



**Town of Surfside
Regular Town Commission Meeting**

AGENDA

July 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. Presentation of Parks and Recreation Proclamation – Mayor Daniel Dietch**
- H. Presentation of Certificate of Appreciation from Miami-Dade County Office of the Mayor and Board of County Commissioners – Mayor Daniel Dietch**
- I. Presentation of Mango Contest Winners - Mayor Daniel Dietch**
- J. Recognition of Town Clerk Sandra Novoa, MMC for Receiving the 2019 Florida Association of City Clerks President's Award - 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**
May 14, 2019 Regular Town Commission Meeting
June 11, 2019 Regular Town Commission Meeting

- *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**

- May 16, 2019 Downtown Vision Advisory Committee Meeting minutes
- June 3, 2019 Tourist Board Meeting Minutes

E. Purchase of Emergency Town Hall Generator to Upgrade Existing System – Guillermo Olmedillo, Town Manager

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA APPROVING THE PURCHASE AND INSTALLATION OF AN EMERGENCY GENERATOR FOR TOWN HALL FROM MEIRELES TRUCK SALES, INC. D/B/A MTS POWER PRODUCTS; FINDING THAT THE PURCHASE AND INSTALLATION ARE EXEMPT FROM COMPETITIVE BIDDING PURSUANT TO SECTION 3-13(4) OF THE TOWN CODE AS AN EMERGENCY AND SECTION 3-13(7)E OF THE TOWN CODE AS A PUBLIC WORKS OR UTILITIES PURCHASE OF EQUIPMENT; AUTHORIZING THE TOWN MANAGER TO ENTER INTO AN AGREEMENT FOR SUCH PURCHASE AND INSTALLATION; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

F. Community Center Photovoltaic System– Guillermo Olmedillo, Town Manager

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA APPROVING WORK AUTHORIZATION NO. 117 WITH CALVIN GIORDANO & ASSOCIATES, INC. FOR ENGINEERING SERVICES FOR A DESIGN-BUILD PHOTOVOLTAIC SYSTEM AT THE SURFSIDE COMMUNITY CENTER; 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

G. IT Infrastructure Upgrades– Guillermo Olmedillo, Town Manager

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, AUTHORIZING AND APPROVING THE PURCHASE OF IT INFRASTRUCTURE UPGRADES EQUIPMENT FROM DELL TECHNOLOGIES, INCLUDING SERVER AND STORAGE UPGRADES FOR THE TOWN, AND AUTHORIZING THE EXPENDITURE OF FUNDS NOT TO EXCEED \$75,000.00 FROM THE GENERAL FUND, CAPITAL PROJECTS, FISCAL YEAR 2018/2019 BUDGET; FINDING THAT THE PURCHASE IS EXEMPT FROM PROCUREMENT PURSUANT TO SECTION 3-13(3) OF THE TOWN CODE; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

H. Holiday Lights – Guillermo Olmedillo, Town Manager

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, AWARDED A CONTRACT TO SOUTH FLORIDA LIGHTING TEAM, LLC (D/B/A MIAMI CHRISTMAS LIGHTS) FOR TOWN-WIDE HOLIDAY DECORATIONS; PROVIDING FOR AUTHORIZATION; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

I. Nurse Initiative – Guillermo Olmedillo, Town Manager

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA APPROVING AMENDMENT NO. 2 TO THE MEMORANDUM OF UNDERSTANDING (MOU) BETWEEN THE TOWN OF SURFSIDE, THE CITY OF MIAMI BEACH, NORTH BAY VILLAGE, TOWN OF BAY HARBOR ISLANDS, BAL HARBOUR VILLAGE, AND THE MIAMI BEACH CHAMBER EDUCATION FOUNDATION, INC. TO FUND A NURSE ENHANCEMENT INITIATIVE FOR SCHOOL YEAR 2019/2020 FOR RUTH K. BROAD BAY HARBOR K-8 CENTER; PROVIDING FOR AUTHORIZATION AND IMPLEMENTATION OF THE AMENDMENT TO THE MOU; AND PROVIDING FOR AN EFFECTIVE DATE.

4. Ordinances

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

A. Second Reading Ordinances

- 1. Ordinance Amending Section 34-11, “Prohibition on Distribution, Sale or Use of Plastic Straws,” by Amending the Title to be “Prohibition on Distribution, Sale or Use of Single-Use Plastics,” Providing for Definitions for Single-Use Plastics, and Regulating Single-Use Plastics – Lillian Arango and Haydee Sera, Town Attorneys**

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, AMENDING SECTION 34-11, “PROHIBITION ON DISTRIBUTION, SALE OR USE OF PLASTIC STRAWS” OF THE TOWN’S CODE OF ORDINANCES BY AMENDING THE TITLE TO BE “PROHIBITION ON DISTRIBUTION, SALE OR USE OF SINGLE-USE PLASTICS,” PROVIDING FOR DEFINITIONS FOR SINGLE-USE PLASTICS, AND REGULATING SINGLE-USE PLASTICS; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

2. Model Flood Ordinance – Guillermo Olmedillo, Town Manager

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, REPEALING AND REPLACING CHAPTER 42 “FLOODS” RELATING TO THE TOWN’S FLOODPLAIN MANAGEMENT REGULATIONS, INCLUDING ADOPTING PROCEDURES AND CRITERIA FOR DEVELOPMENT IN FLOOD HAZARD AREAS; TO ADOPT FLOOD HAZARD MAPS; TO DESIGNATE A FLOOD PLAIN ADMINISTRATOR; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; PROVIDING FOR TRANSMITTAL; AND PROVIDING FOR AN EFFECTIVE DATE

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

B. First Reading Ordinances

1. Hurricane Shutter Recommendation – Guillermo Olmedillo, Town Manager

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, AMENDING CHAPTER 14, “BUILDINGS AND BUILDING REGULATIONS” OF THE TOWN’S CODE OF ORDINANCES BY CREATING SECTION 14-58, “STORM SHUTTERS AND HURRICANE PROTECTION DEVICES”; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

2. One-Year Extension of the 2018 Parking Exemption Ordinance – Guillermo Olmedillo, Town Manager

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, AMENDING SECTION 90-77, “OFF-STREET PARKING” OF CHAPTER 90, “ZONING” OF THE TOWN’S CODE OF ORDINANCES TO EXTEND THE PARKING EXEMPTION PROGRAM TO ADDRESS VACANCIES AND ECONOMIC REVITALIZATION IN THE SD-B40 ZONING DISTRICT; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

5. Resolutions and Proclamations

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

- A. Florida Power and Light (FPL) Light Emitting Diode (LED) Street Light Conversion in Residential Area – Guillermo Olmedillo, Town Manager**

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, APPROVING AN LED LIGHTING AGREEMENT WITH FLORIDA POWER & LIGHT COMPANY (FPL) FOR THE CONVERSION AND INSTALLATION OF LED LIGHTING FACILITIES ON STREETS IN THE RESIDENTIAL AREA; PROVIDING FOR AUTHORIZATION AND IMPLEMENTATION OF THE AGREEMENT; AND PROVIDING FOR AN EFFECTIVE DATE.

- B. Amending the Fee Schedule for Violations of Section 34-11 of the Town Code relating to Single-Use Plastics – Guillermo Olmedillo, Town Manager**

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, AMENDING THE TOWN'S SCHEDULE OF CIVIL PENALTIES AND ADMINISTRATIVE FEES TO BE ASSESSED FOR VIOLATION OF THE TOWN'S CODE, SPECIFICALLY FOR VIOLATIONS OF SECTION 34-11, "PROHIBITION ON DISTRIBUTION, SALE OR USE OF SINGLE-USE PLASTICS"; AND PROVIDING FOR AN EFFECTIVE DATE.

- C. Solid Waste Services Special Assessment Preliminary Rate Resolution – Guillermo Olmedillo, Town Manager {Documents will be delivered under separate cover}**

A RESOLUTION OF THE TOWN OF SURFSIDE, FLORIDA, RELATING TO SOLID WASTE MANAGEMENT SERVICES, INCLUDING COLLECTION, DISPOSAL AND RECYCLING OF RESIDENTIAL SOLID WASTE IN THE TOWN OF SURFSIDE, FLORIDA; ESTABLISHING THE ESTIMATED ASSESSMENT RATE FOR SOLID WASTE SERVICE ASSESSMENTS AGAINST ASSESSED PROPERTY LOCATED WITHIN THE TOWN OF SURFSIDE, FLORIDA, FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2019; DIRECTING THE PREPARATION OF AN UPDATED ASSESSMENT ROLL; AUTHORIZING A PUBLIC HEARING AND DIRECTING THE PROVISION OF NOTICE THEREOF; AND PROVIDING 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.

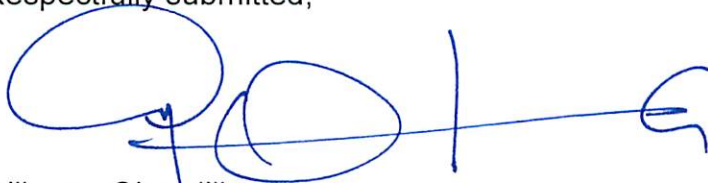
8. Unfinished Business and New Business

9. Mayor, Commission and Staff Communications

- A. Board and Committee Appointments** – Guillermo Olmedillo, Town Manager
 - *Downtown Vision Advisory Committee – Town Manager's Committee*
 - *Tourist Board – Commissioner Tina Paul*
- B. Downtown Vision Advisory Committee Parking Lot Rate Recommendation** – Guillermo Olmedillo, Town Manager
- C. Artificial Grass for Excess Landscape Areas**– Guillermo Olmedillo, Town Manager
- D. Farmer's Market Request** – Guillermo Olmedillo, Town Manager
- E. Beach Renourishment Update [Verbal]** – Guillermo Olmedillo, Town Manager
- F. Paced Development** – Guillermo Olmedillo, Town Manager
- G. Legislative Priorities** – Guillermo Olmedillo, Town Manager
- H. Joint Workshop of the Commission and Planning and Zoning Board** – Vice Mayor Gielchinsky
- I. Zoning in Progress – New Applications or Site Plans for Hotels in H40 Zoning District, South of 93rd Street** – Commissioner Michael Karukin
- J. Town Acquisition of Vacant Parcel located at 8809 Harding Avenue for Public Park** – Commissioner Barry Cohen

10. Adjournment

Respectfully submitted,

A handwritten signature in blue ink, appearing to read 'Guillermo Olmedillo', with a large circular flourish at the end.

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.

CERTIFICATE OF
Appreciation

The Miami-Dade County Office of the Mayor
and Board of County Commissioners

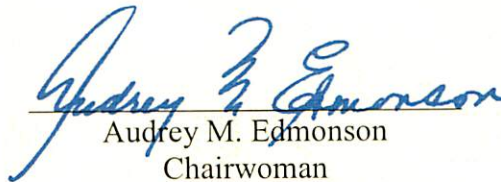
Town of Surfside

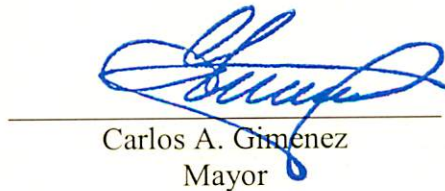
The Honorable Daniel Dietch - Mayor

As Chairwoman and on behalf of the Mayor, the Board of County Commissioners, and the residents of Miami-Dade County, I take great pleasure in presenting this Certificate of Appreciation to you in recognition of your valuable contributions to our community.

On this, the 28th day of the month of June 2019, in
Miami-Dade County, Florida




Audrey M. Edmonson
Chairwoman


Carlos A. Gimenez
Mayor



**Town of Surfside
Regular Town Commission Meeting
MINUTES
May 14, 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 7:02 p.m.

B. Roll Call of Members

Town Clerk Novoa called the roll with the following members present:

Mayor Daniel Dietch, Commissioner Michael Karukin and Commissioner Tina Paul. Vice Mayor Daniel Gielchinsky and Commissioner Barry Cohen were absent.

C. Pledge of Allegiance

Chief Yero led the Pledge of Allegiance

D. Mayor and Commission Remarks – Mayor Daniel Dietch

Commissioner Paul spoke regarding the Presentation of the Town Commission Annual Salary of one dollar for elected officials that was held at the April 10, 2019 Commission Meeting. She was unable to attend due to being in Paris representing her work in photography. She spoke regarding the events she attended and about the community and the services and programs the Town of Surfside provides for the residents.

Commissioner Cohen arrived at 7:08pm.

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

Commissioner Karukin made a motion to allow Senator Pizzo to speak as soon as he arrives and to add this as item 1K and to pull and approve items 3F and 3G in order to present the proclamations. Commissioner Paul seconded the motion. The motion carried 4-0 with Vice Mayor Gielchinsky absent.

F. Community Notes – Mayor Daniel Dietch

Mayor Dietch spoke regarding the passing of former Town Manager W.D. Higginbotham and asked for a moment of silence.

Mayor Dietch thanked Surfside residents for their help at the Baynanza event and the 4th Earth Day Fair. He also congratulated Commissioner Paul for being sworn in as a Board Member of the Miami Dade County League of Cities.

Mayor Dietch spoke about May being Police Appreciation Month and thanked the Surfside Police Department and that the Police Blue Flag will be flying at Town Hall commemorating those officers who have fallen.

Mayor Dietch stated that turtle nesting season is in effect until October and reminded all residents. He stated that hurricane season starts June 1 and reminded everyone of hurricane preparedness. He stated that the Public Works Department will be hosting a hazardous material drop off on May 18 from 9 am to 12 pm at Town Hall.

Mayor Dietch spoke about the Police Department handing out tarps on May 20.

Mayor Dietch stated that there will be a Hurricane Preparedness Meeting at Town Hall on June 4 at 6 pm in the Commission Chambers.

Mayor Dietch gave updates of upcoming events. These events can be found on the Town website.

Commissioner Karukin made a motion, with the deferred items, to add for staff and the Planning & Zoning Board to conduct a study showing the impact of short-term rentals, office space, and boutique hotels. Commissioner Paul added the aggregation of properties to the request. The motion received a second from Commissioner Paul. Motion passed with a 3-1 vote with Commissioner Cohen voting no and Vice Mayor Gielchinsky absent.

Vice Mayor Gielchinsky arrived at 7:18 p.m.

Commissioner Karukin made a motion to move Item 9G after item 1. Motion received a second by Commissioner Paul. Motion passed with a 4-1 vote with Vice Mayor Gielchinsky voting no.

G. Recognition of Ms. Aletha Player, FPL Area Manager, External Affairs – Mayor Daniel Dietch

Mayor Dietch presented Ms. Player with a plaque in appreciation of her service to the Town of Surfside.

H. Introduction of Mr. Christopher Ferreira, FPL External Affairs Advisor – Guillermo Olmedillo, Town Manager

Town Manager Olmedillo introduced Christopher Ferreira as the new contact person for the Town at FPL.

Mr. Ferreira introduced himself and provided some of his background information to the Town Commission.

I. Proclamation Presentation Designating May as the Jewish American Heritage Month – Mayor Daniel Dietch

Mayor Dietch read the proclamation into the record.

No one was present to receive the proclamation.

J. Code Enforcement Officers' Appreciation Week Proclamation Presentation – Mayor Daniel Dietch

Mayor Dietch read the proclamation into the record.

Code Compliance Director Alan Graham received the proclamation on behalf of the entire Code Compliance Department. He stated that it is their pleasure to serve the community.

K. Presentation by Senator Pizzo – Add on item

Senator Pizzo spoke about the recently finished legislative session and everything he was able to accomplish during the session.

Vice Mayor Gielchinsky thanked Senator Pizzo for his presentation and his representation. He asked Senator Pizzo about school and education

subcommittees and security in schools. He also asked Senator Pizzo about flight path changes and how it would affect the community.

Senator Pizzo addressed Vice Mayor Gielchinsky's questions and explained each one as it relates to what is occurring at the federal and state levels.

Mayor Dietch spoke regarding communication he received from Congresswoman Debbie Wasserman-Schultz declaring May Jewish American Heritage Month.

Commissioner Cohen left the meeting at 7:42pm

2. Quasi-Judicial Hearings - None

3. Consent Agenda

The following member of the public spoke on items on the consent agenda:
Sasha Plutno spoke regarding items 3B and 3D.

Commissioner Karukin made a motion to approve the consent agenda. The motion received a second from Vice Mayor Gielchinsky. The motion carried 4-0 with Commissioner Cohen absent.

A. Minutes – Sandra Novoa, MMC, Town Clerk Approved on consent

- April 3, 2019 Town Commission Budget Workshop Minutes
- April 9, 2019 Regular Town Commission Meeting Minutes

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

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

D. Committee Reports – Guillermo Olmedillo, Town Manager Approved on consent

- January 7, 2019 Tourist Board Meeting Minutes
- January 16, 2019 Sustainability and Resiliency Committee Minutes
- March 7, 2019 Downtown Vision Advisory Committee Minutes
- March 11, 2019 Special Tourist Board Meeting Minutes
- March 28, 2019 Planning and Zoning Board Meeting Minutes
- April 1, 2019 Tourist Board Meeting Minutes

E. A Resolution Urging Miami-Dade County League of Cities to Create a Committee Dedicated to the Protection and Conservation of the Biscayne Bay Ecosystem – Commissioner Tina Paul

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA URGING THE MIAMI-DADE COUNTY LEAGUE OF CITIES TO CREATE A COMMITTEE DEDICATED TO THE PROTECTION AND CONSERVATION OF THE BISCAYNE BAY ECOSYSTEM, TO ADDRESS AND FORMULATE COMPREHENSIVE POLICIES ON REGIONAL ISSUES IMPACTING BISCAYNE BAY; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Approved on consent

F. Approval of Proclamation for Code Enforcement Officers' Appreciation Week – Mayor Daniel Dietch

Pulled and approved under item 3E.

Mayor Dietch read the proclamation into the record.

Code Compliance Director Alan Graham received the proclamation on behalf of the entire Code Compliance Department. He stated that it is their pleasure to serve the community

G. Approval of Proclamation Designating May as the Jewish American Heritage Month – Mayor Daniel Dietch

Pulled and approved under item 3E.

Mayor Dietch read the proclamation into the record.

No one was present to receive the proclamation.

4. Ordinances

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

A. Second Reading Ordinances

1. Prohibiting Hotels in H40 – Guillermo Olmedillo, Town Manager
[Linked to Item 9G]

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.

Commissioner Karukin made a motion to defer the ordinance with direction to staff and the Planning and Zoning Board to study the impacts of short-term rental, office space, and boutique hotels. Commissioner Paul added the aggregation of properties to the request. The motion received a second from Commissioner Paul. The motion carried 3-1 vote with Commissioner Cohen voting in opposition and Vice Mayor Gielchinsky absent.

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

B. First Reading Ordinances

1. Florida Friendly Landscape Ordinance - 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.

Town Clerk Novoa read the title of the ordinance.

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

Town Manager Olmedillo introduced the item.

Mr. Bill Tesauro from Calvin Giordano and Associates presented the item and answered questions posed by Commissioner Paul.

The item was paused to open Good and Welfare at 8:15pm.

Discussion on the item resumed at 8:37pm

Commissioner Cohen returned to the meeting at 8:38pm.

The following members of the public spoke on the item:

Eliana Salzhauer
George Kousoulas
Pamela O'Hagan
Sasha Plutno
Diana Gonzalez

After some discussion, Commissioner Paul made a motion to approve with the following amendments:

Page 110, lines 141-146 definitions of commercial applicator and commercial fertilizer

Page 114, line 314 – clarify the definition of turf

Page 119, line 519 add the first sentence back - environmentally friendly fertilizer which was stricken before to be added back in.

Page 123, line 674-675

Further discussion continued among the members of the Commission.

Mayor Dietch passed the gavel and seconded Commissioner Paul's motion. The motion carried 3-2 with Commissioner Karukin and Commissioner Cohen voting in opposition.

5. Resolutions and Proclamations

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

A. Parking Utilization Analysis – Guillermo Olmedillo, Town Manager

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA APPROVING WORK AUTHORIZATION NO. 121 WITH CALVIN GIORDANO & ASSOCIATES, INC. FOR ENGINEERING SERVICES FOR A PARKING UTILIZATION STUDY; 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 introduced the item.

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

Commissioner Karukin had some questions for the Traffic Engineer and made a motion to defer until the Traffic Engineer arrived at the meeting. The motion received a second from Vice Mayor Gielchinsky and all voted in favor.

Vice Mayor Gielchinsky excused himself and left the meeting at 9:05pm.

The item resumed at 9:20pm.

Traffic Engineer Eric Czerniejewski from Calvin Giordano and Associates, Inc. responded to some questions from members of the Town Commission.

After some discussion Commissioner Karukin made a motion to approve then later amended it to discussion purposes. The motion received a second from Commissioner Paul.

The following members of the public spoke on the item:

Sasha Plutno
Eliana Salzhauer
Clara Diaz-Leal
Sheryl Goldberg
George Kousoulas

Further discussion continued among the Commission and staff on the item.

A motion to approve was made by Commissioner Karukin and seconded by Mayor Dietch. Motion failed with a 2-2 vote with Commissioner Cohen, and Commissioner Paul voting in opposition. Vice Mayor Gielchinsky was absent.

B. Hurricane Cost Recovery – Guillermo Olmedillo, Town Manager

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, APPROVING A FEDERALLY-FUNDED SUBAWARD AND GRANT AGREEMENT FOR THE REIMBURSEMENT OF HURRICANE IRMA EXPENSES; PROVIDING FOR AUTHORIZATION AND IMPLEMENTATION OF THE AGREEMENT; AND PROVIDING FOR AN EFFECTIVE DATE.

Town Clerk Novoa read the title of the resolution.

Commissioner Karukin made a motion to approve. The motion was seconded by Commissioner Paul and all voted in favor with Vice Mayor Gielchinsky absent.

C. Additional Bigbelly Trash and Recycling Containers – Guillermo Olmedillo, Town Manager

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA APPROVING AMENDMENT NO. 1 TO THE CONNECT SERVICES AGREEMENT BETWEEN THE TOWN OF

SURFSIDE AND BIGBELLY SOLAR, INC. FOR ADDITIONAL SOLAR POWERED TRASH/RECYCLE COMPACTION CONTAINERS; PROVIDING FOR AUTHORIZATION AND IMPLEMENTATION OF THE AMENDMENT TO THE AGREEMENT; AND PROVIDING FOR AN EFFECTIVE DATE.

Town Clerk Novoa read the title of the resolution.

Town Manager Olmedillo introduced the item.

Commissioner Karukin made a motion to discuss. The motion received a second from Commissioner Paul.

Commissioner Karukin asked some questions of Public Works Director Stokes related to Bigbelly.

Commissioner Paul would like to defer to the Sustainability and Resiliency Committee to look at this item. She would also like to get statistics on overflowing and door jamming from the containers.

Commissioner Karukin disagreed with Commissioner Paul and trusts the recommendation of the Public Works Director.

The following member of the public spoke on the item:
Sasha Plutno

Commissioner Karukin made a motion to approve. The motion received a second from Commissioner Cohen. The motion carried 3-1 with Commissioner Paul voting in opposition and Vice Mayor Gielchinsky absent.

D. SunTrust Purchasing Card Agreement – Guillermo Olmedillo, Town Manager

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, APPROVING A COMMERCIAL CARD AGREEMENT WITH SUNTRUST BANK; PROVIDING FOR AUTHORIZATION AND IMPLEMENTATION OF THE AGREEMENT; 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 asked if there were any fees associated with the service. Interim Finance Director Wallace stated that there are no fees related to the service.

The following member of the public spoke on the item:

Clara Diaz-Leal

Commissioner Karukin made a motion to approve. The motion received a second from Commissioner Paul and the motion carried 4-0 with Vice Mayor Gielchinsky absent.

Commissioner Cohen left the meeting at 9:58pm.

- E. Appropriation of Resort Tax Fund Balance (Tourism Reserves) for the funding of Beach Renourishment Mitigation Plan – Guillermo Olmedillo, Town Manager**

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, APPROVING AN AMENDMENT TO THE FISCAL YEAR 2018-2019 TOURIST RESORT FUND ANNUAL BUDGET TO APPROPRIATE AND RELEASE RESERVES TO THE TOURIST BOARD PROMOTIONAL ACTIVITIES ACCOUNT IN THE AMOUNT OF \$140,000.00 FOR FUNDING OF A BEACH RENOURISHMENT MITIGATION PLAN; APPROVING THE BUDGET AMENDMENT, RELEASE OF THE FUNDS FROM RESERVES AND EXPENDITURE OF FUNDS; PROVIDING FOR APPROVAL AND AUTHORIZATION; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Town Clerk Novoa read the title of the resolution.

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

Commissioner Paul had some questions and concerns regarding the beach pop-up on page 292.

Tourism Director Fast spoke on the item and provided more details to the Town Commission.

The following members of the public spoke on the item:

Eliana Salzhauer

Sasha Plutno

George Kousoulas

Mayor Dietch requested the Town Manager to table the item.

There was no motion to approve this item.

F. Fourth of July Fireworks – Guillermo Olmedillo, Town Manager

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, APPROVING AN AGREEMENT WITH ZAMBELLI FIREWORKS MANUFACTURING CO. FOR THE TOWN'S FOURTH OF JULY FIREWORKS DISPLAY; PROVIDING FOR AUTHORIZATION AND IMPLEMENTATION OF THE AGREEMENT; PROVIDING FOR WAIVER OF COMPETITIVE BIDDING PROCEDURES; AND PROVIDING FOR AN EFFECTIVE DATE.

Town Clerk Novoa read the title of the resolution.

Commissioner Karukin made a motion to approve. The motion received a second by Mayor Dietch.

The following members of the public spoke on the item:

Eliana Salzhauer

Sasha Plutno

Commissioner Paul asked if the fireworks will be able to take place with the beach renourishment project.

Parks and Recreation Director Milian stated that they are taking that into consideration, and they have spoken to the Army Corps of Engineers about it.

Commissioner Paul also stated that after Fourth of July the beach is usually left with cardboard circles and scraps from fireworks and wanted to know if there is something that can be done to ban people from setting off fireworks on the beach.

After some discussion the motion carried 3-0 with Vice Mayor Gielchinsky absent.

G. Miami-Dade County Environmental and Education Grant – Guillermo Olmedillo, Town Manager

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA APPROVING LOGISTICAL SUPPORT FOR THE YOUTH ENVIRONMENTAL ALLIANCE (YEA) IN CONNECTION WITH THE MIAMI-DADE COUNTY ENVIRONMENTAL ENHANCEMENT AND EDUCATION GRANT PROGRAM FOR ENVIRONMENTAL EDUCATION FUNDING; AUTHORIZING THE TOWN MANAGER TO ENTER INTO AN AGREEMENT WITH YEA FOR SUCH PURPOSES; PROVIDING FOR AUTHORIZATION AND IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Town Clerk Novoa read the title of the resolution.

Town Manager Olmedillo introduced the item.

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

The following members of the public spoke on the item:

Sasha Plutno

George Kousoulas

Discussion continued among the Commission on this item.

The motion carried with a 3-0 vote with Vice Mayor Gielchinsky and Commissioner Cohen absent.

H. Resolution Waiving Building Permit Fees for Additional Sustainability Initiatives – Mayor Daniel Dietch

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, WAIVING TOWN BUILDING PERMIT FEES AND REQUIRING EXPEDITED DEVELOPMENT AND REVIEW PROCESSES FOR SUSTAINABILITY PROJECTS; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Town Clerk Novoa read the title of the resolution.

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

Commissioner Paul asked Building Official Prieto how many permits the Town has issued for solar panels after the resolution was passed for waiving the permit fees for solar panels.

Building Official Prieto answered Commissioner Paul's question regarding solar panels.

Mayor Dietch explained to Commissioner Paul the incentives in relation to solar panels.

The following members of the public spoke on the item:

Sasha Plutno

Eliana Salzhauer

After some discussion the motion carried 3-0 with Commissioner Cohen and Vice Mayor Gielchinsky absent.

I. Global Payments Direct (OpenEdge) Credit Card Processing Agreement - Guillermo Olmedillo, Town Manager

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, APPROVING A CARD SERVICES AGREEMENT WITH GLOBAL PAYMENTS DIRECT, INC.; PROVIDING FOR AUTHORIZATION AND IMPLEMENTATION OF THE AGREEMENT; AND PROVIDING FOR AN EFFECTIVE DATE.

Town Clerk Novoa read the title of the resolution.

Commissioner Paul made a motion to discuss. The motion received a second from Commissioner Karukin.

Commissioner Paul would like an update on how the ERP system is working.

Commissioner Paul stated she looked online to see how the payment system works and she found Open Edge which has a B Merchant rating. She asked how many people will use this system and the fees related to it.

Town Manager Olmedillo requested Interim Finance Director Wallace to provide a more detail explanation.

Interim Finance Director Wallace spoke about the different fees involved and the process.

A motion was made to approve by Commissioner Karukin and seconded by Commissioner Paul. The motion carried by a 3-0 vote with Commissioner Cohen and Vice Mayor Gielchinsky absent.

A motion was made by Commissioner Karukin, seconded by Commissioner Paul to extend the meeting one (1) hour. Motion passed by a 3-0 vote, with Vice Mayor Gielchinsky and Commissioner Cohen absent.

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

The following members of the public spoke on the item:

Eliana Salzhauer spoke regarding the quality of life in Surfside and the displacement of residents when hotels come to build in Surfside.

Marianne Meischeid spoke about the unified looks discussed in DVAC and the motion requesting the Town Commission to create an ordinance to have stores remove hurricane shutters within a certain amount of days after a storm.

Sasha Plutno spoke about anti-Semitic website, blower prohibition, sewer pumps and the salaries for the Commission.

Adam Saifer spoke about the possibility of allowing the residents to vote on any banning that the Town may be thinking of implementing.

Ben Jacobson spoke about Senator Pizzo's comments regarding arming teachers.

Members of the Town Commission addressed some of the comments from the members of the public.

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

None.

9. Mayor, Commission and Staff Communications

A. EpiPen – Commissioner Tina Paul

Commissioner Paul presented the item to the Town Commission.

Commissioner Karukin spoke about the risk of liabilities, personal responsibility, and the burden of compliance that relates to expiration date, temperatures and CFR regulations. He also spoke about the need for training staff, the cost and the administrative support.

The following members of the public spoke on the item:

Eliana Salzhauer

Sasha Plutno

Commissioner Paul made a motion to direct the administration to look into the possibility of implementing this program further. Mayor Dietch made a friendly amendment to direct staff to develop a policy and a plan for the Community Center only and to provide information related to the training requirements and any legalities associated with the program. Commissioner Paul accepted the amendment and the motion carried 2-1 with Commissioner Karukin voting in opposition. Commissioner Cohen and Vice Mayor Gielchisnky were absent.

B. Beach Renourishment Update [Verbal] - Guillermo Olmedillo, Town Manager

Town Manager Olmedillo provided a verbal update to the Town Commission.

C. Downtown Vision Advisory Committee Parking Recommendation – Guillermo Olmedillo, Town Manager

Town Manager Olmedillo presented the item and asked Assistant Town Manager Tavares' assistance with providing more information to the Town Commission.

Assistant Town Manager Tavares and Chief Yero provided the Commission with more information regarding the item.

Commissioner Paul asked the Town Manager if there is weekend enforcement and what are the hours.

Chief Yero responded affirmatively to Commissioner Paul's question. She wanted to know if the machines message you if the time is expiring.

Chief Yero stated that he will be happy to have the Parking Manager attend the next meeting to further explain the program.

The following members of the public spoke on the item:

Eliana Salzhauer

George Kousoulas

D. Charter Amendment Ballot Question Information and Deadlines – Guillermo Olmedillo, Town Manager

Town Manager Olmedillo presented the item to the Town Commission. He explained that this item is just for informational purposes and that it provides deadlines for any charter amendment.

The following members of the public spoke on the item:

Eliana Salzhauer

Sasha Plutno

E. Code Compliance Resources – Mayor Daniel Dietch

Mayor Dietch presented the item to the Town Commission.

The following members of the public spoke on the item:

Eliana Salzhauer

Commissioner Karukin made a motion to approve the recommendation to hire additional staff to meet code compliance needs outside of the traditional workday. The motion received a second from Commissioner Paul and all voted in favor.

F. Single-Use Plastics Prohibition – Mayor Daniel Dietch

Mayor Dietch presented the item to the Town Commission.

The following members of the public spoke on the item:

Eliana Salzhauer

George Kousoulas

Sasha Plutno

Commissioner Paul made a motion to direct the Town Attorney to proceed with preparing an ordinance prohibiting the distribution, sale or use of single-use plastics. The motion received a second from Commissioner Karukin and all voted in favor.

G. Zoning in Progress – New Applications or Site Plans for Hotels in H40 Zoning District, South of 93rd Street – Guillermo Olmedillo, Town Manager [Linked to Item 4A1]

This item was heard after item 1K and before the consent agenda at the beginning of the meeting.

Commissioner Karukin made a motion to approve. The motion received a second from Commissioner Paul. The motion carried 3-1 with Vice Mayor Gielchinsky voting in opposition and Commissioner Cohen absent from the dais.

H. Ruth K. Broad Bay Harbor K-8 Center Students Residency Requirements Staffing Support – Mayor Daniel Dietch

Commissioner Paul made a motion to direct the Town Manager to move forward. Mayor Dietch seconded the motion.

The following member of the public spoke on the item:
Eliana Salzhauer.

The motion carried 3-0

10. Adjournment

There being no further business to discuss before the Commission, the meeting adjourned without objection at 12:00 a.m. on Wednesday, May 15, 2019.

Respectfully submitted,

Accepted this _____ day of _____, 2019.

Daniel Dietch, Mayor

Attest:

Sandra Novoa, MMC
Town Clerk



**Town of Surfside
Regular Town Commission Meeting
MINUTES**

June 11, 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 Sandra Novoa called the roll with the following members present:

Mayor Daniel Dietch, Vice Mayor Daniel Gielchinsky, Commissioner Michael Karukin, Commissioner Barry Cohen and Commissioner Tina Paul.

C. Pledge of Allegiance

Chief Yero led the Pledge of Allegiance

D. Mayor and Commission Remarks – Mayor Daniel Dietch

Commissioner Paul spoke regarding Pride Month and the Stonewall riots.

Vice Mayor Gielchinsky spoke regarding noise and the articles in the Miami Herald regarding the Federal Aviation Administration (FAA) proposing changes to flight paths for the controlled airspace of Miami Airport and Ft. Lauderdale Airport which would impact the Surfside neighborhood. He stated that there will be a workshop on June 12, 2019 at Broward College, South Campus Building 69 Room 133 on Pines Boulevard in Pembroke Pines. The workshop will be from 3:00 p.m. to 5:00 p.m.

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

Commissioner Karukin made a motion to take item 1H before item 1F, withdraw item 3F per the Town Manager's request and link items 4B2 and

5F. The motion received a second from Vice Mayor Gielchinsky and all voted in favor.

F. Community Notes – Mayor Daniel Dietch

Mayor Dietch wanted to take a moment to recognize the passing of Art Mendez, a resident and educator who passed away in late May, with a moment of silence.

Mayor Dietch wanted to remind drivers and parents of the importance of keeping the speed limit while driving, bicycling or skating around Town now that school is out.

Mayor Dietch stated that the American Flood Coalition selected the Town of Surfside to receive a Free Flood Adaptation Assessment provided by a consulting firm named Atkins.

Mayor Dietch mentioned that the Coastal Education Grant Application was submitted, and the Town was recommended for funding by the County.

Mayor Dietch stated that the Town of Surfside appeared in the Miami New Times recognizing the Town's beaches as well the Four Seasons Hotel as the best beach and hotel.

Mayor Dietch mentioned turtle nesting season has commenced and will continue until October 31, 2019 and asked residents to adhere to the regulations.

Mayor Dietch spoke regarding hurricane season preparation.

Mayor Dietch mentioned that the the Army Corps of Engineers will be placing approximately 330,000 cubic feet of sand on the beaches as part of the beach renourishment project.

The Four Seasons Hotel will be hosting a discussion called Turtle Talk on Wednesday, June 12, 2019. Learn how to protect the environment and the sea turtles. You can register on the Town website.

Mayor Dietch spoke regarding the street sweepers. The schedule can be found on the Town website.

Mayor Dietch spoke regarding his upcoming Town Hall Meeting on Tuesday, June 18, 2019 at 7:00 p.m. in the Commission Chambers.

Mayor Dietch stated that the Police Department will be hosting a blood drive with One Blood on Wednesday, June 19, 2019 from 10:30 a.m. to 4:00 p.m. in the Town Hall parking lot.

Mayor Dietch mentioned the mobile DMV will be at Town Hall on Thursday, June 20, 2019 from 10:00 a.m. to 2:00 p.m.

Mayor Dietch spoke regarding the upcoming events and services which can be found on the Town's website.

Mayor Dietch encouraged residents to lock their vehicles at night to deter opportunistic crimes from occurring.

G. Recognition of Ruth K. Broad K-8 Center Students for Mosaic Signs – Mayor Daniel Dietch

Mayor Dietch introduced the item and presented the Ruth K. Broad K-8 Center Art Teacher, Maggie Vidal Santos with a Town coin and a lapel pin in recognition of her services and the students' hard work in creating the mosaics.

H. Legislative Update by Town Lobbyists – Guillermo Olmedillo, Town Manager

Fausto Gomez, the Town's Legislative Lobbyist, and his team, gave a State legislative update.

The members of the Town Commission provided feedback as to the different funding they would like to obtain for future projects.

Fausto Gomez and his team responded to the Commissioners' requests and questions.

A motion was made by Commissioner Paul and seconded by Commissioner Karukin to move Item 1G to be heard next. All voted in favor.

2. Quasi-Judicial Hearings

A. 8851-8873 Harding Avenue Site Plan and Variance – Guillermo Olmedillo, Town Manager

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA APPROVING AN APPLICATION SUBMITTED BY 8851 HARDING, LLC ("APPLICANT") FOR THE PROPERTY LOCATED

AT 8851 AND 8873 HARDING AVENUE, AND LEGALLY DESCRIBED IN EXHIBIT "A" ATTACHED HERETO ("PROPERTY"), FOR A SITE PLAN FOR AN 18 UNIT MULTI-FAMILY BUILDING AND A VARIANCE FROM SECTION 90-84.1 OF THE TOWN CODE TO PROVIDE FOR A LOADING SPACE OF 12' BY 25' WITH A VERTICAL CLEARANCE OF 12', WHERE A LOADING SPACE OF 12' BY 30' WITH A VERTICAL CLEARANCE OF 14.5' IS REQUIRED; SUBJECT TO CONDITIONS; AND PROVIDING FOR AN EFFECTIVE DATE.

Town Clerk Novoa read the item into the record.

Mayor Dietch read the quasi-judicial statement into the record.

Town Attorney Arango asked Town Clerk Novoa to confirm compliance with advertisement of this item.

Town Clerk Novoa confirmed that the advertisement requirements were met.

Town Attorney Arango asked the Town Commission to report any ex-parte communications with the applicants.

All members of the Town Commission stated that they had no ex-parte communications with the applicant.

Town Attorney Arango swore in all those that would be testifying.

Town Clerk Novoa swore in all those speaking.

Vice Mayor Gielchinsky asked for a point of order to inquire if the owner or the architect was present.

The architect representing the owner was present.

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

Juan David, the architect representing the owner, gave a presentation of the project.

Mayor Dietch opened the public hearing.

The following speakers spoke on the item:

Eliana Salzhauer

Sasha Plutno

George Kousoulas

Mayor Dietch closed the public hearing.

Discussion among the Commission, with various questions, regarding this project and Mr. David took place. All questions were answered by Mr. David.

Commissioner Paul asked if this was the same application that was submitted in 2015 and what the hardship is that the applicant is requesting,

Town Planner Sinatra Gould answered Commissioner Paul's question stating that it was the same application, but it took time to comply with the requirements of the Code. She also gave a synopsis of the history of this application.

A motion was made by Commissioner Karukin and seconded by Vice Mayor Gielchinsky to have Good & Welfare heard after Item 2A after 8:15 p.m. Motion passed 5-0.

After further discussion among the Commission, Town staff and Mr. David, the item was deferred.

A motion was made by Commissioner Cohen and seconded by Vice Mayor Gielchinsky to defer the item in accordance with the request of the applicant. Motion passed 5-0.

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 motion was made by Commissioner Karukin and seconded by Commissioner Paul to approve the Consent Agenda minus the pulled items 3A, 3D and 3G. Motion passed 5-0.

- A. **Minutes** – Sandra Novoa, MMC, Town Clerk
May 14, 2019 Regular Town Commission Meeting Minutes

Item was not heard and will be on the July Town Commission agenda.

- 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 7, 2019 Pension Board Meeting Minutes
- March 18, 2019 Parks and Recreation Committee Meeting Minutes
- April 11, 2019 Special Downtown Vision Advisory Committee Meeting Minutes
- April 30, 2019 Planning and Zoning Board Meeting Minutes
- May 6, 2019 Tourist Board Meeting Minutes

E. Resolution Authorizing the Miami-Dade County Island Chiefs Regional Mobile Field Force Mutual Aid Agreement between the Town of Surfside Police Department and Participating Law Enforcement Agencies - Guillermo Olmedillo, Town Manager

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, APPROVING THE MIAMI-DADE COUNTY ISLAND CHIEFS REGIONAL MOBILE FIELD FORCE MULTI-AGENCY OPERATIONAL ASSISTANCE MUTUAL AID AGREEMENT BETWEEN THE TOWN OF SURFSIDE, FLORIDA AND PARTICIPATING LAW ENFORCEMENT AGENCIES, FOR POLICE VOLUNTARY COOPERATION AND OPERATIONAL ASSISTANCE; PROVIDING FOR AUTHORIZATION AND IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Approved on consent

F. Authorization for Calvin Giordano & Associates (CGA) to Prepare Design-Build Criteria for Request for Proposal (RFP) and Provide Engineering Services and Assistance with Bidding, Design and Construction for Design and Installation of Solar Panels at the Town of Surfside Community Center – Guillermo Olmedillo, Town Manager

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA APPROVING WORK AUTHORIZATION NO. 117 WITH CALVIN GIORDANO & ASSOCIATES, INC. FOR ENGINEERING SERVICES FOR A PHOTOVOLTAIC SYSTEM AT THE SURFSIDE COMMUNITY CENTER; 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.

Item was withdrawn from the agenda under item 1E.

G. IT Infrastructure Upgrades – Guillermo Olmedillo, Town Manager

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, AUTHORIZING AND APPROVING THE

PURCHASE OF IT INFRASTRUCTURE UPGRADES EQUIPMENT FROM DELL TECHNOLOGIES, INCLUDING SERVER AND STORAGE UPGRADES FOR THE TOWN, AND AUTHORIZING THE EXPENDITURE OF FUNDS NOT TO EXCEED \$75,000.00 FROM THE GENERAL FUND, CAPITAL PROJECTS, FISCAL YEAR 2018/2019 BUDGET; FINDING THAT THE PURCHASE IS EXEMPT FROM PROCUREMENT PURSUANT TO SECTION 3-13(3) OF THE TOWN CODE; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Item was not heard and will be on the July Town Commission agenda.

- H. Ring.com MOU Agreement authorizing Surfside Police access to Ring Security System videos through their shared Law Enforcement Portal – Guillermo Olmedillo, Town Manager**

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, APPROVING A MEMORANDUM OF UNDERSTANDING WITH RING, LLC RELATING TO THE NEIGHBORS BY RING APPLICATION; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Approved on consent

- I. Approval of a Proclamation Designating July as Parks and Recreation Month – Mayor Daniel Dietch**
Approved on consent

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

A. Second Reading Ordinances

- 1. Florida Friendly Landscape Ordinance - 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.

Town Clerk Novoa read the title of the ordinance.

The following members of the public spoke on this item:

Diana Gonzalez
Jose Carlos De Mier
Yolanda Gonzalez
David Frank

Commissioner Paul asked staff about artificial grass.

Town Manager Guillermo Olmedillo and staff answered Commissioner Paul's question regarding artificial grass.

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

(Set for approximately 9:00 p.m.) (Note: Good and Welfare must begin at 8:15)

B. First Reading Ordinances

- 1. Ordinance Amending Section 34-11, "Prohibition on Distribution, Sale or Use of Plastic Straws," by Amending the Title to be "Prohibition on Distribution, Sale or Use of Single-Use Plastics," Providing for Definitions for Single-Use Plastics, and Regulating Single-Use Plastics – Lillian M. Arango and Haydee Sera, Town Attorneys**

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, AMENDING SECTION 34-11, "PROHIBITION ON DISTRIBUTION, SALE OR USE OF PLASTIC STRAWS" OF THE TOWN'S CODE OF ORDINANCES BY AMENDING THE TITLE TO BE "PROHIBITION ON DISTRIBUTION, SALE OR USE OF SINGLE-USE PLASTICS," PROVIDING FOR DEFINITIONS FOR SINGLE-USE PLASTICS, AND REGULATING SINGLE-USE PLASTICS; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

Town Clerk Novoa read the title of the ordinance.

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

Town Attorney Arango introduced the item.

The following members of the public spoke on this item:

Ben Jacobson
Eliana Salzhauer
Sheryl Goldberg
Sasha Plutno
George Kousoulas
Aaron Gewirtz
Clara Diaz-Leal
Iris Herseir
Jennifer Rotker
Michael DeFilippi

After some discussion Commissioner Paul made a motion to approve. Mayor Dietch passed the gavel and seconded the motion. The motion carried 4-0 with Vice Mayor Gielchinsky absent.

2. **State of Florida Model Flood Ordinance**– Guillermo Olmedillo, Town Manager

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, REPEALING AND REPLACING CHAPTER 42 “FLOODS” RELATING TO THE TOWN’S FLOODPLAIN MANAGEMENT REGULATIONS, INCLUDING ADOPTING PROCEDURES AND CRITERIA FOR DEVELOPMENT IN FLOOD HAZARD AREAS; TO ADOPT FLOOD HAZARD MAPS; TO DESIGNATE A FLOOD PLAIN ADMINISTRATOR; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; PROVIDING FOR TRANSMITTAL; AND PROVIDING FOR AN EFFECTIVE DATE

Town Clerk Novoa read the title of the ordinance.

Building Official Prieto made a presentation of the item to the members of the Town Commission.

Vice Mayor Gielchinsky asked Mr. Prieto to explain how this item would affect obtaining flood insurance.

Mr. Prieto explained the guidelines.

Discussion among the Commission and Mr. Prieto took place regarding the item.

The following speakers spoke on the item:
George Kousoulas
Sasha Plutno

Vice Mayor Gielchinsky made a motion to approve. The motion received a second from Commissioner Karukin. Motion passed 4-0 with Commissioner Cohen absent.

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

A. Florida Power and Light (FPL) Light Emitting Diode (LED) Street Light Conversion in Residential Area – Guillermo Olmedillo, Town Manager

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, APPROVING AN LED LIGHTING AGREEMENT WITH FLORIDA POWER & LIGHT COMPANY (FPL) FOR THE CONVERSION AND INSTALLATION OF LED LIGHTING FACILITIES ON STREETS IN THE RESIDENTIAL AREA; PROVIDING FOR AUTHORIZATION AND IMPLEMENTATION OF THE AGREEMENT; AND PROVIDING FOR AN EFFECTIVE DATE.

Town Clerk Novoa read the title of the resolution.

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

Town Manager Olmedillo introduced the item.

Public Works Director Stokes explained the lighting project and the wattage of the lights in comparison to the LED lights.

The following speakers spoke on the item:
George Kousoulas
Jennifer Rotker
Eliana Salzhauer

Town Manager Olmedillo suggested taking the Commission, separately, to a community that has these lights in place.

Commissioner Paul and Commissioner Karukin would like to see a test of the lights on one of the streets before approving.

A motion was made by Commissioner Karukin and seconded by Commissioner Paul to defer the item to next month. Motion passed 5-0.

B. Parking Pay Stations – Continuation of the Extended Hardware and Software Warranty, and Tier II Support and Maintenance with the Service Provider T2 Systems – Guillermo Olmedillo, Town Manager

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, APPROVING THE PURCHASE OF AN EXTENDED HARDWARE AND SOFTWARE WARRANTY AND SUPPORT AND MAINTENANCE SERVICES FROM HARRINGTON RESOURCES, INC. D/B/A PARKER SYSTEMS FOR THE PARKING PAY STATIONS IN USE IN THE TOWN OF SURFSIDE; AUTHORIZING THE EXPENDITURE OF FUNDS IN THE AMOUNT OF \$47,036.00 FROM THE PARKING FUND; AUTHORIZING THE TOWN MANAGER TO ENTER INTO ANY AGREEMENTS FOR SUCH PURCHASE; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Town Clerk Novoa read the title into the record.

Town Manager Olmedillo introduced the item.

Vice Mayor Gielchinsky asked Parking Operations Manager Joseph if enough revenue was made to support the purchase of the warranty.

Parking Operations Manager Joseph answered Vice Mayor Gielchinsky's question stating yes that enough revenue was made to support the purchase of the warranty.

A motion was made by Vice Mayor Gielchinsky and seconded by Commissioner Karukin to approve the resolution. Motion passed 5-0.

C. Purchase of Hybrid Ford Fusion Vehicle – Guillermo Olmedillo, Town Manager

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, AUTHORIZING AND APPROVING THE PURCHASE OF A 2019 FORD FUSION RESPONDER SEDAN FOR THE BUILDING DEPARTMENT AND EXPENDITURE OF FUNDS NOT TO EXCEED \$30,000.00 FROM THE BUILDING FUND FISCAL YEAR 2018/2019 BUDGET; FINDING THAT THE PURCHASE IS EXEMPT FROM PROCUREMENT PURSUANT TO SECTION 3-13(3) OF THE

TOWN CODE; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Town Clerk Novoa read the title into the record.

A motion was made by Vice Mayor Gielchinsky and seconded by Commissioner Karukin to approve the Resolution. Motion passed 5-0.

D. FY 2018-2019 Budget Amendment Resolution No. 1 – Guillermo Olmedillo, Town Manager

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, APPROVING THE BUDGET AMENDMENT NO. 1 FOR THE FISCAL YEAR 2018-2019 BUDGET; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Town Clerk Novoa read the title into the record.

A motion was made by Vice Mayor Gielchinsky and seconded by Commissioner Karukin to approve the Resolution. Motion passed 5-0.

E. Resilient305 Pledge – Mayor Daniel Dietch

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA IN SUPPORT OF RESILIENT305 STRATEGY AND PARTICIPATION AND COLLABORATION ON IMPLEMENTATION OF LOCAL AND REGIONAL RESILIENCE STRATEGIES; APPROVING THE MAYOR'S PLEDGE; PROVIDING FOR AUTHORIZATION AND IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Town Clerk Novoa read the title into the record.

A motion was made by Vice Mayor Gielchinsky and seconded by Commissioner Paul to approve the resolution. Motion passed 4-1 with Commissioner Karukin voting against.

F. CRS Max Consultants, Inc. for CRS Service Agreement – Guillermo Olmedillo, Town Manager

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA APPROVING AN AGREEMENT WITH CRS MAX CONSULTANTS, INC. FOR COMMUNITY RATING SYSTEM CONSULTANT SERVICES; PROVIDING FOR AUTHORIZATION AND

IMPLEMENTATION OF THE AGREEMENT; AND PROVIDING FOR AN EFFECTIVE DATE.

Town Clerk Novoa read the title into the record.

A motion was made by Vice Mayor Gielchinsky to approve the resolution and seconded by Commissioner Karukin. Motion passed 4-0 with Commissioner Cohen absent.

Commissioner Paul commented on pages 386 and 388. She stated that there was a verification visit in 2015. She checked the resolution and the date was May 9, 2017 and \$11,000 was authorized for the same study and she wanted to know why did they forget about the 2017 study and the price went up.

Building Official Prieto answered Commissioner Paul's question regarding the study.

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

The following members of the public spoke on this item:

Jalil Thurber spoke about Commission compensation, the amount of hotel developments, flooding on Bay Drive and variances to properties that do not meet the code requirements.

Michael Drenoff spoke about property variances.

Eliana Salzhauer spoke about different developments within the Town and the limitation of hotels item from Commissioner Karukin.

Marcia Teixeira spoke about the services provided by Calvin Giordano & Associates.

Sasha Plutno spoke about traffic issues, bicycles on the sidewalks and vehicles double parking.

Jennifer Rotker spoke about the possibility of banning glyphosate and driving along the beach.

Sheryl Goldberg spoke about the no hotel development item and the lights that some houses are using.

Phyllis Shamis spoke about the landscaping in the Town.

Steve Kram spoke about the lack of enforcement of Town laws, the possibility of staff checking construction sites at the end of every workday and the street sweeper not keeping the streets clean.

Reuver Hussein commended the building department and spoke about the development of his property.

George Kousoulas spoke about development and variances.

Commissioner Karukin, Commissioner Paul, Commissioner Cohen, Vice Mayor Gielchinsky and Mayor Dietch addressed some of the 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. Beach Renourishment Update [Verbal] - Guillermo Olmedillo, Town Manager

Town Manager Olmedillo gave an update on the beach renourishment project and gave the projected commencement of the project to be between July and August 2019.

B. Downtown Vision Advisory Committee Member Nomination [Verbal] – Guillermo Olmedillo, Town Manager

Town Manager Olmedillo introduced the item

Tourist Board Director Fast recommended Mendall Sigal to be appointed to the Downtown Vision Advisory Committee (DVAC).

The following speaker spoke on the item:
Eliana Salzhauer

A motion was made by Vice Mayor Gielchinsky and seconded by Commissioner Cohen to recommend Mendall Sigal to the DVAC.

Discussion took place and the Commission directed staff to solicit additional applications from business owners for the committee.

A motion was made by Commissioner Karukin and seconded by Vice Mayor Gielchinsky to extend the meeting 60 minutes. Motion passed 5-0. A new motion was made by Vice Mayor Gielchinsky and seconded by Commissioner Karukin to solicit additional applications for the business owner's position. Motion passed 4-1 with Commissioner Cohen voting against.

C. Administrative Decision Appeal – Guillermo Olmedillo, Town Manager

Town Manager Olmedillo introduced the item and requested direction from the Commission.

Commissioner Karukin asked for the Town Attorney's recommendation.

Town Attorney Arango gave her recommendation and examples mentioned in the Zoning Code.

Commissioner Paul stated she is troubled with this and feels it is up to the administration.

Mayor Dietch responded to Commissioner Paul's comments.

Commissioner Cohen left the chambers at 11:11 p.m.

The following speakers spoke on the item:

Eliana Salzhauer

Sasha Plutno

Elliot Kulas

Town Attorney Arango responded to the speakers' questions.

Further discussion took place among the Commission and staff regarding the item but no decision was made.

D. Alleys – Guillermo Olmedillo, Town Manager

Town Manager Olmedillo introduced the item.

The following speaker spoke on the item:

George Kousoulas

The Commission directed the Town Manager to identify options to improve the alleyways and to come back to the Town Commission with those options within the next 150 days. They also would like this item to be brought to the Downtown Vision Advisory Committee for their recommendation.

E. 96th Street Park Renovation Update - Guillermo Olmedillo, Town Manager

Town Manager Olmedillo introduced the item along with Parks and Recreation Director Milian who gave an update on the park renovation process.

Commissioner Paul gave a synopsis of the Parks Committee Meeting and the direction of the Committee which was to issue two RFPs at the same time.

The following speakers spoke on the item:
Eliana Salzhauer
George Kousoulas

A motion to approve with the conditions suggested by Commissioner Karukin to go with the Committee's recommendation (Option 2), to qualify general services for architecture under CCNA. The motion received a second from Commissioner Paul and carried 4-0 with Commissioner Cohen absent.

A motion was made by Commissioner Paul and seconded by Commissioner Karukin to extend the meeting another 30 minutes. Motion passed 4-0 with Commissioner Cohen absent.

F. Downtown Vision Advisory Committee Hurricane Shutter Recommendation - Guillermo Olmedillo, Town Manager

Town Manager Olmedillo introduced the item.

The following speaker spoke on the item:
Marianna Mescheid

A motion was made by Commissioner Paul and seconded by Vice Mayor Gielchinsky directing staff to prepare an ordinance. Motion passed 4-0 with Commissioner Cohen absent.

G. Parking Waiver Program Update - Guillermo Olmedillo, Town Manager

Town Manager Olmedillo introduced the item.

A motion was made by Vice Mayor Gielchinsky and seconded by Commissioner Karukin to extend the program to all 16 properties for a year and bring back with an ordinance. Motion passed 4-0 with Commissioner Cohen absent.

H. Abbott Avenue Drainage – Guillermo Olmedillo, Town Manager

Town Manager Olmedillo introduced the item.

A motion was made by Commissioner Paul and seconded by Mayor Dietch directing the Town Manager to place this item on the Town's

legislative priorities. Motion passed 3-1 with Commissioner Cohen absent and Commissioner Karukin voting against.

I. Auto-Injectors (EpiPen) policy Discussion - Guillermo Olmedillo, Town Manager

Town Attorney Arango presented and introduced the item.

Commissioner Karukin stated for the record that there was no municipality in the State of Florida that does this and that the Town Manager stated that it would increase liability for the Town.

The following speakers spoke on the item:

Sasha Plutno

Eliana Salzhauer

Discussion among the Commission took place regarding who holds the prescription and outstanding operation.

A motion was made by Commissioner Paul and seconded by Mayor Dietch requesting further evaluation of this program as to who was responsible for holding the prescription of the EpiPen and other outstanding operation consideration. Motion failed 2-2 with Commissioner Karukin and Vice Mayor Gielchinsky voting against and Commissioner Cohen absent.

J. Miami-Dade County Public Schools Legislative Programs – Guillermo Olmedillo, Town Manager

Town Manager Olmedillo introduced the item.

The Commission requested to place in the Gazette in order to obtain community ideas and direct people to their website.

K. Ruth K. Broad Attendance Boundary Confirmation [Verbal] – Guillermo Olmedillo, Town Manager

Town Manager Olmedillo introduced the item.

Commissioner Paul agreed with helping the school district and to confirm if there is anything else, they need to help them and to meet with the Bal Harbour Village Manager.

L. Abolishment of the Sustainability & Resiliency Committee. [Verbal – Add on item]

Commissioner Karukin made a motion to abolish the Sustainability & Resiliency Committee. The motion died for lack of a second.

10. Adjournment

A motion was made by Commissioner Karukin and seconded to Vice Mayor Gielchinsky to adjourn the meeting at 12:30 a.m., Wednesday, June 12, 2019 with the pulled items being moved to the next meeting. Motion passed with a 3-1 vote with Mayor Dietch voting against and Commissioner Cohen absent.

Respectfully submitted,

Accepted this ____ day of _____, 2019.

Daniel Dietch, Mayor

Attest:

Sandra Novoa, MMC
Town Clerk



TOWN MANAGER'S REPORT

JULY 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. At its June 11th, 2019 meeting, the Town Commission deferred the application.

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 June 25, 2019, the total number of active, open cases being managed is 240; of these cases, 99 cases are still under investigation and

are working towards compliance; 20 cases are on-hold; 24 are in the Special Master hearing queue; 7 cases are in post-Special Magistrate action status; 3 cases have pending liens, and 87 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 June 25, 2019, 110 cases have paid/settled for a total collection of \$28,435.
- 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 May 31, 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 May 23, 2019 meeting, the Board continued to discuss options for adaptation and potential code amendments.

Police Department

A. Police Department Statistics (June 1 – June 23, 2019):

- Traffic Citations – 289
- Parking Citations – 557
- Arrests – 5
- Dispatch Events – 1,707
- Incident/Crime Reports - 49
- Suspicious Person Checks – 23

B. Business District Variable-Rate Parking Fee Report - Attachment "E"**C. 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.		<u>New Speed Bumps</u>	<u>Re-Opened November 2018</u>	<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>New speed bumps implementation is being evaluated for the 8800 block of Carlyle Avenue.</p>


				<u>In May 2019, a speed bump was installed in the 8800 block of Carlyle Avenue.</u>
2.		Loop Detector Installation	In progress	<p>CGA was authorized to move forward with the preparation of the bid documents for the traffic loops at three signalized intersections along 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>

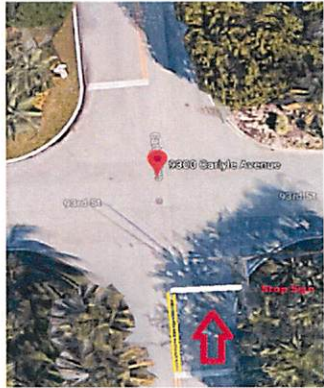
				<p>In a letter dated April 16, 2018, reference Town of Surfside Traffic Signal Modifications ITB No. 2018-01 and CGA Project No. 15-8083, CGA Director of Construction Engineering, Robert McSweeney, provided an analysis of the two bids received for the Surfside Traffic Signal Modification Project and 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</p>
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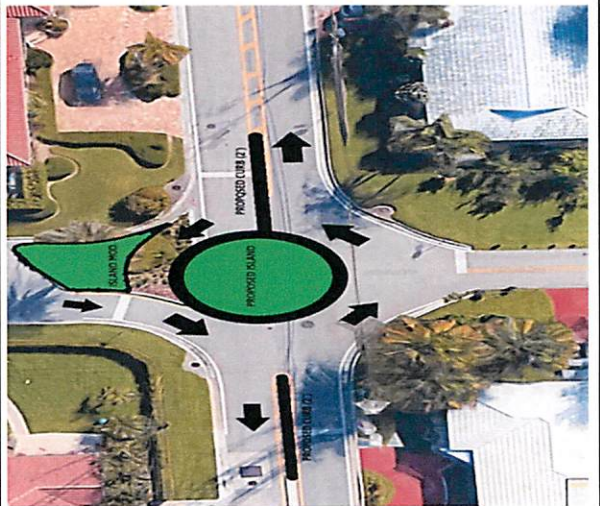
				<p>their already approved plans. They had asked for one of the pedestrian signal phases to be modified.</p> <p>On 8-22-2018, Under Power Corporation picked up 18 revised signed and sealed sets from CGA.</p> <p>On 8-23-2018, the revised plans were submitted to the County for permitting by the contractor. 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>
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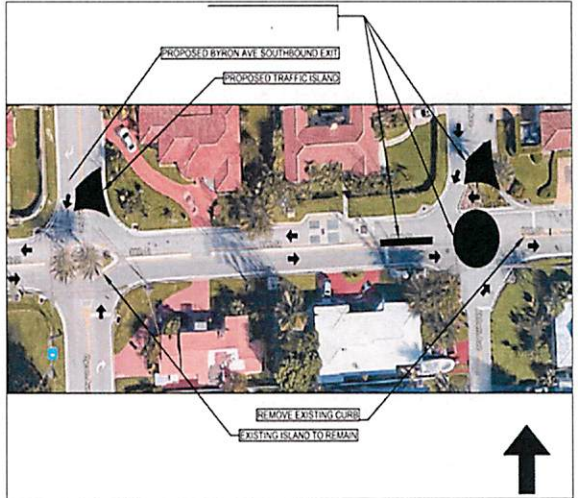
				<p>Loop Detector installation work began the week of 12-17-2018 and FDOT advised that the contractor has a 90-day window to complete the work. Traffic advisories were emailed to residents and posted on the Town website regarding the construction work and anticipated lane closures on Harding Avenue. FDOT 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.</p> <p>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>According to the Town Public Works Department we are awaiting a cost on the Change Order.</p> <p>In April 2019, Public Works advised that an RFP will have to be re-issued as the contractor has withdrawn from the project.</p>
3.		Install a crosswalk at 90 th Street & Harding Avenue (north side) and 89 th Street & Harding Avenue (north side)	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>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.</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 Department 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><i>Collins Avenue facing Northbound traffic</i> 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><i>Harding Avenue facing Southbound traffic</i> 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>

				Town Public Works advised that FDOT confirmed that a work order has been completed and pending a start date for the work.
5.		Evaluate Sidewalk Options	Open	Town Commission approved a motion to continue to evaluate pedestrian safety options in Surfside.
6.		<p>95th Street & Harding Avenue (westbound), left Turn lane added.</p> <p>300 block of 95th Street (eastbound), right turn lane added.</p>	Closed	<p>On 04-27-2017, the traffic lanes in the 200 block of 95th 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 95th 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. 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</p>

				<p>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.		<p>Revisit Street Closure</p> <ul style="list-style-type: none"> ○ 94th Street / Abbott Avenue 	Closed	Town Commission approved a motion against revisiting this item.
10.		<p>New Street Closure</p> <p>Byron Avenue (northbound) at 88th Street</p>	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 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 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>  <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.	Install traffic light at 96 th Street & Abbott Avenue Eliminate left hand turn at 96 th Street & Byron Avenue	Closed	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 96 th 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. FDOT will not eliminate the left turn at 96 Street & Byron Avenue.
15.	Send demand letters to mapping companies ○ 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	On Monday 10-08-18, Public Works advised that the 200 block of 90 th 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. 


				On Monday 10-29-18, the striping and reconfiguration was completed.
Intermediate Term (7-18 months)				
1.		Design 91 st Street Improvements <ul style="list-style-type: none"> o 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. 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 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 residences 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.	Variable Parking Rate for On-Street Parking Spaces in the Business District (9400 and 9500 blocks of Harding Avenue)	Open	<p>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.</p> <p>The resolution was approved by the Town Commission and on Monday 04-15-2019, the Variable Parking Rate was implemented without issue for the Parking Pay Stations and Pay-By-Phone Systems. A two-month evaluation of the program will be submitted in June 2019.</p>
2.	<p>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.</p> <p>The total number of single parking spaces added is now 12.</p>	<u>Closed</u>	<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 <p>An additional loading zone was added at the following location effective Monday 04-22-2019:</p> <ul style="list-style-type: none"> • 300 block of 95 Street on the north-west corner encompassing three parking spaces. The loading zone is effective between 6:00AM – 10:00AM only.
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. • 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</p>

			<p>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	<p>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.</p>
5.	Ride Share Pick-up & Drop Off	Closed	<p>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.</p> <p>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).</p>  <p>Budget Impact: There will be a reduction in the Town Parking revenue stream due to three (3)</p>

		<p>less parking spaces being available for paid parking. There will be incurred costs for procuring signage and possible repainting of the parking spaces.</p> <p>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 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</p>
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			<p>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 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>The signs were received and installed the week of February 25th, 2019.</p>
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D. Fourth of July:


On Thursday, July 4th, the Town of Surfside Parks and Recreation Department hosted their annual 4th of July Holiday Celebration featuring live music, DJ sets, a photo booth, and activities including arts and crafts, swim races and outdoor games. The event concluded with a fantastic beachside fireworks exhibition at 9:00 p.m. This event draws hundreds of families and visitors.

Additional police officers were assigned from 2:00 p.m. to 10:00 p.m. to ensure safety and security at the Community Center, on the beach, during the fireworks set-up and display, beach escorts for trucks carrying equipment to the Community Center and on Collins Avenue to assist with pedestrian crossing.

E. Police Events:

- The Police Teen Summer Program in conjunction with the Parks and Recreation Teen Camp began on June 13, 2019 and concludes on August 1, 2019 with a graduation for the teenagers. The presentations for July will include Undercover Operations, Crime Scene Investigation and visits to the U.S. Coast Guard Air Base and Fire Rescue Department Station 25 in Opa Locka and North Miami Beach Police Department for a presentation on the MRAP, SWAT Truck and the role of motorcycle officers.
- Coffee with the Cops is July 25, 2019, at Starbucks at 10:00 a.m.
- The monthly Bike with the Chief is July 31, 2019, at Town Hall at 5:00 p.m.

Respectfully submitted by:



Guillermo Olmedillo, Town Manager

Town of Surfside, FL

Attachment "A"

Between Jan 01, 2014 and Jun 25, 2019

1043 requests were opened

1023 requests were closed

The average time to close was 27.1 days.

REQUEST CATEGORY	OPENED	CLOSED	DAYS TO CLOSE
Other	229	227	24.9
Beach Issue	177	167	23.5
Code Compliance (Violation)	140	140	29.6
Parking Issue	91	91	3.6
Police (Safety Concern)	76	76	8.3
Code Compliance (Safety Concern)	82	82	34.7
Street lights (PW)	48	47	149.8
Construction Issues	37	36	15.4
Utilities (Water/Sewer) (PW)	32	31	11.7
Drainage/Flooding (PW)	29	25	27.1
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	11.8
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 Jun 01, 2019 and Jun 25, 2019

13 requests were opened

17 requests were closed

The average time to close was 45.1 days.

REQUEST CATEGORY	OPENED	CLOSED	DAYS TO CLOSE
Code Compliance (Safety Concern)	4	5	11.5
Construction Issues	3	3	65.4
Other	2	3	39.6
Drainage/Flooding (PW)	2	2	100.4
Beach Issue	1	2	21.9
Code Compliance (Violation)	1	1	1.1
Street lights (PW)	0	1	149.6
96 Street Park (P & R)	0	0	0.0
Barking Dog	0	0	0.0
Beach Patrol	0	0	0.0
Community Center (P & R)	0	0	0.0
Dead Animal	0	0	0.0
Dog Stations (P & R)	0	0	0.0
Graffiti (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
Police (Safety Concern)	0	0	0.0
Pothole (PW)	0	0	0.0
Solid Waste (Commercial) (PW)	0	0	0.0
Solid Waste (Residential) (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: June 25, 2019

Subject: June Social Media (Nextdoor) Report

In June, 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, notifications and further information on events, meetings and initiatives. These included posts on summer safety tips for parents and children, promoting the Surfside Mango Contest, notifying residents about traffic alerts, updates on the dog park closure and maintenance, and reminders for meetings and events taking place throughout the month. Furthermore, residents received notifications of important updates through the Town website, e-blasts, the Gazette and Channel 93. The PIR also posted reminders in regards to the latter (Surfside's government access channel) which will be transitioning to Channel 663 on July 16, 2019.

In the month of June, the Town's Public Information Representative published 21 posts on Nextdoor. There are currently 1,123 verified Surfside residents in the Nextdoor community.

It is important to reiterate that 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.

July Gazette - Now Available and Save the Dates for July Meetings & Events

Extra, extra! Read all about it! The July Gazette is now available. In the latest edition, you will find a pullout insert with important information about the upcoming Beach Renourishment Project, which is slated to begin in July or early August. We encourage you to pick up a copy at Town Hall or read the digital version here: ([link](#))

Additionally, please find the July Events and Meetings flyer with all the happenings for the month here: ([link to July flyer](#))

As a friendly reminder, Surfside's government access channel, Channel 93, will officially transition over to Channel 663 on Tuesday, July 16. Like Channel 93, the new Channel 663 will serve as a great resource to catch up on monthly news, watch live or recorded Town Commission and Committee Meetings, and enjoy special lifestyle segments centered on the Town. Residents can view Channel 663 via AT&T Broadband and U-verse On Demand or stream it live on the Town website at:

<https://www.townofsurfsidefl.gov/departments-services/town-clerk/public-records/channel-93>

For the most up-to-date information and meeting changes, always refer to the Town of Surfside website at www.townofsurfsidefl.gov.

Enjoy your weekend!

Red, White and Blue in Surfside: Save the date for 4th of July celebration!



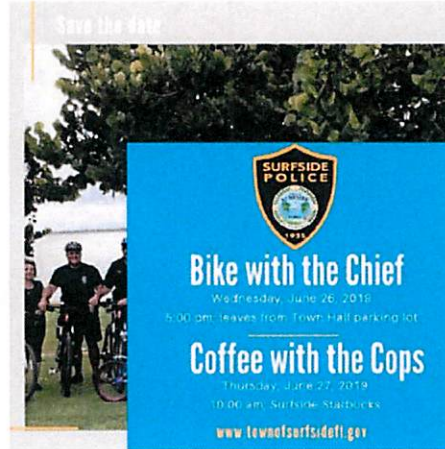
Planning your upcoming 4th of July celebration? The Town of Surfside Parks and Recreation Department is hosting a very special gathering on Thursday, July 4, 2019 at the Community Center, starting at 2 pm. You don't want to miss it!

The celebration will include swim races, live music, DJ, arts and crafts, outdoor games, a photo booth and, of course, fireworks! The Zambelli beachside fireworks show starts at 9 pm and is sponsored in part by the Surfside Tourist Bureau.

Please refer to the attached flyer for additional information. For questions, contact the Surfside Parks and Recreation Department at 305.866.3635.

We hope to see you there!

This week in Surfside: Bike with the Chief on 6/26 and Coffee with the Cops on 6/27



The end of the month brings two popular community events hosted by the Surfside Police Department: Bike with the Chief and Coffee with the Cops.

Bike around town with Police Chief Julio Yero and other officers during Bike with the Chief on Wednesday, June 26, 2019. The bike ride will head out from the Town Hall parking lot at 5:00 pm. The event not only serves as a great exercise session, but also as a way to catch up on community happenings with the men and women who keep our town safe.

On the following day, Thursday, June 27, 2019, take things a little slower and enjoy coffee with Surfside Police officers during Coffee with the Cops. The gathering starts at 10:00 am and takes place at the local Surfside Starbucks, located at 9560 Harding Avenue.

For further information on these monthly events, please contact the Surfside Police Department at 305.861.4862.

Surfside Mango Contest this Sunday, 6/23



Surfsiders, the much-anticipated 2019 Surfside Summer Mango Contest is this Sunday, June 23, 2019 from 5:00 pm to 6:00 pm at the Community Garden.

Download the registration form (<https://docs.google.com/document/d/1r6Yt6f8PBYYQOs-RV2lhEcZmqGhGRJ6ABPaf4QK8iyRU/edit>) and head over to the Community Center on June 23 from 9:00 am - 11:00 am to drop off your finest Surfside mango to Dalia Blumstein. Then, join us from 5:00 - 6:00 pm at the Surfside Community Garden (89th Street and Dickens Ave) where the owner of the sweetest and best-tasting mango will be selected by our special judges, along with 2nd and 3rd place winners.

All mango samples must be carefully labeled using the contest form available on the Town News section of the Town's website and must be locally grown in Surfside. For more information and to receive the contest form via email, contact DaliaBlumstein@gmail.com. This event is presented by the Surfside Urban Gardeners at the Surfside Community Garden.

Good luck - may the best mango win!

Apply today for the Town of Surfside Higher Education Scholarship (Deadline: August 2, 2019)

The Town of Surfside will be awarding \$1,000 2019 Higher Education Scholarships to two deserving resident graduating seniors interested in or intending to pursue post-high school course of study. Continuation of education must be at either college/university level or other post-secondary educational institution. The applicants will be selected by the Town of Surfside Scholarship Committee. The deadline to apply for the Town of Surfside Higher Education Scholarship was recently extended to 5:00 pm on Friday, August 2, 2019.

View the original flyer: https://townofsurfsidefl.gov/docs/default-source/default-document-library/parks-and-recreation/fitness-programs/higher-education-scholarship-flyer-2019.pdf?sfvrsn=47f65f94_6

View the application: https://townofsurfsidefl.gov/docs/default-source/default-document-library/parks-and-recreation/fitness-programs/higher-education-scholarship-information-application-2019.pdf?sfvrsn=13c85f94_4

Traffic Alert: 9400 Collins Ave Single Lane Closure on Thursday, 6/20/2019

The Town of Surfside wants you to be aware that the Florida Department of Transportation has authorized a single lane closure along the 9400 block of Collins Avenue (SR A1A North) on the following dates and times:

- Thursday, June 20, 2019, 7:30 pm to 5:00 am

The work is to repair underground cables in the eastern most lane of Collins Avenue. 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.

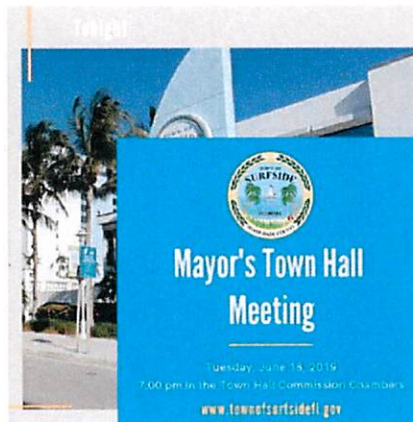
View the original flyer: https://www.townofsurfsidefl.gov/docs/default-source/default-document-library/2019.pdf?sfvrsn=9b672794_6

Canceled: Tonight's Town Hall meeting with the Mayor

Dear Surfsiders,

Due to unforeseen circumstances, please note that tonight's Town Hall meeting with Mayor Daniel Dietch will be postponed to a later date. We will share the new date with you soon. Thank you.

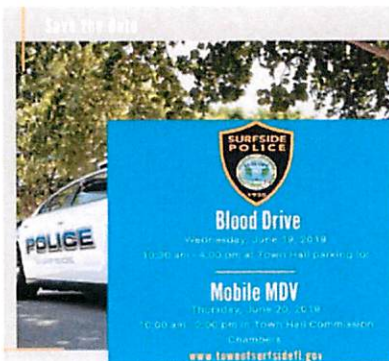
Reminder: Mayor's Town Hall Meeting tonight, 6/18



Please be reminded that the Mayor's Town Hall Meeting is taking place tonight, Tuesday, June 18, 2019, at 7:00 pm in the Town Hall Commission Chambers. Mayor Dietch will be engaging in constructive conversations with residents in a roundtable format.

This meeting is an excellent opportunity to voice your concerns about community matters that are important to you and to receive updates from Mayor Dietch. Residents are encouraged to attend.

Surfside PD events this week: Blood Drive on 6/19 and DMV services on 6/20



The Surfside Police Department is hosting the following two events this week:
A Blood Drive will take place on Wednesday, June 19, 2019 from 10:30 am to 4:00 pm.
A Blood Mobile will be located in the Town Hall parking lot at that time. This event is

made possible by a collaboration between the Surfside Police Department and the One Blood organization. (View the original flyer of the event here:

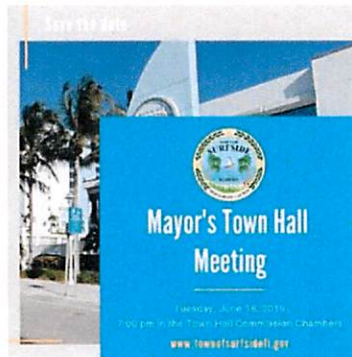
https://www.townofsurfsidefl.gov/docs/default-source/default-document-library/blood-drive-june-19-2019.pdf?sfvrsn=81992194_4)

Then, on Thursday, June 20, 2019, the Police Department will host a Mobile DMV services event where Community Outreach Specialists from the Department of Highway Safety and Motor Vehicles will be present to provide driver's license services. The Mobile DMV will take place from 10 am to 2 pm in the Town Hall Commission Chambers. (View the original flyer of the event here:

https://www.townofsurfsidefl.gov/docs/default-source/default-document-library/mobile-dmv-june-20-2019--website.pdf?sfvrsn=62992194_4)

For further information, please contact the Surfside Police Department at 305.861.4862 or email Dina Goldstein at dgoldstein@townofsurfsidefl.gov.

Save the Date: Mayor's Town Hall Meeting on Tuesday, 6/18



Surfside residents, please be reminded that Mayor Daniel Dietch will host a Town Hall Meeting next week on Tuesday, June 18, 2019, starting at 7:00 pm in the Town Hall Commission Chambers.

The Mayor's Town Hall Meetings are designed to promote constructive conversations between Mayor Dietch and Surfside residents in an informal roundtable format.

The most recent Mayor's Town Hall Meeting took place on March 19, 2019. For a meeting recap, please refer to: https://townofsurfsidefl.gov/docs/default-source/default-document-library/mayor-s-town-hall-recap-letter_3-19-19.pdf?sfvrsn=5462394_4

Join the Surfside Mango Contest on Sunday, 6/23



Think you have the best mangoes in Surfside? Enter the 2019 Surfside Summer Mango Contest on Sunday, June 23, 2019 from 5:00 - 6:00 pm at the Community Garden.

Download the registration form (<https://docs.google.com/document/d/1r6Yt6f8PBYQOs-RV2IhEcZmqGhGRJ6ABPaf4QK8iyRU/edit>) and head over to the Community Center on June 23 from 9:00 am - 11:00 am to drop off your finest Surfside mango to Dalia Blumstein.

Then, join us from 5:00 - 6:00 pm at the Surfside Community Garden (89th Street and Dickens Ave) where the owner of the sweetest and best-tasting mango will be selected by our special judges along with 2nd and 3rd place winners.

All mango samples must be carefully labeled using the contest form available on the Town News section of the Town's website and must be locally grown in Surfside. For more information and to receive the contest form via email, contact DaliaBlumstein@gmail.com. This event is presented by the Surfside Urban Gardeners at the Surfside Community Garden.

Summer safety tips for drivers and parents

School is out for the summer and the Surfside Police Department wants to remind drivers and parents about the importance of keeping children safe. Drivers should be extra cautious for child pedestrians and bicyclists.

Here are some tips:

- Be alert, especially in residential areas.
- Expect the unexpected. Children may cross anywhere on the street or suddenly run or ride in front of you.
- Obey all laws. Slow down if children are along the road or crossing the street. Come to a full stop at intersections.
- Be predictable. Do not make sudden maneuvers that others, particularly children, are not expecting.
- Double check behind you and around you when backing out of a driveway or parking space.
- Do not be distracted. Put down coffee and cell phones, and put both hands on the wheel. Avoid distractions in your vehicle, including loud music.
- Yield the right of way to pedestrians. It is the law.

Tips for Parents:

- Focus on the basics. Teach your children to make eye contact with the driver before crossing, even if the walk signal is on.
- Remind them to walk, do not run across the road and to stop, look and listen before crossing the street.
- Teach your children to cross at intersections that have a marked crosswalk or a pedestrian crossing light.
- Teach children to watch for cars that are backing up.
- When walking with your child, avoid unnecessary shortcuts like walking through a parking lot. Drivers may not see children between parked cars and the children may not see the cars moving.
- Remind children not to play in or around vehicles.

Paws Up Dog Park will be closed for treatment on Thursday, 6/13 and will reopen on Friday, 6/14

The Surfside Paws Up Dog Park, located at 93rd Street and Byron Avenue, will be closed for treatment on Thursday, June 13, 2019. The treatment will consist of a process of spraying for red ants to ensure the safety and comfort of residents and their pets. The dog park will reopen at 8:00 am on Friday, June 14, 2019. We apologize for any inconvenience and look forward to having your furry friends over again by the end of the week.

For further questions, please contact the Surfside Parks and Recreation Department at 305.866.3635.

Take part in the Surfside Turtle Talk this Wednesday, 6/12

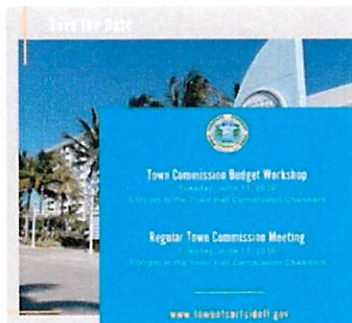
Surfside residents are very fond and proud of the local sea turtle population. That is why the Surfside Turtle Talk this Wednesday, June 12, 2019 is the perfect event to learn valuable information about these fascinating animals.

The Sea Turtle Conservancy is hosting the event at the Four Seasons Hotel at The Surf Club, located at 9001 Collins Avenue (South Residential Tower), from 6 pm to 7 pm. Participants will learn about the sea turtles that nest on the public beach in Surfside; what they eat, why they come to our shores, precautions to take during sea turtle nesting season (currently underway from May 1 to October 31), and what the Miami-Dade Sea Turtle Conservation Program does on a daily basis.

The event is free, but spaces are limited. To register, please refer to:

<https://www.eventbrite.com/e/surfside-turtle-talk-tickets-62920428696>

Reminder: Town Commission Budget Workshop and Regular Town Commission Meeting tomorrow!



There are two important community meetings taking place tomorrow, Tuesday, June 11. The Town Commission Budget Workshop will begin at 5 pm in the Town Hall Commission Chambers, followed by the monthly Regular Town Commission Meeting starting at 7 pm.

Please find the Agenda Packet for the Budget Workshop here:

https://www.townofsurfsidefl.gov/docs/default-source/default-document-library/town-clerk-documents/commission-agendas/2019-commission-agenda/2019-06-11-budget-workshop-agenda-packet.pdf?sfvrsn=ca5f2694_2

The Agenda Packet for the Town Commission Meeting can also be found here:

<https://www.townofsurfsidefl.gov/docs/default-source/default-document-library/town->

[clerk-documents/commission-agendas/2019-commission-agenda/2019-06-11-regular-town-commission-meeting-agenda-packet.pdf?sfvrsn=cf542694_2](https://www.townofsurfsidefl.gov/docs/default-source/default-document-library/2019-commission-agenda/2019-06-11-regular-town-commission-meeting-agenda-packet.pdf?sfvrsn=cf542694_2)

Residents are encouraged to attend both meetings.

For further information on the Town of Surfside's budget process, in addition to important budget dates, please refer to: https://www.townofsurfsidefl.gov/docs/default-source/default-document-library/the-town-of-surfside's-budget.pdf?sfvrsn=f11f2694_4

Traffic Alert: Rollover Accident

The Town of Surfside wants to advise you that the City of Miami Beach Police Department is on the scene of a rollover accident at the 7900 block of Harding Avenue (SR A1A Southbound).

At this time, it is unknown how long traffic will be impacted.

Traffic delays are likely to occur so please plan your commute routes accordingly and drive safely.

Miami Beach Police Officers are on the scene to assist with traffic flow.

Designs by middle school students decorate beach street ends in the Town of Surfside



We are pleased to announce the Public Works Department has completed installation of mosaic artwork on street ends along the beach hard pack in the Town of Surfside. The project was made possible through a collaboration with art students from Ruth K. Broad Bay Harbor K-8 Center, under the guidance of middle school art teacher Maggie Vidal-Santos and through the generosity of the Four Seasons Hotel at The Surf Club.

Colorful mosaics depicting landscapes and symbols local to Surfside now adorn the blue waterproof markers located at the street ends of 88th Street to 96th Street, enlivening your walks and jogs along the hard pack. Designs include sea turtles, sunsets, umbrellas, palm trees, fish, and other waterfront scenes relevant to the town. The year-long project was initiated to further beautify our streets and to denote street numbers. Vidal-Santos, who expressed pride in the work of her students, says that seven talented middle schoolers worked tirelessly after-school once a week to bring the project to fruition. These students will be recognized at the next Town Commission meeting scheduled for 7 pm on Tuesday, June 11.

The Town of Surfside has worked with Ruth K. Broad in the past. In 2013, a vibrant sea turtle sculpture named Ruth, which was created by middle school art students at Ruth K. Broad, was donated to the Healing Newtown Art Space in Newtown, Connecticut after the tragedy at Sandy Hook Elementary. In 2018, after a similar tragedy at Marjory

Stoneman Douglas High School in Parkland, Florida, the Town of Surfside donated to the Ruth K. Broad K-8 Parent Teacher Association for a memorial sculpture for the high school. Under the direction of Maggie Vidal-Santos, students created and delivered a seven-foot eagle sculpture and a heart with the phrase "Never Again."

Tonight: Community Meeting on Beach Renourishment at 6 pm



Surfside residents are invited to take part in the latest Community Meeting on Beach Renourishment tonight, Thursday, June 6, 2019 at 6 pm in the Town Hall Commission Chambers.

The U.S. Army Corps of Engineers will be in attendance to provide project updates, as well as answer any questions.

For further information on the Beach Renourishment taking place in Surfside, please refer to the Town website: <https://www.townofsurfsidefl.gov/news-and-events/news-detail/2019/02/07/beach-renourishment---surfside-florida>

View the original event notice of tonight's meeting via the following link:

<https://www.townofsurfsidefl.gov/news-and-events/events-detail/2019/06/06/other-meetings/community-meeting-on-beach-renourishment>

Be Hurricane Ready: Tips and Important Resources

The 2019 Atlantic Hurricane Season officially began on June 1 and ends on November 30. It is crucial to be prepared and to be Hurricane Ready in order to ensure your safety.

Please refer to the Town of Surfside's website for important resources, tips and information on hurricane safety and preparedness:

<https://www.townofsurfsidefl.gov/news-and-events/news-detail/2019/05/01/be-hurricane-ready-june-1---november-30>

Are you hurricane ready? Watch this video and attend tonight's Hurricane Preparedness Community Meeting

Hurricane season is officially here and the Town of Surfside wants residents to be fully prepared in the event of a major storm. For tips on how to keep you and your property safe, please refer to the Town website in addition to the following video, featuring Surfside Mayor Daniel Dietch and Police Chief Julio Yero:

<https://www.townofsurfsidefl.gov/videos/default-source/default-video-library/surfside-hurricane-preparedness-video-copy.mp4?status=Temp&sfvrsn=0.28451449444884>

It is important to heed all warnings, update your hurricane kits in advance and plan to evacuate should a mandatory evacuation order be issued for the area. As a reminder, the Surfside Police Department will host its annual Hurricane Preparedness Community Meeting tonight, Tuesday, June 4, 2019 at 6:00 pm in the Town Hall Commission Chambers (second floor.) Surfside residents and local business owners are encouraged to attend this meeting, which will include helpful and valuable information.

To view the official event notification, please refer to:

<https://www.townofsurfsidefl.gov/news-and-events/events-detail/2019/06/04/other-meetings/hurricane-preparedness-community-meeting>

Save the Dates: June 2019 Meetings & Events in Surfside

The Town of Surfside is happy to present a new lineup of community events and meetings for the month of June. Click the flyer enclosed and save the dates.

The June Gazette is also available now. Read the digital version here:

<https://issuu.com/surfsidegazette/docs/gazette-june2019>

For further news, videos of Town Hall meetings and exciting segments, make sure to also tune in to Surfside's TV Channel 93 (transitioning to Channel 663) via AT&T Broadband and U-verse On Demand or stream it live at:

<https://www.townofsurfsidefl.gov/departments-services/town-clerk/public-records/channel-93>

Always remember that the Town website is also a great resource for information. Visit www.townofsurfsidefl.gov.

No changes since May 2017 Town Commissioner meeting

DEVELOPMENT APPLICATION PROCESS (2009 - PRESENT)											
Application Date	Location	Project Description	Zoning Process			Density/Intensity		Variances		Building Permit	
			DMS	P&Z	TC	Allowed	Approved	Requested	Received	Application No.	Status
12/29/2009	9300 Collins Ave	Surfside Hotel - Proposed surfside hotel consisting of 181 hotel units, 4 floors and adjacent 3 stories garage	1/13/2010, 2/3/2010	2/7/2010	5/10/2011	242 units	175 units	None	None	13-177	Issued
1/4/2010	9450 Abbott Ave	Young Hotel - Construction of Jewish orthodox temple containing 171 seats and a maximum building height of 40 feet	1/20/2010, 2/2/2012	3/7/2012	4/10/2012	Regulated settlement to determine buildable area and unit mix	Regulated settlement to determine buildable area and unit mix	Approved through settlement agreement not variance. Settlement determined setbacks.	None	13-118	Issued
5/4/2011	9449 & 9418 Collins Ave	Grand Beach 341 room hotel	5/18/2011, 6/15/2011	7/28/2011	9/13/2011	341 units	341 units	None	None	12-144	Issued
7/17/2012	9379, 9365 & 9345 Collins Ave	Chateau Ocean Residences - Demolition of existing 9379 room hotel, construction of 300 unit residential condominium building and accessory amenities	8/12/2012, 9/11/2012	12/4/2012	1/24/2013	325 units	81 units (Township approved for 34 units less)	None	None	14-132	Issued
Original submittal: 7/13/2012 Site plan amendment: 4/18/16	9011 Collins Ave	Surf Club - restoration of the famous surf club historic structure and for the construction of new improvements	7/11/2012, 8/21/2012, site plan amendment: 5/14/2016, 6/14/2016, 8/9/2017, 5/11/2017	Original site plan 9/27/2012, site plan amendment: 8/11/2017	Original site plan 10/15/2012, site plan amendment: 10/10/2017	762 units	257 units	None	None	13-727	Issued
7/20/2012	9450 Collins Ave	The Surf - New multi-use glass atrium and parking (learning center (3 stories)	2/11/2013, 9/27/2013, 7/9/2013	2/27/2014	10/24/2014	3 story expansion of 8,558.9 square feet	3 story expansion of 8,558.9 square feet	None	None	14-509	Issued
9/15/2015	201, 203, 207, 209 & 215 BREN St 8809 Harding Ave	Surfside Condo's - redevelopment of 17 parcels into single unified condo development	4/12/2015, 6/12/2015	8/7/2015	12/8/2015	65 units	28 units	None	None	14-549	Planned, approved, waiting on GC
8/17/2015	9133 Collins Ave & 9149 Collins Ave	Surf Club II - Redevelopment of property with a multi-family residential project and renovation of existing historic structure	9/4/2015, 3/9/2017, 9/11/2017	12/7/2017	2/13/2018	159 units	48 condominium units, 31 hotel rooms	None	None		Has not applied for permit yet
Original submittal: 2/11/2016 Revised submittal: 5/31/18	9380, 9372, 9364, 9348, 9340, 9322, 9316 & 9300 Collins Ave	1300 Collins Ave - demolition of all existing improvements, construction of 3-story building	Original submittal 1/10/2016, 4/27/2016 Revised submittal 6/27/2018, 8/28/2018, 11/2/18	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	None	18-610	Has not applied for permit yet
5/4/2016	8955 Collins Ave	Residential Condominiums	4/20/2016, 7/27/2016	10/27/2016	11/10/2016	110 units	16 units	None	None	18-602	Issued
Oct 16	9116 Harding Ave	203 Surfside - 4 Townhouses	11/2/2016, 2/7/2017, 5/14/2017	6/27/2018	4/14/2018	8 units	4 units	None	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	5/23/2018, 4/26/2018, 5/31/2018, no approval yet from PZ, must be heard again by the Board	Most scheduled yet for TC until recommendation from PZ	99 units	Current request has not been scheduled for commission yet. Request is for 55 units	1 requested 3. Section 90-82 - Off-street loading (Loading Space Act) Section 90-1.2 - Off-street parking (Loading Space Act) Landscaping adjacent to streets and abutting properties (Landscape Buffer). Section 90-9.1(b) - Open Space (Open Space Act)	Has not been scheduled for TC until recommendation from PZ		Has not applied for permit yet
Original submittal: 10/14/2017	Abbott Ln	Unrelated Proposal (P3)									Terminated
Original submittal: 1/26/2015 4/01/2016, 12/31/2016, 01/09/2018, 10/29/2018	8851 Harding Avenue	18 multi-family units	01/27/2015, 06/18/2016, 01/23/2017, 03/27/2018, 11/29/2018	01/31/19 PZ recommended approval	Scheduled for TC meeting on 06/17/2019	33 units	Request is for 18 units	1 requested 90-82 - Off-street parking (Loading Space Act) Loading Space Act			Has not applied for permit yet

TOWN OF SURFSIDE, FLORIDA
MONTHLY BUDGET TO ACTUAL SUMMARY

FISCAL YEAR 2018/2019

As of MAY 31, 2019

67% OF YEAR EXPIRED (BENCHMARK)

Agenda Item #

Page

1 of 3

Agenda Date: July 9, 2019

GOVERNMENTAL FUNDS	ACTUAL	ANNUAL BUDGET	% BUDGET
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GENERAL FUND - 001

REVENUE	\$ 14,265,807	\$16,622,251	86%
EXPENDITURES	8,015,492	\$16,622,251	48%
Net Change in Fund Balance	6,250,315		
Fund Balance-September 30, 2018 (Unaudited)	10,628,234		
Fund Balance-May 31, 2019 (Reserves)	<u>\$ 16,878,549</u>		

A

TOURIST RESORT FUND - 102

REVENUE	\$ 2,700,773	\$2,940,500	92%
EXPENDITURES	1,814,433	\$2,940,500	62%
Net Change in Fund Balance	886,340		
Fund Balance-September 30, 2018 (Unaudited)	305,877		
Fund Balance-May 31, 2019 (Reserves)	<u>\$ 1,192,217</u>		

POLICE FORFEITURE FUND - 105

REVENUE	\$ 12,720	\$113,800	11%
EXPENDITURES	66,651	\$113,800	59%
Net Change in Fund Balance	\$ (53,931)		
Fund Balance-September 30, 2018 (Unaudited)	159,527		
Fund Balance-May 31, 2019 (Reserves)	<u>\$ 105,596</u>		

TRANSPORTATION SURTAX FUND - 107

REVENUE	\$ 86,796	\$231,262	38%
EXPENDITURES	157,968	\$231,262	68%
Net Change in Fund Balance	(71,172)		
Fund Balance-September 30, 2018 (Unaudited)	247,445		
Fund Balance-May 31, 2019 (Reserves)	<u>\$ 176,273</u>		

BUILDING FUND - 150

REVENUE	\$ 633,296	\$1,427,535	44%
EXPENDITURES	715,366	\$1,427,535	50%
Net Change in Fund Balance	(82,070)		
Fund Balance-September 30, 2018 (Unaudited)	2,825,208		
Fund Balance-May 31, 2019 (Reserves)	<u>\$ 2,743,138</u>		

CAPITAL PROJECTS FUND - 301

REVENUE	\$ 308,384	\$1,470,000	21%
EXPENDITURES	74,201	\$1,470,000	5%
Net Change in Fund Balance	234,183		
Fund Balance-September 30, 2018 (Unaudited)	2,158,902		
Fund Balance-May 31, 2019 (Reserves)	<u>\$ 2,393,085</u>		

NOTES:

* Many revenues for May 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
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WATER & SEWER FUND - 401

REVENUE	\$ 2,726,490	\$3,807,941	72%
EXPENDITURES	1,598,157	\$3,807,941	42%
Change in Net Position	1,128,333		
Unrestricted Net Position-September 30, 2018 (Unaudited)	(1,705,883)		
Unrestricted Net Position-May 31, 2019 (Reserves)	<u>\$ (577,550) B</u>		

MUNICIPAL PARKING FUND - 402

REVENUE	\$ 978,962	\$1,219,000	80%
EXPENDITURES	736,082	\$1,219,000	60%
Change in Net Position	242,880		
Unrestricted Net Position-September 30, 2018 (Unaudited)	1,024,087		
Unrestricted Net Position-May 31, 2019 (Reserves)	<u>\$ 1,266,967</u>		

SOLID WASTE FUND - 403

REVENUE	\$ 1,063,871	\$1,910,182	56%
EXPENDITURES	1,017,356	\$1,910,182	53%
Change in Net Position	46,515		
Unrestricted Net Position-September 30, 2018 (Unaudited)	641,977		
Unrestricted Net Position-May 31, 2019 (Reserves)	<u>\$ 688,492</u>		

STORMWATER FUND - 404

REVENUE	\$ 352,528	\$753,064	47%
EXPENDITURES	244,630	\$753,064	32%
Change in Net Position	107,898		
Unrestricted Net Position-September 30, 2018 (Unaudited)	3,487,252		
Unrestricted Net Position-May 31, 2019 (Reserves)	<u>\$ 3,595,150</u>		

FLEET MANAGEMENT FUND - 501

REVENUE	\$ 782,038	\$1,237,057	63%
EXPENDITURES	516,972	\$1,237,057	42%
Change in Net Position	265,066		
Unrestricted Net Position-September 30, 2018 (Unaudited)	0		
Unrestricted Net Position-May 31, 2019 (Reserves)	<u>\$ 265,066</u>		

NOTES:(con't)

- B. The Unrestricted Net Position of (\$577,550) 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 Olmedillo, Town Manager

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

FUND	9/30/2015	9/30/2016	9/30/2017	9/30/2018	5/31/2019	CAGR ^(a)
General	\$ 5,905,726	\$ 7,368,408	\$ 8,460,802	\$ 10,628,234	\$ 16,878,549	21.6%
Tourist Resort	339,396	363,407	469,880	305,877	1,192,217	-3.4%
Police Forfeiture	113,431	141,755	164,933	159,527	105,596	12.0%
Transportation Surtax	440,662	354,264	388,363	247,445	176,273	-17.5%
Building	-	-	1,742,910	2,825,208	2,743,138	27.3%
Capital Projects	182,903	1,154,352	576,122	2,158,902	2,393,085	127.7%
Water & Sewer	(2,705,871)	(2,827,890)	(3,048,579)	(1,705,883)	(577,550)	-14.3%
Municipal Parking	1,089,165	1,111,941	811,013	1,024,087	1,266,967	-2.0%
Solid Waste	340,391	245,941	429,743	641,977	688,492	23.6%
Stormwater	4,051,768	3,392,370	3,264,379	3,487,252	3,595,150	-4.9%
Fleet Management	-	-	-	-	265,066	N/A
Total	\$ 9,757,571	\$ 11,304,548	\$ 13,259,566	\$ 19,772,626	\$ 28,726,983	31.0%

(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.



MEMORANDUM

TO: Town Manager Guillermo Olmedillo
FROM: Captain John Bambis
DATE: 06-18-2019
SUBJECT: Response to Commission request for an analysis of the Business District Variable-Rate Parking Fee Structure for a Two-Month Period Commencing 04-15-2019

Sir:

Per your direction, please find below the Police Department analysis of the Business District Variable-Rate Parking Fee Structure that commenced on April 15th, 2019.

In early 2019, Town Administration sought solutions to concerns related to the influx of vehicles in the Business District occupying the limited supply of Town controlled parking spaces for extended periods of time and the correlating traffic congestion created due to vehicles double parking on State Road A1A, blocking traffic lanes, and blocking the dedicated bicycle lane. These issues were most prevalent during daytime business hours identified as 10:00AM to 4:00PM. The Police Department was tasked by Town Administration with researching other local jurisdictions to determine if they utilized a variable-rate parking fee structure to address similar parking and traffic related concerns. The research revealed that the ocean front jurisdictions of Miami Beach, Sunny Isles Beach, Hollywood, and Fort Lauderdale all utilize a variable-rate parking fee structure to enhance traffic flow and reduce parking/traffic congestion during high demand time periods and at high demand parking locations. The Police Department through Commission Communications recommended that a variable-rate parking fee be initiated in Surfside as a possible solution to enhance traffic safety.

The Town Commission at the April 9th, 2019 Commission meeting approved a resolution for an on-street variable-rate parking fee structure in the Business District on Harding Avenue for weekdays. The Business District on-street parking spaces include only the seventy-six (76) spaces on the east and west sides of Harding Avenue (SRA1A) in the 9400 block and 9500 block. The Commission approved the following time frames and days for the variable-rate parking fee:

- Weekdays (Monday-Friday):
 - Between 10:00AM – 4:00PM \$4.00/hour with a 2-hour parking limit *
- * After the expiration of 2 hours, the parking space is not renewable between the hours of 10:00AM - 4:00PM and the vehicle will not be permitted to park in an on-street parking space in the Business District until after 4:00PM.
- On-street parking fees in the Business District for all other times and days will remain at \$2.00/hour.
- Town of Surfside residents retain all the privileges they are afforded as residents for on-street and off-street parking.

The Commission requested a review be conducted for a two (2) month period commencing upon the initiation of the variable rate change, and a report be completed and submitted on the impact and effects of the variable-rate parking fee change in the Business District.

The Police Department and Parking Enforcement Division initiated the variable-rate parking fee structure in the Business District on Monday April 15th, 2019. Prior to initiating the rate change, the following notifications of the change were disseminated: [Handouts to all businesses on Harding Avenue, email blast to Town residents and businesses, Town website notice, and Nextdoor application notice].

The Police Department review of the variable-rate parking fee structure was constructed as a comparison of key data points based on parking space fee information for the following time periods:

- **2019:** The two-month period prior to implementation of the variable-rate fee change, and the two-month period from date of implementation of the variable-rate fee change:
 - 02-14-2019 to 04-12-2019 (42 Weekdays)
 - 04-15-2019 to 06-11-2019 (42 Weekdays)
- **2018:** The data from the prior year for similar time frame ranges:
 - 02-15-2018 to 04-13-2018 (42 Weekdays)
 - 04-16-2018 to 06-12-2018 (42 Weekdays)

The below data tables and charts are only for weekdays within the time period ranges between the hours of the variable-rate fee change which are 10:00AM to 4:00PM.

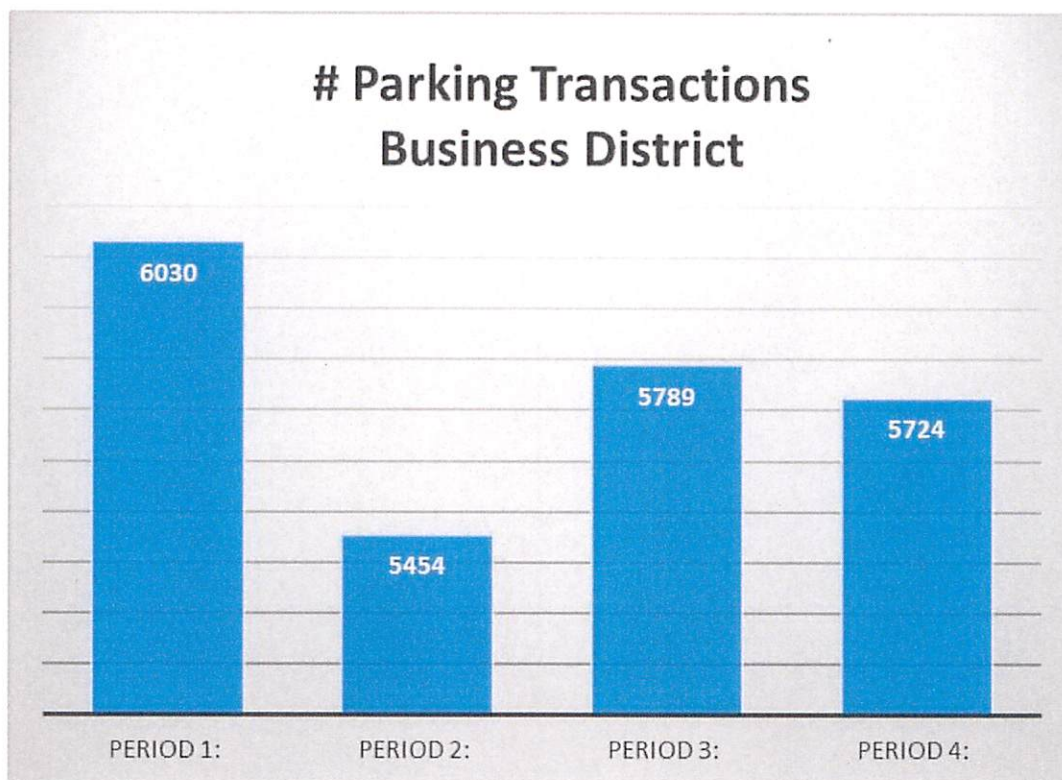
Period 1:	02-15-2018 through 04-13-2018	42 Weekdays, 10 AM to 4 PM
Period 2:	04-16-2018 through 06-12-2018	42 Weekdays, 10 AM to 4 PM
Period 3:	02-14-2019 through 04-12-2019	42 Weekdays, 10 AM to 4 PM
Period 4:	04-15-2019 through 06-11-2019	42 Weekdays, 10 AM to 4 PM

Key data indicators for parking within the Business District were compiled for the time periods and are represented below:

	Period 1: 02-15-2018 through 04-13-2018	Period 2: 04-16-2018 through 06-12-2018	Period 3: 02-14-2019 through 04-12-2019	Period 4: 04-15-2019 through 06-11-2019
# Weekdays in Time Period	42	42	42	42
Parking Rate per hour between 10AM-4PM	\$2.00/hour	\$2.00/hour	\$2.00/hour	\$4.00/hour
# Parking Spaces in Business District	76	76	76	76
Total # Parking Transactions	6030	5454	5789	5724
Average # Parking Transactions per day	144	130	138	136
Average Fee per Parking Transaction	\$2.10	\$2.05	\$2.13	\$3.66
Total Paid Parking Hours in Time Period	6,316.03	5,557.30	6,118.28	5,261.66
Average Paid Parking Hours per day	150.38	132.32	145.67	125.28
Total Transaction Fees in Time Period	\$12,632.05	\$11,114.60	\$12,236.55	\$21,046.65
Average Transaction Fees per day	\$300.76	\$264.63	\$291.35	\$501.11
Pay-By-Phone: Average Time Purchased per Parking Transaction (hrs)	1.01	0.96	0.99	0.94
Pay Station: Average Time Purchased per Parking Transaction (hrs)	1.09	1.09	1.14	0.89

Total number of Parking Transactions: The total number of parking transactions increased during Period 4 which was the time frame when the variable-rate increase was in effect as compared to the same time period in 2018 (Period 2).

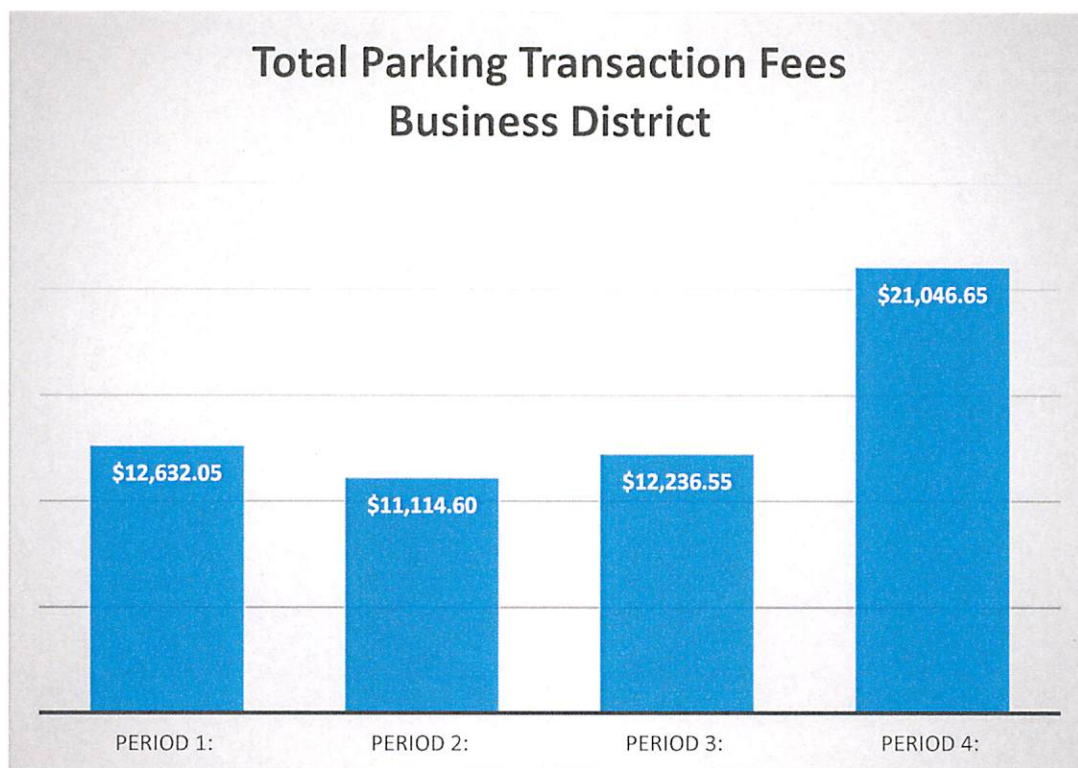
	Business District # Parking Transactions
Period 1:	6030
Period 2:	5454
Period 3:	5789
Period 4:	5724



Period 1:	02-15-2018 through 04-13-2018	42 Weekdays, 10 AM to 4 PM
Period 2:	04-16-2018 through 06-12-2018	42 Weekdays, 10 AM to 4 PM
Period 3:	02-14-2019 through 04-12-2019	42 Weekdays, 10 AM to 4 PM
Period 4:	04-15-2019 through 06-11-2019	42 Weekdays, 10 AM to 4 PM

Parking Transaction Fees (Total): The parking fees increased during the implementation of the variable-rate parking fee structure (Period 4) as compared to the other time periods.

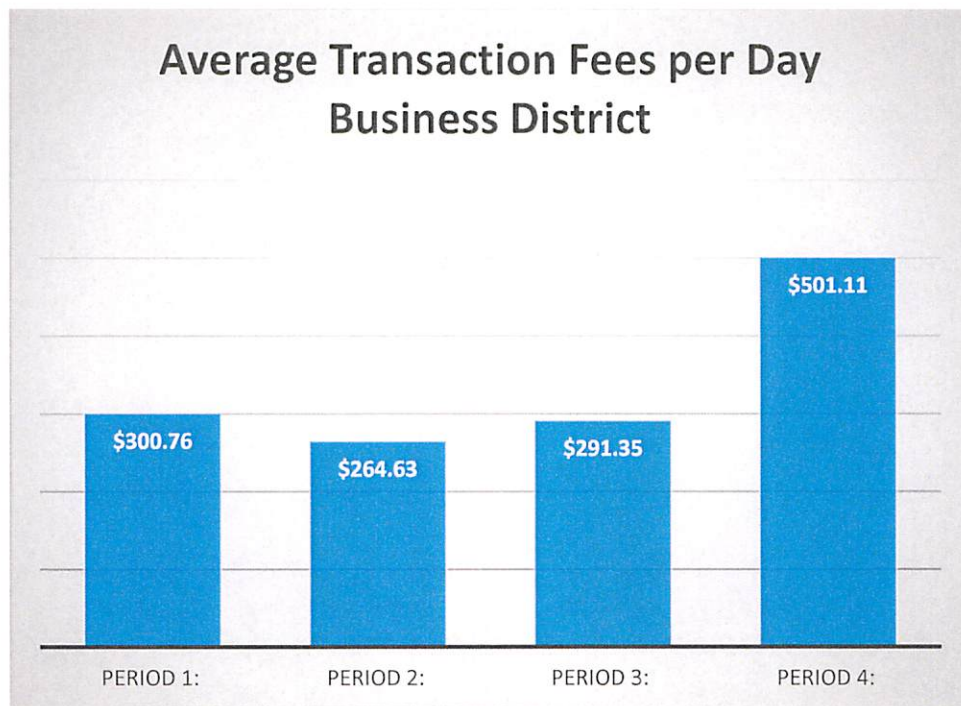
	Total Parking Transaction Fees
Period 1:	\$12,632.05
Period 2:	\$11,114.60
Period 3:	\$12,236.55
Period 4:	\$21,046.65



Period 1:	02-15-2018 through 04-13-2018	42 Weekdays, 10 AM to 4 PM
Period 2:	04-16-2018 through 06-12-2018	42 Weekdays, 10 AM to 4 PM
Period 3:	02-14-2019 through 04-12-2019	42 Weekdays, 10 AM to 4 PM
Period 4:	04-15-2019 through 06-11-2019	42 Weekdays, 10 AM to 4 PM

Parking Transaction Fees (Daily Average): The parking fees increased during the implementation of the variable-rate parking fee structure (Period 4) as compared to the other time periods.

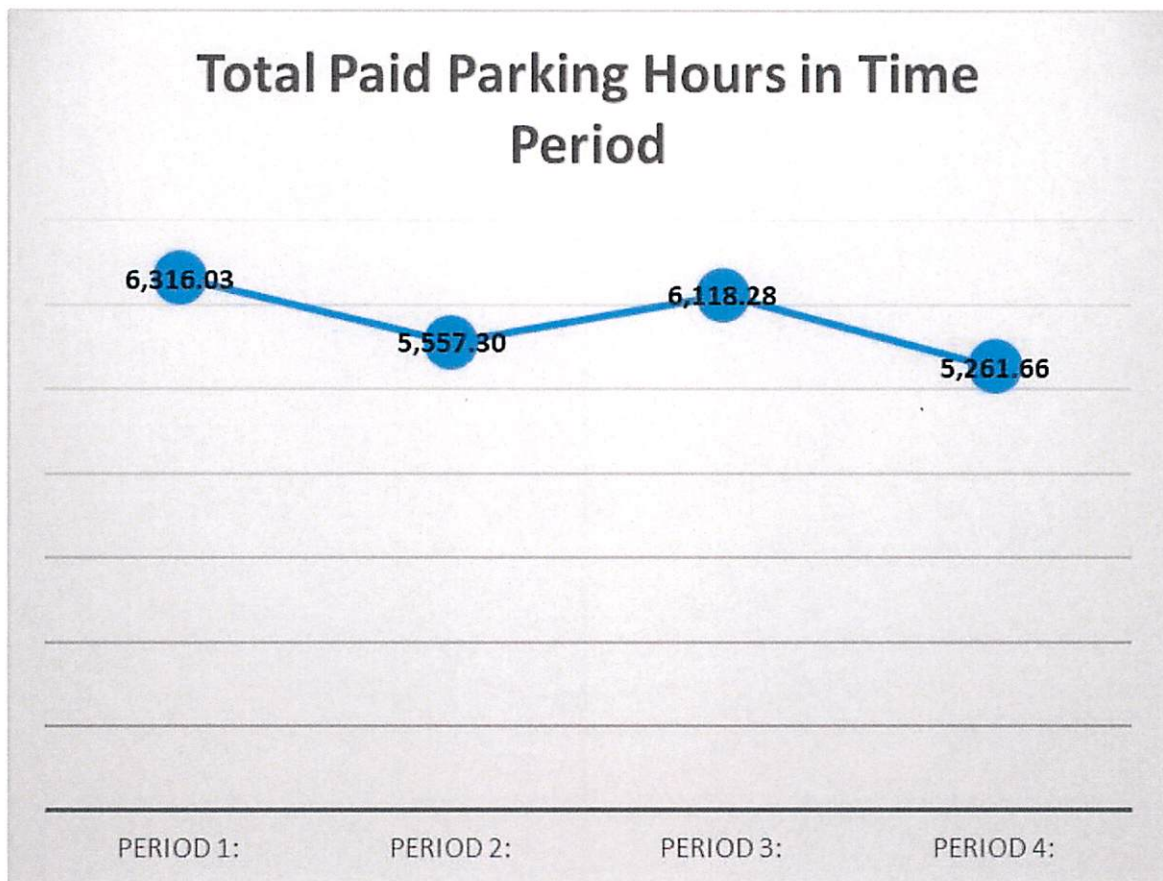
	Average Transaction Fees per Day
Period 1:	\$300.76
Period 2:	\$264.63
Period 3:	\$291.35
Period 4:	\$501.11



Period 1:	02-15-2018 through 04-13-2018	42 Weekdays, 10 AM to 4 PM
Period 2:	04-16-2018 through 06-12-2018	42 Weekdays, 10 AM to 4 PM
Period 3:	02-14-2019 through 04-12-2019	42 Weekdays, 10 AM to 4 PM
Period 4:	04-15-2019 through 06-11-2019	42 Weekdays, 10 AM to 4 PM

Paid Parking Hours (Total): The paid parking hours was at the lowest level during Period 4 which was the time frame when the variable-rate increase was in effect.

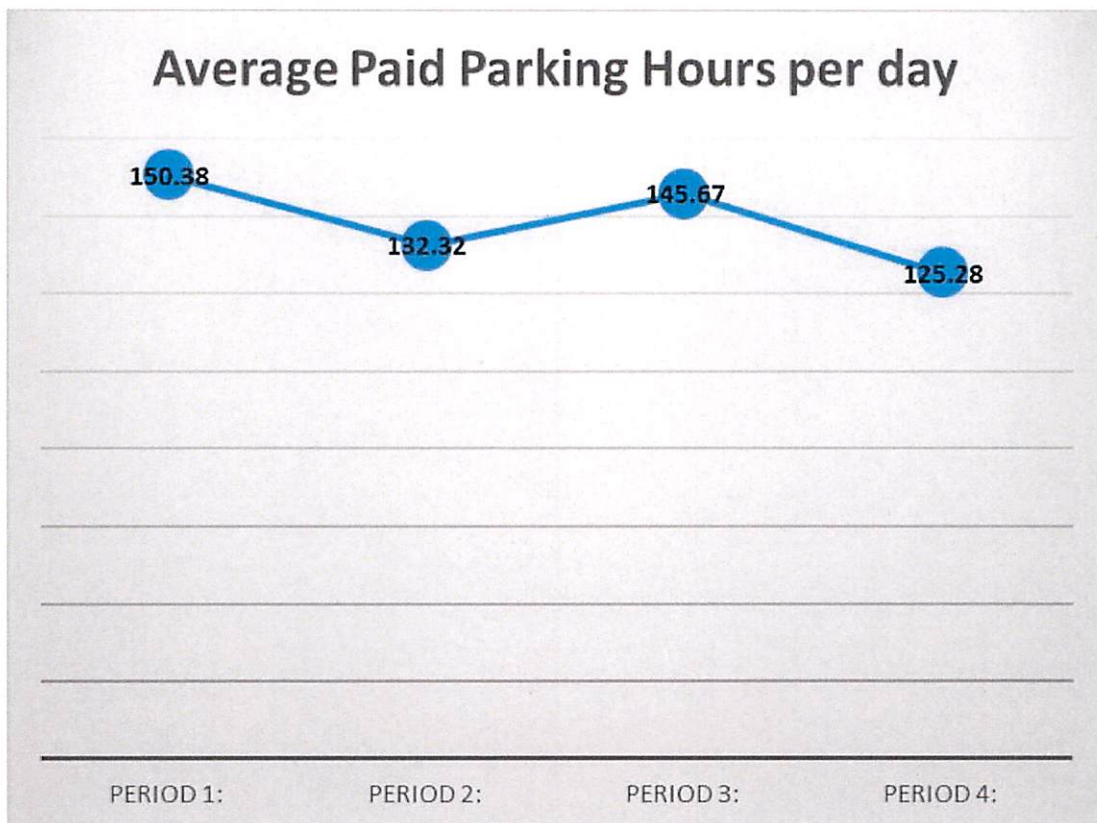
	Total Paid Parking Hours in Time Period
Period 1:	6,316.03
Period 2:	5,557.30
Period 3:	6,118.28
Period 4:	5,261.66



Period 1:	02-15-2018 through 04-13-2018	42 Weekdays, 10 AM to 4 PM
Period 2:	04-16-2018 through 06-12-2018	42 Weekdays, 10 AM to 4 PM
Period 3:	02-14-2019 through 04-12-2019	42 Weekdays, 10 AM to 4 PM
Period 4:	04-15-2019 through 06-11-2019	42 Weekdays, 10 AM to 4 PM

Paid Parking Hours (Per Day): The paid parking hours per day was at the lowest level during Period 4 which was the time frame when the variable-rate increase was in effect.

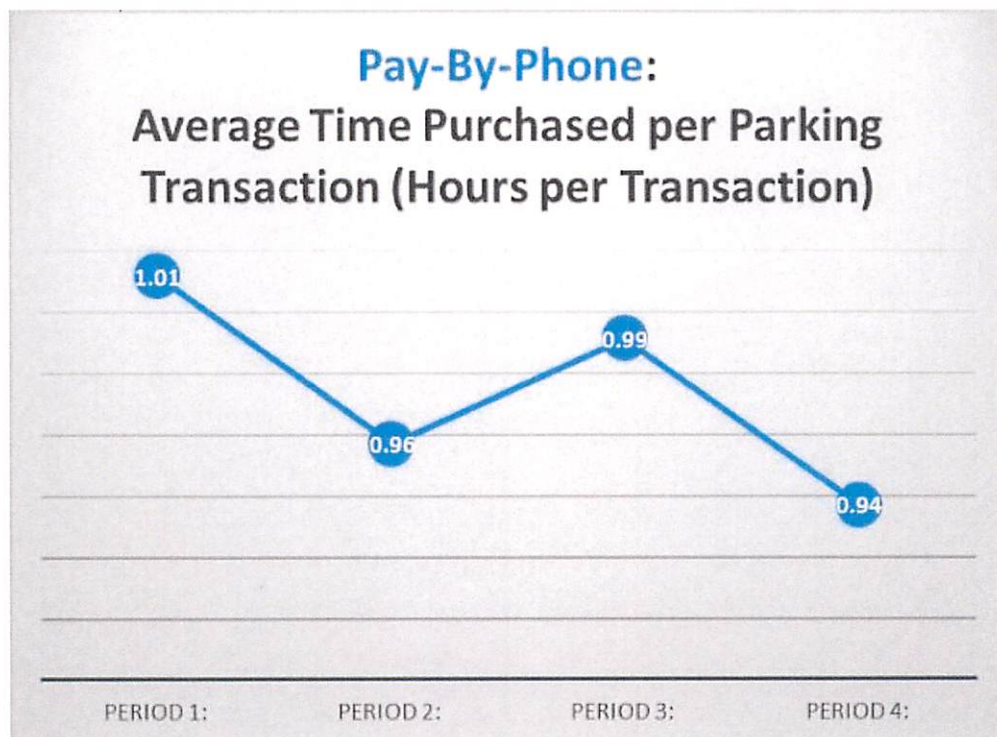
	Average Paid Parking Hours per day
Period 1:	150.38
Period 2:	132.32
Period 3:	145.67
Period 4:	125.28



Period 1:	02-15-2018 through 04-13-2018	42 Weekdays, 10 AM to 4 PM
Period 2:	04-16-2018 through 06-12-2018	42 Weekdays, 10 AM to 4 PM
Period 3:	02-14-2019 through 04-12-2019	42 Weekdays, 10 AM to 4 PM
Period 4:	04-15-2019 through 06-11-2019	42 Weekdays, 10 AM to 4 PM

Average Time Purchased per Parking Transaction (Pay-By-Phone): The average time amount purchased per parking transaction for the two methods of payment: Pay-By-Phone and the Pay Stations reflected a decrease in the time amount purchased per transaction for Period 4 when the variable-date parking fee was initiated and in effect.

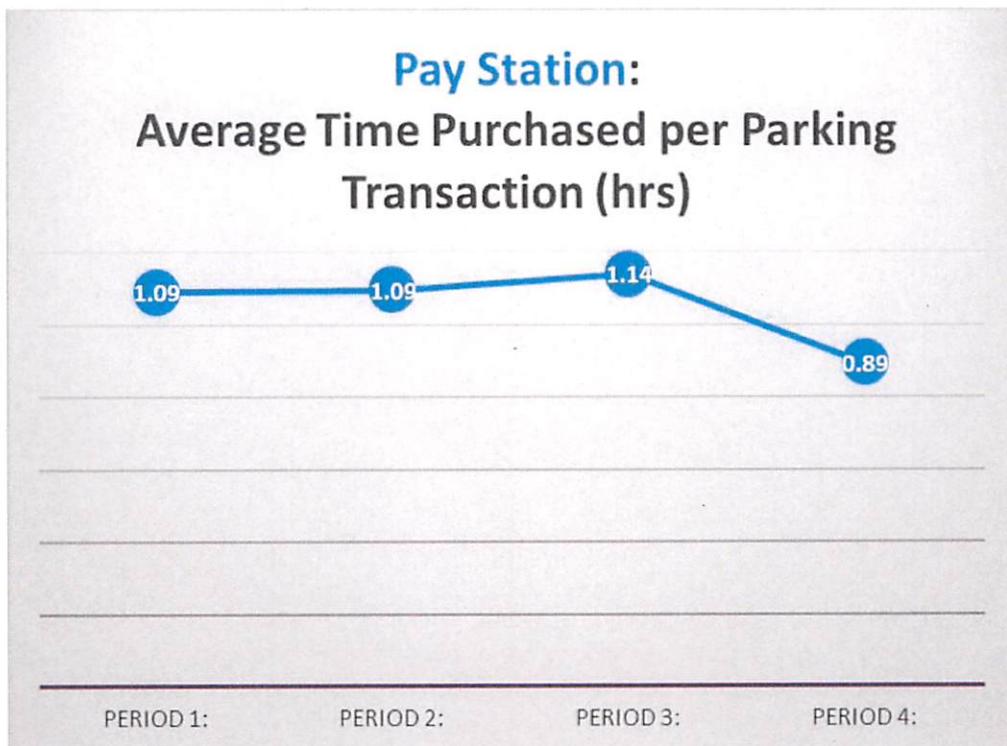
	Pay-By-Phone: Average Time Purchased per Parking Transaction (hrs)
Period 1:	1.01
Period 2:	0.96
Period 3:	0.99
Period 4:	0.94



Period 1:	02-15-2018 through 04-13-2018	42 Weekdays, 10 AM to 4 PM
Period 2:	04-16-2018 through 06-12-2018	42 Weekdays, 10 AM to 4 PM
Period 3:	02-14-2019 through 04-12-2019	42 Weekdays, 10 AM to 4 PM
Period 4:	04-15-2019 through 06-11-2019	42 Weekdays, 10 AM to 4 PM

Average Time Purchased per Parking Transaction (Pay Station): The average time amount purchased per parking transaction for the two methods of payment: Pay-By-Phone and the Pay Stations reflected a decrease in the time amount purchased per transaction for Period 4 when the variable-date parking fee was initiated and in effect.

	Pay Station: Average Time Purchased per Parking Transaction (hrs)
Period 1:	1.09
Period 2:	1.09
Period 3:	1.14
Period 4:	0.89



Period 1:	02-15-2018 through 04-13-2018	42 Weekdays, 10 AM to 4 PM
Period 2:	04-16-2018 through 06-12-2018	42 Weekdays, 10 AM to 4 PM
Period 3:	02-14-2019 through 04-12-2019	42 Weekdays, 10 AM to 4 PM
Period 4:	04-15-2019 through 06-11-2019	42 Weekdays, 10 AM to 4 PM

Results:

The Police Department determined that for the variable-rate fee structure to be successful the turn-over rate of parking spaces needed to increase, the parking time amount purchased per parking transaction needed to decrease, the amount of parking transactions need to increase, visual observations by officers had to show reduced numbers of double parked vehicles and blocked lanes, and the parking fees had to remain at or above previous levels.

The results/data indicate that:

- **Parking Space Turn-Over:**
 - The number of parking transactions increased during the time period (Period 4) when the variable-rate fee was implemented, as compared to the same time period in 2018. Therefore, there were more motorists paying for parking spaces and the parking spaces were turning-over at a higher rate.
 - The lowest average parking time amount purchased per transaction for both the Pay-By-Phone and Pay Station payment systems was during Period 4 when the variable-rate was in effect. Therefore, motorists were parking for shorter time amount durations and increasing the turn-over rate for the spaces.
- **Officers Visual Observations:**
 - The officers reported that there were less incidents of double parking and blocked lanes during Period 4 when the variable-rate fee structure was in effect.
- **Parking Fees:**
 - Although the amount of parking transactions decreased and the time purchased per transaction decreased, the overall parking fees increased for Period 4 when the variable-rate fee structure was implemented.

The data shows that the variable-rate parking fee structure has had a positive impact on motorists being able to obtain parking spaces when needed, reduced double parking, reduced blocked lanes for motorists and bicyclists, increased the parking fees collected, and led to increased pedestrian and traffic safety.

It is the recommendation of the Police Department that the variable-rate fee structure in the Business District continue in its present configuration without alteration.



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: July 2, 2019
SUBJECT: Office of the Town Attorney Report for July 9, 2019

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

June 3, 2019 - Tourist Board Meeting
June 11, 2019 – Commission Budget Workshop
June 11, 2019 - Regular Town Commission 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.

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, 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, beach furniture operator permits and administration, building permit and enforcement issues, subpoenas, and 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
- Code of Ethics and Lobbying Code
- Roof Height Ordinance
- Freeboard Ordinance
- Sign Code Amendment Ordinance
- Amendments to the Town's Purchasing Code and Code 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 (and Extension) for Business District
- Solid Waste Service Assessment Ordinance, and accompany Preliminary and Final Rate Resolutions
- PACE District 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
- State of Florida Model Flood Ordinance
- Ordinance Regulating Single-Use Plastics
- Ordinance Regulating Hurricane Shutters

Litigation: New or supplemental information is provided for the following case:

Pieter Bakker v. Town of Surfside, a municipal corporation of the State of Florida and Young Israel of Bal Harbour, Inc. On June 5, 2019, the Third District Court of Appeals issued its opinion denying the Plaintiff and affirming the lower tribunal's (Appellate Circuit Court for Miami-Dade County) order. The Plaintiff then had a 15-day period to further challenge or file motions on the Third District Court's ruling. On June 21, 2019, the Third District Court issued a final mandate acknowledging that the 15-day deadline has lapsed. As a result, the Mandate marks the conclusion of this matter and all litigation.

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, FAA revised NextGen flights paths, implementation of the Florida Friendly Landscape and Fertilizer Ordinance, implementation of the revised and updated flood ordinance, 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, ADA website compliance issues, various procurements, and various service or provider agreements.



Town of Surfside

SPECIAL DOWNTOWN VISION ADVISORY COMMITTEE MINUTES

May 16, 2019 – 6:00 p.m.

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

Opening Items:

1. Call to Order/Roll Call

The meeting was called to order at 6:04 p.m.

The following Members introduced themselves:

Chair Shaun Grenald
Vice Chair Elliot Kula
Fred Landsman
George Kousoulas
Marianne Meischeid
Sandra Oliva

Absent: Asmaa Benkirane

Also present: Guillermo Olmedillo, Town Manager
Duncan Tavares, Assistant Town Manager
Lindsay Fast, Tourism Director
Frank Trigueros, Marketing & Special Projects Coordinator
Frantza Duval, Recording Clerk

2. Approval of Minutes: April 11, 2019

Committee Member Meischeid made a motion to approve the minutes. The motion received a second from Committee Member Landsman and all voted in favor.

3. Meeting Recap

Tourism Director Fast mentioned that she had ask the Town Clerk to include the Committee Charter in their packet as a way to stay on track.

Committee Kousoulas asked for a moment of privilege to convey some of the proceedings from the Town Commission. He stated that the Committee had two items that were the hurricane shutters and parking. He believes that the parking recommendation was misunderstood by the Town Commission. He suggested that a member of the committee attend the meeting in order to properly present any items moving forward.

Committee Meischeid stated that she was upset at the fact that the shutters item was not heard. Tourism Director Fast explained that now that the April minutes were adopted it will provide the commission a better background as they will have the adopted minutes as well as the memorandum in their agenda packets.

Some discussion took place related to the parking recommendation and what the Commissioners concerns were.

Some discussion took place related to the minutes, the adoption of the minutes and when the adopted minutes are included in the Town Commission agendas.

Chair Grenald recommended that the Committee take the opportunity to nominate two to three members of the Committee to represent the Committee in front of the Town Commission during the Town Commission meetings.

Committee Member Kousoulas made a motion to appoint two members to be available to speak at the Town Commission meetings. The motion received a second from Committee member Meischeid and all voted in favor.

There were 4 members of the committee that volunteered to be available at the Town Commission meetings. The volunteer members are:

Fred Landsman
Shaun Grenald
George Kousoulas
Marianne Meischeid

A. Off-Street Parking Rates

Tourism Director stated that she would like to bring this item back to DVAC in order to discuss further and then subsequently bring back to the Town Commission for their discussion and approval at the July Town Commission meeting.

Committee member Landsman requested to speak about giving employees a parking discount at the next meeting wrapped into the parking conversation. Discussion ensued about permits given by the Town for employee parking, and the fact that there currently are a limited number of permits.

They allowed Sandra Oliva to introduced herself as the newest member of the Committee.

Assistant Manager Tavares explained that under this item the Commission did not discussed the loading zones. He mentioned that staff needs to evaluate if this is something that needs to go back to the Town Commission or just direct staff to do it without Commission approval. We will advise at our next meeting.

B. Main Street Program

Tourism Director Fast introduced the item to the committee. She stated that Assistant Town Manager Tavares has reached out to them but has yet to hear back. She stated that they would potentially like to invite a representative from Mainstreet America to present at their next meeting via Skype. Assistant Town Manager Tavares provided a brief overview of the program and answered some questions posed by the committee.

There was some discussion related to the restrictions that may be placed on the Town in terms of participating in the Main Street Program.

Committee Member Landsman made a motion to invite a representative from Mainstreet to their next meeting. The motion received a second from Committee Member Kousoulas and all voted in favor.

Chairman Grenald mentioned that he spoke to a few property owners downtown in regards to a BID, and the response was wishy-washy. He infers that we might have the same issue as the past in non-participation in terms of getting approval on the BID, and is hopeful that Main Street might be the better option but has some concerns about the potential restrictions.

4. Discussion Items

A. Unified look

*** This item was discussed after item 4C.*

Discussion between the committee members took place as to what they would like to see happen in the downtown district.

After a lengthy discussion, Board Member Landsman made a motion to request the Planning and Zoning Board to review the design guidelines for downtown district. The motion received a second from Board Member Meischeid and all voted in favor.

B. Walkability

Chair Grenald spoke on the item regarding his findings as he walked around the downtown area. He believes that there are a couple walls that could be used for Instagramable moments. One of them is the Big Daddy's and Café Ragazzi. He spoke about the possibility of getting local artists to create a mural on one of those walls to inspire people to take photos at those locations.

Conversation took place regarding the Town's lack of an ordinance that would allow or govern art in public places.

Committee Member Landsman made a motion to encourage staff to bring to the Commission DVAC's in creating an "Art in Public Places" ordinance. The motion received a second from Committee Member Kula and all voted in favor.

Conversation took place on the process that an ordinance in regards to "Art in Public Places" would come to the Commission in the form of a discussion item, which would have to eventually be reviewed by the Planning & Zoning Board and then final approval by the Town Commission.

Tourism Director Fast offered to bring this item and the idea to the Tourist Board for their discussion and feedback.

Committee member Kousoulas mentioned some things downtown help work in the favor of walkability, but we need to identify where we have opportunities. The Instagramable moments are one aspect to help improve walkability, but there are other topics that can also be investigated. Town

Manager Olmedillo mentioned engaging a student at University of Miami to examine other walkability opportunities this summer.

C. Alleyways

Town Manager Olmedillo presented the item and stated that he will be placing an item regarding the Alleyways on the June 11, 2019 Regular Town Commission meeting. He spoke about the two real platted alleys that are in Town, and the issues therein related.

Committee Member Landsman made a motion to extend the meeting by 15 minutes. The motion received a second from Committee Member Kula and all voted in favor.

Further discussion took place among the members in regards to the University of Miami student expectations, and new sidewalk proposal from Public Works.

Committee Member Oliva left the meeting at 8:05pm.

****Item 4A was discussed next.**

5. Future Meeting Dates

*** Thursday, June 6, 2019 – 6:00 pm (Conflicts with Community Beach Renourishment Meeting, so needs to be rescheduled)*

Committee Member Kousoulas made a motion to schedule their next meeting for June 20, 2019. The motion received a second from Board Member Meischeid and all voted in favor.

6. Adjournment

Committee Member Meischeid made a motion to adjourn the meeting at 8:20 p.m. The motion received a second from Committee Member Landsman and all voted in favor.

Respectfully submitted:

Accepted this 20th day of June, 2019


Shaun Grenald, Chair
Elliot B. Kula
Vice Chair

Attest:


Sandra Novoa, MMC
Town Clerk



Town of Surfside

TOURIST BOARD MEETING MINUTES

June 3, 2019 – 5:30 p.m.

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

Opening Items:

1. Call to Order/Roll Call

The meeting was called to order by Chair Barbara Cohen at 5:34 p.m.

Present: Chair, Barbara Cohen
Vice Chair, Jeff Lehman
Board Member, Jennifer Brilliant
Board Member, Charles Kesl

Absent Board Member, Neil Goodman

Also present: Lindsay Fast, Tourism Director
Duncan Tavares, Assistant Town Manager
Haydee Sera, Town Attorney
Michael Karukin, Town Commission Liaison
Frantza Duval, Recording Clerk

2. Welcome – Chair Barbara Cohen

Chair Barbara Cohen welcomed everyone to the Tourist Board meeting.

3. Approval of Meeting Minutes: May 6, 2019

Board Member Kesl made a motion to approve the minutes. The motion received a second from Board Member Brilliant and all voted in favor.

4. A/R (Resort Tax)

Report was provided and there were no questions.

Discussion Items:

5. RFP 2019-01 Holiday Lights for the Town of Surfside - Lindsay Fast, Tourism Director

Tourism Director Fast presented the item and introduced Miami Christmas Lights to present.

Kurt Stange representing Miami Christmas Lights provided a presentation of each option of the project to the members of the Tourist Board.

Mr. Stange answered questions from members of the Board upon completion of his presentation.

The following members of the public spoke on this item:
Sasha Plutno

Tourism Director Fast stated that the other company was scheduled to present at 6:30pm and asked the Board to advance to the next item and they will come back to this item once the other company is ready to present.

The following presentation occurred after completion of item 7.

Joe Campbell representing Christmas Designers presented their project options to the Board. He provided some visual examples of the lighting that will be used if they were to be selected.

Mr. Campbell answered questions from the Board during the presentation.

There was some discussion among the Board members relating to the two companies that presented.

Board Member Brilliant asked the Board to consider the cost of both companies. Tourism Director Fast stated that the maximum budgeted amount for this project is about \$90,000. Chair Barbara Cohen asked how much the cost was the previous year. Tourism Director Fast stated \$82,000.

Board Member Kesl stated that he will be okay with any of the companies. He likes all the design but would not go with the first turtles. He further stated that he likes the turtles versus the art deco design.

Board Member Brilliant stated she likes the turtle design from the second proposer but that her favorite design was the one with the chandeliers from the first proposer. She clarified that she liked everything but the chandeliers on that design. She is not convinced that the version with the flowers will look nice once they have been installed. She would prefer it to look clean and classic. She stated that if the Board decides to go with a turtle design, she prefers the design from the second proposers.

Vice Chair Lehman stated that they should not be lighting the fronds because it is bad for the trees. He stated that he liked the rose design but he is shy based on how they presented art deco and how it came out because it did not look how it was supposed to. He stated that he would go back to something simpler which will be the elegant chandelier design without the chandelier. He stated that it seems that the Board is leaning toward Miami Christmas Lights.

Chair Barbara Cohen stated that she liked the turtle design from the second proposers.

Board Member Kesl asked the Board about their feeling of spending more money to explore the design if good, better or best design options.

Board Member Brilliant would like to see more about the design they will be choosing and the prices of what they will be choosing.

Vice Chair Lehman believes that the first step should be selecting a company they can work with.

Board Member Kesl made a motion to choose Christmas Designers for the turtle concept. To begin with the good proposal and consider the better. Motion died for a lack of second.

Vice Chair Lehman made a motion to go with the first company Miami Christmas Lights. Board Member Brilliant seconded the motion.

Vice Chair Lehman stated that he likes the "Elegant Rose" and the "Champagne Chandeliers" concepts without the chandeliers and that this company has the capability to do what it is what the Board wants.

The motion carried 4-0 with Board Member Goodman absent.

Board Member Brilliant likes the Chandelier concept without the chandelier. She likes the palms fronds and other features from the design.

Some discussion took place between the Board (inaudible at times) regarding the different options from Miami Christmas Lights.

Vice Chair Lehman made a motion to go with the Champagne Chandelier concept without the chandeliers but would like to get a price on that. The motion received a second from Board Member Brilliant and the motion carried 4-0.

6. National Travel and Tourism Week Recap – Anything but Advertising + Lindsay Fast, Tourism Director

Tourism Director Fast provided a presentation and gave an overview of what the Tourism Department did during National Travel and Tourism Week. She spoke about the postcard that was also provided based on the Board's recommendation. She provided statistics from the website, the post and the blog.

7. Paddletopia Recap – Sara Liss, Friday Beach + Lindsay Fast, Tourism Director

Sara Liss provided a presentation regarding Paddletopia. She stated that the event achieved full potential thanks to the good weather. She showed photographs taken during the event.

There were some questions from the Board regarding the influencers that attended the event and how they promoted Paddletopia.

Tourism Director Fast provided an overview of the stats from the webpages social media outlets and also provided a side-to-side comparison with stats from 2018 versus the 2019 events. She stated that Paddletopia was a successful second annual event.

There were some comments and discussion amongst the members of the Board.

At this time the board continued with item 6 and the presentation from Christmas Designers.

8. Israel Innovation Expo Recap – Lindsay Fast, Tourism Director

Chair Barbara Cohen stated that she attended the event and she thought that it went very well and was impressed with the venue's capability.

Tourism Director Fast provided an overview of the event with some statistics collected during the two-day event.

Chair Barbara Cohen added that Mayor Dietch did a fine job in his welcoming speech.

9. Capital Improvements with Tourist Board Funds – Charles Kesi, Tourist Board Member

Board Member Kesi presented his item to the board and provide the following ideas for the Board to brainstorm:

- Directional signage for people to know where to go and where offices and places of interest are located;
- Make Surfside more walkable friendly;
- Signage to provide some education to the residents and tourist;
- Event sign to provide residents and guest with events information;
- Tourist Kiosk to provide tourists with information;
- Tourism office clearly marked;
- Visit Surfside website link should be placed on the top of the Town of Surfside's webpage so it's more visible;
- Art installation on street ends;
- A permanent floating dock accessible to the public;
- Events at the Community Center pool or on the tennis courts;
- Pop up stores;
- Partnering with environmental outreach companies, photographer, etc.
- Better lighting which may be a more permanent solution to the Town.

Chair Barbara Cohen stated that there was a lot of information in the presentation and the Board should take the time to review and she would like to continue with the rest of the agenda. The Board agreed.

10. Budget Ideas and Requests for Fiscal Year 2019 / 2020 – Lindsay Fast, Tourism Director

Tourism Director Fast presented the item.

Vice Chair Lehman had some questions that were addressed by Tourism Director Fast. He offered to provide Tourist Board Director Fast with how the budget is presented in the City of Miami Beach.

Assistant Town Manager Tavares encouraged the Board to request what they would like to see if it is different from what is being currently presented to them. Vice Chair Lehman mentioned financial performance on a month to month basis from October to September with a comparison of what they projected and to a comparison to the previous year.

Commission Liaison Karukin spoke about the budget process and how it works. He also stated that the Board may request more information if that is the desire of the Board. He suggested requesting last years proposed budget to compare it with the adopted budget. He also mentioned that a matrix might be best so that the Board can see the various vendors and what they are involved in.

There was a lengthy discussion on this item.

More information will be provided by the Tourism Director.

11. Next Tourist Board Meeting: Monday, July 1, 2019 at 5:30pm

Next Tourist Board meeting is scheduled for Monday, July 1, 2019.

12. Public Comment – 3-minute time limit each, please

There were no public comments.


13. Adjournment

There being no further business to discuss, Vice Chair Lehman made a motion to adjourn the meeting. The motion was seconded by Board Member Brilliant and all voted in favor.

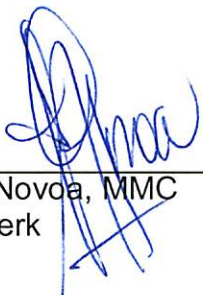
The meeting adjourned at 8:27 p.m.

Respectfully submitted:

Accepted this 1st day of July, 2019


Barbara Cohen, Chair

Attest:

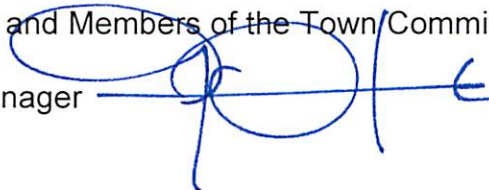

Sandra Novoa, MMC
Town Clerk



MEMORANDUM

ITEM NO. 3E

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

From: Guillermo Olmedillo, Town Manager 

Date: July 9, 2019

Subject: Purchase of Emergency Town Hall Generator to Upgrade Existing System

The Town of Surfside is a coastal community prone to natural disasters such as tropical depression and hurricanes. Due to this, Town facilities need to be ready and capable to withstand such natural disasters while hosting first responders to immediately assist residents when events have passed. The Town of Surfside Town Hall located at 9293 Harding Ave is the location used for emergency command and housing for first responders. Currently it is being under serviced by a 150-kWh generator that does not have enough power to maintain life safety systems, all facility circuits and air conditioning for the Town Hall facility. Since it is under-capacity, during weekly exercises various circuits have a delay during conversion from Florida Power and Light (FPL) service to generator service. These delays cause a down time in crucial operation systems such as police dispatch. Additionally, since the existing generator does not have capacity to maintain all of the operating systems at Town Hall, during natural disasters, first responders are without air conditioning during events which are not proper conditions for housing for a period of 48 to 72 hours.

The Public Works Department worked in conjunction with FPL to determine current Town Hall demands by installing a load reader to the Town Hall electrical system and collecting data for a period of one week. The information was used to determine the adequate size for a generator system upgrade. An electrical engineer was also consulted which reviewed FPL collected data and existing conditions of current generator which included fuel tank capacity, transfer switch capacity and existing holding room for unit. Based on information, the Public Works Department contacted three (3) contractors for proposals with the scope of work to include:

- Furnish and install a new upsized generator
- Provide electrical contractor services for the installation of new upsized generator in existing generator room
- Upgrade electrical components such as transfer switch to have enough capacity to transfer the loads of all Town Hall systems which includes life safety, air-conditioning system and all other circuits.

A total of three (3) contractors provided proposals for the scope of work. All proposals were reviewed by the Public Works Department. The three proposals are found in **Table A – “New Town Hall Generator Upgrade(s) Proposal below:**

New Town Hall Generator Upgrade(s) Proposal			
Item Number	Contractor	Proposal Date	Total Proposal Cost
1	MTS Power Products	5/25/2019	\$64,432.34
2	Jay Carroll Enterprises, Inc.	5/8/2019	\$88,500.00
3	Florida Pump and Meter	5/15/2019	\$77,894.00

Table A – “New Town Hall Generator Upgrade(s) Proposal below:

Additionally, the Town attorney explored existing options executed by other municipalities to try to find an alternative awarded through a Request for Proposal (RFP) method. As a result, The Town of Miami Lakes awarded contract to Caterpillar, Inc (CAT) which was reviewed but determined it did not fit the Town needs without substantial revision which would deviate substantially from piggy-back method adoption.

Ultimately, after reviewing all the options, the Town administration recommends the contracting of MTS Power Products to furnish and install a new upsized generator; Provide electrical contractor services for the installation of new upsized generator in existing generator room; and Upgrade electrical components such as transfer switch to have enough capacity to transfer the loads of all Town Hall systems which includes life safety, air-conditioning systems and all other circuits by entering into a contract agreement with proposal by MTS Power Products dated April 25, 2019 for the total cost of \$64,432.34. Refer to **Attachment A – “MTS Power Systems Proposal”** for complete proposal. The contracting with MTS Power Products is to be done as an emergency purchase since currently the 2019 Hurricane season has begun and due to the under capacity of the existing system, the Town Hall facility is not appropriate for the housing of first responders and the current system causes a temporary outage during transfer exercises performed weekly.

The Town of Surfside budgeted under the 2019 fiscal year adopted budget a total of \$125,000 as an FY 2019 New Capital Outlay Request titled “Town Hall Generator” with funds appropriated under account number 001-5000-539-6410. See **Attachment B – “FY 2019 New Capital Outlay Request - Town Hall Generator”**.

Since the 2019 Hurricane season has already commenced, programming for request will commence upon immediate approval by the Town Commission so that MTS Power Product can commence the fabrication of new generator. Once the generator is fabricated, it will be delivered to site for installation. Programming is expected to be 2 months for the project which includes lead time of equipment fabrication. The installation will be performed by MTS Power Product electrical contractor. The removal and installation of existing generator house roof will be performed by Public Works Department Staff. The project will be managed by the Assistant Public Works Director.



Thursday, April 25, 2019

Hector Gomez
 Town of Surfside
 9293 Harding Ave
 Surfside, Fl.
 Telf:786-778-1728

We are please to submit the following:

**1-(One) NEW DIESEL GENERATOR SET BY MTS
 RATED: 200KW/250KVA STANDBY DUTY AT 120/208V.**

1. TECHNICAL OFFER

New Diesel Generator Set by MTS
 Model: MTS200J3
 200KW/250KVA Peak Duty Rating
 180Kw/216Kva Standby Duty Rating
 120/208VOLTS, Three Phase, 60 Cycles, 0.8 Power Factor, 695Amps

DIESEL ENGINE

- John Deere** Diesel Engine Model: EP6068HFG85
- EPA Certified
- In-Line Type 6 Cylinder, 4 Stroke
- 6.8 Liter
- Turbo Charged and Intercooled
- Electronic Engine Governor (**John Deere**)
- **John Deere** Electronic Fuel Injection Pump
- 12Volt DC Starter and Battery Charging Alternator
- Heavy Duty DRY TYPE Air Cleaner
- Tropicalized Radiator Mounted on Unit 104 degree F
- Flexible Fuel Lines

ALTERNATOR CHARACTERISTICS

- STAMFORD** Alternator
- Model: [UCI274H1L](#)
- Single Bearing Direct Coupled To Engine Via Flex plate
- Brushless, 12 Lead Reconnetable, Class H Insulation

MTS POWER PRODUCTS
 4501 NW 27 AVENUE
 MIAMI, FLA. 33142
 TELF(305)634-1511
 FAX:(305)634-1461

E-MAIL: gensets@mtspowerproducts.com



- 200Kw Standby Rating @ 150 Degree Rise Temperature
- 120/208 Volts, Three Phase, 60 Cycles
- Automatic Voltage Regulator Model: SE350

Control Panel

- Engine and Generator Digital Control Panel
- **McPherson GCU-3000** DIGITAL Electronic Engine Controller w/LED Indicators
- Automatic/Remote Start/Stop Module
- Digital Service Hour Meter, Voltmeter, Hertz Meter, & Amp Meter
- Battery Condition Meter

Full Engine Safety Shutdowns

- High Temperature
- Low Oil Pressure
- Over Crank
- Over Speed

Chassis

- Skid Mounted
- Heavy Duty Aluminum Construction
- Primed and Painted
- 6ea – Spring Type Vibration Isolators

Batteries

- One Heavy Duty 12VDC 900CCA
- Battery Base
- Battery Cables
- 120VAC 5 Amp CH4612 - Automatic Battery Charger

Muffler

- ResidentialGrade Silencer (1)
- Steel
- Rain Cap

Main Breaker

- 600Amp/600V/3P MCCB
- Mounted in Aluminum Powder Coated Enclosure

ATS Switch

- Eaton Electrical Service Entrance Rated ATS

MTS POWER PRODUCTS

4501 NW 27 AVENUE

MIAMI, FLA. 33142

TELF:(305)634-1511

FAX:(305)634-1461

E-MAIL: gensets@mtspowerproducts.com



- Model: ATH3LDC30400BRU
- Rated: 400Amp/208V/3Ph Nema 3R
- Service Entrance Rated
- ATC-300 Digital Controller
- Standard Timers and Delays
- NEMA3R Enclosure

Price of Generator FOB Miami, FI	\$39,600.00
Price of Service Rated ATS Switch	\$ 6,832.34
Crane Service (4 hours)	\$ 500.00
Electrical Disconnect and Reconnect (Material and Labor)	\$17,500.00

Scope of Work:

MTS and their sub-contractors will disconnect the existing generator, will provide the crane service for 4 hours to remove the existing generator and install the new unit. MTS's Electrical contractor will remove the service disconnect for the chillers in the electrical room and install a New 400 amp Service Rated ATS Switch so that the chillers will operate during a power outage.

The Town of Surfside is responsible to remove the roof to allow the removal of existing unit and placement of replacement unit.

Plus Applicable Sales Tax

WARRANTY: Two One Year OR 2,000 Hours Whichever Occurs First

DELIVERY: 6-8 Weeks After Receipt Of Confirmed Order and Deposit

VALIDITY: 90 DAYS

TERMS: 50% Deposit With Order, Balance On Final Delivery of Unit.

Juan E. Meireles

Juan E. Meireles
President

MTS POWER PRODUCTS
4501 NW 27 AVENUE
MIAMI, FLA. 33142
TELF(305)634-1511
FAX:(305)634-1461

E-MAIL: gensets@mtspowerproducts.com

200 Kw Industrial MTS 200J3



4501 NW 27th Ave Miami, FL
Ph. 305 634 1511 Fax. 305 633 1461



General Specifications

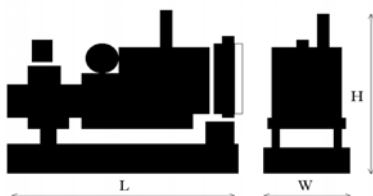
- **John Deere** Powered Generator Set with **STAMFORD** Alternators
- Rugged enough for continuous applications
- Aluminum Skid
- Standard auto/remote start module,
- Full engine protection control panel
- Muffler, Vibration Isolators Installed
- Battery, battery rack & cables
- 120VAC Battery Charger
- Full set of manuals (Engine & Generator)

Engine Specs

- Engine **John Deere** EP6068HFG85
- Type: 4 Cycle water cooled
- Turbo Charged
- 1800 RPM /EPA Certified
- Displacement: 6.8 liters
- Compression Ratio: 17.5 to 1
- Fuel Consumption: <> 32 liter / hr
- Governor: Electronic
- Cooling: Blower type steel blades
- Charging Alternator: 12v

Generator Specs

- Generator: **Stamford**
- UL 1446
- Flexible disc coupling
- Self-exciting & self regulating
- Drip proof alternator
- Class 'H' Insulation
- Voltage regulation 1.5 %
- 600 Amp Main Breaker On Unit



Length: 100 in; Width: 34 in;
Height: 72 in; Weight: 3500 lbs.



JOHN DEERE

ENGINE PERFORMANCE CURVE

Rating: Gross Power
Application: Generator
200 kWe Standby Market
1800 RPM (60 Hz)

PowerTech™ Plus 6.8L Engine
Model: 6068HFG85
JD Electronic Control
287 hp (214 kW) Prime
315 hp (235 kW) Standby

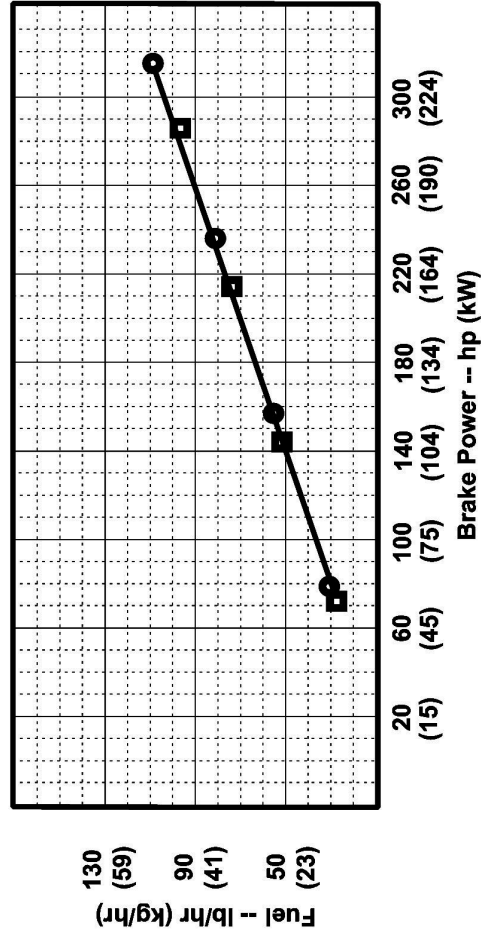
Nominal Engine Power @ 1800 RPM				
Prime		Standby		
HP	kW	HP	kW	kW
287	214	315	235	235

Generator Efficiency %	Fan Power (% of Standby)		Power Factor		Prime Rating		Standby Rating		4 sec Standby Block Load Capability
	hp	kW			kWe	kVA	kWe	kVA	
88-92	18.9	14.1	0.8		176-184	220-230	194-203	243-254	80%

Note 1: Based on nominal engine power. Derate 20% for 100% block load capability.

Note 2: kWe / kVA rating assumes 90% efficiency. Generator Efficiency % will vary.

■ - PRIME ● - STANDBY



STANDARD CONDITIONS

Air Intake Restriction.....12 in.H₂O (3 kPa)
Exhaust Back Pressure.....30 in.H₂O (7.5 kPa)

Gross power guaranteed within + or - 5% at SAE

J1995 and ISO 3046 conditions:

77 °F (25 °C) air inlet temperature

29.31 in.Hg (99 kPa) barometer

104 °F (40 °C) fuel inlet temperature

0.853 fuel specific gravity @ 60 °F (15.5 °C)

Conversion factors:

Power: kW = hp x 0.746

Fuel: 1 gal = 7.1 lb, 1 L = 0.85kg

Torque: N·m = lb·ft x 1.356

All values are from currently available data and are subject to change without notice.

Notes:

Gen-set engine model 6068HFG85 was formerly 6068HF485. -----

A crankshaft Torsional Vibration Analysis is required on all Gen Set applications.

Designed/Calibrated to meet:

Certified by:

- CARB
- EPA

Ref: Engine Emission Label

Victor P. Pardo
22 June '07

Performance Curve: 6068HFG85_T

Engine Installation Criteria

General Data

Model	6068HFG85		
Number of Cylinders	6		
Bore	106 mm	4.2 in.	
Stroke	127 mm	5.0 in.	
Displacement	6.8 L	415 in. ³	
Compression Ratio	17.0:1		
Valves per Cylinder, Intake/Exhaust	2/2		
Firing Order	1-5-3-6-2-4		
Engine Type	In-line, 4-Cycle		
Aspiration	Turbocharged and air-to-air aftercooled		
Charge Air Cooling System	Air-to-Air		
Engine Crankcase Vent System	Open		

Physical Data

Length	1161 mm	45.7 in.
Width	616 mm	24.3 in.
Height	1128 mm	44.4 in.
Weight, with oil & no coolant (Includes engine, flywheel housing, flywheel & electrics)	678 kg	1495 lb
Center of Gravity Location, X-axis From Rear Face of Block	395 mm	15.6 in.
Center of Gravity Location, Y-axis Right of Crankshaft	-2.24 mm	-0.1 in.
Center of Gravity Location, Z-axis Above Crankshaft	189 mm	7.4 in.
Max. Allowable Static Bending Moment At Rear Face of Flywheel Housing with 5-G Load	814 N·m	600 lb-ft
Thrust Bearing Load Limit Forward, Intermittent	4000 N	899 lb
Thrust Bearing Load Limit Forward, Continuous	2200 N	495 lb
Thrust Bearing Load Limit Rearward, Intermittent	2000 N	450 lb
Thrust Bearing Load Limit Rearward, Continuous	1000 N	225 lb
Max. Continuous Damper Temp	82 °C	180 °F
Max. Torsional Vibration, Front of Crank	0.25 DDA	

Electrical System

Recommended Battery Capacity, 12V @32 °F (0 °C)	800 amps
Recommended Battery Capacity, 24V @32 °F (0 °C)	570 amps
Starter Rolling Current, 12V @32 °F (0 °C)	920 amps
Starter Rolling Current, 24V @32 °F (0 °C)	600 amps
Starter Rolling Current, 12V @-22 °F (-30 °C)	1300 amps
Starter Rolling Current, 24V @-22 °F (-30 °C)	700 amps
Min. Voltage at ECU during Cranking, 12V	6 volts
Min. Voltage at ECU during Cranking, 24V	10 volts
Max. Allowable Start Circuit Resistance, 12V	0.0012 Ohm
Max. Allowable Start Circuit Resistance, 24V	0.002 Ohm
Max. ECU Temperature	105 °C 221 °F
Max. VTG Actuator Surface Temp	180 °C 356 °F
Max. Harness Temperature	120 °C 248 °F

Engine Installation Criteria

Charge Air Cooling System

Air-to-Air Heat Rejection, Prime	40.37 kW	2298 BTU/min
Air-to-Air Heat Rejection, Standby	57.34 kW	3264 BTU/min
Compressor Discharge Temperature @ 77°F (25°C) Ambient Air, Prime	185 °C	365 °F
Intake Manifold Pressure, Prime	188 kPa	27.3 psi
Compressor Discharge Temperature @ 77°F (25°C) Ambient Air, Standby	227 °C	441 °F
Intake Manifold Pressure, Standby	252 kPa	36.5 psi
Compressor Discharge Temperature @ 117°F (47°C) 80 kPa Barometric pressure, Prime	000 °C	32 °F
Compressor Discharge Temperature @ 117°F (47°C) 80 kPa Barometric pressure, Standby	000 °C	32 °F
Intake Manifold Temperature at which Power De-rate Occurs	88 °C	190 °F
Max. Pressure Drop through CAC	16 kPa	64.0 in. H ₂ O
Min. Pressure Drop through CAC	8 kPa	32.0 in. H ₂ O
Max. Temperature Out of Charge Air Cooler @ 77°F (25°C) Ambient Air	60 °C	140 °F
Max. Temperature Out of Charge Air Cooler @ 77°F (25°C) Ambient Air, Prime	52 °C	126 °F
Max. Temperature Out of Charge Air Cooler @ 77°F (25°C) Ambient Air, Standby	52 °C	126 °F
Min. Temperature Out of Charge Air Cooler @ 77°F (25°C) Ambient Air	48 °C	118 °F
Min. Temperature Out of Charge Air Cooler @ 77°F (25°C) Ambient Air, Prime	43 °C	109 °F
Min. Temperature Out of Charge Air Cooler @ 77°F (25°C) Ambient Air, Standby	43 °C	109 °F

Cooling System

Max. Water Pump Inlet Restriction	-30 kPa	-4.4 psi
Engine Heat Rejection, Prime	83.7 kW	4764 BTU/min
Engine Heat Rejection, Standby	94.9 kW	5402 BTU/min
Coolant Flow	265 L/min	70 gal/min
Thermostat Start to Open	82 °C	180 °F
Thermostat Fully Open	95 °C	203 °F
Engine Coolant Capacity	11.9 Liter	12.6 quart
Min. Pressure Cap	100 kPa	15 psi
Min. Pump Inlet Pressure	30 kPa	4.4 psi
Max. Top Tank Temperature Prime	100 °C	212 °F
Max. Top Tank Temperature Standby	100 °C	212 °F
Min. Limiting Ambient Temperature, Standby	40 °C	104 °F
Min. Limiting Ambient Temperature, Prime	47 °C	116.6 °F
Min. Coolant Fill Rate	11 L/min	2.9 gal/min

Exhaust System

Exhaust Flow, Prime	38.8 m³/min	1370 ft.³/min
Exhaust Flow, Standby	42.9 m³/min	1515 ft.³/min
Exhaust Temperature, Prime	528 °C	982 °F
Exhaust Temperature, Standby	485 °C	905 °F
Max. Allowable Exhaust Restriction	10 kPa	40 in. H ₂ O
Min. Allowable Exhaust Restriction	3 kPa	12 in. H ₂ O
Max. Bending Moment on Turbo Outlet	7 N·m	5.2 lb-ft
Max. Shear on Turbine Outlet	11 kg	24 lb

Performance Curve: 6068HF385_T

Engine Installation Criteria

Fuel System

ECU Description	L14 Controller	
Fuel Injection Pump	Denso HP3	
Governor Type	Electronic	
Total Fuel Flow, Prime	73.1 kg/hr	161 lb/hr
Total Fuel Flow, Standby	78.7 kg/hr	174 lb/hr
Fuel Consumption, Prime	44 kg/hr	97 lb/hr
Fuel Consumption, Standby	50 kg/hr	110 lb/hr
Fuel Temperature Rise, Inlet to Return Prime	54 °C	129 °F
Fuel Temperature Rise, Inlet to Return Standby	56 °C	133 °F
Max. Fuel Inlet Restriction	20 kPa	80 in. H ₂ O
Max. Fuel Inlet Pressure	NA	
Max. Fuel Return Pressure	20 kPa	80 in. H ₂ O
Max. Fuel Inlet Temperature	80 °C	176 °F

Lubrication System

Oil Pressure at Rated Speed, Prime	339 kPa	49 psi
Oil Pressure at Rated Speed, Standby	339 kPa	49 psi
Oil Pressure at Low Idle	105 kPa	15 psi
Max. Oil Carryover in Blow-By	1.0 g/hr	0.002 lb/hr
Max. Airflow in Blow-By	130 L/min	34.3 gal/min
Max. Crankcase Pressure	0.5 kPa	2 in. H ₂ O

Air Intake System

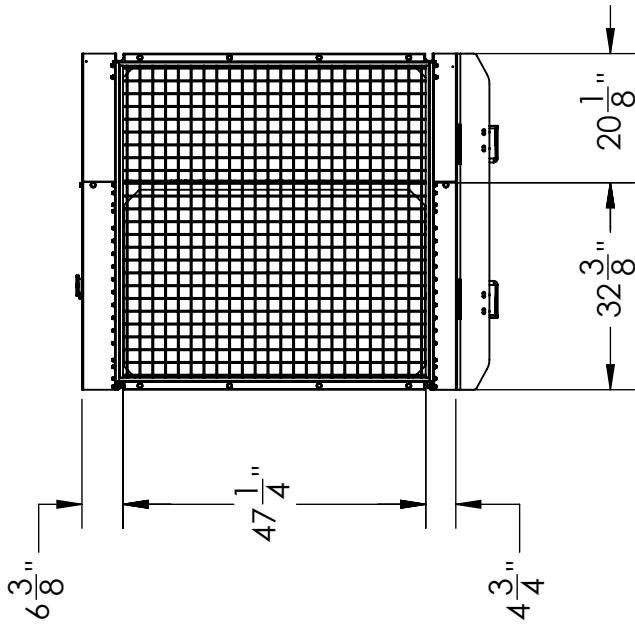
Engine Air Flow, Prime	14.7 m ³ /min	519 ft. ³ /min
Engine Air Flow, Standby	17.5 m ³ /min	618 ft. ³ /min
Maximum Allowable Temperature Rise, Ambient Air to Engine Inlet	8 Δ°C	15 Δ°F
Max. Air Intake Restriction, Clean Air Cleaner	3.75 kPa	15.0 in. H ₂ O
Max. Air Intake Restriction, Dirty Air Cleaner	6.25 kPa	25.0 in. H ₂ O
Air Cleaner Efficiency	99.9 %	

Performance Data

Rated Power, Prime	214 kW	287 HP
Rated Power, Standby	235 kW	315 HP
Rated Speed	1800 rpm	
Low Idle Speed	1150 rpm	
Rated Torque, Prime	1536 N·m	1133 lb-ft
Rated Torque, Standby	1690 N·m	1246 lb-ft
BMEP, Prime	2094 kPa	304 psi
BMEP, Standby	2304 kPa	334 psi
Altitude Capability, Prime	3048 m	10000 ft
Altitude Capability, Standby	3048 m	10000 ft
Friction Power @ Rated Speed	18.7 kW	25 HP
Air:Fuel Ratio, Prime	23.0:1	
Air:Fuel Ratio, Standby	24.0:1	
Smoke @ Rated Speed Prime	0.45 Bosch No.	
Smoke @ Rated Speed Standby	0.77 Bosch No.	
Noise @ 1 m Prime	89.0 dB(A)	
Noise @ 1 m Standby	89.0 dB(A)	

Fuel Consumption	Prime		Standby	
	lb/hr	kg/h	lb/hr	kg/h
25 % Power	27.8	12.6	30.2	13.7
50 % Power	51.4	23.3	56.2	25.5
75 % Power	73.2	33.2	80.5	36.5
100 % Power	97.2	44.1	109.8	49.8

Performance Curve: 6068HFG85_T



NOTE:

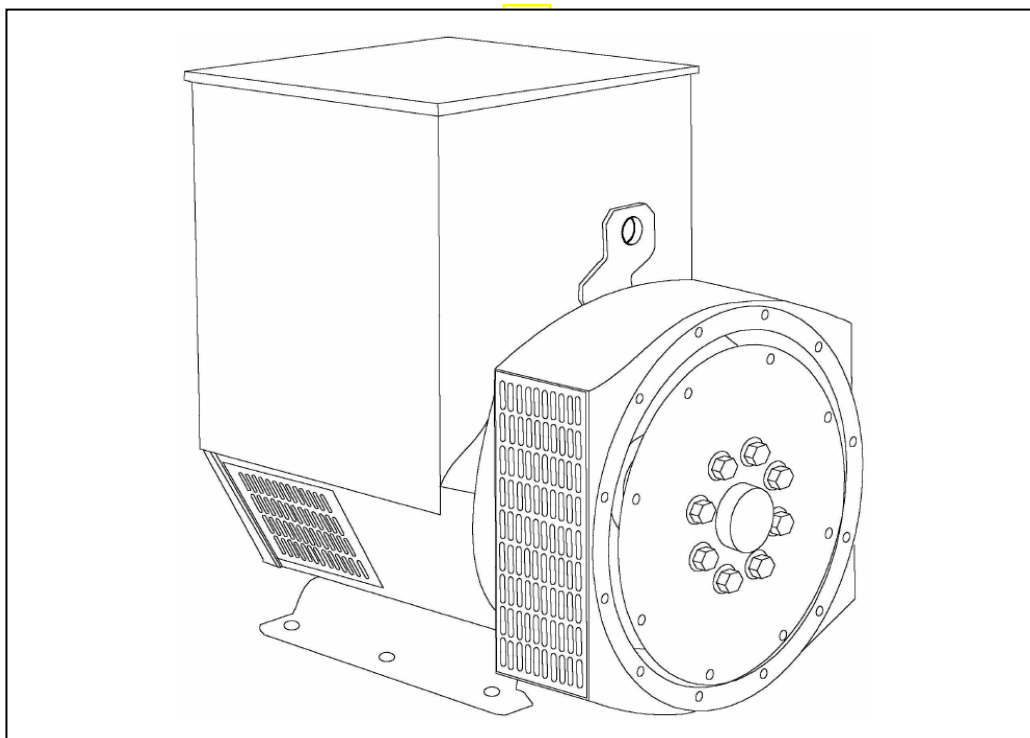
PROPRIETARY AND CONFIDENTIAL

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STAMFORD®

UCI274H - Winding 311

Technical  Data Sheet



UCI274H

SPECIFICATIONS & OPTIONS

STAMFORD

STANDARDS

Stamford industrial generators meet the requirements of BS EN 60034 and the relevant section of other international standards such as BS5000, VDE 0530, NEMA MG1-32, IEC34, CSA C22.2-100, AS1359.

Other standards and certifications can be considered on request.

VOLTAGE REGULATORS

SX460 AVR - STANDARD

With this self excited control system the main stator supplies power via the Automatic Voltage Regulator (AVR) to the exciter stator. The high efficiency semiconductors of the AVR ensure positive build-up from initial low levels of residual voltage.

The exciter rotor output is fed to the main rotor through a three phase full wave bridge rectifier. This rectifier is protected by a surge suppressor against surges caused, for example, by short circuit.

AS440 AVR

With this self-excited system the main stator provides power via the AVR to the exciter stator. The high efficiency semiconductors of the AVR ensure positive build-up from initial low levels of residual voltage.

The exciter rotor output is fed to the main rotor through a three-phase full-wave bridge rectifier. The rectifier is protected by a surge suppressor against surges caused, for example, by short circuit or out-of-phase paralleling.

The AS440 will support a range of electronic accessories, including a 'droop' Current Transformer (CT) to permit parallel operation with other ac generators.

MX341 AVR

This sophisticated AVR is incorporated into the Stamford Permanent Magnet Generator (PMG) control system.

The PMG provides power via the AVR to the main exciter, giving a source of constant excitation power independent of generator output. The main exciter output is then fed to the main rotor, through a full wave bridge, protected by a surge suppressor. The AVR has in-built protection against sustained over-excitation, caused by internal or external faults. This de-excites the machine after a minimum of 5 seconds.

An engine relief load acceptance feature can enable full load to be applied to the generator in a single step.

If three-phase sensing is required with the PMG system the MX321 AVR must be used.

We recommend three-phase sensing for applications with greatly unbalanced or highly non-linear loads.

MX321 AVR

The most sophisticated of all our AVRs combines all the features of the MX341 with, additionally, three-phase rms sensing, for improved regulation and performance.

Over voltage protection is built-in and short circuit current level adjustments is an optional facility.

WINDINGS & ELECTRICAL PERFORMANCE

All generator stators are wound to 2/3 pitch. This eliminates triplen (3rd, 9th, 15th ...) harmonics on the voltage waveform and is found to be the optimum design for trouble-free supply of non-linear loads. The 2/3 pitch design avoids excessive neutral currents sometimes seen with higher winding pitches, when in parallel with the mains. A fully connected damper winding reduces oscillations during paralleling. This winding, with the 2/3 pitch and carefully selected pole and tooth designs, ensures very low waveform distortion.

TERMINALS & TERMINAL BOX

Standard generators are 3-phase reconnectable with 12 ends brought out to the terminals, which are mounted on a cover at the non-drive end of the generator. A sheet steel terminal box contains the AVR and provides ample space for the customers' wiring and gland arrangements. It has removable panels for easy access.

SHAFT & KEYS

All generator rotors are dynamically balanced to better than BS6861:Part 1 Grade 2.5 for minimum vibration in operation. Two bearing generators are balanced with a half key.

INSULATION/IMPREGNATION

The insulation system is class 'H'.

All wound components are impregnated with materials and processes designed specifically to provide the high build required for static windings and the high mechanical strength required for rotating components.

QUALITY ASSURANCE

Generators are manufactured using production procedures having a quality assurance level to BS EN ISO 9001.

The stated voltage regulation may not be maintained in the presence of certain radio transmitted signals. Any change in performance will fall within the limits of Criteria 'B' of EN 61000-6-2:2001. At no time will the steady-state voltage regulation exceed 2%.

DE RATES

All values tabulated on page 8 are subject to the following reductions

5% when air inlet filters are fitted.

3% for every 500 metres by which the operating altitude exceeds 1000 metres above mean sea level.

3% for every 5°C by which the operational ambient temperature exceeds 40°C.

Note: Requirement for operating in an ambient exceeding 60°C must be referred to the factory.

NB Continuous development of our products entitles us to change specification details without notice, therefore they must not be regarded as binding.

Front cover drawing typical of product range.

APPROVED DOCUMENT

WINDING 311

CONTROL SYSTEM	SEPARATELY EXCITED BY P.M.G.		
A.V.R.	MX321	MX341	
VOLTAGE REGULATION	± 0.5 %	± 1.0 %	With 4% ENGINE GOVERNING
SUSTAINED SHORT CIRCUIT	REFER TO SHORT CIRCUIT DECREMENT CURVES (page 7)		

CONTROL SYSTEM	SELF EXCITED		
A.V.R.	SX460	AS440	
VOLTAGE REGULATION	± 1.0 %	± 1.0 %	With 4% ENGINE GOVERNING
SUSTAINED SHORT CIRCUIT	SERIES 4 CONTROL DOES NOT SUSTAIN A SHORT CIRCUIT CURRENT		

INSULATION SYSTEM	CLASS H		
PROTECTION	IP23		
RATED POWER FACTOR	0.8		
STATOR WINDING	DOUBLE LAYER CONCENTRIC		
WINDING PITCH	TWO THIRDS		
WINDING LEADS	12		
STATOR WDG. RESISTANCE	0.0155 Ohms PER PHASE AT 22°C SERIES STAR CONNECTED		
ROTOR WDG. RESISTANCE	1.82 Ohms at 22°C		
EXCITER STATOR RESISTANCE	20 Ohms at 22°C		
EXCITER ROTOR RESISTANCE	0.091 Ohms PER PHASE AT 22°C		
R.F.I. SUPPRESSION	BS EN 61000-6-2 & BS EN 61000-6-4, VDE 0875G, VDE 0875N. refer to factory for others		
WAVEFORM DISTORTION	NO LOAD < 1.5% NON-DISTORTING BALANCED LINEAR LOAD < 5.0%		
MAXIMUM OVERSPEED	2250 Rev/Min		
BEARING DRIVE END	BALL. 6315-2RS (ISO)		
BEARING NON-DRIVE END	BALL. 6310-2RS (ISO)		

	1 BEARING		2 BEARING	
WEIGHT COMP. GENERATOR	626 kg		641 kg	
WEIGHT WOUND STATOR	253 kg		253 kg	
WEIGHT WOUND ROTOR	227.53 kg		216.57 kg	
WR ² INERTIA	1.9349 kgm ²		1.8843 kgm ²	
SHIPPING WEIGHTS in a crate	659 kg		673 kg	
PACKING CRATE SIZE	123 x 67 x 103 (cm)		123 x 67 x 103 (cm)	

	50 Hz				60 Hz			
TELEPHONE INTERFERENCE	THF<2%				TIF<50			
COOLING AIR	0.514 m ³ /sec 1090 cfm				0.617 m ³ /sec 1308 cfm			
VOLTAGE SERIES STAR	380/220	400/231	415/240	440/254	416/240	440/254	460/266	480/277
VOLTAGE PARALLEL STAR	190/110	200/115	208/120	220/127	208/120	220/127	230/133	240/138
VOLTAGE SERIES DELTA	220/110	230/115	240/120	254/127	240/120	254/127	266/133	277/138
KVA BASE RATING FOR REACTANCE VALUES	200	200	200	N/A	237.5	245	245	255
X _d DIR. AXIS SYNCHRONOUS	2.11	1.91	1.77	-	2.50	2.31	2.11	2.02
X' _d DIR. AXIS TRANSIENT	0.18	0.16	0.15	-	0.21	0.19	0.18	0.17
X'' _d DIR. AXIS SUBTRANSIENT	0.12	0.11	0.10	-	0.14	0.13	0.12	0.11
X _q QUAD. AXIS REACTANCE	1.28	1.15	1.07	-	1.53	1.41	1.29	1.23
X'' _q QUAD. AXIS SUBTRANSIENT	0.17	0.15	0.14	-	0.20	0.18	0.17	0.16
X _L LEAKAGE REACTANCE	0.08	0.08	0.07	-	0.10	0.09	0.08	0.08
X ₂ NEGATIVE SEQUENCE	0.13	0.12	0.11	-	0.16	0.15	0.13	0.13
X ₀ ZERO SEQUENCE	0.08	0.08	0.07	-	0.10	0.09	0.08	0.08

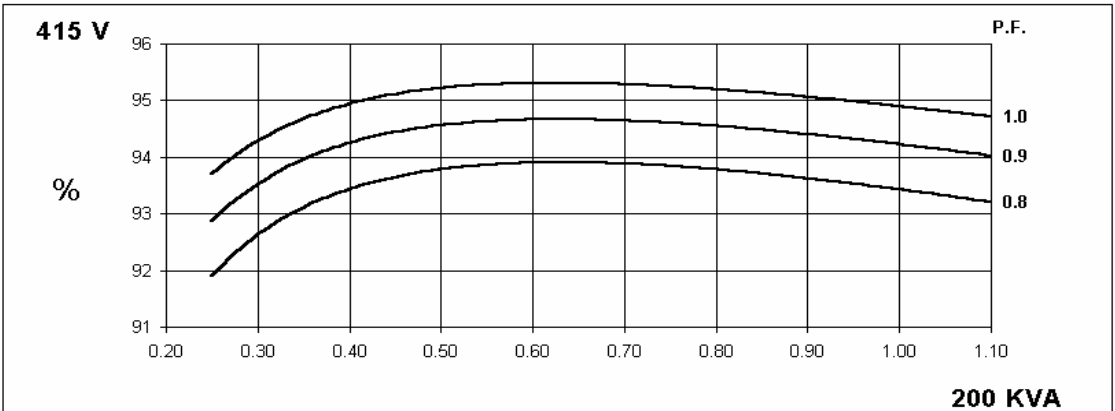
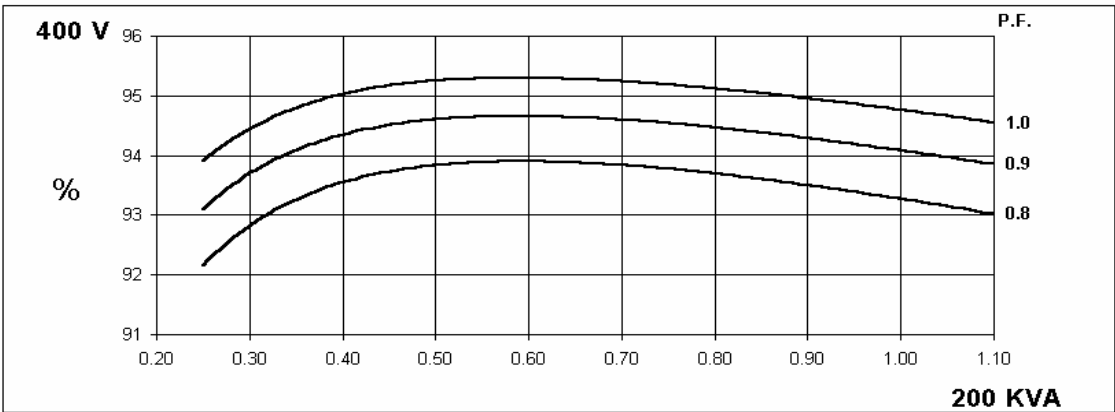
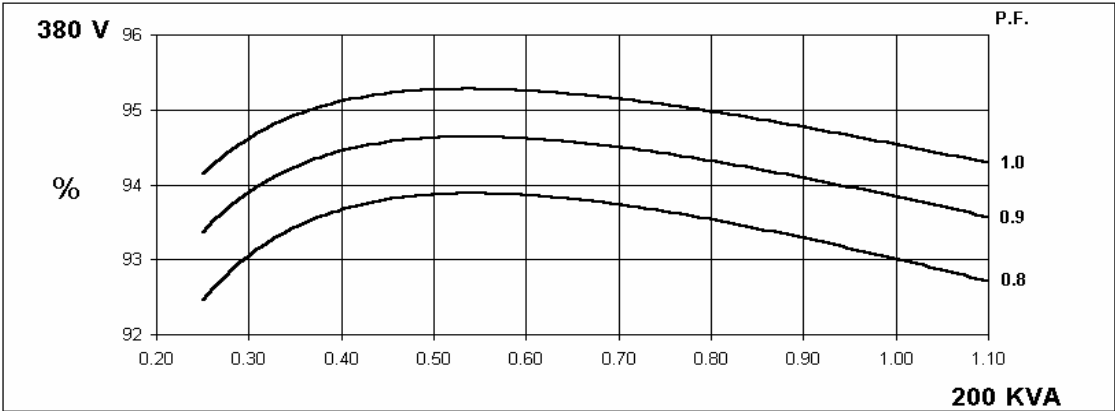
REACTANCES ARE SATURATED	VALUES ARE PER UNIT AT RATING AND VOLTAGE INDICATED							
T' _d TRANSIENT TIME CONST.	0.042 s							
T'' _d SUB-TRANSTIME CONST.	0.012 s							
T' _{do} O.C. FIELD TIME CONST.	1.1 s							
T _a ARMATURE TIME CONST.	0.012 s							
SHORT CIRCUIT RATIO	1/X _d							

50
Hz

UCI274H
Winding 311

STAMFORD

THREE PHASE EFFICIENCY CURVES

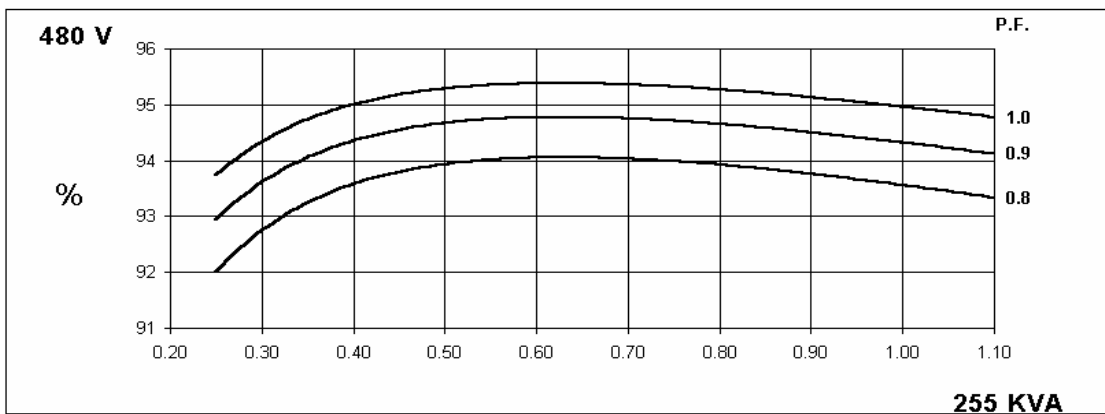
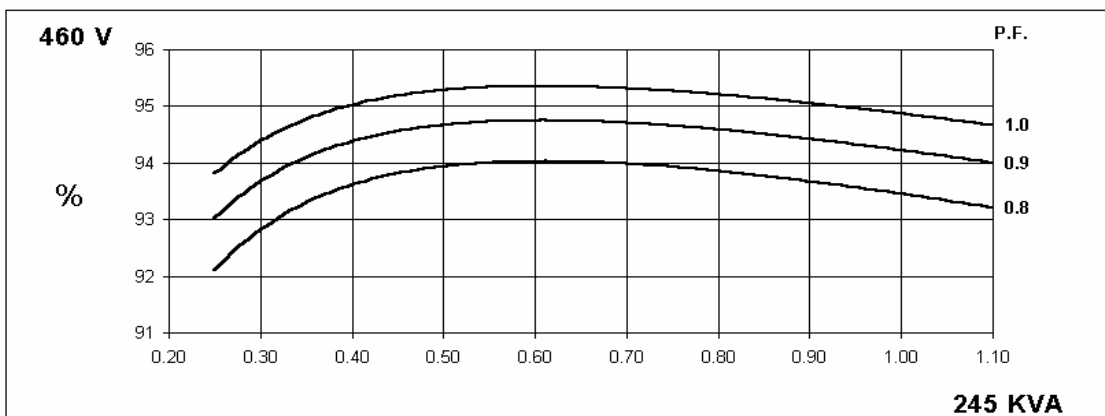
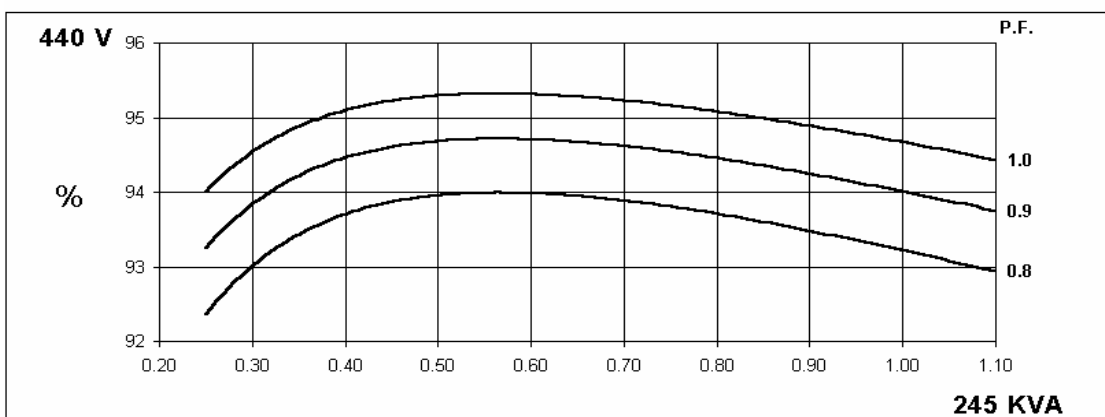
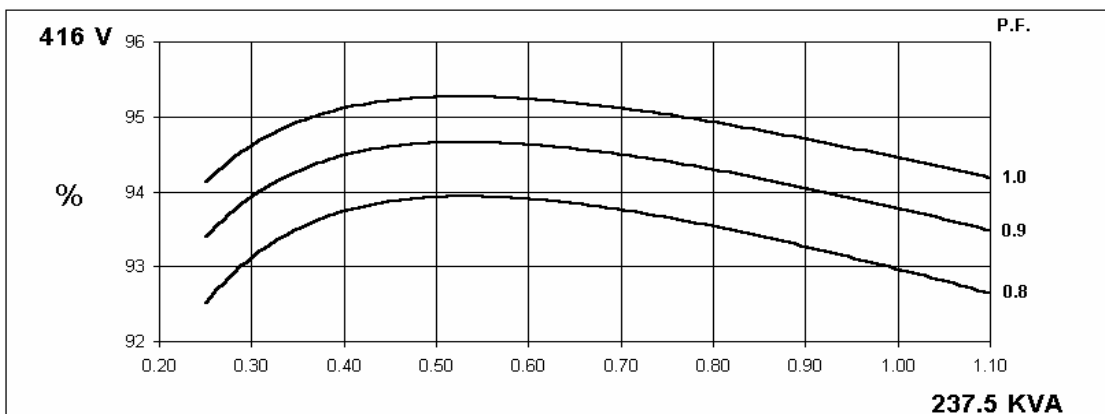


60
Hz

UCI274H
Winding 311

STAMFORD

THREE PHASE EFFICIENCY CURVES

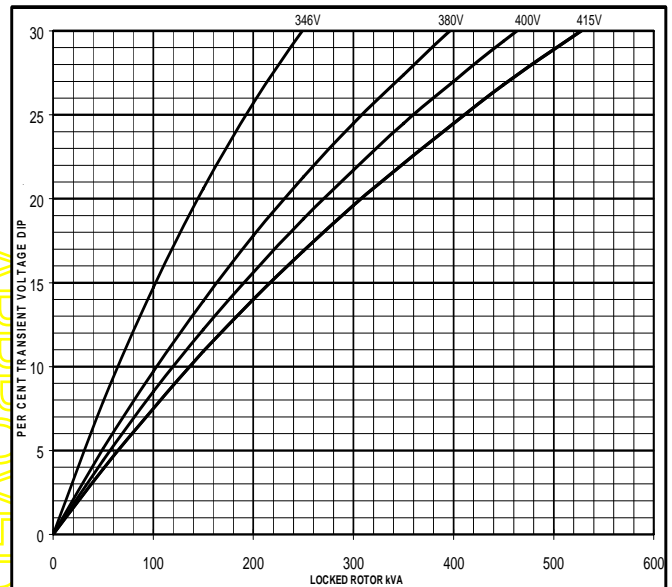
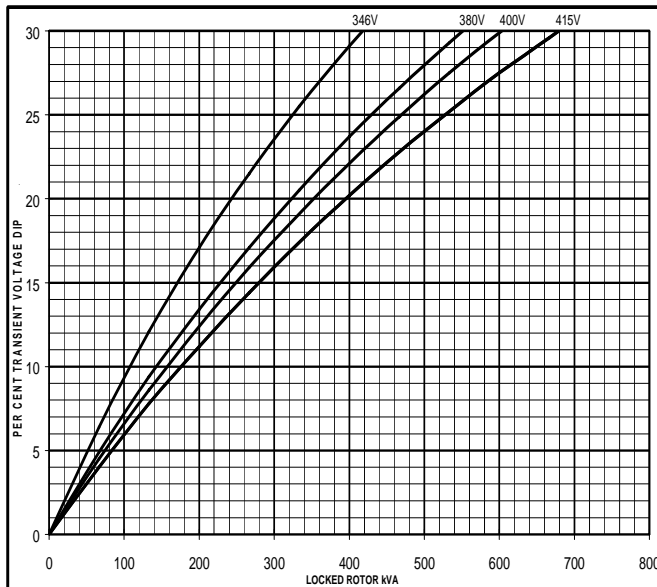


Locked Rotor Motor Starting Curve

50
Hz

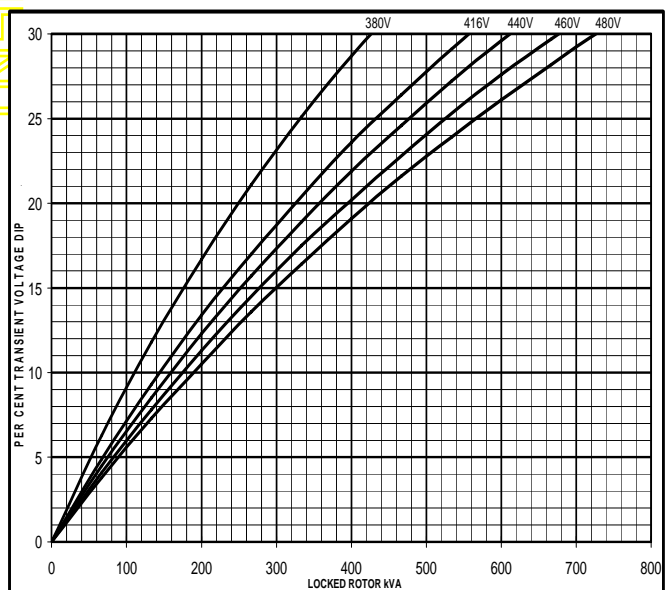
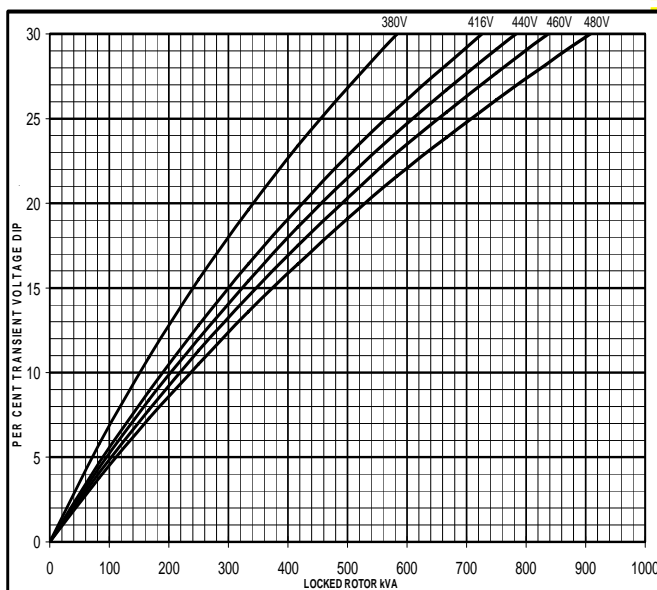
MX

SX

60
Hz

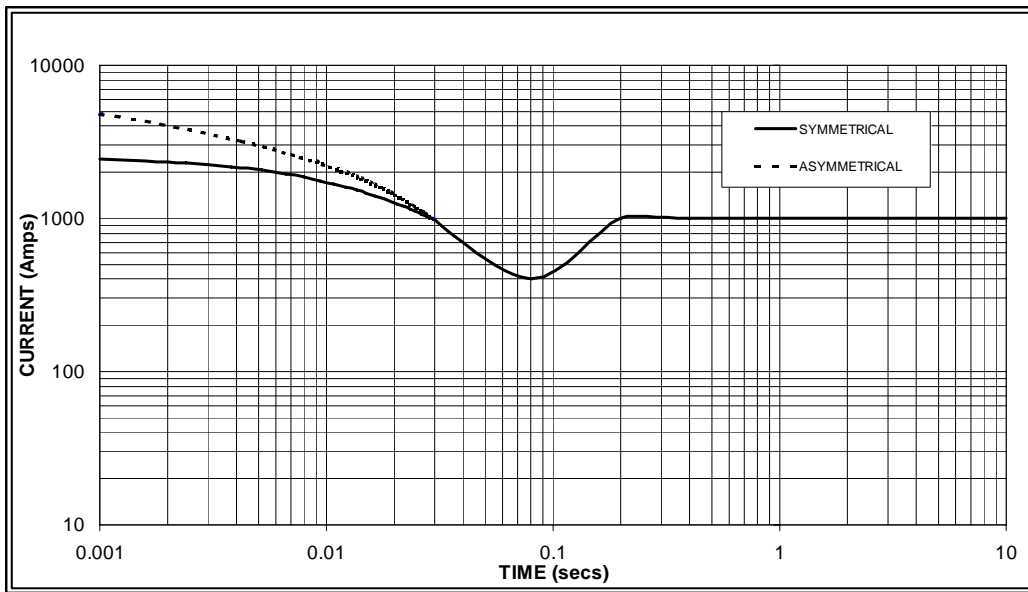
MX

SX



Three-phase Short Circuit Decrement Curve. No-load Excitation at Rated Speed Based on star (wye) connection.

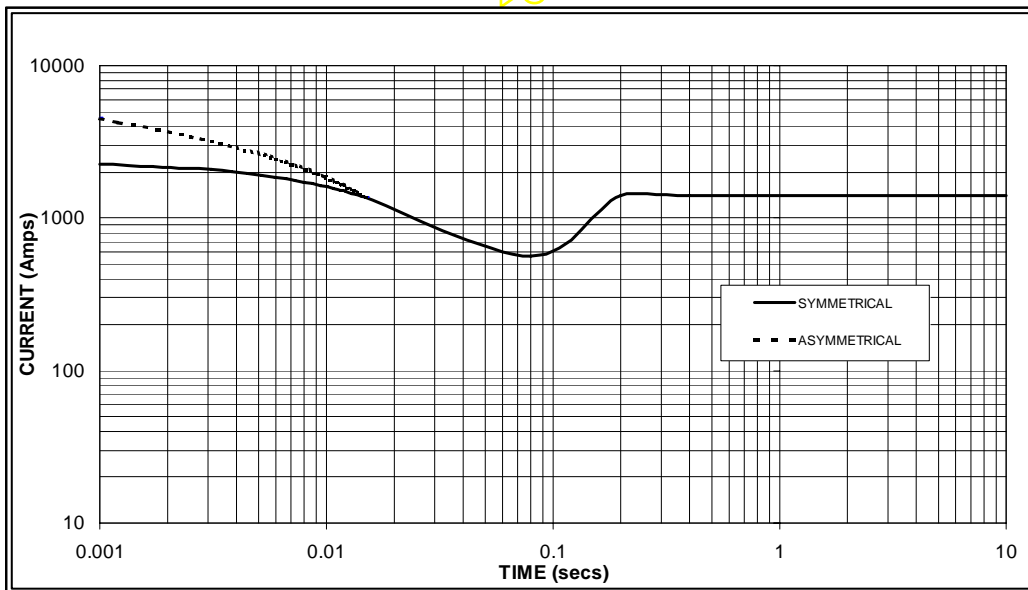
50
Hz



Sustained Short Circuit = 1,000 Amps



60
Hz



Sustained Short Circuit = 1,400 Amps

Note 1

The following multiplication factors should be used to adjust the values from curve between time 0.001 seconds and the minimum current point in respect of nominal operating voltage :

50Hz		60Hz	
Voltage	Factor	Voltage	Factor
380v	X 1.00	416v	X 1.00
400v	X 1.07	440v	X 1.06
415v	X 1.12	460v	X 1.12
		480v	X 1.17

The sustained current value is constant irrespective of voltage level

Note 2

The following multiplication factor should be used to convert the values calculated in accordance with NOTE 1 to those applicable to the various types of short circuit :

	3-phase	2-phase L-L	1-phase L-N
Instantaneous	x 1.00	x 0.87	x 1.30
Minimum	x 1.00	x 1.80	x 3.20
Sustained	x 1.00	x 1.50	x 2.50
Max. sustained duration	10 sec.	5 sec.	2 sec.

All other times are unchanged

Note 3

Curves are drawn for Star (Wye) connected machines. For other connection the following multipliers should be applied to current values as shown :

Parallel Star = Curve current value X 2

Series Delta = Curve current value X 1.732

UCI274H

STAMFORD

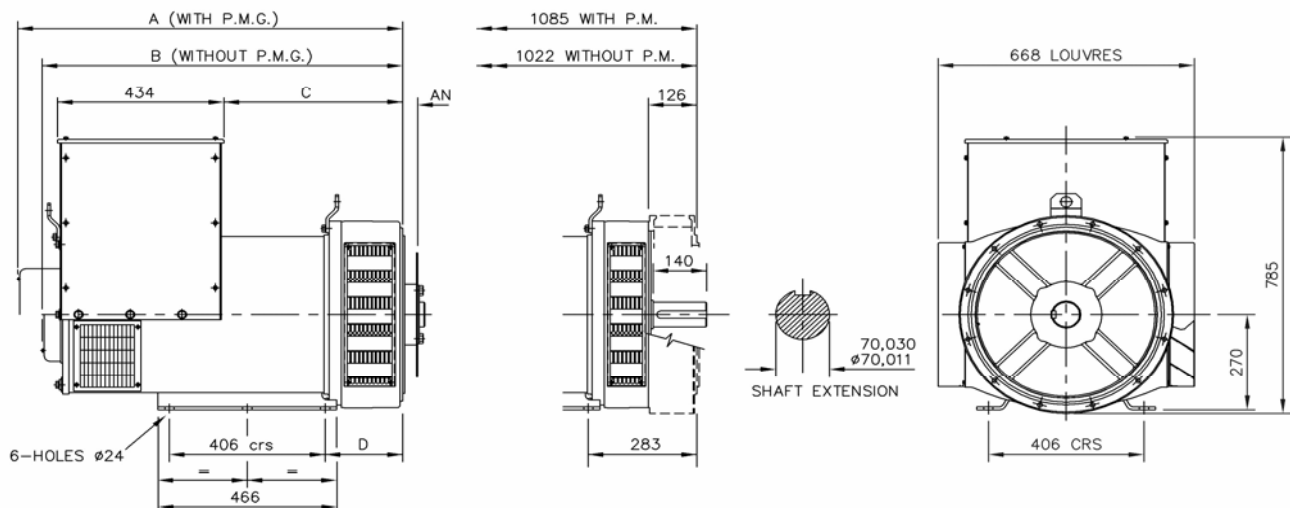
Winding 311 / 0.8 Power Factor

RATINGS

Class - Temp Rise		Cont. F - 105/40°C				Cont. H - 125/40°C				Standby - 150/40°C				Standby - 163/27°C			
50 Hz	Series Star (V)	380	400	415	440	380	400	415	440	380	400	415	440	380	400	415	440
	Parallel Star (V)	190	200	208	220	190	200	208	220	190	200	208	220	190	200	208	220
	Series Delta (V)	220	230	240	254	220	230	240	254	220	230	240	254	220	230	240	254
kVA		182.0	182.0	182.0	N/A	200.0	200.0	200.0	N/A	212.0	212.0	212.0	N/A	220.0	220.0	220.0	N/A
kW		145.6	145.6	145.6	N/A	160.0	160.0	160.0	N/A	169.6	169.6	169.6	N/A	176.0	176.0	176.0	N/A
Efficiency (%)		93.3	93.5	93.6	N/A	93.0	93.3	93.4	N/A	92.8	93.1	93.3	N/A	92.7	93.0	93.2	N/A
kW Input		156.1	155.7	155.6	N/A	172.0	171.5	171.3	N/A	182.8	182.2	181.8	N/A	189.9	189.2	188.8	N/A

60 Hz	Series Star (V)	416	440	460	480	416	440	460	480	416	440	460	480	416	440	460	480
	Parallel Star (V)	208	220	230	240	208	220	230	240	208	220	230	240	208	220	230	240
	Series Delta (V)	240	254	266	277	240	254	266	277	240	254	266	277	240	254	266	277
	kVA	218.8	225.0	225.0	235.0	237.5	245.0	245.0	255.0	250.0	258.8	258.8	275.0	256.3	265.0	265.0	280.0
	kW	175.0	180.0	180.0	188.0	190.0	196.0	196.0	204.0	200.0	207.0	207.0	220.0	205.0	212.0	212.0	224.0
	Efficiency (%)	93.2	93.4	93.6	93.7	93.0	93.2	93.5	93.6	92.8	93.1	93.3	93.4	92.7	93.0	93.3	93.3
	kW Input	187.8	192.7	192.3	200.6	204.3	210.3	209.6	217.9	215.5	222.4	221.9	235.5	221.2	228.0	227.2	240.1

DIMENSIONS



SINGLE BEARING MACHINES ONLY						
ADAPTOR	A	B	C	D	COUPLING DISCS	AN
SAE 1	1018,3	955,3	479,3	216,3	SAE 10	53,98
SAE 2	1004	941	465	202	SAE 11,5	39,68
SAE 3	1004	941	465	202	SAE 14	25,40

APPROVED DOCUMENT

STAMFORD

Head Office Address:
Barnack Road, Stamford
Lincolnshire, PE9 2NB
United Kingdom
Tel: +44 (0) 1780 484000
Fax: +44 (0) 1780 484100

www.cumminsgeneratortechologies.com

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GCU-3000

Digital Gen-set PLC Control Unit

Provides Full Instrumentation & Protection On Any Generator Set

Features

- Micro-processor auto control & protection
- Easy to read large LCD display
- Modularity design, easy to install
- Provide accurate temperature and oil pressure display
- Provide full engine & generator alarms signals shut downs
- All functions setting can be done directly on GCU-3000 no need for PC connection*1
- Provide emergency stop and voltage adjustment on front panel*2
- Total of 15 memorable event logs
- Optional USB / RS485 / Ethernet remote communication functions
- Free APP for monitor and operate your ATS & genset directly from your smart phone



Protection & Alarm Status Indicators

Engine Start Failure	Emergency Stop Activated
Engine Over Speed	High Engine Temp.
Sensor Failure	MPU Failure
Abnormal AC Voltage	Generator Over Load
Low Engine Oil Pressure	Abnormal Battery Voltage

Large LCD Display

- Programmable Display with 3 Phase Volts, Amp & Freq.
- Engine Operation Hours & Battery Voltage Display
- Can Display Different Unit Of Temperature & Oil Pressure
- Failure Signal Status By Graphic Display

Specifications

Power Input	Voltage 8~60 VDC (12V , 24V)	MPU Signal Input	Voltage ± 2 to ± 70 VAC
AC Sensing Input	Voltage 15~500 VAC		Frequency Min. 100 Hz Max. 10 KHz
	Frequency 50/60 Hz	CT Specification	Burden 2.5 VA
Power Dissipating	Max. 7 watt		

Environment

Operating Temperature	-20 to 70 Degree C
Relative Humidity	Maximum 95%
Max. Vibration	5~25 Hz , ± 1.6 mm 25~100 Hz , a=4g

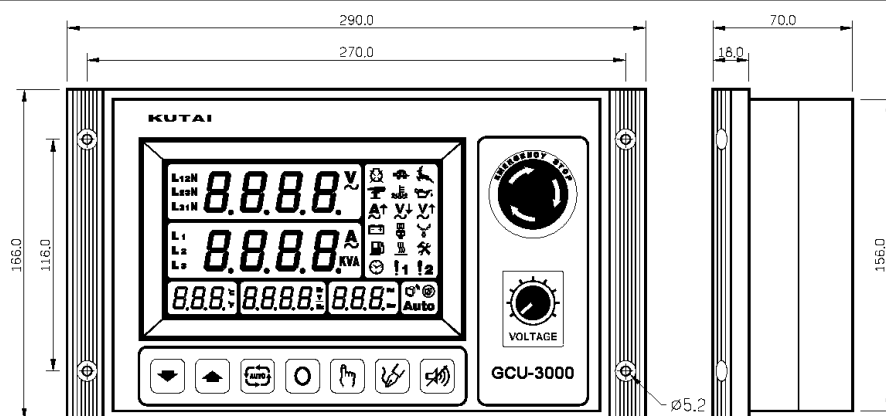
Physical Specification

Panel Cut-Out	251.5 x 157.0 ± 0.5 mm
Dimensions	290.0 (L) x 166.0 (W) x 70.0 (H) mm
Weight	1341 g $\pm 2\%$

Auxiliaries

Digital Sensor (TS-01)	-55 to 125 Degree C (Max.) ± 2	Semiconductor Sensor (PS-01)	0 to 120 Psi $\pm 2.5\%$ (Max.)
-------------------------------	------------------------------------	-------------------------------------	---------------------------------

Mechanical Specifications (Unit : mm[inch])



*1 Customized settings are auto-saved into memory and will remain even when power is off.

*2 Provide genset run-in module and manual start and stop functions, when user proceed modulate controller will shut down all protect functions.

Project Name: MTS - 400A
General Order No:

Negotiation No: TAP50629X6K2
Alternate No: 0000

Item No.	Qty	Product	Description	Unit	Quote Price	Extended Quote
002	1	Automatic Transfer Switches	<p>Product Family: Wall Mount</p> <p>Switch Type: Automatic Molded Case Switch 30A thru 1000A</p> <p>480/277v, 60hz, 3 Phase, 4 Wire, 3 poles</p> <p>Transition Mode: Open</p> <p>Controller Type: ATC-300+</p> <p>Continuous Current: 400 Amps</p> <p>Withstand: 65 KA</p> <p>Normal Source Terminals: (1) 4/0-600 CU/AL</p> <p>Emergency Source Terminals: (1) 4/0-600 CU/AL</p> <p>Load Side Terminals: (2) #1-500 CU/AL</p> <p>Neutral Terminals: (6) 250-350 CU/AL</p> <p>Standard Features: 1a, 2a, 3a, 4a, 5h, 5j, 5k, 5l, 6b, 7a, 8c, 8d, 12c, 12d, 12g, 12h, 14l, 14m, 15e, 15f, 23k, 26d, 26h, 26j, 26k, 26l, 32a, 35a, 42, 48f, 49c,</p> <p>Optional Features: 12l, 16n, 37a,</p> <p>Shipping State: FL</p>			

Catalog No ATV3LDC30400XRU
Designation 400A SE

Qty	List of Materials
1	ATV3LD 3 Poles 400 Amps
1	AT Enclosure - Type-3R
1	1a. Time Delay Normal to Emergency Adj. 0-1800 sec
1	2a. Time Delay Engine Start Adj. 0-120 sec
1	3a. Time Delay Emergency to Normal Adj. 0-1800 sec
1	4a. Time Delay Engine Cool-off Adj. 0-1800 sec
1	5h. Emergency (S2) Sensing Phase Reversal
1	5j. Emergency (S2) Sensing Under Voltage/Under Freq
1	5k. Emergency (S2) Sensing Over Voltage/Over Freq
1	5l. Emergency (S2) Sensing Voltage Unbalance
1	6b. Test Pushbutton
1	7a. Time Delay Engine Fail Adj. 0-6 sec
1	8c. Time Delay Bypass Emergency to Normal
1	8d. Time Delay Bypass Normal to Emergency
1	12c. LED Indicator Normal Position
1	12d. LED Indicator Emergency Position
1	12g. LED Indicator Normal Source Available
1	12h. LED Indicator Emergency Source Available
1	14l. Normal (S1) Source Present (2 Form C)
1	14m. Emergency (S2) Source Present (2 Form C)
1	15e. Normal (S1) Position Indication (1 Form C Micro Switch Outputs)
1	15f. Emergency (S2) Position Indication (1 Form C Micro Switch Outputs)
1	16n. Power Switch Overcurrent Protection Normal Side Only
1	12l. Normal Trip 400 Amps
1	22. Ground Bar
1	23k. Auto Plant Exerciser 1/7/14/28 Day
1	26d. Go To Source 2
1	26h. Normal (S1) Sensing Phase Reversal
1	26j. Normal (S1) Sensing Under-voltage/Under-frequency
1	26k. Normal (S1) Sensing Over-voltage/Over-frequency

For assistance, contact Peter Smith-Johannsen 561-744-6989 -
email: sales@atlpr.com

Project Name: MTS - 400A
General Order No:

Negotiation No: TAP50629X6K2
Alternate No: 0000

Qty	List of Materials
1	26l. Normal (S1) Sensing Voltage Unbalance
1	32a. Time Delay Neutral Adjustable 0 - 120 seconds
1	35a. Pre-transfer Signal Contacts (1 Form C)
1	37a. Rated as Suitable for Service Entrance w/o Ground Fault
1	42. IBC/CBC Seismic Qualified
1	48f. MODBUS Communication
1	49c. Multi-Tap Transformer

0% per month or fraction thereof for the time the shipment is delayed.

For assistance, contact Peter Smith-Johannsen 561-744-6989 -
email: sales@atlpr.com

The Town administration recommends the Town Commission to enter into an agreement with MTS Power Systems for the furnishing and installation of upsized generator as per proposal provided.

Reviewed by

Prepared by

FY 2019 New Capital Outlay Request				
Town Hall Generator				
Department	Division	Funding Source	Dept. Priority	Fiscal Impact
Public Works		General	1	\$125,000
Justification and Description				
New Town Hall generator. The Town Hall onsite generator approximately 35 years old. Although the generator is in working condition, it is not equipped to run both the lights and the chiller system during both emergency and non-emergency events. An second generator will provide the operation of both lighting and the chiller system during storm, emergency, and non-emergency events. It will also serve as a backup should the existing generator fail.				
Alternative/Adverse Impacts if not funded:				
Town Hall serves as an Emergency Operations Center and emergency operations staff is housed at Town Hall during storm events and other emergencies. A generator that allows the operation of both lighting and the chiller system is crucial to operations during these incidents.				
Required Resources				
Account Number	Title or Description of Request			Cost
001-5000-539-6410	Equipment			\$125,000
Other Recurring Operating Costs				
Account Number	Description			Cost

RESOLUTION NO. ____

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA APPROVING THE PURCHASE AND INSTALLATION OF AN EMERGENCY GENERATOR FOR TOWN HALL FROM MEIRELES TRUCK SALES, INC. D/B/A MTS POWER PRODUCTS; FINDING THAT THE PURCHASE AND INSTALLATION ARE EXEMPT FROM COMPETITIVE BIDDING PURSUANT TO SECTION 3-13(4) OF THE TOWN CODE AS AN EMERGENCY AND SECTION 3-13(7)E OF THE TOWN CODE AS A PUBLIC WORKS OR UTILITIES PURCHASE OF EQUIPMENT; AUTHORIZING THE TOWN MANAGER TO ENTER INTO AN AGREEMENT FOR SUCH PURCHASE AND INSTALLATION; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town of Surfside (Town”) is in need of a new emergency generator for Town Hall (“Equipment”) in response to the age and operation of the existing generator servicing Town Hall, including the Police Department; and

WHEREAS, pursuant to Section 3-13(4) of the Town’s Code, certain purchases are exempt from competitive bidding in the event that there is a matter necessitating immediate or quick action and not permitting adequate time to utilize the competitive bidding process; and

WHEREAS, in response to the urgent need to have an operational emergency generator and the commencement of hurricane season, it is exigent that the Town purchase a new emergency generator and provide for installation; and

WHEREAS, pursuant to Section 3-13(7)e. of the Town’s Code, public works or utilities purchases of Equipment are also exempt from competitive bidding; and

WHEREAS, Meireles Truck Sales, Inc. D/B/A MTS Power Products (“Contractor”), has provided the Proposal attached hereto as Exhibit “A” for the Equipment, together with electrical installation, at a total cost of \$64,432.34; and

WHEREAS, the Town Commission wishes to authorize the Town Manager to enter into the Agreement attached hereto as Exhibit “B” (“Agreement”) with the Contractor, in substantially the form attached, for the purchase and installation of the Equipment; and

WHEREAS, the Town Commission wishes to approve the emergency purchase and installation of the Equipment and finds that such is in the best interests and welfare of the Town.

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

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

Section 1. Emergency Purchase of Equipment Approved; Exemption from Competitive Bidding. The emergency purchase of the Equipment in the amount of \$64,432.34 from the Contractor is hereby approved. The Town Commission finds that pursuant to Sections 3-13(4) and 3-13(7)e. of the Town’s Code, the purchase and installation of the Equipment are exempt from competitive bidding. The Agreement, in substantially the form attached hereto as Exhibit “B”, is hereby approved, subject to such non-substantive changes as may be acceptable to the Town Manager and the Town Attorney as to form and legality. The Town Commission authorizes the Town Manager to execute the Agreement on behalf of the Town, together with any amendments thereto.

Section 3. Implementation of Agreement; Town Manager Authorized. The Town Manager and Town Officials are authorized to take any and all necessary or further action to implement the purchase and installation of the Equipment and the purposes of this Resolution.

Section 4. Effective Date. This Resolution shall be effective immediately upon adoption.

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

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 LEGALITY FOR THE USE
AND BENEFIT OF THE TOWN OF SURFSIDE ONLY:**

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



Thursday, April 25, 2019

Hector Gomez
 Town of Surfside
 9293 Harding Ave
 Surfside, Fl.
 Telf:786-778-1728

We are please to submit the following:

1-(One) NEW DIESEL GENERATOR SET BY MTS RATED: 200KW/250KVA STANDBY DUTY AT 120/208V.

1. TECHNICAL OFFER

New Diesel Generator Set by MTS
 Model: MTS200J3
 200KW/250KVA Peak Duty Rating
 180Kw/216Kva Standby Duty Rating
 120/208VOLTS, Three Phase, 60 Cycles, 0.8 Power Factor, 695Amps

DIESEL ENGINE

- John Deere** Diesel Engine Model: EP6068HFG85
- EPA Certified
- In-Line Type 6 Cylinder, 4 Stroke
- 6.8 Liter
- Turbo Charged and Intercooled
- Electronic Engine Governor (**John Deere**)
- **John Deere** Electronic Fuel Injection Pump
- 12Volt DC Starter and Battery Charging Alternator
- Heavy Duty DRY TYPE Air Cleaner
- Tropicalized Radiator Mounted on Unit 104 degree F
- Flexible Fuel Lines

ALTERNATOR CHARACTERISTICS

- STAMFORD** Alternator
- Model: [UCI274H1L](#)
- Single Bearing Direct Coupled To Engine Via Flex plate
- Brushless, 12 Lead Reconnetable, Class H Insulation

MTS POWER PRODUCTS
 4501 NW 27 AVENUE
 MIAMI, FLA. 33142
 TELF(305)634-1511
 FAX:(305)634-1461

E-MAIL: gensets@mtspowerproducts.com



- 200Kw Standby Rating @ 150 Degree Rise Temperature
- 120/208 Volts, Three Phase, 60 Cycles
- Automatic Voltage Regulator Model: SE350

Control Panel

- Engine and Generator Digital Control Panel
- **McPherson GCU-3000** DIGITAL Electronic Engine Controller w/LED Indicators
- Automatic/Remote Start/Stop Module
- Digital Service Hour Meter, Voltmeter, Hertz Meter, & Amp Meter
- Battery Condition Meter

Full Engine Safety Shutdowns

- High Temperature
- Low Oil Pressure
- Over Crank
- Over Speed

Chassis

- Skid Mounted
- Heavy Duty Aluminum Construction
- Primed and Painted
- 6ea – Spring Type Vibration Isolators

Batteries

- One Heavy Duty 12VDC 900CCA
- Battery Base
- Battery Cables
- 120VAC 5 Amp CH4612 - Automatic Battery Charger

Muffler

- ResidentialGrade Silencer (1)
- Steel
- Rain Cap

Main Breaker

- 600Amp/600V/3P MCCB
- Mounted in Aluminum Powder Coated Enclosure

ATS Switch

- Eaton Electrical Service Entrance Rated ATS

MTS POWER PRODUCTS

4501 NW 27 AVENUE

MIAMI, FLA. 33142

TELF:(305)634-1511

FAX:(305)634-1461

E-MAIL: gensets@mtspowerproducts.com



- Model: ATH3LDC30400BRU
- Rated: 400Amp/208V/3Ph Nema 3R
- Service Entrance Rated
- ATC-300 Digital Controller
- Standard Timers and Delays
- NEMA3R Enclosure

Price of Generator FOB Miami, FI	\$39,600.00
Price of Service Rated ATS Switch	\$ 6,832.34
Crane Service (4 hours)	\$ 500.00
Electrical Disconnect and Reconnect (Material and Labor)	\$17,500.00

Scope of Work:

MTS and their sub-contractors will disconnect the existing generator, will provide the crane service for 4 hours to remove the existing generator and install the new unit. MTS's Electrical contractor will remove the service disconnect for the chillers in the electrical room and install a New 400 amp Service Rated ATS Switch so that the chillers will operate during a power outage.

The Town of Surfside is responsible to remove the roof to allow the removal of existing unit and placement of replacement unit.

Plus Applicable Sales Tax

WARRANTY: Two One Year OR 2,000 Hours Whichever Occurs First

DELIVERY: 6-8 Weeks After Receipt Of Confirmed Order and Deposit

VALIDITY: 90 DAYS

TERMS: 50% Deposit With Order, Balance On Final Delivery of Unit.

Juan E. Meireles

Juan E. Meireles
President

MTS POWER PRODUCTS
4501 NW 27 AVENUE
MIAMI, FLA. 33142
TELF(305)634-1511
FAX:(305)634-1461

E-MAIL: gensets@mtspowerproducts.com

200 Kw Industrial MTS 200J3



4501 NW 27th Ave Miami, FL
Ph. 305 634 1511 Fax. 305 633 1461



General Specifications

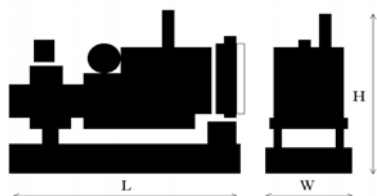
- **John Deere** Powered Generator Set with **STAMFORD** Alternators
- Rugged enough for continuous applications
- Aluminum Skid
- Standard auto/remote start module,
- Full engine protection control panel
- Muffler, Vibration Isolators Installed
- Battery, battery rack & cables
- 120VAC Battery Charger
- Full set of manuals (Engine & Generator)

Engine Specs

- Engine **John Deere** EP6068HFG85
- Type: 4 Cycle water cooled
- Turbo Charged
- 1800 RPM /EPA Certified
- Displacement: 6.8 liters
- Compression Ratio: 17.5 to 1
- Fuel Consumption: <> 32 liter / hr
- Governor: Electronic
- Cooling: Blower type steel blades
- Charging Alternator: 12v

Generator Specs

- Generator: **Stamford**
- UL 1446
- Flexible disc coupling
- Self-exciting & self regulating
- Drip proof alternator
- Class 'H' Insulation
- Voltage regulation 1.5 %
- 600 Amp Main Breaker On Unit



Length: 100 in; Width: 34 in;
Height: 72 in; Weight: 3500 lbs.



JOHN DEERE

ENGINE PERFORMANCE CURVE

Rating: Gross Power
Application: Generator
200 kWe Standby Market
1800 RPM (60 Hz)

PowerTech™ Plus 6.8L Engine
Model: 6068HFG85
JD Electronic Control
287 hp (214 kW) Prime
315 hp (235 kW) Standby

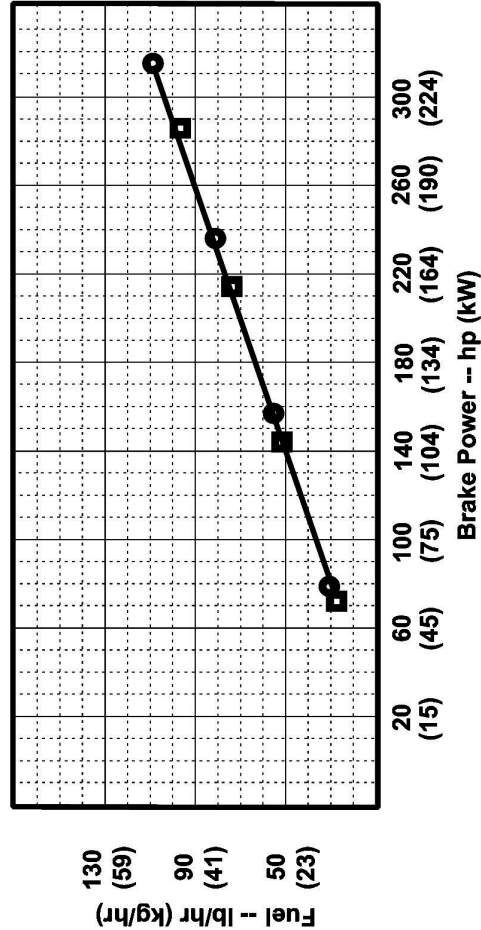
Nominal Engine Power @ 1800 RPM				
Prime		Standby		
HP	kW	HP	kW	kW
287	214	315	235	235

Generator Efficiency %	Fan Power (% of Standby)		Power Factor		Prime Rating		Standby Rating		4 sec Standby Block Load Capability
	hp	kW			kWe	kVA	kWe	kVA	
88-92	18.9	14.1	0.8		176-184	220-230	194-203	243-254	80%

Note 1: Based on nominal engine power. Derate 20% for 100% block load capability.

Note 2: kWe / kVA rating assumes 90% efficiency. Generator Efficiency % will vary.

■ - PRIME ● - STANDBY



STANDARD CONDITIONS

Air Intake Restriction.....12 in.H₂O (3 kPa)
Exhaust Back Pressure.....30 in.H₂O (7.5 kPa)

Gross power guaranteed within + or - 5% at SAE

J1995 and ISO 3046 conditions:

77 °F (25 °C) air inlet temperature

29.31 in.Hg (99 kPa) barometer

104 °F (40 °C) fuel inlet temperature

0.853 fuel specific gravity @ 60 °F (15.5 °C)

Conversion factors:

Power: kW = hp x 0.746

Fuel: 1 gal = 7.1 lb, 1 L = 0.85kg

Torque: N·m = lb·ft x 1.356

All values are from currently available data and are subject to change without notice.

Notes:

Gen-set engine model 6068HFG85 was formerly 6068HF485. -----

A crankshaft Torsional Vibration Analysis is required on all Gen Set applications.

Designed/Calibrated to meet:

Certified by:

- CARB
- EPA

Ref: Engine Emission Label

Vincent R. R. R.
22 June '07

Performance Curve: 6068HFG85_T

Engine Installation Criteria

General Data

Model	6068HFG85		
Number of Cylinders	6		
Bore	106 mm	4.2 in.	
Stroke	127 mm	5.0 in.	
Displacement	6.8 L	415 in. ³	
Compression Ratio	17.0:1		
Valves per Cylinder, Intake/Exhaust	2/2		
Firing Order	1-5-3-6-2-4		
Engine Type	In-line, 4-Cycle		
Aspiration	Turbocharged and air-to-air aftercooled		
Charge Air Cooling System	Air-to-Air		
Engine Crankcase Vent System	Open		

Physical Data

Length	1161 mm	45.7 in.
Width	616 mm	24.3 in.
Height	1128 mm	44.4 in.
Weight, with oil & no coolant (Includes engine, flywheel housing, flywheel & electrics)	678 kg	1495 lb
Center of Gravity Location, X-axis From Rear Face of Block	395 mm	15.6 in.
Center of Gravity Location, Y-axis Right of Crankshaft	-2.24 mm	-0.1 in.
Center of Gravity Location, Z-axis Above Crankshaft	189 mm	7.4 in.
Max. Allowable Static Bending Moment At Rear Face of Flywheel Housing with 5-G Load	814 N·m	600 lb-ft
Thrust Bearing Load Limit Forward, Intermittent	4000 N	899 lb
Thrust Bearing Load Limit Forward, Continuous	2200 N	495 lb
Thrust Bearing Load Limit Rearward, Intermittent	2000 N	450 lb
Thrust Bearing Load Limit Rearward, Continuous	1000 N	225 lb
Max. Continuous Damper Temp	82 °C	180 °F
Max. Torsional Vibration, Front of Crank	0.25 DDA	

Electrical System

Recommended Battery Capacity, 12V @32 °F (0 °C)	800 amps
Recommended Battery Capacity, 24V @32 °F (0 °C)	570 amps
Starter Rolling Current, 12V @32 °F (0 °C)	920 amps
Starter Rolling Current, 24V @32 °F (0 °C)	600 amps
Starter Rolling Current, 12V @-22 °F (-30 °C)	1300 amps
Starter Rolling Current, 24V @-22 °F (-30 °C)	700 amps
Min. Voltage at ECU during Cranking, 12V	6 volts
Min. Voltage at ECU during Cranking, 24V	10 volts
Max. Allowable Start Circuit Resistance, 12V	0.0012 Ohm
Max. Allowable Start Circuit Resistance, 24V	0.002 Ohm
Max. ECU Temperature	105 °C 221 °F
Max. VTG Actuator Surface Temp	180 °C 356 °F
Max. Harness Temperature	120 °C 248 °F

Engine Installation Criteria

Charge Air Cooling System

Air-to-Air Heat Rejection, Prime	40.37 kW	2298 BTU/min
Air-to-Air Heat Rejection, Standby	57.34 kW	3264 BTU/min
Compressor Discharge Temperature @ 77°F (25°C) Ambient Air, Prime	185 °C	365 °F
Intake Manifold Pressure, Prime	188 kPa	27.3 psi
Compressor Discharge Temperature @ 77°F (25°C) Ambient Air, Standby	227 °C	441 °F
Intake Manifold Pressure, Standby	252 kPa	36.5 psi
Compressor Discharge Temperature @ 117°F (47°C) 80 kPa Barometric pressure, Prime	000 °C	32 °F
Compressor Discharge Temperature @ 117°F (47°C) 80 kPa Barometric pressure, Standby	000 °C	32 °F
Intake Manifold Temperature at which Power De-rate Occurs	88 °C	190 °F
Max. Pressure Drop through CAC	16 kPa	64.0 in. H ₂ O
Min. Pressure Drop through CAC	8 kPa	32.0 in. H ₂ O
Max. Temperature Out of Charge Air Cooler @ 77°F (25°C) Ambient Air	60 °C	140 °F
Max. Temperature Out of Charge Air Cooler @ 77°F (25°C) Ambient Air, Prime	52 °C	126 °F
Max. Temperature Out of Charge Air Cooler @ 77°F (25°C) Ambient Air, Standby	52 °C	126 °F
Min. Temperature Out of Charge Air Cooler @ 77°F (25°C) Ambient Air	48 °C	118 °F
Min. Temperature Out of Charge Air Cooler @ 77°F (25°C) Ambient Air, Prime	43 °C	109 °F
Min. Temperature Out of Charge Air Cooler @ 77°F (25°C) Ambient Air, Standby	43 °C	109 °F

Cooling System

Max. Water Pump Inlet Restriction	-30 kPa	-4.4 psi
Engine Heat Rejection, Prime	83.7 kW	4764 BTU/min
Engine Heat Rejection, Standby	94.9 kW	5402 BTU/min
Coolant Flow	265 L/min	70 gal/min
Thermostat Start to Open	82 °C	180 °F
Thermostat Fully Open	95 °C	203 °F
Engine Coolant Capacity	11.9 Liter	12.6 quart
Min. Pressure Cap	100 kPa	15 psi
Min. Pump Inlet Pressure	30 kPa	4.4 psi
Max. Top Tank Temperature Prime	100 °C	212 °F
Max. Top Tank Temperature Standby	100 °C	212 °F
Min. Limiting Ambient Temperature, Standby	40 °C	104 °F
Min. Limiting Ambient Temperature, Prime	47 °C	116.6 °F
Min. Coolant Fill Rate	11 L/min	2.9 gal/min

Exhaust System

Exhaust Flow, Prime	38.8 m³/min	1370 ft.³/min
Exhaust Flow, Standby	42.9 m³/min	1515 ft.³/min
Exhaust Temperature, Prime	528 °C	982 °F
Exhaust Temperature, Standby	485 °C	905 °F
Max. Allowable Exhaust Restriction	10 kPa	40 in. H ₂ O
Min. Allowable Exhaust Restriction	3 kPa	12 in. H ₂ O
Max. Bending Moment on Turbo Outlet	7 N·m	5.2 lb-ft
Max. Shear on Turbine Outlet	11 kg	24 lb

Performance Curve: 6068HF385_T

Engine Installation Criteria

Fuel System

ECU Description	L14 Controller	
Fuel Injection Pump	Denso HP3	
Governor Type	Electronic	
Total Fuel Flow, Prime	73.1 kg/hr	161 lb/hr
Total Fuel Flow, Standby	78.7 kg/hr	174 lb/hr
Fuel Consumption, Prime	44 kg/hr	97 lb/hr
Fuel Consumption, Standby	50 kg/hr	110 lb/hr
Fuel Temperature Rise, Inlet to Return Prime	54 °C	129 °F
Fuel Temperature Rise, Inlet to Return Standby	56 °C	133 °F
Max. Fuel Inlet Restriction	20 kPa	80 in. H ₂ O
Max. Fuel Inlet Pressure	NA	
Max. Fuel Return Pressure	20 kPa	80 in. H ₂ O
Max. Fuel Inlet Temperature	80 °C	176 °F

Lubrication System

Oil Pressure at Rated Speed, Prime	339 kPa	49 psi
Oil Pressure at Rated Speed, Standby	339 kPa	49 psi
Oil Pressure at Low Idle	105 kPa	15 psi
Max. Oil Carryover in Blow-By	1.0 g/hr	0.002 lb/hr
Max. Airflow in Blow-By	130 L/min	34.3 gal/min
Max. Crankcase Pressure	0.5 kPa	2 in. H ₂ O

Air Intake System

Engine Air Flow, Prime	14.7 m³/min	519 ft.³/min
Engine Air Flow, Standby	17.5 m³/min	618 ft.³/min
Maximum Allowable Temperature Rise, Ambient Air to Engine Inlet	8 Δ°C	15 Δ°F
Max. Air Intake Restriction, Clean Air Cleaner	3.75 kPa	15.0 in. H ₂ O
Max. Air Intake Restriction, Dirty Air Cleaner	6.25 kPa	25.0 in. H ₂ O
Air Cleaner Efficiency	99.9 %	

Performance Data

Rated Power, Prime	214 kW	287 HP
Rated Power, Standby	235 kW	315 HP
Rated Speed	1800 rpm	
Low Idle Speed	1150 rpm	
Rated Torque, Prime	1536 N·m	1133 lb-ft
Rated Torque, Standby	1690 N·m	1246 lb-ft
BMEP, Prime	2094 kPa	304 psi
BMEP, Standby	2304 kPa	334 psi
Altitude Capability, Prime	3048 m	10000 ft
Altitude Capability, Standby	3048 m	10000 ft
Friction Power @ Rated Speed	18.7 kW	25 HP
Air:Fuel Ratio, Prime	23.0:1	
Air:Fuel Ratio, Standby	24.0:1	
Smoke @ Rated Speed Prime	0.45 Bosch No.	
Smoke @ Rated Speed Standby	0.77 Bosch No.	
Noise @ 1 m Prime	89.0 dB(A)	
Noise @ 1 m Standby	89.0 dB(A)	

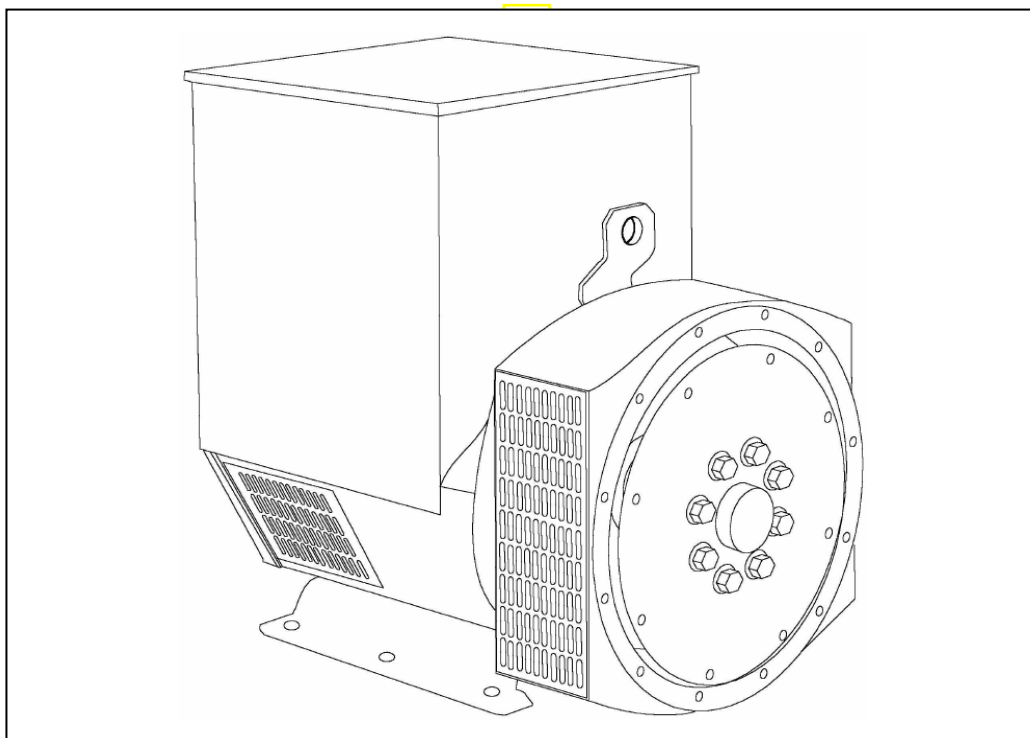
Fuel Consumption	Prime		Standby	
	lb/hr	kg/h	lb/hr	kg/h
25 % Power	27.8	12.6	30.2	13.7
50 % Power	51.4	23.3	56.2	25.5
75 % Power	73.2	33.2	80.5	36.5
100 % Power	97.2	44.1	109.8	49.8

Performance Curve: 6068HFG85_T

STAMFORD®

UCI274H - Winding 311

Technical  Data Sheet



UCI274H

SPECIFICATIONS & OPTIONS

STAMFORD

STANDARDS

Stamford industrial generators meet the requirements of BS EN 60034 and the relevant section of other international standards such as BS5000, VDE 0530, NEMA MG1-32, IEC34, CSA C22.2-100, AS1359.

Other standards and certifications can be considered on request.

VOLTAGE REGULATORS

SX460 AVR - STANDARD

With this self excited control system the main stator supplies power via the Automatic Voltage Regulator (AVR) to the exciter stator. The high efficiency semiconductors of the AVR ensure positive build-up from initial low levels of residual voltage.

The exciter rotor output is fed to the main rotor through a three phase full wave bridge rectifier. This rectifier is protected by a surge suppressor against surges caused, for example, by short circuit.

AS440 AVR

With this self-excited system the main stator provides power via the AVR to the exciter stator. The high efficiency semiconductors of the AVR ensure positive build-up from initial low levels of residual voltage.

The exciter rotor output is fed to the main rotor through a three-phase full-wave bridge rectifier. The rectifier is protected by a surge suppressor against surges caused, for example, by short circuit or out-of-phase paralleling.

The AS440 will support a range of electronic accessories, including a 'droop' Current Transformer (CT) to permit parallel operation with other ac generators.

MX341 AVR

This sophisticated AVR is incorporated into the Stamford Permanent Magnet Generator (PMG) control system.

The PMG provides power via the AVR to the main exciter, giving a source of constant excitation power independent of generator output. The main exciter output is then fed to the main rotor, through a full wave bridge, protected by a surge suppressor. The AVR has in-built protection against sustained over-excitation, caused by internal or external faults. This de-excites the machine after a minimum of 5 seconds.

An engine relief load acceptance feature can enable full load to be applied to the generator in a single step.

If three-phase sensing is required with the PMG system the MX321 AVR must be used.

We recommend three-phase sensing for applications with greatly unbalanced or highly non-linear loads.

MX321 AVR

The most sophisticated of all our AVRs combines all the features of the MX341 with, additionally, three-phase rms sensing, for improved regulation and performance.

Over voltage protection is built-in and short circuit current level adjustments is an optional facility.

WINDINGS & ELECTRICAL PERFORMANCE

All generator stators are wound to 2/3 pitch. This eliminates triplen (3rd, 9th, 15th ...) harmonics on the voltage waveform and is found to be the optimum design for trouble-free supply of non-linear loads. The 2/3 pitch design avoids excessive neutral currents sometimes seen with higher winding pitches, when in parallel with the mains. A fully connected damper winding reduces oscillations during paralleling. This winding, with the 2/3 pitch and carefully selected pole and tooth designs, ensures very low waveform distortion.

TERMINALS & TERMINAL BOX

Standard generators are 3-phase reconnectable with 12 ends brought out to the terminals, which are mounted on a cover at the non-drive end of the generator. A sheet steel terminal box contains the AVR and provides ample space for the customers' wiring and gland arrangements. It has removable panels for easy access.

SHAFT & KEYS

All generator rotors are dynamically balanced to better than BS6861:Part 1 Grade 2.5 for minimum vibration in operation. Two bearing generators are balanced with a half key.

INSULATION/IMPREGNATION

The insulation system is class 'H'.

All wound components are impregnated with materials and processes designed specifically to provide the high build required for static windings and the high mechanical strength required for rotating components.

QUALITY ASSURANCE

Generators are manufactured using production procedures having a quality assurance level to BS EN ISO 9001.

The stated voltage regulation may not be maintained in the presence of certain radio transmitted signals. Any change in performance will fall within the limits of Criteria 'B' of EN 61000-6-2:2001. At no time will the steady-state voltage regulation exceed 2%.

DE RATES

All values tabulated on page 8 are subject to the following reductions

5% when air inlet filters are fitted.

3% for every 500 metres by which the operating altitude exceeds 1000 metres above mean sea level.

3% for every 5°C by which the operational ambient temperature exceeds 40°C.

Note: Requirement for operating in an ambient exceeding 60°C must be referred to the factory.

NB Continuous development of our products entitles us to change specification details without notice, therefore they must not be regarded as binding.

Front cover drawing typical of product range.

APPROVED DOCUMENT

WINDING 311

CONTROL SYSTEM	SEPARATELY EXCITED BY P.M.G.		
A.V.R.	MX321	MX341	
VOLTAGE REGULATION	± 0.5 %	± 1.0 %	With 4% ENGINE GOVERNING
SUSTAINED SHORT CIRCUIT	REFER TO SHORT CIRCUIT DECREMENT CURVES (page 7)		

CONTROL SYSTEM	SELF EXCITED		
A.V.R.	SX460	AS440	
VOLTAGE REGULATION	± 1.0 %	± 1.0 %	With 4% ENGINE GOVERNING
SUSTAINED SHORT CIRCUIT	SERIES 4 CONTROL DOES NOT SUSTAIN A SHORT CIRCUIT CURRENT		

INSULATION SYSTEM	CLASS H		
PROTECTION	IP23		
RATED POWER FACTOR	0.8		
STATOR WINDING	DOUBLE LAYER CONCENTRIC		
WINDING PITCH	TWO THIRDS		
WINDING LEADS	12		
STATOR WDG. RESISTANCE	0.0155 Ohms PER PHASE AT 22°C SERIES STAR CONNECTED		
ROTOR WDG. RESISTANCE	1.82 Ohms at 22°C		
EXCITER STATOR RESISTANCE	20 Ohms at 22°C		
EXCITER ROTOR RESISTANCE	0.091 Ohms PER PHASE AT 22°C		
R.F.I. SUPPRESSION	BS EN 61000-6-2 & BS EN 61000-6-4, VDE 0875G, VDE 0875N. refer to factory for others		
WAVEFORM DISTORTION	NO LOAD < 1.5% NON-DISTORTING BALANCED LINEAR LOAD < 5.0%		
MAXIMUM OVERSPEED	2250 Rev/Min		
BEARING DRIVE END	BALL. 6315-2RS (ISO)		
BEARING NON-DRIVE END	BALL. 6310-2RS (ISO)		

	1 BEARING		2 BEARING	
WEIGHT COMP. GENERATOR	626 kg		641 kg	
WEIGHT WOUND STATOR	253 kg		253 kg	
WEIGHT WOUND ROTOR	227.53 kg		216.57 kg	
WR ² INERTIA	1.9349 kgm ²		1.8843 kgm ²	
SHIPPING WEIGHTS in a crate	659 kg		673 kg	
PACKING CRATE SIZE	123 x 67 x 103 (cm)		123 x 67 x 103 (cm)	

	50 Hz				60 Hz			
TELEPHONE INTERFERENCE	THF<2%				TIF<50			
COOLING AIR	0.514 m ³ /sec 1090 cfm				0.617 m ³ /sec 1308 cfm			
VOLTAGE SERIES STAR	380/220	400/231	415/240	440/254	416/240	440/254	460/266	480/277
VOLTAGE PARALLEL STAR	190/110	200/115	208/120	220/127	208/120	220/127	230/133	240/138
VOLTAGE SERIES DELTA	220/110	230/115	240/120	254/127	240/120	254/127	266/133	277/138
KVA BASE RATING FOR REACTANCE VALUES	200	200	200	N/A	237.5	245	245	255
X _d DIR. AXIS SYNCHRONOUS	2.11	1.91	1.77	-	2.50	2.31	2.11	2.02
X' _d DIR. AXIS TRANSIENT	0.18	0.16	0.15	-	0.21	0.19	0.18	0.17
X'' _d DIR. AXIS SUBTRANSIENT	0.12	0.11	0.10	-	0.14	0.13	0.12	0.11
X _q QUAD. AXIS REACTANCE	1.28	1.15	1.07	-	1.53	1.41	1.29	1.23
X'' _q QUAD. AXIS SUBTRANSIENT	0.17	0.15	0.14	-	0.20	0.18	0.17	0.16
X _L LEAKAGE REACTANCE	0.08	0.08	0.07	-	0.10	0.09	0.08	0.08
X ₂ NEGATIVE SEQUENCE	0.13	0.12	0.11	-	0.16	0.15	0.13	0.13
X ₀ ZERO SEQUENCE	0.08	0.08	0.07	-	0.10	0.09	0.08	0.08

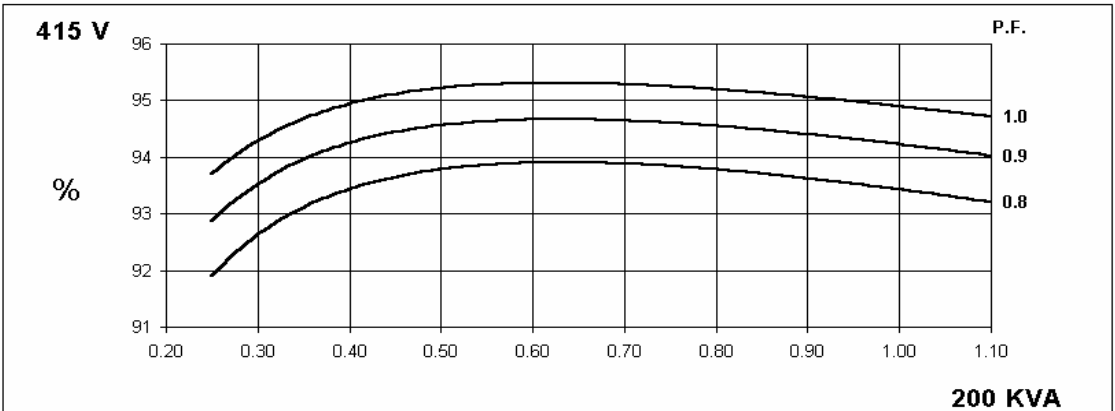
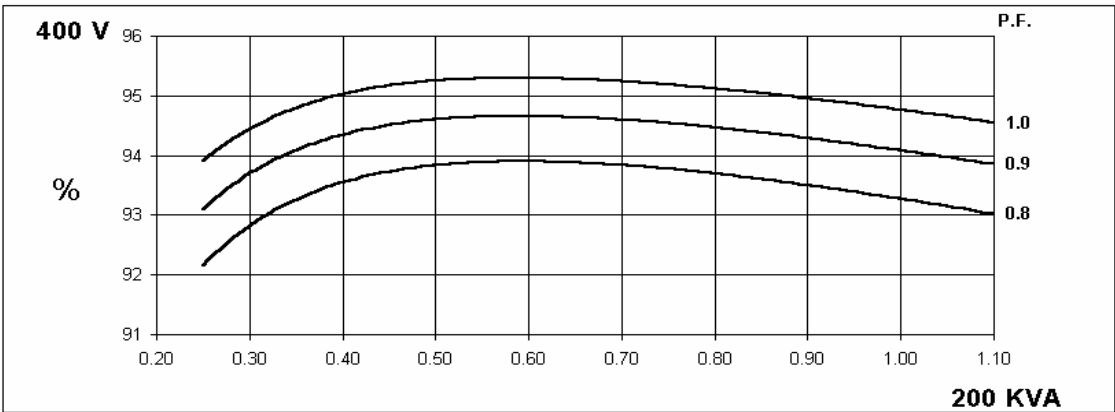
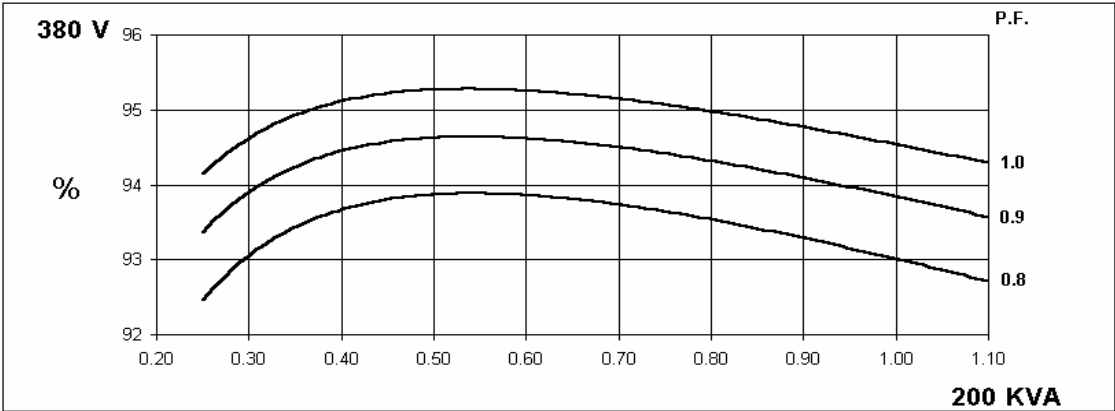
REACTANCES ARE SATURATED	VALUES ARE PER UNIT AT RATING AND VOLTAGE INDICATED							
T' _d TRANSIENT TIME CONST.	0.042 s							
T'' _d SUB-TRANSTIME CONST.	0.012 s							
T' _{do} O.C. FIELD TIME CONST.	1.1 s							
T _a ARMATURE TIME CONST.	0.012 s							
SHORT CIRCUIT RATIO	1/X _d							

50
Hz

UCI274H
Winding 311

STAMFORD

THREE PHASE EFFICIENCY CURVES

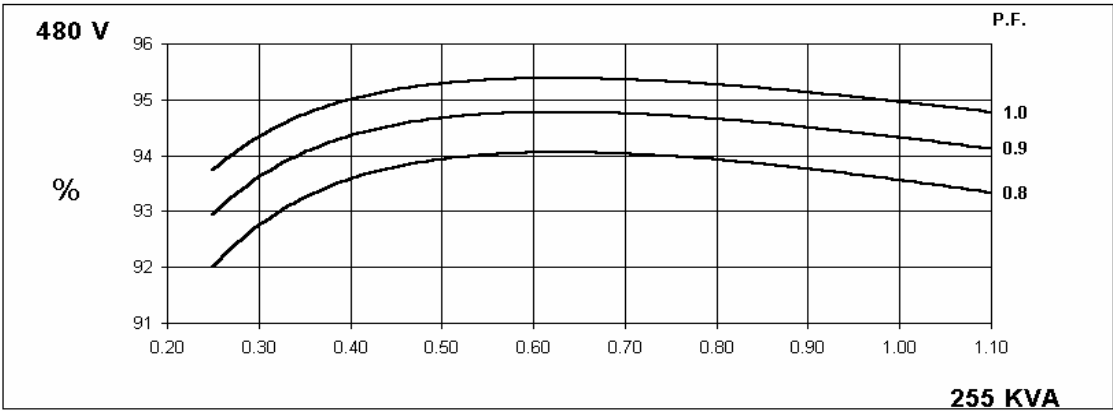
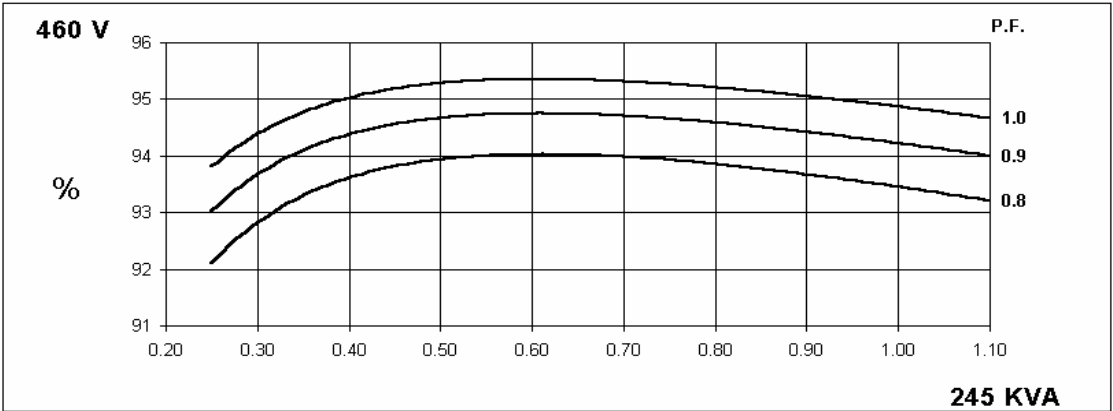
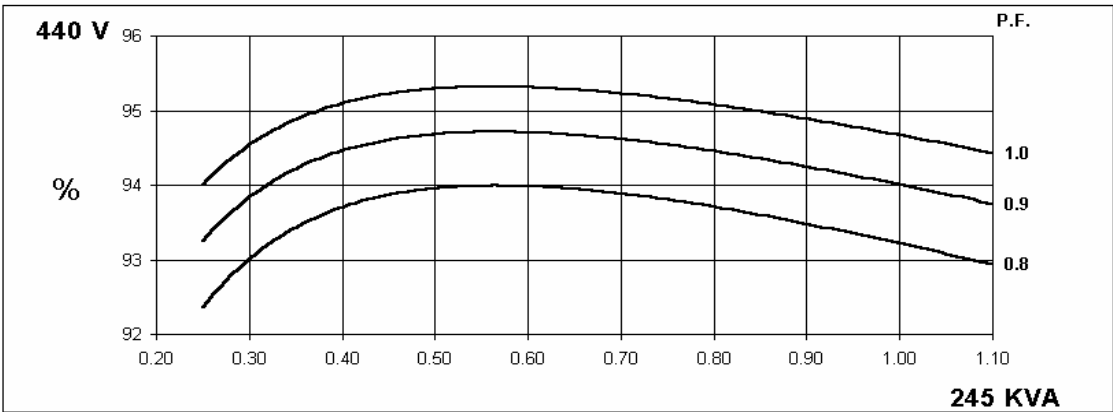
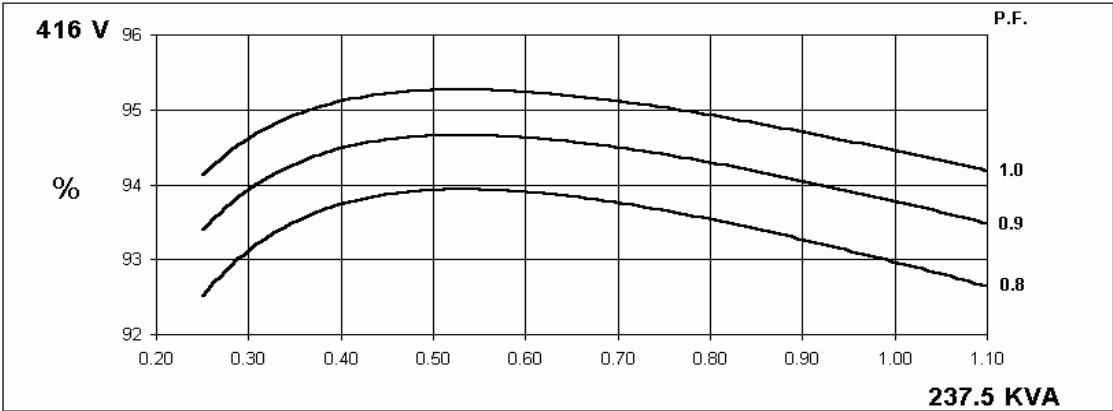


60
Hz

UCI274H
Winding 311

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THREE PHASE EFFICIENCY CURVES

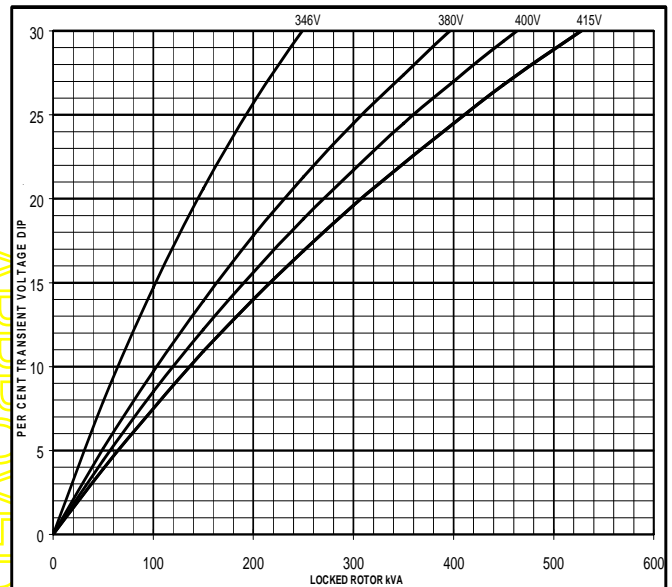
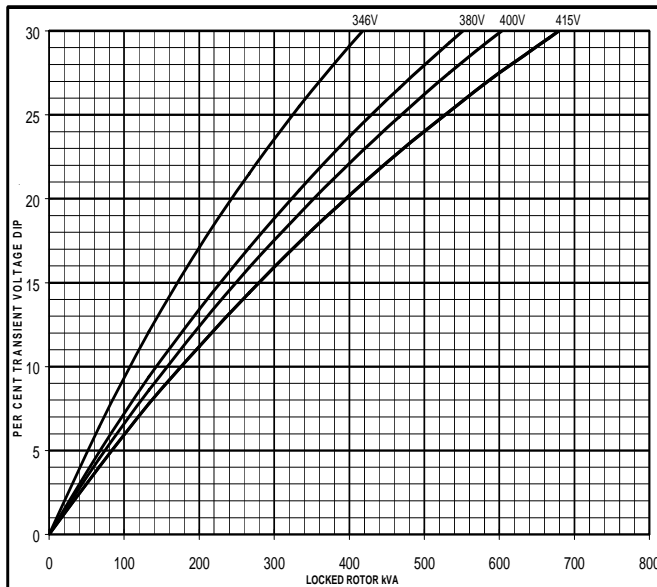


Locked Rotor Motor Starting Curve

50
Hz

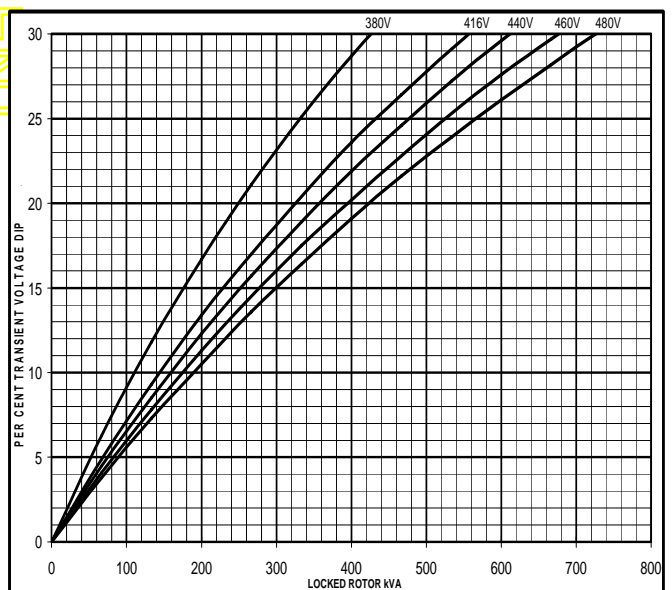
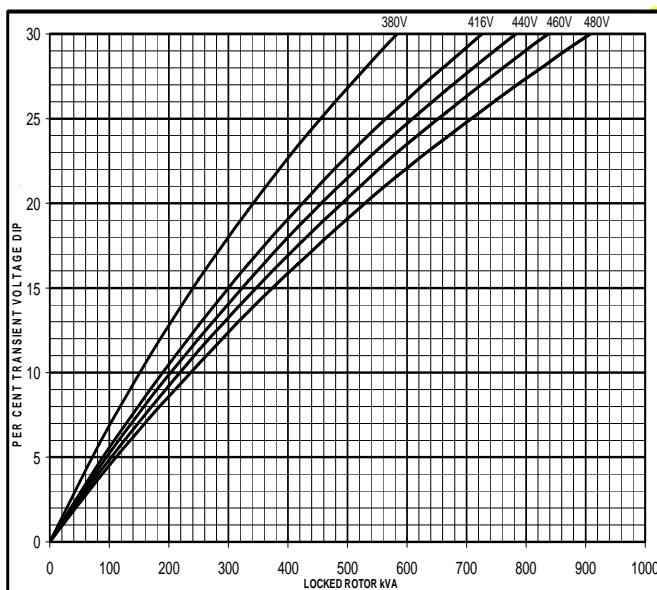
MX

SX

60
Hz

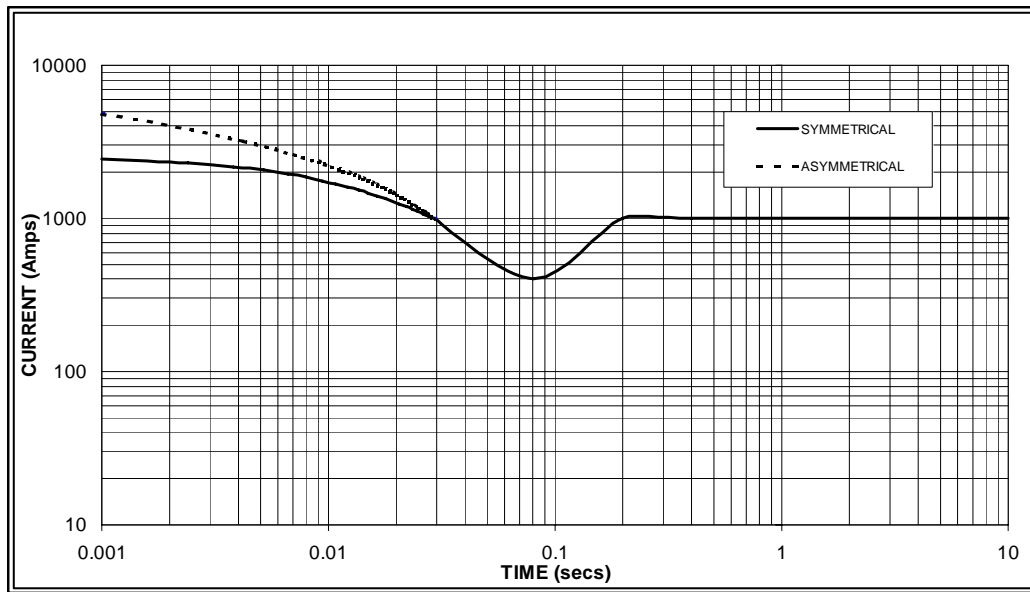
MX

SX



**Three-phase Short Circuit Decrement Curve. No-load Excitation at Rated Speed
Based on star (wye) connection.**

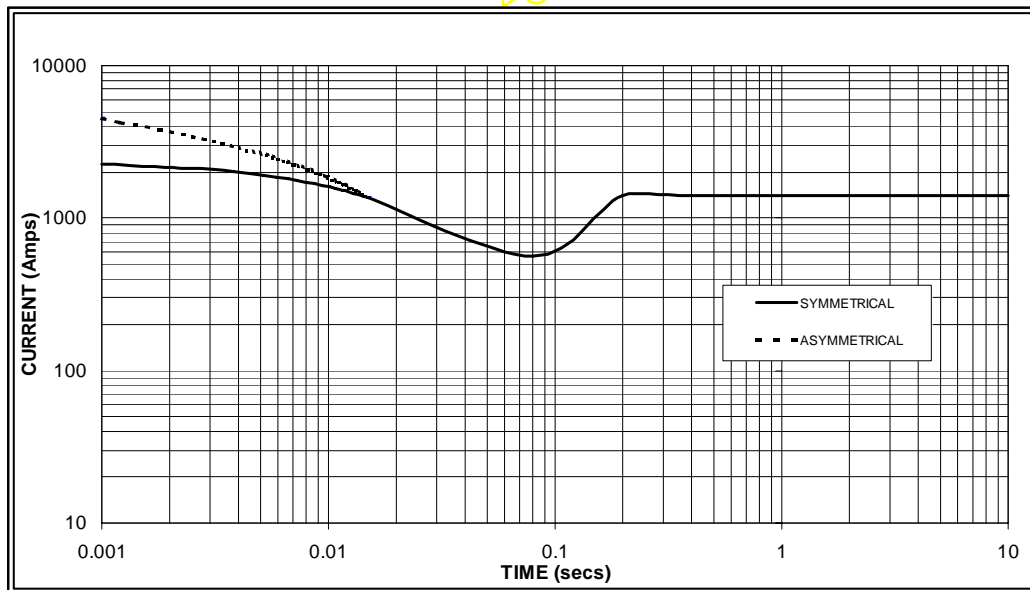
**50
Hz**



Sustained Short Circuit = 1,000 Amps



**60
Hz**



Sustained Short Circuit = 1,400 Amps

Note 1

The following multiplication factors should be used to adjust the values from curve between time 0.001 seconds and the minimum current point in respect of nominal operating voltage :

50Hz		60Hz	
Voltage	Factor	Voltage	Factor
380v	X 1.00	416v	X 1.00
400v	X 1.07	440v	X 1.06
415v	X 1.12	460v	X 1.12
		480v	X 1.17

The sustained current value is constant irrespective of voltage level

Note 2

The following multiplication factor should be used to convert the values calculated in accordance with NOTE 1 to those applicable to the various types of short circuit :

	3-phase	2-phase L-L	1-phase L-N
Instantaneous	x 1.00	x 0.87	x 1.30
Minimum	x 1.00	x 1.80	x 3.20
Sustained	x 1.00	x 1.50	x 2.50
Max. sustained duration	10 sec.	5 sec.	2 sec.

All other times are unchanged

Note 3

Curves are drawn for Star (Wye) connected machines. For other connection the following multipliers should be applied to current values as shown :

Parallel Star = Curve current value X 2

Series Delta = Curve current value X 1.732

UCI274H

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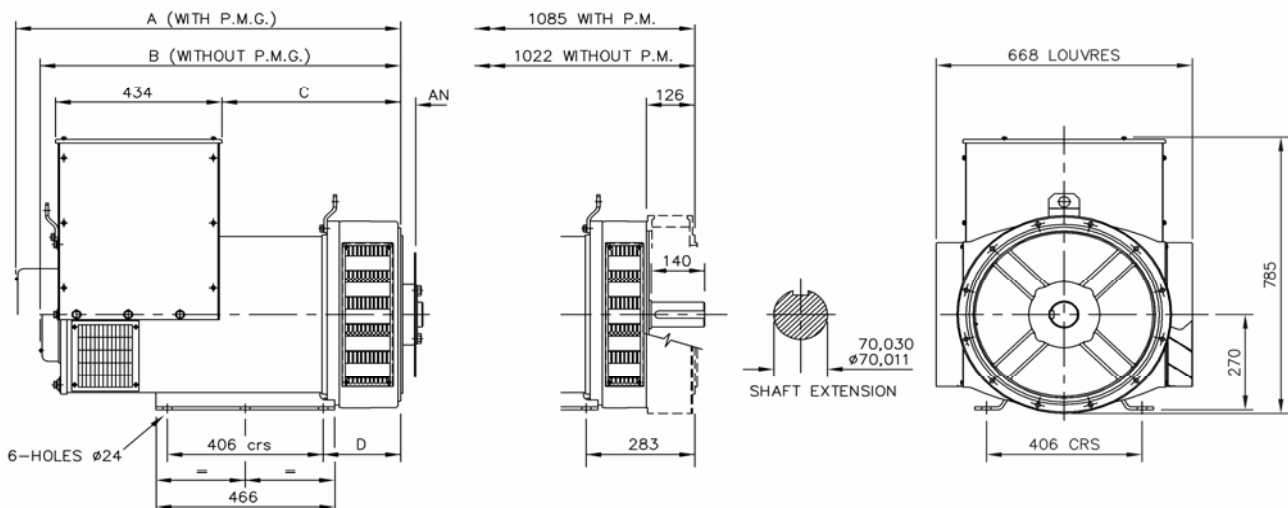
Winding 311 / 0.8 Power Factor

RATINGS

Class - Temp Rise		Cont. F - 105/40°C				Cont. H - 125/40°C				Standby - 150/40°C				Standby - 163/27°C			
50 Hz	Series Star (V)	380	400	415	440	380	400	415	440	380	400	415	440	380	400	415	440
	Parallel Star (V)	190	200	208	220	190	200	208	220	190	200	208	220	190	200	208	220
	Series Delta (V)	220	230	240	254	220	230	240	254	220	230	240	254	220	230	240	254
	kVA	182.0	182.0	182.0	N/A	200.0	200.0	200.0	N/A	212.0	212.0	212.0	N/A	220.0	220.0	220.0	N/A
	kW	145.6	145.6	145.6	N/A	160.0	160.0	160.0	N/A	169.6	169.6	169.6	N/A	176.0	176.0	176.0	N/A
	Efficiency (%)	93.3	93.5	93.6	N/A	93.0	93.3	93.4	N/A	92.8	93.1	93.3	N/A	92.7	93.0	93.2	N/A
	kW Input	156.1	155.7	155.6	N/A	172.0	171.5	171.3	N/A	182.8	182.2	181.8	N/A	189.9	189.2	188.8	N/A

60 Hz	Series Star (V)	416	440	460	480	416	440	460	480	416	440	460	480	416	440	460	480
	Parallel Star (V)	208	220	230	240	208	220	230	240	208	220	230	240	208	220	230	240
	Series Delta (V)	240	254	266	277	240	254	266	277	240	254	266	277	240	254	266	277
	kVA	218.8	225.0	225.0	235.0	237.5	245.0	245.0	255.0	250.0	258.8	258.8	275.0	256.3	265.0	265.0	280.0
	kW	175.0	180.0	180.0	188.0	190.0	196.0	196.0	204.0	200.0	207.0	207.0	220.0	205.0	212.0	212.0	224.0
	Efficiency (%)	93.2	93.4	93.6	93.7	93.0	93.2	93.5	93.6	92.8	93.1	93.3	93.4	92.7	93.0	93.3	93.3
	kW Input	187.8	192.7	192.3	200.6	204.3	210.3	209.6	217.9	215.5	222.4	221.9	235.5	221.2	228.0	227.2	240.1

DIMENSIONS



SINGLE BEARING MACHINES ONLY						
ADAPTOR	A	B	C	D	COUPLING DISCS	AN
SAE 1	1018,3	955,3	479,3	216,3	SAE 10	53,98
SAE 2	1004	941	465	202	SAE 11,5	39,68
SAE 3	1004	941	465	202	SAE 14	25,40

APPROVED DOCUMENT

STAMFORD

Head Office Address:
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Lincolnshire, PE9 2NB
United Kingdom
Tel: +44 (0) 1780 484000
Fax: +44 (0) 1780 484100

www.cumminsgeneratortechnologies.com

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GCU-3000

Digital Gen-set PLC Control Unit

Provides Full Instrumentation & Protection On Any Generator Set

Features

- Micro-processor auto control & protection
- Easy to read large LCD display
- Modularity design, easy to install
- Provide accurate temperature and oil pressure display
- Provide full engine & generator alarms signals shutdowns
- All functions setting can be done directly on GCU-3000 no need for PC connection*1
- Provide emergency stop and voltage adjustment on front panel*2
- Total of 15 memorable event logs
- Optional USB / RS485 / Ethernet remote communication functions
- Free APP for monitor and operate your ATS & genset directly from your smart phone



Protection & Alarm Status Indicators

Engine Start Failure	Emergency Stop Activated
Engine Over Speed	High Engine Temp.
Sensor Failure	MPU Failure
Abnormal AC Voltage	Generator Over Load
Low Engine Oil Pressure	Abnormal Battery Voltage

Large LCD Display

- Programmable Display with 3 Phase Volts, Amp & Freq.
- Engine Operation Hours & Battery Voltage Display
- Can Display Different Unit Of Temperature & Oil Pressure
- Failure Signal Status By Graphic Display

Specifications

Power Input	Voltage 8~60 VDC (12V , 24V)	MPU Signal Input	Voltage ± 2 to ± 70 VAC
AC Sensing Input	Voltage 15~500 VAC		Frequency Min. 100 Hz Max. 10 KHz
	Frequency 50/60 Hz	CT Specification	Burden 2.5 VA
Power Dissipating	Max. 7 watt		

Environment

Operating Temperature	-20 to 70 Degree C
Relative Humidity	Maximum 95%
Max. Vibration	5~25 Hz , ± 1.6 mm 25~100 Hz , a=4g

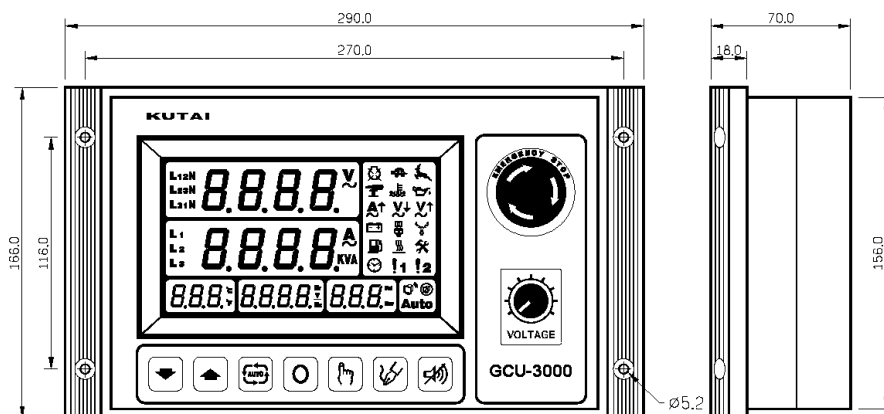
Physical Specification

Panel Cut-Out	251.5 x 157.0 ± 0.5 mm
Dimensions	290.0 (L) x 166.0 (W) x 70.0 (H) mm
Weight	1341 g $\pm 2\%$

Auxiliaries

Digital Sensor (TS-01)	-55 to 125 Degree C (Max.) ± 2	Semiconductor Sensor (PS-01)	0 to 120 Psi $\pm 2.5\%$ (Max.)
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Mechanical Specifications (Unit : mm[inch])



*1 Customized settings are auto-saved into memory and will remain even when power is off.

*2 Provide genset run-in module and manual start and stop functions, when user proceed modulate controller will shut down all protect functions.

Project Name: MTS - 400A
General Order No:

Negotiation No: TAP50629X6K2
Alternate No: 0000

Item No.	Qty	Product	Description	Unit	Quote Price	Extended Quote
002	1	Automatic Transfer Switches	<p>Product Family: Wall Mount</p> <p>Switch Type: Automatic Molded Case Switch 30A thru 1000A</p> <p>480/277v, 60hz, 3 Phase, 4 Wire, 3 poles</p> <p>Transition Mode: Open</p> <p>Controller Type: ATC-300+</p> <p>Continuous Current: 400 Amps</p> <p>Withstand: 65 KA</p> <p>Normal Source Terminals: (1) 4/0-600 CU/AL</p> <p>Emergency Source Terminals: (1) 4/0-600 CU/AL</p> <p>Load Side Terminals: (2) #1-500 CU/AL</p> <p>Neutral Terminals: (6) 250-350 CU/AL</p> <p>Standard Features: 1a, 2a, 3a, 4a, 5h, 5j, 5k, 5l, 6b, 7a, 8c, 8d, 12c, 12d, 12g, 12h, 14l, 14m, 15e, 15f, 23k, 26d, 26h, 26j, 26k, 26l, 32a, 35a, 42, 48f, 49c,</p> <p>Optional Features: 12l, 16n, 37a,</p> <p>Shipping State: FL</p>			

Catalog No ATV3LDC30400XRU
Designation 400A SE

Qty	List of Materials
1	ATV3LD 3 Poles 400 Amps
1	AT Enclosure - Type-3R
1	1a. Time Delay Normal to Emergency Adj. 0-1800 sec
1	2a. Time Delay Engine Start Adj. 0-120 sec
1	3a. Time Delay Emergency to Normal Adj. 0-1800 sec
1	4a. Time Delay Engine Cool-off Adj. 0-1800 sec
1	5h. Emergency (S2) Sensing Phase Reversal
1	5j. Emergency (S2) Sensing Under Voltage/Under Freq
1	5k. Emergency (S2) Sensing Over Voltage/Over Freq
1	5l. Emergency (S2) Sensing Voltage Unbalance
1	6b. Test Pushbutton
1	7a. Time Delay Engine Fail Adj. 0-6 sec
1	8c. Time Delay Bypass Emergency to Normal
1	8d. Time Delay Bypass Normal to Emergency
1	12c. LED Indicator Normal Position
1	12d. LED Indicator Emergency Position
1	12g. LED Indicator Normal Source Available
1	12h. LED Indicator Emergency Source Available
1	14l. Normal (S1) Source Present (2 Form C)
1	14m. Emergency (S2) Source Present (2 Form C)
1	15e. Normal (S1) Position Indication (1 Form C Micro Switch Outputs)
1	15f. Emergency (S2) Position Indication (1 Form C Micro Switch Outputs)
1	16n. Power Switch Overcurrent Protection Normal Side Only
1	12l. Normal Trip 400 Amps
1	22. Ground Bar
1	23k. Auto Plant Exerciser 1/7/14/28 Day
1	26d. Go To Source 2
1	26h. Normal (S1) Sensing Phase Reversal
1	26j. Normal (S1) Sensing Under-voltage/Under-frequency
1	26k. Normal (S1) Sensing Over-voltage/Over-frequency

For assistance, contact Peter Smith-Johannsen 561-744-6989 -
email: sales@atlpr.com

Project Name: MTS - 400A
General Order No:

Negotiation No: TAP50629X6K2
Alternate No: 0000

Qty	List of Materials
1	26l. Normal (S1) Sensing Voltage Unbalance
1	32a. Time Delay Neutral Adjustable 0 - 120 seconds
1	35a. Pre-transfer Signal Contacts (1 Form C)
1	37a. Rated as Suitable for Service Entrance w/o Ground Fault
1	42. IBC/CBC Seismic Qualified
1	48f. MODBUS Communication
1	49c. Multi-Tap Transformer

0% per month or fraction thereof for the time the shipment is delayed.

For assistance, contact Peter Smith-Johannsen 561-744-6989 -
email: sales@atlpr.com

**AGREEMENT
BETWEEN
THE TOWN OF SURFSIDE, FLORIDA
AND
MEIRELES TRUCK SALES, INC. D/B/A MTS POWER PRODUCTS**

THIS AGREEMENT (this "Agreement") is made effective as of the ____ day of _____, 2019 (the "Effective Date"), by and between the **TOWN OF SURFSIDE, FLORIDA**, a Florida municipal corporation, whose principal address is 9293 Harding Avenue, Surfside, Florida 33154 (hereinafter the "Town"), and **MEIRELES TRUCK SALES, INC.**, a Florida corporation, **D/B/A MTS POWER PRODUCTS**, whose address is 4501 N.W. 27 Avenue, Miami, Florida 33142 (hereinafter, the "Contractor").

WHEREAS, the Town desires to purchase and install an emergency generator for Town Hall, including retrofitting of the existing system and electrical connections, and service and maintenance thereafter; and

WHEREAS, the Contractor will perform the work on behalf of the Town, all as further set forth in the Proposal dated April 25, 2019 attached hereto as Exhibit "A" (the "Work"); and

WHEREAS, the Contractor and Town, through mutual negotiation, have agreed upon a fee for the Work; and

WHEREAS, the Town desires to engage the Contractor to perform the Work and provide the deliverables as specified below.

NOW, THEREFORE, in consideration of the mutual covenants and conditions contained herein, the Contractor and the Town agree as follows:

1. Scope of Work.

- 1.1 Contractor shall provide the Work, including all labor and materials, for the purchase and installation of new generator at Town Hall located at 9293 Harding Avenue, Surfside, Florida 33154, including electrical disconnect and reconnection, service rated ATS switch and crane service in connection with the installation of the generator, as set forth in the Proposal attached hereto as Exhibit "A" (the "Work").
- 1.2 Contractor shall furnish all reports, documents, and information obtained pursuant to this Agreement, and recommendations during the term of this Agreement (hereinafter "Deliverables") to the Town.

2. Term/Commencement Date.

- 2.1 This Agreement shall remain in effect from the Effective Date through five three (3) years thereafter, unless earlier terminated in accordance with Paragraph 8.
- 2.2 Contractor agrees that time is of the essence and Contractor shall expeditiously complete the Work in accordance with the timeline set forth in the Proposal, and all service and maintenance work, within the term of this Agreement, unless extended by the Town Manager.

3. Compensation and Payment.

- 3.1 Compensation for Work provided by Contractor shall be in accordance with the Proposal attached hereto as Exhibit "A." Contractor shall be compensated a total amount not to exceed \$64,432.34 for the Work ("Contract Price"). The Contract Price shall be full compensation for all services, labor, materials, equipment and costs, including overhead and profit, associated with completion of all the Work in full conformity with the Town's specifications and requirements and adjusted only by written change order signed by both parties and approved as required by local law. The Contract Price shall include all applicable sales taxes as required by law.
- 3.2 Town shall pay the Contractor 50% of the Contract Price within five (5) days of the Effective Date of this Agreement, and the balance of 50% of the Contract Price upon completion of the Work, and written acceptance of all Work by the Town. The Town shall pay the Contractor in accordance with the Florida Prompt Payment Act after approval and acceptance of the Work by the Town Manager.

4. Subcontractors.

- 4.1 The Contractor shall be responsible for all payments to any subcontractors and shall maintain responsibility for all such work. Certification of Payment to Subcontractors: The term "subcontractor", as used herein, includes persons or firms furnishing labor, materials or equipment incorporated into or to be incorporated into the Work. The Contractor is required to pay all subcontractors for satisfactory performance of their contracts as a condition precedent to payment to Contractor by the Town.
- 4.2 Contractor may only utilize the Work of a particular subcontractor with the prior written approval of the Town Manager, which approval may be granted or withheld in the Town Manager's sole and absolute discretion. Notwithstanding the foregoing, the Town acknowledges and agrees that the Contractor will utilize the Work of an electrical contractor, Caribe S.

Electric, Inc., for all electrical work in connection with the disconnect of the existing generator and reconnection of the new generator. All Work provided by the subcontractor shall be fully licensed and warranted by Contractor and Caribe S. Electric, Inc. for a term of two (2) years.

5. Town's Responsibilities.

- 5.1 Town shall make available any maps, plans, existing studies, reports, staff and representatives, and other data pertinent to the Work and in the possession of the Town, and provide criteria requested by Contractor to assist Contractor in performing the Work.
- 5.2 Upon Contractor's request, Town shall reasonably cooperate in arranging access to public information that may be required for Contractor to perform the Work.

6. Contractor's Responsibilities; Representations and Warranties.

- 6.1 The Contractor shall exercise the same degree of care, skill and diligence in the performance of the Work as is ordinarily provided by a Contractor under similar circumstances. If at any time during the term of this Agreement or within two (2) years from the completion of this Agreement, it is determined that the Contractor's and/or Caribe S. Electric, Inc.'s Deliverables or Work are incorrect, not properly rendered, defective, or fail to conform to the Town requests, the Contractor and/or Caribe S. Electric, Inc., shall at Contractor's sole expense, immediately correct its Deliverables or Work.
- 6.2 The Contractor (and all subcontractors performing work or Work, including Caribe S. Electric, Inc.) hereby warrants and represents that at all times during the term of this Agreement it shall maintain in good standing all required licenses, certifications and permits required under Federal, State and local laws applicable to and necessary to perform the Work for the Town as an independent contractor of the Town. Contractor further warrants and represents that it has the required knowledge, expertise, and experience to perform the Work and carry out its obligations under this Agreement in a professional and first class manner.
- 6.3 The Contractor represents that it is an entity validly existing and in good standing under the laws of Florida. The execution, delivery and performance of this Agreement by Contractor have been duly authorized, and this Agreement is binding on Contractor and enforceable against Contractor in accordance with its terms. No consent of any other person or entity to such execution, delivery and performance is required.
- 6.4 Contractor has visited the Work site and become familiar with and is

satisfied as to the general and local conditions and site conditions that may affect cost, progress, performance or furnishing of the Work.

- 6.5 Contractor is familiar with and is satisfied as to all federal, state and local laws, regulations and permits that may affect cost, progress, performance and furnishing of the Work. Contractor agrees that it will at all times comply with all requirements of the foregoing laws, regulations and permits, including but not limited to the Town's Code of Ordinances.
- 6.6 Contractor agrees and represents that it possesses the requisite qualifications and skills to perform the Work and that the Work shall be executed in a good and workmanlike manner, free from defects, and that all materials shall be new and approved by or acceptable to Town, except as otherwise expressly provided for in this Agreement. Contractor shall cause all materials and other parts of the Work to be readily available as and when required or needed for or in connection with the construction, furnishing and equipping of the Work.
- 6.7 Licensing and Permits: Contractor warrants that it shall have, prior to commencement of Work under this Agreement and at all times during said Work, all required licenses and permits whether federal, state, County or Town. Contractor acknowledges that it is the obligation of Contractor to obtain all licenses and permits required for the Work, including Town building permits.

7. Conflict of Interest.

- 7.1 Intentionally Deleted.

8. Termination.

- 8.1 The Town Manager, without cause, may terminate this Agreement upon five (5) calendar day's written notice to the Contractor, or immediately with cause.
- 8.2 Upon receipt of the Town's written notice of termination, Contractor shall immediately stop work on the Work site unless directed otherwise by the Town Manager.
- 8.3 In the event of termination by the Town, the Contractor shall be paid for all Work accepted by the Town Manager up to the date of termination, provided that the Contractor has first complied with the provisions of Paragraph 8.4.
- 8.4 The Contractor shall transfer all books, records, reports, working drafts, documents, maps, and data pertaining to the Work and the project to the

Town, in a hard copy and electronic format within fourteen (14) days from the date of the written notice of termination or the date of expiration of this Agreement.

9. Insurance; Bonds.

- 9.1 Contractor, and all subcontractors performing Work pursuant to this Agreement, shall secure and maintain throughout the duration of this agreement insurance of such types and in such amounts not less than those specified below as satisfactory to Town, naming the Town as an Additional Insured, underwritten by a firm rated A-X or better by A.M. Best and qualified to do business in the State of Florida. The insurance coverage shall be primary insurance with respect to the Town, its officials, employees, agents, and volunteers naming the Town as additional insured. Any insurance maintained by the Town shall be in excess of the Contractor's insurance and shall not contribute to the Contractor's insurance. The insurance coverages shall include at a minimum the amounts set forth in this section and may be increased by the Town as it deems necessary or prudent.
- a. Commercial General Liability coverage with limits of liability of not less than a \$1,000,000 per Occurrence combined single limit for Bodily Injury and Property Damage. This Liability Insurance shall also include Completed Operations and Product Liability coverages and eliminate the exclusion with respect to property under the care, custody and control of Contractor. The General Aggregate Liability limit and the Products/Completed Operations Liability Aggregate limit shall be in the amount of \$2,000,000 each.
 - b. Workers Compensation and Employer's Liability insurance, to apply for all employees for statutory limits as required by applicable State and Federal laws. The policy(ies) must include Employer's Liability with minimum limits of \$1,000,000.00 each accident. No employee, subcontractor or agent of the Contractor shall be allowed to provide Work pursuant to this Agreement who is not covered by Worker's Compensation insurance.
 - c. Business Automobile Liability with minimum limits of \$1,000,000 per occurrence, combined single limit for Bodily Injury and Property Damage. Coverage must be afforded on a form no more restrictive than the latest edition of the Business Automobile Liability policy, without restrictive endorsements, as filed by the Insurance Service Office, and must include Owned, Hired, and Non-Owned Vehicles.

- d. Crane Insurance in an amount of not less than Two Million (\$2,000,000.00) per occurrence, single limit. The General Aggregate Liability limit and the Products/Completed Operations Liability Aggregate limit shall be in the amount of \$5,000,000 each.
- e. Builder's Risk property insurance upon the entire Work to the full replacement cost value thereof. This insurance shall include the interest of Town and Contractor and shall provide All-Risk coverage against loss by physical damage including, but not limited to, Fire, Extended Coverage, Theft, Vandalism and Malicious Mischief.
- f. Contractor acknowledges that it shall bear the full risk of loss for any portion of the Work damaged, destroyed, lost or stolen until final completion has been achieved for the Work, and all such Work shall be fully restored by the Contractor, at its sole cost and expense, in accordance with this Agreement.

9.2 **Certificate of Insurance.** Certificates of Insurance shall be provided to the Town, reflecting the Town as an Additional Insured (except with respect to Worker's Compensation Insurance), no later than ten (10) days after award of this Agreement and prior to the execution of this Agreement by Town and prior to commencing Work. Each certificate shall include no less than (30) thirty-day advance written notice to Town prior to cancellation, termination, or material alteration of said policies or insurance. The Contractor shall be responsible for assuring that the insurance certificates required by this Section remain in full force and effect for the duration of this Agreement, including any extensions or renewals that may be granted by the Town. The Certificates of Insurance shall not only name the types of policy(ies) provided, but also shall refer specifically to this Agreement and shall state that such insurance is as required by this Agreement. The Town reserves the right to inspect and return a certified copy of such policies, upon written request by the Town. If a policy is due to expire prior to the completion of the Work, renewal Certificates of Insurance shall be furnished thirty (30) calendar days prior to the date of their policy expiration. Each policy certificate shall be endorsed with a provision that not less than thirty (30) calendar days' written notice shall be provided to the Town before any policy or coverage is cancelled or restricted. Acceptance of the Certificate(s) is subject to approval of the Town.

9.3 **Additional Insured.** Except with respect to Professional Liability Insurance and Worker's Compensation Insurance, the Town is to be

specifically included as an Additional Insured for the liability of the Town resulting from Work performed by or on behalf of the Contractor in performance of this Agreement. The Contractor's insurance, including that applicable to the Town as an Additional Insured, shall apply on a primary basis and any other insurance maintained by the Town shall be in excess of and shall not contribute to the Contractor's insurance. The Contractor's insurance shall contain a severability of interest provision providing that, except with respect to the total limits of liability, the insurance shall apply to each Insured or Additional Insured (for applicable policies) in the same manner as if separate policies had been issued to each.

- 9.4 **Loss Payee.** The Town is to be specifically named as a loss payee under the Contractor's Professional Insurance policy so that the Town will be a third party beneficiary entitled to receive all money payable under the relevant policy for any claims, damages, or losses in connection with, related to, or arising from Contractor's Work or performance pursuant to this Agreement.
- 9.5 **Deductibles.** All deductibles or self-insured retentions must be declared to and be reasonably approved by the Town. The Contractor shall be responsible for the payment of any deductible or self-insured retentions in the event of any claim.
- 9.6 **Bonds.** Prior to performing any portion of the Work and within three (3) days of the Effective Date hereof, the Contractor shall deliver to Town the Bonds required to be provided by Contractor hereunder (the bonds referenced in this Section are collectively referred to herein as the "Bonds"). Pursuant to and in accordance with Section 255.05, Florida Statutes, the Contractor shall obtain and thereafter at all times during the performance of the Work maintain a separate payment bond, and performance bond and labor and material payment bond for the Work, each in an amount equal to one hundred percent (100%) of the Contract Price and each in the form satisfactory to and approved in writing by Town and executed by a surety of recognized standing with a rating of A- or better for bonds up to Two Million Dollars. The surety providing such Bonds must be licensed, authorized and admitted to do business in the State of Florida and must be listed in the Federal Register (Dept. of Treasury, Circular 570). The cost of the premiums for such Bonds is included in the Contract Price. If notice of any change affecting the scope of the Work or the Contract Price, or any of the provisions of this Agreement is required by the provisions of any bond to be given to a surety, the giving of any such notice shall be Contractor's sole responsibility, and the amount of each applicable bond shall be adjusted accordingly. If the surety is declared bankrupt or becomes insolvent or its right to do business in Florida is terminated or it

ceases to meet applicable law or regulations, the Contractor shall, within five (5) days of any such event, substitute another bond (or Bonds as applicable) and surety, all of which must be satisfactory to Town.

9.7 The provisions of this section shall survive termination of this Agreement.

10. **Contractor's Responsibility for Damages and Accidents:**

10.1 Contractor shall accept full responsibility for the Work against all loss or damage of any nature sustained until final acceptance by Town, and shall promptly repair any damage done from any cause.

10.2 Contractor shall be responsible for all materials, equipment and supplies pertaining to the Work. In the event any such materials, equipment and supplies are lost, stolen, damaged or destroyed prior to final acceptance by the Town, Contractor shall replace same without cost to the Town.

10.3 Contractor shall be responsible for promptly notifying the Town of any damage to sidewalks, roads, irrigation systems, buildings or other structures, vehicles, or property or possessions, which occur as a result of the Work performed by Contractor pursuant to this Agreement, or the improper or negligent activities of the Contractor.

11. **Defective Work. Warranty and Guarantee:**

11.1 Town shall have the authority to reject or disapprove Work which the Town finds to be defective. If required by the Town, Contractor shall promptly either correct all defective Work or remove such defective Work and replace it with non-defective Work. Contractor shall bear all direct, indirect and consequential costs of such removal or corrections to Work.

11.2 Should Contractor fail or refuse to remove or correct any defective Work or to make any necessary repairs in accordance with the requirements of this Agreement, within the time indicated in writing by the Town, the Town shall have the authority to cause the defective Work to be removed or corrected, or make such repairs as may be necessary, at Contractor's expense. Any expense incurred by the Town in making such removals, corrections or repairs, shall be paid for out of any monies due or which may become due to Contractor. In the event of failure of Contractor to make all necessary repairs promptly and fully, the Town may declare Contractor in default.

11.3 Contractor shall unconditionally warrant and guarantee all materials and equipment furnished and Work performed for a period of two (2) years from the date of completion and acceptance of all Work by the Town. If, within two (2) years after the date of completion and acceptance of the Work

by the Town, any of the Work is found to be defective or not in accordance with the Proposal or the Town's specifications or requirements, Contractor, after receipt of written notice from Town, shall promptly correct such defective or nonconforming Work within the time specified by the Town, without cost to the Town. Nothing contained herein shall be construed to establish a period of limitation with respect to any other obligation which Contractor might have under this Agreement, including but not limited to any claim regarding latent defects. In addition to the foregoing, Contractor shall provide and assign to Town all material and equipment warranties upon completion of the Work hereunder, including equipment and generator parts or components.

- 11.3 Failure to reject any defective Work or material shall not in any way prevent later rejection by the Town when such defect is discovered.

12. **Liens.**

- 12.1 Contractor shall not permit any mechanic's, laborer's or materialmen's lien to be filed against the Work site or any part thereof by reason of any Work, labor, services or materials supplied or claimed to have been supplied to the Work. In the event such a lien is found or claimed against the Work, Contractor shall within ten (10) days after notice of the lien discharge the lien or liens and cause a satisfaction of such lien to be recorded in the public records of Miami-Dade County, Florida, or cause such lien to be transferred to a bond, or post a bond sufficient to cause the Clerk of the Circuit Court of Miami-Dade County, Florida, to discharge such lien pursuant to Chapter 713.24, F.S. In the event Contractor fails to so discharge or bond the lien or liens within such period as required above, the Town shall thereafter have the right, but not the obligation, to discharge or bond the lien or liens. Additionally, the Town shall thereafter have the right, but not the obligation, to retain out of any payment then due or to become due Contractor, one hundred fifty percent (150%) of the amount of the lien and to pay the Town's reasonable attorneys' fees and costs incurred in connection therewith.

13. **Nondiscrimination.**

- 13.1 During the term of this Agreement, Contractor shall not discriminate against any of its employees or applicants for employment because of their race, color, religion, sex, or national origin, and to abide by all Federal and State laws regarding nondiscrimination

14. **Attorneys Fees and Waiver of Jury Trial.**

- 14.1 In the event of any litigation arising out of this Agreement, the prevailing party shall be entitled to recover its attorneys' fees and costs, including the fees and expenses of any paralegals, law clerks and legal assistants, and

including fees and expenses charged for representation at both the trial and appellate levels.

- 14.2 IN THE EVENT OF ANY LITIGATION ARISING OUT OF THIS AGREEMENT, EACH PARTY HEREBY KNOWINGLY, IRREVOCABLY, VOLUNTARILY AND INTENTIONALLY WAIVES ITS RIGHT TO TRIAL BY JURY.

15. **Indemnification.**

- 15.1 Contractor shall indemnify and hold harmless the Town, its officers, agents and employees, from and against any and all demands, claims, losses, suits, liabilities, causes of action, judgment or damages, arising from Contractor's negligent acts, errors, or omissions arising out of the performance or non-performance of any provision of this Agreement, including, but not limited to, liabilities arising from contracts between the Contractor and third parties or subcontractors made pursuant to this Agreement. Contractor shall reimburse the Town for all its expenses including reasonable attorneys' fees and costs incurred in and about the defense of any such claim or investigation and for any judgment or damages arising from Contractor's negligent performance or non-performance of this Agreement.

- 15.2 Nothing herein is intended to serve as a waiver of sovereign immunity by the Town nor shall anything included herein be construed as consent to be sued by third parties in any matter arising out of this Agreement or any other contract. The Town is subject to section 768.28, Florida Statutes, as may be amended from time to time

- 15.3 The provisions of this section shall survive termination of this Agreement.

16. **Notices/Authorized Representatives.**

- 16.1 Any notices required by this Agreement shall be in writing and shall be deemed to have been properly given if transmitted by hand-delivery, by registered or certified mail with postage prepaid return receipt requested, or by a private postal service, addressed to the parties (or their successors) at the following addresses:

For the Town: Guillermo Olmedillo
 Town Manager
 Town of Surfside
 9293 Harding Avenue
 Surfside, FL 33154

With a copy to: Lillian M. Arango, Esq.
 Town Attorney
 Weiss Serota Helfman Cole & Bierman, P.L.

2525 Ponce de Leon Blvd., Suite 700
Coral Gables, FL 33134

For the Contractor: Meireles Truck Sales, Inc., D/B/A MTS Power
Products
Attn: Juan Meireles, President
4501 N.W. 27th Avenue
Miami, FL 33142

17. **Governing Law and Venue.**

17.1 This Agreement shall be construed in accordance with and governed by the laws of the State of Florida. Venue for any proceedings arising out of this Agreement shall be proper exclusively in Miami-Dade County, Florida.

18. **Entire Agreement/Modification/Amendment.**

18.1 This writing contains the entire Agreement of the parties and supersedes any prior oral or written representations. No representations were made or relied upon by either party, other than those that are expressly set forth herein.

18.2 No agent, employee, or other representative of either party is empowered to modify or amend the terms of this Agreement, unless executed with the same formality as this document.

19. **Ownership and Access to Records and Audits.**

19.1 Contractor acknowledges that all inventions, innovations, improvements, developments, methods, designs, analyses, drawings, reports, compiled information, and all similar or related information (whether patentable or not) which relate to Work to the Town which are conceived, developed or made by Contractor during the term of this Agreement (“Work Product”) belong to the Town. Contractor shall promptly disclose such Work Product to the Town and perform all actions reasonably requested by the Town (whether during or after the term of this Agreement) to establish and confirm such ownership (including, without limitation, assignments, powers of attorney and other instruments).

19.2 Contractor agrees to keep and maintain public records in Contractor’s possession or control in connection with Contractor’s performance under this Agreement. The Town Manager or her designee shall, during the term of this Agreement and for a period of three (3) years from the date of termination of this Agreement, have access to and the right to examine and audit any records of the Contractor involving transactions related to this Agreement. Contractor additionally agrees to comply specifically with the provisions of Section 119.0701, Florida Statutes. Contractor shall ensure

that public records that are exempt or confidential and exempt from public records disclosure requirements are not disclosed, except as authorized by law, for the duration of the Agreement, and following completion of the Agreement until the records are transferred to the Town.

- 19.3 Upon request from the Town's custodian of public records, Contractor shall provide the Town with a copy of the requested records or allow the records to be inspected or copied within a reasonable time at a cost that does not exceed the cost provided by Chapter 119, Florida Statutes, or as otherwise provided by law.
- 19.4 Unless otherwise provided by law, any and all records, including but not limited to reports, surveys, and other data and documents provided or created in connection with this Agreement are and shall remain the property of the Town.
- 19.5 Upon completion of this Agreement or in the event of termination by either party, any and all public records relating to the Agreement in the possession of the Contractor shall be delivered by the Contractor to the Town Manager, at no cost to the Town, within seven (7) days. All such records stored electronically by Contractor shall be delivered to the Town in a format that is compatible with the Town's information technology systems. Once the public records have been delivered upon completion or termination of this Agreement, the Contractor shall destroy any and all duplicate public records that are exempt or confidential and exempt from public records disclosure requirements.
- 19.6 Any compensation due to Contractor shall be withheld until all records are received as provided herein.
- 19.7 Contractor's failure or refusal to comply with the provisions of this section shall result in the immediate termination of this Agreement by the Town.

Notice Pursuant to Section 119.0701(2)(a), Florida Statutes

IF THE CONTRACTOR HAS QUESTIONS REGARDING THE APPLICATION OF CHAPTER 119, FLORIDA STATUTES, TO THE CONTRACTOR'S DUTY TO PROVIDE PUBLIC RECORDS RELATING TO THIS AGREEMENT, CONTACT THE CUSTODIAN OF PUBLIC RECORDS.

Custodian of Records: Sandra Novoa, MMC

**Mailing address: 9293 Harding Avenue
Surfside FL 33154
Telephone number: 305-861-4863, Ext. 226
Email: snova@townofsurfsidefl.gov**

20. **Nonassignability.**

20.1 This Agreement shall not be assignable by Contractor unless such assignment is first approved by the Town Manager. The Town is relying upon the apparent qualifications and expertise of the Contractor, and such firm's familiarity with the Town's area, circumstances and desires.

21. **Severability.**

21.1 If any term or provision of this Agreement shall to any extent be held invalid or unenforceable, the remainder of this Agreement shall not be affected thereby, and each remaining term and provision of this Agreement shall be valid and be enforceable to the fullest extent permitted by law.

22. **Independent Contractor.**

22.1 The Contractor and its employees, volunteers and agents shall be and remain an independent contractor and not an agent or employee of the Town with respect to all of the acts and Work performed by and under the terms of this Agreement. This Agreement shall not in any way be construed to create a partnership, association or any other kind of joint undertaking, enterprise or venture between the parties.

23. **Compliance with Laws.**

23.1 The Contractor, and all subcontractors performing any work pursuant to this Agreement, shall comply with all applicable laws, ordinances, rules, regulations, and lawful orders of public authorities in carrying out Work under this Agreement, and in particular shall obtain all required permits from all jurisdictional agencies to perform the Work under this Agreement at its own expense.

24. **Waiver.**

24.1 The failure of either party to this Agreement to object to or to take affirmative action with respect to any conduct of the other which is in violation of the terms of this Agreement shall not be construed as a waiver of the violation or breach, or of any future violation, breach or wrongful conduct.

25. **Survival of Provisions.**

25.1 Any terms or conditions of either this Agreement that require acts beyond the date of the term of the Agreement, shall survive termination of the Agreement, shall remain in full force and effect unless and until the terms or conditions are completed and shall be fully enforceable by either party.

26. **Prohibition of Contingency Fees.**

26.1 Contractor warrants that it has not employed or retained any company or person, other than a bona fide employee working solely for the Contractor, to solicit or secure this Agreement, and that it has not paid or agreed to pay any person(s), company, corporation, individual or firm, other than a bona fide employee working solely for the Contractor, any fee, commission, percentage, gift, or any other consideration, contingent upon or resulting from the award or making of this Agreement.

27. **Public Entity Crimes Affidavit.**

27.1 Contractor shall comply with Section 287.133, Florida Statutes (Public Entity Crimes Statute), notification of which is hereby incorporated herein by reference, including execution of any required affidavit.

28. **Counterparts.**

28.1 This Agreement may be executed in several counterparts, each of which shall be deemed an original and such counterparts shall constitute one and the same instrument.

[Remainder of page intentionally left blank. Signature pages follow.]

IN WITNESS WHEREOF the parties hereto have executed this Agreement as of the date written below their signatures.

FOR THE CONTRACTOR:

**MEIRELES TRUCK SALES, INC., a
Florida Corporation, D/B/A MTS POWER
PRODUCTS**

By: _____
Juan E. Meireles, President

Date Executed: _____

IN WITNESS WHEREOF the parties hereto have executed this Agreement on the day and date first above written.

FOR THE TOWN:

TOWN OF SURFSIDE, FLORIDA, a
Florida municipal corporation

By: _____
Guillermo Olmedillo, Town Manager

Date Executed: _____

Attest:

Sandra Novoa, MMC, Town Clerk

Approved as to Form and Legal Sufficiency:

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

EXHIBIT “A”
PROPOSAL OF CONTRACTOR

Scope of Work are those contained in the Proposal dated April 25, 2019, attached hereto and incorporated herein by reference.



Town of Surfside Commission Communication

Agenda Item # 3F

Agenda Date: July 9, 2019

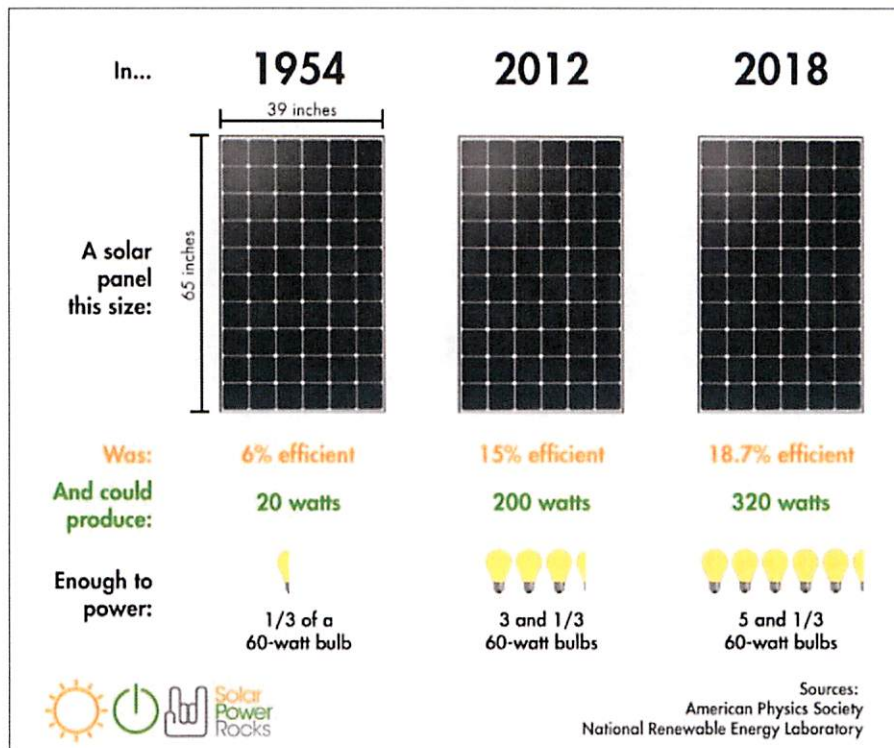
Subject: Community Center Photovoltaic System

Background: The Town continues to invest in systems to reduce the Town operation's impact on the environment. As a practice, we specify low energy consumption products where possible, require pollution reducing systems or baffles, stormwater injection wells etc. The next step in our efforts to reduce our impact is to install Photovoltaic Panels (PV) at the Community Center.

Solar PV has specific advantages as an energy source: once installed, its operation generates no pollution and no greenhouse gas emissions, it shows simple scalability in respect of power needs and silicon has large availability in the Earth's crust.

Photovoltaic systems have long been used in specialized applications as stand-alone installations and grid-connected PV systems have been in use since the 1990s. Photovoltaic modules were first mass-produced in 2000. After hydro and wind powers, PV is the third renewable energy source in terms of global capacity.

We have reached out to professionals in this arena and have decided that a performance-based design build package will provide the Town with the best Return on Investment (ROI).. Calvin, Giordano & Associates, Inc (CGA) will continue to meet with Town staff to finalize the performance parameters of the project. They will then package this information into a performance-based Design-Build Criteria Package and will work with the Town Clerk to manage the advertisement, receipt, review and recommendation of the best proposer for the Town. CGA's professional services will continue throughout the project including 30/60/90 and final plan review, construction management, and inspection all the way through project close out.

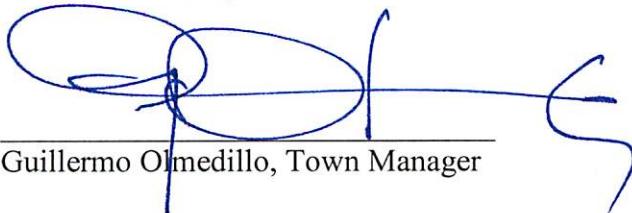


Budget Impact: The Town has budgeted \$100,000 for plans studies, engineering and architecture in the current fiscal year for this item. This item requests approval of the CGA Proposal 18-1461 for a Not to Exceed Amount of \$51,087.20. These proposed services are for the duration of the project through specification, solicitation, design, permitting, construction, and close out.

The total project costs are estimated to be between \$250,000 to \$350,000, which will be budgeted in FY19/20. While there are upfront capital costs, the project is an investment that will be paid back through the electrical savings. The detailed life-cycle analysis will be presented at the time an award recommendation is made to the Town Commission.

Staff Impact: None; services to be performed by CGA.

Recommendation: To approve this agenda item and instruct Staff and CGA to proceed with the development and advertising of the performance-based Design-Build Criteria Package to allow for proposals to be received and reviewed which would propose a Photovoltaic Panel solution for the Surfside Community Center. The proposer packages will then be brought back to Commission for recommendation and approval prior to any further costs being incurred.


Guillermo Olmedillo, Town Manager

RESOLUTION NO. 2019- ____

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA APPROVING WORK AUTHORIZATION NO. 117 WITH CALVIN GIORDANO & ASSOCIATES, INC. FOR ENGINEERING SERVICES FOR A DESIGN-BUILD PHOTOVOLTAIC SYSTEM AT THE SURFSIDE COMMUNITY CENTER; 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

WHEREAS, pursuant to Section 287.055, Florida Statutes (“Consultants’ Competitive Negotiation Act”), the Town of Surfside (“Town”) entered into a Continuing Professional Services Agreement (the “Agreement”) with Calvin Giordano & Associates, Inc. (“Consultant”) for professional general architectural, engineering, and surveying and mapping services on October 6, 2014; and

WHEREAS, in accordance with the provisions of the Agreement, Consultant and the Town have agreed to enter into Work Authorization No. 117 (“Work Authorization”) attached hereto as Exhibit “A”, authorizing the Consultant to provide professional engineering services in connection with the preparation of performance based design-build criteria for the solicitation of design-build services for the installation of a photovoltaic system at the Surfside Community Center, including assistance with evaluation of proposals, design review and construction services (“Services”); and

WHEREAS, the Work Authorization attached as Exhibit “A” provides for a scope of services detailing the Services to be provided by Consultant, as well as compensation for the Services in an amount not to exceed \$51,087.20; and

WHEREAS, Consultant has agreed to provide the Services described in the Work Authorization to be entered into with the Town; and

WHEREAS, the Town Commission finds that approval of the Work Authorization between Consultant and the Town is in the best interest of the Town.

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

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

Section 2. **Approval of Work Authorization.** The Work Authorization of the Consultant to provide the Services attached hereto as Exhibit “A,” as acceptable to the Town Manager and approved as to form and legality by the Town Attorney, is approved. The Town Manager is authorized to execute the Work Authorization attached hereto as Exhibit “A” on behalf of the Town.

Section 3. **Authorization of Town Officials.** The Town Manager and/or his designee are authorized to take all actions necessary to implement the terms and conditions of the Work Authorization.

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

PASSED AND ADOPTED this 9th day of July, 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	_____

Attest:

Daniel Dietch, Mayor

Sandra Novoa, MMC
Town Clerk

Approved as to Form and Legal Sufficiency:

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



Calvin, Giordano & Associates, Inc.
EXCEPTIONAL SOLUTIONS™

July 3, 2019

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

RE: Work Authorization No. 117
Surfside Community Center Photovoltaic System
CGA Proposal No. 18-1461

Dear Mr. Olmedillo,

Enclosed for your review and approval is Work Authorization No. 117 for Surfside Community Center Photovoltaic System. The scope of the project includes .

The Scope of Services to be furnished under this Work Authorization includes Electrical Engineering as shown on the attached Work Authorization.

The Basis of Compensation is hourly based upon the established rates pursuant to the Professional Services Agreement between the Town and CGA, plus reimbursables, for a total not to exceed \$51,087.20.

Sincerely,

CALVIN, GIORDANO & ASSOCIATES, INC.

Chris Giordano
Vice President

Building Code Services
Civil Engineering / Roadway
& Highway Design
Coastal Engineering
Code Compliance
Construction Engineering &
Inspection (CEI)
Construction Services
Data Technologies &
Development
Electrical Engineering
Engineering
Environmental Services
Facilities Management
Geographic Information
Systems (GIS)
Governmental Services
Landscape Architecture
Planning
Project Management
Redevelopment
& Urban Design
Surveying & Mapping
Traffic Engineering
Transportation Planning
Water / Utilities Engineering
Website Development

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

www.cgasolutions.com

TOWN OF SURFSIDE

Surfside Community Center Photovoltaic System

PROJECT DESCRIPTION

1. SCOPE OF SERVICES

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

Calvin, Giordano & Associates, Inc. is pleased to provide this proposal for professional consulting services to assist the owner in preparing a performance based design-build criteria package and a Request for Proposal (RFP) document for the solicitation of design-build services for the addition of a Photovoltaic System to the Surfside Community Center and to subsequently provide assistance through bidding, design, and construction of the Photovoltaic System. The proposed services include the coordination between the contractor(s), the Town of Surfside, and the building department. Please note that this proposal has been developed with the understanding that the project will be designed and constructed simultaneously and in one phase. Structural engineering design services are not included in this proposal. The specific services offered herein are outlined below:

I. Professional Engineering Services

A. Electrical Engineering

1. Document Preparation

- Prepare and submit Request for Proposal (RFP) solicitation document consisting of the following:
 - Performance based design-build criteria package.
 - Advertisement/Notice to Proposers, Instructions to Proposers, and Request for Proposal (RFP) documents

2. Proposal Evaluation Assistance

- Attend pre-proposal conference to be administered and conducted by the Town
 - Prepare pre-proposal conference agenda for distribution.
 - Provide pre-proposal conference minutes for distribution.
- Prepare written responses to Requests for Information (RFI's) from prospective Proposers
 - Includes preparation and issuance of response addenda and associated documents
- Evaluate the qualifications of Proposers and submit recommendations

3. Post Award Services

- Provide comments to design review of 30%, 60%, 90%, and 100% submittals, permit reviews, and design progress meetings
- Design Coordination and oversight
- Provide construction management services and coordination as necessary.
- Pre-Construction Meeting
 - Attend pre-construction meeting with contractor and Town's representatives.

- Conduct pre-construction meeting, then prepare minutes and addenda, as well as distribute to all participants.
- Shop Drawing Review
 - Receive and review shop drawings. Return shop drawings and submittals in accordance with the contract documents. This includes one (1) initial review and one (1) review following any revisions. It is anticipated that up to four (4) shop drawings are included in the Shop Drawing Review item.
- Construction Meetings
 - Attend periodic construction meetings (up to 4 meetings total) with the contractor, Town, and/or regulatory agencies.
 - Prepare and distribute construction meeting minutes.
- Construction Clarification
 - Respond in writing to as many as four (4) Request for Information (RFI) during the 4 week construction period. We will issue interpretation and clarifications of the Contract Documents, along with associated support materials. These interpretations will be rendered and a responses prepared and submitted.
- Construction Supervision - Perform field walk-through observations and provide comments as necessary.
- Substantial & Final Inspections

- Assist the Town's construction manager in the preparation and distribution of inspection punch list.

4. General Project Management Services

- Perform field investigation to determine the conditions and characteristics of the existing infrastructure at the site and identify suitable areas to upgrade, repair, and/or harden.
- Provide coordination with contractor and the Town during the design-build contract.

2. BASIS OF COMPENSATION:

Hourly rates with an estimated fee of \$48,654.48 plus reimbursables at \$2,432.72 with a total not to exceed amount of \$51,087.20. Payments to be made monthly.

3. SUBMITTED

Submitted by: _____

Chris Giordano

Date: _____

7/3/19

4. APPROVAL

Approved by: _____

Guillermo Olmedillo, Town
Manager

Date: _____

Work Authorization No. 117

July 3, 2019

Calvin, Giordano & Associates, Inc. Proposal No. 18-1461

**TOWN OF SURFSIDE
WORK AUTHORIZATION ESTIMATE DATE**

WORK AUTHORIZATION NO. 117
PROJECT NAME Surfside Community Center Photovoltaic
System
CGA Proposal No. 18-1461

DESCRIPTION

TITLE	RATE	HOURS/UNITS	COST
Construction Management Director	\$147.58	54	\$7,969.32
Director Engineering V	\$184.48	16	\$2,951.68
Eng Sr CADD Tech Manager	\$122.99	16	\$1,967.84
Project Manager IV	\$159.89	196	\$31,338.44
Sr Inspector	\$110.68	40	\$4,427.20
			\$48,654.48

SUB-CONSULTANTS	COST
------------------------	-------------

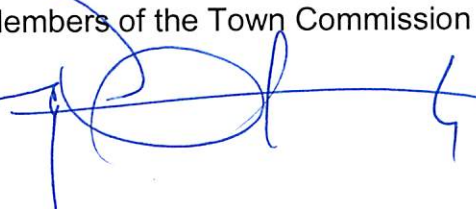
LABOR SUBTOTAL	\$48,654.48
REIMBURSABLE SUBTOTAL	\$2,432.72
TOTAL	\$51,087.20

Reviewed by: _____
Guillermo Olmedillo, Town Manager



MEMORANDUM

ITEM NO. 3G

To: Honorable Mayor, Vice-Mayor and Members of the Town Commission
From: Guillermo Olmedillo, Town Manager 
Date: July 9, 2019
Subject: IT Infrastructure Upgrades

The Town's current virtual server infrastructure was purchased in 2013 and is running low on storage space. The existing environment houses a domain controller, e-mail server, file share, and the Parks and Recreation Department's application server. Due to the age of the hardware, and the limited expansion capability of the current system, the IT Department recommends replacing it with a new hardware solution consisting of multiple hosts and a storage array for redundancy and clustering capability.

The additional processing power and storage will allow for expansion of the current servers and the introduction of any newly required servers. This proposed server environment will provide the required upgraded network switches to support 10Gig ethernet capability for the servers. All equipment would be purchased with 3-year warranty periods, requiring no additional recurring costs.

The Town's current hardware is running out of storage space. This will limit expansion for the current servers and future server needs. The hardware and software are reaching end-of-life, making it difficult to get warranty coverage and updates.

The not to exceed expenditure of \$75,000 was approved in this fiscal year's budget under General Fund / Capital Projects.

This assignment is covered under the Town's agreement with Calvin, Giordano & Associates for IT services with the purchase following the competitive procurement obtained by the State of Florida.

The accompanying resolution authorizes the Town Manager to purchase the equipment in the not to exceed amount of \$75,000 for IT infrastructure upgrades as presented.

Reviewed by 

Prepared by 

RESOLUTION NO. 19 - _____

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, AUTHORIZING AND APPROVING THE PURCHASE OF IT INFRASTRUCTURE UPGRADES EQUIPMENT FROM DELL TECHNOLOGIES, INCLUDING SERVER AND STORAGE UPGRADES FOR THE TOWN, AND AUTHORIZING THE EXPENDITURE OF FUNDS NOT TO EXCEED \$75,000.00 FROM THE GENERAL FUND, CAPITAL PROJECTS, FISCAL YEAR 2018/2019 BUDGET; FINDING THAT THE PURCHASE IS EXEMPT FROM PROCUREMENT PURSUANT TO SECTION 3-13(3) OF THE TOWN CODE; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town of Surfside (“Town”) is seeking to purchase IT Infrastructure Upgrades, including server and storage equipment upgrades (“Equipment”), for its operations and in order to provide for a new hardware solution consisting of multiple hosts and storage capacity; and

WHEREAS, Dell Technologies (“Dell”) has provided the attached Quote for the Equipment at a cost not to exceed \$75,000, with terms and pricing set forth in the Quote attached hereto as Exhibit “A”; and

WHEREAS, competitive procurement and terms and pricing for the Equipment has been obtained through the State of Florida Contract No. 43211500-WSCA-15-ACS, which terms and pricing are on file with Dell and the Town; and

WHEREAS, in accordance with Section 3-13(3) of the Town of Surfside Code of Ordinances, purchases made under state general service administration contracts, federal, county or other governmental contracts are exempt from the Town’s competitive bidding procedures; and

WHEREAS, it is in the best interest of the Town to approve and authorize the purchase of the Equipment and expenditure of funds not to exceed \$75,000.00 from the General Fund, Capital Projects Fiscal Year 2018/2019 budget.

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

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

Section 2. Authorization to Purchase Equipment and Approval to Expend Funds. The purchase of the Equipment is hereby approved and the Town Manager is authorized to expend

an amount not to exceed \$75,000.00 for the purchase of the Equipment from the General Fund, Capital Projects Fiscal Year 2018/2019 Budget.

Section 3. Procurement Exempt. In accordance with Section 3-13(3) of the Town's Code of Ordinances, the purchase of the Equipment is exempt from competitive procurement in reliance on the competitive procurement and terms and pricing obtained from Dell Technologies pursuant to the State of Florida Contract No. 43211500-WSCA-15-ACS.

Section 4. Implementation. The Town Manager is hereby authorized to take any and all action necessary to implement the purchase of the Equipment and the purposes of this Resolution.

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

PASSED AND ADOPTED this 9th day of July, 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



A quote for your consideration!

Based on your business needs, we put the following quote together to help with your purchase decision. Below is a detailed summary of the quote we've created to help you with your purchase decision.

To proceed with this quote, you may respond to this email, order online through your [Premier page](#), or, if you do not have Premier, use this [Quote to Order](#).

Quote No.	3000036822035.9	Sales Rep	Angela Curry
Total	\$74,979.89	Phone	(800) 456-3355, 5130632
Customer #	15237228	Email	Angela_Curry@Dell.com
Quoted On	Jun. 18, 2019	Billing To	PAYABLE ACCOUNTS
Expires by	Jul. 18, 2019		TOWN OF SURFSIDE
Solution ID	10909541		9293 HARDING AVE
Deal ID	15906573		SURFSIDE, FL 33154-3009

Message from your Sales Rep

Please contact your Dell sales representative if you have any questions or when you're ready to place an order. Thank you for shopping with Dell!

Regards,
Angela Curry

Shipping Group

Shipping To	Shipping Method	Install At
JOSE FELIZ TOWN OF SURFSIDE TOWN HALL 9293 HARDING AVE SURFSIDE, FL 33154-3009 (305) 861-4863	Standard Delivery	TOWN OF SURFSIDE () -

Product	Unit Price	Qty	Subtotal
Dell EMC SCv3020 - [amer_scv3020_12391]	\$18,400.95	1	\$18,400.95
Data Domain 3300 - [amer_dd3300_13186]	\$19,162.00	1	\$19,162.00
Dell Networking N4000 Series Switches - [dellstar_1020]	\$5,825.35	2	\$11,650.70
PowerEdge R340 - [amer_r340_13158]	\$4,060.00	1	\$4,060.00
PowerEdge R640 - [amer_r640_12232]	\$10,853.12	2	\$21,706.24

Subtotal:	\$74,979.89
Shipping:	\$0.00
Non-Taxable Amount:	\$74,979.89
Taxable Amount:	\$0.00
Estimated Tax:	\$0.00

Total:	\$74,979.89
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Special lease pricing may be available for qualified customers and offers. Please contact your DFS Sales Representative for details.

Shipping Group Details

Shipping To

JOSE FELIZ
TOWN OF SURFSIDE
TOWN HALL
9293 HARDING AVE
SURFSIDE, FL 33154-3009
(305) 861-4863

Shipping Method

Standard Delivery

Install At

TOWN OF SURFSIDE

() -

Dell EMC SCv3020 - [amer_scv3020_12391]

Estimated delivery if purchased today:

Jul. 09, 2019

Contract # WN08AGW

Customer Agreement # 43211500-WSCA-15-ACS

\$18,400.95	Qty 1	Subtotal \$18,400.95
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Description	SKU	Unit Price	Qty	Subtotal
SCv3020 3Ux30 Drive Storage Array	210-ALVZ	-	1	-
SCv30X0 Dual Controller Components	449-BBLE	-	1	-
No Mezzanine Card	403-BBPD	-	1	-
No Mezzanine Card	403-BBPD	-	1	-
IO, 10Gb iSCSI, 4 port, PCI-E, SFP+ w/o Optics, Full Height	406-BBLZ	-	1	-
IO, 10Gb iSCSI, 4 port, PCI-E, SFP+ w/o Optics, Full Height	406-BBLZ	-	1	-
SHIP,SCV3020,DAO	340-BSDI	-	1	-
Dell SC Storage Reg Label	389-BJUC	-	1	-
Storage Center Core Software Bundle, Base License	634-BJUI	-	1	-
SSN License	634-BKCL	-	1	-
Storage Protection Bundle, Software License (Includes: RIRA, Live Volume, Replay Manager)	634-BKCN	-	1	-
Redundant Power Supply, 1378W, C20	450-AGJN	-	1	-
Rack rail, 2Us, Static	770-BBUJ	-	1	-
SC Bezel	350-BBKJ	-	1	-
Dell Hardware Limited Warranty	814-3780	-	1	-
ProSupport Mission Critical: 7x24 HW/SW Technical Support and Assistance,3 Years	814-3783	-	1	-
ProSupport Mission Critical: 4-Hour 7x24 Onsite Service with Emergency Dispatch,3 Years	814-3784	-	1	-
Thank you choosing Dell ProSupport. For tech support, visit //www.dell.com/support or call 1-800- 945-3355	989-3439	-	1	-
ProDeploy Dell Storage SC Series vXXXX SAN up to 8 hosts - Deployment	805-2824	-	1	-
ProDeploy Dell Storage SC Series vXXXX SAN - Deployment Verification	805-2826	-	1	-
ProSupport for Software: 7X24 Storage Protection Bundle, 3 Years	815-3900	-	1	-
US Order	332-1286	-	1	-
Dell Networking, Cable, SFP+ to SFP+, 10GbE, Copper Twinax Direct Attach Cable, 1 Meter	470-AAGN	-	4	-

SC, 1.2TB, SAS, 12Gb, 10K, 2.5", HDD	400-AVKS	-	10	-
Hard Drive Filler 2.5in, single blank	400-AEPR	-	20	-
Power Cord, 125V, 20A, NEMA 5-20 to C19, 10 feet	450-AFEU	-	2	-
			Qty	
		\$19,162.00	1	Subtotal \$19,162.00

Data Domain 3300 - [amer_dd3300_13186]

Estimated delivery if purchased today:

Jul. 05, 2019

Contract # WN08AGW

Customer Agreement # 43211500-WSCA-15-ACS

Description	SKU	Unit Price	Qty	Subtotal
Data Domain 3300 Appliance	210-AQVT	-	1	-
Module,Information,Electro Mechanical Compatible,PSNT	329-BDWH	-	1	-
DD3300 Branding	350-BBST	-	1	-
Data Domain 3300 16TB 2Power Supply Unit 10Gbase-T	321-BDVI	-	1	-
Data Domain 3300 16TB License 3 Years Maintenance=CC	528-BDBO	-	1	-
ProSupport w/ Next Business Day, Software Support, 3 Years	821-4238	-	1	-
Dell Hardware Limited Warranty 1 Year	821-3987	-	1	-
ProSupport Next Business Day Onsite Service After Problem Diagnosis, 2 Years Extended	821-4052	-	1	-
ProSupport Next Business Day Onsite Service After Problem Diagnosis, 1 Year	821-4057	-	1	-
ProSupport 7x24 HW Tech Support and Assistance, 3 Years	821-4063	-	1	-
Dell Limited Hardware Warranty Extended Year(s)	975-3461	-	1	-
Thank you choosing Dell ProSupport. For tech support, visit //www.dell.com/support or call 1-800- 945-3355	989-3439	-	1	-
ProDeploy Dell EMC Data Domain Appliance	821-4266	-	1	-
ProDeploy Dell EMC Data Domain Appliance Deployment Verification	821-4269	-	1	-
DD3300 Shipping	340-CHLU	-	1	-
DD3300 Software Factory Installed	658-BDZL	-	1	-
PowerEdge R740 Shipping Material	343-BBFU	-	1	-
iDRAC9,Enterprise for DD3300/DP4400	385-BBNZ	-	1	-
NEMA 5-15P to C13 Wall Plug, 125 Volt, 15 AMP, 10 Feet (3m), Power Cord, North America	450-AALV	-	2	-
			Qty	
		\$5,825.35	2	Subtotal \$11,650.70

Dell Networking N4000 Series Switches - [dellstar_1020]

Estimated delivery if purchased today:

Jun. 26, 2019

Contract # WN08AGW

Customer Agreement # 43211500-WSCA-15-ACS

Description	SKU	Unit Price	Qty	Subtotal
Dell Networking N4032F, 24x 10GbE SFP+ Ports, 1x Modular bay, 2x AC PSU, IO to PSU Airflow	210-ABVT	-	2	-
Power Cord, 125V, 15A, 10 Feet, NEMA 5-15/C13	450-AAFH	-	2	-
Power Cord, 125V, 15A, 10 Feet, NEMA 5-15/C13	450-AAFH	-	2	-
Documentation Kit, N4000 Series Switch	340-AGNR	-	2	-
US Order	332-1286	-	2	-
Dell Hardware Limited Warranty Initial Year	966-6411	-	2	-
Dell Hardware Limited Warranty Extended Year(s)	966-6413	-	2	-
Lifetime Limited Hardware Warranty with Basic Hardware Service Next	966-6417	-	2	-

Business Day Parts Only on Your Network Switch

Software Support,NW,90 Day	966-6423	-	2	-
ProSupport: Next Business Day Onsite Service After Problem Diagnosis, Initial Year	966-6424	-	2	-
ProSupport: Next Business Day Onsite Service After Problem Diagnosis, 2 Year Extended	966-6428	-	2	-
ProSupport: 7x24 HW / SW Tech Support and Assistance, 3 Year	966-6476	-	2	-
Thank you choosing Dell ProSupport. For tech support, visit //www.dell.com/support or call 1-800- 945-3355	989-3439	-	2	-
ProDeploy Dell Networking L3 N Series 4XXX Switch - Deployment Verification	805-2383	-	2	-
ProDeploy Dell Networking N Series 4XXX Switch - Deployment	821-5791	-	2	-
Dell Networking, Cable, SFP+ to SFP+, 10GbE, Copper Twinax Direct Attach Cable, 1 Meter	470-AAGN	-	8	-
			Qty	Subtotal
		\$4,060.00	1	\$4,060.00

PowerEdge R340 - [amer_r340_13158]

Estimated delivery if purchased today:

Jul. 05, 2019

Contract # WN08AGW

Customer Agreement # 43211500-WSCA-15-ACS

Description	SKU	Unit Price	Qty	Subtotal
PowerEdge R340 Server	210-AQUB	-	1	-
No Trusted Platform Module	461-AADZ	-	1	-
2.5" Chassis with up to 8 Hot Plug Hard Drives	321-BDUW	-	1	-
PowerEdge R340 Shipping	340-CHIJ	-	1	-
Intel Xeon E-2136 3.3GHz, 12M cache, 6C/12T, turbo (80W)	338-BPYX	-	1	-
Heatsink for 80W or less CPU	412-AAPW	-	1	-
2666MT/s UDIMMs	370-AEKM	-	1	-
Performance Optimized	370-AAIP	-	1	-
RAID 1	780-BCDN	-	1	-
PERC H730P Adapter RAID Controller, 2GB	405-AANW	-	1	-
On-Board LOM	542-BBBP	-	1	-
iDRAC9,Enterprise	385-BBKT	-	1	-
OME Server Configuration Management	528-BBWT	-	1	-
No Internal Optical Drive for x4 and x8 HDD Chassis	429-ABBF	-	1	-
ReadyRails Sliding Rails Without Cable Management Arm	770-BCWN	-	1	-
Standard Bezel	325-BCHH	-	1	-
Dell EMC Luggage Tag	350-BBSD	-	1	-
Performance BIOS Settings	384-BBBL	-	1	-
Dual, Hot Plug, Redundant Power Supply (1+1), 550W	450-AGUJ	-	1	-
OpenManage DVD Kit, Poweredge R340	631-ABWE	-	1	-
Windows Server 2019 Standard,16CORE,FI,No Med, No CAL, Multi Language	634-BSFE	-	1	-
Windows Server 2019 Standard,16CORE,Media Kit, Multi Language	634-BSGL	-	1	-
UEFI BIOS Boot Mode with GPT Partition	800-BBDM	-	1	-
US Order	332-1286	-	1	-
PowerEdge R340 Motherboard, V2	329-BEIM	-	1	-

PowerEdge R340 Shipping Material for 2.5" Chassis	340-CJRD	-	1	-
iDRAC Group Manager, Enabled	379-BCQV	-	1	-
iDRAC,Factory Generated Password	379-BCSF	-	1	-
PCIe Riser, 1x FH x8 PCIe Gen3 slot, 1x LP x4 PCIe Gen3 slot, R240/R340	330-BBMH	-	1	-
Dell Hardware Limited Warranty Plus On Site Service	822-7640	-	1	-
ProSupport: Next Business Day Onsite Service After Problem Diagnosis, 3 Years	822-7644	-	1	-
ProSupport: 7x24 HW/SW Tech Support and Assistance, 3 Years	822-7657	-	1	-
Thank you choosing Dell ProSupport. For tech support, visit //www.dell.com/support or call 1-800- 945-3355	989-3439	-	1	-
On-Site Installation Declined	900-9997	-	1	-
iDRAC Service Module (ISM), Pre-Installed in OS	379-BCQW	-	1	-
16GB 2666MT/s DDR4 ECC UDIMM	370-AEKL	-	2	-
480GB SSD SATA Mix Use 6Gbps 512 2.5in Hot-plug AG Drive, 3 DWPD, 2628 TBW	400-AZUT	-	2	-
Intel X710 Dual Port 10GbE SFP+ Adapter, PCIe Low Profile	555-BCKN	-	1	-
NEMA 5-15P to C13 Wall Plug, 125 Volt, 15 AMP, 10 Feet (3m), Power Cord, North America	450-AALV	-	2	-
5-pack of Windows Server 2019/2016 User CALs (Standard or Datacenter)	634-BSFN	-	1	-
			Qty	Subtotal
		\$10,853.12	2	\$21,706.24

PowerEdge R640 - [amer_r640_12232]

Estimated delivery if purchased today:

Jul. 02, 2019

Contract # WN08AGW

Customer Agreement # 43211500-WSCA-15-ACS

Description	SKU	Unit Price	Qty	Subtotal
PowerEdge R640 Server	210-AKWU	-	2	-
PowerEdge R640 Motherboard	329-BDKC	-	2	-
No Trusted Platform Module	461-AADZ	-	2	-
2.5 Chassis with up to 8 Hard Drives and 3PCIe slots	321-BCQJ	-	2	-
PowerEdge R640 Shipping	340-BKNE	-	2	-
PowerEdge R640 x8 Drive Shipping Material	343-BBEV	-	2	-
Intel Xeon Silver 4110 2.1G, 8C/16T, 9.6GT/s , 11M Cache, Turbo, HT (85W) DDR4-2400	338-BLUQ	-	2	-
Intel Xeon Silver 4110 2.1G, 8C/16T, 9.6GT/s , 11M Cache, Turbo, HT (85W) DDR4-2400	374-BBPN	-	2	-
DIMM Blanks for System with 2 Processors	370-ABWE	-	2	-
Standard 1U Heatsink	412-AAIQ	-	2	-
Standard 1U Heatsink	412-AAIQ	-	2	-
2666MT/s RDIMMs	370-ADNU	-	2	-
Performance Optimized	370-AAIP	-	2	-
RAID 1	780-BCDN	-	2	-
PERC H740P RAID Controller, 8GB NV Cache, Mini card	405-AAMS	-	2	-
Windows Server 2019 Datacenter,16CORE,FI,No MED,UnLTD VMs,NO CALs, Multi Language	634-BSFD	-	2	-
Windows Server 2019 Datacenter,16CORE,Media Kit, Multi Language	634-BSGG	-	2	-

iDRAC9, Express	385-BBKS	-	2	-
iDRAC Group Manager, Disabled	379-BCQY	-	2	-
iDRAC,Factory Generated Password	379-BCSF	-	2	-
Riser Config 2, 3x16 LP	330-BBGN	-	2	-
Intel X710 Quad Port 10GbE SFP+, rNDC	555-BCKP	-	2	-
No Internal Optical Drive for x4 and x8 HDD Chassis	429-ABBF	-	2	-
8 Standard Fans for R640	384-BBQJ	-	2	-
Dual, Hot-plug, Redundant Power Supply (1+1), 750W	450-ADWS	-	2	-
Standard Bezel	325-BCHH	-	2	-
Dell EMC Luggage Tag	350-BBJS	-	2	-
Quick Sync 2 (At-the-box mgmt)	350-BBKC	-	2	-
Performance BIOS Settings	384-BBBL	-	2	-
UEFI BIOS Boot Mode with GPT Partition	800-BBDM	-	2	-
Energy Star	387-BBMK	-	2	-
ReadyRails Sliding Rails Without Cable Management Arm	770-BBBC	-	2	-
No Systems Documentation, No OpenManage DVD Kit	631-AACK	-	2	-
US Order	332-1286	-	2	-
iDRAC Service Module (ISM), Pre-Installed in OS	379-BCQW	-	2	-
Dell Hardware Limited Warranty Plus On-Site Service	813-9255	-	2	-
ProSupport Mission Critical: 4-Hour 7x24 On-Site Service with Emergency Dispatch, 3 Years	813-9259	-	2	-
ProSupport Mission Critical: 7x24 HW / SW Technical Support and Assistance, 3 Years	813-9265	-	2	-
Thank you choosing Dell ProSupport. For tech support, visit //www.dell.com/support or call 1-800- 945-3355	989-3439	-	2	-
On-Site Installation Declined	900-9997	-	2	-
32GB RDIMM 2666MT/s Dual Rank	370-ADNF	-	8	-
240GB SSD SATA Mixed Use 6Gbps 512e 2.5in Hot Plug S4610 Drive	400-BDSS	-	4	-
5-pack of Windows Server 2019/2016 User CALs (Standard or Datacenter)	634-BSFN	-	2	-
10-pack of Windows Server 2019/2016 User CALs (Standard or Datacenter)	634-BSFS	-	6	-
Intel Ethernet I350 Dual Port 1GbE BASE-T Adapter, PCIe Low Profile	540-BBDB	-	2	-
NEMA 5-15P to C13 Wall Plug, 125 Volt, 15 AMP, 10 Feet (3m), Power Cord, North America	450-AALV	-	4	-

Subtotal:	\$74,979.89
Shipping:	\$0.00
Estimated Tax:	\$0.00
Total:	\$74,979.89

Important Notes

Terms of Sale

Unless you have a separate written agreement that specifically applies to this order, your order will be subject to and governed by the following agreements, each of which are incorporated herein by reference and available in hardcopy from Dell at your request: [Dell's Terms of Sale](#), which include a binding consumer arbitration provision and incorporate Dell's U.S. [Return Policy](#) and Warranty (for [Consumer warranties](#); for [Commercial warranties](#)).

If this purchase includes software: in addition to the foregoing applicable terms, your use of the software is subject to the license terms accompanying the software, and in the absence of such terms, then use of the Dell-branded application software is subject to the Dell End User License Agreement - [Type A](#) and use of the Dell-branded system software is subject to the Dell End User License Agreement - [Type S](#).

If your purchase is for Mozy, in addition to the foregoing applicable terms, your use of the Mozy service is subject to the terms and conditions located at <https://mozy.com/about/legal/terms>.

If your purchase is for Boomi services or support, your use of the Boomi Services (and related professional service) is subject to the terms and conditions located at <https://boomi.com/msa>.

If your purchase is for Secureworks services or support, your use of the Secureworks services (and related professional service) is subject to the terms and conditions located at <https://www.secureworks.com/eula/eula-us>.

If this purchase is for (a) a storage product identified in the DELL EMC Satisfaction Guarantee Terms and Conditions located at [\("Satisfaction Guarantee"\)](#) and (ii) three (3) years of a ProSupport Service for such storage product, in addition to the foregoing applicable terms, such storage product is subject to the Satisfaction Guarantee.

You acknowledge having read and agree to be bound by the foregoing applicable terms in their entirety. Any terms and conditions set forth in your purchase order or any other correspondence that are in addition to, inconsistent or in conflict with, the foregoing applicable online terms will be of no force or effect unless specifically agreed to in a writing signed by Dell that expressly references such terms.

Pricing, Taxes, and Additional Information

All product, pricing, and other information is valid for U.S. customers and U.S. addresses only, and is based on the latest information available and may be subject to change. Dell reserves the right to cancel quotes and orders arising from pricing or other errors. Please indicate any tax-exempt status on your PO, and fax your exemption certificate, including your Customer Number, to the Dell Tax Department at 800-433-9023. Please ensure that your tax-exemption certificate reflects the correct Dell entity name: **Dell Marketing L.P.**

Note: All tax quoted above is an estimate; final taxes will be listed on the invoice.

If you have any questions regarding tax please send an e-mail to Tax_Department@dell.com.

For certain products shipped to end-users in California, a State Environmental Fee will be applied to your invoice. Dell encourages customers to dispose of electronic equipment properly.



MEMORANDUM

ITEM NO. 3H

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

From: Guillermo Olmedillo, Town Manager

Date: July 09, 2019

Subject: Holiday Lights Resort Tax Expenditure & Agreement

RFP 2019-01 was issued on March 19, 2019 seeking qualified proposers of Holiday Lights for the Town of Surfside. There were 4 bidders who supplied proposals in response to this RFP. The Evaluation Committee met on May 3, 2019 and ranked the proposers as follows (out of a potential score of 500):

1	Christmas Designers	459
2	Miami Christmas Lights	432
3	Artistic Holiday Designs	393
4	The Christmas Palace	240

Subsequently the Tourist Board met on June 3, 2019, and invited the top 2 holiday lights proposers to each give a presentation. After review and discussion, they unanimously voted to recommend Miami Christmas Lights. Further direction was given to have Miami Christmas Lights make adjustments to one concept in their original pitch and come back at the July meeting for final recommendation.

The Tourist Board, at their July 1, 2019 meeting reviewed the adjusted proposal options and unanimously approved the attached proposal and expenditure of \$85,700 from within the approved "Promotional Activities" budget line, and 34% of the Tourist Resort Tax fund.

The Miami Christmas Lights proposed professional services agreement with the design proposal included therein, is attached below with the Resolution.

As stated in the RFP, the next step is to have from the Town Commission direct the Town Manager to enter into agreement with Miami Christmas Lights based on the decision of the Tourist Board. The Town Administration seeks approval to move forward with the attached Resolution, and professional services agreement with Miami Christmas Lights.

Reviewed by

Prepared by

RESOLUTION NO. 2019-_____

**A RESOLUTION OF THE TOWN COMMISSION OF THE
TOWN OF SURFSIDE, FLORIDA, AWARDED A
CONTRACT TO SOUTH FLORIDA LIGHTING TEAM, LLC
(D/B/A MIAMI CHRISTMAS LIGHTS) FOR TOWN-WIDE
HOLIDAY DECORATIONS; PROVIDING FOR
AUTHORIZATION; PROVIDING FOR
IMPLEMENTATION; AND PROVIDING FOR AN
EFFECTIVE DATE.**

WHEREAS, on March 19, 2019, the Town of Surfside (“Town”) issued Request for Proposals No. 2019-01 (“RFP”) to competitively procure the installation, maintenance, removal, cleaning, refurbishing, transport and storage of professionally-themed holiday decorations to be placed throughout the Town (“Services”); and

WHEREAS, the Town received four proposals in response to the RFP; and

WHEREAS, the four proposals were evaluated and ranked by an Evaluation/Selection Committee on May 3, 2019; and

WHEREAS, on June 3, 2019, the Tourist Board received oral presentations from the top two proposers and, after further evaluation and consideration, recommended that South Florida Lighting Team, LLC (d/b/a Miami Christmas Lights) (the “Contractor”) be awarded a contract to provide the Services; and

WHEREAS, the Town Commission wishes to award a contract for the Services to the Contractor and authorize the Town Manager to execute the contract, in substantially the form attached hereto as Exhibit “A” (the “Contract”), subject to final approval as to form, content, and legal sufficiency by the Town Manager and Town Attorney; and

WHEREAS, the Town Commission finds that the award of a contract for the Services to the Contractor and this Resolution are in the best interest and welfare of the Town.

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

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

Section 2. **Award.** The Contractor is awarded a contract for the Services pursuant to the RFP.

Section 3. Approval and Authorization. The Contract, in substantially the form attached hereto as Exhibit "A," is hereby approved, subject to such non-substantive changes as may be acceptable to the Town Manager and the Town Attorney as to form and legality. The Town Commission authorizes the Town Manager to execute the Contract on behalf of the Town and to expend budgeted funds during the term of the Contract.

Section 4. Implementation. The Town Manager and/or designee are authorized to take any and all action necessary to implement the purposes of this Resolution and the Contract.

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

PASSED AND ADOPTED on this 9th day of July, 2019.

Moved 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 LEGALITY FOR THE USE
AND BENEFIT OF THE TOWN OF SURFSIDE ONLY:**

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

**PROFESSIONAL SERVICES AGREEMENT
BETWEEN
THE TOWN OF SURFSIDE
AND
SOUTH FLORIDA LIGHTING TEAM, LLC (D/B/A MIAMI CHRISTMAS LIGHTS)**

THIS AGREEMENT (this “Agreement”) is made effective as of the ____ day of July, 2019 (the “Effective Date”), by and between the **TOWN OF SURFSIDE, FLORIDA**, a Florida municipal corporation, whose principal address is 9293 Harding Avenue, Surfside, Florida 33154 (hereinafter the “Town”), and **SOUTH FLORIDA LIGHTING TEAM, LLC (D/B/A MIAMI CHRISTMAS LIGHTS)** whose address is 1167A NW 159 Drive, Miami, Florida 33169 (hereinafter the “Contractor”).

WHEREAS, on March 19, 2019, the Town issued Request for Proposals No. 2019-01 (“RFP”) to competitively procure the installation, maintenance, removal, cleaning, refurbishing, transport and storage of professionally-themed holiday decorations to be placed throughout the Town (the “Services”); and

WHEREAS, in response to the RFP, the Contractor submitted a proposal (“Proposal”), which is incorporated and attached hereto as Exhibit “A,” for the Services (as hereinafter defined) and was awarded a contract; and

WHEREAS, the Contractor’s Services will include the provision of holiday lights to assist the Town with promoting the Town to bring visitors to the Town to enjoy and patronize its hotels, restaurants, and other recreational activities; and

WHEREAS, the Contractor and Town, through mutual negotiation, have agreed upon the fees for the Services; and

WHEREAS, the Town desires to engage the Contractor to perform the Services as specified below.

NOW, THEREFORE, in consideration of the mutual covenants and conditions contained herein, the Contractor and the Town agree as follows:

1. **Scope of Services.**

1.1 Contractor shall provide the Services set forth in the proposal attached hereto as Exhibit “A” and incorporated herein by reference (hereinafter “Services”).

2. **Term/Commencement Date.**

2.1 This Agreement shall become effective upon the Effective Date and shall remain in effect for one (1) year, unless earlier terminated in accordance with Paragraph 8. This Agreement may be renewed upon mutual agreement of the parties for up to three, one-year terms. Contractor shall complete the

Services described herein in accordance with the schedule set forth in Exhibit "B."

- 2.2 Contractor agrees that time is of the essence and Contractor shall complete the Services within the term of this Agreement, unless extended by the Town Manager.

3. **Compensation and Payment.**

- 3.1 Compensation for Services provided by Contractor shall be in accordance with the proposal attached hereto as Exhibit "A."
- 3.2 Contractor shall deliver an invoice to Town no more often than once per month detailing Services completed and the amount due to Contractor under this Agreement. Fees shall be paid in arrears each month, pursuant to Contractor's invoice, which shall be based upon the percentage of work completed for each task invoiced. The Town shall pay the Contractor in accordance with the Florida Prompt Payment Act after approval and acceptance of the Services by the Town Manager.

4. **Subcontractors.**

- 4.1 The Contractor shall be responsible for all payments to any subcontractors and shall maintain responsibility for all work related to the Services.
- 4.2 Contractor may only utilize the services of a particular subcontractor with the prior written approval of the Town Manager, which approval shall be in Town Manager's sole and absolute discretion.

5. **Town's Responsibilities**

- 5.1 Town shall make available any maps, plans, existing studies, reports, staff and representatives, and other data pertinent to the Services and in possession of the Town, and provide criteria requested by Contractor to assist Contractor in performing the Services.
- 5.2 Upon Contractor's request, Town shall reasonably cooperate in arranging access to public information that may be required for Contractor to perform the Services.

6. **Contractor's Responsibilities**

- 6.1 The Contractor shall exercise the same degree of care, skill and diligence in the performance of the Services as is ordinarily provided by a Contractor under similar circumstances. If at any time during the term of this Agreement or within two (2) years from the completion of this Agreement,

it is determined that the Contractor's Services are incorrect, not properly rendered, defective, or fail to conform to Town requests, the Contractor shall at Contractor's sole expense, immediately correct its Services.

- 6.2 The Contractor hereby warrants and represents that at all times during the term of this Agreement it shall maintain in good standing all required licenses, certifications and permits required under Federal, State and local laws applicable to and necessary to perform the Services for Town as an independent contractor of the Town.

7. **Conflict of Interest.**

- 7.1 To avoid any conflict of interest or any appearance thereof, Contractor shall not, for the term of this Agreement, provide any consulting services to any private sector entities (developers, corporations, real estate investors, etc.), with any current, or foreseeable, adversarial issues in the Town.

8. **Termination.**

- 8.1 The Town Manager, without cause, may terminate this Agreement upon five (5) calendar days written notice to the Contractor, or immediately with cause.
- 8.2 Upon receipt of the Town's written notice of termination, Contractor shall immediately stop work on the project unless directed otherwise by the Town Manager.
- 8.3 In the event of termination by the Town, the Contractor shall be paid for all work accepted by the Town Manager up to the date of termination, provided that the Contractor has first complied with the provisions of Paragraph 8.4.
- 8.4 The Contractor shall transfer all books, records, reports, working drafts, documents, maps, and data pertaining to the Services and the project to the Town, in a hard copy and electronic format within fourteen (14) days from the date of the written notice of termination or the date of expiration of this Agreement.

9. **Insurance.**

- 9.1 Contractor shall secure and maintain throughout the duration of this agreement insurance of such types and in such amounts not less than those specified below as satisfactory to Town, naming the Town as an Additional Insured, underwritten by a firm rated A-X or better by A.M. Best and qualified to do business in the State of Florida. The insurance coverage shall be primary insurance with respect to the Town, its officials, employees, agents and volunteers naming the Town as additional insured. Any

insurance maintained by the Town shall be in excess of the Contractor's insurance and shall not contribute to the Contractor's insurance. The insurance coverages shall include at a minimum the amounts set forth in this section and may be increased by the Town as it deems necessary or prudent.

- a. Commercial General Liability coverage with limits of liability of not less than a \$1,000,000 per Occurrence combined single limit for Bodily Injury and Property Damage. This Liability Insurance shall also include Completed Operations and Product Liability coverages and eliminate the exclusion with respect to property under the care, custody and control of Contractor. The General Aggregate Liability limit and the Products/Completed Operations Liability Aggregate limit shall be in the amount of \$2,000,000 each.
- b. Workers Compensation and Employer's Liability insurance, to apply for all employees for statutory limits as required by applicable State and Federal laws. The policy(ies) must include Employer's Liability with minimum limits of \$1,000,000.00 each accident. No employee, subcontractor or agent of the Contractor shall be allowed to provide Services pursuant to this Agreement who is not covered by Worker's Compensation insurance.
- c. Business Automobile Liability with minimum limits of \$1,000,000 per Occurrence, combined single limit for Bodily Injury and Property Damage. Coverage must be afforded on a form no more restrictive than the latest edition of the Business Automobile Liability policy, without restrictive endorsements, as filed by the Insurance Service Office, and must include Owned, Hired, and Non-Owned Vehicles.
- d. Professional Liability Insurance in an amount of not less than One Million Dollars (\$1,000,000.00) per occurrence, single limit.

- 9.2 **Certificate of Insurance.** Certificates of Insurance shall be provided to the Town, reflecting the Town as an Additional Insured (except with respect to Professional Liability Insurance and Worker's Compensation Insurance), no later than ten (10) days after award of this Agreement and prior to the execution of this Agreement by Town and prior to commencing Services. Each certificate shall include no less than (30) thirty-day advance written notice to Town prior to cancellation, termination, or material alteration of said policies or insurance. The Contractor shall be responsible for assuring that the insurance certificates required by this Section remain in full force

and effect for the duration of this Agreement, including any extensions or renewals that may be granted by the Town. The Certificates of Insurance shall not only name the types of policy(ies) provided, but also shall refer specifically to this Agreement and shall state that such insurance is as required by this Agreement. The Town reserves the right to inspect and return a certified copy of such policies, upon written request by the Town. If a policy is due to expire prior to the completion of the Services, renewal Certificates of Insurance shall be furnished thirty (30) calendar days prior to the date of their policy expiration. Each policy certificate shall be endorsed with a provision that not less than thirty (30) calendar days' written notice shall be provided to the Town before any policy or coverage is cancelled or restricted. Acceptance of the Certificate(s) is subject to approval of the Town.

9.3 **Additional Insured.** Except with respect to Professional Liability Insurance and Worker's Compensation Insurance, the Town is to be specifically included as an Additional Insured for the liability of the Town resulting from Services performed by or on behalf of the Contractor in performance of this Agreement. The Contractor's insurance, including that applicable to the Town as an Additional Insured, shall apply on a primary basis and any other insurance maintained by the Town shall be in excess of and shall not contribute to the Contractor's insurance. The Contractor's insurance shall contain a severability of interest provision providing that, except with respect to the total limits of liability, the insurance shall apply to each Insured or Additional Insured (for applicable policies) in the same manner as if separate policies had been issued to each.

9.4 **Deductibles.** All deductibles or self-insured retentions must be declared to and be reasonably approved by the Town. The Contractor shall be responsible for the payment of any deductible or self-insured retentions in the event of any claim.

9.5 The provisions of this section shall survive termination of this Agreement.

10. **Nondiscrimination.**

10.1 During the term of this Agreement, Contractor shall not discriminate against any of its employees or applicants for employment because of their race, color, religion, sex, or national origin, and to abide by all Federal and State laws regarding nondiscrimination

11. **Attorneys' Fees and Waiver of Jury Trial.**

11.1 In the event of any litigation arising out of this Agreement, the prevailing party shall be entitled to recover its attorneys' fees and costs, including the fees and expenses of any paralegals, law clerks and legal assistants, and

including fees and expenses charged for representation at both the trial and appellate levels.

11.2 IN THE EVENT OF ANY LITIGATION ARISING OUT OF THIS AGREEMENT, EACH PARTY HEREBY KNOWINGLY, IRREVOCABLY, VOLUNTARILY AND INTENTIONALLY WAIVES ITS RIGHT TO TRIAL BY JURY.

12. **Indemnification.**

12.1 Contractor shall indemnify and hold harmless the Town, its officers, agents and employees, from and against any and all demands, claims, losses, suits, liabilities, causes of action, judgment or damages, arising from Contractor's performance or non-performance of any provision of this Agreement, including, but not limited to, liabilities arising from contracts between the Contractor and third parties made pursuant to this Agreement. Contractor shall reimburse the Town for all its expenses including reasonable attorneys' fees and costs incurred in and about the defense of any such claim or investigation and for any judgment or damages arising from Contractor's performance or non-performance of this Agreement.

12.2 The provisions of this section shall survive termination of this Agreement.

13. **Notices/Authorized Representatives.**

13.1 Any notices required by this Agreement shall be in writing and shall be deemed to have been properly given if transmitted by hand-delivery, by registered or certified mail with postage prepaid return receipt requested, or by a private postal service, addressed to the parties (or their successors) at the following addresses:

For the Town: Guillermo Olmedillo
 Town Manager
 Town of Surfside
 9293 Harding Avenue
 Surfside, FL 33154

With a copy to: Lillian Arango, Esq.
 Town Attorney
 Weiss Serota Helfman Cole & Bierman, P.A.
 2525 Ponce de Leon Blvd., Suite 700
 Coral Gables, FL 33134

For the Contractor: South Florida Lighting Team, LLC
 (d/b/a Miami Christmas Lights)
 1167A NW 159 Drive
 Miami, Florida 33169

Attn: Kurt Stange

14. **Governing Law and Venue.**

- 14.1 This Agreement shall be construed in accordance with and governed by the laws of the State of Florida. Venue for any proceedings arising out of this Agreement shall be in Miami-Dade County, Florida.

15. **Entire Agreement/Modification/Amendment.**

- 15.1 This writing contains the entire Agreement of the parties and supersedes any prior oral or written representations. No representations were made or relied upon by either party, other than those that are expressly set forth herein.
- 15.2 No agent, employee, or other representative of either party is empowered to modify or amend the terms of this Agreement, unless executed with the same formality as this document.
- 15.3 Contractor represents that is an entity validly existing and in good standing under the laws of Florida. The execution, delivery and performance of this Agreement by Contractor have been duly authorized, and this Agreement is binding on Contractor and enforceable against Contractor in accordance with its terms. No consent of any other person or entity to such execution, delivery and performance is required.

16. **Ownership and Access to Records and Audits.**

- 16.1 Contractor acknowledges that all inventions, innovations, improvements, developments, methods, designs, analyses, drawings, reports, compiled information, and all similar or related information (whether patentable or not) which relate to Services to the Town which are conceived, developed or made by Contractor during the term of this Agreement (“Work Product”) belong to the Town. Contractor shall promptly disclose such Work Product to the Town and perform all actions reasonably requested by the Town (whether during or after the term of this Agreement) to establish and confirm such ownership (including, without limitation, assignments, powers of attorney and other instruments).
- 16.2 Contractor agrees to keep and maintain public records in Contractor’s possession or control in connection with Contractor’s performance under this Agreement. Contractor additionally agrees to comply specifically with the provisions of Section 119.0701, Florida Statutes. Contractor shall ensure that public records that are exempt or confidential and exempt from public records disclosure requirements are not disclosed, except as authorized by law, for the duration of the Agreement, and following completion of the Agreement until the records are transferred to the Town.

- 16.3 Upon request from the Town's custodian of public records, Contractor shall provide the Town with a copy of the requested records or allow the records to be inspected or copied within a reasonable time at a cost that does not exceed the cost provided by Chapter 119, Florida Statutes, or as otherwise provided by law.
- 16.4 Unless otherwise provided by law, any and all records, including but not limited to reports, surveys, and other data and documents provided or created in connection with this Agreement are and shall remain the property of the Town.
- 16.5 Upon completion of this Agreement or in the event of termination by either party, any and all public records relating to the Agreement in the possession of the Contractor shall be delivered by the Contractor to the Town Manager, at no cost to the Town, within seven (7) days. All such records stored electronically by Contractor shall be delivered to the Town in a format that is compatible with the Town's information technology systems. Once the public records have been delivered upon completion or termination of this Agreement, the Contractor shall destroy any and all duplicate public records that are exempt or confidential and exempt from public records disclosure requirements.
- 16.6 Any compensation due to Contractor shall be withheld until all records are received as provided herein.
- 16.7 Contractor's failure or refusal to comply with the provisions of this section shall result in the immediate termination of this Agreement by the Town.

**NOTICE PURSUANT TO SECTION 119.0701(2)(a),
FLORIDA STATUTES**

IF THE CONTRACTOR HAS QUESTIONS REGARDING THE APPLICATION OF CHAPTER 119, FLORIDA STATUTES, TO THE CONTRACTOR'S DUTY TO PROVIDE PUBLIC RECORDS RELATING TO THIS CONTRACT, CONTACT THE CUSTODIAN OF PUBLIC RECORDS: SANDRA NOVOA, MMC, 9293 HARDING AVENUE, SURFSIDE, FLORIDA 33154, TELEPHONE NUMBER: 305-861-4863, EMAIL: SNOVOA@TOWNOFSURFSIDEFL.GOV.

17. **Nonassignability.**

17.1 This Agreement shall not be assignable by Contractor unless such assignment is first approved by the Town Manager. The Town is relying upon the apparent qualifications and expertise of the Contractor, and such firm's familiarity with the Town's area, circumstances and desires.

18. **Severability.**

18.1 If any term or provision of this Agreement shall to any extent be held invalid or unenforceable, the remainder of this Agreement shall not be affected thereby, and each remaining term and provision of this Agreement shall be valid and be enforceable to the fullest extent permitted by law.

19. **Independent Contractor.**

19.1 The Contractor and its employees, volunteers and agents shall be and remain an independent contractor and not an agent or employee of the Town with respect to all of the acts and services performed by and under the terms of this Agreement. This Agreement shall not in any way be construed to create a partnership, association or any other kind of joint undertaking, enterprise or venture between the parties.

20. **Compliance with Laws.**

20.1 The Contractor shall comply with all applicable laws, ordinances, rules, regulations, and lawful orders of public authorities in carrying out Services under this Agreement, and in particular shall obtain all required permits from all jurisdictional agencies to perform the Services under this Agreement at its own expense.

21. **Waiver**

21.1 The failure of either party to this Agreement to object to or to take affirmative action with respect to any conduct of the other which is in violation of the terms of this Agreement shall not be construed as a waiver of the violation or breach, or of any future violation, breach or wrongful conduct.

22. **Survival of Provisions**

22.1 Any terms or conditions of either this Agreement that require acts beyond the date of the term of the Agreement, shall survive termination of the Agreement, shall remain in full force and effect unless and until the terms or conditions are completed and shall be fully enforceable by either party.

23. **Prohibition of Contingency Fees.**

23.1 The Contractor warrants that it has not employed or retained any company or person, other than a bona fide employee working solely for the Contractor, to solicit or secure this Agreement, and that it has not paid or agreed to pay any person(s), company, corporation, individual or firm, other than a bona fide employee working solely for the Contractor, any fee, commission, percentage, gift, or any other consideration, contingent upon or resulting from the award or making of this Agreement.

24. **Public Entity Crimes Affidavit**

24.1 Contractor shall comply with Section 287.133, Florida Statutes (Public Entity Crimes Statute), notification of which is hereby incorporated herein by reference, including execution of any required affidavit.

25. **Counterparts**

25.1 This Agreement may be executed in several counterparts, each of which shall be deemed an original and such counterparts shall constitute one and the same instrument.

26. **Background Checks**

26.1 The Contractor will be responsible for maintaining current background checks on all employees and subcontractor employees involved in the performance of the Services. Background checks must be performed prior to the performance of any Services by the employee under this Agreement. Written verification of any background checks must be provided to the Town at the request of the Town Manager.

27. **Termination Due To Lack of Funds.**

27.1 This Agreement is subject to the condition precedents that: (i) Town funds are available, appropriated, and budgeted for the Services; (ii) the Town secures and obtains any necessary proceeds, grants or loans for the accomplishment of the Services pursuant to any borrowing legislation adopted by the Town Commission relative to the Services; and (iii) Town Commission enacts legislation or other necessary Resolutions, which award and authorize the execution of this Agreement.

28. **Non-Exclusive Agreement**

28.1 The Town reserves the right to procure or acquire similar services from another provider while this Agreement is in full force and effect.

[THIS SPACE INTENTIONALLY LEFT BLANK. SIGNATURE PAGES FOLLOW.]

IN WITNESS WHEREOF the parties hereto have executed this Agreement as of the date written below their signatures.

FOR THE CONTRACTOR:

**SOUTH FLORIDA LIGHTING TEAM, LLC
(D/B/A MIAMI CHRISTMAS LIGHTS)**

By: _____

Name: _____

Title: _____

Date Executed: _____

IN WITNESS WHEREOF the parties hereto have executed this Agreement on the day and date first above written.

FOR THE TOWN:

**TOWN OF SURFSIDE,
a Florida municipal corporation**

By: _____
Guillermo Olmedillo
Town Manager

Date Executed: _____

Attest:

By: _____
Sandra Novoa, MMC
Town Clerk

Approved as to Form and Legal Sufficiency:

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

EXHIBIT “A”
SCOPE OF SERVICES

The Scope of Services are those contained in the Contractor’s proposal, attached hereto and incorporated herein by reference.



Miami Christmas Lights
1330 West Ave - Suite 2012
Miami Beach, FL 33139

Ph: 305.432.2225
info@miamichristmaslights.com
miamichristmaslights.com

Customer Information

Town of Surfside
Lindsay Fast
9293 Harding Ave
Surfside, FL 33154
Ph: 305-864-0722
Em: lfast@townofsurfsidefl.gov
Budget: \$ 80,000.00

Proposal Information

Estimate #: 19 -118
Proposal Date: 06/19/2019
Decision Date: 04/23/2019
Desired Install Date:
Desired Removal Date:
Contract Expire Date: 2021
Deposit Method:

Item	Qty	Price	Total
Wrap 77 Medjool palms along Harding ave from 96th t to 94ths and at Veterans Park. Wrap an additional 54 trees along Harding Ave.	1	\$ 38,000.00	\$ 38,000.00
Wrap top 18" of 77 Medjool palms with intense Warm White LED "crown" of lights along Harding ave from 96th t to 94ths and at Veterans Park.	77	\$ 300.00	\$ 23,100.00
Decorate 4 monuments with elegant, art decor inspired illuminated sign enhancer.	4	\$ 3,750.00	\$ 15,000.00
Decorate 8 pocket parks with elegantly illuminated acrylic spheres complimented with twinkle lights through the ground foliage of the park.	64	\$ 150.00	\$ 9,600.00
Sub Total			\$ 85,700.00
- Discount			\$ 0.00
Adjustment			\$ 0.00
Grand Total			\$ 85,700.00
DEPOSIT AMOUNT DUE			\$ 42,850.00

Prices include all materials, which are supplied by Miami Christmas Lights and remain the property of Miami Christmas Lights, installation, maintenance, and removal. Customer is only responsible to supply adequate power sources. If Customer is providing any materials, that will be noted in the Notes section.

Notes**Power**

Outlet Location:
Circuit Breaker Location:
Integrated Timers: Yes Timer Hours: N/A
Other Notes: TBD

Insurance

Miami Christmas Lights carries \$3,000,000/\$4,000,000 commercial liability and \$1,000,000 workers compensation insurance. For copies of either policy, please ask your sales representative.

Terms and Conditions

By my signature below, I certify that I have read and agree to the provisions set forth in this invoice and to the Miami Christmas Lights Standard Terms and Conditions posted at www.miamichristmaslights.com/termsandconditions.pdf which are incorporated by reference herein. **A deposit of 50% of the total estimate is required to reserve the installation time slot. Miami Christmas Lights will not begin any work until deposit is received. Agreement expires after 2021 season.**

Name: _____ Signature: _____
Date: _____





Renderings are concept only. Actual production may deviate from art

Qty: 8 pieces per park

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**EXHIBIT “B”
SCHEDULE**



9/16/2019 – 9/20/2019: Installation of Lights and Crowns on Trees lining Harding Avenue

11/11/19-11/12/19: Installation of Décor in Pocket Parks along Harding Avenue

11/15/19: Lighting of Trees


Week of 03/23/20: Removal of all Lighting and Décor



MEMORANDUM

ITEM NO. 3I

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

From: Guillermo Olmedillo, Town Manager 

Date: July 9, 2019

Subject: Nurse Enhancement Initiative for School Year 2019/2020

The City of Miami Beach's Organization Development Performance Initiatives has provided a utilization report to the Town Commission on the Nurse Enhancement Initiative at Ruth K Broad K-8 Center (Attachment A). This initiative is the result of Surfside joining neighboring communities and providing annual financial support.

Surfside would again be joining the neighboring communities of Miami Beach, North Bay Village, Bay Harbor Islands and Bal Harbour, as well as the Miami Beach Chamber Education Foundation, in support of this program that benefits the students. This service is being continued at twice a week for the 2019/2020 school year.

As some of the funding was not used in 2018/2019, as outlined in the accompanying Memorandum of Understanding, a total of \$4,298.22 will be included in the Fiscal Year 2019/2020 budget for this initiative.

There will be no impact to staff.

The attached resolution authorizes the execution of the Memorandum of Understanding, with an Amendment 2, for the continuation of expanded participation in the Nurse Enhancement Initiative for school year 2019/2020 in the amount of \$4,298.22

Reviewed by

Prepared by 

MIAMI BEACH

OFFICE OF THE CITY MANAGER
NO. LTC # **294-2019**

LETTER TO COMMISSION

TO: Mayor Dan Gelber and Members of the City Commission

FROM: Jimmy L. Morales, City Manager

DATE: May 16, 2019

SUBJECT: Nurse Enhancement Initiative Behavioral Health Services Aggregate Summary Report

Key Metrics:

- # of students served in 2018-19: 2,105
- Average percent increase from prior year: 49%
- # of psychosocial services provided in 2018-19: 5,426
- Average increase from prior year: 65%

Please find attached aggregate summary report for the municipal funded Nurse Enhancement Initiative for Behavioral Health/Mental Health youth support services from August 2018 through April 2019 for North Beach Elementary, South Pointe Elementary, Fienberg Fisher K-8 Center, Biscayne Elementary, Treasure Island Elementary, Ruth K. Broad Bay Harbor K-8 Center, Nautilus Middle School, and Miami Beach Senior High School. For the 2016-17 school years, the initiative was enhanced to include behavioral health services (mental health services) to three (3) schools in the feeder pattern and was further expanded in the 2017-18 school year to an additional five (5) Miami Beach public schools.

Overall, 2,105 youth have received support services in the 2018-19 school year from the Licensed Clinical Social Worker (Social Worker) in all Miami Beach feeder public schools for 5,426 psychosocial issues an increase of 49% and 65%, respectively. The chart below shows the utilization of students by school and number of psychosocial services provided to date:

Behavioral Health Services Summary Report 8/21/2018 - 4/30/2019						
School	# of Students 2017-18	# of Students 2018-19	% Change	# of Psychosocial Services Provided 2017-18	# of Psychosocial Services Provided 2018-19	% Change
Treasure Island Elementary School	52	174	235%	293	362	24%
South Pointe Elementary School	115	303	163%	197	465	136%
North Beach Elementary School	126	254	102%	439	398	-9%
Biscayne Elementary School	111	176	59%	428	868	103%
Ruth K. Broad K-8 Center	84	85	1%	124	196	58%
Fienberg Fisher K-8 Center	277	216	-22%	381	482	27%
Nautilus Middle School	474	582	23%	1150	1934	68%
Miami Beach Senior High School	177	315	78%	284	721	154%
Total	1,416	2,105	49%	3,296	5,426	65%

The enhanced behavioral services include on-site access to a licensed clinical social worker to provide services including, but not limited to, the following:

- o Academic Issues
- o Attention Issues
- o Anger Management
- o Anxiety
- o Attention Issues
- o Disruptive Behavior
- o Depression
- o Stress Management
- o Family Issues
- o Growth Development

Below is the Social Worker schedule providing days of service for each feeder public school:

Social Worker	Title	Monday	Tuesday	Wednesday	Thursday	Friday
SW5(Veronica Delgado)	MSW	Miami Beach Senior High	Ruth K. Broad K-8	Miami Beach Senior High	Ruth K. Broad K-8	BMC
SW1(Gabriel Lamas)	MSW	Fienberg Fisher K-8 Center	Miami Beach Senior High	Fienberg K-8 Center	Miami Beach Senior High	Fienberg Fisher K-8 Center
SW2(Tamar Oppenheimer)	LCSW	Nautilus Middle School	Biscayne Elementary	Nautilus Middle School	Nautilus Middle School	Biscayne Elementary
SW3(Jame Patrick Moore)	MSW	South Pointe Elementary	Treasure Island Elementary	South Pointe Elementary	North Beach Elementary	North Beach Elementary

Each school receives support through this initiative for the indicated number of days per week during the 2018-19 school year: Treasure Island Elementary one (1) day per week, North Beach Elementary two (2) days per week, Biscayne Elementary two (2) days per week, Ruth K. Broad K-8 Center two (2) days per week, South Pointe Elementary two (2) days per week, Fienberg Fisher K-8 Center three (3) days per week, Nautilus Middle School three (3) days per week, and Miami Beach Senior High School four (4) days per week.

Please contact me with any questions. Updates will be provided as information becomes available.

Attachments



MT/KGB/LDR

C: Executive Staff

Dr. Leslie Rosenfeld, Chief Learning Development Officer

Aggregate Summary Report
Encounters from 8/21/2018 through 4/30/2019

Social Worker Visit	
Social Worker Services	Total
Adaptive Behavior Assessment with Parent	31
Class Observation	185
Counseling - Crisis	24
Counseling - Family	153
Counseling - Group	28
Counseling - Post Crisis	48
Counseling - Student/Individual	1512
Depression Screening	5
Depression Screening Follow-Up	1
Home Visit Attempted - Complete	15
IEP/Staffing Team Meeting	3
Mental Health Screening	0
Prevention Program - Family	0
Prevention Program - Group	0
Prevention Program - Student/Individual	1
Psychosocial/Behavioral Assessment	3
School Support Team Meeting	56
Social History - In Development	9
Student Initial Background Screening	15
Student Services Team Meeting	15
Truancy Study Team Meeting	1
Total	2105
Psychosocial Problem	Total
Academic Issues	430
Aggression/Violence	60
Alcohol Usage	1
Anger Management	413
Anxiety	465
Attendance/Truancy	71
Attention Issues	370
Bereavement Issues	60
Bullying/Harrassment	89
Chronic Medical Problems	21
Crisis Intervention	16
Dating Issues	23
Depression	300
Disruptive Behavior	258

Aggregate Summary Report

Encounters from 8/21/2018 through 4/30/2019

Domestic Violence	31
Eating Disorder	2
Economic Issues/Basic Needs	58
Family Issues	517
Growth & Development	508
Healthy Lifestyle	149
Homelessness	5
Housing Issues	2
Identity Issues	3
Legal Issues	12
Neglect	37
Oppositional Defiant Behavior	51
Peer Issues	360
Personal Hygiene	13
Physical Abuse	14
Safety	101
Self Esteem	191
Sexual Abuse	12
Sexual Activity/Teen Pregnancy	3
Sleep Disorder	2
Somatic	7
Stress Management	730
Substance Abuse	15
Suicidal Ideation	24
Tobacco	2
Total	5426

Outcome Disposition

	Total
Ambulance/911/Emergency Called	2
Returned to Class	1742
Sent Home	21
Transported to ER	0
Total	1765

Referred To

	Total
Abuse Registry	8
Alternative Programs	6
Crisis Stabilization	5
Dental Care	0
Domestic Violence	0
Extracurricular Activities	5

Aggregate Summary Report

Encounters from 8/21/2018 through 4/30/2019

Guidance Counselor	150
Healthy Start	8
Homeless Assistance	3
Insurance Enrollment	0
MDCPS Region/District Office	0
Medical Provider	8
Mental Health Counseling	27
New Medical Provider	0
No Referral Needed	1510
School Administration	28
School Nurse	3
School Police	8
School Psychologist	3
School Speech Pathologist	0
Social Work Services	13
Substance Abuse Counseling	1
TRUST Specialist	0
Vision	2
Total	1788

Non-Visit Activities

SW Activities	Total
Adaptive Behavior Assessment - Scoring	1
Behavior Assessments	0
Consult with External Mental Health	24
Consult with MD/Other Provider	9
Consult with Parent/Caregiver	215
Consult with School Staff	369
Home Visit Attempted-Complete	0
Home Visit Attempted-Incomplete	4
Kidcare Application	0
Other	36
Public Assistance	1
SW-Parent Letter	0
SW-Social History	15
SW-Student Services Intervention Plan	0
SW-Truancy Screening	1
Truancy Packet Completion	0
Total	675

RESOLUTION NO. 2019- _____

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA APPROVING AMENDMENT NO. 2 TO THE MEMORANDUM OF UNDERSTANDING (MOU) BETWEEN THE TOWN OF SURFSIDE, THE CITY OF MIAMI BEACH, NORTH BAY VILLAGE, TOWN OF BAY HARBOR ISLANDS, BAL HARBOUR VILLAGE, AND THE MIAMI BEACH CHAMBER EDUCATION FOUNDATION, INC. TO FUND A NURSE ENHANCEMENT INITIATIVE FOR SCHOOL YEAR 2019/2020 FOR RUTH K. BROAD BAY HARBOR K-8 CENTER; PROVIDING FOR AUTHORIZATION AND IMPLEMENTATION OF THE AMENDMENT TO THE MOU; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town of Surfside (“Town”) entered into a Memorandum of Understanding (“MOU”) with neighboring municipalities, City of Miami Beach, North Bay Village, Town of Bay Harbor Islands and Bal Harbour Village (“Participating Municipalities”), and the Miami Beach Chamber Education Foundation, Inc. (“MBCEF”), to fund and implement a nurse initiative for the Ruth K. Broad Bay Harbor K-8 Center; and

WHEREAS, the MOU provides that each Participating Municipalities will provide its proportionate share of funds for the Nurse Enhancement Initiative; and

WHEREAS, the MOU was amended by Amendment No. 1 to the MOU executed on December 24, 2018 to extend the Nurse Enhancement Initiative for FY 2018/2019 and set forth each Participating Municipalities proportionate share of contributing funds; and

WHEREAS, the parties wish to further amend the MOU in order to provide the Participating Municipalities’ proportionate share of funds for 2019/2020, with the Town required to contribute \$4,298.22, as set forth in Amendment No. 2 to the MOU attached hereto as Exhibit “A” (“Amendment”); and

WHEREAS, the Town Commission finds that the Amendment is in the best interest and welfare of the Town and its residents and wishes to approve the Amendment in substantially the form attached hereto as Exhibit “A.”

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 of Amendment to MOU; Authorization.** The Amendment between the Town, Participating Municipalities and MBCEF, substantially in the form attached hereto as Exhibit "A", is hereby approved. The Town Commission authorizes the Town Manager to execute the Amendment on behalf of the Town, together with such changes as may be approved by the Town Manager and Town Attorney as to form and legal sufficiency.

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

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

PASSED AND ADOPTED this 9th day of July, 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

**AMENDMENT NO. 2
TO THE MEMORANDUM OF UNDERSTANDING
BETWEEN
THE CITY OF MIAMI BEACH, NORTH BAY VILLAGE, THE TOWN OF BAY HARBOR
ISLANDS, THE TOWN OF SURFSIDE, BAL HARBOUR VILLAGE, AND
THE MIAMI BEACH CHAMBER EDUCATION FOUNDATION, INC TO IMPLEMENT A
NURSE ENHANCEMENT INITIATIVE FOR SCHOOL YEAR 2019/2020**

Amendment No. 2 ("**Amendment**") is made and entered into this ____ day of _____, 2019, by and between the **City of Miami Beach, Florida**, a municipal corporation organized and existing under the laws of the State of Florida, having its principal place of business at 1700 Convention Center Drive, Miami Beach, Florida 33139 ("**CITY**"), **North Bay Village ("NBV")**, the **Town of Bay Harbor Islands ("TBHI")**, the **Town of Surfside ("TS")**, **Bal Harbour Village ("BHV")**, and the **Miami Beach Chamber Education Foundation, Inc. ("MBCEF")** (collectively, the "**Parties**") to amend the Memorandum of Understanding entered into on May 17, 2018 ("**MOU**"), as amended by Amendment No. 1 to the MOU, dated December 24, 2018 (collectively, the "**MOU**"), as follows:

RECITALS

WHEREAS, the Parties have determined that a program to provide healthcare services to students attending underserved public schools is in the best interests of the health and public welfare of the City of Miami Beach, North Bay Village, the Town of Bay Harbor Islands, the Town of Surfside, and Bal Harbour Village (the "**Participating Municipalities**"); and

WHEREAS, following the Parties' determination that students at North Beach Elementary, Treasure Island Elementary, and Ruth K. Broad Bay Harbor K-8 Center (the "**Participating Schools**") did not have full-time on-site healthcare services and were, thus, underserved as compared to other public schools in the feeder pattern that falls within the City of Miami Beach, the Parties entered into a Memorandum of Understanding on August 19, 2013 for a Nurse Initiative, and another Memorandum of Understanding on April 23, 2014, to provide healthcare services to the **Participating Schools** during the 2013/2014 and the 2014/2015 School Years; and

WHEREAS, due to the success of Nurse Initiative during the 2013/2014 and 2014/2015 School Years, the Parties implemented an enhanced nurse initiative ("Nurse Enhancement Initiative") for the 2015/2016, 2016/2017, and the 2017/2018 School Years for the **Participating Schools** because the basic healthcare services previously funded in the Nurse Initiative by the **Participating Municipalities**, the **MBCEF**, and the Children's Trust, were provided by the Children's Trust via the new School Health Programs; and

WHEREAS, the Parties executed Amendment No. 1 to the MOU, dated December 24, 2018, extending the Nurse Enhancement Initiative for the Participating

Schools for the 2018-2019 School Year and adding an additional day of service at Ruth K Broad Bay Harbor K-8 Center; and

WHEREAS, the Nurse Enhancement Initiative established at the **Participating Schools** for the previous School Years was a success and the Parties wish to continue the Nurse Enhancement Initiative for the 2019/2020 School Year; and

WHEREAS, at the end of the 2018-2019 School Year, the Participating Municipalities unused program funds had the following:

- i) TBHI \$5,473.05
- ii) TS \$5,473.02
- iii) BHV \$5,473.02
- iv) NBV \$2,002.72
- v) CMB \$4,673.00; and

WHEREAS, the Participating Municipalities hereby agree to apply said unused funds for use from August 5th, 2019 to September 30th, 2019 for 9 weeks of service at each Participating School in the following amounts:

- i) TBHI \$1,659.27
- ii) TS \$1,659.27
- iii) BHV \$1,659.27
- iv) NBV \$1,350.00
- v) CMB \$3,150.00
 - a. \$900.00 for Treasure Island
 - b. \$2,250.00 for North Beach Elementary; and

WHEREAS, pursuant to paragraph 7 of the **MOU**, unused funds shall be used to offset the contribution of the Parties for the 2019-2020 School Year in the following amounts:

- i) TBHI \$3,813.78
- ii) TS \$3,813.78
- iii) BHV \$3,813.78
- iv) NBV \$652.72
- v) CMB \$1,523.00; and

WHEREAS, **MBCEF** shall provide funding to **TCT** for the 2019-2020 Nurse Enhancement Initiative in the amount of \$7,000.00; and

WHEREAS, the Parties wish to amend the Agreement by extending the term to include the months of August and September, 2020; and

WHEREAS, a Nurse Enhancement Initiative should be established at the Participating Schools for School Year 2019/2020 as herein provided and pursuant to a separate agreement to be entered into between **MBCEF** and **TCT**.

NOW, THEREFORE, in consideration of the mutual conditions and promises contained herein, the Parties agree to amend the **MOU** as follows:

1. ABOVE RECITALS.

The above recitals are true and correct and are incorporated as part of this Amendment.

2. MODIFICATIONS.

Paragraph 3 of the **MOU** is hereby deleted in its entirety and replaced with the following:

3. On or before October 31, 2019 the **Participating Municipalities** shall provide their proportionate share of funds for the 2019/2020 Nurse Enhancement Initiative to **MBCEF**, subject to budget approval by the **Participating Municipalities**, which funds **MBCEF** shall hold in escrow pending the execution of its agreement with **TCT** referenced in paragraph 1. The **Participating Municipalities** proportionate remaining share of funding for the 2019/2020 School Year shall be paid by October 31, 2019 in the following amounts for 44 weeks from October 1st, 2019 to June 5th, 2020, and August 1st, 2020 to September 30th, 2020:

- i) **CMB** shall provide funding in the amount of \$13,887.00;
- ii) **NBV** shall provide funding in the amount of \$5,947.28;
- iii) **TBHI** shall provide funding in the amount of \$4,298.22 for 2 days of service at Ruth K. Broad Bay Harbor K-8 Center;
- iv) **TS** shall provide funding in the amount of \$4,298.22 for 2 days of service at Ruth K. Broad Bay Harbor K-8 Center; and
- v) **BHV** shall provide funding in the amount of \$4,298.22 for 2 days of service at Ruth K. Broad Bay Harbor K-8 Center.

4. RATIFICATION.

Except as amended herein, all other terms and conditions of the **MOU** shall remain in full force and effect. In the event there is a conflict between the provisions of this **Amendment** and the **MOU**, the provisions of this **Amendment** shall govern.

IN WITNESS THEREOF, the Parties hereto have executed by their respective and duly authorized officers the day and year first above written.

ATTEST:

CITY OF MIAMI BEACH, a Municipal
Corporation of the State of Florida

By: _____
Rafael E. Granado, City Clerk

By: _____
Jimmy L. Morales, City Manager

APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION

R. L. O. S. 6/10/19
City Attorney JM Date

ATTEST:

**NORTH BAY VILLAGE, a Municipal
Corporation of the State of Florida**

By: _____
Village Clerk

By: _____
Village Manager

Approved as to form and
Legal sufficiency

ATTEST:

TOWN OF BAY HARBOR ISLANDS, a Municipal
Corporation of the State of Florida

By: _____
Town Clerk

By: _____
Mayor/Town Manager

Approved as to form and
Legal sufficiency

ATTEST:

**TOWN OF SURFSIDE, a Municipal
Corporation of the State of Florida**

By: _____
Town Clerk

By: _____
Mayor/Town Manager

Approved as to form and
Legal sufficiency

ATTEST:

BAL HARBOUR VILLAGE, a Municipal
Corporation of the State of Florida

By: _____
Village Clerk

By: _____
Mayor/Village Manager

Approved as to form and
Legal sufficiency

ATTEST:

**MIAMI BEACH CHAMBER EDUCATION
FOUNDATION**

By: _____

By: _____

Approved as to form and
Legal sufficiency



MEMORANDUM

ITEM NO. 4A1

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

From: Lillian M. Arango and Haydee Sera, Town Attorney

Date: July 9, 2019

Subject: Ordinance Amending Section 34-11, "Prohibition on Distribution, Sale or Use of Plastic Straws," by Amending the Title to be "Prohibition on Distribution, Sale or Use of Single-Use Plastics," Providing for Definitions for Single-Use Plastics, and Regulating Single-Use Plastics

Background

On March 13, 2018, the Town Commission adopted Ordinance No. 2018-1676 creating Section 34-11 of the Town Code of Ordinances ("Code") to provide a prohibition on the distribution, sale, or use of plastic straws. On December 11, 2018, the Town Commission adopted Ordinance No. 2018-1690 amending Section 34-11 of the Town Code by clarifying the definition of plastic straws to include plastic stirrers and to specifically define what is not considered a plastic straw.

At the May 14, 2019 Commission meeting, after discussion and consideration of other communities' efforts to protect the environment by regulating single-use plastics and recognition of the effects of single-use plastics on the Town's environment, the Commission directed the Town Attorney to prepare an Ordinance prohibiting the distribution, sale or use of other single-use plastics such as plastic bags and plastic flatware and dinnerware.

On June 11, 2019, the Commission considered the proposed Ordinance on first reading.

Analysis

Research shows that the small size and disposable nature of single-use plastics, including single-use plastic straws, single-use plastic bags, and single-use plastic flatware and dinnerware causes these items to become an environmental blight for coastal communities worldwide. The Town continues to encounter discarded plastic items on the Town's beaches, waterways, and streets, as a result of the improper disposal of these single-use plastic items.

As a result of increasing awareness of this issue, several U.S. cities have been addressing this concern, developing campaigns and policies to ban the use of plastic items, particularly straws and bags. Locally, several cities have a ban on plastic straws, including the City of Miami Beach, the City of Coral Gables, and the Village of Pinecrest. In addition, the City of Coral Gables has a ban on plastic bags, which was upheld by a trial court. Although this ruling is currently on appeal in the Third District Court of Appeal and was argued in December 2017, no opinion has been released yet. (Further information about the Coral Gables case is below).

The proposed ordinance prohibits the distribution, sale, or use of Single-Use Plastics (which include Single Use Plastic Bags, Single-Use Plastic Flatware and Dinnerware, and Single-Use Plastic Straws) by or in any commercial establishment, Town Facility, or Town Property or by any Special Event Permittee. Single-Use Plastics, as defined in the Ordinance, include:

- **Single-Use Plastic Bag** means a bag provided by a company or individual to a customer of a Commercial Establishment, typically at the point of sale, for the purpose of transporting purchases, which is made predominantly of plastic derived from one or more of the following: petroleum, a biologically-based source (such as corn or other plants), or polystyrene, polypropylene, or polyethylene. This definition includes bags provided to a customer to transport items provided free of charge, including but not limited to, samples and informational materials.
 - The following shall not be interpreted to be “Single-Use Plastic Bags”:
 - A Compostable Carryout Bag;
 - Any bag without handles provided to a customer;
 - Any bag to protect food or merchandise from being damaged or contaminated by other food or merchandise, when items are placed together in a reusable bag or recyclable bag, including produce bags;
 - Any bag to hold prescription medications dispensed from a pharmacy or veterinary office;
 - Any bag designed to be placed over articles of clothing on a hanger, including dry cleaning bags;
 - Door hanger bags;
 - Newspaper bags;
 - Garbage bags;
 - Pet waste bags;
 - Yard waste bags; and
 - Bags of any type that a customer previously owned and brings to a Commercial Establishment for his or her own use in carrying away store goods.
- **Single-Use Plastic Flatware and Dinnerware** means eating and serving utensils and plates, bowls, cups, and glasses provided by a company or

individual to a customer of a Commercial Establishment, typically at the point of sale, made predominantly of plastic derived from one or more of the following: petroleum, a biologically-based source (such as corn or other plants), or polystyrene, polypropylene, or polyethylene. Single-Use Plastic Flatware and Dinnerware does not include flatware and dinnerware made of non-plastic materials, such as paper, sugar cane, bamboo, or other similar materials.

- **Single-Use Plastic Straw** means a straw or stirrer provided, sold, or distributed for the purpose of imbibing liquids or transferring a beverage from its container to the mouth of the drinker by suction or for the purpose of mixing a beverage, provided by a company or individual to a customer of a Commercial Establishment, typically at the point of sale, which is made predominantly of plastic derived from one or more of the following: petroleum, a biologically-based source (such as corn or other plants), or polystyrene, polypropylene, or polyethylene, and which is intended for a single-use. A Plastic Straw does not include a straw that is made of non-plastic materials, such as paper, sugar cane, bamboo, or other similar materials.

There are limited exceptions to the prohibition on Single-Use Plastics. An exception has been added to provide that the prohibition on Single-Use Plastics does not apply where a reasonable accommodation is needed by an individual due to religious beliefs. The exceptions provided for in the ordinance prohibiting Single-Use Plastics Straws remain. One exception was for pre-packaged drinks sold at commercial establishments (e.g., a Capri Sun juice pack). The other exceptions were to exempt medical and dental facilities from the prohibition, as well as the school district, county, state, and federal governmental entities. The exception for individuals due to medical or physical conditions also remains.

Between final adoption and December 31, 2019, the Town will engage in a public education campaign to inform commercial establishments of the provisions of the ordinance and to provide assistance with identifying alternatives to single-use plastics. For the sixty-day period from January 1, 2020 through February 29, 2020, the Town will provide warnings for violations of the ordinance. Beginning March 1, 2020, the Town will enforce all provisions of the prohibition on Single-Use Plastics. The Town will continue to enforce the provisions related to Single-Use Plastic Straws as it has been doing since adoption of Ordinance Nos. 2018-1676 and 2018-1690 (as previously codified in Section 34-11).

Assuming the Town Commission adopts the ordinance on second reading, a resolution to provide the fines for violation of the ordinance will be presented to the Commission at the July, 2019 meeting.

Legal Considerations

The City of Coral Gables is a party to a lawsuit with the State of Florida, the Florida Retail Federation, Inc., and Super Progreso (Miami-Dade Case No.: 2016-18370-CA-01) which directly confronts the constitutionality of Section 403.7033, Florida Statutes, as it relates

to plastic bags. On February 27, 2017, the trial court entered an order in *Florida Retail Federation, Inc. and Super Progreso, Inc. v. City of Coral Gables*, finding Sections 403.708(9) and 403.7033, Florida Statutes, relating to plastic bags and packaging unconstitutional. In light of the trial court's decision and despite an appeal by the State of Florida of the trial court's order (Third District Case No.: 3D17-562), the City of Coral Gables Commission adopted Ordinance No. 2017-13 on May 9, 2017. The ordinance prohibits the use of single-use carry out plastic bags at special events and prohibits the sale, use, or distribution of single-use carry out plastic bags by retail establishments within the City. The trial court's decision is currently under consideration by the Third District Court of Appeal, which heard oral argument on December 15, 2017. The appellate court has not rendered a decision on the matter. Opinions are released each Wednesday.

The validity of this Ordinance or parts thereof may depend on the outcome of the Coral Gables litigation.

CONCLUSION

The proposed Ordinance prohibits the use, sale or distribution of single-use plastics in any Commercial Establishment, and the use, sale, or distribution of single-use plastics at Town Facilities or on Town Property (including the beach). With respect to Town Facilities and Town Property, the proposed Ordinance is broader than the Ordinance adopted by Bal Harbour Village. Bal Harbour's Ordinance prohibits the use, sale or distribution of Single-Use Plastics as part of a Village-approved activity or event, whether private or public, in any Village Facility or Village Property.

Budget Impact

Unknown at this time. Use of Code Enforcement and other staff time and resources will be necessary in connection with an education campaign and enforcement.

Programming

Implementation and enforcement of the plastic straw prohibition commenced with the adoption of the original ordinance in March, 2018 and is ongoing. Town Administration and Code Enforcement will continue educational and enforcement efforts of the amended Ordinance and enforcement of the plastic straw prohibition will continue. Enforcement of all other Single-Use Plastics will begin March 1, 2020, after the Town has conducted an educational campaign and conducted a 60-day warning period from January 1, 2020 to February 29, 2020.

Commission direction

Staff recommends the Commission review the attached Ordinance and provide direction on its adoption on second reading.

Reviewed by: LMA

Prepared by: HSS

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WHEREAS, Single-Use Plastic Bags are photo-biodegradable and break down into smaller pieces which can make their way into the food chain via such animals as jellyfish and endangered sea turtles; and

WHEREAS, the sale and distribution of Single-Use Plastics has a detrimental effect on the Town's environment, and that of surrounding jurisdictions; and

WHEREAS, the City of Coral Gables has adopted a plastic bag prohibition, and in *Florida Retail Federation. Inc. and Super Progreso Inc. v. The City of Coral Gables*, Circuit Court of the Eleventh Judicial Circuit for Miami-Dade County, Florida (Case No. 2016-018370-CA-01), the Court held that Sections 403.708(9) and 403.7033 of the Florida Statutes, relating to plastic bags and packaging, are unconstitutionally vague; and

WHEREAS, the appeal from this decision has been argued in the Third District Court of Appeal (Case No. 3D-2017-562), but no opinion has been released and the effectiveness of the Circuit Court decision has not been stayed; and

WHEREAS, the City of Miami Beach has adopted a prohibition on Single-Use Plastic Bags in the City’s approved sidewalk cafes and on City property and rights-of-way, and further prohibited use of plastic straws and stirrers by its contractors and special event permittees and use on City property and beaches, all of which have been enforced since February 1, 2019; and

WHEREAS, the Town Commission finds that there are reasonable, environmentally-friendly alternatives to Single-Use Plastics; and

WHEREAS, the Town Commission wishes to amend Section 34-11 of the Town's Code to provide for additional definitions and to prohibit the distribution, sale, or use of Single-Use Plastics in Commercial Establishments and at Town facilities and properties; 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 and future generations.

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 Section 34-11 as follows:

Chapter 34 – Environment

Article I. – In General

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 indicated with **highlighted double strikethrough** and **double underline**.

Division 4. Food Service Articles

Section 34-11. Prohibition on Distribution, Sale or Use of Single-Use Plastics Straws.

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

- (1) Commercial Establishment means a property used for commercial purposes, such as a hotel, restaurant, café or retail store or vendor, or similar uses located in a multi-family residential building whether or not the use is open to the public, where customers can directly purchase goods and materials.
- (2) Compostable Carryout Bag means a bag that:
 - a. Conforms to the current ASTM D6400;
 - b. Is certified and labeled as meeting the ASTM D6400 standard specification by a recognized verification entity; and
 - c. Must be capable of undergoing biological decomposition in a compost site such that the material breaks down into carbon dioxide, water, inorganic compounds and biomass at a rate consistent with known compostable materials.
- (3) Recyclable Paper Bag means a bag that contains a minimum average of 40 percent post-consumer recycled materials and displays the minimum percent of post-consumer content on the outside of the bag.
- (4) Reusable Bag means a bag with handles that is specifically designed and manufactured for multiple reuse and made of durable material specifically designed for and provided to customers with the intention of multiple, long-term use and does not include any film plastic bags. Includes Recyclable Paper Bags and Compostable Carryout Bags.
- (5) Single-Use Plastics means Single-Use Plastic Bags, Single-Use Plastic Flatware and Dinnerware, and Single-Use Plastic Straws as defined herein.
- (6) Single-Use Plastic Bag means a bag provided by a company or individual to a customer of a Commercial Establishment, typically at the point of sale, for the purpose of transporting purchases, which is made predominantly of plastic derived from one or more of the following: petroleum, a biologically-based source (such as corn or other plants), or polystyrene, polypropylene, or polyethylene. This definition includes bags provided to a customer to

transport items provided free of charge, including but not limited to, samples and informational materials. The following shall not be interpreted to be “Single-Use Plastic Bags”:

- a. A Compostable Carryout Bag;
- b. Any bag without handles provided to a customer;
- c. Any bag to protect food or merchandise from being damaged or contaminated by other food or merchandise, when items are placed together in a reusable bag or recyclable bag, including produce bags;
- d. Any bag to hold prescription medications dispensed from a pharmacy or veterinary office;
- e. Any bag designed to be placed over articles of clothing on a hanger, including dry cleaning bags;
- f. Door hanger bags;
- g. Newspaper bags;
- h. Garbage bags;
- i. Pet waste bags;
- j. Yard waste bags; and
- k. Bags of any type that a customer previously owned and brings to a Commercial Establishment for his or her own use in carrying away store goods.

(7) Single-Use Plastic Flatware and Dinnerware means eating and serving utensils and plates, bowls, cups, and glasses provided by a company or individual to a customer of a Commercial Establishment, typically at the point of sale, made predominantly of plastic derived from one or more of the following: petroleum, a biologically-based source (such as corn or other plants), or polystyrene, polypropylene, or polyethylene. Single-Use Plastic Flatware and Dinnerware does not include flatware and dinnerware made of non-plastic materials, such as paper, sugar cane, bamboo, or other similar materials.

(8) Single-Use Plastic Straw means a straw or stirrer provided, sold, or distributed for the purpose of imbibing liquids or transferring a beverage from its container to the mouth of the drinker by suction or for the purpose of mixing a beverage, provided by a company or individual to a customer of a Commercial Establishment, typically at the point of sale, which is made predominantly of plastic derived from one or more of the following: petroleum, a biologically-based source (such as corn or other plants), or

polystyrene, polypropylene, or polyethylene, and which is intended for a single-use. A Plastic Straw does not include a straw that is made of non-plastic materials, such as paper, sugar cane, bamboo, or other similar materials.

(9) *Special Event Permittee* means any person or entity, and their subcontractor(s), issued a special event permit by the Town for a special event on Town property, or in a Town facility, or in the Town's right-of-way.

(10) *Town Facility* includes, but is not limited to, any building, structure, park, beach, road, street, right-of-way, or other facility owned, operated or managed by the Town.

(11) *Town Property* includes, but is not limited to, any land, water, or air rights owned, operated or managed by the Town.

(b) **Single-Use Plastics Straws Prohibited; Exceptions**

(1) A Single-Use Plastics Straw shall not be ~~used, sold, or distributed, sold, or used by or~~ in any ~~e~~Commercial ~~e~~Establishment or at any Town Facility or Town Property or by any Special Event Permittee.

(2) *Exceptions.*

- a. This prohibition shall not apply to pre-packaged drinks sold at ~~e~~Commercial ~~e~~Establishments.
- b. This prohibition shall not apply to medical or dental facilities.
- c. This prohibition shall not apply to the school district or county, state, or federal governmental entities.
- d. This prohibition shall not apply where a reasonable accommodation is needed by an individual due to a medical or physical condition, or a religious belief.

(c) **Enforcement; Penalties**

(1) Following adoption of this Section, the Town shall engage in public education efforts to inform ~~e~~Commercial ~~e~~Establishments and users of Town Facilities and Property of the provisions of this Section and to provide assistance with identifying alternatives to Single-Use Plastics Straws.

(2) The Town's Code Compliance Department shall enforce all provisions of this Section. Enforcement of violations related to Single-Use Plastic Straws shall continue as previously regulated pursuant to Ordinance Nos. 2018-1676 and 2018-1690 (as previously codified in Section 34-11). Beginning January 1, 2020, the Town's Code Compliance Department shall begin a 60-day period

of providing written warnings for all other violations of this Section.
Beginning March 1, 2020, the Department shall enforce all provisions of this Section.

(3) Penalties for violations of the provisions of this Section 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.

(d) Reusable Bags. Commercial Establishments are strongly encouraged to educate their staff to promote Reusable Bags and encourage customers to use Reusable Bags. Should Commercial Establishments provide carryout bags, they shall be Reusable Bags as defined herein, and offered free of charge or for a fee as determined by the merchant. Commercial Establishments may keep any fees charged to offset the cost of providing the Reusable Bag.

Secs. 34-12 – 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. ~~The Town Manager shall have the discretion to delay enforcement of this Ordinance beyond March 1, 2020 as he may deem necessary. In the event that the Florida Statutes are amended to preempt any part of this Ordinance following the 2020 Legislative Session, this Ordinance may be repealed to the extent of that preemption by resolution of the Town Commission.~~

PASSED on first reading on the 11th day of June, 2019.

PASSED AND ADOPTED on second reading on the 9th day of July, 2019.

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

212 Commissioner Barry Cohen _____
213 Commissioner Michael Karukin _____
214 Commissioner Tina Paul _____
215 Vice Mayor Daniel Gielchinsky _____
216 Mayor Daniel Dietch _____

221 Mayor

235 Town Attorney



MEMORANDUM

ITEM NO. 4A2

To: Honorable Mayor, Vice-Mayor and Members of the Town Commission
From: Guillermo Olmedillo, Town Manager
Date: June 11, 2019 / July 9, 2019
Subject: State of Florida Model Flood Ordinance

The 2007 review of the Town of Surfside Building Department procedures by the Federal Emergency Management Agency's Region IV office yielded the information to amend subsections 26, 57, 77, 92 and 95 of Chapter 42 "Floods", approved at the Town Commission meeting of October 11, 2011.

The State of Florida's Division of Emergency Management, pursuant to an agreement with the Federal Emergency Management Agency, is tasked with the administration of the National Flood Insurance Program in Florida. This agreement requires that the State of Florida provide technical support to communities, including review of floodplain management ordinances and amendments to said ordinances.

Florida communities have been advised to adopt the model flood ordinance for the following reasons:

- (a) to ensure local requirements are not duplicative of State-required building regulations, eliminating the need to determine which restrictive provisions shall prevail;
- (b) preventing the local floodplain ordinance from being inconsistent with the present Florida Building Code and its future versions;
- (c) the model ordinance is based on the FEMA model ordinance that has been coordinated with the International Building Code;
- (d) the model ordinance incorporates clarifying language from FEMA guidance documents, interprets NFIP regulations and makes reference to the Florida Building Code, which incorporates design standards contained in ASCE-24, Flood Resistant Design and Criteria.

Staff recommends a motion to approve and adopt the State of Florida Model Flood Ordinance

Reviewed by: MR/RP

Prepared by: MR/RP

ORDINANCE NO. 2019-_____

**AN ORDINANCE OF THE TOWN COMMISSION OF THE
TOWN OF SURFSIDE, FLORIDA, REPEALING AND
REPLACING CHAPTER 42 “FLOODS” RELATING TO
THE TOWN’S FLOODPLAIN MANAGEMENT
REGULATIONS, INCLUDING ADOPTING PROCEDURES
AND CRITERIA FOR DEVELOPMENT IN FLOOD
HAZARD AREAS; TO ADOPT FLOOD HAZARD MAPS;
TO DESIGNATE A FLOOD PLAIN ADMINISTRATOR;
PROVIDING FOR CODIFICATION; PROVIDING FOR
SEVERABILITY; PROVIDING FOR CONFLICTS;
PROVIDING FOR TRANSMITTAL; AND PROVIDING
FOR AN EFFECTIVE DATE**

WHEREAS, the Legislature of the State of Florida has, in Chapter 166 – Municipalities, Florida Statutes, conferred upon local governments the authority to adopt regulations designed to promote the public health, safety, and general welfare of its citizens; and

WHEREAS, the Federal Emergency Management Agency has identified special flood hazard areas within the boundaries of the Town of Surfside (“Town”) and such areas may be subject to periodic inundation which may result in loss of life and property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base, all of which adversely affect the public health, safety and general welfare; and

WHEREAS, the Town was accepted for participation in the National Flood Insurance Program and the Town Commission desires to continue to meet the requirements of Title 44 Code of Federal Regulations, Sections 59 and 60, necessary for such participation; and

WHEREAS, Chapter 553, Florida Statutes, was adopted by the Florida Legislature to provide a mechanism for the uniform adoption, updating, amendment, interpretation and enforcement of a state building code, the *Florida Building Code*; and

WHEREAS, the Town Commission previously adopted requirements to (1) increase the minimum elevation requirement for single-family residences; (2) require accumulation of costs of improvements and repairs of buildings, based on issued building permits, over a five-year period; and (3) limit partitioning of enclosed areas below elevated buildings and to limit access to enclosed areas prior to July 1, 2010; and

WHEREAS, for the purpose of joining and participating in the National Flood Insurance Program's Community Rating System and in an effort to conform to Chapter 8, Article III of the Miami-Dade County Code and Section 553.73(5), Florida Statutes, the Town Commission is, among other things, adopting the requirements contained herein and coordinating these requirements with the *Florida Building Code*; and

WHEREAS, the Town Commission has determined that it is in the public interest to adopt the proposed floodplain management regulations that are coordinated with the *Florida Building Code*; and

WHEREAS, the Planning & Zoning Board, sitting as the Town's Local Planning Agency, has reviewed the proposed Ordinance and has recommended its approval; and

WHEREAS, pursuant to law, notice has been given by publication in a paper of general circulation in the Town, notifying the public of the proposed ordinance and of the public hearings; and

WHEREAS, two public hearings before the Town Commission were held pursuant to the published notice described above; and

WHEREAS, the Town Commission finds that adoption of this Ordinance is in the best interest and welfare of the Town, its residents and property owners.

NOW, THEREFORE, IT IS HEREBY ORDAINED BY THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, AS FOLLOWS¹:

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

Section 2. **Repeal and Replacement of Chapter 42.** That Chapter 42 of the Code of Surfside, Florida, titled "Floods" is hereby repealed in its entirety as set forth in Exhibit "A" attached hereto and incorporated herein, and replaced with Chapter 42 - "Floods", as set forth in Exhibit "B" attached hereto and incorporated herein.

Section 3. **Fiscal Impact Statement.** In terms of design, plan application review, construction and inspection of buildings and structures, the cost impact as an overall average is negligible in regard to the local technical amendments because all development has been subject to the requirements of the local floodplain management ordinance adopted for participation in

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**.

the National Flood Insurance Program. In terms of lower potential for flood damage, there will be continued savings and benefits to consumers.

Section 4. Codification. That 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 5. Severability. That the provisions of this Ordinance are declared to be severable and if any section, sentence, clause or phrase of this Ordinance shall for any reason be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance but they shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

Section 6. Conflicts. All ordinances or parts of ordinances, resolutions or parts of resolutions, in conflict herewith, are repealed to the extent of such conflict.

Section 7. Effective Date. That this Ordinance shall be effective at adoption on second reading.

PASSED on first reading this ____ day of June, 2019.

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

On Final Reading Moved By: _____

On Final Reading 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 LEGALITY FOR THE USE
AND BENEFIT OF THE TOWN OF SURFSIDE ONLY:**

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

EXHIBIT A

Repeal of Chapter 42 - Floods

Chapter 42—FLOODS⁽¹⁾

Footnotes:

—(1)—

Cross reference—Bulkhead lines, § 14-76 et seq.; environment, ch. 34; zoning, ch. 90.

ARTICLE I.—IN GENERAL

Secs. 42-1—42-25.—Reserved.

ARTICLE II.—FLOOD DAMAGE PREVENTION⁽²⁾

Footnotes:

—(2)—

Editor's note—Ord. No. 1498, § 1, adopted September 9, 2008, amended article II in its entirety to read as herein set out. Former article II, §§ 42-26—42-36, 42-46—42-50, 42-61, 42-62, pertained to similar subject matter, and derived from Ord. No. 1300, arts. 1—5, 10-13-92; Ord. No. 1308, § 1, 1-12-93.

Cross reference—Buildings and building regulations, ch. 14.

DIVISION 1.—STATUTORY AUTHORIZATION, FINDINGS OF FACT, PURPOSE, AND OBJECTIVES

Sec. 42-26.—Statutory authorization.

The Legislature of the State of Florida has authorized and delegated in Chapter 166 Florida Statutes, the responsibility to local government units to adopt regulations designed to promote the public health, safety, and general welfare of its citizenry. Therefore, the Town Commission of Town of Surfside does hereby adopt the following floodplain management regulations.

(Ord. No. 1498, § 1, 9-9-08; Ord. No. 1582, § 2, 10-11-11)

Sec. 42-27.—Findings of fact.

(1) The flood hazard areas of the Town of Surfside are subject to periodic inundation, which results in loss of life and property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base, all of which adversely affect the public health, safety and general welfare.

(2) These flood losses are caused by the cumulative effect of obstructions in floodplains causing increases in flood heights and velocities, and by the occupancy in flood hazard areas by uses

~~vulnerable to floods or hazardous to other lands which are inadequately elevated, flood-proofed, or otherwise unprotected from flood damages.~~

~~(Ord. No. 1498, § 1, 9-9-08)~~

~~Sec. 42-28.—Statement of purpose.~~

~~It is the purpose of this article to promote the public health, safety and general welfare and to minimize public and private losses due to flood conditions in specific areas by provisions designed to:~~

- ~~(1) Restrict or prohibit uses which are dangerous to health, safety and property due to water or erosion hazards, which result in damaging increases in erosion or in flood heights and velocities;~~
- ~~(2) Require that uses vulnerable to floods including facilities which serve such uses be protected against flood damage throughout their intended life span;~~
- ~~(3) Control the alteration of natural floodplains, stream channels, and natural protective barriers which are involved in the accommodation of flood waters;~~
- ~~(4) Control filling, grading, dredging and other development which may increase erosion or flood damage; and~~
- ~~(5) Prevent or regulate the construction of flood barriers which will unnaturally divert floodwaters or which may increase flood hazards to other lands.~~

~~(Ord. No. 1498, § 1, 9-9-08)~~

~~Sec. 42-29.—Objectives.~~

~~The objectives of this article are to:~~

- ~~(1) Protect human life, health and to eliminate or minimize property damage;~~
- ~~(2) Minimize expenditure of public money for costly flood control projects;~~
- ~~(3) Minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;~~
- ~~(4) Minimize prolonged business interruptions;~~
- ~~(5) Minimize damage to public facilities and utilities such as water and gas mains, electric, telephone and sewer lines, roadways, and bridges and culverts located in floodplains;~~
- ~~(6) Maintain a stable tax base by providing for the sound use and development of flood prone areas in such a manner as to minimize flood blight areas; and~~
- ~~(7) Ensure that potential homebuyers are notified that property is in a flood hazard area.~~

~~(Ord. No. 1498, § 1, 9-9-08)~~

~~Secs. 42-30—42-40.—Reserved.~~

~~DIVISION 2.—DEFINITIONS~~

~~Sec. 42-41.—Definitions.~~

~~Unless specifically defined below, words or phrases used in this article shall be interpreted so as to give them the meaning they have in common usage and to give this article its most reasonable application.~~

~~*Accessory structure (Appurtenant structure)* means a structure that is located on the same parcel of property as the principal structure and the use of which is incidental to the use of the principal structure. Accessory structures should constitute a minimal investment, may not be used for human habitation, and be designed to have minimal flood damage potential. Examples of accessory structures are detached garages, carports, storage sheds, pole barns, and hay sheds.~~

~~*Appeal* means a request for a review of the floodplain administrator's interpretation of any provision of this Ordinance or a request for a variance.~~

~~*Area of shallow flooding* means a designated AO or AH zone on the community's flood insurance rate map (FIRM) with base flood depths from one to three feet where a clearly defined channel does not exist, where the path of flooding is unpredictable and indeterminate, and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow.~~

~~*Area of special flood hazard* is the land in the floodplain within a community subject to a one-percent or greater chance of flooding in any given year. This term is synonymous with the phrase "special flood hazard area."~~

~~*Base flood* means the flood having a one percent chance of being equaled or exceeded in any given year (also called the "100-year flood" and the "regulatory flood"). Base flood is the term used throughout this article.~~

~~*Base flood elevation* means the water surface elevation associated with the base flood.~~

~~*Basement* means that portion of a building having its floor subgrade (below ground level) on all sides.~~

~~*Breakaway wall* means a wall that is not part of the structural support of the building and is intended through its design and construction to collapse under specific lateral loading forces without causing damage to the elevated portion of the building or the supporting foundation system.~~

~~*Building.* See "structure."~~

~~*Coastal high hazard area* means an area of special flood hazard extending from offshore to the inland limit of a primary frontal dune along an open coast and any other area subject to high velocity wave action from storms or seismic sources. The area is designated on the FIRM as zone V1—V30, VE, or V.~~

~~*Datum* means a reference surface used to ensure that all elevation records are properly related. Many communities have their own datum that was developed before there was a national standard. The current national datum is the National Geodetic Vertical Datum (NGVD) of 1929, which is expressed in relation to mean sea level, or the North American Vertical Datum (NAVD) of 1988.~~

~~*Development* means any man-made change to improved or unimproved real estate, including, but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavating, drilling operations, or storage of materials or equipment.~~

~~*Elevated building* means a nonbasement building built to have the lowest floor elevated above the ground level by foundation walls, posts, piers, columns, pilings, or shear walls.~~

~~*Encroachment* means the advance or infringement of uses, plant growth, fill, excavation, buildings, permanent structures or development into a floodplain, which may impede or alter the flow capacity of a floodplain.~~

~~*Existing construction* means, for the purposes of floodplain management, structures for which "the start of construction" commenced before September 29, 1972, the date of the initial floodplain management regulations. This term may also be referred to as "existing structures."~~

~~*Existing manufactured home park or subdivision* means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be~~

affixed (including at a minimum the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed before September 29, 1972.

Flood or flooding means:

(a) A general and temporary condition of partial or complete inundation of normally dry land areas from:

(1) The overflow of inland or tidal waters.

(2) The unusual and rapid accumulation or runoff of surface waters from any source.

(3) Mudslides (i.e., mudflows) which are proximately caused by flooding as defined in paragraph (a)(2) of this definition and are akin to a river of liquid and flowing mud on the surface of normally dry land areas, as when earth is carried by a current of water and deposited along the path of the current.

(b) The collapse or subsidence of land along a shore of a lake or other body of water as the result of erosion or undermining caused by waves or currents of water exceeding anticipated cyclical levels or suddenly caused by an unusually high water level in a natural body of water, accompanied by a severe storm or by an unanticipated force of nature, such as a flash flood or an abnormal tidal surge or by some similarly unusual and unforeseeable event which results in flooding as defined in paragraph (a)(1) of this definition.

Flood insurance rate map (FIRM) means an official map of the community, issued by FEMA, which delineated both the areas of special flood hazard and the risk premium zones applicable to the community.

Flood insurance study (FIS) is the official hydraulic and hydrologic report provided by FEMA. The study contains an examination, evaluation, and determination of flood hazards, and, if appropriate, corresponding water surface elevations, or an examination, evaluation, and determination of mudslide (i.e., mudflow) and other flood-related erosion hazards. The study may also contain flood profiles, as well as the FIRM, FHBM (where applicable), and other related data and information.

Floodplain means any land area susceptible to being inundated by water from any source (see definition of "flooding").

Floodplain management means the operation of an overall program of corrective and preventive measures for reducing flood damage and preserving and enhancing, where possible, natural resources in the floodplain, including but not limited to emergency preparedness plans, flood control works, floodplain management regulations, and open space plans.

Floodplain administrator is the individual appointed to administer and enforce the floodplain management regulations of the community.

Floodplain management regulations means this article and other zoning ordinances, subdivision regulations, building codes, health regulations, special purpose ordinances (such as floodplain ordinance, grading ordinance, and erosion control ordinance), and other applications of police power which control development in flood-prone areas. This term describes federal, State of Florida, or local regulations in any combination thereof, which provide standards for preventing and reducing flood loss and damage.

Floodproofing means any combination of structural and nonstructural additions, changes, or adjustments to structures, which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures and their contents.

Floodway means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height.

Floodway fringe means that area of the floodplain on either side of the regulatory floodway where encroachment may be permitted without additional hydraulic and/or hydrologic analysis.

Free of obstruction means any type of lower area enclosure or other construction element that will obstruct the flow of velocity water and wave action beneath the lowest horizontal structural member of the

~~lowest floor of an elevated building during a base flood event is not allowed. This requirement applies to the structures in velocity zones (V-zones).~~

~~*Freeboard* means the additional height, usually expressed as a factor of safety in feet, above a flood level for purposes of floodplain management. Freeboard tends to compensate for many unknown factors, such as wave action, blockages in bridge and culvert openings and hydrological effect of urbanization of the watershed that could contribute to flood heights greater than the height calculated for a selected frequency flood and floodway conditions.~~

~~*Functionally dependent use* means a use that cannot be used for its intended purpose unless it is located or carried out in close proximity to water, such as a docking or port facility necessary for the loading and unloading of cargo or passengers, shipbuilding or ship repair. The term does not include long-term storage, manufacture, sales, or service facilities.~~

~~*Hardship* as related to variances from this Ordinance means the exceptional difficulty associated with the land that would result from a failure to grant the requested variance. The community requires that the variance is exceptional, unusual, and peculiar to the property involved. Mere economic or financial hardship alone is not exceptional. Inconvenience, aesthetic considerations, physical handicaps, personal preferences, or the disapproval of one's neighbors likewise cannot, as a rule, qualify as an exceptional hardship. All of these problems can be resolved through other means without granting a variance, even if the alternative is more expensive, or requires the property owner to build elsewhere or put the parcel to a different use than originally intended.~~

~~*Highest adjacent grade* means the highest natural elevation of the ground surface, prior to the start of construction, next to the proposed walls of a structure.~~

~~*Historic structure* means any structure that is:~~

- ~~(a) Listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;~~
- ~~(b) Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic or a district preliminarily determined by the secretary to qualify as a registered historic district;~~
- ~~(c) Individually listed on the Florida inventory of historic places, which has been approved by the Secretary of the Interior; or~~
- ~~(d) Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either:~~
 - ~~1. By the approved Florida program as determined by the Secretary of the Interior; or~~
 - ~~2. Directly by the Secretary of the Interior.~~

~~*Lowest adjacent grade* means the lowest elevation, after the completion of construction, of the ground, sidewalk, patio, deck support, or basement entryway immediately next to the structure.~~

~~*Lowest floor* means the lowest floor of the lowest enclosed area (including basement). An unfinished or flood-resistant enclosure, used solely for parking of vehicles, building access, or storage, in an area other than a basement, is not considered a building's lowest floor, provided that such enclosure is not built so as to render the structure in violation of the nonelevation design standards of this article.~~

~~*Mangrove stand* means an assemblage of mangrove trees which are mostly low trees noted for a copious development of interlacing adventitious roots above ground and which contain one or more of the following species: Black mangrove (*Avicennia Nitida*); red mangrove (*Rhizophora mangle*); white mangrove (*Languncularia Racemosa*); and buttonwood (*Conocarpus Erecta*).~~

~~*Manufactured home* means a building, transportable in one or more sections, which is built on a permanent chassis and designed to be used with or without a permanent foundation when connected to the required utilities. The term also includes park trailers, travel trailers, and similar transportable structures placed on a site for 180 consecutive days or longer and intended to be improved property.~~

~~Manufactured home park or subdivision means a parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.~~

~~Market value means the building value, which is the property value excluding the land value and that of the detached accessory structures and other improvements on site (as agreed to between a willing buyer and seller) as established by what the local real estate market will bear. Market value can be established by an independent certified appraisal (other than a limited or curbside appraisal, or one based on income approach), actual cash value (replacement cost depreciated for age and quality of construction of building), or adjusted tax-assessed values.~~

~~Mean sea level means the average height of the sea for all stages of the tide. It is used as a reference for establishing various elevations within the floodplain. For purposes of this article, the term is synonymous with National Geodetic Vertical Datum (NGVD) of 1929, or North American Vertical Datum (NAVD) of 1988.~~

~~National Geodetic Vertical Datum (NGVD) of 1929 means a vertical control used as a reference for establishing varying elevations within the floodplain.~~

~~New construction means, for floodplain management purposes, any structure for which the "start of construction" commenced on or after September 29, 1972, the effective date of the initial floodplain management regulations based upon specific technical base flood elevation data that establishes the area of special flood hazard. The term also includes any subsequent improvements to such structures.~~

~~New manufactured home park or subdivision means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after September 29, 1972.~~

~~North American Vertical Datum (NAVD) of 1988 means a vertical control used as a reference for establishing varying elevations within the floodplain.~~

~~Program deficiency means a defect in the community's floodplain management regulations or administrative procedures that impairs effective implementation of those floodplain management regulations or of the standards required by the National Flood Insurance Program.~~

~~Public safety and nuisance means anything which is injurious to safety or health of the entire community or a neighborhood, or any considerable number of persons, or unlawfully obstructs the free passage or use, in the customary manner, of any navigable lake, or river, bay, stream, canal, or basin.~~

~~Recreational vehicle means a vehicle that is:~~

- ~~(a) Built on a single chassis;~~
- ~~(b) Four hundred square feet or less when measured at the largest horizontal projection;~~
- ~~(c) Designed to be self-propelled or permanently towable by a light duty truck; and~~
- ~~(d) Designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.~~

~~Regulatory floodway means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height.~~

~~Remedy a deficiency or violation means to bring the regulation, procedure, structure or other development into compliance with State of Florida, federal or local floodplain management regulations; or if this is not possible, to reduce the impacts of its noncompliance. Ways the impacts may be reduced include protecting the structure or other affected development from flood damages, implementing the enforcement provisions of this article or otherwise deterring future similar violations, or reducing federal financial exposure with regard to the structure or other development.~~

~~Riverine means relating to, formed by, or resembling a river (including tributaries), stream, brook, etc. Sand dune means naturally occurring accumulations of sand in ridges or mounds landward of the~~

~~beach. Shallow flooding means the same as area of shallow flooding. Special flood hazard area means the same as area of special flood hazard.~~

~~*Start of construction.* For other than new construction or substantial improvements under the Coastal Barrier Resources Act P.L. 97-348, includes substantial improvement, and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, or improvement was within 180 days of the permit date. The actual start means the first placement of permanent construction of a building (including a manufactured home) on a site, such as the pouring of slabs or footings, installation of piles, construction of columns, or any work beyond the stage of excavation or placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main building. For substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.~~

~~*Storm cellar* means a place below grade used to accommodate occupants of the structure and emergency supplies as a means of temporary shelter against severe tornadoes or similar windstorm activity.~~

~~*Structure* means for floodplain management purposes a walled and roofed building, including gas or liquid storage tank that is principally above ground, as well as a manufactured home.~~

~~*Substantial damage* means damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.~~

~~*Substantial improvement* means any reconstruction, rehabilitation, addition, or other improvement of a structure taking place during a five year consecutive period, in which the cumulative costs of such improvements equals or exceeds 50 percent of the market value of the structure before the "start of construction" of the improvement. All substantially improved residential structures shall have the lowest floor elevated to or above the base flood elevation, and all horizontal expansions shall likewise have the lowest floor of the expansion elevated to or above the base flood elevation. This term does not, however, include any repair or improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications, which have been identified by the local code enforcement official prior to the application for permit for improvement, and which are the minimum necessary to assure safe living conditions. This term does not include any alteration of a historic structure, provided that the alteration will not preclude the structure's continued designation as a historic structure.~~

~~*Variance* is a grant of relief from the requirements of this article.~~

~~*Violation* means the failure of a structure or other development to be fully compliant with the requirements of this article. A structure or other development without the elevation certificate, other certifications, or other evidence of compliance required in this article is presumed to be in violation until such time as that documentation is provided.~~

~~*Watercourse* means a lake, river, creek, stream, wash, channel or other topographic feature on or over which waters flow at least periodically. Watercourse includes specifically designated areas in which substantial flood damage may occur.~~

~~*Water surface elevation* means the height, in relation to the National Geodetic Vertical Datum (NGVD) of 1929 or the North American Vertical Datum (NAVD) of 1988, of floods of various magnitudes and frequencies in the floodplains of coastal or riverine areas.~~

~~(Ord. No. 1498, § 1, 9-9-08; Ord. No. 1512, § 2, 1-13-09; Ord. No. 1582, § 2, 10-11-11; Ord. No. 1592, § 2, 10-9-12; Ord. No. 1596, § 2, 12-11-12)~~

~~Secs. 42-42—42-55. Reserved.~~

~~DIVISION 3. GENERAL PROVISIONS~~

~~Sec. 42-56. Lands to which this article applies.~~

~~This article shall apply to all areas of special flood hazard within the jurisdiction of the Town of Surfside of Miami-Dade County.~~

~~(Ord. No. 1498, § 1, 9-9-08)~~

~~Sec. 42-57. Basis for establishing the areas of special flood hazard.~~

~~The areas of special flood hazard identified by the Federal Emergency Management Agency in the Flood Insurance Study (FIS) for Miami-Dade County, dated September 11, 2009, with the accompanying maps and other supporting data and any revisions thereto, are adopted by reference and declared to be a part of this chapter. The flood insurance study and flood insurance rate maps are on file at 9293 Harding Avenue, Town of Surfside, FL 33154.~~

~~(Ord. No. 1498, § 1, 9-9-08; Ord. No. 1531, § 2, 8-11-09; Ord. No. 1582, § 2, 10-11-11; Ord. No. 1582, § 2, 10-11-11)~~

~~Sec. 42-58. Designation of floodplain administrator.~~

~~The Town of Surfside of Miami-Dade County hereby appoints the town administrator to administer and implement the provisions of this article and is herein referred to as the floodplain administrator.~~

~~(Ord. No. 1498, § 1, 9-9-08)~~

~~Sec. 42-59. Establishment of development permit.~~

~~A development permit shall be required in conformance with the provisions of this article prior to the commencement of any development activities.~~

~~(Ord. No. 1498, § 1, 9-9-08)~~

~~Sec. 42-60. Compliance.~~

~~No structure or land shall hereafter be located, extended, converted or structurally altered without full compliance with the terms of this article and other applicable regulations.~~

~~(Ord. No. 1498, § 1, 9-9-08)~~

~~Sec. 42-61. Abrogation and greater restrictions.~~

~~This article is not intended to repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. However, where this article and another conflict or overlap, whichever imposes the more stringent restrictions shall prevail.~~

~~(Ord. No. 1498, § 1, 9-9-08)~~

~~Sec. 42-62. Interpretation.~~

~~In the interpretation and application of this Ordinance all provisions shall be:~~

- ~~(1) Considered as minimum requirements;~~
- ~~(2) Liberally construed in favor of the governing body; and~~
- ~~(3) Deemed neither to limit nor repeal any other powers granted under State of Florida statutes.~~

~~(Ord. No. 1498, § 1, 9-9-08)~~

~~Sec. 42-63. -- Warning and disclaimer of liability.~~

~~The degree of flood protection required by this article is considered reasonable for regulatory purposes and is based on scientific and engineering consideration. Larger floods can and will occur on rare occasions. Flood heights may be increased by man-made or natural causes. This article does not imply that land outside the areas of special flood hazard or uses permitted within such areas will be free from flooding or flood damages. This article shall not create liability on the part of Town of Surfside of Miami-Dade County or by any officer or employee thereof for any flood damages that result from reliance on this article or any administrative decision lawfully made thereunder.~~

~~(Ord. No. 1498, § 1, 9-9-08)~~

~~Sec. 42-64. -- Penalties for violation.~~

~~Violation of the provisions of this article or failure to comply with any of its requirements, including violation of conditions and safeguards established in connection with grants of variance or special exceptions, shall be punishable for a noncriminal violation. Any person who violates this article or fails to comply with any of its requirements shall, upon adjudication therefore, be fined not more than the maximum allowable fines established by Florida Statute, and in addition, shall pay all costs and expenses involved in the case. Each day such violation continues shall be considered a separate offense. Nothing herein contained shall prevent the floodplain administrator from taking such other lawful actions as is necessary to prevent or remedy any violation.~~

~~(Ord. No. 1498, § 1, 9-9-08; Ord. No. 1621, § 2, 6-10-14)~~

~~Secs. 42-65 -- 42-75. Reserved. DIVISION 4. ADMINISTRATION~~

~~Sec. 42-76. -- Permit procedures.~~

~~Application for a development permit shall be made to the floodplain administrator on forms furnished by him or her prior to any development activities, and may include, but not be limited to, the following plans in duplicate drawn to scale showing the nature, location, dimensions, and elevations of the area in question; existing or proposed structures, earthen fill, storage of materials or equipment, drainage facilities, and the location of the foregoing. Specifically, the following information is required:~~

~~(1) Application stage:~~

- ~~a. Elevation in relation to mean sea level of the proposed lowest floor (including basement) of all buildings;~~
- ~~b. Elevation in relation to mean sea level to which any nonresidential building will be floodproofed;~~
- ~~c. Certificate from a registered professional engineer or architect that the nonresidential floodproofed building will meet the flood-proofing criteria in subsection (2) and division 5, subsection 42-92(2) of the Surfside Code of Ordinances;~~
- ~~d. Description of the extent to which any watercourse will be altered or relocated as a result of proposed development; and~~

- e. ~~Elevation in relation to mean sea level of the bottom of the lowest horizontal structural member of the lowest floor and provide a certification from a registered engineer or architect indicating that they have developed and or reviewed the structural designs, specifications and plans of the construction and certified that are in accordance with accepted standards of practice in coastal high hazard areas.~~
- (2) ~~Construction stage: Upon placement of the lowest floor, or floodproofing by whatever construction means, or bottom of the lowest horizontal structural member it shall be the duty of the permit holder to submit to the floodplain administrator a certification of the NGVD or NAVD elevation of the lowest floor or flood-proofed elevation, or bottom of the lowest horizontal structural member of the lowest floor as built, in relation to mean sea level. Said certification shall be prepared by or under the direct supervision of a registered land surveyor or professional engineer and certified by same. When floodproofing is utilized for a particular building said certification shall be prepared by or under the direct supervision of a professional engineer or architect and certified by same. Any work undertaken prior to submission of the certification shall be at the permit holders' risk. The floodplain administrator shall review the lowest floor and floodproofing elevation survey data submitted. The permit holder immediately and prior to further progressive work being permitted to proceed shall correct violations detected by such review. Failure to submit the survey or failure to make said corrections required hereby, shall be cause to issue a stop-work order for the project.~~

~~(Ord. No. 1498, § 1, 9-9-08; Ord. No. 1592, § 2, 10-9-12; Ord. No. 1596, § 2, 12-11-12)~~

~~Sec. 42-77. -- Duties and responsibilities of the floodplain administrator.~~

~~Duties of the administrator shall include, but are not be limited to:~~

- ~~(1) Review permits to assure sites are reasonably safe from flooding;~~
- ~~(2) Review all development permits to assure that the permit requirements of this article have been satisfied;~~
- ~~(3) Require copies of additional Federal, State of Florida, or other permits, especially as it relates to F.S. §§ 161.053, 320.8249, 320.8359, 373.036, 380.05, 381.0065, and ch. 553, pt. IV, Florida Statutes be provided and maintained on file with the development permit.~~
- ~~(4) Notify adjacent communities, the Florida Division of Emergency Management State Floodplain Management Office, the South Florida Water Management District, the Federal Emergency Management Agency and other federal and/or State of Florida agencies with statutory or regulatory authority prior to any alteration or relocation of a watercourse;~~
- ~~(5) Assure that maintenance is provided within the altered or relocated portion of said watercourse so that the flood-carrying capacity is maintained;~~
- ~~(6) Verify and record the actual elevation (in relation to mean sea level) of the lowest floor (A-zones) or bottom of the lowest horizontal structural member of the lowest floor (V-zones) of all new construction and substantial improvements, in accordance with division 5, subsection 42-92(1) and (2) and subsection 42-95(2), respectively;~~
- ~~(7) Verify and record the actual elevation (in relation to mean sea level) to which the new construction and substantial improvements of nonresidential buildings have been floodproofed, in accordance with division 5, subsection 42-92(2);~~
- ~~(8) Review certified plans and specifications for compliance. When floodproofing is utilized for a particular building, certification shall be obtained from a registered engineer or architect certifying that all areas of the building below the required elevation are watertight with walls substantially impermeable to the passage of water, and use structural components having the capability of resisting hydrostatic and hydrodynamic loads and the effects of buoyancy in compliance with division 5, subsection 42-92(2) of this article. In coastal high hazard areas, certification shall be obtained from a registered professional engineer or architect that the~~

~~building is designed and securely anchored to pilings or columns in order to withstand velocity waters and hurricane wave wash. Additionally in coastal high hazard areas, if the area below the lowest horizontal structural member of the lowest floor is enclosed, it may be done so with open wood lattice and insect screening or with non-supporting breakaway walls that meet the standards of division 5, subsection 42-95(6) of this article;~~

- ~~(9) Interpret the exact location of boundaries of the areas of special flood hazard. When there appears to be a conflict between a mapped boundary and actual field conditions, the floodplain administrator shall make the necessary interpretation. The person contesting the location of the boundary shall be given a reasonable opportunity to appeal the interpretation as provided in this article;~~
- ~~(10) When base flood elevation data or floodway data have not been provided in accordance with division 3, section 42-57, the floodplain administrator shall obtain, review and reasonably utilize any base flood elevation and floodway data available from a federal, State of Florida, or any other source, in order to administer the provisions of division 5;~~
- ~~(11) Coordinate all change requests to the FIS, FIRM and FBFM with the requester, State of Florida, and FEMA; and~~
- ~~(12) Where base flood elevation is utilized, obtain and maintain records of lowest floor and floodproofing elevations for new construction and substantial improvements in accordance with division 5, subsections 42-92(1) and (2), respectively.~~
- ~~(13) Notify FEMA within six months when new technical or scientific data becomes available to the community concerning physical changes affecting flooding conditions so that risk premium rates and floodplain management requirements will be based on current data.~~

~~(Ord. No. 1498, § 1, 9-9-08; Ord. No. 1582, § 2, 10-11-11; Ord. No. 1592, § 2, 10-9-12; Ord No. 1596, § 2, 12-11-12)~~

~~Secs. 42-78—42-90.—Reserved.~~

~~DIVISION 5.—PROVISIONS FOR FLOOD HAZARD REDUCTION~~

~~Sec. 42-91.—General standards.~~

~~In all areas of special flood hazard, all development sites including new construction and substantial improvements shall be reasonably safe from flooding, and meet the following provisions:~~

- ~~(1) New construction and substantial improvements shall be designed or modified and adequately anchored to prevent flotation, collapse and lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy;~~
- ~~(2) Manufactured homes shall be anchored to prevent flotation, collapse, and lateral movement. Methods of anchoring may include, but are not limited to, use of over-the-top or frame ties to ground anchors. This standard shall be in addition to and consistent with applicable State of Florida requirements for resisting wind forces;~~
- ~~(3) New construction and substantial improvements shall be constructed with materials and utility equipment resistant to flood damage. See the applicable technical bulletin or bulletins for guidance;~~
- ~~(4) New construction and substantial improvements shall be constructed by methods and practices that minimize flood damage. See the applicable technical bulletin or bulletins for guidance;~~

- ~~(5) Electrical, heating, ventilation, plumbing, air conditioning equipment and other service facilities, including duct work, shall be designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding;~~
- ~~(6) New and replacement water supply systems shall be designed to minimize or eliminate infiltration of floodwaters into the system;~~
- ~~(7) New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the systems and discharges from the systems into floodwaters;~~
- ~~(8) On-site waste disposal systems shall be located and constructed to avoid impairment to them or contamination from them during flooding;~~
- ~~(9) Any alteration, repair, reconstruction or improvements to a building that is in compliance with the provisions of this Ordinance shall meet the requirements of "new construction" as contained in this article;~~
- ~~(10) Any alteration, repair, reconstruction or improvements to a building that is not in compliance with the provisions of this article, shall be undertaken only if said nonconformity is not furthered, extended, or replaced;~~
- ~~(11) All applicable additional federal, State of Florida, and local permits shall be obtained and submitted to the floodplain administrator. Copies of such permits shall be maintained on file with the development permit. State of Florida permits may include, but not be limited to the following:~~
 - ~~a. South Florida Water Management District(s): in accordance with F.S. ch. 373.036, Section (2)(a) - Flood Protection and Floodplain Management.~~
 - ~~b. Department of community affairs: In accordance with F.S. § 380.05 - Areas of Critical State Concern, and F.S. ch. 553, pt. IV, Florida Building Code.~~
 - ~~(c) Department of health: In accordance with F.S. § 381.0065 - Onsite Sewage Treatment and Disposal Systems.~~
 - ~~(d) Department of environmental protection, coastal construction control line: In accordance with F.S. § 161.053 - Coastal Construction and Excavation.~~
- ~~(12) Standards for subdivision proposals and other proposed development (including manufactured homes parks or subdivisions):~~
 - ~~a. All such proposals shall be consistent with the need to minimize flood damage;~~
 - ~~b. All such proposals shall have public utilities and facilities such as sewer, gas, electrical, and water systems located and constructed to minimize or eliminate flood damage;~~
 - ~~c. All such proposals shall have adequate drainage provided to reduce exposure to flood hazards.~~

~~(Ord. No. 1498, § 1, 9-9-08; Ord. No. 1592, § 2, 10-9-12; Ord. No. 1596, § 2, 12-11-12)~~

~~Sec. 42-92. Specific standards.~~

~~In all A-zones where base flood elevation data have been provided (zones AE, A1-30, and AH), as set forth in division 3, section 42-57, the following provisions shall apply in addition to those specified in section 42-91:~~

- ~~(1) Residential construction.~~
 - ~~a. Single-family residential construction. All new construction and substantial improvement of a single family structure (including manufactured home) shall have the lowest floor, including basement, elevated to at least two feet above the base flood elevation.~~
 - ~~b. All other residential construction. All new construction and substantial improvements of any residential building other than single family residential or manufactured home shall have the lowest floor, including basement, elevated to at least one foot above the base flood elevation. Should solid foundation perimeter walls be used to elevate a structure, openings sufficient to facilitate automatic equalization of flood hydrostatic forces on both sides of the exterior walls shall be provided in accordance with standards of division 5, subsection 42-92(3).~~

- ~~(2) *Nonresidential construction.* All new construction and substantial improvements of any commercial, industrial, or nonresidential building (including manufactured home) shall have the lowest floor, including basement, elevated to no lower than one foot above the base flood elevation. All buildings located in A-zones may be floodproofed, in lieu of being elevated, provided that all areas of the building components below the base flood elevation plus one foot are watertight with walls substantially impermeable to the passage of water, and use structural components having the capability of resisting hydrostatic and hydrodynamic loads and the effects of buoyancy. A registered professional engineer or architect shall certify that the standards of this subsection are satisfied using the FEMA Floodproofing Certificate. Such certification along with the corresponding engineering data, and the operational and maintenance plans shall be provided to the floodplain administrator.~~
- ~~(3) *Elevated buildings.* New construction and substantial improvements of elevated buildings that include fully enclosed areas formed by foundation and other exterior walls below the lowest floor elevation shall be designed to preclude finished living space and designed to allow for the entry and exit of floodwaters to automatically equalize hydrostatic flood forces on exterior walls.~~
- ~~a. Designs for complying with this requirement must either be certified by a professional engineer or architect or meet the following minimum criteria:~~
- ~~(i) Provide a minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding;~~
- ~~(ii) The bottom of all openings shall be no higher than one foot above foundation adjacent interior grade (which must be equal to or higher in elevation than the adjacent exterior grade); and~~
- ~~(iii) Openings may be equipped with screens, louvers, valves, or other coverings or devices provided they provide the required net area of the openings and permit the automatic flow of floodwaters in both directions.~~
- ~~b. Fully enclosed areas below the lowest floor shall solely be used for parking of vehicles, storage, and building access. Access to the enclosed area shall be minimum necessary to allow for parking of vehicles (garage door), limited storage of maintenance equipment used in connection with the premises (standard exterior door), or entry to the living area (stairway or elevator); and~~
- ~~c. The interior portion of such enclosed area shall not be finished or partitioned into separate rooms.~~
- ~~(4) *Standards for manufactured homes and recreational vehicles.*~~
- ~~a. All manufactured homes that are placed, or substantially improved within zones A1-30, AH, and AE, on sites (i) outside of an existing manufactured home park or subdivision, (ii) in a new manufactured home park or subdivision, (iii) in an expansion to an existing manufactured home park or subdivision, or (iv) in an existing manufactured home park or subdivision on which a manufactured home has incurred "substantial damage" as the result of a flood, the lowest floor be elevated on a permanent foundation to no lower than one foot above the base flood elevation and be securely anchored to an adequately anchored foundation system to resist flotation, collapse, and lateral movement.~~
- ~~(5) Adequate drainage paths around structures shall be provided on slopes to guide water away from structures.~~
- ~~(6) For all structures located seaward of the Coastal Construction Control Line (CCCL), the lowest floor of all new construction and substantial improvements shall be elevated to the regulatory flood elevation established by the Florida Department of Environmental Protection or by FEMA in accordance with section 42-91, whichever is higher. All non-elevation design requirements of section 42-95 shall apply.~~

~~(Ord. No. 1498, § 1, 9-9-08; Ord. No. 1553, § 2, 6-8-10; Ord. No. 1582, § 2, 10-11-11; Ord. No. 1592, § 2, 10-9-12; Ord. No. 1596, § 2, 12-11-12; [Ord. No. 18-1674](#), § 2, 2-13-18)~~

~~Secs. 42-93, 42-94. Reserved.~~

~~Sec. 42-95. Coastal high hazard areas (V-zones).~~

~~Located within areas of special flood hazard established in division 3, section 42-57 are coastal high hazard areas, designated as zones V1-30, VE, or V (with BFE). The following provisions shall apply for all development activities:~~

- ~~(1) Meet the requirements of division 4, section 42-76, and division 5, sections 42-91, and 42-92.~~
- ~~(2) All new construction and substantial improvements in zones V1—V30, VE, and V (with BFE) shall be elevated on pilings or columns so that:~~
 - ~~a. The bottom of the lowest horizontal structural member of the lowest floor (excluding the pilings or columns) is elevated to no lower than one foot above the base flood elevation whether or not the structure contains a basement; and~~
 - ~~b. The pile or column foundation and structure attached thereto is anchored to resist flotation, collapse, and lateral movement due to the effects of wind and water loads acting simultaneously on all building components. Water loading will be those values associated with the base flood. Wind loading values will be those required by applicable State of Florida or local, if more stringent than those of the State of Florida, building standards.~~
- ~~(3) A registered professional engineer or architect shall develop or review the structural design, specifications and plans for the construction, and shall certify that the design and methods of construction to be used are in accordance with accepted standards of practice for meeting the provisions of this section.~~
- ~~(4) Obtain the elevation (in relation to mean sea level) of the bottom of the lowest horizontal structural member of the lowest floor (excluding pilings and columns) of all new construction and substantial improvements. The floodplain administrator shall maintain a record of all such information.~~
- ~~(5) All new construction and substantial improvements shall be located landward of the reach of mean high tide.~~
- ~~(6) Provide that all new construction and substantial improvements have the space below the lowest floor either free of obstruction or constructed with nonsupporting breakaway walls, open wood lattice work, or insect screening intended to collapse under wind and water loads without causing collapse, displacement, or other structural damage to the elevated portion of the building or supporting foundation system. For the purpose of this section, a breakaway wall shall have a design safe loading resistance of not less than ten and no more than 20 pounds per square foot. Use of breakaway walls which exceed a design safe loading resistance of 20 pounds per square foot (either by design or when so required by local codes) may be permitted only if a registered professional engineer or architect certifies that the designs proposed meet the following conditions:~~
 - ~~a. Breakaway wall collapse shall result from water load less than that which would occur during the base flood; and~~
 - ~~b. The elevated portion of the building and supporting foundation system shall not be subject to collapse, displacement, or other structural damage due to the effects of wind and water loads acting simultaneously on all building components (structural and nonstructural). The water loading shall be those values associated with the base flood. The wind loading values shall be those required by applicable Florida or local, if more stringent than those of the State of Florida, building standards.~~
 - ~~c. Such enclosed space shall be useable solely for parking of vehicles, building access, or storage. Such space shall not be finished, partitioned into multiple rooms, or temperature-controlled.~~
- ~~(7) Prohibit the use of fill for structural support. No development permit shall be issued for development involving fill in coastal high hazard areas unless it has been demonstrated through appropriate engineering analyses that the subject fill does not cause any adverse impacts to the structure on site or adjacent structures. Placement of fill that would result in an increase in the base flood elevation or cause adverse impacts by wave ramping and deflection may be~~

~~permitted, provided that the permit applicant first applies for and receives a conditional FIRM revision, fulfilling the requirements for such revisions as established by FEMA.~~

~~(8) Prohibit manmade alteration of sand dunes and mangrove stands that would increase potential flood damage.~~

~~(9) Standards for manufactured homes.~~

~~a. Prohibit the placement of manufactured homes.~~

~~(10) Standard for recreational vehicles.~~

~~a. Prohibit the placement of recreational vehicles.~~

~~(11) For all structures located seaward of the coastal construction control line (CCCL), the bottom of the lowest horizontal structural member of the lowest floor of all new construction and substantial improvements shall be elevated to the flood elevation established by the Florida Department of Environmental Protection or to no lower than one foot above the base flood elevation, whichever is the higher. All non-elevation design requirements Division 5, section 42-95 shall apply.~~

~~(12) When fill is proposed, in accordance with the permit issued by the Florida Department of Health, in coastal high hazard area, the development permit shall be issued only upon demonstration by appropriate engineering analyses that the proposed fill will not increase the water surface elevation of the base flood nor cause any adverse impacts to adjacent properties by wave ramping and deflection.~~

~~(Ord. No. 1498, § 1, 9-9-08; Ord. No. 1582, § 2, 10-11-11; Ord. No. 1592, § 2, 10-9-12; Ord.~~

~~No. 1596, § 2, 12-11-12)~~

~~Secs. 42-96—42-110. Reserved.~~

~~DIVISION 6. VARIANCE PROCEDURES~~

~~Sec. 42-111. Designation of variance and appeals board.~~

~~The variance and appeals board as established by the Town of Surfside of Miami-Dade County shall hear and decide appeals and requests for variances from the requirements of this article.~~

~~(Ord. No. 1498, § 1, 9-9-08)~~

~~Sec. 42-112. Duties of variance and appeals board.~~

~~The board shall hear and decide appeals when it is alleged an error in any requirement, decision, or determination is made by the floodplain management administrator in the enforcement or administration of this article. Any person aggrieved by the decision of the board may appeal such decision to the circuit court.~~

~~(Ord. No. 1498, § 1, 9-9-08; Ord. No. 1582, § 2, 10-11-11)~~

~~Sec. 42-113. Variance procedures.~~

~~In acting upon such applications, the variance and appeals board shall consider all technical evaluations, all relevant factors, standards specified in other sections of this article;~~

~~(1) The danger that materials may be swept onto other lands to the injury of others;~~

- ~~(2) The danger of life and property due to flooding or erosion damage;~~
- ~~(3) The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner;~~
- ~~(4) The importance of the services provided by the proposed facility to the community;~~
- ~~(5) The necessity to the facility of a waterfront location, where applicable;~~
- ~~(6) The availability of alternative locations for the proposed use which are not subject to flooding or erosion damage;~~
- ~~(7) The compatibility of the proposed use with existing and anticipated development;~~
- ~~(8) The relationship of the proposed use to the comprehensive plan and floodplain management program for that area;~~
- ~~(9) The safety of access to the property in times of flood for ordinary and emergency vehicles;~~
- ~~(10) The expected heights, velocity, duration, rate of rise, and sediment of transport of the flood waters and the effects of wave action, if applicable, expected at the site; and~~
- ~~(11) The costs of providing governmental services during and after flood conditions, including maintenance and repair of public utilities and facilities such as sewer, gas, electrical, and water systems, and streets and bridges.~~

~~(Ord. No. 1498, § 1, 9-9-08)~~

~~Sec. 42-114. Conditions for variances.~~

- ~~(1) Variances shall only be issued when there is:

 - a. A showing of good and sufficient cause;
 - b. A determination that failure to grant the variance would result in exceptional hardship; and
 - c. A determination that the granting of a variance will not result in increased flood heights, additional threats to public expense, create nuisance, cause fraud on or victimization of the public, or conflict with existing local laws or ordinances.~~
- ~~(2) Variances shall only be issued upon a determination that the variance is the minimum necessary deviation from the requirements of this article.~~
- ~~(3) Variances shall not be granted after the fact.~~
- ~~(4) The floodplain administrator shall maintain the records of all variance actions, including justification for their issuance or denial, and report such variances upon request to FEMA and the Florida Division of Emergency Management State Floodplain Management Office.~~

~~(Ord. No. 1498, § 1, 9-9-08; Ord. No. 1582, § 2, 10-11-11)~~

~~Sec. 42-115. Variance notification.~~

~~Any applicant to whom a variance is granted shall be given written notice over the signature of a community official that:~~

- ~~(1) The issuance of a variance to construct a structure below the base flood elevation will result in increased premium rates for flood insurance up to amounts as high as \$25.00 for \$100.00 of insurance coverage, and~~
- ~~(2) Such construction below the base flood level increases risks to life and property.~~

~~A copy of the notice shall be recorded by the floodplain administrator in the office of the clerk of court and shall be recorded in a manner so that it appears in the chain of title of the affected parcel of land.~~

~~(Ord. No. 1498, § 1, 9-9-08)~~

~~Sec. 42-116. Historic structures.~~

~~Variances may be issued for the repair or rehabilitation of "historic" structures meeting the definition in this article upon a determination that the proposed repair or rehabilitation will not preclude the structure's continued designation as a "historic" structure.~~

~~(Ord. No. 1498, § 1, 9-9-08)~~

~~Sec. 42-117. Structures in regulatory floodway.~~

~~Variances shall not be issued within any designated floodway if any impact in flood conditions or increase in flood levels during the base flood discharge would result.~~

~~(Ord. No. 1498, § 1, 9-9-08)~~

EXHIBIT B

Replace and Adopt Chapter 42 - Floods

Chapter 42 - Floods

SECTION 42-1 GENERAL.

(a) Title. These regulations shall be known as the *Floodplain Management Ordinance* of the Town of Surfside ("Town"), hereinafter referred to as "this Ordinance."

(b) Scope. The provisions of this Ordinance shall apply to all development that is wholly within or partially within any flood hazard area, including but not limited to the subdivision of land; filling, grading, and other site improvements and utility installations; construction, alteration, remodeling, enlargement, improvement, replacement, repair, relocation or demolition of buildings, structures, and facilities that are exempt from the *Florida Building Code*; placement, installation, or replacement of manufactured homes and manufactured buildings; installation or replacement of tanks; placement of recreational vehicles; installation of swimming pools; and any other development.

(c) Intent. The purposes of this Ordinance and the flood load and flood resistant construction requirements of the *Florida Building Code* are to establish minimum requirements to safeguard the public health, safety, and general welfare and to minimize public and private losses due to flooding through regulation of development in flood hazard areas to:

- (1) Minimize unnecessary disruption of commerce, access and public service during times of flooding;
- (2) Require the use of appropriate construction practices in order to prevent or minimize future flood damage;
- (3) Manage filling, grading, dredging, mining, paving, excavation, drilling operations, storage of equipment or materials, and other development which may increase flood damage or erosion potential;
- (4) Manage the alteration of flood hazard areas, watercourses, and shorelines to minimize the impact of development on the natural and beneficial functions of the floodplain;
- (5) Minimize damage to public and private facilities and utilities;
- (6) Help maintain a stable tax base by providing for the sound use and development of flood hazard areas;
- (7) Minimize the need for future expenditure of public funds for flood control projects and response to and recovery from flood events; and
- (8) Meet the requirements of the National Flood Insurance Program for community participation as set forth in Title 44 Code of Federal Regulations, Section 59.22.

(d) Coordination with the Florida Building Code. This Ordinance is intended to be administered and enforced in conjunction with the *Florida Building Code*. Where cited, ASCE 24 refers to the edition of the standard that is referenced by the *Florida Building Code*.

(e) Warning. The degree of flood protection required by this Ordinance and the *Florida Building Code*, as amended by this community, is considered the minimum reasonable for regulatory purposes and is based on scientific and engineering considerations. Larger floods can and will occur. Flood heights may be increased by man-made or natural causes. This Ordinance does not imply that land outside of mapped special flood hazard areas, or that uses permitted within such flood hazard areas, will be free from flooding or flood damage. The flood hazard areas and base flood elevations contained in the Flood Insurance Study and shown on Flood Insurance Rate Maps and the requirements of Title 44 Code of Federal Regulations, Sections 59 and 60 may be revised by the Federal Emergency Management Agency, requiring this community to revise these regulations to remain eligible for participation in the National Flood Insurance Program. No guaranty of vested use, existing use, or future use is implied or expressed by compliance with this Ordinance.

(f) Disclaimer of Liability. This Ordinance shall not create liability on the part of the Town Commission of the Town of Surfside or by any officer or employee thereof for any flood damage that results from reliance on this Ordinance or any administrative decision lawfully made thereunder.

SECTION 42-2 APPLICABILITY.

(a) General. Where there is a conflict between a general requirement and a specific requirement, the specific requirement shall be applicable.

(b) Areas to which this Ordinance applies. This Ordinance shall apply to all flood hazard areas within the Town of Surfside, as established in Section 42-2(c) of this Ordinance.

(c) Basis for establishing flood hazard areas. The Flood Insurance Study for Miami-Dade County, Florida and Incorporated Areas dated September 11, 2009, and all subsequent amendments and revisions, and the accompanying Flood Insurance Rate Maps (FIRM), and all subsequent amendments and revisions to such maps, are adopted by reference as a part of this Ordinance and shall serve as the minimum basis for establishing flood hazard areas. Studies and maps that establish flood hazard areas are on file at the Building Department, 9293 Harding Avenue, Surfside, Florida 33154.

(d) Submission of additional data to establish flood hazard areas. To establish flood hazard areas and base flood elevations, pursuant to Section 42-5 of this Ordinance the Floodplain Administrator may require submission of additional data. Where field surveyed topography prepared by a Florida licensed professional surveyor or digital topography accepted by the community indicates that ground elevations:

- (1) Are below the closest applicable base flood elevation, even in areas not delineated as a special flood hazard area on a FIRM, the area shall be considered as flood hazard area and subject to the requirements of this Ordinance and, as applicable, the requirements of the Florida Building Code.**
- (2) Are above the closest applicable base flood elevation, the area shall be regulated as special flood hazard area unless the applicant obtains a Letter of Map Change that removes the area from the special flood hazard area.**

(e) Other laws. The provisions of this Ordinance shall not be deemed to nullify any provisions of local, state or federal law.

(f) Abrogation and greater restrictions. This Ordinance supersedes any ordinance in effect for management of development in flood hazard areas. However, it is not intended to repeal or abrogate any existing ordinances including but not limited to land development regulations, zoning ordinances, stormwater management regulations, or the *Florida Building Code*. In the event of a conflict between this Ordinance and any other ordinance, the more restrictive shall govern. This Ordinance shall not impair any deed restriction, covenant or easement, but any land that is subject to such interests shall also be governed by this Ordinance.

(g) Interpretation. In the interpretation and application of this Ordinance, all provisions shall be:

- (1) Considered as minimum requirements;
- (2) Liberally construed in favor of the governing body; and
- (3) Deemed neither to limit nor repeal any other powers granted under state statutes.

SECTION 42-3 DUTIES AND POWERS OF THE FLOODPLAIN ADMINISTRATOR.

(a) Designation. The Town Manager and/or designee is designated as the Floodplain Administrator. The Floodplain Administrator may delegate performance of certain duties to other employees.

(b) General. The Floodplain Administrator is authorized and directed to administer and enforce the provisions of this Ordinance. The Floodplain Administrator shall have the authority to render interpretations of this Ordinance consistent with the intent and purpose of this Ordinance and may establish policies and procedures in order to clarify the application of its provisions. Such interpretations, policies, and procedures shall not have the effect of waiving requirements specifically provided in this Ordinance without the granting of a variance pursuant to Section 42-7 of this Ordinance.

(c) Applications and permits. The Floodplain Administrator, in coordination with other pertinent offices of the community, shall:

- (1) Review applications and plans to determine whether proposed new development will be located in flood hazard areas;
- (2) Review applications for modification of any existing development in flood hazard areas for compliance with the requirements of this Ordinance;
- (3) Interpret flood hazard area boundaries where such interpretation is necessary to determine the exact location of boundaries; a person contesting the determination shall have the opportunity to appeal the interpretation;
- (4) Provide available flood elevation and flood hazard information;
- (5) Determine whether additional flood hazard data shall be obtained from other sources or shall be developed by an applicant;
- (6) Review applications to determine whether proposed development will be reasonably safe from flooding;

- (7) Issue floodplain development permits or approvals for development other than buildings and structures that are subject to the *Florida Building Code*, including buildings, structures and facilities exempt from the *Florida Building Code*, when compliance with this Ordinance is demonstrated, or disapprove the same in the event of noncompliance; and
- (8) Coordinate with and provide comments to the Building Official to assure that applications, plan reviews, and inspections for buildings and structures in flood hazard areas comply with the applicable provisions of this Ordinance.

(d) Substantial improvement and substantial damage determinations. For applications for building permits to improve buildings and structures, including alterations, movement, enlargement, replacement, repair, change of occupancy, additions, rehabilitations, renovations, substantial improvements, repairs of substantial damage, and any other improvement of or work on such buildings and structures, the Floodplain Administrator, in coordination with the Building Official, shall:

- (1) Estimate the market value, or require the applicant to obtain an appraisal of the market value prepared by a qualified independent appraiser, of the building or structure before the start of construction of the proposed work; in the case of repair, the market value of the building or structure shall be the market value before the damage occurred and before any repairs are made;
- (2) Compare the cost to perform the improvement, the cost to repair a damaged building to its pre-damaged condition, or the combined costs of improvements and repairs, if applicable, to the market value of the building or structure;
- (3) Determine and document whether the proposed work constitutes substantial improvement or repair of substantial damage; the determination requires evaluation of previous permits issued for improvements and repairs as specified in the definition of "substantial improvement"; and
- (4) Notify the applicant if it is determined that the work constitutes substantial improvement or repair of substantial damage and that compliance with the flood resistant construction requirements of the *Florida Building Code* and this Ordinance is required.

(e) Modifications of the strict application of the requirements of the *Florida Building Code*. The Floodplain Administrator shall review requests submitted to the Building Official that seek approval to modify the strict application of the flood load and flood resistant construction requirements of the *Florida Building Code* to determine whether such requests require the granting of a variance pursuant to Section 42-7 of this Ordinance.

(f) Notices and orders. The Floodplain Administrator shall coordinate with appropriate local agencies for the issuance of all necessary notices or orders to ensure compliance with this Ordinance.

(g) Inspections. The Floodplain Administrator shall make the required inspections as specified in Section 42-6 of this Ordinance for development that is not subject to the *Florida Building Code*, including buildings, structures and facilities exempt from the *Florida Building Code*. The Floodplain Administrator shall inspect flood hazard areas to determine if development is undertaken without issuance of a permit.

(h) Other duties of the Floodplain Administrator. The Floodplain Administrator shall have other duties, including but not limited to:

- (1) Establish, in coordination with the Building Official, procedures for administering and documenting determinations of substantial improvement and substantial damage made pursuant to Section 42-3(d) of this Ordinance;
- (2) Require applicants who submit hydrologic and hydraulic engineering analyses to support permit applications to submit to FEMA the data and information necessary to maintain the Flood Insurance Rate Maps if the analyses propose to change base flood elevations, or flood hazard area boundaries; such submissions shall be made within 6 months of such data becoming available;
- (3) Review required design certifications and documentation of elevations specified by this Ordinance and the *Florida Building Code* to determine that such certifications and documentations are complete;
- (4) Notify the Federal Emergency Management Agency when the corporate boundaries of Town of Surfside are modified; and
- (5) Advise applicants for new buildings and structures, including substantial improvements, that are located in any unit of the Coastal Barrier Resources System established by the Coastal Barrier Resources Act (Pub. L. 97-348) and the Coastal Barrier Improvement Act of 1990 (Pub. L. 101-591) that federal flood insurance is not available on such construction; areas subject to this limitation are identified on Flood Insurance Rate Maps as “Coastal Barrier Resource System Areas” and “Otherwise Protected Areas.”

(i) Floodplain management records. Regardless of any limitation on the period required for retention of public records, the Floodplain Administrator shall maintain and permanently keep and make available for public inspection all records that are necessary for the administration of this Ordinance and the flood resistant construction requirements of the *Florida Building Code*, including Flood Insurance Rate Maps; Letters of Map Change; records of issuance of permits and denial of permits; determinations of whether proposed work constitutes substantial improvement or repair of substantial damage; required design certifications and documentation of elevations specified by the *Florida Building Code* and this Ordinance; documentation related to appeals and variances, including justification for issuance or denial; and records of enforcement actions taken pursuant to this Ordinance and the flood resistant construction requirements of the *Florida Building Code*. These records shall be available for public inspection at the Building Department, 9293 Harding Avenue, Surfside, Florida 33154.

SECTION 42-4 PERMITS.

(a) Permits required. Any owner or owner’s authorized agent (hereinafter “applicant”) who intends to undertake any development activity within the scope of this Ordinance, including buildings, structures and facilities exempt from the *Florida Building Code*, which is wholly within or partially within any flood hazard area shall first make application to the Floodplain Administrator, and the Building Official if applicable, and shall obtain the required permit(s) and approval(s). No such permit or approval shall be issued until compliance with the requirements of this Ordinance and all other applicable codes and regulations has been satisfied.

(b) Floodplain development permits or approvals. Floodplain development permits or approvals shall be issued pursuant to this Ordinance for any development activities not subject to the requirements of the *Florida Building Code*, including buildings, structures and facilities exempt

from the *Florida Building Code*. Depending on the nature and extent of proposed development that includes a building or structure, the Floodplain Administrator may determine that a floodplain development permit or approval is required in addition to a building permit.

(c) Buildings, structures and facilities exempt from the *Florida Building Code*. Pursuant to the requirements of federal regulation for participation in the National Flood Insurance Program (44 C.F.R. Sections 59 and 60), floodplain development permits or approvals shall be required for the following buildings, structures and facilities that are exempt from the *Florida Building Code* and any further exemptions provided by law, which are subject to the requirements of this Ordinance:

- (1) Railroads and ancillary facilities associated with the railroad.
- (2) Nonresidential farm buildings on farms, as provided in section 604.50, F.S.
- (3) Temporary buildings or sheds used exclusively for construction purposes.
- (4) Mobile or modular structures used as temporary offices.
- (5) Those structures or facilities of electric utilities, as defined in section 366.02, F.S., which are directly involved in the generation, transmission, or distribution of electricity.
- (6) Chickees constructed by the Miccosukee Tribe of Indians of Florida or the Seminole Tribe of Florida. As used in this paragraph, the term "chickee" means an open-sided wooden hut that has a thatched roof of palm or palmetto or other traditional materials, and that does not incorporate any electrical, plumbing, or other non-wood features.
- (7) Family mausoleums not exceeding 250 square feet in area which are prefabricated and assembled on site or preassembled and delivered on site and have walls, roofs, and a floor constructed of granite, marble, or reinforced concrete.
- (8) Temporary housing provided by the Department of Corrections to any prisoner in the state correctional system.
- (9) Structures identified in section 553.73(10)(k), F.S., are not exempt from the *Florida Building Code* if such structures are located in flood hazard areas established on Flood Insurance Rate Maps

(d) Application for a permit or approval. To obtain a floodplain development permit or approval the applicant shall first file an application in writing on a form furnished by the Town. The information provided shall:

- (1) Identify and describe the development to be covered by the permit or approval.
- (2) Describe the land on which the proposed development is to be conducted by legal description, street address or similar description that will readily identify and definitively locate the site.
- (3) Indicate the use and occupancy for which the proposed development is intended.
- (4) Be accompanied by a site plan or construction documents as specified in Section 42-5 of this Ordinance.
- (5) State the valuation of the proposed work.
- (6) Be signed by the applicant or the applicant's authorized agent.
- (7) Give such other data and information as required by the Floodplain Administrator.

(e) Validity of permit or approval. The issuance of a floodplain development permit or approval pursuant to this Ordinance shall not be construed to be a permit for, or approval of, any violation of this Ordinance, the *Florida Building Codes*, or any other ordinance of the Town. The issuance of permits based on submitted applications, construction documents, and information shall not prevent the Floodplain Administrator from requiring the correction of errors and omissions.

(f) Expiration. A floodplain development permit or approval shall become invalid unless the work authorized by such permit is commenced within 180 days after its issuance, or if the work authorized is suspended or abandoned for a period of 180 days after the work commences. Extensions for periods of not more than 180 days each shall be requested in writing and justifiable cause shall be demonstrated.

(g) Suspension or revocation. The Floodplain Administrator is authorized to suspend or revoke a floodplain development permit or approval if the permit was issued in error, on the basis of incorrect, inaccurate or incomplete information, or in violation of this Ordinance or any other ordinance, regulation or requirement of this community.

(h) Other permits required. Floodplain development permits and building permits shall include a condition that all other applicable state or federal permits be obtained before commencement of the permitted development, including but not limited to the following:

- (1) The South Florida Water Management District; section 373.036, F.S.
- (2) Florida Department of Health for onsite sewage treatment and disposal systems; section 381.0065, F.S. and Chapter 64E-6, F.A.C.
- (3) Florida Department of Environmental Protection for construction, reconstruction, changes, or physical activities for shore protection or other activities seaward of the coastal construction control line; section 161.041, F.S.
- (4) Florida Department of Environmental Protection for activities subject to the Joint Coastal Permit; section 161.055, F.S.
- (5) Florida Department of Environmental Protection for activities that affect wetlands and alter surface water flows, in conjunction with the U.S. Army Corps of Engineers; Section 404 of the Clean Water Act.
- (6) Federal permits and approvals.

SECTION 42-5 SITE PLANS AND CONSTRUCTION DOCUMENTS.

(a) Information for development in flood hazard areas. The site plan or construction documents for any development subject to the requirements of this Ordinance shall be drawn to scale and shall include, as applicable to the proposed development:

- (1) Delineation of flood hazard areas, flood zone(s), base flood elevation(s), and ground elevations if necessary for review of the proposed development.
- (2) Location of the proposed activity and proposed structures, and locations of existing buildings and structures; in coastal high hazard areas, new buildings shall be located landward of the reach of mean high tide.
- (3) Location, extent, amount, and proposed final grades of any filling, grading, or excavation.

- (4) Where the placement of fill is proposed, the amount, type, and source of fill material; compaction specifications; a description of the intended purpose of the fill areas; and evidence that the proposed fill areas are the minimum necessary to achieve the intended purpose.
- (5) Delineation of the Coastal Construction Control Line or notation that the site is seaward of the coastal construction control line, if applicable.
- (6) Extent of any proposed alteration of sand dunes or mangrove stands, provided such alteration is approved by the Florida Department of Environmental Protection.

The Floodplain Administrator is authorized to waive the submission of site plans, construction documents, and other data that are required by this Ordinance but that are not required to be prepared by a registered design professional if it is found that the nature of the proposed development is such that the review of such submissions is not necessary to ascertain compliance with this Ordinance.

(b) Additional analyses and certifications. As applicable to the location and nature of the proposed development activity, and in addition to the requirements of this section, the applicant shall have the following analyses signed and sealed by a Florida licensed engineer for submission with the site plan and construction documents:

- (1) For activities that propose to alter sand dunes or mangrove stands in coastal high hazard areas (Zone V), an engineering analysis that demonstrates that the proposed alteration will not increase the potential for flood damage.

(c) Submission of additional data. When additional hydrologic, hydraulic or other engineering data, studies, and additional analyses are submitted to support an application, the applicant has the right to seek a Letter of Map Change from FEMA to change the base flood elevations, or change boundaries of flood hazard areas shown on FIRMs, and to submit such data to FEMA for such purposes. The analyses shall be prepared by a Florida licensed engineer in a format required by FEMA. Submittal requirements and processing fees shall be the responsibility of the applicant.

SECTION 42-6 INSPECTIONS.

(a) General. Development for which a floodplain development permit or approval is required shall be subject to inspection.

(b) Development other than buildings and structures. The Floodplain Administrator shall inspect all development to determine compliance with the requirements of this Ordinance and the conditions of issued floodplain development permits or approvals.

(c) Buildings, structures and facilities exempt from the *Florida Building Code*. The Floodplain Administrator shall inspect buildings, structures and facilities exempt from the *Florida Building Code* to determine compliance with the requirements of this Ordinance and the conditions of issued floodplain development permits or approvals.

(d) Buildings, structures and facilities exempt from the *Florida Building Code*, lowest floor inspection. Upon placement of the lowest floor, including basement, and prior to further vertical construction, the owner of a building, structure or facility exempt from the *Florida Building Code*, or the owner's authorized agent, shall submit to the Floodplain Administrator the

certification of elevation of the lowest floor prepared and sealed by a Florida licensed professional surveyor.

(e) Buildings, structures and facilities exempt from the *Florida Building Code*, final inspection. As part of the final inspection, the owner or owner's authorized agent shall submit to the Floodplain Administrator a final certification of elevation of the lowest floor or final documentation of the height of the lowest floor above the highest adjacent grade; such certifications and documentations shall be prepared as specified in Section 42-6(d) of this Ordinance.

(f) Manufactured homes. The Floodplain Administrator shall inspect manufactured homes that are installed or replaced in flood hazard areas to determine compliance with the requirements of this Ordinance and the conditions of the issued permit. Upon placement of a manufactured home, certification of the elevation of the lowest floor shall be submitted to the Floodplain Administrator.

SECTION 42-7 VARIANCES AND APPEALS.

(a) General. The Variance and Appeals Board shall hear and decide on requests for appeals and requests for variances from the strict application of this Ordinance. Pursuant to section 553.73(5), F.S., the Variance and Appeals Board shall hear and decide on requests for appeals and requests for variances from the strict application of the flood resistant construction requirements of the *Florida Building Code*. This section does not apply to Section 3109 of the *Florida Building Code, Building*.

(b) Appeals. The Variance and Appeals Board shall hear and decide appeals when it is alleged there is an error in any requirement, decision, or determination made by the Floodplain Administrator in the administration and enforcement of this Ordinance. Any person aggrieved by the decision may appeal such decision to the Circuit Court, as provided by Florida Statutes.

(c) Limitations on authority to grant variances. The Variance and Appeals Board shall base its decisions on variances on technical justifications submitted by applicants, the considerations for issuance in Section 42-7(f) of this Ordinance, the conditions of issuance set forth in Section 42-7(g) of this Ordinance, and the comments and recommendations of the Floodplain Administrator and the Building Official. The Variance and Appeals Board has the right to attach such conditions as it deems necessary to further the purposes and objectives of this Ordinance.

(d) Historic buildings. A variance is authorized to be issued for the repair, improvement, or rehabilitation of a historic building that is determined eligible for the exception to the flood resistant construction requirements of the *Florida Building Code, Existing Building*, Chapter 12 Historic Buildings, upon a determination that the proposed repair, improvement, or rehabilitation will not preclude the building's continued designation as a historic building and the variance is the minimum necessary to preserve the historic character and design of the building. If the proposed work precludes the building's continued designation as a historic building, a variance shall not be granted and the building and any repair, improvement, and rehabilitation shall be subject to the requirements of the *Florida Building Code*.

(e) Functionally dependent uses. A variance is authorized to be issued for the construction or substantial improvement necessary for the conduct of a functionally dependent use, as defined in this Ordinance, is the minimum necessary considering the flood hazard, and all due consideration has been given to use of methods and materials that minimize flood damage

during occurrence of the base flood.

(f) Considerations for issuance of variances. In reviewing requests for variances, the Variance and Appeals Board shall consider all technical evaluations, all relevant factors, all other applicable provisions of the *Florida Building Code*, this Ordinance, and the following:

- (1) The danger that materials and debris may be swept onto other lands resulting in further injury or damage;
- (2) The danger to life and property due to flooding or erosion damage;
- (3) The susceptibility of the proposed development, including contents, to flood damage and the effect of such damage on current and future owners;
- (4) The importance of the services provided by the proposed development to the community;
- (5) The availability of alternate locations for the proposed development that are subject to lower risk of flooding or erosion;
- (6) The compatibility of the proposed development with existing and anticipated development;
- (7) The relationship of the proposed development to the comprehensive plan and floodplain management program for the area;
- (8) The safety of access to the property in times of flooding for ordinary and emergency vehicles;
- (9) The expected heights, velocity, duration, rate of rise and debris and sediment transport of the floodwaters and the effects of wave action, if applicable, expected at the site; and
- (10) The costs of providing governmental services during and after flood conditions including maintenance and repair of public utilities and facilities such as sewer, gas, electrical and water systems, streets and bridges.

(g) Conditions for issuance of variances. Variances shall be issued only upon:

- (1) Submission by the applicant, of a showing of good and sufficient cause that the unique characteristics of the size, configuration, or topography of the site limit compliance with any provision of this Ordinance or the required elevation standards;
- (2) Determination by the Variance and Appeals Board that:
 - (a) Failure to grant the variance would result in exceptional hardship due to the physical characteristics of the land that render the lot undevelopable; increased costs to satisfy the requirements or inconvenience do not constitute hardship;
 - (b) The granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, nor create nuisances, cause fraud on or victimization of the public or conflict with existing local laws and ordinances; and
 - (c) The variance is the minimum necessary, considering the flood hazard, to afford relief;
- (3) Receipt of a signed statement by the applicant that the variance, if granted, shall be recorded in the Office of the Clerk of the Court in such a manner that it appears in the chain of title of the affected parcel of land; and

- (4) If the request is for a variance to allow construction of the lowest floor of a new building, or substantial improvement of a building, below the required elevation, a copy in the record of a written notice from the Floodplain Administrator to the applicant for the variance, specifying the difference between the base flood elevation and the proposed elevation of the lowest floor, stating that the cost of federal flood insurance will be commensurate with the increased risk resulting from the reduced floor elevation (up to amounts as high as \$25 for \$100 of insurance coverage), and stating that construction below the base flood elevation increases risks to life and property.
- (5) Variances shall not be granted after-the-fact.

SECTION 42-8 VIOLATIONS.

(a) Violations. Any development that is not within the scope of the *Florida Building Code* but that is regulated by this Ordinance that is performed without an issued permit, that is in conflict with an issued permit, or that does not fully comply with this Ordinance, shall be deemed a violation of this Ordinance. A building or structure without the documentation of elevation of the lowest floor, other required design certifications, or other evidence of compliance required by this Ordinance or the *Florida Building Code* is presumed to be a violation until such time as that documentation is provided.

(b) Authority. For development that is not within the scope of the *Florida Building Code* but that is regulated by this Ordinance and that is determined to be a violation, the Floodplain Administrator is authorized to serve notices of violation or stop work orders to owners of the property involved, to the owner's agent, or to the person or persons performing the work.

(c) Unlawful continuance. Any person who shall continue any work after having been served with a notice of violation or a stop work order, except such work as that person is directed to perform to remove or remedy a violation or unsafe condition, shall be subject to penalties as prescribed by law.

(d) Penalties for violation. In addition to the foregoing remedies, a violation of the provisions of this article or failure to comply with any of its requirements, including violation of conditions and safeguards established in connection with grants of variance or special exceptions, shall be punishable for a noncriminal violation. Any person who violates this article or fails to comply with any of its requirements shall, upon adjudication therefore, be fined not more than the maximum allowable fines established by Florida Statute, and in addition, shall pay all costs and expenses involved in the case. Each day such violation continues shall be considered a separate offense. Nothing herein contained shall prevent the Floodplain Administrator from taking such other lawful actions as is necessary to prevent or remedy any violation.

SECTION 42-9 DEFINITIONS.

Unless otherwise expressly stated, the following words and terms shall, for the purposes of this Ordinance, have the meanings shown in this section. Where terms are not defined in this Ordinance and are defined in the *Florida Building Code*, such terms shall have the meanings ascribed to them in that code. Where terms are not defined in this Ordinance or the *Florida Building Code*, such terms shall have ordinarily accepted meanings such as the context implies.

Appeal. A request for a review of the Floodplain Administrator's interpretation of any provision of this Ordinance.

ASCE 24. A standard titled *Flood Resistant Design and Construction* that is referenced by the *Florida Building Code*. ASCE 24 is developed and published by the American Society of Civil Engineers, Reston, VA.

Base flood. A flood having a 1-percent chance of being equaled or exceeded in any given year. [Also defined in FBC, B, Section 202.] The base flood is commonly referred to as the "100-year flood" or the "1-percent-annual chance flood."

Base flood elevation. The elevation of the base flood, including wave height, relative to the National Geodetic Vertical Datum (NGVD), North American Vertical Datum (NAVD) or other datum specified on the Flood Insurance Rate Map (FIRM). [Also defined in FBC, B, Section 202.]

Basement. The portion of a building having its floor subgrade (below ground level) on all sides. [Also defined in FBC, B, Section 202; see "Basement (for flood loads)".]

Coastal construction control line. The line established by the State of Florida pursuant to section 161.053, F.S., and recorded in the official records of the Town, which defines that portion of the beach-dune system subject to severe fluctuations based on a 100-year storm surge, storm waves or other predictable weather conditions.

Coastal high hazard area. A special flood hazard area extending from offshore to the inland limit of a primary frontal dune along an open coast and any other area subject to high velocity wave action from storms or seismic sources. Coastal high hazard areas are also referred to as "high hazard areas subject to high velocity wave action" or "V Zones" and are designated on Flood Insurance Rate Maps (FIRM) as Zone V1-V30, VE, or V.

Design flood. The flood associated with the greater of the following two areas: [Also defined in FBC, B, Section 202.]

- (1) Area with a floodplain subject to a 1-percent or greater chance of flooding in any year; or
- (2) Area designated as a flood hazard area on the community's flood hazard map, or otherwise legally designated.

Design flood elevation. The elevation of the "design flood," including wave height, relative to the datum specified on the community's legally designated flood hazard map. In areas designated as Zone AO, the design flood elevation shall be the elevation of the highest existing grade of the building's perimeter plus the depth number (in feet) specified on the flood hazard map. In areas designated as Zone AO where the depth number is not specified on the map, the depth number shall be taken as being equal to 2 feet. [Also defined in FBC, B, Section 202.]

Development. Any man-made change to improved or unimproved real estate, including but not limited to, buildings or other structures, tanks, temporary structures, temporary or permanent storage of equipment or materials, mining, dredging, filling, grading, paving, excavations, drilling operations or any other land disturbing activities.

Encroachment. The placement of fill, excavation, buildings, permanent structures or other development into a flood hazard area which may impede or alter the flow capacity of riverine flood hazard areas.

Existing building and existing structure. Any buildings and structures for which the “start of construction” commenced before September 29, 1972. [Also defined in FBC, B, Section 202.]

Existing manufactured home park or subdivision. A manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed before September 29, 1972.

Expansion to an existing manufactured home park or subdivision. The preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads).

Federal Emergency Management Agency (FEMA). The federal agency that, in addition to carrying out other functions, administers the National Flood Insurance Program.

Flood or flooding. A general and temporary condition of partial or complete inundation of normally dry land from: [Also defined in FBC, B, Section 202.]

- (1) The overflow of inland or tidal waters.
- (2) The unusual and rapid accumulation or runoff of surface waters from any source.

Flood damage-resistant materials. Any construction material capable of withstanding direct and prolonged contact with floodwaters without sustaining any damage that requires more than cosmetic repair. [Also defined in FBC, B, Section 202.]

Flood hazard area. The greater of the following two areas: [Also defined in FBC, B, Section 202.]

- (1) The area within a floodplain subject to a 1-percent or greater chance of flooding in any year.
- (2) The area designated as a flood hazard area on the community’s flood hazard map, or otherwise legally designated.

Flood Insurance Rate Map (FIRM). The official map of the community on which the Federal Emergency Management Agency has delineated both special flood hazard areas and the risk premium zones applicable to the community. [Also defined in FBC, B, Section 202.]

Flood Insurance Study (FIS). The official report provided by the Federal Emergency Management Agency that contains the Flood Insurance Rate Map, the Flood Boundary and Floodway Map (if applicable), the water surface elevations of the base flood, and supporting technical data. [Also defined in FBC, B, Section 202.]

Floodplain Administrator. The office or position designated and charged with the administration and enforcement of this Ordinance (may be referred to as the Floodplain Manager).

Floodplain development permit or approval. An official document or certificate issued by the community, or other evidence of approval or concurrence, which authorizes performance of specific development activities that are located in flood hazard areas and that are determined to be compliant with this Ordinance.

Florida Building Code. The family of codes adopted by the Florida Building Commission, including: *Florida Building Code, Building*; *Florida Building Code, Residential*; *Florida Building Code, Existing Building*; *Florida Building Code, Mechanical*; *Florida Building Code, Plumbing*; *Florida Building Code, Fuel Gas*.

Functionally dependent use. A use which cannot perform its intended purpose unless it is located or carried out in close proximity to water, including only docking facilities, port facilities that are necessary for the loading and unloading of cargo or passengers, and ship building and ship repair facilities; the term does not include long-term storage or related manufacturing facilities.

Hardship. As related to variances from this Ordinance means the exceptional difficulty associated with the land that would result from a failure to grant the requested variance. The community requires that the variance is exceptional, unusual, and peculiar to the property involved. Mere economic or financial hardship alone is not exceptional. Inconvenience, aesthetic considerations, physical handicaps, personal preferences, or the disapproval of one's neighbors likewise cannot, as a rule, qualify as an exceptional hardship. All of these problems can be resolved through other means without granting a variance, even if the alternative is more expensive, or requires the property owner to build elsewhere or put the parcel to a different use than originally intended.

Highest adjacent grade. The highest natural elevation of the ground surface prior to construction next to the proposed walls or foundation of a structure.

Historic structure. Any structure that is determined eligible for the exception to the flood hazard area requirements of the *Florida Building Code, Existing Building*, Chapter 12 Historic Buildings.

Letter of Map Change (LOMC). An official determination issued by FEMA that amends or revises an effective Flood Insurance Rate Map or Flood Insurance Study. Letters of Map Change include:

Letter of Map Amendment (LOMA): An amendment based on technical data showing that a property was incorrectly included in a designated special flood hazard area. A LOMA amends the current effective Flood Insurance Rate Map and establishes that a specific property, portion of a property, or structure is not located in a special flood hazard area.

Letter of Map Revision (LOMR): A revision based on technical data that may show changes to flood zones, flood elevations, special flood hazard area boundaries and floodway delineations, and other planimetric features.

Letter of Map Revision Based on Fill (LOMR-F): A determination that a structure or parcel of land has been elevated by fill above the base flood elevation and is, therefore, no longer located within the special flood hazard area. In order to qualify for this determination, the fill must have been permitted and placed in accordance with the community's floodplain management regulations.

Conditional Letter of Map Revision (CLOMR): A formal review and comment as to whether a proposed flood protection project or other project complies with the minimum

NFIP requirements for such projects with respect to delineation of special flood hazard areas. A CLOMR does not revise the effective Flood Insurance Rate Map or Flood Insurance Study; upon submission and approval of certified as-built documentation, a Letter of Map Revision may be issued by FEMA to revise the effective FIRM.

Light-duty truck. As defined in 40 C.F.R. 86.082-2, any motor vehicle rated at 8,500 pounds Gross Vehicular Weight Rating or less which has a vehicular curb weight of 6,000 pounds or less and which has a basic vehicle frontal area of 45 square feet or less, which is:

- (1) Designed primarily for purposes of transportation of property or is a derivation of such a vehicle, or
- (2) Designed primarily for transportation of persons and has a capacity of more than 12 persons; or
- (3) Available with special features enabling off-street or off-highway operation and use.

Lowest floor. The lowest floor of the lowest enclosed area of a building or structure, including basement, but excluding any unfinished or flood-resistant enclosure, other than a basement, usable solely for vehicle parking, building access or limited storage provided that such enclosure is not built so as to render the structure in violation of the non-elevation requirements of the *Florida Building Code* or ASCE 24. [Also defined in FBC, B, Section 202.]

Manufactured home. A structure, transportable in one or more sections, which is eight (8) feet or more in width and greater than four hundred (400) square feet, and which is built on a permanent, integral chassis and is designed for use with or without a permanent foundation when attached to the required utilities. The term "manufactured home" does not include a "recreational vehicle" or "park trailer." [Also defined in 15C-1.0101, F.A.C.]

Manufactured home park or subdivision. A parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.

Market value. The price at which a property will change hands between a willing buyer and a willing seller, neither party being under compulsion to buy or sell and both having reasonable knowledge of relevant facts. As used in this Ordinance, the term refers to the market value of buildings and structures, excluding the land and other improvements on the parcel. Market value may be established by a qualified independent appraiser (other than a limited or curbside appraisal, or one based on income approach), Actual Cash Value (replacement cost depreciated for age and quality of construction), or tax assessment value adjusted to approximate market value by a factor provided by the Property Appraiser.

New construction. For the purposes of administration of this Ordinance and the flood resistant construction requirements of the *Florida Building Code*, structures for which the "start of construction" commenced on or after September 29, 1972 and includes any subsequent improvements to such structures.

New manufactured home park or subdivision. A manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after September 29, 1972.

Park trailer. A transportable unit which has a body width not exceeding fourteen (14) feet and which is built on a single chassis and is designed to provide seasonal or temporary living

quarters when connected to utilities necessary for operation of installed fixtures and appliances. [Defined in section 320.01, F.S.]

Recreational vehicle. A vehicle, including a park trailer, which is: [See section 320.01, F.S.]

- (1) Built on a single chassis;
- (2) Four hundred (400) square feet or less when measured at the largest horizontal projection;
- (3) Designed to be self-propelled or permanently towable by a light-duty truck; and
- (4) Designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

Sand dunes. Naturally occurring accumulations of sand in ridges or mounds landward of the beach.

Special flood hazard area. An area in the floodplain subject to a 1 percent or greater chance of flooding in any given year. Special flood hazard areas are shown on FIRMs as Zone A, AO, A1-A30, AE, A99, AH, V1-V30, VE or V. [Also defined in FBC, B Section 202.]

Start of construction. The date of issuance of permits for new construction and substantial improvements, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement, or other improvement is within 180 days of the date of the issuance. The actual start of construction means either the first placement of permanent construction of a building (including a manufactured home) on a site, such as the pouring of slab or footings, the installation of piles, or the construction of columns.

Permanent construction does not include land preparation (such as clearing, grading, or filling), the installation of streets or walkways, excavation for a basement, footings, piers, or foundations, the erection of temporary forms or the installation of accessory buildings such as garages or sheds not occupied as dwelling units or not part of the main buildings. For a substantial improvement, the actual "start of construction" means the first alteration of any wall, ceiling, floor or other structural part of a building, whether or not that alteration affects the external dimensions of the building. [Also defined in FBC, B Section 202.]

Substantial damage. Damage of any origin sustained by a building or structure whereby the cost of restoring the building or structure to its before-damaged condition would equal or exceed 50 percent of the market value of the building or structure before the damage occurred. [Also defined in FBC, B Section 202.]

Substantial improvement. Any combination of repair, reconstruction, rehabilitation, alteration, addition, or other improvement of a building or structure, the cumulative cost of which equals or exceeds 50 percent of the market value of the building or structure before the improvement or repair is started. The period of accumulation begins when the first improvement or repair of each building is permitted subsequent to September 9, 2008. If the structure has incurred "substantial damage," any repairs are considered substantial improvement regardless of the actual repair work performed. The term does not, however, include either: [Also defined in FBC, B, Section 202.]

- (1) Any project for improvement of a building required to correct existing health, sanitary, or safety code violations identified by the building official prior to the application for permit for improvement and that are the minimum necessary to assure safe living conditions.

- (2) Any alteration of a historic structure provided the alteration will not preclude the structure's continued designation as a historic structure.

Variance. A grant of relief from the requirements of this Ordinance, or the flood resistant construction requirements of the *Florida Building Code*, which permits construction in a manner that would not otherwise be permitted by this Ordinance or the *Florida Building Code*.

SECTION 42-11 BUILDINGS AND STRUCTURES.

(a) Design and construction of buildings, structures and facilities exempt from the *Florida Building Code*. Pursuant to Section 42-4(c) of this Ordinance, buildings, structures, and facilities that are exempt from the *Florida Building Code*, including substantial improvement or repair of substantial damage of such buildings, structures and facilities, shall be designed and constructed in accordance with the flood load and flood resistant construction requirements of ASCE 24. Structures exempt from the *Florida Building Code* that are not walled and roofed buildings shall comply with the requirements of Section 42-17 of this Ordinance.

(b) Buildings and structures seaward of the coastal construction control line. If extending, in whole or in part, seaward of the coastal construction control line and also located, in whole or in part, in a flood hazard area:

- (1) Buildings and structures shall be designed and constructed to comply with the more restrictive applicable requirements of the *Florida Building Code*, *Building Section 3109* and *Section 1612* or *Florida Building Code*, *Residential Section R322*.
- (2) Minor structures and non-habitable major structures as defined in section 161.54, F.S., shall be designed and constructed to comply with the intent and applicable provisions of this Ordinance and ASCE 24.

(c) Specific methods of construction and requirements. Pursuant to Chapter 8 Article III of the Miami-Dade County Code, the following specific methods of construction and requirements apply:

(1) Residential construction. Single-family residential construction. All new construction and substantial improvement of a single family structure (including manufactured home) shall have the lowest floor, including basement, elevated to at least two feet above the base flood elevation.

(2) All other residential construction. All new construction and substantial improvements of any residential building other than single family residential or manufactured home shall have the lowest floor, including basement, elevated to at least one foot above the base flood elevation. Should solid foundation perimeter walls be used to elevate a structure, openings sufficient to facilitate automatic equalization of flood hydrostatic forces on both sides of the exterior walls shall be provided in accordance with standards in this Ordinance.

(3) Nonresidential construction. All new construction and substantial improvements of any commercial, industrial, or nonresidential building (including manufactured home) shall have the lowest floor, including basement, elevated to no lower than one foot above the base flood elevation. All buildings located in A-zones may be floodproofed, in lieu of being elevated, provided that all areas of the building components below the base flood elevation plus one foot are watertight with walls substantially impermeable to the passage of water, and use structural

components having the capability of resisting hydrostatic and hydrodynamic loads and the effects of buoyancy. A registered professional engineer or architect shall certify that the standards of this subsection are satisfied using the FEMA Floodproofing Certificate. Such certification along with the corresponding engineering data, and the operational and maintenance plans shall be provided to the Floodplain Administrator.

(4) *Elevated buildings.* New construction and substantial improvements of elevated buildings that include fully enclosed areas formed by foundation and other exterior walls below the lowest floor elevation shall be designed to preclude finished living space and designed to allow for the entry and exit of floodwaters to automatically equalize hydrostatic flood forces on exterior walls.

a. Designs for complying with this requirement must either be certified by a professional engineer or architect or meet the following minimum criteria:

(i) Provide a minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding;

(ii) The bottom of all openings shall be no higher than one foot above foundation adjacent interior grade (which must be equal to or higher in elevation than the adjacent exterior grade); and

(iii) Openings may be equipped with screens, louvers, valves, or other coverings or devices provided they provide the required net area of the openings and permit the automatic flow of floodwaters in both directions.

b. Fully enclosed areas below the lowest floor shall solely be used for parking of vehicles, storage, and building access. Access to the enclosed area shall be minimum necessary to allow for parking of vehicles (garage door), limited storage of maintenance equipment used in connection with the premises (standard exterior door), or entry to the living area (stairway or elevator); and

c. The interior portion of such enclosed area shall not be finished or partitioned into separate rooms.

(5) *Standards for manufactured homes.* All manufactured homes that are placed, or substantially improved within zones A1-30, AH, and AE, on sites (i) outside of an existing manufactured home park or subdivision, (ii) in a new manufactured home park or subdivision, (iii) in an expansion to an existing manufactured home park or subdivision, or (iv) in an existing manufactured home park or subdivision on which a manufactured home has incurred "substantial damage" as the result of a flood, the lowest floor be elevated on a permanent foundation to no lower than one foot above the base flood elevation and be securely anchored to an adequately anchored foundation system to resist flotation, collapse, and lateral movement.

(6) *Cumulative Substantial Improvement.* In the Florida Building Code, Building and Florida Building Code, Existing Building, definitions for the term "Substantial Improvement" shall be as follows:

SUBSTANTIAL IMPROVEMENT. For the purpose of determining compliance with the flood

provisions of this Ordinance, any combination of repair, reconstruction, rehabilitation, alteration, addition or improvement of a building or structure taking place during a five-year period, the cumulative cost of which equals or exceeds 50 percent of the market value of the structure before the improvement or repair is started. The period of accumulation begins when the first improvement or repair of each building or structure is permitted subsequent to September 9, 2009. If the structure has sustained substantial damage, any repairs are considered substantial improvement regardless of the actual repair work performed. The term does not, however, include either: 1) Any project for improvement of a building required to correct existing health, sanitary or safety code violations identified by the building official prior to the application for permit for improvement and that is the minimum necessary to assure safe living conditions. 2) Any alteration of a historic structure provided that the alteration will not preclude the structure's continued designation as a historic structure.

- (3) Limitations on Enclosures Under Elevated Buildings and Dwellings. Enclosed areas shall: a) have the minimum necessary access to allow for parking of vehicles (garage door), limited storage of maintenance equipment used in connection with the premises (standard exterior door), or entry to the elevated building (stairway or elevator); b) not have the interior portion partitioned or finished into separate rooms except for stairwells, ramps and elevators, unless a partition is required by the fire code; and c) in coastal high hazard areas, be enclosed by insect screening or open lattice.

SECTION 42-12 SUBDIVISIONS.

(a) Minimum requirements. Subdivision proposals, including proposals for manufactured home parks and subdivisions, shall be reviewed to determine that:

- (1) Such proposals are consistent with the need to minimize flood damage and will be reasonably safe from flooding;
- (2) All public utilities and facilities such as sewer, gas, electric, communications, and water systems are located and constructed to minimize or eliminate flood damage; and
- (3) Adequate drainage is provided to reduce exposure to flood hazards; in Zones AH and AO, adequate drainage paths shall be provided to guide floodwaters around and away from proposed structures.

(b) Subdivision plats. Where any portion of proposed subdivisions, including manufactured home parks and subdivisions, lies within a flood hazard area, the following shall be required:

- (1) Delineation of flood hazard areas, flood zones, and design flood elevations, as appropriate, shall be shown on preliminary plats; and
- (2) Compliance with the site improvement and utilities requirements of Section 42-13 of this Ordinance.

SECTION 42-13 SITE IMPROVEMENTS, UTILITIES AND LIMITATIONS.

(a) Minimum requirements. All proposed new development shall be reviewed to determine that:

- (1) Such proposals are consistent with the need to minimize flood damage and will be reasonably safe from flooding;

- (2) All public utilities and facilities such as sewer, gas, electric, communications, and water systems are located and constructed to minimize or eliminate flood damage; and
- (3) Adequate drainage is provided to reduce exposure to flood hazards; in Zones AH and AO, adequate drainage paths shall be provided to guide floodwaters around and away from proposed structures.

(b) Sanitary sewage facilities. All new and replacement sanitary sewage facilities, private sewage treatment plants (including all pumping stations and collector systems), and on-site waste disposal systems shall be designed in accordance with the standards for onsite sewage treatment and disposal systems in Chapter 64E-6, F.A.C. and ASCE 24 Chapter 7 to minimize or eliminate infiltration of floodwaters into the facilities and discharge from the facilities into flood waters, and impairment of the facilities and systems.

(c) Water supply facilities. All new and replacement water supply facilities shall be designed in accordance with the water well construction standards in Chapter 62-532.500, F.A.C. and ASCE 24 Chapter 7 to minimize or eliminate infiltration of floodwaters into the systems.

(d) Limitations on placement of fill. Subject to the limitations of this Ordinance, fill shall be designed to be stable under conditions of flooding including rapid rise and rapid drawdown of floodwaters, prolonged inundation, and protection against flood-related erosion and scour. In addition to these requirements, if intended to support buildings and structures (Zone A only), fill shall comply with the requirements of the *Florida Building Code*.

(e) Limitations on sites in coastal high hazard areas (Zone V). In coastal high hazard areas, alteration of sand dunes and mangrove stands shall be permitted only if such alteration is approved by the Florida Department of Environmental Protection and only if the engineering analysis required by Section 42-5(b)(1) of this Ordinance demonstrates that the proposed alteration will not increase the potential for flood damage. Construction or restoration of dunes under or around elevated buildings and structures shall comply with Section 42-17(e)(3) of this Ordinance.

SECTION 42-14 MANUFACTURED HOMES.

(a) General. All manufactured homes installed in flood hazard areas shall be installed by an installer that is licensed pursuant to section 320.8249, F.S., and shall comply with the requirements of Chapter 15C-1, F.A.C. and the requirements of this Ordinance. If located seaward of the coastal construction control line, all manufactured homes shall comply with the more restrictive of the applicable requirements.

(b) Limitations on installation in coastal high hazard areas (Zone V). New installations of manufactured homes shall not be permitted in coastal high hazard areas (Zone V).

(c) Foundations. All new manufactured homes and replacement manufactured homes installed in flood hazard areas shall be installed on permanent, reinforced foundations that:

- (1) In flood hazard areas (Zone A) other than coastal high hazard areas, are designed in accordance with the foundation requirements of the *Florida Building Code, Residential* Section R322.2 and this Ordinance. Foundations for manufactured homes subject to Section 42-14(g) of this Ordinance are permitted to be reinforced piers or other foundation elements of at least equivalent strength.

- (2) In coastal high hazard areas (Zone V), are designed in accordance with the foundation requirements of the *Florida Building Code, Residential* Section R322.3 and this Ordinance.

(d) Anchoring. All new manufactured homes and replacement manufactured homes shall be installed using methods and practices which minimize flood damage and shall be securely anchored to an adequately anchored foundation system to resist flotation, collapse or lateral movement. Methods of anchoring include, but are not limited to, use of over-the-top or frame ties to ground anchors. This anchoring requirement is in addition to applicable state and local anchoring requirements for wind resistance.

(e) Elevation. Manufactured homes that are placed, replaced, or substantially improved shall be elevated such that the bottom of the frame is at or above the elevation required, as applicable to the flood hazard area, in the *Florida Building Code, Residential* Section R322.2 (Zone A) or Section R322.3 (Zone V).

(h) Enclosures. Enclosed areas below elevated manufactured homes shall comply with the requirements of the *Florida Building Code, Residential* Section R322.2 or R322.3 for such enclosed areas, as applicable to the flood hazard area.

(i) Utility equipment. Utility equipment that serves manufactured homes, including electric, heating, ventilation, plumbing, and air conditioning equipment and other service facilities, shall comply with the requirements of the *Florida Building Code, Residential* Section R322, as applicable to the flood hazard area.

SECTION 42-15 RECREATIONAL VEHICLES AND PARK TRAILERS.

(a) Temporary placement. Recreational vehicles and park trailers placed temporarily in flood hazard areas not designated as coastal high hazard areas shall:

- (1) Be on the site for fewer than 180 consecutive days; or
- (2) Be fully licensed and ready for highway use, which means the recreational vehicle or park model is on wheels or jacking system, is attached to the site only by quick-disconnect type utilities and security devices, and has no permanent attachments such as additions, rooms, stairs, decks and porches.

(b) Notwithstanding the foregoing, temporary and permanent placement of recreational vehicles and park trailers is not permissible for a period longer than 24 hours in a calendar year per Section 90-66 of this Code.

SECTION 42-16 TANKS.

(a) Underground tanks. Underground tanks in flood hazard areas shall be anchored to prevent flotation, collapse or lateral movement resulting from hydrodynamic and hydrostatic loads during conditions of the design flood, including the effects of buoyancy assuming the tank is empty.

(b) Above-ground tanks, not elevated. Above-ground tanks that do not meet the elevation requirements of Section 42-16(c) of this Ordinance shall:

- (1) Be permitted in flood hazard areas (Zone A) other than coastal high hazard areas, provided the tanks are anchored or otherwise designed and constructed to prevent

flotation, collapse or lateral movement resulting from hydrodynamic and hydrostatic loads during conditions of the design flood, including the effects of buoyancy assuming the tank is empty and the effects of flood-borne debris.

- (2) Not be permitted in coastal high hazard areas (Zone V).

(c) Above-ground tanks, elevated. Above-ground tanks in flood hazard areas shall be elevated to or above the design flood elevation and attached to a supporting structure that is designed to prevent flotation, collapse or lateral movement during conditions of the design flood. Tank-supporting structures shall meet the foundation requirements of the applicable flood hazard area.

(d) Tank inlets and vents. Tank inlets, fill openings, outlets and vents shall be:

- (1) At or above the design flood elevation or fitted with covers designed to prevent the inflow of floodwater or outflow of the contents of the tanks during conditions of the design flood; and
- (2) Anchored to prevent lateral movement resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy, during conditions of the design flood.

SECTION 42-17 OTHER DEVELOPMENT.

(a) General requirements for other development. All development, including man-made changes to improved or unimproved real estate for which specific provisions are not specified in this Ordinance or the *Florida Building Code*, shall:

- (1) Be located and constructed to minimize flood damage;
- (2) Be anchored to prevent flotation, collapse or lateral movement resulting from hydrostatic loads, including the effects of buoyancy, during conditions of the design flood;
- (3) Be constructed of flood damage-resistant materials; and
- (4) Have mechanical, plumbing, and electrical systems above the design flood elevation or meet the requirements of ASCE 24, except that minimum electric service required to address life safety and electric code requirements is permitted below the design flood elevation provided it conforms to the provisions of the electrical part of building code for wet locations.

(b) Concrete slabs used as parking pads, enclosure floors, landings, decks, walkways, patios and similar nonstructural uses in coastal high hazard areas (Zone V). In coastal high hazard areas, concrete slabs used as parking pads, enclosure floors, landings, decks, walkways, patios and similar nonstructural uses are permitted beneath or adjacent to buildings and structures provided the concrete slabs are designed and constructed to be:

- (1) Structurally independent of the foundation system of the building or structure;
- (2) Frangible and not reinforced, so as to minimize debris during flooding that is capable of causing significant damage to any structure; and
- (3) Have a maximum slab thickness of not more than four (4) inches.

(c) Decks and patios in coastal high hazard areas (Zone V). In addition to the requirements of the *Florida Building Code*, in coastal high hazard areas decks and patios shall be located, designed, and constructed in compliance with the following:

- (1) A deck that is structurally attached to a building or structure shall have the bottom of the

lowest horizontal structural member at or above the design flood elevation and any supporting members that extend below the design flood elevation shall comply with the foundation requirements that apply to the building or structure, which shall be designed to accommodate any increased loads resulting from the attached deck.

- (2) A deck or patio that is located below the design flood elevation shall be structurally independent from buildings or structures and their foundation systems, and shall be designed and constructed either to remain intact and in place during design flood conditions or to break apart into small pieces to minimize debris during flooding that is capable of causing structural damage to the building or structure or to adjacent buildings and structures.
- (3) A deck or patio that has a vertical thickness of more than twelve (12) inches or that is constructed with more than the minimum amount of fill necessary for site drainage shall not be approved unless an analysis prepared by a qualified registered design professional demonstrates no harmful diversion of floodwaters or wave runup and wave reflection that would increase damage to the building or structure or to adjacent buildings and structures.
- (4) A deck or patio that has a vertical thickness of twelve (12) inches or less and that is at natural grade or on nonstructural fill material that is similar to and compatible with local soils and is the minimum amount necessary for site drainage may be approved without requiring analysis of the impact on diversion of floodwaters or wave runup and wave reflection.

(d) Other development in coastal high hazard areas (Zone V). In coastal high hazard areas, development activities other than buildings and structures shall be permitted only if also authorized by the appropriate federal, state or local authority; if located outside the footprint of, and not structurally attached to, buildings and structures; and if analyses prepared by qualified registered design professionals demonstrate no harmful diversion of floodwaters or wave runup and wave reflection that would increase damage to adjacent buildings and structures. Such other development activities include but are not limited to:

- (1) Bulkheads, seawalls, retaining walls, revetments, and similar erosion control structures;
- (2) Solid fences and privacy walls, and fences prone to trapping debris, unless designed and constructed to fail under flood conditions less than the design flood or otherwise function to avoid obstruction of floodwaters; and
- (3) On-site sewage treatment and disposal systems defined in 64E-6.002, F.A.C., as filled systems or mound systems.

(e) Nonstructural fill in coastal high hazard areas (Zone V). In coastal high hazard areas:

- (1) Minor grading and the placement of minor quantities of nonstructural fill shall be permitted for landscaping and for drainage purposes under and around buildings.
- (2) Nonstructural fill with finished slopes that are steeper than one unit vertical to five units horizontal shall be permitted only if an analysis prepared by a qualified registered design professional demonstrates no harmful diversion of floodwaters or wave runup and wave reflection that would increase damage to adjacent buildings and structures.
- (3) Where authorized by the Florida Department of Environmental Protection or applicable local approval, sand dune construction and restoration of sand dunes under or around elevated buildings are permitted without additional engineering analysis or certification of the diversion of floodwater or wave runup and wave reflection if the scale and location of

the dune work is consistent with local beach-dune morphology and the vertical clearance is maintained between the top of the sand dune and the lowest horizontal structural member of the building.



MEMORANDUM

ITEM NO. 4B1

To: Honorable Mayor, Vice-Mayor and Members of the Town Commission
From: Guillermo Olmedillo, Town Manager
Date: July 9, 2019
Subject: Hurricane Shutter Use Ordinance

At the June 11, 2019 meeting, the Town Commission motioned to move forward with an ordinance regulating hurricane shutters in the 2-blocks of Harding Avenue business district from 96th Street to 94th Street (Attachment A).

Since then staff have recommended including the residential district due to the adverse aesthetic effect using shutters for longer periods of time causes.

Code Compliance staff would be utilized to ensure compliance.

No budgetary impact besides the use of Code Compliance staff time.

The Administration seeks Town Commission direction on the provided ordinance regulating hurricane shutters downtown and in the residential district.

Reviewed by

Prepared by

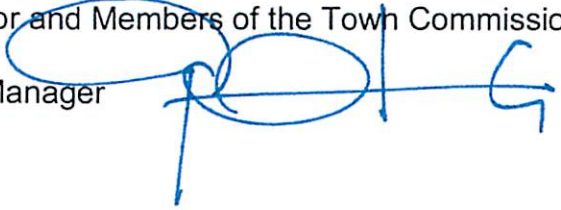
LF
DT



MEMORANDUM

ITEM NO.

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

From: Guillermo Olmedillo, Town Manager 

Date: June 11, 2019

Subject: Downtown Vision Advisory Committee Hurricane Shutter Recommendation

At the April 11, 2019 Downtown Vision Advisory Committee (DVAC) meeting a discussion took place about downtown improvements within the 2-blocks of Harding Avenue between 96th and 94th Street. The minutes of that meeting are provided in this agenda packet.

It was brought to the attention of the Committee that there is at least one downtown business leaving hurricane shutters up year-round. Discussion of the Committee ensued, and the recommendation was to ask the Town Commission (Commission) to enact legislation on this matter. An ordinance is required to address downtown properties keeping hurricane shutters in good repair and to only deploy them upon the announcement of a storm emergency. Once the emergency is lifted the businesses must retract / remove the shutters within seven days.

Currently there is nothing in the Town Code that addresses hurricane shutter maintenance or removal after an emergency situation. Therefore, a new ordinance would be required. This new ordinance will improve the visual aesthetics of the downtown, provide a more positive impression of the district and enhance the pedestrian and vehicular experience of residents and visitors. It is DVAC's opinion that allowing for hurricane shutters to remain in place after an emergency fosters a negative impression of the Town, as does hurricane shutters that are in disrepair. The motion to request the Commission take action on this issue received a unanimous vote.

There is no direct budgetary impact. Staff time would be required to bring the ordinance to the Commission. If enacted, the Code Compliance Department would be required to ensure compliance.

The Town Administration is seeking Commission direction on DVAC's recommendation to bring this specific ordinance back for review.

Reviewed by

Prepared by 

1 **ORDINANCE NO. 2019-_____**

2 **AN ORDINANCE OF THE TOWN COMMISSION OF THE**
3 **TOWN OF SURFSIDE, FLORIDA, AMENDING CHAPTER**
4 **14, “BUILDINGS AND BUILDING REGULATIONS” OF**
5 **THE TOWN’S CODE OF ORDINANCES BY CREATING**
6 **SECTION 14-58, “STORM SHUTTERS AND HURRICANE**
7 **PROTECTION DEVICES”; PROVIDING FOR**
8 **CODIFICATION; PROVIDING FOR SEVERABILITY;**
9 **PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN**
10 **EFFECTIVE DATE.**

11 **WHEREAS,** the Town of Surfside (“Town”) is committed to the health and safety of its
12 residents, businesses, and visitors; and

13 **WHEREAS,** Chapter 14 of the Town’s Code of Ordinances (“Code”) pertains to buildings
14 and building regulations; and

15 **WHEREAS,** storm shutters and hurricane protection devices provide important protection
16 from the potentially disastrous effects of weather events; and

17 **WHEREAS,** the use of storm shutters and hurricane protection devices in times when there
18 is not an impending storm or hurricane diminish the aesthetics of the Town’s residential and
19 commercial areas, have a detrimental effect on the Town’s economy, and can create unnecessary
20 safety risks; and

21 **WHEREAS,** the Town Commission finds that regulations should be adopted to prohibit
22 use of these devices when severe weather events, such as tropical storms or hurricanes, are not
23 present or looming; and

24 **WHEREAS,** the Town Commission wishes to amend Chapter 14 of the Town’s Code to
25 create Section 14-58 to regulate the use of storm shutters and hurricane protection devices; and

26 **WHEREAS,** the Town Commission finds that this Ordinance is necessary for the public
27 health, safety and welfare of the Town.

28 **NOW, THEREFORE, BE IT ORDAINED BY THE COMMISSION OF THE TOWN**
29 **OF SURFSIDE AS FOLLOWS:**¹

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

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 indicated with highlighted ~~double-strikethrough~~ and double underline.

Section 2. Town Code Amended. The Code of Ordinances of the Town of Surfside, Florida is hereby amended by amending by creating a new Section 14-58, which section reads as follows:

Chapter 14 – Buildings and Building Regulations

Article III. – Property Maintenance Standards

Section 14-58. Storm Shutters and Hurricane Protection Devices.

(a) During the period from December 1 to May 31, no storm shutters or hurricane protection devices on any structures certified for occupancy shall remain in a closed/secured or partially closed/secure position so as to block or cover windows, openings, or doors except in the event of severe weather conditions as announced by a watch or warning issued by the National Oceanic and Atmospheric Administration or any of its offices or successor entities for any portion of the Town.

(b) During the period of June 1 to November 30, protection from windborne debris through the use of storm shutters and hurricane protection devices is encouraged for all structures certified for occupancy in the Town. During this period, in the event that the National Oceanic and Atmospheric Administration or any of its offices or successor entities issues a watch or warning for a named tropical storm or hurricane for any portion of the Town, storm shutters or hurricane protection devices may be used to protect building/structure openings up to ten days prior to storm landfall and may remain in place for no more than ten days following storm passage.

Secs. 14-589 – 14-75. – 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 9th day of July, 2019.

PASSED AND ADOPTED on second reading on the 13th day of August, 2019.

On Final Reading Moved By: _____

On Final Reading 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

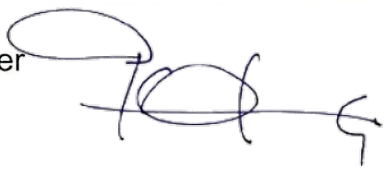
**APPROVED AS TO FORM AND LEGALITY FOR THE USE
AND BENEFIT OF THE TOWN OF SURFSIDE ONLY:**

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



MEMORANDUM

ITEM NO. 4B2

To: Honorable Mayor, Vice-Mayor and Members of the Town Commission
From: Guillermo Olmedillo, Town Manager 
Date: July 9, 2019
Subject: One-Year Extension of the 2018 Parking Exemption Ordinance

At the June 11, 2019 Town Commission meeting, direction was given to return with a one-year extension to the parking exemption program that was established at the July 10, 2018 Town Commission Meeting via Ordinance No. 2018-1686 (Attachment A).

The Town updated its Vacant Properties in the Business District Inventory on July 1, 2019 with additional vacant properties within the SD-B40 Zoning District that could potentially benefit from the program. These properties were added to the inventory (Exhibit "A") provided with the accompanying ordinance extension.

The Town Administration seeks approval on the proposed ordinance as presented.

Reviewed by: DT

Prepared by: LF



MEMORANDUM

ITEM NO.

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

From: Guillermo Olmedillo, Town Manager

Date: June 11, 2019

Subject: Parking Waiver Program Update

On July 10, 2018 the Town Commission approved Ordinance No. 2018-1686 to establish a waiver program for "off-street parking requirements of Chapter 90 Zoning" in an effort to address vacancies downtown, and provide an incentive for economic revitalization (Attachment A). This ordinance is slated to expire on July 10, 2019.

As of May 31, 2019, five of the eligible ten vacant properties have been rented, and four of the five new businesses utilized the parking waiver provision. This initiative has proven successful in addressing the goals set forth: assist with filling vacant properties and in the revitalize efforts downtown.

<i>Location</i>	<i>Spaces Waived</i>	<i>New Business</i>
9472 Harding Avenue	0*	Mesa Kosher Restaurant
9488 Harding Avenue	In Progress	Café Vert extension
9588 Harding Avenue	2	BH Home Design
9433 Harding Avenue	N/A	Vacant
9441 Harding Avenue	N/A	Vacant
9491 Harding Avenue	N/A	Vacant
262 95 th Street	N/A	Vacant
9509 Harding Avenue	3	The Fishery (Coming Soon)
9555 Harding Avenue	N/A	Vacant
9571 Harding Avenue	1	Morelia Gourmet Paletas

*There was a restaurant previously in this space

Parking requirements for restaurants and retail spaces are more than office spaces. Therefore, if a retail or restaurant business were to replace a space that was previously occupied by an office space, a payment of \$38,000 per parking space, into the Parking Fund, for any space not accounted for by the prior use is required. The payments would then be connected to the Town offsetting the "parking deficit" with the establishment of additional parking.

It could be construed that this program eliminates this additional (conditional) revenue to the Town and, therefore, a loss. However, once an applicant realizes the additional cost for the parking, they typically find another location as expressed by some of the vacant downtown property owners. This results in a loss of a tenant and a perpetually vacant space. The benefit of the parking waiver program is that it has filled vacant spaces with retail and restaurant uses, and that the new restaurants will have a positive revenue effect from Resort Tax.

Due to the fact that fifty percent (50%) of the previously vacant store fronts are now rented, and eighty percent (80%) of the new businesses participated in the parking waiver program, this initiative can be viewed as a contributing factor in the attraction of new downtown businesses.

The parking waiver program, if extended and inclusive of the newly vacant properties, would include a total of sixteen properties, five from the original vacant property inventory identified in the chart below.

<i>West Side</i>	<i>East Side</i>
9452 Harding Avenue	9433 Harding Avenue (still vacant)
9482 Harding Avenue	9438 Harding Avenue
9486 Harding Avenue	9441 Harding Avenue (still vacant)
	9453 Harding Avenue
	9455 Harding Avenue
	9461 Harding Avenue
	9471 Harding Avenue
	9491 Harding Avenue (still vacant)
	262 95 th Street (still vacant)
	9509 Harding Avenue
	9513 Harding Avenue
	9555 Harding Avenue (still vacant)
	9599 Harding Avenue

There is no direct budgetary impact. Staff time would be required to bring the ordinance provision to the Commission and monitor the initiative for another year.

The Town Administration seeks direction on whether to extend the provision for the sixteen properties (new vacancy inventory) or to allow for it to expire.

Reviewed by

Prepared by

Handwritten signature/initials



Town of Surfside Commission Communication

Agenda Item

Agenda Date: July 10, 2018

Subject: Downtown Business District Parking Requirement Waiver

Background: At the May 8, 2018 Town Commission meeting there was a discussion item on providing a parking waiver for new retail or restaurant businesses filling existing vacancies downtown. The Administration received direction to return with an ordinance that facilitates the waiver (4:1 vote in favor). At the June 12, 2018 Town Commission meeting the ordinance was approved on first reading (5:0 vote in favor). The Planning & Zoning Board recommended moving forward with the ordinance at their June 27, 2018 meeting.

Analysis: While there are probably many factors affecting the vacancies downtown, this waiver addresses the property owners' stated issue of the parking requirement being the foremost issue in filling their vacancies.

In a good faith effort to address their stated view, and to reinvigorate the economic development of downtown, the Administration is proposing a waiver of the parking requirement with the following restrictions:

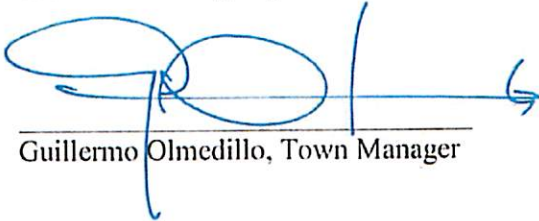
- The waiver would sunset after one year unless extended by the Town Commission. This is a change from the two-year waiver discussed on May 8, 2018 due to the desire to spur a more immediate economic resurgence
- The waiver would only apply to new businesses locating in existing vacant store fronts at the time of the ordinance adoption. An inventory of the existing vacancies will be conducted. Vacancy inventory attached (Attachment A)
- Businesses would be defined as retail or restaurant only for waiver eligibility

Budget Impact: While there is potential loss of Parking Fund revenue, this can only be determined if the waiver achieves its projected effect of filling the downtown vacancies and by the type of new businesses that open. This may not in effect be a valid "loss" as these businesses are not presently locating in Surfside.

New tenants, especially restaurants, can have a positive effect on Resort Tax Revenue. This could counteract any loss of payments to the Parking Fund. Filling vacancies can enhance the downtown experience and improve the desirability and marketability of the area. Thus, potentially resulting in increased patronage downtown and to all food and beverage establishments.

Staff Impact: The Tourist Bureau will assist with the outreach to the property owners and will monitor the venture. The Planning and Building operations will provide the waiver to applicable businesses when reviewed as part of a site plan, building permit or Certificate of Use issuance (whichever is the earliest).

Recommendation: The Administration is recommending the adoption of the accompanying ordinance on second reading as presented.



Guillermo Olmedillo, Town Manager



DT

ORDINANCE NO. 18 - 11086

AN ORDINANCE OF THE TOWN OF SURFSIDE, FLORIDA
AMENDING SECTION 90-77 "OFF-STREET PARKING
REQUIREMENTS," OF "CHAPTER 90 ZONING" OF THE
TOWN OF SURFSIDE CODE OF ORDINANCES TO
PROVIDE A PARKING EXEMPTION PROGRAM TO
ADDRESS VACANCY AND ECONOMIC REVITALIZATION
IN THE SD-B40 ZONING DISTRICT; PROVIDING FOR
REPEAL OF CONFLICTING PROVISIONS; PROVIDING
FOR SEVERABILITY; PROVIDING FOR INCLUSION IN
THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

1 WHEREAS, the Town Commission of the Town of Surfside, Florida, recognizes that
2 changes to the adopted Code of Ordinances are periodically necessary in order to ensure that the
3 Town's regulations are current and consistent with the Town's planning and regulatory needs;
4 and

5 WHEREAS, the Town has worked with downtown businesses and property owners to
6 improve the economic health and vitality of the downtown and analyze and address operational
7 issues, vacancy, and economic growth; and

8 WHEREAS, the Town has conducted an inventory of downtown ground floor vacancies,
9 attached hereto and incorporated herein as the "2018 Downtown Vacancy Inventory"; and

10 WHEREAS, the large number of vacancies has reduced the vibrancy and economic
11 vitality of the Town's Downtown; and

12 WHEREAS, the Town desires to take positive action to avoid the onset of blight and
13 restore the economic health and welfare of its crucial commercial district; and

14 WHEREAS, economic vitality and restoration can be enhanced with proactive policy
15 interventions designed to improve economic viability, therein fostering new business activity,
16 productivity and operational feasibility; and

17 WHEREAS, parking, and the limited availability of land may impact redevelopment,
18 changes of use and occupancy; and

19 WHEREAS, in order to help reduce vacancy, improve aesthetics, and restore the
20 pedestrian experience and downtown vitality, the Town desires to develop a temporary Parking
21 Exemption Program; and

22 WHEREAS, the Town Commission held its first public hearing on these regulations on
23 June 12, 2018; and

24 WHEREAS, the Planning and Zoning Board, sitting as the Local Planning Agency, has
25 reviewed the revisions to the Code for consistency with the Town's Comprehensive Plan at a
26 duly noticed hearing on June 27th, 2018; and

27 WHEREAS, the Town Commission has conducted a second duly noticed public hearing
28 on these regulations as required by law on July 10th; and

29
30 WHEREAS, the Town Commission hereby finds and declares that adoption of this
31 Ordinance is necessary, appropriate, and advances the public interest.
32

33 NOW THEREFORE, BE IT ORDAINED BY THE TOWN COMMISSION OF
34 THE TOWN OF SURFSIDE, FLORIDA, AS FOLLOWS:

35 Section 1. Recitals. Each of the above stated recitals is true and correct and the recitals are
36 incorporated herein by this reference.

37 Section 2. Code Amendment. The Code of Ordinances of the Town of Surfside,
38 Section 90-77 "Off-street parking requirements" of Chapter 90 "Zoning" is hereby amended as
39 follows¹:

40 Sec. 90-77. - Off-street parking requirements.

41 (a) Except as otherwise provided herein, when any building or structure is hereafter constructed;
42 or structurally altered so as to increase the number of dwelling units or hotel rooms to
43 increase its total commercial floor area, including provision of outdoor seating; or when any
44 building or structure is hereafter converted to any of the uses listed in subsection 90-77(c),
45 off- street parking spaces shall be provided in accordance with the requirements of
46 subsection 90-77(c), or as required in subsequent sections of this article. The requirement for
47 an increase in the number of required parking spaces shall be provided on the basis of the
48 enlargement or change of use.

49 (b) Parking compliance for properties and uses located in SD-B40 zoning district and for
50 religious places of public assembly in other areas of the town.

51 (1) Off-street parking applicability. This section applies to:

¹ Additions to text are shown in underline. Deletions to text are shown in ~~strikethrough~~.

- 52 a. Uses within the SD-B40 zoning district where changes of use from service
53 businesses to restaurant or retail occur; and
- 54 b. Religious places of public assembly located within the area depicted on the Public
55 Assembly Places as set forth in subsection 90-41(d)(23) hereinabove.
- 56 (2) Options to satisfy parking requirements for uses specified in (1) above. Satisfaction of
57 the off-street parking requirements may be achieved with the permission of the town
58 commission through compliance with any combination of the following options:
- 59 a. On site provision of required parking spaces as more specifically set forth in
60 subsection 90-77(c);
- 61 b. Tandem parking as more specifically set forth in subsection 90-77(d);
- 62 c. Joint use and off-site facilities as more specifically described in section 90-80. If
63 parking is satisfied by agreement with a private third party, the town shall require
64 an agreement in writing for an effective period of no less than five years. No less
65 than 60 days prior to the expiration of such agreement, either a new agreement shall
66 be in place or the owner of the property for which the parking is being provided
67 shall receive the town's approval of the employment of one of the other prescribed
68 options contained in this subsection. Failure to secure the town's approval of one or
69 a combination of the prescribed options shall result in revocation of the owner's
70 certificate of occupancy and certificate of use;
- 71 d. Shared parking; or
- 72 e. Payment of parking trust fee that can be used to finance the provision of parking
73 whether through the purchase, construction or modification of parking facilities or
74 to otherwise provide for additional parking as more specifically set forth in
75 subsection 90-77(b)(4).
- 76 (3) *Modification of parking requirements.* In tandem with the use of options (2)c—e to
77 satisfy parking requirements, requests may be made for a reduction in the minimum
78 parking requirements which may be considered by the town upon receipt of an
79 application from the owner of the site seeking a reduction as follows:
- 80 a. Minor reductions. Requests for a reduction of one to three required parking spaces
81 may be approved by the town manager in consultation with the town planner as a
82 de minimus reduction upon a finding that the applicant has utilized the options
83 available in subsection 90-77(b)(2) above, to the greatest extent feasible. If the
84 request is denied by the town manager, that decision may be appealed to the town
85 commission.
- 86 b. Major reductions. The planning and zoning board shall hear requests for reductions
87 in parking in excess of the town manager's authority under subsection (3)a
88 hereinabove. Such requests shall be accompanied by a report prepared by the town
89 manager and town planner and approved for legal sufficiency by the town attorney,
90 analyzing existing and future parking demands, the availability of underutilized
91 public parking spaces, and traffic circulation. The report prepared by the town
92 manager and town planner and approved for legal sufficiency by the town attorney

93 will be based upon an independent study completed by a professional traffic
94 engineer licensed in the State of Florida.

95 c. Criteria for approval of major or minor reduction. Requests for reduction may be
96 approved, in whole or in part, upon a finding that there is sufficient available
97 parking that is open to the public and is judged adequate to accommodate the
98 parking reduction request within 300 feet of the subject property along a practical
99 and usable pedestrian route excluding residential districts.

100 If the request is denied by the planning and zoning board, that decision may be
101 appealed to the town commission.

102 (4) Parking exemption. There is hereby created a "Parking Exemption Program".

103 a. Program. For the period from [July 10, 2018 - Effective date of this Ordinance]
104 to [July 10, 2019 - 1 year from the effective date of this Ordinance], first floor
105 properties in the SD-B40 zoning district which are vacant as of [July 10, 2018 -
106 Effective date of this Ordinance] shall not be required to provide parking spaces,
107 beyond those currently provided for the property, for any additional parking
108 spaces required by the following:

109 1. The development of currently vacant existing first floor square footage for a
110 change of use to retail or restaurant use which creates a requirement for
111 additional parking spaces;

112 2. The development of a new sidewalk café in conjunction with a new retail or
113 restaurant occupancy in currently vacant space;

114 3. The development of second floor square footage for a change of use to retail
115 or restaurant use which creates a requirement for additional parking spaces
116 provided the second floor area is an integral part of and accessed solely from
117 the interior of a connected first floor space.

118 b. Application required. To qualify for the Parking Exemption Program, a parking
119 exemption application must be submitted, in a form to be approved by the Town,
120 with all supporting documentation as required by the application.

121 c. Eligibility for Program.

122 1. Only properties vacant as of July 10, 2018 as identified by Town inventory
123 dated July 10, 2018 are eligible for the Program.

124 2. The application for a parking exemption, and all supporting documents,
125 including any applicable certificate of use, building permit or development
126 approval applications, shall have been submitted and deemed to be complete
127 by the Town prior to the Program expiration, and all required permits received

and the retail or restaurant space subsequently built and opened to the public within one year from approval of parking exemptions.

3. Eligibility is limited to first floor square footage which was existing and vacant as of July 10, 2018, which is changing use and will be utilized for retail, restaurant, or new sidewalk café space in conjunction with the new retail or restaurant occupancy of currently vacant space, or the occupancy of existing vacant second floor space for retail or restaurant use in conjunction with, and which is an integral part of and accessed solely from, the interior of a currently vacant connected first floor space.

d. Program guidelines.

1. Program duration. The Parking Exemption Program shall last for a period of one year, from July 10, 2018, to July 10, 2019. Notwithstanding the foregoing, the Town Commission, may, for any reason and in its sole discretion, discontinue this Parking Exemption Program at any point during the duration of the Program.
2. This Program does not allow the elimination of any existing parking spaces and exemptions cannot be obtained to replace existing parking.
3. This Program may not be used for new construction, expanded building area or for independently accessed, stand-alone second floor square footage.
4. Once parking exemptions are awarded, failure to complete construction and open to the public within one year of approval of any parking exemptions shall result in forfeiture of any parking exemptions obtained.
5. Status following end of Program.
 - i. Nonconforming. At the end of the Parking Exemption Program, all retail, restaurant, and sidewalk café area built under the Parking Exemption Program will become nonconforming use as to parking, and shall be subject to the requirements of the nonconforming use provisions of the Town's Code of Ordinances. Notwithstanding the foregoing, retail, restaurant and sidewalk café uses which were granted parking exemptions under this Program may be completely remodeled or rebuilt without providing additional parking, as originally permitted through the Parking Exemption Program, as long as it is the same business and use and the retail floor area or restaurant seating capacity is not increased. If floor area or seating capacity are increased, compliance with the parking requirements in effect at that time is required for the new floor area or

163 seating capacity, through a mechanism available in the Code then in
164 effect.

165 ii. Availability of exemptions to successor businesses. Parking exemptions
166 are granted to a specific business for a specific use and are not assignable
167 or transferable to another business, use, or property.

168 * * *

169 (c) *Required parking table.* The number of off-street parking spaces that shall be required to
170 serve each building or structure and use shall be determined in accordance with the
171 following table:

Type of Residential Unit/Type of Use	Minimum Space Requirements
* * *	* * *
Grocery, fruit or meat market	1 space each 250 gross floor area
Retail store or Personal service establishment	1 space each 300 gross floor area
Office or Professional services use, except Financial institutions	1 space each 400 gross floor area
Medical or Dental uses	1 space each 300 gross floor area
Restaurants or other establishments for the consumption of food and beverages on the premises	1 space for every 4 seats
Financial institutions	1 space each 300 gross floor area
* * *	* * *

172 * * *

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

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

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

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

185

186 PASSED on first reading this 12th day of June, 2018.

187 PASSED and ADOPTED on second reading this 10th day of July, 2018.

188

189 On Final Reading Moved by: Vice Mayor Gielchinsky

190 On Final Reading Second by: Commissioner Karukin

191

192 **FINAL VOTE ON ADOPTION**

193 Commissioner Barry Cohen

194 Commissioner Michael Karukin

195 Commissioner Tina Paul

196 Vice Mayor Daniel Gielchinsky

197 Mayor Daniel Dietch

198

199

200

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204

205 Sandra Novoa, MMC, Town Clerk

206

207 APPROVED AS TO FORM AND LEGALITY FOR THE USE

208 AND BENEFIT OF THE TOWN OF SURFSIDE ONLY:

209

210

211

212

213



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

*Back up
item 4A2*

Town Inventory of Vacant Properties in the Business District
As of July 10, 2018

West Side	East Side
9472 Harding Avenue	9433 Harding Avenue
9488 Harding Avenue	9441 Harding Avenue
9588 Harding Avenue	9491 Harding Avenue
	262 95th Street
	9509 Harding Avenue
	9555 Harding Avenue
	9571 Harding Avenue

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WHEREAS, on July 1, 2019, the Town conducted a review of the inventory of downtown ground floor vacancies in the SD-B40 Zoning District and identified eleven additional properties that are vacant and should be eligible for participation in the Parking Waiver Program; and

WHEREAS, in an effort to continue incentivizing the economic revitalization of the SD-B40 Zoning District, the Town Commission wishes to extend the duration of the Parking Waiver Program through July 10, 2020 and increase the number of properties eligible for participation in the Parking Waiver Program from ten to twenty-one properties as identified in the 2019 Downtown Vacancy Inventory attached hereto and incorporated herein as Exhibit “A”; and

WHEREAS, the Town Commission held its first public hearing on these regulations on July 9, 2019; and

WHEREAS, the Planning and Zoning Board, sitting as the Local Planning Agency, has reviewed the revisions to the Code for consistency with the Town's Comprehensive Plan at a duly noticed hearing on July 11, 2019; and

WHEREAS, the Town Commission conducted a second duly noticed public hearing on these regulations as required by law on August 13, 2019; and

WHEREAS, the Town Commission finds that this Ordinance is necessary, appropriate, and advances the public interest.

NOW, THEREFORE, BE IT ORDAINED BY THE COMMISSION OF THE TOWN OF SURFSIDE AS FOLLOWS: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 Ordinances of the Town of Surfside, Florida is hereby amended by amending Section 90-77, “Off-street parking requirements” as follows:

Chapter 90 – Zoning

Article VII. – Off-Street Parking and Loading

Division 1. - Off-street parking

Section 90-77. Off-street parking requirements.

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 indicated with **highlighted double strikethrough** and **double underline**.

(4) *Parking exemption.* There is hereby created a "Parking Exemption Program".

- a. Program. For the period from ~~{July 10, 2018 – Effective date of this Ordinance}~~ to ~~{July 10, 2019}~~20 ~~— 1 year from the effective date of this Ordinance~~, first floor properties in the SD-B40 zoning district which are vacant as of ~~{July 10, 2018 – Effective date of this Ordinance}~~ through and including July 1, 2019 shall not be required to provide parking spaces, beyond those currently provided for the property, for any additional parking spaces required by the following:

1. The development of currently vacant existing first floor square footage for a change of use to retail or restaurant use which creates a requirement for additional parking spaces;
2. The development of a new sidewalk café in conjunction with a new retail or restaurant occupancy in currently vacant space;
3. The development of second floor square footage for a change of use to retail or restaurant use which creates a requirement for additional parking spaces provided the second floor area is an integral part of and accessed solely from the interior of a connected first floor space.

- b. Application required. To qualify for the parking exemption program, a parking exemption application must be submitted, in a form to be approved by the town, with all supporting documentation as required by the application.

- c. Eligibility for program.

1. Only properties vacant ~~as of~~ between July 10, 2018 and July 1, 2019, as identified by the Town's Downtown Vacancy inventory dated July 10, 2018 and updated July 1, 2019, are eligible for the program.
2. The application for a parking exemption, and all supporting documents, including any applicable certificate of use, building permit or development approval applications, shall have been submitted and deemed to be complete by the town prior to the program expiration, and all required permits received and the retail or restaurant space subsequently built and opened to the public within one year from approval of parking exemptions.
3. Eligibility is limited to first floor square footage which was existing and vacant ~~as of~~ between July 10, 2018 and July 1, 2019, which is changing use and will be utilized for retail, restaurant, or new sidewalk café space in conjunction with the new retail or restaurant occupancy of currently vacant space, or the occupancy of existing vacant second floor space for retail or restaurant use in conjunction with, and which is an integral part of and accessed solely from, the interior of a currently vacant connected first floor space.

- d. Program guidelines.

1. Program duration. The parking exemption program shall last ~~for a period of one year,~~ from July 10, 2018, to July 10, 201920. Notwithstanding the foregoing, the

town commission, may, for any reason and in its sole discretion, discontinue this parking exemption program at any point during the duration of the program.

2. This program does not allow the elimination of any existing parking spaces and exemptions cannot be obtained to replace existing parking.
3. This program may not be used for new construction, expanded building area or for independently accessed, stand-alone second floor square footage.
4. Once parking exemptions are awarded, failure to complete construction and open to the public within one year of approval of any parking exemptions shall result in forfeiture of any parking exemptions obtained.
5. Status following end of program.
 - i. Nonconforming. At the end of the parking exemption program, all retail, restaurant, and sidewalk café area built under the parking exemption program will become nonconforming use as to parking, and shall be subject to the requirements of the nonconforming use provisions of the Town's Code of Ordinances. Notwithstanding the foregoing, retail, restaurant and sidewalk café; uses which were granted parking exemptions under this program may be completely remodeled or rebuilt without providing additional parking, as originally permitted through the parking exemption program, as long as it is the same business and use and the retail floor area or restaurant seating capacity is not increased. If floor area or seating capacity are increased, compliance with the parking requirements in effect at that time is required for the new floor area or seating capacity, through a mechanism available in the Code then in effect.
 - ii. Availability of exemptions to successor businesses. Parking exemptions are granted to a specific business for a specific use and are not assignable or transferable to another business, use, or property.

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 9th day of July, 2019.

PASSED AND ADOPTED on second reading on the 13th day of August, 2019.

On Final Reading Moved By: _____

On Final Reading 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 LEGALITY FOR THE USE
AND BENEFIT OF THE TOWN OF SURFSIDE ONLY:**

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

Exhibit “A”

Town Inventory of Vacant Properties in the Business District (Updated July 1, 2019)

West Side	East Side
9452 Harding Avenue ²	9433 Harding Avenue
9466 Harding Avenue ²	9441 Harding Avenue
9472 Harding Avenue	9453 Harding Avenue ²
9486 Harding Avenue ²	9455 Harding Avenue ²
9488 Harding Avenue ³	9461 Harding Avenue ²
9540 Harding Avenue ²	9471 Harding Avenue ²
9588 Harding Avenue ³	9491 Harding Avenue
	262 95th Street
	9509 Harding Avenue ³
	9513 Harding Avenue ²
	9541 Harding Avenue ²
	9555 Harding Avenue
	9571 Harding Avenue ³
	9599 Harding Avenue ²

² Designates those properties that have been added to the inventory since July 10, 2018 and were vacant as of July 1, 2019

³ Designates those properties that were in the original 2018 Downtown Vacancy Inventory dated July 10, 2018 and have already participated in the Parking Exemption Program



MEMORANDUM

ITEM NO. 5A

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

From: Guillermo Olmedillo, Town Manager

Date: June 11, 2019

Subject: Florida Power and Light (FPL) Light Emitting Diode (LED) Street Light Conversion in Residential Area

Walkability and pedestrian safety have been a recurring topic within the Town of Surfside residential area. Various methods of traffic mitigation have been implemented to assist with pedestrian safety. An ongoing issue during evening hours is poorly dimmed lighting. This is because the Town residential area is currently illuminated by existing 3000K High-Pressure Sodium bulbs on cobra head fixtures, that are maintained by Florida Power and Light (FPL). These fixtures are outdated in luminating strength and technology because the system uses an electrified gas to create lighting. In doing so, light is directed through a series of shields (cobra heads) which re-direct the light towards the bottom in order to light up roadways. A lot of energy is lost through heat within the cobra head; making the system inefficient. Various residents have expressed concerns about lighting conditions in the residential area which lead to discussions with FPL.

Discussions between the Town and FPL have been ongoing and structured to review alternative methods to be more resilient with power infrastructure while seeking ways to address safety issues encountered during evening hours within the Town. Vehicular and pedestrian roadways are shared by pedestrians and cars. Fortunately, current technology now allows for alternative options that provide more light using the existing infrastructure. Existing light poles with 3000K High-Pressure Sodium bulbs on cobra head fixtures now have the capability to be converted to Light Emitting Diode (LED) system. This alternative in technology allows for the specific direction of light traveling to be concentrated on more specific areas. In doing so, less energy is wasted through heat which reflects in energy consumption and ultimately in cost savings. A complete presentation of LED lighting and LED lighting conversion benefits by FPL can be found in Attachment "A" – *"Expanded LED Presentation"* dated September 9, 2018.

All the street lights within the Town are operated and maintained by three (3) different jurisdictions depending on their location. Attachment "B" – *"Surfside Street Light Inventory"* shows all Town inventory with different colors differentiating jurisdictions. A summary of inventory can be found in Table A – *"Surfside Street Light Inventory Table"* below:

Item Number	Jurisdiction (Owner of Lighting)	Total Quantity	Count Date
1	Town of Surfside	73	11/7/2018
2	Miami Dade County Public Works (Transportation)	67	11/7/2018
3	FPL	236	11/7/2018

Table A – “Surfside Street Light Inventory Table”

During discussions, FPL provided a total of three (3) options for LED conversion that can be applied to the lights they own and maintain. As shown in Table A, FPL owns and maintains a total of 236 lights within the residential area. Harding and Collins Avenues have not been taken into consideration for LED conversion because they are owned by Miami-Dade County or Town of Surfside and are part of other conversion strategies. The three (3) options presented to the Town for review can be found in Table B – “LED Conversion Options” below:

Option 1	Option 2	Option 3
RSW 45 Watt 3000 K	RSW 41 Watt 4000 K	ATBS 76 Watt

Table B – “LED Conversion Options”

After reviewing the options with independent electrical contractors, recommendations from FPL, and seeing current upgrades in progress by the City of Sunrise as well as the City of Miami; Option 1 45-Watt 3000K is the most suitable for Town needs. Option 2 RSW 41-Watt 4000 K and Option 3 ATBS 76-Watt fixtures have posed problems with small lot neighborhoods where there is close proximity between roadway street lights and houses. The result is light intrusion into residences through windows facing street lights. Option 1 RSW 45-Watt 3000 K will reduce the Town’s power consumption by approximately 73,344 kWh per year and eliminate approximately 52 metric tons of Carbon Dioxide per year which equates to removing a total of 11 cars from the road.

The proposed FPL LED Conversion Plan has no cost to the Town as long as FPL remains the electricity provider and the agreement has a ten (10) year term. FPL will continue to bill the Town for electricity services per accordance to of FPL effective lighting rate schedule on file at the Florida Public Service Commission (FPSC) or any successive lighting rate schedule approved by the FPSC.

Staff recommendation is for the Commission to accept FPL LED Lighting Service Agreement dated May 2019 to allow FPL to convert a total of 236 light fixtures from existing 3000K High-Pressure Sodium bulbs to RSW 45-Watt 3000 K LED fixtures. The total itemized inventory of fixtures that would be converted can be found in Attachment “C” – “Town of Surfside Selection Sheet”.

Reviewed by GO

Prepared by HG/RS



FPL®



Changing the Way Florida Looks at Night

FPL LT-1 LED Lighting Tariff

Franc Arbide, Business Development Manager
FPL LED Lighting Solutions

OUR HISTORY RUNS DEEP

FOUNDED IN FLORIDA

The Founding Company – Florida Power & Light Company (FPL)

- Began in the final days of 1925
- Joined the New York Stock Exchange in 1950
- Largest electric utility in Florida
- A leading Florida employer (approximately 8,900 employees)

The Next Era Begins

- In 2010, FPL's parent company (FPL Group) was renamed NextEra Energy, a forward-looking enterprise that sees the future and gets there first
- Headquartered in Juno Beach, Florida
- Ranked the top "green utility" in the United States in 2015 and 2016

OUR HISTORY RUNS DEEP

PIONEERS OF POWER

FPL

- Serves nearly 5 million accounts or more than 10 million people across nearly half of the state of Florida
- Residential and business rates among the lowest in the state and the nation
- One of the cleanest power plant fleets among all utilities nationwide

NextEra

- Operations in 30 states and Canada
- Largest generator of renewable energy in the world
- Capacity 45.9 GW

OUR HISTORY RUNS DEEP

LEADERS IN LIGHT

FPL

- Providing street light services for more than 60 years
- Currently providing street light services for more than 500K owned and maintained street lights
- Services/replaces approximately 150K lights per year
 - Automobile accidents
 - Hurricanes
 - Routine maintenance
- Through smart grid technology, FPL owned street lights are now equipped with “Smart Nodes” that can auto-generate trouble tickets

TARIFF OVERVIEW

NEW LT-1 TARIFF

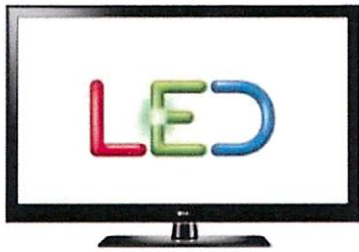
Approved by the PSC on April 28, 2017, this tariff provides for the installation of FPL owned LED lights at no upfront cost to customers*.

- The Tariff allows us to offer a variety of LED street and area light solutions in a variety of different scenarios:
 - Convert HPS lights currently under SL-1
 - Convert customer owned and maintained lights to LED
 - Install new LED street and area lights
- Monthly fixture, maintenance, and energy charges are determined based on the fixture chosen by the customer
- Customers may pay additional monthly charges for dedicated light poles, underground construction and conversions

** In cases where directional boring or other uncommon construction concerns exist, an upfront fee may be required*

Proliferation of LED

LEDs are in our cars, our offices, our homes and even our pockets



LED STREET LIGHT CONVERSIONS ARE HAPPENING ACROSS THE US

JUST SOME OF THE US CITIES CONVERTING

- Los Angeles, CA
- Las Vegas, NV
- Boston, MA
- New York City, NY
- West Palm Beach
- Detroit, MI
- San Francisco, CA
- Cleveland, OH
- St. Louis, MO
- Portland, OR
- Orlando, FL
- Asheville, NC
- Raleigh, NC
- Oahu, HI
- Pittsburg, PA
- Pueblo, CO
- Austin, TX
- San Antonio, TX
- Seattle, WA
- Salt Lake City, UT
- Phoenix, AZ
- Anchorage, AK
- Topeka, KS
- Des Moines, IA
- Chattanooga, TN
- Canton, OH
- Mobile, AL
- Tampa, FL
- Chicago, IL
- Providence, RI

DEMAND IS HIGH FOR LED STREET LIGHTS UNDER LT-1

More than 30 cities have already signed up to do citywide conversions

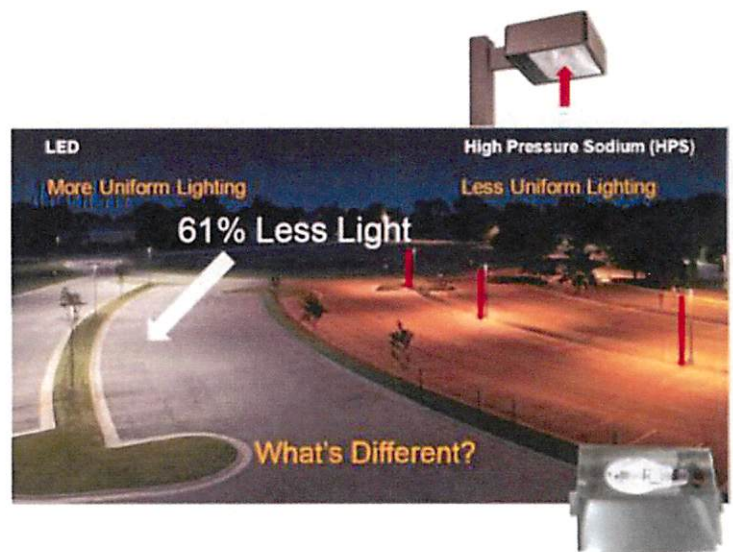


LED ADVANTAGES

BENEFITS OF LED

LEDs offer:

- Superior color rendition and differentiation
 - High color rendering index (CRI)
 - More natural colors than HPS
- High efficiency
 - Energy savings up to 50%+
- Greater variety of choices

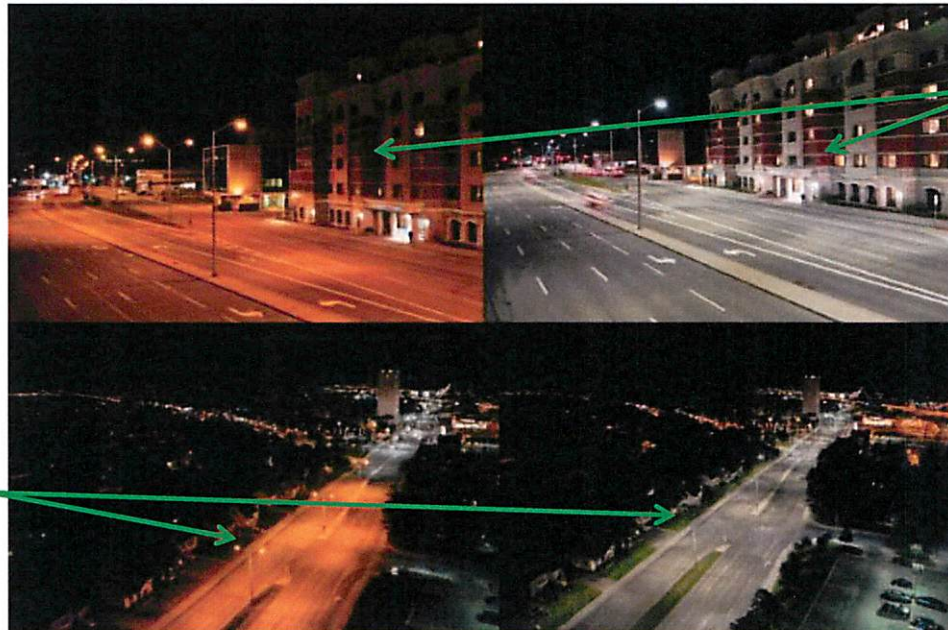


Comparison of LED fixtures (left) versus High Pressure Sodium (HPS) fixtures (right)

Image from <http://www.myLEDlightingguide.com>

LED ADVANTAGES

WHY CHOOSE LED OVER HPS?



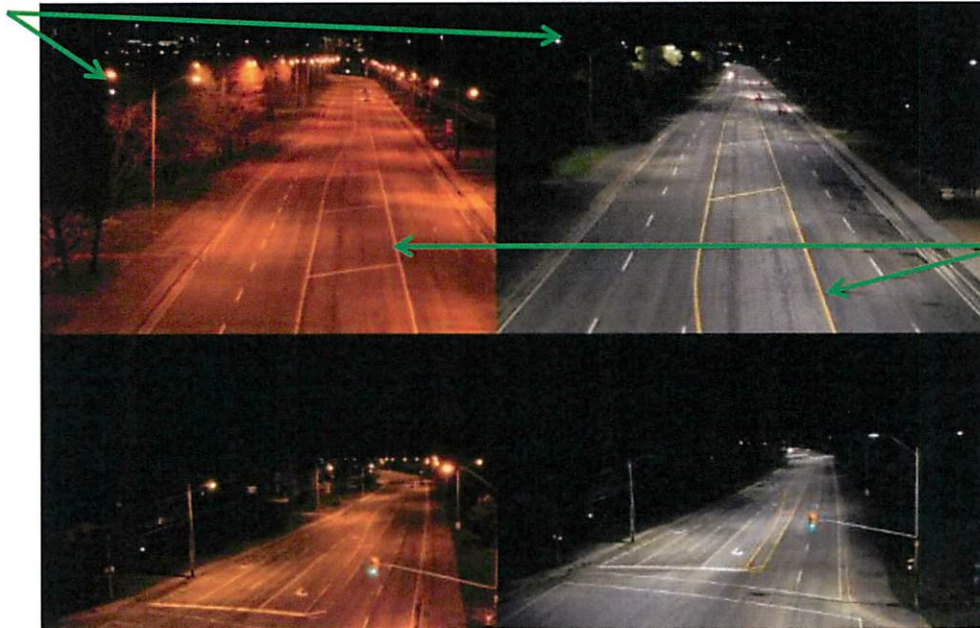
Compare color rendering from HPS lights vs. LED on the building

Compare light pollution contribution from HPS lights vs. LED

LED ADVANTAGES

WHY CHOOSE LED OVER HPS?

Compare uplight
component from
HPS lights vs. LED

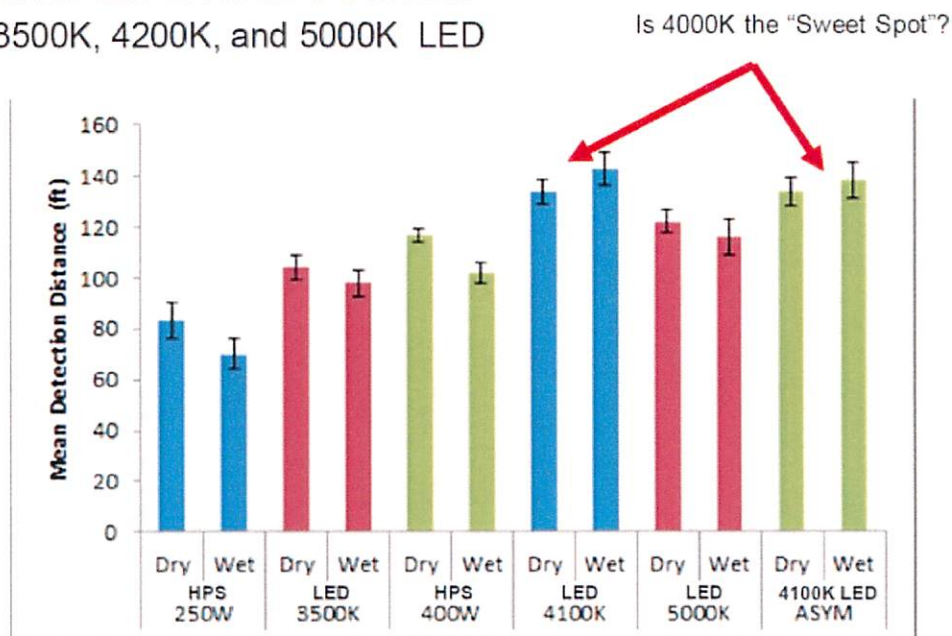


Compare color
rendering from HPS
lights vs. LED on the
stripe colors

LED ADVANTAGES

Object Detection Distance Example

- 250W and 400W HPS Baseline
- 3500K, 4200K, and 5000K LED



Credit: Virginia Tech Transportation Institute

LED ADVANTAGES

CITY OF LOS ANGELES



LIGHTING CHOICES

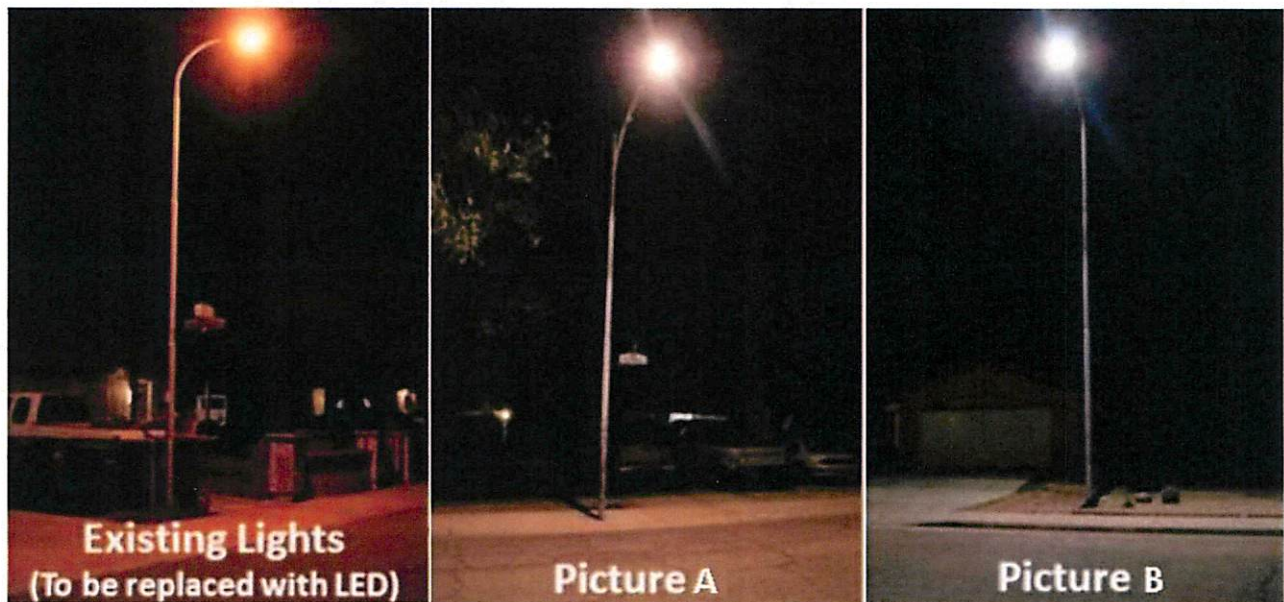
WE WORK WITH TOP BRANDS

Thanks to the flexibility of the new LT-1 tariff, we are able to offer dozens of street and area lighting options from leading LED manufacturers such as CREE, GE, Cooper, Holophane, and AEL



LIGHTING CHOICES

Color Temperature



Existing 2200 Kelvin HPS

3000 Kelvin

4000 Kelvin

Existing Street Light Inventory and Potential Replacements

FPL Full Maintenance Lights



Contempo
3000K or
4000K



Traditional
3000K or
4000K



RSW Series
3000K or
4000K



ATB Series
4000K Only

Legend



City Boundary



Parcels

Owner



Surfside



FPL



Miami-Dade County

Light Address	Component Type	Replace With
1404 BISCAYA DR	HPS0070	RSW 45 Watt 3000K
9149 CARLYLE AV	HPS0070	RSW 45 Watt 3000K
1200 90 ST	HPS0100	RSW 45 Watt 3000K
1440 BISCAYA DR	HPS0100	RSW 45 Watt 3000K
1036 88 ST	HPS0100	RSW 45 Watt 3000K
8826 HAWTHORNE AV	HPS0100	RSW 45 Watt 3000K
8850 HAWTHORNE AV	HPS0100	RSW 45 Watt 3000K
8880 HAWTHORNE AV	HPS0100	RSW 45 Watt 3000K
1000 88 ST	HPS0100	RSW 45 Watt 3000K
8858 GARLAND AV	HPS0100	RSW 45 Watt 3000K
8890 GARLAND AV	HPS0100	RSW 45 Watt 3000K
8910 GARLAND AV	HPS0100	RSW 45 Watt 3000K
940 88 ST	HPS0100	RSW 45 Watt 3000K
8820 GARLAND AV	HPS0100	RSW 45 Watt 3000K
908 88 ST	HPS0100	RSW 45 Watt 3000K
8828 FROUDE AV	HPS0100	RSW 45 Watt 3000K
8858 FROUDE AV	HPS0100	RSW 45 Watt 3000K
924 89 ST	HPS0100	RSW 45 Watt 3000K
8900 FROUDE AV	HPS0100	RSW 45 Watt 3000K
900 88 ST	HPS0100	RSW 45 Watt 3000K
850 89 ST	HPS0100	RSW 45 Watt 3000K
824 88 ST	HPS0100	RSW 45 Watt 3000K
8826 EMERSON AV	HPS0100	RSW 45 Watt 3000K
8858 EMERSON AV	HPS0100	RSW 45 Watt 3000K

Town of Surfside Selection Sheet Initials

8900 EMERSON AV	HPS0100	RSW 45 Watt 3000K
702 88 ST	HPS0100	RSW 45 Watt 3000K
715 89 ST	HPS0100	RSW 45 Watt 3000K
8834 DICKENS AV	HPS0100	RSW 45 Watt 3000K
8866 DICKENS AV	HPS0100	RSW 45 Watt 3000K
8900 DICKENS AV	HPS0100	RSW 45 Watt 3000K
700 88 ST	HPS0100	RSW 45 Watt 3000K
628 88 ST	HPS0100	RSW 45 Watt 3000K
620 89 ST	HPS0100	RSW 45 Watt 3000K
600 88 ST	HPS0100	RSW 45 Watt 3000K
8824 CARLYLE AV	HPS0100	RSW 45 Watt 3000K
8858 CARLYLE AV	HPS0100	RSW 45 Watt 3000K
8900 CARLYLE AV	HPS0100	RSW 45 Watt 3000K
8700 CARLYLE AV	HPS0100	RSW 45 Watt 3000K
524 89 ST FRONT	HPS0100	RSW 45 Watt 3000K
502 88 ST	HPS0100	RSW 45 Watt 3000K
500 88 ST	HPS0100	RSW 45 Watt 3000K
8706 BYRON AV	HPS0100	RSW 45 Watt 3000K
8750 BYRON AV	HPS0100	RSW 45 Watt 3000K
8830 BYRON AV	HPS0100	RSW 45 Watt 3000K
8858 BYRON AV	HPS0100	RSW 45 Watt 3000K
8900 BYRON AV	HPS0100	RSW 45 Watt 3000K
420 88 ST	HPS0100	RSW 45 Watt 3000K
424 89 ST	HPS0100	RSW 45 Watt 3000K
8826 ABBOTT AV	HPS0100	RSW 45 Watt 3000K
8852 ABBOTT AV	HPS0100	RSW 45 Watt 3000K

User: FPLNT\FXA0EUK

Report: Lighting - Summary Component Detail.rdl

Folder: [http://cafe.nexteraenergy.com/sharepoint/distribution/PPDashboards/Power Delivery IM Reports/Streetlights/CIS](http://cafe.nexteraenergy.com/sharepoint/distribution/PPDashboards/Power%20Delivery%20IM%20Reports/Streetlights/CIS)

Town of Surfside Selection Sheet Initials

8900 ABBOTT AV	HPS0100	RSW 45 Watt 3000K
8720 ABBOTT AV	HPS0100	RSW 45 Watt 3000K
320 88 ST	HPS0100	RSW 45 Watt 3000K
325 89 ST	HPS0100	RSW 45 Watt 3000K
215 88 ST	HPS0100	RSW 45 Watt 3000K
215 89 ST	HPS0100	RSW 45 Watt 3000K
8985 BAY DR	HPS0100	RSW 45 Watt 3000K
1452 BISCAYA DR	HPS0100	RSW 45 Watt 3000K
8950 IRVING AV	HPS0100	RSW 45 Watt 3000K
9016 BAY DR	HPS0100	RSW 45 Watt 3000K
8910 IRVING AV	HPS0100	RSW 45 Watt 3000K
1117 90 ST	HPS0100	RSW 45 Watt 3000K
1117 90 ST	HPS0100	RSW 45 Watt 3000K
9035 BAY DR	HPS0100	RSW 45 Watt 3000K
9000 HAWTHORNE AV	HPS0100	RSW 45 Watt 3000K
9017 HAWTHORNE AV	HPS0100	RSW 45 Watt 3000K
9124 BAY DR	HPS0100	RSW 45 Watt 3000K
8926 HAWTHORNE AV	HPS0100	RSW 45 Watt 3000K
8950 HAWTHORNE AV	HPS0100	RSW 45 Watt 3000K
1025 90 ST	HPS0100	RSW 45 Watt 3000K
9061 BAY DR	HPS0100	RSW 45 Watt 3000K
9081 BAY DR	HPS0100	RSW 45 Watt 3000K
9156 BAY DR	HPS0100	RSW 45 Watt 3000K
1110 SURFSIDE BLV	HPS0100	RSW 45 Watt 3000K
9120 GARLAND AV	HPS0100	RSW 45 Watt 3000K
9149 GARLAND AV	HPS0100	RSW 45 Watt 3000K

User: FPLNT\FXA0EUK

Report: Lighting - Summary Component Detail.rdl

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Town of Surfside Selection Sheet Initials

9176 BAY DR	HPS0100	RSW 45 Watt 3000K
919 92 ST	HPS0100	RSW 45 Watt 3000K
9025 GARLAND AV	HPS0100	RSW 45 Watt 3000K
9057 GARLAND AV	HPS0100	RSW 45 Watt 3000K
8934 GARLAND AV	HPS0100	RSW 45 Watt 3000K
8958 GARLAND AV	HPS0100	RSW 45 Watt 3000K
925 90 ST	HPS0100	RSW 45 Watt 3000K
924 SURFSIDE BLV	HPS0100	RSW 45 Watt 3000K
916 SURFSIDE BLV	HPS0100	RSW 45 Watt 3000K
911 92 ST	HPS0100	RSW 45 Watt 3000K
9200 BAY DR	HPS0100	RSW 45 Watt 3000K
9110 FROUDE AV	HPS0100	RSW 45 Watt 3000K
9140 FROUDE AV	HPS0100	RSW 45 Watt 3000K
9172 FROUDE AV	HPS0100	RSW 45 Watt 3000K
9016 FROUDE AV	HPS0100	RSW 45 Watt 3000K
9048 FROUDE AV	HPS0100	RSW 45 Watt 3000K
9074 FROUDE AV	HPS0100	RSW 45 Watt 3000K
9233 BAY DR	HPS0100	RSW 45 Watt 3000K
8926 FROUDE AV	HPS0100	RSW 45 Watt 3000K
8958 FROUDE AV	HPS0100	RSW 45 Watt 3000K
9264 BAY DR	HPS0100	RSW 45 Watt 3000K
924 93 ST	HPS0100	RSW 45 Watt 3000K
825 90 ST	HPS0100	RSW 45 Watt 3000K
9288 BAY DR	HPS0100	RSW 45 Watt 3000K
9288 BAY DR	HPS0100	RSW 45 Watt 3000K
816 SURFSIDE BLV	HPS0100	RSW 45 Watt 3000K

User: FPLNT\FXA0EUK

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Town of Surfside Selection Sheet Initials

801 92 ST	HPS0100	RSW 45 Watt 3000K
9308 BAY DR	HPS0100	RSW 45 Watt 3000K
9253 EMERSON AV	HPS0100	RSW 45 Watt 3000K
1308 BISCAYA DR	HPS0100	RSW 45 Watt 3000K
9072 EMERSON AV	HPS0100	RSW 45 Watt 3000K
9100 EMERSON AV	HPS0100	RSW 45 Watt 3000K
9132 EMERSON AV	HPS0100	RSW 45 Watt 3000K
9164 EMERSON AV	HPS0100	RSW 45 Watt 3000K
9225 EMERSON AV	HPS0100	RSW 45 Watt 3000K
700 95 ST	HPS0100	RSW 45 Watt 3000K
9016 EMERSON AV	HPS0100	RSW 45 Watt 3000K
9048 EMERSON AV	HPS0100	RSW 45 Watt 3000K
9332 BAY DR	HPS0100	RSW 45 Watt 3000K
701 94 ST	HPS0100	RSW 45 Watt 3000K
8934 EMERSON AV	HPS0100	RSW 45 Watt 3000K
8958 EMERSON AV	HPS0100	RSW 45 Watt 3000K
725 92 ST	HPS0100	RSW 45 Watt 3000K
700 93 ST	HPS0100	RSW 45 Watt 3000K
9517 BAY DR	HPS0100	RSW 45 Watt 3000K
9557 BAY DR	HPS0100	RSW 45 Watt 3000K
9573 BAY DR	HPS0100	RSW 45 Watt 3000K
725 90 ST	HPS0100	RSW 45 Watt 3000K
716 SURFSIDE BLV	HPS0100	RSW 45 Watt 3000K
700 92 ST	HPS0100	RSW 45 Watt 3000K
9449 BAY DR	HPS0100	RSW 45 Watt 3000K
9381 BAY DR	HPS0100	RSW 45 Watt 3000K

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Town of Surfside Selection Sheet Initials

1400 BISCAYA DR	HPS0100	RSW 45 Watt 3000K
9333 DICKENS AV	HPS0100	RSW 45 Watt 3000K
9365 DICKENS AV	HPS0100	RSW 45 Watt 3000K
9481 BAY DR	HPS0100	RSW 45 Watt 3000K
1268 BISCAYA DR	HPS0100	RSW 45 Watt 3000K
9225 DICKENS AV	HPS0100	RSW 45 Watt 3000K
9257 DICKENS AV	HPS0100	RSW 45 Watt 3000K
9289 DICKENS AV	HPS0100	RSW 45 Watt 3000K
9401 BAY DR	HPS0100	RSW 45 Watt 3000K
9425 BAY DR	HPS0100	RSW 45 Watt 3000K
610 95 ST	HPS0100	RSW 45 Watt 3000K
9149 DICKENS AV	HPS0100	RSW 45 Watt 3000K
625 92 ST	HPS0100	RSW 45 Watt 3000K
600 94 ST	HPS0100	RSW 45 Watt 3000K
9025 DICKENS AV	HPS0100	RSW 45 Watt 3000K
9057 DICKENS AV	HPS0100	RSW 45 Watt 3000K
9095 DICKENS AV	HPS0100	RSW 45 Watt 3000K
9111 DICKENS AV	HPS0100	RSW 45 Watt 3000K
9177 DICKENS AV	HPS0100	RSW 45 Watt 3000K
601 92 ST	HPS0100	RSW 45 Watt 3000K
610 93 ST	HPS0100	RSW 45 Watt 3000K
9549 CARLYLE AV	HPS0100	RSW 45 Watt 3000K
8926 DICKENS AV	HPS0100	RSW 45 Watt 3000K
8958 DICKENS AV	HPS0100	RSW 45 Watt 3000K
9425 CARLYLE AV	HPS0100	RSW 45 Watt 3000K
9457 CARLYLE AV	HPS0100	RSW 45 Watt 3000K

User: FPLNT\FXA0EUK

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Town of Surfside Selection Sheet Initials

9489 CARLYLE AV	HPS0100	RSW 45 Watt 3000K
9517 CARLYLE AV	HPS0100	RSW 45 Watt 3000K
9581 CARLYLE AV	HPS0100	RSW 45 Watt 3000K
9001 DICKENS AV	HPS0100	RSW 45 Watt 3000K
616 SURFSIDE BLV	HPS0100	RSW 45 Watt 3000K
9308 CARLYLE AV	HPS0100	RSW 45 Watt 3000K
9341 CARLYLE AV	HPS0100	RSW 45 Watt 3000K
9373 CARLYLE AV	HPS0100	RSW 45 Watt 3000K
9401 CARLYLE AV	HPS0100	RSW 45 Watt 3000K
1220 BISCAYA DR	HPS0100	RSW 45 Watt 3000K
9225 CARLYLE AV	HPS0100	RSW 45 Watt 3000K
9265 CARLYLE AV	HPS0100	RSW 45 Watt 3000K
9289 CARLYLE AV	HPS0100	RSW 45 Watt 3000K
510 95 ST	HPS0100	RSW 45 Watt 3000K
9016 CARLYLE AV	HPS0100	RSW 45 Watt 3000K
9048 CARLYLE AV	HPS0100	RSW 45 Watt 3000K
9090 CARLYLE AV	HPS0100	RSW 45 Watt 3000K
9125 CARLYLE AV	HPS0100	RSW 45 Watt 3000K
9141 CARLYLE AV	HPS0100	RSW 45 Watt 3000K
9165 CARLYLE AV	HPS0100	RSW 45 Watt 3000K
9201 CARLYLE AV	HPS0100	RSW 45 Watt 3000K
501 94 ST	HPS0100	RSW 45 Watt 3000K
510 93 ST	HPS0100	RSW 45 Watt 3000K
8926 CARLYLE AV	HPS0100	RSW 45 Watt 3000K
8958 CARLYLE AV	HPS0100	RSW 45 Watt 3000K
525 90 ST	HPS0100	RSW 45 Watt 3000K

User: FPLNT\FXA0EUK

Report: Lighting - Summary Component Detail.rdl

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Town of Surfside Selection Sheet Initials

9500 ABBOTT AV	HPS0100	RSW 45 Watt 3000K
9532 ABBOTT AV	HPS0100	RSW 45 Watt 3000K
9564 ABBOTT AV	HPS0100	RSW 45 Watt 3000K
9580 ABBOTT AV	HPS0100	RSW 45 Watt 3000K
9001 BYRON AV	HPS0100	RSW 45 Watt 3000K
9356 ABBOTT AV	HPS0100	RSW 45 Watt 3000K
9400 ABBOTT AV	HPS0100	RSW 45 Watt 3000K
9424 ABBOTT AV	HPS0100	RSW 45 Watt 3000K
416 SURFSIDE BLV	HPS0100	RSW 45 Watt 3000K
401 92 ST	HPS0100	RSW 45 Watt 3000K
9272 ABBOTT AV	HPS0100	RSW 45 Watt 3000K
9300 ABBOTT AV	HPS0100	RSW 45 Watt 3000K
9324 ABBOTT AV	HPS0100	RSW 45 Watt 3000K
9124 ABBOTT AV	HPS0100	RSW 45 Watt 3000K
9156 ABBOTT AV	HPS0100	RSW 45 Watt 3000K
9190 ABBOTT AV	HPS0100	RSW 45 Watt 3000K
9208 ABBOTT AV	HPS0100	RSW 45 Watt 3000K
9240 ABBOTT AV	HPS0100	RSW 45 Watt 3000K
9024 ABBOTT AV	HPS0100	RSW 45 Watt 3000K
9056 ABBOTT AV	HPS0100	RSW 45 Watt 3000K
9090 ABBOTT AV	HPS0100	RSW 45 Watt 3000K
351 95 ST	HPS0100	RSW 45 Watt 3000K
320 93 ST	HPS0100	RSW 45 Watt 3000K
8934 ABBOTT AV	HPS0100	RSW 45 Watt 3000K
8958 ABBOTT AV	HPS0100	RSW 45 Watt 3000K
395 90 ST	HPS0100	RSW 45 Watt 3000K

User: FPLNT\FXA0EUK

Report: Lighting - Summary Component Detail.rdl

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Town of Surfside Selection Sheet

Initials

301 92 ST	HPS0100	RSW 45 Watt 3000K
316 SURFSIDE BLV	HPS0100	RSW 45 Watt 3000K
251 92 ST	HPS0100	RSW 45 Watt 3000K
225 90 ST	HPS0100	RSW 45 Watt 3000K

RESOLUTION NO. 2019-_____

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, APPROVING AN LED LIGHTING AGREEMENT WITH FLORIDA POWER & LIGHT COMPANY (FPL) FOR THE CONVERSION AND INSTALLATION OF LED LIGHTING FACILITIES ON STREETS IN THE RESIDENTIAL AREA; PROVIDING FOR AUTHORIZATION AND IMPLEMENTATION OF THE AGREEMENT; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town of Surfside (“Town”) desires to update and improve lighting conditions in the residential areas in order to promote energy efficiency, walkability, and pedestrian and resident safety by converting the existing street lights in the residential area to Light Emitting Diode (LED) in order to provide better and enhanced street lighting; and

WHEREAS, Florida Power & Light Company (“FPL”) provided the LED Lighting Plan attached hereto as Exhibit “A” in order to convert the Town’s existing 70 and 100 Watt HPSV lights to 45 Watt 3000K LED lights; and

WHEREAS, the Town wishes to enter into the LED Lighting Agreement with FPL for such LED conversion and in order to implement the LED Lighting Plan, substantially in the form attached hereto as Exhibit “B” (“LED Lighting Agreement”); and

WHEREAS, the Town Commission finds that converting to LED lighting for street lights in the residential area and entering into the LED Lighting Agreement is in the best interest, safety and welfare of the Town.

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

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

Section 2. Approval and Authorization. The LED Lighting Agreement, in substantially the form attached hereto as Exhibit “A”, is hereby approved, subject to such non-substantive changes as may be acceptable to the Town Manager and the Town Attorney as to form and legality. The Town Commission authorizes the Town Manager to execute the LED Lighting Agreement on behalf of the Town.

Section 3. **Implementation.** The Town Manager and/or designee are authorized to take any and all action necessary to implement the purposes of this Resolution, the LED Lighting Plan and the LED Lighting Agreement.

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

PASSED AND ADOPTED on this 11th day of June, 2019.

Moved 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 LEGALITY FOR THE USE
AND BENEFIT OF THE TOWN OF SURFSIDE ONLY:**

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



LED Lighting Plan

Town of Surfside

Going Green

This plan reduces power consumption by:
and that eliminates:
or removing:

73,344 kWh / year
52 metric tons of CO₂ every year¹
11 cars from the road²

¹ eGRID, U.S. annual non-baseload CO₂ output emission rate, year 2012 data
² US Environmental Protection Agency

TOTAL	236		\$ 2,020.70	\$ 1,929.69	\$ -	\$ -
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Installation Details		Existing	Option 1	Option 2	Option 3
1	select fixture:	SL1 - HPS0070	RSW 45 Watt 3000K		
	fixture / pole:	1	1	1	1
	select pole:				
	Fixture*	\$ 7.92	\$ 10.98		
Quantity:	2	Pole			
FPL Conversion:	Yes	Maintenance	\$ 3.52		
Full/Hybrid:	Full	Energy**	\$ 1.85		
		Total	\$ 16.35		

Installation Details		Existing	Option 1	Option 2	Option 3
2	select fixture:	SL1 - HPS0100	RSW 45 Watt 3000K		
	fixture / pole:	1	1	1	1
	select pole:				
	Fixture*	\$ 943.02	\$ 1,284.66		
Quantity:	234	Pole			
FPL Conversion:	Yes	Maintenance	\$ 411.84		
Full/Hybrid:	Full	Energy**	\$ 216.84		
		Total	\$ 1,913.34		

** Includes Non-fuel Energy Charge, Fuel, Conservation, Capacity, Environmental, and Storm charges
*** This maintenance amount is an estimate based on typical lamp failure rates and replacement costs averaged per month over the life of the fixture
**** FPL charges a one-time fixture removal fee of \$50 per fixture. The customer has the option of removing the existing fixture themselves, but must notify FPL beforehand for proper billing
Sales tax and franchise fees not included (Hybrid only)



FPL Work Request Number: _____

LED LIGHTING AGREEMENT

In accordance with the following terms and conditions, Town of Surfside (hereinafter called the Customer), requests on this _____ day of May, 2019, from FLORIDA POWER & LIGHT COMPANY (hereinafter called FPL), a corporation organized and existing under the laws of the State of Florida, the following installation or modification of lighting facilities at (general boundaries) citywide, located in Surfside, Florida.

- (a) Installation and/or removal of FPL-owned facilities described as follows:

<u>Poles</u>				
Pole Type	Existing Pole Count (A)	# Installed (B)	# Removed (C)	New Pole Count (A+B-C)
Wood				
Standard Concrete				
Standard Fiberglass				
Decorative Concrete				
Decorative Fiberglass				

<u>Underground Conductor</u>				
Type	Existing Footage (A)	Feet Installed (B)	Feet Removed (C)	New Footage (A+B-C)
Under Pavement		N/A ⁽¹⁾		
Not Under Pavement				

- (1) All new conductor installed is in conduit and billed as Not Under Pavement

[illegible]

(b) Modification to existing facilities other than described above (explain fully): none

That, for and in consideration of the covenants set forth herein, the parties hereto covenant and agree as follows:

FPL AGREES:

1. To install or modify the lighting facilities described and identified above (hereinafter called the Lighting System), furnish to the Customer the electric energy necessary for the operation of the Lighting System, and furnish such other services as are specified in this Agreement, all in accordance with the terms of FPL's currently effective lighting rate schedule on file at the Florida Public Service Commission (FPSC) or any successive lighting rate schedule approved by the FPSC.

THE CUSTOMER AGREES:

2. To pay a contribution in the amount of **\$0.00** prior to FPL's initiating the requested installation or modification.
3. To purchase from FPL all of the electric energy used for the operation of the Lighting System.
4. To be responsible for paying, when due, all bills rendered by FPL pursuant to FPL's currently effective lighting rate schedule on file at the FPSC or any successive lighting rate schedule approved by the FPSC, for facilities and service provided in accordance with this agreement.
5. To provide access, final grading and, when requested, good and sufficient easements, suitable construction drawings showing the location of existing and proposed structures, identification of all non-FPL underground facilities within or near pole or trench locations, and appropriate plats necessary for planning the design and completing the construction of FPL facilities associated with the Lighting System.
6. To perform any clearing, compacting, removal of stumps or other obstructions that conflict with construction, and drainage of rights-of-way or easements required by FPL to accommodate the lighting facilities.

IT IS MUTUALLY AGREED THAT:

7. Modifications to the facilities provided by FPL under this agreement, other than for maintenance, may only be made through the execution of an additional lighting agreement delineating the modifications to be accomplished. Modification of FPL lighting facilities is defined as the following:
 - a. the addition of lighting facilities;
 - b. the removal of lighting facilities; and
 - c. the removal of lighting facilities and the replacement of such facilities with new facilities and/or additional facilities.

Modifications will be subject to the costs identified in FPL's currently effective lighting rate schedule on file at the FPSC, or any successive schedule approved by the FPSC.

8. Lighting facilities will only be installed in locations that meet all applicable clear zone right-of-way setback requirements.
9. FPL will, at the request of the Customer, relocate the lighting facilities covered by this agreement, if provided sufficient right-of-ways or easements to do so and locations requested are consistent with clear zone right-of-way setback requirements. The Customer shall be responsible for the payment of all costs associated with any such Customer- requested relocation of FPL lighting facilities. Payment shall be made by the Customer in advance of any relocation.
10. FPL may, at any time, substitute for any luminaire installed hereunder another luminaire which shall be of at least equal illuminating capacity and efficiency.
11. This Agreement shall be for a term of ten (10) years from the date of initiation of service, and, except as provided below, shall extend thereafter for further successive periods of five (5) years from the expiration of the initial ten (10) year term or from the expiration of any extension thereof. The date of initiation of service shall be defined as the date the first lights are energized and billing begins, not the date of this Agreement. This Agreement shall be extended automatically beyond the initial the (10) year term or any extension thereof, unless either party shall have given written notice to the other of its desire to terminate this Agreement. The written notice shall be by certified mail and shall be given not less than ninety (90) days before the expiration of the initial ten (10) year term, or any extension thereof.
12. In the event lighting facilities covered by this agreement are removed, either at the request of the Customer or through termination or breach of this Agreement, the Customer shall be responsible for paying to FPL an amount equal to the fixture, pole, and conductor charges for the period remaining on the currently active term of service plus the cost to remove the facilities.
13. Should the Customer fail to pay any bills due and rendered pursuant to this agreement or otherwise fail to perform the obligations contained in this Agreement, said obligations being material and going to the essence of this Agreement, FPL may cease to supply electric energy

or service until the Customer has paid the bills due and rendered or has fully cured such other breach of this Agreement. Any failure of FPL to exercise its rights hereunder shall not be a waiver of its rights. It is understood, however, that such discontinuance of the supplying of electric energy or service shall not constitute a breach of this Agreement by FPL, nor shall it relieve the Customer of the obligation to perform any of the terms and conditions of this Agreement.

14. The obligation to furnish or purchase service shall be excused at any time that either party is prevented from complying with this Agreement by strikes, lockouts, fires, riots, acts of God, the public enemy, or by cause or causes not under the control of the party thus prevented from compliance, and FPL shall not have the obligation to furnish service if it is prevented from complying with this Agreement by reason of any partial, temporary or entire shut-down of service which, in the sole opinion of FPL, is reasonably necessary for the purpose of repairing or making more efficient all or any part of its generating or other electrical equipment.
15. **This Agreement supersedes all previous Agreements** or representations, either written, oral, or otherwise between the Customer and FPL, with respect to the facilities referenced herein and constitutes the entire Agreement between the parties. This Agreement does not create any rights or provide any remedies to third parties or create any additional duty, obligation or undertakings by FPL to third parties.
16. In the event of the sale of the real property upon which the facilities are installed, upon the written consent of FPL, this Agreement may be assigned by the Customer to the Purchaser. No assignment shall relieve the Customer from its obligations hereunder until such obligations have been assumed by the assignee and agreed to by FPL.
17. This Agreement shall inure to the benefit of, and be binding upon the successors and assigns of the Customer and FPL.
18. The lighting facilities shall remain the property of FPL in perpetuity.
19. This Agreement is subject to FPL's Electric Tariff, including, but not limited to, the General Rules and Regulations for Electric Service and the Rules of the FPSC, as they are now written, or as they may be hereafter revised, amended or supplemented. In the event of any conflict between the terms of this Agreement and the provisions of the FPL Electric Tariff or the FPSC Rules, the provisions of the Electric Tariff and FPSC Rules shall control, as they are now written, or as they may be hereafter revised, amended or supplemented.

IN WITNESS WHEREOF, the parties hereby caused this Agreement to be executed in triplicate by their duly authorized representatives to be effective as of the day and year first written above.

Charges and Terms Accepted:

Town of Surfside
Customer (Print or type name of Organization)

By: _____
Signature (Authorized Representative)

(Print or type name)

Title: _____

FLORIDA POWER & LIGHT COMPANY

By: _____
(Signature)

Francisco J. Arbide
(Print or type name)

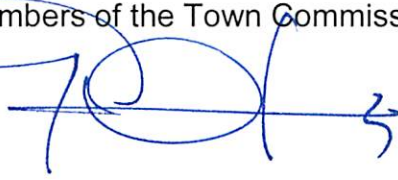
Title: Business Development Manager



MEMORANDUM

ITEM NO. 5B

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

From: Guillermo Olmedillo, Town Manager 

Date: July 9, 2019

Subject: Amending the Fee Schedule for Violations of Section 34-11 of the Town Code relating to Single-Use Plastics

To adopt a resolution amending the Town's Civil Penalties and Administrative Fee Schedule for Code Compliance and Enforcement related Services to provide fines for the distribution, sale or use of single-use plastics in violation of Section 34-11 of the Town Code.

On March 13, 2018, the Town Commission adopted Ordinance No. 2018-1676 creating Section 34-11 to prohibit the distribution, sale or use of plastic straws. The ordinance provided that the fines for violation of the new Code section would be in the amounts prescribed in the Schedule of Civil Penalties to be adopted by resolution.

Town staff assessed what the fine amount should be for violations of Section 34-11 for plastic straws and concluded that commercial establishments and individuals found to be in violation should be assessed a fine of \$250.00 and \$25.00, per violation, respectively. On March 13, 2018, the Town's Schedule of Civil Penalties was amended by Resolution No. 2018-2497.

On June 11, 2019, the Town Commission discussed and passed on first reading an amendment to Section 34-11 to include other single-use plastic items, such as plastic bags, flatware and dinnerware. Assuming the Town Commission adopts the amended ordinance on second reading, Section 34-11 will be expanded and will need a companion resolution to amend the Schedule of Civil Penalties for the additional prohibited plastic items.

The Budget Impact is unknown at this time.

Upon adoption of the ordinance on second reading, the Code Compliance staff and other Town staff resources will create and begin an educational campaign to inform commercial establishments of the provisions of the ordinance and to provide assistance with identifying alternatives to single-use plastics.

From January 1, 2020 through February 29, 2019, the Code Compliance staff will conduct inspections of local business establishments and issue warning notices to any violators of the ordinance. After March 1, 2020, the Code Compliance staff will enforce all provisions of the prohibition on single-use plastics.

Town staff recommends that the Town Commission move to adopt the resolution amending the Schedule of Civil Penalties to include additional single-use plastic items.

Reviewed by: DT

Prepared by: APG

RESOLUTION NO. 2019-_____

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, AMENDING THE TOWN'S SCHEDULE OF CIVIL PENALTIES AND ADMINISTRATIVE FEES TO BE ASSESSED FOR VIOLATION OF THE TOWN'S CODE, SPECIFICALLY FOR VIOLATIONS OF SECTION 34-11, "PROHIBITION ON DISTRIBUTION, SALE OR USE OF SINGLE-USE PLASTICS"; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on March 13, 2018, the Town of Surfside ("Town") Commission adopted Ordinance No. 2018-1676, amending Chapter 34 "Environment" of the Town's Code of Ordinances ("Code") to create Section 34-11, "Prohibition on Distribution, Sale or Use of Plastic Straws"; and

WHEREAS, Section 34-11 of the Town Code provides that fines for violations of Section 34-11 shall be in the amounts prescribed in the schedule of civil penalties adopted by resolution; and

WHEREAS, on July 10, 2014, the Town Commission adopted Resolution No. 2014-2234, which amended the Civil Penalties and Administrative Fee Schedule for Code Compliance and Enforcement Related Services to be assessed for violations of the Town Code ("Fee Schedule"); and

WHEREAS, on March 13, 2018, the Town Commission adopted Resolution No. 2018-2497, to amend the Fee Schedule to provide for fines for violations of Section 34-11 of the Town Code; and

WHEREAS, on July 9, 2019, the Town Commission adopted Ordinance No. 2019-_____, amending the title of Section 34-11 to be "Prohibition on Distribution, Sale or Use of Single-Use Plastics" and providing regulations for the distribution, sale, and use of Single-Use Plastics (including Single-Use Plastic Straws, Single Use Plastic Bags, and Single-Use Plastic Flatware and Dinnerware as defined in the Ordinance); and

WHEREAS, the Town Commission finds that the fine for a violation of Section 34-11 of the Town Code shall continue to be \$250.00 per violation by a commercial establishment and \$25.00 per violation by an individual; and

WHEREAS, the Town Commission finds that the Fee Schedule should be amended as set forth in Exhibit "A," attached hereto and incorporated herein, to provide the fines for violations of Section 34-11 of the Town Code; and

WHEREAS, the Town Commission finds that this Resolution is in the best interest of the public health, safety and welfare of the Town's residents and visitors.

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

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

Section 2. Amending Fee Schedule. The Fee Schedule is hereby amended as set forth in Exhibit "A," attached hereto and incorporated herein, to provide the fines for violations of Section 34-11 of the Town Code as amended on July 9, 2019. All other provisions of the Fee Schedule adopted in Resolution No. 14-2234 shall remain the same.

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

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

Moved 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 LEGALITY FOR THE USE AND BENEFIT OF THE TOWN OF SURFSIDE ONLY:

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

EXHIBIT A

**Civil Penalties and Administrative Fees Schedule
for Code Compliance and Enforcement Related Services
(Amended July 10, 2019)**

SCHEDULE OF DAILY CIVIL FINES FOR CERTAIN VIOLATION TYPES

(All violation types not listed herein shall be subject to a \$25.00 per day fine for a first time offense and a \$50.00 per day fine for a second or repeat offense)
(Amended ~~March 13, 2018~~ July 10, 2019)

Chapter	Section Name	Description of Violation	Daily Fine First Offense	Daily Fine Second/Repeat Offense
Chapter 6	Alcoholic Beverages	Failure to comply or conform to any requirement of the Town Code relating to alcoholic beverages	\$250.00	\$500.00
Section 6-8	Offenses, Miscellaneous Provisions	Failure to comply or conform to any requirement of the Town Code relating to music and/or entertainment	\$100.00	\$200.00
Chapter 10-2	Animals	Killing birds and squirrels	\$250.00	\$500.00
Section 10-28(c)	Animals	Allowing a dog to run at large	\$50.00	\$100.00
Section 10-28(c)	Animals	Allowing a dog to be improperly leashed	\$50.00	\$100.00
Section 10-30	Animals	Failure to license any dog	\$50.00	\$100.00
Section 10-32	Animals	Failure to remove fecal excrement	\$100.00	\$200.00
Section 10-33	Animals	Taking a dog whether on a lease or without a leash, other than a seeing eye dog, into any store where food for human consumption is sold or held for sale	\$50.00	\$100.00
Section 10-33	Animals	Taking a dog, whether on a leash or without a leash, other than a seeing eye dog, at any time to any public beach in Town	\$100.00	\$200.00
Section 10-34	Animals	Failure to have one's dog properly collared	\$50.00	\$100.00
Section 10-36	Animals	Keeping or harboring any dog that engages in frequent or habitual barking, yelping or howling; that is mean or vicious; that becomes a nuisance	\$50.00	\$100.00
Section 10-36	Animals	Any cruelty to a dog, as defined	\$250.00	\$500.00
Section 14-2	Buildings and Construction	Performing mechanical or hand abrasive operations involving removal of paint, rust or other materials from any source resulting in particles that can float, drop, or be blown to adjoining property or into public ways or streets	\$250.00	\$500.00
Section 14-2	Buildings and Construction	Failing to confine all loose particles and abrasives from processes involving use of air pressure applications with suitable means to prevent their transferring to the ground	\$250.00	\$500.00
Section 14-28.90-37	Buildings and Construction	Performing or having performed work without first obtaining required permit	\$250.00	\$500.00
Section 14-87	Bulkheads	Construct any groin, bulkhead, seawall, jetty, breakwater or other protective work or to place any permanent or temporary structure of any nature whatsoever east of the ocean bulkhead line	\$250.00	\$500.00

SCHEDULE OF DAILY CIVIL FINES FOR CERTAIN VIOLATION TYPES

(All violation types not listed herein shall be subject to a \$25.00 per day fine for a first time offense and a \$50.00 per day fine for a second or repeat offense)
(Amended ~~March 13, 2018~~ July 10, 2019)

Section 14-87	Bulkheads	Repair, extend, alter or replace any existing structure lying east of the ocean bulkhead line	\$250.00	\$500.00
Section 14-88	Bulkheads	Erect any structure within 20 feet west of the ocean bulkhead line	\$250.00	\$500.00
Section 14-88	Bulkheads	Repair, extend, alter or replace any existing structure lying within 20 feet west of the ocean bulkhead line	\$250.00	\$500.00
Section 14-102	Bulkheads	Erect any structure within 20 feet landward of the Indian Creek bulkhead line	\$250.00	\$500.00
Section 14-102	Bulkheads	Repair, extend, alter or replace any existing structure lying seaward of the Indian Creek waterway or existing bulkhead or within 20 feet landward of such bulkhead line	\$250.00	\$500.00
Section 18-85(a)	Businesses (Civil Fines and Penalties)	First Violation (Sidewalk Café Ordinance)	\$100.00	Second violation within the preceding 12 months: \$250.00 Third Violation within the preceding 12 months: \$500.00 Fourth violation within the preceding 12 months: \$750.00 *Fifth violation within the preceding 12 months: \$1,000.00 **Sixth violation within the preceding 12 months: \$1,000.00
Section 18-88(g)	Businesses (Permitted areas; conditional permit; Town Manager's right to remove sidewalk cafes)	Failure to respond to Town Manager's emergency notifications, and removal of sidewalk café furnishings by Town	\$1,000.00	

SCHEDULE OF DAILY CIVIL FINES FOR CERTAIN VIOLATION TYPES

(All violation types not listed herein shall be subject to a \$25.00 per day fine for a first time offense and a \$50.00 per day fine for a second or repeat offense)
(Amended ~~March 13, 2018~~ July 10, 2019)

Section 34-11	Prohibition on Distribution, Sale or Use of Single-Use Plastics Straws	Distribution, sale or use of <u>single-use plastics</u> straws	\$150.00 (per violation by commercial establishment) \$25.00 (per violation by an individual)	
Section 34-30	Buildings and Construction	Unlawful connection of any sanitary sewer drains to the Town's drainage system	\$250.00	\$500.00
Section 34-30	Buildings and Construction	Unlawful connection of any storm drains to the Town's sanitary sewer system	\$250.00	\$500.00
Section 46-1	Health	Violation of the Florida Department of Health and Rehabilitation Services, or responsible department or agency	\$250.00	\$500.00
Section 54-62	Offenses, Miscellaneous Provisions	Drinking any beer, wine or any other alcoholic beverage on any street, sidewalk, pedestrian mall, alley, highway, playground or park in the Town	\$100.00	\$200.00
Sections 54-78 to 54-79	Offenses, Miscellaneous Provisions	Creation of any prohibited noises at any prohibited times or locations.	\$100.00	\$200.00
Section 78-51	Sewers and Sewage Disposal	Construction or maintenance of any septic tank or sanitary privy.	\$100.00	\$200.00
Section 78-54	Sewers and Sewage Disposal	Discharge into the Town's sanitary sewer any prohibited material or substance.	\$250.00	\$500.00
Section 90-41.1(c)(2)	Zoning-Resort Tax and Enforcement	Resort Tax violations are subject to the following fines. The special master may not waive or reduce fines set by this section.	\$500.00	Second violation within the preceding 12 months: \$1,500.00. Third violation within the preceding 12 months: \$5,000.00. Fourth or greater violation within the preceding 12 months: \$7,500.00.

SCHEDULE OF DAILY CIVIL FINES FOR CERTAIN VIOLATION TYPES

(All violation types not listed herein shall be subject to a \$25.00 per day fine for a first time offense and a \$50.00 per day fine for a second or repeat offense)
(Amended ~~March 13, 2018~~ July 10, 2019)

Section 90-184	Bulkheads	Erect, repair, extend, alter or replace: Dock and pier projecting into Biscayne Bay waterway beyond the waterway line more than 20 feet. Dock and pier projecting in Indian Creek waterway beyond the waterway line more than 10 feet. Dock and pier projecting into Point Lake waterway beyond the waterway line more than 15 feet.	\$250.00	\$500.00
Section 90-187	Bulkheads	Construction, repair, alteration, extension or replacement of any bulkhead, sea wall, shore protection or any structure on Biscayne Bay, Indian Creek and Point Lake without required permit.	\$250.00	\$500.00
Note: All violation types not listed herein shall be subject to a \$25.00 per day fine for a first time offense and a \$50.00 per day fine for a 2nd or repeat offense.				
* Also subject to suspension of sidewalk café permit for one weekend (Saturday & Sunday).				
** Also subject to revocation of sidewalk café permit for the remaining portion of the permit year.				
ADMINISTRATIVE FEES, ABATEMENT COSTS, AND OTHER CIVIL FINES				
Issue	Description	Fee	Fine	Note
Code Compliance Abatement	Fees based on actual incurred and staff time	Contractors Costs and/or staff hourly costs		
Code Compliance Abatement Related Administrative Fees	Fees based on actual costs incurred and staff time	Fees based on actual staff hourly costs for administrative process		
Lawn Cutting and Clearing Cost	Per Lawn Cutting Service	Fees based on actual Contractor costs and/or staff hourly costs \$125.00		
Code Compliance Lawn Cutting Administrative Fee	Per Lawn Cutting Service		\$25.00	Per Occurrence
Trash & Debris Over-the-Limit Pick-Up Fees & Fines	Per cubic yard fee:	\$15.50	\$25.00	Per Occurrence
Construction Debris Pick-Up Fee & Fines	Per cubic yard fee:	\$30.00	\$25.00	Per Occurrence



MEMORANDUM

ITEM NO. 5C

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

From: Guillermo Olmedillo, Town Manager

Date: July 11, 2019

Subject: Solid Waste Services Special Assessment Preliminary Rate Resolution

The Town annually special assesses residential properties of 4 units or more per parcel for the cost of solid waste services those properties will receive during the fiscal year. This assessment process uses the property tax bill as the billing and collection method for the revenue needed to help pay for the services the residents receive.

The Town could elect to bill and collect for these services instead of using the property tax method, but the cost would be more to do so and the collection of money would likely not be as great. Residents are accustomed to this process.

The Town will spend about \$7,000 for advertisements required by this process. The billing will bill about \$361,371.80. We estimate, for budget purposes, that we will collect about \$350,000 due to discounts that are taken for early payment.

from this process which will be used to pay for the cost of solid waste services. The Town bills other properties, including residential parcels that have more than 4 units, for commercial solid waste services. This billing is done by the Town's Finance Department.

This resolution will set the place, date, and time of the public hearing on the final assessment resolution. This notice will be placed on the property tax bill and a newspaper display ad will also be published. The final hearing is scheduled for September 10th. Once approved, the assessment roll will be given to the property appraiser and tax collector for billing and collection on the property tax bills that typically are mailed out in November. Property owners that fail to pay any part of their property tax bill, including this assessment, could lose title to their property.

We recommend that the Commission adopt the resolution as a matter precedent to the final assessment resolution. This resolution does not levy the assessment, but merely notices the public of the Town's intent to again assess for this service and sets the place, date, and time for the final hearing.

Reviewed by

Prepared by

TOWN OF SURFSIDE, FLORIDA

**PRELIMINARY RATE RESOLUTION
FOR SOLID WASTE MANAGEMENT SERVICES**

ADOPTED July 9, 2019

RESOLUTION NO. 2019-_____

A RESOLUTION OF THE TOWN OF SURFSIDE, FLORIDA, RELATING TO SOLID WASTE MANAGEMENT SERVICES, INCLUDING COLLECTION, DISPOSAL AND RECYCLING OF RESIDENTIAL SOLID WASTE IN THE TOWN OF SURFSIDE, FLORIDA; ESTABLISHING THE ESTIMATED ASSESSMENT RATE FOR SOLID WASTE SERVICE ASSESSMENTS AGAINST ASSESSED PROPERTY LOCATED WITHIN THE TOWN OF SURFSIDE, FLORIDA, FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2019; DIRECTING THE PREPARATION OF AN UPDATED ASSESSMENT ROLL; AUTHORIZING A PUBLIC HEARING AND DIRECTING THE PROVISION OF NOTICE THEREOF; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Town Commission (the "Commission") of the Town of Surfside, Florida (the "Town"), has enacted Ordinance No. 2018-1687 (the "Ordinance"), which authorizes the annual reimposition of annual Solid Waste Service Assessments for Solid Waste collection, disposal and recycling services for Residential Property and certain Assessed Property within the Town; and

WHEREAS, the imposition of a Solid Waste Service Assessment for Solid Waste collection, disposal and recycling services for each Fiscal Year is an equitable and efficient method of allocating and apportioning Solid Waste Costs among parcels of Assessed Property; and

WHEREAS, the Commission desires to reimpose an annual Solid Waste Service Assessment for collection, disposal and recycling services, through an assessment program within the Town, using the tax bill collection method for the Fiscal Year beginning on October 1, 2019.

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

SECTION 1. AUTHORITY. This Resolution is adopted pursuant to the provisions of the Solid Waste Management Services Assessment Ordinance (Ordinance No. 2018-1687), the Initial Assessment Resolution (Resolution No. 2018-2524), the Final Assessment Resolution (Resolution No. 2018-2534), Sections 166.021 and 166.041, Florida Statutes, and other applicable provisions of law.

SECTION 2. PURPOSE AND DEFINITIONS. This resolution constitutes the Preliminary Rate Resolution as defined in the Ordinance which initiates the annual process for updating the Assessment Roll and directs the reimposition of Solid Waste Service Assessments for the Fiscal Year beginning October 1, 2019. All capitalized words and terms not otherwise defined herein shall have the meanings set forth in the Ordinance, the Initial Assessment Resolution and the Final Assessment Resolution. Unless the context indicates otherwise, words imparting the singular number, include the plural number, and vice versa.

SECTION 3. PROVISION AND FUNDING OF SOLID WASTE SERVICES.

(A) Upon the imposition of Solid Waste Service Assessments for Solid Waste collection, disposal and recycling services against Assessed Property located within the Town, the Town shall provide Solid Waste collection, disposal and recycling services to such Assessed Property.

(B) It is hereby ascertained, determined, and declared that each parcel of Assessed Property will be benefited by the Town's provision of Solid Waste

Management Services in an amount not less than the Solid Waste Service Assessment imposed against such parcel, computed in the manner set forth in this Preliminary Rate Resolution.

SECTION 4. LEGISLATIVE DETERMINATIONS OF SPECIAL BENEFIT AND FAIR APPORTIONMENT. The legislative determinations of special benefit and fair apportionment embodied in the Ordinance, the Initial Assessment Resolution and the Final Assessment Resolution are affirmed and incorporated herein by reference.

SECTION 5. ESTABLISHMENT OF ANNUAL SOLID WASTE SERVICE ASSESSMENT RATE.

(A) For the Fiscal Year beginning October 1, 2019, for which Solid Waste Service Assessments for Solid Waste collection, disposal and recycling services are to be reimposed, the Solid Waste Cost shall be allocated among all parcels of Assessed Property, based upon the methodology and procedures set forth in the Ordinance. The total Solid Waste Cost for the Fiscal Year beginning October 1, 2019 is estimated to be \$361,371.80. Accordingly, a rate of assessment equal to \$318.67 for each Dwelling Unit for solid waste management services, including collection, disposal and recycling services is hereby approved for the Fiscal Year beginning October 1, 2019.

(B) In accordance with Section 2.08 of the Ordinance, a maximum assessment rate of \$400.00 per Dwelling Unit for solid waste collection, disposal and recycling services is hereby approved for the Fiscal Year beginning October 1, 2019, and future fiscal years.

(C) The Town Manager is hereby directed to prepare, or cause to be prepared, an updated Assessment Roll for the Fiscal Year beginning October 1, 2019 in the manner provided in the Ordinance. Such updated Assessment Roll shall contain the following: (1) a summary description of all Assessed Property within the Town conforming to the description contained on the Tax Roll, (2) the name and address of the Owner of record of each parcel as shown on the Tax Roll, and (3) the amount of the Solid Waste Service Assessment attributable to each Dwelling Unit for Solid Waste collection, disposal and recycling services.

(D) A copy of this Preliminary Rate Resolution, the Ordinance, the Initial Assessment Resolution, the Final Assessment Resolution and the updated Assessment Roll is maintained on file in the office of the Town Clerk and open to public inspection. The foregoing shall not be construed to require that the updated Assessment Roll be in printed form if the amount of the Solid Waste Service Assessment for each parcel of property can be determined by use of a computer database available to the public.

(E) The Solid Waste Service Assessment for each parcel of Assessed Property shall be computed by multiplying the assessment rate by the number of Dwelling Units on such parcel.

(F) It is hereby ascertained, determined, and declared that the foregoing method of determining the Solid Waste Service Assessments for Solid Waste collection, disposal and recycling services is a fair and reasonable method of apportioning the Solid Waste Cost therefore among parcels of Assessed Property.

SECTION 6. AUTHORIZATION OF PUBLIC HEARING. There is hereby established a public hearing to be held at 7:00 p.m. on September 10, 2019, at Town of Surfside Town Hall, Commission Chambers, 9293 Harding Avenue, Surfside, Florida 33154, for the purpose of (A) receiving and considering any comments on the Solid Waste Service Assessments from affected property owners and (B) authorizing the reimposition of such Solid Waste Service Assessments for Solid Waste collection, disposal and recycling services for the Fiscal Year beginning October 1, 2019 and collecting such assessments on the same bill as ad valorem taxes.

SECTION 7. NOTICE BY PUBLICATION. The Town Manager shall publish a notice, as required by Section 2.04 of the Ordinance, in substantially the form attached hereto as Appendix A. Such notice shall be published no later than August 20, 2019 in a newspaper generally circulated in Miami-Dade County.

SECTION 8. NOTICE BY MAIL. The Town Manager shall provide notice by first class mail to the Owner of each parcel of Assessed Property which has been reclassified or issued a new Certificate of Occupancy (C.O.) pursuant to a building permit for a Dwelling Unit that was not included on the Assessment Roll approved for the prior fiscal year, and in the event circumstances described in Section 2.08(F) of the Ordinance so require. Such notice shall be in substantially the form attached hereto as Appendix B. Such notices shall be mailed not later than August 20, 2019.

SECTION 9. EFFECTIVE DATE. This Preliminary Rate Resolution shall take effect immediately upon its passage and adoption.

[THE REMAINDER OF THIS PAGE INTENTIONALLY BLANK.]

PASSED, ADOPTED AND APPROVED THIS 9th day of July, 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 _____

Attest:

Daniel Dietch, Mayor

Sandra Novoa, MMC

Town Clerk

Approved as to Form and Legal Sufficiency:

Weiss Serota Helfman Cole & Bierman, P.L.

Town Attorney

APPENDIX A

FORM OF NOTICE TO BE PUBLISHED

To Be Published by August 20, 2019

NOTICE OF HEARING TO REIMPOSE AND PROVIDE FOR COLLECTION OF SOLID WASTE SERVICE SPECIAL ASSESSMENTS

Notice is hereby given that the Town Commission of the Town of Surfside, Florida will conduct a public hearing to consider reimposing solid waste service assessments for the Fiscal Year beginning October 1, 2019, against certain improved residential properties located within the incorporated area of the Town, to fund the cost of solid waste collection, disposal and recycling services provided to such properties and to authorize collection of such assessments on the tax bill.

The public hearing will be held at 7:00 p.m. on September 10, 2019, at Town of Surfside Town Hall, Commission Chambers, 9293 Harding Avenue, Surfside, Florida 33154, for the purpose of receiving public comment on the proposed assessments. All affected property owners have a right to appear at the hearing and to file written objections with the Town Commission within 20 calendar days of the date of this notice. If a person decides to appeal any decision made by the Town Commission with respect to any matter considered at the hearing, such person will need a record of the proceedings and may need to ensure that a verbatim record is made, including the testimony and evidence upon which the appeal is to be made. In accordance with the Americans with Disabilities Act, persons needing a special accommodation or an interpreter to participate in this proceeding should contact the Town Clerk at (305) 861-4863, Ext. 226, at least 7 days prior to the date of the hearing.

The total annual solid waste assessment revenue to be collected within the Town of Surfside for the upcoming fiscal year is estimated to be \$361,371.80. The rate of assessment for the upcoming fiscal year shall be \$318.67 per Dwelling Unit. The maximum rate of assessment that can be imposed in the fiscal year commencing

October 1, 2019 and future fiscal years shall be \$400.00 per Dwelling Unit. Copies of the Solid Waste Management Services Assessment Ordinance (Ordinance No. 2018-1687), the Initial Assessment Resolution (Resolution No. 2018-2524), the Final Assessment Resolution (Resolution No. 2018-2534), the Preliminary Rate Resolution initiating the annual process of updating the Assessment Roll and reimposing the Solid Waste Service Assessments, and the updated Assessment Roll for the upcoming fiscal year are available for inspection at the Town Clerk's office, located at 9293 Harding Avenue, Surfside, Florida 33154.

If you have any questions, please contact the Town at (305) 861-4863, Ext. 226, Monday through Friday between 8:00 a.m. and 5:00 p.m.

The assessments will be collected on the ad valorem tax bill to be mailed in November 2019, as authorized by section 197.3632, Florida Statutes. Failure to pay the assessments will cause a tax certificate to be issued against the property which may result in a loss of title.

**TOWN COMMISSION OF
TOWN OF SURFSIDE, FLORIDA**

APPENDIX B

FORM OF NOTICE TO BE MAILED

*** * * * * NOTICE TO PROPERTY OWNER * * * * ***

**Town of Surfside
9293 Harding Avenue
Surfside, Florida 33154**

TOWN OF SURFSIDE, FLORIDA
NOTICE OF HEARING TO IMPOSE AND
PROVIDE FOR COLLECTION OF NON-AD
VALOREM ASSESSMENTS

NOTICE DATE: August 20, 2019

**Owner
Address
City, State Zip**

*Sequence #
Tax Parcel #
Legal Description:*

As required by section 197.3632, Florida Statutes, and the direction of the Town Commission, notice is given by Town of Surfside, Florida, that annual assessments for solid waste services using the tax bill collection method, may be reimposed and levied on your property. The use of an annual special assessment to fund solid waste services benefiting improved property located within the Town of Surfside, Florida, in the past has proven to be fair, efficient and effective. The total annual solid waste assessment revenue to be collected within the Town of Surfside, Florida is estimated to be \$361,371.80. The annual solid waste service assessment is based on the number of residential dwelling units contained on each parcel of property.

The following is a summary of the non-ad valorem special assessments being reimposed on the above parcel for the fiscal year beginning October 1, 2019.

The above parcel is subject to the solid waste service assessment:

The total number of residential dwelling units on the above parcel is _____.

The annual solid waste service assessment for the above parcel is \$318.67 for fiscal year commencing October 1, 2019.

The maximum annual solid waste service assessment for the above parcel is \$400.00 for the Town's fiscal year commencing October 1, 2019, and each fiscal year thereafter.

A public hearing will be held at 7:00 p.m. on September 10, 2019, Town of Surfside, Town Hall, Commission Chambers, 9293 Harding Avenue, Surfside, Florida 33154, for the purpose of receiving public comment on the proposed assessments. All owners of improved property within the Town were mailed individual notices similar to this one when the assessments were first imposed. Subsequently, only owners of reclassified property which resulted in an increased assessment, or owners of property not included on the prior year's assessment roll will receive updated mailed notice in addition to the annual published notice. You and all other affected property owners have a right to appear at the hearing and to file written objections with the Town Commission within 20 calendar days of the date of this notice. If you decide to appeal any decision made by the Town Commission with respect to any matter considered at the hearing, you will need a record of the proceedings and may need to ensure that a verbatim record is made, including the testimony and evidence upon which the appeal is to be made. In accordance with the Americans with Disabilities Act, persons needing a special accommodation or an interpreter to participate in this proceeding should contact the Town Clerk at (305) 861-4863, Ext. 226, at least seven (7) days prior to the date of the hearing.

Unless proper steps are initiated in a court of competent jurisdiction to secure relief within 20 days from the date of Town Commission action at the above hearing (including the method of apportionment, the rate of assessment and the imposition of assessments), such action shall be the final adjudication of the issues presented.

Copies of the legal documentation for the assessment program are available for inspection at the Town Clerk's office, located at 9293 Harding Avenue, Surfside, Florida 33154.

The special assessment amount shown on this notice and the ad valorem taxes for the above parcel will be collected on the ad valorem tax bill mailed in November of each year that the assessment is imposed. Failure to pay the assessment will cause a tax certificate to be issued against the property which may result in a loss of title.

If there is a mistake on this notice, it will be corrected. If you have any questions, please contact the Town Finance Department at (305) 861-4863, Monday through Friday between 8:00 a.m. and 5:00 p.m.



MEMORANDUM

ITEM NO. 9A

To: Honorable Mayor, Vice-Mayor and Members of the Town Commission
From: Guillermo Olmedillo, Town Manager
Date: July 9, 2019
Subject: Downtown Vision Advisory Committee Vacancy

The Downtown Vision Advisory Committee (DVAC) has a vacant position. Upon additional outreach, two new application have been received bringing the total to four (to be provided at the meeting):

- Alan Ohana, Surfside resident and local business owner
- Jessica Bazen, local business owner
- Mendel Segal, local business owner (previously received when forming DVAC)
- Sheryl Goldberg, Surfside resident (previously received)

Per the DVAC Charter (Attachment A), the seven voting members shall be comprised of the following:

- 2 members who own property within Surfside's downtown
- 2 members who own and operate businesses within Surfside's downtown
- 2 residents of the Town of Surfside: 1 from a multiunit residence, and 1 from a single-family residence
- 1 member from a Surfside hotel

The Committee is currently comprised of the following Town Commission approved members:

2 Property Owners	2 Business Owners	2 Residents*	1 Hotel Member
Shaun Grenald	Marianne Meisheid* (now a former business owner since appointment) resident / multiunit	Elliot Kula (single family)	Sandra Oliva
Replaced by a Surfside resident*	VACANT	Fred Landsman (single family)	
		George Kousoulas (multiunit)	

The Town Administration is seeking Town Commission direction on the new member appointment.

EXHIBIT "A"

Downtown Vision Advisory Committee Charter

The Town of Surfside's (the "Town") Downtown Vision Advisory Committee ("Committee") Charter establishes the objectives, goals and purposes of the Committee as an advisory committee to the Town Manager, and the organizational structure of the Committee.

A. Purpose: The purpose of the Committee is to help further establish the area along Harding Avenue between 96th and 94th Streets as a downtown district (the "Downtown") that is a point of interest for both residents and visitors and highlight the area as the social, cultural and economic center of the Town.

B. Objective and Goals: To identify and recommend to the Town Manager improvements to the Downtown. Improvements should enhance the "sense of place" by preserving characteristics that attract the patronage of residents and visitors, while encouraging business retention and economic development. The Committee's goals are to:

1. Strengthen Downtown as the Town's social, cultural and economic center;
2. Create a more pedestrian friendly Downtown with mixed-use commercial buildings;
3. Explore and recommend innovative parking solutions;
4. Enhance the unique look and identity of the Town's Downtown;
5. Examine alternative opportunities, such as alleyways;
6. Collaborate with neighboring municipalities on joint initiatives and opportunities;
7. Retain and attract businesses; and
8. Foster engagement with Downtown property owners and business owners/operators.

C. Composition, Appointment, and Qualifications: The Committee shall consist of seven (7) voting members. In addition, a member of the Town Commission and a member of the Tourist Board shall serve as two (2) non-voting liaison members. Town residents will receive preference for appointment as members of the Committee.

The voting members shall be comprised of the following:

- 2 members who own property within the Town's Downtown
- 2 members who own and/or operate businesses within the Town's Downtown
- 2 Town residents : 1 from a multi-family dwelling and 1 from a single-family dwelling
- 1 member who owns, operates, or is employed in a senior managerial position by a hotel located within the Town

D. Appointments: Members shall be appointed as follows:

1. The Town Commission shall by majority vote appoint the 7 members proposed by the Town Manager.
2. The liaison member from the Town Commission shall be appointed by the Mayor in accordance with Town Code Section 2-204 Rule 5.02.
3. The liaison member from the Tourist Board shall be appointed by the Tourist Board and confirmed by the Town Commission.

EXHIBIT "A"

E. Organization: The Committee shall meet a minimum of once per quarter and provide their recommendations to the Town Manager. Reports to the Town Commission will be through the Town Commission liaison and through proposed initiatives, via Town Commission meeting agendas. The minutes of each meeting will be included in the Town Commission's meeting agendas.

The Committee Chair shall have the ability to call additional meetings upon an affirmative majority vote of the members.

The Committee shall comply with Section 2-204 of the Town Code and shall be subject to Florida's Government-in-the-Sunshine and Public Records Laws and the State of Florida, Miami-Dade County and Town of Surfside Code of Ethics.



MEMORANDUM

ITEM NO. 9B

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

From: Guillermo Olmedillo, Town Manager

Date: July 9, 2019

Subject: Downtown Vision Advisory Committee Parking Lot Rate Recommendation

At the June 11, 2019 Town Commission Meeting, DVAC's recommendation on this item was discussed (Attachment A). The direction was to return to DVAC expressing the concern about the \$4.00 per hour rate as it would be onerous to the downtown employees that do not avail themselves of the monthly parking passes and pay hourly to park while working.

The recommendations from the June 20, 2019 DVAC meeting are as follows:

- 1) Adjust the time limits.
- 2) Defer to the Town Commission on the hourly rate as the Committee felt that any recommendation would be somewhat hypothetical. There was also discussion about the intention of this task as it was thought that the objectives were to increase the turnover of spaces, allow for patronage of the downtown businesses and somewhat deter out of town beachgoers. The DVAC thought a higher rate could assist with these objectives, however there was mention of the recently Town Commission approved \$4.00/hour on-street within the district (update provided in this agenda's Town Manager Report) not being viewed favorably by some of the businesses.
- 3) Direct the Parking Department to increase outreach to the business community on the benefits of the existing parking pass program. The Town Commission could also decide to increase the allocated number of passes available. Passes have historically been limited to allow for parking spaces to remain available for everyone else. The following is the current practice:
 - a) \$74.90/month for the 94th Street Lot with 140 permits issued out of an allocated 180
 - b) \$90.95/month for the Abbott Lot with all 30 permits issued out of an allocated 30


The following are the existing rates and time limits for the six (6) parking lots with the DVAC recommendation on time limits:

Existing M-F	DVAC Recommendation
\$1.75/hour renewable two-hour time limit 6AM – 3PM \$1.75/hour renewable four-hour time limit 3PM - 6AM	Non-renewable four-hour time limit 9AM - 5PM Renewable four-hour time limit 5PM - 9AM
Existing Sat / Sun & Holidays	DVAC Recommendation
\$1.75/hour renewable four-hour time limit	Renewable four-hour time limit

To assist the Town Commission on a possible rate change, Attachment B is provided as a comparison of other jurisdictions' rates.

The Administration is seeking Town Commission direction on this item.

Reviewed by JB
EJ

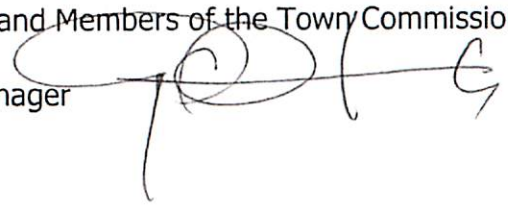
Prepared by 



MEMORANDUM

ITEM NO.

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

From: Guillermo Olmedillo, Town Manager 

Date: May 14, 2019

Subject: Downtown Vision Advisory Committee Parking Recommendation

At the March 12, 2019 Town Commission Meeting, there was a discussion item to approve a modification of parking meter rates to a variable rate-based system. The goal was to have an increase in parking rates based on time of day and location.

There the Town Commission approved a 2-hour limit to Harding Avenue parking spaces, enforceable between 10am to 4pm. Further direction was given to have the Downtown Vision Advisory Committee (DVAC) review the parking challenge and propose solutions for downtown off-street parking.

At the April 11, 2019 DVAC meeting Parking Operations Manager Elinor Joseph presented the topic. After some conversation, a motion was made to recommend:

- *non-renewable time limitation of 4-hours, Monday through Friday from 9am to 5pm at the current, new hourly rate of \$4.00 an hour for all off-street parking lots.*
- *Hours outside those hours (Monday through Friday 5pm to 9am, and all-day Saturday and Sunday), parking would be renewable at the current, new hourly rate of \$4.00 an hour.*

All Committee Members voted in favor of this motion.

Additionally, there was discussion about downtown loading zones which came up after public comments made by Steven Thomas and Larry Labok from Flanigan's and Big Daddy's Liquors respectively.

After discussing the current loading zone locations, and challenges faced by downtown businesses on Harding Avenue, a motion was made to recommend creating more loading

space on 95th street by relocating the current designated rideshare pick up and drop off point to another location in Town. This motion was also voted in favor by all members.

Therefore, DVAC recommends that the Town Commission direct the Administration to implement the recommendations related to off-street parking and downtown loading zones.

Reviewed by

SH/ES

Prepared by

LF/DET



MEMORANDUM

TO: Town Manager Guillermo Olmedillo
FROM: Captain John Bambis
DATE: 06-21-2019
SUBJECT: Parking Rates for the Town of Surfside and Other Municipalities with Beach and Business Districts

Sir:

Pursuant to a request from the Downtown Vision Advisory Committee (DVAC) at the June 6th, 2019 Committee meeting for parking rates of other local jurisdictions the following information was obtained.

Town of Surfside: Current Parking Rates

On-Street Parking:

- The parking rate in the Town of Surfside is \$2.00 per hour for On-Street parking.
- There is a two-hour maximum time limit Monday to Friday from 6 AM to 3 PM
- There is a four-hour maximum time limit Monday to Friday from 3 PM to 6 AM
- There is a four-hour maximum time limit between Friday at 3 PM and Monday at 6 AM
- Business District:
 - Weekdays (Monday-Friday), between 10:00AM – 4:00PM, variable parking rate is in effect \$4.00/hour with a 2-hour parking limit. After the expiration of 2 hours, the parking space is not renewable between the hours of 10:00AM - 4:00PM and the vehicle will not be permitted to park in an on-street parking space in the Business District until after 4:00PM.
 - On-street parking fees in the Business District for all other times and days remain at \$2.00/hour.
- The Town offers various payment options, dependent on the location, as follows: multi-space meters, single-space meters, and Pay-By-Phone application.

Off-Street Parking (Municipal Parking Lots):

- The parking rate in the Town of Surfside is \$1.75 per hour for parking in the six (6) Town Municipal Parking Lots.
- There is a two-hour maximum time limit Monday to Friday from 6 AM to 3 PM
- There is a four-hour maximum time limit between Friday at 3 PM and Monday at 6 AM
- The Town offers various payment options, dependent on the location, as follows: multi-space meters, and Pay-By-Phone.

City of Miami Beach: Parking Rates

All Parking (On-Street & Off-Street):

- The City of Miami Beach operates over 10,000 parking meters located throughout Miami Beach. Their parking rates are based on congestion pricing and vary by geographical area within their jurisdiction as follows:
 - South Beach: \$4.00 per hour (meter) and \$2.00 per hour (lots)
 - East Middle Beach: \$3.00 per hour (meter) and \$2.00 per hour (lots)
 - West Middle Beach: \$1.00 per hour (meter) and \$1.00 per hour (lots)
 - North Beach: \$1.00 per hour (meter) and \$1.00 per hour (lots)
- The Miami Beach parking rate structure allows for an enhanced parking rate fee for parking spaces in their entertainment areas and proximity to the beach.
- All Day Parking Rates are available in the Miami Beach Multi-Level Parking Garages for \$15.00 or \$20.00 per vehicle depending on the parking garage.

City of Fort Lauderdale: Parking Rates

All Parking (On-Street & Off-Street):

- The City of Fort Lauderdale recently completed a study of their parking rates and locations and based on the study recommendations were made to:
 - Establish on-street parking rates greater than adjacent off-street public parking facilities to incentivize the use of off-street facilities and encourage turnover of visible on-street parking
 - Establish a commission-approved rate range of:
 - On-street: Minimum rate of \$1.50 and Maximum rate of \$4.00 per hour
 - Off-street: Minimum rate of \$1.00 and Maximum rate of \$4.00 per hour

- Parking Rate Adjustment Premiums would be based on the Parking Facility Occupancy with Parking Facilities with 80% or greater average capacity charging higher adjusted parking rates.
- Fort Lauderdale also charges an adjusted parking rate for their Aquatic Complex Lot located at 501 Seabreeze Blvd (Swimming Hall of Fame):
 - \$3.00 per hour, Monday through Friday from 5 AM to 8:30 PM
 - \$3.00 per hour, Saturday and Sunday from 5 AM to 3:00 PM
 - \$1.75 per hour, after facility operating hours

City of Hollywood: Parking Rates

All Parking (On-Street & Off-Street):

- The City of Hollywood operates approximately 4,164 public parking spaces both on and off-street that include 20 surface parking lots and a 59-space Recreational Storage Facility Lot.
- The City of Hollywood parking rates are based on a geographical area pricing model within their jurisdiction as follows:
 - In-land Parking Garage: \$1.00 per hour and \$15.00 Daily Rate (lots)
 - Beach Area Garage or Lots
 - \$3.00 per hour Monday through Thursday
 - \$4.00 per hour Friday through Sunday
 - Hollywood Residents may obtain a parking permit that allows them to pay one-half of the normal parking rate (\$1.50 per hour and 2.00 per hour) for the Beach Area Parking Facilities.

City of Sunny Isles Beach: Parking Rates

All Parking (On-Street & Off-Street):

- The City of Sunny Isles Beach parking rates are based on a geographical area pricing model within their jurisdiction as follows:
 - Parking Lots: \$2.00 per hour at all times
 - Beach Area Lots: \$3.00 per hour at all times
 - There are two Beach Lots in Sunny Isles Beach: Ellen Wynne Beach Access Lot and Pier Parking Lot.



MEMORANDUM

ITEM NO. 9C

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

From: Guillermo Olmedillo, Town Manager

Date: July 9, 2019

Subject: Artificial grass for excess landscape areas

The Town code prohibits artificial materials for the purpose of landscaping. In 2017, the Town Commission directed staff to analyze allowing artificial grass and potential regulations within the single family district. Staff presented findings at the December 13, 2017 Commission meeting indicating there are many styles, manufactures and installation systems for artificial grass. The Town Commission provided direction to Staff to prepare a further analysis on the benefits and concerns of this material. Staff provided a table comparing the maintenance, cost, drainage and aesthetics of artificial grass to sod and provided literature on the subject. The Town Commission voted to not proceed with a change to the code.

Staff is requesting additional analysis by the Commission due to conflicting interpretations. The code prohibits artificial materials for the purpose of required landscaping, however, there could be an interpretation that says that once the required landscaping is achieved, the artificial materials could be placed in the excess areas.

For instance, the single family district requires a lot to have 20% landscaping in the rear and 30% landscaping in the front. If the applicant provides landscaping on that portion of the site, there is a possibility under the existing code language that the additional area could have artificial grass.

If the commission is supportive of this type of interpretation, staff suggests modifying the ordinance to clarify the intent as well as providing standards for the artificial grass so that whatever is installed meets the requirements for drainage.

It is expected to take staff approximately 20 hours to prepare the language and associated ordinance.

Staff is requesting a vote from the Commission to determine if the excess area on a lot, outside of the required landscaping, can be installed with artificial turf.

Reviewed by

Prepared by SSG



MEMORANDUM

ITEM NO. 9D

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

From: Guillermo Olmedillo, Town Manager

Date: July 9, 2019

Subject: Farmers Market

The Town was approached by Mr. Javier Valmana, a Surfside resident and owner of an Acai bowl businesses, to hold a Farmers Market (Attachment A).

Upon review by the Administration, and a meeting with Mr. Valmana, it was determined that his proposal could not be accommodated through the special event process and would need to be endorsed by the Town Commission in the form of a Memorandum of Understanding (MOU). It was also explained to him some of the challenges that various versions of a previously Town sponsored farmers market experienced several years ago, including the weather / wind and lack of community support.

Mr. Valmana would organize a Farmers Market every Sunday on the parking lot at the north west corner of Collins Avenue and 95th Street ("the Shul lot"). He would solicit all of the vendors and manage all of the requirements set forth in a MOU to include, but not limited to:

- Hours of set-up operation 7:30 a.m. to 4:00 p.m.
- Provide trash and recycling cans
- Dispose of all garbage, trash and recycling material at end of each market
- No Styrofoam or other polystyrene products or plastic straws may be sold, used or distributed at the event (to include single use plastic banned items if approved)
- Use of weighted, portable pop-up tents, and must have Fire Department approval for any larger or commercial tents
- Music and/or similar noise may not be excessive
- No alcoholic beverages may be served or sold
- Vendor list to be approved by the Town in an effort to avoid competing with downtown businesses as best possible
- Submit a site plan in advance to be approved by the Town

- Signage for the event must be approved in advance and placed according to the approved site plan
- Provide General Commercial Liability Insurance coverage and name the Town as an additional insured.
- Sign a Hold Harmless and Indemnification Agreement

The Town would provide the following:

- Use of the parking lot (\$560 per market day value if all of the parking spaces were occupied by non-resident pass holders for the entire time during market days)
- Possible off-duty Police Officer (\$468 per market day cost)
- Use of electricity at the parking lot if necessary
- Promote the market through all Town communication channels

Staff would be required to maintain an oversight of the weekly market. This would include Code Compliance staff checking on the market to ensure all Town requirements are met. In addition to the Police Department involvement outlined above, the parking lot would need to be secured late at night before market day.

The Administration is seeking Town Commission direction on this matter. If approved to move forward, a MOU would be brought back at the August meeting.

Reviewed by

Prepared by





Town of Surfside

9293 Harding Avenue, Surfside, FL 33154
Phone: (305) 861-4863 Fax: (305) 861-1302

SPECIAL EVENTS PERMIT APPLICATION (2018)

This application must be submitted to the Town of Surfside at least fifteen (15) calendar days prior to the date of the planned Special Event. Use additional paper as needed to answer all questions.

Special Note: Film Production Events and Commercial Events are prohibited from taking place in the single-family residences in the Town (per Town Code Sections 11-1 and 90-41d(1)(b)).

- Application Type: ☐ Print Production Event (no filming) in the H-30A, H-30B and H-30 C west of Harding Avenue (Check one)
- ☐ Print and Film Production Event in any other District
- ☐ Commercial Event (allowed only in the SD-B40 & MU Districts)
- ☒ Use of Public Facility (CF District) / Surfside Beach
- ☐ Expedited Print Production Event (no filming) (Include Application Addendum)

Applicant Name: Javier Valmana

Applicant's Permanent Address: 8851 Abbott Ave. Surfside, FL

Applicant's Mailing Address: 8851 Abbott Ave. Surfside, FL

Applicant's Daytime Phone Number: (305) 923 2518

Applicant's E-mail: official@waveyacaibowls.com

Name of Event Planner/Promoter: _____

Event Planner/Promoter Daytime Phone Number: _____

Event Planner/Promoter E-mail: _____

Address/Location of Event: _____

225 95th St Surfside, FL 33154 USA (parking lot on 95th Collins next to synagogue)

Name of Property Owner for Address of Event: Town of Surfside

Date(s) of Event: From 08/04/19 To (Every Sunday)

Event Hours (including set up/tear down time): From 7:30 a.m./p.m. To 4:00 a.m./p.m.

Type of Event (Describe in detail; use additional paper if necessary): The event will be

a weekly farmers market composed of a variety of vendors. A ~~compilation~~ collection of stands including local organic produce, artisanal goods, kosher options, juices, plants, and much more. We are hoping the event can take place every Sunday during the times mentioned above, to create a continuous following of residents and tourists and to give Surfside a new weekly attraction.

Description of event items being used (i.e., tables, chairs, tents, exhibits, etc.) Tents and tables will be used.

Description of electronic/power equipment being used (i.e., generators, sound equipment, lights, etc.)

The event will include generators if necessary.

Anticipated number of persons that are attending this event: ~20 vendors.

Anticipated number of participant vehicles (if known): _____

(Note: All event and guest vehicles must be legally parked on Town roadways, in Town parking lots, in on-street metered parking spaces, or by valet parking at hotels; no parking allowed on the grass).

Description of Recycling Plan (if applicable) Recycle bins will be placed throughout.

Special Assistance Requested (if addition Town services are required and approved, additional fees for services may be charged)

Other Information regarding this Event: If possible, we would like to use any city outlets available in the parking lot to eliminate the use of generators.

Acknowledgment of Town of Surfside Special Event Regulations and Guidelines:

I, Javier Valman, (Permittee), hereby acknowledge and agree to abide by all of the Town of Surfside special event rules and code of conduct regulations as printed and distributed to me with this application. I further understand that I may be required to pay for the attendance of Town staff, including but not limited to off-duty police officers, and any costs that may be associated with property damage and/or post-event cleaning. I further understand that I may be required to post a security performance bond with the Town of Surfside prior to the planned event date.

I understand that I may not use any of the Town of Surfside seals or logos in any advertising for my event without the expressed permission and written consent of the Town of Surfside.

I hereby acknowledge, understand and agree that if any unforeseen circumstances occur and/or Permittee fails to meet the requirements the Town of Surfside has set forth, the Town of Surfside shall have the right to control, cancel or stop the event in progress. The Permittee agrees to indemnify and hold harmless the Town of Surfside, its officers, employees, and agents from against all loss, costs, expenses, including attorney's fees, claims, suits and judgments, whatsoever, in connection with injury to or death of any person or persons or loss of or damage to property resulting from any and all operations performed by the sponsor, its officers, employees, and agents under any of the terms of this special event permit.

Signature of Permittee Applicant

Date

06/07/19



MEMORANDUM

ITEM NO. 9F

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

From: Guillermo Olmedillo, Town Manager

Date: July 9, 2019

Subject: Paced Development

At the August 11, 2015 Town Commission meeting, the concept of "Paced Development" was first presented for your consideration.

At the January 9, 2019 Town Commission agenda, after hearing Item 9-D, on the same topic, Commissioner Karukin made a motion directing the Town Manager to meet with Staff and present a recommendation to the Town Commission, at a future meeting. Commissioner Paul seconded the motion and all voted in favor.

Controlling the pace of development is not a novel concept; a number of municipalities have placed controls on the number of development permits issued in any given period. Most have used the number of dwelling units or area of construction as the measurable dimensions.

The common principles used to support the limitations are typically environmental impacts, infrastructure capacity, hurricane evacuation capacity, zoning capacity, conservation of property values and preservation of character.

Environmental principles include population impact, flooding, and open space vs. built space, among others.

Physical principles include evacuation capacity, delivery of service capacity, zoning capacity, and infrastructure capacity.

Quality of life principles include character of the community, and capacity of existing and projected community facilities.

Should the Town Commission decide to adopt policies to control the pace of development approvals, clear direction is necessary to quantify the administrative and legal work that is required, to not only prepare the respective ordinances necessary to implement the policies, but also to prepare the technical reports necessary to establish the clear rational

nexus between the ordinances and the protection of health, life safety and welfare of the community.

I recommend that the Town Commission start with the decision on the policy adoption, and as a second step to decide on the principles to be used in the preparation of the necessary ordinances.

The first question to be answered is: Does the Town Commission want to adopt a policy to control the impacts and the time when the construction process begins and ends.? Or Does the Town Commission want to limit the impact of development once it is used for its intended function? Or both?

Development has four phases, project concept, permitting, construction and use of the premises.

The project concept is a privately generated plan based on business decisions and applicable codes.

Permits are instruments issued by public agencies who base their approvals on existing codes. The Zoning Code and other land development regulations establish the limits for the scale, density and intensity for projects in Surfside. Such permits assign development rights to a particular piece of real estate. The Florida Building Code regulates the process and all physical aspects of the building.

The construction is the actual building process of the approved structures, developed by the private sector with a degree of supervision of public agencies.

The use and activities that can be conducted in the property, once it is built out, is controlled by the applicable codes.

Should the Town Commission decide to control only the duration of the construction phase and its impacts of noise, dust and traffic, the Development Order is the appropriate instrument.

The Development Order is a contract between the Town and the Applicant, and it contains all conditions of development that are not arbitrary and capricious and that the Town Commission considers appropriate and reasonable.

A second option is the Town Code, where parameters of time may be included, and where limitations on noise and dust emission already exist.

This option is more complex because development applications are all different and the ordinance would have to address them generally.

Should the Town Commission opt to address both the impacts of the entire process of development and include the impacts of the ultimate use of the property, then a comprehensive review of the Code is necessary.



MEMORANDUM

ITEM NO. 9G

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

From: Guillermo Olmedillo, Town Manager

Date: July 9, 2019

Subject: Legislative Priorities

Attachment A outlines a list of legislative priorities to be submitted to the Town's lobbyist Gomez Barker Associates / Converge Government Affairs.

No budgetary requirement.

No impact to staff.

Seeking Town Commission direction on this list and to authorize the Town's lobbyist to act on behalf of the Town on these matters during the upcoming State legislative session.

Reviewed by

DEPT HEADS

Prepared by

JO



Legislative Priorities 2019/2020

Community:

- Land acquisition support for parks and open space.
Continued / additional support for creation of bike / walking paths
- Surfside's urging resolution to the Public Service Commission regarding FP&L.
Lobbyist to work with the Town in addressing the PSC at their meetings.

Economic Development:

- Short term rentals: maintaining Surfside's ability to manage its own ordinance process.
- Resort / Tourist Tax Protection.
- Visit FL funding protection.
- The Town does not support FDOT seeking a share of parking meter revenue.
- Renovation of Beach Ends: possible funding via economic development.
Focus on the 96th Street Beach end, a major public access to the beach, which is a cooperative effort with Bal Harbour.
- Continued support of Local Business Tax Receipts protection.
- Small Business Development Network formation / funding.
- Expanding the use of tourism development taxes.
- Funding for Red Tide mitigation. *
- Downtown Development funding.
- Eliminate agricultural exemption for supermarkets that sell prepared food. Currently, stores like Publix that sell prepared food or even have seating for customers that buy prepared food do not have to pay the resort taxes that other restaurants have to pay

Education:

- Funding for training / continued education.

Environment:

- Support the use of offshore / foreign sand for beach nourishment.
- Climate Change / Sea Level Rise / Environment: adaptation, resiliency, algae issue as potential threat to beaches (Everglades/Lake Okeechobee) *, continued support for beach nourishment, dune management, off shore reefs etc.
- Support for Coastal Partnership Initiative Grant Program.
- Support for State wide legislation on Turtle lighting.
- Funding for Red Tide mitigation. *

Infrastructure:

- Water Quality support.
- Infrastructure funding related to water / sewer projects (Collins Ave water main).
- Surfside's Revolving Loan – loan forgiveness / rate modification.
- Funding for portable drainage pump.
- Abbott drainage project funding.
- Structural improvements to municipal buildings (hurricane mitigation).
- Support of Solar installations at all municipal buildings and public facilities.
- Transportation funding for walkability initiatives, crosswalks, signalization, street lighting, etc.
- Funding for 92nd Street beach access.

Life Safety:

- Support for measured legislation on gun and assault rifle ownership.
- Modify Police Officer's Bill of Rights – offenders lose state certification and are able to be terminated.
- Funding for body armor vests and body worn cameras.
- Transportation funding related to all items that address traffic calming and mitigation.



**Town of Surfside
Town Commission Meeting**

July 9, 2019

7:00 pm

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

DISCUSSION ITEM

Agenda #: 9H
Date: June 24, 2018
From: Vice-Mayor Daniel Gielchinsky
Subject: Joint Workshop of the Commission and Planning and Zoning Board

Objective: To schedule a public workshop of the Town Commission and the Planning and Zoning Board for further consideration of the proposed freeboard height modification and whether a concept of this nature should be place on the upcoming ballot for referendum.

Consideration: The Town's Planning and Zoning Board has been working diligently for over a year on considerations relating to the use of our zoning code to promote resiliency as sea level rise becomes an increasingly tangible threat to our community. The primary mechanism that the Board has explored is raising the freeboard height and allowing correspondingly higher roof height limits (i.e. "give a foot, get a foot") for new residential construction.

Analysis: A modification of the zoning code of this nature will require a ballot question through a referendum process. Conceptually, the referendum itself would not alter the existing ordinances, but instead create the flexibility that is needed in the charter in the event that a governing body decides at a later time that it is advisable to adopt an ordinance(s) that would implement these types of changes. The Commission and Board have recognized the need to promote public awareness and engagement of this process through workshops, meeting and other forms of public engagement.

Recommendation: That a public workshop of the Town Commission and the Planning and Zoning Board be scheduled to discuss these matters.



Town of Surfside Commission Communication

Agenda Item: # 9I

Agenda Date: July 9, 2019

From: Commissioner Michael Karukin

Via: Lilian M. Arango, Weiss Serota, Town Attorney

Subject: Zoning in Progress – New Applications or Site Plans for Hotels in H40 Zoning District, South of 93rd Street

Background: On February 12, 2019, the Town Commission directed Town Staff to prepare an ordinance to prohibit Hotel Use in the H40 zoning district south of 93th Street. An Ordinance was considered and passed first reading on March 12, 2019. On March 15, 2019, the Town published a Notice of Zoning in Progress in connection with the Ordinance after first reading of the Ordinance was passed. The proposed Ordinance was then considered by the Planning and Zoning Board on April 25, 2019, which recommended that the Town Commission defer the Ordinance to allow for further data and analysis, and further requested that the Zoning in Progress be extended or reissued.

Pursuant to Commission direction on May 14, 2019, the Town re-issued a Zoning in Progress in connection the Proposed Ordinance on May 17, 2019, which will run through and expire on August 15, 2019. With the requested data compiled and analysis completed, the proposed Ordinance will be presented for to the Planning & Zoning Board on July 11, 2019. Should the proposed ordinance fail when considered by the Commission for second reading on August 13, 2019, the Zoning in Progress will simply expire without further action. Adoption of the Proposed Ordinance will also terminate the Zoning in Progress (as the new policy will be in effect). If the Proposed Ordinance is deferred by the Commission at the August 13, 2019 meeting, for any reason, the Zoning In Progress will expire before this matter has been fully addressed by the Commission.

Analysis: Code section 90-6 states that the purpose of zoning in process *generally allows the town to apply, on a retroactive basis, if necessary, changes to zoning regulations or to the zoning district status of property, to previously approved or currently in process development applications. Additionally, the zoning in progress allows a temporary hold on permits and licenses if there is a change in zoning, which is already in progress that would affect the permit of license.* In an effort to avoid the Town accepting an application contrary to the proposed Ordinance, Staff is proposing concurrently: (i) Notice of Cancellation of the Zoning in Progress issued on March 17, 2019 and (ii) reissuing Notice of Zoning in Progress for 30 days, to be implemented to allow time to address any issues or action items raised by the Commission.

Recommendation: It is recommended that the Town Commission direct the Town Clerk to publish a reissue of the Notice of Zoning in Progress, as provided in Section 90-6 "Zoning in Progress" of the Code of Ordinances, in order to extend and apply an additional 30-day hold through September 14, 2019 on the processing of new or amended development applications that are submitted to the Town after the date of the publication of the Notice.

TOWN OF SURFSIDE

NOTICE OF

ZONING IN PROGRESS

The Town of Surfside published a Zoning in Progress on May 17, 2019 relative to proposed revisions to the Town Zoning Code pursuant to Section 90-6 of the Town Zoning Code. Amendments to the Zoning Code are being considered and may be proposed relative to Amending Chapter 90 Zoning to prohibit Hotel Use in the H40 Zoning District between Collins and Harding Avenues from 93rd Street to 88th Street, and/or considering the imposition of new design criteria for Hotel Use in the H40 Zoning District. The Town of Surfside hereby gives notice Notice of Re-Issue of a 30-Day Zoning in Progress from August 15, 2019 through September 14, 2019.

A public hearing for second reading of an ordinance which may prohibit Hotel Use in the H40 Zoning District between Collins and Harding Avenues from 93rd Street to 88th Street will be considered at second reading and will be noticed prior to the public hearing before the Town Commission. Should the Town of Surfside decide to pursue new design criteria for the Hotel use in the H40 Zoning District, an additional ordinance will be prepared and appropriately noticed for two readings and public hearing. Interested parties may appear at the public hearing and be heard with respect to the proposed Ordinance. Any person wishing to address the Town Commission on any item at the public hearing is asked to register with the Town Clerk prior to that item being heard.

In accordance with the Americans with Disabilities Act of 1990, all persons who are disabled and who need special accommodations to participate in this proceeding because of that disability should contact the Office of the Town Clerk, 305-861-4863, no later than two business days prior to such proceedings.

If a person decides to appeal any decision made by the Town Commission with respect to any matter considered at a meeting or hearing, that person 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 includes the testimony and evidence upon which the appeal is to be based.

Dated this _____ day of July, 2019

Sandra Novoa, MMC
Town Clerk



MEMORANDUM

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

From: Barry Cohen, Town Commissioner

Date: July 9, 2019

Subject: Town Acquisition of Vacant Parcel located at 8809 Harding Avenue for Public Park

Background: The vacant parcel located at 8809 Harding Avenue consists of approximately 28,368.75 square feet (.65 acres) and is located north of 88th Street and the Veterans Park/Tennis Center (8750 Collins Avenue) between Collins Avenue and Harding Avenue (the "88th Street Parcel"). 88th Street, a Town road, lies between Veterans Park/Tennis Center and the 88th Street Parcel. The 88th Street Parcel has previously received approvals for multi-family.

Analysis: Acquisition of the 88th Street parcel by the Town would provide additional park space/green area for the Town, provide a benefit to all Town residents and visitors, as well as provide a gateway entrance to the Town. The 88th Street parcel is one of the few vacant parcels remaining the Town and development as a park would eliminate additional density and development. The location of the 88th Street Parcel adjacent to 88th Street and Veterans Park/Tennis Center Presents additional benefits, as there exists the possibility of vacating 88th Street (right-of-way consists of approximately 300' x 50') for inclusion in the site and development as a park or public promenade area.

Budget Impact: Town administration and staff time necessary to perform due diligence on the 88th Street Parcel, including ordering of an appraisal of the site to ascertain market value. Zoning due diligence would also be needed to determine current land use and zoning classifications, and any approvals needed for development and use of the site for municipal park purposes. Town administration and staff would further explore available funding sources for acquisition of the parcel, including private or governmental funding or contributions, grants, loans, etc.

Programming: Town administration and staff would commence due diligence upon Town Commission direction and bring back due diligence and appraisal within ninety (90) days.

Commission Direction: Direct the Town Administration and staff to perform due diligence of the 88th Street Parcel, including the ordering of an appraisal for the site to determine market value, zoning due diligence and determining all available funding and financing alternatives available to pay for the acquisition and development costs of a public park.

Reviewed by

Prepared by