



**Town of Surfside  
Town Commission Meeting  
AGENDA**

**February 16, 2017  
7 p.m.**

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

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

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

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

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

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

**1. Opening**

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

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

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

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

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

**A. Minutes – Sandra Novoa, MMC, Town Clerk Page 1 - 18**

**January 10, 2017 Regular Commission Meeting Minutes**

**January 19, 2017 Quasi-Judicial Hearing Minutes**

**B. Budget to Actual Summary as of November 30, 2016 – Guillermo Olmedillo, Town Manager Page 19 - 21**

**\*C. Town Manager’s Report – Guillermo Olmedillo, Town Manager Page 22 - 29**

- 1. See Click Fix
- 2. PAMM
- 3. Development Applications
- 4. Building Permit
- 5. Code Compliance Cases
- 6. Fund Balance Reserve Policy
- 7. January 2017 Significant Incidents/Arrests
- 8. LEO Awards Finalist
- 9. Officer/Civilian of the Year
- 10. Dolphin Cancer Challenge
- 11. Police Events
- 12. Information Technology and TV Broadcasts

**\*D. Town Attorney’s Report – Linda Miller, Town Attorney Page 30 - 34**

**E. Committee Reports – Guillermo Olmedillo, Town Manager Page 35 - 53**

- November 1, 2016 Pension Board Meeting Minutes
- December 15, 2016 Planning and Zoning Board Meeting Minutes
- January 9, 2017 Tourist Board Meeting Minutes

**4. Ordinances**

*(Set for approximately 7:45 p.m.) (Note: Good and Welfare must begin at 8:15)*

**A. Second Reading Ordinances**

- 1. Temporary Moratorium on Cannabis Dispensing Businesses – Guillermo Olmedillo, Town Manager Page 54 - 59**

**AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA; ESTABLISHING A TEMPORARY MORATORIUM ON CANNABIS DISPENSING BUSINESSES AS FURTHER DEFINED HEREIN; PROVIDING FOR PENALTIES; PROVIDING FOR SEVERABILITY, A GENERAL REPEALER CLAUSE, AND AN EFFECTIVE DATE.**

- 2. Ordinance Amending Chapter 2 “Administration” Article VII “Code of Ethics”; Specifically Creating Section 2-227.1 “Honor code for Elected and Appointed Town Officials and Town Employees” – Mayor Daniel Dietch Page 60 - 64**

**AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA AMENDING CHAPTER 2 “ADMINISTRATION” ARTICLE VII “CODE OF ETHICS”; SPECIFICALLY CREATING SECTION 2-227.1 “HONOR CODE FOR ELECTED AND APPOINTED TOWN OFFICIALS AND TOWN EMPLOYEES”; PROVIDING FOR INCLUSION IN THE CODE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.**

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

**B. First Reading Ordinances**

**5. Resolutions and Proclamations**

*(Set for approximately 9:00 p.m.) (Note: Depends upon length of Good and Welfare)*

**A. Foreign Sand for Beach Nourishment Projects Resolution – Mayor Daniel Dietch Page 65 - 69**

**A RESOLUTION OF THE TOWN OF SURFSIDE, FLORIDA SUPPORTING UNITED STATES CONGRESSIONAL BILLS S. 279 AND H.B. 833 TO AMEND SECTION 935 OF THE WATER RESOURCES DEVELOPMENT ACT OF 1986 TO FACILITATE THE USE OF FOREIGN OFFSHORE SAND IN BEACH NOURISHMENT PROJECTS; URGING THE UNITED STATES CONGRESS TO EXPEDITE AND FUND THE STUDY TO ALLOW FOREIGN SAND TO BE USED IN BEACH NOURISHMENT PROJECTS IN MIAMI-DADE COUNTY; DIRECTING THE TOWN CLERK TO TRANSMIT A COPY OF THIS RESOLUTION TO THE OFFICIALS STATED HEREIN; PROVIDING FOR AUTHORIZATION AND IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.**

**B. Calvin Giordano & Associates, Inc – Information Technology (IT), Website Hosting and Multimedia Services – Guillermo Olmedillo, Town Manager Page 70 - 83**

**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA APPROVING AN ADDENDUM TO THE AGREEMENT DATED OCTOBER 6, 2014 BETWEEN THE TOWN OF SURFSIDE AND CALVIN, GIORDANO & ASSOCIATES, INC. (“CGA”) TO RENDER ADDITIONAL SERVICES AS SET FORTH IN CGA WORK AUTHORIZATION NO. 100 TO PERFORM INFORMATION TECHNOLOGY, WEBSITE HOSTING AND MULTIMEDIA SERVICES; AUTHORIZING THE EXPENDITURE FROM THE 2016/2017 FISCAL YEAR BUDGET IN THE AMOUNT OF \$125,000 FROM THE GENERAL FUND, PROFESSIONAL SERVICES ACCOUNT NO. 001-2100-516-3110; PROVIDING FOR APPROVAL AND AUTHORIZATION; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.**

**C. Procurement of Additional Parking Pay Stations – Guillermo Olmedillo, Town Manager Page 84 - 89**

**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, APPROVING AN ADDENDUM TO THE AGREEMENT WITH HARRINGTON RESOURCES INC., DBA PARKER SYSTEMS DATED NOVEMBER 9, 2016 TO PROCURE EIGHT (8) ADDITIONAL PAY STATIONS TO REPLACE FORTY-EIGHT SINGLE SPACE METERS PRESENTLY INSTALLED THROUGHOUT THE TOWN; AMENDING THE TOWN'S BUDGET FOR FISCAL YEAR 2016/2017; AUTHORIZING THE APPROPRIATION AND EXPENDITURE IN THE AMOUNT OF \$95,080.80 FROM THE FISCAL YEAR 2016/2017 FROM THE MUNICIPAL PARKING FUND, MACHINERY AND EQUIPMENT FROM ACCOUNT NUMBER 402-9500-545-6410 BUDGET; PROVIDING FOR APPROVAL AND AUTHORIZATION; PROVIDING FOR IMPLEMENTATION; PROVIDING FOR AN EFFECTIVE DATE.**

**D. Amending 2016-2017 Tourist Resort Fund Annual Budget to Fund "First Fridays" Event Series – Guillermo Olmedillo, Town Manager Page 90 - 107**

**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, AMENDING THE FISCAL YEAR 2016-2017 TOURIST RESORT FUND ANNUAL BUDGET TO FUND FOUR 2017 SUMMER FIRST FRIDAYS EVENTS; APPROPRIATING FUNDS IN THE AMOUNT OF \$48,000 FROM THE RESORT TAX FUND BALANCE ACCOUNT NO. 102-0000-392-0000 TO THE TOURIST BUREAU PROMOTIONAL ACTIVITIES ACCOUNT NO. 102-8000-552-4810; APPROVING THE EXPENDITURE OF FUNDS; PROVIDING FOR APPROVAL AND AUTHORIZATION; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.**

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

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

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

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

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

**8. Unfinished Business and New Business**

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

**A. Require Noticing of New Residential Construction** – Guillermo Olmedillo, Town Manager. **Page 108 - 109**

**B. Legislative Priorities** – Guillermo Olmedillo, Town Manager **Page 110 - 126**

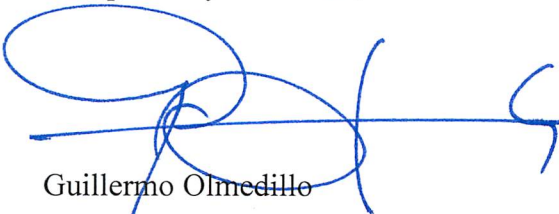
**C. Traffic Mitigation Initiatives Update** – Guillermo Olmedillo, Town Manager **Page 127 - 130**

**D. Reflective Vests and Collars for Dog Walking Town Residents** – Vice Mayor Barry Cohen **Page 131**

**E. Maximum Building Lengths and Impacts of New Development** – Commissioner Tina Paul **Page 132 - 151**

**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.townofsursidefl.gov](http://www.townofsursidefl.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  
January 10, 2017  
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 7:05 p.m.

**B. Roll Call of Members**

Town Clerk Sandra Novoa called the roll with the following members present: Mayor Daniel Dietch, Vice Mayor Barry Cohen, Commissioner Tina Paul, Commissioner Michael Karukin and Commissioner Daniel Gielchinsky.

**C. Pledge of Allegiance**

Police Chief Allen led the Pledge of Allegiance.

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

Commissioner Gielchinsky wished everyone blessings in the New Year. He gave a brief update on power outages and flickering in the community. He thanked the Town and Director Alan Graham for their assistance in the Shul Hanukah event which was very successful. He spoke about the recent incident at Ft. Lauderdale Airport and the various bomb threats involving Jewish communities. He asked for heightened awareness by the public and if they see something to say something and report it to the authorities. To educate oneself you can google “see something, say something” for various informative websites.

Commissioner Paul wished everyone a Happy New Year and agreed with Commissioner Gielchinsky’s comments about awareness. She thanked our government and local officials who handled the Ft. Lauderdale airport incident. We should not change our lifestyle but still go out and enjoy life but just be more cognizant of our surroundings.

Vice Mayor Cohen spoke about the Town’s business district and the vacant stores and the loss of tax income.

Commissioner Karukin responded to Vice Mayor Cohen’s comments about empty stores. He said one of the reasons for vacancies is that landlords are dramatically increasing the rents where it is no longer affordable. He does not think the tax income generated from these stores has any great impact.



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

Mayor Dietch asked to add to the agenda Item 9F and link it to Item 4A1. Commissioner Paul made a motion to add Item 9F and link it to Item 4A1. The motion received a second from Commissioner Karukin and all voted in favor.

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

Commissioner Paul gave an update on the Parks and Recreation Committee and our staff working with staff of other communities. The Mayor encouraged everyone to go to the Town's website for current news. The Mayor announced upcoming community events which can be found in the Gazette and on the Town's website.

**G. Presentation of FIND Grant Reimbursement Check** – Mr. Spencer Crowley

The Mayor introduced Mr. Crowley and thanked him for his service to the community. Mr. Crowley gave an overview of FIND and presented the Town with a check. Commissioner Karukin thanked Mr. Crowley and Chris Giordano from CGA. Mayor Dietch gave a special thanks to former Commissioner Marta Olchyk for her efforts in getting CGA to procure this grant.

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

**3. Consent Agenda**

Mayor Dietch pulled Item 3A pages 8 and 12.

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

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

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

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

1. See Click Fix
2. Development Applications
3. Code Compliance Cases
4. Hawthorne Tot Lot Renovation and Fence Replacement
5. Community Center Butterfly Garden
6. December 2016 Significant Incidents/Arrests
7. New Police Officer
8. Police Events
9. Information Technology and TV Broadcasts

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

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

- October 27, 2016 Planning and Zoning Board Meeting Minutes
- November 2, 2016 Parks and Recreation Committee Minutes
- November 17, 2016 Planning and Zoning and Design Review Board Minutes

Pulled Item 3A – Commission Meeting Minutes pages 8 and 12. An amendment with two corrections were sent to the Commission prior to the meeting.

A motion to adopt the pulled items from the consent agenda was made by \_\_\_\_\_ and seconded by \_\_\_\_\_ and the vote was \_\_\_\_\_.

#### 4. Ordinances

##### A. Second Reading Ordinances

1. **Temporary Moratorium on Cannabis Dispensing Businesses** – Guillermo Olmedillo, Town Manager (Linked to 9F)

**AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA; ESTABLISHING A TEMPORARY MORATORIUM ON CANNABIS DISPENSING BUSINESSES AS FURTHER DEFINED HEREIN; PROVIDING FOR PENALTIES; PROVIDING FOR SEVERABILITY, A GENERAL REPEALER CLAUSE, AND AN EFFECTIVE DATE.**

Town Clerk Sandra Novoa read the title of the ordinance.

Commissioner Karukin made a motion to approve. The motion received a second from Commissioner Gielchinsky. Commissioner Karukin withdrew the motion to approve.

Commissioner Karukin made a motion to defer the item to the Commission Meeting on February 16, 2017 at 7:00 p.m. The motion received a second from Commissioner Gielchinsky and all voted in favor.

##### B. First Reading Ordinances

1. **Ordinance Amending Chapter 2 “Administration” Article VII “Code of Ethics”; Specifically Creating Section 2-227.1 “Honor Code for Elected and Appointed Town Officials and Town Employees”** – Mayor Daniel Dietch

**AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA AMENDING CHAPTER 2 “ADMINISTRATION” ARTICLE VII “CODE OF ETHICS”; SPECIFICALLY CREATING**

**SECTION 2-227.1 “HONOR CODE FOR ELECTED AND APPOINTED TOWN OFFICIALS AND TOWN EMPLOYEES”; PROVIDING FOR INCLUSION IN THE CODE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.**

Town Clerk Sandra Novoa read the title of the ordinance.

Commissioner Gielchinsky made a motion for discussion. The motion received a second from Commissioner Paul.

Executive Director Joseph Centorino of the Miami-Dade Commission on Ethics gave an overview of public service and the honor code and is pleased that Surfside has adopted the code.

The Mayor gave an update on the Town’s ethics code as to the past and what has been done to provide the Town with a better community. Town Manager Olmedillo said all Town employees will be educated as to what this ordinance means once it is adopted.

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

**5. Resolutions and Proclamations**

**A. Urging the Florida Legislature to Authorize a Tax Exemption for Residential Historic Properties Including Historic Condominium and Cooperative Properties – Commissioner Tina Paul**

**A RESOLUTION OF THE TOWN OF SURFSIDE, FLORIDA URGING THE FLORIDA LEGISLATURE TO AMEND SECTION 196.1961, FLORIDA STATUTES TO AUTHORIZE BY GENERAL LAW A PROPERTY TAX EXEMPTION FOR RESIDENTIAL HISTORIC PROPERTIES INCLUDING HISTORIC CONDOMINIUM AND COOPERATIVE PROPERTIES; DIRECTING THE TOWN CLERK TO TRANSMIT A COPY OF THIS RESOLUTION TO THE GOVERNOR, THE FLORIDA SENATE PRESIDENT, THE FLORIDA HOUSE SPEAKER, THE CHAIR AND MEMBERS OF THE MIAMI-DADE STATE LEGISLATIVE DELEGATION, THE FLORIDA SECRETARY OF STATE, THE EXECUTIVE DIRECTOR OF THE FLORIDA DEPARTMENT OF REVENUE, THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY AND THE FLORIDA LEAGUE OF CITIES, INC.; 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. Commissioner Paul presented the item. The Commission discussed the item and if there would be any fiscal impact.

Public Speaker George Kousoulas spoke on the item and is not in favor as presented and explained his views.

Commissioner Paul made a motion to approve. After passing the gavel, the motion received a second from Mayor Dietch. The motion tied with Mayor Dietch and Commissioner Paul affirmative, Commissioner Karukin and Vice Mayor Cohen in opposition and Commissioner Gielchinsky absent for the vote.

**B. Voluntary Collection Agreement with Airbnb, Inc. – Guillermo Olmedillo, Town Manager**

**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, APPROVING A VOLUNTARY COLLECTION AGREEMENT FOR RESORT TAX BETWEEN AIRBNB, INC. AND THE TOWN OF SURFSIDE; PROVIDING FOR APPROVAL; PROVIDING FOR AUTHORIZATION; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.**

Town Clerk Sandra Novoa read the title of the resolution. Town Manager Olmedillo presented the item.

Commissioner Karukin made a motion to approve. The motion received a second from Commissioner Gielchinsky

Public Speakers:

- Jeffery Platt was not in favor of AIRBNB coming into the Town.
- Deborah Cimadevilla had concerns about residential single family homes and the term length of a lease. She is not in favor.

Town Manager Olmedillo gave further information on short term rentals as they are regulated. Enforcement is sometimes difficult and he explained that AIRBNB can be a benefit to the community. Code Compliance Director Graham gave details on code compliance relating to the item.

After a brief discussion all members of the Town Commission voted in favor.

**C. Supporting the Biscayne Bay Coastal Wetlands Project – Guillermo Olmedillo, Town Manager**

**A RESOLUTION OF THE TOWN OF SURFSIDE, FLORIDA URGING THE U.S. ARMY CORPS OF ENGINEERS, THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION AND THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT TO TAKE ALL STEPS NECESSARY TO EXPEDITE AND COMPLETE THE CONSTRUCTION OF PHASE I OF THE BISCAYNE BAY COASTAL WETLANDS (“BBCW”) PROJECT; FURTHER URGING THE U.S. ARMY CORPS OF ENGINEERS, THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION AND THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT TO TAKE ALL STEPS NECESSARY TO EXPEDITE THE PLANNING OF PHASE II OF THE BBCW PROJECT PRIOR TO THE CURRENT SCHEDULED DATE OF 2021; DIRECTING THE TOWN CLERK TO TRANSMIT A COPY OF THIS RESOLUTION TO THE OFFICIALS STATED HEREIN; PROVIDING FOR AUTHORIZATION AND IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.**

Town Clerk Sandra Novoa read the title of the resolution.

Mayor Dietch thanked the administration for taking on this initiative and recused himself from the vote and he will complete the appropriate form. He passed the gavel to Commissioner Karukin as the Vice Mayor was absent from the dais.

The Commission discussed the item and Assistant Town Attorney Jane Graham and Town Manager Olmedillo gave an update.

Commissioner Paul made a motion to approve the resolution and have Assistant Town Attorney Graham attend the South Florida legislative meeting on Thursday. The motion received a second from Commissioner Gielchinsky and all voted in favor with Mayor Dietch recused from the vote (Form 8B - Memorandum of Voting Conflict was submitted by the Mayor to the Town Clerk).

**D. Municipal Representation on the 2017-18 Florida Constitution Revision Commission – Mayor Daniel Dietch**

**A RESOLUTION OF THE TOWN OF SURFSIDE, FLORIDA URGING THE APPOINTMENT OF MUNICIPAL OFFICIALS TO THE 2017-18 FLORIDA CONSTITUTION REVISION COMMISSION; SUPPORTING THE PROTECTION OF**

**MUNICIPAL HOME RULE; SUPPORTING THE POSITIONS OF THE FLORIDA LEAGUE OF CITIES, INC.; SUPPORTING THE APPOINTMENT OF FLORIDA LEAGUE OF CITIES PRESIDENT, BOCA RATON MAYOR SUSAN HAYNIE TO THE 2017-18 CONSTITUTION REVISION COMMISSION; DIRECTING THE TOWN CLERK TO TRANSMIT A COPY OF THIS RESOLUTION TO THE GOVERNOR, THE FLORIDA SENATE PRESIDENT, THE FLORIDA HOUSE SPEAKER, THE CHAIR AND MEMBERS OF THE MIAMI-DADE COUNTY STATE LEGISLATIVE DELEGATION, THE FLORIDA SECRETARY OF STATE, THE EXECUTIVE DIRECTOR OF THE FLORIDA DEPARTMENT OF REVENUE AND THE FLORIDA LEAGUE OF CITIES, INC.; 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.

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

**E. Big Belly Solar, Inc., Sole Source Lease Agreement – Guillermo Olmedillo, Town Manager**

**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA WAIVING THE BID PROCESS PURSUANT TO SECTION 3-13(6) OF THE TOWN OF SURFSIDE CODE OF ORDINANCES; AUTHORIZING THE TOWN MANAGER TO ENTER INTO A SOLE SOURCE CONNECT SERVICES AGREEMENT WITH BIG BELLY SOLAR, INC. FOR A TERM OF FIVE (5) YEARS EFFECTIVE APRIL 1, 2017 WITH SUBSEQUENT ONE (1) YEAR RENEWAL TERMS FOR THE SERVICE, INCLUDING SOFTWARE, EQUIPMENT, EQUIPMENT DELIVERY, INSTALLATION, CUSTOMER SERVICE AND EQUIPMENT MAINTENANCE, WARRANTY FOR DEFECTIVE PART REPLACEMENT AND REPAIR, SET UP AND TRAINING FOR TWELVE SOLAR TRASH AND RECYCLING COMPACTION CONTAINERS; APPROVING AND AUTHORIZING THE EXPENDITURE OF FUNDS IN THE AMOUNT OF \$15,040 FROM THE FISCAL YEAR 2016/2017 SOLID WASTE FUND, ACCOUNT NO. 403-4000-534-4403; PROVIDING FOR APPROVAL AND AUTHORIZATION; PROVIDING FOR IMPLEMENTATION; PROVIDING FOR AN EFFECTIVE DATE.**

Town Clerk Sandra Novoa read the title of the resolution.

Commissioner Karukin made a motion to approve. The motion received a second from Commissioner Paul. The motion carried 4-1 with Vice Mayor Cohen absent for the vote.

**5. Good and Welfare** – The Mayor opened the public speaking.

Public Speakers:

- Jeffery Platt spoke about service animals on the beach which must be leashed and the Lounge Chair Ordinance enforcement.
- Marianne Meischied spoke about streetlights being out and reported it several times.
- George Kousoulas spoke about the vacancies on Harding Avenue.
- Allan Yarkam spoke about the yellow cab stand on the east side of Collins Avenue and its location.
- Philp Namiecm spoke about Point Lake and docks. He also said he is not in favor of AIRBNB.
- Ashley Gibb spoke about Point Lake and dock and boats in the channel. He also had concerns about a recreational area which is being talked about.
- Daryl Wall who lives on Point Lake spoke about the impact of the dock and boat in the channel. He is against a recreational area.
- Jonathan Horn spoke against the sidewalk issues and a recreational area in Point Lake.
- Paul Carvajal spoke of problems getting through to the lake and the problems that would occur with opening a recreational area.
- Paul Jacobson spoke about what is being proposed for the end of Biscaya Drive regarding a recreational park with kayak launching. He is against the idea as many problems will come with it. He spoke against the installing of sidewalks on their streets.
- Sanjay Kamlani spoke about the recreational park and agrees with the other speakers as to the problems it will bring and is also against the sidewalks.
- Mel Schlessler lives on Biscaya Drive and they are in the process of forming a neighborhood association which may include residents of Point Lake. They would like to work with the City and be informed of any changes they are proposing so the residents can have an input. He asked if a single-family residence community can allow short-term rentals.
- Deborah Cimadevilla spoke about the sidewalk issue.

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

- Commissioner Karukin is opposed to installing sidewalks and was not aware of a recreational park on street ends but agrees with the public comments.
- Commissioner Paul spoke about street end parks and had concerns about the privacy of adjacent residences. She commented on the other concerns addressed by the public.
- Commissioner Gielchinsky spoke about a book he read which deals with changes in cities throughout the years and the tough decisions administrations faced. He stated that we must move forward on enhancing the quality of life for people in our residential area as that is the platform he ran on.
- Vice Mayor Cohen spoke about the street ends and said he would oppose opening it up to everyone and have kayak launches. He also addressed street lighting and traffic.
- Mayor Dietch spoke about the Beach Chair Ordinance, the street lighting problems, vacancies on Harding Avenue, Point Lake and other issues brought forth by the public.

A single-family residence may have a short-term rental but they must be registered with the Town and meet all requirements.

-Town Manager Olmedillo asked that residents keep informed by listening or attending the public meetings and not listen to rumors. Some of the comments regarding street end parks and kayaks were not true.

**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. Review of Surfside Parking Actions** – Guillermo Olmedillo, Town Manager

Town Manager Olmedillo reported on what has been done in the past and gave an update.

Commissioner Karukin believes there is a division among the community on the issue and we should put this up for a referendum in the next scheduled election 2018. Commissioner Paul is in favor of a referendum.

Public Speakers:

-George Kousoulas spoke on the item and suggested various options for the administration to consider.

-Jeffery Platt spoke about the location of a possible garage and thought a vote was taken and the site around the Town Hall Center was approved.

-Clara Diaz-Leal agreed that a site was approved and now changed and is in favor of a referendum.

The Commission discussed the concerns of the public speakers, the traffic problem, parking problem and new retail. Commissioner Gielchinsky is in favor of new retail, office spaces and a parking garage and is in favor of the Abbot Lot. They also discussed the Parking Trust Fund. The Parking Trust Fund and the agreement with the Shul was brought up and Town Attorney Miller said they should not discuss it but they can talk about the Parking Trust Fund. Commissioner Gielchinsky said if the parking spaces are not provided to the Shul within the next two years the monies agreed upon will not be given to the Town.

Passing the gavel, the Mayor made a motion to direct the Town Manager to assess the situation and come back with a set of observations and recommendations. The motion received a second from Commissioner Karukin and all were in favor.

**B. Traffic Mitigation Program** – Guillermo Olmedillo, Town Manager

Commissioner Karukin made a motion to defer the item. The motion received a second from Vice Mayor Cohen.



Commissioner Karukin asked to defer the item for several reasons: it is not in a good format; unable to cross reference; abbreviations; numbering is confusing; other items already under the Police Department. The Mayor responded to his concerns but said we should vote on specific items and give policy direction to the Town Manager. Police Chief Allen spoke on the item and indicated with approval from the Commission he can go forward on several items.

Commissioner Karukin withdrew the motion to defer.

Public Speakers:

-Deborah Cimadevilla gave an update on the subject and the recommendations from the Committee.

-Clara Diaz-Leal Parker spoke about safety issues in the residential district. Commissioner Gielchinsky made a motion to allow Ms. Parker an extra minute to speak. The motion received a second from Commissioner Karukin.

After discussion, the Commission made the following motions.

Commissioner Karukin made a motion to allow the Police Department to use their discretion for items 1; 2; 3; 4; 7; 8; 10; 13; 16. The motion received a second from Commissioner Paul and all voted in favor.

Commissioner Karukin made a motion to direct administration to raise the issues (items 9; 12; 14; 15; 17; 18) with the FL Dept. of Traffic in Friday's meeting and report back in February 2017. Passing the gavel, the motion received a second from Mayor Dietch and all voted in favor.

Commissioner Karukin made a motion to extend the meeting an additional 30 minutes. The motion received a second from Commissioner Gielchinsky and all voted in favor.

Commissioner Gielchinsky made a motion against revisiting Item 5. The motion received a second from Commissioner Karukin. The motion carried 3-1 with Commissioner Paul voting in opposition and Mayor Dietch recused from the vote.

Commissioner Gielchinsky made a motion to go ahead with studying Item 6. The motion received a second from Commissioner Karukin and all voted in favor with Mayor Dietch recused from the vote.

Commissioner Karukin made a motion to not move forward with Item 11. The motion received a second from Commissioner Paul. The motion failed 2-3 with Commissioner Gielchinsky, Vice Mayor Cohen and Mayor Dietch voting against.

Commissioner Gielchinsky made a motion to continue to evaluate pedestrian safety options in the single-family home districts. The motion received a second from Vice Mayor Cohen. Mayor Dietch made an amendment to continue to evaluate pedestrian

safety options in Surfside. The amendment was accepted by Commissioner Gielchinsky and Vice Mayor Cohen and all voted in favor.

Commissioner Paul made a motion to identify vehicle hot spots in the Town of Surfside. The motion received a second from Commissioner Gielchinsky and all voted in favor.

Commissioner Paul made a motion to extend the meeting an additional 30 minutes. The motion received a second from Commissioner Gielchinsky and the motion carried 4-1 with Vice Mayor Cohen voting in opposition.

Passing the gavel, the Mayor made a motion to evaluate 91<sup>st</sup> Street improvements. The motion received a second from Vice Mayor Cohen and all voted in favor.

**C. Fund Balance Policies – Mayor Daniel Dietch**

Commissioner Karukin made a motion to direct the Town Manager to develop policies for all fund balances. The motion received a second from Vice Mayor Cohen and all voted in favor.

**D. Piano's on Parade – Mayor Daniel Dietch**

Mayor Dietch presented the item.

Commissioner Paul made a motion to direct the Town Manager to consider Piano's on Parade, work out the details and report back to the Commission. The motion received a second from Commissioner Karukin and all voted in favor.

**E. Proposed Ballot Item for November 2017 – Commissioner Michael Karukin**

Commissioner Karukin made a motion to remove the item from the agenda and will bring it back at a future date. The motion received a second from Commissioner Paul and all voted in favor.

**F. Additional Zoning In Progress – Regulating Medical Marijuana Facilities – Guillermo Olmedillo, Town Manager (Linked to 4A1)**

Town Manager Olmedillo spoke briefly on the item.

Commissioner Karukin made a motion to direct the Town Clerk to publish an additional notice of zoning in progress as provided in the description of Item 9F. The motion received a second from Commissioner Paul and all voted in favor.

The Mayor spoke about beach renourishment and the Town Manager said an update will be given at the February 16, 2017 meeting. Commissioner Paul was thanked for her efforts regarding historic preservation and encouraged to continue to do so.

**10. Adjournment**

The meeting adjourned at 11:46 p.m.

Respectfully submitted,

Accepted this \_\_\_\_ day of \_\_\_\_\_, 2017

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

Attest:

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



**Town of Surfside  
Special Town Commission Meeting  
Quasi-Judicial Hearing  
MINUTES**

**January 19, 2017**

**5 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 5:04 P.M

**B. Roll Call of Members**

Town Clerk Sandra Novoa called the roll with the following members present: Mayor Daniel Dietch, Commissioner Tina Paul, Commissioner Michael Karukin, and Commissioner Daniel Gielchinsky. Vice Mayor Barry Cohen was absent.

**C. Pledge of Allegiance**

Police Chief Allen led the Pledge of Allegiance

**2. Quasi-Judicial Hearings**

**A. ASRR Suzer 8955 LLC – 8955 Collins Avenue, 8926 Collins Avenue and 8943 Harding Avenue – Guillermo Olmedillo, Town Manager**

**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, APPROVING A SITE PLAN APPLICATION, PURSUANT TO SECTION 90-41 ET SEQ. OF THE ZONING CODE TO PERMIT THE DEVELOPMENT OF PROPERTY LOCATED ON THE EAST AND WEST SIDES OF COLLINS AVENUE WITH THE ADDRESSES OF 8955 COLLINS AVENUE AND 8926 COLLINS AVENUE AND 8943 HARDING AVENUE FOR 16 CONDOMINIUM UNITS AND A PARKING STRUCTURE AND RECREATIONAL AMENITIES WITH CONDITIONS OF APPROVAL; PROVIDING FOR A SEVERABILITY CLAUSE AND PROVIDING FOR AN EFFECTIVE DATE.**

Town Clerk Sandra Novoa read the title of the resolution.

Mayor Dietch explained the quasi-judicial process and the duties of the Commission.

Town Clerk Sandra Novoa confirmed that compliance with advertising notice requirements have been met.

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

Commissioner Paul said she had met with attorney Mr. McDowell and reviewed the site plan. She also had conversations with Norma Parron a neighbor of the building who expressed her concerns to the Commissioner. Mr. McDowell asked Commissioner Paul if there were others to contact and she suggested contacting Deborah Cimadevilla for additional names of those who may have an interest. Commissioner Karukin said he had contact with the applicant. Commissioner Gielchinsky had met with Mr. McDowell in November and once again with him and the applicant to review the aspects of the plan. Mayor Dietch had met with the applicant as well as others affiliated on the developer's side. He has also spoken to many residents and was also asked if there was anyone to be contacted and he suggested Ms. Cimadevilla, Ms. Parron and Judge Blumstein.

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

The Mayor reminded everyone that all lobbyists must register with the Town Clerk before they speak.

Town Planner Sarah Sinatra presented the item. Staff is recommending approval and said the Planning and Zoning Board also is recommending approval.

Vice Mayor Cohen arrived at 5:19 p.m. For purposes of disclosure, Vice Mayor Cohen said he had spoken to Mr. McDowell at his office and they spoke about the project.

Mr. McDowell gave an update on the proposed project and said his team was here at the meeting to answer any questions. He said they had proffered \$160,000 and for the record, they are now proffering an additional \$10,000 toward a regional recreational facility. Architect Kobi Karp gave a detailed visual presentation of the project.

Addressing parking concerns, Mr. McDowell said that all of their construction workers will be parking outside of the town. They will also be wearing a colored identifiable tee shirt. There will also be public access to the beach.

The Mayor opened the public hearing.

Public Speakers:

-Craig Blomquist who lives adjacent to the proposed project has met with developers and they are still working out some concerns.

-Beshoy Risk, representing the Mirage condo, agrees with Mr. Blomquist that the developers are trying to be good neighbors and they are still solving some issues. For the record, they do not oppose the site plan but do have some concerns. Mark Feldman addressed some of the concerns presented.

-George Lopez supports the project and has reached out to the developer and they have been open working with him to iron out any concerns.

-Judge Blumstein, former Town Commissioner, is an owner in Surfside Villas condos (whose brother is President of the condo association) has been in contact with Mr. McDowell expressing some issues. For the record, he indicated the concerns they have. Commissioner Gielchinsky made a motion to extend an additional two minutes to Judge Blumstein. The motion received a second from Commissioner Paul and all voted in favor.

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

The Commission discussed the project and Mr. McDowell and Mr. Karp answered their questions and concerns.

Commissioner Paul made a motion to allow another public speaker. The motion received a second from Commissioner Gielchinsky and all voted in favor.

Public Speaker Pablo Clausell was sworn in by the Town Clerk. Mr. Clausell spoke about the design of the project and air flow.

Commissioner Paul had concerns about the tennis court and stray balls that could fly out. She would like a condition that if something goes wrong they can re-visit the item.

Commissioner Gielchinsky had questions about the valet operations plan. The applicant gave details regarding cutting across lanes. Commissioner Gielchinsky suggested a condition be added that the valet operations plan be used as a tool to train staff. The applicant agreed to the valet training and Mayor Dietch suggested a condition that this plan can be revocable if accidents happen due to cutting across lanes.

Commissioner Karukin had questions about the traffic routing plan and if they were in communication with DOT. The applicant and traffic engineer responded to Commissioner Karukin's concerns especially on Harding. Commissioner Karukin also had questions about infrastructure and Town Manager Olmedillo responded. Commissioner Karukin asked about the spacing between the two buildings and the response (from someone in the audience) was ten feet. Town Planner Sinatra confirmed that ten feet was within that zoning code.

Commissioner Paul had some revisions and strike-outs in the language of the contract.

Vice Mayor Cohen made a motion to approve. The motion received a second from Commissioner Gielchinsky subject to discussion. After discussion, Vice Mayor Cohen and Commissioner Gielchinsky accepted the amendments discussed by the Commission and all voted in favor.

Commissioner Paul made a motion to recess and reconvene at 7:30 p.m. The motion received a second from Commissioner Gielchinsky and all voted in favor with Commissioner Karukin absent from the dais.

Mayor Dietch reconvened the meeting and called to order at 7:37 p.m.

Town Clerk Sandra Novoa called the roll with the following members present: Mayor Daniel Dietch, Commissioner Tina Paul, Commissioner Michael Karukin, Commissioner Daniel Gielchinsky, and Vice Mayor Barry Cohen.

**3. Caton Realty Holdings, LLC – 9300-9380 Collins Avenue – Guillermo Olmedillo, Town Manager**

**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, APPROVING A SITE PLAN TO PERMIT THE DEVELOPMENT OF PROPERTY LOCATED ON THE WEST SIDE OF COLLINS AVENUE BETWEEN 93RD STREET AND 94TH STREET WITH THE ADDRESSES OF 9300-9380 COLLINS AVENUE FOR 68 TOWNHOUSE UNITS WITH CONDITIONS OF APPROVAL; PROVIDING FOR A SEVERABILITY CLAUSE AND PROVIDING FOR AN EFFECTIVE DATE.**

Town Clerk Sandra Novoa read the title of the resolution.

The Mayor reminded everyone that all lobbyists must register with the Town Clerk before they speak.

Mayor Dietch explained the quasi-judicial process and the duties of the Commission.

Town Clerk Sandra Novoa confirmed that compliance with advertising notice requirements have been met.

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

Commissioner Paul said she had met with the O'Hagan's and has been to their property and listened to what they had to say. She was not contacted by the applicant.

Commissioner Karukin said he had email communications from the owners of the properties adjacent to the applicant and had a brief conversation with the applicant. Commissioner Gielchinsky had emails from the Fowley's which he submitted to the town clerk, and spoke briefly with Mr. Kasdin about his client's plans. Vice Mayor Cohen met with Mr. Kasdin and a member of the development team and talked about the project. Mayor Dietch has met with and received email communications from the O'Hagan's and the Fowley's. He has had communications with Mr. Kasdin.

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

Town Planner Sarah Sinatra presented the item. Staff is recommending approval and said the Planning and Zoning Board is recommending approval with conditions.

Applicant Neisen Kasdin gave a visual presentation. A presentation was also given by a climate control expert and the architect.

The Mayor opened the public hearing.

Public Speakers:

-Pamela O'Hagan asked for additional speaking time. Commissioner Karukin made a motion to allow Ms. O'Hagan 4 minutes to speak. The motion received a second from Commissioner Paul and all voted in favor. Ms. O'Hagan said the two adjacent houses were ignored by the plan developers and not included in renderings submitted to Planning and Zoning. She had issues with the lack of air flow from ocean breezes that will occur. Commissioner Gielchinsky asked Ms. O'Hagan if she knew of any law that will allow them to deny the application due to her concern about air gap.

-Pamela O'Hagan confirmed that she will be speaking on behalf of Denyse and Don Fowley as they could not attend this evening. Ms. O'Hagan read a statement from the Fowley's with their concerns.

-Asi Cymbal spoke in support of the project.

-Pablo Clausell thanked the Commission for their service to the town. He spoke in support of the O'Hagan's. Commissioner Paul made a motion to allow Mr. Clausell additional speaking time. The motion received a second from Commissioner Karukin and all voted in favor.

-Miguel Fernandez although in favor of the project has concerns about damage that may occur to his condo as they have been through this before when there was construction on the other side of the condo.

Commissioner Karukin made a motion to extend one minute speaking time for Mr. Fernandez. The motion received a second from Commissioner Paul and all voted in favor.

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

Mr. Kasdin addressed some of the concerns brought forth by the public speakers.

Commissioner Gielchinsky made a motion to approve subject to further discussion. The motion received a second from Vice Mayor Cohen.

Town Planner Sarah Sinatra answered questions from the Commission and said that density means the number of units. Commissioner Paul showed the amount of density in a graph and square footage and the impact on single family homes. Commissioner Gielchinsky spoke about the voluntary proffer and suggested an increase. The applicant agreed to increase the proffer.

Commissioner Paul spoke about parking spaces as in the rendering the municipal lots look like they are part of the building and private. She would also like to see gaps in the building for better air flow.

Vice Mayor Cohen spoke about height limits and the twelve-story limit.

Commissioner Karukin asked about traffic analysis and any impact. The town's traffic engineer concurred with Mr. Kasdin that there would be a reduction in traffic. Commissioner Karukin also had a concern about the adjacent wall and infrastructure



impact on the town. Mr. Kasdin and his team addressed some of the concerns and questions by the Commission.

For clarification Mayor Dietch went over some of the conditions posed by the neighbors and a letter from Ms. Fowley listing them. He provided a copy for the applicant. The applicant said he had not seen this letter and it was not part of his submission but will review it. Mayor Dietch reiterated that he had met with the applicant in Town Hall and went over the specific conditions. The Mayor asked that they try to work in good faith to come to an agreement as these issues are between the applicant and its neighbors. The applicant said they will draw up an agreement with conditions for the neighbors.

Some other issues discussed were sidewalk pavers, chain link fence, parking for construction workers, and proffers.

Commissioner Gielchinsky restated all the amendments to be made and the applicant concurred.

Commissioner Gielchinsky made a motion to extend the meeting an additional fifteen minutes. The motion received a second from Commissioner Karukin and all voted in favor.

After discussion, Commissioner Gielchinsky made a motion to approve with the amendments stated. The motion received a second from Vice Mayor Cohen who adopted the changes. The motion carried 3-2 with Commissioner Karukin and Commissioner Paul voting in opposition.

### 3. Adjournment

The meeting adjourned at 11:00 p.m.

Respectfully submitted,

Accepted this \_\_\_\_\_ day of \_\_\_\_\_, 2017

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

Attest:

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

**TOWN OF SURFSIDE, FLORIDA  
MONTHLY BUDGET TO ACTUAL SUMMARY  
FISCAL YEAR 2016/2017**

AS OF

November 30, 2016

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

Agenda Item #

Page

1 of 3

Agenda Date: February 16, 2017

GOVERNMENTAL FUNDS	ACTUAL	ANNUAL BUDGETED	% BUDGET
<b>GENERAL FUND</b>			
REVENUE	\$2,097,385	\$13,172,193	16%
EXPENDITURES	2,272,499	\$13,172,193	17%
Net Change in Fund Balance	(175,114)		
Fund Balance-September 30, 2016 (Unaudited)	7,180,308 <sup>A</sup>		
Fund Balance-November 30, 2016 (Reserves)	<u>\$ 7,005,194</u>		
<b>RESORT TAX (TEDAC SHARE)</b>			
REVENUE	\$ 80,874 <sup>B</sup>	\$735,031	11%
EXPENDITURES	93,584	\$735,031	13%
Net Change in Fund Balance	(12,710)		
Fund Balance-September 30, 2016 (Unaudited)	352,737		
Fund Balance-November 30, 2016 (Reserves)	<u>\$ 340,027</u>		
<b>POLICE FORFEITURE/CONFISCATION</b>			
REVENUE	\$ -	\$50,592	0%
EXPENDITURES	5,775	\$50,592	11%
Net Change in Fund Balance	\$ (5,775)		
Fund Balance-September 30, 2016 (Unaudited)	142,253		
Fund Balance-November 30, 2016 (Reserves)	<u>\$ 136,478</u>		
<b>TRANSPORTATION SURTAX</b>			
REVENUE	\$ 32,000	\$281,330	11%
EXPENDITURES	20,662	\$281,330	7%
Net Change in Fund Balance	11,338		
Fund Balance-September 30, 2016 (Unaudited)	355,467		
Fund Balance-November 30, 2016 (Reserves)	<u>\$ 366,805</u>		
<b>BUILDING FUND</b>			
REVENUE	\$ 791,027	\$1,056,688	75%
EXPENDITURES	126,444	\$1,056,688	12%
Net Change in Fund Balance	664,583		
Fund Balance-September 30, 2016 (Unaudited)	0		
Fund Balance-November 30, 2016 (Reserves)	<u>\$ 664,583</u>		
<b>CAPITAL PROJECTS</b>			
REVENUE	\$ -	\$100,000	0%
EXPENDITURES	13,840	\$100,000	14%
Net Change in Fund Balance	(13,840)		
Fund Balance-September 30, 2016 (Unaudited)	1,145,331		
Fund Balance-November 30, 2016 (Reserves)	<u>\$ 1,131,491</u>		

**NOTES:**

\* Many revenues for November 2016 are received in subsequent months (timing difference) and are recorded on a cash basis in the month received.

- A. Includes \$2,000,000 available for hurricane/emergencies. Includes \$193,439 of Prepaid Expenses. The balance of \$4,986,869 is unassigned fund balance (reserves).
- B. Resort Tax Revenues total collected through November 2016 is \$232,236 (\$80,874 is the TEDAC and \$151,362 is the General Fund).

ENTERPRISE FUNDS	ACTUAL	ANNUAL BUDGETED	% BUDGET
<b>WATER &amp; SEWER</b>			
REVENUE	\$ 516,240	\$3,359,624	15%
EXPENDITURES	360,395	\$3,359,624	11%
Change in Net Position	155,845		
Unrestricted Net Position-September 30, 2016 (Unaudited)	(343,525)		
Restricted Net Position	1,765,319 C1		
Unrestricted Net Position-November 30, 2016 (Reserves)	<u>\$ 1,577,639 C2</u>		
<b>MUNICIPAL PARKING</b>			
REVENUE	\$ 161,729	\$1,576,119	10%
EXPENDITURES	454,823	\$1,576,119	29%
Change in Net Position	(293,094)		
Unrestricted Net Position-September 30, 2016 (Unaudited)	1,280,874		
Unrestricted Net Position-November 30, 2016 (Reserves)	<u>\$ 987,780</u>		
<b>SOLID WASTE</b>			
REVENUE	\$ 362,455	\$1,746,554	21%
EXPENDITURES	205,233	\$1,746,554	12%
Change in Net Position	157,222		
Unrestricted Net Position-September 30, 2016 (Unaudited)	226,765		
Unrestricted Net Position-November 30, 2016 (Reserves)	<u>\$ 383,987</u>		
<b>STORMWATER</b>			
REVENUE	\$ 84,310	\$684,143	12%
EXPENDITURES	30,536	\$684,143	4%
Change in Net Position	53,774		
Unrestricted Net Position-September 30, 2016 (Unaudited)	4,081,062		
Restricted Net Position	347,140 C3		
Unrestricted Net Position-November 30, 2016 (Reserves)	<u>\$ 4,481,976</u>		

**NOTES:(con't)**

C1. The Restricted Net Position of \$1,765,319 includes \$1,522,319 for renewal and replacement, and \$243,000 for State Revolving Loan reserves.

C2. The reserves balance of \$1,577,639 is the result of a change in current net position as of November 2016 of \$155,845 net position as of September 30, 2016 of (\$343,525) includes Restricted Net Position of \$1,765,319.

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



Donald G. Nelson, Finance Director



Guillermo Olmedillo, Town Manager

**Town of Surfside  
Fund Balance (Reserves)  
November 30, 2016**

FUND	9/30/2014	9/30/2015	9/30/2016	November 30, 2016
General	\$ 6,366,391	\$ 5,905,726	\$ 7,180,308	\$ 7,005,194
Resort Tax	180,297	339,396	352,737	340,027
Police Forfeiture	159,626	113,431	142,253	136,478
Transportation Surtax	396,740	440,662	355,467	366,805
Building	-	-	-	664,583
Capital	849,445	182,903	1,145,331	1,131,491
Water & Sewer	(3,501,884)	(2,705,871)	(343,525)	1,577,639
Parking	1,000,355	1,089,165	1,280,874	987,780
Solid Waste	116,662	340,391	226,765	383,987
Stormwater	3,838,412	4,051,768	4,081,062	4,481,976
<b>Total</b>	<b>\$ 9,406,044</b>	<b>\$ 9,757,571</b>	<b>\$ 14,421,272</b>	<b>\$ 17,075,960</b>



**TOWN MANAGER'S REPORT  
FEBRUARY 2017**

**COMMUNITY PROGRAMS / INITIATIVES / ENHANCEMENTS**

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

2. **PAMM**

Surfside was selected, as one of six communities out of seventeen, to host reproductions of Perez Art Museum Miami's collection as part of their PAMM Inside/Out initiative funded by the Knight Foundation. This summer fifteen works will be temporarily installed at the beach street ends for approximately three months. PAMM will also be working with the Parks & Recreation Department on the possibility of incorporating an arts program into the Town's Summer Camp schedule and include a visit to the museum. More information will accompany a Memorandum of Understanding at an upcoming Town Commission meeting.

3. **Development Application Status**

- A. 9116 Harding – A site plan application for a 4 unit townhouse development has been received. A Development Review meeting was held November 2, 2016. Comments were provided and corrections were required. The plans were resubmitted and the second DRG was held on February 7, 2017. A DIC meeting has not been scheduled at this time.
- B. 228 89<sup>th</sup> Street – Casa de Jesus – a Special Exception application has been submitted related to an afterschool program. A Development Review meeting was held on December 6, 2016. Comments were provided and corrections were required. The plans were resubmitted and a DIC meeting was held on February 7, 2017. The item will be scheduled for a future Planning & Zoning Board meeting.
- C. 8851 Harding Avenue – a 25 unit condominium development was submitted in January 2015. A Development Review meeting was held on January 22, 2016. The applicant resubmitted the plan on August 1, 2016 and a second Development Review meeting was held on August 18, 2016. Comments were provided and corrections were required. The applicant resubmitted the plans and comments were provided on January 26, 2017. A DIC meeting will be scheduled in the future.
- D. Surf Club II – A site plan application was submitted on August 12, 2015. The Development Review Group (DRG) meeting was held on September 4, 2015. A second DRG meeting was held on April 18, 2016. The plans were resubmitted on June 13, 2016 and DIC was held on July 27, 2016. The application was heard by Planning and Zoning on August 25, 2016. The applicant has revised the request and resubmitted the plans. The DRG meeting will be held on February 13, 2017.

## **TOWN DEPARTMENTS**

### **4. Building Department**

The Building Department has maintained an excellent scoring of 3 in its bi-annual Building Code Effectiveness Grading Schedule. This is a result of a daily team effort to maintain the proper procedures and coordinate between ever-shifting conditions in construction with said proper procedures as provided for in our Building Codes and State Statutes. The Building and Code Teams are commended for their care and efforts in this daily endeavor.

### **5. Code Compliance Cases**

A. Code Violation Cases: As of January 31, 2017, the total number of active, open cases being managed is 144; of these cases, 60 cases are still under investigation and are working towards compliance, 9 cases are on-hold, 33 are in the Special Master hearing queue; 12 cases are in post-Special Magistrate action status, and 30 cases have been liened and remain unpaid. Properties with unpaid liens are sent letters on a quarterly basis.

B. Collected Civil Penalty Fines: 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, resolved 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 of the fine amounts collected:

FY 16/17: 43 cases have paid/settled through January 31, 2017 for a total of \$13,827

FY 15/16: 152 cases paid/settled for a total of \$137,282

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

## **Finance**

### **6. Fund Balance Reserve Policy**

At the January 10, 2017 meeting, the Town Commission requested that a fund balance reserve policy be established for the Enterprise Funds of the Town. The Town has four (4) Enterprise Funds known as Business-type Activities that include Water and Sewer, Municipal Parking, Sanitation and Stormwater Utility. A policy for establishing and funding the reserve accounts of these Enterprise Funds that are Restricted for Renewal and Replacement and Restricted for Loan Reserve will be included in the Five Year Financial Forecast with the annual funding of these reserve accounts to be considered in the 2017-18 Annual Budget. The funding of reserves in the Enterprise Funds are components of the fee structure in addition to the amount charged to recover the cost of the services. This will be discussed during the 2017-18 Budget process with the Town Commission.

## **Police Department**

### **7. January 2017 Significant Incidents/Arrests**

- Grand Theft Arrest- 1/04/2017: 9575 Harding Avenue. The subject was arrested for stealing \$532.00 of merchandise from a store on 11/20/2016.
- D.U.I. Arrest – 01/07/2017: 200 block of 91<sup>st</sup> Street. The subject was arrested for D.U.I.
- Felony Warrant Arrest – 1/17/2017: 95th Street and Abbott Avenue. The subject had an open warrant from Broward County reference Grand Theft and was arrested.
- Grand Theft Arrest – 1/18/17: 77<sup>th</sup> Street and Collins Avenue. Two subjects stole \$1,059.62 of cosmetics from CVS on 1/12/17. One subject was arrested in Miami Beach on 1/12/17 on unrelated charges and Surfside detectives added the Grand Theft charge. The second subject was identified and arrested on 1/18/17.

### **8. LEO Awards Finalist**

Parking Operations Manager Elinor Joseph has been selected as a finalist for the annual Miami-Dade County LEO Support Services Award. The winner will be chosen on March 18 at the awards ceremony at Parrot Jungle. Joseph is a worthy candidate for this award.

### **9. Officer/Civilian of the Year**

Sergeant Marian Cruz was selected as the 2016 Officer of the Year and Executive Assistant to the Chief Dina Goldstein was selected as the 2016 Civilian of the Year. An awards ceremony and luncheon was held on February 8, 2017.

### **10. Dolphins Cancer Challenge**

The Dolphins Cancer Challenge (DCC), formerly known as the Dolphins Cycling Challenge, was launched in 2010 as the signature initiative of the Miami Dolphins Foundation. The DCC is a way the community can be cancer fighters and 100% of the participant-raised funds goes to innovative cancer research at the Sylvester Cancer Center. Since 2010, the DCC has raised over \$16.5 million dollars.

The event took place on February 11<sup>th</sup> from 8:30 a.m. – 11:30 a.m. Sergeant Alberto coordinated the event, supervised the officers on the traffic posts and developed the action plan. Approximately 850 bicycle riders traveled through Surfside over a period of three hours.

### **11. Police Events**

- The Miami-Dade Police Department began a new initiative for law enforcement agencies to share their experiences in using social media. The North Miami Police Department hosted a meeting on February 1, 2017 at 10:00 a.m. Sergeant Cruz represented the Surfside Police Department.
- The Surfside Police Department hosted a Mobile Department of Motor Vehicles event for residents to apply for and renew their driver's licenses on February 16 from 9:30 a.m. to 2:00 p.m. in the Commission Chambers.

- The monthly Bike with the Chief is February 22, 2017 at Town Hall at 5:00 p.m.
- Coffee with the Cops is February 24, 2017 at Starbucks at 10:00 a.m.

## **PROJECTS PROGRESS UPDATES**

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

- IT provided PO to AVI (vendor) for various upgrades to the CH 77 Broadcast system -2/2017
- IT will attend a conference for SeeClickFix - 2/2017
- IT upgraded AVLS Map for the Police GPS -2//2017
- IT will complete the upgrade to Microsoft Exchange -3/2017
- IT has placed the order for the new Firewall -3/2017

Respectfully submitted:



Guillermo Olmedillo, Town Manager



# Town of Surfside, FL

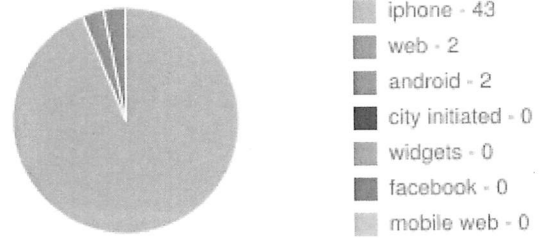
## Between Jan 01, 2017 and Jan 31, 2017

47 issues were opened

23 issues were closed

The average time to close was 5.0 days.

Issues by Source



SERVICE REQUEST TYPE	OPENED	CLOSED	DAYS TO CLOSE
Beach Issue	9	6	0.1
Other	9	4	1.3
Street lights (PW)	7	2	0.8
Utilities (Water/Sewer) (PW)	6	3	0.1
Parking Issue	4	3	1.3
Code Compliance (Violation)	5	0	0.0
Construction Issues	2	3	34.5
Solid Waste (Residential) (PW)	2	2	0.7
Dead Animal	1	0	0.0
Beach Patrol	1	0	0.0
Code Compliance (Safety Concern)	1	0	0.0
96 Street Park (P & R)	0	0	0.0
Barking Dog	0	0	0.0
Community Center (P & R)	0	0	0.0
Dog Stations (P & R)	0	0	0.0
Drainage/Flooding (PW)	0	0	0.0
Graffiti (in park) (P & R)	0	0	0.0
Graffiti (PW)	0	0	0.0
Hawthorne Tot-Lot (P & R)	0	0	0.0
Police (Safety Concern)	0	0	0.0

Pothole (PW)	0	0	0.0
Solid Waste (Commercial) (PW)	0	0	0.0
Surfside Dog Park (P & R)	0	0	0.0
Veterans Park (P & R)	0	0	0.0

# Town of Surfside, FL

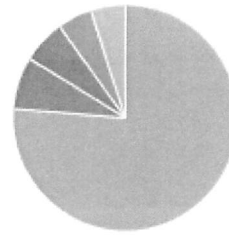
## Between Feb 14, 2014 and Jan 31, 2017

564 issues were opened

529 issues were closed

The average time to close was 28.0 days.

Issues by Source




SERVICE REQUEST TYPE	OPENED	CLOSED	DAYS TO CLOSE
Other	153	143	17.6
Beach Issue	74	71	11.0
Parking Issue	53	52	2.6
Police (Safety Concern)	62	62	8.5
Code Compliance (Violation)	46	41	59.5
Street lights (PW)	35	28	202.3
Code Compliance (Safety Concern)	28	27	65.9
Utilities (Water/Sewer) (PW)	16	12	0.6
Construction Issues	15	15	11.2
Barking Dog	12	12	20.0
Dog Stations (P & R)	12	12	5.7
Drainage/Flooding (PW)	12	12	23.4
Surfside Dog Park (P & R)	8	8	1.1
96 Street Park (P & R)	8	8	4.0
Solid Waste (Residential) (PW)	8	7	9.2
Pothole (PW)	5	4	5.6
Hawthorne Tot-Lot (P & R)	4	4	5.2
Community Center (P & R)	3	3	0.1
Graffiti (PW)	3	3	25.2

Beach Patrol	3	2	0.0
Dead Animal	2	1	0.1
Solid Waste (Commercial) (PW)	2	2	0.1
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:** February 16, 2017

**SUBJECT:** Office of the Town Attorney Report for February 16, 2017

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

January 18, 2017 – Special Master Hearing

January 19, 2017 – Quasi-judicial Hearings:

A. 8955 and 8926 Collins Avenue

B. 9300 and 9380 Collins Avenue

January 26, 2017 – Design Review Board and Planning and Zoning Board Meeting

February 6, 2017 – Tourist Board Meeting

February 7, 2017 – Development Impact Committee Meeting – Casa de Jesus

February 15, 2017 – Special Master Hearing

February 16, 2017 – Town Commission Meeting

**Ordinances for Second Reading:**

- Temporary Moratorium on Cannabis Dispensing Businesses

- Amending Chapter 2 “Administration” Article VII “Code of Ethics”; specifically creating Section 2-227.1 “Honor Code for Elected and Appointed Town Officials and Town Employees”

**Resolutions prepared and reviewed:**

- To procure eight (8) additional pay stations to replace forty-eight single space meters
- Supporting Foreign Offshore Sand in Beach Nourishment Projects
- CGA Work Authorization No. 100 to perform Information Technology, Website Hosting and Multimedia Services
- Supporting the Implementation of Active Design Miami: Design and Policy Strategies for Healthier Communities as Developed by The Miami Center for Architecture and Design
- Amend FY 2016/17 Budget for Resort Tax Reserves for First Fridays Event Series

**Town Commission/Town Manager/Town Clerk:**

- Research dune management and the coastal construction control line program
- Review requirements for lobbyist registration
- Continued comparative analysis of proposed legislation in different municipalities and states on cannabis dispensing business regulations
- Review 2017 Legislative Priorities
- Process for municipalities and Special Taxing Districts re: Miami-Dade Charter Amendment
- Comparative analysis of different municipalities’ policies on Service of Process

**Human Resources:**

- Ethics Training

**January 26, 2017 - Sustainability Subcommittee Meeting (cancelled for lack of quorum)**

- Shore Management Plan
- Sustainability Management Requirements – (LEED)
- Adjusting height for sea level rise
- Infrastructure protection
- Underground utilities feasibility

**January 26, 2017 Design Review Board and Planning and Zoning Meeting:**

**Design Review Board Applications:**

- A. 9169 Dickens Avenue - to add a 292 square foot rear addition and trellis to the existing single family house.
- B. 9528 Bay Drive - the construction of an additional garage and a gate in the front of a single-family residence.
- C. 924 88<sup>th</sup> Street - the construction of a new two story single family residence.

**Planning and Zoning Board:**

**Discussion Items:**

- A. Active Design Miami Policies
- B. Architecturally Significant properties in H30C and H40
- C. Future agenda items

**Building Department/Code Enforcement:**

- Follow up with Code Enforcement for ongoing settlement of cases
- Research law regarding collection of building fees

**Tourist Board:**

- Research use of Resort Tax and process to amend the budget for Resort Tax Reserves for First Fridays Event Series
- Review MOU Agreement with Perez Art Museum Miami
- Follow-up Deco Bike meeting and review of renewal terms

**Finance Department:**

- Amend FY 2016/17 Budget for Resort Tax Reserves
- Preparation of Addendum for (“CGA”) to render Additional Services as set forth in CGA Work Authorization No. 100 to Perform Information Technology, Website Hosting and Multimedia Services
- Research and prepare Resolution for amending the Town’s budget for Fiscal Year 2016/2017 from the Municipal Parking Fund, Machinery And Equipment for 8 additional parking pay stations and prepare Addendum to Agreement with Harrington Resources Inc., dba Parker Systems dated November 9, 2016

**Police Department:**

- Contacted Miami-Dade County Attorney's Office transportation attorney on traffic calming and Internet based navigation apps

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

1. Claimant alleges a false arrest on June 1, 2014. FMIT is investigating this claim.
2. Claimant, Barry Rosenblum alleges an unlawful detention on May 19, 2016. FMIT is investigating this claim.
3. 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. Mr. Bakker has filed a reply. The Town, Young Israel and Mr. Bakker filed a request for Oral Argument. To date, oral argument has not been scheduled.
4. 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 stayed the case



during the pendency of an appeal and heard oral argument on June 14, 2016. The Eleventh Circuit dismissed the appeal for lack of jurisdiction on August 31, 2016. Defendants filed a motion for rehearing and motion for rehearing en banc in the Eleventh Circuit which was denied on November 4, 2016. The case has been remanded to the United States District Court for the Southern District of Florida, where the parties filed a joint motion to stay further proceedings until related cases are concluded within Florida Courts.

5. 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.
6. Sasha Elias, minor by and through her Guardian, Yanina Elias, as her Mother v. Miami-Dade County and Town of Surfside - Case No. 2017-000519-CA-01. On June 25, 2014, Plaintiff 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. Discovery is ongoing.

**Special Matters**: Continued monitoring of new case law and legislation from Federal, State and County and participate and attend the following meetings/seminars:

- January 25, 2017 – Miami-Dade County Commission on Ethics and the Public Trust - Municipal Ethics Officer Meeting
- February 2, 2017 – Miami-Dade County Commission on Ethics and Public Trust, “Municipal Policing: Keeping the Law Within the Law”
- February 3, 2017 – Florida League of Cities webinar: “Medical Marijuana - LIVE Q&A”



**TOWN OF SURFSIDE  
PENSION BOARD MEETING**

**Tuesday, November 1, 2016 – 2:00 p.m.**

9293 Harding Avenue - Town Hall – Commission Chamber

**MINUTES**

**Pension Board Members**

Guillermo Olmedillo  
Sgt. Julio E. Torres  
N. Abraham Issa  
Yamileth “Yami” Slate-McCloud  
Staci K. Shanahan

**Town of Surfside Consultants**

Burgess Chambers, Burgess Chambers & Associates  
Grant McMurry, Highland Capital Management  
Larry Wilson, Gabriel, Roeder, Smith & Company  
Robert Klausner, Esq, Klausner & Kaufman  
Donald Nelson, Finance Director  
Mayte Gamiotea, Third Party Administrator  
Frantza Duval, Recording Clerk

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

The meeting was called to order by Chair, Abraham Issa at 2:08pm

All of the above noted Pension Board members were present with the exception of Julio Torres who was absent.

Also in attendance were Frank Wan on behalf of Burgess Chambers, Grant McMurry from Highland Capital Management, Adam Levinson of Klausner & Kaufman, Donald Nelson, Finance Director for the Town of Surfside, Mayte Gamiotea, Third Party Administrator, and Frantza Duval Recording Clerk.

**2. Approval of Minutes**

a. Regular Pension Board Meeting – *August 25, 2016*

**MOTION:**

The Town of Surfside Pension Board recommended approval of the August 25, 2016 minutes of the Regular Board meeting. Guillermo Olmedillo moved; Staci Shanahan seconded. The motion passed unanimously.

### 3. Agenda Additions and Deletions

Mayte Gamiotea added, for review, under Section 5C, the Westwood Trust (MLP) Amendment under Klausner's Report and under Section 7 the SunTrust Invoice.

### 4. Public Participation

N/A

### 5. Reports and Updates

#### a. Burgess Chambers & Associates

1. Investment Performance Quarter Ending September 30, 2016. During the quarter, the Retirement Plan earned \$537K or +3.0% (+2.9% net), in line with the strategic model (+3.1%). The top three performing assets were: iShares Russell 2000 (+8.9%), Am Funds EuroPacific (+8.2%), and SPDR Barclays Convertibles (+6.9%).

For the 12-month period, the Plan earned \$1.9 million or +11.6% (+11.2% net), ahead of the strategic model (+11.0%).

For the rolling three and five-year periods, the Plan earned +6.9% and +10.3% and ranked in the top 20<sup>th</sup> and 31<sup>st</sup> percentile, respectively.

Frank Wan presented the Retirement Plan Analysis and Education to the Board.

Frank Wan presented the Liability Driven Investing (LDI) Concept & Glidepath, which are liability driven investing. It's an investment strategy based on cash flow needed to fund future liabilities. It is designed for situations where future liabilities can be predicted with some degree of accuracy. It also reduces market risk and immunize interest rate risk.

Frank Wan presented the Defensive Equity Presentation of Parametric which offers right-call options. Options allow you to purchase the option of the hedge without committing the hedge. One would pay an option premium to lock in today's price.

Defensive Equity provides protection by de-risking base portfolio, then selling fully collateralized index options to generate additional portfolio income.

Defensive Equity is expected to experience significantly lower draw-downs during major market declines, while also recovering more rapidly due to elevated implied market volatility (higher premiums/wider strikes) following crises events.

Donald Nelson asked Frank Wan where he recommends investing the Town's contribution of an estimated \$800,000 and Frank Wan suggested Real-estate and balanced equity. Frank suggested putting 1/3 in private real estate and 2/3 in equity.

**MOTION:**

The Town of Surfside Pension Board recommended approval directing the Pension Plan Advisors Frank Wan of Burgess Chambers to make new contributions in real-estate (1/3) and equity market (2/3). Guillermo Olmedillo moved; Staci Shanahan seconded. The motion passed unanimously.

1. New Tower

MEPT Summary Ending September 30, 2016

Included in the agenda for review is the MEPT Summary Ending September 30, 2016

b. Highland Capital Management

1. Investment Review Ending September 30, 2016

Grant McMurry provided an overview of the Investment Review for the Quarter Ending September 30, 2016

2. Portfolio Appraisal as of September 30, 2016

Grant McMurry provided an overview of the Portfolio Appraisal as of September 30, 2016

c. Klausner & Kaufman

1. Upcoming Issues

Budget Review – SB 172 requires police or fire pension boards to operate under an administrative expense budget.

Status of Mutual Consent- SB 172 requires a defined contribution/share plan to be adopted (but not necessarily funded).

Public Records – This item is just a reminder that all pension boards are subject to the public records law which requires prompt response and strict compliance with public records requirements.

2. Compliance Report

Adam Levinson briefly went over the Compliance Report as required by Florida Statute Section 112.664.

3. Electronic Reporting Portal

Florida legislature enacted Senate Bill 534 (SB 534), requiring electronic submission of additional actuarial disclosures for Florida's local government defined benefit pension plans, and provided the necessary funding for the division to prepare an electronic reporting portal through which these disclosures are to be submitted.

4. Attorney's Report

Adam Levinson reminded Board members to check with the Administrator regarding upcoming dates for Trustees school.

Yamileth Slate-McCloud recommended having someone come in to do refresher courses for the Board members such as that of ethics.

Adam Levinson advised that he can arrange for a guest speaker to come in at the Board's request.

Adam Levinson also checked the Westwood Trust (MLP) Amendment and stated that everything seems to be in order.

**MOTION:**

The Town of Surfside Pension Board recommended approving the report for the state required standards for Senate Bill 172, which needs to be posted to the Town's website. Guillermo Olmedillo moved; Yamileth-Slate McCloud seconded. The motion passed unanimously.

**6. Administrator**

a. Summary Plan Booklet

Mayte Gamiotea advised that the summary plan booklet needs to be updated by the actuarial and copies along with extras need to be ordered.

Adam Levinson suggested having the summary plan description available at the next meeting for approval and distribution by the next meeting.

b. 2015 Annual Report

Mayte Gamiotea advised that the Annual Report, which is included in the agenda packet was approved by the state.

c. Town Employee Contribution Approval

Mayte Gamiotea advised that the check was mailed to SunTrust in October.

d. MEPT Fee Schedule

Mayte Gamiotea advised that she is now able to account for the MEPT fee on a quarterly basis.

Frank Wan advised that MEPT charges all of their investors the same fee.

e. Form Adv Part 2

Mayte Gamiotea advised that the form was approved, but never signed by the Chair.

f. Lamar Johnson (Re-calculation)

Adam Levinson will provide a formal opinion after looking at the ordinance at the next meeting.

Yamileth Slate-McCloud suggested that the beneficiaries' forms be reviewed to see if there is language or a footnote that can be added in order to change the beneficiaries.

Adam Levinson stated that the beneficiaries in the case of plans like the DROP plan can have more than one beneficiary. In cases of a joint annuity, since the actuarial has to provide the calculations there can only be one beneficiary, but Adam Levinson will review the ordinance.

Adam Levinson emphasized that the Board review all of its form either at the next meeting or subsequent meetings now that the new contribution ordinance was approved by the Town Commission.

g. Refund of Contributions:

• Frans Vanessa Forero	Term: 7/15/16	\$ 494.08
• Daniel Sanchez	Term: 5/31/16	\$ 3,305.92
• Joseph Kroll	Term: 10/7/16	\$ 24,680.75

**MOTION:**

The Town of Surfside Pension Board recommended approval of the aforementioned refund of contributions. Yamileth Slate-McCloud moved; Guillermo Olmedillo seconded. The motion passed unanimously.

**7. Approval of Invoices**

a. Burgess Chambers & Associates, Inc.		
• Invoice #16-287	9/8/2016	\$ 6,250.00
b. Frantza Duval		
Invoice #17-01	10/27/2016	\$ 382.50
c. Highland Capital Management		
• Invoice #13503	9/30/2016	\$ 8,811.96
d. Klausner & Kaufman		
• Invoice #18808	8/30/2016	\$ 4,560.00
• Invoice #18966	9/30/2016	\$ 3,420.00
		<b>Total \$ 7,980.00</b>
e. Marcum, LLP		
• Invoice # 101064532	10/1/2016	\$ 1,235.00
f. Mayte Gamiotea		
• Invoice #17-01	11/2/2016	\$ 4,567.50
g. SunTrust Bank Invoice # 273089		\$ 5,133.98

h. Town of Surfside

- |                     |            |    |        |
|---------------------|------------|----|--------|
| • Invoice #YSM82516 | 8/29/2016  | \$ | 372.95 |
| • Invoice #21610    | 10/20/2016 | \$ | 600.00 |

**Total**     \$     **972.95**

**MOTION:**

The Town of Surfside Pension Board recommended approval of the aforementioned invoices Yamileth Slate-McCloud moved; Staci Shanahan seconded. The motion passed unanimously.

**8. New/Old Business**

- Ronald Browning Update (Yamileth Slate-McCloud)  
Yamileth Slate-McCloud spoke on this item and wanted to make sure this item doesn't slip through the crack.

Adam Levinson advised that he will provide an update at the next meeting.

- FPPTA Trustees School  
Included in the agenda for informational purposes is the schedule for the FPPTA Trustees School. Yamileth Slate-McCloud reminded Board members that if they are interested in attending to let Mayte Gamiotea know so that early registration can be done.

**9. Trustees' Comments/Concerns**

**10. Next Regular Scheduled Meeting Date**

February 2, 2017 (Thursday) 2:00pm

**11. Adjournment**

There being no further business to come before the Board, the meeting unanimously adjourned at 4:23 pm with the motion made by Guillermo Olmedillo; receiving a second from Yamileth Slate-McCloud.

Accepted this 2 day of February, 2017

N. Abraham Issa  
Pension Board Member (Print)

[Signature]  
Signature

Attest:  
[Signature]  
Frantza Duval  
Recording Clerk





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

**MINUTES  
DECEMBER 15, 2016  
7:00 PM**

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

**DESIGN REVIEW BOARD**

**1. CALL TO ORDER**

Chair Lindsay Lecour called the meeting to order at 7:06 p.m.

**2. ROLL CALL**

Recording Clerk Frantza Duval called the roll with the following members present: Chair Lindsay Lecour, Vice Chair Judith Frankel, Board Member Jorge Gutierrez, Board Member Gregg Covin and Board Member Brian Roller. Board Member Peter Glynn and Board Member Richard Iacobacci were absent. Commissioner Daniel Gielchinsky attended as liaison.

**3. APPROVAL OF MINUTES: NOVEMBER 17, 2016**

Board Member Gutierrez made a motion to approve with the following revisions: Board Member Gutierrez was omitted from the roll call. Include the sustainability report given by Commissioner Gielchinsky. The motion received a second from Vice Chair Frankel and all voted in favor with Board Member Glynn and Board Member Iacobacci absent.

**4. DESIGN REVIEW BOARD APPLICATIONS:**

**A. Request of the Owner of Property located at 8835 Carlyle Avenue.**

The applicant is requesting to convert their garage, relocate the front door and add a rear addition.

Town Planner Sarah Sinatra presented the item. The applicant Raul Cohen answered questions from the Board.

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

1. Remove driveway five feet off the property line

The motion received a second from Board Member Roller and all voted in favor with Board Member Glynn and Board Member Iacobacci absent.

**B. Request of the Owner of Property located at 9065 Garland Avenue.**

The applicant is requesting to convert their garage and renovate the property.

Town Planner Sarah Sinatra presented the item.

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

**C. Request of the Owner of Property located at 900 89th Street.**

The applicant is proposing the construction of a second story addition to the existing single-family residence, renovations to include the addition of a porch and the restoration of a converted garage back to a garage.

Town Planner Sarah Sinatra presented the item.

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

**D. Request of the Tenant of Property located at 9545 Harding Avenue.**

The property located at 9545 Harding Avenue is within the SD-B40 zoning district. The applicant is requesting reverse channel LED illuminated lettering sign to replace the sign at the existing retail shop, Couture Bridal. The name is being changed to Couture Bridal Miami. The proposed signage includes black lettering.

Town Planner Sarah Sinatra presented the item and is recommending with conditions. Chair Lecour added a condition regarding the tradename.

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

1. No electrical equipment shall be visible.
2. The existing electrical equipment shall be concealed.
3. The façade shall be restored and repainted.
4. The applicant shall provide evidence of the trade name to confirm "Miami" is included

The motion received a second from Board Member Roller and all voted in favor with Board Member Glynn and Board Member Iacobacci absent.

**E. Request of the Owner of Property located at 8919 Carlyle Avenue.**

The applicant is proposing an addition to the rear of the existing single family residence.

Town Planner Sarah Sinatra presented the item and staff is recommending denial. Applicant Nicole Lopez gave further details on the item addressing some of the concerns by staff and the Board. The owner Mark Slatko spoke about the item.

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


1. There shall be no net decrease in window area for the rear of the property.  
The motion received a second from Board Member Roller and all voted in favor with Board Member Glynn and Board Member Iacobacci absent.

The next DRB/P&Z Meeting will be January 26, 2017.

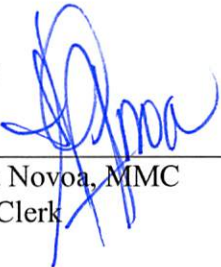
**5. ADJOURNMENT.**

There being no further business to come before the Design Review Board the meeting adjourned at 7.30 p.m.

Accepted this 26<sup>th</sup> day of January, 2017

  
Chair Lindsay Lecour

Attest:

  
Sandra Novoa, MMC  
Town Clerk

## PLANNING AND ZONING BOARD

**MINUTES**  
**December 15, 2016**  
**7:00 PM**

### **1. CALL TO ORDER**

Chair Lindsay Lecour called the meeting to order at 7:30 p.m.

### **2. ROLL CALL**

Recording Clerk Frantza Duval called the roll with the following members present: Chair Lindsay Lecour, Vice Chair Judith Frankel, and Board Member Brian Roller. Board Member Peter Glynn and Board Member Richard Iacobacci were absent. Commissioner Daniel Gielchinsky attended as liaison.

### **3. APPROVAL OF MINUTES: November 17, 2016**

Vice Chair Frankel made a motion to approve with the revision to include the sustainability report given by Commissioner Gielchinsky at the DRB meeting. The motion received a second from Board Member Roller and all voted in favor with Board Member Glynn and Board Member Iacobacci absent.

Commissioner Gielchinsky gave an update on the Architectural Significance Ordinance as it received approval by the Commission.

Vice Chair Frankel gave an update on the Environmental Sustainability Committee and the motions made. Town Manager Olmedillo informed the Committee that a written report with all motions will be presented to them for their consideration. Board Member Roller will represent Planning and Zoning at the January meeting and Chair Lecour at the February meeting. On future agenda items the Sustainability Committee report will be given after the approval of minutes and after Commissioner Gielchinsky's report.

### **4. ORDINANCE: Moratorium on Cannabis Dispensing Businesses**

#### **A. AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA; ESTABLISHING A TEMPORARY MORATORIUM ON CANNABIS DISPENSING BUSINESSES AS FURTHER DEFINED HEREIN; PROVIDING FOR PENALTIES; PROVIDING FOR SEVERABILITY, A GENERAL REPEALER CLAUSE, AND AN EFFECTIVE DATE.**

Recording Clerk Frantza Duval read the title of the ordinance.

Town Planner Sarah Sinatra presented the item with a 12-month moratorium.

Board Member Roller made a motion to recommend to the Town Commission. The motion received a second from Vice Chair Frankel and all voted in favor with Board Member Glynn and Board Member Iacobacci absent.

Chair Lecour opened the public hearing. No one wishing to speak Chair Lecour closed the public hearing.

**5. DISCUSSION ITEMS:**

**1. Connectivity opportunities**

Manager Olmedillo gave a detailed power point presentation. Public Speaker Deborah Cimadevilla shared pictures of ideas for streetscape concepts and presented her ideas. The Board discussed the item and gave their point of view. They discussed sidewalks, one way streets, traffic management, bike lanes and different concepts. The Town Manager was thanked for his efforts as the presentation was very helpful. The item will be discussed further with additional feedback.

Commissioner Gielchinsky left the meeting at 8:50 p.m.

**2. Demolition of Houses**

Town Planner Sinatra spoke on the item and asked for their input before the ordinance is written for review. The Board discussed some of the language and Planner Sinatra answered their questions.

**3. Sea Level Rise**

Town Planner Sinatra gave an update. Chair Lecour asked for a schedule and timeline for code changes. Board Member Roller was asked to bring the matter to the Sustainability Committee in February and get more information as to what others are doing.

**4. Roof Pitch**

Town Planner Sinatra gave an update from the Town Commission.

**5. Future Agenda Items**

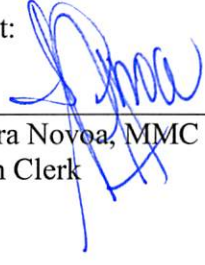
Town Planner Sinatra said the Commission would like P&Z to add to future agenda items the "pyramids vs. the setbacks." The Board discussed prioritizing the future agenda items.

**5. ADJOURNMENT.**

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

Accepted this 20<sup>th</sup> day of January, 2017

  
Chair Lindsay Lecour

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



**Town of Surfside  
Tourist Board  
MINUTES**

**January 9, 2017 6:00 p.m.**

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

The following also applies to all Boards and Committees:

*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.*

*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.*

**Opening**

**A. Call to Order.**

The meeting was called to order by Chair Barbara Cohen at 6:07pm.

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

All of the Board members were present with the exception of Terry Cohen who was absent with regrets.

Also in attendance: Duncan Tavares, TEDACS Director, Melissa Richards, Marketing and Special Projects Coordinator, Jane Graham, Assistant Town Attorney, Kent Aguerro, resident and visitor app vendor, Barbara McLaughlin, resident, George Kousoulas, resident, Sara Liss, resident, Joanna Hoffman, resident, Cristina Kahn, Director of Sales and Marketing Residence Inn, Paul Jacober & Luisa Jimenez, Jacober Creative

Chair Barbara Cohen advised that the Board is awaiting a call from a Sister Cities representative and requested a motion to move the related item up on the agenda. Secretary Marianne Meischeid made a motion to move the Sister Cities up on the agenda; Jennifer Zawid seconded the motion. The motion passed unanimously.

**1. December 5, 2016 Tourist Board Meeting Minutes.**

Vice Chair Jessica Weiss made a motion to approve the December 5, 2016 Tourist Board Meeting Minutes; Jennifer Zawid seconded the motion. The motion passed unanimously.

**2. A/R (Resort Tax).**

There were no accounts receivable update provided at this meeting.

**3. Fireworks Update.**

Director Duncan Tavares advised that due to wind conditions the fireworks display was unfortunately canceled by the Fire Marshall within five minutes of the show commencing. The Grand Beach and the Town were able to secure a \$9,000 rebate from Zambelli for the display.

**4. Sister Cities Process Discussion.**

Taylor Woodruff of Sister Cities International was present via phone conference to explain the Sister Cities program to the Board. Secretary Marianne Meischeid inquired about the benefits of the program to Surfside and other towns. Mr. Woodruff advised that the benefits include and go beyond arts, culture, and economic development opportunities. The best way to have the Board commence this program is for the Board to determine which cities they want to partner with. The Board would need to identify key factors such as commerce, local businesses, and academic institutions to help facilitate the program. The Board also needs to determine what they want to get out of the Sister City program. Board members inquired about other nearby cities' successes in the Sister City program. Mr. Woodruff advised that he will send an email of the successful communities. Director Duncan Tavares spoke about involving the hotels from a tourism stance for this program. He is hoping to have the Board's proposal or intent on the Sister Cities program completed for inclusion in the Town Commission's March meeting.

**5. First Fridays Proposal ~ Sara Liss (deferred from December 5 meeting).**

Sara Liss provided a recap of the First Fridays from start to finish. The goal of First Fridays was to create a recurring signature event that encourage community involvement and promoting Surfside as an attractive tourist destination as well as generate buzz/media attention around Surfside's unique way of life. The event attracts both visitors and locals to the beach and involves local businesses. Results from the First Fridays event series include media coverage by *Miami.com*, *Miami New Times*, *Time Out Miami*, social media coverage (Facebook & Instagram), and a database of emails. The benefits from First Fridays included engaging local businesses by providing the businesses the opportunity to market themselves as well as creating a space for residents to showcase art and culture.



The attendance for First Friday was as follows:

July: 83 registered (20% non-resident)

August 5: 252 registered (30% non-resident)

September: 266 (30% non-resident)

October: 330 (25% non-resident)

The brands that participated in the series included:

Raw Juice

Ginny Bakes

WTRMLN WTR

Deep Rose

Sparkling Ice

The entertainment that was included was:

Brazilian Samba Band (acoustic)

Interactive Drum Circle

Bollywood-Style Dancers

Informal Fashion Vignettes

Potential Future Themes/Events (If approved)

Fashion Show – adults & kids

Sandcastle Building contest & workshop

Movies on a boat

Full moon party

Adults-only (with childcare provided at Community Center

Outdoor movie night

Art-Basel tie-in with artists, installation, children's art activity

White dinner spin-off

Eco-friendly turtle ocean-wildlife education

Yoga/wellness, chair massages

Moroccan Night

Full Moon Bahamian Celebration

Bollywood Night

Camp Out Night

Jennifer Zawid thanked Sara Liss for her efforts and would like to see First Fridays up and running in March. Vice Chair Jessica Weiss stated that what she believed what caused the frustration with some Board members was the lack of transparency. What she would like to see going forward is exact information of what the Board has expressed and what exactly will be delivered. Secretary Marianne Meischeid believes Sara Liss has come a long way with the series and thanked her for the changes that were made. In the future she hopes that the event deliverables are more specific. Vice-Mayor Cohen was

concerned about those who observe the Sabbath and are not able to participate in the First Fridays series. Sara Liss advised that a lot of Shabbat observers came out and attended the event as well. She advised that the time can be extended if needed to be flexible for all. Vice-Mayor Cohen stated that there should be flexibility in the day as some residents observe the Sabbath. Director Duncan Tavares advised that defining specific items for an event can be problematic. He advised that since Third Thursdays is a bigger event he has more flexibility to move things around, budget wise, but Sara Liss does not. Vice Chair Jessica Weiss inquired about the current funding available in the budget to host such a series. Director Duncan Tavares advised that the current budget is fully committed. The funds to finance this series would need to come from the reserves. Residents George Kousoulas and Joanna Hoffman are in favor of the First Fridays events and feel that the series needs to be longer, from 3-8pm, and from four to six events in the series. Director Duncan Tavares advised that staff is needed to host an event, especially if the event is being hosted until 8pm. The availability of restrooms at the Community Center comes with restrictions; the facilities are open to residents and Surfside hotel guests until 7pm only. Vice Chair Jessica Weiss made a motion to start the series in April or May with the four committed themes that include a list of minimum deliverables to be set at a later time; seating should be consistent with the theme and a specified kids area needs to be identified. The event series approval is contingent on regulations that must be followed and the Town Commission's approving the release of the funds. Secretary Marianne Meisheid seconded the motion. The motion passed unanimously.

**6. Jacober Creative Marketing / Media Plan Quarterly Update.**

Luisa Jimenez provided the quarterly update from Jacober Creative with regard to the Board's marketing/media plan. Jacober Creative has created promotional items which include sales brochures, totes, water bottles, towels and beach mats which are all branded.

\*Vice Mayor Cohen exited the meeting at 7:48pm\*

She advised that the Visitor Guide and the website have been revamped. The first print ad appeared in AFAR magazine and additional ads will be featured in The Canadian's Guide to Florida, Chicago Magazine and New York Magazine. The digital advertising took place in Google's ad network and through blog postings. A general media kit has been created. In looking ahead, Jacober Creative is planning a press immersion tour to rally the local writers and editors to come and experience Surfside for themselves. The tentative date for the tour is January 26, 2017. A signed contract for visitor social media archiving was executed by the Town. Therefore the social media aspect can now move forward. She also presented Jacober Creative's rough draft of the 360 video and different street light banner options for the Board to review. Director Duncan Tavares requested the Board to provide feedback at next month's meeting.

**7. Third Thursdays Update.**

Director Duncan Tavares advised that Third Thursdays is moving forward. The food truck area will now be an activities area as they will now be placed in the "Shul" parking lot. The first event is set for February 16, 2017 with a theme of Uptown Beach Town. He is looking to provide more giveaways to promote the downtown businesses and the food trucks as an incentive.

**8. Tourism Questionnaire Review (deferred from November 14 and December 5 meetings).**

Jennifer Zawid made a motion to defer this item; Vice Chair Jessica Weiss seconded the motion. The motion passed unanimously.

**9. Other Business:**

**a) Meetings Schedule.**

Director Duncan Tavares advised that moving all the meetings may produce a challenge logistically. He stated that he would speak to member Terry Cohen as this was of interest to her.

**b) Permanent Downtown Lights / Seasonal Lights.**

Secretary Marianne Meischeid inquired about the holiday lights being unplugged downtown. Director Duncan Tavares advised that due to electrical issues downtown, the lights will be coming down mid-January. The removal date for the lights was originally January 5, 2017 but was extended to March at no extra expense. Therefore there would be no refund eligibility. He advised that going forward, the electrical issues will need to be addressed prior to any money being expended for the next holiday season.

**c) Air bnb.**

Director Duncan Tavares advised that there is an agreement going before the Town Commission to start collecting Resort Tax for all bookings made through Air bnb for short term rentals in Surfside.

**d) Events.**

Director Duncan Tavares will have a few event companies available at the February meeting to speak to the Board.

**10. Next Tourist Board Meeting: Monday February 6, 2016 at 6:00pm.**

**11. Public Comment.**

None.

**12. Adjournment.**

Secretary Marianne Meischeid made a motion to adjourn the meeting at 8:15pm; Vice Chair Jessica Weiss seconded the motion. The motion passed unanimously.

Accepted this 6<sup>th</sup> day of February, 2017

BARBARA COHEN

Member (Print)

Barbara Cohen

Signature

Attest:  
  
\_\_\_\_\_  
Frantza Duval  
Recording Clerk



## Town of Surfside Commission Communication

**Agenda Item:** 4A1  
**Agenda Date:** December 13, 2016 / February 16, 2017  
**Subject:** Temporary Moratorium on Cannabis Dispensing Businesses  
**From:** Guillermo Olmedillo, Town Manager

### Background:

In November, 2016, the voters of the state approved a Constitutional amendment to allow the legal use of medical marijuana (cannabis) in Florida. A comprehensive State licensing and regulatory framework for the cultivation, processing, and dispensing of cannabis exists and may be further modified by the state legislature in recognition of the Constitutional amendment. Therefore, Staff is recommending a 12 month moratorium on the opening of cannabis dispensing businesses in the Town. The intent of the moratorium is to give the Town the time reasonably necessary to investigate the impacts of cannabis dispensing facilities, and if necessary, to prepare reasonable regulations relating to such establishments.



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Guillermo Olmedillo, Town Manager

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

**AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA; ESTABLISHING A TEMPORARY MORATORIUM ON CANNABIS DISPENSING BUSINESSES AS FURTHER DEFINED HEREIN; PROVIDING FOR PENALTIES; PROVIDING FOR SEVERABILITY, A GENERAL REPEALER CLAUSE, AND AN EFFECTIVE DATE.**

**WHEREAS**, in 2014 the Florida Legislature enacted a law legalizing low-THC medical cannabis in Florida; and

**WHEREAS**, on November 8, 2016, the voters of the state approved a Constitutional amendment to allow the legal use of medical marijuana (cannabis) in Florida; and

**WHEREAS**, a comprehensive State licensing and regulatory framework for the cultivation, processing, and dispensing of cannabis exists and may be further modified by the Florida Legislature in recognition of the Constitutional amendment; and

**WHEREAS**, the comprehensive State licensing and regulatory framework directs that the criteria for the number and location of, and other permitting requirements that do not conflict with state law or department rule for, dispensing facilities of cannabis businesses may be determined by local ordinance; and

**WHEREAS**, cannabis businesses licensed pursuant to the law have begun cultivating cannabis for processing and dispensing; and

**WHEREAS**, the dispensing of cannabis is currently illegal under federal law and the United States Drug Enforcement Agency has recently confirmed that cannabis remains a Schedule I drug under federal law, but the United States Department of Justice has discussed federal enforcement of such laws with respect to state regulated cannabis operations in the 2012 “Cole Memorandum;” and

**WHEREAS**, potential adverse impacts on the health, safety, and welfare of residents and business from secondary effects associated with the distribution of cannabis exist, potentially including, offensive odors, trespassing, theft, fire hazards, increased crime in and about the dispensary, robberies, negative impacts on nearby businesses, nuisance problems, and increased DUI incidents; and

**WHEREAS**, the above potential adverse impacts are accentuated by the current difficulties experienced by cannabis businesses in obtaining banking services necessitating such businesses to operate on a cash basis; and

**WHEREAS**, there exists the potential for misappropriation of medical cannabis to non-medical uses; and

**WHEREAS**, an overabundance of dispensing facilities can affect the viability of such facilities, result in compliance issues, lead to the improper diversion of products, and accentuate threats to the public health, safety, and welfare; and

**WHEREAS**, Florida laws relating to the cultivation, production, and dispensing of cannabis products are rapidly changing – raising substantial questions about whether cannabis-related land uses, as a category of commercial use, may have deleterious and negative secondary effects on surrounding land uses and communities; and

**WHEREAS**, the purpose of this ordinance is to place a temporary moratorium on the opening of certain new cannabis dispensing facilities, and on the expansion or relocation of certain existing cannabis dispensing facilities; and

**WHEREAS**, the Town hereby finds that the temporary moratorium imposed by this ordinance is intended to give the Town the time reasonably necessary to investigate the impacts of cannabis dispensing facilities, and if necessary, to promulgate reasonable regulations relating to such establishments; and

**WHEREAS**, the Town hereby finds that this ordinance advances an important government purpose by reducing the likelihood of the unregulated negative secondary effects of cannabis dispensing facilities; and

**WHEREAS**, the Town has determined it is in the public interest to adopt this Ordinance pursuant to the Town police powers to protect the health, safety, and welfare of the public; and

**WHEREAS**, the Town Commission held its first public hearing on December 13, 2016 having complied with the notice requirements required by Florida Statutes; and

**WHEREAS**, the Planning and Zoning Board, as the local planning agency for the Town, held its hearing on the proposed amendments on December 15, 2016 with due public notice and input; and

**WHEREAS**, the Town Commission conducted a second duly noticed public hearing on these regulations as required by law on February 16, 2017.

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

**Section 1. Purpose and Intent.**

The purpose of this Ordinance is to provide the Town with the opportunity to review the impact of recent changes in law and the recent passage of the constitutional amendment, as well as the impact of cannabis dispensing in other jurisdictions, to determine how such dispensing should be permitted or regulated in the Town.

**Section 2. Definitions.**

(1) The following words and phrases, when used in this Ordinance, shall have the meanings ascribed to them in this Ordinance:

- a. **Cannabis** means all parts of any plant of the genus Cannabis, whether growing or not; the seeds thereof; the resin extracted from any part of the plant; and every compound, manufacture, salt, derivative, mixture, or preparation of the plant or its seeds or resin.
- b. **Cannabis dispensing business** or **business** shall mean a business location offering cannabis for retail sale pursuant to a license to dispense cannabis issued under applicable law.
- c. **Compassionate Use Act** shall mean section 381.986, Florida Statutes, and chapter 2016-123, Laws of Florida, as amended from time to time, and any rules or regulations promulgated thereunder.
- d. **State** shall mean the State of Florida.

(2) In addition to the definitions contained in Subsection (1), other terms used in this Ordinance shall have the meaning ascribed to them in the Compassionate Use Act, and such definitions are incorporated into this Ordinance by this reference.

**Section 3. Temporary Moratorium.**

Beginning on the effective date of this Ordinance, for a period of twelve (12) months from the effective date, a moratorium is hereby imposed on the opening of cannabis dispensing businesses in the Town.

- a. During the moratorium, it is unlawful and a violation of this ordinance for any person or entity to open or cause to be opened any cannabis dispensing business within the Town.
- b. During the moratorium, it is unlawful and a violation of this ordinance for any person or entity to relocate or cause to be relocated any cannabis dispensing business within the Town.



- c. During the moratorium, it is unlawful and a violation of this ordinance for any person or entity to expand or cause to be expanded any cannabis dispensing business within the Town.
- d. During the moratorium, the Town shall not accept, process or approve any application for business tax receipts, licenses, building permits, land use permits, or any development permits concerning or related to a cannabis dispensing business.
- e. During the moratorium, the Town shall not accept, process or approve any business tax receipts, building permits, land use permits, or any development permits concerning or related to a cannabis dispensing business.
- f. During the moratorium, the Town shall not accept, process or approve any licenses, permits, or approvals for any property, entity, or individual for the sale or dispensation of cannabis so long as this ordinance is in effect.

Nothing in this temporary moratorium shall be construed to prohibit the use of cannabis pursuant to the Compassionate Use Act or other applicable Florida Law, or the delivery of cannabis in compliance with the Compassionate Use Act or other applicable Florida Law.

**Section 4. Study and Recommendations.**

The Town Manager is hereby directed to study land development regulations for cannabis dispensaries and the impact of such regulations in other jurisdictions.

**Section 5. Severability.**

If any provision of this ordinance or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of this ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are severable.

**Section 6. Repeal.**

All ordinances, resolutions, official determinations or parts thereof previously adopted or entered by the Town or any of its officials and in conflict with this ordinance are hereby repealed to the extent inconsistent herewith.

**Section 7. Effective Date.**

This ordinance shall take effect immediately upon adoption, and shall remain in effect for a period of twelve (12) months from that date.

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

**PASSED** and **ADOPTED** on second reading this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

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

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

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


**FINAL VOTE ON ADOPTION:**

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

**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  
Town Commission Meeting  
February 16, 2017  
7:00pm**

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

**Commission Communication**

**Agenda #:** 4A2  
**Date:** February 16, 2017  
**From:** Daniel Dietch, Mayor  
**Subject:** Ordinance Amending Chapter 2 “Administration” Article VII “Code Of Ethics”; Specifically Creating Section 2-227.1 “Honor Code for Elected and Appointed Town Officials and Town Employees”

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**Background:** The Miami-Dade County Commission on Ethics and Public Trust adopted a Resolution calling upon all County officials and employees to raise the standard of ethics in public service by establishing a public service honor code (“Honor Code”) for the prevention of corruption and unethical practices in County government. The first duty of a public servant is to protect the public interest, which requires a higher level of ethical conduct than is acceptable in private-sector affairs. Maintaining a sense of honor in public service is an important component in fulfilling the goals of the Town of Surfside. The most fundamental way for Town officials and employees to address this goal is to support all public servants who both perform their duties honorably and possess the moral courage not to tolerate less than the same from their fellow public servants, leadership and fairness.

Other municipalities such as North Miami have adopted Honor Codes like the County’s. Codifying and implementing the proposed Town of Surfside Honor Code will serve the best interests of the Town of Surfside.

**Recommendation:** For the Town Commission to adopt on second reading the attached ordinance Amending Chapter 2 “Administration” Article VII “Code Of Ethics”; Specifically Creating Section 2-227.1 “Honor Code for Elected and Appointed Town Officials and Town Employees.”

**ORDINANCE NO. 17 – \_\_\_\_\_**

**AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA AMENDING CHAPTER 2 “ADMINISTRATION” ARTICLE VII “CODE OF ETHICS”; SPECIFICALLY CREATING SECTION 2-227.1 “HONOR CODE FOR ELECTED AND APPOINTED TOWN OFFICIALS AND TOWN EMPLOYEES”; PROVIDING FOR INCLUSION IN THE CODE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the first duty of a public servant is to protect the public interest, which requires a higher level of ethical conduct than is acceptable in private-sector affairs; and

**WHEREAS**, public trust in government institutions is a necessary precondition to the success of a democracy; and

**WHEREAS**, it is the collective duty of all public servants to respond to the public’s concerns by redoubling their efforts to honor and serve the public interest by promoting the values of honesty, integrity, leadership and fairness; and

**WHEREAS**, maintaining a sense of honor in public service is an important component in fulfilling the goals of the Town of Surfside (“Town”); and

**WHEREAS**, the most fundamental way for Town officials and employees to address this goal is to support all public servants who both perform their duties honorably and possess the moral courage not to tolerate less than the same from their fellow public servants; and

**WHEREAS**, the Miami-Dade County Commission on Ethics and Public Trust has adopted a Resolution calling upon all County officials and employees to raise the standard of ethics in public service by establishing a public service honor code (“Honor Code”) for the prevention of corruption and unethical practices in County government; and

**WHEREAS**, the Town Commission believes that establishing an Honor Code is in the best interests of the citizens of the Town of Surfside; and

**WHEREAS**, the Town Commission finds the codification and implementation of the proposed Honor Code, will serve the best interests of all Town residents; and

**WHEREAS**, the Town Commission held its first public hearing on January 10, 2017 and recommended approval of the proposed amendments to the Code of Ordinances having complied with the notice requirements by the Florida Statutes; and

WHEREAS, the Town Commission has conducted a second duly noticed public hearing on these regulations as required by law on February 16, 2017 and further finds the proposed change to the Code necessary and in the best interest of the community.

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

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

**Section 2. Code Amendment.** The Code of Ordinances of the Town of Surfside, Chapter 2 "Administration" Article VII. - Code of Ethics, Section 2-227.1 "Honor code for elected and appointed town officials and town employees." is hereby created.

\* \* \*

**Section 2-227.1 Honor code for elected and appointed town officials and town employees.**

- (a) It shall be the policy of the town that all elected and appointed town officials and town employees shall adhere to the Public Service Honor Code ("Honor Code"). The Honor Code consists of the following minimum standards regarding the responsibilities of all public servants in the town.
- (b) Each elected and appointed public official and employee of the town shall, when acting in his or her official capacity, comply with the following standards:
  - (1) Serve and protect the public interest above any personal or institutional interest or loyalty; and
  - (2) Act as the public's surrogate by protecting it against waste or fraud; and
  - (3) Respect and uphold laws, ordinances, resolutions, rules, and regulations that protect the public against abuses in town government by assisting law enforcement and other federal, state, county and local authorities charged with protecting the public trust; and
  - (4) Report any information concerning activity which may constitute a crime, of which he or she has personal knowledge, immediately and personally to the State Attorney and/or the Miami-Dade County Commission on Ethics and Public Trust; and
  - (5) Cooperate fully with law enforcement agencies or other official investigative authorities in providing truthful testimony and other relevant information pertaining to any alleged violation of the public trust.
- (c) Town supervisors shall counsel and encourage employees in their respective departments to report violations of town code, including waste, fraud or other abuse of public resources, to the appropriate agency.
- (d) The Honor Code shall be enforced as follows:
  - (1) The Town Manager or the Town Manager's designee may use the administrative process of the Town for violations of the Honor Code committed by all officials or employees subject to the authority of the Town Manager.

- (2) The Miami-Dade County Commission on Ethics and Public Trust shall have jurisdiction over violations of the Honor Code committed by elected town officials and by all other town officials and employees not subject to the administrative authority of the town manager. The Miami-Dade County Commission on Ethics and Public Trust shall follow the procedures outlined in Section 2-1074 of the Miami-Dade County Code in conducting such investigations or hearings. The Miami-Dade County Commission on Ethics and Public Trust may impose a letter of reprimand or letter of instruction following a determination that a violation of the Honor Code has occurred. Such action by the Miami-Dade County Commission on Ethics and Public Trust shall not prevent the town or any department head or supervisor from taking any additional action or imposing any penalty that they are authorized to take or impose.
  - (3) Whenever any elected or appointed town official or employee is in doubt as to the proper interpretation or application of the Honor Code as to himself or herself, he or she may request a binding opinion from the Miami-Dade County Commission on Ethics and Public Trust.
  - (4) Adherence to the Honor Code by town employees shall be included, wherever appropriate and to the extent legally permissible, in the criteria for evaluations for merit increases, promotions, and professional recognition.
  - (5) The Miami-Dade County Commission on Ethics and Public Trust may include the Honor Code in its ethics training programs for town officials and employees.
- (e) The town shall not dismiss, discipline, or take any other adverse personnel action against an employee for complying with the Honor Code. Further, the town shall not take any adverse action that affects the rights or interests of any employee in retaliation for the employee's compliance with the Honor Code. If the town takes any of the adverse actions stated in the preceding sentences as a result of an employee's compliance with the Honor Code, the employee shall be entitled to apply to the town manager and to the Miami-Dade County Commission on Ethics and Public Trust for redress, each of which shall take appropriate steps within their authority and discretion to ensure that no employee is penalized for compliance with the Honor Code.

\* \* \*

**Section 4. Severability.** If any section, subsection, clause or provision of this Ordinance is declared invalid or unconstitutional by a court of competent jurisdiction, the remainder shall not be affected by such invalidity.

**Section 5. Conflict.** All sections or parts of sections of the Town of Surfside Code of Ordinances in conflict herewith are intended to be repealed to the extent of such conflict.

**Section 6. Inclusion in the Code of Ordinances.** It is the intention of the Town Commission, and it is hereby ordained that the provisions of this Ordinance shall become and made a part of the Town of Surfside Code of Ordinances, that the sections of this Ordinance may be

renumbered or relettered to accomplish such intentions; and the word "Ordinance" may be changed to "Section" or other appropriate word.

**Section 7. Effective Date.** This Ordinance shall be effective upon final adoption on second reading.

**PASSED** on first reading this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

**PASSED** and **ADOPTED** on second reading this \_\_\_\_ day of \_\_\_\_\_, 2017.

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

On Final Reading Second by: \_\_\_\_\_

**FINAL VOTE ON ADOPTION**

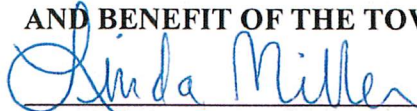
Commissioner Daniel Gielchinsky	_____
Commissioner Michael Karukin	_____
Commissioner Tina Paul	_____
Vice Mayor Barry Cohen	_____
Mayor Daniel Dietch	_____

\_\_\_\_\_  
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  
Town Commission Meeting  
February 16, 2017  
7:00pm**

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

**RESOLUTION COVER MEMORANDUM**

**Agenda #:** 5A  
**Date:** February 16, 2017  
**From:** Daniel Dietch, Mayor  
**Subject:** Foreign Sand for Beach Nourishment Projects Resolution

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**Objective:** To approve and transmit this Surfside Town Commission Urging Resolution to our United States Congressional representatives, Florida Officials and local coastal communities to support United States Congressional Bills S. 279 and H.B. 833 to facilitate the use of foreign offshore sand in Beach Nourishment Projects, and urging the United States Congress to expedite and fund the study to facilitate the implementation of foreign sand for beach nourishment projects in Miami-Dade County.

**Consideration:** Beaches and dunes serve as a vital buffer between coastal infrastructure and the destructive forces of ocean waves and surge during storm events. Beach renourishment adds sand to the coastal system, helps keep the erosive power of strong waves from reaching dunes and structures and buffers against the effects of sea level rise, thereby protecting coastal properties and the coastal environment. Since the last Town-wide beach renourishment project in 1999, our beaches are critically eroding due to winds, tides, currents, waves and storms. To help mitigate these impacts, the Town has supported the strengthening of our dune network including removal on non-native plant species, installed Florida's first two diverter dunes at street access points, convened workshops to educate our community about the impacts of climate change and sea level rise, joined the Mayor's Beach Alliance, engaged with Federal, State and municipal partners to raise awareness of responsible beach management and issued a related urging resolution (No. 15-2320) and convened a Sustainability Committee to recommend coastal mitigation and adaptation approaches and build resiliency in our community and region. Beyond the environmental benefits of beach renourishment, the economic benefits are also essential to sustaining the Town over the long-term. Continued efforts to work collaboratively with other units of government is necessary to prioritize and fund needed beach renourishment for Surfside.

Section 935 of the Water Resources Development Act of 1986 (WRDA) states that the United States Army Corps of Engineers can only use domestic sources of sand for nourishment of this project,



unless the Secretary of the Army provides written certification that domestic sources are not available for environmental or economic reasons.

In 2015, the United States Army Corps of Engineers completed their sand sourcing study. Due to the WRDA, only domestic sand sources were considered. The WRDA blocks federal money from being spent on foreign sand for beach projects if domestic sources are available. This resolution supports a recent decision by the federal government to study the benefits of replenishing Florida beaches with foreign sand. If the WRDA restriction is lifted, it could allow for reduced environmental impacts and lower costs for beach nourishment projects.

On February 2, 2017, United States Senator Marco Rubio introduced S.279 and Congresswoman Lois Frankel introduced companion bill H.B. 833 to amend WRDA 1986 with respect to the acquisition of beach fill to eliminate the restriction against offshore sand.

The attached Resolution supports S. 279 and H.B. 833 to facilitate the use of foreign offshore sand in Beach Nourishment Projects in order to facilitate the use of foreign offshore sand in Beach Nourishment Projects. The Town urges the United States Congress to expedite and fund the study to evaluate the benefits of replenishing Florida beaches with foreign sand.

**Recommendation:** To approve and transmit the attached Surfside Town Commission Resolution.

**RESOLUTION NO. 17 - \_\_\_\_\_**

**A RESOLUTION OF THE TOWN OF SURFSIDE, FLORIDA SUPPORTING UNITED STATES CONGRESSIONAL BILLS S. 279 AND H.B. 833 TO AMEND SECTION 935 OF THE WATER RESOURCES DEVELOPMENT ACT OF 1986 TO FACILITATE THE USE OF FOREIGN OFFSHORE SAND IN BEACH NOURISHMENT PROJECTS; URGING THE UNITED STATES CONGRESS TO EXPEDITE AND FUND THE STUDY TO ALLOW FOREIGN SAND TO BE USED IN BEACH NOURISHMENT PROJECTS IN MIAMI-DADE COUNTY; DIRECTING THE TOWN CLERK TO TRANSMIT A COPY OF THIS RESOLUTION TO THE OFFICIALS STATED HEREIN; PROVIDING FOR AUTHORIZATION AND IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the Town of Surfside (“Town”) adopted Resolution No. 15-2320 on September 8, 2015 expressing support for the Dade County Beach Erosion Control and Hurricane Protection Project, and urging Miami-Dade County, the State of Florida and the United States Army Corps of Engineers (Army Corps) to provide recurring appropriations to advance beach renourishment in Surfside and Miami-Dade County on or ahead of schedule; and

**WHEREAS**, beaches and dunes serve as a vital buffer between coastal infrastructure and the destructive forces of ocean waves and surge during storm events; and

**WHEREAS**, beach renourishment adds sand to the coastal system, helps keep the erosive power of strong waves from reaching dunes and structures, and buffers against the effects of sea level rise and climate change, thereby protecting coastal properties and the coastal environment; and

**WHEREAS**, beach renourishment has been an ongoing practice in southeast Florida since the late 1970s, as part of the Dade County Beach Erosion Control and Hurricane Protection Project providing essential economic, environmental and recreational benefit to coastal communities; and

**WHEREAS**, throughout the region, twenty-four federal and nonfederal beach nourishment projects provide storm damage reduction to infrastructure as well as incidental recreational opportunities; and

**WHEREAS**, as part of the Dade County Beach Erosion Control and Hurricane Protection Project, the Surfside beach is on schedule to be renourished in 2018; and

**WHEREAS**, Miami-Dade County, the State of Florida and the Federal government are cost-sharing partners in the Dade County Beach Erosion Control and Hurricane Protection Project; and

**WHEREAS**, Miami-Dade County is running out of dependable, economical, and environmentally practicable sand sources; and

**WHEREAS**, Section 935 of the Water Resources Development Act of 1986 (“WRDA 1986”) states that the Army Corps can only use domestic sources of sand for renourishment of this project, unless the Secretary of the Army provides written certification that domestic sources are not available for environmental or economic reasons; and

**WHEREAS**, in March 2016 the Army Corps completed a Limited Reevaluation Report and Environmental Assessment with a Finding of No Significant Impact with updated economics to justify potential alternative sand sources for future renourishment projects to utilize new sand sources, which include Bahamas sand; and

**WHEREAS**, the option to import offshore sand from the Bahamas to expedite beach nourishment projects in Surfside and throughout Miami-Dade County is important because the sand may be closer to the quality of the sand on Miami’s beaches than some of the alternatives listed by the Army Corps; and

**WHEREAS**, foreign offshore sources may have a lower cost to import than purchasing sand from approved upland sources, and there may be fewer impacts on roads, such as reduced quality of life impacts resulting from truck traffic and fewer carbon emission from trucks hauling the sand; and

**WHEREAS**, the Town of Surfside, Florida supports a recent decision by the federal government to study the benefits of replenishing Florida beaches with foreign sand; and

**WHEREAS**, on February 2, 2017, United States Senator Marco Rubio introduced S.279 and United States Congresswoman Lois Frankel introduced companion bill H.B. 833 to amend WRDA 1986 with respect to the acquisition of beach fill to eliminate the restriction against offshore sand; and

**WHEREAS**, it is in the best interest of the Town to support S.279 and H.B. 833 to eliminate the restriction against offshore sand, and to urge the United States Congress to expedite and fund the study to expedite and fund the study to evaluate the benefits of replenishing Florida beaches with foreign sand.

**NOW, THEREFORE, BE IT RESOLVED BY THE TOWN OF 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 by the Town of Surfside Town Commission for United States Congressional Bills S. 279 and H.B. 833 to Amend the Water Resources Development Act of 1986 and Urging Members of the Florida Congressional Delegation to Expedite Efforts to Allow Foreign Sources of Sand be Utilized in Beach Nourishment Projects in Miami-Dade County.** The Town of Surfside supports S. 279 and H.B. 833 to amend Section 935 of the WRDA 1986 to eliminate the Restriction promulgated by Section 935 of the WRDA 1986 in order to facilitate the use of foreign offshore sand in Beach Nourishment Projects. The Town urges the United States Congress to expedite and fund the study to expedite and fund the study to evaluate the benefits of replenishing Florida beaches with foreign sand.

**Section 3. Direction to the Town Clerk.** The Town Clerk is hereby directed to send a copy of this Resolution to sponsoring legislators, United States Senator Marco Rubio and Congresswoman Lois Frankel, and United States Senator Bill Nelson, the Members of the Florida Congressional Delegation, the Secretary of the Army, the Governor of Florida, and Mayors of Coastal Communities throughout Miami-Dade, Broward, Monroe, Palm Beach, Martin and St. Lucie Counties.

**Section 4. Authorization and Implementation.** The Town Manager is hereby authorized to take any and all action necessary to implement this Resolution.

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

**PASSED AND ADOPTED** this \_\_\_\_\_ day of February 2017.

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



## Town of Surfside Commission Communication

**Agenda Item:** 5B

**Agenda Date:** February 16, 2017

**Subject:** Calvin, Giordano & Associates, Inc.  
Information Technology (IT), Website Hosting and Multimedia Services

**Background:** The Town has approved an Agreement with Calvin, Giordano & Associates, Inc. (CGA) dated October 6, 2014 that provides that additional service may be added to this Agreement. The attached Addendum to the Agreement adds the Information Technology, Website Hosting and Multimedia Services. The Town has utilized the professional Information Technology (IT) services by CGA since 2007. The professional IT services are provided to all Town of Surfside computer end user employees including the Police Department by one on-site IT Support Technician with higher level of support and expertise provided by a Technology Director and a Network Manager. The CGA proposal for Website Hosting includes the ongoing maintenance and updating of the Town's website and Multimedia Services on the website and Channel 77. There are many services and tasks that are performed by the IT Support Technician and CGA staff that are included in the attached proposal that include:


- Maintain current inventory of all Town owned computer network, software licenses
- Identify network risk, present solutions and monitor/support firewall
- Providing specification and ordering computers and other devices
- Channel 77 support by monitoring the SCALA system used to post Town announcements
- End user Desktop Computer Support
- File backup of computer records off site and tape retention
- Network file sharing on server
- Network print sharing
- Email monitoring and support of exchange server
- Assist with the procurement of technology equipment
- Implement security policies
- Broadcasting of Channel 77
- Graphic design
- Website maintenance
- Website hosting

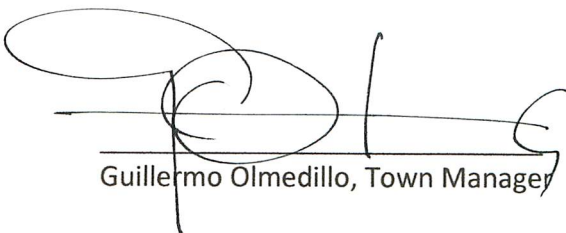
**Analysis:** The comprehensive IT services provided by an on-site IT Support Technician and support staff through CGA are vital functions of the Town's day to day computer operations that are used by every Department. It is important that these IT services remain consistent to maintain a high level of security with a continuity of institutional knowledge of the IT system.

**Staff Impact:** None. The above mentioned services are contracted with CGA.

**Budget Impact:** The 2016-2017 Annual Budget includes funding of Information Technology, Website Hosting and Multimedia Services in the amount of \$131,145 and 2016-2017 annual cost of the CGA proposal is \$125,000.

**Recommendation:** It is recommended the Town Commission approve the Addendum to the Agreement dated October 6, 2014 between the Town and CGA proposal for Information Technology, Website Hosting and Multimedia Services in the amount of \$125,000.

  
Donald Nelson, Finance Director

  
Guillermo Olmedillo, Town Manager

RESOLUTION NO. 17 - \_\_\_\_\_

**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA APPROVING AN ADDENDUM TO THE AGREEMENT DATED OCTOBER 6, 2014 BETWEEN THE TOWN OF SURFSIDE AND CALVIN, GIORDANO & ASSOCIATES, INC. (“CGA”) TO RENDER ADDITIONAL SERVICES AS SET FORTH IN CGA WORK AUTHORIZATION NO. 100 TO PERFORM INFORMATION TECHNOLOGY, WEBSITE HOSTING AND MULTIMEDIA SERVICES; AUTHORIZING THE EXPENDITURE FROM THE 2016/2017 FISCAL YEAR BUDGET IN THE AMOUNT OF \$125,000 FROM THE GENERAL FUND, PROFESSIONAL SERVICES ACCOUNT NO. 001-2100-516-3110; PROVIDING FOR APPROVAL AND AUTHORIZATION; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the Town, pursuant to Section 287.055, Florida Statutes, solicited proposals to perform Professional General Engineering Services (“Services”); and

**WHEREAS**, proposals were evaluated and ranked by a Selection Committee; and

**WHEREAS**, on July 8, 2014, the Town Commission adopted Resolution No. 14-2245, which ratified the ranking of the Proposals and authorized the Town Manager to execute an Agreement with CGA; and

**WHEREAS**, the Town Commission selected CGA to perform Services on an on-going, as needed basis, and at the sole discretion of the Town and on October 6, 2014, the Town and CGA entered into an Agreement (hereinafter “Agreement”); and

**WHEREAS**, the Town finds it necessary to request CGA to render Additional Services as provided in the Agreement to perform Information Technology, Website Hosting and Multimedia Services as set forth in CGA Work Authorization No. 100 (Exhibit “A”); and

**WHEREAS**, it is in the best interest of the Town to approve an Addendum to Agreement dated October 6, 2014 (Attachment “A”) and Work Authorization No. 100 (Exhibit “A”).

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

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

**Section 2. Approval and Authorization.** The Town Commission hereby approves the Addendum to render Additional Services as set forth in CGA Work Authorization No. 100 to perform Information Technology, Website Hosting and Multimedia Services (Attachment “A”

and Exhibit "A") and authorizes the expenditure of funds from the fiscal year 2016-2017 in the amount of \$125,000 from the General Fund, Professional Services Account No. 001-2100-516-3110.

**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 February 2017.

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

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

**FINAL VOTE ON ADOPTION**

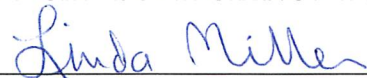
Commissioner Daniel Gielchinsky	_____
Commissioner Michael Karukin	_____
Commissioner Tina Paul	_____
Vice Mayor Barry Cohen	_____
Mayor Daniel Dietch	_____

\_\_\_\_\_  
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



**ADDENDUM**

**TO AGREEMENT DATED OCTOBER 6, 2014 BETWEEN THE TOWN OF SURFSIDE  
AND CALVIN, GIORDANO & ASSOCIATES, INC.**

This Addendum to the Agreement dated October 6, 2014 between the Town of Surfside ("TOWN") and Calvin, Giordano & Associates, Inc. ("CGA") is entered into this \_\_\_\_\_ day of \_\_\_\_\_ 2017, by and between the TOWN and CGA.

**RECITALS:**

**WHEREAS**, the TOWN, pursuant to Section 287.055, Florida Statutes, solicited proposals to perform Professional General Engineering Services ("Services"); and

**WHEREAS**, proposals were evaluated and ranked by a Selection Committee; and

**WHEREAS**, on July 8, 2014, the Town Commission adopted Resolution No. 14-2245, which ratified the ranking of the Proposals and authorized the Town Manager to execute an Agreement with CGA; and

**WHEREAS**, the Town Commission selected CGA to perform Services on an on-going, as needed basis, and at the sole discretion of the Town; and

**WHEREAS**, on October 6, 2014 the TOWN and CGA entered into an Agreement (hereinafter "Agreement"); and

**WHEREAS**, pursuant to the Agreement at Section 3 "Additional Services," the TOWN finds it necessary to request CGA to render Additional Services as set forth in CGA Work Authorization No. 100 to perform Information Technology, Website Hosting and Multimedia Services (Exhibit "A"); and

**WHEREAS**, no other terms or conditions of the Agreement dated October 6, 2014 shall be negated or changed as a result of this Addendum.

**NOW, THEREFORE**, in consideration of the mutual covenants set forth in this Addendum, the parties hereby agree as follows:

1. The above recitals are true and correct and are incorporated herein and made a part hereof as if fully set forth herein.
2. The TOWN finds it necessary to request CGA to render Additional Services as set forth in CGA Work Authorization No. 100 to perform Information Technology, Website Hosting and Multimedia Services (Exhibit "A").

3. No other terms or conditions of the Agreement dated October 6, 2014 shall be negated or changed as a result of this Addendum.

**IN WITNESS WHEREOF**, the Parties, intending to be legally bound, hereby have executed this Addendum as of the date set forth.

**TOWN OF SURFSIDE**

By: \_\_\_\_\_  
Guillermo Olmedillo, Town Manager

**CALVIN, GIORDANO & ASSOCIATES, INC.**

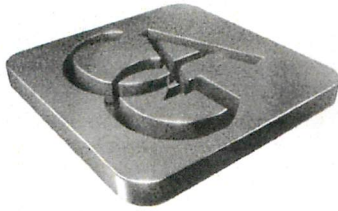
By: \_\_\_\_\_  
Dennis J. Giordano, President

**ATTEST:**

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

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

By: \_\_\_\_\_  
Linda Miller, Town Attorney



Calvin, Giordano & Associates, Inc.  
EXCEPTIONAL SOLUTIONS™

February 1, 2017

Mr. Guillermo Olmedillo  
Town Manager  
**TOWN OF SURFSIDE**  
9293 Harding Avenue  
Surfside, FL 33154

**RE: Work Authorization No. 100**  
**Town of Surfside Information Technology, Website Hosting**  
**and Multimedia Services**  
**CGA Proposal No. 17-9175**

Dear Mr. Olmedillo,

Enclosed for your review and approval is Work Authorization No. 100 for Town of Surfside Information Technology, Website Hosting and Multimedia Services. The scope of the project includes IT services.

The Scope of Services to be furnished under this Work Authorization includes Data Technologies & Development as shown on the attached Work Authorization.

The Basis of Compensation is lump sum based upon the established rates pursuant to the Professional Services Agreement between the Town and CGA, for a total not to exceed \$125,000.00.

Sincerely,

**CALVIN, GIORDANO & ASSOCIATES, INC.**

Chris Giordano, MSC, CCM  
Treasurer

- Building Code Services
- Coastal Engineering
- Code Enforcement
- Construction Engineering and Inspection
- Construction Services
- Contract Government
- Data Technologies and Development
- Emergency Management Services
- Engineering
- Environmental Services
- Facilities Management
- Indoor Air Quality
- Landscape Architecture
- Municipal Engineering
- Planning
- Public Administration
- Redevelopment and Urban Design
- Surveying and Mapping
- Traffic Engineering
- Transportation Planning

*GSA Contract Holder*

1800 Eller Drive  
Suite 600  
Fort Lauderdale, FL  
33316  
954.921.7781 phone  
954.921.8807 fax

[www.cgasolutions.com](http://www.cgasolutions.com)

## **TOWN OF SURFSIDE**

### **Town of Surfside Information Technology, Website Hosting and Multimedia Services**

#### **PROJECT DESCRIPTION**

##### **1. SCOPE OF SERVICES**

Calvin, Giordano & Associates, Inc. will perform the following services based on our understanding of the project requirements:

##### **I. Professional Data Technologies & Development Services**

##### **A. General Information Technology Services for Town of Surfside End-Users and Police Department.**

1. One On-Site full-time IT Support Technician.
  - Forty (40) hours per week, 8-5, M-F, excluding Holidays.
  - Additional levels of support will be provided on an as-needed basis. Additional levels of support may include Technology Director or Network Manager to address tasks that require a higher level of expertise.
  - Additional coverage for new Police Department services will be performed remotely or on-site, whichever is most efficient or effective to resolve issues swiftly. Support staff will have the level of expertise required to complete the task.
2. Maintain current inventory of all Town owned computer and network equipment.
3. Maintain current inventory of all Town owned software licenses.
4. Identify network vulnerabilities and present solutions to the Town Administrator.

5. Monitor / Support Firewall.
  - Monitor VPN clients for mobile laptops.
6. Convert documents for Website posting.
7. Provide specs and order computers and other devices.

**B. End User/Desktop Support**

1. Create/Delete user accounts on network.
2. Change/Reset user passwords.
3. Troubleshoot all computer related issues.
4. Perform desktop Operating System updates and hot fixes using recommended software.

**C. File Backup**

1. Backup network shared files to include off-site storage & tape retention.
2. Perform backups on all network related files.
3. Monitor / Support tape backup device.

**D. Network File Sharing**

1. Monitor / Support network file sharing on server.
2. Train users on proper file sharing methods.

**E. Network Print Sharing**

1. Configure all printers for network printing.
2. Install network printers on user workstations.
3. Troubleshoot printing issues.

**F. Email**

1. Monitor / Support exchange server email accounts.
2. Monitor email archiving for compliance with state retention requirements.
3. Monitor / Support exchange server.

**G. Procurement**

1. Assist the Town on all technology purchases as approved by the Town Manager.

**H. Policy**

1. Implement defined security policies for all Town staff internally and remotely.

**I. Broadcasting**

1. Perform duties related to recording events for broadcasting.
  - Broadcasting Services to be charged at \$225.00 per event.
2. Deliver recordings on media to upload on Town's website.
3. Monitor / Support broadcasting equipment.

**J. Technology Services Not Provided to the Town under this contract.**

1. Support on any law enforcement related computer, software or hardware equipment that falls outside of CGA's base CJIS certification.
2. E911 / DMS system support.
3. IT services beyond the Town's normal hours of operation. Normal hours of operation determined to be 8-5, M-F, excluding Holidays.
4. Software Development
5. GIS Support

**K. Multimedia Services**

1. All multimedia services are not to exceed 20 hours per month.
2. Graphic Design
  - Photo enhancement and manipulation
  - Illustration of custom web graphics and infographics
  - Assistance with publications and printed media
3. Website Maintenance
  - Creation of Channel 77 slides
  - Content management of interior pages and site navigation
  - Configuration of web files
  - Custom code application via semantic HTML, CSS and Javascript

- Email blast creation and scheduling
- Weekly newsletter email set up and scheduling
- Monthly Town Gazette posting
- Users/password management
- Analytical Reports exporting
- Monitor SCALA system used to post Town related announcements.
- Post and remove Town announcements as directed by Town staff.

**L. Website Hosting**

1. Hosting of the Town's website
2. Storage for standard webpage content for each department
3. Nightly backups of website content and database
4. Daily 5x8 technical support available by e-mail or phone
5. 99.9% uptime guarantee
6. Remote FTP access for file uploads
7. PCI Compliant level security
8. Load-balanced web server environment
9. Commercial datacenter, featuring redundant backup power, redundant network connectivity, and 24/7 security and support.



**M. Additional Services**

1. Additional Services will be billed to the Town for Services performed after the normal hours of operation or for services outside of the scope mentioned above. Additional services will require approval from Town Administrator before work is commenced. Refer to the rates listed below for all additional services.

- Director Data Technology and Development: \$165.00 hourly
- Network Administrator: \$155.00 hourly
- Sr. Application Development: \$165.00 hourly
- System Support Specialist: \$115.00 hourly
- GIS Specialist: \$125.00 hourly
- Multi-Media 3-D Developer: \$115.00 hourly (web development)

**2. BASIS OF COMPENSATION:**

Annual fee of \$125,000.00, plus any additional scope requested by the Town per Section M, above. Payments to be made monthly. Annual renewals will be awarded and based on the local area Consumer Price Index (CPI).

**3. SUBMITTED**

Submitted by:   
Chris Giordano, MSC, CCM

Date: 2/1/17

**4. APPROVAL**

Approved by: \_\_\_\_\_  
Guillermo Olmedillo, Town  
Manager

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

**TOWN OF SURFSIDE  
WORK AUTHORIZATION**

**WORK AUTHORIZATION NO.** 100  
**PROJECT NAME** Town of Surfside Information Technology,  
Website Hosting and Multimedia Services  
CGA Proposal No. 17-9175  
**DESCRIPTION** IT services

<b>POSITION</b>	<b>COST</b>
Onsite IT General Support	\$37,852.03
Onsite IT PD Support	\$56,778.05
Off Site Network Admin	\$10,369.92
Multi-Media 3-D Developer	\$20,000.00
<b>\$125,000.00</b>	

<b>SUB-CONSULTANTS</b>	<b>COST</b>
<b></b>	

**LABOR SUBTOTAL** **\$125,000.00**

Reviewed by: \_\_\_\_\_  
Guillermo Olmedillo, Town Manager



## Town of Surfside Commission Communication

**Agenda Item #** 5C

**Agenda Date:** February 16, 2017

**Subject:** Procurement of Additional Parking Pay Stations

**Background:** The Police Department-Parking Enforcement Division requests to procure eight (8) additional Pay Stations to replace forty-eight (48) single space meters presently deployed throughout the Town. The elimination of these single space meters and implementation of new Parking Pay Stations will allow for a streamlined system of parking payment points, and enhanced management and reporting features. The Police Department is seeking approval to procure eight (8) Parking Pay Stations utilizing T2 Systems model Luke II Pay Stations through Harrington Resources Inc., dba Parker Systems. The Pay Stations will be procured under the piggy-back terms of Lee County, Florida Contract #IFB130392, and the current Town of Surfside contract for these Pay Stations.

**Analysis:** The additional Parking Pay Stations will provide the latest technology to allow for prompt payment methods, Pay-by-Plate functionality, and a reduction in operating costs currently associated with the single space meter system. The additional Pay Stations will provide for enhanced efficiency of personnel resources via a digital patrol application which monitors parking expiration times and notifies the Parking Enforcement Officers as well as the consumers. The additional Pay Stations will be linked to the recently upgraded (29) Pay Stations system and will provide enhanced reporting features for managerial, administrative, and financial purposes. The quoted cost of \$95,080.80 for the additional eight (8) Pay Stations includes a two (2) year full warranty, and installation of the units on existing pads.

**Budget Impact:** The procurement of eight (8) additional Parking Pay Stations requires the Town Commission to amend the 2016-2017 Annual Budget and appropriate funds in the Municipal Parking Fund, Machinery and Equipment, Account number 402-9500-545-6410 in the net amount of \$95,080.80 including the cost of warranty for two years.

**Staff Impact:** N/A

**Recommendation:** Staff recommends the Town Commission to approve the attached resolution to authorize the procurement of eight (8) Luke II Parking Pay Stations.

David Allen, Chief of Police

Guillermo Olmedillo, Town Manager

Donald Nelson, Finance Director

**RESOLUTION NO. 17 - \_\_\_\_\_**

**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, APPROVING AN ADDENDUM TO THE AGREEMENT WITH HARRINGTON RESOURCES INC., DBA PARKER SYSTEMS DATED NOVEMBER 9, 2016 TO PROCURE EIGHT (8) ADDITIONAL PAY STATIONS TO REPLACE FORTY-EIGHT SINGLE SPACE METERS PRESENTLY INSTALLED THROUGHOUT THE TOWN; AMENDING THE TOWN'S BUDGET FOR FISCAL YEAR 2016/2017; AUTHORIZING THE APPROPRIATION AND EXPENDITURE IN THE AMOUNT OF \$95,080.80 FROM THE FISCAL YEAR 2016/2017 FROM THE MUNICIPAL PARKING FUND, MACHINERY AND EQUIPMENT FROM ACCOUNT NUMBER 402-9500-545-6410 BUDGET; PROVIDING FOR APPROVAL AND AUTHORIZATION; PROVIDING FOR IMPLEMENTATION; PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, on November 9, 2016, the Town of Surfside ("Town") adopted Resolution No. 16-2401 authorizing an Agreement ("Agreement") dated November 9, 2016 between the Town and Harrington Resources Inc., dba Parker Systems ("Harrington") to upgrade/replace all Parking Pay Stations within the Town with T2 Systems model Luke II Pay Stations; and

**WHEREAS**, the Parking Pay Stations have increased operating efficiency and the Town of Surfside Police Department Parking Enforcement Division has determined that it is in the best interest of the Town to procure eight (8) additional Pay Stations to replace forty-eight single space meters presently installed throughout the Town; and

**WHEREAS**, it is in the best interest of the Town to approve the Addendum (Attachment "A") to the Agreement dated November 9, 2016 to provide an additional (8) Luke II Pay Stations to the Town pursuant to Harrington quote #2017-1002 dated January 4, 2017 in the amount of \$95,080.80 (Exhibit "A"); and

**WHEREAS**, the Town authorizes to amend the Fiscal Year 2016/2017 Annual Budget to appropriate and expend funds from the Fiscal Year 2016/2017 Municipal Parking Fund, No. 402-9500-545-6410 in the amount of \$95,080.80.

**NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COMMISSION 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. Approval and Authorization to enter into the Addendum.** The Town Commission hereby approves and authorizes the Town Manager to enter into the Addendum to the Agreement with Harrington and the Town (Attachment "A") based upon Harrington quote #2017-1002 dated Jan 4, 2017 in the amount of \$95,080.80 (Exhibit "A").

**Section 3. Authorization to Amend the Fiscal Year 2016/2017 Annual Budget to Appropriate and Expend Funds.** The Town Commission hereby authorizes to amend the Fiscal Year 2016/2017 Annual Budget to appropriate and expend funds from the Fiscal Year 2016/2017 Municipal Parking Fund, No. 402-9500-545-6410 in the amount of \$95,080.80.

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

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

**PASSED AND ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

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

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

**FINAL VOTE ON ADOPTION**

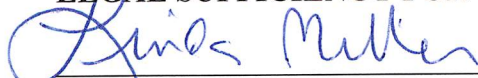
Commissioner Daniel Gielchinsky \_\_\_\_\_  
Commissioner Michael Karukin \_\_\_\_\_  
Commissioner Tina Paul \_\_\_\_\_  
Vice Mayor Barry Cohen \_\_\_\_\_  
Mayor Daniel Dietch \_\_\_\_\_

\_\_\_\_\_  
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

**ADDENDUM**

**TO AGREEMENT DATED NOVEMBER 9, 2016 BETWEEN THE TOWN OF SURFSIDE AND HARRINGTON RESOURCES INC., DBA PARKER SYSTEMS**

This Addendum to the Agreement dated November 9, 2016 between the Town of Surfside (“**Town**”) and Harrington Resources Inc., dba Parker Systems (“**Harrington**”) is entered into this \_\_\_\_\_ day of \_\_\_\_\_ 2017.

**RECITALS:**

**WHEREAS**, the Town and Harrington entered into an Agreement to upgrade/replace Parking Pay Stations within the Town with T2 Systems model Luke II Pay Stations on November 9, 2016; hereinafter called the “Agreement” authorized by Resolution No. 16-2401 adopted on November 9, 2016; and

**WHEREAS**, the Town finds it necessary to amend the Agreement to include Harrington quote #2017-1002 dated January 4, 2017 (Exhibit “A”) within Section 1 “Contract Terms” of the Agreement to provide an additional (8) Luke II Pay Stations to the Town; and

**WHEREAS**, no other terms or conditions of the Agreement dated November 6, 2016 shall be negated or changed as a result of this Addendum.

**NOW, THEREFORE**, in consideration of the mutual covenants set forth in this Addendum, the parties hereby agree as follows:

1. The above recitals are true and correct and are incorporated herein and made a part hereof as if fully set forth herein.
2. It is in the best interest of the Town to procure eight (8) additional Pay Stations to replace forty-eight single space meters presently installed throughout the Town.
3. Harrington agrees to provide the services pursuant to Harrington quote #2017-1002 dated Jan 4, 2017 (Exhibit “A”).
4. All recitals, representations, and warranties of Harrington made by Harrington in the Contract or in response to the #IFB130392 are restated as if set forth fully herein, made for the benefit of the Town, and incorporated herein. No other terms or conditions of the Agreement shall be negated or changed as a result of this here stated Addendum.

**IN WITNESS WHEREOF**, the Parties, intending to be legally bound, hereby have executed this Addendum as of the date set forth.

**TOWN OF SURFSIDE**

By: \_\_\_\_\_  
Guillermo Olmedillo, Town Manager

**HARRINGTON RESOURCES INC., DBA PARKER SYSTEMS**

By: \_\_\_\_\_  
Lynda Harrington, President

**ATTEST:**

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

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

By: \_\_\_\_\_  
Linda Miller, Town Attorney

**Harrington Resources Inc., dba Parker Systems**

1115 Bridgeway Blvd.  
 Orlando, FL 32828 US  
 (407) 482-8006  
 lynda@parkersystemsplace.com  
 http://parkersystemsplace.com

**QUOTE**

**ADDRESS**

Town of Surfside  
 Town of Surfside  
 9293 Harding Avenue  
 Surfside, FL 33154

**SHIP TO**

Town of Surfside  
 Town of Surfside  
 9293 Harding Avenue  
 Surfside, FL 33154

**QUOTE # 2017-1002**

**DATE 01/04/2017**

ACTIVITY	QTY	RATE	AMOUNT
<b>900.0031</b> Luke II 500B, Bill and Credit Car, Solar - Lee County Annual Contract #IFB130392 (contract period 8/1/16 - 7/31/17)	8	14,200.00	113,600.00
<b>886.0028</b> OPTIONAL - Add Coin Upgrade (no escrow) - L2	8	1,216.00	9,728.00
<b>880.4077</b> Modem Kit - GSM-C HSPA Multitech V2-V4	8	890.00	7,120.00
<b>115.0132</b> Bill Stacker - 1000 Note, with lock	12	485.00	5,820.00
<b>115.0108</b> Coin Canister Box Assembly - L2	12	600.00	7,200.00
<b>DISCOUNT</b> DISCOUNT ON EQUIPMENT - 40% Discount applied per Lee County Contract #IFB130392	1	-57,387.20	-57,387.20
<b>Installation</b> Installation, Set up, Testing (on existing pads)	8	300.00	2,400.00
<b>Tier II Support</b> Annual Tier II Support and Maintenance - 1st year (to coincide with warranty period) - Discount of 45% applied	8	412.50	3,300.00
<b>Tier II Support</b> Annual Tier II Support and Maintenance - 2nd year (to coincide with warranty period) - Discount of 45% applied	8	412.50	3,300.00
<b>Misc Warranty</b> Extended Hardware and Software Warranty - 2 years from delivery of equipment, no charge	1	0.00	0.00
<b>Misc Freight</b> Shipping - To be paid by T2	1	0.00	0.00

TOTAL **\$95,080.80**





## Town of Surfside Commission Communication

**Agenda Item #** 5D

**Agenda Date:** February 16, 2017

**Subject:** Amending 2016-2017 Tourist Resort Fund Annual Budget to Fund "First Fridays" Event Series

**Background:** The Tourist Board at their January 9, 2017 meeting approved four summer 2017 "First Fridays" events. The Tourist Board based their decision on the success of the four trial "First Fridays" events during the Summer of 2016 created and organized by Sara Liss ("Vendor") and her 2017 proposal (Attachment "A").

**Analysis:** The event series is contingent on the Town Commission's approval of the release of funds. As this initiative was not originally budgeted for the Tourist Bureau Department as part of the FY 16/17 Budget, there are insufficient funds in the Tourism Bureau's operating budget to accommodate the expense. To fund this event series, it is necessary to amend the fiscal year 2016-2017 Tourist Resort Fund Annual Budget and to appropriate funds in the amount of \$48,000 to the Promotional Activities Account No. 102-8000-552-4810 for the funding of four summer 2017 First Fridays events.

**Budget Impact:** The 2016-2017 Tourist Resort Fund Budget will be amended to fund the amount of \$48,000 and reduce the Tourist Resort Fund Balance. The Tourist Resort Fund has a balance of \$340,027 as of November 30, 2016 prior to this amendment.

**Staff Impact:** Prepare an agreement with Vendor provided the Town Commission approves amending the Budget as outlined above and provide for staff to assist with the implementation of the event series.

**Recommendation:** Town Administration recommends that the Town Commission approve the attached Resolution to amend the fiscal year 2016-2017 Tourist Resort Fund Annual Budget and to appropriate funds in the amount of \$48,000 to the Promotional Activities Account No. 102-8000-552-4810 for the funding of four summer 2017 "First Fridays" events, and to authorize the Town Manager to enter into an agreement with the Vendor.

Acting Assistant Town Manager  
TEDACS Director

Town Manager

Finance Director

**RESOLUTION NO. 17 - \_\_\_\_\_**

**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, AMENDING THE FISCAL YEAR 2016-2017 TOURIST RESORT FUND ANNUAL BUDGET TO FUND FOUR 2017 SUMMER FIRST FRIDAYS EVENTS; APPROPRIATING FUNDS IN THE AMOUNT OF \$48,000 FROM THE RESORT TAX FUND BALANCE ACCOUNT NO. 102-0000-392-0000 TO THE TOURIST BUREAU PROMOTIONAL ACTIVITIES ACCOUNT NO. 102-8000-552-4810; APPROVING THE EXPENDITURE OF FUNDS; PROVIDING FOR APPROVAL AND AUTHORIZATION; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, in the Summer of 2016, the Tourist Board authorized a “First Fridays” event series with Sara Liss (“Vendor”) to create “First Fridays,” a unique series of four events to further promote Surfside as an attractive tourism destination; and

**WHEREAS**, on January 9, 2017, the Tourist Board approved four Summer 2017 “First Fridays” events (Attachment “A”) based on the success of the four “First Fridays” events during the Summer of 2016; and

**WHEREAS**, on February 6, 2017, the Tourist Board authorized the amount of \$48,000 for the four 2017 Summer “First Fridays” events; and

**WHEREAS**, according to Section 70-127 of the Town of Surfside Code of Ordinances, the Tourist Board shall comply with all applicable provisions of state law, county ordinances and the Town Code, including but not limited to those pertaining to competitive bidding requirements for purchase of goods and services; 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 services, and in receipt of a written request by the Department Head 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 (Attachment “B”); and

**WHEREAS**, the Town of Surfside has determined that Sara Liss is the sole source provider to the Town of Surfside to provide “First Fridays” event series; and

**WHEREAS**, the current budget for the Tourist Bureau for Fiscal Year 2016-2017 does not have sufficient funds for “First Fridays,” thereby necessitating a budget amendment and appropriation of funds in the amount of \$48,000 from the Resort Tax Fund Balance Account No. 102-0000-392-0000 to the Tourist Bureau Promotional Activities Account No. 102-8000-552-4810.

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. Authorization to Amend the Fiscal Year 2016/2017 Tourist Resort Fund Annual Budget to Appropriate and Expend Funds. The Town Commission** hereby authorizes to amend the Fiscal Year 2016/2017 Tourist Resort Fund Annual Budget to appropriate funds in the amount of \$48,000 from the Resort Tax Fund Balance Account No. 102-0000-392-0000 to the Tourist Bureau Promotional Activities Account No. 102-8000-552-4810 and to expend funds for "First Fridays" event series.

**Section 3. Implementation.** The Town Manager is hereby authorized to take any and all action necessary to implement this Resolution and execute an agreement with Sara Liss in accordance with the terms, conditions and purposes of this Resolution.

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

PASSED AND ADOPTED this \_\_\_\_\_ day of February 2017.

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

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

**FINAL VOTE ON ADOPTION**

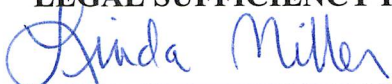
Commissioner Daniel Gielchinsky	_____
Commissioner Michael Karukin	_____
Commissioner Tina Paul	_____
Vice Mayor Barry Cohen	_____
Mayor Daniel Dietch	_____

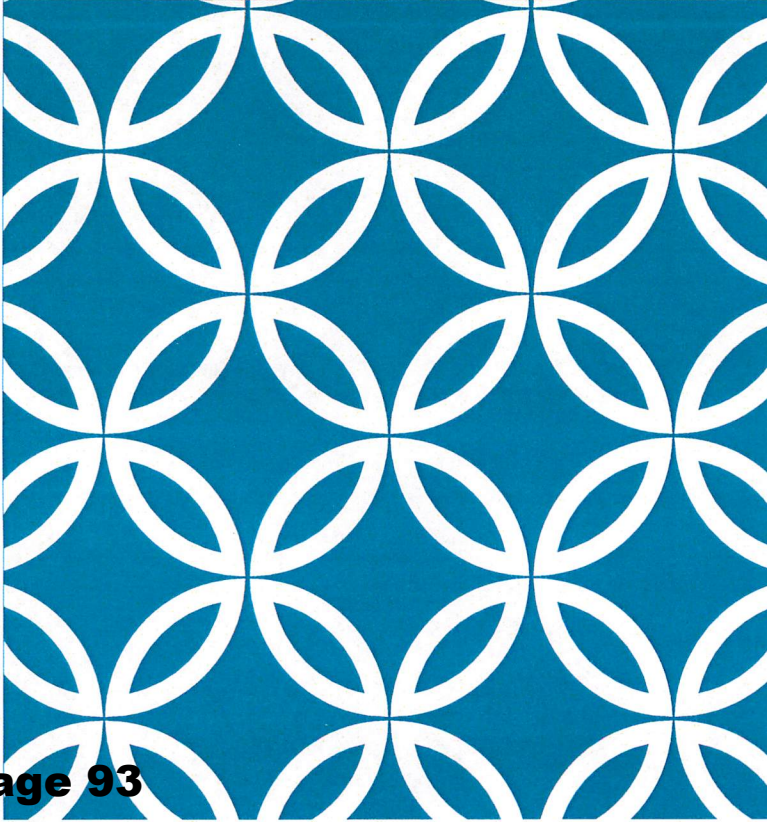
\_\_\_\_\_  
Daniel Dietch, Mayor

**ATTEST:**

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

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

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



# SURFSIDE "FIRST FRIDAYS"

Event Series Recap

# WHAT MAKES SURFSIDE SPECIAL?

- Our family-friendly atmosphere: Surfside wants to embrace and enhance its family-oriented identity.
- The beach: It is our communal "backyard" and we can celebrate its connection to our community.



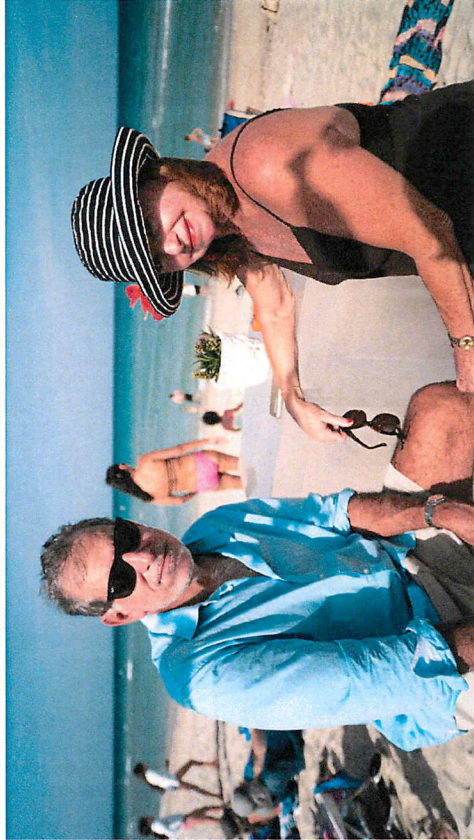
# “FIRST FRIDAYS” -- THE GOALS



Create a recurring "signature event" that encourages community involvement promoting Surfside as an attractive tourism destination.

To benefit both residents and visitors alike.

To generate buzz/media attention around Surfside's unique way of life and attract both visitors and locals to the beach and local businesses.



## Goals cont.

Community engagement: Third Thursdays attracts approx. 400 people each month, we aim to build towards that and to reach a different segment of the community as well.

The chance to distinguish ourselves; no other South Florida beach town is doing this.

Images to be used for social media and marketing collateral.

A viable PR pitch and story angle that promotes Surfside in a positive manner.



# OUTCOMES

- **Media Attention** - covered by *Miami.com*, *Miami New Times*, *Time Out Miami*
- **Social Media** - created Facebook and Instagram accounts that engage with local community
- **Useful Visuals**
- **Database of Emails**

fridaybeaching



25 posts

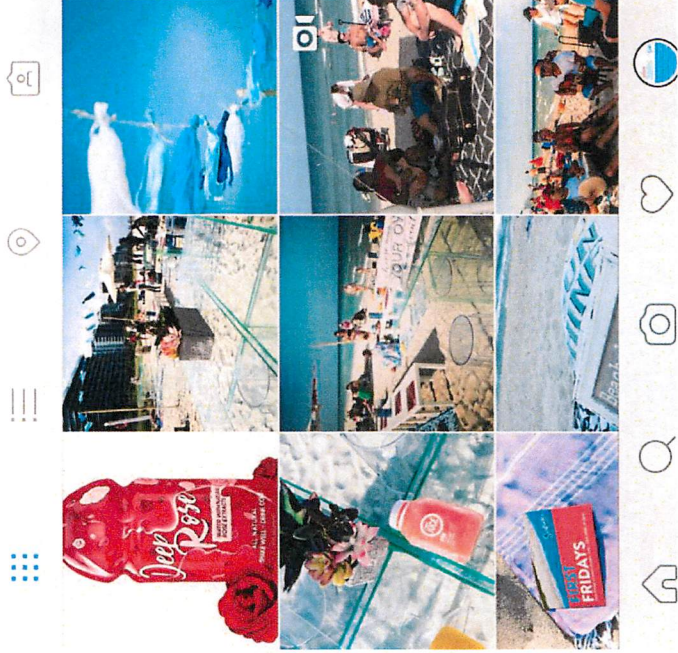
83 followers

141 following

[Edit Profile](#)

## Beach Friday

A community beach picnic the First Friday of the month on the beach in Surfside. Open to residents and visitors. Next one: rescheduled for October 21



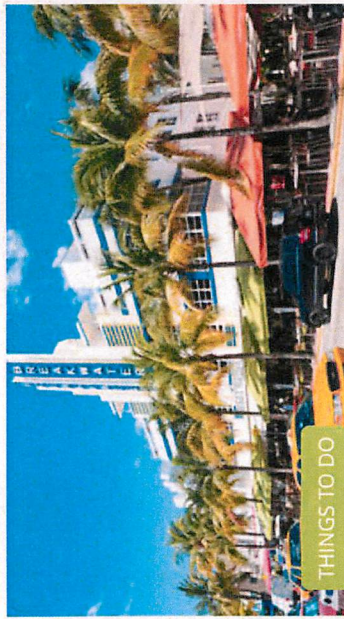


# MEDIA CLIPS



## Your ultimate guide to Miami

Discover Miami's best things to do, restaurants, nightlife and clubs



### 20 essential things to do in Miami

From can't-miss culture to the hottest festivals, we count down the most crucial things to do in



**Babylon Restaurant**  
Halal, Healthy, Organic Mediterranean Food

See & Do

## 7 Reasons Surfside is Miami's Coolest Beach Town

Like 541

Beach parties, great dining and an epic community pool.



## Miami's Best Eats and Drinks This Weekend: Labor Day Parties and Day Parties and More

FRIDAY, SEPTEMBER 2, 2016 AT 10 A.M.

BY LAINE DOSS



# BENEFITS

Engaging local businesses - the opportunity for businesses to market themselves to the community.

Opportunities for Surfside residents: employed Surfside residents as staff created a space for residents to showcase art and culture engaged local community



# ATTENDANCE:



#1 JULY: 83  
registered (20%  
non-residents)

#2 AUGUST 5: 252  
registered (30%  
non-residents)

#3 SEPTEMBER:  
286 registered  
(30%  
non-residents)

#4 October: 330  
(25% non-resident)

## Brands We've Worked With:

**RAW JUICE** - 100% organic,  
cold-pressed juice

**Ginny Bakes** - gluten-free, organic,  
kosher

**WTRMLN WTR** - organic,  
cold-pressed

**Deep Rose** - rosewater beverage

**Sparkling Ice** beverage



# Entertainment:

Brazilian Samba Band  
(acoustic)

Interactive Drum Circle

Bollywood-style Dancers

Fashion Vignettes

Health & Wellness Stations



# POTENTIAL THEMES/EVENTS

- Fashion show - adults and kids
- Sandcastle building contest + workshop
- Movies on a boat
- Full moon party
- Adults-only (with childcare provided at community center)
- Outdoor movie night
- Art Festival with artists, installation, children's art activity
- White Dinner spin-off
- Eco-friendly Turtle-Ocean-Wildlife
- Yoga/Wellness, spa demos



# 2017 Event Themes

Moroccan Night (fashion presentation, food, furniture, Middle Eastern dancers/music).

Camp Out Night (fire pits, s'mores, lawn games, storytellers, acoustic music).

Bollywood Night (Indian decor/furniture, food, Bollywood dancers/music).

Full Moon Caribbean Celebration (Bahamian Junkanoo Band, food, drum circle, fire dancers).

# Needs:

Additional lighting

Additional staff

Infrastructure/furniture

Food and beverage

Promotional materials/advertising

Entertainment

\$12k/per event

4 events = \$48k





# Deliverables:

Furniture and decor (rental and purchased)	30%
Entertainment	20%
Event staff/ Cleanup Crew	12.5%
Food and Beverage	10%
PR Support/Advertising	10%
Promotional Items	7.5%
Photographer (optional videographer)	5%
Event Insurance	5%



Town of Surfside  
TEDACS Department

**MEMORANDUM**

**TO:** Guillermo Olmedillo, Town Manager  
**FROM:** Duncan Tavares, Acting Assistant Town Manager,  
 TEDACS Director  
**SUBJECT:** Sole source for "First Fridays" Event Series  
**DATE:** February 7, 2017

Pursuant to Section 70-126 of the Town of Surfside Code, the Tourist Board has the "enumerated powers and duties" to expend resort tax funds collected pursuant to Chapter 70 of the Town Code for advertising, promotion and special events as part of the Tourist Bureau budget, and to organize special events for the promotion of Surfside as a tourist destination.

In the Summer of 2016, the Tourist Board entered into a trial event series, "First Fridays" with Sara Liss to create a unique recurring event series to further promote Surfside as an attractive tourism destination.

The Tourist Board at their January 9, 2017 meeting approved four summer 2017 "First Fridays" events. The Tourist Board based their decision on the success of the four trial "First Fridays" events during the Summer of 2016 created and organized by Sara Liss and her 2017 proposal.

The "First Fridays" event series is a unique concept which combines a relaxed atmosphere for visitors to enjoy Surfside's premier asset (the beach) with the ability to meet locals and enjoy the entertainment and comradery. The event series presents the Town in a favorable light and serves as a distinctive experience that sets the destination apart from its competition. The 2016 trial series was well received by the Surfside hotel partners, especially in the light of their request for their visitors to attend an event during the summer months that accentuates Surfside's uniqueness. Within a short period of time, the event series established a following and garnered the attention of the media. Sara Liss' concept and execution captured the "Uptown Beachtown" feeling in an inimitable fashion.



## Town of Surfside Commission Communication

**Agenda Item:** 9A  
**Agenda Date:** February 16, 2017  
**Subject:** Require noticing of new residential construction  
**From:** Sarah Sinatra Gould, AICP, Town Planner

**Background:** The Planning and Zoning Board has requested that staff prepare an ordinance advising the abutting neighbors of a demolition permit application, when a new single family residence is proposed to be built. Per our discussions with the Board, staff is suggesting the following language:

### **Sec. 90-19. - Single-family and two-family development review process.**

\*\*\*

90-19.6 Single-family and two-family development shall be reviewed by the design review board, including total or partial demolitions of 50% or more of a single family home.

When the application includes total or partial demolition, the applicant shall notify the public of the Design Review Board hearing date and location, on the proposed application as follows:

1. The applicant shall post a notice on the property one week prior to the Design Review Board meeting and remove the notice three days after the conclusion of the Design Review Board meeting. A notice, 18 inches by 24 inches, shall be placed in a prominent place on the property by the applicant, at his own expense, denoting the following:

REQUEST FOR: \_\_\_\_\_

PLANNING AND ZONING MEETING: DATE AND TIME

TOWN COMMISSION MEETING: DATE AND TIME

TOWN HALL  
9293 Harding Avenue  
Surfside, FL 33154

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

2. The applicant shall mail written courtesy notices via certified mail, to the abutting single family property owners, and single family property owners across the right-of-way, of the Design Review Board meeting date and location 10 days prior to the meeting.
3. The applicant shall provide the Town the corresponding certified mail receipts, indicating the notices have been mailed and provide evidence that the sign has been posted three days prior to the Design Review Board meeting.

**Budget Impact:** N/A


**Growth Impact:** Giving neighboring property owners an opportunity to attend the Design Review Board meeting where new construction adjacent to their property is proposed.

**Staff Impact:** Additional record keeping by the Town Staff and confirmation that the advertising and notice has occurred prior to the meeting.

**Staff Recommendation:** Approval



\_\_\_\_\_  
Sarah Sinatra Gould, AICP, Town Planner



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



## Town of Surfside Commission Communication

**Agenda Item:** 9B

**Agenda Date:** February 16, 2017.

**Subject:** Legislative Priorities.

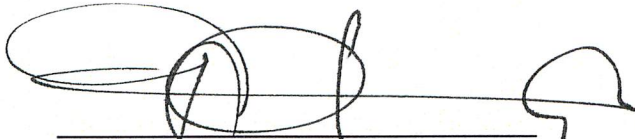
**Background:**

A list of legislative priorities was submitted to the Town's lobbyist Mr. Fausto Gomez, of Gomez Barker Associates Inc., for his review and insight (Attachment A).

As this Town Commission meeting is being held during the time of the State Legislative Interim Committee meetings, Mr. Gomez is required to be in Tallahassee and apologizes for not being in attendance.

**Recommendation:**

Seeking Town Commission direction on this list and to authorize forwarding to lobbyist Mr. Gomez so that he may act on behalf of the Town on these matters during this State legislative session.



---

Guillermo Olmedillo, Town Manager



## Legislative Priorities 2017

### Community:

- **Public Records: archive and scanning funding.**  
*SB80, along with SB246 and HB163, are different approaches to ensuring that municipalities are not confronted with nuisance legal actions with the regard to the production of public records.*
- **Historic documents preservation (Town incorporated in 1935).**  
*The Florida Department of State has a grant program for preserving historic documents and the recommendation is that the Town should apply for that source which will subsequently be approved by the legislature.*
- **Land acquisition support.**  
Continued / additional support for creation of bike / walking paths  
*Surfside has the continued opportunity to seek Florida Recreation Development Assistance (FRDAP) grant support for both land acquisition and redevelopment of existing parks. There is a grant application open every year. Previous grant opportunities were not pursued as the grant would open the Town's facilities to non-Surfside residents. A change in policy direction would be needed before the pursuit of funding.*
- **Condominiums.**  
*There are three bills dealing with condos. SB294 would require financial penalties for associations failing to provide public documents, HB137 would require binding arbitration, and SB318 would protect covenants.*

### Economic Development:

- **Short term rentals: maintaining Surfside's ability to manage its own ordinance process.**  
*This is a key legislative issue. Rep. Richardson from Miami Beach has filed legislation (HB6003) to assure that local communities have the ability to manage short term rentals. Conversely, Sen. Steube and Rep. La Rosa have filed bills to eliminate all local regulation (SB188 and HB425). This will be an important issue.*
- **Resort / Tourist Tax Protection.**  
*Sen Grimsey and Rep. Latvia have filed bills to allow tourism taxes for publicly owned but privately operated theaters.*
- **Visit FL funding to remain the same or increase.**  
*The House wants to eliminate Visit Florida - the Senate and Governor want to keep it. This, along with economic development, will be among the key fights of this legislative session.*
- **The Town does not support FDOT seeking a share of parking meter revenue.**
- **Renovation of Beach Ends: possible funding via economic development.**
- **Continued support of Local Business Tax Receipts protection.**  
*SB330 and HB407 would limit the Local Business Tax to a maximum of \$25.00*
- **Small Business Development Network formation / funding.**

### **Education:**

- Funding for training / continued education.  
*Low probability for Tallahassee to fund local training and/or continued education of Surfside employees.*
- Miami-Dade Public Schools items (see attached).

### **Environment:**

- Ban plastic bag use.  
*Rep. Richardson and Sen. Rodriguez have filed legislation to create a pilot program in coastal communities banning plastic bags.*
- Support the use of offshore / foreign sand for beach nourishment\*.  
*Federal Issue. Member of Congress Lois Frankel has filed legislation*
- Climate Change / Sea Level Rise / Environment: adaptation, resiliency, algae issue as potential threat to beaches (Everglades/Lake Okeechobee), beach nourishment\* etc.  
*Sen. Brandes has filed a bill allowing of a \$50 million grant program, statewide, to address issues of sea level rise.*
- Support for Coastal Partnership Initiative Grant Program.
- Support for State wide legislation on Turtle lighting.
- Combating Zika.  
*The Governor has recommended funding for academic research on Zika, including FIU.*

### **Infrastructure:**

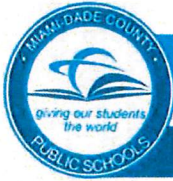
- Water Quality support – replacement of water meters.  
Replacement of subaqueous crossing (Point Lake).  
*Surfside has already applied for a \$132,000 grant to replace the water pipe to Biscaya Island. Water meters replacement will have to wait until next year unless a different funding source is identified.*
- Infrastructure funding related to water / sewer projects.
- Surfside's Revolving Loan – loan forgiveness / rate modification.  
*The pursuit of this will be when the moment is appropriate. The Town will need to pay for some years and then strike when the political moment is appropriate.*

### **Life Safety:**

- Support for measured legislation on gun and assault rifle ownership.  
*There are a number of bills dealing with guns. The majority of them would expand where a gun would be permitted. Allowing Open Carry (SB140/HB6005), guns at airports (SB140/HB6001), public meetings (SB626), vocational career centers (SB640). Legislation has also been filed to prohibit high capacity magazines and rifles (SB254/HB167), disallow guns in theaters (DB170/HB235).*
- Support for red light camera safety program.  
*Sen. Artilles and Rep. Avila have filed bills to eliminate Red Light Cameras. This is a priority of the Speaker. The bill will most likely pass the House of Representatives but have difficulty in the Senate as the state budget impact would be \$70 million.*
- Modify Police Officer's Bill of Rights – offenders lose state certification and are able to be terminated.  
*No discussion about this issue or any modification to the Officer's Bill of Rights is foreseen.*

- **Funding for body armor vests and body worn cameras.**  
*There are a number of bills relating to body cameras. HB305 by Rep. Harrison and Sen. 624 by Sen. Stuebe require the establishment of guidelines for the review of body camera footage. HB405 by Rep. Newton mandates a minimum period of retention of body camera footage. Finally, HB513 by Rep. Jacquet mandates body cameras for all law enforcement agencies during traffic stops.*
- **Transportation funding related to all items that address traffic calming and mitigation.**  
*Opportunities for municipalities to obtain transportation dollars will be identified.*





# Miami-Dade County Public Schools

*giving our students the world*

**Superintendent of Schools**  
Alberto M. Carvalho

**Miami-Dade County School Board**  
Perla Tabares Hantman, Chair  
Dr. Lawrence S. Feldman, Vice Chair  
Dr. Dorothy Bendross-Mindingall  
Susie V. Castillo  
Dr. Wilbert "Tee" Holloway  
Dr. Martin Karp  
Lubby Navarro  
Raquel A. Regalado  
Dr. Marta Pérez Wurtz

November 1, 2016

Dear Community Leader:

Despite Florida's economic challenges during the last several years, Miami-Dade County Public Schools has seen significant student achievement gains. The results are compelling as the District continues to receive national recognition for student achievement outcomes. To advance our progress and success, we need your continued advocacy, and we respectfully request your support of the Miami-Dade School Board's legislative platform for the 2017 Legislative Session. The enclosed platform was adopted at the School Board meeting of October 5, 2016, and it reflects the legislative needs identified by the School Board and staff as well as interested citizens, PTA/PTSA groups, employee groups, administrators, students, and other community stakeholders.

We also respectfully request your support of The School Board's top priorities for the upcoming legislative session:

## Funding

Increase the state's investment in public education by helping to:

- Increase the state's investment in K-12 education with a higher Base Student Allocation (BSA) of five percent annually to allow school districts to enhance teacher salaries;
- Conduct an impartial third-party study to develop a cost of education index which focuses on cost differences integral to educational institutions' operations reflecting such costs as average teacher salaries, health insurance for employees, property insurance per FTE, and transportation costs per FTE;
- Increase Safe Schools Funding minimally to pre-recessionary levels and revise the funding formula so that each school district gets 50 percent of its previous year's actual expenditures from the state;
- Provide funding for summer immersion programs for English Language Learners (ELL);
- Provide supplemental funding to create community-based networks to ensure safe neighborhoods for children and families;
- Extend and fund a longer school year for all students;
- Support maximum flexibility in the use of funds appropriated; and
- Oppose unfunded state mandates.

*Office of Intergovernmental Affairs, Grants Administration, and Community Engagement*  
School Board Administration Building • 1450 N.E. 2nd Ave. • Suite 931 • Miami, FL 33132  
305-995-1497 • 305-995-3088 (FAX) • [www.dadeschools.net](http://www.dadeschools.net)

### Capital

- Oppose any diversion of the Local Discretionary Capital Levy revenue from traditional public schools to charter schools.

### Teacher Shortage

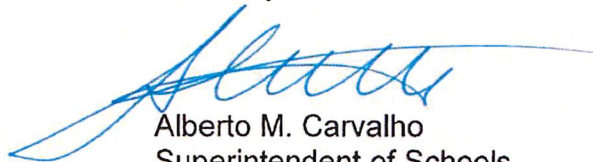
- Implement and fund strategies to encourage and attract talented students to enter into the field of education, such as teacher fellowships and loan forgiveness programs.

### Safety

- Establish a perimeter of safety around schools and increase penalties for the unlawful firing of a firearm within 1,000 feet of a school.

On behalf of the public school students of Miami-Dade County, thank you for your continued and consistent support, and I look forward to working with you again. If you have any questions or need additional information, please contact Ms. Iraida R. Mendez-Cartaya, Associate Superintendent, Office of Intergovernmental Affairs, Grants Administration, and Community Engagement, at 305 995-1497.

Sincerely,



Alberto M. Carvalho  
Superintendent of Schools

AMC:ajo  
L390

Attachment

cc: School Board Members  
School Board Attorney  
Superintendent's Cabinet

**MIAMI-DADE COUNTY PUBLIC SCHOOLS  
2017 STATE LEGISLATIVE PROGRAM**

**GOAL STATEMENT**

*The Florida Legislature should establish a five-year strategic plan to restore, stabilize, and increase funding through the Florida Education Finance Program (FEFP) to achieve at least the national average in per pupil expenditures to provide the highest quality education and to enable all of our students to be empowered to lead productive and fulfilling lives as lifelong learners and responsible citizens.*

**2017 LEGISLATIVE PRIORITY POSITIONS**

**FUNDING:**

Increase the state's investment in K-12 education by increasing the Base Student Allocation (BSA) by five percent annually to allow school districts to enhance teacher salaries.\* (Tri-county Position)

Conduct an impartial third-party study to develop a cost of education index which focuses on cost differences integral to educational institutions' operations reflecting such costs as average teacher salaries, health insurance for employees, property insurance per FTE, and transportation costs per FTE.\* (Tri-county Position)(MDC)

Increase Safe Schools funding and revise allocation formula so that each district's allocation is equal to fifty percent of prior year eligible district expenditures.\* (Tri-county Position)

Fully fund the infrastructure cost and the acquisition of computers for the mandated expansion of computer-based administration of statewide testing, and the digital content conversion required by 2016-2017.

Amend F.S. 1011.61 to fully fund programs taken by students beyond the 1.0 FTE cap or 25 hours a week such as dual enrollment or virtual classes outside the traditional school day and year.  
(Tri-county Position)

Provide school districts flexibility in the delivery of the additional 180 hours of instruction for the lowest 300 elementary schools to include summer school, Saturday school, afterschool or any combination of these strategies. (Tri-county Position)

Eliminate the arbitrary cap on the number of gifted high school students funded.

Provide funding for summer immersion programs for English Language Learners (ELL).  
(Tri-county position)

Provide supplemental funding to create community-based networks that develop, coordinate and provides quality education, parental training, accessible health care, housing, youth development programs, and employment opportunities to ensure safe neighborhoods for children and their families.

**ACCOUNTABILITY AND ASSESSMENT REFORM:**

Revise the current accountability assessment system to:

- Authorize alternate methods for assessing learning and achievement for special populations such as Exceptional Student Education (ESE) and English Language Learners (ELL) students;
- Provide Florida's statewide assessments in multiple languages to ELL who have received instruction for less than three years as allowed by federal regulations;
- Provide a waiver from the passage of the English Language Arts (ELA) requirement for ELL students who have passed all other high school graduation requirements and have been enrolled in school less than two consecutive years;
- Delay the implementation of computer based testing (CBT) until all districts have sufficient infrastructure and devices to ensure that testing windows are reasonable, maximizing instruction time;
- Include the performance of ELL students enrolled in school for more than two years for accountability on the Florida Standards Assessment (FSA);
- Set goals for ELL and ESE subgroups based on achieving learning gains versus achieving proficiency;
- Disaggregate ELA writing and comprehension/reading scores; and
- Use graduation or career readiness rates for the additional academic accountability indicator for high school and growth in the lowest 25 performing high schools as the school quality indicator pursuant to ESSA for elementary and middle grades.

#### **ACADEMICS:**

Amend F.S. 1007.271 to clarify that when dual enrollment takes place on the post-secondary campus, the college/university provides the special needs accommodations as part of the standard tuition that the school district pays.

Require Florida Department of Education to create a Spanish K-5 endorsement to support the implementation of Seal of Biliteracy and assist school districts in identifying qualified teachers in the area.

Eliminate the requirement for a public hearing on the adoption of instruction materials if the textbook selected is on the state-adopted list.

Provide the lowest 300 performing elementary schools a year of planning prior to the requirement of the additional hour of instruction.

Streamline the use of district-approved 504 plans for students taking the SAT and PSAT, as well as other standardized testing such as AP/IB/AICE.

#### **CAPITAL FUNDING:**

Oppose any diversion of Local Discretionary Capital Outlay levy revenue from traditional public schools to charter schools.\* (Tri-county position)

#### **SCHOOL READINESS:**

Support state funding for a high-quality, full-day Voluntary Pre-Kindergarten (VPK) program for all eligible students.\* (Tri-county position)

Amend F.S. 125.901 related to Children's Services Council governing boards to provide superintendent designee be a voting member.

Support the reinstatement of state funding to implement a developmentally appropriate on-going assessment tool to timely measure children's progress and development, inform the teachers and parents, and evaluate the programs effectiveness.

Streamline registration, certification of attendance and transfers of students to maximize operational efficiency and facilitate appropriate funding for students served in VPK.

Amend F.S. 1002.69 to require a pre- and post-assessment tool to timely assess the VPK Provider Kindergarten Readiness Rates.

#### **CHARTER SCHOOLS:**

Amend Florida statutes to allow school boards with at least 10 percent of student enrollment in charter schools to analyze the need for additional charter schools and/or require new charters to locate in areas to address overcrowding, provide choice opportunities to students/parents zoned to failing schools, or meet a specific academic need the school district is not addressing.  
(Tri-county Position)

Allow local school districts to negotiate an appropriate usage fee based on market comparables for the use of public educational facilities.

Require charter school applicants to submit a letter of intent to the school district prior to submission of the charter application identifying the educational program, inclusive of grade levels and number of students; evidence of community support, need and demand; impact analysis on surrounding community(ies), inclusive of public and non-public educational institutions; description of actual physical location of the proposed school; and completed background verification at the expense of the applicant.

Require charter schools to submit facility occupancy and use documentation by the 30<sup>th</sup> day prior to the first day of the school year. If unable to meet the deadline, the school may default to an automatic deferral and planning year. (Tri-County Position)

Clarify 1002.33 (9)(n)4., F.S. to ensure no additional action is required by the school board to terminate charter contracts and close charter schools that are automatically terminated for academic performance, after all applicable school grade appeals and exceptions are exhausted.

Clarify the use and permissible transfers/loans of FEFP funds and establish prohibition of transferring FEFP funds outside the county in which those funds are generated in.

Support legislation that prohibits applicants that have existing schools under academic or financial corrective action plans, investigation, investigation or some other kind of sanction to apply for an additional charter.

#### **TEACHER SHORTAGE:**

Implement and fund strategies such as teacher fellowships and loan forgiveness programs to encourage and attract talented students to enter into the field of education.\* (Tri-county Position)  
(MDC)

Allow school districts to re-employ teachers, other instructional personnel and substitute teachers who are certified in a "critical shortage" field after one month of retirement without penalty to the employee's pension. (Tri-county Position)

**SAFETY:**

Increase penalties for firing a gun within 1,000 feet of a school.

Establish penalties for the unsupervised possession of a firearm by a minor.

Support legislation that provides exemption from public records requirements for personal information of a witness to a murder.

**FACILITIES:**

Modify the utilization factor for K-8 centers as follows: 100% of FISH for the elementary school student stations, and 95% for the middle school student stations.

Provide school districts flexibility to use the Florida Building Code in lieu of the State Required Education Facilities (SREF).

Require local government agencies to consult with the local school district when considering a variance for educational use.

Exempt school districts from paying ad valorem tax for leased properties similar to charter schools.

**WORKFORCE DEVELOPMENT:**

Support legislation that attempts to strengthen the role of technical centers in the development of a skilled workforce.

Include representatives from the secondary schools' career and technical education programs in the state's Articulation Coordinating Committee.

**VIRTUAL EDUCATION:**

Modify the requirement to offer two instead of three different virtual offerings to students in every grade level.

Eliminate the requirement for a student to have attended a public school in the state the prior year to be enrolled and reported by the school district for funding of virtual programs.

Modify the current virtual requirement of 1 credit to ½ credit for graduation.

Amend F.S. 1002.45(1)(b)(b) and eliminate the "written" notification requirement to parents regarding open enrollment in virtual programs.

**CIVIC ENGAGEMENT:**

Amend F.S. 97.041 to allow citizens who will be 18 years old by the time of the November general election to vote in the Florida Primary Elections.

\*Denotes priority issue

Tri-county Position – supported by Miami-Dade, Broward and Palm Beach county school districts  
MDC- supported by Miami Dade College

## **POLICY STATEMENTS:**

### **Funding**

Fully fund the class size reduction requirement while providing increases to the BSA and other components of the FEFP.

Examine Florida's tax structure and phase out sales tax exemptions for non-essential goods and services; ensure that internet sales remit necessary sales tax to Florida.

Oppose the imposition of unfunded, state-mandated expenditures.

Support maximum flexibility in the use of categorical funds and all funds appropriated.

Maintain the integrity of the FEFP and equity of funding among school districts.

Oppose any prescribed expenditure such as the "65 percent solution" as a mandate in the Florida Constitution and further oppose any such legislation, unless established as a spending goal with the definition of expenditures, to include all instructional support expenditures.

Oppose compression of the Discretionary Millage.

Support equivalent supplemental funding for the participation and the attainment of a diploma for Advanced Placement, Cambridge (AICE), and International Baccalaureate programs.

Oppose legislation that increases the sovereign immunity liability limits on governmental agencies.

Commit to long-term funding stability for teacher performance pay and teacher evaluation systems.

Allow school districts to locally establish contract provisions inclusive of cost structures with postsecondary institutions related to the delivery of dual enrollment.

Increase ESE per pupil funding to account for both student growth and inflationary cost particularly in level 254 and 255 to provide early identification and intervention services for students with autism.

Support grant funding to create new and innovative programs and academies.

Modify the penalty for non-compliance with the constitutional class size requirement to be based on the school-wide average for *all* public schools.

Fully fund the extension of the school year by 25 instructional days for the lowest-performing elementary schools in lieu of extending the school day.

Support funding to offer an extended school year beyond 180 days for all students.

Maintain the current required employers' contribution rate to the Florida Retirement System by absorbing any planned increase in local employer's contribution.

### **Capital Funding**

Provide adequate school construction funding to support new and existing facilities, technology, maintenance, land acquisition and class size reduction needs through the establishment of long-term, stable and recurring revenue sources to fulfill the state's educational facility needs.

Fully fund the Public Education Capital Outlay Program that involves construction and maintenance programs for public school districts and ensure that school districts receive their fair share.

Oppose any further reduction in capital millage available to school districts for the purpose of balancing the operating budget.

Oppose any attempt to equalize the capital outlay levy.

Oppose the deletion of impact fees unless replaced with another revenue source.

Expand the allowable use of a locally voted upon sales tax to include operating expenses that maintain, renovate, or repair existing school facilities or maintain, secure, or upgrade school technology equipment.

Support capital funding for charter schools that:

- Creates neither a reduction of funding to traditional public schools in operating or capital funding nor a requirement for additional taxing mandate on the local school district;
- Requires public input; and
- Protects taxpayers' investment ensuring that capital funding be spent only on assets that can be returned to the public school district.

### **Governance**

Oppose legislation that subverts district governance of constitutionally elected local school boards and elected or appointed superintendents.

Oppose legislation that modifies the governance structure of The School Board of Miami-Dade County, Florida.

Oppose legislation that breaks up large school districts.

### **Charter Schools**

Oppose any changes to current requirements regarding charter conversion of traditional public schools that dilute the role of parents, teachers, and community stakeholders.

Establish a level playing field for traditional public schools by extending the current statutory flexibility such as the exemption from State Education Required Facilities (SREF), categorical funding, accountability, class size reduction compliance and related penalties assessed on charter schools.

### **Choice**

Support increased accountability measures for all publicly funded school choice options.

Oppose all publicly funded programs that lack equitable and sufficient accountability measures.

Oppose implementation of additional or any increases in funding of choice programs while requiring more accountability from schools receiving Florida Tax Credit Scholarship (FTCS) funding.



## **Academics**

Oppose legislation that would limit offering gifted programs to eligible high school students.

Require the state to provide a minimum of one-year lead time on new state requirements for school districts.

Maintain the current dual delivery system of post-secondary programs.

Support amending F.S. 1019.534 and 1019.535 adding the attainment of the Advanced Placement Capstone diploma as one of the eligibility requirements for Florida Bright Futures Scholarship Program.

Ensure charter and private schools receiving public monies adhere to the same teacher certification, student placement, and progression policies to ensure compliance with federal and state accountability requirements.

## **Student Safety/Wellness**

Support legislation that proposes a “slowing down zone” within an area prior to entering a school zone.

Support funding to provide training for students, parents, teachers, school administrators, counseling staff, and volunteers to learn how to recognize behaviors that lead to bullying and harassment.

Ensure any casino authorized in Florida is at least 1,000 feet from a school or land designated for school purpose.

Support legislation that precludes a child victim or witness to a crime be subjected to a discovery deposition in any criminal court proceeding.

Support telemedicine legislation that facilitates effective and efficient use of technology to provide health services to schools minimizing the length of time students are out of school due to illness.

\*Denotes priority issue

Tri-county Position – supported by Miami-Dade, Broward and Palm Beach county school districts

**MIAMI-DADE COUNTY PUBLIC SCHOOLS**

**2017 FEDERAL LEGISLATIVE PROGRAM**

**MISSION/GOAL STATEMENT**

*Provide the highest quality education so that all of our students are empowered to lead productive and fulfilling lives as lifelong learners and responsible citizens.*

As the first session of the 115<sup>th</sup> Congress convenes, we urge the President and Congress to reaffirm their commitment to our nation's children by reinvesting in public education.

**FEDERAL EDUCATION RESOURCES**

Exempt K-12 and workforce education spending from budget cuts under sequestration reduction or related budget balancing negotiations, and at a minimum, increase funding to meet increased costs due to inflation, increased number of students, and critical unmet needs.

Increase the federal investment in public education to fully fund the implementation of the Elementary and Secondary Education Act (ESEA) and Individuals with Disabilities Education Act (IDEA), and enact the IDEA Full Funding Act.

Increase federal entitlement funding to school districts through Title I appropriations for disadvantaged students, Title II for improving teacher/principal training and recruiting, and Title III for English Language Learners (ELLs).

Oppose formula changes that dilute funding for high-need public schools including public portability or private school choice programs that lack the same level of academic and fiscal accountability by which local school districts are governed or that public school students must adhere.

**ELEMENTARY AND SECONDARY EDUCATION ACT (EVERY STUDENT SUCCEEDS ACT)**

Monitor the impacts of the reauthorized Elementary and Secondary Education Act (Every Student Succeeds Act 2015), and support legislative or regulatory modifications that provide adequate flexibility, guidance and support for local implementation and measures of progress for students and schools.

**EARLY CHILDHOOD EDUCATION**

Support the reauthorization and expansion of Early Head Start/Head Start programs that provides increased funding and appropriate early education standards that are aligned with state academic content standards designed to ensure school readiness.

Support federal funding to develop, expand, and enhance quality voluntary preschool programs while ensuring the adoption of developmentally appropriate early education standards that are aligned with state K-12 academic content standards.

Support legislation that encourages states to develop and expand effective, innovative preschool delivery models that promote high-quality childhood education programs and ensure school readiness.

## ***IMMIGRATION IMPACT***

Address the financial impact of federal immigration policies on local school districts as they address the increased demand for immigrant education and integration programs by supporting the Refugee and Entrant Assistance Programs under the Targeted Assistance and Immigrant Education allocation serving foreign-born students and their families.

Support increased funding for school districts during periods of immigration influx and waiver of the award ceiling for high-impact communities, and ensure that later-arriving children of refugees are accounted for in whatever funding formula is used, without imposing a requirement of individualized documentation on school districts.

Support federal funding directly to school districts to address the burdensome costs of serving the needs of unaccompanied children arriving at our schools and to ensure districts' operational readiness.

Support provisions of a comprehensive immigration bill that supports English language literacy, and technical training as well as the DREAM Act or similar legislation that would provide immigration relief to a select group of students who grew up in the United States, have good moral character, and are enlisted in the military or pursuing a college education.

## ***SCHOOL NUTRITION***

Support the reauthorization of the Healthy Hunger Free Kids Act that:

- Provides program funds to support the costs of food service employees receiving training and professional development;
- Reduces costly and onerous mandates on school districts;
- Avoids new limits on the number of eligible participants, including higher thresholds for community eligibility, verification burdens, or limits on the frequency of applications; and
- Increases the federal commodity food allocation for school meal programs to support healthy eating options for students and off-set higher costs of purchased foods for districts.

## ***MEDICAID REIMBURSEMENT***

Oppose any policy revisions to restrict school-based reimbursement for administration expenditures and certain transportation costs for services provided to low-income children with disabilities.

## ***SCHOOL CONSTRUCTION/RENOVATION***

Support supplemental allocations for large school districts with high levels of free and reduced-price lunch participants to implement "green" sustainable projects, including upgrading technology infrastructure, replacing school buses or maintenance vehicles to improve operational efficiency and to reduce the carbon footprint, and extending the useful life of existing school buildings by eliminating adverse indoor environmental conditions that are not conducive to learning.

Extend the federal tax deduction (Section 179d) to encourage energy efficient building renovations.

### ***STUDENT PRIVACY***

Support reauthorization of the Family Educational Rights and Privacy Act (FERPA) in a manner that respects student privacy rights without burdensome administrative duties to local school districts, including cumbersome administrative or legal requirements, or opt-out provisions that would jeopardize the role of educational research.

### ***TECHNOLOGY IN SCHOOLS***

Support increased resources with local flexibility and expand eligible expenditures to include educational linkage beyond the school for the Universal Service Fund Program (E-Rate) and streamline refund procedures to provide schools and libraries with affordable access to state-of-the-art networking and telecommunications technology.

Support modifying FCC regulations to provide E-rate funding to school districts, not individual schools, to use based on needs as determined by the districts.

Redress disproportionate impacts of 2014 E-Rate Modernization Orders on high-poverty schools and large districts, including higher local contributions from the most-impooverished schools (Category Two services) and the budget impact of fully phasing down large-district legacy systems by 2019 (Category One services).

### ***WORKFORCE PREPARATION***

Support increased funding to meet the demands for workforce skills development under the Workforce Innovation and Opportunity Act (WIOA), the Carl T. Perkins Career and Technical Education Improvement Act, and related legislation or initiatives, including programs that impact low-literacy and disadvantaged populations.

Preserve the role of district-operated adult education and job training programs.

### ***HEALTH CARE***

Retain tax-advantaged status of employee and employer contributions for healthcare premiums and costs including Health Savings Accounts (HSA) and Health Reimbursement Accounts (HRA) as well as Flexible Spending Accounts (FSA).

Delay or exempt school districts from the implementation of the excise tax currently scheduled to become effective in 2020 under the Affordable Care Act, commonly known as the Cadillac Tax.

### ***PERSONNEL***

Implement and fund strategies such as teacher fellowships and loan forgiveness programs to encourage and attract talented students to enter into the field of education.

Enhance resources to recruit, develop, and retain highly-qualified teachers in fragile or low-performing schools.

## ***STUDENT SAFETY***

Support legislation that provides supplemental resources to assist school districts in deferring internet crime and cybercrime through awareness and promotion prevention to our students, teachers, and parents.

Support federal funding to local law enforcement and school districts to ensure that schools have well-trained and equipped police personnel to protect children while in schools.

Increase funding and need-based grants that foster safe, healthy, supportive, and drug-free environments, so as to implement and expand interventions that focus on reducing disruptive and aggressive behaviors and strengthen students' emotional and behavioral competencies.

Support juvenile justice reforms that strengthen educational outcomes.

Provide supplemental funding to create community-based network that develops, coordinates and provides quality education, parental training, health care, housing, youth development programs, and employment opportunities to ensure safe neighborhoods for children and their families.



# Town of Surfside Commission Communication

**Agenda Item #** 9C

**Agenda Date:** February 16, 2017

**Subject:** Traffic Mitigation Initiatives Update

**Background:** At the January 10, 2017 Town of Surfside Commission Meeting, the Town Commission reviewed for discussion / approval a table of traffic mitigation initiatives (attachment A) comprised of Commission, staff and Ad-Hoc Citizen Traffic Advisory Committee recommendations. The traffic mitigation initiatives numbered 1 – 20 in the table provided to the Commission, included a suggested timeframe for implementation, estimated costs (to be determined), associated agencies who must be engaged for approval and whether traffic modeling was required as part of the analysis. In that Commission meeting several motions were discussed and approved as part of Agenda Item 9B, identifying specific initiatives as listed by number in the traffic mitigation table (attachment A). The first motion passed by the Town Commission approved staff to use their discretion related to items numbered 1, 2, 3, 4, 7, 8, 10, 13 & 16 of the traffic mitigation initiatives table. In a second motion, the Town Commission directed staff to discuss traffic mitigation initiatives 9, 12, 14, 15, 17, and 18, in a meeting scheduled for January 13, 2017, by Chief Allen with FDOT, Bal Harbour and Bay Harbor Islands officials, to discuss a variety of traffic issues. Other motions passed directed staff on matters related to item numbers 5, 6, 11, 19 & 20 in the traffic mitigation initiatives table. The Town Commission requested staff provide an update on traffic mitigation initiatives in the February 16, 2017 Town Commission Meeting

**Analysis / Update:** The below table incorporates the numbered traffic mitigation initiatives reviewed by the Town Commission in the January 10, 2017 Commission Meeting, with updated information contiguous to each item.

**Traffic Mitigation Initiatives Update**

#	Initiatives	Update(s)
	<b>Short Term (0 – 6 months)</b>	
1	Add reflective tape to all stop signs	Pending Public Works schedule for installation.
2	New Stop Signs at all intersections west of Harding Avenue	<p>The following list of locations for new stop signs has been forwarded to Public Works for Installation:</p> <ul style="list-style-type: none"> <li>• 89<sup>th</sup> Street &amp; Byron Avenue (east-west)</li> <li>• 90<sup>th</sup> Street &amp; Abbott Avenue (east-west)</li> <li>• 90<sup>th</sup> Street &amp; Carlyle Avenue (east-west)</li> <li>• 92<sup>nd</sup> Street &amp; Abbott Avenue (east-west) <b>Installed</b></li> <li>• 92<sup>nd</sup> Street &amp; Carlyle Avenue (east-west) <b>Installed</b></li> </ul>

3	New Stop Bar Reflectors	Pending installation of new stop signs.
4	New Speed Bumps	New speed bumps have been installed at the following locations: <ul style="list-style-type: none"> <li>• 8900 block of Abbott Avenue</li> <li>• 9100 block of Abbott Avenue</li> <li>• 9300 block of Abbott Avenue</li> </ul>
5	Revisit Street Closure <ul style="list-style-type: none"> <li>○ 94<sup>th</sup> Street / Abbott Avenue</li> </ul>	Commission requested a traffic model. Pending CGA cost estimate / model.
6	New Street Closure <ul style="list-style-type: none"> <li>○ Byron Avenue (northbound) at 88<sup>th</sup> Street</li> </ul>	Requires study, Miami-Dade County and Miami Beach approval. Pending meetings / agreements.
7	Loop Detector Installation	Pending permitting. The permitting process concerning the loop detectors stalled with Miami-Dade County due to matters surrounding incorporating signal improvements at 95 <sup>th</sup> Street and Harding Avenue as outlined in the developer's agreement with The Shul project. The decision to advance the permitting process for all other intersections to have loop detectors has proceeded. The 95 <sup>th</sup> Street and Harding Avenue project will follow.
8	Install a centerline curb on 95 <sup>th</sup> Street between Abbott and Byron Avenues	Public Works will be installing delineators to deter trucks from traveling west on 95 <sup>th</sup> Street.
9	Eliminate Crosswalks on Collins (north) & Harding (south) Avenues	FDOT stated that eliminating crosswalks would hinder pedestrian travel and further study would be required before they can agree to that recommendation.
10	Create Vehicular Circulation Plans for New Construction Projects <ul style="list-style-type: none"> <li>○ Minimize lane closures</li> </ul>	MOT's and circulation plans for new construction projects was a primary topic of discussion with FDOT and the surrounding jurisdictions representatives. A plan to improve the coordination of projects and to enhance communication by FDOT providing notice well in advance of all approved MOT's to the three jurisdictions was agreed upon.
11	Evaluate Sidewalk Options	The Commission voted to not move forward with item.
12	Install traffic light at 96 <sup>th</sup> Street & Abbott Avenue  Eliminate left hand turn at 96 <sup>th</sup> Street & Byron Avenue	The proposal to eliminate the left turn on 96 <sup>th</sup> Street and Byron Avenue was strongly questioned by FDOT. They point to the increased number of vehicles that would have to use 96 <sup>th</sup> Street and Collins Avenue as the alternate route to travel west as a serious concern. The proximity of Harding and Collins on 96 <sup>th</sup> Street would quickly fill with vehicles thus causing a backup on Collins Avenue which already sees heavy traffic. Much studying, vehicle counts and traffic engineering scenarios must occur before true consideration to eliminate the left on Byron can transpire.

13	Remove the "No U-Turn Sign" on 96 <sup>th</sup> Street (eastbound) at the entrance to the Bal Harbour Shops	A recommendation for removal of the No U-Turn sign at 96 <sup>th</sup> Street and Carlyle Avenue was presented to FDOT officials. They advised further evaluation would be required. Pending.
14	Install a crosswalk at 90 <sup>th</sup> Street & Harding Avenue (north side)	90 <sup>th</sup> Street and Harding Avenue was discussed at length as a hazardous intersection for vehicles crossing westbound as well as pedestrians due to the bend in roadway. FDOT agreed to reconsider installing a traffic signal at the location, pending study (count). The Town will proceed with the installation of traffic delineators designed to allow a left turn only onto Harding Avenue and preventing vehicles from traveling westbound across the intersection. Pending Public Works schedule to complete work.
15	Remove the "no turn on red" sign on 93 <sup>rd</sup> Street & Harding Avenue	FDOT will evaluate the removal of the NO U-Turn sign at 93 <sup>rd</sup> Street and Carlyle Avenue.
16	Send demand letters to mapping companies	The Commission approved to move forward with sending letters to mapping companies demanding to prevent alternate traffic routes through the residential neighborhood of Surfside. Pending CGA Traffic Engineer.
<b>Intermediate Term (7 – 18 months)</b>		
17	Install Traffic Light <ul style="list-style-type: none"> <li>○ 96<sup>th</sup> Street &amp; Abbott Avenue</li> </ul>	The installation of a traffic light at 96 <sup>th</sup> Street and Abbott Avenue was again rejected by FDOT. They stand by their position that the proximity of the traffic signal at 96 Street & Harding Avenue prohibits another signal at Abbott Avenue. A request for further study including having additional lanes for Northbound travel on Abbott Avenue was accepted by FDOT.
18	Create 1-Way Streets <ul style="list-style-type: none"> <li>○ 88<sup>th</sup>, 89<sup>th</sup>, 90<sup>th</sup> and 91<sup>st</sup> Street between Collins &amp; Harding Avenues</li> </ul>	Requires Miami Dade approval.
19	Design 91 <sup>st</sup> Street Improvements <ul style="list-style-type: none"> <li>○ Sidewalk, landscaping and buried utilities</li> </ul>	Pending design and engineering cost estimates.
<b>Long Term (19+ months)</b>		
20	Gate the area west of Harding Avenue and create a special taxing district	This item was placed on hold pending the evaluation and result of the aforementioned traffic mitigation improvements.



David Allen, Chief of Police



Guillermo Olmedillo, Town Manager



### Traffic Mitigation Initiatives Overview

#	Initiatives	Modeling Required	Approval	Estimated Cost
	<b>Short Term (0 – 6 months)</b>			
1	Add reflective tape to all stop signs	No	Surfside County	
2	New Stop Signs at all intersections west of Harding Avenue	No	Surfside County	
3	New Stop Bar Reflectors	No	Surfside County	
4	New Speed Bumps	No	Surfside County	
5	Revisit Street Closure <ul style="list-style-type: none"> <li>○ 94<sup>th</sup> Street / Abbott Avenue</li> </ul>	Yes	Surfside County Miami Beach	
6	New Street Closure <ul style="list-style-type: none"> <li>○ Byron Avenue (northbound) at 88<sup>th</sup> Street</li> </ul>	Yes	Surfside County Miami Beach	
7	Loop Detector Installation	No	Surfside FDOT	
8	Install a centerline curb on 95 <sup>th</sup> Street between Abbott and Byron Avenues	No	Surfside County	
9	Eliminate Crosswalks on Collins (north) & Harding (south) Avenues	No	Surfside FDOT	
10	Create Vehicular Circulation Plans for New Construction Projects <ul style="list-style-type: none"> <li>○ Minimize lane closures</li> </ul>	No	Surfside	
11	Evaluate Sidewalk Options	No	Surfside County	
12	Install traffic light at 96 <sup>th</sup> Street & Abbott Avenue Eliminate left hand turn at 96 <sup>th</sup> Street & Byron Avenue	Yes	Surfside Bal Harbour County FDOT	
13	Remove the “No U-Turn Sign” on 96 <sup>th</sup> Street (eastbound) at the entrance to the Bal Harbour Shops	No	Surfside Bal Harbour FDOT	
14	Install a crosswalk at 90 <sup>th</sup> Street & Harding Avenue (north side)	No	Surfside FDOT	
15	Remove the “no turn on red” sign on 93 <sup>rd</sup> Street & Harding Avenue	No	Surfside FDOT	
16	Send demand letters to mapping companies	No	Surfside	
	<b>Intermediate Term (7 – 18 months)</b>			
17	Install Traffic Light <ul style="list-style-type: none"> <li>○ 96<sup>th</sup> Street &amp; Abbott Avenue</li> </ul>	Yes	Surfside FDOT	
18	Create 1-Way Streets <ul style="list-style-type: none"> <li>○ 88<sup>th</sup>, 89<sup>th</sup>, 90<sup>th</sup> and 91<sup>st</sup> Street between Collins &amp; Harding Avenues</li> </ul>	Yes	Surfside County FDOT	
19	Design 91 <sup>st</sup> Street Improvements <ul style="list-style-type: none"> <li>○ Sidewalk, landscaping and buried utilities</li> </ul>	No	Surfside County	
	<b>Long Term (19+ months)</b>			
20	Gate the area west of Harding Avenue and create a special taxing district	Yes	Surfside County	



**Town of Surfside  
Town Commission Meeting  
February 16, 2017  
7:00pm**

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

**DISCUSSION ITEM MEMORANDUM**

**Agenda #:** 9D  
**Date:** February 16, 2017  
**From:** Vice Mayor Barry Cohen  
**Subject:** Reflective Vests and Collars for dog walking town residents

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**Objective:** To protect Surfside residents when they are walking through the town at night. The town of Surfside must protect all residents by providing reflective vest and reflective dog collars so they will be visible when walking at night.

**Considerations:** It is well known that Surfside streets have no sidewalks and are not well lit. Reflective vest are inexpensive.

**Recommendation :** I propose that we instruct the town manager to determine the cost of inexpensive fluorescent reflective vests that would have the town emblem on them and safety straps for individuals and their pets.



## Town of Surfside Commission Communication

**Agenda Item:** 9E

**Agenda Date:** February 16, 2017

**Subject:** Maximum Building Lengths and Impacts of New Development

**From:** Commissioner Tina Paul

### **Background:**

The current building trend in Town is moving towards units with a minimum of 3,000 square feet and upwards of five or six bedrooms. This is replacing the existing one or two bedroom units. The applicants continue to stress that this is a decrease in density due to the number of overall units proposed being less than the number of existing units. However, the new units often have substantially more square footage and number of bedrooms than the existing units, resulting in potentially more demands on Town services. These large units are also benefitting by not having to provide additional parking to address the number of bedrooms they are proposing per unit.

In addition to the increase in unit sizes, buildings along the Collins and Harding Corridor have no limitation in building length. Recent changes to the Town's Zoning Code have added articulation to buildings along Collins and Harding, but have removed the maximum lengths for buildings in this corridor. The Corridor Analysis included options for limitations on the lengths, including 12 feet or 17 feet every 200 feet. This has already been vetted; please see the attached page from the corridor analysis.

The Town Commission should consider the following:

**Parking:**

The Town should review its parking requirements direct staff to prepare an ordinance requiring one parking space per bedroom. Currently, the code does not reflect the number of bedrooms in the parking count and requires less parking spaces than the number of bedrooms.

**Square footage and bedrooms:**

Direct the Town Manager to evaluate the current regulations in the code and identify where modifications from number of units to bedrooms and/or square footage could be made in an effort to properly account for the extent of the development.

**Maximum building lengths:**

The Town should determine an appropriate maximum building length based on the existing graphics and direct staff to prepare an ordinance. (See Attachment "A" "H40C/H40C Mid-blocks Zoning Courtyards Presentation dated August 27, 2015).

# H40/H30C Mid-blocks Zoning Courtyards

Presentation



Calvin, Giordano & Associates, Inc.  
August 27, 2015

## Setbacks, Massing and Volume

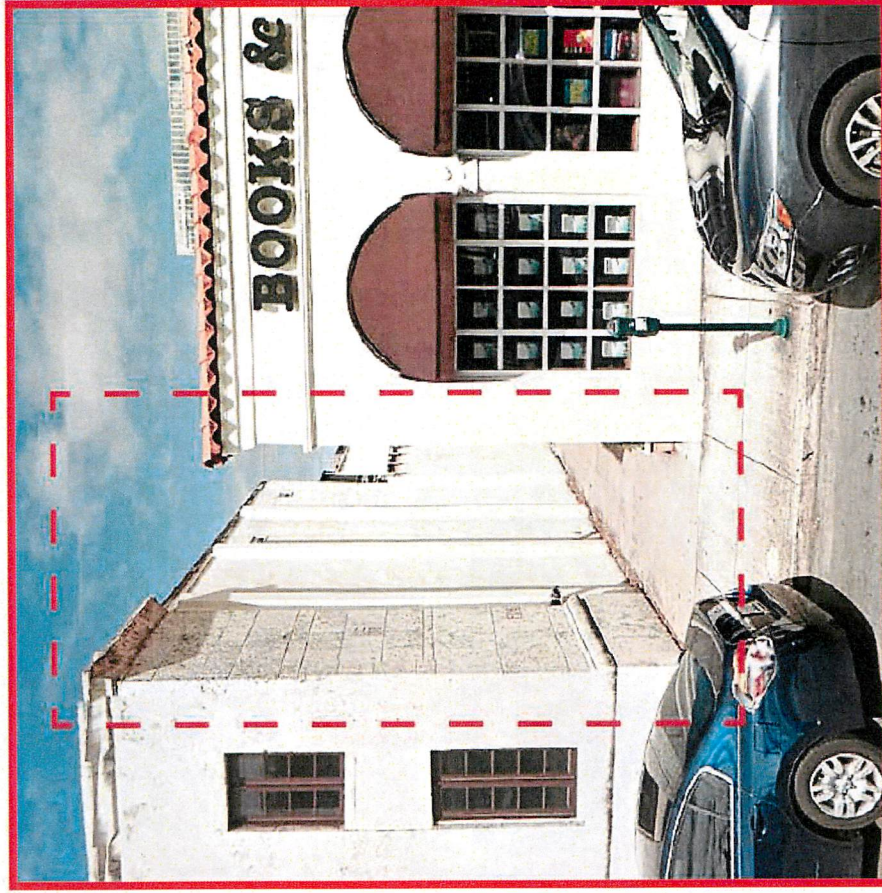
### Setbacks

- Define both Collins and Harding Ave as 'Primary Frontages'

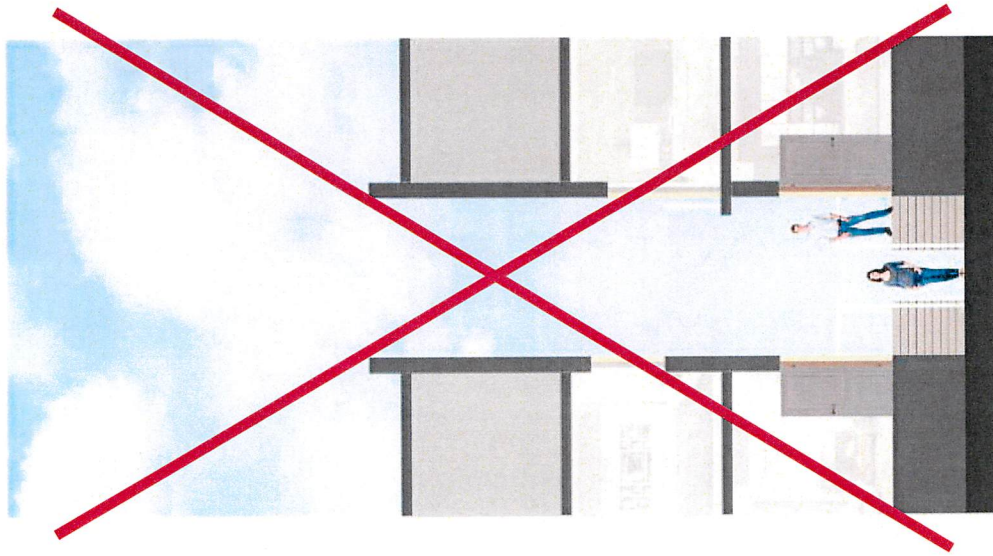
### Pedestrian Breezeways

- Require a Breezeway to be provided every 270 linear feet of frontage
- Define a Breezeway as a physical disconnected break in the building mass exclusively for pedestrian use
- Must be accessible from a primary frontage
- Provide minimum design standards for the breezeway
  - Recommendations:
    - Must provide lighting and landscaping
    - Must be lined by and accessible to habitable spaces on the ground and second floors
    - Must be for uninterrupted public access
    - Facades must be consistent in design and finish with primary frontages
- Provide minimum widths for the breezeway
  - Recommendation: No less than 12-17 feet

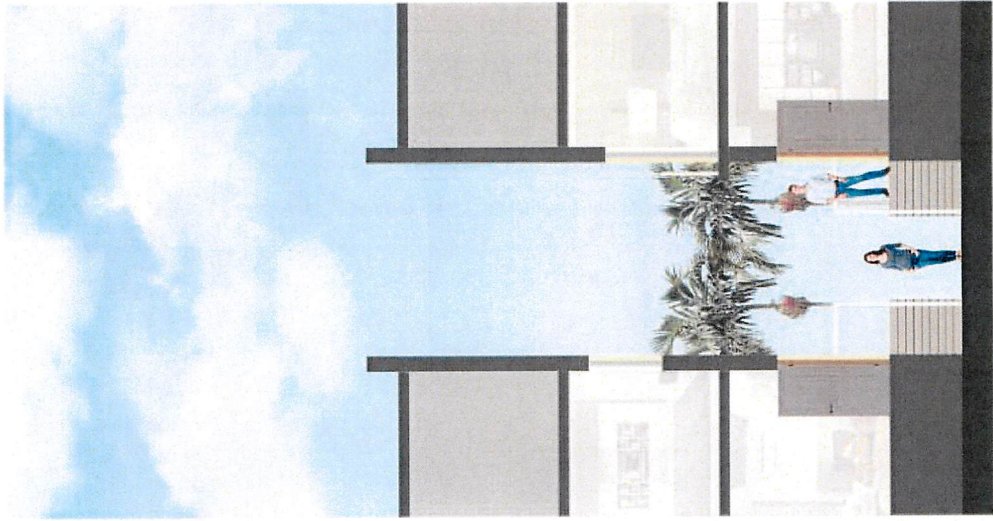
### Example of 8-foot wide undesirable pedestrian breezeway



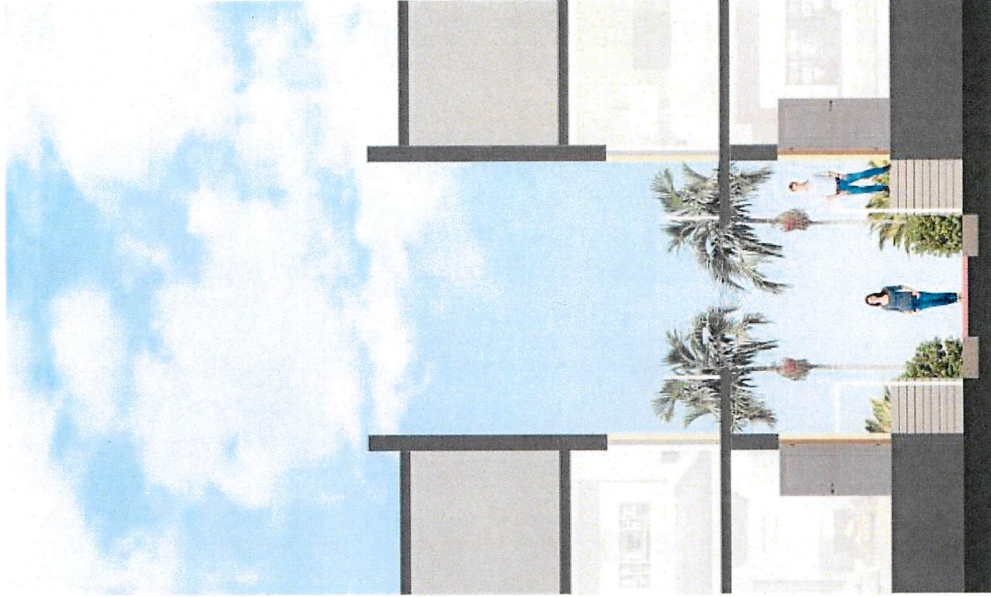
**Setbacks, Massing and Volume**



10-foot Building Separation



12-foot Building Separation



17-foot Building Separation

## Original Language Recommendations

Breaks to be required as building separators to limit the scale of the overall built structure:

- 12-foot wide if total property frontage 200 feet or less
  - Provided
- 17-foot otherwise

Spacing between breaks:

- H30c: every 75 feet
- H40: every 150 feet

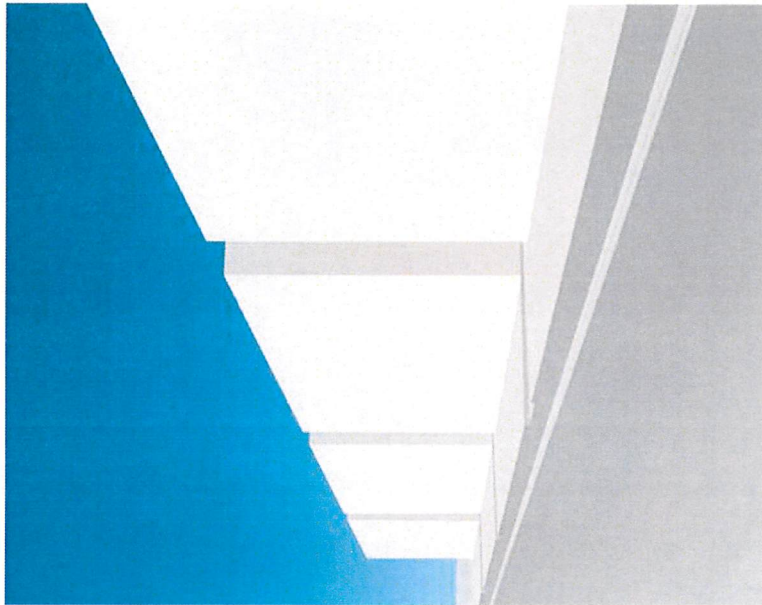
## What did these provide?

- Smaller massing of buildings
- More open space on lots
  - Existing average depths of lots
    - H30c: 110 feet – setbacks (20' front; 10' rear) = 80 linear feet of additional open space
    - H40: 150 feet – setbacks (20' front; 10' rear) = 120 linear feet of additional open space
  - Additional area of open space resulting from frontage separation:
    - H30c:
      - If frontage was 200 feet or less, then break would have been 12-foot wide
        - Area: 80' x 12' = **960 SF** of open space per break
      - If frontage was greater than 200 feet, then break would have been 17-foot wide
        - Area: 80' x 17' = **1,360 SF** of open space per break
    - H40:
      - If frontage was 200 feet or less, then break would have been 12-foot wide
        - Area: 120' x 12' = **1,440 SF** of open space per break
      - If frontage was greater than 200 feet, then break would have been 17-foot wide
        - Area: 120' x 17' = **2,040 SF** of open space per break

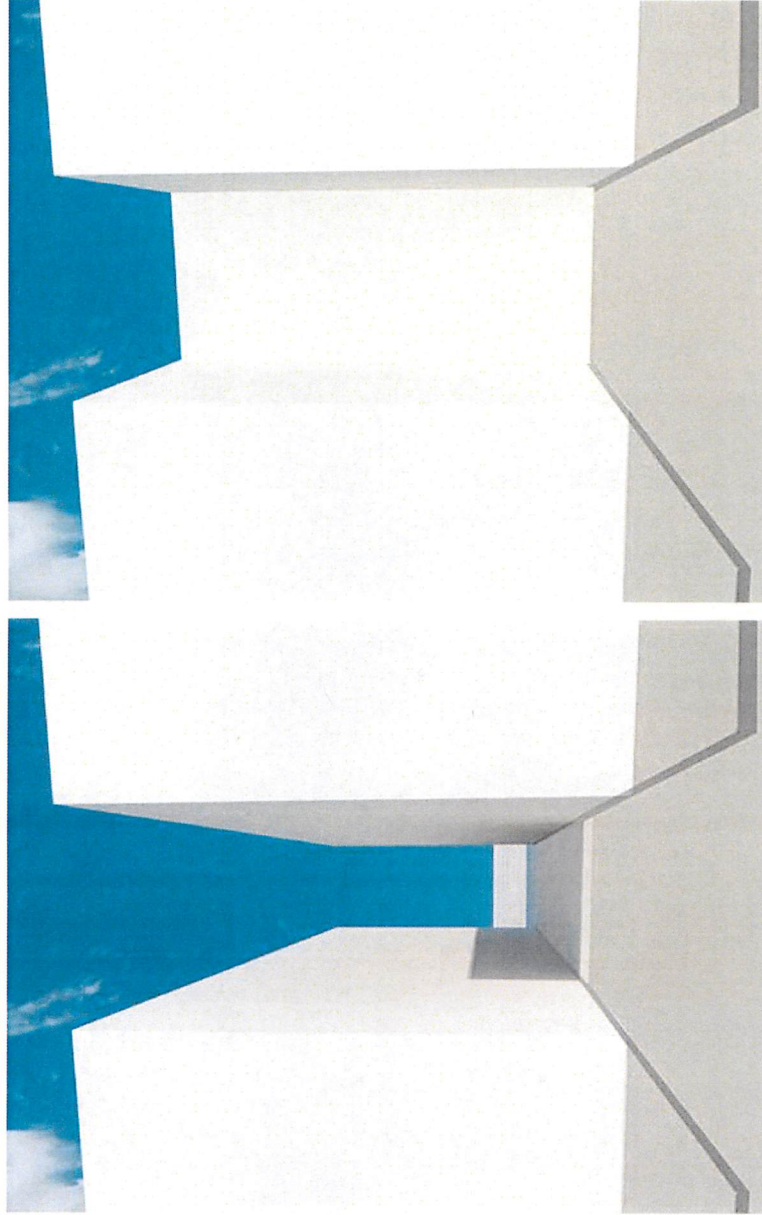




## Breezeway Renderings



## Architect's Recommendations



### Issues:

- Legibility of the break from the street.
- What distinguishes a courtyard from a simple building articulation?
- Courtyards should be social spaces, even if they are for private use, shared and accessible by users of the surrounding building.
- Courtyards historically should have a greater percentage of hardscape than that of landscape to promote use and allow for furnishings.

## Precedent – getting a sense of scale



### Observations:

- What distinguishes a courtyard from a simple building articulation?
  - Should be social spaces, even if they are for private use, shared and accessible by users of the surrounding building
  - Historically should have a greater percentage of hardscape than that of landscape to facilitate use and furnishings

### Precedent:

- Front courtyard space: 18 feet wide x 12 feet deep (216 square feet)
  - On the small size, best suited for an entry courtyard and not a space that can actually be used
- Clear definition that it is a private space by use of a low fence wall and a gated entrance
- Lined by habitable uses and accessible by them – no blank walls
- Reduces the legibility of the massing along the street when viewed at an angle
- No over-run by vegetation

## What is the right minimum size for a courtyard?

Shown: H30C



### 300 square feet

(15 feet by 20 feet)

- Bare minimum spacing to accommodate
  - ADA access
  - Minimum outdoor seating
  - Shrubs and Groundcovers or Small Palms
- Because of 30-foot building height, space 'reads' very vertical (more like a corridor and less like a courtyard)



### 400 square feet

(20 feet by 20 feet)

- Adequate spacing to accommodate
  - ADA access
  - Minimum outdoor seating
  - Shrubs and Groundcovers
  - Small Trees (ie: Ligustrum) or Small Palms
- Space 'reads' less vertical – more responsive to the proportions of the building height

## What is the right minimum size for a courtyard?

Shown: H40



### 300 square feet (15 feet by 20 feet)

- Bare minimum spacing to accommodate
  - ADA access
  - Minimum outdoor seating
  - Shrubs and Groundcovers or Small Palms
- Because of 30-foot building height, space 'reads' very vertical (more like a corridor and less like a courtyard)



### 400 square feet (20 feet by 20 feet)

- Adequate spacing to accommodate
  - ADA access
  - Minimum outdoor seating
  - Shrubs and Groundcovers
  - Small Trees (ie: Ligustrum) or Small Palms
- Space 'reads' less vertical – more responsive to the proportions of the building height

## Option 01 - Recommendations for Minimum Standards

### Building Length and Maximum Frontage:

- Ensure that no building exceeds 270 feet in length facing Harding Ave or Collins Ave.
- When 2 or more buildings are provided, then require a 17-foot min separation

### Courtyard Spacing:

- H30C: Every 150 feet
- H40: Every 150 feet

### Courtyard Minimum Dimensions:

- If lot frontage is less than 100 feet, then 15 feet x 20 feet, 300 square feet
- This would apply to a single lot or an aggregation of 2 lots
- If lot frontage is greater than 100 feet and less than 200, then 20 feet x 20 feet, 400 square feet
- This would apply to an aggregation of 3 to 4 lots
- If lot frontage is greater than 200 feet, then 30 feet x 20 feet, 600 square feet

## Option 02 - Staff Recommendations for Preferred Standards

### Building Length and Maximum Frontage:

- Ensure that no building exceeds 270 feet in length facing Harding Ave or Collins Ave.
- When 2 or more buildings are provided, then require a 17-foot min separation

### Courtyard Spacing:

- H30C: Every 75 feet
- H40: Every 150 feet

### Courtyard Minimum Dimensions:

- If lot frontage is less than 100 feet, then 20 feet x 20 feet, 400 square feet
- This would apply to a single lot or an aggregation of 2 lots
- If lot frontage is greater than 100 feet and less than 200, then 30 feet x 20 feet, 600 square feet
- This would apply to an aggregation of 3 to 4 lots
- If lot frontage is greater than 200 feet, then 30 feet x 30 feet, 900 square feet



## Comparison

How do each courtyard area recommendations compare to the open space provided in the 'breezeways' per occurrence:

### Option 01 - Recommendations for Minimum Standards

District	Lot Frontage	Breezeway Area	Courtyard Area	Results*
H30C	x < 100'	960 SF	300 SF	660 SF req't reduction
	101' < x < 200'	960 SF	400 SF	560 SF req't reduction
	201' < x	1360 SF	600 SF	760 SF req't reduction
H40	x < 100'	1440 SF	300 SF	1140 SF req't reduction
	101' < x < 200'	1440 SF	400 SF	1040 SF req't reduction
	201' < x	2040 SF	600 SF	1440 SF req't reduction

### Option 02 - Staff Recommendations for Preferred Standards

District	Lot Frontage	Breezeway Area	Courtyard Area	Results*
H30C	x < 100'	960 SF	400 SF	560 SF req't reduction
	101' < x < 200'	960 SF	600 SF	360 SF req't reduction
	201' < x	1360 SF	900 SF	460 SF req't reduction
H40	x < 100'	1440 SF	400 SF	1040 SF req't reduction
	101' < x < 200'	1440 SF	600 SF	840 SF req't reduction
	201' < x	2040 SF	900 SF	1140 SF req't reduction

**\*Note:**

- The breezeway required the break between buildings to extend from the front to the rear setbacks
- By changing it to a courtyard, then the separation is only for a minimized depth
- The courtyard option will provide for a greater building footprint on the lot when compared to the breezeway option



## Courtyard Design Standards:

### Applicable to all Zoning Districts

- Provide a minimum 30% landscaping with vegetation that can survive in shaded environments,
- Provide security lighting,
- Must be lined by accessible habitable spaces accessible from the courtyard by a minimum of 1 entrance,
- Facades facing any courtyard space shall provide a minimum 30% transparency in the form of openings.

### Specific to H30c/H40 Zoning Districts:

- One side of the courtyard space must abut the building's frontage
- Must be open to view and accessible from the Public Right of Way,
- Shall not be used for outdoor storage,
- Mechanical equipment shall not be located within or visible from the courtyard
- May be separated from the public Right of Way by fence consistent with the code
  - Must have a gated entrance accessible from the Right of Way.
- In the H40 District, any building frontage facing a courtyard's frontage to the ROW shall have a maximum height of 30 feet.

