



**Town of Surfside  
Regular Town Commission Meeting  
AGENDA**

**August 13, 2019**

**7 p.m.**

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

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

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

***Any person who received compensation, remuneration or expenses for conducting lobbying activities is required to register as a lobbyist with the Town Clerk prior to engaging in lobbying activities per Town Code Sec. 2-235. "Lobbyist" specifically includes the principal, as defined in this section, as well as any agent, officer or employee of a principal, regardless of whether such lobbying activities fall within the normal scope of employment of such agent, officer or employee. The term "lobbyist" specifically excludes any person who only appears as a representative of a not-for-profit 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 the GFOA Award – Mayor Daniel Dietch**
- H. Presentation of the CAFR Report – Mayor Daniel Dietch**

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

- 3. Consent Agenda (*Set for approximately 7:30 p.m.*)** *All items on the consent agenda are considered routine or status reports by the Town Commission and will be approved by one motion. Any Commission member may request that an item be removed from the Consent Agenda and discussed separately. 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**
- June 11, 2019 Budget Workshop Minutes
  - July 9, 2019 Regular Town Commission Meeting Minutes

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

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

- D. Committee Reports – Guillermo Olmedillo, Town Manager**
- May 20, 2019 Parks and Recreation Committee Meeting Minutes
  - May 23, 2019 Planning and Zoning Board Meeting Minutes

**E. Resolution Authorizing Mutual Aid Agreement between the Town of Surfside Police Department and the City of Coral Gables Police Department – Guillermo Olmedillo, Town Manager**

**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, APPROVING A COMBINED VOLUNTARY COOPERATION AND OPERATIONAL ASSISTANCE MUTUAL AID AGREEMENT BETWEEN THE TOWN OF SURFSIDE, FLORIDA AND CITY OF CORAL GABLES, FLORIDA; PROVIDING FOR AUTHORIZATION AND IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE**



**F. Farmers Market – Guillermo Olmedillo, Town Manager**

**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, APPROVING A LIMITED REVOCABLE LICENSE AGREEMENT WITH WAVEY ACAI BOWLS, LLC FOR OPERATION OF THE TOWN OF SURFSIDE'S FARMERS' MARKET; PROVIDING FOR AUTHORIZATION; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.**

**G. Water Supply Plan Work Authorization - Guillermo Olmedillo, Town Manager**

**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA APPROVING WORK AUTHORIZATION NO. 122 WITH CALVIN GIORDANO & ASSOCIATES, INC. FOR ENGINEERING AND PLANNING SERVICES RELATED TO THE PREPARATION AND UPDATE OF THE TOWN'S WATER SUPPLY FACILITIES WORK PLAN; 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**

**H. Approval to Modify the Parking Rate and Parking Time Limits for Off-Street Parking (Municipal Parking Lots) - Guillermo Olmedillo, Town Manager**

**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA APPROVING OFF-STREET VARIABLE PARKING RATES FOR MUNICIPAL PARKING LOTS AND ESTABLISHING PARKING TIME LIMITS; PROVIDING FOR AUTHORIZATION AND IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.**

**4. Ordinances**

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

**A. Second Reading Ordinances**

**1. Hurricane Shutter Use Ordinance – 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. Prohibiting Hotels in H40 – Guillermo Olmedillo, Town Manager**

**AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA AMENDING THE TOWN OF SURFSIDE CODE OF ORDINANCES BY AMENDING 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 93<sup>RD</sup> STREET AND ADDRESS HOTEL ACCESSORY USES; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR CONFLICTS AND PROVIDING FOR AN EFFECTIVE DATE.**

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

**B. First Reading Ordinances**

**1. Repealing Section 2-28, “Reimbursement of Travel and Other Expenses” of the Town Code – Lilian M. Arango, Town Attorney**

**AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, AMENDING CHAPTER 2, “ADMINISTRATION” OF THE TOWN’S CODE OF ORDINANCES BY REPEALING SECTION 2-28, “REIMBURSEMENT OF TRAVEL AND OTHER EXPENSES”; 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.**

**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.

**8. Unfinished Business and New Business**

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

**A. Boards and Committees Appointments**

- Tourist Board – Commissioner Paul

- Downtown Vision Advisory Committee – Manager's Committee

**B. Town Acquisition of Vacant Parcel Located at 8809 Harding Avenue**

**[Verbal]** – Guillermo Olmedillo, Town Manager

**C. Lobbyist Amendment – Commissioner Michael Karukin**

**D. Discussion and Direction in Response to Notice from Florida Retail Federation and Florida Restaurant & Lodging Association**

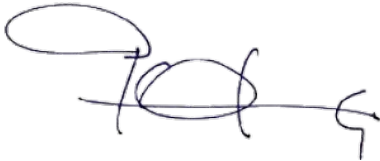
**Regarding Ordinance No. 2019-1698 (Section 34-11 of the Town Code) Prohibition on Distribution, Sale or Use of Single Use Plastics**

– Town Attorney Lilian Arango and Haydee Sera

**E. Stormwater Master Plan – Guillermo Olmedillo, Town Manager**

**10. Adjournment**

Respectfully submitted,



Guillermo Olmedillo  
Town Manager

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

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

EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED.

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

TWO OR MORE MEMBERS OF OTHER TOWN BOARDS MAY ATTEND THIS MEETING.

THESE MEETINGS MAY BE CONDUCTED BY MEANS OF OR IN CONJUNCTION WITH COMMUNICATIONS MEDIA TECHNOLOGY, SPECIFICALLY, A TELEPHONE CONFERENCE CALL. THE LOCATION 9293 HARDING AVENUE, SURFSIDE, FL 33154, WHICH IS OPEN TO THE PUBLIC, SHALL SERVE AS AN ACCESS POINT FOR SUCH COMMUNICATION.



GOVERNMENT FINANCE OFFICERS ASSOCIATION

*Distinguished  
Budget Presentation  
Award*

PRESENTED TO

**Town of Surfside  
Florida**

For the Fiscal Year Beginning

**October 1, 2018**

*Christopher P. Morill*

Executive Director



**Government Finance Officers Association**

203 North LaSalle Street, Suite 2700

Chicago, Illinois 60601-1210

312.977.9700 fax: 312.977.4806

**FOR IMMEDIATE RELEASE**

July 2, 2019

**For more information, contact:**

**Technical Services Center**

**Phone: (312) 977-9700**

**Fax: (312) 977-4806**

**E-mail: [budgetawards@gfoa.org](mailto:budgetawards@gfoa.org)**

(Chicago, Illinois)--Government Finance Officers Association is pleased to announce that **Town of Surfside, Florida**, has received GFOA's Distinguished Budget Presentation Award for its budget.

The award represents a significant achievement by the entity. It reflects the commitment of the governing body and staff to meeting the highest principles of governmental budgeting. In order to receive the budget award, the entity had to satisfy nationally recognized guidelines for effective budget presentation. These guidelines are designed to assess how well an entity's budget serves as:

- a policy document
- a financial plan
- an operations guide
- a communications device

Budget documents must be rated "proficient" in all four categories, and in the fourteen mandatory criteria within those categories, to receive the award.

When a Distinguished Budget Presentation Award is granted to an entity, a Certificate of Recognition for Budget Presentation is also presented to the individual(s) or department designated as being primarily responsible for having achieved the award. This has been presented to **Andria Meiri, Budget Officer**.

There are over 1,600 participants in the Budget Awards Program. The most recent Budget Award recipients, along with their corresponding budget documents, are posted quarterly on GFOA's website. Award recipients have pioneered efforts to improve the quality of budgeting and provide an excellent example for other governments throughout North America.

*Government Finance Officers Association is a major professional association servicing the needs of more than 19,000 appointed and elected local, state, and provincial-level government officials and other finance practitioners. It provides top quality publications, training programs, services, and products designed to enhance the skills and performance of those responsible for government finance policy and management. The association is headquartered in Chicago, Illinois, with offices in Washington D.C.*

Washington, DC Office

Federal Liaison Center, 660 North Capitol Street, NW, Suite 410 • Washington, DC 20001 • 202.393.8020 fax: 202.393.0780

[www.gfoa.org](http://www.gfoa.org)



**Government Finance Officers Association**

203 North LaSalle Street, Suite 2700

Chicago, Illinois 60601-1210

312.977.9700 fax: 312.977.4806

July 2, 2019

Andria Meiri  
Budget Officer  
Town of Surfside  
9293 Harding Avenue  
Surfside, FL 33154

Dear Ms. Meiri:

We are pleased to inform you, based on the examination of your budget document by a panel of independent reviewers, that your budget document has been awarded the Distinguished Budget Presentation Award from Government Finance Officers Association (GFOA) for the current fiscal period. This award is the highest form of recognition in governmental budgeting. Its attainment represents a significant achievement by your organization.

The Distinguished Budget Presentation Award is valid for one year. To continue your participation in the program, it will be necessary to submit your next annual budget document to GFOA within 90 days of the proposed budget's submission to the legislature or within 90 days of the budget's final adoption. A Distinguished Budget Program application is posted on GFOA's website. This application must be completed and accompany your next submission. (See numbers 12 and 13 on page 2 of the application for fee information and submission instructions.)

Each program participant is provided with confidential comments and suggestions for possible improvements to the budget document. Your comments are enclosed. We urge you to carefully consider the suggestions offered by our reviewers as you prepare your next budget.

When a Distinguished Budget Presentation Award is granted to an entity, a Certificate of Recognition for Budget Presentation is also presented to the individual(s) or department designated as being primarily responsible for its having achieved the award. Enclosed is a Certificate of Recognition for Budget Preparation for:

**Andria Meiri, Budget Officer**

Continuing participants will find a brass medallion enclosed with these results. First-time recipients will receive an award plaque that will be mailed separately and should arrive within eight to ten weeks. Also enclosed is a camera-ready reproduction of the award for inclusion in your next budget. If you reproduce the camera-ready image in your next budget, it should be accompanied by a statement indicating continued compliance with program criteria.

The following standardized text should be used:

Washington, DC Office

Federal Liaison Center, 660 North Capitol Street, NW, Suite 410 • Washington, DC 20001 • 202.393.8020 fax: 202.393.0780

[www.gfoa.org](http://www.gfoa.org)



**Government Finance Officers Association**

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Chicago, Illinois 60601-1210

312.977.9700 fax: 312.977.4806

Andria Meiri

July 2, 2019

Page 2

Government Finance Officers Association of the United States and Canada (GFOA) presented a Distinguished Budget Presentation Award to **Town of Surfside, Florida**, for its Annual Budget for the fiscal year beginning **October 1, 2018**. In order to receive this award, a governmental unit must publish a budget document that meets program criteria as a policy document, as a financial plan, as an operations guide, and as a communications device.

This award is valid for a period of one year only. We believe our current budget continues to conform to program requirements, and we are submitting it to GFOA to determine its eligibility for another award.

A press release is enclosed.

Upon request, GFOA can provide a video from its Executive Director congratulating your specific entity for winning the Budget Award.

We appreciate your participation in this program, and we sincerely hope that your example will encourage others in their efforts to achieve and maintain excellence in governmental budgeting. The most current list of award recipients can be found on GFOA's website at [www.gfoa.org](http://www.gfoa.org). If we can be of further assistance, please contact the Technical Services Center at (312) 977-9700.

Sincerely,

Michele Mark Levine  
Technical Services Center

Enclosure

Washington, DC Office

Federal Liaison Center, 660 North Capitol Street, NW, Suite 410 • Washington, DC 20001 • 202.393.8020 fax: 202.393.0780

[www.gfoa.org](http://www.gfoa.org)





**The Government Finance Officers Association  
of the United States and Canada**

*presents this*

## **CERTIFICATE OF RECOGNITION FOR BUDGET PREPARATION**

*to*

**Andria Meiri, Budget Officer  
Town of Surfside, Florida**

*The Certificate of Recognition for Budget Preparation is presented by the Government Finance Officers Association to those individuals who have been instrumental in their government unit achieving a Distinguished Budget Presentation Award. The Distinguished Budget Presentation Award, which is the highest award in governmental budgeting, is presented to those government units whose budgets are judged to adhere to program standards.*

Executive Director

*Christopher P. Morill*

Date

**July 02, 2019**





**Town of Surfside  
Town Commission Budget Workshop  
MINUTES  
June 11, 2018  
5:00 p.m.**

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

**1. Opening**

**A. Call to Order**

Mayor Dietch called the meeting to order at 5:06 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 arrived at 5:14 p.m.

Commissioner Barry Cohen arrived at 6:01 p.m.

**C. Pledge of Allegiance**

Chief Yero led the Pledge of Allegiance

**2. Discussion on Upcoming FY 19-20 Budget – Guillermo Olmedillo, Town Manager**

Town Manager Olmedillo introduced the program modifications being proposed by the administration and a list of items for the upcoming budget. He stated that the summary of new program costs is on page 2 and the summary of new capital outlay requests is on page 22.

Town Manager Olmedillo also introduced Mr. Jason Greene who will be starting as the new Finance Director at the end of July.

Town Manager Olmedillo also introduced the Chairman of the Pension Board, Abraham Issa, who will be making a presentation.

Town Manager Olmedillo stated that tonight's discussion will go over the new program modifications and he gave the following synopsis: On June 1, 2019 the Town received a letter from the Property Appraiser's Office indicating that the property value was \$3,118,000,000. He stated that that is an increase of 1%

compared to last year. This increase is due to the single-family area being reduced and the multifamily and commercial areas obtaining additional value. He stated that this would translate to approximately an additional \$112,000 made available to the Town.

Mayor Dietch requested that Mr. Abraham Issa share his thoughts and give his presentation.

Mr. Isla spoke on behalf of the pension fund and made the following recommendation: 1) Set up a plan to fully fund the pension plan for the next five years. Currently the Pension Fund is in very good shape and the plan is at 91.5% funding; 2) The cost of the pension plan is at 14% of payroll ratio and other city pension plans are above 60% ratio. He stated that given the Town's financial health, this is the time to get ahead of our liabilities.

Mr. Isla gave a synopsis of the current situation of the pension plan and gave the rates of equity for stocks. He stated that they are expecting a return of about 5.5% to 6.5% over the next 5 to 10 years. He stated that on a fixed income bond they are expecting between 3.5% to 4.5%.

Mr. Isla stated that the Commission should think of the pension fund like a 30-year mortgage, if you pay for it early you pay a lot less. He stated that the pension premiums go into an investment pool which grows. The earlier you fund it, the easier it is for the Town in an event they have a bad year like in 2008.

Mr. Isla stated that as trustees of the pension fund, they are requesting the Town to allocate funds in its upcoming budget with the goal of having the plan 100% funded over the next five years, thus reducing the Town's pension liability.

Town Manager Olmedillo stated that there is no specific amount that has been recommended. It is the policy that is being recommended to the Commission to consider as they go through the process of budgeting.

Mr. Isla stated that he is able to come back if the Commission has specific targets they want to achieve, and they can work with the actuary and provide a report to the Commission.

Interim Finance Director Wallace gave a presentation of the upcoming budget and the increase by millage rates. He stated that every millage rate increase would generate about \$3 million dollars in property tax value. He gave the dates of the upcoming public hearings, the date for the TRIM notice and deadlines of setting the millage rate.

Interim Finance Director Wallace gave a program modification summary presentation as follows:

**Modification Summary Presentation:**

**Under General Fund:**

Legislative Department – Government Academy – in the amount of \$12,000 similar to the police academy.

Charter and Code Rewrite - in the amount of \$300,000

Town Attorney – Non-Contract Additional Professional Services – in the amount of \$90,000

Special Projects/Excluded Services – in the amount of \$100,000.

Vice Mayor Gielchinsky asked how much was spent last year on out of contract services and non-covered litigation.

Town Attorney Arango stated that last year it was about \$125,000 and this year she looked from October 2018 to March 2019 and they were at a total of \$285,000. She stated that this year they had one litigation matter that exceeded \$50,000.

Executive Department which includes Human Resources – Classification and Compensation Study – in the amount of \$25,000. The last study was done five years ago.

Paid Parental Leave – in the amount of \$20,000

Planning & Zoning Division – Surfside 305 Strategic Climate Action Plan – in the amount of \$250,000.

Urban Land Institute Leadership Project – in the amount of \$10,000.

Public Safety Department – requesting a new entry level police officer position at a cost of \$97,866.

Parks & Recreation Department – 85<sup>th</sup> Anniversary Event - in the amount of \$18,000.

Parks & Recreation Department – Community Center: New Full Time Lifeguard position – at a cost of \$62,750.

New Full Time Custodian Position – at a cost of \$55,112.

Swim Team Coach - at a cost of \$12,000.

Painting of Community Center – in the amount of \$20,000.

**Under Special Revenue Funds – Tourist Resort Fund:**

**Parks & Recreation Department – Community Center:**

Water Activity Pool / Tot Lot and Slide Repair – in the amount of \$47,500.

Bi-Weekly Professional Cleaning for Community Center - in the amount of \$12,000.

Beach Raking - in the amount of \$87,120.

RecTrac Software System Update - in the amount of \$17,000.

**Enterprise Funds:**

Water & Sewer Fund – Requesting a new Maintenance Worker II position - at a cost of \$56,742.

Municipal Parking Fund – Requesting a new Parking Enforcement Officer position - at a cost of \$57,250.

**New Capital Outlay presentation:**

**General Fund:**

Public Safety – Police Handheld Radios - in the amount of \$129,600.

Parks & Recreation – Security Camera System – Tennis Center - in the amount of \$15,500.

Non-Departmental – Community Digital Sign - in the amount of \$36,000.

**New Capital Outlay Improvement Projects:**

**General Fund/Capital Projects Fund / Capital Improvement Projects**

Public Works – Downtown Surfside Sidewalks Beautification Plans and Studies - in the amount of \$50,000.

Parks & Recreation – Turkey Solar Power System - in the amount of \$525,000.

**New Capital Outlay – Special Revenue Funds:**

Tourist Resort Fund – Community Center – Fence and Gate Entrance Replacement - in the amount of \$15,000.

Security Camera System - in the amount of \$23,000.

New Capital Outlay – Enterprise Funds

Municipal Parking Fund – Handheld radios - in the amount of \$21,600.

Solid Waste Fund – Rear Load Garbage Truck - in the amount of \$240,000.

New Capital Outlay – Internal Service Funds:

Fleet Management Fund – Police Vehicles - in the amount of \$252,000.

Parking Enforcement Vehicles - in the amount of \$39,000.

Work Utility Vehicle 4X4 – Public Works - in the amount of \$15,000.

Building Services Vehicle - in the amount of \$32,500.

Commissioner Paul asked questions regarding the budget. She stated that she did not recall this from their last budget meeting.

Commissioner Karukin clarified that the budget starts at \$0 balance and if monies weren't expended from the previous year, those monies go back to the General Fund.

Commissioner Paul asked the Town Manager about the execution of some of the items on page 3, the Government Academy and if there was much interest in this program. She also asked who will be running the program and if it is available to all age groups.

Commissioner Karukin stated he has no interest in this program. He also asked Mayor Dietch if they can vote on each item instead of everyone going individually through their own list.

The Commission agreed to go item by item.

**Government Academy** – The Commission supported the program as long as there is enough interest in the program.

Commissioner Paul stated that as long as there is enough interest in the program, she would support it.

Commissioner Karukin agreed with Commissioner Paul's comment and will support it only if there is sufficient interest in the program.

Assistant Town Manager Tavares explained the Government Academy Program.

Mayor Dietch stated that this program is for people to understand what goes on in town government.

**Charter and Code Rewrite** – Commission is in support of this item.

Commissioner Karukin stated that he is not in support of allocating \$300,000 for this at this time until they are able to see the actual budget.

Interim Finance Director Chris Wallace spoke regarding the charter and that it is outdated. He also stated that the charter being outdated is an issue and it needs to be addressed.

Commissioner Karukin stated that in 2008 they had a Charter Review Board and asked what is the staff's definition of out of date.

Mayor Dietch stated that the charter is outdated in specific areas.

Town Manager Olmedillo stated that there is an area in Chapter 90 and there was a community meeting where the community had a number of concerns with this chapter. He stated that as they looked through the Charter, questions have come up and they have found inconsistencies. He stated that possibly those questions/concerns were never addressed nor repaired. He also stated that with the advance in the technological era, charters and codes have been behind in technology. He stated that this is part of the wish list and it is up to the Commission if there is any interest in this item.

Commissioner Paul asked Town Attorney Arango if the purpose is to bring the two closer together and if the Charter supersedes the Code, could they curve development and preserve the character of the Town through strengthening the Charter and not the other way around.

Commissioner Karukin stated that the answer is yes to both because they work hand in hand, and he is willing to support this item.

Commissioner Paul stated she does see conflicts in the charter, and she has spoken to the Town Attorney about it regarding the Florida Statutes and Section 7. She asked if the changes would go to referendum.

Mayor Dietch answered Commissioner Paul's question and stated that any changes to the charter must go to referendum.

**Town Attorney – General Agreement** - Commission is in support of this item.

Vice Mayor Gielchinsky would like to know the actual cost for the last fiscal year.

Town Attorney Arango stated that from October 1, 2018 to April 2019 they are at about \$75,000 for excluded services. She also reminded the Commission that there are different items coming up in 2020 that need to be addressed.

**Human Resources – Classification and Compensation Study** – Commission is in support of this item.

**Paid Parental Leave** – Commission is in support of this item.

**Surfside 305 Strategic Climate Action Plan** – Commission is in support of this item.

Commissioner Paul stated that she would like to know what the funds will be used for or if they are just allocating the funds to be used in the future. She also would like more clarification.

Mayor Dietch explained the resiliency program to Commissioner Paul and what those initiatives are. This is a budget allocation and there are specific items that the funding will be used for.

Interim Finance Director Wallace stated that some of these costs will be more fully developed by the July meeting. At this point it is to see which items the Commission are in consensus with and to move forward with those items.

Vice Mayor Gielchinsky would like to talk more about the funding at a later time and this is a perfect time to think about impact fees.

**Urban Land Institute Leadership Project** – Commission is in support of this item.

Commissioner Paul would like to know what the funds will be used for or are they just allocating the funds to be used in the future. She would like more clarification.

Town Manager Olmedillo explained the project which gives an indication of what leadership projects could be used for the Town and it would give them a blueprint of what will be presented back to the Commission as priority.

**New Police Officer Position** – Commission is in support of this item.

Vice Mayor Gielchinsky is strongly in support of this item and commended the Police Chief and staff.

**85<sup>th</sup> Anniversary Event** – Commission is in support of this item.

Mayor Dietch stated for the record that he would prefer to wait until the 100<sup>th</sup> year anniversary but is in support of the item.

**Full Time Lifeguard** – Commission is in support of this item.

**Full Time Community Center Custodian** – Commission is in support of this item.



Commissioner Karukin asked if they could bring back Hector as a 1099 consultant.

**Swim Team Coach** – Commission is in support of this item.

**Painting of Community Center** – Commission is in support of this item.

**Tot Lot Slide Repair** – Commission is in support of this item.

**Biweekly Professional Cleaning Service** – Commission is in support of this item.

**Beach Raking** – Commission is in support of this item. They requested more information regarding the process.

Commissioner Paul supports it to a degree and believes that every day raking is too much and would like to know the process. She stated that the only way she would support this item is if they include as part of the item the actual process of the removal of the seaweed. She suggested that staff look into the cost of separating the seaweed and turning it into fertilizer. She also suggested that raking be done no more than twice a week.

Commissioner Karukin stated to Commissioner Paul that turning it into fertilizer has a cost associated with it.

Town Manager Olmedillo advised the Commission that it is not only picking it up. He stated that there is a cost associated with it once it is picked up and if the Commission would like staff to find out the cost.

Commissioner Paul stated Town Manager Olmedillo bring back the cost involved and doing it the correct way.

Mayor Dietch also agreed with doing the beach raking the correct way and would also like the cost involved of disposal of the seaweed once it is picked up.

**RecTrac Software System Update** – All the Commission is in support of this item.

Mayor Dietch stated this is specific to Parks and Recreation facilities and you see the same systems being used in other communities as their dedicated system.

Commissioner Cohen asked what it improves and what the need of it is.

Parks and Recreation Director Milian explained the software system and stated this is the first upgrade in nine years.

Vice Mayor Gielchinsky commended Parks and Recreation Director Milian and stated that he runs a tight ship. He feels that it is important to have this upgrade done.

**Water & Sewer Maintenance Worker** – Commission is in support of this item.

**Parking Enforcement Officer Position** – Commission is in support of this item.

Commissioner Paul supports this item but would also like them to cover the Town lots close to the beach area, the streets close to the beach and on the weekends.

**Public Safety – Police Handheld Radios** - Commission is in support of this item.

**Parks & Recreation – Security Camera System – Tennis Center** - Commission is in support of this item.

**Non-Departmental – Community Digital Sign** – General support of the Commission with Commissioner Paul supporting only if it is not a digital sign.

Commissioner Paul's support is dependent on what other options there are. She agrees with a sign but not a digital sign.

Commissioner Karukin is not in support of this item.

Town Manager Olmedillo gave the location of where the sign would be located.

Commissioner Karukin is in support with the location of the sign stated by the Town Manager.

**Public Works – Downtown Surfside Sidewalks Beautification Plans and Studies** - Commission is in support of this item.

Commissioner Paul would like to tweak the idea and stated that this reminds her of the streets in Times Square and believes it is too busy for Surfside. She stated that she likes the sidewalks proposed in the Safe Harbor Project.

Town Manager Olmedillo explained what this beautification project entails.

Commissioner Paul asked if the Commission would be able to also approve the design.

Town Manager Olmedillo stated that it would go to either a committee or the Commission for approval of the design.

Commissioner Karukin stated that it would most likely go before DVAC for approval of the design. He also stated that he has received multiple complaints about the sidewalks.

Commissioner Cohen commented on complaints regarding the sidewalks and wanted clarification on this project and the cost.

Public Works Director Stokes gave Commissioner Cohen clarification on the project and the cost entailed.

Commissioner Paul stated she is in support of the project. She wants to know what it will look like.

**Parks & Recreation – Turnkey Solar Power System** - All the Commission is in support of deferring this item and come back with a more refined approach and more detail.

Commissioner Paul would like to defer this item. She stated she supports this item but not at this time.

Mayor Dietch requested the Town Manager go back and revisit this. He does not feel the Town has enough roof space for this project.

Vice Mayor Gielchinsky also commented on the cost of the panels per square foot.

Commissioner Cohen commented on the solar panels. He requested the Town look into other programs that are made for smaller areas and municipalities.

Vice Mayor Gielchinsky would like this project to get done but is in support of having the Town Manager come back with a more refined approach.

**Tourist Resort Fund – Community Center – Fence and Gate Entrance Replacement** - Commission is in support of this item.

**Security Camera System** - Commission is in support of this item.

**Municipal Parking Fund – Handheld radios** - Commission is in support of this item.

**Solid Waste Fund – Rear Load Garbage Truck** - Commission is in support of this item.

Public Works Director Stokes stated that they need this truck due to replace the current one which has reached the end its life.

**Fleet Management Fund – Police Vehicles** - Commission is in support of this item.

Commissioner Paul stated that she saw that there were six police vehicles that were previously budgeted for. She asked if these were the same vehicles or additional vehicles.

Interim Finance Director Wallace stated they are six additional vehicles. Six vehicles were replaced in the current year due to the use.

Mayor Dietch stated that there is a policy of when to replace the vehicles.

Town Manager Olmedillo asked Chief Yero to discuss this item.

Vice Mayor Gielchinsky stated that he was looking at offering the Police Department a bait car to set up sting operations for stolen vehicles. He asked if they could use an older police vehicle as a bait car.

Police Chief Yero stated that they can use an older dodge charger and they also have a confiscated vehicle they might be able to use as well.

Commissioner Paul stated that when she attended the Expo, Florida International University (FIU) had a table where they had a carbon monoxide emission management system that they use the fire rescue trucks. She asked if it would be possible to place that type of system in the new vehicles that they purchase.

Town Manager Olmedillo stated that they researched that system and asked Public Works Director Stokes to explain.

Public Works Director Stokes stated that they did research and contacted the company that makes this carbon monoxide emission system and they are able to place them in small engines. He stated that they are made for generators and the jaws of life, which is what fire departments are placing them into. They are about \$200 per unit and can be placed in all their generators and small engines.

Commissioner Paul asked if they can be placed on police vehicles.

Public Works Director Stokes stated that they cannot be placed on police vehicles. When they contacted the company, the company stated that by placing it on those vehicles, it would vacate the vehicles warranty.

Vice Mayor Gielchinsky explained that larger vehicles already have a system in place.

**Parking Enforcement Vehicles** - Commission is in support of this item.

**Work Utility Vehicle 4X4 – Public Works** - Commission is in support of this item.

**Building Services Vehicle** - Commission is in support of this item.

**96<sup>th</sup> Street Park Community Center Expansion – Add On Item by Commissioner Karukin:** Commission is in support of this item.

Commissioner Karukin requested an add on item. He asked if there was any way that they could have a placeholder for the 96<sup>th</sup> Street Park Community Center Expansion. He supports this item and is looking at having a placeholder in the Capital Improvement Project of \$2,500,000.

Mayor Dietch stated that there is some money already set aside for this project.

Commissioner Karukin stated that he does not feel the money set aside will be enough for the project.

Mayor Dietch stated that if he is speaking about having a total for the project of \$2,500,000, which includes the money already set aside, he agrees with that.

Mayor Dietch said if there is general support, they can direct the Town Manager to come back with that item.

Mayor Dietch mentioned a presentation that was given in the beginning of this workshop and the Town Manager asked for policy direction as to whether they were in support of setting the goal of funding 100% of the pension fund in the next five years. He would like to revisit that before moving on with the public speakers.

The Commission gave direction to the Town Manager to come back at the next budget meeting with a discussion item on how that could be accomplished and what the budget impact would be.

Mayor Dietch opened the floor to public speakers.

The following public speakers spoke:

Victor May spoke on several of the budget items including additional police officers, police vehicles, beach raking, plans and studies for the sidewalks, solar power system, purchase of garbage trucks, radios and the climate study.

Jennifer Rotker spoke regarding beach raking. She is concerned with the rewriting of the charter, parental leave, sidewalks, parking enforcement, government academy and solar panels on the community center.

Laura Morilla, Director, Miami-Dade County Commission for Women, spoke in support of parental paid leave.

Marie Woodson, Miami-Dade County Commission for Women, spoke regarding parental paid leave for employees. She encouraged the Town to support this and thanked them for placing it in their budget.

Jennifer Hill spoke in support of parental paid leave.

Sasha Plutno spoke against the Town of Surfside paying for parental paid leave and the \$250,000 for the resiliency plan.

Sheryl Goldberg spoke regarding her support the parental paid leave. She spoke against the \$525,000 for the solar panel system and asked if there could be an apparatus placed on the garbage trucks to pick up the garbage.

Mayor Dietch closed the floor to public comments.

Commissioner Karukin asked the Town Manager when they would be receiving the proposed budget.

Town Manager Olmedillo stated that it would be July1, 2019.

Mayor Dietch stated that by then they would have the CAFR completed and that would give the Commission an idea of where they are.

Commissioner Paul wanted to reiterate her feeling on beach raking as she stated earlier and stated that if they move forward with the raking, they do so cautiously. She also asked why the new code enforcement officer is not in the budget.

Mayor Dietch stated it was because they already gave the allocation and it becomes an ongoing cost.

### **3. Adjournment**

There being no further business to discuss before the Commission, a motion was made by Commissioner Karukin and seconded by Commissioner Cohen to adjourn the meeting without objection at 6:42 p.m.

Respectfully submitted,

Accepted this \_\_\_\_ day of \_\_\_\_\_, 2019.

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

Attest:

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



**Town of Surfside  
Regular Town Commission Meeting  
MINUTES  
July 9, 2019  
7 p.m.**

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

**1. Opening**

**A. Call to Order**

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

**B. Roll Call of Members**

Town Clerk 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**

Vice Mayor Gielchinsky extended his gratitude and recognition to Parks & Recreation Director Milian and the Parks & Recreation Department for another July 4<sup>th</sup> event. He also thanked the Town staff and his colleagues for locating a new food vendor which has been very beneficial to the community.

Mayor Dietch reminded everyone that the children are out of school for the summer and everyone should be mindful and cautious as they are driving and riding their bikes.

Mayor Dietch reminded everyone about turtle nesting season and the 2019 hurricane season. He encouraged everyone to have their hurricane preparedness kits ready.

Mayor Dietch advised of the upcoming beach renourishment project that the US Army Corps of Engineers will be working on placing sand on the beach in the Town.

Mayor Dietch stated that effective Tuesday, July 16, 2019 the Town's access channel 93 will be located on channel 663 of the Atlantic Broadband lineup.

Mayor Dietch mentioned that on September 4, 2019 the Miami-Dade School Board will consider the upcoming legislative items and he encouraged everyone to attend.

Mayor Dietch invited everyone to attend his upcoming Town Hall Meeting on July 22, 2019 at 7:00 pm in the Commission Chambers.

Mayor Dietch mentioned the upcoming schedule for the street sweepers which can be found on the Town's website.

Mayor Dietch stated that the Police Department will be hosting its next Coffee with a Cop on July 25, 2019 at 10:00 a.m. at the Starbucks on Harding Avenue.

Mayor Dietch stated that the Police Department will be hosting its next Bike Ride with the Chief on July 31, 2019 at 5:00 p.m. starting at Town Hall.

Mayor Dietch invited the community to participate in an online satisfaction survey. The deadline is noon on July 31, 2019.

Mayor Dietch mentioned that the Higher Education Scholarship application deadline has been extended to August 2, 2019.

Mayor Dietch gave the schedule for recycling pickup which can be found on the Town website.

Mayor Dietch spoke regarding the Town Dog Park.

Mayor Dietch advised everyone to lock their vehicles and bikes to avoid opportunistic crimes. All of this can be found on the Town's website and on the Gazette.

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



Commissioner Cohen made a motion to take item 9J after item 4A1 and item 9G after item 9J. The motion received a second from Mayor Dietch and all voted in favor.

Commissioner Karukin made a motion to pull item 3F. The motion received a second from Vice Mayor Gielchinsky and all voted in favor.

Commissioner Karukin made a motion to have the budget discussions at 10:30 p.m. Motion seconded by Vice Mayor Gielchinsky and passed with a 5-0 vote.

Vice Mayor Gielchinsky made a motion to move the budget discussion to 11:00 p.m. Motion seconded by Commissioner Karukin and passed with a 4-0 vote with Commissioner Cohen absent.

Commissioner Paul made a motion to move the budget discussion to 11:30 p.m. Motion seconded by Commissioner Karukin and passed with a 4-0 vote with Commissioner Cohen absent.

Commissioner Paul made a motion to move the budget discussion to 11:45 p.m. Motion seconded by Commissioner Karukin and passed with a 4-0 vote with Commissioner Cohen absent.

**F. Community Notes – Mayor Daniel Dietch**  
No community notes.

**G. Presentation of Parks and Recreation Proclamation – Mayor Daniel Dietch**

**H.**  
Mayor Dietch read the proclamation into the record and presented the proclamation to Parks & Recreation Director Milian and staff.

Commissioner Paul stated it was an honor serving on the Parks & Recreation Committee and commended the Parks & Recreation staff.

**I. Presentation of Certificate of Appreciation from Miami-Dade County Office of the Mayor and Board of County Commissioners – Mayor Daniel Dietch**

**J.**  
Mayor Dietch stated that Surfside contributed to the Miami-Dade Homeless Trust this past year. He spoke regarding the program and the

benefits the Town receives from this program. They are starting a new program to help with mental illness. The Town of Surfside was presented with a Certificate of Appreciation.

Mayor Dietch read the Certificate of Appreciation into the record.

**K. Presentation of Mango Contest Winners - Mayor Daniel Dietch**

Mayor Dietch presented prizes to the Mango contest winners. He gave a history of the Mango contest and commended Dalia Blumstein who started this contest.

3<sup>rd</sup> Place – Linda Salzhauer – Ms. Salzhauer thanked the Commission.

2<sup>nd</sup> Place – Marsha Texeira – Ms. Texeira thanked the Commission.

1<sup>st</sup> Place – Meredith Rasco – Ms. Rasco was not present to receive her prize and it will be sent to her.

**L. Recognition of Town Clerk Sandra Novoa, MMC for Receiving the 2019 Florida Association of City Clerks President's Award - Mayor Daniel Dietch**

Mayor Dietch recognized Town Clerk Novoa for receiving the 2019 Florida Association of City Clerks President's Award.

Town Clerk Novoa thanked the Commission, the Town Manager and the Town Attorney for their support and assistance.

**1. Quasi-Judicial Hearings**

No items.

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

A motion was made by Commissioner Karukin and seconded by Vice Mayor Gielchinsky to approve the Consent Agenda minus the pulled items. Motion carried 5-0.

**A. Minutes – Sandra Novoa, MMC, Town Clerk**  
May 14, 2019 Regular Town Commission Meeting  
June 11, 2019 Regular Town Commission Meeting

Approved on consent.

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

Approved on consent.

- 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.**

Approved on consent.

- 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**

Town Clerk Novoa read the title into the record.

Commissioner Paul stated that she would like to hold off on this item.

Discussion continued among Commissioner Paul and the Commission regarding the panels and FPL.

The following public speaker spoke on the item:

Eliana Salzhauer

Town Manager Olmedillo gave a synopsis of the research that was conducted.

Mayor Dietch asked if Commissioner Paul would agree to use it on another municipal building.

Public Works Director Stokes explained that the Community Center uses three times the amount of energy that Town Hall uses. He supports this item.

A motion was made by Vice Mayor Gielchinsky to approve the resolution. Motion seconded by Mayor Dietch and carried with a 3-1 vote with Commissioner Paul voting against and Commissioner Cohen absent.

**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.**

Approved on consent.

**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.**

Approved on consent.

**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.**

Approved on consent.

**3. 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.**  
Town Clerk Novoa read the title into the record.

A motion was made by Commissioner Paul for purposes of discussion and seconded by Vice Mayor Gielchinsky.

The following members of the public spoke on the item:

Eli Tourgeman  
Madison Bernett  
Jeff Platt  
Marianne Meischeid  
Chris O'Neil  
Jennifer Rotker  
Shaun Grenald  
Deborah Cimadevilla  
George Kousoulas  
Yolas Correa  
Frederick Marq

Mayor Dietch thanked the public speakers for their comments and remarks.

Commissioner Paul spoke regarding the climate crisis everyone is in and stated that there is a need to lead by example and thanked the last speaker. She expressed her concern with the fact that the ocean is dying and this is a beach town. She stated that everyone needs to be more proactive.

Mayor Dietch thanked Commissioner Paul for referring to it as a climate crisis and that people do not connect today with tomorrow and the next generation.

Mayor Dietch gave the statistics of those that have banned plastic bags and they are all coastal communities. He gave statistics on the amount of plastic that is in our oceans.

Mayor Dietch gave a synopsis of the item and the prohibition of single use plastic straws and what occurred in the legislature. He also stated what the private companies are doing to eliminate the use of plastic bags in their grocery stores.

Commissioner Paul stated that the oceans are dying and explained the problem with plastics and what it is doing to the environment. She will accept any term but feels it is a mistake if the ordinance has many exceptions to it.

Commissioner Karukin stated he appreciates a compromise and he will support it with removing single use flatware and dinnerware. He is also in agreement with banning the plastic bags.

Vice Mayor Gielchinsky stated that as a local government we have a place here to protect our citizens and that includes having a

responsibility and taking leadership in this issue. He spoke regarding the pending lawsuit and is worried passing this might include us as another municipality in litigation. There will be a time for this, and Coral Gables will succeed and once that happens, he will support it. He is happy that the Mayor is proposing a modification to this ordinance.

Commissioner Cohen stated that necessity is the mother of invention and there are biodegradable plastics that are available through many sources. He feels that we need to have workshops and studies and feels that we should take the least restrictive alternatives and not cause damage to our businesses. He thinks they need to come up with something more reasonable and does not feel that they need to make hard and fast rules. He stated that he thinks they should be fully educated and start a process.

Mayor Dietch asked the Town Clerk to call the vote amending the ordinance to remove the single use plasticware and dinnerware in all places and only to read for single use plastic bags.

Commissioner Cohen asked if there was a procedure set up to move forward with educating the public.

Mayor Dietch stated yes there is an outreach program and a compliance period.

A motion was made by Mayor Dietch to approve the ordinance as amended by removing the single use plasticware and dinnerware in all places and only to read for single use plastic bags. Motion seconded by Vice Mayor Gielchinsky. Motion passed with a 5-0 vote.

## **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**

Town Clerk Novoa read the title into the record.

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

**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.**

Town Clerk Novoa read the title into the record.

A motion was made by Commissioner Paul to approve as amended. Motion seconded by Vice Mayor Gielchinsky and passed with a 5-0 vote.

The following members of the public spoke on the item:

Marianne Meisheid  
George Kousoulas

Mayor Dietch stated that he feels he has the support to remove residential areas.

Town Manager Olmedillo stated it was to provide a uniformed look throughout the Town.

A motion was made by Commissioner Paul to approve subject to removing the residential requirement. Motion seconded by Vice Mayor Gielchinsky recommending to include Mr. Kousoulas' comments on Line 51 instead of "up to 10 days prior" make it "upon issuance of a storm watch" and 7-day after the passage of the storm or the rescission of State of Emergency, whichever is longer. Motion passed with a 5-0 vote.



**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.**

Town Clerk Novoa read the title into the record.

A motion was made by Vice Mayor Gielchinsky for purposes of discussion and seconded by Commissioner Paul.

Vice Mayor Gielchinsky feels the program works well and that the restaurant owners stated that the relief was beneficial to them with the opening of new restaurants. He stated that he would like more mom and pop businesses on Harding Avenue. He also stated that he would like to extend it for another year.

Commissioner Paul agrees with extending it another year, but the business owners should be notified. She feels that they should consider a vacancy tax for those businesses that have remained vacant for another year.

Mayor Dietch would like to ask for some flexibility with new vacancies that come online.

Town Attorney Arango stated that the way it is drafted, as it pertains to eligibility, it pertains to those properties on the inventory list as of July 1, 2019.

Mayor Dietch asked the Town Attorney, without changing the title, if there can be flexibility with changing the title between first and second reading.

Town Attorney Arango asked Mayor Dietch if he would like the potential for eligibility to be ongoing.

Mayor Dietch stated that it would be over the period of that year and subject to the Town Manager's review.

Commissioner Cohen asked if they can require people to rent their property.

Mayor Dietch stated that they are trying to strike a balance with government intrusion.

A motion was made by Vice Mayor Gielchinsky to adopt the recommendation of the Town Manager and incorporate the Mayor's proposal to build some flexibility into the program at the Manager's discretion for vacancies that come up during the year. Motion seconded by Commissioner Karukin and carried with a 5-0 vote.

**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.**

Town Clerk Novoa read the title into the record.

A motion was made by Commissioner Paul for purposes of discussion and seconded by Vice Mayor Gielchinsky.

Commissioner Paul asked if anyone had a chance to go and see the LED lighting.

Town Manager Olmedillo stated that the Mayor was able to go.

Commissioner Karukin asked if it was the same ones at the 94<sup>th</sup> Street parking lots?

Public Works Director Stokes stated those are 4000. Those are the ones they do not recommend because they affect sleep.

Commissioner Karukin would like to defer it for one more month.

Commissioner Cohen asked why this is only in the residential district and not A1A.

Town Manager Olmedillo stated that there are three jurisdictions on lighting, the Town, FDOT and the County. He stated that the Town oversees the lights in the residential areas. FDOT and County are embarking in a program that will include the intersections on Harding and Collins and it should start soon. He stated that FDOT will receive LED lighting improvements at the intersections of Harding and Collins.

Commissioner Paul made a motion to defer the item for a month. Motion seconded by Commissioner Karukin and passed with a 5-0 vote.

**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.**

Town Clerk Novoa read the title into the record.

Town Attorney Arango stated this is an accompanying item to the single plastic ordinance that was passed earlier. She stated that the Commission gave direction to change the commercial establishment daily fine from \$250.00 to \$150.00 and that should be the corresponding fine in this resolution. She stated that the 6<sup>th</sup> whereas clause should be corrected to \$150.00 per violation per commercial establishments consistent with the Commission's direction of March 2018.

Vice Mayor Gielchinsky stated that whatever they do here should be amended to be consistent with what was done tonight to define the use to single use plastics bag being banned moving forward.

Commissioner Paul stated there is a typo on page 646. It should read 2020. She stated that corrections need to be made to pages 345, 347 and 352. The amounts are incorrect and need to be amended. She also stated that littering should be a higher fine and should be enforced.

Commissioner Paul made a motion for purposes of discussion. Motion seconded by Vice Mayor Gielchinsky and all voted in favor.

A motion was made for Commissioner Paul to approve as amended and seconded by Vice Mayor Gielchinsky. Motion passed with a 3-2 vote with Commissioner Karukin and Commissioner Cohen voting against the item.

**C. Solid Waste Services Special Assessment Preliminary Rate Resolution – Guillermo Olmedillo, Town Manager**

**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.**

Town Clerk Novoa read the title into the record.

Vice Mayor Gielchinsky made a motion to adopt the resolution. Motion seconded by Commissioner Karukin and carried with a 5-0 vote.

**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.*

The following members of the public spoke on the item:

Victor May spoke regarding the elections in 2020. He asked regarding the Charter and the Budget having \$300,000 for the amendment of the charter and he suggested to have a committee to determine which charter amendments should move forward on the ballot.

Deborah Cimadevilla spoke regarding levels of electric magnetic fields along Abbott Avenue and other areas and would like to know the status of her requests.

Eliana Salzhauer spoke regarding the crossing at the community center and how dangerous it is. She stated that the crosswalk is not long enough for the elderly

and children. She read a statement into the record from Celeste Armas, who was struck by a vehicle while crossing the street to the Community Center.

Jeff Platt spoke regarding the July 4<sup>th</sup> fireworks and the fact that the beach was not cleaned up after the fireworks.

Peter Neville spoke regarding his visit by a code enforcement officer stating that he could be fined \$100 for his gardener using garden blowers.

Commissioner Karukin made a motion to give Mr. Neville an extra minute. Motion seconded by Commissioner Paul and all voted in favor.

Amparo Korbel spoke regarding the walking path and replacing the wooden post and thanked the Commission. She asked when the Town is going to finish the second part of the project.

Phyllis Shamis spoke regarding streetlights and replacing those that are out. She spoke regarding houses under construction with the gates open and fireworks being thrown in the middle of the streets.

Jonah Epstein thanked the Commission for funding a nurse at his school. He stated that he and his brother walked to and from the community center daily and there were at least six times that they almost got hit by a car because they speed through the traffic lights.

Jennifer Rotker spoke regarding beach raking and the beach renourishment project.

Commissioner Paul addressed the comments made by the public speakers regarding litter left behind after the July 4<sup>th</sup> fireworks. She stated that she feels that it needs to be written into the contract that cleanup must be done after the fireworks. She commented on the crossing at 93<sup>rd</sup> Street and requested the police report and if the consensus is that the light is not long enough before it changes, we should get with FDOT to extend the time of the light. She requested at the budget hearing for more enhancements to the crosswalks. She addressed the garden blowers and stated that the debris does get inside the storm drains. She asked if a study can be done on the EMF by our public works staff.

Town Manager Olmedillo stated that the Public Works Department cannot do those studies.

Mayor Dietch spoke regarding the concerns of the traffic lights and walkway and that they are working with FDOT and Miami Dade County regarding those issues. He also discussed the red-light cameras they had in the past and the decision

made a few years ago to remove them. He spoke to the Chief of Police regarding the accident that occurred.

Mayor Dietch directed the Town Manager to have discussions with FDOT and Miami Dade County to enhance the timing of the lights and enhancing the crosswalks.

Mayor Dietch discussed the cleanup after July 4<sup>th</sup> event and discussed the issue with the lawn blowers. He spoke regarding the wooden posts. He understands that the Public Works Department is replacing them as they can until the beach renourishment is complete. He also stated that there is a post down on 95<sup>th</sup> Street.

Commissioner Paul asked if the Manager stated there was supposed to be a crossing in the springtime at 94<sup>th</sup> street and stated that there is no stopping between 90<sup>th</sup> and 93<sup>rd</sup> Street making that a speedway. She stated that there is a need for traffic lights on each corner due to the walkability factor.

Mayor Dietch responded to Commissioner Paul's comments and advised that FDOT is working on the crosswalk on 92<sup>nd</sup> Street.

Town Manager Olmedillo stated that it is scheduled within the next 30 days.

**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

Commissioner Karukin mentioned his conversation with the Assistant Town Manager regarding DVAC being represented by local business owners and feels that Alan Ohana would be a good fit the DVAC.

Commissioner Paul discussed the application she received for DVAC from Eli Tourqeman.

Commissioner Karukin would not support that appointment and would prefer Mr. Ohana.

Commissioner Cohen stated he received an application from the owner of Backyard BBQ who would like to serve on DVAC and would like as many people involved as possible.

Mayor Dietch stated that additional applications were sought and received.

Commissioner Paul stated she has not seen the applications except the one from Backyard BBQ and is not ready to vote on this appointment.

Discussion continued among Commissioner Paul and Commissioner Cohen regarding the code violations that the owner of Backyard BBQ has been issued.

Town Clerk Novoa stated that the applications for the Tourist Board were distributed but the applications for DVAC were not because it is the Town Manager's Committee and that staff prepared a memorandum to the Commission with the Town Manager's recommendation.

Town Manager Olmedillo gave clarification on who applied for DVAC and the Commission's directive for staff to obtain more applications for DVAC. He also stated it was his recommendation to fill that position with Mr. Ohana.

The following members of the public spoke on the item:

Eliana Salzhauer spoke regarding DVAC and Tourist Board.  
Sheryl Goldberg spoke regarding the Tourist Board.

A motion was made by Vice Mayor Gielchinsky to ratify the Manager's selection to appoint Alan Ohana to the DVAC Committee. Motion seconded by Commissioner Karukin and carried with a 5-0 vote.

Mayor Dietch asked the Town Clerk if Ms. Goldberg meets the requirements for the Tourist Board.

Town Clerk Novoa stated that she would need a few minutes to review the application.

Vice Mayor Gielchinsky asked Mayor Dietch if his question was what the qualifications per the code were.

Mayor Dietch stated that he just wanted to make sure she qualifies.

Vice Mayor Gielchinsky read the code section of the qualification for the appointee into the record.

Town Clerk Novoa stated that Barbara Cohen and Jeff Lehman have tourist background. Neil Goodman's background is medical sales and pharmaceutical and owns a downtown business, and Charles Kesl is a business owner not in downtown.

Vice Mayor Gielchinsky stated that they need someone with real tourism background.

Commissioner Paul stated it is her appointment and her suggestion is someone similar to her previous appointment.

Further discussion continued among the Commission regarding the qualifications of the applicants and possible appointments.

A motion was made by Commissioner Paul to appoint Eli Tourgeman to be on the Tourist Board and seconded by Commissioner Cohen. Further discussion among the Commission took place. No vote was taken.

A motion was made by Commissioner Paul to appoint Sheryl Goldberg to the Tourist Board and seconded by Commissioner Karukin. Motion failed with a 2-3 vote with Commissioner Cohen, Mayor Dietch and Vice Mayor Gielchinsky voting against the appointment.

Commissioner Karukin stated that it is not an emergency and that Commissioner Paul can appoint someone else at a later time.

**B. Downtown Vision Advisory Committee Parking Lot Rate Recommendation – Guillermo Olmedillo, Town Manager**

Town Manager Olmedillo introduced the item and the recommendations that DVAC provided.

Commissioner Karukin stated that his objections are the same as last time. This prevents employees from parking and the objective is how do you deal with the employees.

Mayor Dietch stated that those employees downtown would purchase a parking pass.

Town Manager Olmedillo explained the different parking passes they sell which have a discounted rate.



Vice Mayor Gielchinsky stated that they encourage employees to go to the 94<sup>th</sup> street lot and discussed the plan and rideshare in the business district.

Mayor Dietch stated that there are three recommendations.

Commissioner Paul supports \$4.00 an hour at the four-hour maximum.

Town Manager Olmedillo clarified the plan and explained this item is talking about the parking lots.

Police Captain Bambis gave clarification on rates for the on-street parking.

Mayor Dietch asked Mr. Kousoulas to give clarification as a member of DVAC.

George Kousoulas gave clarification of the lots, times and rates.

Commissioner Paul spoke regarding her understanding of the rates and discussed several places, their rates and the need to consider where they are parking and where it is more desirable.

Mayor Dietch asked Commissioner Paul what rate she would be comfortable with.

Commissioner Paul stated that for non-renewable rates she would go to \$3.00 an hour.

Commissioner Karukin stated that they should take the recommendations from DVAC.

Further discussion among the Commission took place regarding the lots involved, the rates and hours.

Commissioner Karukin stated he is in support of the recommendations made on Page 358.

Commissioner Karukin made a motion to go with the recommendations on page 358. Motion seconded by Commissioner Paul as long as DVAC increases the rates.

The following members of the public spoke on the item:

Eliana Salzhauer

Mayor Dietch addressed the comments made by speaker Eliana Salzhauer.

Commissioner Cohen left the meeting at 10:20 p.m.

A motion was made by Commissioner Paul to adjust the time limits per the DVAC recommendations and direct the Town Manager to reach out to the business community to express the existing parking pass program and increase the parking rate to \$3.00 an hour for the hours of 9:00 a.m. to 5:00 p.m. on Saturdays, Sundays and holidays and increase the rate to \$2.00 an hour Mondays through Fridays. Motion passed with a 3-1 vote with Commissioner Karukin voting no and Commissioner Cohen absent.

- C. Artificial Grass for Excess Landscape Areas–** Guillermo Olmedillo, Town Manager  
Town Manager Olmedillo introduced the item.

Commissioner Paul asked what material is currently being used in the landscape areas.

Town Manager Olmedillo stated it could be concrete, pebbles, any other type of material.

Commissioner Paul stated that to offset the benefits of carbon dioxide, can we require more trees on the properties that choose artificial grass.

Town Manager Olmedillo stated that the Commission could give direction to staff to do that and it would require an amendment to the code stating that additional trees are required or have a compensating formula.

Commissioner Paul recommended that those individuals with artificial grass not be fined.

The following members of the public spoke on the item:

Kristofer Machado  
Frederic Marq

Mayor Dietch requested that legislation be drafted with the standards to be applicable anywhere in the Town for any installations.

Commissioner Paul spoke regarding the real grass and if this is an alternative to concrete that would be feasible and to add more trees.

A motion was made by Commissioner Karukin to prepare an ordinance to clarify that the excess, non-required landscape area to be artificial turf. Motion seconded by Vice Mayor Gielchinsky and passed with a 4-0 vote with Commissioner Cohen absent.

**D. Farmers Market Request –** Guillermo Olmedillo, Town Manager  
Town Manager Olmedillo introduced the item.

Javier Valmana asked the Commission for their approval to hold a farmers market and presented his idea for the market.

Commissioner Paul is in support of the item but would like to have a trial run of it and would agree to waiving the fees.

Commissioner Karukin stated he was not in support of the item because it was done before and it did not work out. He stated that the parking is at a premium and is hesitant to take away spaces for the market. He also stated that these types of events are usually handled by the Tourist Board and believes that the Tourist Board should have been made aware of it.

Mr. Valmana stated he did meet with the Tourist Board Director and she was in support to the farmers market.

Mr. Valmana stated he would start it the first Sunday in September.

Mayor Dietch stated that he would like to bring back the farmers market. The Town has had several ones that have not succeeded and asked how he would obtain the vendors to make it spectacular.

Mr. Valmana addressed Mayor Dietch's question regarding the vendors.

Mayor Dietch asked Mr. Valmana who will take care of the solid waste component including recycling.

Mr. Valmana stated he would be responsible for the recycling and would like some time to work with the Town or with Miami-Dade County regarding the solid waste component.

Commissioner Karukin commented on the impact of the other boards including DVAC.

George Kousoulas, DVAC Committee member, spoke in support of the farmers market.

A motion was made by Commissioner Paul to direct staff to prepare an MOU to address all the points and any other points deemed to be appropriate for a four-month trial period from September to January. Motion seconded by Commissioner Karukin and carried with a 3-1 vote with Vice Mayor Gielchinsky voting against and Commissioner Cohen absent.

A motion was made by Commissioner Karukin and seconded by Commissioner Paul to extend the meeting to 11:30 p.m. All voted in favor with Commissioner Cohen absent.

**E. Beach Renourishment Update [Verbal] – Guillermo Olmedillo, Town Manager**

Town Manager Olmedillo gave an update of the beach renourishment project and target date to begin is early August.

**F. Paced Development – Guillermo Olmedillo, Town Manager**  
Town Manager Olmedillo introduced the item.

Commissioner Karukin stated that the Town is almost built out with the infill that has occurred and felt that this should have been done in 2015.

Commissioner Paul is in support of this and stated that the code should be reviewed. She stated that crime did increase during the development of the projects and this needs to be regulated better.

The following members of the public spoke on the item:

Eliana Salzhauer  
George Kousoulas

Vice Mayor Gielchinsky spoke regarding the Pace Development and the existing infrastructure the Town has and believes the Town should come up with a formula.

Mayor Dietch discussed development and the mechanism of slowing down development and what happens during an evacuation. He discussed the impact of several construction developments occurring at the same time.

Town Manager Olmedillo stated that one of the challenges are projects that straddle Collins Avenue.

Mayor Dietch stated that there is an issue with circulation and it is not working. He stated that there should be more stringent standards as to

what is acceptable within the plans themselves. He stated that they should focus on Harding Avenue East and deal with what can be addressed in the development order and slow down development to not have concurrent projects in the arterials.

Town Manager Olmedillo stated that they can come back with a development order and use it as a skeleton order for the other ones.

**G. Legislative Priorities – Guillermo Olmedillo, Town Manager**  
Town Manager Olmedillo introduced the item.

Mayor Dietch thanked Cesar Fernandez, Town Lobbyist with Gomez & Barker Associates, for securing the appropriations for the improvements at the Biscaya waterway.

Mr. Fernandez gave a presentation on legislative priorities.

Commissioner Paul stated that her number one priority for a tourist state and Town is clean water and that includes the everglades restoration. She stated that they need state assistance for the sargassum crisis as well as stricter fines for waste dumping in waterways. She also requested funding for the Abbott drainage project.

Mayor Dietch encouraged residents to look at the items and if there are items important to them, they can add them to the list.

Commissioner Karukin asked if funding can be obtained for the Mayor's Government Academy.

Mayor Dietch stated that if it passes in the budget, it is the Town's Government Academy.

**H. Joint Workshop of the Commission and Planning and Zoning Board – Vice Mayor Gielchinsky**  
Vice Mayor Gielchinsky introduced the item.

Commissioner Paul stated that she objects to this subject because they had already adopted Ordinance number 18-1674 and she does not support a modification of the code at this time.

Further discussion took place on this item among the Commission.

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

The following members of the public spoke on the item:

George Kousoulas  
Eliana Salzhauer

A motion was made by Vice Mayor Gielchinsky to hold a Joint Workshop of the Commission and Planning & Zoning Board. Motion seconded by Commissioner Karukin and carried with a 4-0 vote with Commissioner Cohen absent.

**I. Zoning in Progress – New Applications or Site Plans for Hotels in H40 Zoning District, South of 93<sup>rd</sup> Street – Commissioner Michael Karukin**

Commissioner Karukin introduced the item and stated there is a need for an additional 30 days to do the analysis.

The following members of the public spoke on the item:

Eliana Salzhauer  
George Kousoulas

A motion was made by Commissioner Karukin to approve the item and seconded by Commissioner Paul. Motion carried with a 4-0 vote with Commissioner Cohen absent.

**J. Town Acquisition of Vacant Parcel located at 8809 Harding Avenue for Public Park – Commissioner Barry Cohen**  
Commissioner Cohen introduced the item.

He gave a history of the vacant parcel. He is requesting to have a study done for the acquisition of the 88<sup>th</sup> street parcel adjacent to the park. He would like to get the thoughts of the Commission and to have their support in going through with the study and the acquisition for a park.

Vice Mayor Gielchinsky asked if Commissioner Cohen spoke to the owner to see if they were interested in selling.

Discussion among the Commission continued regarding the acquisition and value of the property.

Vice Mayor Gielchinsky asked if direction can be given to the Town Manager to contact the owner to see if they are willing to sell.

Mayor Dietch asked what the last appraisal was of the property.

Town Manager Olmedillo stated that it was approximately \$8 million dollars.

Mayor Dietch directed the Town Manager to speak with the owner to see what the appraised value would be and come back in August.

The item will be added to the August meeting.

**10. Adjournment**

A motion was made by Commissioner Karukin, seconded and by Vice Mayor Gielchinsky to adjourn the meeting without objection at 11:51 p.m. Motion carried with a 4-0 vote with Commissioner Cohen absent.

Respectfully submitted,

Accepted this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

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

Attest:

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



## TOWN MANAGER'S REPORT

AUGUST 13, 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.** 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.

**B.** 9580 Abbott – A variance was submitted on July 3, 2019 by Young Israel, located at 9580 Abbott Avenue. The request is to eliminate landscaping to provide for a handicapped accessible ramp.

- V. BEACH RENOURISMENT PROJECT STATUS UPDATE – *Attachment "D"*

Town administration has been participating in Weekly Project Coordination meetings. As of July 31<sup>st</sup>, 2019, there have been 3 meetings: 7/17/2019, 7/24/2019 and 7/31/2019. Attached are the minutes from the July 17<sup>th</sup> and 24<sup>th</sup>, 2019 meetings.



## **VI. TOWN DEPARTMENTS**

### ***Code Compliance Division***

**A. Code Violation Cases:** As of July 30, 2019, the total number of active, open cases being managed is 229; of these cases, 83 cases are still under investigation and are working towards compliance; 20 cases are on-hold; 28 are in the Special Master hearing queue; 3 cases are in post-Special Magistrate action status; 9 cases have pending liens, and 86 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 July 30, 2019, 125 cases have paid/settled for a total collection of \$31,663.
- 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 June 30, 2019 – *Attachment "E"*

### ***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 request of the Planning and Zoning Board, a joint Town Commission and Planning and Zoning Board meeting is scheduled to be held on August 26, 2019 to discuss any potential interest in unlocking height from the Charter to allow additional freeboard.

### ***Police Department***

#### ***A. Police Department Statistics (July 1 – July 24, 2019)***

- Traffic Citations – 215

- Parking Citations – 580
- Arrests – 4
- Dispatch Events – 1,712
- Incident/Crime Reports - 54
- Suspicious Person Checks – 24

#### ***B. FDOT Alert Today, Alive Tomorrow Campaign***

As part of the Florida Department of Transportation's (FDOT) Pedestrian and Bicycle Safety campaign, the Surfside Police Department and representatives from FDOT educated Town of Surfside residents, visitors and business owners on pedestrian safety on July 24, 2019. Educational materials were handed out and prizes for citizens utilizing sidewalks and the crosswalks were given. The campaign began at 8:00 a.m. at the intersection of 93rd Street and Collins Avenue and concluded at 2:45 p.m. in the business district. Approximately 350 pieces of educational materials were distributed to citizens and business owners. A great deal of positive feedback was received in appreciation for the efforts in providing safety measures for the residents.

The following locations were targeted in the campaign:

- The intersection of 93rd Street and Collins Avenue (Community Center – summer camp arrival)
- The intersection of 96th Street and Harding Avenue
- The intersection of 95th Street and Harding Avenue
- The intersection of 94th Street and Harding Avenue
- The Business District

Special thanks to Jeanette Gorgas and Isis Sotolongo from FDOT for their wonderful partnership, dedication and enthusiasm in relaying this important message about pedestrian safety to the Town of Surfside.

#### ***C. Swearing In Ceremony***

Officer Andres Mendoza was sworn in as Surfside's newest police officer on July 29, 2019 in the Commission Chambers. We welcome Officer Mendoza to the Surfside Police Department family.

#### ***D. Police Events***

- The 11<sup>th</sup> Annual Police Teen Summer Camp graduated on August 1<sup>st</sup> at 12:00 p.m. in the Commission Chambers.

- The Surfside Police Department will host a Mobile Department of Motor Vehicles event for residents to apply for and renew their driver's licenses on August 15<sup>th</sup> from 10:00 a.m. to 2:00 p.m.
- The Surfside Police Department will host a community blood drive on August 21<sup>st</sup> from 10:30 a.m. – 4:00 p.m.
- The monthly Bike with the Chief is August 28, 2019, at Town Hall at 5:00 p.m.
- Coffee with the Cops is August 29, 2019, at Starbucks at 10:00 a.m.

### *E. 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)
<b>Short Term (0 – 6 months)</b>				
1.		New Speed Bumps	Re-Opened November 2018	<p>New speed bumps have been installed at the following locations:</p> <ul style="list-style-type: none"> <li>• 8900 block of Abbott Avenue</li> <li>• 9100 block of Abbott Avenue</li> <li>• 9300 block of Abbott Avenue</li> <li>• 9500 block of Byron Avenue (second speed bump)</li> <li>•</li> </ul> <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"> <li>• 9300 block of Abbott Avenue</li> <li>• 9400 block of Abbott Avenue</li> <li>• 9500 block of Carlyle Avenue</li> </ul> <p>New speed bumps implementation is being evaluated for the 8800 block of Carlyle Avenue.</p> <p>In May 2019, a speed bump was installed in the 8800 block of Carlyle Avenue.</p>
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 &amp; 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 88<sup>th</sup>, 93<sup>rd</sup> and 94<sup>th</sup> 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 88<sup>th</sup>, 93<sup>rd</sup>, 94<sup>th</sup> and 95<sup>th</sup> 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 12<sup>th</sup>, 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</p>
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				<p>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 &amp; 88 St Permit No. 2018006374- Harding Ave &amp; 93 St Permit No. 2018006373 – Harding Ave &amp; 94 St</p> <p>On 8-21-2018, Miami-Dade Traffic Engineering Division provided comments on their already approved plans. They had asked for one of the pedestrian signal phases to be modified.</p> <p>On 8-22-2018, Under Power Corporation picked up 18 revised signed and sealed sets from CGA.</p> <p>On 8-23-2018, the revised plans were submitted to the County for permitting by the contractor. It seems that the County has a 12-day turn-around for these permits. Bob McSweeney has been keeping track of the County's review time and the contractor has kept CGA informed every step of this process.</p> <p>For Harding Avenue and 95<sup>th</sup> 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 88<sup>th</sup> Street, 93<sup>rd</sup> Street, and 94<sup>th</sup> Street. Revised plans for Harding Avenue and 95<sup>th</sup> 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-</p>
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				<p>18, and the new project manager is Eddie Macias e.macias@underpowercorp.com.</p> <p>GCA contacted FDOT Operations concerning the Construction Agreement renewal and loop material revision, and were referred to the FDOT Permits Department. GCA have a call/message into them, and will advise as to any potential delay once we have more information.</p> <p>On 11-27-18 a meeting was conducted with Town Administration, Public Works, Police Department, and CGA regarding the Loop Detector Installation. It was determined that the project can commence on 12-10-2018 and the work hours will be 8:00 AM – 6:00 PM, Monday-Friday. The Police Department will provide personnel to assist with lane closures. The contractor, Under Power Corp., was contacted and advised to provide a construction schedule, work plan narrative, and MOTs regarding the program prior to commencing work.</p> <p>Loop Detector installation work began the week of 12-17-2018 and FDOT advised that the contractor has a 90-day window to complete the work. Traffic advisories were emailed to residents and posted on the Town website regarding the construction work and anticipated lane closures on Harding Avenue.</p> <p>FDOT halted the installation to obtain additional permits. They were not able to perform directional drilling at the intersections. FDOT and the Town have a scheduled meeting on Thursday 01-31-2019 to discuss the new project timeline.</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>
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				In April 2019, Public Works advised that an RFP will have to be re-issued as the contractor has withdrawn from the project.
3.		Install a crosswalk at 90 <sup>th</sup> Street & Harding Avenue (north side) and 89 <sup>th</sup> 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 90<sup>th</sup> 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 90<sup>th</sup> Street where a curve hindered line of sight for drivers.</p> <p>No Turn on Red signage has been installed at 90<sup>th</sup> Street &amp; Collins Avenue for vehicles traveling eastbound in the 200 block of 90<sup>th</sup> 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 89<sup>th</sup> Street &amp; Harding Avenue (north side) location in March 2019. The Crosswalk markings (Thermoplastic) installation at 90<sup>th</sup> Street &amp; 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, <a href="mailto:arturo.patulot@dot.state.fl.us">arturo.patulot@dot.state.fl.us</a>:</p> <p>FDOT Traffic Operations office conducted a field review along the subject roadway segment from 88<sup>th</sup> to 96<sup>th</sup> 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</p>




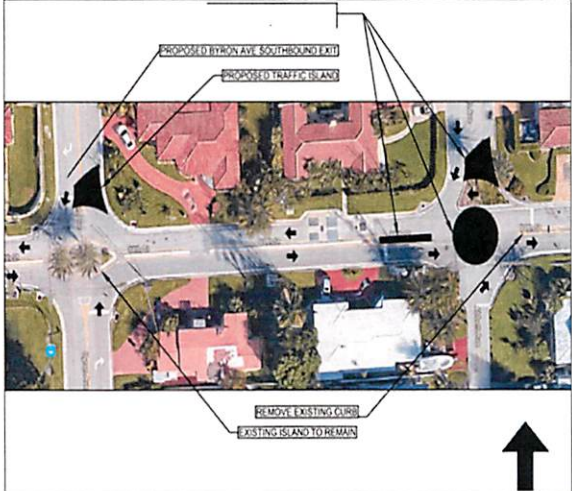
				<p>driver's compliance at the following locations:</p> <p><i>Collins Avenue facing Northbound traffic</i> Two (2) additional 30 MPH speed limit signs (Right &amp; Left of roadway) and 30 MPH pavement markings north of 90<sup>th</sup> Street One (1) additional 30 MPH speed limit sign (Right of roadway) north of 92<sup>nd</sup> Street Two (2) additional 30 MPH speed limit signs (Right &amp; Left of roadway) north of 94<sup>th</sup> 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 96<sup>th</sup> Street</p> <p>30 MPH pavement markings for the three lanes across from existing speed limit signs south of 92<sup>nd</sup> Street</p> <p>The proposed improvements will be completed by FDOT maintenance when workload and schedule permit. No anticipated completion dates were provided.</p> <p>FDOT was notified by email for an update on the status and Public Works is awaiting their response.</p> <p>Town Public Works advised that FDOT confirmed that a work order has been completed and pending a start date for the work.</p>
5.		Evaluate Sidewalk Options	Open	Town Commission approved a motion to continue to evaluate pedestrian safety options in Surfside.
6.		<p>95<sup>th</sup> Street &amp; Harding Avenue (westbound), left Turn lane added.</p> <p>300 block of 95<sup>th</sup> Street (eastbound), right turn lane added.</p>	Closed	<p>On 04-27-2017, the traffic lanes in the 200 block of 95<sup>th</sup> Street, between Collins Avenue and Harding Avenue were modified to improve the traffic flow. New lane pavement markers delineate the new vehicular traffic flow for westbound traffic on 95<sup>th</sup> 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</p>

				<p>only lane for vehicles turning southbound onto Harding Avenue. Three parking spaces on the North East side of 95 Street &amp; 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"> <li>• 89<sup>th</sup> Street &amp; Byron Avenue (east-west)</li> <li>• 90<sup>th</sup> Street &amp; Abbott Avenue (east-west)</li> <li>• 90<sup>th</sup> Street &amp; Carlyle Avenue (east-west)</li> <li>• 92<sup>nd</sup> Street &amp; Abbott Avenue (east-west)</li> <li>• 92<sup>nd</sup> Street &amp; Carlyle Avenue (east-west)</li> </ul>


				<p>In September 2018, Public Works relocated the stop sign and stop bar at Carlyle Avenue and 90<sup>th</sup> 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><b>New Stop Bar Reflectors Installed</b></p> <p>In September 2018, Public Works conducted an inspection of the Stop Bar Reflectors and determined which reflectors were non-operational. The vendor replaced the non-operational reflectors under warranty.</p> <p>Public Works ordered 24 new reflectors that were installed at the following locations:</p> <ul style="list-style-type: none"> <li>• 90<sup>th</sup> Street and Froude (all directions)</li> <li>• 90<sup>th</sup> Street and Byron (all directions)</li> <li>• 90<sup>th</sup> Street and Abbott Avenue (East and West directions)</li> <li>• Yellow reflectors were installed prior to the speed bumps in the 9500 block of Byron Avenue to alert drivers.</li> </ul> <p>During November 2018 all non-operational Stop Bar Reflectors were replaced and are now functional. Additionally, new Stop Bar reflectors were installed at the following locations:</p> <ul style="list-style-type: none"> <li>• 90<sup>th</sup> Street and Froude (all directions)</li> <li>• 90<sup>th</sup> Street and Byron (all directions)</li> <li>• 90<sup>th</sup> Street and Abbott Avenue (East and West directions)</li> </ul>



9.		Revisit Street Closure <ul style="list-style-type: none"> <li>o 94<sup>th</sup> Street / Abbott Avenue</li> </ul>	Closed	Town Commission approved a motion against revisiting this item.
10.		New Street Closure Byron Avenue (northbound) at 88 <sup>th</sup> Street	Closed	<p>Requires study, Miami-Dade County and Miami Beach approval.</p> <p>On 11-29-17, Town Manager, Chief Allen and Public Works Director attended a meeting with Miami-Dade County and City of Miami Beach administration regarding the closure of northbound traffic at 88<sup>th</sup> Street and Byron Avenue.</p> <p>The above meeting resulted in a plan to add curbing to the 88<sup>th</sup> 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 88<sup>th</sup> Street and Abbott Avenue.</p>  <p>Public Works completed the installation of the pictured vehicular traffic pattern at 88<sup>th</sup> Street &amp; 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 88<sup>th</sup> Street and Abbott Avenue. A traffic circle at Abbott Avenue on 88<sup>th</sup> Street will allow traffic to flow east, west and south. Traffic islands on Abbott Avenue and Byron Avenue at 88<sup>th</sup> Street will prevent vehicles from traveling north on those avenues from 88<sup>th</sup> Street.</p>  <p>Public Works has begun work on the new traffic mitigation design on 88<sup>th</sup> Street &amp; Abbott Avenue. The project is estimated to be completed by mid-July.</p> <p>Project completed.</p>
11.		Install a centerline curb on 95 <sup>th</sup> Street between Abbott and Byron Avenues	Closed	Public Works installed delineators to deter trucks from traveling west on 95 <sup>th</sup> Street.
12.		Eliminate Crosswalks on Collins (north) & Harding (south) Avenues	Closed	FDOT stated that eliminating crosswalks would hinder pedestrian travel and further study would be required before they can agree to that recommendation.
13.		Create Vehicular Circulation Plans for New Construction Projects Minimize lane closures	Closed	MOT's and circulation plans for new construction projects was a primary topic of discussion with FDOT and the surrounding jurisdictions representatives. A plan to improve the coordination of projects and to enhance communication by FDOT providing notice well in advance of all approved MOT's to the three jurisdictions was agreed upon.




				The early notice system has shown an improvement.
14.		<p>Install traffic light at 96<sup>th</sup> Street &amp; Abbott Avenue</p> <p>Eliminate left hand turn at 96<sup>th</sup> Street &amp; Byron Avenue</p>	Closed	<p>Town Manager Olmedillo, Chief Allen, Captain Yero and Randy Stokes, from the Town and Eric Czerniejewsky from CGA, spent a few hours with Ramon Sierra, FDOT District 6. Several simulations were run, and the result is that the back-up traffic in the east bound direction made congestion worse on 96<sup>th</sup> Street. This will not allow the vehicles turning right from Byron to move, causing a longer back-up on Byron and creating additional congestion on Harding and Collins.</p> <p>FDOT will not eliminate the left turn at 96 Street &amp; Byron Avenue.</p>
15.		<p>Send demand letters to mapping companies</p> <p>o Waze – Free Community-based GPS, Maps &amp; Traffic Navigation App</p>	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 <sup>th</sup> Street	Closed	<p>On Monday 10-08-18, Public Works advised that the 200 block of 90<sup>th</sup> Street On-Street Parking Reconfiguration would begin in October 2018, with Police/Parking Officers blocking off the street to complete the stripping. Stripping Reconfiguration diagram below.</p>  <p>On Monday 10-29-18, the striping and reconfiguration was completed.</p>


Intermediate Term (7-18 months)				
1.		Design 91 <sup>st</sup> Street Improvements o Sidewalk, landscaping and buried utilities	Open	Awaiting the study of walkability by FIU.
2.		Create One-Way Streets 88 <sup>th</sup> , 89 <sup>th</sup> , 90 <sup>th</sup> and 91 <sup>st</sup> Street between Collins & Harding Avenues	Closed	<p>A Town meeting was held July 18<sup>th</sup>, 2017, to present a new traffic pattern plan making 89<sup>th</sup> Street one-way only for westbound vehicular traffic from Collins Avenue to Hawthorne Avenue and 90<sup>th</sup> 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 89<sup>th</sup> and 90<sup>th</sup> 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 89<sup>th</sup> Street traffic moving from east to west and 90<sup>th</sup> Street traffic moving from west to east. The streets will be marked with paint to designate the pedestrian area as well as the green/parking area. The test is scheduled to begin in early December and run for a period of 60 days. At the end of the test period, staff will present a report to the Town Commission.</p> <p>The new streetscape testing was initiated December 14, 2017. The testing has gone smoothly with no incidents to report thus far. A main focus has been directed toward providing information, answering questions and educating residents and all who travel the area on the details and goals of the project.</p> <p>At the February 13<sup>th</sup>, 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>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>
<b>Long Term (19+ months)</b>				
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.	<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. The total number of single parking spaces added is now 12.</p> <p><b><u>Additional commercial loading zone for the 300 block of 95 Street.</u></b></p>	<b><u>Re-Opened</u></b>	<p>The additional parking spaces are located in the following locations:</p> <ul style="list-style-type: none"> <li>• 100 block of 88<sup>th</sup> Street (4 spaces) effective 06-01-2017</li> <li>• 100 block of 90<sup>th</sup> Street (4 spaces) effective upon completion of on-going construction project</li> <li>• 100 block of 92<sup>nd</sup> Street (4 spaces) effective 06-01-2017</li> <li>• 100 block of 96<sup>th</sup> Street (6 spaces) six single pay parking spaces were removed and the area was designated a Tow-Away Zone.</li> </ul> <p>The additional loading zones are located at the following locations:</p> <ul style="list-style-type: none"> <li>• 100 block of 89<sup>th</sup> Street - effective 06-01-2017</li> <li>• 100 block of 94<sup>th</sup> Street - effective 06-01-2017</li> </ul> <p>An additional loading zone was added at the following location effective Monday 04-22-2019:</p>



			<ul style="list-style-type: none"> <li>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.</li> </ul> <p><u>In July 2019, an additional loading zone was decided for the 300 block of 95 Street on the south side in the Ride Share zone between the hours of 6AM-10AM. Monday-Friday, to help alleviate commercial truck congestion in the Business District in the early morning hours. The loading zone will be established in August 2019, after ordering and deploying the signs. The new loading zone will be evaluated for a three-month period.</u></p>
2.	<u>Ride Share Pick-up &amp; Drop Off</u>	<u>Re-Opened</u>	<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 &amp; 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) 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 95<sup>th</sup> 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 95<sup>th</sup> Street was completed:</p> <ul style="list-style-type: none"> <li>• All signs installed (2 signs)</li> <li>• Curb line was painted yellow</li> <li>• Vehicle space lines were painted yellow</li> <li>• UBER Ride Share Company has agreed to add the location to their application</li> </ul> 
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			<p>The Ride Share Pick-up &amp; Drop Off Trial Program concluded on 11-11-18. A Staff Memorandum regarding the program was prepared and submitted by the Police Department which stated that overall impact of the Ride Share Pick-Up &amp; 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 &amp; Drop-Off Program continue as a full-time initiative.</p> <p>The Ride Share Pick-up &amp; Drop-off Program became a permanent on-going program effective November 2018.</p> <p><b><u>In July 2019, an additional loading zone will be added in the 300 block of 95 Street on the south side in the Ride Share spaces (zone) between the hours of 6AM-10AM, Monday-Friday to help alleviate commercial truck congestion in the Business District in the early morning hours. The loading zone will be established in August 2019, after ordering and deploying the signs and an evaluation period of three months. Based on the loading zone hours added to the current Ride Share spaces an additional Ride Share space will be established in the 200 block of 95 Street on the south side of the street adjacent to or near the loading zone at that location.</u></b></p>
3.	<b><u>Variable Parking Rate for On-Street Parking Spaces in the Business District (9400 and 9500 blocks of Harding Avenue)</u></b>	<b><u>Open</u></b>	<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).</p>

			<p>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> <p><b><u>On June 18, 2019, the Police Department submitted the two-month evaluation report for the Business District Variable Parking Rate change. The report was available to the Town Commission for review. At the July 9, 2019 Commission Meeting the Business District Variable Parking Rate change was approved on a permanent basis.</u></b></p>
4.	<b><u>Parking Rate Increase for Off-Street Parking (Municipal Parking Lots)</u></b>	<b><u>Open</u></b>	<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"> <li>• New Parking rate decals were ordered for the Parking Pay Stations with an anticipated delivery date of mid-August 2018.</li> <li>• Temporary Parking Fee Decals with the new rate were placed on the affected Parking Pay Stations.</li> <li>• 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.</li> <li>• Notifications of the parking rate change were hand-delivered to Surfside businesses on 07-24-2018.</li> </ul>

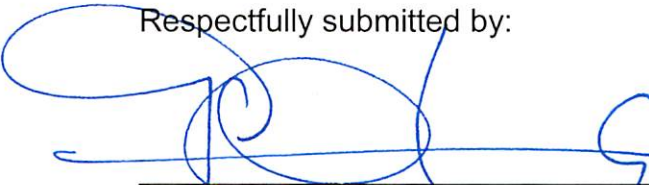
		<ul style="list-style-type: none"> <li>Email notification of the parking rate change was sent out on 07-25-2018.</li> <li>Notification of the parking rate change was posted on the Town website on 07-25-2018.</li> <li>On 07-25-2018, the Town website "Parking" section was reviewed and the areas requiring the new rate change were updated by CGA (Adrian).</li> </ul> <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> <p><u>At the June 20, 2019, meeting of the Downtown Vision Advisory Committee (DVAC), the Committee formalized recommendations for the Town Commission to consider regarding changing the Off-Street Parking Rates. At the July 9, 2019, Town Commission Meeting the Town Commission discussed and approved parking rate changes for all Town Off-Street Parking (Municipal Parking Lots) as follows:</u></p> <ul style="list-style-type: none"> <li><u>Weekends/Holidays:</u> <ul style="list-style-type: none"> <li><u>9:00 AM - 5:00 PM</u> <u>\$3.00/hour with a 4-hour limit that is not renewable</u></li> <li><u>5:00 PM – 9:00 AM</u> <u>\$2.00/hour with a 4-hour limit that is renewable</u></li> </ul> </li> <li><u>Weekdays:</u> <ul style="list-style-type: none"> <li><u>9:00 AM - 5:00 PM</u> <u>\$2.00/hour with a 4-hour limit that is not renewable</u></li> <li><u>5:00 PM – 9:00 AM</u> <u>\$2.00/hour with a 4-hour limit that is renewable</u></li> </ul> </li> </ul> <p><u>For the August 13, 2019, Town Commission Meeting the Police Department submitted a memorandum for Approval to Modify the Parking Rate and Parking Time Limits for Off-Street Parking (Municipal Parking Lots) through Town Resolution.</u></p>
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5.	Taxi Cab Stands added and changed	Closed	<ul style="list-style-type: none"> <li>• The Taxi Cab Stand at 94<sup>th</sup> Street &amp; Collins Avenue was reduced from (4) vehicles to (2) vehicles.</li> <li>• 94<sup>th</sup> Street &amp; Harding Avenue (across from Publix) will have a (2) vehicle Taxi Cab Stand. *One metered parking space has been added.</li> <li>• In the 200 block of 92<sup>nd</sup> Street (North side in front of the Marriott) one metered parking space was removed and replaced with a (1) vehicle Taxi Cab Stand.</li> <li>• A (2) vehicle Taxi Cab Stand has been added to the south side of the 200 block of Collins Avenue.</li> </ul> <p>On 11-15-17, Chief Allen met with the management of the Azure Condominium regarding the taxi stand at 94<sup>th</sup> Street and Collins Avenue. They had no complaints regarding the location of the stand and were not aware of complaints or traffic concerns from residents of the condo. The taxis crossing Collins Avenue do not interfere with the exiting of cars from their building. The manager was happy that the stand was reduced from four to two taxis.</p> <p>One person has voiced opposition with the location of the taxi stand being across the street because it is unsightly and wants it moved.</p> <p>Chief Allen next met with the valet manager of the Grand Beach Hotel who said the two taxi stand is working out well and when a taxi is needed they signal for one from the stand. Chief Allen also met with the General Manager of the hotel regarding the concern and asked for one space for a taxi on the hotel property. The GM agreed. The space is just inside the garage and is now opened for taxi use.</p>
6.	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 &amp; 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</p>



			residents and their guests may park in these areas with the proper permit all other vehicles are subject to being issued a parking citation.
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 25<sup>th</sup>, 2019.</p>

Respectfully submitted by:



Guillermo Olmedillo, Town Manager

# Town of Surfside, FL

Between Jul 01, 2019 and Jul 31, 2019

8 requests were opened

12 requests were closed

The average time to close was 13.1 days.

REQUEST CATEGORY	OPENED	CLOSED	DAYS TO CLOSE
Other	2	3	9.2
Utilities (Water/Sewer) (PW)	2	2	8.6
Beach Issue	1	2	18.8
Parking Issue	1	1	0.1
Code Compliance (Safety Concern)	1	1	2.9
Drainage/Flooding (PW)	0	2	35.7
Solid Waste (Commercial) (PW)	1	1	0.7
96 Street Park (P & R)	0	0	0.0
Barking Dog	0	0	0.0
Beach Patrol	0	0	0.0
Code Compliance (Violation)	0	0	0.0
Community Center (P & R)	0	0	0.0
Construction Issues	0	0	0.0
Dead Animal	0	0	0.0
Dog Stations (P & R)	0	0	0.0
Graffiti (in park) (P & R)	0	0	0.0
Graffiti (PW)	0	0	0.0
Hawthorne Tot-Lot (P & R)	0	0	0.0
Police (Safety Concern)	0	0	0.0
Pothole (PW)	0	0	0.0
Solid Waste (Residential) (PW)	0	0	0.0
Street lights (PW)	0	0	0.0
Surfside Dog Park (P & R)	0	0	0.0
Veterans Park (P & R)	0	0	0.0



# Town of Surfside, FL

Between Jan 01, 2014 and Jul 31, 2019

1054 requests were opened

1038 requests were closed

The average time to close was 26.9 days.

REQUEST CATEGORY	OPENED	CLOSED	DAYS TO CLOSE
Other	232	230	24.7
Beach Issue	178	169	23.4
Code Compliance (Violation)	140	140	29.6
Parking Issue	94	94	3.5
Police (Safety Concern)	76	76	8.3
Code Compliance (Safety Concern)	83	83	34.3
Street lights (PW)	48	47	149.8
Construction Issues	37	37	15.5
Utilities (Water/Sewer) (PW)	34	33	11.5
Drainage/Flooding (PW)	29	27	27.7
Solid Waste (Residential) (PW)	21	21	26.5
Dog Stations (P & R)	15	15	4.7
Barking Dog	12	12	20.0
96 Street Park (P & R)	10	10	3.2
Surfside Dog Park (P & R)	8	8	1.1
Community Center (P & R)	9	8	11.8
Solid Waste (Commercial) (PW)	7	7	7.3
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



## **MEMORANDUM**

**To:** Guillermo Olmedillo, Town Manager

**From:** Rachel Pinzur, Public Information Representative

**Date:** July 29, 2019

**Subject:** July Social Media (Nextdoor) Report

In July, 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. Examples include the Channel 663 transition on July 16, the Police Department and FDOT pedestrian safety campaign, temporary lane and/or road closures, the new Parks and Recreation After-School Program, and Mayor's Town Hall meeting. Additional postings focused on reminding residents about the new texting ban law and Surfside's passing of a single-use plastic bag ban. Furthermore, residents received important updates via the Town website, e-blasts, the Gazette, flyers on community boards, and Channel 663.

In the month of July, the Town's Public Information Representative published 32 posts on Nextdoor. There are currently 1,147 verified Surfside residents in the Nextdoor community.

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

**Bike with the Chief this Wednesday, 7/31**



Residents are invited to take a spin around Town with Police Chief Julio Yero during this month's Bike with the Chief. The ride will depart from the Town Hall parking lot at 5:00 pm on Wednesday, July 31, 2019. If you have any questions pertaining to the event, please contact Dina Goldstein at 305.861.4862 or email [dgoldstein@townofsurfsidefl.gov](mailto:dgoldstein@townofsurfsidefl.gov).

**Deadline to participate in Surfside Residential Satisfaction Survey is tomorrow, 7/31**



The final day to complete the Surfside Residential Satisfaction Survey is tomorrow, Wednesday, July 31, 2019. Your feedback is important to the Town of Surfside and allows the Town to gather information about residents, as well as the needs of the community.

Please consider taking a few minutes to participate in the online survey by visiting here: <https://www.surveymonkey.com/r/GZW9XNN>

Note, the voluntary Residential Satisfaction Survey is intended to provide the Town Commission and Town Administration with valuable insight from a resident perspective. It is not intended to be scientific and does not represent the views of the whole community.



## Recycle This, Not That



Do you know which items can be recycled and which are trash? This is commonly confused!

The Town of Surfside has produced the attached flyer to help educate residents about which items belong in the trash, and which go in the recycling bin. You can also refer to the flyer here: [https://www.townofsurfsidefl.gov/docs/default-source/default-document-library/recycle-this-not-that-\(2\)-\(2\)-\(1\).pdf?sfvrsn=d9b42594\\_4](https://www.townofsurfsidefl.gov/docs/default-source/default-document-library/recycle-this-not-that-(2)-(2)-(1).pdf?sfvrsn=d9b42594_4)

### Surfside Traffic Alert: Roadway Flooding on 07/25/2019

The Town of Surfside wants you to be aware that due to the current weather situation today, Thursday, July 25, 2019, parts of the residential area along with the area southbound from the 9300 block of Harding Avenue (SR A1A South) are experiencing traffic delays and some flooding.

Surfside Police Officers are monitoring the situation and available to assist with traffic control if needed.

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 of the notice here: [https://www.townofsurfsidefl.gov/docs/default-source/default-document-library/2019773f47bd11e362eeac30ff000090a7c7.pdf?sfvrsn=9cdc2594\\_4](https://www.townofsurfsidefl.gov/docs/default-source/default-document-library/2019773f47bd11e362eeac30ff000090a7c7.pdf?sfvrsn=9cdc2594_4)

Sign up for Town of Surfside email notifications



Want to be in the know in Surfside? Be sure to sign up for Town notifications via the Town website at: <https://www.townofsurfsidefl.gov/news-and-events/subscribe/town-notifications>

By signing up for notifications with your email address, you will receive information on events, meetings and emergency notifications straight to your inbox. It is a great way to stay informed!

In the event of emergencies, the Surfside Police Department also sends out alerts through CodeRed. Residents are encouraged to sign up for this free service. For details on how to register, please visit: <https://www.townofsurfsidefl.gov/departments-services/police/code-red>

Other excellent resources for information include the Town website at [www.townofsurfsidefl.gov](http://www.townofsurfsidefl.gov), the monthly Gazette, the resident Channel 663, and right here on Nextdoor.

### **RECAP: Surfside Police Department and FDOT distribute materials on pedestrian safety in Surfside**



Throughout the day on Wednesday, July 24, 2019, members of the Surfside Police Department and the Florida Department of Transportation (FDOT) distributed safety tips and information from the Alert Today, Alive Tomorrow campaign in various areas of the Town of Surfside. The campaign focuses on promoting pedestrian safety.

Surfside Police and FDOT joined forces to deter future traffic incidents and provided educational materials and prizes for citizens using sidewalks and crosswalks. The areas covered in this event included the intersection of 93rd Street and Collins Avenue (Surfside Community Center), the intersection of 96th Street and Harding Avenue, the intersection of 95th Street and Harding Avenue, the intersection of 94th Street and Harding Avenue, and the rest of the business district. The participants also made contact with local business owners and provided them with educational materials to distribute to visiting customers.

Approximately 350 pieces of educational materials were distributed. Many citizens expressed their gratitude for the initiative, which ran from 8:00 am to approximately 2:45 pm. Special thanks to Jeanette Gorgas and Isis Sotolongo for organizing the FDOT team.

For additional information on public safety, please contact Sgt. Jay Matelis, at 305.861.4862 or email [jmatelis@townofsurfsidefl.gov](mailto:jmatelis@townofsurfsidefl.gov). Attached please find several photos of the event.



## Surfside Police Department joins the Neighbors by Ring App



As part of its ongoing mission to ensure safety and prevent crime in the community, the Surfside Police Department has partnered with the 'Neighbors' by Ring app. The neighborhood watch app sends real-time crime and safety notifications directly to your mobile device. By joining the Neighbors App, the Surfside Police Department can now share alerts, comment on local issues and continue to help to make our community even safer.

To join the Surfside Police Department on the Neighbors App, simply text surfside to 555888 to download the free Neighbors App. It is not required for residents to have a Ring system to register for alerts. Residents are encouraged to share the app with neighbors to make a difference.

For further inquiries, please feel free to contact Surfside Lieutenant of Police John Healy at 305.861.4862.

### **Reminder: The submission deadline for the Higher Education Scholarship is 8/2**

The Town of Surfside is promoting higher education by providing two \$1,000 scholarships to two deserving Town of Surfside 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 for application submission is Friday, August 2, 2019 by 5:00 pm.

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

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

## **Surfside Police Department, FDOT to hand out pedestrian safety tips today, 7/24**

The Surfside Police Department and Florida Department of Transportation (FDOT) will be handing out pedestrian safety tips and information today at the intersection of 93rd Street and Collins Avenue (Community Center), as well as on Harding Avenue in the business district. Our Surfside Police Department is dedicated to the safety and well-being of all residents and to continuing to make Surfside a pedestrian-friendly community.

For additional information on public safety, please contact Sgt. Jay Matelis, at 305-861-4862 or email [jmatelis@townofsurfsidefl.gov](mailto:jmatelis@townofsurfsidefl.gov). Thank you.

## **Witness a Cooper's hawk fly back into the wild this Thursday 7/25 in Surfside**



The Town of Surfside, in coordination with the Pelican Harbor Seabird Station, invites residents to witness an exciting release of a Cooper's hawk (bird) back into the wild this Thursday, July 25, 2019 at 11:30 am at the Hawthorne Tot Lot, located at 90th Street and Bay Drive.

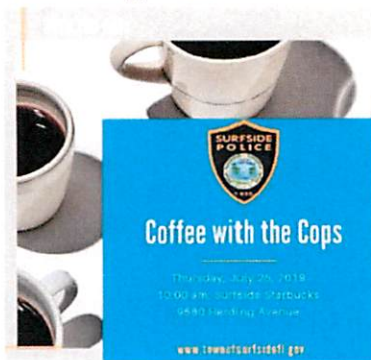
The Cooper's hawk is a medium-sized hawk native to North America, and is one of the most common raptor species found in South Florida. While most hawks migrate through Surfside and South Florida during spring and fall migration, Cooper's hawks are year-round residents of South Florida, nest in the region and can live up to twelve years or more, thriving in areas with dense vegetation. The hawk being released on Thursday was admitted to Pelican Harbor on June 3, 2019 as an orphaned fledgling. It was found with a bone stuck to its mouth and several lesions in its oral cavity. Unable to locate its original nest or its parents, staff at the Seabird Station raised it along with five other orphaned Cooper's hawks. It has just successfully completed flight conditioning and live prey school (mouse school) at the Florida Keys Wild Bird Center and is being transferred back for release Thursday morning.

Pelican Harbor Seabird Station was founded in 1980 to care for injured brown pelicans, and quickly grew into an internationally recognized center for the rehabilitation of seabirds, native birds, mammals and reptiles.

The Town of Surfside is honored to host this important release. For further information, please contact the Surfside Parks and Recreation Department at 305.866.3635 or the Pelican Harbor Seabird Station at 305.751.9840.



**Coffee with the Cops is this Thursday, 7/25**



Sip fresh brewed coffee and chat about local matters that are important to you during Coffee with the Cops this Thursday, June 25, 2019. The event starts at 10:00 am at the local Starbucks located at 9560 Harding Avenue.

Residents are encouraged to participate. If you have any questions pertaining to the event, please contact Dina Goldstein at 305.861.4862 or email her at [dgoldstein@townofsurfsidefl.gov](mailto:dgoldstein@townofsurfsidefl.gov).

### **Tonight: Mayor's Town Hall Meeting**

Surfsiders, please be reminded that Mayor Daniel Dietch will be hosting a Mayor's Town Hall Meeting tonight, Monday, July 22, 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 for residents to express their opinions on how to improve the community and to receive updates from Mayor Dietch.

Residents are encouraged to attend.

To view the original notice of the event, please refer to:

<https://www.townofsurfsidefl.gov/news-and-events/events-detail/2019/07/22/other-meetings/mayor-s-town-hall-meeting>

### **Community Transportation Meeting on Monday, 7/22**

A Community Transportation Meeting will be held on Monday, July 22, 2019 from 1:00 pm - 4:00 pm at the Kovens Conference Center in the FIU North Campus, located at 3000 NE 151st St, North Miami, FL 33181. The public is encouraged to attend.

The meeting will consist of an informational transportation workshop hosted by Florida state Senator Jason Pizzo, with additional input and updates from Secretary of Transportation Kevin Thibault.

For further information, please contact Senator Pizzo's office at 305.795.1205.

To view the original flyer of this event, please refer to:

<https://files.constantcontact.com/edd78ca2101/05dd9a86-522b-4a32-8f47-2dcc41e0c61d.jpg>



### **Alleyway Between 96th St and 95th St is Temporarily Closed**

Surfside residents, please be advised that the alleyway between 96th Street and 95th Street, between Harding Avenue and Collins Avenue, is temporarily closed. The Town of Surfside will notify residents when the alleyway is reopened. Thank you.

### **Surfside Parks and Recreation Announces New After-School Program**



The Town of Surfside's Parks and Recreation Department is pleased to announce a new 2019-2020 after-school partnership with PEAR Programs, which focuses on cross-curricular activities that inspire fun and "Pair Play with Purpose."

Designed for grades K-8, the program will be held at the Surfside Community Center from August 19, 2019 to June 3, 2020, at M-DCPS school dismissal times until 6:00 pm. After-school activities will include PEAR Plus Academic Assistance, wellness based games and activities, swimming, and interactive special events.

To learn more about the PEAR Program, join the Parks and Recreation Department for a special Meet & Greet. Refer to the enclosed flyer for available Meet & Greet dates and times.

View the original flyer here: [https://www.townofsurfsidefl.gov/docs/default-source/default-document-library/parks-and-recreation/student/surfside-after-school-flyer-19-20.pdf?sfvrsn=182e2494\\_4](https://www.townofsurfsidefl.gov/docs/default-source/default-document-library/parks-and-recreation/student/surfside-after-school-flyer-19-20.pdf?sfvrsn=182e2494_4)

For questions and registration information, please reach out to PEAR Programs directly via [Cindy@PEARprograms.com](mailto:Cindy@PEARprograms.com) or 305.781.4895, or contact the Surfside Parks and Recreation Department at 305.866.3635. Spaces fill up fast for the after-school program so be sure to register early.

**Tune in to Channel 663!**



As of Tuesday, July 16, 2019, the Town of Surfside's government access channel (previously Channel 93) has been relocated to Channel 663 of the Atlantic Broadband Limited Basic Lineup. Town of Surfside programming is no longer available on Channel 93.

The change is due to the fact that Atlantic Broadband recently expanded into mainland Miami-Dade County and northward to Broward County, quickly exhausting the group of channel assignments set aside years ago for municipal access. In order to continue providing this service, in addition to access to other content, the transition is necessary.

Tune in to Channel 663 today!

## A reminder to be Hurricane Ready



There are important precautions you can take to prepare yourself and your property in advance of a major storm. Please refer to the following Hurricane Ready flyer for Surfside residents and business owners: [https://www.townofsurfsidefl.gov/docs/default-source/default-document-library/hurricane-preparedness-flyer-\(4\)-\(1\)-\(1\).pdf?sfvrsn=20382094\\_4](https://www.townofsurfsidefl.gov/docs/default-source/default-document-library/hurricane-preparedness-flyer-(4)-(1)-(1).pdf?sfvrsn=20382094_4)

## Surfside Joins Global Movement to Prohibit Single-Use Plastic Bags for Environment and World's Oceans

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Between final adoption and December 31, 2019, the Town will engage in a public education campaign to inform residents and commercial establishments of the provisions of the ordinance. From January 1, 2020 through February 29, 2020 (60 days), the Town will provide written warnings for violations of the Code prohibition. The Town will enforce all provisions of the prohibition on single-use plastic bags beginning March 1, 2020.

Committed to enhancing its environmental stewardship policies, the Town of Surfside moved forward with the amended Code provisions as a response to the growing evidence of the harmful impacts of single-use plastics on terrestrial and aquatic ecosystems.

“Over the last few years, we have enacted sensible laws prohibiting the use of Styrofoam and other single-use plastic products that adversely impact our environment. Through building grassroots support, providing meaningful engagement with our business community and robust public education, we have helped reduce the plastic waste that ends up in our community, the bay and the ocean,” says Mayor Daniel Dietch. “By taking a strong stance on this matter and other critically important environmental initiatives, we seek to demonstrate our leadership and commitment to reducing our environmental footprint today and for future generations.”

To review the July 9th Regular Town Commission Meeting agenda packet, please visit: [https://www.townofsurfsidefl.gov/docs/default-source/default-document-library/town-clerk-documents/commission-agendas/2019-commission-agenda/2019-07-09-regular-town-commission-meeting-agenda.pdf?sfvrsn=e3c32494\\_2&utm\\_source=Tourism%20Community%20Events&utm\\_medium=newsletter&utm\\_campaign=Single-Use%20Plastics%20Ban&utm\\_source=Single+Town+News+Article&utm\\_medium=newsletter&utm\\_campaign=Surfside%2c+FL+passes+single-use+plastic+bags+ban+for+environment+and+world%27s+oceans](https://www.townofsurfsidefl.gov/docs/default-source/default-document-library/town-clerk-documents/commission-agendas/2019-commission-agenda/2019-07-09-regular-town-commission-meeting-agenda.pdf?sfvrsn=e3c32494_2&utm_source=Tourism%20Community%20Events&utm_medium=newsletter&utm_campaign=Single-Use%20Plastics%20Ban&utm_source=Single+Town+News+Article&utm_medium=newsletter&utm_campaign=Surfside%2c+FL+passes+single-use+plastic+bags+ban+for+environment+and+world%27s+oceans).

Residents are also encouraged to view the recorded July 9th Town Commission Meeting on Channel 93 (transitioning to Channel 663) via the Town website at: [https://www.townofsurfsidefl.gov/departments-services/town-clerk/public-records/videos?utm\\_source=Single+Town+News+Article&utm\\_medium=newsletter&utm\\_campaign=Surfside%2c+FL+passes+single-use+plastic+bags+ban+for+environment+and+world%27s+oceans](https://www.townofsurfsidefl.gov/departments-services/town-clerk/public-records/videos?utm_source=Single+Town+News+Article&utm_medium=newsletter&utm_campaign=Surfside%2c+FL+passes+single-use+plastic+bags+ban+for+environment+and+world%27s+oceans)

### Protect yourself from mosquito bites this summer



Summer is officially here and so are pesky mosquitoes. There are various measures you can take to protect yourself against mosquitoes. Please refer to the Mosquito Protection and Information section of the Town website for further resources and tips: <https://www.townofsurfsidefl.gov/departments-services/public-works/mosquito-control-and-protection>

For more information on mosquito control, you can also visit the Miami-Dade County website at: <https://www8.miamidade.gov/global/solidwaste/mosquito/home.page>

### **Congratulations to the winners of the Surfside Mango Contest**

Holy mangoes! There were undoubtedly quite some tasty mangoes at this year's Surfside Mango Contest on June 23, 2019. We would like to thank all residents who participated and made this such an exciting event. Without further ado, we would also like to congratulate the top three winners:

1st place - Meredith Rasco

2nd place - Marcia Teixeira

3rd place - Linda Salzhauer

Congrats Meredith, Marcia and Linda! Thanks for the delicious mangoes! A special thank you to all who participated. Here is to wishing you a delicious mango season!

### **Special Town Commission Meeting (Budget) and Regular Commission Meeting tomorrow, 7/9**



Please be reminded, the Special Town Commission Meeting - Budget Millage Rate and the Regular Town Commission Meeting will take place tomorrow, Tuesday, July 9, 2019.

The Special Town Commission Meeting - Budget Millage Rate starts at 5:00 pm. For the agenda, please refer to: [https://www.townofsurfsidefl.gov/docs/default-source/default-document-library/town-clerk-documents/commission-agendas/2019-commission-agenda/2019-07-09-special-town-commission---budget-millage-rate-meeting-agenda.pdf?sfvrsn=e0c32494\\_2&utm\\_source=Single+Town+News+Article&utm\\_medium=newsletter&utm\\_campaign=Special+Town+Commission+Meeting+-+Budget+Millage+Rate+Meeting+Agenda](https://www.townofsurfsidefl.gov/docs/default-source/default-document-library/town-clerk-documents/commission-agendas/2019-commission-agenda/2019-07-09-special-town-commission---budget-millage-rate-meeting-agenda.pdf?sfvrsn=e0c32494_2&utm_source=Single+Town+News+Article&utm_medium=newsletter&utm_campaign=Special+Town+Commission+Meeting+-+Budget+Millage+Rate+Meeting+Agenda)

The Regular Town Commission Meeting begins at 7:00 pm. Please refer to the agenda packet at: [https://www.townofsurfsidefl.gov/docs/default-source/default-document-library/town-clerk-documents/commission-agendas/2019-commission-agenda/2019-07-09-regular-town-commission-meeting-agenda-packet.pdf?sfvrsn=e1c32494\\_2](https://www.townofsurfsidefl.gov/docs/default-source/default-document-library/town-clerk-documents/commission-agendas/2019-commission-agenda/2019-07-09-regular-town-commission-meeting-agenda-packet.pdf?sfvrsn=e1c32494_2)

Residents are encouraged to attend both meetings.



### **Thank you for participating in the Independence Day Celebration**

The Town of Surfside would like to thank all those who participated in yesterday's Independence Day celebration at the Community Center, and afterward, stayed to view the beautiful fireworks display. What an excellent turnout! We also want to recognize our Surfside Police and Parks and Recreation Departments for their swift handling of a small dune fire that broke out during the fireworks. As a result, no one was hurt and the fire was quickly extinguished.

Prior to the 4th of July fireworks show each year, the Town of Surfside takes various safety measures in order to ensure the safety of all residents and spectators including blocking off the perimeter around the fireworks display and undergoing an on site inspection and approval by a Miami-Dade County Fire inspector.

Additionally, Zambelli, a reputable fireworks company, has two water cannon fire extinguishers on site in case any emergencies arise. Zambelli has been the Town's fireworks provider for over 20 years.

For further security, the Town of Surfside's Police Department is always on hand during the celebration, as well as a Miami-Dade County firefighter and staff members of the Parks and Recreation Department.

It is because of their hard work and dedication that the Town's annual Independence Day celebration continues to be a great big success!

### **Take the Surfside Residential Satisfaction Survey today!**



Please consider taking a few minutes to participate in the online Residential Satisfaction Survey. Your feedback is very important and allows us to gather information about our residents, as well as the needs of our neighborhood.

Take the survey here: <https://www.surveymonkey.com/r/GZW9XNN>

The deadline to complete the survey is 12:00 pm EST on Wednesday, July 31, 2019.

Note: The voluntary Residential Satisfaction Survey is intended to provide the Town Commission and Town Administration with valuable insight from a resident perspective. It is not intended to be scientific and does not represent the views of the whole community.

### **Meeting Agenda for Special Town Commission - Budget Millage Rate on 7/9/19**

The Town of Surfside will hold a Special Town Commission - Budget Millage Rate Meeting starting at 5:00 pm on Tuesday, July 9, 2019 in the Town Hall Commission Chambers.

Please find the agenda for the meeting via the following link:

[https://www.townofsurfsidefl.gov/docs/default-source/default-document-library/town-clerk-documents/commission-agendas/2019-commission-agenda/2019-07-09-special-town-commission---budget-millage-rate-meeting-agenda.pdf?sfvrsn=e0c32494\\_2&utm\\_source=Single+Town+News+Article&utm\\_medium=newsletter&utm\\_campaign=Special+Town+Commission+Meeting+-+Budget+Millage+Rate+Meeting+Agenda](https://www.townofsurfsidefl.gov/docs/default-source/default-document-library/town-clerk-documents/commission-agendas/2019-commission-agenda/2019-07-09-special-town-commission---budget-millage-rate-meeting-agenda.pdf?sfvrsn=e0c32494_2&utm_source=Single+Town+News+Article&utm_medium=newsletter&utm_campaign=Special+Town+Commission+Meeting+-+Budget+Millage+Rate+Meeting+Agenda)

To view the Town of Surfside's FY2020 Proposed Budget, please refer to:

[https://www.townofsurfsidefl.gov/docs/default-source/default-document-library/financial-documents/town-of-surfside-fy2020-proposed-budget.pdf?sfvrsn=3cd82494\\_2&utm\\_source=Single+Town+News+Article&utm\\_medium=newsletter&utm\\_campaign=Special+Town+Commission+Meeting+-+Budget+Millage+Rate+Meeting+Agenda](https://www.townofsurfsidefl.gov/docs/default-source/default-document-library/financial-documents/town-of-surfside-fy2020-proposed-budget.pdf?sfvrsn=3cd82494_2&utm_source=Single+Town+News+Article&utm_medium=newsletter&utm_campaign=Special+Town+Commission+Meeting+-+Budget+Millage+Rate+Meeting+Agenda)

## Happy Independence Day!



The Town of Surfside would like to wish residents a safe and happy Independence Day.

A reminder, you are invited to join your neighbors for holiday festivities at the Community Center starting at 2:00 pm today. There will be fireworks by Zambelli at 9:00 pm subsequent to the event. For further event details, please refer to the original flyer: [https://townofsurfsidefl.gov/docs/default-source/default-document-library/parks-and-recreation/events-flyers/07-04-19---4th-of-july-celebration.pdf?sfvrsn=52192194\\_4](https://townofsurfsidefl.gov/docs/default-source/default-document-library/parks-and-recreation/events-flyers/07-04-19---4th-of-july-celebration.pdf?sfvrsn=52192194_4)

Town Hall will be closed today and will reopen tomorrow, Friday, July 5, 2019, during normal operating hours.

Also, please be reminded that there will be no garbage collection by the Public Works Department taking place today, Thursday, July 4, 2019. Garbage collection will resume on Friday, July 5, 2019. During the holiday schedule change, waste collection may take slightly longer than normal. We appreciate your understanding and patience.

Enjoy!



### **Pool cleanliness and safety is a top priority in Surfside**

In light of recent reports by the Centers for Disease Control and Protection about a *Cryptosporidium* (also known as 'Crypto') parasite in swimming pools, the Town of Surfside Parks and Recreation Department would like to reassure residents that the Community Center pools are part of the Miami-Dade County Health Department inspections and meet all guidelines for safe swimming. Staff continue to monitor and maintain the pools to ensure that standards are met.

The Parks and Recreation Department is committed to the safety and well-being of residents and visitors. Therefore, the Parks and Recreation Department follows strict procedures and guidelines for handling fecal accidents to ensure proper pool sanitation. Additionally, the Parks and Recreation Director, the Parks and Recreation Superintendent and full-time aquatic staff are required to participate in a nationally recognized Aquatic Facility Operator (AFO) course, which provides training and certification on the most comprehensive and up-to-date procedures for pool operators. The AFO course includes information on water chemistry, disinfection, mechanical systems, operations, healthy pools and safety.

If you have any questions, please contact the Parks and Recreation Department at 305.866.3635.

### **July street sweeper schedule**



For the month of July, street sweeping in Surfside will take place on Monday, July 8 and Monday, July 22. Please make sure to not block your curb on those days. Remind your neighbors, too!

Street sweeping helps remove debris from the gutter and roadsides that would otherwise go into storm drains, causing water pollution. It helps to keep catch basins and storm drains clean and functional. This can help in the event of a major storm, such as a hurricane. It also enhances the beautification of the Town.

Here is what you can do to help:

Make sure the street in front of your house is free of any vehicles and other obstacles that would prevent the sweeper from cleaning the curbs. Trees that are too low or vegetation that is overgrown may also prevent a street sweeper from properly cleaning your street and therefore should be trimmed. Residents can also help by not over-watering their yards. Over-watering washes pollutants, such as yard clippings, pesticides, fertilizers and motor oil, into the street and into storm drains. Purposely washing any type of debris into the street is not only discouraged, but it is against the law. Residents are encouraged to dispose of yard waste in waste containers.

If you have any questions, please call the Public Works Department at 305.861.4863.

### **Traffic Alert: 87th Terrace to 9000 Collins Avenue Single Lane Closure - 07/02/2019**

The Town of Surfside wants you to be aware that the Florida Department of Transportation has authorized a single lane closure from 87th Terrace to the 9000 block of Collins Avenue (SR A1A North) on the following dates and times:

-Tuesday, 07/02/2019, 6:00 pm to 3:00 am

The work is to repair underground water lines 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 issued by the Surfside Police Department:

[https://townofsurfsidefl.gov/docs/default-source/default-document-library/surfside-traffic-alert-87-terrace-to-9000-collins-single-lane-closure-jul-2019-\(1\).pdf?sfvrsn=ef1f2794\\_4](https://townofsurfsidefl.gov/docs/default-source/default-document-library/surfside-traffic-alert-87-terrace-to-9000-collins-single-lane-closure-jul-2019-(1).pdf?sfvrsn=ef1f2794_4)

### **Celebrate July 4th with your neighbors this Thursday**



Join your neighbors this Thursday, July 4th for an all-American red, white and blue celebration.

Independence Day festivities will begin at 2:00 pm at the Community Center. Enjoy swim races, live music, DJs, arts & crafts, outdoor games and more. As long as the weather permits, fireworks will take place at 9:00 pm on the beach behind the Community Center. Please be mindful of nesting sea turtles. (For information and tips on how to protect sea turtles, please visit the Town's dedicated Sea Turtle Nesting Season page: <https://townofsurfsidefl.gov/news-and-events/news-detail/2019/05/01/sea-turtle-nesting-season-may-1---october-31>)

For more information, refer to the attached 4th of July flyer or contact the Parks and Recreation Department at 305.866.3635.

As a reminder, Town Hall will be closed on July 4, 2019 and will resume normal business hours on Friday, July 5, 2019.



To view the original 4th of July Celebration flyer on the website, please refer to:  
[https://townofsurfsidefl.gov/docs/default-source/default-document-library/parks-and-recreation/events-flyers/07-04-19---4th-of-july-celebration.pdf?sfvrsn=52192194\\_4](https://townofsurfsidefl.gov/docs/default-source/default-document-library/parks-and-recreation/events-flyers/07-04-19---4th-of-july-celebration.pdf?sfvrsn=52192194_4)

## 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:

<https://www.townofsurfsidefl.gov/news-and-events/news-detail/2017/11/30/gazette>

Additionally, please find the July Events and Meetings flyer with all the happenings for the month here: [https://www.townofsurfsidefl.gov/docs/default-source/default-document-library/july-2019-in-surfside\\_events-and-meetings-\(2\).pdf?sfvrsn=40052794\\_2&utm\\_source=Single+Town+News+Article&utm\\_medium=newsletter&utm\\_campaign=July+Gazette+and+Events+%26+Meetings+Calendar+Now+Available](https://www.townofsurfsidefl.gov/docs/default-source/default-document-library/july-2019-in-surfside_events-and-meetings-(2).pdf?sfvrsn=40052794_2&utm_source=Single+Town+News+Article&utm_medium=newsletter&utm_campaign=July+Gazette+and+Events+%26+Meetings+Calendar+Now+Available)

For the most up-to-date information and meeting changes, always refer back to the Town of Surfside website at [www.townofsurfsidefl.gov](http://www.townofsurfsidefl.gov).

## Video streaming for Channel 93 is currently down

Please be advised that the video streaming option for Channel 93 on the Town website is currently down. Channel 93 can still be accessed on the TV via Channel 93 or Channel 663 for Atlantic Broadband users. Once the matter is resolved, we will share another update. Thank you.

## State of Florida makes texting while driving a primary offense



Florida Governor Ron DeSantis recently signed into law House Bill 107 (CS/HB 107: Wireless Communications While Driving) which makes texting while driving a primary traffic offense. The law went into effect Monday, July 1, 2019. The new law also bans the use of any handheld wireless communications devices in school and construction zones. However, the texting ban does not apply to a driver using a navigation device or system or to a driver whose vehicle is stationary.

According to statistics by the Florida Highway Safety and Motor Vehicles, there were 50,190 distracted driving crashes in the state of Florida in 2017. The law is intended to make Florida streets safer, helping to prevent accidents stemming from distractions caused by texting or browsing through mobile devices.

There is currently a "Don't Text and Drive" commercial running on Channel 93. To view Channel 93, visit: <https://www.townofsurfsidefl.gov/departments-services/town-clerk/public-records/channel-93>

Furthermore, residents are encouraged to visit the Florida's Pedestrian & Bicycle Focused Initiative item on the Town website. The initiative aims to increase awareness of pedestrians and bicyclists on roadways at night and other times of low light, like dusk. View the item here: <https://www.townofsurfsidefl.gov/news-and-events/news-detail/2019/06/10/alert-today-alive-tomorrow---pedestrian-and-bicycle-focused-initiative>

Be safe, be smart, and be responsible.

## Page 87

DEVELOPMENT APPLICATION PROCESS (2009 - PRESENT)													
Application Date	Location	Project Description	Zoning Process			Density/Intensity		Variances		Building Permit			Construction Status
			DRG	P&Z	TC	Allowed	Approved	Requested	Received	Application No.	Issuance	Status	
11/7/2009	9200 Collins Ave	Surfside Hotel: Proposed surfside hotel consisting of 18 hotel units, 4 stores and adjacent 3 stories garage	1/17/2010, 2/17/2010	2/25/2010	5/10/2011	242 units	1.75 units	None	None	13-177	1/17/2014	Issued	Completed
1/6/2010	9580 Abbott Ave	Young Israel: Construction of Jewish orthodox temple containing 371 seats and a maximum building height of 40 feet	1/20/2010, 2/17/2012	3/7/2012	4/70/2012	Negotiated settlement to determine buildable area and setbacks		Approved through settlement agreement not variance; settlement determined setbacks.		13-118	5/5/2014	Issued	Completed
5/4/2011	9449 & 9418 Collins Ave	Grand Beach 341 room hotel	5/10/2011, 6/25/2011	7/28/2011	9/17/2011	341 units	341 units	None	None	12-144	5/5/2012	Issued	Completed
7/17/2012	9179, 9185 & 9149 Collins Ave	Chateau Ocean Residences - Demolition of existing 91 room hotel; construction of 90 unit residential condominium building and accessory amenities	4/17/2012, 9/17/2012	11/14/2012	1/74/2013	325 units	85 units (however approximately 58 were built)	None	None	14-132	9/74/2014	Issued	Completed
Original submitted: 7/13/2012 Site plan amendment: 4/16/16	9011 Collins Ave	Surf Club - restoration of the famous surf club historic structure and for the construction of new improvements	7/17/2012, 8/13/2012, site plan amendment: 5/14/2016, 8/4/2016, 3/9/2017, 5/11/2017	Original site plan: 9/27/2012, site plan amendment: 10/10/2017	Original site plan: 10/15/2012, site plan amendment: 10/10/2017	762 units	25.7 units	None	None	13-727	6/77/2014	Issued	Under construction
7/20/2012	9450 Collins Ave	The Shul - New multiuse glass atrium and gaming learning center (3 stories)	2/11/2013, 3/27/2013, 7/9/2013	2/27/2014	10/28/2014	3 story expansion of 4,558 square feet		None	None	14-509	11/17/2015	Issued	Under construction
9/15/2015	701, 703, 705, 707, 709 & 715 8815 St 8809 Harding Ave	Surfside Condo's - redevelopment of 17 parcels into single unified condo development	4/7/2015, 6/3/2015	8/27/2015	12/8/2015	65 units	28 units	None	None	16-569		Plans approved, waiting on GC	Pending selection of GC
8/17/2015	9111 Collins Ave & 9189 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, 9/17/2017	11/7/2017	2/13/2018	199 units	48 condominium units, 11 hotel rooms	None	None			Has not applied for permit yet	
Original submitted: 2/11/2016 Revised submitted: 5/31/18	9340, 9372, 9364, 9348, 9340, 9332, 9316 & 9302 Collins Ave	9300 Collins Ave - demolition of all existing improvements; construction of 3 story building	Original submitted 3/10/2016, 4/7/2016 Revised submitted: 6/27/2018, 8/28/2018, 11/7/18	Original approval: 7/18/2016, Revised approval: 11/7/18	Original approval: 11/10/2016, current site plan has not been approved yet. Scheduled for February 26, 2019	750 units	Request is for 705 units	None	None	18-610		Has not applied for permit yet	
5/4/2016	8955 Collins Ave	Residential Condominiums	6/4/2016, 7/7/2016	10/27/2016	11/10/2016	110 units	16 units	None	None	16-402	11/16/2017	Issued	Under construction
Oct. 16	9116 Harding Ave	203 Surfside - 4 townhouses	11/7/2016, 2/7/2017, 5/18/2017	6/27/2018	4/14/2018	8 units	4 units	None	None			Has not applied for permit yet	
5/10/2017	8995 Collins Ave	Surf House - site plan approval for expansion to existing multi-family building	6/19/2017, 8/24/2017, 9/28/2017	2/27/2018, 4/26/2018, 5/31/2018, no approval yet from PZ, must be heard again by the Board	Not scheduled yet for TC unit recommendation from PZ	99 units	Current request has not been scheduled for commission yet. Landscaping adjacent to streets and abutting properties (Landscape Buffer). 3. Section 90.9 (1b) - Open Space (Open Space Trees)	3 requested: 1. Section 90.12 - Off-street loading 2. Section 90.12 - Off-street parking (loading Space 100 ft) 3. Section 90.91.2 - Required buffer Required landscaping adjacent to streets and abutting properties (Landscape Buffer).	Has not been scheduled for TC unit recommendation from PZ			Has not applied for permit yet	
Original submitted: 10/16/2017	Abbott lot	Unolicited Proposal (P1)											Terminated
Original Submitted: 1/06/2015 Revised submitted: 8/16/2016, 9/10/2016, 01/29/2018, 10/29/2018	8851 Harding Avenue	18 multi-family units	01/21/2015, 08/16/2016, 01/21/2017, 01/23/2018, 11/29/2018	01/31/19 PZ recommended approval	Denied by the Commission	33 units	Required in for 18 units	1 requested - Section 90.12 - Off-street loading requirements (Loading Space 50 ft)					Denied
7/17/2019	9580 Abbott Ave	Young Israel Varience Request to eliminate landscaping to provide for a handicap accessible ramp	N/A	Scheduled for August 29, 2019			1 requested - eliminate landscaping along the						





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Weekly Project Coordination Meeting Minutes				
Day: Wednesday's			Time: 10:30 AM	
Meeting #:	2	Call -In#	(646) 749-3122	
Meeting Held:	Wednesday, 07/24/2019	Access Code:	707 733 445	
Project:	Beach Erosion Control and Hurricane Protection Project, Surfside Segment, Miami-Dade County, FL	Contract #:	W912EP-19-C-0017	
TEAM MEMBERS: Distribution (D) and Attendance (A) List indicated by "X"				
D	A	Name / Title	Company/ Organization	Email Address
x		Ricardo Villet / COO	CHC	<a href="mailto:rvillet@chcivil.com">rvillet@chcivil.com</a>
x	x	Paul Suellentrop / PM	CHC	<a href="mailto:psuellentrop@chcgulf.com">psuellentrop@chcgulf.com</a>
x	x	Yunesky Hernandez / Super	CHC	<a href="mailto:yhernandez@chcivil.com">yhernandez@chcivil.com</a>
x	x	Hector Sevilla / QCM	CHC	<a href="mailto:hsevilla@chcivil.com">hsevilla@chcivil.com</a>
x	x	Domenic DeAmicis / SSHO	CHC	<a href="mailto:ddeamicis07@gmail.com">ddeamicis07@gmail.com</a>
x	x	Geoff Reichold	The NDN Co.	<a href="mailto:Greichold@thendncompanies.com">Greichold@thendncompanies.com</a>
x	x	Nestor Rivera / COR	USACE	<a href="mailto:Nestor.A.Rivera@usace.army.mil">Nestor.A.Rivera@usace.army.mil</a>
x	x	Christopher Rego / COR	USACE	<a href="mailto:Christopher.M.Rego@usace.army.mil">Christopher.M.Rego@usace.army.mil</a>
x	x	Leo Bastante / COR	USACE	<a href="mailto:Leopoldo.A.Bastante@usace.army.mil">Leopoldo.A.Bastante@usace.army.mil</a>
x	x	Brian Choate	USACE	<a href="mailto:Brian.C.Choate@usace.army.mil">Brian.C.Choate@usace.army.mil</a>
x		Michael Neves	USACE	<a href="mailto:Michael.P.Neves@usace.army.mil">Michael.P.Neves@usace.army.mil</a>
x	x	Erica Skolte	USACE	<a href="mailto:Erica.A.Skolte@usace.army.mil">Erica.A.Skolte@usace.army.mil</a>
x		Timothy Humphrey	USACE	<a href="mailto:Timothy.G.Humphrey@usace.army.mil">Timothy.G.Humphrey@usace.army.mil</a>
x	x	Piper Austin	USACE	<a href="mailto:Piper.E.Austin@usace.army.mil">Piper.E.Austin@usace.army.mil</a>
x	x	Troy Mayhew	USACE /CESAJ-EN-GG	<a href="mailto:Troy.a.mayhew@usace.army.mil">Troy.a.mayhew@usace.army.mil</a>
x	x	Guillermo Olmedillo	Town of Surfside	<a href="mailto:golmedillo@townofsurfsidefl.gov">golmedillo@townofsurfsidefl.gov</a>
x		Duncan Tavares	Town of Surfside	<a href="mailto:dtavares@townofsurfsidefl.gov">dtavares@townofsurfsidefl.gov</a>
x	x	Irina Mocanu	Town of Surfside	<a href="mailto:imocanu@townofsurfsidefl.gov">imocanu@townofsurfsidefl.gov</a>
x	x	Lindsay Fast	Town of Surfside	<a href="mailto:lfast@townofsurfsidefl.gov">lfast@townofsurfsidefl.gov</a>
x	x	Lt. J. Healy	Surfside Police Dept.	<a href="mailto:JHealy@townofsurfsidefl.gov">JHealy@townofsurfsidefl.gov</a>
x	x	Julio Nores	RER-DERM	<a href="mailto:Julio.Nores@miamidade.gov">Julio.Nores@miamidade.gov</a>
x		Libbie McDearmid	Florida DEP	<a href="mailto:Libbie.McDearmid@FloridaDEP.gov">Libbie.McDearmid@FloridaDEP.gov</a>
x		Teal Kawana	MDPR	<a href="mailto:teal.kawana@miamidade.gov">teal.kawana@miamidade.gov</a>



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x		Carlos Fernandez-Quevedo	MDPR	<a href="mailto:Carlos.Fernandez-Quevedo@miamidade.gov">Carlos.Fernandez-Quevedo@miamidade.gov</a>
x	x	Paul Voight	MDCP-RER	<a href="mailto:Paul.Voight@miamidade.gov">Paul.Voight@miamidade.gov</a>
x		Sarah Thanner	MDCP-RER	<a href="mailto:Sara.Thanner@miamidade.gov">Sara.Thanner@miamidade.gov</a>

## WEEKLY PROGRESS MEETING MINUTES

### 1.0 Review minutes from previous progress meeting:

- 1.1 No changes or corrections to previous meeting.

### 2.0 Review RMS Contractor Action Item Report:

- 2.1 CHC to provide hard copies of daily reports to USACE by end of day.  
2.2 CHC to provide Certified payroll to USACE since NTP.  
2.3 Other field/weekly/monthly reports required for the project will be submitted once actual physical activities starts.

### 3.0 Review Work progress since previous meeting:

- 3.1 CHC under documentation phase, has not mobilized.  
3.2 *Mr. Guillermo O.-Town of Surfside: Question is CHC had an estimated time of when the project will start? Hector S.-CHC responded that at this time three major submittals are being processed for review, the QCP, EPP & APP have been submitted, reviewed by USACE returned with comments/notes that CHC needs to revise and resubmit for review. Chris R.-USACE- responded that if the submittals comments are addressed properly and get them within a week or so, USACE tries to review as quickly within less than the 30 days that USACE officially has to review. The items have to satisfy the contracts requirements, so it's hard to give a day at this until the critical submittals are approved. No further action required; Item closed.*  
3.3 *Mr. Guillermo O.-Town of Surfside: Question for Chris & Hector, if we are talking about range, we are talking about 2 weeks for CHC to complete an the USACE have 30 days for review? Chris R.-USACE- The contractor has 10 days to respond on returned submittal and USACE has 30 days to review, although USACE is trying to expedite those submittals for review and return as soon as possible; again the goal is within 2-3 weeks range to be out there on the field, although it all depends how the review goes. No further action required; Item closed.*



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#### 4.0 Review current definable feature of work:

##### 4.1 Preparatory Meeting Dates

- Mobilization - TBD
- Vibration Monitoring - TBD
- Clearing & Grubbing - TBD
- Turbidity Monitoring - TBD
- Surveying - TBD
- Maintenance of Traffic/Traffic Control - TBD
- Beach Fill -TBD
- Coastal Vegetation Planting -TBD
- Demobilization – TBD

4.2 *Hector S.-CHC* noted that the preparatory dates for the definable feature of work cannot be established until the documents are approved, as soon as we get approvals we will have an established dates for the preparatory meeting per previous comments in section 3.2; *Chris R.-USACE* noted that the most of the items listed here, once we get the plans approved we can schedule a preparatory meeting for most of them at the same time, others will be scheduled accordingly and 24 hours' notice is required prior preparatory meeting to be held.

#### 5.0 Review construction schedule:

- 5.1 Preliminary Schedule approved (reference Transmittal #01 32 01-2.1). CHC will be submitting initial project schedule for approval.
- 5.2 *Chris R.* noted that a 3-week look ahead projection is required and will be incorporated in the weekly meetings. *Hector S.-CHC* noted that 3-week look ahead will be incorporated and once a month will incorporate a full up to date monthly schedule.

#### 6.0 Submittal and RFI's:

##### 6.1 Submittals Under Review

- See attached submittals under review log, no submittals are overdue at this time.
- CHC will have the CQCP, EPP & APP ready for resubmission today by the end of the day.

##### 6.2 Request for Information (RFI's –see attached log):

- No RFI's are pending.

#### 7.0 Review off-site activities

7.1 CHC has not mobilized.

#### 8.0 Review Testing

8.1 CHC has not mobilized testing requirements under submission/review.

#### 9.0 Review Site Safety:

9.1 CHC has not mobilized, documentation under submission/review.





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**10.0 Review / Update Joint Risk Management Register:**

10.1 Schedule for review JRMR TBD.

**11.0 Modifications, Changes, Substitutions to the Contract:**

11.1 None.

**12.0 Other Business:**

12.1 *Chris R.-USACE:* Mentioned earlier in the week through a correspondence that if CHC or its subcontractor needs to perform a site visit, photos, recons, etc. just make sure that everyone has proper identification so the police department knows that someone is out there and not an unauthorized personnel is out there; CHC identified the procedures to inform ahead of time Lt. Healy and his staff know. *Hector S.-CHC:* CHC will provide information prior arrival keep everyone in the loop inform hat day, time & activities will be taken place, any vehicles and make sure everyone has proper identification as well as vehicles. *Lt. Healy-SPD:* Any flashing light, yellow, amber lights anything that can so they can activate while they are on the beach and please to drive extremely slow because the back of the condos have hedging and bushes and people and kids tends to walk out, extremely slow because especially since there no police escort and would appreciate to send in the email in advance so we can forward out to the PD to make sure they are advised that we may have vehicles on the hard pack. *No further action required; Item closed.*

12.2 *Mr. Guillermo O.-Town of Surfside:* All large projects that we have approved we always require that everybody that works there on the site wears the same type, same color T-shirt, etc., so we can tell them apart due to receiving a lot of complaints particularly from the single family area who claims that people are parking there, construction workers are parking there and many times are their own construction workers that are performing work at the single family area, yet they claim that they are people who are working on Collins and Harding because is convenient for them, we have all types of limitations for parking , we response to neighbors who call like for example "there's a strange car parked n front of my house", question, is a there a common color CHC will wear? *Hector S.-CHC responded that CHC staff, field crew, workers or employees will have the same color shirt either white or gray, we will supply one color with the company logo on it as well as the Hi-Visibility Vest with the company logo on it (CHC).Potentially our subcontractor will have their own company attires, although CHC will provide a list of subcontractor to be identified. Chris R-USACE: The contractor is required to have identification either on the Hi-Viz vest or hard hat logo, any individual walking around should have identification, if there's a person that doesn't it shall be reported to the contractor. Action required; Hector S-CHC, to provide a list of subcontractors to Town of Surfside.*



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Next Meeting Date: Wednesday, 07/30/19 @ 10:30 A.M.

Location: Conference call

Call In: (646) 749-3122

Access Code: 707 733 445

*End of Meeting.*

### **MEETING ADJOURNED – THANK YOU**

Please feel free to contact any of the following CHC Field personnel for any questions, comments or concerns.

- Paul Suellentrop – Project Manager; Mobile: 561-472-4145  
Email: [psuellentrop@chcgulf.com](mailto:psuellentrop@chcgulf.com)
- Hector Sevilla- Quality Control Manager; Mobile: 954-756-5865  
Email: [hsevilla@chcivil.com](mailto:hsevilla@chcivil.com)
- Yunesky Hernandez- Project Superintendent; Mobile: 786-218-2560  
Email: [yhernandez@chcivil.com](mailto:yhernandez@chcivil.com)



SUBMITTAL REGISTER (ER 415-1-10)										TITLE AND LOCATION: 113082 Miami-Dade Surfside Contract A-Surfside, FL		DATE: 7/25/2019			
										CONTRACTOR: Continental Heavy Civil Corp		CONTRACT NUMBER: W912EP19C0017 NA			
Activity No.	TRANS MITTAL No.	ITEM No.	SPEC PARAGRAPH No.	DESCRIPTION OF SUBMITTAL	TYPE OF SUBMITTAL	CLASSIFI CATION	REVIEWER	CONTRACTOR SCHEDULE DATES			CONTRACTOR ACTION		GOVERNMENT ACTION		
								SUBMIT NEEDED BY	APPROVAL NEEDED BY	MATERIAL NEEDED BY	CODE	CORPS RECEIVED DATE	CODE	CORPS RETURNED DATE	
<b>Section 01 30 00 ADMINISTRATIVE REQUIREMENTS</b>															
	1.1	3	01 30 00	Partnering Meetings Written Synopsis	CERTIFICATES	GA					A		22 Jul 19		
<b>Section 01 50 02 TEMPORARY CONSTRUCTION FACILITY</b>															
	3.1	3	01 50 02	Vegetation Protection and Restoration PI	PRECON SUBMITL	GA					A		22 Jul 19		
<b>Section 01 55 10 CLEARING AND GRUBBING FOR ACCESS AND STAGING AREAS</b>															
	1.1	1	01 55 10	Clearing Area Plan	PRECON SUBMITL	GA					A		22 Jul 19		
<b>Section 02 22 13 MOVEMENT AND VIBRATION ASSESSMENT</b>															
	2.2	6	02 22 13	Vibration Control Plan	PRECON SUBMITL	GA					A		22 Jul 19		
<b>Section 35 30 00 COASTAL CONSTRUCTION</b>															
	1.1	1	35 30 00	Work Plan	PRECON SUBMITL	GA					A		22 Jul 19		
	2.1	2	35 30 00	Pedestrian Protection Plan	PRECON SUBMITL	GA					A		22 Jul 19		
	3.2	3	35 30 00	Progress Map	PRECON SUBMITL	GA					A		22 Jul 19		
	8	9	35 30 00	Truck Information	CERTIFICATES	FIO					A		15 Jul 19		



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## All Requests for Information

W912EP19C0017 113082 Miami-Dade Surfside Contract A  
K3001519

25 Jul 2019

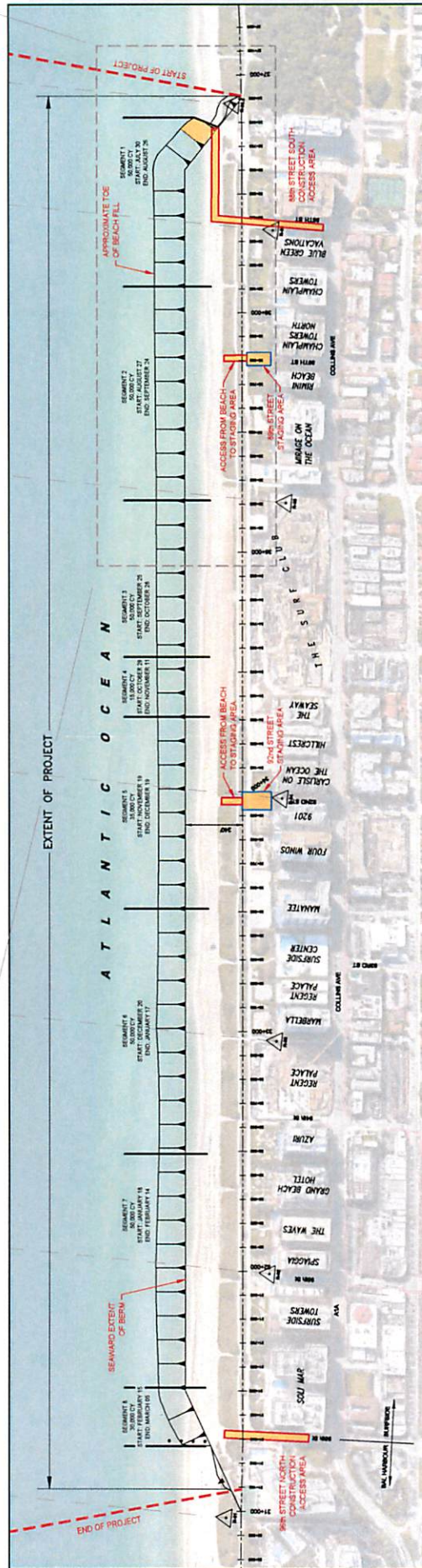
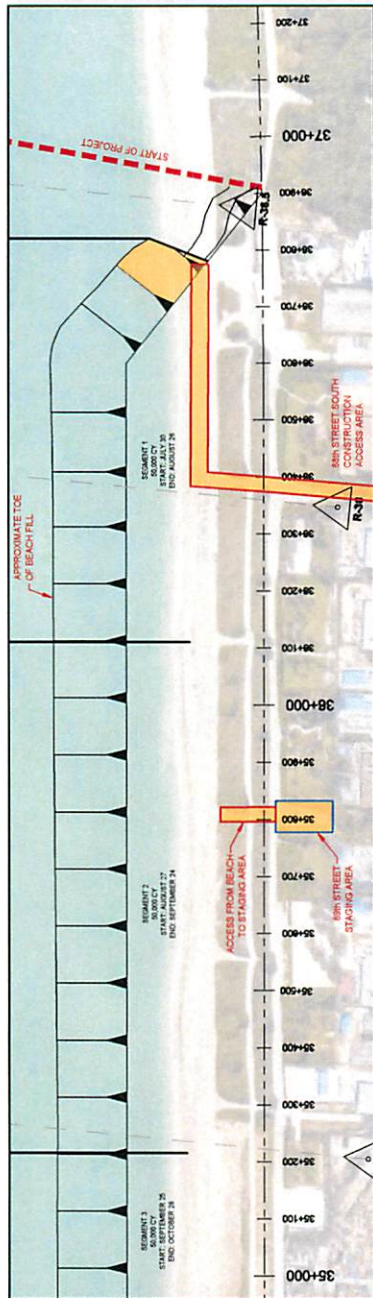
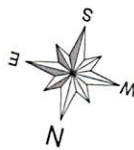
Miami Resident Office

RFI No.	Date Requested Date Received	Date Answered	Requester's Name Answer Prepared by	Mod Required? Change No.	RFI Subject - Information Requested Government Response
RFI-0001	07/01/2019 07/08/2019	07/11/2019	Hector Sevilla Christopher M. Rego, P.E.	N/A N/A	<p><b>INFORMATION REQUESTED:</b> Staging &amp; Access Areas Coordinates - Please provide coordinates for the staging and access areas. This will ensure we will not go off site or beyond work limits and detail our site plan more precisely.</p> <p><b>GOVERNMENT RESPONSE:</b> There are no set coordinates for the access and staging areas indicated in the contract drawings. The hatched areas only indicate the approximate limits as coordinated between USACE, Miami-Dade County and Town of Surfside. Per Contract Specification Section 01 50 02, Paragraph 1.5.1, the final limits of the access areas indicated in the drawings shall be field-determined by the Contracting Officer in coordination with the Local Sponsor and the Contractor. Request that the Continental Heavy Civil Corp inform the USACE Field Office at least 5 days prior mobilization so that those areas can be coordinated per the above referenced contract requirement.</p> <p><b>APPROVED BY:</b> _____ Christopher M. Rego, P.E., Contracting Officer's Representative</p> <p><b>INFORMATION REQUESTED:</b> XYZ files - CHC is requesting Surfside Project survey data set as an XYZ file. CHC want to run volume comparisons.</p>
RFI-0002	07/16/2019 07/16/2019	07/18/2019	Hector Sevilla	N/A N/A	

## PROGRESS MAP OVERVIEW

Beach Erosion Control and Hurricane Protection Project,  
Miami-Dade County, Florida, Beach Renourishment, 2019  
Surfside Beach

Last Updated: July 2, 2019

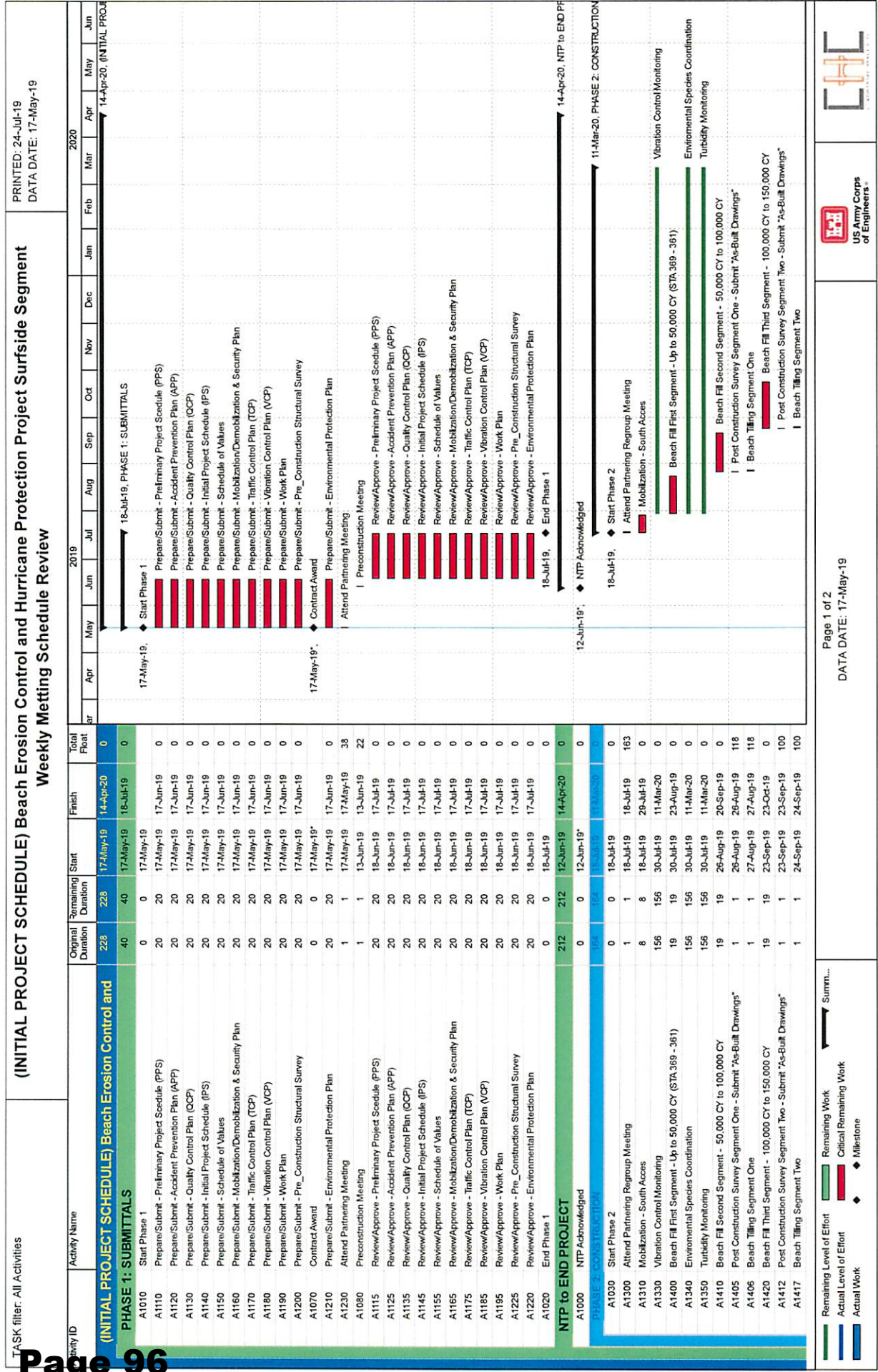


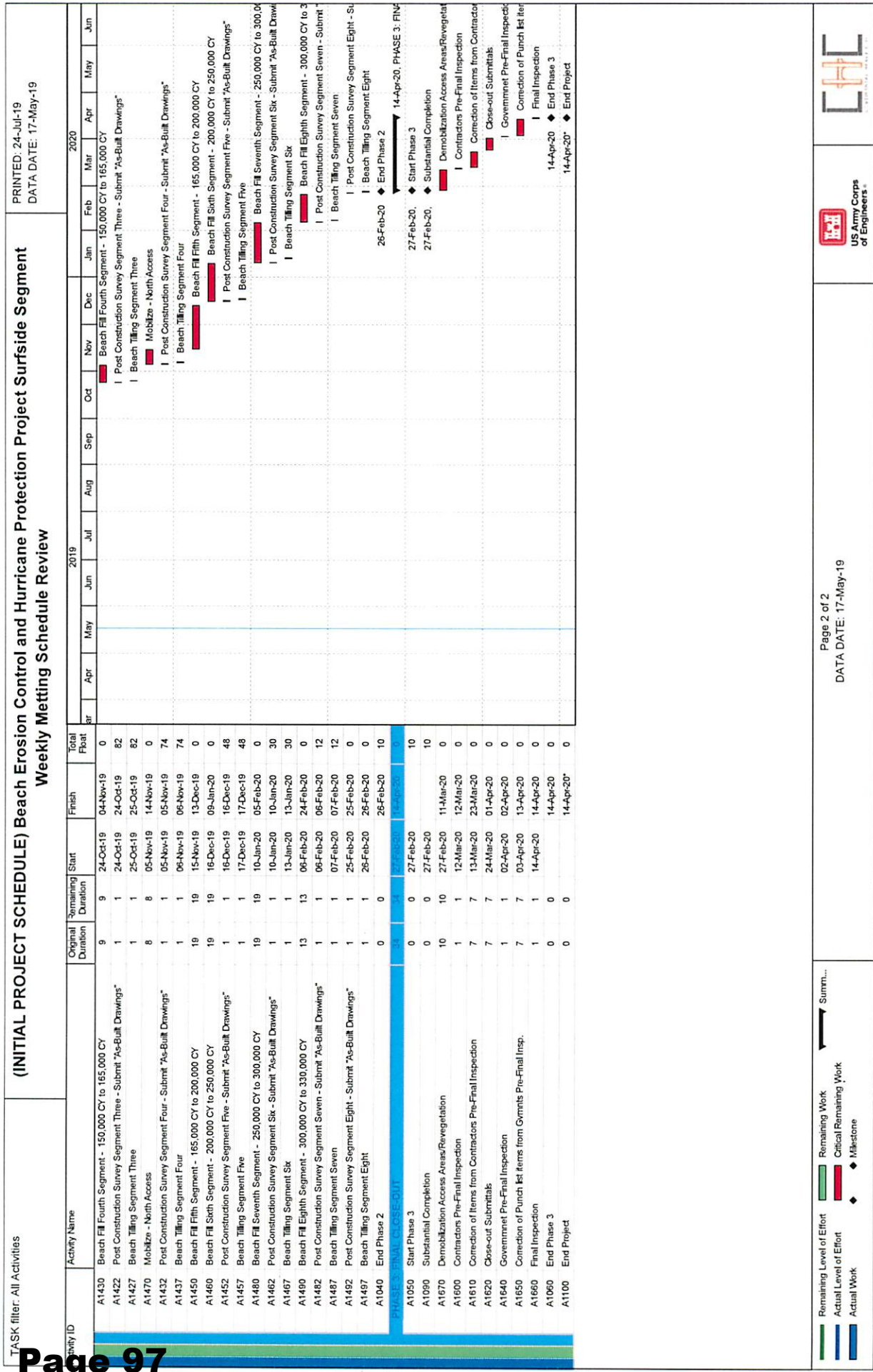
LEGEND	
---	START/END OF PROJECT
	DESIGNATED CONSTRUCTION ACCESS
	STAGING AREA
	AREA ACCEPTED BY CONTRACTING OFFICE/ READY FOR PUBLIC USE
	BEACH UNDER CONSTRUCTION
	AREA NOT READY FOR CONSTRUCTION



NOTE: STAGING AND ACCESS AREAS TO BE OCCUPIED BY CHC FROM APPROXIMATELY JULY 25, 2019 THROUGH MARCH 30, 2020.











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Weekly Project Coordination Meeting Agenda				
Day: Wednesday's			Time: 10:30 AM	
Meeting #:	3	Call -In#	(646) 749-3122	
Meeting Held:	Wednesday, 07/31/2019	Access Code:	707 733 445	
Project:	Beach Erosion Control and Hurricane Protection Project, Surfside Segment, Miami-Dade County, FL	Contract #:	W912EP-19-C-0017	
TEAM MEMBERS: Distribution (D) and Attendance (A) List indicated by "X"				
D	A	Name / Title	Company/ Organization	Email Address
x		Ricardo Villet / COO	CHC	<a href="mailto:rvillet@chcivil.com">rvillet@chcivil.com</a>
x		Paul Suellentrop / PM	CHC	<a href="mailto:psuellentrop@chcgulf.com">psuellentrop@chcgulf.com</a>
x		Yunesky Hernandez / Super	CHC	<a href="mailto:yhernandez@chcivil.com">yhernandez@chcivil.com</a>
x		Hector Sevilla / QCM	CHC	<a href="mailto:hsevilla@chcivil.com">hsevilla@chcivil.com</a>
x		Domenic DeAmicis / SSHO	CHC	<a href="mailto:ddeamicis07@gmail.com">ddeamicis07@gmail.com</a>
x		Geoff Reichold	The NDN Co.	<a href="mailto:Greichold@thendncompanies.com">Greichold@thendncompanies.com</a>
x		Nestor Rivera / COR	USACE	<a href="mailto:Nestor.A.Rivera@usace.army.mil">Nestor.A.Rivera@usace.army.mil</a>
x		Christopher Rego / COR	USACE	<a href="mailto:Christopher.M.Rego@usace.army.mil">Christopher.M.Rego@usace.army.mil</a>
x		Leo Bastante / COR	USACE	<a href="mailto:Leopoldo.A.Bastante@usace.army.mil">Leopoldo.A.Bastante@usace.army.mil</a>
x		Brian Choate	USACE	<a href="mailto:Brian.C.Choate@usace.army.mil">Brian.C.Choate@usace.army.mil</a>
x		Michael Neves	USACE	<a href="mailto:Michael.P.Neves@usace.army.mil">Michael.P.Neves@usace.army.mil</a>
x		Erica Skolte	USACE	<a href="mailto:Erica.A.Skolte@usace.army.mil">Erica.A.Skolte@usace.army.mil</a>
x		Timothy Humphrey	USACE	<a href="mailto:Timothy.G.Humphrey@usace.army.mil">Timothy.G.Humphrey@usace.army.mil</a>
x		Piper Austin	USACE	<a href="mailto:Piper.E.Austin@usace.army.mil">Piper.E.Austin@usace.army.mil</a>
x		Troy Mayhew	USACE /CESAJ-EN-GG	<a href="mailto:Troy.a.mayhew@usace.army.mil">Troy.a.mayhew@usace.army.mil</a>
x		Guillermo Olmedillo	Town of Surfside	<a href="mailto:golmedillo@townofsurfsidefl.gov">golmedillo@townofsurfsidefl.gov</a>
x		Duncan Tavares	Town of Surfside	<a href="mailto:dtavares@townofsurfsidefl.gov">dtavares@townofsurfsidefl.gov</a>
x		Irina Mocanu	Town of Surfside	<a href="mailto:imocanu@townofsurfsidefl.gov">imocanu@townofsurfsidefl.gov</a>
x		Lindsay Fast	Town of Surfside	<a href="mailto:lfast@townofsurfsidefl.gov">lfast@townofsurfsidefl.gov</a>
x		Lt. J. Healy	TOS Police Dept.	<a href="mailto:JHealy@townofsurfsidefl.gov">JHealy@townofsurfsidefl.gov</a>
x		Julio Yero	TOS Police Dept.	<a href="mailto:jyero@townofsurfsidefl.gov">jyero@townofsurfsidefl.gov</a>
x		John Bambis	TOS Police Dept.	<a href="mailto:jbambis@townofsurfsidefl.gov">jbambis@townofsurfsidefl.gov</a>
x		Julio Nores	RER-DERM	<a href="mailto:Julio.Nores@miamidade.gov">Julio.Nores@miamidade.gov</a>
x		Libbie McDearmid	Florida DEP	<a href="mailto:Libbie.McDearmid@FloridaDEP.gov">Libbie.McDearmid@FloridaDEP.gov</a>



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x		Teal Kawana	MDPR	<a href="mailto:teal.kawana@miamidade.gov">teal.kawana@miamidade.gov</a>
x		Carlos Fernandez-Quevedo	MDPR	<a href="mailto:Carlos.Fernandez-Quevedo@miamidade.gov">Carlos.Fernandez-Quevedo@miamidade.gov</a>
x		Paul Voight	MDCP-RER	<a href="mailto:Paul.Voight@miamidade.gov">Paul.Voight@miamidade.gov</a>
x		Sarah Thanner	MDCP-RER	<a href="mailto:Sara.Thanner@miamidade.gov">Sara.Thanner@miamidade.gov</a>

## WEEKLY PROGRESS MEETING MINUTES

### 1.0 Review minutes from previous progress meeting:

- 1.1 No changes or corrections to previous meeting.
- 1.2 Notes that are strikethrough will not be on the following meeting minutes.

### 2.0 Review RMS Contractor Action Item Report:

- 2.1 Field/weekly/monthly reports required for the project will be submitted once actual physical activities starts.

### 3.0 Review Work progress since previous meeting:

- 3.1 CHC under documentation phase, has not mobilized.
- ~~3.2 Mr. Guillermo O. Town of Surfside: Question is CHC had an estimated time of when the project will start? Hector S. CHC responded that at this time three major submittals are being processed for review, the QCP, EPP & APP have been submitted, reviewed by USACE returned with comments/notes that CHC needs to revise and resubmit for review. Chris R. USACE responded that if the submittals comments are addressed properly and get them within a week or so, USACE tries to review as quickly within less than the 30 days that USACE officially has to review. The items have to satisfy the contracts requirements, so it's hard to give a day at this until the critical submittals are approved. No further action required; Item closed.~~
- ~~3.3 Mr. Guillermo O. Town of Surfside: Question for Chris & Hector, if we are talking about range, we are talking about 2 weeks for CHC to complete an the USACE have 30 days for review? Chris R. USACE The contractor has 10 days to respond on returned submittal and USACE has 30 days to review, although USACE is trying to expedite those submittals for review and return as soon as possible; again the goal is within 2-3 weeks range to be out there on the field, although it all depends how the review goes. No further action required; Item closed.~~



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#### **4.0 Review current definable feature of work:**

##### **4.1 Preparatory Meeting Dates**

- Mobilization - TBD
- Vibration Monitoring - TBD
- Clearing & Grubbing - TBD
- Turbidity Monitoring - TBD
- Surveying - TBD
- Maintenance of Traffic/Traffic Control - TBD
- Beach Fill -TBD
- Coastal Vegetation Planting -TBD
- Demobilization – TBD

~~4.2 Hector S. CHC noted that the preparatory dates for the definable feature of work cannot be established until the documents are approved, as soon as we get approvals we will have an established dates for the preparatory meeting per previous comments in section 3.2; Chris R. USACE noted that the most of the items listed here, once we get the plans approved we can schedule a preparatory meeting for most of them at the same time, others will be scheduled accordingly and 24 hours' notice is required prior preparatory meeting to be held.~~

#### **5.0 Review construction schedule:**

5.1 No changes to project schedule.

#### **6.0 Submittal and RFI's:**

##### **6.1 Submittals Under Review**

- See attached submittals under review log, no submittals are overdue at this time.
- CHC has submitted the critical submittals such as QCP, EPP & APP. UASCE working on reviewing/retuning as soon as thy can allowing formal review.

##### **6.2 Request for Information (RFI's –see attached log):**

- No RFI's are pending.

#### **7.0 Review off-site activities**

7.1 CHC has not mobilized.

#### **8.0 Review Testing**

8.1 CHC has not mobilized testing requirements under submission/review.

#### **9.0 Review Site Safety:**

9.1 CHC has not mobilized, documentation under submission/review.

#### **10.0 Review / Update Joint Risk Management Register:**

10.1 Schedule for review JRMR TBD.

#### **11.0 Modifications, Changes, Substitutions to the Contract:**





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11.1 None.

## 12.0 Other Business:

*12.1 — Chris R. USACE:* Mentioned earlier in the week through a correspondence that if CHC or its subcontractor needs to perform a site visit, photos, recons, etc. just make sure that everyone has proper identification so the police department knows that someone is out there and not an unauthorized personnel is out there; CHC identified the procedures to inform ahead of time Lt. Healy and his staff know. *Hector S. CHC:* CHC will provide information prior arrival keep everyone in the loop inform hat day, time & activities will be taken place, any vehicles and make sure everyone has proper identification as well as vehicles. *Lt. Healy SPD:* Any flashing light, yellow, amber lights anything that can so they can activate while they are on the beach and please to drive extremely slow because the back of the condos have hedging and bushes and people and kids tends to walk out, extremely slow because especially since there no police escort and would appreciate to send in the email in advance so we can forward out to the PD to make sure they are advised that we may have vehicles on the hard pack. *No further action required; Item closed.*

*12.2 — Mr. Guillermo O. Town of Surfside:* All large projects that we have approved we always require that everybody that works there on the site wears the same type, same color T-shirt, etc., so we can tell them apart due to receiving a lot of complaints particularly from the single family area who claims that people are parking there, construction workers are parking there and many times are their own construction workers that are performing work at the single family area, yet they claim that they are people who are working on Collins and Harding because is convenient for them, we have all types of limitations for parking, we response to neighbors who call like for example "there's a strange car parked n front of my house", question, is a there a common color CHC will wear? *Hector S. CHC responded that CHC staff, field crew, workers or employees will have the same color shirt either white or gray, we will supply one color with the company logo on it as well as the Hi-Visibility Vest with the company logo on it (CHC). Potentially our subcontractor will have their own company attires, although CHC will provide a list of subcontractor to be identified. Chris R- USACE:* The contractor is required to have identification either on the Hi-Viz vest or hard hat logo, any individual walking around should have identification, if there's a person that doesn't it shall be reported to the contractor. *Action required; Hector S-CHC, to provide a list of subcontractors to Town of Surfside.*

Next Meeting Date: Wednesday, 07/30/19 @ 10:30 A.M.

Location: Conference call

Call In: (646) 749-3122

Access Code: 707 733 445

*End of Meeting.*



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### MEETING ADJOURNED – THANK YOU

Please feel free to contact any of the following CHC Field personnel for any questions, comments or concerns.

- Paul Suellentrop – Project Manager; Mobile: 561-472-4145  
Email: [psuellentrop@chcgulf.com](mailto:psuellentrop@chcgulf.com)
- Hector Sevilla- Quality Control Manager; Mobile: 954-756-5865  
Email: [hsevilla@chcivil.com](mailto:hsevilla@chcivil.com)
- Yunesky Hernandez- Project Superintendent; Mobile: 786-218-2560  
Email: [yhernandez@chcivil.com](mailto:yhernandez@chcivil.com)





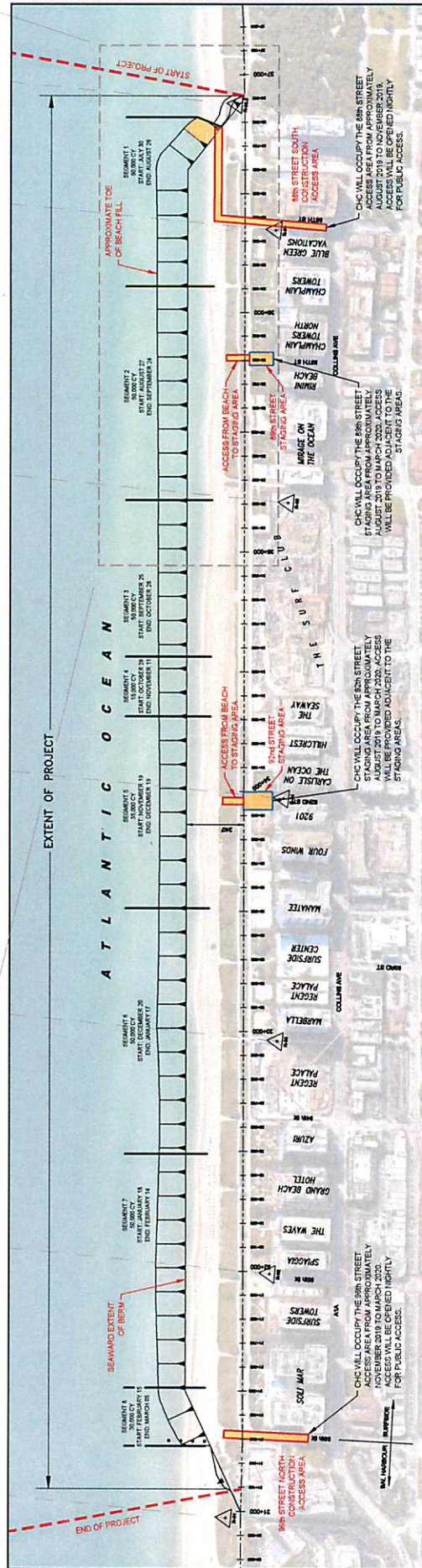
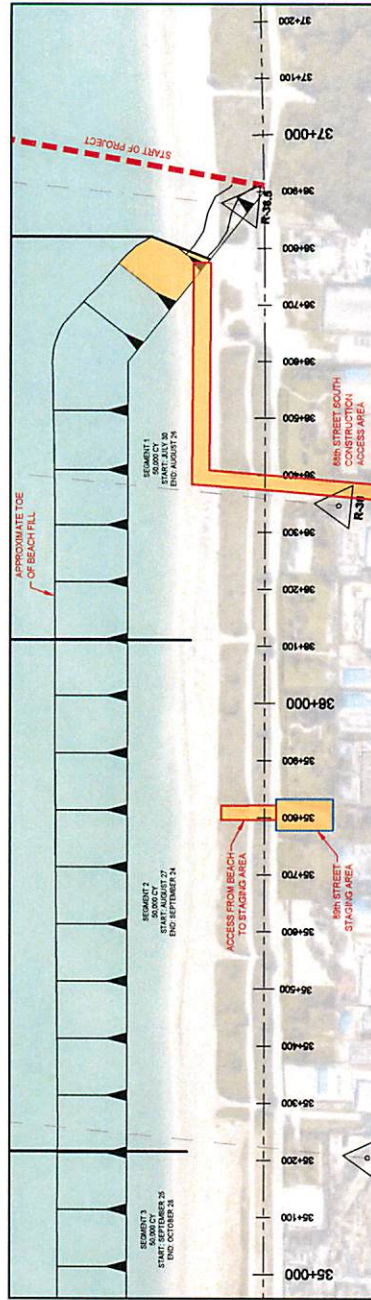
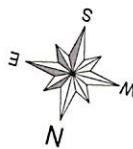
TASK filter: All Activities		(INITIAL PROJECT SCHEDULE) Beach Erosion Control and Hurricane Protection Project Surfside Segment Weekly Meeting Schedule Review												PRINTED: 24-Jul-19 DATA DATE: 17-May-19	
Activity ID	Activity Name	Original Duration	Remaining Duration	Start	Finish	Total Float	2019	2020	Jan	Feb	Mar	Apr	May	Jun	
A1430	Beach Fill Fourth Segment - 150,000 CY to 165,000 CY	9	9	24-Oct-19	04-Nov-19	0									
A1422	Post Construction Survey Segment Three - Submit "As-Built Drawings"	1	1	24-Oct-19	24-Oct-19	82									
A1427	Beach Tilling Segment Three	1	1	25-Oct-19	25-Oct-19	82									
A1470	Mobilize - North Access	8	8	05-Nov-19	14-Nov-19	0									
A1432	Post Construction Survey Segment Four - Submit "As-Built Drawings"	1	1	05-Nov-19	05-Nov-19	74									
A1437	Beach Tilling Segment Four	1	1	06-Nov-19	06-Nov-19	74									
A1450	Beach Fill Fifth Segment - 165,000 CY to 200,000 CY	19	19	15-Nov-19	13-Dec-19	0									
A1460	Beach Fill Sixth Segment - 200,000 CY to 250,000 CY	19	19	16-Dec-19	09-Jan-20	0									
A1452	Post Construction Survey Segment Five - Submit "As-Built Drawings"	1	1	16-Dec-19	16-Dec-19	48									
A1457	Beach Tilling Segment Five	1	1	17-Dec-19	17-Dec-19	48									
A1480	Beach Fill Seventh Segment - 250,000 CY to 300,000 CY	19	19	10-Jan-20	05-Feb-20	0									
A1462	Post Construction Survey Segment Six - Submit "As-Built Drawings"	1	1	10-Jan-20	10-Jan-20	30									
A1467	Beach Tilling Segment Six	1	1	13-Jan-20	13-Jan-20	30									
A1490	Beach Fill Eighth Segment - 300,000 CY to 330,000 CY	13	13	06-Feb-20	24-Feb-20	0									
A1482	Post Construction Survey Segment Seven - Submit "As-Built Drawings"	1	1	06-Feb-20	06-Feb-20	12									
A1487	Beach Tilling Segment Seven	1	1	07-Feb-20	07-Feb-20	12									
A1492	Post Construction Survey Segment Eight - Submit "As-Built Drawings"	1	1	25-Feb-20	25-Feb-20	0									
A1497	Beach Tilling Segment Eight	1	1	26-Feb-20	26-Feb-20	0									
A1040	End Phase 2	0	0	26-Feb-20	26-Feb-20	10									
PHASE 3: FINAL CLOSE-OUT		34	34	27-Feb-20	14-Apr-20	0									
A1050	Start Phase 3	0	0	27-Feb-20	27-Feb-20	10									
A1090	Substantial Completion	0	0	27-Feb-20	27-Feb-20	10									
A1670	Demobilization Access Areas/Revegetation	10	10	27-Feb-20	11-Mar-20	0									
A1600	Contractors Pre-Final Inspection	1	1	12-Mar-20	12-Mar-20	0									
A1610	Correction of Items from Contractors Pre-Final Inspection	7	7	13-Mar-20	23-Mar-20	0									
A1620	Close-out Submittals	7	7	24-Mar-20	01-Apr-20	0									
A1640	Government Pre-Final Inspection	1	1	02-Apr-20	02-Apr-20	0									
A1650	Correction of Punch list items from Govmnts Pre-Final Insp.	1	1	03-Apr-20	13-Apr-20	0									
A1660	Final Inspection	1	1	14-Apr-20	14-Apr-20	0									
A1060	End Phase 3	0	0	14-Apr-20	14-Apr-20	0									
A1100	End Project	0	0	14-Apr-20	14-Apr-20	0									
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A1060	End Phase 3	0	0	14-Apr-20	14-Apr-20	0									
A1100	End Project	0	0	14-Apr-20	14-Apr-20	0									
PHASE 3: FINAL CLOSE-OUT		34	34	27-Feb-20	14-Apr-20	0									
A1050	Start Phase 3	0	0	27-Feb-20	27-Feb-20	10									
A1090	Substantial Completion	0	0	27-Feb-20	27-Feb-20	10									
A1670	Demobilization Access Areas/Revegetation	10	10	27-Feb-20	11-Mar-20	0									
A1600	Contractors Pre-Final Inspection	1	1	12-Mar-20	12-Mar-20	0									
A1610	Correction of Items from Contractors Pre-Final Inspection	7	7	13-Mar-20	23-Mar-20	0									
A1620	Close-out Submittals	7	7	24-Mar-20	01-Apr-20	0									
A1640	Government Pre-Final Inspection	1	1	02-Apr-20	02-Apr-20	0									
A1650	Correction of Punch list items from Govmnts Pre-Final Insp.	1	1	03-Apr-20	13-Apr-20	0									
A1660	Final Inspection	1	1	14-Apr-20	14-Apr-20	0									
A1060	End Phase 3	0	0	14-Apr-20	14-Apr-20	0									
A1100	End Project	0	0	14-Apr-20	14-Apr-20	0									
PHASE 3: FINAL CLOSE-OUT		34	34	27-Feb-20	14-Apr-20	0									
A1050	Start Phase 3	0	0	27-Feb-20	27-Feb-20	10									
A1090	Substantial Completion	0	0	27-Feb-20	27-Feb-20	10									
A1670	Demobilization Access Areas/Revegetation	10	10	27-Feb-20	11-Mar-20	0									
A1600	Contractors Pre-Final Inspection	1	1	12-Mar-20	12-Mar-20	0									
A1610	Correction of Items from Contractors Pre-Final Inspection	7	7	13-Mar-20	23-Mar-20	0									
A1620	Close-out Submittals	7	7	24-Mar-20	01-Apr-20	0									
A1640	Government Pre-Final Inspection	1	1	02-Apr-20	02-Apr-20	0									
A1650	Correction of Punch list items from Govmnts Pre-Final Insp.	1	1	03-Apr-20	13-Apr-20	0									
A1660	Final Inspection	1	1	14-Apr-20	14-Apr-20	0									
A1060	End Phase 3	0	0	14-Apr-20	14-Apr-20	0									
A1100	End Project	0	0	14-Apr-20	14-Apr-20	0									
PHASE 3: FINAL CLOSE-OUT		34	34	27-Feb-20	14-Apr-20	0									
A1050	Start Phase 3	0	0	27-Feb-20	27-Feb-20	10									
A1090	Substantial Completion	0	0	27-Feb-20	27-Feb-20	10									
A1670	Demobilization Access Areas/Revegetation	10	10	27-Feb-20	11-Mar-20	0									
A1600	Contractors Pre-Final Inspection	1	1	12-Mar-20	12-Mar-20	0									
A1610	Correction of Items from Contractors Pre-Final Inspection	7	7	13-Mar-20	23-Mar-20	0									
A1620	Close-out Submittals	7	7	24-Mar-20	01-Apr-20	0									
A1640	Government Pre-Final Inspection	1	1	02-Apr-20	02-Apr-20	0									
A1650	Correction of Punch list items from Govmnts Pre-Final Insp.	1	1	03-Apr-20	13-Apr-20	0									
A1660	Final Inspection	1	1	14-Apr-20	14-Apr-20	0									
A1060	End Phase 3	0	0	14-Apr-20	14-Apr-20	0									
A1100	End Project	0	0	14-Apr-20	14-Apr-20	0									
PHASE 3: FINAL CLOSE-OUT		34													



# **PROGRESS MAP OVERVIEW**

Beach Erosion Control and Hurricane Protection Project,  
Miami-Dade County, Florida, Beach Renourishment 2019

Last Updated: July 19, 2019



LEGEND	
---	START/END OF PROJECT
	DESIGNATED CONSTRUCTION ACCESS
	STAGING AREA
	AREA ACCEPTED BY CONTRACTING OFFICER/ READY FOR PUBLIC USE
	BEACH UNDER CONSTRUCTION
	AREA NOT READY FOR CONSTRUCTION



SUBMITTAL REGISTER (ER 415-1-10)										TITLE AND LOCATION: 113082 Miami-Dade Surfside Contract A-Surfside, FL		DATE: 7/31/2019		
CONTRACTOR: Continental Heavy Civil Corp										CONTRACT NUMBER: W912EP19C0017 NA				
Activity No.	TRANS MITTAL No.	ITEM No.	SPEC PARAGRAPH No.	DESCRIPTION OF SUBMITTAL	TYPE OF SUBMITTAL	CLASSIFI CATION	REVIEWER	CONTRACTOR SCHEDULE DATES			CONTRACTOR ACTION		GOVERNMENT ACTION	
								SUBMIT NEEDED BY	APPROVAL NEEDED BY	MATERIAL NEEDED BY	CODE	CORPS RECEIVED DATE	CODE	CORPS RETURNED DATE
<b>Section 01 32 01 PROJECT SCHEDULE</b>														
	3	3	01 32 01 3.4.2	Initial Project Schedule	PRECON SUBMITL	GA					A		29 Jul 19	
<b>Section 01 35 26 GOVERNMENTAL SAFETY REQUIREMENTS</b>														
	1.1	1	01 35 26 1.7	Accident Prevention Plan (APP)	PRECON SUBMITL	GA					A		25 Jul 19	
<b>Section 01 45 05 DREDGING/BEACH FILL PLACEMENT</b>														
	1.1	1	01 45 05	Quality Control Plan	PRECON SUBMITL	GA					A		25 Jul 19	
<b>Section 01 50 02 TEMPORARY CONSTRUCTION FACILITY</b>														
	3.1	3	01 50 02	Vegetation Protection and Restoration Pl	PRECON SUBMITL	GA					A		22 Jul 19	
<b>Section 01 55 10 CLEARING AND GRUBBING FOR ACCESS AND STAGING AREAS</b>														
	1.1	1	01 55 10	Clearing Area Plan	PRECON SUBMITL	GA					A		22 Jul 19	
<b>Section 01 57 20 ENVIRONMENTAL PROTECTION</b>														
	1.1	1	01 57 20	Environmental Protection Plan	PRECON SUBMITL	GA					A		25 Jul 19	
<b>Section 35 30 00 COASTAL CONSTRUCTION</b>														
	1.1	1	35 30 00	Work Plan	PRECON SUBMITL	GA					A		22 Jul 19	
	2.1	2	35 30 00	Pedestrian Protection Plan	PRECON SUBMITL	GA					A		22 Jul 19	



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## All Requests for Information

W912EP19C0017 113082 Miami-Dade Surfside Contract A  
K3001519

31 Jul 2019

Miami Resident Office

RFI No.	Date Requested Date Received	Date Answered	Requester's Name Answer Prepared by	Mod Required? Change No.	RFI Subject - Information Requested Government Response
RFI-0001	07/01/2019 07/08/2019	07/11/2019	Hector Sevilla Christopher M. Rego, P.E.	N/A N/A	<p>INFORMATION REQUESTED: Staging &amp; Access Areas Coordinates - Please provide coordinates for the staging and access areas. This will ensure we will not go off site or beyond work limits and detail our site plan more precisely.</p> <p>GOVERNMENT RESPONSE: There are no set coordinates for the access and staging areas indicated in the contract drawings. The hatched areas only indicate the approximate limits as coordinated between USACE, Miami-Dade County and Town of Surfside. Per Contract Specification Section 01'50'02, Paragraph 1.5.1, the final limits of the access areas indicated in the drawings shall be field-determined by the Contracting Officer in coordination with the Local Sponsor and the Contractor. Request that the Continental Heavy Civil Corp inform the USACE Field Office at least 5 days prior mobilization so that those areas can be coordinated per the above referenced contract requirement.</p> <p>APPROVED BY: _____ Christopher M. Rego, P.E., Contracting Officer's Representative</p> <p>INFORMATION REQUESTED: XYZ files - CHC is requesting Surfside Project survey data set as an XYZ file. CHC want to run volume comparisons.</p>
RFI-0002	07/16/2019 07/16/2019	07/18/2019	Hector Sevilla	N/A N/A	





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Weekly Project Coordination Meeting Minutes				
Day: Wednesday's			Time: 10:30 AM	
Meeting #:	3	Call -In#	(646) 749-3122	
Meeting Held:	Wednesday, 07/31/2019	Access Code:	707 733 445	
Project:	Beach Erosion Control and Hurricane Protection Project, Surfside Segment, Miami-Dade County, FL	Contract #:	W912EP-19-C-0017	
TEAM MEMBERS: Distribution (D) and Attendance (A) List indicated by "X"				
D	A	Name / Title	Company/ Organization	Email Address
x		Ricardo Villet / COO	CHC	<a href="mailto:rvillet@chcivil.com">rvillet@chcivil.com</a>
x	x	Paul Suellentrop / PM	CHC	<a href="mailto:psuellentrop@chcgulf.com">psuellentrop@chcgulf.com</a>
x	x	Yunesky Hernandez / Super	CHC	<a href="mailto:yhernandez@chcivil.com">yhernandez@chcivil.com</a>
x		Hector Sevilla / QCM	CHC	<a href="mailto:hsevilla@chcivil.com">hsevilla@chcivil.com</a>
x		Domenic DeAmicis / SSHO	CHC	<a href="mailto:ddeamicis07@gmail.com">ddeamicis07@gmail.com</a>
x	x	Geoff Reichold	The NDN Co.	<a href="mailto:Greichold@thendncompanies.com">Greichold@thendncompanies.com</a>
x		Nestor Rivera / COR	USACE	<a href="mailto:Nestor.A.Rivera@usace.army.mil">Nestor.A.Rivera@usace.army.mil</a>
x	x	Christopher Rego / COR	USACE	<a href="mailto:Christopher.M.Rego@usace.army.mil">Christopher.M.Rego@usace.army.mil</a>
x	x	Leo Bastante / COR	USACE	<a href="mailto:Leopoldo.A.Bastante@usace.army.mil">Leopoldo.A.Bastante@usace.army.mil</a>
x		Brian Choate	USACE	<a href="mailto:Brian.C.Choate@usace.army.mil">Brian.C.Choate@usace.army.mil</a>
x		Michael Neves	USACE	<a href="mailto:Michael.P.Neves@usace.army.mil">Michael.P.Neves@usace.army.mil</a>
x	x	Erica Skolte	USACE	<a href="mailto:Erica.A.Skolte@usace.army.mil">Erica.A.Skolte@usace.army.mil</a>
x		Timothy Humphrey	USACE	<a href="mailto:Timothy.G.Humphrey@usace.army.mil">Timothy.G.Humphrey@usace.army.mil</a>
x		Piper Austin	USACE	<a href="mailto:Piper.E.Austin@usace.army.mil">Piper.E.Austin@usace.army.mil</a>
x		Troy Mayhew	USACE /CESAJ-EN-GG	<a href="mailto:Troy.a.mayhew@usace.army.mil">Troy.a.mayhew@usace.army.mil</a>
x	x	Guillermo Olmedillo	Town of Surfside	<a href="mailto:golmedillo@townofsurfsidefl.gov">golmedillo@townofsurfsidefl.gov</a>
x	x	Duncan Tavares	Town of Surfside	<a href="mailto:dtavares@townofsurfsidefl.gov">dtavares@townofsurfsidefl.gov</a>
x		Irina Mocanu	Town of Surfside	<a href="mailto:imocanu@townofsurfsidefl.gov">imocanu@townofsurfsidefl.gov</a>
x		Lindsay Fast	Town of Surfside	<a href="mailto:lfast@townofsurfsidefl.gov">lfast@townofsurfsidefl.gov</a>
x		Lt. J. Healy	TOS Police Dept.	<a href="mailto:JHealy@townofsurfsidefl.gov">JHealy@townofsurfsidefl.gov</a>
x		Julio Yero	TOS Police Dept.	<a href="mailto:jyero@townofsurfsidefl.gov">jyero@townofsurfsidefl.gov</a>
x	x	John Bambis	TOS Police Dept.	<a href="mailto:jbambis@townofsurfsidefl.gov">jbambis@townofsurfsidefl.gov</a>
x	x	Julio Nores	RER-DERM	<a href="mailto:Julio.Nores@miamidade.gov">Julio.Nores@miamidade.gov</a>
x		Libbie McDearmid	Florida DEP	<a href="mailto:Libbie.McDearmid@FloridaDEP.gov">Libbie.McDearmid@FloridaDEP.gov</a>





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Jacksonville District

x		Teal Kawana	MDPR	<a href="mailto:teal.kawana@miamidade.gov">teal.kawana@miamidade.gov</a>
x		Carlos Fernandez-Quevedo	MDPR	<a href="mailto:Carlos.Fernandez-Quevedo@miamidade.gov">Carlos.Fernandez-Quevedo@miamidade.gov</a>
x		Paul Voight	MDCP-RER	<a href="mailto:Paul.Voight@miamidade.gov">Paul.Voight@miamidade.gov</a>
x	x	Sarah Thanner	MDCP-RER	<a href="mailto:Sara.Thanner@miamidade.gov">Sara.Thanner@miamidade.gov</a>

## WEEKLY PROGRESS MEETING MINUTES

### 1.0 Review minutes from previous progress meeting:

- 1.1 No changes or corrections to previous meeting.

### 2.0 Review RMS Contractor Action Item Report:

- 2.1 Field/weekly/monthly reports required for the project will be submitted once actual physical activities starts.

### 3.0 Review Work progress since previous meeting:

- 3.1 CHC under documentation phase, has not mobilized.
- 3.2 Potentially mobilization sometime next week, moving offices and setting up staging area. *Guillermo O.-TOS* asked what is the program after moving offices to site? *Paul S.-CHC* stated that CHC will fence off the staging area in 89<sup>th</sup> and mobilize equipment. *Chris R.-USACE* mentioned that once the critical submittals are approved, mobilize staging area, set up access points, safety, etc., may take a week after that the sand starts getting deliver and placing sand.

### 4.0 Review current definable feature of work:

- 4.1 Preparatory Meeting Dates
- Mobilization - TBD
  - Vibration Monitoring - TBD
  - Clearing & Grubbing - TBD
  - Turbidity Monitoring - TBD
  - Surveying - TBD
  - Maintenance of Traffic/Traffic Control - TBD
  - Beach Fill -TBD
  - Coastal Vegetation Planting -TBD
  - Demobilization – TBD

### 5.0 Review construction project schedule:

- 5.1 No changes to project schedule.
- 5.2 See attached copy of project schedule.



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## **6.0 Submittal and RFI's:**

### **6.1 Submittals Under Review**

- See attached submittals under review log, no submittals are overdue at this time.
- CHC has submitted the critical submittals such as QCP, EPP & APP. UASCE working on reviewing/retuning as soon as they can allowing formal review.

6.2 *Chris R.-USACE* All submittals under review CHC should be getting back soon, some require minor revision due to comments. Potentially schedule the coordination meeting for early next week.

### **6.3 Request for Information (RFI's –see attached log):**

- No RFI's are pending.

## **7.0 Review off-site activities**

7.1 CHC has not mobilized.

## **8.0 Review Testing**

8.1 CHC has not mobilized testing requirements under submission/review.

## **9.0 Review Site Safety:**

9.1 CHC has not mobilized, documentation under submission/review.

9.2 *Guillermo O.-TOS* asked if CHC will meet with Town of Surfside to discuss safety? *Paul S.-CHC* Stated that Duncan T.-TOS requested and agreed to meet at 1:00PM today at the office of Town of Surfside and the police department will be present as well to talk about site safety, parking issue and any other items.

## **10.0 Review / Update Joint Risk Management Register:**

10.1 Schedule for review JRM R TBD.

## **11.0 Modifications, Changes, Substitutions to the Contract:**

11.1 None.

## **12.0 Other Business:**

12.1 *Erica Skolte-USACE* asked if CHC had a rough estimate of earliest date the project will be starting so she can prepare and provide news release? *Chris R.-USACE* said that he will provide additional time frame by the end of the week. *Duncan T.-TOS* requested to be on the loop with any additional information.

Next Meeting Date: Wednesday, 08/07/19 @ 10:30 A.M.

Location: Conference call

Call In: (646) 749-3122

Access Code: 707 733 445

*End of Meeting.*



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### **MEETING ADJOURNED – THANK YOU**

Please feel free to contact any of the following CHC Field personnel for any questions, comments or concerns.

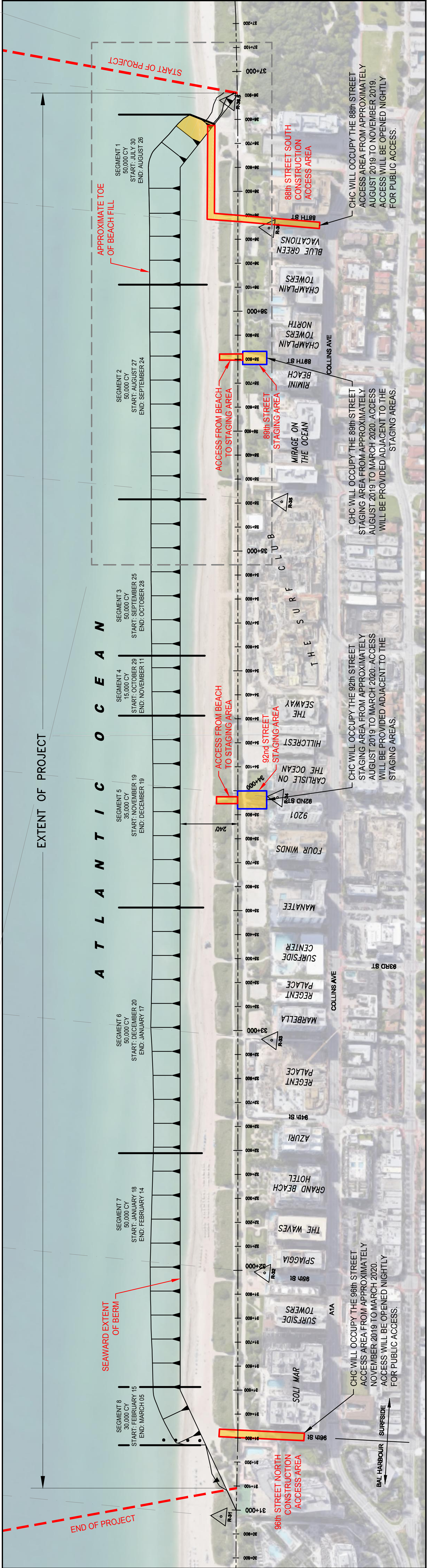
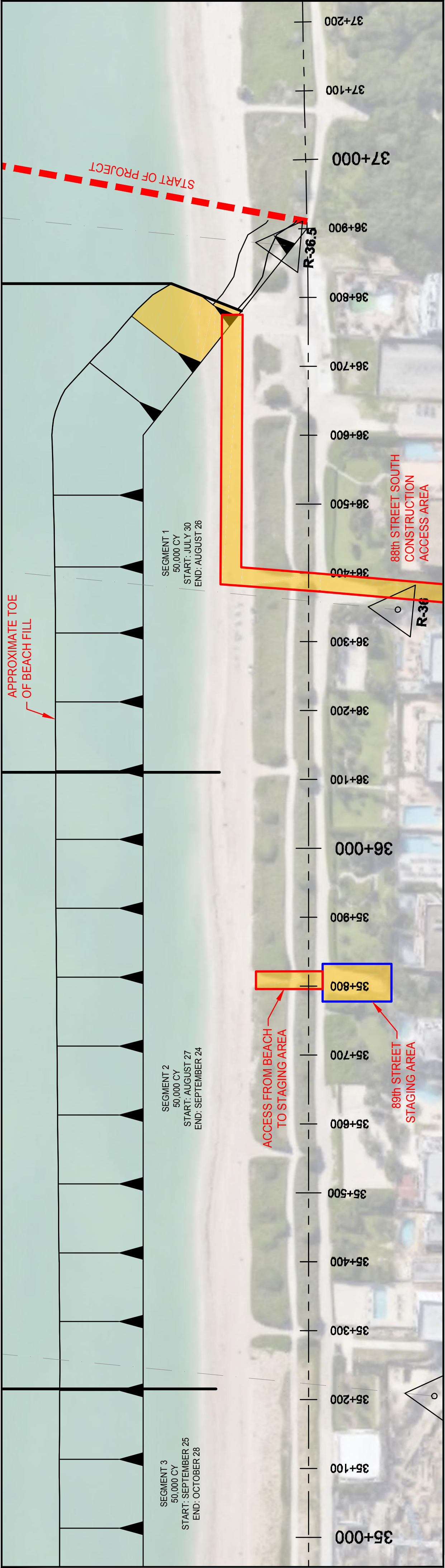
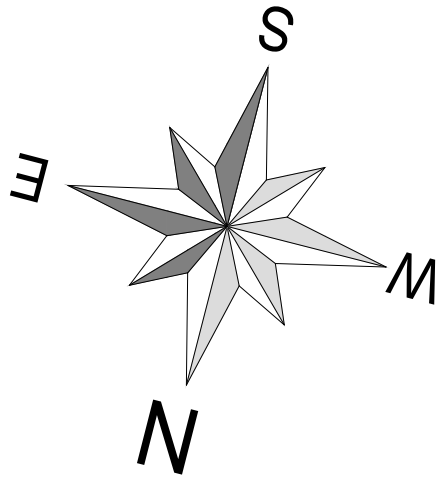
- Paul Suellentrop – Project Manager; Mobile: 561-472-4145  
Email: [psuellentrop@chcgulf.com](mailto:psuellentrop@chcgulf.com)
- Hector Sevilla- Quality Control Manager; Mobile: 954-756-5865  
Email: [hsevilla@chcivil.com](mailto:hsevilla@chcivil.com)
- Yunesky Hernandez- Project Superintendent; Mobile: 786-218-2560  
Email: [yhernandez@chcivil.com](mailto:yhernandez@chcivil.com)



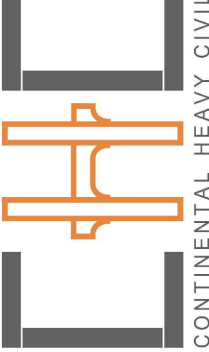
# PROGRESS MAP OVERVIEW

Beach Erosion Control and Hurricane Protection Project,  
Miami-Dade County, Florida, Beach Renourishment 2019

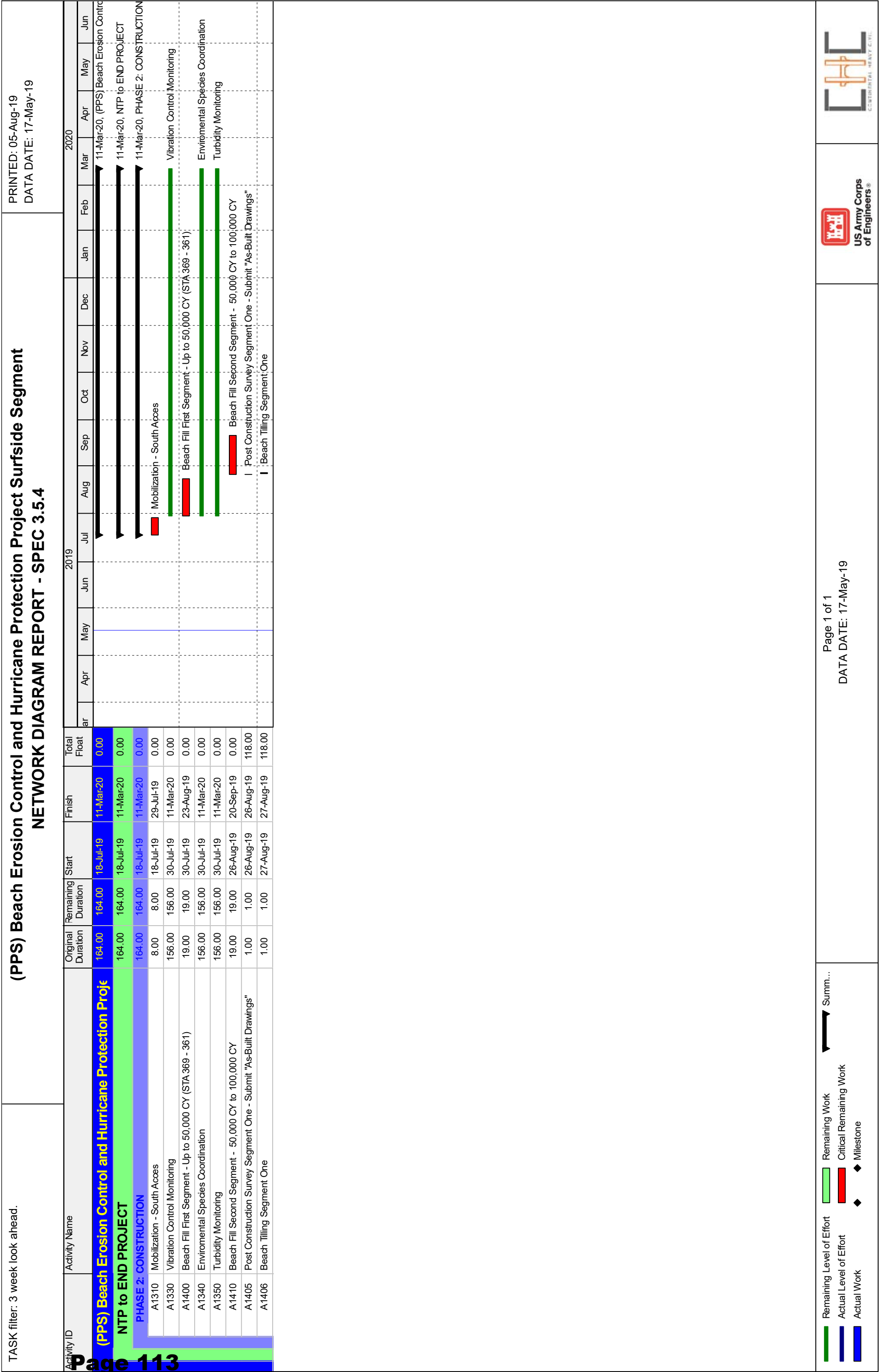
Last Updated: July 19, 2019



LEGEND	
	START/END OF PROJECT
	DESIGNATED CONSTRUCTION ACCESS
	STAGING AREA
	AREA ACCEPTED BY CONTRACTING OFFICER/READY FOR PUBLIC USE
	BEACH UNDER CONSTRUCTION
	AREA NOT READY FOR CONSTRUCTION







2019

2020

Jan

Feb

Mar

Apr

May

Jun

Jul

Aug

Sep

Oct

Nov

Dec

11-Mar-20, (PPS) Beach Erosion Control

11-Mar-20, NTP to END PROJECT

11-Mar-20, PHASE 2: CONSTRUCTION

Mobilization - South Acces

Vibration Control Monitoring

Beach Fill First Segment - Up to 50,000 CY (STA 369 - 361)

Environmental Species Coordination

Turbidity Monitoring

Beach Fill Second Segment - 50,000 CY to 100,000 CY

Post Construction Survey Segment One - Submit "As-Built Drawings"

Beach Tilling Segment One

SUBMITTAL REGISTER (ER 415-1-10)										TITLE AND LOCATION: 113082 Miami-Dade Surfside Contract A-Surfside, FL				DATE: 8/5/2019			
CONTRACTOR: Continental Heavy Civil Corp										CONTRACT NUMBER: W912EP19C0017 NA							
Activity No.	TRANS MITTAL No.	ITEM No.	SPEC PARAGRAPH No.	DESCRIPTION OF SUBMITTAL	TYPE OF SUBMITTAL	CLASSIFI CATION	REVIEWER	CONTRACTOR SCHEDULE DATES			CONTRACTOR ACTION		GOVERNMENT ACTION				
								SUBMIT NEEDED BY	APPROVAL NEEDED BY	MATERIAL NEEDED BY	CODE	CORPS RECEIVED DATE	CODE	CORPS RETURNED DATE			
Section 01 32 01 PROJECT SCHEDULE																	
	3	3	01 32 01 3.4.2	Initial Project Schedule	PRECON SUBMTL	GA					A		29 Jul 19				
Section 01 35 26 GOVERNMENTAL SAFETY REQUIREMENTS																	
	2.2	10	01 35 26 1.8	Activity Hazard Analysis (AHA) Mobilizat	CERTIFICATES	GA					A		05 Aug 19				
	3.2	17	01 35 26 1.8	Activity Hazard Analysis (AHA) Beach Fil	CERTIFICATES	GA	RO Rego, Christopher				A		05 Aug 19				
	4.2	18	01 35 26 1.8	Activity Hazard Analysis -Vibration Moni	CERTIFICATES	GA	RO Rego, Christopher				A		05 Aug 19				
	5.1	19	01 35 26 1.8	Activity Hazard Analysis (AHA) Surveying	CERTIFICATES	GA	RO Rego, Christopher				A		05 Aug 19				
	9	20	01 35 26 1.8	Activity Hazard Analysis (AHA) Turbidity	CERTIFICATES	GA	RO Rego, Christopher				A		05 Aug 19				
	6.1	21	01 35 26 1.8	AHA Clearing & Grubbing	CERTIFICATES	GA	RO Rego, Christopher				A		05 Aug 19				
	7.1	22	01 35 26 1.8	Activity Hazard Analysis (AHA) MOT	CERTIFICATES	GA	RO Rego, Christopher				A		05 Aug 19				
	8.1	23	01 35 26 1.8	Activity Hazard Analysis (AHA) Tilling	CERTIFICATES	FIO	RO Rego, Christopher				A		05 Aug 19				
Section 01 50 02 TEMPORARY CONSTRUCTION FACILITY																	
	4.2	4	01 50 02 3.8	Contractor's Temporary Facilities	SHOP DRAWINGS	GA					A		31 Jul 19				
Section 01 55 26 TRAFFIC CONTROL																	
	1.1	1	01 55 26	Traffic Control Plan	PRECON SUBMTL	GA					A		02 Aug 19				
Section 01 57 20 ENVIRONMENTAL PROTECTION																	
	1.2	1	01 57 20	Environmental Protection Plan	PRECON SUBMTL	GA					A		05 Aug 19				
Section 02 22 13 MOVEMENT AND VIBRATION ASSESSMENT																	
	3	5	02 22 13	Pre-Construction Structural Survey	PRECON SUBMTL	GA					A		05 Aug 19				
Section 35 30 00 COASTAL CONSTRUCTION																	
	1.2	1	35 30 00	Work Plan	PRECON SUBMTL	GA					A		02 Aug 19				





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## All Requests for Information

W912EP19C0017 113082 Miami-Dade Surfside Contract A  
K3001519

05 Aug 2019

Miami Resident Office

Page 115

RFI No.	Date Requested Date Received	Date Answered	Requester's Name Answer Prepared by	Mod Required? Change No.	RFI Subject - Information Requested Government Response
RFI-0001	07/01/2019 07/08/2019	07/11/2019	Hector Sevilla Christopher M. Rego, P.E.	N/A N/A	<p>INFORMATION REQUESTED: Staging &amp; Access Areas Coordinates - Please provide coordinates for the staging and access areas. This will ensure we will not go off site or beyond work limits and detail our site plan more precisely.</p> <p>GOVERNMENT RESPONSE: There are no set coordinates for the access and staging areas indicated in the contract drawings. The hatched areas only indicate the approximate limits as coordinated between USACE, Miami-Dade County and Town of Surfside. Per Contract Specification Section 01 50 02, Paragraph 1.5.1, the final limits of the access areas indicated in the drawings shall be field-determined by the Contracting Officer in coordination with the Local Sponsor and the Contractor. Request that the Continental Heavy Civil Corp inform the USACE Field Office at least 5 days prior mobilization so that those areas can be coordinated per the above referenced contract requirement.</p> <p>APPROVED BY: _____ Christopher M. Rego, P.E., Contracting Officer's Representative</p> <p>INFORMATION REQUESTED: XYZ files - CHC is requesting Surfside Project survey data set as an XYZ file. CHC want to run volume comparisons.</p>
RFI-0002	07/16/2019 07/16/2019	07/18/2019	Hector Sevilla	N/A N/A	

**TOWN OF SURFSIDE, FLORIDA**  
**MONTHLY BUDGET TO ACTUAL SUMMARY**  
**FISCAL YEAR 2018/2019**  
**As of JUNE 30, 2019**  
**75% OF YEAR EXPIRED (BENCHMARK)**

Agenda Item #

Page

1 of 3

Agenda Date: August 13, 2019

GOVERNMENTAL FUNDS	ACTUAL	ANNUAL BUDGET	% BUDGET
<b>GENERAL FUND - 001</b>			
REVENUE	\$ 14,808,200	\$16,622,251	89%
EXPENDITURES	8,858,333	\$16,622,251	53%
Net Change in Fund Balance	5,949,867		
Fund Balance-September 30, 2018 (Audited)	10,902,050		
Fund Balance-June 30, 2019 (Reserves)	<u>\$ 16,851,917</u>		
<b>TOURIST RESORT FUND - 102</b>			
REVENUE	\$ 3,048,980	\$2,940,500	104%
EXPENDITURES	2,003,985	\$2,940,500	68%
Net Change in Fund Balance	1,044,995		
Fund Balance-September 30, 2018 (Audited)	356,313		
Fund Balance-June 30, 2019 (Reserves)	<u>\$ 1,401,308</u>		
<b>POLICE FORFEITURE FUND - 105</b>			
REVENUE	\$ 12,720	\$113,800	11%
EXPENDITURES	67,154	\$113,800	59%
Net Change in Fund Balance	\$ (54,434)		
Fund Balance-September 30, 2018 (Audited)	159,527		
Fund Balance-June 30, 2019 (Reserves)	<u>\$ 105,093</u>		
<b>TRANSPORTATION SURTAX FUND - 107</b>			
REVENUE	\$ 101,023	\$231,262	44%
EXPENDITURES	182,551	\$231,262	79%
Net Change in Fund Balance	(81,528)		
Fund Balance-September 30, 2018 (Audited)	263,292		
Fund Balance-June 30, 2019 (Reserves)	<u>\$ 181,764</u>		
<b>BUILDING FUND - 150</b>			
REVENUE	\$ 730,077	\$1,427,535	51%
EXPENDITURES	840,922	\$1,427,535	59%
Net Change in Fund Balance	(110,845)		
Fund Balance-September 30, 2018 (Audited)	2,760,673		
Fund Balance-June 30, 2019 (Reserves)	<u>\$ 2,649,828</u>		
<b>CAPITAL PROJECTS FUND - 301</b>			
REVENUE	\$ 308,384	\$1,470,000	21%
EXPENDITURES	75,653	\$1,470,000	5%
Net Change in Fund Balance	232,731		
Fund Balance-September 30, 2018 (Audited)	2,158,902		
Fund Balance-June 30, 2019 (Reserves)	<u>\$ 2,391,633</u>		

**NOTES:**

\* Many revenues for June 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 \$8,902,050 is unassigned fund balance (reserves).

PROPRIETARY FUNDS	ACTUAL
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ANNUAL BUDGET	% BUDGET
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**WATER & SEWER FUND - 401**

REVENUE	\$ 3,206,490
EXPENDITURES	2,572,655
Change in Net Position	633,835
Unrestricted Net Position-September 30, 2018 (Audited)	(2,546,398)
Unrestricted Net Position-June 30, 2019 (Reserves)	<u>\$ (1,912,563) B</u>

\$3,807,941	84%
\$3,807,941	68%

**MUNICIPAL PARKING FUND - 402**

REVENUE	\$ 1,063,892
EXPENDITURES	875,607
Change in Net Position	188,285
Unrestricted Net Position-September 30, 2018 (Audited)	943,315
Unrestricted Net Position-June 30, 2019 (Reserves)	<u>\$ 1,131,600</u>

\$1,219,000	87%
\$1,219,000	72%

**SOLID WASTE FUND - 403**

REVENUE	\$ 1,432,736
EXPENDITURES	1,326,420
Change in Net Position	106,316
Unrestricted Net Position-September 30, 2018 (Audited)	601,201
Unrestricted Net Position-June 30, 2019 (Reserves)	<u>\$ 707,517</u>

\$1,910,182	75%
\$1,910,182	69%

**STORMWATER FUND - 404**

REVENUE	\$ 469,528
EXPENDITURES	269,931
Change in Net Position	199,597
Unrestricted Net Position-September 30, 2018 (Audited)	3,203,878
Unrestricted Net Position-June 30, 2019 (Reserves)	<u>\$ 3,403,475</u>

\$753,064	62%
\$753,064	36%

**FLEET MANAGEMENT FUND - 501**

REVENUE	\$ 927,793
EXPENDITURES	608,781
Change in Net Position	319,012
Unrestricted Net Position-September 30, 2018 (Audited)	0
Unrestricted Net Position-June 30, 2019 (Reserves)	<u>\$ 319,012</u>

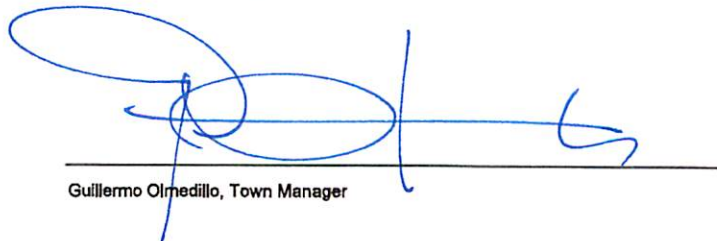
\$1,237,057	75%
\$1,237,057	49%

**NOTES:(con't)**

- B. The Unrestricted Net Position of (\$1,912,563) reflects an improvement over the September 30, 2018, Unrestricted Net Position deficit of (\$2,546,398). The FY2018 net improvement to Unrestricted Net Position was \$502,181.



Chris Wallace, Interim Finance Director



Guillermo Olmedillo, Town Manager

**Town of Surfside**  
**Net Funds Historical Balances**  
**Period 2015 - June 2019**

<b>FUND</b>	<b>9/30/2015</b>	<b>9/30/2016</b>	<b>9/30/2017</b>	<b>9/30/2018</b>	<b>6/30/2019</b>	<b>CAGR <sup>(a)</sup></b>
General	\$ 5,905,726	\$ 7,368,408	\$ 8,460,802	\$ 10,902,050	\$ 16,851,917	22.7%
Tourist Resort	339,396	363,407	469,880	356,313	1,401,308	1.6%
Police Forfeiture	113,431	141,755	164,933	159,527	105,093	12.0%
Transportation Surtax	440,662	354,264	388,363	263,292	181,764	-15.8%
Building	-	-	1,742,910	2,760,673	2,649,828	25.9%
Capital Projects	182,903	1,154,352	576,122	2,158,902	2,391,633	127.7%
Water & Sewer	(2,705,871)	(2,827,890)	(3,048,579)	(2,546,398)	(1,912,563)	-2.0%
Municipal Parking	1,089,165	1,111,941	811,013	943,315	1,131,600	-4.7%
Solid Waste	340,391	245,941	429,743	601,201	707,517	20.9%
Stormwater	4,051,768	3,392,370	3,264,379	3,203,878	3,403,475	-7.5%
Fleet Management	-	-	-	-	319,012	N/A
<b>Total</b>	<b>\$ 9,757,571</b>	<b>\$ 11,304,548</b>	<b>\$ 13,259,566</b>	<b>\$ 18,802,753</b>	<b>\$ 27,230,584</b>	<b>29.2%</b>

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



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

**TO: Town Commission**

**FROM: Lillian M. Arango, Town Attorney**

**CC: Guillermo Olmedillo, Town Manager**

**DATE: August 2, 2019**

**SUBJECT: Office of the Town Attorney Report for August 13, 2019**

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

July 1, 2019 - Tourist Board Meeting

July 9, 2019 – Commission Budget Meeting

July 9, 2019 – Regular Commission Meeting

July 11, 2019 – Planning & Zoning Board Meeting

July 17, 2019 – Sustainability & Resiliency Committee

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, procurement and purchasing, Request for Proposals and Agreement for Community Center Food Concession, for various solicitations and 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, monitoring of Florida legislative session and new bills, 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
- 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
- Parking Waiver Ordinance (and Extension) for Business District
- Ordinance Regulating Single-Use Plastics
- Ordinance Regulating Hurricane Shutters

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

No report at this time.

**Special Matters:** Continued monitoring of new case law and legislation from Federal, State and County. Matters which we will continue to work on, some of which you may anticipate in the upcoming months, include issues related to beach re-nourishment, 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, challenge to and implementation of the single-use plastic straw regulation ordinance, various procurements, and various service or provider agreements.



## Town of Surfside

### PARKS & RECREATION COMMITTEE MEETING

#### MINUTES

May 20, 2019 – 7:00 p.m.

Surfside Community Center

9301 Collins Avenue, Surfside, FL 33154

#### 1. Call to Order/Roll Call

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

The following were present:

Chair Retta Logan

Committee Member Zoya P. Javier

Committee Member Louisa Agresti

Absent

Vice Chair Eliana Salzhauer \*Arrived at 7:02pm

Liaison Commissioner Tina Paul \*\*\*Arrived at 7:08pm

Also present:

Committee Member Shlomo Danzinger

Tim Milian, Parks and Recreation Director

Frantza Duval, Recording Clerk

#### 2. Agenda and Order of Business

There were no items moved out of order at this point.

#### 3. Approval of Minutes: March 18, 2019

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

\*Vice Chair Salzhauer arrived at 7:02pm.

#### 4. The use of 96<sup>th</sup> Street Park for Paddletopia – Vice Chair Salzhauer

Vice Chair Salzhauer presented the item to the Committee. She stated that there was no mention that you have to reserve your spot.

She is concerned that 96<sup>th</sup> Street park is being used to launch kayaks and that the Committee has previously discussed this possibility and agreed that there were some issues and that it was not a good idea. She stated that now because the Tourist Board is sponsoring once or twice a year is okay. She feels that people may get the idea that it is okay to do that whenever they wish to use a kayak or a paddle board. She suggested to look into this and maybe find a safe street end where residents can do these activities.

**\*\*Commissioner Tina Paul arrived at 7:08pm**

Conversation ensued regarding the expense of the one-time event. Vice Chair Salzhauer believes is very expensive and she believes that the dollars that the Tourist Board brings in should be used to fix the bathrooms in the Community Center.

Parks and Recreation Director Milian stated that they are discussing an item that does not pertain to the Parks and Recreation Committee and that when it relates to the funds there has to be a legal interpretation regarding additional moneys for the parks. He also stated that the bathrooms are not disgusting and filthy but old and worn out which is a different statement.

Vice Chair Salzhauer believes that residents and tourists would rather have that money to go towards significant improvements in the park rather than a couple of days in Paddletopia.

Vice Chair Salzhauer was encouraged to attend the Tourist Board to address them with her concerns on the first Monday of every month.

Discussion took place amongst the members of the Committee and that there was no negative impact from Paddletopia during the previous year and did not anticipate any during this year's event. The feedback from residents through some members of the Parks and Recreation Committee was positive.

Parks and Recreation Director Milian will speak to the Tourism Director regarding the securing of the facility and the gate once the event has finished so that no one goes swimming on their own.

**5. Use of Parks and Recreation Facilities by any Agency must be Reviewed by the Parks and Recreation Committee – Vice Chair Salzhauer**

Vice Chair Salzhauer presented the item and believes that they are not working together with the Tourist Board and that there should be more coordination. She stated that the Parks and Recreation Committee addresses the needs of the residents and in her opinion the Tourist Boards addresses the needs of the tourists

and not the needs of the residents. She stated that the Paddletopia event impacted the residents and their use of the Park.

Chair Logan stated that residents attended the event and that the event was advertised on banners as well.

Extensive discussion took place regarding the events that may take place in Parks and Recreation facilities.

Vice Chair Salzhauer stated that she would like to be notified in the future of events that will take place at the park.

**6. 96<sup>th</sup> Street Park Update – Tim Milian, Parks and Recreation Director**

Parks and Recreation Director Milian presented the item to the Committee and explained the different options.

After an extensive discussion regarding the different architectural firm and the path to follow.

The following members of the public spoke on this item:

Ivan Parra

Jeremy Agresti

Walter Javier

Commissioner Paul provided her suggestions as the Committee Liaison.

Vice Chair Salzhauer made a motion to issue to RFP, one for design specifically for the park and another RFP for the build portion. The motion received a second from Committee Member Agresti. The motion carried 4-0.

Committee Member Agresti made a motion to take item 8 next on the agenda. The motion received a second from Committee Member Javier and all voted in favor.

**7. Afterschool Program - Tim Milian, Parks and Recreation Director**

Parks and Recreation Director Milian spoke about the changes that the afterschool program will be undergoing.

Some conversation took place about who will be taking over the program.

Vice Chair Salzhauer had some hesitations about the proposed changes in personnel.

Parks and Recreation Director Milian stated that if he is not comfortable with the changes, he will consider looking for another program.

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



Casey Woods representing the Advance Soccer Team addressed the committee to request additional field and practice time for the Advance Team.

Parks and Recreation Director Milian provided a brief history of the program and the lack of a soccer field. He suggested to speak with Gabriel and see what he can do. He stated that he wouldn't mind to facilitate a competitive team and run it through Cyclone soccer.

The following members of the public spoke on this item:  
Walter Javier

After a lengthy discussion, the consensus was to have Parks and Recreation Director sit with Gabriel and work with schedule and all the programming.

Jeremy Agresti spoke about the condition of the basketball hoops. Parks and Recreation Director Milian will mention it to staff so that it is checked and taken care of.

Sara Liss spoke about her programs and that she has been working towards creating events that not only appeal to the tourist but also to the residents. She spoke about the Paddletopia process and how wonderful it was to work with Tim and that everything went smoothly during the event.

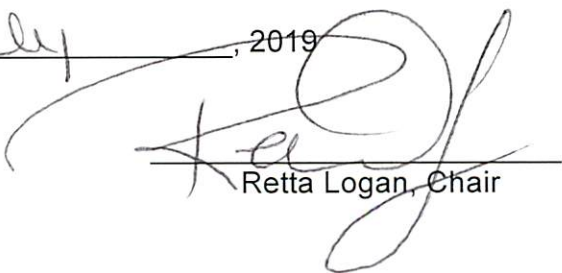
The Monday, June 17, 2019 regularly scheduled meeting was changed to Monday, June 24, 2019.

## 9. Adjournment

Vice Chair Salzhauer made a motion to adjourn the meeting at 9:23 p.m. The motion received a second from Committee Member Javier and all voted in favor.

Respectfully submitted:

Accepted this 8 day of July, 2019

  
Retta Logan, Chair

Attest :

  
Sandra Novoa, MMC  
Town Clerk



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

**May 23 2019 – 6:00 p.m.**

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

**1. Call to Order/Roll Call**

Vice Chair Judith Frankel called the meeting to order at 6:02 p.m.

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

Vice Mayor Gielchinsky entered at 6:05 p.m.

**Absent:** Chair Lindsay Lecour\*, Board Member Brian Roller and Board Member Marina Gershanovich.

**2. Town Commission Liaison Report – Vice Mayor Gielchinsky**

Vice Mayor Gilchensky gave his Liaison Report and updated the Board on the second reading of the Hotel Ordinance and since it was advertised

Town Planner Sarah Sinatra Gould since pz req a deferall but the commission wanted additional items for analysis and they will bring it to their next pz meeting

Vice Mayor Gilchensky also spoke regarding Florida Friendly Landscaping and the things involved, water, fertilizer and pesticides.

\*Chair Lecour arrived at 6:06p.m.

**3. Approval of Minutes – April 30, 2019**

A motion was made by Board Member Rochel Kramer to approve the April 30, 2019 minutes, motion received a second by Board Member Jorge Garcia. Motion passed with a 4-0 vote with Board Member Brian Roller, Board Member Marina Gershanovich and Chair Lindsay Lecour absent.

**4. Applications:**

**A. 9538 Harding Avenue –** The applicant is requesting three (3) Permanent Window Signs and one (1) television screen.

Town Planner Sarah Sinatra Gould introduced the item and staff recommendations that the applicant provide a signage and windows to be consistent with the code requirements.

A motion was made by Board Member Peter Glynn to approve the application with staff conditions, motion received a second by Board Member Jorge Garcia. Motion passed with a 4-0 vote with Board Member Brian Roller, Board Member Marina Gershanovich and Chair Lindsay Lecour absent.

Chair Lindsay Lecour entered the meeting at 6:06 p.m. after the item was approved and voted on.

- B. 524 92<sup>nd</sup> Street-** The applicant is requesting to convert their garage to approximately 286 square feet of additional living space.

Town Planner Sarah Sinatra Gould introduced the item and staff recommendations for the applicant to provide landscaping in front of the garage per the code.

A motion was made by Board Member Rochel Kramer to approve the application with staff conditions, motion received a second by Vice Chair Judith Frankel. Motion passed with a 5-0 vote with Board Member Brian Roller and Board Member Marina Gershanovich absent.

Board Member Marina Gershanovich entered at 6:10 p.m. after the item was approved and voted on.

- C. 8826 Froude Avenue –** The applicant is requesting to build a 2,247 square foot two-story new home.

Town Planner Sarah Sinatra Gould introduced the item and the applicant addressed all staff conditions.

Gerald Belgrave, applicant, spoke regarding the conditions set by the Town and how he has met all the requirements requested.

The following public speaker spoke on the item:  
Florence Las

Town Planner Sarah Sinatra Gould addressed the speaker's comments and concerns.

Marci Varc, applicant, answered the questions and concerns of the speaker and the Board regarding the dust, construction, AC permit and pool pump permit.

Further discussion took place among the applicant, the Town Planner and the Board regarding the noise due to the construction, dust and recommendations suggested by the Board.

Board requested an enclosure around the air conditioning unit, and the air conditioning pump must be located 15 feet from the neighbor's house, and it must meet code requirements.

A motion was made by Vice Chair Judith Frankel to approve the application with staff recommendations and conditions, motion received a second by Board Member Peter Glynn. Motion passed with a 6-0 vote with Board Member Brian Roller absent.

- D. 9472 Harding Avenue – “Mesa” Bar-Fish-Meat** - The applicant is requesting the change of face on one (1) existing illuminated Individually-Mounted Push Through Letter Sign for the Mesa Restaurant

Town Planner Sarah Sinatra Gould introduced the item and staff recommendations made to the applicant. The applicant has not submitted new documentation showing they met code requirements and therefore she is requesting denial of this application.

Carlos Blanco, representing the applicant, spoke regarding the signage.

Chair Lindsay Lecour questioned the window sign.

A motion was made by Board Member Peter Glynn to defer the item until the applicant returns with a new package, motion received a second by Board Member Jorge Garcia. Motion passed with a 6-0 vote with Board Member Brian Roller absent.

**5. Local Planning Agency Items**

**A. Florida Friendly Landscape**

**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 Sandra Novoa read the title into the record.

Town Planner Sarah Sinatra Gould introduced the item.

Further discussion took place among the Board and staff regarding the item and singling out certain landscape, pesticides and if additional staffing will be needed to enforce the Ordinance.

The following public speakers spoke on the item:  
Sasha Plutno

Town Planner Sarah Sinatra Gould explained the item and being in accordance with Miami-Dade County Code.

Town Manager Guillermo Olmedillo answered the Board's question regarding additional staffing and the ordinance.

Discussion continued among staff and the Board regarding regulation, enforcement of the code, additional staffing and placing these changes in the Newsletter so the residents know of the changes to the code.

Chair Lindsay Lecour recommended possibly offering a free training to the one-man shop landscapers with the changes.

A motion was made by Board Member Peter Glynn to approve the Ordinance and recommends sending it back to the town Commission for their approval, motion received a second by Board Member Jorge Garcia Motion passed with a 6-0 vote with Board Member Brian Roller absent.

**6. Discussion Items:**

**A. Freeboard, Base Flood Elevation and Finished Floor Elevation**

Town Planner Sarah Sinatra Gould introduced the item and provided different flood elevation options comparing them with the different hurricanes in the past.

Further discussion among the Board and Town Planner Sarah Sinatra Gould regarding the elevation and pitched roof continued.

The following public speakers spoke on the item:  
Jeff Rose  
Sasha Plutno



Town Planner Sarah Sinatra Gould answered the questions the public speakers had regarding a flat room house and a pitched roof house and how the code treats them.

Board Member Peter Glynn spoke regarding the need of the need for the referendum and the changes are needed.

Discussion continued among the Board regarding the need of the elevation, what height is needed, and the event of a storm surge. The Board also questioned if a storm surge would hit the Town if the Town would rebuild, what those code requirements would be and having to wait for a referendum.

Be interested in exploring it as a referendum to help the residents.

Chair Lindsay Lecour and the Board continued discussion regarding the freeboard elevation, showing different visuals on a board for the public to see and attach the language to unlock the height with no height change.

Board recommends having two (2) information sessions/workshops in the summer with the ballot language and have a Liaison assigned taking it to the Commission for their approval.

## **B. Summer Meetings Schedule**

Board requested to combine the June and July Board meeting and have that meeting July 11, 2019 and Town Planner Sarah Sinatra Gould will check with the Town to see availability of the chambers.

## **C. Future agenda items**

Board Member Peter Glynn commented on the terrible sulfur smell off the storm sewer on 88<sup>th</sup> Street during low tide.

Discussion among Chair Lindsay Lecour and Town Planner Sarah Sinatra Gould regarding revisiting the 2<sup>nd</sup> story allowance. Chair Lindsay Lecour asked to have clarification of what has been done and have Town Planner Sarah Sinatra Gould present it at the next meeting.

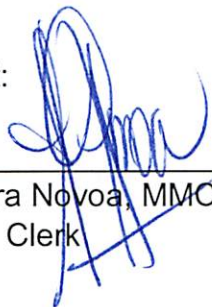
## **7. Adjournment**

A motion was made by Board Member Rochel Kramer to adjourn the meeting without objection at 7:49 p.m.

Respectfully submitted,

Accepted this 11<sup>th</sup> day of July, 2019.

Attest:

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

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



## MEMORANDUM

ITEM NO. 3E

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

**From:** Guillermo Olmedillo, Town Manager

**Date:** August 13, 2019

**Subject:** Resolution authorizing Mutual Aid Agreement between the Town of Surfside Police Department and the City of Coral Gables Police Department.

It is the responsibility of the governments of the Town of Surfside, Florida, and the City of Coral Gables, Florida, to ensure the public safety of their citizens by providing adequate police service to address any foreseeable routine or emergency situation; and because of existing and continuing possibility of the occurrence of law enforcement problems and other natural or manmade conditions which are likely to be, beyond the control of the services, personnel, equipment or facilities of the participating police departments; these municipalities have the authority to enter into a Mutual Aid Agreement in order to adequately address any and all of these conditions, to protect the public peace and safety, and to preserve the lives and property of the people of the municipalities. The Mutual Aid Agreement specifies the circumstances and conditions under which mutual aid may be requested and rendered regarding police operations.

The Town of Surfside Police Department has mutual aid agreements with many Miami-Dade County law enforcement agencies. The Town of Surfside and the City of Coral Gables are located in a way that it is advantageous and in their best interest to receive and extend mutual aid in the form of law enforcement services and resources.

The new Mutual Aid Agreement between the Town of Surfside Police Department and the City of Coral Gables Police Department will be in effect upon execution and approval by both parties and shall continue in full force and effect for a period of five years after it takes effect. The Surfside Police Department requires approval and authorization to enter into the new Mutual Aid Agreement at the request of the City of Coral Gables Police Department.

Staff recommends a motion to approve a resolution authorizing the Mutual Aid Agreement between the Town of Surfside Police Department and the City of Coral Gables Police Department.

Prepared by: Chief Julio Yero

**RESOLUTION NO. 2019 \_\_**

**A RESOLUTION OF THE TOWN COMMISSION OF THE  
TOWN OF SURFSIDE, FLORIDA, APPROVING A  
COMBINED VOLUNTARY COOPERATION AND  
OPERATIONAL ASSISTANCE MUTUAL AID  
AGREEMENT BETWEEN THE TOWN OF SURFSIDE,  
FLORIDA AND CITY OF CORAL GABLES, FLORIDA;  
PROVIDING FOR AUTHORIZATION AND  
IMPLEMENTATION; AND PROVIDING FOR AN  
EFFECTIVE DATE**

**WHEREAS**, it is the responsibility of the Town Commission to ensure the public safety of its residents, businesses and guests of the Town of Surfside (the “Town”) by providing adequate levels of public services, including police protection and enforcement; and

**WHEREAS**, there may be natural or manmade disasters, emergencies and other major law enforcement problems that may cross jurisdictional boundaries; and

**WHEREAS**, the Town Commission wishes to approve the law enforcement Mutual Aid Agreement between the Town of Surfside and the City of Coral Gables, Florida for voluntary cooperation and operational assistance (the “Agreement”), substantially in the form attached hereto as Exhibit “A”, which provides the Town with assurances of adequate levels of law enforcement services; and

**WHEREAS**, Chapter 23, Florida Statutes, the Florida Mutual Aid Act, authorizes municipalities to enter into Mutual Aid Agreements for the rendering of law enforcement assistance.

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

**Section 1.    Recitals.**    The recitals are true and correct and incorporated in the Resolution.

**Section 2.    Approval of Agreement.**    The Agreement, in substantially the form attached hereto as Exhibit “A”, is hereby approved, subject to such non-substantive changes as





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

**COMBINED VOLUNTARY COOPERATION AND  
OPERATIONAL ASSISTANCE  
MUTUAL AID AGREEMENT  
BETWEEN  
THE TOWN OF SURFSIDE, FLORIDA AND  
THE CITY OF CORAL GABLES, FLORIDA**

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

**WHEREAS**, under Florida Statutes Section 23.121(1) there is an existing and continuing possibility of the occurrence of law enforcement problems and other natural and man-made conditions which are, or are likely to be, beyond the control of the services, personnel, equipment, or facilities of the Town of Surfside Police Department or the City of Coral Gables Police Department; and

**WHEREAS**, it is in the best interest and advantage of the Town of Surfside and the City of Coral Gables to receive and extend mutual aid to each other in the form of law enforcement services and resources to adequately respond to:

- (1) Continuing, multi-jurisdiction law enforcement problems, so as to protect the public peace and safety and preserve the lives and property of the people; and
- (2) Intensive situations including, but not limited to, emergencies as defined under Section 252.34, Florida Statutes; and
- (3) Joint provision of certain law enforcement services specified herein and allowed pursuant to Section 166.0495, Florida Statutes; and

**WHEREAS**, the Town of Surfside and the City of Coral Gables have the authority under Section 23.12, Florida Statutes, et seq., the Florida Mutual Aid Act, to enter into a combined mutual aid agreement for law enforcement services which:

- (1) Permits voluntary cooperation and assistance of a routine law enforcement nature across jurisdictional lines; and
- (2) Permits the provision of operational assistance to meet a request for assistance due to a civil disturbance or other emergency as defined in Section 252.34, Florida Statutes; and

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

**SECTION 1: PROVISIONS FOR VOLUNTARY COOPERATION**

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

- a. Concurrent law enforcement jurisdiction in and throughout the territorial limits of the Town of Surfside and the City of Coral Gables for felony and misdemeanor arrests, made pursuant to the laws of arrest, including arrestable traffic offenses, which spontaneously take place in the presence of the arresting officer, at such times as the arresting officer is traveling from place to place on official business outside of his or her jurisdiction, for example, to or from court, or at any time when the officer is within the territorial limits of his or her jurisdiction.
- b. Concurrent law enforcement jurisdiction in and throughout the territorial limits of the Town of Surfside and the City of Coral Gables for arrests, made pursuant to the

laws of arrest, of persons identified as a result of investigations of any offense constituting a felony or any act of Domestic Violence as defined in Section 741.28, Florida Statutes, when such offense occurred in the municipality employing the arresting officer.

- c. Concurrent law enforcement jurisdiction in and upon the jurisdictional waters of the Town of Surfside and the City of Coral Gables for arrests, made pursuant to the law of arrest, for felonies, misdemeanors, and boating infractions.
- d. Participating in exigent situations, without the need for a formal request, including, but not limited to, area searches for wanted subjects, perimeters, crimes in progress, escaped prisoners, traffic stops near municipal boundaries, requests for assistance when no available local units are nearby, calls indicating a crime or incident has occurred in which a citizen may likely be injured and the assisting municipality is closer to the area than the officer receiving the call.
- e. Concurrent law enforcement jurisdiction in and throughout the territorial limits of the Town of Surfside and the City of Coral Gables for any investigation of a felony, including, but not limited to: homicides, sex offenses, robberies, assaults, batteries, burglaries, larcenies, gambling, motor vehicle thefts, financial crimes, drug violations pursuant to Chapter 893, Florida Statutes, and inter-agency task forces and/or joint investigations.
- f. Joint enforcement of all state laws and county ordinances city ordinances of the City of Coral Gables and the Town of Surfside and the exercise of arrest powers when a crime of violence or felony of any nature occurs in the presence of any sworn law enforcement officer, within the jurisdictional boundaries of either party.

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

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

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

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

1. Joint multi-jurisdictional criminal investigations;
2. Civil affray or disobedience, disturbances, riots, large protest demonstrations and assemblies, controversial trials, political conventions, labor disputes, and strikes;
3. Any natural, technological, or manmade disaster;
4. Incidents which require rescue operations and crowd and traffic control measures including, but not limited to, large-scale evacuations, aircraft and shipping disasters, fires,



explosions, gas line leaks, radiological incidents, train wrecks and derailments, chemical or hazardous waste spills, and electrical power failures;

5. Any act of terrorism as defined in Section 775.30, Florida Statutes;
6. Escapes from, or disturbances within, prisoner processing facilities;
7. Hostage, active shooter and barricaded subject situations and aircraft piracy;
8. Control of major crime scenes, area searches, perimeter control, back-ups to emergency and in-progress calls, pursuits. and missing person calls;
9. Enemy attack;
10. Transportation of evidence requiring security;
11. Major events, including but not limited to, sporting events, concerts, parades, fairs, festivals, conventions and any National Special Security Event (NSSE) as designated by the United States Department of Homeland Security;
12. Security and escort duties for dignitaries;
13. Incidents requiring utilization of specialized units, including but not limited to, underwater, recovery, marine patrol, aircraft, canine, motorcycle, bicycle, mounted, SWAT, bomb, crime scene, and police information;
14. Emergency situations in which one agency cannot perform its functional objective;
15. Joint training in areas of mutual need;
16. Joint multi-jurisdictional marine interdiction operations; and
17. Off-duty special events;
18. DUI Checkpoints.

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

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

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

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

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

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

### **SECTION IV:       COMMAND AND SUPERVISORY RESPONSIBILITY**

#### **a.       COMMAND:**

The personnel and equipment that are assigned by the assisting Chief of Police shall be under the immediate command of a supervising officer designated by the assisting Chief of Police.

Such supervising officer shall be under the direct supervision and command of the Chief of Police or his/her designee of the agency requesting assistance.

**b. CONFLICTS:**

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

**c. HANDLING COMPLAINTS:**

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

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

If it is determined during the investigation of a complaint that the accused is an employee of the assisting agency, the above information, with all pertinent documentation gathered during the receipt and processing of the complaint, shall be forwarded without delay to the agency for administrative review. The requesting agency may conduct a review of the complaint to determine

if any factual basis for the complaint exists and/or whether any of the employees of the requesting agency violated any of their agency's policies or procedures.

#### **SECTION V:                   LIABILITY**

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

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

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

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

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

d. The political subdivision furnishing aid pursuant to this agreement shall compensate its employees during the time of the rendering of aid and shall defray (provide for the payment of)

the actual travel and maintenance expenses of its employees while they are rendering aid, including any amounts paid or due for compensation for personal injury or death while its employees are rendering aid.

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

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

## **SECTION VII: FORFEITURES**

a. In the event an agency seizes any real property, vessel, motor vehicle, aircraft, currency or other property pursuant to the Florida Contraband Forfeiture Act during the performance of this agreement, the agency requesting assistance in the case of requested operational assistance and the seizing agency in the case of voluntary cooperation shall be responsible for maintaining any forfeiture action pursuant to Chapter 932, Florida Statutes. The agency pursuing the forfeiture action shall have the exclusive right to control and the responsibility to maintain the property in accordance with Chapter 932, Florida Statutes, to include, but not be limited to, the complete discretion to bring the action or dismiss the action.



b. All proceeds from forfeited property as a result of or in accordance with this agreement shall be equitably distributed among the participating agencies in proportion to the amount of investigation and participation performed by each agency pursuant of the provisions of the Florida Contraband Forfeiture Act., less the costs and attorney's fees associated with the forfeiture action.

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

Each political subdivision shall provide, upon request, satisfactory proof of liability insurance by one or more of the means specified in Section 768.28, Florida Statutes, in an amount which is, in the judgment of the governing body of that political subdivision, at least adequate to cover the risk to which that party may be exposed. Should the insurance coverage, however provided, of any party be canceled or undergo material change, that party shall notify all parties to this agreement of such change within ten (10) days of receipt of the notice or actual knowledge of such change.

#### **SECTION IX: EFFECTIVE DATE**

This agreement shall take effect upon full execution and approval by the hereinafter named officials and shall continue in full force and effect for five years after it takes effect. Under no circumstances may this agreement be renewed, amended or extended except in writing.

#### **SECTION X: CANCELLATION**

Either party may cancel its participation in this agreement upon sixty (60) days written notice to the other political subdivision. Cancellation will be at the discretion of any political subdivision to this mutual aid agreement.

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

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

**FOR CORAL GABLES**

\_\_\_\_\_  
Peter Iglesias  
City Manager  
City of Coral Gables

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

ATTEST:

\_\_\_\_\_  
Billy Y. Urquia  
City Clerk

APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY:

\_\_\_\_\_  
Miriam Ramos  
City Attorney

\_\_\_\_\_  
Edward Hudak  
Chief of Police

APPROVED AS TO INSURANCE  
REQUIREMENTS:

\_\_\_\_\_  
Raquel Elejabarrieta  
Director of Risk Management

**FOR SURFSIDE**

\_\_\_\_\_  
Guillermo Olmedillo  
Town Manager  
Town of Surfside

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

ATTEST:

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

APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY:

\_\_\_\_\_  
Lillian Arango of Weiss Serota  
City Attorney

\_\_\_\_\_  
Julio Yero  
Chief of Police

APPROVED AS TO INSURANCE  
REQUIREMENTS:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



## MEMORANDUM

ITEM NO. 3F

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

**From:** Guillermo Olmedillo, Town Manager

**Date:** August 13, 2019

**Subject:** Farmers Market

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An application from resident Mr. Javier Valmana to produce a Farmers Market on Sundays at the Town owned parking lot on the north west corner of Collins Avenue and 95<sup>th</sup> Street was discussed at the July 9, 2019 Town Commission Meeting.

The Administration was directed to return with a Memorandum of Understanding however, upon further review, it was determined that a License Agreement (agreement) would be more appropriate. The commitments from Mr. Valmana, operating under Wavey Acai Bowls, LLC, and the Town are identified in the accompanying agreement.

Mr. Valmana will produce a Farmers Market every Sunday for a four-month trial. At the end of the trial the agreement may be extended for one-year terms for up to three years upon satisfying an administrative review that all commitments have been delivered without infraction. The Town has the ability to cancel the agreement, with or without cause, with up to five days' notice.

Mr. Valmana will solicit all of the vendors and manage all of the requirements set forth in the agreement that include but is not limited to the following:

- Hours of set-up operation 9:00am – 3:00pm (set up and breakdown being up to ninety minutes prior and after operational times)
- 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 will provide the following:

- Use of the parking lot with the \$560 per market day value of the parking spaces being waived
- Any Police Officer requirement (if determined to be necessary) at a \$468 per market day value will be waived
- Complimentary use of electricity at the parking lot if necessary
- Promote the market through all Town communication channels

Staff will be required to maintain an oversight of the weekly market. This will include Code Compliance staff checking on the market to ensure all Town requirements are met. In addition to possible 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 authorization to enter into the License Agreement with Wavey Acai Bowls, LLC as outlined.

Reviewed by

Prepared by



**RESOLUTION NO. 2019-\_\_\_\_\_**

**A RESOLUTION OF THE TOWN COMMISSION OF THE  
TOWN OF SURFSIDE, FLORIDA, APPROVING A LIMITED  
REVOCABLE LICENSE AGREEMENT WITH WAVEY  
ACAI BOWLS, LLC FOR OPERATION OF THE TOWN OF  
SURFSIDE'S FARMERS' MARKET; PROVIDING FOR  
AUTHORIZATION; PROVIDING FOR  
IMPLEMENTATION; AND PROVIDING FOR AN  
EFFECTIVE DATE.**

**WHEREAS**, the Town of Surfside ("Town") wishes to provide its residents and visitors with access to a local farmers' market; and

**WHEREAS**, the Town is the owner of a parcel of real property located at the northwest corner of 95<sup>th</sup> Street and Collins Avenue, Surfside, Florida (the "Property"), which Property is designated Folio Number 14-2235-007-0190; and

**WHEREAS**, Wavey Acai Bowls, LLC ("Licensee") has proposed to operate a farmers' market (the "Market") at the Town's Property; and

**WHEREAS**, the Town and Licensee desire to enter into a Limited Revocable License Agreement, in substantially the form attached hereto as Exhibit "A," (the "Agreement") for Licensee to operate the Market; and

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

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

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

**Section 2.**     **Approval.** That the Town Commission approves the Agreement with Licensee in substantially the form attached hereto as Exhibit "A."

**Section 3.**     **Authorization.** That the Town Manager is hereby authorized to execute the Agreement attached hereto as Exhibit "A," subject to approval by the Town Attorney as to form, content, and legal sufficiency. The Town Manager is authorized to enter into extensions of the Agreement without further approval of the Town Commission.

**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 Agreement.



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

**PASSED AND ADOPTED** on this 13<sup>th</sup> day of August, 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

**LIMITED REVOCABLE LICENSE AGREEMENT  
BETWEEN THE  
THE TOWN OF SURFSIDE, FLORIDA  
AND  
WAVEY ACAI BOWLS, LLC**

**THIS LIMITED REVOCABLE LICENSE AGREEMENT** (“Agreement”) is entered into this \_\_\_\_\_ day of \_\_\_\_\_, 2019 (“Effective Date”) by and between the Town of Surfside, Florida, a Florida Municipal Corporation, (“Town”) and Wavey Acai Bowls, LLC, a Florida Limited Liability Company (“Licensee”). The Town and Licensee may be referred to in this Agreement individually as “Party” and collectively as the “Parties.”

**RECITALS:**

- A. The Town is the owner of a parcel of real property located at the northwest corner of 95<sup>th</sup> Street and Collins Avenue, Surfside, Florida (the “Property”), which Property is designated Folio Number 14-2235-007-0190, and which is generally used for public parking.
- B. Licensee proposes to coordinate, operate, and manage a weekly event to be known as the “Surfside Farmers Market” (the “Market”) on Sundays at the Town’s Property from September 1 through December 29, 2019.
- C. Licensee requests use of the Property to conduct the Market.
- D. The limited use of the Property, in accordance with the terms of this Agreement, for the conduct of a Farmers Market is a benefit to Town residents, businesses, and visitors.
- E. The Town’s intent is to grant Licensee a limited revocable license of the Property.

**NOW, THEREFORE**, in consideration of the mutual covenants of the Parties as set forth in this Agreement, and other valuable consideration, the receipt and sufficiency of which is acknowledged by the Parties, it is agreed by and between the Parties as follows:

- 1. Definitions.** The following words and phrases shall have the meaning set forth herein:
  - 1.1. “Agreement” shall mean this Limited Revocable License Agreement.
  - 1.2. “Licensee” shall mean Wavey Acai Bowls, LLC.
  - 1.3. “Market” shall mean the weekly event to be known as the “Surfside Farmers’ Market” organized, operated, and managed by Licensee pursuant to this Agreement, which is made up of a variety of vendors who display their merchandise/products for purchase by the public.
  - 1.4. “Market Day” shall mean each day that the Market is open to the public.
  - 1.5. “Property” shall mean the surface parking lot located at the northwest corner of 95<sup>th</sup> Street and Collins Avenue, Surfside, Florida and which is designated Folio Number 14-2235-007-0190.
  - 1.6. “Town” shall mean the Town of Surfside, Florida.

**2. Grant of License and Use.**

2.1. **License.** The Town grants to Licensee a limited revocable license for the use of the Property as contemplated by this Agreement. This license is personal to Licensee and may not be assigned or transferred to any party without the Town's express, written consent.

2.2. **Use.** The Town authorizes Licensee to use the Property solely for the purposes set forth in this Agreement. This authorization is not a lease or an easement, and is not intended and shall not be construed to transfer any real property interest in the Property.

2.2.1. Licensee may use the Property solely to conduct a farmers market, in accordance with the Terms of Use attached hereto as Exhibit "A."

3. **Non-Exclusivity.** The Town designates Licensee as a non-exclusive Licensee of a Farmers Market at the Property during the Term of this Agreement. The Town specifically reserves the right to contract with any other entity providing similar services.

4. **Rules and Regulations.** The Town may promulgate and enforce reasonable rules and regulations governing the use of the Property by Licensee.

5. **Term.** The term (the "Term") of this Agreement shall commence upon the execution hereof and shall remain in effect through December 29, 2019, except as may be sooner terminated in accordance with the terms of this Agreement. The Term may be extended upon mutual written agreement of the Parties for one year terms with up to three (3) option years. The Town Manager may extend the Term without further approval of the Town Commission. Upon each renewal of the Term, if any, the Parties shall determine a schedule for Market Days for that years' Term.

**6. Termination.**

6.1. This Agreement may be terminated by the Town with or without cause by providing at least five (5) days' written notice to Licensee of such termination.

6.2. Town reserves the right to terminate this Agreement for any reason at any time, including, but not limited to, Licensee misconduct, insufficient number of participants, or unavailability of Property.

6.3. Licensee acknowledges and agrees that the Town shall have no liability to Licensee for incidental or consequential damages, loss of business, or otherwise, for terminating this Agreement in accordance with the terms set forth above.

6.4. Upon termination of this Agreement by either Party, Licensee shall, at its sole cost and expense, immediately restore the Property to the same or better condition that it was delivered to the Licensee.

7. **License Fee.** The Parties agree that there is no license fee.

**8. Condition of Property.**

8.1. The Town makes the Property available to Licensee in an "as is" condition. The Town makes no representations or warranties concerning the condition of the Property or its suitability for use by Licensee or its customers or invitees, and assumes no duty to warn either Licensee or its customers or invitees concerning conditions that exist now or may arise in the future.

8.2. In making the Property available for use by Licensee, the Town assumes no liability for loss or damage to Licensee's property. Licensee agrees that the Town is not responsible for providing security at the Property, and Licensee hereby waives any claim against Town in the event Licensee's property is lost or damaged.

**9. Operations & Maintenance.**

9.1. Licensee shall be solely responsible for: (i) maintaining the Property to the Town's standards applicable for use by Licensee as permitted under this Agreement; and (ii) obtaining any applicable permits required by the Town, the County, the State, and/or any Federal agencies.

9.2. Licensee shall exercise due care in its use of the Property and shall be responsible for maintaining the Property in good condition and repair. Licensee shall not act, or fail to act, in any way that results in excessive wear or damage to the Property. Licensee expressly agrees to repair, replace, or otherwise restore any part or item of real or personal property that is damaged, lost or destroyed as a result of Licensee's use of the Property. Should Licensee fail to repair, replace, or otherwise restore such real or personal property, Licensee expressly agrees to pay and be responsible for the Town's costs in making such repairs, replacements, or restorations.

9.3. Licensee shall be responsible for all operations and maintenance of the Property during Market Days.

9.4. The Town shall in no way be responsible for operating or managing the Market.

**10. Reporting Requirements.** Licensee shall provide monthly reports to the Town concerning the Market. At a minimum, he report shall include the names of all participating Vendors and number of visitors to the Market.

**11. Liability and Indemnification.**

11.1. Licensee hereby assumes all financial, administrative and legal responsibility in connection with, related to, or arising out of the use of the Property on Market Days.

11.2. Licensee shall indemnify, hold harmless, and defend 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 Licensee's performance or non-performance of any provision of this Agreement including, but not limited to, liabilities arising from contracts, whether oral or written, between Licensee and third parties made pursuant to this Agreement. Licensee 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 Licensee's performance or non-performance of this Agreement. Nothing in this Agreement shall be deemed or treated as a waiver by the Town of any immunity to which it is entitled by law, including but not limited to the Town's sovereign immunity as set forth in Section 768.28, Florida Statutes.

11.3. The provisions of this section shall survive termination of this Agreement.

**12. Insurance.** Licensee 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 Licensee's insurance and shall not contribute to Licensee'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.

- 12.1. 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 Consultant. The General Aggregate Liability limit and the Products/Completed Operations Liability Aggregate limit shall be in the amount of \$2,000,000 each.
- 12.2. 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 Licensee shall be allowed to provide services pursuant to this Agreement who is not covered by Worker's Compensation insurance.
- 12.3. 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.
- 12.4. 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 on any Project. 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. Licensee 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.
- 12.5. 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 Licensee in performance of this Agreement. Licensee'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 Licensee's insurance. Licensee'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.

12.5.1. Subcontractors and Vendors participating in or working on the Market shall be required to list the Town as additional insured.

12.6. **Deductibles.** All deductibles or self-insured retentions must be declared to and be reasonably approved by the Town. Licensee shall be responsible for the payment of any deductible or self-insured retentions in the event of any claim.

12.7. The provisions of this section shall survive termination of this Agreement.

**13. Public Records.** Licensee understands that the public shall have access, at all reasonable times, to all documents and information pertinent to this Agreement, subject to the provisions of Chapter 119, Florida Statutes, and agrees to allow access by the Town and the public to all documents subject to disclosure under applicable law. For purposes of this section, the term: (a) "Contractor" means an individual, partnership, corporation, or business entity that enters into a contract for services with a public agency and is acting on behalf of the public agency as provided under s. 119.011(2); and (b) "Public agency" means a state, county, district, authority, or municipal officer, or department, division, board, bureau, commission, or other separate unit of government created or established by law. In addition to other contract requirements provided by law, Licensee shall comply with public records laws, specifically to: (a) Keep and maintain public records that ordinarily and necessarily would be required by the public agency in order to perform the service; (b) Provide the public with access to public records on the same terms and conditions that the public agency would provide the records and at a cost that does not exceed the cost provided in this chapter or as otherwise provided by law; (c) Ensure that public records that are exempt or confidential and exempt from public records disclosure requirements are not disclosed except as authorized by law; and (d) Meet all requirements for retaining public records and transfer, at no cost, to the public agency all public records in possession of Licensee upon termination of the contract and destroy any duplicate public records that are exempt or confidential and exempt from public records disclosure requirements. All records stored electronically must be provided to the public agency in a format that is compatible with the information technology systems of the public agency. Licensee'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 §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, Town Clerk**

**Mailing address: 9293 Harding Avenue, Surfside, FL 33154**

**Telephone number: 305-887-9541**

**Email: snovoa@townofsurfsidefl.gov**

**14. Audit and Inspection Rights.**

14.1. The Town may, at reasonable times, and for a period of up to three years following the date of final performance of Licensee's Services under this Agreement, audit, or cause to be audited, those books and records of Licensee that are related to Licensee's performance under this Agreement. Licensee agrees to maintain all such books and records at its principal place of business for a period of three years after final payment is made under this Agreement.

14.2. The Town may, at reasonable times during the term hereof, inspect Licensee's facilities and perform such inspections as the Town deems reasonably necessary to determine whether the Services required to be provided by Licensee under this Agreement conform to the terms of this Agreement. Licensee shall make available to the Town all reasonable facilities and assistance to facilitate the performance of inspections by the Town's representative(s).

14.3. **Survival.** The provisions of this section shall survive termination of this Agreement.

**15. Notice.** 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, Florida 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, Florida 33134

For Licensee: Wavey Acai Bowls, LLC  
Attn: Javier Valmana, Registered Agent  
8851 Abbott Avenue  
Surfside, Florida 33154

**16. Confidentiality.** In the performance of this Agreement, Licensee may be exposed to the confidential information of the Town and other entities. Licensee shall not disclose to any party, other than the Town Manager, Town Attorney, Finance Director and those other Town

representatives authorized in writing by the Town Manager, any such confidential information acquired during the performance of Licensee's Services for the Town. Regardless of the term of this Agreement, Licensee shall be bound by this obligation until such time as said confidential information shall become part of the public domain. Information regarding all aspects of the Town's business and all information relating to the management Services provided shall be presumed to be confidential, except as may be provided by law, and as same shall have been published or otherwise made freely available to the general public without restriction.

- 17. Independent Contractor; No Joint Venture.** In all matters related to this Agreement, the Licensee is to be considered an independent contractor and not a Town employee. None of the provisions of this Agreement are intended to create nor shall they be deemed or construed to create any relationship between the Town and Licensee other than that of independent entities contracting with each other hereunder solely for the purpose of effecting the provisions of this Agreement. Neither of the Parties hereto, nor any of their respective employees shall be construed to be the employer, partner, agent, shareholder, officer or representative of the other. This Agreement does not create a joint venture, partnership, or other business or private/public enterprise between the Parties. Licensee shall be responsible for any and all of its expenses in performing its duties under this Agreement. The Town shall not be responsible for any expense incurred by Licensee. Licensee shall furnish its own transportation, office, and other supplies as necessary in carrying out its duties under this Agreement
- 18. Most Favored Nation.** If during the term of this Agreement, Licensee enters into an agreement with another municipality or county ("Other Governmental Entity"), the terms of which agreement include direct or indirect compensation to the Other Governmental Entity, then upon written request of the Town, Licensee shall negotiate and enter into a new agreement with the Town which shall include the more favorable compensation terms extended to the Other Governmental Entity. Licensee shall notify the Town within 30 days if it enters into an agreement with an Other Governmental Entity that has more favorable terms than this Agreement and the Town shall have the right to receive the more favorable terms immediately.
- 19. Applicable Law; Venue; Waiver of Jury Trial.** This Agreement shall be construed in accordance with and governed by the laws of the State of Florida. Venue for any litigation arising out of this Agreement shall be proper exclusively in Miami-Dade County, Florida. 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.
- 20. Attorneys' Fees.** 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 trial and any and all appellate levels, including post-judgment proceedings.
- 21. Assignment.**

  - 21.1. This Agreement shall not be assignable by Licensee unless such assignment is first approved by the Town Manager. The Town is relying upon the apparent qualifications and expertise of the Licensee, and Licensee's familiarity with the Town's area, circumstances and desires.

- 21.2. Licensee shall not assign, sublet, transfer, or otherwise dispose of this Agreement, or any portion thereof, or permit the Property to be occupied by other organizations, entities or persons, without the advance written approval of the Town. It is specifically understood and agreed that the Town's decision to either permit or deny any such assignment, subletting or transfer shall be within its sole and exclusive discretion and that any such decision by the Town shall be presumed to be reasonable. Licensee shall provide a minimum of thirty (30) days' notice prior to the proposed effective date of a proposed assignment. In the event any assignment is approved by the Town Manager, the assignee shall agree to be bound by all of the terms and conditions of this Agreement.
22. **Licenses.** Licensee shall, without expense to the Town, be responsible for obtaining any necessary licenses, permits, and approvals in connection with the performance of the Services specified herein.
23. **Licensed or Registered Personnel.** All Services to be rendered by Licensee under this Agreement, which are required by law to be performed by or under the direction of a duly licensed or registered professional, shall be rendered in compliance with such requirements.
24. **Compliance with Laws.** Licensee shall not commit nor permit any violations of applicable federal, state, county and municipal laws, ordinances, resolutions and governmental rules, regulations and orders, as may be in effect now or at any time during the term of this Agreement, all as may be amended, which are applicable to Town, Licensee, the Property or the operations conducted at the Property. A violation of any such laws, ordinances, resolutions, rules, regulations or orders, as amended, shall constitute a material breach of this Agreement, and in such event, Town shall be entitled to exercise any and all rights and remedies hereunder and at law and in equity.
25. **Miscellaneous.**
- 25.1. **Binding Agreement.** The terms, covenants, conditions, and provisions of this Agreement shall bind and inure to the benefit of the Parties and their respective legal representatives, successors, and assigns.
- 25.2. **Severability.** If any term, covenant, condition or provision of this Agreement (or the application thereof to any circumstance or person) shall be invalid or unenforceable to any extent, the remaining terms, covenants, conditions and provisions of this Agreement shall not be affected thereby; and each remaining term, covenant, condition and provision of this Agreement shall be valid and shall be enforceable to the fullest extent permitted by law unless the enforcement of the remaining terms, covenants, conditions and provisions of this Agreement would prevent the accomplishment of the original intent of the agreement between the Parties.
- 25.3. **Non-Discrimination.** Both parties agree that there will be no discrimination against any person based upon race, color, sex, religious creed, ancestry, national origin, mental or physical handicap, in the use of the Property. It is expressly understood that upon a determination by a court of competent jurisdiction that discrimination has occurred, this Agreement automatically terminates without any further action on the part of the other party, effective the date of the court order.
- 25.4. **Authority.** Each party represents and warrants that the representative signing this Agreement on its behalf has all right and authority to bind and commit that Party to the

terms and conditions of this Agreement and that the execution, delivery and performance of this Agreement has been duly authorized by Town and Licensee action.

- 25.5. **Regulatory Powers.** The Town cannot, and hereby specifically does not, waive or relinquish any of its regulatory approval or enforcement rights and obligations as it may relate to regulations of general applicability which may govern the Property or any operations at the Property. Nothing herein shall be deemed to create an affirmative duty of Town to abrogate its sovereign right to exercise its police powers and governmental powers by approving or disapproving or taking any other action in accordance with its ordinances, rules and regulations, federal laws and regulations and state laws and regulations.
- 25.6. **Sovereign Immunity.** Nothing in this Agreement shall be deemed or otherwise interpreted as waiving the Town's sovereign immunity protection existing under the laws of the State of Florida, or as increasing the limits of liability as set forth in Section 768.28, Florida Statutes.
- 25.7. **Deadlines.** Whenever a deadline designated in this Agreement falls on a Saturday, Sunday, or Legal Holiday as defined in Section 683.01, Florida Statutes, as it may be amended from time to time, the deadline shall be extended to the next business day.
- 25.8. **Calendar Days.** Unless otherwise stated, all references to "days" shall mean calendar days, not business days.
- 25.9. **Time.** Time is of the essence as to each term of this Agreement.
- 25.10. **Force Majeure.** Neither party will be liable to the other or be deemed in breach of this Agreement for any failure or delay in rendering performance arising out of causes beyond its reasonable control and without its fault or negligence. Such causes may include, but are not limited to, acts of God or the public enemy, terrorism, significant fires, floods, earthquakes, epidemics, quarantine restrictions, strikes, freight embargoes, unusually severe weather, or governmental authorities' approval delays which are not caused by any act or omission of Licensee.
- 25.11. **Severability.** The provisions of this Agreement are intended to be severable. If any provision of this Agreement shall be held to be invalid or unenforceable in whole or in part by a court of competent jurisdiction, such provision shall be ineffective to the extent of such invalidity or unenforceability without in any manner affecting the validity or enforceability of the remaining provisions of this Agreement.
- 25.12. **Headings.** The headings for each section in this Agreement are for the purposes of reference only and shall not limit or otherwise affect the meaning of any provision.
- 25.13. **Integration; Entire Agreement; Amendments.** This writing contains the entire Agreement of the Parties with respect to the subject matter of this Agreement. This Agreement supersedes all prior and contemporaneous negotiations, understandings and agreements, written or oral, between the parties. No representations were made or relied upon by either party, other than those that are expressly set forth herein. This Agreement may be amended by mutual agreement of the parties. Such amendments shall only be effective if incorporated in written amendments to this agreement and executed by duly authorized representatives of the parties.



- 25.14. **Waiver.** There shall be no waiver of any right related to this Agreement unless in writing and signed by the party waiving such right. No delay or failure to exercise a right under this Agreement shall impair such right or shall be construed to be a waiver of such right. Any waiver shall be limited to the particular right so waived and shall not be deemed a waiver of the same right at a later time or of any other right under this Agreement. Waiver by any party of any breach of any provision of this Agreement shall not be considered as or constitute a continuing waiver or a waiver of any other breach of the same or any other provision of this Agreement.
- 25.15. **Intent to be Legally Bound.** By signing this Agreement, the Parties confirm and state that they have carefully read the Agreement, that they know the contents thereof, that they fully expect to carry out each and every provision, and that they intend to be legally bound by the rights and obligations set forth herein.
- 25.16. **No Third Party Beneficiaries.** Neither Party intends to directly or substantially benefit a third party by this Agreement. Therefore, the Parties agree that there are no third party beneficiaries to this Agreement and that no third party shall be entitled to assert a claim against either of them based upon this Agreement.
- 25.17. **Counterparts.** This Agreement may be executed simultaneously or in any number of counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same agreement.
- 25.18. **No Authority to Bind Municipality.** Licensee shall have no authority to contract for or legally bind the Town with respect to any matter, including but not limited to the subject matter of this Agreement.
- 25.19. **Survival of Provisions.** Any terms or conditions of this Agreement that require acts beyond the date of the term of this Agreement shall survive termination of this Agreement and shall remain in full force and effect unless and until the terms or conditions are completed.
- 25.20. **Waiver.** 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.

**[THIS SPACE HAS INTENTIONALLY BEEN LEFT BLANK.]**  
**[SIGNATURE PAGE FOLLOWS.]**

IN WITNESS WHEREOF the parties hereto have executed this Agreement as of the date written below.

**FOR Licensee:**

**WAVEY ACAI BOWLS, LLC, a Florida  
Limited Liability Company**

Witness:

Sign: \_\_\_\_\_

Sign: \_\_\_\_\_

Print: \_\_\_\_\_

Print Name: \_\_\_\_\_

Title: \_\_\_\_\_

Sign: \_\_\_\_\_

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

Print: \_\_\_\_\_

**FOR THE Town:**

**TOWN OF SURFSIDE, a Florida  
municipal corporation**

Attest:

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

\_\_\_\_\_  
Guillermo Olmedillo, Town Manager  
Date Executed: \_\_\_\_\_

Approved as to Form and Legal Sufficiency:

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

**EXHIBIT “A”**  
**TERMS OF USE**

Licensee shall use the Property pursuant to the Agreement between it and the Town of Surfside as further set forth herein.

1. **Use:** Licensee shall use the Property to conduct the “Town of Surfside Farmers’ Market.” Licensee shall serve as the primary point of contact to the Town Manager for the Market. Licensee is responsible for communicating with and managing all Market vendors, suppliers, community partners, and sponsors. The Market is intended to provide the community with access to fresh goods provided by vendors selling locally grown or produced vegetables, fruits, flowers, herbs, baked goods, honey, kosher options, juices, plants, and artisanal goods.
2. **Market Location:** The surface parking lot located at the northwest corner of 95<sup>th</sup> Street and Collins Avenue, Surfside, Florida and which is designated Folio Number 14-2235-007-0190.
3. **Market Days and Times:** Use of the Property shall be restricted to the designated business hours of the Market. The Market may be open on Sundays beginning September 1, 2019 from 9:00 a.m. to 3:00 p.m. The Town may suspend Licensee’s use of the Property where the Town finds that the Property is needed for alternative purposes.
4. **Market Days Set Up Times:** Set up shall occur no more than one hour and a half before each Market Day and breakdown shall be completed no more than one hour and a half after each Market Day.
5. **Site-Plan.** Licensee’s use of the Property shall be according to a site plan approved by the Town Manager. The Property may not be used by Licensee until a Site Plan is approved by the Town Manager. A Site Plan shall be submitted to the Town Manager for approval at least ten business days before the first Market Day.
  - 5.1. The Site Plan is subject to approval by all Town Departments, including but not limited to: Police, Fire, Public Works, Building, Code Compliance, and Town Manager.
  - 5.2. The Property will be organized in a safe manner to protect attendees. All electrical cords and similar materials must be covered so as not to pose a hazard to the public.
  - 5.3. All related Fire Marshall and Building Official’s related requirements must have been complied with prior to the start of the Market.
  - 5.4. Licensee agrees that the Town may have one canopy site on each Market Day for the purpose of selling Town-related merchandise or to promote Town events and programs.
  - 5.5. The Site Plan must provide for the use of electricity at the Property, including but not limited to the use of generators or other energy generating equipment. Licensee acknowledges that electric service at the Property is limited and not sufficient to provide electricity to all vendors.
6. **Vendors.** Licensee shall submit a list of Vendors to the Town Manager for approval at least ten business days before the first Market Day. The Market may not be conducted until the Vendor list has been approved by the Town Manager. Licensee shall have no more than the approved number of Vendors participating in the Farmers Market at any given time. Licensee shall not reduce or increase the amount of vendors without the express, written consent of the Town Manager and/or his/her designee.

- 6.1.** Vendors are required to have proper permits appropriate to the products being sold. Vendors should contact Florida Department of Business and Professional Regulation and/or Miami-Dade County Public Health department for proper licensing and requirements. Scales must be certified. Licensee must obtain copies of all vendors' licenses and permits prior to vendors participating in the Market and must make the copies available to the Town upon request.

**7. Vendor Activity.**

- 7.1.** Licensee shall ensure that all Vendors acknowledge that the use/or placement of tables, chairs, products, boxes or signs outside of it assigned vendor space is strictly prohibited. Vendors agree to sell product within their assigned space only. All vendor activity must be conducted within the booth space provided. This includes giving out free samples and recruiting customers. Any Vendor activity related to the Market outside the assigned vendor space is prohibited.
- 7.2.** Licensee shall ensure that every Vendor anchor its 10 x 10' canopy on all four (4) corners with a minimum of twenty (20) pound anchors on each corner regardless of weather conditions. Vendors will be asked to remove its tent for failure to comply with these requirements.
- 7.3.** Any canopies measuring over 10 x 10' will require a building permit each week used.
- 7.4.** The term "organic" shall not be used without certification under USDA NOP rules. Giving any false information regarding the products being sold is strictly prohibited.
- 7.5.** Vendors must clearly display their prices.
- 7.6.** Vendors must set up for every Market Day and must arrive no later than one-half hour before Market opening time in order to be prepared for business at the Market's opening time.
- 7.7.** Vendors must provide clean and safe tables, tents, baskets or stands to display products. There will be no sales from the surfaces of pick-up trucks or other vehicles. Vendors must display at the Farmer's Market all licenses and permits required.
- 7.8.** Licensee will ensure that all vendors maintain their area in a neat and tidy condition, and must leave the Event Site within one hour of Farmer's Market closing, leaving behind no equipment, trash or debris.
- 8. Permitted Products.** All products offered for sale at the Property shall be of high quality and with prices clearly visible to the public. Any and all prepared foods must be properly labeled in accordance with applicable government regulations. Licensee agrees not to sell or distribute or allow any Vendors to sell or distribute any products that the Town believes are non-conforming. The Town of Surfside Farmers' Market excludes the sale of used, antique, purchased-for- resale, or flea market-type items.
- 9. Storage.** Licensee may not utilize any Town property to store property or equipment for use at the Farmers Market without the prior, written consent of the Town Manager and/or his/her designee.
- 10.** At the end of each Market Day, Licensee shall vacate the Property in clean condition and deliver it to the Town in its pre-Event condition, free from all personal property, equipment or inventory. Upon Licensee's failure to do so, Town may remove any personal property,

equipment and inventory from the Property and have them delivered to Licensee, placed in storage at Licensee's expense or discarded, at Town's sole discretion. All perishable items will be disposed of as Town deems appropriate, without compensation to Licensee or its vendors. The Licensee agrees that it shall pay and be responsible for the Town's actual costs to restore the Property to its pre-Market Day condition at the conclusion of any Market Day where Licensee fails to deliver the Property as required by this Agreement.

11. Licensee shall not place or attach any personal property, fixtures, or structures to the Property without the prior written consent of the Town.
12. Licensee's use of the Property shall, at a minimum: a) not adversely affect the Property; b) not adversely affect the property of any third parties; c) not inhibit pedestrian movement within the Property; d) not create conditions which are a threat to public safety and security; and e) not constitute a nuisance with respect to neighboring uses.
13. A Market Day may be terminated by the Town, through the Town Manager or his or her designee, the Chief of Police, Fire Chief, Building Official, Public Works Director, and/or a Code Compliance Officer for the protection of the public welfare and safety. Licensee expressly acknowledges and agrees that in the event that the Market is shut down, the Town shall not be liable for any damages.
14. The Licensee shall keep the sidewalks next to the event site and within the event site open and clear for pedestrian traffic.
15. **Trash Removal and Recycling:** Licensee is responsible for all trash removal and will provide recycling receptacles. As needed during each Market Day and at the end of each Market Day, the Licensee shall empty all waste receptacles and recycling bins, including Town bins, within the Property. Licensee and its vendors shall not use waste receptacles or recycling bins of neighboring properties.
  - 15.1. Licensee may use any waste receptacles available at the Property. Garbage or bags shall not be left on top or around the bins. No food or food waste from vendors is allowed in the bins. Vendors will be responsible for removing all other garbage from the event site. Licensee shall be charged \$100 per Market Day for any additional garbage removed from the site by Town Staff.
  - 15.2. At the conclusion of each Market Day, Licensee agrees to remove all additional trash from the Property, including garbage from Town cans at the Property.
16. **Staffing:** Licensee agrees that no staffing or assistance from the Town will be required to conduct the Market.
17. **Supervision.** Licensee shall provide adequate supervision of the Property at all times it conducts or sanctions activities thereon.
18. **Police.** Licensee shall coordinate with the Town to address the need, if any, for additional police presence on a Market Day at the Property. Notwithstanding, the Licensee shall be responsible for the safety of the public and its invitees at the Property.
19. **Parking/Traffic.** Licensee shall submit a parking and traffic plan to the Town for approval prior to conducting the Market. There will be no public or vendor parking at the Property unless previously approved by Town.



- 20. Signage and Marketing.** Licensee may provide temporary, directional signage at a location approved in writing by the Town and two (2) banners at the Property on each Market Day. The Town may assist Licensee in promoting the Market through the Town's existing communication channels.
- 21. Noise.** Licensee shall comply with the Town's Noise Ordinance.
- 22. Prohibited Items:**
- 22.1.** Styrofoam and plastic straws are prohibited to be used or distributed at the Market. Licensee acknowledges receipt of the Town's Ordinance No. 2018-1676 related to plastic straws.
- 22.2.** No alcohol is permitted in the Property without proper licensing, permits, insurance, and advance written Town approval.
- 23. Weather:** Licensee shall comply with the Parks and Recreation Operational Policy when weather conditions require clearing the Property and/or by any such request issued by a Town representative. In the event inclement or severe weather is impending or is forecasted to affect the Market area within 48 hours prior to a scheduled Market Day, Licensee shall confer with the Town Manager or his designee on or before 10:00 a.m. the Friday preceding a Market Day to determine whether the Market will be shut down. The Town, in its sole discretion reserves the right to prohibit Licensee's use of the Property due to inclement or severe weather.
- 24. Government Approvals/Permits:** Licensee is solely responsible for obtaining any and all governmental approvals and permits that may be needed to operate the Market.
- 25. Town Approval.** The Town has the sole authority to issue a final approval for use of the Property. Any approvals will be in writing. The Town Manager may suspend this license due to conflicting activities, failure of the Licensee to comply with the terms and conditions of this Agreement, for health or safety issues, or for the best interests of the Town.



# MEMORANDUM

ITEM NO. 3G<sub>G</sub>

**To:** Honorable Mayor, Vice-Mayor and Members of the Town Commission  
**From:** Guillermo Olmedillo, Town Manager  
**Date:** August 13, 2019  
**Subject:** Water Supply Plan Work Authorization

In 2005 the Florida Legislature enacted significant changes to Florida Statute (F.S.) Chapter 163 – Intergovernmental Resources and Chapter 373 – Water Resources to address the State's water supply needs. These changes required a stronger link between regional water supply plans prepared by water management districts and comprehensive plans prepared by local governments. In addition, improved coordination between local land use planning and local water supply planning was mandated.

Chapter 163 F.S. and Chapter 373 F.S. requires that the Town of Surfside identify how future water supply needs will be met through the preparation of a Water Supply Facilities Work Plan (Work Plan). The Work Plan must have a minimum planning horizon of 10 years and must be incorporated into the Town of Surfside Comprehensive Plan. The Work Plan must be completed within 18 months of the South Florida Water Management District (SFWMD) adopting or updating its own Lower East Coast (LEC) regional water supply plan.

The most recent update to the SFWMD regional LEC water supply plan was adopted in November 2018. As such, the Town must update its Water Supply Facilities Work Plan and any other corresponding chapters within its Comprehensive Plan by May 2020. The previous Town Water Supply Facilities Work Plan was adopted in 2015.

The request is for approval of the work authorization in order for the Town Planner to prepare the updated Water Supply Facilities Work Plan as required by Chapter 163 and Chapter 373 of Florida State Statutes. This is a budgeted item as the \$15,000 required for this item was funded in the FY19 Budget.

Reviewed by GO

Prepared by SSG

**RESOLUTION NO. 2019- \_\_\_\_**

**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA APPROVING WORK AUTHORIZATION NO. 122 WITH CALVIN GIORDANO & ASSOCIATES, INC. FOR ENGINEERING AND PLANNING SERVICES RELATED TO THE PREPARATION AND UPDATE OF THE TOWN'S WATER SUPPLY FACILITIES WORK PLAN; 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. 122 ("Work Authorization") attached hereto as Exhibit "A", authorizing the Consultant to provide professional engineering and planning services in connection with the preparation and update of the Town's Water Supply Facilities Work Plan, as required by Chapter 163 and 373, Florida Statutes ("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 \$15,000; 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 13<sup>th</sup> day of August, 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



Building Code Services  
Civil Engineering / Roadway  
& Highway Design  
Coastal Engineering  
Code Enforcement  
Construction Engineering &  
Inspection (CEI)  
Construction Services  
Data Technologies &  
Development  
Electrical Engineering  
Engineering  
Environmental Services  
Facilities Management  
Geographic Information  
Systems (GIS)  
Governmental Services  
Indoor Air Quality  
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

July 19, 2019

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

**RE: Work Authorization No. 122**  
**Surfside Water Supply Plan Update**  
**CGA Proposal No. 19-3204**

Dear Mr. Olmedillo:

Enclosed for your review and approval is Work Authorization No. 122 for Surfside Water Supply Plan Update. The scope of the project includes Town of Surfside – Water Supply Plan Update.

The Scope of Services to be furnished under this Work Authorization includes Civil Engineering and Planning 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 for a total not to exceed \$15,000.00.

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

Chris Giordano  
Vice President



**TOWN OF SURFSIDE**  
**Surfside Water Supply Plan Update**

**PROJECT DESCRIPTION**

**1. SCOPE OF SERVICES**

Calvin, Giordano & Associates (CGA) is pleased to submit this proposal for Professional Services related to the Town of Surfside Water Supply Facilities Work Plan (WSFWP) Update. This proposal includes an update to the Town of Surfside Water Supply Facilities Work Plan and associated amendments to the Town's Comprehensive Plan in order to bring those plans into compliance with the recent update to the Lower East Coast Water Supply Plan (LEC Plan) as required by Florida Statutes 163.3177(6)(c)3. The Water Supply Facilities Work Plan must cover a minimum planning horizon of 10 years.

**I. Professional Engineering Services**

**A. Civil Engineering**

1. Assist with the preparation of the Town of Surfside Water Supply Facilities Work Plan based on the statutory requirements, the Engineering tasks will include the following:
  - Evaluate the current capacity of Town of Surfside facilities and water supply system, based on data obtained (i.e. design capacity, operational capacity, etc.), to analyze if the water system has adequate capacity available to meet projected growth demands.
  - Revise existing water demand projections to be consistent with the Lower East Coast Regional Water Supply Plan (LEC Plan). Current and projected needs and sources will be analyzed based on water demands for water supply.
  - Identify future demand projections and water withdrawal needed to serve conversion areas and provide details within Work Plan on how these areas will be encouraged to connect to the water supply system.

**II. Professional Planning Services**

- A. Update the Town of Surfside Water Supply Facilities Work Plan based on the South Florida Water Management District (SFWMD) Lower East Coast Water Supply

Plan (Adopted Nov 2018), on the SFWMD Water Supply Facility Work Plan Update Checklist and on the Miami-Dade County WSFWP.

1. Coordinate with Miami-Dade County, the Town's water provider, to obtain needed information to complete the Town's updated plan.
  2. Update information received from County from their updated WSFWP including the current and future population, projected level of service (LOS) standards or per capita use rates, and both current and future water supply sources to meet demand over the planning period.
  3. Update the Consumptive Use Permit (CUP) information for the water supplier and reconcile data in the CUP with data in the Lower East Coast Regional Water Supply Plan (LEC Plan) and the Comprehensive Plan as needed.
  4. Update existing and future water treatment facilities and their capacity to meet projected water demand. Revise and update the status of related capital improvement projects for water supplier to be consistent with the planned infrastructure needs of the planning horizon. Both alternative and traditional water supply projects will be included in the update in addition to a 5-year schedule of capital improvements deemed necessary within the short-term planning period.
  5. Gather any and all existing contracts for bulk purchases, sales or water from water supplier for inclusion in the Work Plan document as necessary.
  6. Revise existing water demand projections to be consistent with the LEC Plan and the County's WSFWP. Current and projected needs and sources will be analyzed based on water demands for potable water, self-served areas such as private wells, and areas serviced by non-potable water for agricultural, industrial, or irrigation purposes if need.
  7. Identify and update any current or proposed programs, policies or practices geared towards water conservation, reclamation or reuse by water supplier.
  8. If necessary, identify future demand projections and water withdrawal needed to serve well and septic tank conversion areas and provide details with the Work Plan on how these areas will be encouraged to connect to the water supply system.
  9. If necessary, identify geographical areas and projected withdrawal amounts for existing and future domestic self-supply systems. Provide details of future plans to provide regional water service to these areas in the planning period, if any. Identify potential impacts to existing Minimum Flow and Levels (MFLs) water reservations, and/or restricted allocation areas in the updated planning period as applicable.
- B. Update the Town of Surfside Comprehensive Plan text related to potable water supply as necessary per the updated WSFWP.


1. Based upon the updated Work Plan document as referenced in the task above, revise any Data, Inventory and Analysis within the Comprehensive Plan as it relates to potable water including water demand projections, water supply sources and water supply facilities.
  2. Based upon the updated Work Plan document as referenced in the task above, revise any Goals, Objectives and Policies with the Comprehensive Plan as it relates to concurrency for water supply availability, water conservation, alternative water supply projects, reclaimed water programs, LOS standards, water supply/source needs and demands, and intergovernmental coordination with water supplier, regulatory agencies and others as appropriate. In addition, identification of any joint planning or joint infrastructure service areas related to water supply.
- C. Assist in the Transmittal of Work Plan Updates and Comprehensive Plan Amendments.
1. Assist with review, adoption and transmittal to the State and other regulatory agencies by attending one Local Planning Agency meeting and two public hearings with the Town Commission.
- D. It is anticipated for CGA staff to make one major set of edits based on the initial draft along with edits based on input from the Planning and Zoning Board and Town Commission meetings. Four meetings are included in this scope including with one meeting with Town staff to review initial comments as well as attendance at the Planning and Zoning Board as well as two Town Commission meetings. Any additional review or meeting attendance is not included in the scope and can be provided at an additional services.

## 2. BASIS OF COMPENSATION


Hourly rates with an estimated fee not to exceed \$15,000.00. Payments to be made monthly.

## 3. SUBMITTED

Submitted by:

  
Chris Giordano, Vice President

Date:



## 4. APPROVAL

Submitted by:

Guillermo Olmedillo, Town Manager

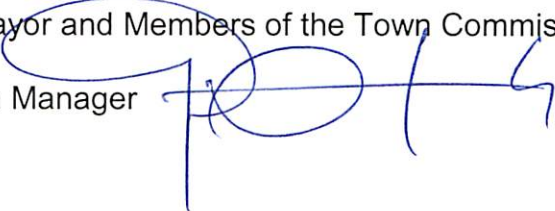
Date:



## MEMORANDUM

ITEM NO. 3H

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

**From:** Guillermo Olmedillo, Town Manager 

**Date:** August 13, 2019

**Subject:** Approval to Modify the Parking Rate and Parking Time Limits for Off-Street Parking (Municipal Parking Lots)

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In an effort to improve parking in the Town's business district and Municipal Parking Lots, the Downtown Vision Advisory Committee (DVAC) was tasked with providing recommendations regarding Off-Street Parking. The DVAC convened on June 20, 2019, and provided recommendations regarding adjustments to Off-Street parking time limits, adjustment to Off-Street parking rates, and outreach efforts to the business community on the benefits of the Town's existing business parking pass program.

In the July 9, 2019, Commission meeting the Town Commission approved Item No. 9B, authorizing the following modifications to the Off-Street parking rates, and Off-Street parking time limits:

- Weekends / Holidays:
  - 9:00 AM - 5:00 PM \$3.00 / hour with a 4-hour limit that is not renewable
  - 5:00 PM – 9:00 AM \$2.00 / hour with a 4-hour limit that is renewable
- Weekdays:
  - 9:00 AM - 5:00 PM \$2.00 / hour with a 4-hour limit that is not renewable
  - 5:00 PM – 9:00 AM \$2.00 / hour with a 4-hour limit that is renewable

Town of Surfside residents with valid Town issued parking permits will be entitled to the rights and privileges presently granted in regards to On-Street and Off-Street parking spaces.

The budget impact of modifying the Parking Meter Rate for Off-Street Parking from the previous Flat Rate Based System (\$1.75 / hour at all times) to a Variable Rate Based System in conjunction with the new parking time limits will be positive on parking revenues.

Staff recommends a motion to approve a resolution setting the new Off-Street parking rates and time limits to address Town parking.

Prepared by: Captain John Bambis

Reviewed by: Chief Julio Yero

**RESOLUTION NO. 19- \_\_\_\_\_**

**A RESOLUTION OF THE TOWN COMMISSION OF  
THE TOWN OF SURFSIDE, FLORIDA APPROVING  
OFF-STREET VARIABLE PARKING RATES FOR  
MUNICIPAL PARKING LOTS AND ESTABLISHING  
PARKING TIME LIMITS; PROVIDING FOR  
AUTHORIZATION AND IMPLEMENTATION; AND  
PROVIDING FOR AN EFFECTIVE DATE.**

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

**WHEREAS**, in order to address or alleviate the parking concerns, the Town Commission wishes to modify the parking meter rates for off-street parking on municipal parking lots from a flat rate system to a variable rate system, and establish parking time limits during peak weekend/holidays and weekday hours; and

**WHEREAS**, the Town Commission finds that modifying the parking meter rates to a variable rate for off-street parking on municipal lots, and establishing parking time limitations during peak hours, will address parking issues and is in the best interest of the Town.

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

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

**Section 2. Approval.** The Town Commission hereby approves the following Off-Street Variable Parking Rates for municipal parking lots, and parking time limitations for weekends/holidays and weekday parking:

- **Weekends / Holidays:**
  - 9:00 AM - 5:00 PM \$3.00 /hour with a 4-hour limit, not renewable
  - 5:00 PM – 9:00 AM \$2.00 /hour with a 4-hour limit, renewable
- **Weekdays:**
  - 9:00 AM - 5:00 PM \$2.00 /hour with a 4-hour limit, not renewable
  - 5:00 PM – 9:00 AM \$2.00 /hour with a 4-hour limit, renewable

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

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

**PASSED AND ADOPTED** this \_\_\_\_\_ day of August, 2019.

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

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

**FINAL VOTE ON ADOPTION**

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

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

**ATTEST:**

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

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

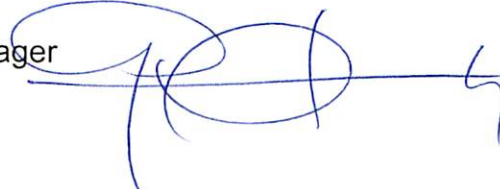
\_\_\_\_\_  
Weiss Serota Helfman Cole & Bierman, P.L.  
Town Attorney





## MEMORANDUM

ITEM NO. 4A1

**To:** Honorable Mayor, Vice-Mayor and Members of the Town Commission  
**From:** Guillermo Olmedillo, Town Manager   
**Date:** August 13, 2019  
**Subject:** Hurricane Shutter Use Ordinance

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At the June 11, 2019 meeting, the Town Commission approved moving forward with an ordinance regulating non-residential hurricane shutter use. The following adjustments were made based on direction at the meeting:

- the ordinance only applies to non-residential use
- defining when compliance would be applicable

Code Compliance staff would be utilized to ensure compliance.

No budgetary impact besides the use of Code Compliance staff time. Violations are subject to the \$25.00 per day fine for a first-time offense and a \$50.00 per day fine for the second or repeat offense per the adopted Town fine schedule.

The Administration seeks Town Commission approval on second reading of the ordinance as presented.

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:**<sup>1</sup>

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

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<sup>1</sup> 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 non-residential 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 (NOAA) or any of its offices or successor entities for any portion of the Town. In the event of such severe weather conditions as announced by a watch or warning issued by NOAA or any of its offices or successor entities, storm shutters or hurricane protection devices may be used to protect non-residential building/structure openings. Storm shutters or hurricane protection devices must be removed within seven days following either the storm or hurricane's passage or the termination of a declared state of emergency by the Town, whichever occurs later.
- (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 non-residential structures certified for occupancy in the Town. During this period, in the event that the upon NOAA National Oceanic and Atmospheric Administration or any of its offices or successor entities issues issuing 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 non-residential building/structure openings. up to ten days prior to storm landfall and Storm shutters or hurricane protection devices must be removed within seven days may remain in place for no more than ten days following either the storm or hurricane's passage or the termination of a declared state of emergency by the Town, whichever occurs later.

**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 9<sup>th</sup> day of July, 2019.

**PASSED AND ADOPTED** on second reading on the 13<sup>th</sup> 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. 4A2

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

**From:** Guillermo Olmedillo, Town Manager

**Date:** August 13, 2019

**Subject:** Prohibiting Hotels in H40

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The Town Commission directed staff to prepare an ordinance prohibiting hotels on the west side of Collins Avenue, south of 93<sup>rd</sup> Street in H40 zoning district. It was approved on first reading by the Town Commission at the March 12, 2019 meeting. The Planning and Zoning Board analyzed the proposed ordinance at their April 30, 2019 meeting. They were presented with the options discussed at the Commission meeting, including limiting the prohibition to south of 90<sup>th</sup> Street, limiting the size of hotels from 90<sup>th</sup> to 93<sup>rd</sup> to 100 feet in length, and grandfathering existing hotels. Staff prepared an analysis to show impacts of hotels versus multifamily relating to density, water consumption, parking requirements and trips generated per use. After much public comment and discussion by the Board, the request was to defer the request for further analysis.

The Planning and Zoning Board requested crime statistics, consequences of grandfathering hotels for the hotel owner and to confirm if the impacts are related to use and to evaluate creating development criteria in lieu of the complete prohibition. The Town Commission granted the deferral requesting that staff analyze the following: the impacts of boutique hotels, short term rentals, limiting aggregation and allowing office space.

## **Crime Statistics**

Attachment A is a crime statistical analysis provided by the Town's Police Department.

## **Grandfathering**

In the past, the Planning and Zoning Board has not been amenable to implementing grandfathering of structures when prior ordinances have been adopted. However, those ordinances impacted the design of a proposed structure. In those instances, if an existing hotel was destroyed due to force majeure, the use would still be permissible with the opportunity for the structure to be developed, although it would need to follow revised design standards, such as limitations on building length. The Board heard from property owners who indicated their concerns that if the use of a hotel is prohibited and there is no opportunity to rebuild an existing

facility, an operator would have serious consequences. The Board asked staff to identify these potential issues.

If a use is no longer permitted, the existing facility will become non-conforming. Therefore, they may have challenges getting approved for loans or refinancing, and for insurance. They may also have difficulties selling the property as a new owner would have no choice but to demolish the building or partake in comprehensive improvements to convert the structure to a conforming use, which may be too cost prohibitive. By designating a structure non-conforming, it would not only affect future sales, financing and insurance, but would limit improvements. Less than 50% of the cost of value could be completed, otherwise the use would need to be abandoned.

### **Impacts of the Use**

The Board also requested Staff to evaluate if the impacts are related to the use. Staff found that the most significant impacts relating to traffic and parking is hotels with ballrooms. However, it is clear that the impacts of tourism hinge on scale. "Boutique" style hotels can be more representative of a residential community with reduced amenities and impacts. This is present in many historic towns, such as Key West, where Boutique style hotels are located along Duval Street and resort-type hotels are located along the beach. This is also the case in Naples. The downtown and areas off the beach have smaller scale facilities, while the resorts are typically concentrated on the beach or golf courses.

### **Boutique Hotels**

As it was stated under the impacts of the use, Boutique style hotels with limited amenities are more consistent with a residential neighborhood. Sarasota County recently adopted a Boutique Hotel District which allows hotels limited to 75 rooms. St. Pete Beach has a Boutique Hotel/Condo District. There is a limitation of 50 units per acre for hotels and full-service restaurants are only permitted as conditional uses.

### **Short Term Rentals**

The code currently permits short term rentals limited to three times per year. Concerns with short term rentals are often the lack of regulation and responsiveness due to no staffing on site relating to the use. If a unit is rented out with the owner off-site, management of the condominium is often not equipped to deal with issues. Therefore, the police would be called, causing a strain on this department. A hotel has more staffing and structure to deal with issues. If an expansion of short term rentals were to be considered, it would be suggested that the building be staffed appropriately, such as a hotel. While the expansion of short term rentals may be something to consider, it does not appear to be an alternative to prohibiting hotels.

### **Limiting Aggregation**

Limiting aggregation for the purposes of hotel development would be a way to control the size and scale of a hotel. If a hotel was limited to 100 feet in length, the following should be included



to further control the massing: no more than one hotel per lot, increase the side setbacks for hotels to 15% of the lot width and to require a 25% reduction of allowable density.

Attachment B is a graphic demonstrating the following:

1. A 100-foot wide lot with proposed setbacks of 15 feet (15%) on either side.
2. A 150-foot wide lot with proposed setbacks of 22.5 feet (15%) on either side.

### **Office Space**

Staff performed an analysis based on the International Traffic Engineering (ITE) Standards for trip generation. Office space needs to be broken down by business office versus medical office. Medical office generates more daily trips at peak hour than all uses including hotels with ballrooms. Business office generates a slightly higher amount of peak hour trips than both hotels without a ballroom and multifamily residential.

If office is use that the Town wishes to allow, a Comprehensive Plan amendment as well as a rezoning would be required. If this is solely for office, additional legal analysis must be performed to determine if a referendum will be required as the only land use category that currently permits office requires an FAR, which is an intensity standard. Intensity can only be increased through a referendum. Staff would suggest that this becomes a mixed use category for residential/hotel and office so that it is regulated through density with a percentage of office permitted.

### **Options**

Based on the analysis, the following are options for development standards or criteria that would continue to allow the use, but would offer additional limitations:

1. Grandfather the existing developed hotels relating solely to the use of a hotel and not development standards.
2. Prohibit or restrict ballrooms, hotel amenities and accessories. For example, Board room space could be limited to an occupancy of no greater than 40 people.
3. Limit building of hotels to 100 feet in length. No aggregation of lots permitted with the intention to develop more than one hotel per lot.
4. Any aggregation of lots for hotel use will require a 25% reduction of allowable density.
5. Side setbacks of 15%.
6. Prepare a land use & zoning map and text amendment creating a mixed use residential/hotel and office or residential/office (excluding hotel) category allowing office as an accessory use.

### **Planning & Zoning Board Recommendation**

The Planning and Zoning Board reviewed the additional information at their July 11, 2019 meeting. The Board did not find justification for recommending approval on the request and unanimously voted to reject the code modification.

# Town of Surfside Police Department



## Crime Data - Dispatch Events Report



For Calendar Years 2014-2018  
and January-April 2019



## **REPORT OVERVIEW**

Please find below a crime analysis report for Part I Crimes, Part II Crimes, and Dispatch Events/Incidents for the Town of Surfside for calendar years 2014-2018, and the time period January 2019 through April 2019. The request for this information was from the Surfside Planning and Zoning (PZ) Board through Surfside Town Manager Olmedillo. The PZ Board requested information specific to the impact that the hotels in Surfside have on crime. For the purposes of this report five (5) hotels in Surfside were selected for comparison purposes as follows:

- Grand Beach Hotel West - 9418 Collins Ave, Surfside, FL 33154
- Grand Beach Hotel East - 9449 Collins Ave, Surfside, FL 33154
- Residence Inn by Marriott - 9200 Collins Ave, Surfside, FL 33154
- Four Seasons Hotel at The Surf Club - 9011 Collins Ave, Surfside, FL 33154
- Bluegreen Vacations Solara - 8801 Collins Ave, Surfside, FL 33154

The report also reflects crime data for other business types (Condominium, Retail Store, Restaurant, Restaurant-Bar) so the PZ Board may compare the data sets regarding impact on crime statistics/rates in Surfside. The business locations selected for comparison are:

- Condominium - Fendi Chateau Residences - 9349 Collins Ave, Surfside, FL 33154
- Retail Store - CVS - 9578 Harding Ave, Surfside, FL 33154
- Retail Store - Publix - 9400 Harding Ave, Surfside, FL 33154
- Restaurant - Backyard BBQ & Brew - 9460 Harding Ave, Surfside, FL 33154
- Restaurant - Flanigan's Seafood Bar and Grill - 9516 Harding Ave, Surfside, FL 33154

## **CRIME RATES**

A brief explanation of crime rates and crime data is provided below to familiarize members of the PZ Board with the manner and type of crime information that is collected, retained, and reported by the Surfside Police Department.

Crime Rate - *is a count of crimes compiled to assess the effectiveness of a crime control policy, and the impact of the policy on the risk of crime victimization.*

The Federal Bureau of Investigation (FBI) is the central repository for crime data in the United States. The Surfside Police Department submits crime information to the Florida Department of Law Enforcement (FDLE) on an established schedule and the information is then compiled and submitted by FDLE to the FBI. The Surfside Police Department submits this information through the Uniform Crime Reporting System (UCR) established by the FBI. The UCR Program's primary objective is to generate reliable information for use in law enforcement administration, operation, and management; over the years, however, the data has become one of the country's leading social indicators. The Program has been the starting place for law enforcement executives, students of criminal justice, researchers, members of the media, and the public at large seeking information on crime in the nation. The Program was conceived in 1929 by the International Association of Chiefs of Police to meet the need for reliable uniform crime statistics for the nation. In 1930, the FBI was tasked with collecting, publishing, and archiving those statistics.

Today the FBI receives data from more than 18,000 city, university and college, county, state, tribal, and federal law enforcement agencies that voluntarily participate in the UCR Program. The crime data are submitted either through a state UCR Program or directly to the FBI's UCR Program. The UCR Program publishes annual reports based on the crime data collection that enable law enforcement and the general public to more easily use and understand the massive amounts of UCR crime data. The UCR data goes through a stringent validation process prior to inclusion in the FBI reporting system. The FBI stresses that each local law enforcement jurisdiction has unique conditions affecting crime rates and comparison of UCR crime rates between jurisdictions is not the purpose of the UCR system.

## **CRIME FACTORS**

It is incumbent upon all crime data users to become as well educated as possible about how to understand and quantify the nature and extent of crime in the United States, and in any of the more than 18,000 jurisdictions represented by law enforcement contributors to the Uniform Crime Reporting (UCR) Program.

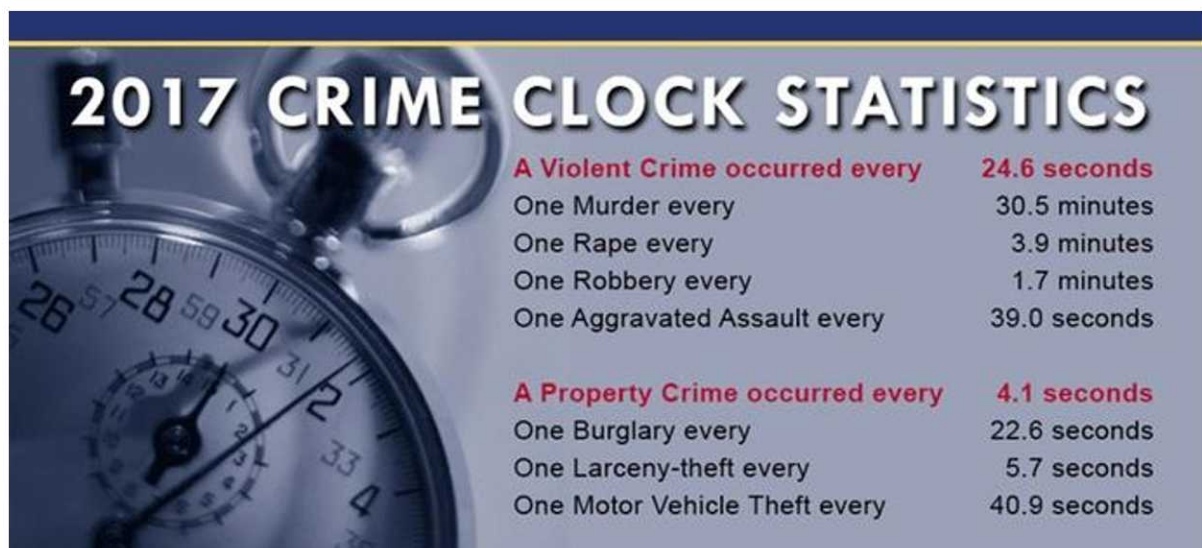
Historically, the causes and origins of crime have been the subjects of investigation by many disciplines. The FBI has provided a list of crime factors that are known to affect the volume and type of crime occurring from place to place.

### **Crime Factors:**

- Population density and degree of urbanization.
- Variations in composition of the population, particularly youth concentration.
- Stability of the population with respect to residents' mobility, commuting patterns, and transient factors.
- Modes of transportation and highway system.



- Economic conditions, including median income, poverty level, and job availability.
- Cultural factors and educational, recreational, and religious characteristics.
- Family conditions with respect to divorce and family cohesiveness.
- Climate.
- Effective strength of law enforcement agencies.
- Administrative and investigative emphases of law enforcement.
- Policies of other components of the criminal justice system (i.e., prosecutorial, judicial, correctional, and probational).
- Citizens' attitudes toward crime.
- Crime reporting practices of the citizenry.



## **SURFSIDE CRIME DATA AND DISPATCH EVENTS DATA**

The Total Crime Statistics for the Town of Surfside for calendar years 2014-2018, and for the period January 2019 through April 2019 are provided below as a reference point:

<b>Crime Statistics 2014-2019</b>						
<b>Classification</b>	<b>2014</b>	<b>2015</b>	<b>2016</b>	<b>2017</b>	<b>2018</b>	<b>2019*</b>
Homicide	0	0	0	0	0	0
Sexual Battery	0	0	1	0	1	1
Aggravated Assault - Battery	2	5	10	4	5	1
Burglary Structure	10	8	14	8	10	8
Grand Theft	60	41	70	38	37	17
Robbery	3	3	2	2	0	0
Auto Theft	8	8	5	7	3	1
<b>Total Part I Crimes</b>	<b>81</b>	<b>65</b>	<b>102</b>	<b>59</b>	<b>56</b>	<b>28</b>
Battery	14	13	11	15	14	11
Domestic Violence	8	9	8	8	15	6
Theft	39	53	47	19	34	20
Lewd / lascivious	1	0	3	1	2	0
Burglary Conveyance	24	20	27	29	18	5
Fraud	70	49	55	32	26	12
Criminal Mischief	25	10	15	6	10	3
Driving Under Influence	1	4	2	2	2	0
<b>Total Part II Crimes</b>	<b>182</b>	<b>158</b>	<b>168</b>	<b>111</b>	<b>121</b>	<b>57</b>
Traffic Citations	4311	4686	4901	3413	4801	1143
Traffic Warnings	3235	3825	3360	3205	3139	824
Arrests	142	151	198	116	207	46
Parking Citations	13963	13816	13916	10658	8582	2916
Red Light Review	4903	6854	10208	11533	0	0
<b>* 2019 Data is for 01-01-2019 through 04-30-19</b>						

The below table depicts the Town of Surfside Dispatched Events, Incident-Crime Reports, Arrests, Traffic Crashes, and Investigation data:

<b>Dispatched Calls-Arrests-Citations-Investigations 2014-2019</b>						
<b>Classification</b>	<b>2014</b>	<b>2015</b>	<b>2016</b>	<b>2017</b>	<b>2018</b>	<b>2019</b>
Dispatch Events	22800	23216	19939	20789	22305	6708
Incident/Crime Reports	1231	1256	1430	1047	892	324
Felony Arrests	31	41	48	42	53	8
Misdemeanor Arrests	99	98	134	62	140	32
Warrant Arrests	12	12	16	12	14	6
Suspicious Person Checks	436	336	316	435	342	108
Crime Prevention/Community Events	113	190	164	170	122	43
Traffic Crashes	246	267	269	215	226	90
Investigations Assigned	241	208	239	141	127	53
Investigations Closed	205	90	206	80	161	69
Investigations Cleared by Arrest	19	18	18	24	13	3
<b>* 2019 Data is for 01-01-2019 through 04-30-19</b>						



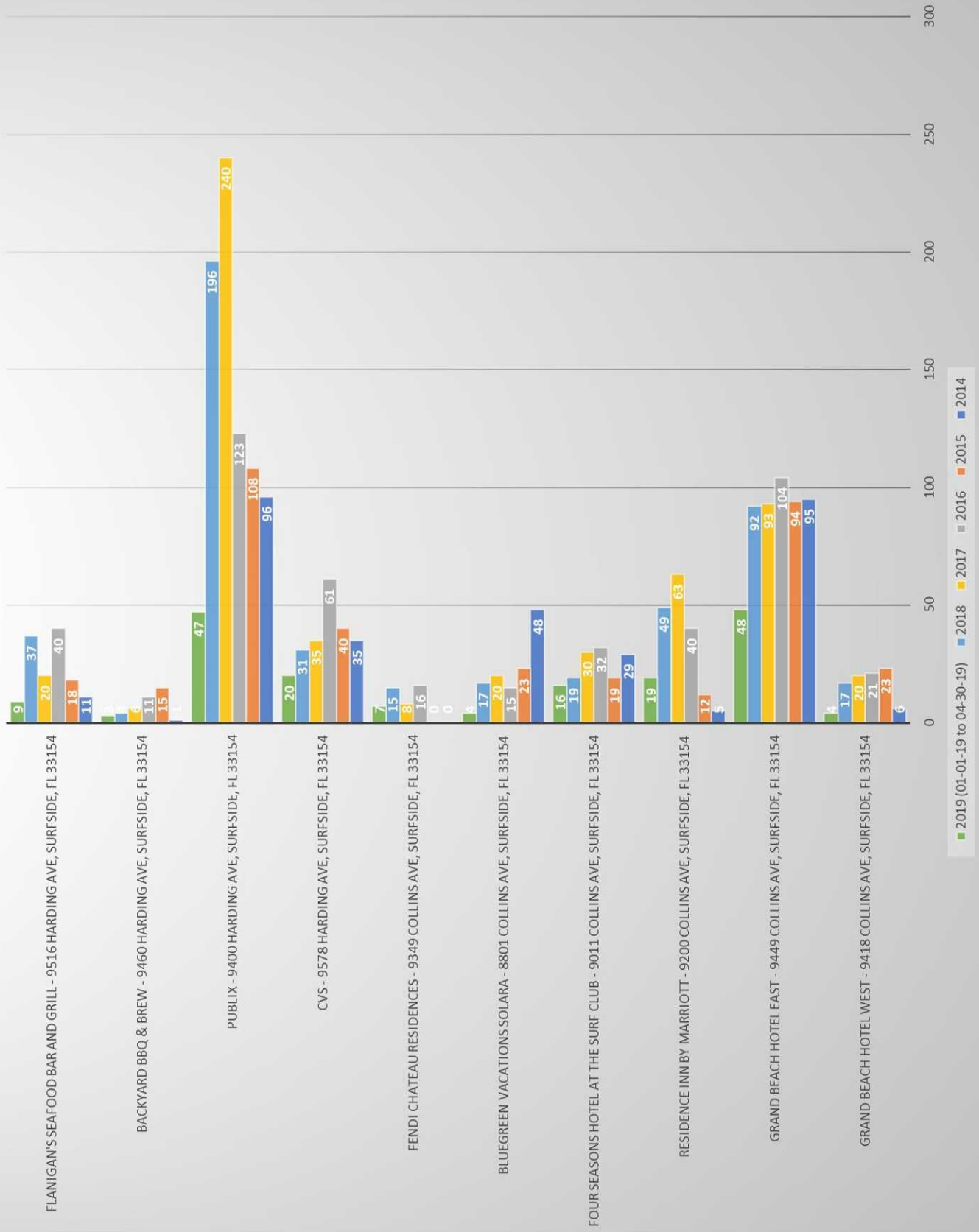
# Page 190

BUSINESS OPERATIONAL DATES										
Business / Location	Grand Beach Hotel West - 9418 Collins Ave, Surfside, FL 33154	Grand Beach Hotel East - 9449 Collins Ave, Surfside, FL 33154	Residence Inn by Marriott - 9200 Collins Ave, Surfside, FL 33154	Four Seasons Hotel at The Surf Club - 9011 Collins Ave, Surfside, FL 33154	Bluegreen Vacations Solara - 8801 Collins Ave, Surfside, FL 33154	Fendi Chateau Residences - 9349 Collins Ave, Surfside, FL 33154	CVS - 9578 Harding Ave, Surfside, FL 33154	Publix - 9400 Harding Ave, Surfside, FL 33154	Backyard BBQ & Brew - 9460 Harding Ave, Surfside, FL 33154	Flanigan's Seafood Bar and Grill - 9516 Harding Ave, Surfside, FL 33154
Operational Date or Temporary Certificate of Occupancy (TCO) Issue Date	12/19/2014	12/19/2014	05/12/2016	05/12/2016	03/01/2003	05/12/2016	07/26/2012	08/28/2003	11/03/2014	03/13/1998

The total number of **Dispatched Events for police and/or fire department services or actions** are reflected in the below tables:

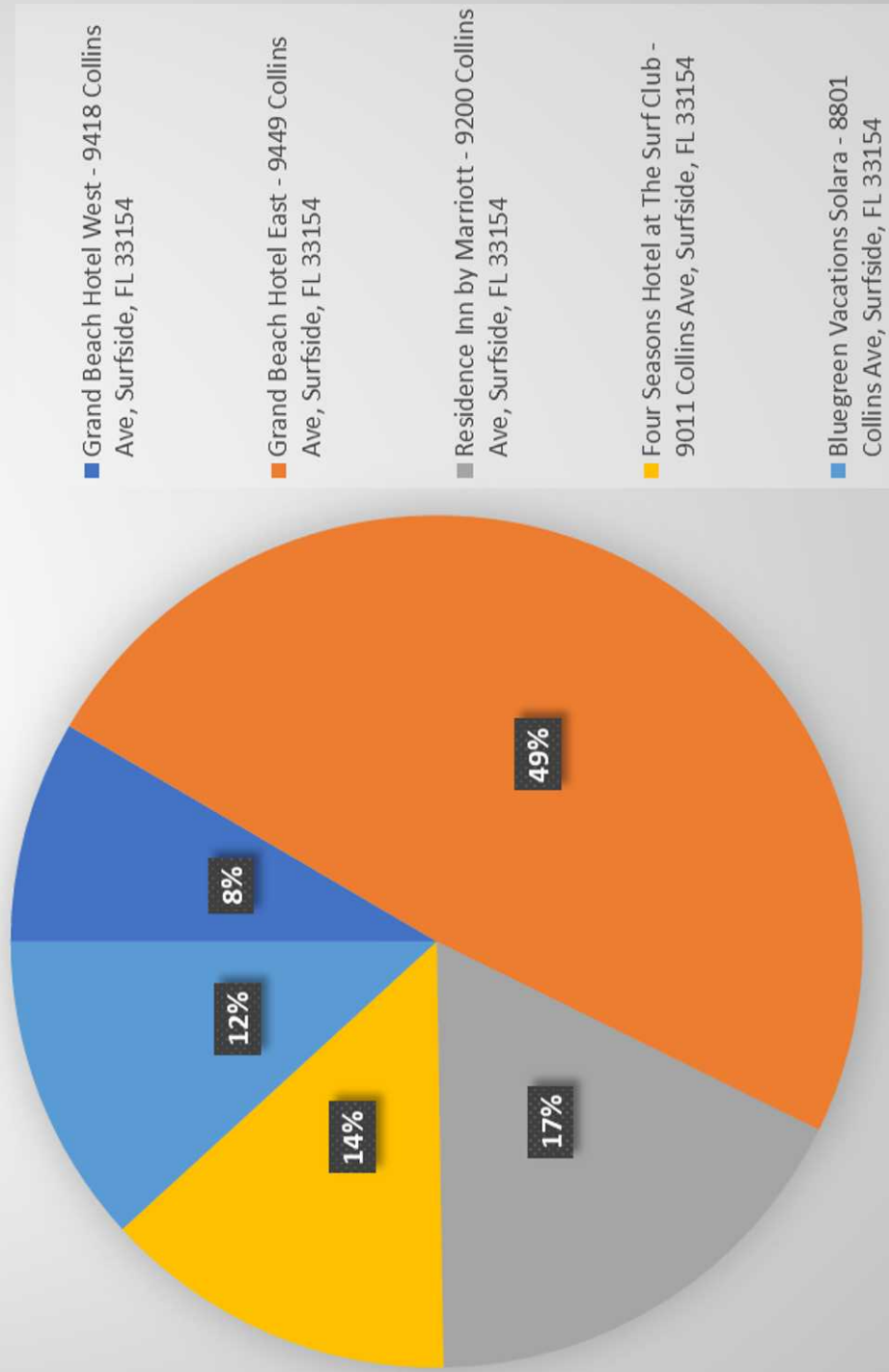
DISPATCH EVENTS										
Calendar Year (January 1st - December 31)	Grand Beach Hotel West - 9418 Collins Ave, Surfside, FL 33154	Grand Beach Hotel East - 9449 Collins Ave, Surfside, FL 33154	Residence Inn by Marriott - 9200 Collins Ave, Surfside, FL 33154	Four Seasons Hotel at The Surf Club - 9011 Collins Ave, Surfside, FL 33154	Bluegreen Vacations Solara - 8801 Collins Ave, Surfside, FL 33154	Fendi Chateau Residences - 9349 Collins Ave, Surfside, FL 33154	CVS - 9578 Harding Ave, Surfside, FL 33154	Publix - 9400 Harding Ave, Surfside, FL 33154	Backyard BBQ & Brew - 9460 Harding Ave, Surfside, FL 33154	Flanigan's Seafood Bar and Grill - 9516 Harding Ave, Surfside, FL 33154
2014	14	121	5	29	48	0	41	96	1	12
2015	24	103	12	19	23	0	57	108	15	21
2016	23	118	40	32	15	16	66	123	12	45
2017	21	97	63	30	20	8	39	240	6	22
2018	17	104	49	19	17	15	32	196	5	40
2019										
(01-01-19 to 04-30-19)	4	52	19	16	4	7	22	47	4	12
	103	595	188	145	127	46	257	810	43	152

## Dispatch Events by Location and Year

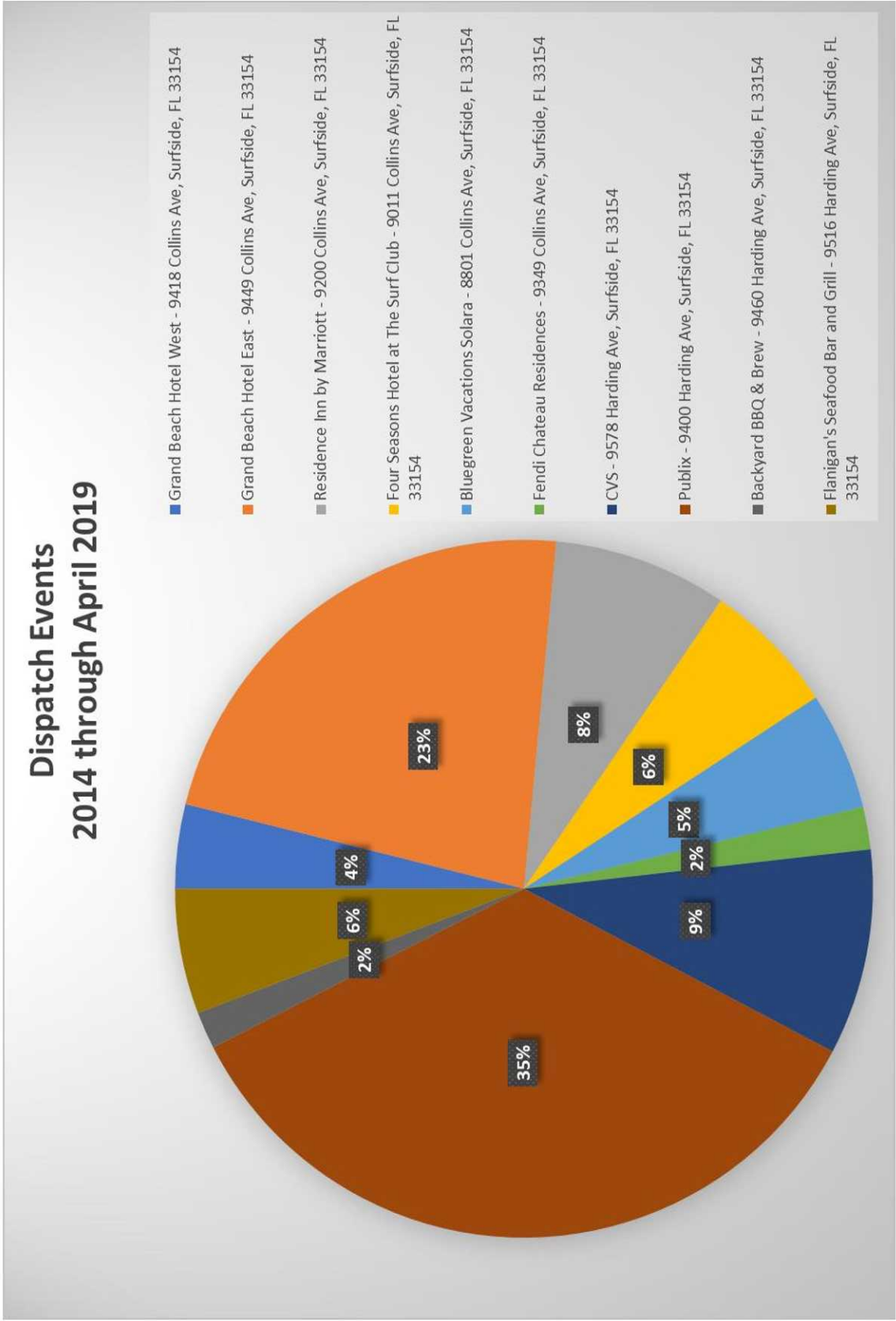


The following pie chart depicts the Police Dispatch Events for just the five Hotels:

## Hotel - Dispatch Events 2014 through April 2019



The following pie chart depicts the Police Dispatch Events for the five Hotels, the Condominium, the Retail Stores, and the Restaurants:



The Hotels crime incident data is depicted below:

Grand Beach Hotel (West)							
Year	Signals						
	Stolen Vehicle - 22	Burglary - 26	Theft - 27	Robbery - 29	Homicide - 31	Battery - 32	Sex Offense - 33
2014	0	0	0	0	0	0	0
2015	0	1	2	0	0	0	0
2016	0	0	2	0	0	0	0
2017	0	0	0	0	0	0	0
2018	0	0	1	0	0	0	0
2019	0	0	1	0	0	0	0
Yearly Total	0	1	6	0	0	0	0

Grand Beach Hotel (East)							
Year	Signals						
	Stolen Vehicle - 22	Burglary - 26	Theft - 27	Robbery - 29	Homicide - 31	Battery - 32	Sex Offense - 33
2014	0	1	11	0	0	1	0
2015	0	0	15	0	0	0	0
2016	0	1	13	0	0	1	0
2017	1	0	7	0	0	1	0
2018	0	0	12	0	0	0	0
2019	0	0	5	0	0	0	0
Yearly Total	1	2	63	0	0	3	0

Marriott Residence Inn							
Year	Signals						
	Stolen Vehicle - 22	Burglary - 26	Theft - 27	Robbery - 29	Homicide - 31	Battery - 32	Sex Offense - 33
2014	0	0	0	0	0	0	0
2015	0	1	0	0	0	0	0
2016	0	0	1	0	0	0	0
2017	0	0	3	0	0	0	0
2018	0	0	2	0	0	2	0
2019	0	0	0	0	0	1	0
Yearly Total	0	1	6	0	0	3	0

Four Seasons at The Surf Club							
Year	Signals						
	Stolen Vehicle - 22	Burglary - 26	Theft - 27	Robbery - 29	Homicide - 31	Battery - 32	Sex Offense - 33
2014	0	0	3	0	0	1	1
2015	0	1	1	0	0	0	0
2016	0	1	2	0	0	1	0
2017	0	0	4	0	0	0	0
2018	0	0	1	0	0	0	0
2019	0	0	1	0	0	1	0
Yearly Total	0	2	12	0	0	3	1



The Hotels crime incident data is depicted below (continued):

Bluegreen Vacations Solara							
Year	Signals						
	Stolen Vehicle - 22	Burglary - 26	Theft - 27	Robbery - 29	Homicide - 31	Battery - 32	Sex Offense - 33
2014	0	1	1	0	0	0	1
2015	0	0	0	0	0	1	0
2016	0	0	0	0	0	0	0
2017	0	0	1	0	0	0	0
2018	0	0	0	0	0	0	0
2019	0	0	0	0	0	1	0
Yearly Total	0	1	2	0	0	2	1

The Retail Store crime incident data is depicted below:

CVS							
Year	Signals						
	Stolen Vehicle - 22	Burglary - 26	Theft - 27	Robbery - 29	Homicide - 31	Battery - 32	Sex Offense - 33
2014	0	0	10	0	0	0	0
2015	0	0	8	0	0	0	0
2016	0	0	11	1	0	1	0
2017	0	0	10	1	0	0	0
2018	0	1	8	0	0	0	0
2019	0	0	6	0	0	0	0
Yearly Total	0	1	53	2	0	1	0

Publix							
Year	Signals						
	Stolen Vehicle - 22	Burglary - 26	Theft - 27	Robbery - 29	Homicide - 31	Battery - 32	Sex Offense - 33
2014	0	0	13	0	0	2	0
2015	0	0	7	0	0	0	0
2016	0	0	10	0	0	0	0
2017	0	0	3	1	0	1	0
2018	0	0	6	0	0	2	0
2019	0	0	5	0	0	0	0
Yearly Total	0	0	44	1	0	5	0



The Restaurant crime incident data is depicted below:

Backyard BBQ & Brew							
Year	Signals						
	Stolen Vehicle - 22	Burglary - 26	Theft - 27	Robbery - 29	Homicide - 31	Battery - 32	Sex Offense - 33
2014	0	0	0	0	0	0	0
2015	0	0	1	0	0	0	0
2016	0	0	1	0	0	1	0
2017	0	0	0	0	0	0	0
2018	0	0	0	0	0	0	0
2019	0	0	0	0	0	0	0
Yearly Total	0	0	2	0	0	1	0

The Condominium crime incident data

is depicted below:

Fendi Chateau							
Year	Signals						
	Stolen Vehicle - 22	Burglary - 26	Theft - 27	Robbery - 29	Homicide - 31	Battery - 32	Sex Offense - 33
2014	0	0	0	0	0	0	0
2015	0	0	0	0	0	0	0
2016	0	0	0	0	0	0	0
2017	0	0	0	0	0	1	0
2018	0	0	0	0	0	0	0
2019	0	0	1	0	0	0	0
Yearly Total	0	0	1	0	0	1	0

The Beach Area crime incident data

is depicted below:

Beach							
Year	Signals						
	Stolen Vehicle - 22	Burglary - 26	Theft - 27	Robbery - 29	Homicide - 31	Battery - 32	Sex Offense - 33
2014	1	0	1	0	0	0	0
2015	0	0	0	0	0	0	1
2016	0	0	5	0	0	2	1
2017	0	0	7	1	0	1	0
2018	0	0	0	0	0	1	0
2019	0	0	0	0	0	0	0
Yearly Total	1	0	13	1	0	4	2

**ARREST DATA PER BUSINESS (2015-2019):**

Hotels:

Grand Beach Hotel (West)					
05/21/2015	151701	F	W	GRAND THEFT 3RD DEG	9418 COLLINS AVE
05/21/2015	151701	F	W	GRAND THEFT/MV/I/DAM	9418 COLLINS AVE
05/25/2015	151747	M	W	DEFRAUD INN/300+	9418 COLLINS AVE
05/16/2016	161538	F	B	BATTERY	9418 COLLINS AVE

Grand Beach Hotel (East)					
04/13/2015	151270	M	W	TRES PROP/AFTER WARN	9449 COLLINS AVE
11/07/2015	153607	M	W	CONT SUBS/POSS	9449 COLLINS AVE
11/07/2015	153607	F	W	CONT SUBS/POSS	9449 COLLINS AVE
08/31/2016	162930	M	B	CREDIT CARD/100+	9449 COLLINS AVE
11/03/2017	173500	M	B	LOITERING OR PROWL	9449 COLLINS AVE
05/24/2018	181559	M	B	CRIM MIS/1000+	9449 COLLINS AVE
04/18/2019	191277	F	W	GRAND THEFT 3RD DEG	9449 COLLINS AVE

Marriott Residence Inn					
08/29/2015	152886	M	W	GRD THEFT/3D/VEHICLE	9200 BLOCK COLLINS AVE
11/21/2015	153758	M	W	DISORDERLY INTOX	9200 BLOCK COLLINS AVE
03/05/2016	160668B	F	W	CANNABIS/POSN/O-20	9200 BLK COLLINS AVE
03/05/2016	160668A	M	W	CANNABIS/POSN/O-20	9200 BLK COLLINS AVE
03/28/2016	160966	M	W	CANNABIS/POSN/O-20	9200 BLK COLLINS AVE
06/18/2016	162029A	M	W	COCAINE/POSSESSION	9200 BLOCK COLLINS AVENUE
06/15/2018	181801	M	B	CONT SUB/SELL/DEL	9200 BLK COLLINS AVE
07/01/2018	181981	M	W	CANNABIS/POSN/O-20	9200 BLK COLLINS AVE
10/19/2018	183040	M	W	THREATEN/LEO/ASA/FIR	9200 COLLINS AVE
11/02/2018	183177	M	B	CANN/SELL/DEL/PSNW/I	9200 BLOCK OF COLLINS AVE

Hotels (continued):

Four Seasons at The Surf Club					
06/11/2016	161920B	M	B	BATTERY/AGGRAVATED	9011 COLLINS AVE
06/11/2016	161920A	M	B	BATT/AGG/PREJ/WEA/HR	9011 COLLINS AVENUE
02/02/2017	170389	M	B	BURGLARY/OCC CONVEY	9011 COLLINS AVE

Bluegreen Vacations Solara					
07/04/2015	152212	M	W	BATTERY	8801 COLLINS AVE
01/01/2019	190004	M	W	BATTERY	8801 COLLINS AVE

Condominium:

Fendi Chateau Residences	
	No Arrest Data

Retail Stores:

CVS						
09/15/2015	153055	M	W	RETAIL THEFT/MERCHAN	9578 HARDING AVENUE	
11/25/2015	153804	M	B	PETIT THEFT	9578 HARDING AVE	
06/14/2016	161969	F	W	PETIT THEFT	9578 HARDING AVE	
10/30/2016	163569	M	W	TRESP/STRUC/OCC/WARN	9578 HARDING AVENUE	
10/30/2016	163432	M	W	GRAND THEFT 3RD DEG	9578 HARDING AVENUE	
03/16/2018	180758	F	B	OBSTRT/DISGUISE PERS	9578 HARDING AVE	

Retail Stores (continued):

Publix					
08/03/2015	152570	M	W	RE/TH/MER/100+/-300/	9400 HARDING AVE
09/28/2015	153193	M	B	UTTER/FRG/CHECK/ATTP	9400 HARDING AVE
10/15/2015	153398	M	W	DRUG PARAPHERNA/POSN	9400 HARDING AVE
10/26/2015	153497	F	B	PETIT THEFT/SOLICIT	9400 HARDING AVE
10/29/2015	153520	F	W	FLEE/ELUDE PO	9400 BLK HARDING AVE
03/15/2016	160802	M	W	DISORDERLY CONDUCT	9400 BLOCK HARDING AVE
04/23/2016	16299	M	W	BATTERY/ELDERLY	9400 HARDING AVE
05/06/2016	161444	M	W	BURGLARY/OCC/STRUCT	9400 HARDING AVENUE
08/19/2016	162769B	M	W	PETIT THEFT	9400 HARDING AVE
08/19/2016	162769A	M	W	PETIT THEFT	9400 HARDING AVE
12/23/2016	164175	M	B	DISORDERLY CONDUCT	9400 HARDING AVE
03/09/2017	170796	M	W	POSN FA/AMMO/DV INJN	9400 HARDING AVE
04/22/2017	171308C	M	W	CANNABIS/POSN/20+	9400 BLK HARDING AVE
04/22/2017	171308A	M	W	CANNABIS/POSN/20+	9400 BLOCK HARDING AVENUE
04/22/2017	171308B	M	W	CANNABIS/POSN/20+	9400 BLOCK HARDING AVENUE
09/13/2017	172979	M	W	BATTERY	9400 HARDING AVE
05/11/2018	181410	F	B	PETIT THEFT	9400 HARDING AVE
06/01/2018	181647	F	W	BATTERY/LEO/COR/FIRE	9400 HARDING AVE
06/10/2018	181728	M	W	PETIT THEFT 1D	9400 BLOCK OF HARDING AVENUE
01/30/2019	190333B	M	B	LOITERING OR PROWL	9400 BLK HARDING AVE
01/30/2019	190333A	M	B	LOITERING OR PROWL	9400 BLK HARDING AVE
02/09/2019	190446	M	W	RETAIL THEFT/300>	9400 HARDING AVE
04/30/2019	191431	M	W	PETIT THEFT	9400 BLOCK OF HARDING AVE

Restaurants:

Backyard BBQ & Brew				
07/05/2016	162237	F	W BATTERY	9460 HARDING AVE (WEST ALLEY)
08/24/2018	182543	M	W BATTERY	9460 HARDING AVE

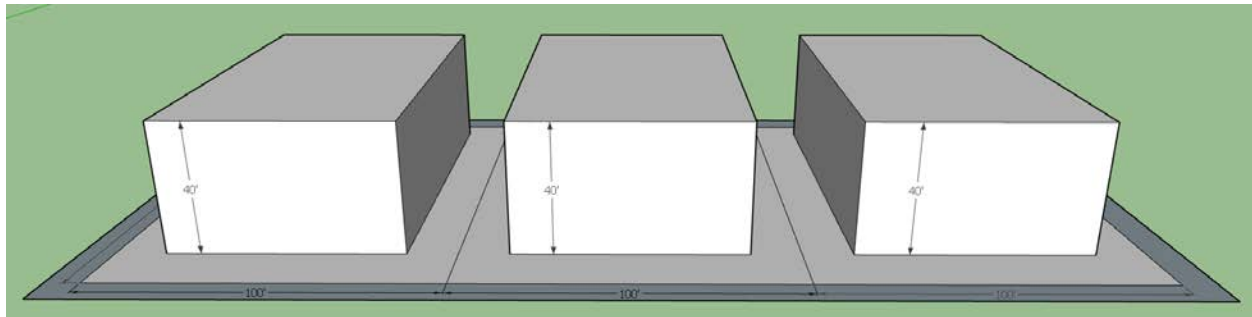
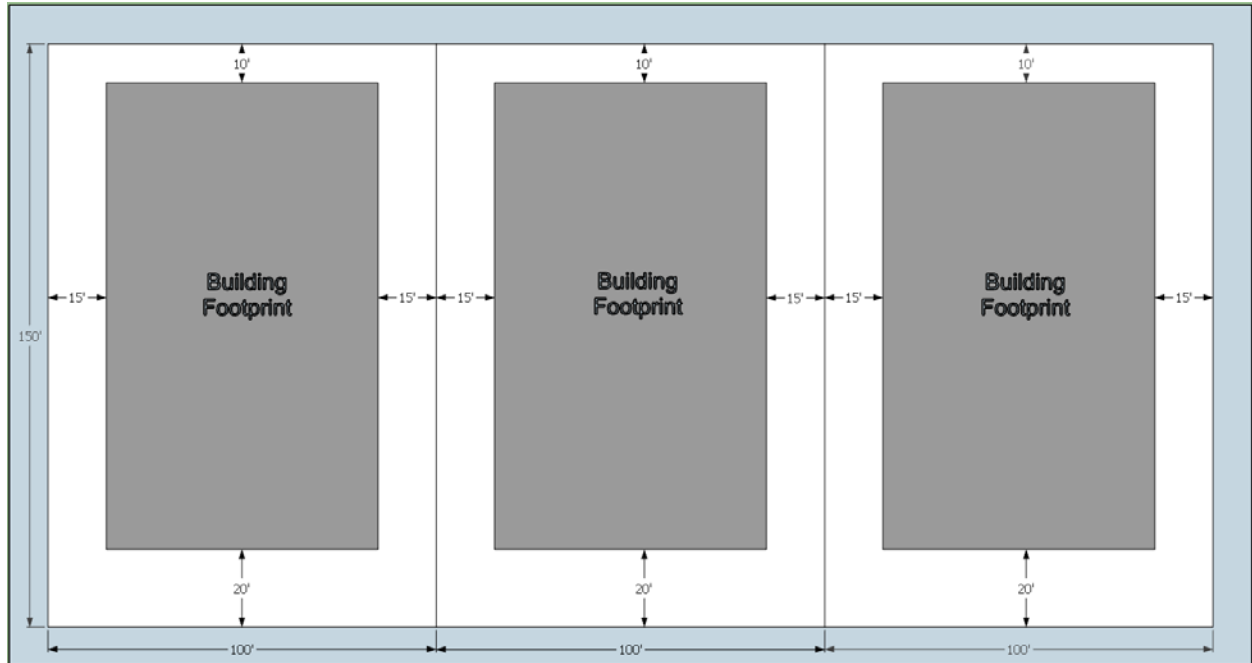
Flanigan's Seafood Bar and Grill				
07/18/2015	152366	M	W DEFRAUD INN/0-300	9516 HARDING AVE
01/08/2016	160066	M	W DISORDERLY INTOX	9516 HARDING AVE
09/21/2016	163145	M	W SCN DEV/REENC/UNLWF	9516 HARDING AVE
07/01/2018	181982	F	W DISORDERLY INTOX	9516 HARDING AVE
09/07/2018	182669	M	W DISORDERLY INTOX	9516 HARDING AVE
10/20/2018	183044	F	W BATTERY/LEO/COR/FIRE	9516 HARDING AVE

## **CRIME DATA INTERPRETATION**

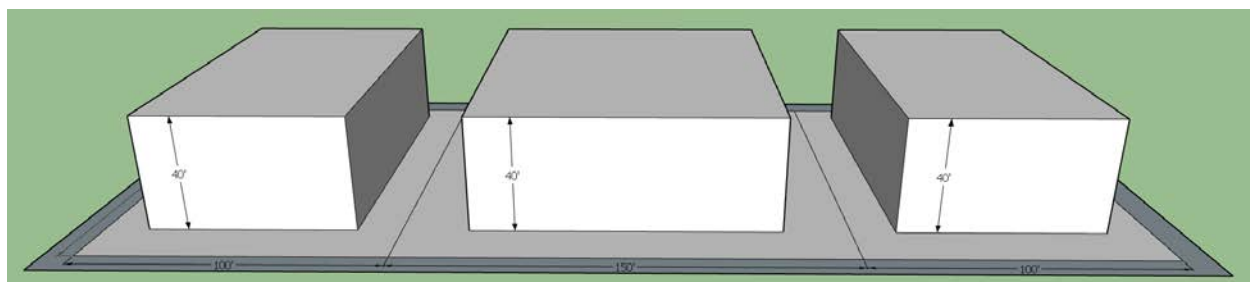
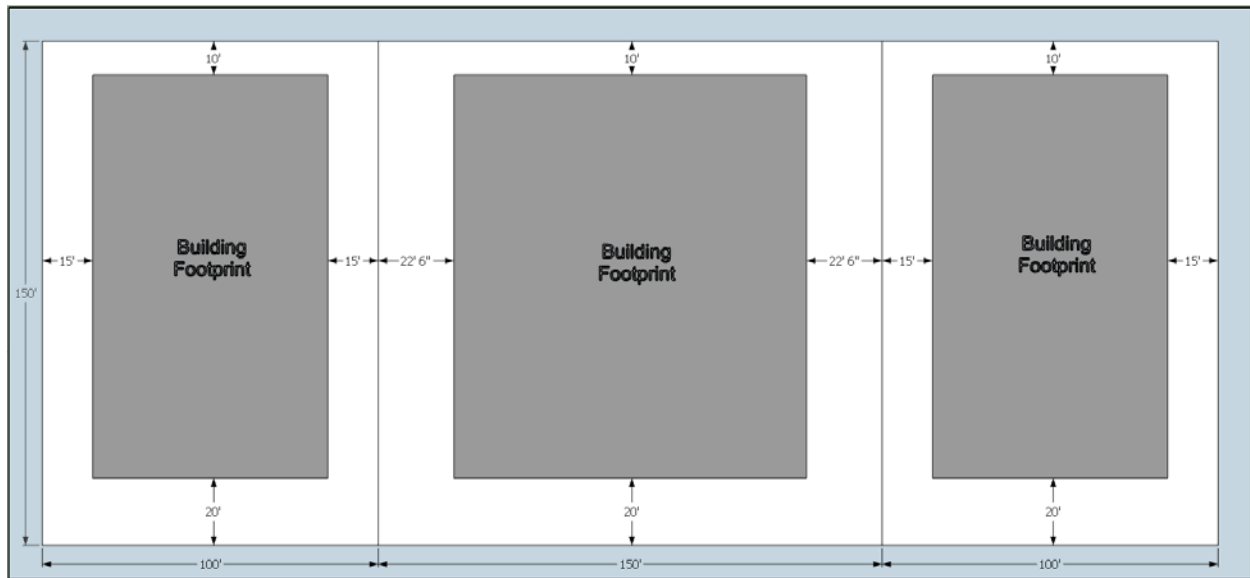
Data interpretation is simply the ability to interpret, or in other words, to visualize data and make sense of the information given. The PZ Board members, residents, or other concerned persons that brought forward the request for this information may each interpret the information differently. From a police perspective the overall crime rate in the Town of Surfside is low and Surfside is an extremely safe jurisdiction within Miami-Dade County.

Each of the businesses that are listed in this report have cooperated with the Surfside Police Department when asked to do so regarding crime reduction initiatives and criminal investigations. The hotels in particular each have security personnel on site at all times and they have alerted the Surfside Police Department to issues of concern. Overall the Surfside Police Department has partnered with the residential community and business community to reduce crime and make the Town of Surfside a safe place to live, work, and play.





H40 Zoning Designation	Lots wider than 50 feet in width
Lot Length	150 feet
Lot Width	100 feet
Lot Area	15,000 square feet
Building Height	40 feet
<b>Setbacks</b>	
Front	20 feet
Rear	10 feet
Side	15 feet (15% of lot width)



H40 Zoning Designation	Lots wider than 50 feet in width Subject Property	Lots wider than 50 feet in width Neighboring Properties
Lot Length	150 feet	150 feet
Lot Width	150 feet	100 feet
Lot Area	22,500 square feet	15,00 feet
Building Height	40 feet	40 feet
Setbacks		
Front	20 feet	20 feet
Rear	10 feet	10 feet
Side	22.5 feet (15% of lot width)	15 feet (15% of lot width)

ORDINANCE NO. 19 - \_\_\_\_\_

**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 93<sup>RD</sup> STREET AND ADDRESS HOTEL ACCESSORY USES; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR CONFLICTS AND PROVIDING FOR AN EFFECTIVE DATE.**

1       **WHEREAS**, Article VIII, Section 2 of the Florida Constitution, and Chapter 166, Florida  
2 Statutes, provide municipalities the authority to exercise any power for municipal purposes,  
3 except where prohibited by law, and to adopt ordinances in furtherance of such authority; and

4       **WHEREAS**, the Town Commission of the Town of Surfside ("Town Commission") finds it  
5 periodically necessary to amend its Code of Ordinances and Land Development Code ("Code") in  
6 order to update regulations and procedures for maintain consistency with state law and to  
7 implement municipal goals and objectives; and

8       **WHEREAS**, on February 12, 2019, the Town Commission directed staff to evaluate and  
9 prepare an ordinance prohibiting hotel use within the H40 zoning district south of 93<sup>rd</sup> Street; and

10       **WHEREAS**, the Planning and Zoning Board, as the local planning agency for the Town,  
11 held its hearing on the proposed amendment on \_\_\_\_\_, 2019 with due public notice and  
12 input; and

13       **WHEREAS**, the Town Commission held its first public hearing on March 12, 2019 and  
14 recommended \_\_\_\_\_ of the proposed amendments to the Code of Ordinances having  
15 complied with the notice requirements by the Florida Statutes; and

16       **WHEREAS**, the Town Commission has conducted a second duly noticed public hearing on  
17 these regulations as required by law on \_\_\_\_\_, 2019 and further finds the proposed  
18 change to the Code necessary and in the best interest of the community.

19  
<sup>1</sup>Additions to the text are shown in underline. Deletions are shown in ~~strikethrough~~.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COMMISSION OF  
THE TOWN OF SURFSIDE, FLORIDA<sup>1</sup>:

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

**Section 2. Town Code Amended.** Section 90-41. – “Regulated Uses” of the Surfside  
Town Code of Ordinances is hereby amended and shall read as follows<sup>1</sup>:

**Sec. 90-41. Regulated uses.**

(a) *Purpose.* Permitted uses are considered to be fundamentally appropriate within the district  
in which they are located and are deemed to be consistent with the comprehensive plan.  
These uses are permitted as of right, subject to the required permits and procedures  
described in this section. Permitted uses require final site plan review and approval for  
compliance with the standards applicable to a particular permitted use as provided in this  
zoning code.

(b) *Permits required.* Except as explicitly provided herein, no use designated as a permitted use  
in this chapter shall be established until after the person proposing such use has applied for  
and received all required development permits.

(c) Table—Regulated uses.

\* \* \*

	H30A	H30B	H30C	H40	H-120	SD-B40
Lodging Uses						
Hotel	-	-	-	P(7)(31)	P(7)	-
<u>Hotel Accessory Uses</u>	-	-	-	<u>P(7)</u>	<u>P(7)</u>	-
Suite Hotel	-	-	-	P(7)	P(7)	-

Key: P: Permitted    Blank: Not Permitted    (#): Refer to Notes    CU: Conditional Use

\* \* \*

(d) *Uses table notes.*

\* \* \*

<sup>1</sup> Additions to the text are shown in underline. Deletions to the text are shown in ~~strike through~~.

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(7) May provide a beauty/personal services, dining room, and coffee shop, bar or cocktail lounge, telegraph office, tobacco, candy, and newsstand, automobile rentals where rental vehicles are not kept on premises, ready to wear shops, travel agencies, gift and sundry shops, coin operated machines, washing machines, and marble, coin or amusement machines (other than gambling devices), and diet and health spas providing services solely to guests; provided, however, that such facilities may be entered only from the inside of the structure and there shall be no window or evidence of such facilities from outside the hotel or motel.

\* \* \*

(31) Hotels must be located north of 93<sup>rd</sup> Street. Hotels are prohibited south of 93<sup>rd</sup> Street.

\* \* \*

**Section 4. Severability.** If any section, sentence, clause or phrase of this ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this ordinance.

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

**Section 6. Conflicts.** Any and all Ordinances and Resolutions or parts of Ordinances or Resolutions in conflict herewith are hereby repealed.

**Section 7. Effective Date.** This ordinance shall become effective upon adoption.

**PASSED and ADOPTED** on first reading this 12th day of March, 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 and Bierman, P.A.  
Town Attorney





# MEMORANDUM

ITEM NO. 4B1

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

**From:** Lillian M. Arango, Town Attorney

**Date:** August 13, 2019

**Subject:** Repealing Section 2-28, "Reimbursement of Travel and Other Expenses" of the Town Code

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## Background

On March 8, 2005, the Town Commission adopted Resolution No.1690 adopting a per diem and travel expense policy for Town officers and employees. The policy provided that the Town would pay the U.S. General Services Administration's adopted per diem rates and the IRS adopted mileage reimbursement rates in effect each year.

On September 8, 2009, the Town Commission adopted Ordinance No. 1535 creating Section 2-28, "Reimbursement of Travel and Other Expenses" to provide guidelines and regulations of travel and other expenses related to Town business for elected or appointed officials of the Town. This ordinance was further amended on October 13, 2009 by Ordinance No. 1540. Among other things, the effect of these two Ordinances was the repeal of Resolution No. 1690. See Ordinance No. 1540, Section 4 (providing that "[a]ny and all Ordinances and Resolutions or parts of Ordinances or Resolutions in conflict herewith are hereby repealed.").

## Analysis

The Town wishes to adopt an updated, comprehensive Travel, Transportation and Meal Policy for Town officials and employees, which provides specific guidance to officials and employees, as well as the Town Manager and Department Directors, regarding the policies and procedures to be used when seeking payment or reimbursement by the Town for travel, transportation and meals incurred during official Town business or duties.

Towards that end, a new Travel, Transportation and Meal Policy (the "Policy") has been drafted. The Policy will be on the September 10, 2019 Commission agenda for adoption by Resolution of the Town Commission. A draft of the proposed Policy is attached for the Commission's information in advance of the September meeting.

Attached is an Ordinance repealing Section 2-28 of the Town Code. If the Ordinance is approved on first reading, the Town Commission will consider the Ordinance on second reading on September 10, 2019. Assuming the Ordinance is adopted on second reading, on September 10, 2019, the Commission will also be presented with a Resolution to adopt the Policy.

Budget Impact

The budget impact is unknown at this time.

Programming

Upon adoption of the Ordinance on second reading, the Town Commission will consider a Resolution to adopt the Policy, which will be implemented immediately upon adoption.

Commission Direction

Town staff recommends that the Town Commission adopt the attached Ordinance repealing Section 2-28 of the Town Code on first reading.

Reviewed by: LMA

Prepared by: HSS

Town of Surfside  
Travel, Transportation, and Meal Policy

**1-1. POLICY.**

It is the policy of the Town of Surfside to pay for all reasonable and necessary expenses associated with travel, transportation, and meals resulting from an employee's, elected official's, or other Town Manager authorized person's attendance at any meeting, seminar, conference, or convention which has been properly approved as having a demonstrated public purpose, benefit to the Town or in the course of official Town business. Excepted from this policy are expenses deemed necessary by the Police Chief for undercover police work. The Town Manager may make reasonable exceptions to this Policy when it is deemed in the Town's best interests to do so.

**1-2. SCOPE.**

This operating procedure applies to all employees of the Town of Surfside (Town) as well as all elected and appointed officials or other Town Manager authorized person.

**1-3. PROCEDURE.**

A. Types of Authorized Travel.

1. Class A Travel - Continuous travel of twenty-four (24) hours or more away from Town Hall. The travel day for Class A travel shall be a calendar day (midnight to midnight). Class A travel shall include any assignments on official business outside of the routine regular office hours of the employee or official and away from the regular place of employment when it is considered reasonable and necessary to stay overnight and for which travel expenses are approved as provided within this Policy.
2. Class B Travel - Continuous travel of less than twenty-four (24) hours which involves overnight absences from Town Hall. The travel day for Class B travel shall begin at the same time as the travel period and shall include any assignments on official business outside of the routine regular office hours of the employee or official. Class B travel shall include any assignments on official business outside of the regular office hours and away from regular places of employment when it is considered reasonable and necessary to stay overnight and for which travel expenses are approved as provided within this policy.
3. Class C Travel - Travel for short or day trips where the traveler is not away from the Town Hall overnight. Class C travel may receive allowance for meals as provided in this policy.

B. Travel Authorization.

1. Travel will be authorized for official Town of Surfside business purposes only.
2. All travel subject to reimbursement must be approved **in advance** by the Department Director of the department to which the travel is to be charged and the Town Manager or designee.
3. Authorization for Class A and B travel for Department Directors must be approved by the Town Manager or designee in advance.
4. Class A and Class B travel overnight within the State of Florida will not normally be authorized for locations less than sixty (60) miles (based on the State of Florida Official Highway Mileage map, Google Maps, or similar system) from Town Hall. Under special circumstances (e.g., events/activities after 5 p.m., required preparation work after 5 p.m.) when through reasonable travel employees cannot return to Town Hall or their home by 7:00 p.m., or other similar extenuating circumstances, Department Directors may request overnight travel by advance written authorization through the Town Manager or designee. The request must be made on the "Town of Surfside Request for Travel and Final Cost of Travel Form" found in Appendix A of this Policy. The request must include the name of employee to travel (one form is to be used for each employee), purpose of the travel, period of travel, costs of travel, necessity of travel, distance from Town Hall, and the reason the employee needs to stay overnight.

C. Reimbursement of Travel Expenses.

1. Reimbursement of travel expenses will be made in accordance with all Town of Surfside policies, Florida Statutes, and the Internal Revenue Code of the United States of America. Travel expenses of travelers will be limited to those expenses necessarily incurred by them in the performance of the authorized public purpose or official Town business. Reimbursement of travel expenses must be requested on the "Town of Surfside Request for Travel and Final Cost of Travel Form" (Appendix A).

D. Seminars and Conferences.

1. Seminars, conferences and other events must be authorized by the Department Director (or Town Manager, where appropriate). Seminars and conferences to be attended must be directly related to the training and development of the employee, public official or for the Town's benefit.

The Mayor and Town Commissioners shall be reimbursed for their attendance at the following conferences or events which shall be pre-approved:

- National League of Cities Conference;
- Florida League of Cities Conference;
- Annual Dade Days;
- Miami-Dade League of Cities Meetings (Mayor and Town Commission Designee);
- Annual National Association of Latino Elected and Appointed Officials (NALEO) Conference; and
- Tallahassee, State of Florida's capital, for lobbying on behalf of the Town.

All other conferences or seminars require approval of the Town Commission. Further, all

conferences or seminars where more than three (3) members desire to attend require Commission approval.

2. Expenditures for seminar and conference registration fees may be made by a Town of Surfside purchasing card or may be requested through the Finance Department in advance and after proper authorization. Payment of required expenses must be made payable directly to the vendor. Per Diem amounts will be paid directly to the employee.
3. The Town of Surfside recognizes that there are times when seminar and conference fees cannot be paid in advance. When fees are paid at registration by the employee, expenditures can be reimbursed with proper approval. An explanation of why fees could not be or were not paid in advance must accompany the request for reimbursement.

E. Lodging.

1. Expenditures for accommodations/lodging may be made by a Town purchasing card or may be requested through the Finance Department in advance, after proper authorization. Payment of required expenses will be made payable directly to the vendor.
2. Accommodations/lodging will be paid at lowest rate possible and must be substantiated by paid bills. The actual receipt or bill must be filed with the Finance Department. Employees may choose to upgrade their lodging from basic occupancy, but must pay for upgrades themselves. Employees will not be required to share rooms.
3. When seminars or conferences provide a variety of lodging that can be used, employees should first choose the lodging at or closest to the event. This Policy recognizes the qualitative value of staying close to the source of the event and its participants. If lodging isn't available at the same location as the event, lodging will be booked at the most economical hotel nearest the event. Any deviation will require prior approval by the Town Manager. Employees may choose to upgrade their lodging to more expensive accommodation, but must pay for upgrades themselves.
4. The Town is generally exempt from taxes and the employee should request a copy of the Town's tax exempt certificate from the Finance Department before departure. Taxes which are charged to the employee because they do not present a copy of the Town's tax exempt certificate will not be reimbursed. **Exception:** When an employee travels outside the State of Florida, taxes charged may be reimbursable. To be exempt from taxes, the payment must be by a Town-issued purchasing card or check, accompanied by the Town's tax exemption certificate.

F. Meals

1. Meals and tips for other than local travel are limited to a per diem payment equivalent to the prevailing per diem established by the Internal Revenue Code Continental U.S. (CONUS) rate, (website: <https://www.gsa.gov/travel/plan-book/per-diem-rates>) for meals and incidental expenses, (which may be reduced proportionately for partial days or meals otherwise provided during the travel.) The per diem amount is inclusive of all meals, drinks, tips, and any other miscellaneous daily expenses that will be incurred by the traveler. Employees are not required to submit meal receipts when being reimbursed on a per diem basis.

2. Per diem will be reduced by one-third each if the employee begins travel status after 8:00 a.m. and/or ends travel before 7:00 p.m. Additionally, all meals otherwise provided for, excluding “continental” breakfasts, will reduce per diem payments by one-third. The Town recognizes that “continental” breakfasts are generally snacks items occasionally provided during events.
3. No allowance will be made for meals when travel is confined to the Town of Surfside, or immediate vicinity (a 60-mile radius from Town Hall) except when specifically authorized by the Town Manager upon finding that the meal facilitates Town business. Meals reimbursed under this Policy must be accompanied by the itemized receipt (which identifies each item purchased and the record of payment, whether by cash or credit card) and a Meal Reimbursement Form (Exhibit B).
4. This Policy prohibits reimbursement for meals that are included or provided at a convention, conference, or seminar registration, where the fees have been paid by the Town of Surfside or any other organization.
5. This Policy prohibits reimbursement for any meal that is included or provided in the fees or expenses for transportation paid by the Town of Surfside or any other organization, (e.g., airline meals, meals on trains, etc.).
6. This Policy prohibits use of a Town purchasing card to purchase meals where travel money, that has included per diem advances, has been made.

G. Transportation.

1. All travel must be by the most economical route. When determining transportation, employees or officials will not be unduly inconvenienced to reduce costs. Employees must choose the basic coach fare, but may pay for upgrades themselves.
2. When planning travel, the Department Director should designate the most economical method of travel as noted above. The following considerations should be given for all trips or travel:
  - a. The nature of the official business.
  - b. The most efficient and economical means of travel (considering time of the traveler, cost of the transportation, and per diem or subsistence required).
  - c. The number of persons making the trip and the amount of equipment or material to be transported.
3. Commercial vehicle or carrier for travel must be made or approved in advance and payment made payable to the vendor.
4. When traveling by vehicle, publicly-owned vehicles should be used in lieu of the use of a privately-owned vehicle whenever possible. When travel is authorized for a privately-owned vehicle, the employee will be entitled to a mileage allowance which will be made at the amounts and limits set by the Internal Revenue Code of the United States of



America. The mileage rate is set by the IRS each January 1<sup>st</sup>. The 2019 rate is \$0.58 per allowed mile. All expenses (including repairs, maintenance, etc.) pertaining to the usage of a privately-owned vehicle, other than tolls and parking, are included in the mileage reimbursement rate. Employees who are provided a car allowance or similar stipend will not be reimbursed for travel within 60 miles of Town Hall. Travel exceeding this distance will be eligible for mileage rate reimbursement.

5. Vehicles may be rented for remote or emergency travel, subject to the following:
  - a. The location of the meeting, seminar, conference, or convention is different than that of the lodging accommodations; or
  - b. The rental of the automobile is less expensive than other forms of transportation to or from the lodging or meeting.
  - c. Mileage will be reimbursable from the Town Hall to the point of destination unless the point of origin is closer. Mileage will be determined using any commonly available mapping tool, but the Finance Department retains the authority to determine the appropriate distance for reimbursement purposes.
  - d. Whenever possible, carpooling should be utilized to minimize the cost of travel. When more than one Town of Surfside employee is traveling to a conference, meeting, or any official business, transportation should be shared and the Town's cost minimized.

H. Parking and Tolls.

Payments will be allowed for parking and tolls provided that the costs are documented and reasonable. Parking at departing airports will be reimbursed only to the extent of the cost of taxi fare from the Surfside Town Hall to the Airport and back to Surfside Town Hall. Transfers from the airport to the destination hotel may be advanced if properly documented.

I. Insurance.

No insurance will be allowed as a reimbursable travel or transportation expense. Employees or officers who choose to use their personal vehicle must carry adequate insurance coverages. The Town will also maintain hired and non-owned automobile coverages for employees driving vehicles while performing Town-related activities. Persons driving any car while conducting Town business should carry with them the Town's insurance card.

- a. Other Expenses
  - i. Incidental travel expenses may be reimbursed, with proper receipts and documentation. These include, but are not limited to
    1. Taxi fare;
    2. Ferry fares; and bridge, road, and tunnel tolls;
    3. Storage or parking fees;

4. Official Town of Surfside business communication, e.g. telephone or fax expenses;
5. Convention/conference fees for attending events that are not included in the basic registration fee that directly enhance the public purpose and official Town of Surfside business of the attendee (e.g. additional educational classes/sessions, conference meals.) It will be the responsibility of the attendee to substantiate that the charges were proper and necessary.
6. The Town will reimburse airline fees for one (1) checked bag only for Town business travel occurring for a week or less. For Town business travel occurring for more than seven (7) days, the Town will reimburse fees for two (2) checked bags. The Town will reimburse the cost of bags needed to transport official Town business materials, (e.g., exhibitor materials). Reimbursement for the bag(s) is limited to the airline's standard checked baggage fee and the Town will not pay additional fees for oversize or overweight bags, except if assessed on any of the actual Town owned materials (e.g., exhibitor materials).

ii. Expenses that are not reimbursable include, but are not limited to:

1. Tips, Bellhop assistance (tips are included in the per diem payment amounts).
2. Movie rentals in hotel/motel rooms.
3. Parking tickets or traffic fines.
4. Communication/telephone charges that are not official Town of Surfside business.
5. Alcohol.

J. Compensable Travel Time. Travel time will be considered as compensable hours worked for non-exempt employees as outlined in the Town's personnel policies.

## EXHIBIT A

### Town Of Surfside Request For Travel And Final Cost Of Travel Form

PLEASE ATTACH ALL TRAVEL DOCUMENTATION AND RECEIPTS (EXCEPT MEALS)				
Calculation of Costs:	Procurement Card	Payee Name	Advance Request	Final Cost
Registration Fees : # of meals included: Early Registration Date for Discount	<input type="checkbox"/> Yes <input type="checkbox"/> No		\$0.00	\$0.00
Transportation: Auto Rental <input type="checkbox"/> Airfare <input type="checkbox"/> Personal Auto <input type="checkbox"/> Town Auto <input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No		\$0.00	\$0.00
				REIMBURSED ON FINAL COST OF TRAVEL. SEE BELOW.
Per Diem: # of meals x \$ per day			\$0.00	\$0.00
Lodging: # days x \$ per day	<input type="checkbox"/> Yes <input type="checkbox"/> No		\$0.00	\$0.00
Subtotal of Expenses:			\$0.00	\$0.00
Total Paid by Purchasing Card			\$0.00	\$0.00
Total Paid by Checks <span style="float: right;">Account # _____</span>			\$0.00	\$0.00
Total Reimbursable Expense:			<b>\$0.00</b>	<b>\$0.00</b>
Other Charges Incurred During Travel:				
1. Tolls		Attach Toll Receipt		\$0.00
2. Parking		Attach Parking Receipt		\$0.00
3. Taxi or Limousine Service		Attach Receipt		\$0.00
4. Personal Auto (mileage x \$0.58 per mile)		Attach Mileage Information		\$0.00
5. Town Auto (Fuel Only)		Attach Receipt		\$0.00
Grand Total Reimbursable Expense:				<b>\$0.00</b>
* Please Indicate Organization Name receiving payment if paid by procurement card. When requesting a check, state payee name and vendor number (verify address attached to vendor # is correct)				
		Advance Request	Final Cost	
Employee's Signature _____	Date _____		Date _____	
Department Director _____	Date _____		Date _____	
Purchasing _____	Date _____		Date _____	
Town Manager _____	Date _____		Date _____	
Finance Approval (checks payable to Employee Sent to Dept) _____		Date _____		

**EXHIBIT B**

Town of Surfside Meal Reimbursement Form  
Required For Meals Not Paid From Per Diem Amounts

**Business-Related Meal Reimbursement Form**

**Name of Employee Paying:**

**Name of Restaurant:**

**Date of Meal:**

**Names of People At Meal:**

**Business Purpose Advanced At Meal:**

This form must accompany the charge receipt and the detail bill which itemizes each item of the meal. Alcoholic beverages cannot be reimbursed if they will ultimately be paid from Federal or State funds. Failure to provide this form with the required documentation will result in the cost of the entire meal being added to you gross income. You will be responsible for the income tax, the employer's share of payroll taxes, as well as your share of payroll

Employee Signature: \_\_\_\_\_

Department Head Signature (if different) \_\_\_\_\_

ORDINANCE NO. 2019-\_\_\_\_\_

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, AMENDING CHAPTER 2, "ADMINISTRATION" OF THE TOWN'S CODE OF ORDINANCES BY REPEALING SECTION 2-28, "REIMBURSEMENT OF TRAVEL AND OTHER EXPENSES"; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

**WHEREAS**, Chapter 2 of the Town of Surfside ("Town") Code of Ordinances ("Code") pertains to administrative matters and Section 2-28, "Reimbursement of Travel and Other Expenses" provides regulations for reimbursement of travel and other expenses; and

**WHEREAS**, the Town Commission finds that the policies contained in Section 2-28 of the Town Code should be set forth in a travel and reimbursement policy to be adopted by resolution; and

**WHEREAS**, establishing the Town's travel and reimbursement policy by resolution affords the Town the ability to adjust the policy expeditiously; and

**WHEREAS**, the Town is in the process of establishing a new travel and reimbursement policy that conforms to state and federal laws, which policy will be considered for adoption by the Town Commission subsequent to adoption of this ordinance; and

**WHEREAS**, the Town Commission wishes to amend Chapter 2 of the Town's Code by repealing Section 2-28, "Reimbursement of Travel and Other Expenses"; and

**WHEREAS**, the Town Commission finds that this Ordinance is in the best interest of the Town.

**NOW, THEREFORE, BE IT ORDAINED BY THE COMMISSION OF THE TOWN OF SURFSIDE AS FOLLOWS:**<sup>1</sup>

**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 repealing Section 2-28, "Reimbursement of Travel and Other Expenses" in its entirety as follows:

Chapter 2 – Administration

<sup>1</sup> 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.

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## Article II. – Town Commission

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### **Section 2-28. Reimbursement of travel and other expenses.**

(a) ~~*Purpose.* This purpose of this section is to establish guidelines for the reimbursement of travel, subsistence, and related expenses incurred in the performance of town business. To qualify for reimbursement, such expenses must be reasonable and prudent under the circumstances, directly related to the conduct of town business and evidenced by proper receipts. Unnecessary or excessive expenditures shall not be approved, advanced, or reimbursed by the town manager. This section pertains to all travel, all travel-related and other expenses incurred in the course of conducting town business.~~

(b) ~~*Guidelines for the reimbursement of expenses.* Upon approval of a proper reimbursement request either under the terms of this section or pursuant to administrative guidelines that establish per diem allowances as promulgated by the town manager, the town will reimburse all travel-related expenses such as commercial transportation, lodging, meals, tips, registrations, parking fees, communications charges, as well as other business-related expenses at actual cost.~~

(1) ~~*Transportation expenses.* Reimbursement of transportation-related expenses will be based upon the least expensive mode of transportation available, unless a more expensive mode is necessary due to business-related requirements. In determining the least expensive mode, commercial bus service will be excluded. Reimbursement for mileage will be according to the maximum rate established under Florida law if personal vehicles are used for business travel.~~

(2) ~~*Lodging.* Reimbursement of lodging expenses will be based on what is a normal and reasonable cost for the area. Proximity to the conference, seminar, or meeting will also be taken into account. If an extra room is required because a family member or personal guest has accompanied an elected or appointed official, the town will reimburse only the cost of a single room. The town will reimburse any business-related communications costs (telephone, fax, modem, etc.). The town will not reimburse the cost of any in-room movie or personal communications costs.~~

(3) ~~*Meals.* The town shall reimburse meals at actual cost. Total meal cost includes food, nonalcoholic beverages, taxes, and tips. Reimbursement of tips will be limited to 20 percent of the total meal cost. The town will not reimburse the cost of any alcoholic beverages. Reimbursement of meal expenses will be based on what is reasonable cost for the area. The town will not reimburse meal costs to the extent they are lavish or extravagant. Alternatively, the town manager may establish a per diem allowance.~~

(4) ~~*Advance for anticipated travel or other expenses.* Elected or appointed town officials are eligible to receive advance payment up to the total amount of travel-related expenses estimated prior to business travel or the anticipation of another expenditure related to the conduct of town business. To receive such an advance, elected or appointed officials must submit the request to the town manager within a reasonable time prior to the time the anticipated expense will occur. Within ten business days following the travel or other~~



76 expenditure, the town official shall account for the advance by submitting a completed  
77 reimbursement form along with all receipts as more particularly described in subsection  
78 (5) herein below. To the extent any advanced funds are left unaccounted for under the  
79 terms of this section within the time frame set forth in this subsection (4), those funds  
80 shall be returned to the town manager.

81 ~~(5) — Procedure for reimbursement of travel related and all other expenses.~~ After travel has  
82 been completed and reimbursable travel related or other business expenses have incurred,  
83 town officials must complete a travel or other expense reimbursement form prepared by  
84 the town manager and/or designee to receive reimbursement. A reimbursement form  
85 along with receipts must be submitted to the town manager and/or designee within three  
86 weeks of returning from travel or upon incurrence of an allowable business expense.  
87 Upon receipt of a completed reimbursement form, the town manager and/or designee will  
88 perform a review to determine compliance with the Town's travel and other  
89 reimbursement policies. Any noncompliance, missing information, etc. will delay the  
90 reimbursement of expenses.

91 ~~(c) — Prohibited reimbursable expenses.~~ Reimbursement for the purchase of personal items,  
92 including barber and beauty parlor fees, medical expenses, clothing, etc. and expenses  
93 associated with recreation, gifts, and alcoholic beverages are specifically prohibited. Expenses  
94 for spouses, guests, or family members are not reimbursable.

95 ~~(d) — Verification of claims.~~ Before the town reimburses any expense incurred in the conduct of  
96 official business, elected officials and employees of the town must attest in a form prepared  
97 by the town manager and/or her designee that the expenses were incurred in the performance  
98 of official duties related to the affairs of the town. Expenses will not be reimbursed where the  
99 applicant fails to verify the expenses. Only verifiable claims for expenses will be reimbursed.  
100 Budgeted monies not paid under this section shall be refunded to the general fund of the town.

101 ~~(e) — Authority of the town manager.~~ The town manager shall have the authority to adopt  
102 administrative policies to carry out the purpose of this chapter provided however, any non-  
103 travel related expenditures by an elected official in connection with town business as  
104 described herein exceeding \$500.00 dollars shall be approved for payment by the commission.  
105 Notwithstanding anything to the contrary, the town manager shall have the discretion to reject  
106 all travel and other claims that are not in compliance with this chapter or expense policies  
107 adopted by the office of the town manager.

108 ~~(f) — Penalties for fraudulent travel and/or other expenses and/or failure to return advanced~~  
109 ~~funds.~~ Any person who willfully makes and subscribes any such claim that he or she does not  
110 believe to be true and correct as to every material matter, or who willfully aids or assists in,  
111 or assists in, or procures, counsels, or advises the preparation or presentation of such claim  
112 that is fraudulent or is false as to any material matter, whether or not such falsity or fraud is  
113 with the knowledge or consent of the person authorized or required to present such claim, or  
114 who fails to return funds advanced and unaccounted for in accordance with this ordinance,  
115 commits a misdemeanor of the second degree, punishable as provided in Section 775.082,  
116 Florida Statutes, or Section 775.083, Florida Statutes. Whoever receives an allowance or  
117 reimbursement by means of a false claim is civilly liable in the amount of the overpayment  
118 for the reimbursement of the public fund from which the claim was paid.

**Secs. 2-29 – 2-45. – Reserved.**

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**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 13<sup>th</sup> day of August, 2019.

**PASSED AND ADOPTED** on second reading on the \_\_\_\_\_ 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

155  
156 **APPROVED AS TO FORM AND LEGALITY FOR THE USE**  
157 **AND BENEFIT OF THE TOWN OF SURFSIDE ONLY:**

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



## MEMORANDUM

ITEM NO. 5A

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

**From:** Guillermo Olmedillo, Town Manager

**Date:** June 11, 2019 / August 13, 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”.



**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

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### 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

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# 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

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### 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

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### 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

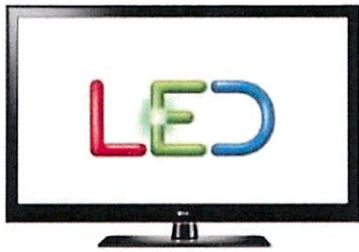
*\* In cases where directional boring or other uncommon construction concerns exist, an upfront fee may be required*



## Proliferation of LED

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LEDs are in our cars, our offices, our homes and even our pockets



## LED STREET LIGHT CONVERSIONS ARE HAPPENING ACROSS THE US

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### 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



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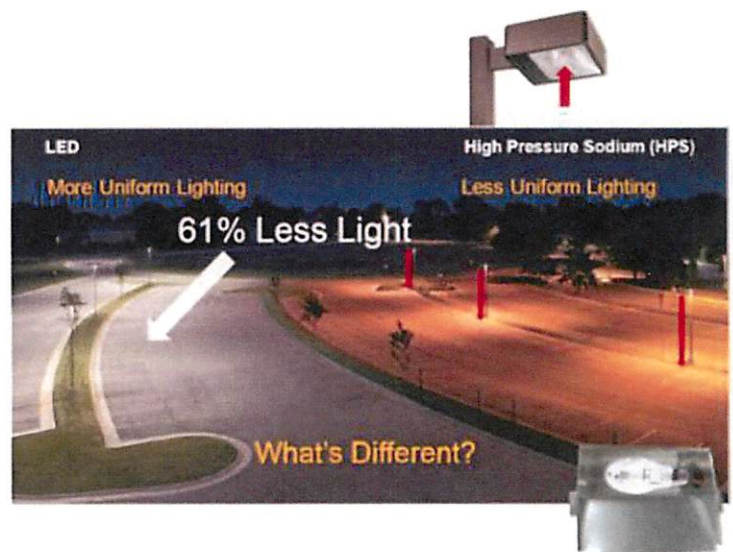


## LED ADVANTAGES

### 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



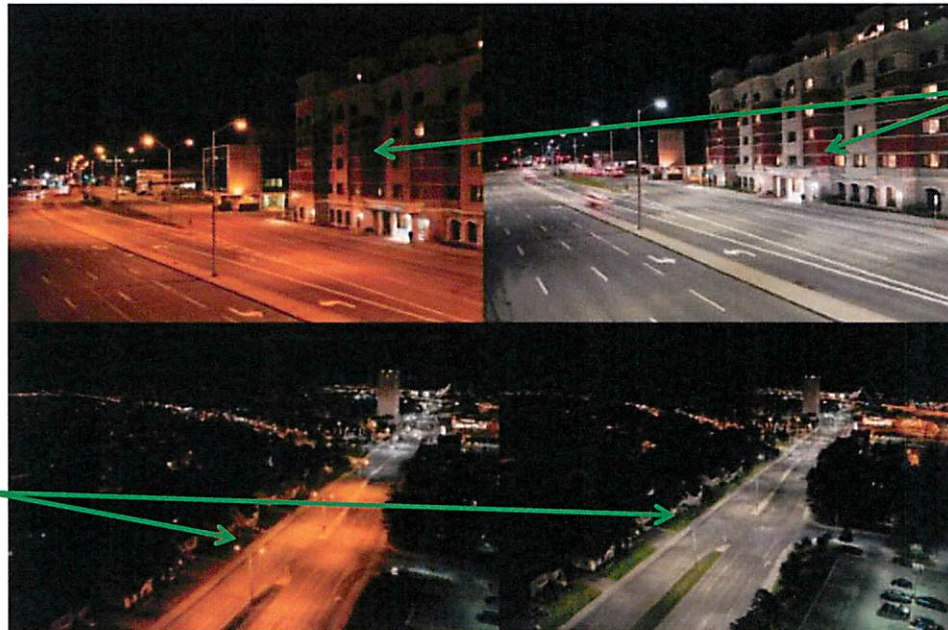
*Comparison of LED fixtures (left) versus High Pressure Sodium (HPS) fixtures (right)*

*Image from <http://www.myLEDlightingguide.com>*

## LED ADVANTAGES

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### WHY CHOOSE LED OVER HPS?



Compare color rendering from HPS lights vs. LED on the building

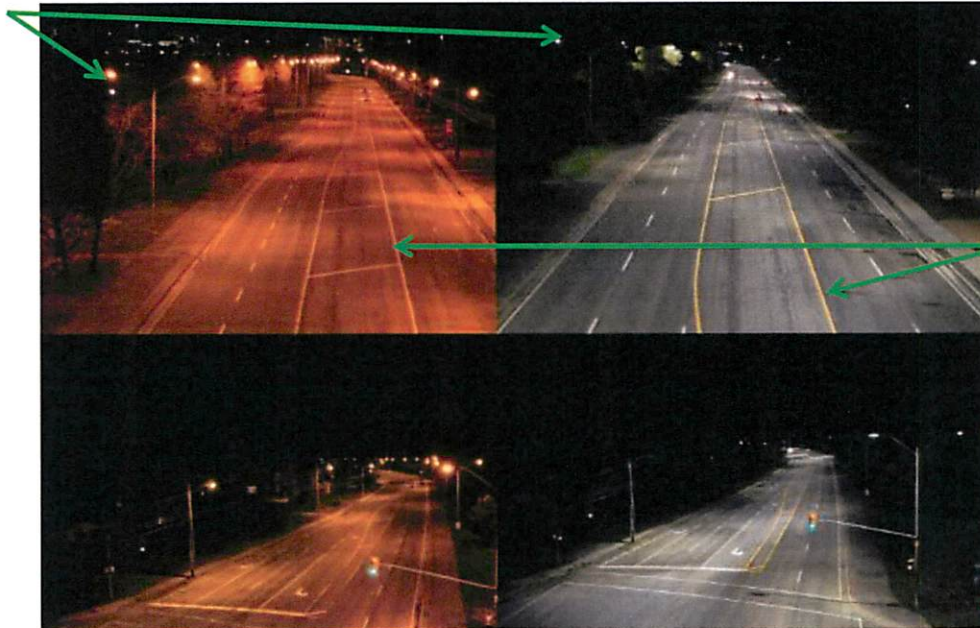
Compare light pollution contribution from HPS lights vs. LED



## LED ADVANTAGES

### WHY CHOOSE LED OVER HPS?

Compare uplight  
component from  
HPS lights vs. LED

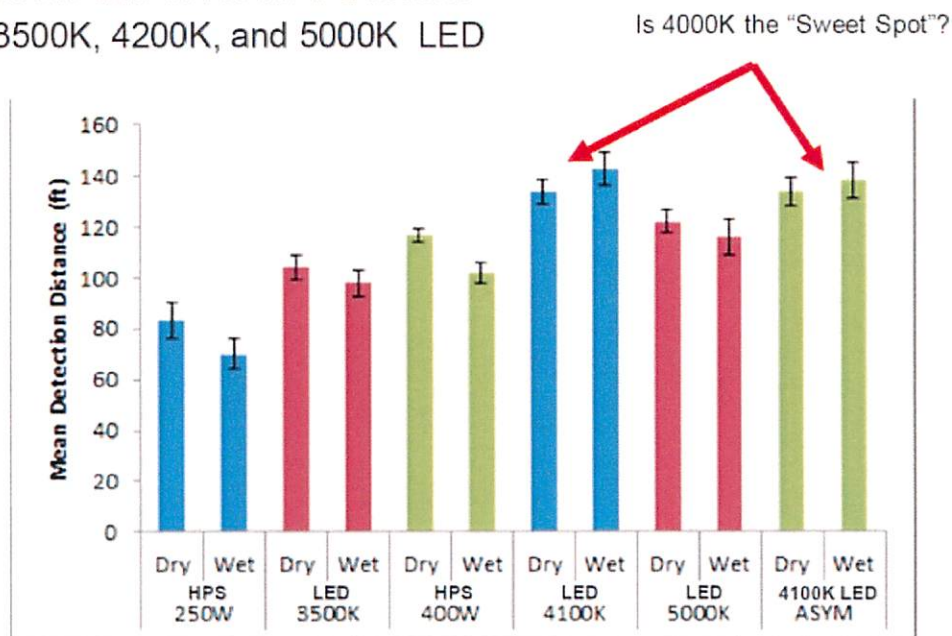


Compare color  
rendering from HPS  
lights vs. LED on the  
stripe colors

## LED ADVANTAGES

### Object Detection Distance Example

- 250W and 400W HPS Baseline
- 3500K, 4200K, and 5000K LED



Credit: Virginia Tech Transportation Institute

## LED ADVANTAGES

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# CITY OF LOS ANGELES





## LIGHTING CHOICES

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### WE WORK WITH TOP BRANDS

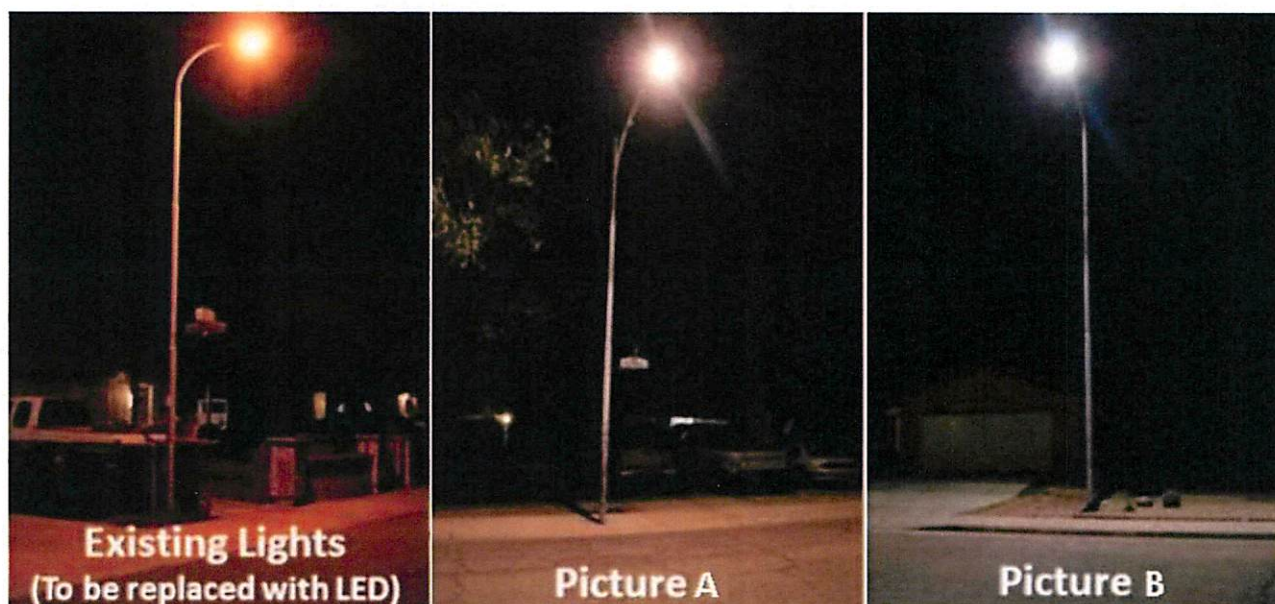
Thanks to the flexibility of the new LT-1 tariff, we are able to offer dozens of street and area lighting options from leading LED manufacturers such as CREE, GE, Cooper, Holophane, and AEL



## LIGHTING CHOICES

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### Color Temperature



Existing 2200 Kelvin HPS

3000 Kelvin

4000 Kelvin

## Existing Street Light Inventory and Potential Replacements

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### FPL Full Maintenance Lights



Contempo  
3000K or  
4000K



Traditional  
3000K or  
4000K





RSW Series  
3000K or  
4000K






ATB Series  
4000K Only

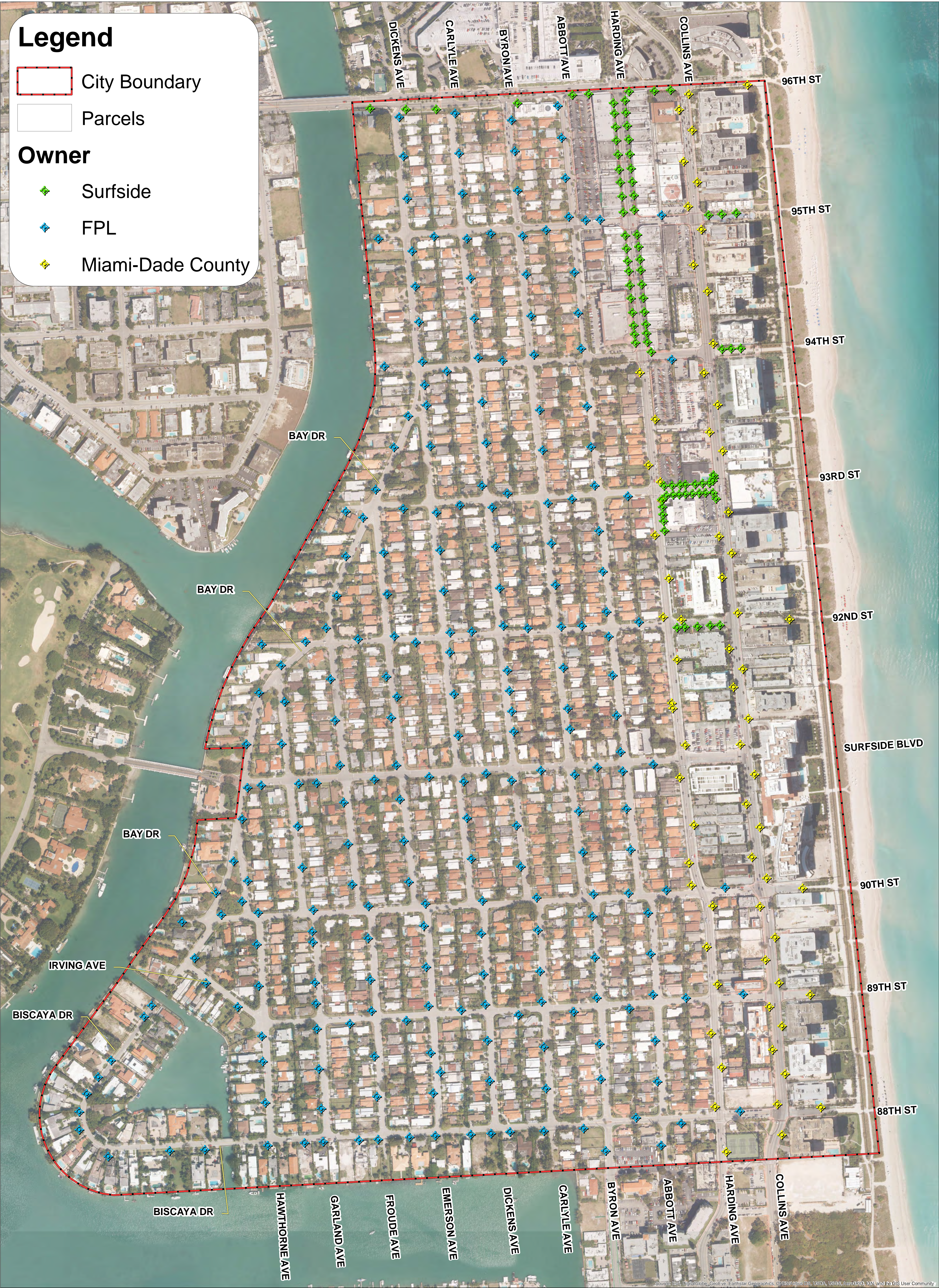


Legend

-  City Boundary
-  Parcels

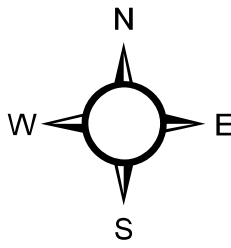
Owner

-  Surfside
-  FPL
-  Miami-Dade County



# Town of Surfside Street Light Inventory

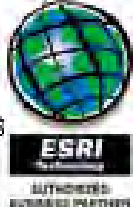
Print Date: 11/7/2018



0 400 Feet



Produced and maintained by the CGA  
Geographic Information Systems Services



Calvin, Giordano & Associates, Inc.  
EXCEPTIONAL SOLUTIONS™



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

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# 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

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# Town of Surfside Selection Sheet      Initials

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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

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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

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# Town of Surfside Selection Sheet      Initials

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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

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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

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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:**

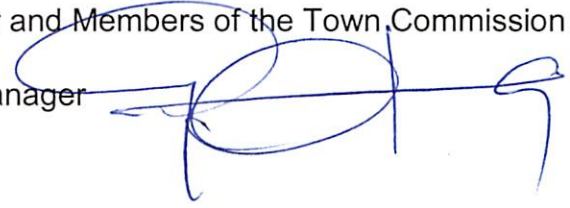
\_\_\_\_\_  
Weiss Serota Helfman Cole & Bierman, P.L.  
Town Attorney



## MEMORANDUM

ITEM NO. 9A

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

**From:** Guillermo Olmedillo, Town Manager 

**Date:** August 13, 2019

**Subject:** Downtown Vision Advisory Committee

At the July 9, 2019 Town Commission meeting the Commission approved the Town Manager's appointment of Alan Ohana to the Downtown Vision Advisory Committee (DVAC). However, Mr. Ohana subsequently declined the appointment.

Since that time, additional outreach was made to solicit potentially more applications. None were submitted. Therefore, the following applications for the Downtown Vision Advisory Committee (DVAC) remain:

- Jessica Bazen, local business owner
- Mendel Segal, local business owner
- Sheryl Goldberg, Surfside resident

As a reminder, the DVAC Charter (Attachment A) details that 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 Meischeid* (now a former business owner since appointment) resident / multiunit	Elliot Kula (single family)	Sandra Oliva
Replaced by a Surfside resident*	<b>VACANT</b>	Fred Landsman (single family)	
		George Kousoulas (multiunit)	

The Town Manager is recommending the appointment of local business owner of The Scarlet Letter, Jessica Bazen to fill the DVAC vacancy. This will satisfy the Charter outlined vacancy of member being a Surfside business owner.

Reviewed by 

Prepared by 



## **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.

**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.



ITEM NO. 9C

## DISCUSSION ITEM MEMORANDUM

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

**From:** Michael Karukin

**Date:** August 13, 2019

**Subject:** Lobbyist Registration Fee Exemption for Principals of Town Businesses

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### Objective

Encourage participation from the Surfside business community in the legislative process by eliminating the current lobbyist registration fee for individuals as defined below when appearing at a public meeting before the Town Commission or other Town Board, where there is no special compensation or reimbursement for the appearance, to express support of or opposition to any item.

### Consideration and Background:

Currently, paid or unpaid representatives from businesses are required to pay a lobbyist registration fee in order to speak. This may stifle participation in the legislative process by such individuals, businesses or related stakeholders impacted by Town Commission decisions. A compromise is proposed.

On December 11, 2018, the Town adopted Ordinance No. 2018-1692 amending Section 2-235 of the Code (Lobbying) to revise the definition of "lobbyist" to specifically exclude any person whose representation is limited to interactions with town staff or appearances at a public meeting as a representative of a single family property owner for a design review or development approval application for the single family property owned by that property owner.

The Code Amendment was designed to ensure easy access by representatives of single-family property owners, who are processing a design review or development approval application for their single family property, provided the representative is only interacting with staff or representing the property owner at a *public* meeting.

In addition, the term "lobbyist" has an exclusion (meaning the following types of people do not have to register or pay a registration fee) for 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;

or 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, or any person whose representation is limited to interactions with town staff or appearances at a public meeting as a representative of a single family homeowner.

An exception from lobbyist registration fees should be applicable to principals of Town businesses (corporation, partnership, limited liability company or other entity), who seek to appear before the Town Commission or board at a public meeting, where they have no special compensation or reimbursement for the appearance, whether direct, indirect or contingent, to express support of or opposition to any item. The amendment to Section 2-235 of the Code would still define the principals of Town businesses as “lobbyists”, but would exempt them from the lobbyist registration fees.

The proposed Code amendment is consistent with similar provisions contained in the Miami-Dade County Conflict of Interest and Code of Ethics Ordinance (Section 2-11.1(s)(3)(b)) and the recently adopted Section 2-482(h)(1) of the City of Miami Beach Code, which both exempt a principal of any corporation, partnership or other entity who appears as a lobbyist on behalf of that entity, where there is no special compensation or reimbursement for the appearance, whether direct, indirect or contingent, to express support of or opposition to any item, from the requirement to pay lobbyist registration fees.

#### **Analysis:**

The proposed Code amendment would still require principals of Town businesses (corporation, partnership, limited liability company or other entity) to register as a lobbyist and complete all required applications and reporting requirements, but would exempt the principals from the payment of lobbyist registration fees when appearing at a public meeting before the Town Commission or other Town Board, where there is no special compensation or reimbursement for the appearance, whether direct, indirect or contingent, to express support of or opposition to any item..

The exemption from the payment of lobbying registration fees would facilitate and encourage public comment and participation in the governmental process before the Town Commission and other Town boards by stakeholders in the Surfside business community. There is precedent for this exemption in the County Code and City of Miami Beach Code. Individuals not specifically compensated to speak on behalf of their business or place of employment as described above should not have to pay a fee to speak for or against any item at a public meeting.

**Budget Impact:** Loss of revenue from lobbying registration fees currently required and payable by principals of Town businesses. Town Clerk and staff will still need to accept

and process lobbyist registration applications from such principals, without the corresponding fees or revenues.

**Recommendation:** Amend Section 2-235 of the Town Code to exempt principals of Town businesses from paying lobbying registration fees when appearing at a public meeting before the Town Commission or other Town Board, where there is no special compensation or reimbursement for the appearance, to express support of or opposition to any item.

If in favor of this recommendation, staff will bring back for our consideration an ordinance amending Section 2-235 as described in this discussion item.





## MEMORANDUM

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

**From:** Lillian M. Arango, Esq. and Haydee Sera, Esq., Town Attorney

**Date:** August 13, 2019

**Subject:** Discussion and Direction in Response to Notice from Florida Retail Federation and Florida Restaurant & Lodging Association Regarding Ordinance No. 2019 – 1698 (Section 34-11 of the Town Code) Prohibition on Distribution, Sale or Use of Single Use Plastics

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### Background

The purpose of this Commission Communication is to seek direction from the Commission with respect to:

- a) the Town's recently enacted Ordinance No. 1698 (Section 34-11 of the Town Code) adopted on July 9, 2019, prohibiting the distribution, sale or use of single-use plastics, including single-use plastic bags (the "Ordinance");
- b) the impact of recently adopted Section 57.112, Florida Statutes; and
- c) a letter dated July 15, 2019 (the "Letter") which was sent to the Town by the Florida Retail Federation and the Florida Restaurant & Lodging Association (collectively, the "Federation"). *A copy of the Federation's letter is attached hereto.*

The Federation's Letter claims to provide notice pursuant to Section 57.112, Florida Statutes, and states that the Town's Ordinance regulating plastic bags is unlawful as the regulation of plastic bags is expressly preempted to the State under Section 403.7033, Florida Statutes. In addition, the Federation requests repeal of the Ordinance within 60 days in order to avoid potential attorney fees, costs and damages in the event the Federation successfully challenges the Ordinance in Court.

In their Letter, the Federation states, "Our organizations welcome the opportunity to work with your city to find other lawful ways to address our concerns on this issue. We all have a vested interest in finding efficient and effective ways of protecting Florida's environment." The Town responded to the Federation's Letter on July 26, 2019 and requested a meeting with the Federation and its members to address their concerns with the Ordinance in an effort to achieve the common goal of protecting Florida's environment.. *A copy of the Town's response is attached hereto.* As of August 5, 2019, the Federation has not responded to the Town's request.

The Florida Legislature recently enacted Section 57.112, Florida Statutes (Chapter 2019-151, Laws of Florida), effective July 1, 2019, which provides that if a civil action is filed against a local government challenging the adoption or enforcement of a local ordinance

on the grounds that it is expressly preempted by the State Constitution or by State Law, the court shall assess and award reasonable attorney fees and costs and damages to the prevailing party. Section 57.112(3), Florida Statutes, further provides that attorney fees and costs may not be awarded pursuant to this section if: (a) the governing body of a local governmental entity receives *written notice* that an ordinance that has been publicly noticed or adopted is expressly preempted by the State Constitution or State Law; and (b) the governing body of the local governmental entity withdraws the proposed ordinance within 30 days, or, in the case of an adopted ordinance, the governing body of a local government notices an intent to repeal the ordinance within 30 days of receipt of the notice and repeals the ordinance within 30 days thereafter. *A copy of Chapter 2019-151, Laws of Florida, creating Section 57.112, Florida Statutes is attached hereto.*

We believe the Federation's letter constitutes the notice required by Section 57.112(3)(a), Florida Statutes, and, therefore, the Town Commission must consider making certain decisions within the statutory deadlines.

As you have been previously advised, 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. To date, the appellate court has not rendered a decision on the matter. It is unknown as to when the Third District Court of Appeal will rule on the pending City of Coral Gables case, which could be dispositive of the right of local governments to regulate single-use plastic bags.

In addition to Coral Gables and the Town of Surfside, the City of Palm Beach, the City of Gainesville, North Bay Village, and Bal Harbour Village have also enacted single-use plastic bag prohibitions.

During the 2019 Legislative Session, various bills were filed to address local governments' ability to regulate single-use plastic straws. HB 771, which was vetoed by the Governor, would have imposed a moratorium through 2024 on local regulation of single-use plastic straws. Notably, Governor DeSantis sent a clear message to the Florida Legislature in his veto of HB 771 stating, "These measures have not, as far as I can tell, frustrated any state policy or harmed the state's interest." *A copy of the Governor DeSantis' transmittal message vetoing HB 771 is attached hereto.*

### Legal Analysis

Should the Federation prevail in a lawsuit challenging the Town's Ordinance, the Town may be liable for attorney's fees, costs, and damages pursuant to the newly adopted Section 57.112, Florida Statutes.

### Budget Impact

In the event the Federation files a lawsuit challenging the Ordinance, the nature of the claims will dictate whether the Town's insurer (Florida Municipal Insurance Trust (FMIT)) will defend the lawsuit. If damages are sought, which are expressly referenced in the Federation's July 15, 2019 Letter, FMIT will defend the Town.

### Commission Direction

The Town Attorney is seeking Commission direction on whether to:

- 1) Prepare an ordinance repealing Ordinance No. 1698 regulating single-use plastic bags; issue the statutorily required "Notice of Intent to Repeal"; and set the ordinance for first and second reading within the time frames required by Section 57.112, Florida Statutes; or
- 2) Amend Ordinance No. 1698 to a) revise the effective date of the Ordinance to a future date, potentially contingent on the appellate court's decision in the Coral Gables case and/or b) further delay the enforcement timeframes; or
- 3) Respond to the Federation advising that the Town will not repeal or amend the Ordinance and defend any lawsuit filed by the Federation or similar party.

To remain consistent with the intent of the Ordinance, which is to be protective of the environment, Option 2 above provides the Town with a reasonable approach to meet our objective. However, it remains unclear whether this approach would satisfy the demands of the Federation.

Reviewed by: LMA

Prepared by: LMA



July 15, 2019

Honorable Dietch, Vice Mayor Gielchinsky and the Town of Surfside Commissioners  
Town of Surfside  
9293 Harding Avenue  
Surfside, FL 33154

RE: Ordinance Amending Section 34-11 – Prohibition on Distribution, Sale or Use of Single-Use Plastics

Dear Honorable Mayor, Vice Mayor and Members of the Commission:

The Town of Surfside has amended Section 34-11 for the purpose of banning plastic bags. This ordinance as enacted is unlawful, and we respectfully urge the Town to repeal it.

The regulation of plastic bags is expressly preempted to the state under Ch. 403.7033, Florida Statutes. Local regulation of these materials in the manner outlined in this Ordinance is not permitted and clearly violates the express preemptions included in the Florida Statutes referenced above.

Under Chapter 57.112, Florida Statutes, if a local government entity violates state law by enacting or attempting to enact an ordinance that contravenes an express preemption of local authority, the local government entity will be responsible for paying attorney fees, costs and damages to any person that successfully challenges the unlawful ordinance in a court of law.

Please allow this letter to serve as the official notice required by Chapter 57.112 informing the Town of Surfside that this ordinance clearly violates the express preemptions outlined in the statute referenced above.

Under Ch. 57.112, you have 60 days to repeal this unlawful ordinance. If the ordinance is not repealed within the requisite period, your town will be responsible for attorney fees, costs and damages in the event the ordinance is successfully challenged in court.

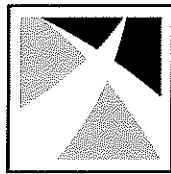
Our organizations welcome the opportunity to work with your city to find other lawful ways to address our concerns on this issue. We all have a vested interest in finding efficient and effective ways of protecting Florida's environment. We assert that lawful and non-punitive mechanisms are present that can help us to achieve our common goals.

We appreciate your time and consideration.

Sincerely,

Lorena Holley  
Florida Retail Federation  
Vice President & General Counsel

Samantha Hunter Padgett  
Florida Restaurant & Lodging Assoc.  
General Counsel



# WEISS SEROTA HELFMAN COLE & BIERMAN

AT THE CROSSROADS OF BUSINESS, GOVERNMENT & THE LAW

LILLIAN M. ARANGO  
MEMBER - REAL ESTATE GROUP  
[LARANGO@WSH-LAW.COM](mailto:LARANGO@WSH-LAW.COM)

July 26, 2019

**Via Email & Regular U.S. Mail**

Lorena Holley  
Vice President & General Counsel  
Florida Retail Federation  
227 South Adams Street  
Tallahassee, Florida 32301  
[lorena@frf.org](mailto:lorena@frf.org)

Samantha Hunter Padgett  
General Counsel  
Florida Restaurant & Lodging Assoc.  
230 S Adams Street  
Tallahassee, Florida 32301  
[spadgett@frla.org](mailto:spadgett@frla.org)

**RE: Town of Surfside - Ordinance Amending Section 34-11  
Prohibition on Distribution, Sale or Use of Single-Use Plastics**

Dear Ms. Holley and Ms. Padgett:

This firm serves as Town Attorney for the Town of Surfside ("Town"). The Town is in receipt of your July 15, 2019 letter regarding the referenced Ordinance. On July 9, 2019, the Town adopted Ordinance No. 2019-1698 (codified as Section 34-11 of the Town Code) prohibiting the distribution, sale or use of single-use plastics, including single-use plastic bags ("Ordinance"). The Ordinance was adopted in furtherance of the Town's ongoing commitment to environmental conscientiousness and leadership and in the interest of the public health, safety and welfare. In light of the Town's location and close proximity to coastal beach areas and waters, the Town's environment is especially susceptible and impacted by the detrimental effects of single-use plastics that are not readily recyclable or biodegradable. As you know, the Town is one of many Florida local governments to regulate plastic bags under its Home Rule and police powers.

The Ordinance regulates "single-use plastic bags" (as narrowly defined in the Ordinance) and does not regulate reusable plastic bags or other forms of bags (including compostable bags), which are clearly exempted from the Ordinance. More importantly, the Ordinance provides for delayed enforcement and penalties, to commence March 1, 2020. The purpose of the Ordinance's delayed enforcement is to allow sufficient time for public outreach and education and to enable commercial establishments to transition to non-single-use plastic bags. Therefore, we question the ripeness of this matter and whether there is a "case in controversy" at this time due to the lack of enforcement and penalties to commercial establishments in the Town. Furthermore, the delayed enforcement will provide additional time for the Third District Court of Appeals to rule on the pending appellate case (Third



Lorena Holley  
Samantha Hunter Padgett  
July 26, 2019  
Page 2 of 2

District Case No.: 3D17-562). The Ordinance was adopted consistent with the findings of the trial court in the Circuit Court of the Eleventh Judicial Circuit for Miami-Dade County, Florida, *Florida Retail Federation, Inc. and Super Progreso, Inc. v. City of Coral Gables*, Case No.: 2016-018370-CA-01, which clearly found that Section 403.7033, Florida Statutes, purporting to preempt the regulation of plastic bags to the State, is unconstitutional and finding that the City of Coral Gables Ordinance was valid and enforceable. Until such time as the Third District Court rules or the Florida Legislature takes action on the reports and recommendations of the Department of Environmental Regulation (as required by Section 403.7033, Florida Statutes), the preemption remains in a state of flux and uncertainty.

Your letter indicated that your organization welcomes the opportunity to work with the Town in finding efficient and effective ways to protect Florida's environment. In furtherance of such, the Town requests a meeting with your organization (and its members affected by the Ordinance) in order to address your concerns with the Ordinance and achieve our common goal of protecting Florida's environment. We further request that you provide us with the members or retail businesses of the Florida Retail Federation and Florida Restaurant & Lodging Association whom you are representing in connection with this Ordinance.

In order to comply with the timing requirements of Section 57.112, Florida Statutes, we ask for a meeting date that is soon and will meet the 30-day notice provision. Please provide available dates and times for a meeting in the next two weeks.

We await your reply and thank you in advance for your attention to this matter.

Sincerely,



Lilian M. Arango

cc: Mayor and Commissioners of the Town of Surfside  
Guillermo Olmedillo, Town Manager  
Sandra Novoa, MMC, Town Clerk



## CHAPTER 2019-151

### Committee Substitute for Committee Substitute for Committee Substitute for House Bill No. 829

An act relating to attorney fees and costs; creating s. 57.112, F.S.; defining the term “attorney fees and costs”; providing for the award of attorney fees and costs and damages in civil actions challenging local ordinances as being preempted by the State Constitution or state law; prohibiting an award of attorney fees and costs under certain circumstances; providing construction; providing applicability; specifying that municipalities and counties may continue to enforce or extend certain ordinances, regulations, resolutions, rules, moratoriums, or policies until certain actions are taken; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Section 57.112, Florida Statutes, is created to read:

57.112 Attorney fees and costs and damages; preempted local actions.

(1) As used in this section, the term “attorney fees and costs” means the reasonable and necessary attorney fees and costs incurred for all preparations, motions, hearings, trials, and appeals in a proceeding.

(2) If a civil action is filed against a local government to challenge the adoption or enforcement of a local ordinance on the grounds that it is expressly preempted by the State Constitution or by state law, the court shall assess and award reasonable attorney fees and costs and damages to the prevailing party.

(3) Attorney fees and costs may not be awarded pursuant to this section if:

(a) The governing body of a local governmental entity receives written notice that an ordinance that has been publicly noticed or adopted is expressly preempted by the State Constitution or state law; and

(b) The governing body of the local governmental entity withdraws the proposed ordinance within 30 days; or, in the case of an adopted ordinance, the governing body of a local government notices an intent to repeal the ordinance within 30 days of receipt of the notice and repeals the ordinance within 30 days thereafter.

(4) The provisions in this section are supplemental to all other sanctions or remedies available under law or court rule.

(5) This section does not apply to local ordinances adopted pursuant to part II of chapter 163, s. 553.73, or s. 633.202.

(6) This section is intended to be prospective in nature and shall apply only to cases commenced on or after July 1, 2019.

Section 2. A municipality or county may continue to enforce or extend an ordinance, regulation, resolution, rule, moratorium, or policy adopted before February 1, 2019, relating to the land application of Class B biosolids until the ordinance, regulation, resolution, rule, moratorium, or policy is repealed by the municipality or county or until the effective date of the rules adopted by the Department of Environmental Protection, whichever occurs first.

Section 3. This act shall take effect July 1, 2019.

Approved by the Governor June 26, 2019.

Filed in Office Secretary of State June 26, 2019.



**RON DeSANTIS**  
GOVERNOR

May 10, 2019

Secretary Laurel M. Lee  
Secretary of State  
R.A. Gray Building  
500 S. Bronough Street  
Tallahassee, Florida 32399

Dear Secretary Lee:

By the authority vested in me as Governor of the State of Florida, under the provisions of Article III, Section 8, of the Constitution of Florida, I do hereby veto and transmit my objections to HB 771, enacted during the 121<sup>st</sup> Session of the Legislature of Florida, since statehood in 1845, during the Regular Session of 2019 and entitled:

An act relating to Environmental Regulation

HB 771 originally addressed issues with contaminated recyclable materials, but a provision was added that includes a moratorium on local regulation of single-use plastic straws until 2024.

A number of Florida municipalities, including Sanibel, Ft. Myers Beach and Miami Beach, have enacted ordinances prohibiting single-use plastic straws. These measures have not, as far as I can tell, frustrated any state policy or harmed the state's interests. In fact, the Florida Department of Environmental Protection has encouraged Florida residents, schools and businesses to reduce plastic straw use.

Under these circumstances, the State should simply allow local communities to address this issue through the political process. Citizens who oppose plastic straw ordinances can seek recourse by electing people who share their views.

For the reasons stated above, I withhold my approval of HB 771 and do hereby veto the same.

Sincerely,

A handwritten signature in black ink, appearing to be "Ron DeSantis", written over a horizontal line.

Ron DeSantis  
Governor

THE CAPITOL

TALLAHASSEE, FLORIDA 32399 • (850) 717-9249

2019 MAY 10 PM 5:04  
DEPT OF STATE  
TALLAHASSEE, FLORIDA

FILED



# MEMORANDUM

ITEM NO. 9E

**To:** Honorable Mayor, Vice-Mayor and Members of the Town Commission  
**From:** Guillermo Olmedillo, Town Manager  
**Date:** August 13, 2019  
**Subject:** Stormwater Master Plan Discussion

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Based on a recommendation from the Sustainability and Resiliency Committee, Calvin, Giordano & Associates (CGA) as the Town's vetted and approved engineering firm is qualified to prepare a complete Stormwater Master Plan (Plan). This Plan will include evaluation of the Town's stormwater management practices, existing drainage facilities, future stormwater improvement projects, funding sources, capital improvements projects, and regulatory policies. The Plan will also document the previously completed stormwater improvement projects and will address priority flooding and water quality concerns. The recently completed Abbott Drainage study, as recommend by the Sustainability and Resiliency Committee and discussed at the June 11, 2019 Town Commission meeting, will be incorporated into this Plan.

In 2008, the Town had authorized CGA to provide professional engineering services for Surfside Drainage Improvements through purchase order #100009 (CGA Proposal #07-1552). The project was funded by two (2) FDEP grants. Per the grant applications and approvals, the primary objective of the project was to reduce the Total Maximum Daily Loads (TMDL's) by 90%. The secondary objectives of the project were as follows:

- 1) Prepare a drainage report for the regulatory agencies identifying the water quality and discharge quantity improvements.
- 2) Prepare a Hydrologic and Hydraulic model to support water quality/quantity improvements that were needed to satisfy regulatory agencies requirements.
- 3) Prepare an exhibit showing existing/proposed conveyance systems and proposed drainage improvements including pump stations, drainage wells, and outfalls.
- 4) Prepare construction plans and specifications for drainage improvements including three pump stations and nine drainage wells.

The construction of proposed drainage improvements was completed in 2013. The said project provided significant drainage improvements for the Town, but it did not include any of the following key components of a master drainage study:



- Development of guidelines for future drainage improvements
- Identification of future drainage improvement projects
- Identification of goals for drainage levels of service
- Evaluation for sea level rise

Accordingly, it is appropriate and necessary for the Town to authorize a Plan as soon as possible to include the following elements:

- Updated hydrologic and hydraulic (H&H) model of existing conditions
- H&H model of future conditions with identified future improvements,
- Town's vulnerability for sea level rise prediction,
- Evaluation for existing drainage level of services
- Guidelines for future level of services,
- Project funding sources,
- Evaluation of current regulatory requirements, and
- Various supporting exhibits

A Town of Surfside Stormwater Master Plan would cost between \$150,000 and \$200,000 and would be funded from the Stormwater Utility Trust Fund (an Enterprise Fund). This is an unbudgeted FY2019 item.

Services to be performed by CGA and will require minimal Town Staff assistance.

Seeking Town Commission approval to return with a work authorization for this Stormwater Master Plan and a budget amendment.

Reviewed by



Prepared by

