient driving habits.

a) Conduct best practice research on existing campaigns and look for opportunities to integrate tools into existing high school, county and municipal driver education courses, traffic school curriculum, truck driver training, and fleet associations. [http://climatechange.transportation.org/ghg\\_ittigation/operations.aspx](http://climatechange.transportation.org/ghg_ittigation/operations.aspx) )

#### System Operation Efficiencies

1) Develop a toolbox of successful strategies to maximize the efficiency of the existing transportation network that have been used by partners in the region. When feasible information should include implementing steps, costs, and effectiveness of GHG emissions reductions. Some strategies to consider include the use of roundabouts, traffic signal prioritization for transit, queue jumps, etc.



2) Develop policies to facilitate and streamline the deployment of energy efficient and renewable energy such as the installation of LEDs and/or solar for public infrastructure such as street lighting, parks, parking facilities.

a) Survey counties and regional agencies with lighting infrastructure to determine the level of deployment and to gather best practice policies and implementation steps to facilitate the application of efficient lighting practices in additional infrastructure.

3) Develop a strategy for incentivizing the development of truck parking with electrification facilities and the use of auxiliary power units to reduce extended idling by trucks.

a) Survey transportation agencies (MPOs, FDOT, etc.) for existing studies identifying trucking patterns and needs.

b) Identify strategic locations for truck parking facilities and seek competitive funding opportunities as a region.

4) Develop policies to reduce the impact of transportation construction, maintenance, and agency operations - such as substituting fly ash for cement, using warm-mix instead of hot-mix asphalt- on GHG emission reduction, and require construction contractors to implement emissions reductions practices. Incorporate actions that reduce GHG emissions during project development and implementation, such as using recycled materials, incorporating low carbon cement mixtures, utilizing alternatively fueled vehicles, and purchasing locally or regionally manufactured materials.

5) Provide seamless transitions between transportation modes to increase the use of low carbon modes for the movement of people and freight in the region.

a) Improve connections between Tri-Rail and county transit service, municipal trolley and community shuttle bus services (may include re-alignment of routes). District circulators (Metro Mover in downtown Miami connects to Metro Rail) provide the last leg of a commute for transit riders and should have high frequency and ease of transfer.

b) *(Placeholder for regional freight strategies to integrate the many regional activities underway, e.g. periodic convening of regional freight summits providing opportunities to address that audience, development of a virtual freight network, studies exploring the potential for freight rail on a western corridor, etc.)*

c) Improve the transfers between transportation modes and move towards the delivery of a seamless fare media across the region.

d) Develop planning strategies to address planning for the "First and Last Mile" of transit trips.

#### Reduce Vehicle Miles Traveled and Promote Multiple Modes

Local communities with mixed-use developments and streets designed to encourage non-motorized modes of transportation are expected to reduce personal automobile trips. There is a need to connect those communities to corridors that link to regional employment centers and other destinations through low-carbon transportation options. The policies in this area will be developed to support the Federal Livability Principles which among other things emphasize the reduction of household transportation costs for people of all ages, incomes, races and ethnicities through reliable access to employment centers, educational opportunities, services and other basic needs.

### 1) Land Use Approaches.

- a) Require new development and redevelopment projects in existing and planned multimodal corridors and urban centers to be planned and designed to promote transit oriented development and transit use, which mixes residential, retail, office, open space and public uses in a pedestrian-friendly environment that promotes the use of rapid transit services.
- b) Develop policies to plan Transit Oriented Developments (TOD) along Transit Oriented Corridors (TOC). Consider the Regional Transportation Network in the development of potential TOCs. Develop policies to streamline the approval process for TODs.
- c) Explore expansion of activity based transportation modeling to more accurately predict, inform, and utilize transit trip data.
- d) Develop policies to improve the movement of non-motorized modes through the adoption of best practice models including Complete Streets.
  - i) Develop guidelines, models, and implementation projects to accelerate implementation.
  - ii) Identify partners and resources to support training and the research into new techniques for transportation design professionals.
- e) Modify local land use ordinances to encourage compact development patterns.
  - i) Adopt form-based codes or hybrid codes that use physical form, rather than separation of land uses, as their organizing principle and that take into consideration the urban transect or context zones.
  - ii) Consider regional implementation of rapid transit zones to maintain land use control around a station with multiple jurisdictions.
- f) Consider the adoption of green neighborhood certification programs to guide decision making and development and to provide an incentive for better location, design, and construction of new residential, commercial, and mixed-use developments.

### 2) Transit Options – Transit

- a) Study increasing service frequency on key routes and developing targeted transit routes, in the model of I-95 express to bring people directly from residential areas to regional centers of employment. Another example is “The Flyer” route from MIA to Miami Beach. Utilize existing studies of direct routes to inform this process.
- b) Leverage limited resources for campaign and promotional advertisements by coordinating regional public transportation messaging to attract “choice” riders. Messages should focus on making riding transit cool.
- c) Deploy social media applications, (apps) to facilitate use of transit including access to real-time information such as arrival times.
- d) Increase the amenities available to transit passengers, such as shade, shelters, kiosks, and real time boarding information.

### 3) Transportation Demand Management

a) **Vanpool/Carpool programs** - Work with MPOs and South Florida Commuter Services to identify opportunities to expand these programs.

b) **Car & Bike Sharing Programs** - Work with companies providing these services and strategic partners (universities, municipalities, large employers, etc.) to establish zip car, bike sharing and personal vehicle sharing programs.

#### 4) Bicycle Facilities

a) **Prioritize implementation of planned bicycle and pedestrian networks.** Evaluate whether these facilities are connected regionally and on a local scale to major employment, education, and recreation centers.

b) **Implement roadway project checklist that includes measures of pedestrian and bicycle accommodation.**

c) **Consider regional adoption of Transit and Biking programs that aim to improve access to transit.**

d) **Develop policies to increase designated bike parking facilities at commercial and retail developments.**

### Focal Area 3

#### Federal Policies needed to support local and regional efforts

1) **Federal Surface Transportation Authorization.** Support new authorization of the federal surface transportation programs with increased priority for funding public transit and non-motorized travel and integrated regional and metropolitan planning as means to reduce the greenhouse gas emissions from the transportation sector. The federal program needs to explicitly incorporate climate change and shift priorities toward programs that encourage reinvestment in existing infrastructure and communities ("fix-it-first" programs), support public transportation and transit-oriented development, and address congestion management through means other than road building.

2) **Reform Transportation Models and Enhance NEPA Processes.** To recognize when shifts are taking place in the true costs of road and transit, the surface transportation authorization legislation should encourage the development of up-to-date models and tools that measure the relative shifts in auto and transit costs, both up-front and on an operating basis as well as costs related to climate impacts and performance. Further, the U.S. Department of Transportation should be directed to develop ways and means to enhance the NEPA process in this regard as NEPA is central to all highways and transit project investment analysis.

3) **Increase CAFE Standards.** Establish stronger Corporate Average Fuel Economy (CAFE) Standards and enforce their adoption.

## **Appendix C - Contributing Technical and Staff Experts**

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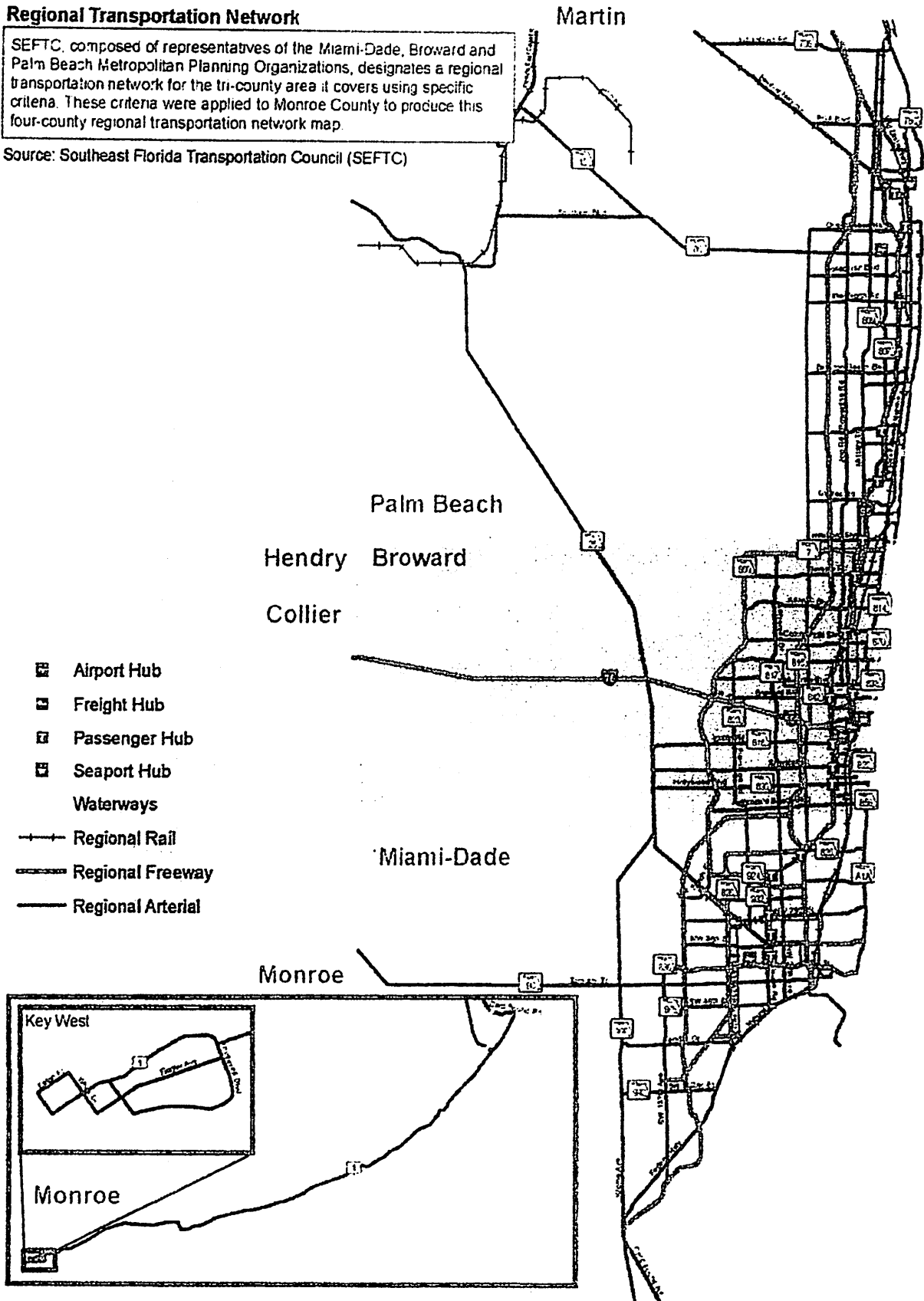
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**Appendix D - Regional Transportation Network**

**Regional Transportation Network**

SEFTC, composed of representatives of the Miami-Dade, Broward and Palm Beach Metropolitan Planning Organizations, designates a regional transportation network for the tri-county area it covers using specific criteria. These criteria were applied to Monroe County to produce this four-county regional transportation network map.

Source: Southeast Florida Transportation Council (SEFTC)



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## IX. Supporting Documents

The following support documents from the Southeast Florida Regional Climate Change Compact are available on the Compact website at:  
[southeastfloridaclimatecompact.org](http://southeastfloridaclimatecompact.org)

- A. Regional Climate Action Plan Implementation Guide
- B. Compact Counties' Policy and Advocacy Implementation Report
- C. Regional Greenhouse Gas Emissions Inventory Baseline Period: 2005 – 2009
- D. A Unified Sea Level Rise Projection for Southeast Florida
- E. Analysis of the Vulnerability of Southeast Florida to Sea Level Rise

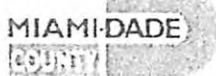
The *White Paper on Adaptation Action Areas* by the Florida Department of Economic Opportunity (Support Document F) is also available on the Compact website.

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<b>Page 8:</b>	Connect the Dots 350 event, provided by Jeff Keating
<b>Page 9:</b>	Beach erosion, provided by Broward County
<b>Page 12:</b>	Sunrise over ocean, provided by Miami-Dade County
<b>Page 14:</b>	Rain flooding, provided by Broward County
<b>Page 15:</b>	Mola Avenue flood, provided by Broward County
<b>Page 18:</b>	Roads, provided by Broward County
<b>Page 21:</b>	People biking, provided by Miami-Dade County
<b>Page 22:</b>	Port Everglades container ship, provided by Broward County
<b>Page 24:</b>	Choice riders on bus, provided by Miami-Dade County
<b>Page 28:</b>	Inundation at Keys Airport, provided by Monroe County
<b>Page 30:</b>	Storm sewer cleaning, provided by Miami-Dade County
<b>Page 31:</b>	Biscayne, provided by the South Florida Water Management District
<b>Page 33:</b>	Coral monitoring, provided by Broward County
<b>Page 34:</b>	Roseate Spoonbills, provided by the South Florida Water Management District
<b>Page 35:</b>	Parched sugar, provided by Palm Beach County
<b>Page 36:</b>	Market, provided by Miami-Dade County
<b>Page 37:</b>	Plug-in vehicle, provided by Miami-Dade County
<b>Page 37:</b>	Children with solar array, provided by Miami-Dade County
<b>Page 39:</b>	Hurricane aerial, provided by the South Florida Water Management District
<b>Page 41:</b>	News reporter, provided by Miami-Dade County
<b>Page 43:</b>	Children planting trees, provided by Broward County
<b>Page 44:</b>	Compact press conference after BP spill, provided by Broward County From left to right: Monroe County Commissioner George Neugent, Miami-Dade County Commissioner Katy Sorenson, Palm Beach County Commissioner Shelley Vana, and Broward County Commissioner Kristin Jacobs.
<b>Page 51:</b>	People exiting South Beach bus, provided by Miami-Dade County
<b>Back Cover:</b>	Mom and son at beach, provided by Miami-Dade County



SOUTHEAST FLORIDA  
REGIONAL CLIMATE  
CHANGE



This document was produced by the Southeast Florida Regional Climate Change Compact, a regional collaborative including Broward, Miami-Dade, Monroe and Palm Beach Counties, and promulgated at a cost of \$4,634 or \$6.62 per copy, for the purpose of providing information on climate change planning strategies relevant to Southeast Florida.

NH201239411 05/12

RESOLUTION NO. 14-2222

**A RESOLUTION OF THE TOWN OF SURFSIDE, FLORIDA SUPPORTING CONSTRUCTION OF THE CENTRAL EVERGLADES PLANNING PROJECT; PROVIDING FOR AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the Greater Everglades Ecosystem is a globally imperiled habitat and the primary source of drinking water for the Town of Surfside; and

**WHEREAS**, Everglades National Park is critical to South Florida's tourism with over one million people visiting each year; and

**WHEREAS**, the Everglades ecosystem has continued to decline in the face of restoration delays and an expedited solution is needed to increase the quality, quantity, timing and distribution of freshwater flows into the central Everglades, Everglades National Park and Florida Bay; and

**WHEREAS**, increased deliveries of water south of Lake Okeechobee will reduce damaging discharges to the Caloosahatchee and St. Lucie estuaries; and

**WHEREAS**, the Central Everglades Planning Project (CEPP) will protect regional water supply, create much needed jobs and strengthen the local economy; and

**WHEREAS**, full support by the South Florida Water Management District (SFWMD) is needed to implement this project.

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

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

**Section 2. Support by the Town of Surfside Town Commission.** The Town Commission supports the approval of the SFWMD Letter of Support by the SFWMD Governing Board so that expedient progress can be made towards the ultimate goal of authorization and construction of CEPP.

**Section 3. Authorization and Approval.** The Town Commission authorizes and approves the Town Manager and/or his designee to take all actions necessary to implement this Resolution.

**Section 4. Direction to the Town Clerk.** The Town Clerk is hereby directed to transmit a copy of this Resolution to the South Florida Water Management District Governing Board.


**Section 5. Effective Date.** This Resolution shall become effective immediately upon its adoption.

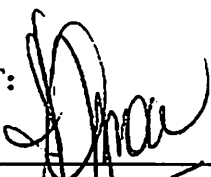
PASSED AND ADOPTED this 8<sup>th</sup> day of April, 2014.

Motion by Commissioner Karukin, second by Commissioner Olchyk.

FINAL VOTE ON ADOPTION

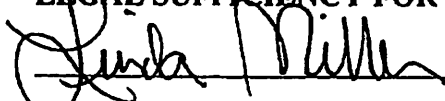
Commissioner Barry R. Cohen	yes
Commissioner Michael Karukin	yes
Commissioner Marta Olchyk	yes
Vice Mayor Eli Tourgeman	yes
Mayor Daniel Dietch	Absent

  
Daniel Dietch, Mayor

ATTEST:   
\_\_\_\_\_  
Sandra Novoa, CMC  
Town Clerk

APPROVED AS TO FORM AND

LEGAL SUFFICIENCY FOR THE TOWN OF SURFSIDE ONLY:

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

RESOLUTION NO. 15 - 2280

**A RESOLUTION OF THE TOWN OF SURFSIDE, FLORIDA, SUPPORTING THE MIAMI-DADE SEA LEVEL RISE TASK FORCE RECOMMENDATIONS AND URGING THE BOARD OF MIAMI-DADE COUNTY COMMISSIONERS TO IMPLEMENT SUCH RECOMMENDATIONS; ENCOURAGING OTHER MIAMI-DADE COUNTY MUNICIPALITIES TO JOIN THE TOWN OF SURFSIDE IN THEIR SUPPORT FOR THE MIAMI-DADE SEA LEVEL RISE TASK FORCE; DIRECTING THE TOWN CLERK TO TRANSMIT A COPY OF THIS RESOLUTION TO THE MAYOR AND COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, THE MIAMI-DADE COUNTY LEAGUE OF CITIES, INC. AND MUNICIPALITIES IN MIAMI-DADE COUNTY; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS, the world's scientific community has reached consensus that human-induced climate change is occurring and is causing sea level rise; and**

**WHEREAS, Miami-Dade County, its wildlife, natural lands, water supply, vital facilities, and infrastructure are especially vulnerable to the impacts of sea level rise; and**

**WHEREAS, climate scientists and other groups have predicted the potential erosion of dry land and loss of property and natural resources in Miami-Dade County as a result of sea level rise; and**

**WHEREAS, a U.S. Geological Survey study concluded that sea levels along the east coast of the United States will rise three to four times faster than the global average over the next century and the U.S. Army Corps of Engineers has projected that the water around Miami could rise up to 24 inches by 2060; and**

**WHEREAS, parts of Miami-Dade have already experienced an increased frequency of urban flooding caused by higher high tides, elevated groundwater levels, and over saturated soils, and without any action, these rising tides will pose a significant threat to the Town's tourism industry; and**

**WHEREAS, the Miami-Dade Sea Level Rise Task Force ("SLRTF") reviewed the relevant data and prior studies, assessments, reports, and evaluations of the potential impact of sea level rise on vital public services and facilities, real estate, water and other ecological resources, water front property, and infrastructure; and**

**WHEREAS, the SLRTF issued a report with their findings on July 1, 2014, that included a comprehensive and realistic assessment of the likely and potential impacts to sea level rise and storm surge over time, to be used to help develop a set of recommendations relative to**

amendments to the Comprehensive Development Master Plan, capital facilities planning, budgetary priorities and other County programs as necessary to ensure that Miami-Dade County is taking all appropriate actions to reduce its contributions to climate-induced sea level rise and to ensure its resiliency to the increase in sea level rise, storm surge and related impacts which are expected to occur; and

**WHEREAS**, the SLRTF set forth numerous recommendations in their report that, if implemented would aid Miami-Dade County in coping with the inevitable consequences of this measurable, tractable, and relentless reality of sea level rise; and

**WHEREAS**, the Miami-Dade Board of County Commissioners will discuss the adoption of various resolutions to move the recommendations of the SLRTF into action; and

**WHEREAS**, the Town of Surfside seeks to work collaboratively and jointly with Miami-Dade County to ensure the quality of life and economy of Town residents is protected.

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

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

**Section 2. Support.** The Town supports the Miami-Dade Sea Level Rise Task Force efforts and recognizes that human-induced climate change is occurring and is causing sea level rise that affect Miami-Dade County's wildlife, natural lands, water supply, vital facilities, and infrastructure. The Town therefore supports the adoption of sound resolutions to implement the recommendations of the SLRTF.

**Section 3. Request by Town of Surfside Commission.** The Town requests the Miami-Dade Board of County Commissioners to ensure the language contained in the resolutions is action-oriented and furthers the process of preparing Miami-Dade County and its natural and built environment for the inevitable rise in sea level.

**Section 4. Municipalities.** The Town further encourages other Miami-Dade County municipalities to join the Town in supporting Sea Level Rise Task Force recommendations.

**Section 5. Directions to Town Clerk.** The Town Clerk is hereby directed to transmit a copy of this Resolution to the Mayor and County Commissioners of Miami-Dade County, Florida, the Miami-Dade County League of Cities, Inc. and municipalities in Miami-Dade County.

**Section 6. Effective Date.** This Resolution shall become effective immediately upon its adoption.

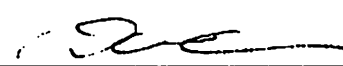
PASSED AND ADOPTED this 13<sup>th</sup> day of January, 2015.

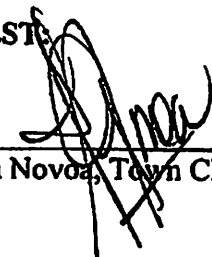
Motion by Commissioner Karukin,

Second by Commissioner Olchyk.

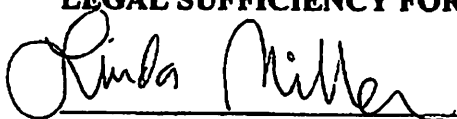
**FINAL VOTE ON ADOPTION**

Commissioner Barry Cohen	<u>YES</u>
Commissioner Michael Karukin	<u>YES</u>
Commissioner Marta Olchyk	<u>YES</u>
Vice Mayor Eli Tourgeman	<u>Absent</u>
Mayor Daniel Dietch	<u>YES</u>

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

ATTEST  
  
 \_\_\_\_\_  
 Sandra Novoa, Town Clerk

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

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



RESOLUTION NO. 15 - 2313

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

WHEREAS, as a tourism destination, the beaches and the coastal barrier islands in Miami-Dade County are the most important economic engine for South Florida; and

WHEREAS, aside from being a major economic asset, or beaches also provide much needed protection against storm surge and the impacts of climate change; and

WHEREAS, Southeast Florida is considered one of the most vulnerable areas of the country with respect to the consequences of global climate change, especially sea level rise; and

WHEREAS, Southeast Florida is also vulnerable to hurricanes, and storm surge from other large storms, during the months of June to November; and

WHEREAS, scientific studies indicate that, due to climate change, extreme weather events such as storms and hurricanes will increase in frequency and intensity due to climate change; and

WHEREAS, a healthy beach and dune system provide the first line of defense against hurricanes and storm surge events; and

WHEREAS, coastal barrier islands experience seasonal shoreline erosion during the winter season when higher wave energy erodes the beach, which beach restoration or renourishment efforts help to combat; and

WHEREAS, a South Florida Mayors' Beach Alliance would be a coalition of the barrier island municipalities of the Village of Key Biscayne, Town of Surfside, City of Miami Beach, City of Sunny Isles Beach, Town of Golden Beach and Bal Harbour Village whose purpose is to urge the county, state and federal government to develop long-term solutions to restore beaches impacted by erosion; and

WHEREAS, it is in the best interest of the Town to support the creation of the South Florida Mayors' Beach Alliance.

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

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

Section 2. Support. The Town of Surfside supports the creation of the South Florida Mayors' Beach Alliance.

Section 3. Direction to the Town Clerk. The Town Clerk is hereby directed to send a copy of this Resolution to the Board of County Commissioners of Miami-Dade County and all member municipalities of the South Florida Mayors' Beach Alliance.

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

PASSED and ADOPTED on this 11th day of August 2015.

Motion by Vice Mayor Tourgeman

Second by Commissioner Olchyk

FINAL VOTE ON ADOPTION

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

[Signature]
Daniel Dietch, Mayor

ATTEST: [Signature]
Sandra Novoa, Town Clerk


APPROVED AS TO FORM AND LEGAL SUFFICIENCY: [Signature]
Linda Miller, Town Attorney



**TOWN OF SURFSIDE  
Commission Communication**

**Agenda Item #** 9G

**Agenda Date:** April 12, 2016

**From:**  Guillermo Olmedillo, Town Manager

**Subject:** Planning and Zoning Board Resolution No. 2016-Z-01 - Streetscape

**Background:** The Planning and Zoning Board during the March 31, 2016 meeting passed Resolution No. 2016-Z-01 which discusses the need for the consultation and study related to a more pedestrian friendly streetscape in the Town of Surfside to explore the following ideas: 1) one way streets to calm and slow traffic, 2) adding sidewalks to improve walkability throughout the community, 3) creating a tree shade canopy over sidewalk, 4) undergrounding utilities, 5) improving the aesthetics and safety for the Town's neighborhoods, and 6) wayfinding through signage. The Resolution directed the Town Clerk to include a copy of Resolution No. 2016-Z-01 in the April 12, 2016 Town Commission Agenda.

**Analysis:** The Town of Surfside Planning and Zoning Board recommended the Town Commission consider creating a more cohesive pedestrian friendly experience throughout the Town to benefit the health, safety and wellbeing of the Surfside community. The attached Resolution recommends that the Town of Surfside Commission appropriate resources from the General Fund to the Planning and Zoning Board as requested to provide for the consultation and study related to a more pedestrian friendly streetscape in the Town of Surfside.

Section 90-15(8) of the Town of Surfside Code of Ordinances provides that the Town Commission may authorize the expenditure by the Planning and Zoning Board of such funds as the Town Commission may deem necessary to perform the requirements of Chapter 90 "Zoning" of the Town of Surfside Code of Ordinances. The Town Commission may appropriate from the general fund as set up in the annual budget and such sums as it may from time to time authorize the board to expend. The Planning and Zoning Board may not incur indebtedness without prior Town Commission approval.

**Recommendation:** Staff recommends the Town Commission considers Resolution No. 2016-Z-01.

**TOWN OF SURFSIDE PLANNING AND ZONING BOARD  
RESOLUTION NO. 16-Z- 01**

**A RESOLUTION OF THE TOWN OF SURFSIDE, FLORIDA PLANNING AND ZONING BOARD; RECOMMENDING TO THE TOWN OF SURFSIDE COMMISSION PURSUANT TO SECTION 90-15(8) OF THE TOWN OF SURFSIDE CODE OF ORDINANCES TO APPROPRIATE RESOURCES FROM THE GENERAL FUND TO THE PLANNING AND ZONING BOARD AS REQUESTED TO PROVIDE FOR THE CONSULTATION AND STUDY RELATED TO A PEDESTRIAN FRIENDLY STREETScape; DIRECTING THE TOWN CLERK TO INCLUDE A COPY OF THIS RESOLUTION IN THE APRIL 12, 2016 TOWN COMMISSION AGENDA; PROVIDING FOR RECOMMENDATION OF APPROVAL; PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the Town of Surfside Planning and Zoning Board has recommended the Town Commission consider creating a more cohesive pedestrian friendly experience throughout the Town to benefit the health, safety and wellbeing of the Surfside community; and

**WHEREAS**, the Town of Surfside Planning and Zoning Board is requesting resources for consultation and study with an urban planner and/or other experts on how to develop a more pedestrian friendly streetscape, to explore the following ideas: 1) one way streets to calm and slow traffic, 2) adding sidewalks to improve walkability throughout the community, 3) creating a tree shade canopy over sidewalks, 4) undergrounding utilities, 5) improving the aesthetics and safety for the Town's neighborhoods, and 6) wayfinding through signage; and

**WHEREAS**, the Planning and Zoning Board requires funding and resources for the consultation and study of a more pedestrian friendly streetscape; and

**WHEREAS**, Section 90-15(8) of the Town of Surfside Code of Ordinances provides that the Town Commission may authorize the expenditure by the Planning and Zoning Board of such funds as the Town Commission may deem necessary to perform the requirements of Chapter 90 "Zoning" of the Town of Surfside Code of Ordinances. The Town Commission may appropriate from the general fund as set up in the annual budget and such sums as it may from time to time authorize the Board to expend. The Board may not incur indebtedness without prior Commission approval; and

**WHEREAS**, the Planning and Zoning Board recommends the Town of Surfside Commission supports the Planning and Zoning Board through appropriating funds from the general fund for consultants, studies, and other information and expertise as needed to develop local planning and zoning solutions to develop a more pedestrian friendly streetscape.

**NOW THEREFORE, BE IT RESOLVED BY THE PLANNING AND ZONING BOARD OF THE TOWN OF SURFSIDE, FLORIDA, AS FOLLOWS:**

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

**Section 2. Urging the Town of Surfside Commission to Appropriate Resources to the Planning and Zoning Board for the Study and Consultation on a Pedestrian Friendly Streetscape.** The Planning and Zoning Board recommends to the Town of Surfside Commission pursuant to Section 90-15(8) of the Town of Surfside Code to appropriate resources from the General Fund to the Planning and Zoning Board as requested to provide for the consultation and study related to a more pedestrian friendly streetscape in the Town of Surfside, exploring the following ideas: 1) one way streets to calm and slow traffic, 2) adding sidewalks to improve walkability throughout the community, 3) creating a tree shade canopy over sidewalk, 4) undergrounding utilities, 5) improving the aesthetics and safety for the Town's neighborhoods, and 6) wayfinding through signage.

**Section 3. Approval.** The Planning and Zoning Board recommends approval of this Resolution.

**Section 4. Direction to the Town Clerk.** The Town Clerk is hereby directed to include a copy of this Resolution in the April 12, 2016 Town Commission Agenda.

**Section 5. Effective Date.** This Resolution shall become effective immediately upon adoption.

PASSED AND ADOPTED this 31<sup>ST</sup> day of MARCH, 2016

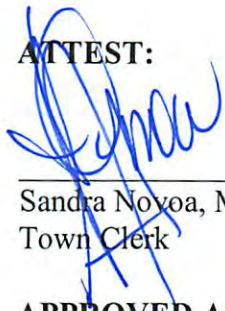
Motion by Planning and Zoning Board Member Glynn,  
Second by Planning and Zoning Board Member Castellanos

**FINAL VOTE ADOPTION**

Member, Armando Castellanos	<u>YES</u>
Member, Peter Glynn	<u>YES</u>
Member, Moshe Rubenstein	<u>ABSENT</u>
Vice Chair, Jacob Kligman	<u>ABSENT</u>
Chair, Lindsay Lecour	<u>YES</u>

Lindsay Lecour  
Lindsay Lecour, Chair


**ATTEST:**



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Sandra Novoa, MMC  
Town Clerk

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



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Linda Miller, Town Attorney



## Town of Surfside Commission Communication

**Agenda #:** 9H  
**Agenda Date:** April 12, 2016  
**Subject:** Bal Harbour Shops Status Update  
**From:** Sarah Sinatra Gould, AICP, Town Planner

**Development Approvals.** The development of the Project will require the following reviews and approvals:

1. **ARB Review.** Advisory review by the Village's Architectural Review Board of the Developer's major site plan application for the Project in accordance with Section 21-322(d) of the Village Code.

**Challenge:** There is no challenge opportunity to a recommendation, except to appear at the ARB and object.

2. **Comprehensive Plan Amendment for Church Site.** A small scale map amendment to the Village's comprehensive plan in connection with the change in use of the Church Site.

**Challenge:** The comprehensive plan amendment may be challenged in an administrative hearing under Section 163.3187(5), Fla. Stat. The petition must be filed with the state Division of Administrative Hearings within 30 days of the adoption of the ordinance approving the amendment. An administrative hearing takes place within 60 days of the case being assigned to the administrative hearing officer. The Town has standing as an adjoining government if the amendment will produce substantial impacts on the increased need for publicly funded infrastructure or on areas designated for protection or special treatment within the Town. The Town is not required to appear before the Village Council at its adoption hearing to maintain standing.

3. **Comprehensive Plan Amendment for Old Village Hall.** A small scale map amendment to the Village's comprehensive plan in connection with the change in use of Old Village Hall.

**Challenge:** See #2 above

**4. LPA Recommendation.** Recommendation by the Local Planning Agency ("LPA") on the comprehensive plan amendments and the text amendments.

**Challenge:** There is no challenge opportunity to a recommendation, except to appear at the LPA and object.

**5. Major Site Plan Approval.** Approval of the major site plan and the related Development Agreement for the Shops Expansion.

**Challenge:** There are at least two challenges potentially available:

1. The site plan approval may be challenged as inconsistent with the comprehensive plan under Section 163.3215, Fla. Stat. This action is filed in the circuit court for Miami-Dade County, within 30 days of the rendition of the order granting approval (i.e. when filed with the Village Clerk). The court hears the complaint de novo, and the Town can create a record during the litigation to support its case. Presumably the Village will have amended the comprehensive plan to accommodate the site plan, but it is possible that there are goals, objectives or policies which otherwise would be inconsistent with the site plan.
2. The site plan approval may be challenged as a violation of the Village zoning regulations, either because the evidence does not support the approval per the regulations, or because there was not adequate legal authority under the code for the approval. The action is filed as a petition for writ of certiorari in the circuit court for Miami-Dade county within 30 days of the rendition of the order approving the site plan. The litigation proceeds based on the record made in the proceedings before the Village Council. For this reason, the Town should be involved in the Council deliberations by bringing in evidence and argument at the council hearing.

**6. Text Amendments.** Approval by the Village Council of the text amendments to the Village Code to allow for the development of the Project.

**Challenge:** See #2 above

Town of Surfside options:

1. Remain silent and address impacts as they happen.
2. Attend all meetings and object to establish a record.
3. File a formal challenge to the comprehensive plan amendment and site plan.



Sarah Sinatra Gould, AICP, Town Planner



Guillermo Olmedillo, Town Manager