



**Town of Surfside
Regular Town Commission Meeting**

**AGENDA
April 9, 2019
7 p.m.**

**Town Hall Commission Chambers - 9293 Harding Ave, 2nd 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 community-based organization for the purpose of requesting a grant without special compensation or reimbursement for the appearance; and any person who only appears as a representative of a neighborhood, homeowners or condominium association without compensation for the appearance, whether direct or indirect or contingent, to express support of or opposition to any item.

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

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

1. Opening

- A. Call to Order**
- B. Roll Call of Members**
- C. Pledge of Allegiance**
- D. Mayor and Commission Remarks – Mayor Daniel Dietch**
- E. Agenda and Order of Business** Additions, deletions and linkages
- F. Community Notes – Mayor Daniel Dietch**
- G. Miami- Dade County Fire Rescue 2018 Annual Report Presentation –**
Miami-Dade County Fire Chief Dave Downey
- H. Presentation of the Town Commission Annual Salary - Guillermo**
Olmedillo, Town Manager
- I. Arbor Day Proclamation Presentation - Mayor Daniel Dietch**
- J. Municipal Clerks Appreciation Week Presentation to Town Clerk Sandra**
Novoa, MMC - Mayor Daniel Dietch

2. Quasi-Judicial Hearings

- 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. If the public wishes to speak on a matter on the consent agenda they must inform the Town Clerk prior to the start of the meeting. They will be recognized to speak prior to the approval of the consent agenda.*

A. Minutes – Sandra Novoa, MMC, Town Clerk

- March 12, 2019 Regular Town Commission Meeting Minutes

***B. Town Manager's Report – Guillermo Olmedillo, Town Manager**

***C. Town Attorney's Report – Weiss Serota, Town Attorney**

D. Committee Reports – Guillermo Olmedillo, Town Manager

- February 25, 2019 Parks and Recreation Committee Minutes
- February 28, 2019 Planning and Zoning Board Minutes

E. Approval to Modify the Parking Meter Rate to a Variable Rate Based System – Guillermo Olmedillo, Town Manager

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA APPROVING AN ON-STREET VARIABLE PARKING RATE IN THE BUSINESS DISTRICT ON HARDING AVENUE FOR WEEKDAYS; PROVIDING FOR AUTHORIZATION AND IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

F. Resolution in Opposition to House Bill 1383 and Senate Bill 1720, Bert J. Harris Act – Guillermo Olmedillo, Town Manager

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, OPPOSING FLORIDA HOUSE BILL 1383 AND SENATE BILL 1720 RELATING TO PROPERTY RIGHTS AND BERT J. HARRIS ACT CLAIMS; PROVIDING FOR TRANSMITTAL; AND PROVIDING FOR AN EFFECTIVE DATE.

G. Arbor Day Proclamation Presentation and Resolution - Guillermo Olmedillo, Town Manager

A RESOLUTION OF THE TOWN OF SURFSIDE ADOPTING A PROCLAMATION HONORING THE IMPORTANCE OF TREES FOR THE TOWN OF SURFSIDE'S COMMUNITY AND ENVIRONMENT AND ENCOURAGING THE PLANTING OF TREES; PROCLAIMING APRIL 26, 2019 IN THE TOWN OF SURFSIDE AS "ARBOR DAY"; PROVIDING APPROVAL AND AUTHORIZATION; PROVIDING FOR AN EFFECTIVE DATE.

H. Municipal Clerks Appreciation Week Proclamation Approval - Mayor Daniel Dietch

4. Ordinances

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

A. Second Reading Ordinances

(Set for approximately 8:30 p.m.) (Note: Good and Welfare must begin at 8:15)

B. First Reading Ordinances

1. Florida Friendly Landscape – Guillermo Olmedillo, Town Manager

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, AMENDING ARTICLE VIII, "LANDSCAPE REQUIREMENTS," OF CHAPTER 90, "ZONING," OF THE TOWN'S CODE OF ORDINANCES BY ESTABLISHING FLORIDA-FRIENDLY LANDSCAPE REQUIREMENTS; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

2. Ordinance Amending Chapter 34 “Environment” of The Town’s Code of Ordinances to Create Section 34-15, Within a New Division 5, “Sunscreen Products,” to Prohibit the Sale of Sunscreen Products Containing Oxybenzone or Octinoxate, or Both – Mayor Daniel Dietch

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, AMENDING CHAPTER 34 “ENVIRONMENT” OF THE TOWN’S CODE OF ORDINANCES TO CREATE SECTION 34-15, WITHIN A NEW DIVISION 5, “SUNSCREEN PRODUCTS,” TO PROHIBIT THE SALE OF SUNSCREEN PRODUCTS CONTAINING OXYBENZONE OR OCTINOXATE, OR BOTH; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

5. Resolutions and Proclamations

(Set for approximately 8:30 p.m.) (Note: Depends upon length of Good and Welfare)

A. Tree Giveaway - Guillermo Olmedillo, Town Manager

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA APPROVING AN EXPENDITURE FOR PURCHASE OF TREES FROM LUKE’S LANDSCAPING IN CONNECTION WITH THE TOWN’S TREE GIVEAWAY PROGRAM; AUTHORIZING AN EXPENDITURE NOT TO EXCEED \$30,250.00; PROVIDING FOR AUTHORIZATION AND IMPLEMENTATION OF THE AGREEMENT; AND PROVIDING FOR AN EFFECTIVE DATE.

B. Autism Awareness Month and AHCA’s Proposal to Cut Funding for ABA Services – Vice Mayor Daniel Gielchinsky

A RESOLUTION OF THE TOWN OF SURFSIDE, FLORIDA URGING THE STATE OF FLORIDA GOVERNOR AND THE LEGISLATURE TO REJECT CERTAIN PROPOSALS PROVIDING FOR A REDUCTION IN APPLIED BEHAVIORAL ANALYSIS (“ABA”) SERVICES FOR AUTISTIC PERSONS BY THE AGENCY FOR HEALTH CARE ADMINISTRATION (“AHCA”); RECOGNIZING APRIL AS AUTISM AWARENESS MONTH IN THE TOWN OF SURFSIDE; PROVIDING FOR TRANSMITTAL; 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. Beach Renourishment Presentation Update [Verbal]** – Guillermo Olmedillo, Town Manager
- B. Code Compliance Resources and Process** – Guillermo Olmedillo, Town Manager
- C. EpiPen Policy Discussion** – Commissioner Tina Paul
- D. Miami-Dade County Environmental Enhancement and Education Grant Opportunity** – Mayor Daniel Dietch

10. Adjournment

Respectfully submitted,



Guillermo Olmedillo
Town Manager

THIS MEETING IS OPEN TO THE PUBLIC. IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT OF 1990, ALL PERSONS THAT ARE DISABLED; WHO NEED SPECIAL ACCOMMODATIONS TO PARTICIPATE IN THIS MEETING BECAUSE OF THAT DISABILITY SHOULD CONTACT THE OFFICE OF THE TOWN CLERK AT 305-861-4863 EXT. 226 NO LATER THAN FOUR DAYS PRIOR TO SUCH PROCEEDING.

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

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

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.



1G
Miami-Dade Fire Rescue Department
Office of the Fire Chief
9300 N.W. 41st Street
Doral, Florida 33178-2414
T 786-331-5000 F 786-331-5101

miamidade.gov

January 15, 2019

Honorable Daniel Dietch, Mayor
Town of Surfside
9293 Harding Avenue
Surfside, FL 33154

Honorable Mayor Dietch:

It is with heartfelt emotion that I advise this will be the final annual report I submit as your Fire Chief, summarizing the services Miami-Dade Fire Rescue (MDFR) provided to the Town of Surfside. I will be retiring May 19, 2019 after an incredible and rewarding 37-year career in the fire service. It has been a privilege and honor to serve the residents of the Town of Surfside. As indicated in the enclosed 2018 annual report, MDR's overall complement of fire-rescue response vehicles and personnel provided a service level unrivaled in the Southeast United States for the benefit and protection of your community.

Town of Surfside residents and visitors can rely on the fire-rescue services delivered by a Class 2/2X Public Protection Classification (PPC) Department as rated by the Insurance Services Office, Inc. (ISO) and Internationally Accredited through the Commission on Fire Accreditation International (CFAI). MDR's 2/2X rating places us in an elite group of less than 1,300 fire departments out of over 43,000 nationally with a Class 1 or 2 rating. MDR is one of only 259 agencies to be accredited by CFAI and remains the largest accredited fire-rescue department in the Southeast United States and second largest in the Nation.

As your Fire Chief, I welcome the opportunity to present the Department's annual service delivery report to the Town one last time. Please contact Maria L. Reyes from my office at 786-331-5253 to schedule the annual presentation with the Town Council, or if you require additional information. Enclosed is my contact information. I am always available to address any questions or concerns that you or your residents may have regarding our services.

Respectfully,

A handwritten signature in blue ink, appearing to read "Dave Downey", is written over a horizontal line.

Dave Downey
Fire Chief

Enclosures

c: Guillermo Olmedillo, Town Manager ✓
Maurice L. Kemp, Deputy Mayor, Miami-Dade County



Miami-Dade Fire Rescue Department
Services to
Town of Surfside

Miami-Dade Fire Rescue (MDFR) originated as a single-unit fire patrol in 1935. It has since grown into the largest fire rescue department in the Southeast United States and one of the top ten largest in the nation. With a response territory of 1,899 square miles and a resident population of more than 1.9 million, MDFR responds to more than 250,000 calls for assistance annually making it one of the busiest departments in the nation. More than 2,600 employees staff 145 units in service throughout 70 fire rescue stations and several administrative facilities serving residents, businesses, and visitors 24 hours a day, 7 days a week, 365 days a year. In addition to providing transport services through 55 advanced life support (ALS) rescue units, MDFR provides emergency air transport service to appropriate specialized facilities via two full-time rescue helicopters.



Firefighters battle a house fire.

MDFR is considered one of the premier fire rescue departments in the country and is recognized around the world for its exemplary service. Firefighters are cross-trained in fire suppression as well as emergency medical care, capable of providing pre-hospital care to trauma patients, heart-attack patients, and stroke victims.

MDFR is a full service emergency response agency providing various specialized response capabilities including; air-rescue transport, maritime fire/rescue, aircraft rescue firefighting, ocean rescue, technical rescue, hazardous materials mitigation, urban search and rescue, and maintains the Florida Antivenin Bank. MDFR's Fire Life Safety Section provides new construction and annual building inspections as well as code enforcement services.

MDFR also protects Haulover and Crandon Beaches, with a combination of full-time and part-time professional lifeguards. MDFR distinguishes itself from other fire rescue departments in a number of areas, offering a high level of service, providing more ALS suppression units than most departments and a greater level and grade of

response staff. Over 90% of MDFR's units are staffed and equipped to provide ALS services. MDFR staffs four firefighters on suppression units and three firefighter paramedics on rescue units.

Through the efforts of MDFR, Miami-Dade residents also have the highest survival rates in the nation, after suffering a blocked coronary artery. Over ten years ago, MDFR established the Miami-Dade STEMI (ST-Elevation Myocardial Infarction) Network. STEMI typically refers to a blocked coronary artery and is the leading cause of death in the United States for both men and women. Hospitals within the STEMI network are required to restore blood flow to a patient's blocked artery within 90 minutes from the initial patient contact. This timely intervention significantly reduces a patient's chances for permanent damage or death and increases their likelihood for survival. The STEMI network has reduced the time it takes to restore blood flow to a patient from approximately two hours and 15 minutes to 60 minutes.



MDFR crew utilizing the "Jaws of Life" to extricate a patient.

MDFR is part of the Countywide Stroke Network, a coalition consisting of MDFR along with five municipal fire departments and area hospitals within Miami-Dade County. This network is one of the largest for the treatment and transport of stroke victims in the nation aiming to deliver the highest quality acute stroke care available in improving patient recovery outcomes.

The Office of Emergency Management (OEM) is part of MDFR. OEM manages the County's Emergency Operations Center (EOC), which coordinates emergency response, and recovery plans and operations to maximize the use of resources within Miami-Dade County. The OEM coordinates its activities with the County's municipalities, non-profit social services, and medical care agencies. The OEM is accredited by the Emergency Management Accreditation Program (EMAP).



Miami-Dade Fire Rescue Department
Services to
Town of Surfside

In calendar year 2018, MDR's 145 frontline rescue and fire suppression units were dispatched over 400,000 times to more than 250,000 emergencies; of these, approximately 186,000 were medical emergencies. MDR transported more than 75,000 residents and visitors to South Florida hospitals and responded to more than 24,000 fire-related incidents. In addition, MDR personnel responded to almost 40,000 non-fire-rescue related calls.

During 2018, MDR hired five recruit classes totaling 131 firefighters. Two fire recruit classes, Classes #134 and #135 graduated at ceremonies held at MDR's Training Facility in Doral, Florida, welcoming 73 new firefighters to the department. Three additional recruit classes, #136, #137, and #138, totaling 58 firefighters began in October and November of 2018. The new recruits are expected to graduate in the spring of 2019.



MDR Recruit Class #134

MDR placed Platform 53 and Rescue 39 in service in April 2018. Platform 53, a new 70-foot aerial tower housed at MDR's Turnpike Fire Station 53, is staffed by four firefighters, 24-hours a day, and provides additional fire suppression services along the south end of Florida's Turnpike and surrounding areas. Rescue 39, housed at MDR's Port Miami Fire Station 39, is staffed 24-hours a day, by a three-paramedic crew to provide immediate fire-rescue service to the busiest cruise port in the world.



MDR's Turnpike South Aerial Platform 53

MDR added its 70th fire station, North Miami Central Fire-Rescue Station 18, in 2018. The new station began operating from a temporary trailer located at 13810 NE 5 Avenue, and houses one ALS Rescue which is staffed by a three-paramedic crew. Construction of permanent Station 18 is slated to commence at the end of Fiscal Year 2019-2020. Additionally, MDR held ground breakings for two new fire-rescue stations. Palmetto Bay North Fire-Rescue Station 62, a 10,500 square-foot fire station located at 14251 Old Cutler Road, and Sweetwater Fire-Rescue Station 29, an 11,248 square-foot station located at 351 SW 107 Avenue, which will provide reduced response times and life-saving services to the residents of Palmetto Bay and Sweetwater.



Groundbreaking ceremony for Palmetto Bay North Station 62

On September 5, 2018, MDR placed the new Rescue 3 into service at Tropical Park's Heroes of September 11th Fire Station 3. This new rescue honors military veterans and their families for their bravery, hard work and dedication to our country. The seal of each branch of the military is proudly displayed on each side of the new unit, which will respond to emergencies alongside Engine 3, which honors those who made the supreme sacrifice on September 11, 2001.



MDR Rescue 3 honoring those who serve.



Miami-Dade Fire Rescue Department
Services to
Town of Surfside

In September 2018, 90 members of MDRF's Urban Search and Rescue Task Force were activated by the Federal Emergency Management Agency (FEMA) and deployed to South Carolina to assist with search and rescue efforts in the aftermath of Hurricane Florence. The team is comprised of specially trained firefighter/paramedics, physicians, engineers, search canines, and swift water rescue personnel capable of providing search and rescue in collapsed structures and flood/swift water environments. During the 2018 hurricane season, MDRF's Florida Task Force 1 Urban Search and Rescue Team also responded to assist victims of Hurricane Michael, which impacted the Florida Panhandle a month later in October.



MDRF Urban Search & Rescue Team in South Carolina

MDRF and International Association of Firefighters (IAFF) Local 1403 raised \$25,000 during the 2018 American Cancer Society's "Making Strides Against Breast Cancer" fundraising campaign. MDRF Fire Chief Dave Downey was once again one of 23 community leaders selected to champion "Real Men Wear Pink" in saving more lives than ever before from breast cancer. Chief Downey raised an additional \$6,292 for the cause. The top fire-rescue station contributing to his campaign, Heroes of September 11th Fire-Rescue Station 3, hosted the "Push In" ceremony for the department's first commemorative fire engine, the "Big Pink", on October 5, 2018. The "Little Pink", a rescue truck, was also placed in service during October at Station 3.



MDRF's "Big Pink" Fire Engine

Every day, MDRF personnel have hundreds of opportunities to exceed customer expectations while fulfilling our service demands. MDRF's commitment to providing the highest quality service to our community continuously fosters an atmosphere of service excellence and constant improvement. Employees routinely "go the extra mile" for our customers. We are individually committed and collectively exemplify our mission: **Always Ready, Proud to Serve.**

To this end, MDRF has been measuring the quality and effectiveness of our EMS service for the past five years. The survey instrument (**Attachment I**), is sent to 20% of MDRF EMS patients monthly, allowing respondents to rate the quality of their experience between one (1) and five (5), with one being strongly dissatisfied and five being strongly satisfied with the service. Unlike other survey instruments used by Miami-Dade County, MDRF does not take a "snapshot" of service at any one particular time, but rather follows up a month after service is provided, giving the department a continuous vision of the community's opinion of its services. The survey also provides the respondent a section for additional comments. Overall, nine percent of patients (or 3,050 respondents) returned completed surveys yielding an overall score of **4.86**.

Respondents rated MDRF's services as follows for each question during fiscal year 2018:

- 1) MDRF responded to your needs in a timely manner: **4.86**
- 2) MDRF explained your treatment options to you: **4.80**
- 3) MDRF treated you in a professional manner: **4.91**
- 4) MDRF met your expectations when you requested assistance: **4.88**

During fiscal year 2018, **14** residents from the Town of Surfside rated MDRF with an overall score of **4.86**, expressing their satisfaction with the service provided by MDRF. This equates to a **97%** satisfaction rate. Below are a few comments received from Surfside residents. A summary of all surveys received is presented in **Attachment II**. Names and addresses from Surfside residents have been redacted in accordance to Florida Statutes Chapter 119.

"The 9-1-1 response team was very professional and reassuring, I thank you all."

"They did a great job."

Thank you very much for the job you do every day saving lives. You were the first in line to save my husband's life. God bless your team and their families. They are our heroes."



Miami-Dade Fire Rescue Department Services to Town of Surfside

The Town of Surfside, in the northeastern part of Miami-Dade County, spans an area of 1.0 square miles and is bordered by the Atlantic Ocean to the east, the City of Miami Beach to the south, Indian Creek Village and the Town of Bay Harbor Islands to the west, and Bal Harbour Village to the north (**Attachment III**). The Town incorporated on May 18, 1935 and has been part of the Miami-Dade Fire Rescue Service District since 1973 when its Fire Department merged with MDRF. Based on 2017 U.S. Census data, the Town has a residential population of 5,841, with 2,277 households.

During calendar year 2018, MDRF responded to 786 emergency calls received from the Town of Surfside. **Table I** depicts incident type and related response times for incidents MDRF responded to within the Town during this time period. The data reflected in **Tables I** and **II** was produced by the National Fire Operations Reporting System (NFORS). MDRF has recently partnered with NFORS, a project with the goal of improving civilian and firefighter life safety through consistent and quality data.

Table I
MDRF Responses to the Town of Surfside
Calendar Year 2018

Incident Type	2018	MDRF Average Response Time
Life Threatening	346	7:24
Non-Life Threatening	200	7:30
Structure Fires	6	5:30
Other Fires	125	8:12
Other Miscellaneous	109	*
Total	786	

*NFORS does not compute an average response time for "Other Miscellaneous" incidents

The Town of Surfside is primarily served by MDRF's Bay Harbor Station 76 which responded to all of the incidents into the Town during 2018 as depicted in **Table II**.

Table II
MDRF Stations/Units responding into the Town of Surfside
Calendar Year 2018

Responses Provided by Station:	2018	
	Incidents	%
76 - Bay Harbor	783	100%
Total	783	100%

As depicted on **Attachment III**, there are nine (9) stations within six (6) miles of the Town of Surfside which house two (2) Battalion Chiefs; eight (8) Rescues; and eight (8) suppression units, two (2) of which are BLS Engines, one (1) ALS Engine, two (2) 75-foot ALS Ladders, one (1) 70-foot BLS Platform, one (1) 36-foot ALS Fire Boat and one (1) 100-foot BLS Platform (**Table**

III). This exceeds the National Fire Protection Association (NFPA) recommended guideline for responding to both high and medium occupancies.

Table III
MDRF Stations within Six Miles of the Town of Surfside

Name	Miles to Town	Apparatus	Staffing
Station 76 - Bay Harbour 9665 Bay Harbor Terrace	0.64	BLS Engine - 1	4 FF/EMT
		Rescue - 1	3 FF/PARA
Station 21 - Haulover 10500 Collins Avenue	1.04	100' BLS Platform - 1	4 FF/EMT
		36' Fire Boat - 1	4 FF/PARA
		Battalion Chief - 1	1 FF/PARA
		Rescue - 1	3 FF/PARA
Station 20 - North Miami East 13100 NE 16 Avenue	3.01	ALS Engine - 1	2 FF/PARA 2 FF/EMT
		Battalion Chief - 1	1 FF/PARA
		Rescue - 1	3 FF/PARA
Station 10 - Sunny Isles 175 - 172nd Street	3.41	75' ALS Ladder - 1	2 FF/PARA 2 FF/EMT
		Rescue - 1	3 FF/PARA
Station 27 - North Bay Village 7903 East Drive	3.53	BLS Engine - 1	4 FF/EMT
		Rescue - 1	3 FF/PARA
Station 78 - Eastern Shores 16435 NE 35 Avenue	4.00	Rescue - 1	3 FF/PARA
Station 22 - Interama 15655 Biscayne Boulevard	4.48	70' BLS Platform - 1	4 FF/EMT
Temp. Station 18 - North Miami Central 13810 NE 5 Avenue	5.20	Rescue - 1	3 FF/PARA
Planned Station 18 - North Miami Central NE 139 Street and 2 Court	5.40	Rescue - 1	3 FF/PARA
Station 31 - North Miami Beach 17050 NE 19 Avenue	5.93	75' ALS Ladder - 1	2 FF/PARA 2 FF/EMT
		Rescue - 1	3 FF/PARA

Note: FF/PARA = Firefighter Paramedic, FF/EMT = Firefighter Emergency Medical Technician



Station 21
Haulover
10500 Collins Avenue
Miami, FL 33154
Haulover Station 21 serving the Town of Surfside



Miami-Dade Fire Rescue Department

Services to
Town of Surfside

MDFR's closest Rescue unit is .64 miles north of the Town of Surfside at MDFR Bay Harbour Station 76. MDFR's next closest medical response unit is located 1.04 miles north of the Town at MDFR Haulover Station 21, which houses one (1) Rescue, one (1) 100-foot BLS Platform, one (1) 36-foot ALS Fire Boat and one Battalion Chief.



North Miami East Station 20 serving the Town of Surfside

As a result, within six (6) miles of the Town of Surfside, MDFR has 18 front-line response units, 14 of which are ALS units including eight (8) rescues, three (3) suppression units, (1) fire boat and two (2) Battalion Chiefs. Daily there are 58 firefighters on duty, 36 which are certified paramedics assigned to these units

Structure Fires

Based on structure and unit information provided by the Miami-Dade County Property Appraiser, the Town of Surfside has 1,165 single-family and duplex units, 2,530 multi-family and condo units, and 69 commercial, industrial, and other structures. The majority of the commercial, industrial, and other units would require a high-hazard response to a structure fire incident in the Town. As a result, on an initial dispatch to a structure fire, 27 firefighters and two (2) command chiefs would be required.

Based on MDFR's current dispatch protocol, MDFR would dispatch three (3) suppression units, two (2) aerials (platform, ladder or aerial), two (2) rescue, two (2) Battalion Chiefs, and an EMS Captain, exceeding NFPA's recommended dispatch to a structure fire at a medium-hazard occupancy. If MDFR determines that it is a working fire, another Battalion Chief, Safety Officer, Air Truck, Command Van and Fire Investigator would also be dispatched to the incident. To a structure fire at a high-hazard occupancy, MDFR's initial dispatch would also surpass NFPA's recommended response.

MDFR would dispatch five (5) suppression units, three (3) aerials (platform, ladder or aerial), three (3) rescues, three (3) Battalion Chiefs, and two (2) EMS Captains. MDFR would dispatch additional support as noted to a working fire.

During 2018, MDFR dispatched more than 100 firefighters and 33 units to six (6) structure fire incidents in the Town of Surfside. For example, on January 23, 2018, MDFR dispatched 11 units, equating to 33 firefighters, three (3) Engines, two (2) Rescues, two (2) Platforms, one (1) Ladder, and three (3) Battalion Chiefs to extinguish an apartment fire at 9595 Collins Avenue.

Similarly on April 29, 2018, MDFR dispatched 10 units, equating to 32 firefighters, three (3) Engines, one (1) Ladder, two (2) Platforms, two (2) Rescues, and two (2) Battalion Chiefs to extinguish a fire at 9341 Collins Avenue.

Medical Emergencies

NFPA Standard 1710 sets guidelines for service response to Emergency Medical Services (EMS) and fire calls. ALS units should, 90 percent of the time, arrive at an incident within eight (8) minutes from the time an EMS call is received.

MDFR has 56 frontline rescue units, each staffed by three (3) State of Florida certified paramedics. MDFR offers patient transportation options. Patients with life-threatening emergencies will be transported to the closest appropriate medical facility within Miami-Dade or Broward County. MDFR will transport patients without life-threatening emergencies to the medical facility of their choice. MDFR also has EMS Captains who act as patient advocates in ensuring the timely transfer of patients to Miami-Dade and Broward County medical facilities.



MDFR responding to a house fire.



Miami-Dade Fire Rescue Department

Office of the Fire Chief

9300 N.W. 41st Street

Doral, Florida 33178-2414

T 786-331-5000 F 786-331-5101

miamidade.gov

Dear Valued Customer:

Recently, Miami-Dade Fire Rescue (MDFR) had the opportunity to serve you in your time of need. MDRF's mission is to protect people, property, and the environment by providing responsive professional and humanitarian fire-rescue services essential to public health, safety, and well-being. Our firefighter paramedics are dedicated to providing the best possible care to Miami-Dade County's residents and visitors. In order to assure that we continue to achieve our mission and improve our service to you, we value your opinion regarding your experience with MDRF. Please take a few minutes to complete the brief survey and return it in the enclosed postage-paid envelope.

Please visit us at www.miamidade.gov/mdfr/ to learn more about the specialized and diverse services offered by MDRF as well as answers to the most frequently asked questions regarding fire-rescue services.

As Fire Chief of Miami-Dade Fire Rescue, I thank you for taking the time to complete this survey. Your responses will ensure we continue to provide you the highest available level of care. As your fire-rescue department we are Always Ready and Proud to Serve You.

Sincerely,

A handwritten signature in blue ink, appearing to read "Dave Downey".

Dave Downey, Fire Chief
Miami-Dade Fire Rescue Department

La traducción en español se encuentra en el reverso de esta carta.
Tanpri gade sou do lèt sa-a pou jwenn vèsyon Kreyòl la.

Estimado cliente:

El Departamento de Bomberos y Rescate de Miami-Dade (MDFR, por sus siglas en inglés) tuvo la oportunidad de prestarle sus servicios cuando usted los necesitó. El objetivo del MDFR es proteger a los residentes, a las propiedades y al medio ambiente mediante la prestación de servicios de bomberos y rescate profesionales y humanitarios con respuesta a las necesidades de los residentes del condado que son esenciales para la salud, la seguridad y bienestar públicos. Nuestros bomberos y paramédicos se dedican a prestar el mejor servicio posible a los residentes y visitantes del Condado Miami-Dade. Para continuar realizando nuestros objetivos y mejorar aun más nuestros servicios, valoramos su opinión sobre la experiencia que usted tuvo con el MDFR. Por favor sírvase dedicarle unos minutos a llenar la siguiente encuesta y por favor háganosla llegar en el sobre adjunto de franqueo pagado.

Sírvase acudir a www.miamidade.gov/mdfr/ para que se entere de más detalles acerca de los diversos servicios especializados que presta el MDFR así como de las respuestas dadas a las preguntas que se hacen con más frecuencia sobre los servicios de bomberos y rescate.

Como Jefe del Cuerpo de Bomberos y Rescate de Miami-Dade, le agradezco el haberse tomado el tiempo necesario para llenar esta encuesta. Sus respuestas garantizarán que continuemos prestando el nivel de atención más alto posible. Como su departamento de bomberos y rescate, nosotros siempre estamos listos y orgullosos de prestarle nuestros servicios.

Atentamente,

Dave Downey, Jefe del Cuerpo Bomberos y Rescate de Miami-Dade

Trè chè kliyan:

Resamman, Depatman Ponpye ak Sekou Miami-Dade (MDFR) te jwenn opòtinite pou sèvi w lè w te nan bezwen. Misyon MDFR se pou pwoteje pèp la, pwopriyete yo, ak anviwonman an nan bay sèvis sekou pwofesyonèl rapid e imanitè ki esansyèl a sante piblik, sekirite ak byennèt. Teknisyen Medikal Ijans Ponpye nou yo konsakre yo a bay pi bon kalite swen posib a rezidan ak vizitè Konte Miami-Dade yo. Pou asire ke nou kontinye akonpli misyon nou ak amelyore sèvis nou ba w yo, opinyon w de eksperyans w ak MDFR enpòtan pou nou. Tanpri pran kèlke minit pou ranpli yon ti sondaj epi retounen nan anvlòp deja tenbre ki akonpaye liya.

Tanpri ale sou www.miamidade.gov/mdfr/ pou aprann plis sou divès sèvis ak sèvis espesyalize MDFR ofri yo ak pou jwenn repons a kesyon ki poze pi souvan yo konsènan sèvis ponpye ak sekou.

Anlan Chèf Ponpye Depatman Ponpye ak Sekou Miami-Dade, mwen remèsye w pou tan w pou ranpli sondaj sa-a. Repons w yo va asire ke nou kontinye ba w pi bon kalite swen posib. Antan depatman ponpye ak sekou, nou Toujou Prè epi Fyè pou Nou Sèvi w.

Ak tout respè,

Dave Downey, Chèf Ponpye Depatman Ponpye ak Sekou Miami-Dade

Miami-Dade Fire Rescue



Survey Encuesta Apercu

Directions: Please take a moment to answer this survey. Your responses will help MDRF improve services we provide to Miami-Dade County residents. Your identity will remain anonymous unless you provide your contact information at the bottom of this survey. The postage is paid; simply drop it in the mail. Thank You.

Instrucciones: Sírvase dedicar unos minutos para contestar esta encuesta. Sus respuestas ayudarán al Departamento de Bomberos y Rescate (MDRF, su sigla en inglés) a mejorar los servicios que proporcionan a los residentes del Condado de Miami-Dade. Su identidad permanecerá anónima, a no ser que usted provea sus datos personales para ser contactado. El porte de correos está pagado; solo tiene que poner la encuesta en el buzón. Gracias.

Direksyon: Tanpri pran yon ti moman pou reponn a sondaj sa a. Repons w yo va ede MDRF amelyore sèvis yap bay rezidan Konte Miami-Dade yo. Idantite w ap ret sekrè anmwenske w bay enfomasyon pou kontakte w anba paj sondaj la. Si w ta vle repons w yo rete sekrè sèlman dekolè etikèt ki gen adrès w a anba paj la. Mèsi.

1= Strongly Disagree

2= Disagree

3= Neutral

4= Agree

5= Strongly Agree

1= En total desacuerdo

2= En desacuerdo

3= Neutral

4= En acuerdo

5= Muy de acuerdo

1= Vreman Padako

2= Padako

3= Neutre

4= Dako

5= Totalman Dako

MDRF responded to your needs in a timely manner.

MDRF atendió sus necesidades a tiempo.

MDRF te reponn a bezwen w byen vit.

1 2 3 4 5

MDRF explained your treatment to you.

MDRF le explicó su tratamiento.

MDRF te espliké w tretman w yo.

1 2 3 4 5

MDRF treated you in a professional manner.

MDRF lo trató de forma profesional.

MDRF te trete w avèk respè.

1 2 3 4 5

MDRF met your expectations when you requested assistance.

MDRF llenó sus expectativas en el momento que usted solicitó asistencia.

MDRF pat desi w dè sa w te atann deli lè w te mande asistans.

1 2 3 4 5

OPTIONAL/ OPCION / PREFERE

Name/nombre/nom

Address/dirección/adres

City/ciudad/vil

State/estado/eta

Zip/código postal/kòd postal

Phone/teléfono/telefon

email/correo electrónico/imel

Survey Encuesta Aperçu

Tanpri pran yon ti moman pou fè plis kòmantè nan espas pi ba la a. Si w vle yo kontakte w, tanpri ekri non w, adres telefòn ak imel w anba premye pa sondaj la.

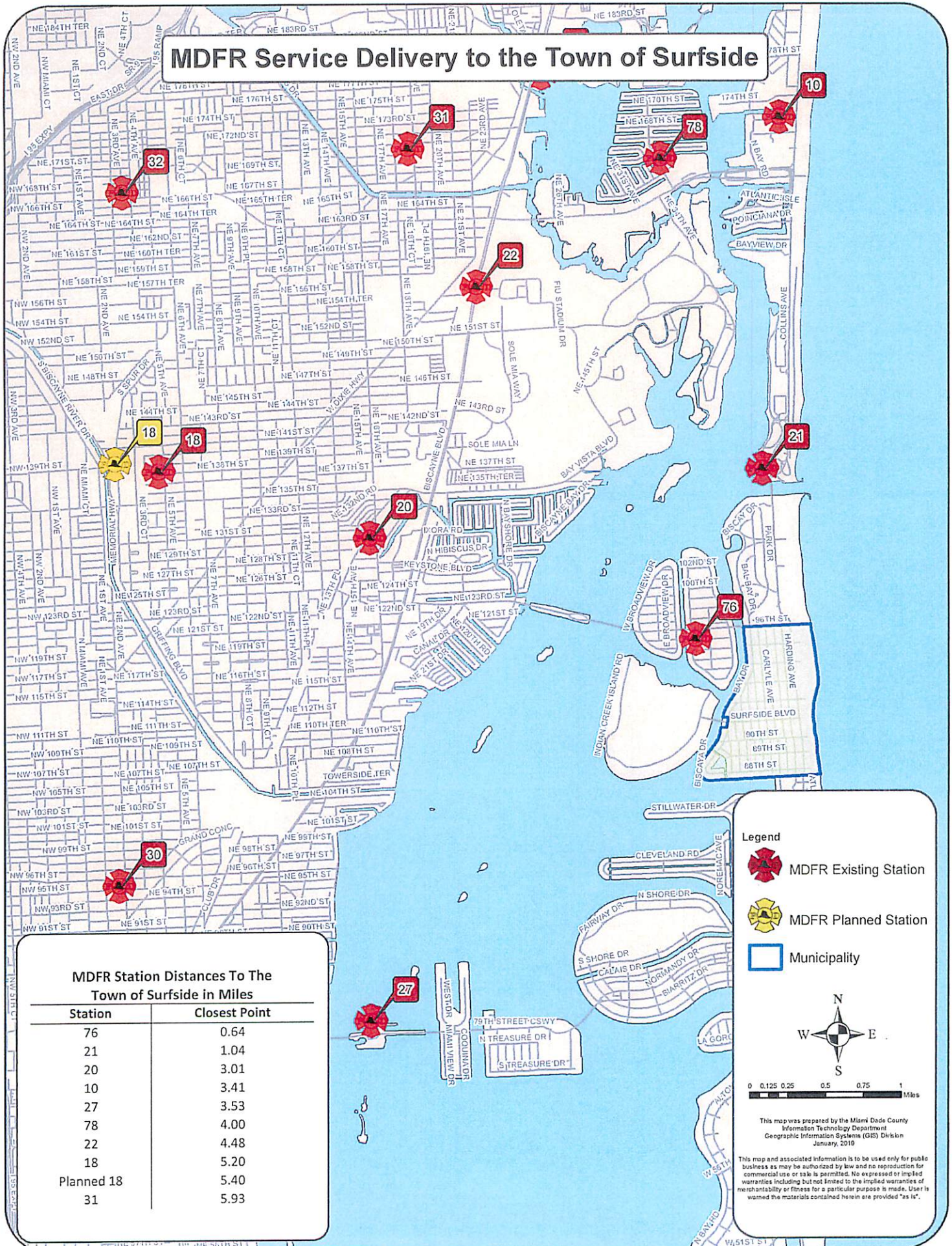
This image shows a single sheet of white paper with horizontal ruling lines. The lines are evenly spaced and run across the width of the page. There are no margins, text, or other markings on the paper.

Miami-Dade Fire Rescue
Customer Feedback Surveys
Emergency Medical Services Provided to the Town of Surfside in Fiscal Year 2017-2018

# Surveys	Alarm #	Date of Survey	Q1*	Q2*	Q3*	Q4*	Average	Comments
1	7233021	10/13/17	5	5	5	5	5.00	DEAR CHIEF - YOUR RESCUE OFFICERS WERE VERY RESPONSIVE AND FAST. THEIR PROFESSIONALISM WAS BETTER THAN ANY HOSPITAL I HAVE BEEN, AND I HAVE BEEN IN MANY. I AM A SENIOR CITIZEN AND I DEPEND ON YOUR SERVICES VERY MUCH. I THINK THEY ARE GREAT. FOREVER GRATEFUL AND HOPEFUL FOR YOUR SERVICES.
2	7237806	10/19/17	5	5	5	5	5.00	AFTER THE RECENT HURRICANE, I NEEDED HELP AT LEAST THREE TIMES AND THE SQUAD FROM HAULOVER ARRIVED WITHIN MINUTES OF MY CALL TO ASSIST ME. THEY ARE REAL PROFESSIONALS AND DEDICATED TO THEIR JOB. THANK YOU.
3	7244965	10/28/17	5	4	5	4	4.50	
4	7262966	11/20/17	5	5	5	5	5.00	
5	7287528	12/21/17	5	5	5	5	5.00	
6	7289246	12/23/17	5	5	5	5	5.00	
7	8002019	01/03/18	5	5	5	5	5.00	
8	8007948	01/11/18	4	4	3	3	3.50	
9	8074643	04/06/18	5	5	5	5	5.00	THE 911 RESPONSE TEAM WAS VERY PROFESSIONAL AND REASSURING. I THANK YOU ALL.
10	8100994	05/11/18	5	5	5	5	5.00	THEY DID A GREAT JOB.
11	8129796	06/18/18	5	5	5	5	5.00	THANK YOU VERY MUCH FOR THE JOB YOU DO EVERY DAY SAVING PEOPLE'S LIVES. YOU WERE THE FIRST IN LINE TO SAVE MY HUSBAND'S LIFE. GOD BLESS YOUR TEAM AND THEIR FAMILIES. THEY ARE OUR HEROES.
12	8153878	07/21/18	5	5	5	5	5.00	AS AN EX-MARINE AND A COMBAT VETERAN OF IWO JIMA, I WOULD WELCOME ANY OF THE MEN IN MY PLATOON. THESE GUYS ARE GOOD MEN WHO ARE DOING A GREAT JOB. PLEASE THANK THEM FOR ME!!
13	8163210	08/02/18	5	5	5	5	5.00	FIRE RESCUE WAS GREAT. ALL WERE COMPASSIONATE AND CARING. THEY TOOK CONTROL OF THE SITUATION AND KEPT ME CALM. TRULY APPRECIATE ALL THE EXTRA KINDNESS WHICH IS NOT PART OF THE JOB. THANK YOU.
14	8205198	09/26/18	5	5	5	5	5.00	
							Average	4.86

*Refer to Attachment I for questions.

MDFR Service Delivery to the Town of Surfside





Proclamation

Whereas, in 1872, J. Sterling Morton proposed to the Nebraska Board of Agriculture that a special day be set aside for the planting of trees; and

Whereas, this holiday, called Arbor Day, was first observed with the planting of more than a million trees in Nebraska; and

Whereas, Arbor Day is now observed throughout the nation and the world; and

Whereas, trees can reduce the erosion of our precious topsoil by wind and water, cut heating and cooling costs, moderate the temperature, clean the air, produce life-giving oxygen, and provide habitat for wildlife; and

Whereas, as trees grow, they help mitigate the impacts of climate change by removing carbon dioxide from the air, storing carbon in the trees and soil, and releasing oxygen into the atmosphere; and

Whereas, trees are a renewable resource giving us paper, wood for our homes, fuel for our fires and countless other wood products; and

Whereas, trees in our town increase property values, enhance the economic vitality of the business areas, and beautify our community; and

Whereas, trees, wherever they are planted, are a source of joy and spiritual renewal; and

Whereas, the Town Commission urges all citizens to celebrate Arbor Day and to support efforts to protect our trees and natural habitats; and

Whereas, the Town Commission urges all citizens to plant trees to gladden the heart and promote the well-being of this and future generations.

Now, therefore, the Town of Surfside, does hereby proclaim April 26, 2019 as “Arbor Day,” and we call upon all citizens to celebrate Arbor Day and to support efforts to protect our trees and natural habitats.

In witness thereof, I have hereunto set my hand this 9th day of April 2019.

*Daniel Dietch, Mayor
Town of Surfside, Florida*



Proclamation

WHEREAS, The Office of the Municipal Clerk, a time honored and vital part of local government exists throughout the world, and;

WHEREAS, The Office of the Municipal Clerk is the oldest among public servants, and;

WHEREAS, The Office of the Municipal Clerk provides the professional link between the citizens, the local governing bodies and agencies of government at other levels, and;

WHEREAS, Municipal Clerks have pledged to be ever mindful of their neutrality and impartiality, rendering equal service to all, and;

WHEREAS, The Municipal Clerk serves as the information center on functions of local government and community.

NOW, THEREFORE, I, Daniel Dietch, Mayor of the Town of Surfside, do recognize the week of May 5 through May 11, 2019, as Municipal Clerks Week, and further extend appreciation to our Municipal Clerk Sandra Novoa and to all Municipal Clerks for the vital services they perform and their exemplary dedication to the communities they represent.

In witness thereof I have hereunto set my hand this 9th day of April 2019.

*Daniel Dietch, Mayor
Town of Surfside, Florida*



**Town of Surfside
Regular Town Commission Meeting
MINUTES
March 12, 2019
7 p.m.**

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

1. Opening

A. Call to Order

Mayor Dietch called the meeting to order at 7:01 p.m.

B. Roll Call of Members

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

C. Pledge of Allegiance

Police Chief Yero led the pledge of allegiance.

D. Mayor and Commission Remarks – Mayor Daniel Dietch

Commissioner Paul wanted to wish everyone a happy Spring and acknowledge Oliver Sanchez who helped rescue a young boy that was being abducted.

Vice Mayor Gielchinsky commented on events he attended with food trucks and local restaurants. He commented on the two (2) Miami-Dade County resolutions; the Domestic Violence Board and the other one urging of the Legislature to expand the local option food and beverage tax which would now include the Town of Surfside.

Mayor Dietch read a statement regarding his experience and his service as Mayor of Surfside and comments that have been made and letters sent to residents, making false statements. He requested that his colleagues repudiate the false comments that are made by certain individuals about corruption in the Town of Surfside. He invited the public to attend the next Town Hall Meeting on March 19, 2019 at 7:00 p.m.

Commissioner Karukin agreed with Mayor Dietch and will repudiate the comments made by the public and those comments cannot be tolerated.

Vice Mayor Gielchinsky also agreed with Mayor Dietch and will repudiate the comments made by the public and those comments cannot be tolerated.

Commissioner Cohen also agreed with Mayor Dietch and will repudiate the comments made by the public and those comments cannot be tolerated.

Commissioner Paul also agreed with Mayor Dietch and will repudiate the comments made by the public and those comments cannot be tolerated.

- E. Agenda and Order of Business** Additions, deletions and linkages
Item 4.B.1 is linked to Item 9.I.

Move item 9.F. after Section. Motion made by Vice Mayor Gielchinsky, seconded by Commissioner Paul. Motion carried 5-0.

- F. Community Notes – Mayor Daniel Dietch**
Mayor Dietch spoke about the events taking place in Surfside with the information being available in the Town's website.

2. Quasi-Judicial Hearings

No Quasi-Judicial items

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

Commissioner Paul stated that she had an amendment to the minutes, item 3A. She also would like to speak under item 3B Town Manager's Report, page 34 and item 3I, page 99.

Commissioner Karukin made a motion to approve the consent agenda with the condition that the Town Clerk will review the minutes and make the appropriate amendment. The motion received a second from Commissioner Cohen. The motion carried 5-0.

- A. Minutes – Sandra Novoa, MMC, Town Clerk**
- February 12, 2019 Regular Town Commission Meeting Minutes
Commissioner Paul requested to change the word "deal" to the word "thing" which is the word she used. This information is located on page 9 of the agenda packet.

- *B. Town Manager's Report – Guillermo Olmedillo, Town Manager**
Commissioner Paul spoke about a Nextdoor post reported on page 34 of the agenda packet.

- *C. Town Attorney's Report – Weiss Serota, Town Attorney**
Approved on consent.

- D. Committee Reports –** Guillermo Olmedillo, Town Manager
Approved on consent.
- January 28, 2019 Parks and Recreation Committee Meeting Minutes
 - January 31, 2019 Planning and Zoning Board Meeting Minutes
- E. Not-For-Profit Charitable Application - Pelican Harbor Sponsorship –**
Commissioner Tina Paul
Approved on consent.
- F. Approval of the Key to the Town for Miami-Dade County Fire Chief Dave Downey –** Mayor Daniel Dietch
Approved on consent.
- G. Tennis Center Court Resurfacing –** Guillermo Olmedillo, Town Manager
- A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA APPROVING THE PROPOSAL OF FAST-DRY COURTS, INC. FOR TENNIS COURT RESURFACING AT THE SURFSIDE TENNIS CENTER; APPROVING THE PROPOSAL AND CONTRACT IN SUBSTANTIALLY THE FORM ATTACHED AS EXHIBIT “A”; AUTHORIZING THE TOWN MANAGER TO ENTER INTO THE CONTRACT WITH ANY CHANGES OR ADDENDUM AS REQUIRED BY THE TOWN ATTORNEY; PROVIDING FOR AUTHORIZATION AND IMPLEMENTATION OF THE CONTRACT; AUTHORIZING EXPENDITURE OF FUNDS; AND PROVIDING FOR AN EFFECTIVE DATE.**
Approved on consent.
- H. Downtown Vision Advisory Committee –** Guillermo Olmedillo, Town Manager
- A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, AMENDING THE CHARTER FOR THE DOWNTOWN VISION ADVISORY COMMITTEE; ADOPTING THE COMMITTEE’S AMENDED CHARTER; PROVIDING FOR AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE.**
Approved on consent.

I. Office 365 E-Mail Services and Migration – Guillermo Olmedillo, Town Manager

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA APPROVING THE CUSTOMER TERMS FOR CLOUD SERVICES AGREEMENT (U.S. PUBLIC SECTOR) AND MASTER SERVICES AGREEMENT WITH LIFTOFF, LLC FOR USE AND SUBSCRIPTION TO MICROSOFT OFFICE 365 EXCHANGE ONLINE (COLLECTIVELY, AGREEMENT) PROVIDING FOR CLOUD-BASED EMAIL SERVICES; PROVIDING FOR AUTHORIZATION AND IMPLEMENTATION OF THE AGREEMENT; AUTHORIZING EXPENDITURE OF FUNDS; AND PROVIDING FOR AN EFFECTIVE DATE.

Approved on consent.

Commissioner Paul posed some questions related to this item.

Assistant Town Manager Tavares and Eric Wells from Calvin Giordano and Associates provided information on the item.

J. Approval for the Sale, Disposition, Trade-In of Surplus Police Taser Equipment – Guillermo Olmedillo, Town Manager

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, DECLARING AS SURPLUS CERTAIN TASER EQUIPMENT OF THE TOWN OF SURFSIDE POLICE DEPARTMENT; AUTHORIZING THE TOWN MANAGER TO PROVIDE FOR THE SALE, DISPOSITION, OR TRADE-IN OF THE SURPLUS EQUIPMENT; AND PROVIDING FOR AN EFFECTIVE DATE.

Approved on consent.

K. Energy Innovation and Carbon Dividend Act – Mayor Daniel Dietch

A RESOLUTION OF THE MAYOR AND TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, URGING THE UNITED STATES CONGRESS TO PASS THE ENERGY INNOVATION AND CARBON DIVIDEND ACT (H.R. 763) TO LEVY AN ANNUALLY INCREASING REVENUE-NEUTRAL FEE ON THE CARBON IN FOSSIL FUELS AT THE POINT OF PRODUCTION OR IMPORTATION AND RETURN A DIVIDEND TO ALL AMERICANS; PROVIDING FOR TRANSMITTAL OF RESOLUTION; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Approved on consent.

4. Ordinances

A. Second Reading Ordinances

- 1. Code of Ethics Ordinance Enhancement and Amendment to Provide for Disclosure of Business Relationships by Members of the Town Commission and Town Boards and Committees – Guillermo Olmedillo, Town Manager**

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA AMENDING ARTICLE VII - CODE OF ETHICS, BY ADDING SECTION 2-237 TO PROVIDE FOR DISCLOSURE OF BUSINESS RELATIONSHIPS BY MEMBERS OF THE TOWN COMMISSION AND BOARDS AND COMMITTEES; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE

Town Clerk Novoa read the title of the ordinance.

Commissioner Karukin made a motion for discussion purposes. The motion received a second from Vice Mayor Gielchinsky.

Mayor Dietch open the public hearing and the following members of the public spoke on this item:

Elianna Salzhauer
Pamela O'Hagan read a statement from Tricia Fowley
Ellen Abramson
Victor May
Sasha Plutno

Commissioner Karukin made a motion to approve the Ordinance on second reading. The motion received a second from Commissioner Paul and motion passed 5-0.

B. First Reading Ordinances

1. **Prohibit Hotels in H40 Zoning District South of 93rd Street Within the Moderate High-Density Residential Area of the Future Land Use Map**
– Commissioner Michael Karukin *[Linked to Item 9I]*

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA AMENDING THE TOWN OF SURFSIDE CODE OF ORDINANCES BY AMENDING SECTION 90-41, "REGULATED USES", TO CHANGE THE LIST OF PERMITTED, CONDITIONAL, AND PROHIBITED USES TO PROHIBIT HOTELS IN THE H-40 ZONING DISTRICT SOUTH OF 93RD STREET AND ADDRESS HOTEL ACCESSORY USES; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR CONFLICTS AND PROVIDING FOR AN EFFECTIVE DATE.

Town Clerk Novoa read the title of the ordinance.

Commissioner Karukin introduced the item to the Town Commission.

The following members of the public spoke on the item:

Joshua Epstein
Jennifer Rotker
Brian Bay
David Epstein
Leonardo Ambark
Ellen Abramson
Mark Levinson
Sasha Plutno

Eliana Salzhauer – A motion to extend one minute by Commissioner Paul, seconded by Commissioner Karukin and all voted in favor.

Matthew Barnes representing HDP TLD Partner, LLC which is the Marriott Hotel.

Kristofer Machado representing 9040, LLC and 90th Street International Investment Corp. requested a total amount of 15 minutes.

Vice Mayor Gielchinsky made a motion to grant 10 minutes to the speaker. The motion received a second from Commissioner Cohen. The motion carried 3-2 with Commissioner Paul and Commissioner Karukin voting in opposition.

Stanley Price representing three properties requested five minutes to present.

Vice Mayor Gielchinsky made a motion to provide five minutes to speak. The motion received a second from Commissioner Cohen. The motion carried 4-1 with Commissioner Karukin voting in opposition.

Alan Krischer representing Esther Merrick Properties, Inc.
Rick Superstein
Esther Superstein
Drew Superstein
Pamela O'Hagan read a statement from Tricia Fowley
Jeffrey Platt
Clara Diaz-Leal
Victor May
Oliver Sanchez
George Kousoulas

After some discussion, Commissioner Karukin made a motion to approve as presented. The motion received a second from Commissioner Paul and motion carried 3-2 with Commissioner Cohen and Vice Mayor Gielchinsky voting in opposition.

Town Attorney Arango made clarifications to the Town Commission regarding some comments made by the public and about Bert Harris' claim and how it pertains to properties. She also spoke on the pending bills in the Legislature.

Commissioner Karukin made a motion to direct staff to draft a resolution opposing House Bill 1383 and Senate Bill 1720 and bring it back at the next Town Commission meeting for approval. The resolution received a second from Commissioner Paul. The motion carried 3-2 with Commissioner Cohen and Vice Mayor Gielchinsky voting in opposition.

Legal analysis with the suggestions made by the Town Commission will be presented at the next Planning & Zoning Board meeting.

5. Resolutions and Proclamations

A. Resiliency Planning Support – Guillermo Olmedillo, Town Manager

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA APPROVING WORK AUTHORIZATION NO. 113 WITH CALVIN GIORDANO & ASSOCIATES, INC. FOR RESILIENCY PLANNING SUPPORT; AUTHORIZING THE TOWN MANAGER TO EXECUTE THE WORK AUTHORIZATION; AUTHORIZING THE TOWN MANAGER AND TOWN OFFICIALS TO IMPLEMENT THE TERMS AND CONDITIONS OF THE WORK AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE

Town Clerk Novoa read the title of the resolution.

Town Manager Olmedillo presented the item to the Town Commission.

The following members of the public spoke on the item:

Sasha Plutno
Eliana Salzhauer

Vice Mayor Gielchinsky made a motion to approve. The motion received a second from Mayor Dietch. The motion carried 4-1 with Commissioner Paul voting in opposition.

B. ADA Website Compliance – Guillermo Olmedillo, Town Manager

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA APPROVING THE PROPOSAL OF LEVEL ACCESS FOR ADA WEBSITE COMPLIANCE; AUTHORIZING THE TOWN MANAGER TO ENTER INTO THE MASTER SERVICES AGREEMENT AND ADDENDUM THERETO IN FORM AND SUBSTANCE ACCEPTABLE TO THE TOWN MANAGER AND TOWN ATTORNEY; PROVIDING FOR IMPLEMENTATION; AUTHORIZING EXPENDITURE OF FUNDS; AND PROVIDING FOR AN EFFECTIVE DATE.

Town Clerk Novoa read the title of the resolution.

Commissioner Cohen made a motion to approve. The motion received a second from Vice Mayor Gielchinsky. The motion carried 5-0.

C. Commission Chambers Audio Visual Upgrade – Guillermo Olmedillo, Town Manager

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA APPROVING THE PROPOSAL/INVESTMENT SUMMARY, GENERAL TERMS AND CONDITIONS, CUSTOMER CARE SERVICE AGREEMENT, SOFTWARE LICENSE AGREEMENT AND ADDENDUM (COLLECTIVELY, AGREEMENT) WITH AUDIO VISUAL INNOVATIONS, INC./SIGNAL PERFECTION, LTD. FOR AUDIO VISUAL UPGRADES FOR THE COMMISSION CHAMBERS; PROVIDING FOR AUTHORIZATION AND IMPLEMENTATION OF THE AGREEMENT; AUTHORIZING EXPENDITURE OF FUNDS; AND PROVIDING FOR AN EFFECTIVE DATE.

Town Clerk Novoa read the title of the resolution.

Town Manager Olmedillo presented the item to the Commission.

Assistant Town Manager Tavares responded to some of Commissioner Paul's concerns regarding the item.

Commissioner Karukin made a motion to approve. The motion received a second from Vice Mayor Gielchinsky. The motion carried 4-1 with Commissioner Paul voting in opposition.

D. Triad Security Group, Inc. Second Addendum – Guillermo Olmedillo, Town Manager

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA APPROVING ADDITIONAL WORK FOR THE ACCESS CONTROL SYSTEM AT TOWN HALL; APPROVING THE SECOND ADDENDUM TO THE INSTALLATION AND SERVICE AGREEMENT WITH TRIAD SECURITY GROUP, INC. FOR THE ADDITIONAL WORK, IN SUBSTANTIALLY THE FORM ATTACHED HERETO; PROVIDING FOR AUTHORIZATION AND IMPLEMENTATION OF THE ADDITIONAL WORK; AUTHORIZING EXPENDITURE OF FUNDS; AND PROVIDING FOR AN EFFECTIVE DATE.

Town Clerk Novoa read the title of the resolution.

Town Manager Olmedillo presented the item to the Town Commission.

Commissioner Paul posed some questions which were answered by Town Manager Olmedillo.

Commissioner Karukin made a motion to approve. The motion received a second from Vice Mayor Gielchinsky. The motion carried 5-0.

E. Executive Recruitment of Finance Director - Guillermo Olmedillo, Town Manager

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA APPROVING AN EXPENDITURE FOR AN EXECUTIVE RECRUITING FIRM FOR SELECTION OF A FINANCE DIRECTOR; AUTHORIZING AN EXPENDITURE NOT TO EXCEED \$25,000; PROVIDING FOR AUTHORIZATION AND IMPLEMENTATION OF THE AGREEMENT; AND PROVIDING FOR AN EFFECTIVE DATE.

Town Clerk Novoa read the title of the resolution.

Vice Mayor Gielchinsky made a motion to approve. The motion received a second from Commissioner Karukin. The motion carried 4-1.

The following members of the public spoke on the item:

Ellen Abramson
Eliana Salzhauer
Victor May

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

Victor May spoke about the Mayor's statement at the beginning of the meeting.

David Epstein spoke regarding the issues with traffic.

Eliana Salzhauer spoke about respect, the role of the Town Commission and the need for EpiPens in the Community Center due to the sale of peanuts.

Jeffrey Platt spoke about respect and the beach furniture ordinance.

Sasha Plutno spoke about beach furniture problems and that he has not seen any enforcement. He spoke about some information that's available in the Town's Gazette and how residents should be taking advantage of it. He also spoke about the prohibition of leaf blowers and what landscapers are doing.

Commissioner Paul made a motion to extend the speaker's time. The motion received a second from Commissioner Karukin and all voted in favor.

Mr. Plutno provided some suggestions to the Town to alleviate traffic.

Ellen Abramson spoke and encouraged the Town Commission to ban plastic bags in the Town of Surfside.

Pamela O'Hagan requested if it is possible to turn off the Christmas lights.

George Kousoulas spoke about the role of the Town Commission.

Marianne Meisheid spoke about emotional support service animals on the beach.

Commissioner Paul made a motion to extend the speaker's time for 30 seconds. The motion received a second from Vice Mayor Gielchinsky and all voted in favor. Commissioner Cohen was absent from the dais.

Vice Mayor Gielchinsky spoke in response to the comment on banning plastic bags.

Commissioner Paul also spoke about the ban of plastic bags, leaf blowers and animals on the beach. She stated that she does not know why these issues are not being addressed after three (3) years.

Commissioner Karukin addressed some of the residents' comments.

Commissioner Cohen addressed some of the residents' comments.

Mayor Dietch addressed the residents regarding recyclable materials and stated that plastic bags could be taken to a receptacle located in Publix. He also thanked Mr. May for his comments.

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. Commission Liaison Appointment [Verbal] – Sandra Novoa, MMC, Town Clerk

- Downtown Vision Advisory Committee

After some deliberation Commissioner Cohen agreed to become the new Downtown Vision Advisory Committee Liaison and Commissioner Karukin will be the new Tourist Board Liaison.

B. Board and Committee Appointments [Verbal] – Sandra Novoa, MMC, Town Clerk

Tourist Board – Commissioner Cohen

Tourist Board – Commissioner Karukin

Commissioner Karukin made a motion to appoint Charles Kesi to the Tourist Board. The motion was seconded by Commissioner Paul and all voted in favor.

Commissioner Cohen made a motion to appoint Neil Goodman to the Tourist Board. The motion was seconded by Commissioner Karukin and all voted in favor.

- C. Annual Performance Evaluation – Guillermo Olmedillo, Town Manager**
– Mayor Daniel Dietch
Mayor Dietch, Vice Mayor Gielchinsky, Commissioner Cohen and Commissioner Karukin spoke very highly of the Town Manager.

Commissioner Paul stated that there is room for improvement.

After some deliberation Vice Mayor Gielchinsky made a motion to approve a 4% salary increase. The motion received a second from Commissioner Karukin. The motion carried 4-1 with Commissioner Paul voting in opposition.

- D. Miami-Dade League of Cities Director and Alternate Director Designation** – Sandra Novoa, MMC Town Clerk
Commissioner Karukin made a motion to nominate Commissioner Paul as the Director and Commissioner Cohen as the Alternate Director. The motion received a second from Vice Mayor Gielchinsky and all voted in favor.

- E. Beach Renourishment Update [Verbal]** – Guillermo Olmedillo, Town Manager
Town manager Olmedillo provided a verbal update to the Town Commission.

- F. Approval to Modify the Parking Meter Rate to a Variable Rate Based System** – Guillermo Olmedillo, Town Manager
Chief Yero presented the item to the Town Commission.

The following members of the public spoke on this item:

Ellen Abramson
Sasha Plutno
Eliana Salzhauer
Jennifer Rotker
George Kousoulas
Marianne Meischeid

Discussion took place among the Town Commission.

- G. Code Compliance Resources** – Mayor Daniel Dietch
Commissioner Karukin made a motion to defer the item. The motion received a second from Commissioner Paul. After some discussion Commissioner Paul withdrew her second to the motion.

The following members of the public spoke on the item:

Jennifer Rotker
Eliana Salzhauer

Victor May
Ellen Abramson

After some discussion the Town Commission directed the Town Manager to bring back an item in April regarding the Code Compliance Resources and Process.

- H. Sunscreen Chemical Ban** – Mayor Daniel Dietch
Mayor Dietch presented the item to the Town Commission.

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

The following members of the public spoke on this item:

Eliana Salzhaeur
Ellen Abramson
Jennifer Rotker

- I. Zoning in Progress – New Applications or Site Plans for Hotels in H40 Zoning District, South of 93rd Street** – Commissioner Michael Karukin
[Linked to Item 4A1]

The following members of the public spoke on this item:

Ellen Abramson
Eliana Salzhaeur

10. Adjournment

There being no further business, Commissioner Karukin made a motion to adjourn. The motion received a second from Commissioner Paul. The meeting adjourned at 12:30 a.m. on March 13, 2019.

Respectfully submitted,

Accepted this _____ day of _____, 2019.

Daniel Dietch, Mayor

Attest:

Sandra Novoa, MMC
Town Clerk



TOWN MANAGER'S REPORT

April 9, 2019

COMMUNITY PROGRAMS / INITIATIVES / ENHANCEMENTS

- I. SEE CLICK FIX REPORT – Attachment “A”
- II. SOCIAL MEDIA (NEXTDOOR) REPORT – Attachment “B”
- III. DEVELOPMENT APPLICATION PROCESS (2009 – PRESENT) – Attachment “C”
- IV. DEVELOPMENT APPLICATIONS STATUS

A. 8851 Harding – The applicant has submitted plans for an 18 unit development. The DIC meeting was held on March 26, 2018. The DRG meeting was held on November 29, 2018. The Planning and Zoning Board meeting was held on January 31, 2019 and the board recommended approval to the Town Commission. The application is scheduled for the Special Commission Quasi-Judicial Hearing on April 23, 2019.

B. 8995 Collins – A site plan was submitted on May 19, 2017. Three DRG meetings were held on June 19, 2017, August 24, 2017, and September 28, 2017. The DIC meeting was held on November 16, 2017. The application was heard at the February 22, 2018 Planning and Zoning Board meeting where it was deferred. Since, it has been deferred five times for different reasons, such as, revision of the traffic analysis, lack of quorum, and the applicant's request for a deferral. The application will be scheduled for a Town Commission meeting, once the Planning and Zoning Board issues its recommendation.

V. TOWN DEPARTMENTS

Code Compliance Division

A. Code Violation Cases: As of March 26, 2019, the total number of active, open cases being managed is 253; of these cases, 129 cases are still under investigation and are working

towards compliance; 3 cases are on-hold; 25 are in the Special Master hearing queue; 7 cases are in post-Special Magistrate action status; 13 cases have pending liens, and 76 cases have been issued liens and remain unpaid. Properties with unpaid liens are sent reminder 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 18/19: Through March 26, 2019, 62 cases have paid/settled for a total collection of \$15,345
- FY 17/18: 92 cases have paid/settled for a total collection of \$29,576
- FY 16/17: 117 cases have paid/settled for a total collection of \$40,842
- FY 15/16: 152 cases paid/settled for a total of \$137,282

Finance Department

Monthly Budget to Actual Summary as of February 28, 2019 – Attachment "D"

Planning and Zoning Department

The Planning and Zoning Board has discussed the issue of adaptability to climate change in several of its meetings.

At the March 28th, 2019 meeting, the Board considered recommending a possible Charter amendment to address changing flood plains as a result of sea level rise.

Police Department

A. Police Department Statistics (March 1 - March 24, 2019):

- Traffic Citations – 124
- Parking Citations – 581
- Arrests – 13
- Dispatch Events – 1,316
- Incident/Crime Reports- 66
- Suspicious Person Checks - 26

B. Traffic Mitigation Program Status Report

Public safety is the number one priority for the Town of Surfside. Along with public safety, quality of life is a focus of the Town. One element that impacts both public safety and quality of life is traffic. Traffic has increased significantly in recent years on Collins Avenue and Harding Avenue regionally as well as locally in Surfside. These roadways are major north/south thoroughfares for vehicles to avoid I-95 and Biscayne Boulevard traffic congestion. Lane closures at developments in Surfside and neighboring jurisdictions add to this traffic overcrowding. Drivers have learned they can avoid the backup on Collins Avenue and Harding Avenue by traveling west into the residential neighborhoods. There are no sidewalks in the single-family home areas of Surfside and with many families and children who play, walk and bike on the streets, traffic mitigation strategies are continuous for the Town Commission and Staff in our goal to keep Surfside safe and enjoyable. In order to accomplish our goals Staff works in partnership with the State of Florida Department of Transportation and Miami-Dade County authorities who have jurisdiction over the roads in Surfside. The following chart illustrates and tracks the progress of this ongoing effort.

#	TIMEFRAME	INITIATIVES	STATUS	UPDATE(S)
Short Term (0 – 6 months)				
1.		New Speed Bumps	Re-Opened November 2018	<p>New speed bumps have been installed at the following locations:</p> <ul style="list-style-type: none"> • 8900 block of Abbott Avenue • 9100 block of Abbott Avenue • 9300 block of Abbott Avenue • 9500 block of Byron Avenue (second speed bump) <p>November/December 2018: new speed bump location in the 9400 block of Abbott Avenue being evaluated.</p> <p>The location of the speed bump was determined and installation scheduled for February 2019.</p> <p>During February 2019, new speed bumps were installed at the following locations:</p> <ul style="list-style-type: none"> • 9300 block of Abbott Avenue • 9400 block of Abbott Avenue • 9500 block of Carlyle Avenue <p><u>New speed bumps implementation is being evaluated for the 8800 block of Carlyle Avenue.</u></p>
2.		Loop Detector Installation	In progress	CGA was authorized to move forward with the preparation of the bid documents for the traffic loops at three signalized intersections along


				<p>Harding Avenue. CGA will need to provide updated scope of services and fee in order to provide traffic counts and traffic analysis at subject intersections (before and after traffic analysis) per commission request at 05-09-17 meeting.</p> <p>The east Stop Bar at 93 Street & Harding Avenue will be moved back.</p> <p>On August 8, 2017, CGA submitted their additional service agreement for completing the before and after traffic analysis at the signalized intersections along Harding Avenue that new traffic loops are being installed. At the Commission meeting where the Post Design Services contract was approved, the Mayor and Commission asked if CGA could do a before and after analysis in order to evaluate the change in traffic operations at these subject intersections. The traffic counts are currently scheduled for the 29th, 30th or 31st of August (second week of regular school).</p> <p>Loop detectors have been approved for Harding Avenue at 88th, 93rd and 94th Streets.</p> <p>On November 3, 2017, CGA submitted for review and approval Work Authorization No. 106 for Surfside Traffic Signal Modification – Traffic Analysis. The scope of the project includes Pre – Post Construction Analysis of four intersections on Harding Avenue at 88th, 93rd, 94th and 95th Streets. Total cost not to exceed \$14,200.62.</p> <p>On January 29, 2018, a Traffic Signal Modification Mandatory Pre-Bid Opening was held at 10:30 a.m. The Assistant Town Manager, CGA, Public Works and Police Department representatives attended. No bidders attended.</p> <p>On March 8, 2018, a Traffic Signal Modification Mandatory Pre-Bid Opening was held at 2:00 p.m. The Town has received two bids. The Public Works Department and CGA are evaluating the bids. Once the bids are evaluated and ranked, Town staff will present their recommendation for final bid selection and award to the Town Commission.</p> <p>In a letter dated April 16, 2018, reference Town of Surfside Traffic Signal Modifications ITB No. 2018-01 and CGA Project No. 15-8083, CGA Director of Construction Engineering, Robert McSweeney, provided an analysis of the two bids received for the Surfside Traffic Signal Modification Project and</p>
--	--	--	--	--


				<p>recommendation for award of Contract. Under Power Corp. was the apparent low bidder with a Base Bid of \$109,045.23. Upon review, they found the bid is complete and appropriate for the proposed work. In keeping with the Town to award a Contract to the most responsible and responsive bidder whose bid is in conformance with the Bidding Documents and is in the best interest of the Town, they recommend that the Town of Surfside award the contract for the referenced project to Under Power Corp.</p> <p>At the June 12th, 2018 Commission Meeting, the Town Commission voted to approve the recommendation from CGA awarding the contract to Under Power Corp. The project is moving forward pending CGA Notice to Proceed and required permitting.</p> <p>CGA has collected traffic counts and completed intersection analysis at the Harding Avenue and 88th Street, Harding Avenue and 93rd Street, Harding Avenue and 94th Street and Harding Avenue and 95th Street intersections. Next step is to complete new traffic counts and intersection analysis once the traffic loops at all four intersections have been installed. This traffic analysis will be summarized in a memorandum.</p> <p>Public Works Department and CGA held a pre-con meeting. Contractor applied for County permit. A Notice to Proceed (NTP) will be given when contractor has permit. 30 to 45 days for completion after start.</p> <p>On 8-8-2018, the awarded contractor, Under Power Corporation, submitted the following permit applications to Miami Dade County:</p> <p>Permit No. 2018006371 – Harding Av & 88 St Permit No. 2018006374- Harding Ave & 93 St Permit No. 2018006373 – Harding Ave & 94 St</p> <p>On 8-21-2018, Miami-Dade Traffic Engineering Division provided comments on their already approved plans. They had asked for one of the pedestrian signal phases to be modified.</p> <p>On 8-22-2018, Under Power Corporation picked up 18 revised signed and sealed sets from CGA.</p>
--	--	--	--	--

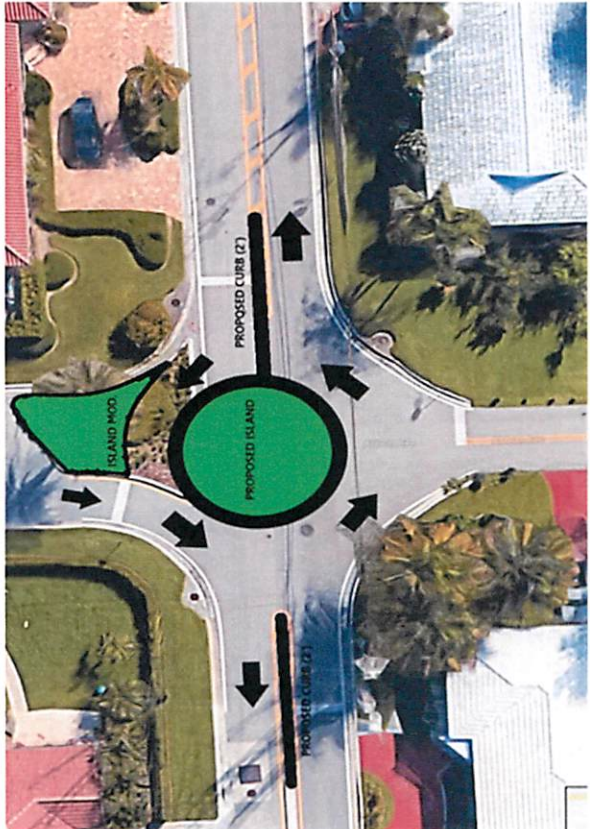
				<p>On 8-23-2018, the revised plans were submitted to the County for permitting by the contractor. It seems that the County has a 12-day turn-around for these permits. Bob McSweeney has been keeping track of the County's review time and the contractor has kept CGA informed every step of this process.</p> <p>For Harding Avenue and 95th Street, CGA received an email from David Hayes (Miami-Dade County) stating that they could not sign-off on the project because they needed revised plans to reflect the same pedestrian phase modifications requested at 88th Street, 93rd Street, and 94th Street. Revised plans for Harding Avenue and 95th Street will be submitted to Miami-Dade County on 8-27-2018.</p> <p>Under Power Corp., project manager Guillermo Vado, left the company on 09-14-18, and the new project manager is Eddie Macias e.macias@underpowercorp.com.</p> <p>GCA contacted FDOT Operations concerning the Construction Agreement renewal and loop material revision, and were referred to the FDOT Permits Department. GCA have a call/message into them, and will advise as to any potential delay once we have more information.</p> <p>On 11-27-18 a meeting was conducted with Town Administration, Public Works, Police Department, and CGA regarding the Loop Detector Installation. It was determined that the project can commence on 12-10-2018 and the work hours will be 8:00 AM – 6:00 PM, Monday-Friday. The Police Department will provide personnel to assist with lane closures. The contractor, Under Power Corp., was contacted and advised to provide a construction schedule, work plan narrative, and MOTs regarding the program prior to commencing work.</p> <p>Loop Detector installation work began the week of 12-17-2018 and FDOT advised that the contractor has a 90-day window to complete the work. Traffic advisories were emailed to residents and posted on the Town website regarding the construction work and anticipated lane closures on Harding Avenue.</p>
--	--	--	--	---

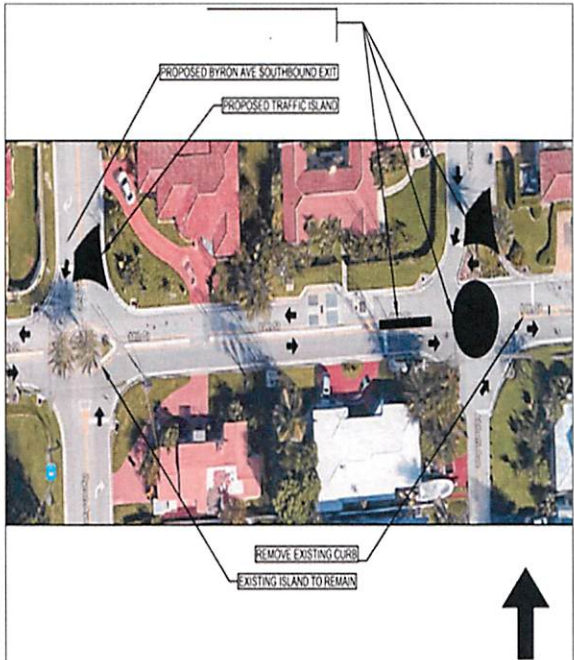
				<p>FDOT halted the installation to obtain additional permits. They were not able to perform directional drilling at the intersections. FDOT and the Town have a scheduled meeting on Thursday 01-31-2019 to discuss the new project timeline. As of February 2019, due to unforeseen field conditions encountered by Contractor, loop detection project construction drawings are being revised. The revised drawings will be submitted to FDOT for re-permitting since the changes require trenching of roadway. Engineer of Record is currently working on construction drawings for re-submittal.</p> <p><u>According to the Town Public Works Department we are awaiting a cost on the Change Order.</u></p>
3.		<p>Install a crosswalk at 90th Street & Harding Avenue (north side) and <u>89th Street & Harding Avenue (north side)</u></p>	Open	<p>FDOT agreed to reconsider installing a traffic signal at the location, pending study (count). The Town installed traffic delineators designed to allow a left turn only onto Harding Avenue, preventing vehicles from traveling westbound across the intersection.</p> <p>The 200 block of 90th Street has been converted to one-way traffic eastbound only. This new traffic pattern has eliminated the hazard of vehicles traveling west across Harding Avenue at 90th Street where a curve hindered line of sight for drivers.</p> <p>No Turn on Red signage has been installed at 90th Street & Collins Avenue for vehicles traveling eastbound in the 200 block of 90th Street.</p> <p>Crosswalk markings (Thermoplastic) installation will be performed in February 2019.</p> <p>Crosswalk markings (Thermoplastic) installation was delayed until March 2019 to allow the new pavement to properly cure.</p> <p><u>Crosswalk markings (Thermoplastic) installation was completed at the 89th Street & Harding Avenue (north side) location in March 2019. The Crosswalk markings (Thermoplastic) installation at 90th Street & Harding Avenue (north side) is still pending with no definitive date set.</u></p>


4.		Collins Ave and Harding Ave. Request for additional speed limit signs & pavement markings within Town of Surfside. FDOT CTP 2018-03-0031	Open	<p>Per Arturo Patulot, Traffic Operations D6, Florida Dept of Transportation (FDOT) 305-470-5303, arthuro.patulot@dot.state.fl.us:</p> <p>FDOT Traffic Operations office conducted a field review along the subject roadway segment from 88th to 96th streets both NB and SB directions and has decided to install five (5) additional posted speed limit signs 30 MPH and three (3) sets of pavement markings 30 MPH for better exposure and driver's compliance at the following locations:</p> <p>Collins Avenue facing Northbound traffic Two (2) additional 30 MPH speed limit signs (Right & Left of roadway) and 30 MPH pavement markings north of 90th Street One (1) additional 30 MPH speed limit sign (Right of roadway) north of 92nd Street Two (2) additional 30 MPH speed limit signs (Right & Left of roadway) north of 94th Street</p> <p>Harding Avenue facing Southbound traffic 30 MPH pavement markings for the three lanes across from existing speed limit sign south of 96th Street</p> <p>30 MPH pavement markings for the three lanes across from existing speed limit signs south of 92nd Street</p> <p>The proposed improvements will be completed by FDOT maintenance when workload and schedule permit. No anticipated completion dates were provided.</p> <p>FDOT was notified by email for an update on the status and Public Works is awaiting their response.</p> <p><u>Town Public Works advised that FDOT confirmed that a work order has been completed and pending a start date for the work.</u></p>
5.		Evaluate Sidewalk Options	Open	Town Commission approved a motion to continue to evaluate pedestrian safety options in Surfside.
6.		95 th Street & Harding Avenue (westbound), left Turn lane added.	Closed	On 04-27-2017, the traffic lanes in the 200 block of 95 th Street, between Collins Avenue and Harding Avenue were modified to improve the traffic flow. New lane pavement markers delineate the new vehicular traffic flow for westbound traffic on 95 th

		300 block of 95 th Street (eastbound), right turn lane added.		<p>Street approaching Harding Avenue. The pavement markings allow vehicles to travel in two lanes west of the alleyway with one lane designated for travel westbound only on 95 Street across Harding Avenue, and the other lane designated as a left turn only lane for vehicles turning southbound onto Harding Avenue. Three parking spaces on the North East side of 95 Street & Harding Avenue have been eliminated to allow for a westbound travel lane.</p> <p>As of 08-22-2017, the traffic flow in the 300 block of 95th Street, between Abbott Avenue and Harding Avenue, has been altered. The new lane pavement markers delineate the new vehicular traffic flow for eastbound traffic on 95th Street approaching Harding Avenue. The pavement markings allow vehicles to travel in two lanes east of the alleyway with one lane designated for travel eastbound only on 95th Street across Harding Avenue, and the other lane designated as a right turn only lane for vehicles turning southbound onto Harding Avenue. The loading zone at this location has been eliminated to allow for a right turn only lane. Please refer to the traffic diagram below.</p> 
7.		New Stop Signs at all intersections west of Harding Avenue	Closed	<p>Public Works installed stop signs at the following locations:</p> <ul style="list-style-type: none"> • 89th Street & Byron Avenue (east-west) • 90th Street & Abbott Avenue (east-west) • 90th Street & Carlyle Avenue (east-west) • 92nd Street & Abbott Avenue (east-west) • 92nd Street & Carlyle Avenue (east-west) <p>In September 2018, Public Works relocated the stop sign and stop bar at Carlyle Avenue and 90th Street (for Northbound traffic on Carlyle Avenue) 15 feet north to allow for an enhanced traffic sight cone at the intersection.</p>

				
8.		New Stop Bar Reflectors	Closed	<p>New Stop Bar Reflectors Installed</p> <p>In September 2018, Public Works conducted an inspection of the Stop Bar Reflectors and determined which reflectors were non-operational. The vendor will be replacing the non-operational reflectors under warranty.</p> <p>Public Works ordered 24 new reflectors that will be installed at the following locations:</p> <ul style="list-style-type: none"> • 90th Street and Froude (all directions) • 90th Street and Byron (all directions) • 90th Street and Abbott Avenue (East and West directions) • Yellow reflectors will be installed prior to the speed bumps in the 9500 block of Byron Avenue to alert drivers. <p>During November 2018 all non-operational Stop Bar Reflectors were replaced and are now functional. Additionally, new Stop Bar Reflectors were installed at the following locations:</p> <ul style="list-style-type: none"> • 90th Street and Froude (all directions) • 90th Street and Byron (all directions) • 90th Street and Abbott Avenue (East and West directions) • Reflectors will be installed prior to the speed bumps in the 9500 block of Byron Avenue to alert drivers.
9.		Revisit Street Closure <ul style="list-style-type: none"> ○ 94th Street / Abbott Avenue 	Closed	Town Commission approved a motion against revisiting this item.
10.		New Street Closure Byron Avenue (northbound) at 88 th Street	Closed	<p>Requires study, Miami-Dade County and Miami Beach approval.</p> <p>On 11-29-17, Town Manager, Chief Allen and Public Works Director attended a meeting with Miami-Dade County and City of Miami Beach</p>

			<p>administration regarding the closure of northbound traffic at 88th Street and Byron Avenue.</p> <p>The above meeting resulted in a plan to add curbing to the 88th Street median extending it to Abbott Avenue. The result will prohibit drivers from executing illegal U turns disrupting the traffic flow and area residents which has been a continuous problem.</p> <p>The following traffic modification Project has been developed to improve the traffic flow at 88th Street and Abbott Avenue.</p>  <p>Public Works completed the installation of the pictured vehicular traffic pattern at 88th Street & Abbott Avenue. On March 12, 2018, a 60-day testing period will begin before final approval.</p> <p>The 60-day trial period before final approval continues. There have been no traffic accidents reported and no matters of concern have been brought to the attention of the Police Department.</p> <p>At the Special Town Commission Meeting held May 22, 2018, the Town Commission approved the below traffic pattern design (Option A) for 88th</p>
--	--	--	--

				<p>Street and Abbott Avenue. A traffic circle at Abbott Avenue on 88th Street will allow traffic to flow east, west and south. Traffic islands on Abbott Avenue and Byron Avenue at 88th Street will prevent vehicles from traveling north on those avenues from 88th Street.</p> <div></div> <p>Public Works has begun work on the new traffic mitigation design on 88th Street & Abbott Avenue. The project is estimated to be completed by mid-July.</p> <p>Project completed.</p>
11.	Install a centerline curb on 95 th Street between Abbott and Byron Avenues ○	Closed	Public Works installed delineators to deter trucks from traveling west on 95 th Street.	
12.	Eliminate Crosswalks on Collins (north) & Harding (south) Avenues	Closed	FDOT stated that eliminating crosswalks would hinder pedestrian travel and further study would be required before they can agree to that recommendation.	
13.	Create Vehicular Circulation Plans for New Construction Projects Minimize lane closures	Closed	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. The early notice system has shown an improvement.
14.		<p>Install traffic light at 96th Street & Abbott Avenue</p> <p>Eliminate left hand turn at 96th Street & Byron Avenue</p>	Closed	<p>Town Manager Olmedillo, Chief Allen, Captain Yero and Randy Stokes, from the Town and Eric Czerniejewsky from CGA, spent a few hours with Ramon Sierra, FDOT District 6. Several simulations were run, and the result is that the back-up traffic in the east bound direction made congestion worse on 96th Street. This will not allow the vehicles turning right from Byron to move, causing a longer back-up on Byron and creating additional congestion on Harding and Collins.</p> <p>FDOT will not eliminate the left turn at 96 Street & Byron Avenue.</p>
15.		<p>Send demand letters to mapping companies</p> <ul style="list-style-type: none"> ○ Waze – Free Community-based GPS, Maps & Traffic Navigation App 	Closed	The Town became a Participating Member of the Connected Citizens Program. This is the Town's effort to address in real-time reported accidents and improve navigation throughout the Town.
16.		On-Street Parking Reconfiguration - 200 block of 90 th Street	Closed	<p>On Monday 10-08-18, Public Works advised that the 200 block of 90th Street On-Street Parking Reconfiguration would begin in October 2018, with Police/Parking Officers blocking off the street to complete the stripping. Stripping Reconfiguration diagram below.</p>  <p>On Monday 10-29-18, the striping and reconfiguration was completed.</p>
Intermediate Term (7-18 months)				
1.		<p>Design 91st Street Improvements</p> <ul style="list-style-type: none"> ○ Sidewalk, landscaping and buried utilities 	Open	Awaiting the study of walkability by FIU.

2.		Create One-Way Streets 88 th , 89 th , 90 th and 91 st Street between Collins & Harding Avenues	Closed	<p>A Town meeting was held July 18th, 2017, to present a new traffic pattern plan making 89th Street one-way only for westbound vehicular traffic from Collins Avenue to Hawthorne Avenue and 90th Street one-way only for eastbound vehicular traffic from Bay Drive to Collins Avenue.</p> <p>The Town Commission approved to conduct a test of a new streetscape design on 89th and 90th Streets, between Harding and Hawthorne. The test consists of creating a safe pedestrian path and a green area in what is currently the paved area of those streets. Because width of the street will be narrowed during the test, the streets will be changed to a one-way system, with 89th Street traffic moving from east to west and 90th Street traffic moving from west to east. The streets will be marked with paint to designate the pedestrian area as well as the green/parking area. The test is scheduled to begin in early December and run for a period of 60 days. At the end of the test period, staff will present a report to the Town Commission.</p> <p>The new streetscape testing was initiated December 14, 2017. The testing has gone smoothly with no incidents to report thus far. A main focus has been directed toward providing information, answering questions and educating residents and all who travel the area on the details and goals of the project.</p> <p>At the February 13th, 2018 Town Commission Meeting the Town Administration was granted time extension of sixty days to the One-Way Street Project in order to survey the streets for ADA compliance in the pedestrian lanes and to acquire more data on traffic counts.</p> <p>A One-Way Streets Town Hall Meeting was held on March 28th, 2018. Notifications for the March 28th One-Way Streets Town Hall Meeting have been distributed via the following channels:</p> <ul style="list-style-type: none"> • Publicly Noticed Meetings and Agenda Packets (Town Commission & Planning & Zoning) • Letter mailed to residences on 89th and 90th streets for first meeting held in July (similar to planning & zoning notices) • Door hangers to residences on 89th and 90th streets
----	--	--	--------	--

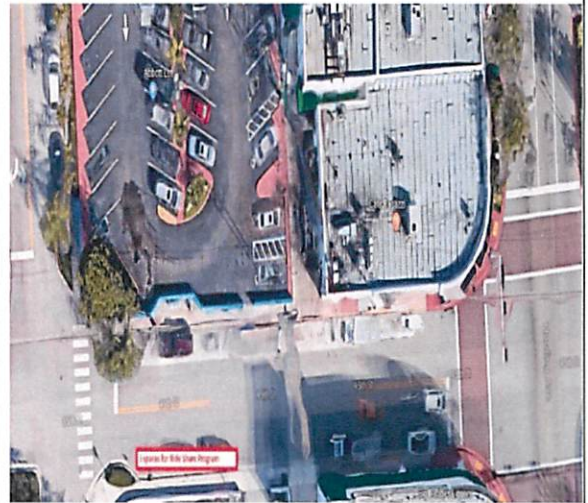
				<ul style="list-style-type: none"> • Posted notice at Publix and Starbucks • Multiple e-blasts • Website notices on the calendar and town news • Included in multiple gazette newsletters • Channel 93 • Nextdoor postings on the Town's page • Delivery of meeting notices to residencies on 89th and 90th streets for second meeting held in March • Surveys on Nextdoor and SurveyMonkey <p>Town collected resident feedback through a number of these channels including emails and phone calls.</p> <p>At the April 10th, 2018 Town Commission Meeting, the Town Commission approved a motion to terminate the One-Way Street Project tested on 89th Street and 90th Street.</p> <p>On April 16th, 2018, Public Works returned the traffic pattern on 89th Street and 90th Street to two-way traffic west of Harding Avenue.</p>
3.		Road closure of 95 th Street and Abbott Avenue	Closed	<p>On November 7, 2017, CGA submitted for review and approval Work Authorization No. 108 for Traffic Feasibility Study for Abbott Avenue and 95th Street. The project includes Traffic Analysis and Modeling of the road closure at 95th Street and Abbott Avenue. Total cost will not exceed \$20,149.58.</p> <p>On January 29, 2018, the Town Manager held a meeting with CGA Traffic Engineer Eric Czerniejewski, Asst. Town Manager Duncan Tavares, Public Works Director Randy Stokes and Captain Yero to review and discuss the Feasibility Study results.</p> <p>This item has been deferred due to the impact of closing the 95th Street would generate.</p>
Long Term (19+ months)				
1.		Gate the area west of Harding Avenue and create a special taxing district.	Open	This item is provided here as a place holder.

#	PARKING / TAXIS	STATUS	UPDATE
1.	<u>Variable Parking Rate for On-Street Parking Spaces in the Business District (9400 and 9500 blocks of Harding Avenue)</u>	<u>Open</u>	<u>At the 03-12-19, Town Commission meeting the Town Commission approved the following changes to a staff recommendation to initiate a Variable Parking Rate for On-Street Parking Spaces in the Business District (9400 and 9500 blocks of Harding Avenue). The Variable Parking Rate will be as follows: Weekdays (Mon-Fri) only between 10:00 AM – 4:00 PM will be \$4.00/hour with a 2-hour limit (after the expiration of 2 hours the parking space is not renewable between the hours of 10:00 AM – 4:00 PM and the vehicle will not be permitted to park in an On-Street parking space in the Business District until after 4:00PM). The Town Commission requested a review be conducted regarding the effects of the On-Street Variable-Rate in the Business District, and the review be submitted two months after the rate change implementation date. The resolution will be voted on at the Town Commission Meeting on 04-09-19.</u>
2.	The Town of Surfside added 18 new single parking spaces and 2 loading zones in the streets that are east of Collins Avenue. These new parking spaces provide additional parking options for residents and visitors to our Town. The additional loading zones provide a safe location for trucks and other vehicles to deliver goods and services to residents. The total number of single parking spaces added is now 12.	Closed	<p>The additional parking spaces are located in the following locations:</p> <ul style="list-style-type: none"> • 100 block of 88th Street (4 spaces) effective 06-01-2017 • 100 block of 90th Street (4 spaces) effective upon completion of on-going construction project • 100 block of 92nd Street (4 spaces) effective 06-01-2017 • 100 block of 96th Street (6 spaces) six single pay parking spaces were removed and the area was designated a Tow-Away Zone. <p>The additional loading zones are located at the following locations:</p> <ul style="list-style-type: none"> • 100 block of 89th Street - effective 06-01-2017 • 100 block of 94th Street - effective 06-01-2017
3.	Taxi Cab Stands added and changed	Closed	<ul style="list-style-type: none"> • The Taxi Cab Stand at 94th Street & Collins Avenue was reduced from (4) vehicles to (2) vehicles.

			<ul style="list-style-type: none"> 94th Street & Harding Avenue (across from Publix) will have a (2) vehicle Taxi Cab Stand. *One metered parking space has been added. In the 200 block of 92nd Street (North side in front of the Marriott) one metered parking space was removed and replaced with a (1) vehicle Taxi Cab Stand. A (2) vehicle Taxi Cab Stand has been added to the south side of the 200 block of Collins Avenue. <p>On 11-15-17, Chief Allen met with the management of the Azure Condominium regarding the taxi stand at 94th Street and Collins Avenue. They had no complaints regarding the location of the stand and were not aware of complaints or traffic concerns from residents of the condo. The taxis crossing Collins Avenue do not interfere with the exiting of cars from their building. The manager was happy that the stand was reduced from four to two taxis.</p> <p>One person has voiced opposition with the location of the taxi stand being across the street because it is unsightly and wants it moved.</p> <p>Chief Allen next met with the valet manager of the Grand Beach Hotel who said the two taxi stand is working out well and when a taxi is needed they signal for one from the stand. Chief Allen also met with the General Manager of the hotel regarding the concern and asked for one space for a taxi on the hotel property. The GM agreed. The space is just inside the garage and is now opened for taxi use.</p>
4.	2018 Parking Permits for the 9400 and 9500 blocks of Byron Avenue	Closed	The 2018 Byron Avenue Parking Permits are only for residents and their guests on the 9400 & 9500 blocks of Byron Avenue. The application and the registration process instructions were included in the December 2017 Surfside Gazette. Residents must provide proof of residency and may obtain up to 3 permits per household. Only residents and their guests may park in these areas with the proper permit all other vehicles are subject to being issued a parking citation.
5.	Ride Share Pick-up & Drop Off	Closed	Background: There has been a proliferation of citizens utilizing Ride Share services such as Uber


and Lyft which has impacted the efficient flow of traffic in the Town of Surfside. The operators for these services have been observed picking up and dropping off their customers in the Surfside Business District occupying Town parking spaces and double parking while picking up or dropping off customers.

The Surfside Police Department recommends that a 90 day "Town of Surfside Ride Share Pick-Up & Drop-Off Trial Program" be conducted in the 300 block of 95th Street on the south-side of the road way encompassing three parking spaces closest to Abbott Avenue. See below picture (Red Box Area).



Budget Impact: There will be a reduction in the Town Parking revenue stream due to three (3) less parking spaces being available for paid parking. There will be incurred costs for procuring signage and possible repainting of the parking spaces.

On 07-20-18 the signs for the Ride Share location were ordered and the expected delivery date is in early August 2018. On 07-26-2018, Captain Bambis and Parking Manager Joseph met with Mr. Javier Correoso (Public Affairs Manager) from Uber ride share regarding the new Pick-up and Drop-off site proposed for the 300 block of 95th Street in Surfside. Mr. Correoso was enthusiastic about the trial program that was discussed with him and he is willing to participate and utilize the location in the Uber application for the Pick-up location. He will be contacted days before going live with the location so that he could initiate the

			<p>information in the Uber application. Mr. Correoso also provided information for his counterpart at Lyft ride share so we could contact them to have the same information on their Lyft application.</p> <p>Effective 08-13-2018, the Ride Share Pick-Up and Drop-Off location in the 300 block of 95th Street was completed:</p> <ul style="list-style-type: none"> • All signs installed (2 signs) • Curb line was painted yellow • Vehicle space lines were painted yellow • UBER Ride Share Company has agreed to add the location to their application  <p>The Ride Share Pick-up & Drop Off Trial Program concluded on 11-11-18. A Staff Memorandum regarding the program was prepared and submitted by the Police Department which stated that overall impact of the Ride Share Pick-Up & Drop-Off Program has been positive and led to efficiencies of the traffic flow in and around the business district of Surfside. The Police Department recommended that the Ride Share Pick-Up & Drop-Off Program continue as a full-time initiative.</p> <p>The Ride Share Pick-up & Drop-off Program became a permanent on-going program effective November 2018.</p>
6.	Parking Rate Increase for Off-Street Parking (Municipal Parking Lots)	Closed	<p>Town of Surfside Resolution No. 18-2517 was adopted by the Town Commission on 07-10-2018 stipulating a parking rate fee increase from \$1.50</p>

			<p>per hour to \$1.75 per hour for all Off-Street (Municipal Parking Lot) spaces.</p> <ul style="list-style-type: none"> • New Parking rate decals were ordered for the Parking Pay Stations with an anticipated delivery date of mid-August 2018. • Temporary Parking Fee Decals with the new rate were placed on the affected Parking Pay Stations. • Effective 07-25-18 at 12:00 pm the \$1.75 Parking rate commenced. Both the Pay Station System and Pay-By-Phone System were updated with the new parking rate for off-street parking. • Notifications of the parking rate change were hand-delivered to Surfside businesses on 07-24-2018. • Email notification of the parking rate change was sent out on 07-25-2018. • Notification of the parking rate change was posted on the Town website on 07-25-2018. • On 07-25-2018, the Town website "Parking" section was reviewed and the areas requiring the new rate change were updated by CGA (Adrian). <p>New Parking rate decals were received and they were affixed to the Parking Pay Stations in the Municipal Parking Lots on 08-22-2018.</p>
7.	Replacement of No Parking Signs and additional No Parking Signs 9400 block of Abbott Avenue	Closed	<p>Based on Police Department observations the replacement of No Parking Signs that are in poor condition, and additional No Parking Signs will be installed in the 9400 block of Abbott Avenue. Public Works is working in conjunction with the Parking Department to complete this project.</p> <p><u>The signs were received and installed the week of February 25th, 2019.</u></p>

C. National Public Safety Telecommunications Week

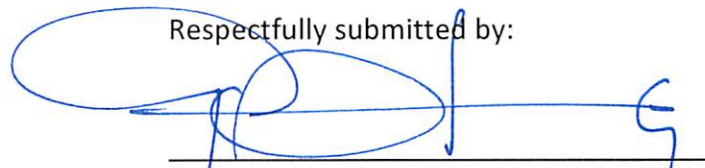
The National Public Safety Telecommunications Week is April 14 – 20, 2019. This week is celebrated annually and honors the thousands of men and women who answer emergency calls, dispatch emergency professionals and equipment, and render life-saving assistance to citizens.

Communications Supervisor Susie Sperbeck, Communications Operator Tameka Burnell-McKnight, Communications Operator Kenia Castillo and Communications Operator Jorge Villar are honored by the Command Staff and colleagues for their service to the law enforcement profession as communication operators. Thank you all for your dedication, professionalism, and all that you do each and every day.

D. Police Events:

- A promotional ceremony was held on April 2, 2019, at 2:00 p.m. in the Commission Chambers for Sergeant Alejandro Lorente.
- The Surfside Police Department will host a community blood drive on April 17, 2019, from 11:30 a.m. – 4:00 p.m.
- The Surfside Police Department will host a Mobile Department of Motor Vehicles event for residents to apply for and renew their driver's license on April 18, 2019, from 10:00 a.m. to 2:00 p.m.
- The monthly Bike with the Chief is April 24, 2019, at Town Hall at 5:00 p.m.
- Coffee with the Cops is April 25, 2019, at Starbucks at 10:00 a.m.
- The Prescription Drug Drop Off Day is April 27, 2019, from 10:00 a.m. to 2:00 p.m. in the Town Hall Lobby.
- Surfside PD, Aventura PD, Bay Harbor Islands PD and Sunny Isles Beach PD will host a Shred a Thon and DEA Drug Take Back on April 27, 2019, at Bill Bird Marina (Haulover Park) from 10:00 a.m. to 2:00 p.m.

Respectfully submitted by:



Guillermo Olmedillo, Town Manager



Town of Surfside, FL

Between Jan 01, 2014 and Mar 26, 2019

1008 requests were opened

989 requests were closed

The average time to close was 26.9 days.

REQUEST CATEGORY	OPENED	CLOSED	DAYS TO CLOSE
Other	222	220	24.8
Beach Issue	169	161	24.1
Code Compliance (Violation)	137	137	30.1
Parking Issue	89	89	3.6
Police (Safety Concern)	75	75	8.4
Code Compliance (Safety Concern)	75	75	36.8
Street lights (PW)	48	45	150.3
Construction Issues	34	33	10.9
Utilities (Water/Sewer) (PW)	31	30	11.3
Drainage/Flooding (PW)	26	23	20.7
Solid Waste (Residential) (PW)	21	21	26.5
Dog Stations (P & R)	15	15	4.7
Barking Dog	12	12	20.0
96 Street Park (P & R)	10	10	3.2
Surfside Dog Park (P & R)	8	8	1.1
Community Center (P & R)	9	8	2.3
Solid Waste (Commercial) (PW)	6	6	8.4
Hawthorne Tot-Lot (P & R)	6	6	39.2
Pothole (PW)	5	5	31.7
Beach Patrol	4	4	3.8
Dead Animal	3	3	21.0
Graffiti (PW)	3	3	25.2
Graffiti (in park) (P & R)	0	0	0.0
Veterans Park (P & R)	0	0	0.0



Town of Surfside, FL

Between Mar 01, 2019 and Mar 26, 2019

4 requests were opened

9 requests were closed

The average time to close was 35.4 days.

REQUEST CATEGORY	OPENED	CLOSED	DAYS TO CLOSE
Beach Issue	1	2	15.7
Police (Safety Concern)	1	1	0.2
Code Compliance (Violation)	1	1	0.1
Drainage/Flooding (PW)	1	1	0.4
Other	0	2	128.3
Community Center (P & R)	0	1	18.2
Solid Waste (Residential) (PW)	0	1	11.9
96 Street Park (P & R)	0	0	0.0
Barking Dog	0	0	0.0
Beach Patrol	0	0	0.0
Code Compliance (Safety Concern)	0	0	0.0
Construction Issues	0	0	0.0
Dead Animal	0	0	0.0
Dog Stations (P & R)	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
Parking Issue	0	0	0.0
Pothole (PW)	0	0	0.0
Solid Waste (Commercial) (PW)	0	0	0.0
Street lights (PW)	0	0	0.0
Surfside Dog Park (P & R)	0	0	0.0
Utilities (Water/Sewer) (PW)	0	0	0.0
Veterans Park (P & R)	0	0	0.0



MEMORANDUM

To: Guillermo Olmedillo, Town Manager

From: Rachel Pinzur, Public Information Representative

Date: March 26, 2019

Subject: March Social Media (Nextdoor) Report

In March, the Town's Public Information Representative (PIR) continued to monitor and post content to Nextdoor in an effort to keep Surfside residents on the platform informed about Town news, special notifications and upcoming events. As part of the Town's communication strategy, the PIR aims to provide residents with helpful and positive information. Nextdoor is only one of several communication channels used to reach residents.

Over the month, Nextdoor posts included reminders of community events such as the Third Thursdays Block Party, Bike with the Chief, Coffee with the Cops, Spring Adventure Camp and the Senior Brunch Bunch. In addition, posts were published to keep residents informed about community meetings, such as the Regular Town Commission Meeting, the Mayor's Town Hall meeting, the Downtown Vision Advisory Committee meeting and an Iguana Workshop held in Bal Harbour. Also included were content about traffic alerts and community notices issued by the Surfside Police Department. Other reminders included the Arbor Day 2019 Tree Giveaway initiative, Surfside's participation in Earth Hour 2019, and education on how water quality issues are received and presented to Town residents. Residents were also notified of important updates through the Town website, e-blasts, Channel 93 and the Gazette.

Nextdoor provides monthly metrics on the 5th of each month for the previous month to track resident engagement. A summary for March is currently unavailable; however, in February, the Town's Public Information Representative posted 44 messages over the course of the month. There is currently a total of 1,000 verified Surfside residents in the Nextdoor community.

It is important to reiterate the Nextdoor platform is not a replica of the Town's website and Gazette and should not be viewed as such. To that end, information presented on Nextdoor often refers back to the Town's primary communication tools. The Town encourages residents to find information on the Town's website (www.townofsurfsidefl.gov) and/or by contacting the Town directly.

Splash into Spring with these exciting events!



Springtime is definitely a fun time in the Town of Surfside. Please make note of two upcoming events hosted by the Surfside Parks and Recreation Department in early April: the Splash into Spring celebration and the Spring Egg Hunt.

Splash into Spring takes place on Saturday, April 6th from 10:30 am to 12 pm by the activity pool at the Surfside Community Center. There will be exciting activities for all ages, including arts and crafts, basket giveaways, and plenty of pool fun. Make sure to bring your swimwear and your own basket, as there will be a rubber duck and egg hunt for kids and parents.

Then, on Sunday, April 7th, it's time for the Spring Egg Hunt from 10 am to 12 pm at the 96th Street Park. There will be more egg hunts, plus giveaways, face painting and other outdoor activities.

Both celebrations are free and open to all ages. For further inquiries, please contact the Surfside Parks and Recreation Department at (305) 866 - 3635.

Community Awareness: Police activity and vehicular pursuit (Updated)

Updated, 03/26/2019, 10:30 am: All roads in the area of 88 Street are now open in Surfside. The Surfside scenes have been cleared by the Miami Beach Police Department and the Surfside Police Department.

Background Information:

Surfside residents, please be prepared to expect police presence in the area of the 8700 block of Froude Avenue and 88th Street. Miami Beach Police were involved in a vehicle pursuit which took place at approximately 1 am on Tuesday, March 26, 2019, and originated in their city. A Miami Beach unit was involved in a serious vehicle collision where one victim is deceased.

The vehicle pursuit entered Surfside and traveled west on 88th Street. The subject intentionally rammed a Miami Beach Police unit in the 8700 block of Froude Avenue and continued west on 88th Street. The subject vehicle then entered Biscaya Drive and struck several garbage cans as he fled eastbound. Officers lost sight of the subject vehicle as he drove recklessly. The vehicle has been located abandoned on the beach in the area of the 5300 block in Miami Beach. However, the subject remains at large.

There is no one injured in Surfside and no serious damage to any property. Expect minimal road closures in the area of 88th Street & Froude Avenue as the investigation continues.

Town of Surfside Social Media Policy

During the Regular Town Commission Meeting held on Tuesday, February 12th, the Surfside Town Commission voted to approve the official Town of Surfside Social Media Policy.

The Social Media Policy can be found on the Town website at: <https://www.townofsurfsidefl.gov/residents/social-media-policy>. It can also be found on our Nextdoor public agency page.

The Town of Surfside encourages active discussion among residents, as well as the sharing of information. We encourage all Nextdoor users to show respect for one another and to keep discussions civil. All content posted on Surfside's Nextdoor public agency page is public record.

Bike with the Chief on 3/27 and have Coffee with the Cops on 3/28



Gear up for two community events happening this week with the Surfside Police Department including Bike with the Chief on Wednesday, March 27th. Ride your bike over to Town Hall and set out from the municipal parking lot across the street at 5 pm. This is an excellent opportunity to catch up with Police Chief Julio Yero while enjoying a leisurely spin around Surfside.

On Thursday, March 28th, residents are also invited to take part in Coffee with the Cops at the local Surfside Starbucks located at 9560 Harding Avenue. The monthly gathering takes place at 10 am. Several members of the Surfside Police Department will be in attendance to discuss public safety and answer questions from the community.

For more information, please contact Dina Goldstein at (305) 861 - 4862 or dgoldstein@townofsurfsidefl.gov.

Surfside Police Department earns re-accreditation by Commission for Florida Law Enforcement Accreditation



The Town of Surfside is proud to announce the recent approval and re-accreditation of the Surfside Police Department by the Commission for Florida Law Enforcement Accreditation, Inc. (CFA). The accreditation assessment ensures that law enforcement agencies maintain the highest standards of ethics and professionalism, and utilize best practices in conformance with established standards and the law. The CFA Commission voted unanimously to approve the re-accreditation of the Surfside Police Department for another three-year period.

"This is a very noteworthy achievement", expressed Surfside Police Chief Julio Yero. "Our agency's re-accreditation was made possible by the tireless work of all the members of our Police Department and their dedication and professionalism throughout the process which spanned several months and consisted of long hours every day. In addition to our own officers and command staff, we also received crucial support from Town officials and various departments." Congratulations to the hard-working men and women of the Surfside Police Department. We value your essential services to the community.

Phone Scams & How to Avoid Them

Dear Surfside residents,

As you're most likely aware, phone scams are becoming more and more prevalent these days. Take for example the recent cases detailed below. Please be alert for possible phone scams and how you can avoid them by following the enclosed tips provided by the Surfside Police Department.

Phone Scam 1:

A resident recently received a phone call in which the caller claimed to be her grandson, and that he is being held in jail and needs bail money immediately.

Phone Scam 2:

Another scam involved a hoaxer claiming to have lost a wallet and ID, or have been left stranded, and in need of money.

In most cases, the scammer attempts to trick the person into thinking he or she has a loved one in trouble. They may call on the phone, send a text message or email, or even send messages on social media about a supposed emergency involving a relative or a friend, and then request that money be sent right away. Oftentimes, in an attempt to give validity to the invented story, they may claim to be an authority figure such as a lawyer or police officer, and even guess at facts about you or your loved one. The imposters may insist that you keep quiet about their demand for money to keep you from confirming the story. Despite any urgency attached to the message, it is a scam.

In the event of a phone scam, the Surfside Police Department shares the following tips:

- Check it out before you act. Look up that friend or family's phone number yourself.
- Call them or another family member to see what's happening. Even if the person who contacted you told you not to.
- Don't pay. Don't wire money, send a check, overnight a money order, or pay with a gift card or cash reload card.
- Anyone who demands payment in these ways is always a scammer. These payment methods are like giving cash — and nearly untraceable, unless you act almost immediately.
- If you sent money to a family emergency scammer, contact the company you used to send the money (wire transfer service, bank, gift card company, or cash reload card company) and tell them it was a fraudulent transaction.
- Ask to have the transaction reversed, if possible.

If you have further questions, please feel free to contact the Surfside Police Department at (305) 861-4862. For emergencies, please call 911. We are here to assist you and continue to keep our community safe.

Reminder: Third Thursdays Block Party tonight



Surfsiders, a celebration of health and great vibes awaits tonight during the March edition of the Third Thursdays block party. Presented by the Surfside Tourist Bureau, the family-friendly event will be centered on the theme "Be Well - Yoga & Wellness" and will take place from 6 pm to 9 pm at 95th Street between Collins and Harding Avenues. Don't miss yoga classes for all levels, including Reflexology and Restorative classes with instruction, there will be yoga mats available but feel free to BYOM (bring your own mat). Also, at the event will be essential oils, as well as live music

Please also be advised that the 200 block of 95th Street between Collins and Harding Avenues will be closed to all vehicular traffic in order to facilitate the Third Thursdays event. Additionally, the public parking lot on the Northwest corner of 95th Street and Collins Avenue will be closed during this period. Please plan your commute accordingly.

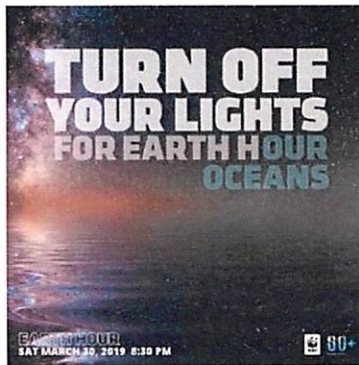
Reminder: Arbor Day 2019 Tree Giveaway; deadline is Friday, March 22, 2019

Please be reminded that the deadline to apply for the Arbor Day 2019 Tree Giveaway is this Friday, March 22, 2019 at 5 pm.

The Town of Surfside is dedicated to the continual enhancement and beautification of the community. Therefore as proposed by the Planning & Zoning Board, the Town Commission approved the expenditure of \$50,000 in the Fiscal Year 2019 budget for the distribution of one tree per household to Surfside residents.

To participate, please fill out the following form: [https://townofsurfsidefl.gov/news-and-events/news-detail/2019/03/05/arbor-day-2019-tree-giveaway-\(deadline-march-22-2019](https://townofsurfsidefl.gov/news-and-events/news-detail/2019/03/05/arbor-day-2019-tree-giveaway-(deadline-march-22-2019)

Switch Off Lights for Earth Hour on Saturday, March 30



As part of its commitment to protect the environment, the Town of Surfside will switch off all non-essential lights at Town Hall, the Community Center and 96th Street Park from 8:30 pm to 9:30 pm on Saturday, March 30 in observance of Earth Hour.

Communities and businesses around the world turn off lights during Earth Hour, a global initiative which aims to unite people to take action on important environmental issues such as climate change. Residents are encouraged to also participate in Earth Hour. To learn how, visit: <https://www.worldwildlife.org/pages/earth-hour>.

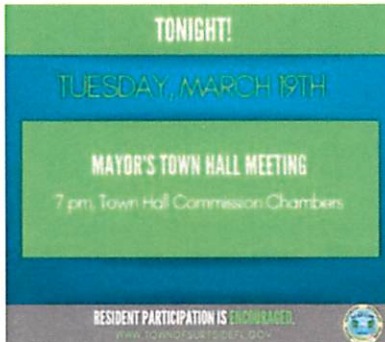
Traffic Alert Reminder: Double Lane Closure tonight, Tuesday, March 19



A reminder that the Florida Department of Transportation (FDOT) has authorized an overnight double lane closure along the 9000 - 9100 block of Collins Avenue, (SR A1A North) for tonight, Tuesday, March 19 from 9 pm to 5 am.

Surfside Police officers will be on site to assist with traffic control. Please plan your commute routes accordingly and drive safely. For more information please call the Surfside Police Department at 305-861-4862

Reminder: Mayor's Town Hall Meeting tonight



A reminder that the Mayor's Town Hall Meeting will take place tonight, Tuesday, March 19th at 7 pm in the Town Hall Commission Chambers. The meeting provides residents with the opportunity to engage in constructive conversations with Surfside Mayor Daniel Dietch in an informal roundtable setting.

We hope to see you there.

Reminder: Spring Adventure Camp registration ends on March 21

The exciting 2019 Spring Adventure Camp will take place in just a few days from Monday, March 25th to Friday, March 29th at the Surfside Community Center. Registration ends on Thursday, March 21st and there are still spots available, so make sure to sign up your kids, ages 6 through 12, by visiting the Community Center at 9301 Collins Avenue. To obtain the resident fee, please make sure you present a proof of residence such as a water or electric bill. You can choose to enroll your child for either the entirety of the week for a flat fee or for individual days for a drop-in fee.

The Adventure Camp will feature hands-on activities and sports such as surfing, paddle boarding, obstacle races, cooking, arts and crafts, sand castle building, and more. Make sure to sign up soon as registration spaces are limited and will be on a first-come first-served basis. For further inquiries about the camp, please reach out to the Parks and Recreation Department at (305) 866 - 3635.

Mayor's Town Hall Meeting on Tuesday, March 19th

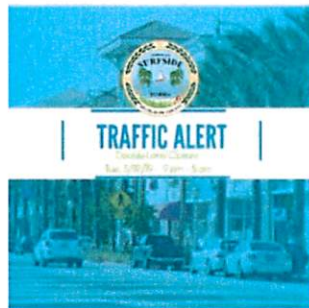


A Mayor's Town Hall Meeting will take place next week on Tuesday, March 19th, at 7 pm in the Town Hall Commission Chambers. This is an excellent opportunity to engage in a constructive conversation with Mayor Daniel Dietch about community issues that are important to you. A similar Mayor's Town Hall was held on December 19th, 2018. Please find the Mayor's recap of the previous meeting here: <https://www.townofsurfsidefl.gov/news-and-events/news-detail/2019/02/15/recap-of-mayor-s-town-hall-meeting-december-19th-2018>

Did you Know? Ocean Water Quality Testing and Reporting

Did you know our Town officials and Parks and Recreation staff maintain a close watch on crucial updates regarding the ocean water quality through resources made available by the Miami-Dade County Department of Health? In fact, one of the water test sites is at 93rd Street on the beach behind Surfside's Community Center. Updates on water quality are regularly uploaded to the County's Florida Healthy Beaches Program at www.floridahealth.gov. The Florida Health Department provides notifications pertaining to water quality and if unsafe water quality conditions are reported, such as confirmed bacteria in the ocean, the Town alerts residents immediately through various communication channels including the Town website, Nextdoor and e-blasts.

Traffic Alert: Double Lane Closure on Tuesday, March 19th



Please be advised that the Florida Department of Transportation has authorized an overnight double lane closure along the 9000 - 9100 block of Collins Avenue, (SR A1A North) on the following date and times:

-Tuesday, 3/19/2019, 9:00 pm to 5:00 am

Surfside Police officers will be on site to assist with traffic control. Please plan your commute routes accordingly and drive safely. For more information please call the Surfside Police Department at 305-861-4862.

View the original flyer: https://townofsurfsidefl.gov/docs/default-source/default-document-library/surfside-traffic-alert-9000-9100-block-of-collins-double-lane-closure-03-19-19.pdf?sfvrsn=9fcd2294_2

Ocean Training Exercise taking place this morning three miles offshore from Bal Harbour Beach

Please be advised that a multi agency training exercise simulating the rescue of a plane crash will be held this morning, Thursday, March 14th, at 9 am, three miles offshore from the Bal Harbour beach.

The exercise will include several marine patrol and aviation units, as well as the United States Coast Guard.

Photos of the Beach 5k Run/Walk now available



What a run! Photos from the recent Beach 5k Run/Walk, which took place on Sunday, February 24th, are now available. To view them, please visit the following link: https://photos.google.com/u/0/share/AF1QipOXZCxupn0_ehOv920rim4bxTF7UsuCO7AC5-psMNb1Lk5ZldZLsDFxD5Dxsrw8yA?key=a0l1bnBKYzdhN0M4ZjNjZjZcHI4MG1qUi1NR3BB

Can you spot yourself?

Third Thursdays Block Party on Thursday, March 21st



It's never too early to mark your calendar for another Third Thursdays block party. This month's celebration will take place on Thursday, March 21st from 6 pm to 9 pm at 95th Street between Collins and Harding Avenues. The theme is "Be Well - Yoga and Wellness" and the event will feature yoga classes for all levels, including Reflexology and Restorative classes with instruction, there will be yoga mats available but feel free to BYOM (bring your own mat). Also at the event will be essential oils, live music, a DJ, and food available for purchase.

Third Thursdays block parties are sponsored by the Surfside Tourist Bureau and are free and open to the public. For more details on the upcoming Third Thursdays Block Party and future events, please visit: <https://www.visitsurfsidefl.com/events/surfsides-third-thursdays/>

Please also be advised that the 200 block of 95th Street between Collins Avenue and Harding Avenue will be closed to all vehicular traffic in order to facilitate the Third Thursdays event. Additionally, the public parking lot on the Northwest corner of 95th Street and Collins Avenue will be closed during this period. Please plan your commute accordingly.

Traffic Alert - Alleyway Closure (March 12, 2019)

Please be advised the alleyway, located to the rear of 9575 Harding Avenue, southbound to the 200 Block of 95th Street, will be closed overnight to vehicular traffic on:

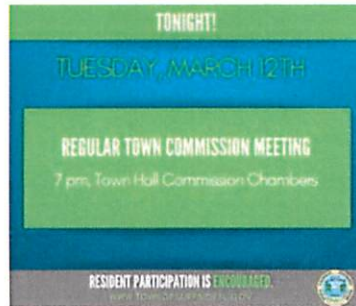
Tuesday, March 12, 2019, from 9:00 pm – 2:00 am

Businesses that require access to the alley will be able to enter and exit from 96th Street.

The closure is due to a restoration of the roadway as a result of construction. Surfside Police Officers will be on site to assist with traffic control.

For more information, please call the Surfside Police Department at 305-861-4862.

Reminder: Regular Town Commission Meeting tonight



Please be reminded that tonight, Tuesday, March 12th, the Regular Town Commission Meeting will take place starting at 7 pm in the Town Hall Commission Chambers. Residents are encouraged to attend.

Watch a Movie Under the Stars this Saturday, March 16th

Undoubtedly, one of the best ways to enjoy the South Florida spring weather is to catch a movie outdoors. Movie Under the Stars return this Saturday, March 16th at 7:45 pm in the 96th Street Park with a screening of the classic, "Honey, I Shrunk the Kids." Don't forget to bring a blanket to enjoy this free event, which also features free popcorn!

Movie Under the Stars is made possible by the Surfside Parks and Recreation Department. If you have any questions, please call (305) 866 - 3635 or refer to the attached flyer.

Tune into Channel 93 this month for new content



Don't forget to tune in to Surfside's local Channel 93 this month for brand new content, including the March edition of Surfside 7. This monthly production features the top 7 hot happenings in Town.

Also airing now is a Healthy Surfside segment, Surfside Police Department feature, and shopping on Harding Avenue, along with a station identification with Surfside's furry resident, Einstein! Channel 93 also livestreams and re-airs Town Hall meetings so residents can catch up on all the latest news. The local channel can be viewed on TV via Atlantic Broadband or streamed live on the Town website: <https://www.townofsurfsidefl.gov/departments-services/town-clerk/public-records/channel-93>

Regular Town Commission Meeting on Tuesday, March 12th



Next week on Tuesday, March 12th, a Regular Town Commission Meeting will be held at 7 pm in the Town Hall Commission Chambers. Please find the agenda packet for the meeting here: https://www.townofsurfsidefl.gov/docs/default-source/default-document-library/town-clerk-documents/commission-agendas/2019-commission-agenda/2019-03-12-regular-town-commission-meeting-agenda-packet.pdf?sfvrsn=9c5b5d94_2

We look forward to seeing you there.

Town of Surfside Higher Education Scholarship (Deadline: April 26, 2019)

The Town of Surfside aims to promote higher education by awarding two \$1,000 Higher Education scholarships to two deserving Surfside graduating seniors interested in or intending to pursue post-high school course of study. Continuation of education must be at either the college/university level or other post-secondary educational institution. The winning applicants will be selected by the Town of Surfside Scholarship Committee. The deadline for submission is Friday, April 26th, 2019 by 5:00 pm.

For specific criteria, please refer to the attached flyer. For the application, please refer to the following link: https://townofsurfsidefl.gov/docs/default-source/default-document-library/parks-and-recreation/fitness-programs/higher-education-scholarship-information-application-2019.pdf?sfvrsn=13c85f94_4

If you have further questions, please call the Town Clerk at (305) 861-4863.

Surfside Police Department Community Awareness Message: Auto Burglaries

The Surfside Police Department is investigating three vehicle burglaries that occurred on Carlyle Avenue, between the 8800 and 9200 block. The burglaries occurred on March 6th, 2019, at 0242 hours. All of the vehicles were parked in the driveway and were unlocked. Four designer sunglasses and a handgun were stolen.

- Remember to lock your vehicles.
- DO NOT leave a vehicle key inside your vehicle, even if it is locked.
- DO NOT leave items of value in your vehicle, or in plain sight.
- Immediately report any suspicious persons or vehicles in your neighborhood, including solicitors knocking on doors.
- If you leave on vacation, call the police department to place your house on a watch order and we will check your property daily.

The Police Department offers free residential security assessments and encourages residents to take advantage of this service.

Please remember to report any suspicious activity to the Surfside Police Department at 305-861-4862.

To view the original Surfside Police Department flyer, please refer to the attachment.

Reminder: Earth Day Photo Contest



Earth Day may be on April 22nd but there are plenty of ways to celebrate our beautiful planet until then. Consider taking part in Surfside's Earth Day Photo Contest, currently underway until Monday, April 8th. Simply snap a Surfside nature or landscape scene, print out a 5x7 copy and submit it with a completed Photo Contest Entry Form and Waiver (link below). Each photo must include your full name and image number on the back. There is a five picture per person maximum and you can drop off or mail your photos and forms to 9301 Collins Avenue, Surfside, FL 33154. All submitted photos will be displayed on April 14th at the Surfside Community Center and voting will take place to select a winner. The winning photographer will receive a \$100 Parks and Recreation Gift Certificate, plus display of his or her winning photo at the Community Center for one year.

You can find the Entry Form and Waiver in the following link:

https://townofsurfsidefl.gov/docs/default-source/default-document-library/2019-earth-day-photo-contest-flyer-rules.pdf?sfvrsn=b20d5e94_0

For more information, please call the Parks and Recreation Department at (305) 866 - 3635 or refer to the official flyer here: https://www.townofsurfsidefl.gov/docs/default-source/default-document-library/2019-earth-day-photo-contest-flyer-rules.pdf?sfvrsn=b20d5e94_0

Downtown Vision Advisory Committee meeting on Thursday, 3/7



Please be advised that the Downtown Vision Advisory Committee (DVAC) meeting will take place tomorrow, Thursday, March 7th at 6 pm in the Commission Chambers of Town Hall.

Arbor Day 2019 Tree Giveaway

The Town of Surfside is dedicated to the continual enhancement and beautification of the community. Therefore, as proposed by the Planning & Zoning Board, the Town Commission approved the expenditure of \$50,000 in the Fiscal Year 2019 budget for the distribution of one tree per household to Surfside residents.

To participate, please fill out the following form on the Town website:

<https://www.townofsurfsidefl.gov/departments-services/public-works/tree-giveaway>

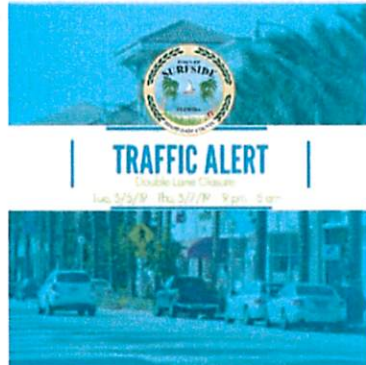
Please select from one of four tree options. NOTE, the tree giveaway is limited to one tree per household upon completion of the form. The deadline to complete the form is 5 pm on Friday, March 22, 2019. Tree deliveries will take place on Arbor Day, April 26, 2019.

Iguana Workshop at Bal Harbour on 3/11

The Village of Bal Harbour is inviting Surfside residents to attend an upcoming Iguana Workshop on Monday, March 11, 2019 from 7 pm to 8:30 pm in the Bal Harbour Village Council

Chambers (2nd floor) located at 655 96th Street. The workshop is made possible through a joint effort by the Village of Bal Harbour and the Bal Harbour Civic Association and will feature presentations by representatives from the Florida Fish and Wildlife Conservation Commission (FWC). During the workshop, FWC members and biologists will help homeowners manage this non-native species on their own property, answer questions and provide further information. The invasion of iguanas is an issue that affects all South Floridians and it is important to note that workshops such as these offer excellent tips on how to handle these situations. For further information, please refer to the attached flyer.

Traffic Alert: Lane closures, March 5 - March 7



Please be aware that the Florida Department of Transportation (FDOT) has authorized an overnight double lane closure along the 8900 - 9000 block of Collins Avenue (SR A1A North) on the following dates and times:

- Tuesday, 3/5/19 from 9 pm to 5 am
- Wednesday, 3/6/19 from 9 pm to 5 am
- Thursday, 3/7/19 from 9 pm to 5 am

The project by the ARTE Project Construction Team consists of utility works carrying out testing of water mains and requires intermittent single or double lane closures of the northbound lanes along Collins Avenue, bike lane, and sidewalk between 89th Street and 90th Street. There may be disruption to water service during the work hours mentioned above.

Please plan your commute accordingly and drive safely. Surfside Police officers will be on site to assist with traffic control. For further information, or if you have any questions, please contact the Surfside Police Department at (305) 861-4862.

Senior Brunch Bunch is on Friday, March 8th

Calling all Surfside seniors! The next Senior Brunch Bunch will be this Friday, March 8th, 2019 and will feature a distinctively Irish twist in celebration of St. Patrick's Day. The gathering will take place at the Community Center from 11 am to 1 pm. Make sure to register by this coming Wednesday, March 6th. In addition to a delicious brunch, the event will feature a presentation by Dr. Ranjan Duara from Mt. Sinai Medical Center on "The Latest Research on Alzheimer's Disease."

For more information, please call the Parks and Recreation Department at (305) 866 - 3635 or refer to the flyer: https://townofsurfsidefl.gov/docs/default-source/default-document-library/parks-and-recreation/events-flyers/3-8-19-senior-brunch-bunch.pdf?sfvrsn=4315e94_4

Save the Dates: Regular Town Commission Meeting on 3/12 and Mayor's Town Hall Meeting on 3/19



Surfsiders, please make sure to save the dates for the Regular Town Commission Meeting on Tuesday, March 12th at 7 pm and the Mayor's Town Hall Meeting on Tuesday, March 19th, at 7 pm. Both will be held in the Town Hall Commission Chambers. Resident participation is encouraged.

March Streetsweeper Schedule



Street sweeping in Surfside will occur on Monday, March 4th and Monday, March 18th this month. Please do not block your curb on those days. If you have any questions, please call the Public Works Department at (305) 861 - 4863.

Turn Spring Break into an adventure for kids!



The exciting Spring Adventure Camp returns to the Surfside Community Center from Monday, March 25th to Friday, March 29th. Make sure to sign up your kids, ages 6 through 12, by visiting the Community Center at 9301 Collins Avenue. To obtain the resident rate, please make sure you present a proof of residence such as a water or electric bill. Registration ends on Thursday, March 21st. You can choose to enroll your child for the week at a flat fee or for individual days for a drop-in fee.

The Adventure Camp will feature hands-on activities and sports including surfing, paddle boarding, obstacle races, cooking, arts and crafts, sand castle building, and more. Make sure to enroll soon as spaces are limited and will be on a first-come, first-served basis. For further inquiries about the camp, please reach out to the Parks and Recreation Department at (305) 866 - 3635 or refer to the event flyer: https://www.townofsurfsidefl.gov/docs/default-source/default-document-library/spring-adventure-camp-2019.pdf?sfvrsn=7805d94_2

Last updated on 1/18/2015

DEVELOPMENT APPLICATION PROCESS (2009 - PRESENT)													
Application Date	Location	Project Description	Zoning Process			Density/Intensity		Variances		Building Permit			Construction Status
			DRG	PALZ	TC	Allowed	Approved	Requested	Received	Application No.	Issuance	Status	
12/29/2009	9300 Collins Ave	Surfside Hotel - Proposed surfside hotel consisting of 183 hotel units, 4 stores and adjacent 3 stories garage	1/13/2010, 2/17/2010	2/25/2010	5/10/2011	242 units	175 units		None	13-377	2/17/2014	Issued	Completed
1/6/2010	9540 Abbott Ave	Young Israel - Construction of Jewish orthodox temple containing 371 seats and a maximum building height of 40 feet	1/20/2010, 2/27/2012	5/29/2012	4/10/2012	Negotiated settlement to determine buildable area and setbacks		Approved through settlement agreement not variance - settlement determined setbacks.		13-118	5/5/2014	Issued	Completed
5/4/2011	9449 & 9418 Collins Ave	Grand Beach 341 room hotel	5/18/2011, 6/15/2011	7/18/2011	9/13/2011	341 units	341 units		None	12-144	5/5/2012	Issued	Completed
7/17/2012	9379, 9365 & 9349 Collins Ave	Chateau Ocean Residences - Demolition of existing 93-room hotel; construction of 90-unit residential condominium building and accessory amenities	8/12/2012, 9/11/2012	12/4/2012	1/24/2013	325 units	85 units (however approximately 58 were built)		None	14-132	9/24/2014	Issued	Completed
Original submittal: 7/11/2012 Site plan amendment: 4/16/16	9011 Collins Ave	Surf Club - restoration of the famous surf club historic structure and for the construction of new improvements	7/11/2012, 8/23/2012, site plan amendment: 5/16/2016, 8/24/2016, 3/9/2017, 5/11/2017	Original site plan: 9/27/2012, site plan amendment: 8/31/2017	Original site plan: 10/15/2012, site plan amendment: 10/10/2017	782 units	257 units		None	13-727	6/27/2014	Issued	Under construction
7/26/2012	9450 Collins Ave	The Surf - New multiuse glass atrium and joining learning center (3 stories)	2/11/2013, 3/27/2013, 7/9/2013	2/27/2014	10/28/2014	3 story expansion of 8,558.9 square feet			None	14-509	11/12/2015	Issued	Under construction
3/15/2015	201, 203, 205, 207, 209 & 215 83th St 8809 Harding Ave	Surfside Condo's - redevelopment of 171 parcels into single unified condo development	4/27/2015, 6/13/2015	8/27/2015	12/8/2015	65 units	28 units		None	16-569		Plans approved, waiting on GC	Pending selection of GC
8/12/2015	9313 Collins Ave & 9349 Collins Ave	Surf Club II - Redevelopment of property with a multi-family residential project and renovation of existing historic structure	9/4/2015, 1/9/2017, 9/17/2017	12/7/2017	2/13/2018	199 units	48 condominium units, 31 hotel rooms		None			Has not applied for permit yet	
Original submittal: 2/11/2016 Revised submittal: 5/31/18	9350, 9372, 9365, 9344, 9340, 9322, 9316 & 9300 Collins Ave	9300 Collins Ave - demolition of all existing improvements; construction of 3-story building	Original submittal: 3/10/2016, 4/27/2016 Revised submittal: 6/27/2018, 8/28/2018, 11/7/18	Original approval: 7/18/2016, Revised approval: 11/29/18	Original approval: 11/10/2016, current site plan has not been approved yet - Scheduled for February 26, 2019	250 units	Request is for 205 units		None	18-610		Has not applied for permit yet	
5/4/2016	8955 Collins Ave	Residential Condominiums	6/20/2016, 7/17/2016	10/27/2016	11/10/2016	110 units	16 units		None	16-602	12/26/2017	Issued	Under construction
Oct 16	9116 Harding Ave	901 Surfside - 4 townhouses	11/27/2016, 2/7/2017, 5/18/2017	6/27/2018	4/14/2018	8 units	4 units		None			Has not applied for permit yet	
5/19/2017	8995 Collins Ave	Surf House - site plan approval for expansion to existing multi-family building	6/19/2017, 8/24/2017, 9/18/2017	2/22/2018, 4/24/2018, 5/31/2018, no approval yet from PZ, must be heard again by the Board	Not scheduled yet for TC until recommendation from PZ	99 units	Current request has not been scheduled for commission yet. Request is for 55 units	3 requested: 1. Section 90.9.1 - Off street loading requirements (loading Space Size) 2. Section 90.9.1.2 - Required buffer landscaping adjacent to lot line and adjacent to properties (landscape Buffer) 3. Section 90.9.3(b) - Open Space (Open Space Trees)		Has not been scheduled for TC until recommendation from PZ		Has not applied for permit yet	
Original submittal: 10/26/2017	Abbott lot	Unsubstantiated Proposal (P3)											Terminated
Original submittal: 1/26/2015 Revised submittal: 8/20/2016, 12/23/2016, 03/09/2018, 10/29/2018	8851 Harding Avenue	18 multi-family units	01/22/2015, 08/18/2016, 01/23/2017, 02/23/2018, 11/29/2018	01/31/2019 PZ recommended approval	Scheduled for TC meeting on 4/27/2019	33 units	Request is for 18 units		1 requested: Section 90.9.2 - Off-street loading requirements (Loading Space Size)			Has not applied for permit yet	

TOWN OF SURFSIDE, FLORIDA
MONTHLY BUDGET TO ACTUAL SUMMARY
FISCAL YEAR 2018/2019
As of FEBRUARY 28, 2019
42% OF YEAR EXPIRED (BENCHMARK)

Agenda Item #

Page

1 of 3

Agenda Date: April 9, 2019

GOVERNMENTAL FUNDS	ACTUAL	ANNUAL BUDGET	% BUDGET
--------------------	--------	---------------	----------

GENERAL FUND - 001

REVENUE	\$ 11,421,494	\$16,622,251	69%
EXPENDITURES	4,704,048	\$16,622,251	28%
Net Change in Fund Balance	6,717,446		
Fund Balance-September 30, 2018 (Unaudited)	10,628,234		
Fund Balance-February 28, 2019 (Reserves)	<u>\$ 17,345,680</u>		

A

TOURIST RESORT FUND - 102

REVENUE	\$ 1,028,425	\$2,940,500	35%
EXPENDITURES	1,074,606	\$2,940,500	37%
Net Change in Fund Balance	(46,181)		
Fund Balance-September 30, 2018 (Unaudited)	305,877		
Fund Balance-February 28, 2019 (Reserves)	<u>\$ 259,696</u>		

POLICE FORFEITURE FUND - 105

REVENUE	\$ 12,720	\$113,800	11%
EXPENDITURES	9,991	\$113,800	9%
Net Change in Fund Balance	\$ 2,729		
Fund Balance-September 30, 2018 (Unaudited)	159,527		
Fund Balance-February 28, 2019 (Reserves)	<u>\$ 162,256</u>		

TRANSPORTATION SURTAX FUND - 107

REVENUE	\$ 23,020	\$231,262	10%
EXPENDITURES	88,193	\$231,262	38%
Net Change in Fund Balance	(65,173)		
Fund Balance-September 30, 2018 (Unaudited)	247,445		
Fund Balance-February 28, 2019 (Reserves)	<u>\$ 182,272</u>		

BUILDING FUND - 150

REVENUE	\$ 328,715	\$1,427,535	23%
EXPENDITURES	437,740	\$1,427,535	31%
Net Change in Fund Balance	(109,025)		
Fund Balance-September 30, 2018 (Unaudited)	2,825,208		
Fund Balance-February 28, 2019 (Reserves)	<u>\$ 2,716,183</u>		

CAPITAL PROJECTS FUND - 301

REVENUE	\$ 308,384	\$1,470,000	21%
EXPENDITURES	21,752	\$1,470,000	1%
Net Change in Fund Balance	286,632		
Fund Balance-September 30, 2018 (Unaudited)	2,158,902		
Fund Balance-February 28, 2019 (Reserves)	<u>\$ 2,445,534</u>		

NOTES:

* Many revenues for February 2019 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. The balance of \$8,628,234 is unassigned fund balance (reserves).

PROPRIETARY FUNDS	ACTUAL	ANNUAL BUDGET	% BUDGET
-------------------	--------	---------------	----------

WATER & SEWER FUND - 401

REVENUE	\$ 1,489,113	\$3,807,941	39%
EXPENDITURES	1,022,031	\$3,807,941	27%
Change in Net Position	467,082		
Unrestricted Net Position-September 30, 2018 (Unaudited)	(1,705,883)		
Unrestricted Net Position-February 28, 2019 (Reserves)	<u>\$ (1,238,801)</u> B		

MUNICIPAL PARKING FUND - 402

REVENUE	\$ 610,821	\$1,219,000	50%
EXPENDITURES	390,962	\$1,219,000	32%
Change in Net Position	219,859		
Unrestricted Net Position-September 30, 2018 (Unaudited)	1,024,087		
Unrestricted Net Position-February 28, 2019 (Reserves)	<u>\$ 1,243,946</u>		

SOLID WASTE FUND - 403

REVENUE	\$ 793,945	\$1,910,182	42%
EXPENDITURES	646,494	\$1,910,182	34%
Change in Net Position	147,451		
Unrestricted Net Position-September 30, 2018 (Unaudited)	641,977		
Unrestricted Net Position-February 28, 2019 (Reserves)	<u>\$ 789,428</u>		

STORMWATER FUND - 404

REVENUE	\$ 225,156	\$753,064	30%
EXPENDITURES	163,260	\$753,064	22%
Change in Net Position	61,896		
Unrestricted Net Position-September 30, 2018 (Unaudited)	3,487,252		
Unrestricted Net Position-February 28, 2019 (Reserves)	<u>\$ 3,549,148</u>		

FLEET MANAGEMENT FUND - 501

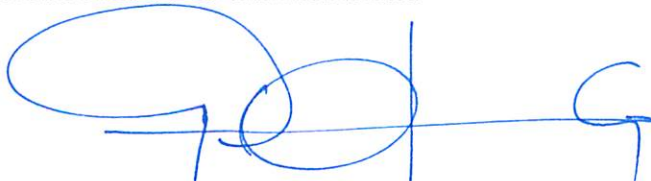
REVENUE	\$ 472,774	\$1,237,057	38%
EXPENDITURES	411,564	\$1,237,057	33%
Change in Net Position	61,210		
Unrestricted Net Position-September 30, 2018 (Unaudited)	0		
Unrestricted Net Position-February 28, 2019 (Reserves)	<u>\$ 61,210</u>		

NOTES:(con't)

- B. The Unrestricted Net Position of (\$1,238,801) reflects an improvement over the September 30, 2017, Unrestricted Net Position deficit of (\$3,048,579). The FY2018 estimated net improvement to Unrestricted Net Position was \$1,342,696.



Christopher Wallace, Interim Finance Director



Guillermo Omedillo, Town Manager

Town of Surfside
Net Funds Historical Balances
Period 2015 - February 2019

FUND	9/30/2015	9/30/2016	9/30/2017	9/30/2018	2/28/2019	CAGR ^(a)
General	\$ 5,905,726	\$ 7,368,408	\$ 8,460,802	\$ 10,628,234	\$ 17,345,680	21.6%
Tourist Resort	339,396	363,407	469,880	305,877	259,696	-3.4%
Police Forfeiture	113,431	141,755	164,933	159,527	162,256	12.0%
Transportation Surtax	440,662	354,264	388,363	247,445	182,272	-17.5%
Building	-	-	1,742,910	2,825,208	2,716,183	27.3%
Capital Projects	182,903	1,154,352	576,122	2,158,902	2,445,534	127.7%
Water & Sewer	(2,705,871)	(2,827,890)	(3,048,579)	(1,705,883)	(1,238,801)	-14.3%
Municipal Parking	1,089,165	1,111,941	811,013	1,024,087	1,243,946	-2.0%
Solid Waste	340,391	245,941	429,743	641,977	789,428	23.6%
Stormwater	4,051,768	3,392,370	3,264,379	3,487,252	3,549,148	-4.9%
Fleet Management	-	-	-	-	61,210	N/A
Total	\$ 9,757,571	\$ 11,304,548	\$ 13,259,566	\$ 19,772,626	\$ 27,516,552	29.6%

(a) - CAGR stands for Compound Average Growth Rate, and is a useful measure of growth over multiple time periods. It represents the growth rate of a Fund Balance from the initial time value to the ending balance if you assume that the fund has been compounding over a time period.



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: Lillian M. Arango, Town Attorney
CC: Guillermo Olmedillo, Town Manager
DATE: April 1, 2019
SUBJECT: Office of the Town Attorney Report for April 9, 2019

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

March 12, 2019 - Regular Town Commission Meeting
March 28, 2019 - Planning & Zoning Board Meeting
April 1, 2019 - Tourist Board Meeting

Members of the firm drafted the resolutions and ordinances for these meetings in addition to drafting or assisting with the preparation of a number of the communications and reviewing, revising and, as appropriate, negotiating the legal requirements of the relative agreements and supporting documents. In addition, orientation binders and meetings were conducted with new members of the Tourist Board.

Commission support:

Attorneys of the firm have worked with members of the Town Commission to address concerns and research specific issues and are always available, either in the office or by phone or email.

We appreciate your support as we continue our second year of service and work in transitioning the office, fine-tune schedules, evaluate and adjust prior practices. Transitions are always challenging, but often a time to make improvements or adjustments which will improve quality and service.

Staff support:

Members of the firm have met with and provided extensive support to staff, boards and committees with application review, contract and agreement review, negotiation and preparation, unsolicited proposals for public-private partnership (P3) process and Statute. procurement and purchasing (including staff workshop on FY 2018/19 Projects/Initiatives and Procurement Review), Request for Proposals for Community Center Food Concession and Marketing Services for the Tourist Bureau, various agreements for the Tourist Bureau, IT related agreements, ADA compliance agreements, bid documents for traffic improvements, code enforcement and interpretation, attendance at Code Enforcement Hearings, building permit and enforcement issues, subpoenas, public records requests, research, document review, legal review of various issues, oversight and case management for litigation, and Town Code interpretation and application.

Key issues:

The workload has been diverse and has included specific issue support to every department. Key issues have included:

- Negotiation and document drafting for several interlocal issues
- Various development and quasi-judicial applications
- Agreement for Interim Finance Director Services
- Unsolicited Proposals (P3) – Abbott Lot and Town Hall Site
- Code of Ethics and Lobbying Code
- Roof Height Ordinance
- Freeboard Ordinance
- Sign Code Amendment Ordinance
- Various Urging Resolutions

- Amendments to the Town's Purchasing Code and Cone of Silence
- Anti-Semitic Ordinance
- Pension Board Ordinance
- Tree Planting and Mulch In the Public Right Away Ordinance
- Ethics Ordinance
- Driveway Modifications
- Ordinance Banning Plastic Straws and Resolution Establishing Fees/Fines for Violations
- Solar Panel Permitting Ordinance and Resolution Providing for Waiver of Fees and Expediting of Permit Process
- Ordinance Lifting Prohibition on Surfboards
- Ordinance on Building Lengths and Building Separations
- Ordinance Revising Development Application Procedures
- Ordinance on Marine Turtle Lighting
- Ordinance on Development Approvals Procedures
- Ordinance on Cone of Silence Procurement Process
- Sensible Gun Reform Resolution
- Plastic Bag Ban Legislation and Analysis
- Tourist Board Agreements and Procurement
- Public Records and Subpoena Requests for Documents
- Sustainability Initiatives and Legislation
- Firearm Preemption Lawsuit
- Beach Furniture Ordinance and Regulations
- Comprehensive Plan Amendments
- Parking Waiver Ordinance for Business District
- Solid Waste Service Assessment Ordinance
- PACE District Agreements
- Debris Collection and Disposal Agreements
- Aggregation of Single Family Lots Ordinance
- DIC/DRG/DRB Procedures Ordinance
- Building Length Ordinance & Grandfathering Amendments

- Beach Re-nourishment
- Recycling Agreement
- Agreement for Landscape Maintenance Services
- Agreement for Concession Services at the Community Center
- Agreement for Tourist Board Marketing Services
- Ordinance for Reasonable Accommodations Procedures
- Ordinance Amending Secondary Frontage Fence and Ornamental Wall Regulations
- Ordinance Amending Plastic Straw Ban Ordinance
- Ordinance Corner Lot Fencing
- Ordinance Amending Ethics Code to Require Disclosure of Business Relationships
- Ordinance on Hotels in H40 District
- Ordinance Banning the Sale and Distribution of Sunscreens Containing Oxybenzone and/or Octinoxate
- Request for Proposals (RFP) for Downtown Lighting
- Florida Friendly Landscape and Fertilizer Ordinance

Litigation: No new matters or updates to report at this time.

Special Matters: Continued monitoring of new case law and legislation from Federal, State and County. Matters which we will continue to work on, some of which you may anticipate in the upcoming months, include issues related to beach re-nourishment, implementation of the Florida Friendly Landscape and Fertilizer Ordinance, implementation of the Sunscreen Ban Ordinance, legislative priorities and monitoring of legislation in the current Florida Legislative Session, police forfeiture matters, conceptual parking strategies, sustainability initiatives and legislation, issues pertaining to the Downtown Vision Advisory Committee, enforcement of beach furniture regulations and policies, sidewalk café permits and compliance, private alley compliance issues, stormwater fees and collection, various procurements, and various service or provider agreements.



Town of Surfside

PARKS & RECREATION COMMITTEE MEETING

MINUTES

February 25, 2019 – 7:00 p.m.

Surfside Community Center

9301 Collins Avenue, Surfside, FL 33154

1. Call to Order/Roll Call

The meeting was called to order by Chair Logan at 7:00 p.m.

The following were present:

Chair Retta Logan
Committee Member Zoya P. Javier
Committee Member Shlomo Danzinger

Absent

Vice Chair Eliana Salzhauer
Committee Member Louisa Agresti

Also present:

Tim Milian, Parks and Recreation Director
Frantza Duval, Recording Clerk
Commissioner Tina Paul

2. Agenda and Order of Business

3. Approval of Minutes: January 18, 2019

Committee Member Danzinger made a motion to approve the minutes. The motion was seconded by Committee Member Javier and all voted in favor.

4. Artificial Turf (Committee Input)

Parks and Recreation Director Milian introduced the item and provided some background information.

After some discussion Committee Member Javier made a motion to have Parks and Recreation Director Milian to continue to investigate the possibilities. Motion received a second from Committee Member Danzinger and all voted in favor.

5. February Events Recap

Parks and Recreation Director Milian stated that the Fun Day Event took place and there were 450 people in attendance at the event. He stated that next year the event will take place again mid-January. They had the Senior Brunch Bunch during this month as well. He also mentioned that they had record crowd for their 5K Run and he will look into maybe having a cut off at 200 or 230 people for next year's run. They also had their annual Valentine's day Dance with 65 people in attendance. Parks and Recreation Milian also stated that the pool will be closed for maintenance on February 26-28, 2019.

6. Tennis Court Resurfacing

Parks and Recreation Director Milian stated that the Tennis Court Resurfacing was budgeted and it will be on the Town Commission Consent Agenda in March for approval. They are looking at late May or early June to complete the resurfacing.

7. Spring and Summer Events/Programs Updates

Parks and Recreation Director Milian stated that registrations are in progress for Adventurer Camp that will take place from March 25-29, 2019. Summer Camp registrations will begin on April 22, 2019 for Residents, returning Non-Residents will begin on May 6, 2019 and will be opening up for Non-Residents if spots are available on May 20, 2019.

He stated that this upcoming April 14th will be the Third Annual Earth Day event from 10:00am – 12:00pm. Commissioner Paul stated that she spoke to the Pelican Harbor Director and that he would like to have more Pelican releases throughout the year with the Town.

Splash into Spring will take place on April 6, 2019 and the Egg Hunt event will be on April 7, 2019. He also mentioned that the Higher Education deadline will be at the end of April.

8. Public Comments (3-minute time limit per speaker)

Mayor Dietch spoke about the possibility of including a notice on the Gazette about the Parks and Recreation Card Renewal.

Some conversation took place regarding the conditions of the restrooms during event days.

9. Adjournment

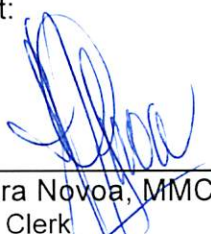
Committee Member Javier made a motion to adjourn the meeting at 7:32 p.m. The motion received a second from Committee Member Danzinger and all voted in favor.

Respectfully submitted:

Accepted this 18 day of MARCH, 2019


Retta Logan, Chair

Attest:


Sandra Novoa, MMC
Town Clerk



**Town of Surfside
PLANNING & ZONING BOARD
MINUTES**

February 28, 2019 – 6:00 p.m.

Town Hall Commission Chambers –
9293 Harding Ave, 2nd Floor, Surfside, FL 33154

1. Call to Order/Roll Call

Chair Lecour called the meeting to order at 6:03 p.m.

Present: Chair Lindsay Lecour, Vice Chair Judith Frankel, Board Member Peter Glynn, Board Member Jorge Garcia and Board Member Rochel Kramer.

Absent: Board Member Marina Gershanovich, Board Member Brian Roller** and Vice Mayor Gielchinsky.

2. Town Commission Liaison Report – Vice Mayor Gielchinsky

There was no report - Liaison was absent.

3. Approval of Minutes – January 31, 2019

A motion was made by Board Member Frankel, seconded by Board Member Garcia to approve the January 31, 2019 Minutes. Motion carried 5-0.

4. Applications:

- A. 9065 Abbott Avenue** - Applicant is requesting fencing in the front yard. A 4.0-foot-high wood fence is proposed.

Town Planner Sinatra introduced the item and gave staff recommendations.

Marina Kazartseva, applicant, explained to the board the design and changes made to the property. She explained the reason why she is requesting to have fence placed on the property.

Discussion on the design and fencing materials took place among the Board members and the applicant.

A motion was made by Board Member Glynn, seconded by Board Member Garcia to approve the application with the new specifications provided at the meeting which included a maximum 34-inch-high VC/vinyl fence. Motion carried 5-0 vote.

B. 9425 Harding Avenue - Applicant is requesting one (1) wall sign for the Scarlet Letter business. The applicant is proposing a channel letter sign.

Town Planner Sinatra introduced the item and gave following staff recommendations.

- At the time of obtaining the building permit, the applicant must comply with signage illumination channel and must be concealed illumination
- The sign will be offset from the wall ¼ inch to a maximum of 2 inches to permit rainwater fall on the side of the wall.
- The wall fascia will be painted as necessary.

Jessica Bazar, applicant, asked regarding the illumination of the sign and Town Planner Sinatra explained what form of illumination is allowed by the code.

A motion was made by Board Member Glynn, seconded by Board Member Garcia to approve the application with the recommendations and conditions made by staff. Motion carried 5-0.

5. Discussion Items:

A. Case example on 50% rule– 9049 Carlyle Ave – *Verbal update by Building Official*

Building Official Prieto presented the item.

Further discussion took place among the Board members and Building Official Prieto and staff regarding the item and some homes that are not being built per staff requirements.

Building Official Prieto answered the Board's questions and concerns.

****Board Member Roller entered the meeting at 6:27 p.m.**

B. Impact Fee Study – *Verbal update by Town Planner*

Town Manager Olmedillo presented the Impact Fee Study.

Further discussion continued among the Board members and Town Manager Olmedillo took place on the Impact Fee Study and those questions were addressed.

C. Parking Needs Assessment – *Verbal update by Town Manager*

Town Manager Olmedillo presented the Parking Needs Assessment.

Discussion among the Board members and Town Manager Olmedillo took place regarding the Parking Assessment and questions and concerns from the Board members were addressed.

D. Voluntary Proffer Report

No discussion on the item took place.

E. Freeboard & Height with Referendum explanation

Town Planner Sinatra presented the item.

Discussion among the Board members and Town Planner Sinatra regarding the item, and the Comprehensive Plan. Town Planner Sinatra answered the Board members questions.

The following speakers spoke on this item:

Randy Rose

Jeff Rose

F. Future Agenda Items

Chair Lecour asked about the attendance at the Zoning Workshop and requested a copy of the memorandum. Town Manager Olmedillo will forward a copy of the memorandum once it is finalized.

Staff gave a synopsis of the Zoning Workshop.

Chair Lecour discussed future agenda items and the impact fee study report to come back to the board in June as well as the parking study.

6. Adjournment

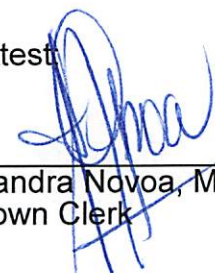
A motion was made by Board Member Glynn, seconded by Vice Chair Frankel to adjourn the meeting without objection at 7:51 p.m.

Accepted this 28th day of March, 2019



Chair Lindsay Lecour

Attest



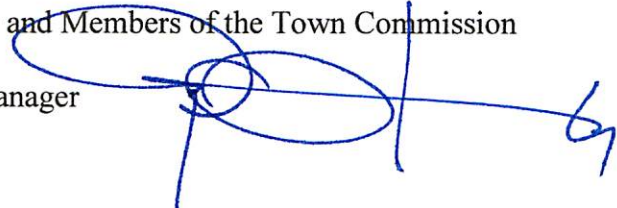
Sandra Novoa, MMC
Town Clerk



MEMORANDUM

ITEM NO. 3E

To: Honorable Mayor, Vice-Mayor and Members of the Town Commission

From: Guillermo Olmedillo, Town Manager 

Date: April 9, 2019

Subject: Approval to Modify the On-Street Parking Meter Rate to a Variable Rate Based System in the Business District

The Town administration submitted a Commission Communication for Approval to Modify the Parking Meter Rates for On-Street and Off-Street Parking from a Flat Rate Based System to a Variable Rate Based System for the March 12, 2019 Commission meeting. The Town Commission made changes to the recommendations at the Commission meeting and approved a motion stipulating the following On-Street Variable-Rate in the Business District for weekdays:


On-Street Variable-Rate in the Business District (9400 block of Harding Avenue and 9500 block of Harding Avenue):

- Weekdays:
 - Between 10:00 AM – 4:00 PM \$4.00 / hour with a 2-hour limit *
(* After the expiration of 2 hours the parking space is not renewable between the hours of 10:00 AM – 4:00 PM and the vehicle will not be permitted to park in an On-Street parking space in the Business District until after 4:00PM).

A review at the request of the Town Commission will be conducted regarding the effects of the On-Street Variable-Rate in the Business District, and submitted two months after the rate change implementation.

The budget impact of modifying the Parking Meter Rate for On-Street and Off-Street Parking from a Flat Rate Based System to a Variable Rate Based System will have a positive impact on parking fees collected.

Staff recommends a motion to approve a resolution authorizing approval to modify the On-Street Parking Meter Rate to a Variable Rate Based System in the Business District.

Prepared by: Chief Julio Yero 

PAGE
INTENTIONALLY
LEFT BLANK

RESOLUTION NO. 19- _____

**A RESOLUTION OF THE TOWN COMMISSION OF
THE TOWN OF SURFSIDE, FLORIDA APPROVING
AN ON-STREET VARIABLE PARKING RATE IN THE
BUSINESS DISTRICT ON HARDING AVENUE FOR
WEEKDAYS; PROVIDING FOR AUTHORIZATION
AND IMPLEMENTATION; AND PROVIDING FOR
AN EFFECTIVE DATE.**

WHEREAS, the Town has experienced an ever-growing influx of vehicles occupying the limited supply of parking spaces in the business district, and a lack of available parking spaces caused by vehicles parking in spaces for extended periods of time; and

WHEREAS, in order to address or alleviate the parking concerns, the Town Commission wishes to modify the parking meter rates for on-street parking from a flat rate system to a variable rate system for the Business District (9400 Block of Harding Avenue and 9500 Block of Harding Avenue) on weekdays; and

WHEREAS, the Town Commission requests that a review be conducted regarding the effects of the On-Street Variable-Rate in the Business District, and the review be submitted two months after the rate change implementation; and

WHEREAS, the Town Commission finds that modifying the parking meter rates to a variable rate for weekday on-street parking in the Business District will address parking issues and is in the best interest of the Town.

**NOW, THEREFORE, THE TOWN COMMISSION OF THE TOWN OF
SURFSIDE, FLORIDA HEREBY RESOLVES AS FOLLOWS:**

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

Section 2. Approval. The Town Commission hereby approves the following On-Street Variable Rate in the Business District (9400 block of Harding Avenue and 9500 Harding Avenue) for weekdays:

On-Street Variable-Rate in the Business District (9400 block of Harding Avenue and 9500 block of Harding Avenue):

Weekdays:

Between 10:00 AM – 4:00 PM \$4.00 / hour with a 2-hour limit *

(* After the expiration of 2 hours the parking space is not renewable between the hours of 10:00

AM – 4:00 PM and the vehicle will not be permitted to park in an On-Street parking space in the Business District until after 4:00 PM).

A review will be conducted regarding the effects of the On-Street Variable-Rate in the Business District, and the review will be submitted to the Town Commission two months after this rate change implementation.

Section 3. Authorization and Implementation. The Town Manager is hereby authorized and directed to take any and all such actions as are required to implement the terms of this Resolution.

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

PASSED AND ADOPTED this _____ day of April, 2019.

Motion by _____.

Second by _____.

FINAL VOTE ON ADOPTION

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

Weiss Serota Helfman Cole & Bierman, P.L.
Town Attorney



MEMORANDUM

ITEM NO. 3F

To: Honorable Mayor, Vice-Mayor and Members of the Town Commission

From: Lily Arango, Town Attorney

Date: March 12, 2019

Subject: Resolution in Opposition to House Bill 1383 and Senate Bill 1720, Bert J. Harris Act

Background: At the March 12, 2019 Commission Meeting, the Commission directed the Town Attorney's office to prepare a resolution expressing the Town's opposition to pending legislation related to the Bert J. Harris Act. The Bert J. Harris Act ("Harris Act") provides a civil cause of action for private property owners whose current use or vested right in a specific use of real property is "inordinately burdened" by the actions of a governmental entity. The Harris Act authorizes relief, including compensation, to the private property owner for the actual loss to the fair market value of the real property and the burden of proof is on the property owner to show that a governmental entity has inordinately burdened the property.

House Bill 1383 and Senate Bill 1720 (collectively, the "Bills") have been filed for consideration during the Florida Legislature's 2019 session and could result in a serious impact on local government operations and expose cities and counties to substantial liability. When faced with a Harris Act claim, cities and counties often choose to settle the claim by offering the aggrieved property owner a variance to the rule or regulation that is inordinately burdening the property, thereby saving taxpayers the expense of paying monetary damages, a process encouraged in the Harris Act. The Bills would require that when a government entity reaches a settlement on a Harris Act claim regarding a residential property, if the settlement creates a variance, such variance is to be automatically applied by the government entity to all "similarly situated properties" that are subject to the same government rules or regulations. The Bills do not define what a "similarly situated property" is and, therefore, in its broadest sense, the term may include properties outside of the same zoning district, and has no regard for the size or density of the residential property, any historical designations or other zoning overlays differing residential properties may have.

Among other items, the Bills limit the time frame for government entities to respond to Harris Act claims from 150 days to 90 days, and increase the likelihood of paying the property owners' attorney fees. The Bills seek to remove the current attorney fee provisions for the Harris Act that give judge's discretion in deciding if they will award

attorney's fees and allow judges to consider numerous factors in awarding attorney's fees, including settlement offers.

Consideration. The attached Resolution opposes the Bills and authorizes the Town Clerk to transmit a copy of the Resolution to the Miami-Dade County State Legislative Delegation, the Speaker of the Florida House of Representatives, the President of the Florida Senate, and the Florida Governor.

Recommendation. Approve the attached Resolution opposing House Bill 1383 and Senate Bill 1720, pertaining to the Bert J. Harris Act, and transmit the Resolution to the appropriate Florida legislative members, as provided for in the Resolution

RESOLUTION NO. 2019-_____

**A RESOLUTION OF THE TOWN COMMISSION OF THE
TOWN OF SURFSIDE, FLORIDA, OPPOSING FLORIDA
HOUSE BILL 1383 AND SENATE BILL 1720 RELATING TO
PROPERTY RIGHTS AND BERT J. HARRIS ACT CLAIMS;
PROVIDING FOR TRANSMITTAL; AND PROVIDING FOR
AN EFFECTIVE DATE.**

WHEREAS, the Bert J. Harris Act (“Harris Act”) provides a civil cause of action for private property owners whose current use or vested right in a specific use of real property is “inordinately burdened” by the actions of a governmental entity; and

WHEREAS, the Harris Act authorizes relief, including compensation, to the private property owner for the actual loss to the fair market value of the real property and the burden of proof is on the property owner to show that a governmental entity has inordinately burdened the property; and

WHEREAS, Harris Act claims must be brought within one year of governmental action; and

WHEREAS, the Harris Act defines an inordinate burden as one in which an action of one or more governmental entities has restricted or limited the use of property such that the owner is unable to attain reasonable, investment-backed expectations for the existing use or a vested right in the existing use of the property as a whole, or if the owner is left with uses that are unreasonable such that the owner would permanently bear a disproportionate share of a burden imposed for the public good, which should be borne by the public at large; and

WHEREAS, House Bill 1383 and Senate Bill 1720 (collectively, the “Bills”) have been filed for consideration during the Florida Legislature’s 2019 session; and

WHEREAS, the Bills could have a serious impact on local government operations and expose cities and counties to substantial liability;

WHEREAS, when faced with a Harris Act claim, cities and counties often choose to settle the claim by offering the aggrieved property owner a variance to the rule or regulation that is inordinately burdening the property, thereby saving taxpayers the expense of paying monetary damages, a process encouraged in the Harris Act;

WHEREAS, the Bills require that when a government entity reaches a settlement on a Harris Act claim regarding a residential property, if the settlement creates a variance, such variance is to be automatically applied by the government entity to all “similarly situated properties” that are subject to the same government rules or regulations; and

WHEREAS, the Bills do not define what a “similarly situated property” is and, therefore, in its broadest sense, the term may include properties outside of the same zoning district, and has no regard for the size or density of the residential property, any historical designations or other zoning overlays differing residential properties may have; and

WHEREAS, the Bills will have a severe chilling effect on the settlement of Harris Act claims as they fail to take into account notice provisions, hearings, or even impacts on neighboring property owners when giving an across the board variance; and

WHEREAS, the Bills fail to consider that there are legal due process procedures in place to protect the property rights of property owners who may be harmed by the issuance of a variance and that a local government cannot provide Harris Act relief to a property owner by abridging the rights of other potentially impacted property owners; and

WHEREAS, the Bills are a thinly veiled attack to cities and counties who have been dealing with Harris Act claims due to the enactment of vacation rental ordinances; however, the

Bills have far-reaching impacts on land use regulations, environmental regulations and code enforcement regulations; and

WHEREAS, the Bills limit the time frame for government entities to respond to Harris Act claims from 150 days to 90 days, and increase the likelihood of paying the property owners' attorney fees; and

WHEREAS, the Bills seek to remove the current attorney fee provisions for the Harris Act that give judges discretion in deciding if they will award attorney fees and allow judges to consider numerous factors in awarding attorney fees, including settlement offers; and

WHEREAS, if these provisions are removed, the attorney fees will be paid to the property owner if they prevail even if the government entity makes a good faith effort to settle the claim; and

WHEREAS, the Town of Surfside ("Town") Commission opposes the Bills and urges the Florida Legislature to vote against the Bills; and

WHEREAS, the Town Commission finds that this Resolution is in the best interest and welfare of the residents of the Town.

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

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

Section 2. **Opposition.** That the Town Commission hereby opposes the Bills.

Section 3. **Transmittal.** That the Town Commission hereby directs the Town Clerk to transmit a copy of this Resolution to the Miami-Dade County State Legislative Delegation, the

Speaker of the Florida House of Representatives, the President of the Florida Senate, and the Florida Governor.

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

PASSED AND ADOPTED on this _____ day of _____, 2019.

Motion By: _____

Second By: _____

FINAL VOTE ON ADOPTION:

Commissioner Barry Cohen _____

Commissioner Michael Karukin _____

Commissioner Tina Paul _____

Vice Mayor Daniel Gielchinsky _____

Mayor Daniel Dietch _____

Daniel Dietch, Mayor

Attest:

Sandra Novoa, MMC
Town Clerk

Approved as to Form and Legal Sufficiency:

Weiss Serota Helfman Cole & Bierman, P.L.
Town Attorney



TOWN OF SURFSIDE

PROCLAMATION, CERTIFICATE, COIN AND KEY TO THE TOWN

REQUEST FORM

OFFICE OF THE TOWN CLERK

Request for: Proclamation ☒ Certificate ☐ Key ☐ Brick ☐ (check one)

Date of Request: _____ March 25, 2019 _____

Name of Requestor: Public Works Department _____

Organization: _____

Address: _____ 9293 Harding Avenue Surfside, FL. 33154 _____

Phone / E-Mail: _____ fduval@townofsurfsidefl.gov _____

Name of Individual / Organization to be honored:

Title for Proclamation or Certificate:

_____ Arbor Day _____

Date of Recognition: _____ April 26, 2019 _____

Reason for Recognition (*Please attach 4 – 6 “whereas clauses” as draft text for a Proclamation*):

_____ Annual Tree-City Re-Certification _____

Document is to be:

- Presented at a Commission Meeting in _____ April 2019 _____ (month / year)
- Presented at the following event _____ (Please attach event information to the request form)
- Picked up by _____ on _____ (date)

Administrative Use Only

Proclamation _____ Certificate _____ Key _____ Coin _____

Approved: Yes _____ No _____ If no, state reason: _____

Approved Date: _____

Date Submitted for Mayor's Signature: _____

Date Issued: _____

Completed by: _____



Proclamation

Whereas, in 1872, J. Sterling Morton proposed to the Nebraska Board of Agriculture that a special day be set aside for the planting of trees; and

Whereas, this holiday, called Arbor Day, was first observed with the planting of more than a million trees in Nebraska; and

Whereas, Arbor Day is now observed throughout the nation and the world; and

Whereas, trees can reduce the erosion of our precious topsoil by wind and water, cut heating and cooling costs, moderate the temperature, clean the air, produce life-giving oxygen, and provide habitat for wildlife; and

Whereas, as trees grow, they help mitigate the impacts of climate change by removing carbon dioxide from the air, storing carbon in the trees and soil, and releasing oxygen into the atmosphere; and

Whereas, trees are a renewable resource giving us paper, wood for our homes, fuel for our fires and countless other wood products; and

Whereas, trees in our town increase property values, enhance the economic vitality of the business areas, and beautify our community; and

Whereas, trees, wherever they are planted, are a source of joy and spiritual renewal; and

Whereas, the Town Commission urges all citizens to celebrate Arbor Day and to support efforts to protect our trees and natural habitats; and

Whereas, the Town Commission urges all citizens to plant trees to gladden the heart and promote the well-being of this and future generations.

Now, therefore, the Town of Surfside, does hereby proclaim April 26, 2019 as “Arbor Day,” and we call upon all citizens to celebrate Arbor Day and to support efforts to protect our trees and natural habitats.

In witness thereof, I have hereunto set my hand this 9th day of April 2019.

*Daniel Dietch, Mayor
Town of Surfside, Florida*



TOWN OF SURFSIDE
PROCLAMATION, CERTIFICATE, COMMUNITY CENTER BRICK
AND KEY TO THE TOWN
REQUEST FORM
OFFICE OF THE TOWN CLERK

Request for: Proclamation ☒ Certificate ☐ Key ☐ Brick ☐ (check one)

Received
03/29/2019
TC

Date of Request: April 9, 2019

Name of Requestor: Sandra Novoa

Organization: Town of Surfside

Address: 9293 Harding Avenue, Surfside, FL 33154

Phone / E-Mail: snovoa@townofsurfsidefl.gov (305)861-4863

Name of Individual / Organization to be honored:

Sandra Novoa

Title for Proclamation or Certificate:

Municipal Clerks Week

Date of Recognition: May 5-11, 2019

Reason for Recognition (*Please attach 4 – 6 “whereas clauses” as draft text for a Proclamation*):

Document is to be:

- Presented at a Commission Meeting in April 2019 (month / year)
- Presented at the following event _____ (*Please attach event information to the request form*)
- Picked up by _____ on _____ (date)

Administrative Use Only

Proclamation _____ Certificate _____ Key _____ Coin _____

Approved: Yes _____ No _____ If no, state reason: _____

Approved Date: _____

Date Submitted for Mayor's Signature: _____

Date Issued: _____

Completed by: _____



Proclamation

WHEREAS, The Office of the Municipal Clerk, a time honored and vital part of local government exists throughout the world, and;

WHEREAS, The Office of the Municipal Clerk is the oldest among public servants, and;

WHEREAS, The Office of the Municipal Clerk provides the professional link between the citizens, the local governing bodies and agencies of government at other levels, and;

WHEREAS, Municipal Clerks have pledged to be ever mindful of their neutrality and impartiality, rendering equal service to all, and;

WHEREAS, The Municipal Clerk serves as the information center on functions of local government and community.

NOW, THEREFORE, I, Daniel Dietch, Mayor of the Town of Surfside, do recognize the week of May 5 through May 11, 2019, as Municipal Clerks Week, and further extend appreciation to our Municipal Clerk Sandra Novoa and to all Municipal Clerks for the vital services they perform and their exemplary dedication to the communities they represent.

In witness thereof I have hereunto set my hand this 9th day of April 2019.

*Daniel Dietch, Mayor
Town of Surfside, Florida*



MEMORANDUM

ITEM NO. 4B1

To: Honorable Mayor, Vice-Mayor and Members of the Town Commission

From: Guillermo Olmedillo, Town Manager

Date: April 9, 2019

Subject: Florida Friendly Landscape

The purpose of this memorandum is to summarize the Florida Friendly landscape requirements.

The current Town of Surfside Landscape Code utilizes xeriscaping landscape requirements, which are a set of seven principles (Planning and Design, Soil Improvements, Practical Turf Area, Efficient Irrigation, Mulch, Low Water Use Plants and Appropriate Maintenance) for water-wise landscaping. These principles utilize the concept of planning, design and maintenance of the landscaping with a sensible approach for water efficiency that allows the conservation of water while providing an attractive landscape.

It is recommended that the Town adopt a Florida Friendly landscape ordinance, which provides more robust standards than the Town's current regulations. This program has nine principles and is aimed at Florida's unique natural resources. It utilizes planning, design, installation and maintenance (Right Plant-Right Place, Water Efficiency, Fertilize Appropriately, Mulch, Attract Wildlife, Manage Yard Pest Responsibility, Recycle, Prevent Storm Runoff and Protection of Waterfronts). These principles seek to reduce environmental impacts from landscaping by properly applying water, fertilizer and pesticides, creating a wildlife habitat, preventing erosion and recycling yard wastes.

The proposed ordinance provides regulations for fertilizer and pesticides. Herbicides are not addressed in this ordinance as it is not a principal regulated by Florida Friendly. However, and a separate ordinance regulating herbicides is currently being researched and once prepared, will be presented to the Town Commission.

The proposed ordinance has provided efficient irrigation design standards, fertilizer standards, pesticide management and the requirement to utilize Florida Friendly

principles as identified in Florida Friendly Landscaping Guide to Plant Selection & Landscape Design.

The current landscape code is set up to be very site specific, functional, sustainable, irrigation efficient, water conservation focused, protective of the natural native habitat while providing a cohesive, distinctive lush design theme. The proposed modifications expand the current standards by seeking to reduce the environmental impact of fertilizers and pesticides, create a wildlife habitat and further encourage water conservation through efficiencies.

Staff has prepared an ordinance which exceeds the minimum requirements in Miami-Dade County and meets the Florida Friendly requirements. Modifying the existing ordinance to incorporate Florida Friendly principles will enhance, strengthen and provide a safer environment for the Town.

Enforcement of fertilizer and pesticides requires additional staff, particularly at the beginning when all properties must be inspected for compliance.

Reviewed by GO

Prepared by SSG

1
2
3
4
5
6
7
8
9
0
1
2
3
4
5
6
7
8
9
0
1
2
3
4
5
6
7
8
9
0
1
2
3

WHEREAS, Article VIII, “Landscape Requirements,” (the “Landscape Ordinance”) of Chapter 90, “Zoning” of the Town of Surfside (“Town”) Code of Ordinances (“Code”) utilizes xeriscaping landscape requirements, which are a set of seven principles (Planning and Design, Soil Improvements, Practical Turf Area, Efficient Irrigation, Mulch, Low Water Use Plants and Appropriate Maintenance) for water-wise landscaping (“Xeriscaping Principles”); and

WHEREAS, Miami-Dade County has adopted a Florida Friendly landscape ordinance, which has nine principles utilizing planning, design, installation and maintenance (Right Plant-Right Place, Water Efficiency, Fertilize Appropriately, Mulch, Attract Wildlife, Manage Yard Pest Responsibility, Recycle, Prevent Storm Runoff and Protection of Waterfronts) and is aimed at Florida's unique natural resources; and

WHEREAS, the Town's current Landscape Ordinance addresses, either explicitly or impliedly, the Florida Friendly landscape principles; and

WHEREAS, the Town Commission seeks to reduce the impact of nutrients on surface and ground waters; and

WHEREAS, limiting the amount of fertilizer applied to the landscape will reduce the risk of nutrient enrichment of surface and ground waters; and

WHEREAS, effective nutrient management requires more comprehensive control measures; and

WHEREAS, the Town Commission has determined that the use of fertilizers on lands within the Town creates a risk to contributing to adverse effects on surface and/or ground water; and

WHEREAS, the Town Commission finds that Article VIII, “Landscape Requirements,” of Chapter 90, “Zoning” of the Town Code should be amended to enhance, strengthen, and provide a safer environment for the Town; and

WHEREAS, the Town Commission finds that this Ordinance is necessary for the preservation and improvement of the environment, public health, safety and welfare of the Town's residents and visitors.

**NOW, THEREFORE, THE COMMISSION OF THE TOWN OF SURFSIDE
HEREBY ORDAINS:¹**

Section 1. Recitals. The above-stated recitals are true and correct and are incorporated herein by this reference.

Section 2. **Town Code Amended.** The Code of the Town of Surfside, Florida is hereby amended by amending Article VIII, “Landscape Requirements,” of Chapter 90, “Zoning” as follows:

Chapter 90 – Zoning

Article VIII. – Landscape Requirements

Sec 90-85. - General.

90-85.1 Purpose and intent. The general purposes of this section are as follows:

- (1) To encourage the establishment of a functional landscape and improve the aesthetic quality, thereby promoting the health and general welfare of its citizenry in the Town of Surfside:

¹ Coding: ~~Strikethrough words~~ are deletions to the existing words. Underlined words are additions to the existing words. Changes between first and second reading are indicted with highlighted ~~double strikethrough~~ and double underline.

- (2) To create and enhance the aesthetic subtropical character and identity distinctiveness of the Town of Surfside;
- (3) To design landscaping to enhance architectural features, relate structure design to the site, visually screen sites and unsightly views, reduce noise impacts from major roadways and incompatible uses, strengthen important vistas and reinforce neighboring site design and architecture,
- (4) To prevent the expansion of the listed pest plant species by prohibiting the use of noxious exotic plants which invade native plant communities;
- (5) To promote the use of more wind tolerant trees and proper horticultural planting methods in order to maintain a more sustainable landscape;
- (6) To promote ~~xeriscape~~ Florida Friendly principles through the use of drought-tolerant landscape species, grouping of plant material by water requirements, right plant in the right place, appropriate fertilization, the use of irrigation systems that conserve the use of potable and non-potable water supplies, mulching and restrictions on the amount of lawn areas;
- (7) To utilize landscape material, specifically street trees, to visually define the hierarchy of roadways, and to provide shade and a visual edge along roadways;
- (8) To prevent the destruction of the town's existing tree canopy and promote its expansion to be valued and preserved for present and future generations;
- (9) To provide for the preservation of existing natural plant communities and re-establish native habitat where appropriate, and encourage the appropriate use of native plant and salt tolerant plant material in the landscape and where applicable, encourage appropriate wildlife habitat areas;
- (10) To promote the use of trees and shrubs for energy conservation by encouraging cooling through the provision of shade and the channeling of breezes, thereby helping to offset global warming and local heat island effects through the added absorption of carbon dioxide and reduction of heat islands;
- (11) To contribute to the processes of air movement, air purification, oxygen generation, ground water recharge, and stormwater runoff retention, while aiding in the abatement of noise, glare, heat, air pollution and dust generated by major roadways and intense use areas;
- (12) To improve the aesthetic appearance of the town through the use of plant material, thereby protecting and increasing property values within the community;
- (13) To promote the concept of planting the right tree or plant in the right place to avoid problems such as clogged sewers, cracked sidewalk and power services interruptions;
- (14) To provide the physical benefits of using plant material as a function and integral part of the Town of Surfside's development;
- (15) To provide minimum standards for landscaping new developments or for redevelopment;

- (16) To promote water conservation and vegetation protection objectives by providing for:
- a. The preservation of existing plant communities pursuant to the requirements of the Miami-Dade's Tree Preservation and Protection Ordinance;
 - b. The reestablishment of native plant communities;
 - c. The use of site-specific plant materials; and
 - d. The implementation of ~~Xeriscape~~ Florida Friendly principles as identified in Florida-Friendly Landscaping-Guide to Plant Selection & Landscape Design ~~South Florida Water Management District's Xeriscape Plant Guide II~~, as amended, and as provided by law.

90-85.2 Definitions.

Accessway: A private vehicular roadway intersecting a public right-of-way.

Applicant: The owner or the authorized agent of the subject property.

Application or apply means the actual physical deposition of fertilizer to turf or landscape plants.

Applicator means any person who applies fertilizer on turf and/or landscape plants.

Approved test means a soil test from the University of Florida, government, or other commercial licensed laboratory that regularly performs soil testing and recommendations.

Automatic controller means a mechanical or electronic device, capable of automated operation of valve stations to set the time, duration and frequency of a water application.

Berm: A linear earthen mound measured from the crown of the road or abutting finish floor elevation and has a maximum slope of three to one. The berm shall consist of clean fill composed of planting soil.

Best management practices (BMP's) means turf and landscape practices or combination of practices based on research, field-testing, and expert review, determined to be the most effective and practical site-specific means, including economic and technological considerations, for improving water quality, conserving water supplies and protecting natural resources.

Buffer, perimeter landscape: An area of flat a grade or bermed land which is set aside along the perimeters of a parcel of land in which landscaping is required to provide an aesthetic transition between adjacent plots to eliminate or reduce the adverse environmental impact, and incompatible land use impacts.

Canopy: The upper portion of a tree consisting of limbs, branches and leaves.

Clear trunk: The distance between the top of the root ball along the vertical trunk or trunks of a tree to the point at which lateral branching or fronds begin.

Clear wood ("gray wood"): The portion of the palm trunk which is mature hardwood measured from the top of the root ball to the base of green terminal growth or fronds.

Code enforcement officer, official, or inspector means any designated employee or agent of the Town of Surfside whose duty is to enforce codes and ordinances enacted by the Town.

Commercial applicator except as provided in F.S. § 482.1562(9), means any person who applies fertilizer for payment or other consideration to property not owned by the person or firm applying the fertilizer or the employer of the applicators.

Commercial fertilizer applicator means any person who applies fertilizer on turf and/or landscape plants in the Town in exchange for money, goods, services or other valuable consideration.

CPTED: The acronym crime prevention through environmental design; design approach to reduce crime and fear of crime by creating a safe climate within a building environment.

Diameter breast height (DBH): The diameter of the tree trunk(s) measured at 4½ feet above grade.

Disturbed land/ground: Any land where the original natural vegetation has been removed, displaced, overtaken or raked.

Emitter primarily refers to devices used in microirrigation systems.

Fertilizing or fertilization means the act of applying fertilizer to turf, specialized turf or landscape plants.

Fertilizer means any substance or mixture of substances that contains one or more recognized plant nutrients and which promotes plant growth, controls soil acidity or alkalinity, provides other soil enrichment, or provides other corrective measures to the soil.

Florida-friendly landscape. The principles of Florida-friendly landscaping include planting the right plant in the right place, efficient watering, appropriate fertilization, mulching, attraction of wildlife, responsible management of yard pests, recycling yard waste, reduction of stormwater runoff, and waterfront protections. Additional components of Florida-friendly landscape include planning and design, soil analysis, the uses of solid waste compost, practical use of turf, and proper maintenance.

Functional landscaping: The combination of living and nonliving materials that, when installed or planted, creates an ongoing system providing aesthetic and environmental enhancement to a particular site and surrounding area.

Groundcover: A dense, low-growing plant, other than turf, that, by the nature of its growth characteristics completely covers the ground and does not usually exceed two feet in height.

Guaranteed analysis means the percentage of plant nutrients or measures of neutralizing capability claimed to be present in a fertilizer.

Hedge: A dense row of evenly spaced shrubs planted to form a continuous, unbroken visual screen.

Hydrozone means a distinct grouping of plants with similar water needs and climatic requirements.

Impervious area: An area covered by a material which does not permit infiltration or percolation of water directly into the ground.

Infiltration rate means the rate of water entry into the soil expressed as a depth of water per unit of time (inches per hour).

Irrigated landscape area means all outdoor areas that require a permanent irrigation system.

Irrigation zone means a grouping of sprinkler heads, soakers, bubblers, or microirrigation emitters operated simultaneously by the control of one valve.

Institutional applicator means any person, other than a private person applying fertilizer on their own residential property or a commercial applicator (unless such definitions also apply under the circumstances), that applies fertilizer for the purpose of maintaining turf and/or landscape plants. Institutional applicators shall include, but shall not be limited to, owners, managers, or employees of public lands, schools, parks, religious institutions, utilities, industrial or business sites, and any residential properties maintained in condominium and/or common ownership.

Irrigation: The method of supplying plant materials with water other than by natural rainfall.

Landscape/landscaping:

(1) When used as a noun, this term shall mean living plant materials such as grasses, groundcover, shrubs, vines, trees or palms and nonliving durable materials commonly used in environmental design such as, but not limited to, walls or fences, aesthetic grading or mounding, but excluding pavers, paving, artificial turf, turf block, rocks and structures.

(2) When used as a verb, this term shall mean the process of installing or planting materials commonly used in landscaping or environmental design.

Mulch: Organic, arsenic free, material such as wood chips, pine straw or bark placed on the soil to reduce evaporation, prevent soil erosion, control weeds and enrich the soil.

Multi-trunk trees: A tree that has a minimum of three trunks with no more than five trunks of equal diameters originating from the ground and with angles no greater than forty-five (45) degrees. ;b1; *NOTE:* The town can require either multi-trunk or single trunk on certain trees.

Microclimate means the climate of a specific area in the landscape that has substantially differing sun exposure, temperature, or wind, than surrounding areas or the area as a whole.

Microirrigation (low volume) means the application of small quantities of water directly on or below the soil surface, usually as discrete drops, tiny streams, or miniature sprays through emitters placed along the water delivery pipes (laterals). Microirrigation encompasses a number of methods or concepts including drip, subsurface, bubbler, and spray irrigation, previously referred to as trickle irrigation, low volume, or low flow irrigation that deliver water directly to plant root zones with a high degree of efficiency, no runoff, and little to no evaporation.

Moisture sensing device or soil moisture sensor means a device to indicate soil moisture in the root zone for the purpose of controlling an irrigation system based on the actual needs of the plant.

Native habitat: An area enhanced or landscaped with an appropriate mix of native tree, shrub and groundcover species that resembles a native plant community in structure and composition or is naturally occurring.

221 *Native plant community:* A natural association of plants dominated by one or more
222 prominent native plant species, or a characteristic physical attribute as indicated by the
223 Town of Surfside.

224 *Native plant species:* Native plant species shall be those plant species indigenous to the
225 ecological communities of South Florida, as indicated on lists provided by Town of
226 Surfside, or that can be scientifically documented to be native to South Florida.

227 *Open space:* All pervious landscape planting areas of the site.

228 *Overall height:* The height measured from the ground to the bend of the top most branch of
229 the tree. Overall height on palms: the measurement from the ground to the bend of the
230 topmost frond.

231 *Pervious areas:* Any portion of the ground unobstructed by a non landscape planting surface
232 which prevents or slows down the natural seepage of water into the ground.

233 *Planting soil/topsoil:* A medium composed of 50 percent sand and 50 percent muck. Palm
234 planting soils shall compose of no more than 80 percent sand and remainder soil consisting
235 of muck. It must be clear and free of construction debris, weeds and rocks, with a pH
236 between 6.5 and 7.

237 Person means any natural person, business, corporation, limited liability company,
238 partnership, limited partnership, association, club, organization and/or any group of people
239 acting as an organized entity.

240 Point of connection (POC) means the location where an irrigation system is connected to a
241 water supply.

242 Pop-up sprays means spray heads that pop up with water pressure and provide a continuous
243 spray pattern throughout a given arc of operation.

244 Pressure tank means a pressurized holding tank for irrigation water coming from wells to
245 minimize cycling of the water pump.

246 Pump cycling means irrigation pump coming on and shutting off frequently during operation
247 of irrigation systems.

248 Prohibited application period means the time period during which application of fertilizer is
249 prohibited due to the potential of run-off to negatively impact the environment, including
250 tropical storms and hurricane warnings, or for any portion of the Town where heavy rain has
251 been forecasted.

252 Rain sensor device means a low voltage electrical or mechanical component placed in the
253 circuitry of an automatic irrigation system that is designed to turn off a sprinkler controller
254 when precipitation has reached a pre-set quantity.

255 Runoff means water that is not absorbed by the soil or landscape and flows from the area.

256 *Redevelopment:* Any proposed expansion, addition, or facade change to an existing building,
257 structure, or parking facility. Redevelopment may also mean any rebuilding activity which
258 has no net increase in built-upon area or which provides equal or greater stormwater control
259 than the previous development. Exception to this definition, single family dwelling

redevelopment would be considered when 75 percent or greater of the existing structure is knocked down.

Saturated soil means a soil in which the voids are filled with water. Saturation does not require flow. For the purposes of this article, soils shall be considered saturated if standing water is present or the pressure of a person standing on the soil causes the release of free water.

Slow-release means nitrogen in a form which delays its availability for vegetative uptake and use after application, or which extends its availability to the vegetation longer than a reference rapid or quick release product. It includes the terms "controlled release", "timed release," "slowly available" and "water insoluble nitrogen."

Shrub: A self-supporting, woody plant full to the ground with three or more branches produced from the ground which could be maintained in a healthy state to the height indicated on the landscape plans.

Soil moisture sensor . See Moisture sensing device .

Soil texture means the classification of soil based on the percentage of sand, silt, and clay in the soil.

Site-specific plant materials: The use of plant species selected to minimize supplemental irrigation, fertilization and pest control.

Town: The department or division of the Town of Surfside government that the town manager has designated to enforce the landscaping requirements of this section.

Tree: A self-supporting, woody perennial plant, usually with one vertical stem or main trunk, which naturally develops a distinct, elevated crown and provides, at maturity, natural characteristics of the species.

- (1) *Tree, Dicotyledonous (Dicot)* is a tree having a woody stem and branches and leaves with net venation and having a separate, distinct outer bark which can be peeled from the tree.
- (2) *Tree, Monocotyledonous (Monocot)* is a palm or a tree having fronds with parallel venation and no true woody bark with a minimum overall natural height of ten feet at maturity.

Tree abuse:

- (1) Hat racking, flat-cutting the top of a tree, severing leader or leaders of a tree.
- (2) Pruning that reduces the total height or spread of a tree canopy by more than 30 percent in one year.
- (3) Cutting upon a tree which destroys its natural habit of growth.
- (4) Pruning that leaves stubs or results in a flush cut or splitting of limb ends.
- (5) Peeling or stripping of bark or the removal of bark to the extent that if a line is drawn at any height around the circumference of the tree, over one-third of the length of the line falls on portions of the tree where the bark remains.

- (6) The use of climbing spikes, nails or hooks with the exception for the purposed of total tree removal.
- (7) Pruning that does not conform to the standards set by the American National Standards Institute (ASI A300), as amended, with the exception of palm pruning which shall allow no pruning of fronds above the horizontal plane.
- (8) Using nails or other piercing devices for the purpose of attaching signage or any objects to a tree.
- (9) Girdling of trees by guying, staking, support, string trimmers, or non-removal of planting materials from the root balls.
- (10) Lawn mower string trimmer or deck damage inflicted on any portion of a tree.
- (11) Vehicular damage inflicted causing bark removal, tree leaning and/or destruction. Also, any damage and/or compaction of the roots by vehicular usage.
- (12) Structures being placed or constructed within a tree.
- (13) Utilizing any portion of a tree as a fence or similar structural support.
- (14) The use of oils, chemicals or other materials poured on the roots and/or trees. Also, the painting of trees with paint and/or other similar material.

Turf: The upper layer of soil matted with roots of grass and covered by viable grass blades.

Urban landscape means pervious areas on residential, commercial, industrial, institutional, road rights-of-way or other nonagricultural lands that are planted with turf or landscape plants.

Vegetation: Angiosperms, gymnosperms, ferns and mosses.

Vehicular encroachment: Any protrusion of a motor vehicle outside of the boundaries of a vehicular use area into a landscape area.

Vehicular use area (VUA): An area used for loading, circulation, access, storage, parking, or display of any type of vehicle, boat, or construction equipment whether self-propelled or not.

Vine: Any plant with a long, slender stem that trails or creeps on the ground or climbs by winding itself on a support.

~~*Xeriscape*: A landscaping method that maximizes the conservation of water by use of site-appropriate plants and an efficient watering system.~~

Sec. 90-86. - Landscape permit plans.

90-86.3 The irrigation plan shall meet the following requirements:

- (1) The same scale of the site plan, but no smaller than one inch equals 50 feet.
- (2) Location of existing trees, vegetation and native plant communities to remain, if applicable.

- (3) Location of existing buildings, paving, and site improvements to remain.
- (4) Location of proposed buildings, paving, site improvements, and water bodies.
- (5) Main location with sleeves, size and specifications.
- (6) Valve location, size and specifications.
- (7) Pump location, size and specifications or water source.
- (8) Backflow prevention device type and specifications.
- (9) Controller locations and specifications.
- (10) Zone layout plan (minimum scale 1" = 20"):
- (11) Provide 100 percent coverage and 100 percent overlap.
- (12) Indicating head-type, specifications and spacing.
- (13) Indicate location and details of rain sensor, second water meter, and rainwater citrons; and
- (14) Indicating methods used to achieve compliance with ~~xeriscape~~ Florida Friendly principles as required by F. S. ~~§ 166.048~~. 373.228.
- (15) Efficient Irrigation Design. All new irrigation installations shall meet the irrigation standards identified per §373.228, F.S. These include:
 1. Irrigation systems, including the use of micro-irrigation as appropriate, shall be designed to meet the needs of the plants in the landscape.
 2. When feasible, irrigation systems shall be designed to separately serve turf and non-turf areas.
 3. The irrigation system plans, and specifications shall identify the material to be used and the construction methods.
 4. The design shall consider soil, slope and other site characteristics in order to minimize water waste, including overspray, the watering of all impervious surfaces and other non-vegetated areas, and off-site runoff.
 5. The system shall be designed to minimize free flow conditions in case of damage or other mechanical failure.
 6. The system shall be designed to use the lowest quality water feasible.
 7. Rain switches or other approved devices, such as soil moisture sensors to prevent unnecessary irrigation, shall be incorporated. (Section 373.62, F.S.)
 9. A recommended seasonal operating schedule and average precipitation rate for each irrigation zone for both establishment and maintenance conditions shall be provided.
 10. Control systems shall provide the following minimum capabilities:
 - i. Ability to be programmed in minutes, by day of week, season, time of day.

- ii. Ability to accommodate multiple start times and programs,
 - iii. Automatic shut off after adequate rainfall,
 - iv. Ability to maintain time during power outages for a minimum of three (3) days, and
 - v. Operational flexibility to meet applicable year-round water conservation requirements and temporary water shortage restrictions.
- 11. Recommended maintenance activities and schedules shall be included.
- 12. Precipitation rates for sprinklers and all other emitters in the same zone shall be matched, except that micro irrigation emitters may be specified to meet the requirements of individual plants.
- 13. Irrigation systems shall be designed to maximize uniformity, considering factors such as:
 - i. Emitter types.
 - ii. Head spacing.
 - iii. Sprinkler pattern.
 - iv. Water pressure at the emitter.
- 14. Irrigation systems with main lines larger than two (2) inches or designed to supply more than seventy (70) gallons per minute shall incorporate a means to measure irrigation water use, at a minimum of ninety-five (95) percent accuracy across the flow range.
- 15. Irrigation system plans and specifications shall require the system installer to conduct final testing and adjustments to achieve design specifications prior to completion of the system and acceptance by the owner or owner's representative.
- 16. The irrigation system shall be designed to correlate to the organization plants into zones as described in section 12-102 above. The water use zones shall be shown in the irrigation plan. All plants (including turf) require watering during establishment. Temporary facilities may be installed to facilitate establishment.
- 17. Rain shut-off switch equipment shall be required on automatic irrigation systems to avoid irrigation during periods of sufficient soil moisture, in accordance with Florida Law ([Section] 373.62, F.S.). Said equipment shall consist of an automatic mechanical or electronic sensing device or switch that will override the irrigation cycle of the sprinkler system when adequate rainfall has occurred.
- 18. The installation of tracer wire along main lines and laterals shall be required to permit easy location and prevent inadvertent cutting of pipes.
- 19. If the water supply for the irrigation system is from a well, a constant pressure flow control device or pressure tank with adequate capacity shall be required to minimum pump "cycling".

- 409 20. Check valves must be installed at irrigation heads as needed to prevent low
410 head drainage and puddling.
- 411 21. Nozzle precipitation rates for all heads within each valve circuit must be
412 matched to within twenty (20) percent of one another.
- 413 22. A pressure-regulating valve shall be installed and maintained if static service
414 pressure exceeds eighty (80) pounds per square inch. The pressure regulating
415 valve shall be located between the meter and the first point of division in the
416 pipe and set at a not more than fifty (50) pounds per square inch when
417 measured at the most elevated fixture in the structure served. This requirement
418 may be waived if satisfactory evidence is provided that high pressure is
419 necessary in the design and that no water will be wasted as a result of high-
420 pressure operation.
- 421 23. To assist the end user to operate the system property, in addition to the
422 minimum requirements of [Section] 373.228, F.S., the following are
423 encouraged to be provided to the owner at the time of installation. The map
424 shall be attached inside each irrigation controller or be kept in another readily
425 available location if it is not practical to insert into a small container.
- 426 1. Irrigation schedule information, with instructions for seasonal timer
427 and sensor changes;
- 428 2. Irrigation system plans and specifications including as-constructed
429 drawings, recommended maintenance activities and schedules;
- 430 3. Operations schedules, design precipitation rates, and instructions on
431 adjusting the systems to apply less water after the landscape is
432 established;
- 433 4. Maintenance schedule, water source, water shut-off method, and the
434 manufacturing operational guide for their irrigation controller;
- 435 5. To the extent feasible, similar information should be made available
436 for subsequent property transfers.
- 437 24. Reduced-pressure-principle backflow preventers shall be recertified
438 yearly.

439 **Sec. 90-87. - Installation of landscaping and irrigation.**

440 All landscaping and irrigation shall be installed according to accepted horticultural planting
441 procedures with the quality of plant materials as hereinafter described, including:

- 442 (1) Planting soil/topsoil shall be of the minimum quality as specified in the plant materials
443 section of this Code. All trees, palms, shrubs, and ground covers shall be planted with a
444 minimum of 12 inches or two times the root ball of planting soil around root ball. A
445 minimum of three inches of shredded, approved arsenic free, organic mulch or
446 groundcover shall be installed around each tree planting for a minimum of 18 inches
447 beyond its trunk in all directions, including palms, and throughout all hedge, shrub, and
448 groundcover planting. The use of mulch obtained from Melaleuca, Eucalyptus, or other

invasive plant species is encouraged in order to reduce their impact on the environment and to preserve the remaining native plant communities.

- (2) All trees/palms shall be properly guyed and staked at the time of planting until one year from landscape final or establishment. The use of nails, wire or rope, or any other method which damages the trees or palm, is prohibited. All plants shall be installed so that the top of the root ball remains even with the soil grade or ten percent or the root flare is visible above the surrounding grade. All synthetic string, synthetic burlap, cords, or wire baskets shall be removed before planting. 90-87(3)

- (3) All parking islands, medians, and other landscape areas shall be installed with continuous Type "D" curbing to prevent damage to the plant material and the displacement of topsoil and mulch. Also, all landscape islands, divider medians, and planters shall be excavated of limerock and/or compacted soil to a depth of 30 inches and backfilled with specified planting mix to the top of curb. Additionally, all areas along buildings shall be excavated to a depth of 12 inches and backfilled with specified planting mix. No mulch shall be permitted in adjacent swales or right-of-way.

- (4) *Reserved.*

- (5) All proposed multi-trunk trees shall have a minimum of three trunks with no more than five trunks of equal diameters originating from the base of the tree and with angles no greater than forty-five (45) degrees.

NOTE: The town can require either multi-trunk or single trunk on certain trees.

- (6) All proposed trees and palms shall not be planted under roof over hangs or balconies.

- (7) All proposed trees and palms within or overhanging pedestrian areas shall have a clear trunk high enough to allow unobstructed pedestrian movement under or around.

- ~~(8) All proposed landscaping shall be installed with fertilizer which has trace minor elements in addition to a minimum six percent Nitrogen (N) — six percent Phosphorus (P) — six percent Potassium (K) of which 50 percent of the nitrogen must be derived from an organic source. *Reserved.*~~

- (9) All proposed tot lots or pools shall be required to have a minimum shade requirement to allow persons to seek refuge from the sun.

- (10) Salt tolerant plant species are encouraged in all areas of the town.

- (11) The concepts of Green Building Design and LEED are encouraged to help reduce water consumption, decrease fossil fuel burning, channel breezes, assist in cooling, create more pervious areas for drainage and promote more environmentally conscious.

- (12) All plant root ball sizes shall conform or exceeded the minimum standards in the current edition of Florida Grades and Standards.

- (13) All landscape areas with the exception of H30A, H30B and H30C (for single family and two family only) shall be provided with an automatically operating, underground, and rust free irrigation system designed to have 100 percent coverage with 100 percent overlap. Drip, trickle or other low-volume irrigations systems shall be permitted if designated on approved landscape plans and approved by the town.

Irrigation systems shall be designed to minimize application of water to impervious areas. All PVC risers shall be painted flat black.

a. Pursuant to F.S. § 373.62, any irrigation system installed after May 1, 1991, shall install a rain sensor device or switch which will override the irrigation cycle of the sprinkler system when adequate rainfall has occurred.

b. Use of non-potable water, including, but not limited to, water from a canal, lake or a treated water source, in the irrigation of landscaped areas is required when determined to be available and safe.

c. Automatic controlling devices shall be used on all irrigation systems.

i. Preserved native habitats or native plant communities shall not be irrigated unless required by the town.

ii. Recommend the use of a second water meter for irrigation to help reduce the cost of the watering the landscape.

NOTE: The sewer usage cost is eliminated with this added meter.

iii. Encourage the use of rainwater cisterns to help save water, one of our greatest natural resources. Also, rainwater cisterns will help on reducing watering costs and the impacts of water restrictions on the landscaping. Cisterns shall be provided below grade and are permitted in all zoning districts.

(14) Inspections of sites for landscape and irrigation installation:

a. A pre-inspection of the site with the landscape and irrigation contractor will be required to discuss all the town requirements, answer any questions and determine site conditions for appropriate use and selection of landscape material prior to installation.

b. A final landscape and irrigation inspection will be required upon completion.

Sec. 90-88. - Maintenance of landscaped areas.

(1) An owner of land subject to this Code shall be responsible for the maintenance of said land and landscaping so as to present a healthy, vigorous and neat appearance free from refuse and debris. All landscaped areas shall be sufficiently fertilized and irrigated to maintain the plant material in a healthy and viable condition.

~~*NOTE:* All fertilizer shall be safe and environmentally friendly. Also, the applications shall conform to the manufacturer's specifications.~~

(2) Florida Friendly Fertilizer Use To regulate the proper use of fertilizers by any person who applies fertilizer on turf and/or landscape or plants; requires proper training of commercial and institutional fertilizer applicators; establishes training and licensing requirements; establishes a prohibited application period; specifies allowable application fertilizer application rates and methods, fertilizer-free and low maintenance zones, and exceptions. It requires the use of Best Management Practices for the application of fertilizer to minimize

negative environmental effects associated with excessive nutrients in water bodies. These environmental effects have been observed in Dade County's natural and constructed stormwater conveyances, canals, lakes, estuaries and other water bodies. Collectively, these water bodies are an important asset to the environmental, recreational, cultural and economic well-being of Town of Surfside residents and their public health. Overgrowth of algae and vegetation hinder the effectiveness of flood attenuation provided by natural and constructed stormwater conveyances. Regulation of nutrients, including both phosphorus and nitrogen contained in fertilizer, is anticipated to help improve and maintain water and habitat quality.

Timing of fertilizer applications.

- (1) No applicator shall apply fertilizers containing nitrogen and/or phosphorus to turf and/or landscape plants during the time period in which a flood watch or warning, a tropical storm watch or warning, or a hurricane watch or warning is in effect for any portion of Town of Surfside, issued by the National Weather Service.
- (2) No applicator shall apply fertilizers containing nitrogen and/or phosphorus to turf and/or landscape plants if heavy rain two inches or more within a 24-hour period is likely.
- (3) No applicator shall apply fertilizers containing nitrogen and/or phosphorus to saturated soils.
- (4) Fertilizer containing nitrogen and/or phosphorus shall not be applied before seeding or sodding a site and shall not be applied for the first 30 days after seeding or sodding, except when hydro-seeding for temporary or permanent erosion control in an emergency situation (wildfire, etc), or in accordance with the stormwater pollution prevent plan for the site.

Fertilizer free zones.

Fertilizer shall not be applied within ten feet of any water body or canal as defined by the Florida Department of Environmental Protection in Chapter 62-340, Florida Administrative Code, or from the top of a seawall or lake bulkhead. Newly planted turf or landscape plants may be fertilized in this zone only for a 60-day period beginning no sooner than 30 days after planting if needed to allow the vegetation to become well established. Caution shall be used to prevent direct deposition of fertilizer into the water.

Fertilizer content and application rates.

- (1) Fertilizers applied to turf shall be applied in accordance with requirements and directions provided by Rule 5E-1.003(2), Florida Administrative Code, Labeling Requirements for Urban Turf Fertilizers. Under Rule 5E-1.003(2), Florida Administrative Code, required application rate and frequency maximums, which vary by plant and turf types, are found on the labeled fertilizer bag or container.
- (2) Nitrogen or phosphorus fertilizer shall not be applied to turf or landscape plants except as provided in subsection (1) above for turf, or in UF/IFAS recommendations

for landscape plants, vegetable gardens, and fruit trees and shrubs, unless a soil or tissue deficiency has been verified by an approved test.

- (3) Fertilizer used for sports turf at golf courses shall be applied in accordance with the recommendations in "Best Management Practices for the Enhancement of Environmental Quality on Florida Golf Courses," published by the Florida Department of Environmental Protection, dated January 2007, as may be amended. Fertilizer used at park or athletic fields shall be applied in accordance with Rule 5E-1.003(2), Florida Administrative Code.

Fertilizer application practices.

- (1) Spreader deflector shields shall be used when fertilizing via rotary (broadcast) spreaders. Deflectors must be positioned such that fertilizer granules are deflected away from all impervious surfaces, fertilizer-free zones and water bodies, including wetlands. Any fertilizer applied, spilled or deposited, either intentionally or accidentally, on any impervious surface shall be immediately and completely removed to the greatest extent practicable.
- (2) Fertilizer released on an impervious surface must be immediately contained and either legally applied to turf or any other legal site or returned to the original or other appropriate container.
- (3) In no case shall fertilizer be washed, swept, or blown off impervious surfaces into stormwater drains, ditches, conveyances, or water bodies.
- (4) Property owners and managers are encouraged to use an Integrated Pest Management (IPM) strategy as currently recommended by the University of Florida Cooperative Extension Service publications.

Training.

- (1) All commercial and institutional applicators of fertilizer shall abide by and successfully complete the six-hour training program in the "Florida-Friendly Best Management Practices for Protection of Water Resources by the Green Industries" offered by the Florida Department of Environmental Protection through the University of Florida/Broward County Cooperative Extension Service "Florida-Friendly Landscapes" program or an approved equivalent program. A trained applicator shall have identification or other evidence of successful completion of the training program on their person at all times while applying fertilizer.
- (2) Non-commercial and non-institutional applicators not otherwise required to be certified, such as private citizens on their own residential property, are encouraged to follow the recommendations of the University of Florida/IFAS "Florida-Friendly Landscape Program" and label instructions when applying fertilizers.

Licensing of commercial applicators.

- (1) All businesses applying fertilizer to turf or landscape plants (including, but not limited to, residential lawns, golf courses, commercial properties, multi-family and condominium properties) must ensure that the business owner or his/her designee

and at least (1) employee holds the appropriate "Florida-Friendly Best Management Practices for Protection of Water Resources by the Green Industries" training certificate prior to the business owner obtaining a Town business tax receipt. Standard business tax receipt (BTR) and transaction fees shall apply. Owners for any category of occupation which may apply any fertilizer to Turf and/or Landscape Plants shall provide proof of completion of the program to the Town of Surfside. It is the responsibility of the business owner to maintain the "Florida-Friendly Best Management Practices for Protection of Water Resources by the Green Industries" certificate to receive their business tax receipt annually.

(2) After adoption of this ordinance, all commercial applicators of fertilizer within the Town of Surfside, shall have and carry in their possession at all times when applying fertilizer, evidence of certification by the Florida Department of Agriculture and Consumer Services as a Commercial Fertilizer Applicator per Rule 5E-14.117(18), Florida Administrative Code.

(3) Pesticide Management.

1. All landscape applications of pesticides, including "Weed and Feed" products, for hire shall be made in accordance with State and Federal Law and with the most current version of the Florida-Friendly Best Management Practices for Protection of Water Resources by the Green Industries, as amended.

2. When using pesticides, all label instructions of State and Federal law shall be adhered to. The Florida Department of Agriculture and Consumer Services is responsible for enforcement of pesticide laws.

(4) Management of grass clippings and vegetative matter.

In no case shall grass clippings, vegetative material, and/or vegetative debris intentionally be washed, swept or blown on to or into storm-water drains, ditches, conveyances, water bodies, wetlands, sidewalks or roadways. Any material that is accidentally so deposited shall be immediately removed to the maximum extent practicable.

(5) Three inches of clean, weed-free, arsenic free, organic mulch shall be maintained over all areas originally mulched at all times. Turfgrass shall be kept trimmed and/or mowed regularly to a height not exceeding eight inches above the ground. The use of mulch in swales or right-of-way is prohibited.

NOTE: If weeds, noxious grasses or underbrush are in excess of the eight inches; it too will need to be cut and the weeds, noxious grasses and underbrush removed and re-sodded if necessary.

~~(6)~~ (6) Irrigation systems shall be maintained to eliminate water loss due to damaged, missing or improperly operating sprinkler heads, emitters, pipes and all other portions of the irrigation system.

~~(7)~~ (7) Preserved and created native plant communities shall be maintained in a natural state without the use of mechanical equipment.

~~(8)~~ (8) An owner is responsible to ensure that landscaping that has been required to be planted pursuant to this Code, or installed in compliance with the landscape requirements previously

in effect, be maintained in Florida Grade One condition, including but not limited to single-family residences, multifamily, or business sites. If landscaping is found to be in a state of decline, dead, damaged, or missing, it must be replaced with equivalent landscape material. If total replacement is required, species conforming to this Code shall be used. If any preserved vegetation dies which is being used to satisfy current landscape code requirements, such vegetation shall be replaced with the same landscape material selected from nursery-grown native stock only.

~~(6)~~ (9) All trees shall be trimmed in accordance to Miami-Dade County tree preservation code. Any type of tree abuse/hatracking is prohibited with in the Town.

~~(7)~~ (10) Any trees and/or palms that are diseased (including dead palms with lethal yellowing) or trees and/or palms causing a possible safety hazard as determined by the town are considered to be a public nuisance. The town shall enforce the provisions of this section. Any property owner of any lot or parcel of land in the town shall promptly remove any such tree and/or palm after being notified by the town. The town is authorized and empowered to enter on any lot or parcel of land in the town at any reasonable hour for the purpose of inspecting such trees and/or palms.

~~(8)~~ (11) Shrubs and hedges shall be maintained that such plant materials do not obstruct clear sight triangles and promote vehicular and pedestrian visibility. Also, hedges planted along property lines shall be maintained and trimmed to prevent branches from extending over and/or touching structures on adjacent properties.

~~(9)~~ (12) Any plastic or similar artificial landscape materials shall be prohibited with the exception of seasonal holiday decorative displays of less than 60 days duration.

~~(10)~~ (13) All property owners shall keep such property and the adjoining unpaved portions of the public rights-of-way, swales and bulkheads clean and free from any accumulation of garbage, trash, liter or debris.

~~(11)~~ (14) All property owners with in the town shall not permit unattended vegetation upon the property, adjoining portions of the rights-of-ways, swales and canal banks.

~~(12)~~ (15) All non-compliance with section of the ordinance shall be enforced in accordance with the Town's Code Enforcement Rules and Regulations.

Sec. 90-90. - Vegetative provisions.

90-90-1 ~~Xeriscape~~ Florida Friendly.

(1) A minimum of 20 percent of the pervious area on single family and duplex dwellings must be in ~~xeriscape~~ Florida Friendly landscape.

(2) A minimum of 40 percent of the pervious area of multifamily dwellings must be ~~xeriscape~~ Florida Friendly landscape.

(3) A minimum of 50 percent of the pervious area of all other development uses must be in ~~xeriscape~~ Florida Friendly landscape.

90-90.2 Use of site specific plant material:

Plants used in the landscape design shall be to the greatest extent, appropriate to the soil and other environmental conditions in which they are planted.

90-90.3 Invasive exotic plant material:

As a condition of approval, the property owner shall remove all invasive exotic species from the property prior to final.

Sec. 90-91. - Landscape buffer areas between residential and non-residential properties and vehicular use areas.

90-91.1 Applicability:

All proposed development or redevelopment sites and vehicular use areas serving H30C, H40, H120, or municipal uses shall conform to the minimum landscaping requirements hereinafter provided. Interior parking landscape requirements under or within buildings and parking areas serving H30A and H30B districts are exempt. Additionally, SD-B40 shall be exempt. Expansive concrete or paver areas shall require landscaping to soften and scale the buildings.

90-91.2 Required buffer landscaping adjacent to streets and abutting properties:

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

- (1) A flat ground level or bermed strip of land at least ten feet in depth, located along all the property lines of abutting street(s) and abutting property line(s) shall be landscaped. Such landscaping shall include three trees for each 50 linear feet or fraction thereof. The first tree shall be set back from the intersection of the ingress/egress and the street. The setback area shall be limited to groundcover only. In addition, a hedge, berm, wall or other durable landscape barrier shall not create a sight hazard by being placed along the inside perimeter of such landscape strip and shall be maintained at a maximum height of three feet, if contiguous to a pedestrian walkway, to meet crime prevention through environmental design (CPTED) principles. If such durable barriers including walls or fences are of nonliving material, it shall be screened to the height of the durable barrier with a hedge along the street side of such barrier. If a fence or wall is utilized along an abutting property line it must be installed at the property line and screened to the height of the durable barrier with a hedge from the inside. The remainder of the required landscape area shall be landscaped with turf grass, groundcover or other landscape treatment, excluding paving, turf grass not to exceed the maximum amount allowable in the ~~xeriscape~~ Florida Friendly requirements. This buffer may not be counted toward meeting the interior landscape requirements.
- (2) All property other than the required landscaped strip lying between the streets and abutting property lines shall be landscaped with turf grass or other groundcover; if turf grass is used, it shall not exceed the ~~xeriscape~~ Florida Friendly requirements.
- (3) All town approved necessary accessways from the public street through all such landscaping shall be permitted to service the site.

(4) Parking area interior landscaping. An area, or a combination of areas, equal to 20 percent of the total vehicular use area exclusive of perimeter landscape buffers required under this subsection shall be devoted to interior landscaping. Any perimeter landscaping provided in excess of that required by this section shall be counted as part of the interior landscaping requirements, as long as such landscaping is contiguous to the vehicular use area and fulfills the objective of this subsection.

(5) All parking areas shall be so arranged so that if there are ten or less contiguous parking stalls along the same parking aisle, the eleventh space shall be a landscaped peninsula a minimum of 11 feet in width with a minimum of ten feet wide landscape area. Also, all rows of parking shall be terminated with 11 feet in width landscape islands with ten feet wide landscape area. In addition, there shall be a minimum requirement of one shade tree and 25 shrubs planted for every landscaped island. If landscaped divider medians are utilized, they must be a minimum of six feet wide. The minimum dimensions of all proposed landscaped areas not mentioned in this chapter shall be six feet wide. In addition, any town approved grass parking areas will meet the same requirements as paved parking and will not be calculated in the pervious space requirements.

(6) Landscaped areas, walls, structures and walks shall require protection from vehicular encroachment through appropriate wheel stops or curbs located a minimum of 2½feet from any landscaped area

NOTE: The town encourages the use of Type "D" curbing in parking area that abut landscape areas to provide more green area and lessen the chance of tripping hazards. This cannot be utilized to count for buffer or divider median requirements but can be utilized for pervious and landscaping in the VUA percentages.

(7) Where any plot zoned or used for H120 is contiguous to the bulkhead line, a landscape area consisting of the bulkhead line, the erosion control line, and the property lines shall be provided or restored. The proposed landscape material for the required landscape area shall be 100 percent landscape material used on the barrier island dune system and shall be composed of native plants adapted to the soil and climatic conditions occurring on-site. Additionally, all plant species, amount of plant material, plant spacing and design shall be approved by the town.

Sec. 90-92. - Reserved.

Sec. 90-93. - Open space.

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

(1) *General landscape treatment:*

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

paving or structures. Proper horticultural planting practices shall comply with ~~xeriscape~~ Florida Friendly requirements.

- b. Along all buildings and structures, mature landscaping at installation shall be installed at one-half the height of the building or structure at one tree per 25 linear feet of each building's facade on all sides for scaling and softening. On buildings over 75 feet in height the proposed trees/palms shall be at least 35 to 38 feet tall at time of installation.

NOTE: If the landscape buffer is contiguous to the building then the landscape buffer requirement will supersede, with the exception of one tree per 25 feet being one-half the height of the building at installation. Additionally, shrubs and groundcovers shall be added to enhance the building. In all districts except the SD-B40 district, a minimum six-foot-wide landscape strip shall be provided not including overhands or awnings around all the buildings.

- (2) *Shrub and tree requirements:* Shrubs and trees shall be planted in the open spaces to meet the following requirements:

Percent of Site in Open Space (Amount of Pervious Landscape Planting Area)	Tree and Shrub Requirements
Less than 30%	1 tree and 10 shrubs per 1,000 sf
30—39%	1 tree and 8 shrubs per 1,500 sf
40—49%	1 tree and 6 shrubs per 2,000 sf
50% or more	1 tree and 6 shrubs per 2,500 sf

- (3) *Screening of equipment:* Dumpsters, mechanical equipment, A/C units, electrical transformers, generators and all above ground equipment shall be screened on at least three sides by landscape material that equal to the height of the element at installation. Such screening shall not interfere with normal operation of equipment and shall be maintained at the height of the element or no more than one foot above. In addition, bus shelters which are located within property lines shall be screened with plant material a minimum of two feet in height on three sides, and one canopy tree, 14 feet in height or three palms.

- (4) *Signs:* All freestanding sign installations require the installation and establishment of plant material to enhance the structure, at a minimum of one shrub for every two feet of lineal width of the sign structure on each side; and groundcover, a minimum of

796 five feet around the perimeter of the sign base, designed in such a manner so as to
797 not block the message on the sign. Trees or palms shall be required to enhance the
798 sign with blocking it.

- 799 (5) *Minimum landscape credits and adjustments:* An owner shall receive credit against
800 the minimum landscape code requirements of this Code for preservation,
801 replacement or relocation of existing trees as determined by the town.

802 ***

803 **Sec. 90-95. - Single-family H30A and H30B district landscape requirements.**

804 All new H30A and H30B dwellings shall conform to the following minimum landscaping
805 requirements:

- 806 (1) *Landscape plans:* H30A and H30B dwellings may submit landscape plans in the form
807 of a H30A and H30B landscape data table, on a form provided by the town at time of
808 permit application for review. This form shall include the required minimum landscape
809 requirements, specifications and acceptable plant material choices to be chosen by the
810 applicant. After the applicant has submitted a completed and signed form, a review of
811 the form will be done to verify that all the requirements have been met. Landscape
812 drawings are not required for H30A and H30B dwellings, however, plans are
813 recommended.
- 814 (2) *General landscape treatment:* Trees, turf grass, groundcover, shrubs and other
815 decorative landscape material shall be used to cover all disturbed ground not covered by
816 building and paving; with ~~landscape~~ Florida Friendly to be a minimum of 20 percent of
817 the open space of the site.
- 818 (3) *Shrub and tree requirements:*
- 819 a. A minimum of five trees of two different species and 25 shrubs shall be
820 planted per lot. On corner lots an additional one tree and 10 shrubs shall be
821 required. For all lots larger than 8,000 square feet in area, additional shrubs
822 and trees shall be provided at the rate of one tree and ten shrubs per 2,000
823 square feet of lot area; however, there shall be no more than 15 trees and 100
824 shrubs required per acre.
- 825 b. Where possible, a minimum of two trees shall be required in the front of the
826 lot. Shrubs shall be incorporated in a manner on the site so as to be a visual
827 screen for mechanical equipment or other accessories to the residence.
- 828 c. The required shade tree in this subsection shall be a minimum of 30 percent at
829 an overall height of 12 feet to 14 feet with a minimum canopy spread of five
830 feet and a DBH of 2½ inches. The small trees can be a maximum of 30 percent
831 at 12 to 14 feet and minimum canopy spread of six feet and DBH of 2½ inches.
832 Palm trees shall have a minimum of six feet of grey wood or clear wood and
833 are counted as three for one (unless from the one for one list) and total palms
834 can not make up more than 40 percent of the total trees.
- 835 d. Street trees are required and additional to this subsection. Refer to plant
836 material section for street tree requirements.

Section 4. **Severability.** The provisions of this Ordinance are declared to be severable and if any section, sentence, clause or phrase of this Ordinance shall for any reason be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance but they shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

851 **Section 6.** **Effective Date.** This Ordinance shall become effective immediately upon
852 final adoption on second reading.

[THIS SPACE INTENTIONALLY LEFT BLANK]

855

856 **PASSED** on first reading on the _____ day of _____, 2019.

857 **PASSED AND ADOPTED** on second reading on the __ day of _____, 2019.

858 **On Final Reading Moved By:** _____

859 **On Final Reading Second By:** _____

860 **FINAL VOTE ON ADOPTION**

861 Commissioner Barry Cohen _____

862 Commissioner Michael Karukin _____

863 Commissioner Tina Paul _____

864 Vice Mayor Daniel Gielchinsky _____

865 Mayor Daniel Dietch _____

866

867

868

869

Daniel Dietch

870

Mayor

871 **ATTEST:**

872

873

874

875 _____
Sandra Novoa, MMC

876 Town Clerk

877

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

880

881

882

883 _____
Weiss Serota Helfman Cole & Bierman, P.L.

884 Town Attorney



**Town of Surfside
Town Commission Meeting
April 9, 2019
7:00 pm**

Town Hall Commission Chambers - 9293 Harding Avenue, 2nd Floor
Surfside, FL 33154

Agenda # 4B2
Date: April 2, 2019
From: Daniel Dietch, Mayor
Subject: Ordinance Amending Chapter 34 "Environment" of The Town's Code of Ordinances to Create Section 34-15, Within a New Division 5, "Sunscreen Products," to Prohibit the Sale of Sunscreen Products Containing Oxybenzone or Octinoxate, or Both.

Background: At the Town Commission meeting on March 12, 2019, the Commission directed the Town Attorney to prepare an Ordinance banning the sale or distribution of any sunscreen products containing oxybenzone and/or octinoxate, and to coordinate with the City of Miami Beach Attorney's office in the preparation of such ordinance. Since the Commission meeting on March 12, 2019, the City of Miami Beach Commission did consider such an ordinance at its March, 2019 meeting, and voted not to pass the ordinance banning sunscreens with oxybenzone and/or octinoxate. For the reasons and objectives stated in the March 12, 2019 Commission Communication on the proposed Ordinance, and as stated in the attached Ordinance, the Town is committed to environmental stewardship, leadership and preservation of natural resources and finds that sunscreens with the chemicals oxybenzone and octinoxate can have significant harmful impacts on Florida's marine environment and residing ecosystems, including coral reefs that protect Florida's shoreline.

Analysis. The attached Ordinance provides for a ban on the sale or distribution of sunscreen products containing oxybenzone and/or octinoxate in Town, without a prescription from a licensed medical professional. The Ordinance includes a schedule for public education efforts and enforcement, with public education efforts to commence July 1, 2019. Beginning January 1, 2020, the Town shall provide for a six-month warning period through and including June 30, 2020, during which the Code Compliance Department shall issue written warnings for violations of the Ordinance. Beginning July 1, 2020, the Code Compliance Department shall enforce the provisions in the Ordinance with penalties for enforcement through Chapter 15 of the Town Code. Fines shall be in the amounts prescribed in the schedule of civil penalties adopted by resolution.

Education and training may be necessary to assist the Town administration and staff, including Code Compliance officers, with the requirements and implementation of the Ordinance, including identifying sunscreen products that contain the banned substances of

oxybenzone and octinoxate. Thereafter, the Code Compliance Division will enforce the ordinance pursuant to standard enforcement proceedings. At this time, no new Code personnel are anticipated for the implementation of this Ordinance. Any necessary public education campaign on the Ordinance can be managed and performed by the Town's PIR, Pinzur Communications, under the current contract.

Recommendation: To approve this Ordinance on First Reading.

1
2
3
4
5
6
7
8
9
0
1
2
3
4
5
6
7
8
9
0
1
2
3
4
5

WHEREAS, the Town of Surfside (“Town”) is committed to environmental stewardship, leadership and preservation of natural resources, and towards that end has previously adopted ordinances prohibiting the sale or use of polystyrene food service articles in the Town and prohibiting the sale, distribution, and use of plastic straws; and

WHEREAS, Chapter 34 of the Town’s Code of Ordinances (“Code”) pertains to the environment; and

WHEREAS, research indicates that oxybenzone and octinoxate may cause mortality in developing coral; increase coral bleaching, an indicator of extreme stress, even at temperatures below 87.8 degrees Fahrenheit; cause genetic damage to coral and other marine organisms; degrade the resiliency and ability of corals to adjust to climate change factors; and, inhibit the growth of new coral; and

WHEREAS, oxybenzone and octinoxate can also induce deformities in the embryonic development of fish, sea urchins, coral, and shrimp and induce neurological behavioral changes in fish, all of which threaten the welfare of fish populations; and

36 **WHEREAS**, species that are listed as endangered pursuant to the federal Endangered
37 Species Act and that inhabit this state's waters, including sea turtle species, marine mammals,
38 and migratory birds, may also be exposed to oxybenzone and octinoxate contamination; and

39 **WHEREAS**, in 2018, the State of Hawaii passed the first bill in the country banning the
40 sale or distribution of over-the-counter sunscreens containing oxybenzone and octinoxate, which
41 will take effect on January 1, 2021; and

42 **WHEREAS**, on February 5, 2019, the City of Key West became the first city in the
43 country to ban the sale of sunscreens containing oxybenzone and octinoxate, which will take
44 effect on January 1, 2021; and

45 **WHEREAS**, on February 5, 2019, Florida Senator Linda Stewart filed legislation (Senate
46 Bill 708), which would ban the sale or distribution of sunscreens in Florida containing oxybenzone
47 and octinoxate, unless the user has a prescription from a licensed medical professional to be
48 effective July 1, 2019; and

49 **WHEREAS**, the Town finds that preserving the Town's marine life and ecosystems,
50 including coral reefs, by prohibiting the sale of sunscreen skin care products containing
51 oxybenzone and octinoxate, which are harmful to coral reefs and our marine environment, is in
52 the best interest of the Town; and

53 **WHEREAS**, the Town Commission wishes to amend Chapter 34 of the Town's Code by
54 adding Section 34-15, within a new Division 5, "Sunscreen Products," to prohibit the sale of
55 sunscreen products containing oxybenzone and octinoxate; and

56 **WHEREAS**, the Town Commission finds that this Ordinance is necessary for the
57 preservation and improvement of the environment, marine life and ecosystems, and the public
58 health, safety and welfare of the Town's residents and visitors.

59 **NOW, THEREFORE, THE COMMISSION OF THE TOWN OF SURFSIDE**
60 **HEREBY ORDAINS:**¹

61 **Section 1.** **Recitals.** The above-stated recitals are true and correct and are incorporated
62 herein by this reference.

63 **Section 2.** **Town Code Amended.** The Code of the Town of Surfside, Florida is
64 hereby amended by adding Section 34-15, within a new Division 5, "Sunscreen Products," which
65 section shall read as follows:

¹ Coding: ~~Strikethrough words~~ are deletions to the existing words. Underlined words are additions to the existing words. Changes between first and second reading are indicted with highlighted ~~double-strikethrough~~ and double underline.

Chapter 34 – Environment

Article I. – In General

Division 5. Sunscreen Products

Section 34-15. Sale of Sunscreen Products.

(a) **Definitions.** For purposes of this section, the following definitions apply:

- (1) Cosmetic product refers to products intended to be rubbed, poured, sprinkled, or sprayed on; introduced into; or otherwise applied to the human body or any part thereof for cleansing, beautifying, promoting attractiveness, or altering the appearance.
- (2) Octinoxate refers to the chemical ((RS)-2-Ethylhexyl (2E)-3-(4-methoxyphenyl)prop-2-enoate under the International Union of Pure and Applied Chemistry chemical nomenclature registry; that has a chemical abstract service registry number 5466-77-3; whose synonyms include, but are not limited to, ethylhexyl methoxycinnamate, cetyl methoxycinnamate, Eusolex 2292, Nee Heliopan AV, NSC 26466, Parsol MOX, Parasol MCX, Parsol MOX, and Uvinul MC80; and is intended to be used as protection against ultraviolet light radiation with a spectrum wavelength from 370 nanometers to 220 nanometers in an SPF sunscreen protection personal care product
- (3) Oxybenzone refers to the chemical (2-Hydroxy-4-methoxyphenyl)-phenylmethanone under the International Union of Pure and Applied Chemistry chemical nomenclature registry; that has a chemical abstract service registry number 131-57-7; whose synonyms include, but are not limited to, benzophenone-3, Escalol 567, Eusolex 4360, KAHSCREEN BZ-3, Uvasorb MET/C, Syntase 62, UV Uvinul 9, Uvinul M-40, Uvistat 24, USAF Cy-9, l:Iniphenone-3U, 4-methoxy-2-hydroxybenzophenone and Milestab 9; and is intended to be used as protection against ultraviolet light radiation with a spectrum wavelength from 370 nanometers to 220 nanometers in an SPF sunscreen protection personal care product.
- (4) SPF sunscreen protection personal care product includes, but is not limited to, lotion, paste, balm, ointment, cream, solid stick applicator, brush applicator, roll-on applicator, aerosol spray, non-aerosol spray pump, and automated and manual mist spray.
- (5) Sunscreen means a product marketed or intended for topical use to prevent sunburn. Sunscreen does not include products marketed or intended to be used predominantly as a cosmetic product.

(b) **Prohibition on Sale of Sunscreen Products Containing Oxybenzone or Octinoxate, or Both.**

- (1) It shall be unlawful to sell, offer for sale, or distribute for sale in the Town any SPF sunscreen protection personal care product that contains oxybenzone or octinoxate, or both, without a prescription from a licensed medical professional.

(c) **Enforcement; Penalties.**

- (1) Beginning July 1, 2019, the Town shall engage in public education efforts to inform stores and shops within the Town that offer sunscreen products for sale of the provisions of this Division and to provide assistance with identifying alternative sunscreen products.
- (2) Beginning January 1, 2020, the Town shall provide for a six-month warning period through and including June 30, 2020, during which the Code Compliance Department shall issue written warnings for violations of this Division.
- (3) Beginning July 1, 2020, the Code Compliance Department shall enforce the provisions in this Division.
- (4) Penalties for violations of the provisions of this Division shall be enforced through Chapter 15 of the Town Code. Fines shall be in the amounts prescribed in the schedule of civil penalties adopted by resolution.

Secs. 34-12 16 – 34-25. Reserved.

Section 3. Codification. It is the intent of the Town Commission that the provisions of this ordinance shall become and be made a part of the Town's Code of Ordinances, and that the sections of this Ordinance may be renumbered or relettered, and the word "ordinance" may be changed to "section," "article," "regulation," or such other appropriate word or phrase in order to accomplish such intentions.

Section 4. Severability. The provisions of this Ordinance are declared to be severable and if any section, sentence, clause or phrase of this Ordinance shall for any reason be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance but they shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

Section 5. Conflicts. All ordinances or parts of ordinances, resolutions or parts of resolutions, in conflict herewith, are repealed to the extent of such conflict.

Section 6. Effective Date. This Ordinance shall become effective immediately upon final adoption on second reading.

PASSED on first reading on the ____ day of _____, 2019.

PASSED AND ADOPTED on second reading on the ____ day of _____, 2019.

On Final Reading Moved By: _____

142 **On Final Reading Second By:** _____

143 **FINAL VOTE ON ADOPTION**

144 Commissioner Barry Cohen _____

145 Commissioner Michael Karukin _____

146 Commissioner Tina Paul _____

147 Vice Mayor Daniel Gielchinsky _____

148 Mayor Daniel Dietch _____

149

150

151

152 _____ Daniel Dietch
153 Mayor

154 **ATTEST:**

155

156

157

158 _____
159 Sandra Novoa, MMC

160 Town Clerk

161

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

164

165

166

167 _____
168 Weiss Serota Helfman Cole & Bierman, P.L.

169 Town Attorney



MEMORANDUM

ITEM NO. 5A

To: Honorable Mayor, Vice-Mayor and Members of the Town Commission

From: Guillermo Olmedillo, Town Manager

Date: April 9, 2019

Subject: Tree Giveaway

The Town of Surfside is dedicated to the continual enhancement and beautification of the community. Therefore, as proposed by the Planning and Zoning Board, the Town Commission approved the expenditure of \$50,000 in the Fiscal Year 2019 budget for the distribution of one tree per household to Surfside residents. Tree of choice will be delivered to residents on Arbor Day which is April 26, 2019. Tree will be delivered with a planting kit and instructions.

On March 4, 2019, the Public Works Department in conjunct with the Public Information Officer and Information Technology went live with a form on the Town of Surfside website in order to quantify and survey the number of residents interested in participating in the program as well as obtain tree preference and basic contact information for delivery. Tree species were selected based on existing contracted rates and local species as provided by the Arbor Day Foundation. The form was also available physically with the Town of Surfside Front Desk. The survey period was open for a total of 18 days with end date being March 22, 2019. The final count of trees and addresses were provided to Luke's Landscaping, Town Landscape Contractor, for pricing.

A total of 93 residents submitted a form for the program and the breakdown was as follows:

- Oak Tree – Quercus (11 total)
- Greenwood Buttonwood Tree – Conocarpus Erectus (14 total)
- Gumbo Limbo Tree – Bursera Simaruba (13 total)
- Pink Trumpet Tree – Tabebuia Heterophylla (55 total)

After providing the information to Town Landscape Contractor, a proposal in the total of \$30,250 was composed which includes delivery to household, planting kit and planting instructions. The scope of the program will be performed by Town Landscape Contractor and managed by Town of Surfside administrative personnel, Public Works Director and Assistant Public Works Director. No additional staff impact will be required.

Staff recommendation is to approve the purchase of trees through Luke Landscaping Proposal #0319725 dated 03/26/2019. The Tree Giveaway Program will serve as the Town's tree planting requirement for Tree City USA renewal in year 4. Price proposal is under the approved expenditure of \$50,000 with a remaining balance of \$19,750. The funds have been allocated under item account number 001-5000-539-4911.

Reviewed by GO

Prepared by RS/HG

RESOLUTION NO. 2019- _____

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA APPROVING AN EXPENDITURE FOR PURCHASE OF TREES FROM LUKE’S LANDSCAPING IN CONNECTION WITH THE TOWN’S TREE GIVEAWAY PROGRAM; AUTHORIZING AN EXPENDITURE NOT TO EXCEED \$30,250.00; PROVIDING FOR AUTHORIZATION AND IMPLEMENTATION OF THE AGREEMENT; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town of Surfside (“Town”) is dedicated to the continual enhancement and beautification of the community, including the planting of new trees to satisfy the tree planting requirement for the Tree City USA renewal program; and

WHEREAS, the Town Commission approved the expenditure of \$50,000 in the Fiscal Year 2018/2019 budget for a “Tree Giveaway Program”, for the distribution of one tree per household to participating Surfside residents, with a tree of choice planned to be delivered to residents on Arbor Day, April 26, 2019; and

WHEREAS, the final count of trees and participating residents were provided to Luke’s Landscaping, Inc. the Town’s Landscape Contractor, for pricing; and

WHEREAS, Luke’s Landscaping provided the proposal attached hereto as Exhibit “A” for the Tree Giveaway Program in the amount of \$30,250.00, which includes the cost of the 93 trees, together with delivery to residents’ households, and a planting kit and instructions; and

WHEREAS, the scope of the program will be performed by Luke’s Landscaping pursuant to the existing contract and the Proposal attached hereto as Exhibit “A”, and will be managed by the Town’s administrative personnel and the Public Works Department; and

WHEREAS, the Town Commission finds that purchasing the trees and distributing to residents pursuant to the Tree Giveaway Program is in the best interest and welfare of the Town and its residents, and wishes to approve and authorize the expenditure in the amount of \$30,250.00.

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 hereby incorporated by reference.

Section 2. Approval and Authorization. The Town Commission authorizes the purchase of the trees and services from Luke's Landscaping in accordance with the Proposal attached hereto as Exhibit "A" in connection with the Tree Giveaway Program, and approves the expenditure of \$30,250.00 for such Tree Giveaway Program.

Section 3. Implementation. The Town Manager is authorized to take all action necessary to implement the purposes of this Resolution and the Agreement.

Section 4. Effective Date. This Resolution will become effective upon adoption.

PASSED AND ADOPTED this 9th day of April, 2019.

Motion by _____.

Second by _____.

FINAL VOTE ON ADOPTION

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

Weiss Serota Helfman Cole & Bierman, P.L.
Town Attorney



Date	Estimate #
3/26/2019	0319725

The Town of Surfside
9293 Harding Avenue
Surfside, Florida 33154
Attention: Randy Stokes

02-Job Status	Email	Account #	PO Number	Approved by	01-Location	Rep
Pending	lilliana@lslmgt.com	LLL023			Surfside	VP
Description				Qty	Rate	Total
SCOPE OF WORK: TREE GIVEAWAY						
Conocarpus erectus "Green Buttonwood" (25 gal)				14	250.00	3,500.00
Bursera Simaruba "gumbo limbo" (25 gal)				13	250.00	3,250.00
Quercus virginiana "Live Oak tree" (25 gal)				11	300.00	3,300.00
Tabebuia Caraiba "Pink Tabebuia" (25 gal)				55	325.00	17,875.00
Planting Kit - consists of (2) wood dowel stakes, (1) bag of soil, and strapping tape				93	25.00	2,325.00
**TREES AND KIT WILL BE DELIVERED TO HOMEOWNER						

Authorized Signature _____

www.lukeslandscapinginc.com



**Town of Surfside
Town Commission Meeting
April 9, 2019
7:00pm**

Town Hall Commission Chambers - 9293 Harding Avenue, 2nd Floor
Surfside, FL 33154

RESOLUTION COVER MEMORANDUM

Agenda #: 5B
Date: April 9, 2019
From: Daniel Gielchinsky, Vice-Mayor
Subject: Autism Awareness Month and AHCA's Proposal to Cut Funding for ABA Services

Objective: To raise awareness generally for autism, and to urge all Florida lawmakers to reject a recent sweeping proposal by Florida's Agency for Health Care Administration ("AHCA") that will have a very significant impact on the ability of low- and middle-income families to received ABA treatment for individuals diagnosed with autism through Medicaid.

Consideration: One in 59 children born in the United States has an autism spectrum disorder. The State of Florida has an Autism Mandate to provide therapy to individuals diagnosed with autism. The Mandate was created by the Autism Legislation (Senate Bill Number 2654) and the Steven A. Geller Autism Coverage Act, which, in part, authorized AHCA to seek federal approval for Medicaid coverage of applied behavior analysis ("ABA") for children with diagnosed with autism. ABA therapy is the only form of therapy that is endorsed by the Surgeon General to treat individuals diagnosed with autism.

Citing widespread Medicaid fraud, on May 15, 2018, AHCA announced a 6-month moratorium on the enrollment of new therapists who provide ABA treatment. The imposition of the moratorium created a backlog of autistic children who have not been receiving ABA services. AHCA extended the moratorium for another 6 months in November, 2018, and there are now thousands of children who are receiving little or no ABA therapy through Medicaid.

On March 29, 2019, AHCA announced a series of sweeping changes to the provision of ABA services through Medicaid, that include: (a) a process of reevaluating ABA treatment plans that are being conducted by medical and other staff who may not hold a BCBA certificate, and who will not have completed a behavioral assessment on the child, and are therefore unqualified to render an opinion concerning the medical necessity of the behavioral therapy plan; and (b) significant reductions in the level of reimbursements that will be made to ABA service providers by Medicaid.

The effect of drastically lowering reimbursement rates will be a decrease in service providers accepting Medicaid, thereby limiting the access and ability for children diagnosed with autism to receive medically necessary ABA treatment.

The long-term social and economic impacts of significantly reducing ABA treatment for children with autism will be an exponential increase in the costs associated with providing full time assistance, supervision and care for adults with autism in the future who did not benefit from ABA services as children, especially through early intervention.

Recommendation: To raise public awareness of autism by recognizing April as Autism Awareness Month, and to adopt a resolution urging all members of the Florida legislature to reject AHCA's proposal any and all implementing budget legislation that includes the cost-cutting measures recommended by AHCA that will have a negative impact on the ability of individuals with autism to obtain ABA therapy.

Budget Impact: Transmittal costs only.

Respectfully yours,

Daniel G. Gielchinsky

Reimbursement Rates

Rates will take effect once promulgated into rule

Page 131

Service Name	Unit of Service	Current Rate	Proposed Rate
Behavior Analysis Assessment	Per assessment	\$385.19	\$301.31
Behavior Analysis Reassessment	Per reassessment	\$192.59	\$150.65
Behavior Analysis Lead	Quarter hour	\$19.05	\$19.05
Behavior Analysis Assistant	Quarter hour	\$15.24	\$10.52
Behavior Analysis Registered Behavior Technician	Quarter hour	\$12.19	\$5.98
Analysis Group	Quarter hour		\$4.21

RESOLUTION NO. _____

**A RESOLUTION OF THE TOWN OF SURFSIDE,
FLORIDA URGING THE STATE OF FLORIDA
GOVERNOR AND THE LEGISLATURE TO REJECT
CERTAIN PROPOSALS PROVIDING FOR A
REDUCTION IN APPLIED BEHAVIORAL ANALYSIS
("ABA") SERVICES FOR AUTISTIC PERSONS BY
THE AGENCY FOR HEALTH CARE
ADMINISTRATION ("AHCA"); RECOGNIZING
APRIL AS AUTISM AWARENESS MONTH IN THE
TOWN OF SURFSIDE; PROVIDING FOR
TRANSMITTAL; AND PROVIDING FOR AN
EFFECTIVE DATE.**

WHEREAS, the Florida Autism Legislation (Senate Bill Number 2654) and the Steven A. Geller Autism Coverage Act created an Autism Mandate that authorizes the Agency for Health Care Administration ("AHCA") to seek federal approval for Medicaid coverage of applied behavior analysis and other therapies for children with autism and other developmental disabilities; and

WHEREAS, Applied Behavior Analysis ("ABA") therapy is the only form of therapy that is endorsed by the Surgeon General to treat individuals diagnosed with autism; and

WHEREAS, the month of April is National Autism Awareness Month, aimed at making the public more aware of this widespread disability and the impacts and issues affecting families and communities; and

WHEREAS, one in 59 children born in the United States has an autism spectrum disorder; and

WHEREAS, on May 15, 2018, AHCA announced a 6-month moratorium on the enrollment of new therapists who provide ABA treatment, which created a backlog of autistic children who have not been receiving ABA services; and

WHEREAS, AHCA extended the moratorium for another 6 months in November, 2018; and

WHEREAS, on March 29, 2019, AHCA announced a series of sweeping changes to the provision of ABA services through Medicaid, that include: (a) a process of reevaluating ABA treatment plans that are being conducted by medical and other staff who may not hold a BCBA certificate, and who will not have completed a behavioral assessment on the child, and are therefore unqualified to render an opinion concerning medical necessity; and (b) significant reductions in the level of reimbursements that will be made to ABA service providers by Medicaid; and

WHEREAS, drastically lowering reimbursement rates will cause a decrease in service providers accepting Medicaid, and thereby limit the access and ability for children diagnosed with autism to receive medically necessary ABA treatment; and

WHEREAS, the long-term social and economic impacts of significantly reducing ABA treatment for children with autism will be an exponential increase in the costs associated with providing full time assistance, supervision and care for adults with autism in the future; and

WHEREAS, the Town Commission urges Governor Ron DeSantis and the Florida Legislature to reject any proposal that reduces ABA treatment for persons with autism that negatively impact the ability of individuals with autism to obtain ABA therapy, and to maintain adequate levels of services for all autistic persons; and

WHEREAS, the Town Commission wishes to recognize the month of April as Autism Awareness Month in the Town of Surfside in order to promote public awareness and education of the needs of autistic persons, and the impact on their families and communities.

NOW THERE FORE, BE IT RESOLVED BY THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, AS FOLLOWS:

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

Section 2. Request for Urging Action. The Town hereby urges Governor Ron DeSantis and all honorable members of the Florida Legislature to reject any proposal to reduce ABA or other state or federally funded treatment services to autistic persons, and to carefully consider the Administration's policy of cutting costs attributable to the provision of ABA services, including rejecting any and all implementing budget legislation that includes the cost-cutting measures recommended by AHCA that will have a negative impact on the ability of individuals with autism to obtain ABA therapy.

Section 3. Recognizing the Month of April as Autism Awareness Month in the Town of Surfside. The Town Commission recognizes the month of April as Autism Awareness Month in the Town of Surfside in order to promote public awareness and education of the needs of autistic persons, and the impact on their families and communities.

Section 4. Transmittal of Resolution. The Town Clerk is directed to forward a copy of this Resolution to Governor Ron DeSantis, Senate President, House Speaker, the Chair, all State Senators, and members of the Miami-Dade County State Legislative Delegation.

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

PASSED AND ADOPTED this ____ day of April, 2019.

Motion By: _____

Second By: _____

FINAL VOTE ON ADOPTION

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

Weiss Serota Helfman Cole & Bierman, P.L.
Town Attorney



MEMORANDUM

ITEM NO. 9B

To: Honorable Mayor, Vice-Mayor and Members of the Town Commission
From: Guillermo Olmedillo, Town Manager
Date: April 9, 2019
Subject: Code Compliance Resources and Process

Code Compliance performance was discussed at the Code Compliance Priorities Workshop of 11/13/2018. The policy direction of the Town Commission at that workshop, was to continue with the same level of enforcement.

Since, we have recently received numerous complaints from the residents that insist on immediate response by Code Compliance Officers.

At the Town Commission meeting of 03/12/2019, the Mayor brought forward a discussion item on Code Compliance resources (agenda item 9G).

We are bringing this issue back to the Town Commission for policy direction because in order to increase responsiveness to complaints, the Code Compliance Department will require staffing increase and Code amendments.

Staffing Needs:

The attached table describes the geographic area to be covered, the issue to be addressed, the number of days and hours necessary to have full coverage, days of the week, the number of officers needed and the related cost.

In order to achieve the level of coverage expected by the residents who are bringing the complaints to us, the analysis contained in the attached table indicates the addition of required staff, and the related cost.

Code Process Issues:

The existing Code Compliance philosophy is predicated on the fact that the Town seeks compliance and not punishment.

The code compliance process is based on Florida Statute Chapter 162, which requires that reasonable time is provided to achieve compliance. Once a Notice of Violation is issued, there is a reasonable time allowed for the violator to achieve compliance by providing a remedy to the code violation, and fines may be assessed. Should the violator seek relief by presenting an appeal to the Special Master, who acts as a judge, additional time is again allowed.

This policy and statutory requirement frustrate those who seek immediate compliance.

Should the Town Commission reconsider the existing policy and process, then we need the policy direction to return at one or more future meetings with funding requests and Code amendments addressing fines and compliance periods.

Reviewed by

Prepared by

AREA	ISSUE	DAYS PER WEEK	HOURS PER DAY	COVERAGE	STAFF
BEACH	Chairs	7	10	8AM TO 6PM	2 FT & 1 PT (FT-A, FT-B & PT-C)
	Litter				2 FT & 1 PT (FT-A, FT-B & PT-C)
	Dogs				2 FT & 1 PT (FT-A, FT-B & PT-C)
	Turtle lighting	7 for 6 months	4 for 7 nights	7PM TO 11PM	2 PT (PT-D & PT-E)
DOWNTOWN	Side Walk Cafes/Litter	7	12	11AM TO 11PM	2 FT & 2 PT (FT-A, FT-B, PT-D & PT-E)
	Maintenance/Alleys		8	9AM TO 5PM	2 FT (FT-A & FT-B)
CONDOMINIUM	Leaf blowers	7	10	8AM TO 6PM	2 FT & 1 PT (FT-A, FT-B & PT-C)
	Work Without Permits				2 FT & 1 PT (FT-A, FT-B & PT-C)
	Short Term Rentals				2 FT & 1 PT (FT-A, FT-B & PT-C)
	Leaf Blowers				2 FT & 1 PT (FT-A, FT-B & PT-C)
SINGLE FAMILY	Work Without Permits	7	10	8AM TO 6PM	2 FT & 1 PT (FT-A, FT-B & PT-C)
	Short Term Rentals				2 FT & 1 PT (FT-A, FT-B & PT-C)
	Property Maintenance				2 FT & 1 PT (FT-A, FT-B & PT-C)
	Zoning/Artificial grass				2 FT & 1 PT (FT-A, FT-B & PT-C)
OFFICE/CLERICAL	Paperwork	5	8	9AM TO 5PM	1 FT (FT-F)

STAFF	SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	TOTAL	SALARY COST ONLY
FT-A	OFF	10	10	10	10	OFF	OFF	40	BUDGETED
FT-B	10	10	OFF	OFF	OFF	10	10	40	BUDGETED
PT-C	OFF	OFF	10	10	10	OFF	OFF	30	41,990
PT-D	5	5	5	OFF	OFF	OFF	OFF	15	21,000
PT-E	OFF	OFF	OFF	5	5	5	5	20	27,990
FT-F	OFF	8	8	8	8	8	OFF	40	41,430
									132,410



**Town of Surfside
Town Commission Meeting**

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

DISCUSSION ITEM MEMORANDUM

Agenda #: 9C
Date: March 29, 2019
From: Commissioner Tina Paul
Subject: EpiPen policy discussion

Objective – Discuss the possibility of providing EpiPens for life safety at Town facilities.

Consideration – At the March 18, 2019 Parks and Recreation Committee meeting, I was directed to add this discussion item to the next Town Commission meeting, as their Commissioner Liaison.

The topic of including EpiPens in the Town's First Aid Kits was originally suggested at a Parks and Recreation Committee meeting in December 2016 (see attached). Our Legal department has been researching this complex issue, in search of an appropriate policy or procedure. At present, there are no examples of policy in other Municipalities in the State of Florida.

EpiPens are used for Anaphylaxis, which is a severe allergic reaction that can occur within minutes of exposure and can be fatal. It can be triggered by an allergy to a particular food (examples include peanuts or shellfish), biting or stinging insects (like bees), medication (penicillin as an example) latex (used in balloons) and other varieties of allergic triggers.

Currently, a resident can store EpiPens at the Community Center for their personal use in a potential emergency. Town facilities do not have generic EpiPens on site for any unexpected emergencies or use by tourists, visitors or undiagnosed residents. EpiPens are considered a prescription drug and as allergies increase, they are in very short supply and high demand.

Recommendation – The Town Commission should decide to either set an example as a Municipality and provide this emergency life saving service for residents and visitors by formulating a policy, or take no action and remain at risk for loss of life on Town properties.

Budget Impact – Unknown at this time, although it would require a formal policy adoption, staff training, and the purchase of the EpiPen prescription on an ongoing basis.



TOWN OF SURFSIDE

MUNICIPAL BUILDING
9293 HARDING AVENUE
SURFSIDE, FLORIDA 33154-3009

PARKS AND RECREATION ADVISORY COMMITTEE MEETING

Revised 12/19/2016

Monday December 19, 2016

7:00 pm

Surfside Community Center
9301 Collins Avenue

1. Roll Call of Committee Members

The meeting was called to order by Retta Logan at 7:07pm

Also in attendance: Eliana Salzhauer, Shlomo Danzinger, Jeffrey Platt, Tim Milian Parks and Recreation Director, Jane Graham, Assistant Town Attorney, Tina Paul, Commission Liaison, Jordan Leonard, Bay Harbor Mayor, Ron Wasson, Bay Harbor Manager, Regina Choute-Dumornay, Community Services Director of Bay Harbor, Duncan Tavares TEDACS Director, Monica Campbell, Resident, Arlene Ayalin, Resident, Frantza Duval, Recording Clerk

2. Approval of Minutes from November 2, 2016 Meeting

Shlomo Danzinger made a motion to approve the November 2, 2016 minutes; Eliana Salzhauer seconded the motion. The motion passed unanimously. The minutes were approved.

3. Non Resident use of Community Center (Bay Harbor Mayor Jordan Leonard)

Mayor Jordan Leonard presented the idea of having students of Ruth K. Broad utilize the surfside community center has a "safe haven" for the students during after school hours. He suggested that this would be implemented on school days only on a one year trial basis, which will strengthen the relationship between the two cities.

Eliana Salzhauer mentioned the Town's guest policy for the community center. She doesn't feel that the community center is the best "safe haven" for students as the pool is dangerous place for kids. She stated that 96th street park serves as a safe place for the kids. She also stated that non-residents can sign up for the after-school program where they can take advantage of Town facilities.

Tina Paul, speaking as a resident, advised that she wouldn't like to see the community center guest entrance fees increased with the onset of this initiative. She stated that the current guest policy and fee is nominal which would allow for Surfside residents to bring

in guest. Ms. Paul also inquired as to the sufficiency of the Bay Harbor community center for the students.

Mayor Leonard advised that the Bay Harbor community center is very sufficient and the idea is set to establish a relationship between the communities.

Retta Logan advised that she is in agreement that a place for kids is needed, but she doesn't feel that allowing the kids to travel from the school to the Surfside community center is good idea.

Regina Choute-Dumornay, Community Services Director for Bay Harbor stated that the purpose of the meeting is to create joint supervised programming for the kids where they can utilize the community center.

Retta Logan suggested that if Bay Harbor has a suggested program they bring it forward to see what accommodations can be made between the two municipalities.

Jeffrey Platt is concerned that opening this type of opportunities to Bay Harbor will allow for other municipalities to want access to the community center.

Tim Milian advised that the two municipalities can work together to create a joint program. He has had talks in the past with Bay Harbor with regards to programming. He would like to move forward with creating joint programming such as basketball since Bay Harbor has a new facility. Assistant Town Attorney Jane Graham advised that the specifics of the program would be set based on the programming set in place and could possibly be done through an inter-local agreement.

Tim Milian advised Mayor Leonard that the delivery of the idea was off and arrangements for joint efforts could've been done through both Parks and Recreation administrative staff.

Eliana Salzhauer suggested the upcoming renovations on 96th street Park which will encourage joint community relationship. Eliana Salzhauer inquired to the Assistant Town Attorney as to how can stop other municipalities from wanting the same things. Jane Graham advised that it would come down to specifics facts and an inter-local agreement would be drawn. Mayor Jordan Leonard wants to do anything that will positively impact the kid. Jeff Platt would like to see this idea work and wants an open discussion between both Park Administrations.

Jeffrey Platt made a motion for both municipalities administrative staff to speak together to create a joint programming discussions; Eliana Salzhauer seconded the motion. The motioned passed unanimously.

4. Hawthorne Tot Lot Renovation Update

Tim Milian advised that the final phase started today, which includes demolition and installation of the fence. The mulch is scheduled for December 27, 2016 and opening of the tot lot is on December 28, 2016. Tim Milian would like to do a dedication, but with the holidays it may present a problem. It may be after the New Year. Tim Milian is looking to do the dedication after the first week of January. Tim Milian will keep everyone one informed. The tot lot is running on budget.

Tim Milian advised there is an open space in the tot lot and may be thinking of putting a small climbing apparatus in the space. Tim will bring benches from the community center to the tot lot.

5. January Meeting date

Tim advised that due to the Martin Luther King holiday the meeting date needs to be changed.

Tim Milian advised that he knows that due to unforeseen circumstance Mitchell Gottlieb wasn't able to attend the meeting. Assistant Town Attorney Jane Graham presented the rules of procedures in the event a community is able to attend three consecutive scheduled meetings in a calendar year the committee member may be removed from the committee and the town commission will be notified of the vacancy.

Tim Milian will speak to him to see if he's interested in serving as a member of the committee.

6. Community Input

Eliana Salzhauer inquired if the community center can purchase generic epi-pen to have on site for those with allergic reactions. She would like the center to have it as a part of their first aid kit with training made available for usage.

7. Meeting Adjournment

Jeffrey Platt made a motion to adjourn the meeting, Eliana Salzhauer seconded the motion. The motion passed unanimously. The meeting ended at 8:30pm.

Accepted this 22 day of February, 2017

Betta Logan
Member (Print)

[Signature]
Signature

Attest:

[Signature]
Frantz Duval
Recording Clerk

What is Anaphylaxis?

Anaphylaxis (pronounced “an-a-fi-lax-is”) is a potentially severe or life-threatening allergic reaction that can occur very quickly—as fast as within a couple of minutes of exposure to the allergen.

It can be triggered by an allergy to a particular food (peanuts or shellfish, for example) , biting or stinging insects (like bees) , medication (penicillin is a common one) , latex (the type of rubber many balloons are made from) or a variety of other allergic triggers. Read more about this topic here: [What Causes Anaphylaxis?](#)

More Important Safety Information

Use EpiPen[®] (epinephrine injection, USP) 0.3 mg or EpiPen Jr[®] (epinephrine injection, USP) 0.15 mg Auto-Injectors right away when you have an allergic emergency (anaphylaxis). **Get emergency medical help right away.** You may need further medical attention. Only a healthcare professional should give additional doses of epinephrine if you need more than two injections for a single anaphylactic episode. EpiPen[®] or EpiPen Jr[®] should **only** be injected into the middle of your outer thigh (upper leg), through clothing if necessary. Do not inject into your veins, buttocks, fingers, toes, hands or feet. Hold the leg of young children firmly in place before and during injection to prevent injuries. In case of accidental injection, please seek immediate medical treatment.

Rarely, patients who have used EpiPen[®] or EpiPen Jr[®] may develop an infection at the injection site within a few days. Some of these infections can be serious. Call your healthcare professional right away if you have any of the following at an injection site: redness that does not go away, swelling, tenderness, or the area feels warm to the touch.

Tell your healthcare professional about all of your medical conditions, especially if you have asthma, a history of depression, thyroid problems, Parkinson's disease, diabetes, high blood pressure or heart problems, have any other medical conditions, are pregnant or plan to become pregnant, or are breastfeeding or plan to breastfeed. Be sure to also tell your healthcare professional all the medicines you take, especially medicines for asthma. **If you have certain medical conditions, or take certain medicines, your condition may get worse or you may have longer lasting side effects when you use EpiPen[®] or EpiPen Jr[®].**

Common side effects include fast, irregular or "pounding" heartbeat, sweating, nausea or vomiting, breathing problems, paleness, dizziness, weakness, shakiness, headache, feelings of over excitement, nervousness or anxiety. These side effects usually go away quickly if you lie down and rest. **Tell your healthcare professional if you have any side effect that bothers you or that does not go away.**

Indications

EpiPen[®] and EpiPen Jr[®] Auto-Injectors are for the emergency treatment of life-threatening allergic reactions (anaphylaxis) caused by allergens, exercise, or unknown triggers; and for people who are at increased risk for these reactions. EpiPen[®] and EpiPen Jr[®] are intended for immediate administration as emergency supportive therapy only. Seek immediate emergency medical help right away.

Please see the full [Prescribing Information](#) and [Patient Information](#).

For additional information please contact us at [800-395-3376](tel:800-395-3376).

You are encouraged to report negative side effects of prescription drugs to the

Advice for EpiPen Shortage: Don't Throw Away Expired Device

FDA extends the expiration date of certain epinephrine auto-injectors by four months



Hoping to ease the shortage of epinephrine auto-injectors, the [Food and Drug Administration announced](#) that it is extending the expiration date for specific lots of the allergy drug by four months.

Epinephrine auto-injectors, such as EpiPen and EpiPen Jr (the version for children) can halt life-threatening [allergic reactions](#) to substances such as nuts, eggs, and bees. Yet [due to manufacturing issues, the medication has been difficult to find](#) and purchase over the past several months.

This has left many people unequipped to deal with a severe allergic episode.

Parents of children with allergies have been scrambling to find epinephrine pens to send to school with their kids before classes start.

More on EpiPens

Holly Hatch, who lives in California's Monterey Bay area, has been unable to purchase a new EpiPen Jr for her almost 3-year-old daughter due to a lack of supply at her local pharmacies.

"She'll be going to school where people will be bringing food, and she needs her EpiPen," said Hatch of her daughter, who is severely allergic to eggs and tree nuts. "These are life-and-death situations for children and families."

When CR alerted Hatch to the FDA's announcement, she was encouraged and eagerly went to check her daughter's expired EpiPen to see whether she could still use it.

The FDA hopes that by extending the expiration date of Mylan's branded EpiPen products and their "authorized generic" version, more people will have access to epinephrine auto-injectors that they might otherwise have discarded.

"We are doing everything we can to help mitigate shortages of these products, especially ahead of the back-to-school season," said Janet Woodcock, M.D., director of the FDA's Center for Drug Evaluation and Research, in a statement. "We're hopeful this action will ensure patients have access to this important medication and provide additional peace-of-mind to parents as the agency works with the manufacturer to increase supply."

Earlier this week the FDA also approved a new generic competitor to the EpiPen—made by [Teva Pharmaceuticals](#). The agency hopes that will eventually prevent allergy medication shortages and bring down the cost of all epinephrine auto-injectors, which currently retail for anywhere from [\\$109](#)

to [\\$500](#) per two-pen package—without insurance or discounts.

In addition to EpiPen and its own generic, there are other epinephrine auto-injectors currently on the market: [Adrenaclick](#) and [Auvi-Q](#). Though these options are effective, they're designed differently than the EpiPen and can't be substituted for the EpiPen by a pharmacist without a doctor's approval. (Your doctor will probably need to write a prescription for an epinephrine auto-injector [that doesn't specify a brand name](#).)

What to Do If You Have an Expired EpiPen

Check your old EpiPen. Then [go to the FDA's website for a listing](#) of the specific epinephrine auto-injector batches that have extended expiration dates. If your device's number is one of those listed, you will be able to use that injector through the new corresponding dates. And keep checking the website because the FDA will expand the list as new data becomes available.

Store your auto-injector properly. Epinephrine medication that is kept at room temperature will have the longest shelf life. Though you or your child may need to carry an injector around with you when you're on the go, when storing the device at home, keep it in a dry, dark place. When storing the device at school, ask the nurse to keep it. Many schools have special storage areas for medications to ensure their efficacy.

Don't use discolored medication. CR experts have long recommended that if all you have is an outdated epinephrine auto-injector, it's better to use that device in an emergency than to use nothing at all. In fact, a [study published in the Annals of Internal Medicine](#) looked at 31 EpiPens and nine EpiPen Jrs that were up to two years past their expiration date and found that 19 of the EpiPens (65 percent) and five of the EpiPen Jrs (56 percent) retained at least 90 percent of the initial dose listed on the labeling. Of course, experts don't recommend that you hold on to your EpiPen for that

long. Also, it's important to note that if the epinephrine liquid is cloudy, pink, or brown (rather than colorless), or if it contains solid particles, that indicates that the medicine has decayed and is unsafe to use.

Call around. If you don't have an EpiPen or the one you currently have is not included in the FDA's expanded list, call a variety of pharmacies in your area to see whether they have access to more auto-injectors now that the FDA has extended its date requirements.

Ask Mylan for help. If you need help finding a store in your area that may have more inventory, call Mylan customer relations at 800-796-9526, then press 2. Customer service is open between 8 a.m. and 5 p.m. EST. Or email customer.service@mylan.com.

Look into alternatives. Ask whether generic Adrenaclick is in stock—and whether it's covered by your insurance. And if your insurer does not cover an alternative, it's worth asking whether it will make an exception because of the shortage—or whether there is a coupon that will help lower the cost.

Search for discounts. Look for coupons on websites such as [Good Rx](#) or [Blink Health](#), which offer discounts on many drugs. Or look into manufacturer coupons. Kaleo, the maker of [Auvi-Q](#), [has an assistance program](#) that enables people with commercial insurance or those without insurance and a household income of less than \$100,000 to obtain Auvi-Q for \$0 out of pocket. Note that it can take several days to get the medication because your doctor will need to submit an application on your behalf and the company will need to review it to see whether you qualify.

EpiPen Scandal: 'One Death Is Too Many'

[Robert F. Kennedy, Jr.](#) Aug. 24, 2016 02:31PM EST

Two days ago, I put my son Conor on an airplane to Europe. Conor has anaphylactic [peanut allergies](#) so, before he left, we purchased a new EpiPen for the trip. We both got sticker shock.

Ten years ago, I was paying a \$12 co-pay for each EpiPen I purchased. In 2007, the wholesale price for an EpiPen in the U.S. was around \$57 and our insurance company paid everything but the co-pay. This week, I learned that the wholesale price was now \$600 for a two pack, which is the smallest quantity available for purchase. We paid the \$600. EpiPens have saved Conor's life more than once.

A Senate committee has asked the pharmaceutical company Mylan to appear before Congress to explain the company's [400 percent price hike](#) for this life-saving device. The company's CEO, Heather Bresch, the [daughter of West Virginia Sen. Joe Manchin](#), will be on the hot seat. She is a greedy, malicious scoundrel and it's my hope that the senators who question her will not give her kid glove comity just because she is kin to a colleague.

Mylan raised its prices because it could get away with the scam. Its only U.S. competitor, Sanofi, [abandoned](#) the American market in 2015. In Canada, EpiPen's still cost around US\$100. In Europe there are four manufacturers and the prices are still lower.

Children in anaphylactic shock often need two doses of epinephrine. Following the U.S. Food and Drug Administration's recommendations, my doctor suggested that we always keep two EpiPen's at home, two at school

and two in our automobile. Each EpiPen expires after one year, so Mylan's price hike represents an \$1,800 annual recurring cost for the families of the [15 million Americans with allergies](#).

According to the U.S. Centers for Disease Control, food allergies are responsible for more than [300,000 ambulatory-care visits](#) a year in children under 18. About 200 children die. Bresch's greed is likely to cost the lives of many more.

"I regularly write notes to the families of children who have died from anaphylaxis after inadvertently eating peanuts," said Dr. James R. Baker, CEO of [FARE](#): Food Allergy Research & Education. "One death is too many."



**Town of Surfside
Town Commission Meeting
April 9, 2019
7:00 pm**

Town Hall Commission Chambers - 9293 Harding Avenue, 2nd Floor
Surfside, FL 33154

Date: April 9, 2019

Prepared by: Daniel Dietch, Mayor

Subject: Miami-Dade County Environmental Enhancement and Education Grant
Opportunity

Objective: To seek direction from the Town Commission whether to direct the Town Manager to work with the [Youth Environmental Alliance](#) (YEA) to prepare a proposal in response to [RFP 9333 Environmental Education CBO Funding](#) through the Miami-Dade County Environmental Enhancement and Education Grant Program.

Consideration: The Town has a longstanding relationship with YEA to implement a range of environmental community events including constructing resilience dunes, planting sea oat and removing non-native invasive plant species. YEA has identified a grant funding opportunity to further our environmental stewardship efforts and community engagement. Specifically, the Miami-Dade County Environmental Enhancement and Education Grant Program is seeking “community-based organizations to provide environmental enhancement and education projects within Miami-Dade County. The program is aimed at County residents to heighten their awareness of Miami-Dade County’s fragile environment. By partnering with community-based organizations, the grants allow the funding departments to reach populations they would not normally reach. The Miami-Dade Water and Sewer Department, the Department of Solid Waste Management and the Department of Regulatory and Economic Resources finance the program from their operating budgets.”

Staff have reviewed this opportunity and confirmed that by partnering with YEA that all of the following RFP parameters are satisfied:

- All proposers must be an eligible 501(c)(3) non-profit community-based organization. Please note you must have an IRS letter of determination of 501(c)(3) status dated prior to the May 1, 2019 RFP submission deadline.
- Environmental Education should be a core mission of the community-based organization. Additionally, the proposal must state the mission and provide



**Town of Surfside
Town Commission Meeting
April 9, 2019
7:00 pm**

Town Hall Commission Chambers - 9293 Harding Avenue, 2nd Floor
Surfside, FL 33154

documentation to substantiate that environmental education is a central component of the organization's goals, objectives and activities.

- Project activities that receive funding through this RFP must take place during the 12-month period that begins on or after July 1, 2019. One-time events will not be considered for funding. Organizations may not submit multiple applications and the maximum amount of funding that any organization may request cannot exceed \$65,000.
- All proposed activities must take place in Miami-Dade County and benefit Miami-Dade County residents.

The proposal submittal deadline is 4:00pm on Wednesday, May 1, 2019.

Recommendation: For the Town Commission to direct the Town Manager to work with the Youth Environmental Alliance to prepare a proposal in response to RFP 9333 Environmental Education CBO Funding through the Miami-Dade County Environmental Enhancement and Education Grant Program.