



**Town of Surfside
Regular Town Commission Meeting**

AGENDA

October 10, 2019

7 p.m.

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

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

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

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

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

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

1. Opening

- A. Call to Order**
- B. Roll Call of Members**
- C. Pledge of Allegiance**
- D. Mayor and Commission Remarks – Mayor Daniel Dietch**
- E. Agenda and Order of Business Additions, deletions and linkages**
- F. Community Notes – Mayor Daniel Dietch**
- G. Presentation of Proclamation to Bay Harbor Islands Council Member Isaac Salver – Vice Mayor Gielchinsky**

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

- August 26, 2019 Joint Town Commission and Planning & Zoning Board Workshop Minutes
- August 26, 2019 Special Town Commission Meeting Minutes
- September 10, 2019 First Budget Hearing Meeting Minutes
- September 10, 2019 Regular Town Commission Meeting Minutes
- September 24, 2019 Final Budget Hearing 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

- June 20, 2019 Downtown Vision Advisory Committee Meeting Minutes
- July 17, 2019 Sustainability and Resiliency Committee Meeting Minutes
- August 22, 2019 Parks and Recreation Committee Meeting Minutes
- August 29, 2019 Planning and Zoning Board Meeting Minutes

E. Stormwater Master Plan - Guillermo Olmedillo, Town Manager *[Linked to Item 3F]*

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA APPROVING WORK AUTHORIZATION NO. 127 WITH CALVIN GIORDANO & ASSOCIATES, INC. FOR ENGINEERING SERVICES RELATED TO THE PREPARATION OF A STORMWATER MASTER PLAN FOR THE TOWN; 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

F. FY 2020 Budget Amendment Resolution No. 1 – Guillermo Olmedillo, Town Manager *[Linked to Item 3E]*

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, APPROVING BUDGET AMENDMENT NO. 1 FOR THE FISCAL YEAR 2020 BUDGET; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

G. Florida Government Week – Guillermo Olmedillo, Town Manager

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, RECOGNIZING FLORIDA CITY GOVERNMENT WEEK ON OCTOBER 21 TO 27, 2019 AND ENCOURAGING ALL CITIZENS TO SUPPORT THE CELEBRATION AND CORRESPONDING ACTIVITIES; AND PROVIDING FOR AN EFFECTIVE DATE.

4. Ordinances

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

A. Second Reading Ordinances

**1. Ordinance Amending Section 2-235 (“Lobbying”) of the Town Code
Lobbyist Registration Fee Exemption for Principals of Town
Business – Guillermo Olmedillo, Town Manager**

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA AMENDING SECTION 2-235 – “LOBBYING” TO PROVIDE AN EXEMPTION FROM LOBBYIST REGISTRATION FEES FOR PRINCIPALS AND EMPLOYEES OF TOWN BUSINESSES; PROVIDING FOR SEVERABILITY; PROVIDING FOR

INCLUSION IN THE CODE; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

2. **Amendment of Election Qualifying Dates Due to the March 17, 2020 Presidential Preference Primary** – Town Clerk Sandra Novoa, MMC and Town Attorney Lily Arango, Esq.

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, AMENDING SECTION 101, “QUALIFYING FOR ELECTED OFFICE” OF THE TOWN CHARTER PURSUANT TO SECTIONS 100.3605(2) AND 166.021(4), FLORIDA STATUTES, WITH LIMITED APPLICABILITY TO ESTABLISH QUALIFYING DATES AND SUPPLEMENTAL QUALIFYING DATES FOR THE TOWN’S MARCH 17, 2020 GENERAL ELECTION; PROVIDING FOR INCORPORATION INTO CHARTER; PROVIDING FOR CODIFICATION; PROVIDING FOR AUTHORIZATION; PROVIDING FOR NOTIFICATION TO MIAMI-DADE COUNTY ELECTIONS DEPARTMENT; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

3. **Prohibiting Hotels in H40** – Guillermo Olmedillo, Town Manager
[Linked to Item 4B2]

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

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

B. First Reading Ordinances

1. **Limitations on Accessory Uses in H40** – Guillermo Olmedillo, Town Manager *[Linked to Item 4A3]*

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 ESTABLISH LIMITATIONS ON HOTEL

ACCESSORY USES IN THE H-40 ZONING DISTRICT SOUTH OF 93RD STREET; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR CONFLICTS AND PROVIDING FOR AN EFFECTIVE DATE.

2. Limitations on Hotel Uses 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 ESTABLISH LIMITATIONS ON HOTELS IN THE H-40 ZONING DISTRICT SOUTH OF 93RD STREET INCLUDING: A PROHIBITION ON BALLROOMS AND BANQUET FACILITIES AS HOTEL ACCESSORIES; PROVIDING DISTANCE SEPARATION STANDARDS BETWEEN HOTELS; PROVIDING LIMITATIONS ON EVENT AND/OR MEETING ROOM SPACE; PROHIBITING STRUCTURED PARKING FACILITIES, AND REQUIRING THAT PARKING STRUCTURES INCORPORATE HOTEL AND/OR ACCESSORY USES; CREATING EXEMPTIONS FOR EXISTING AND APPROVED DEVELOPMENTS, AND FOR HISTORICALLY DESIGNATED PROPERTIES; AND AMENDING SECTION 90-51 “MAXIMUM FRONTAGE OF BUILDINGS AND FAÇADE ARTICULATIONS” TO ESTABLISH CONTINUOUS WALL FRONTAGES FOR HOTELS IN THE H40 ZONING DISTRICT SOUTH OF 93RD STREET; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

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5. Resolutions and Proclamations

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

- A. Approval of Resolution for Agreement with Lexis Nexis Coplogic Solutions Inc., for Traffic Crash Reporting, Traffic Crash Reporting Distribution, and Uniform Traffic Citation Module – Guillermo Olmedillo, Town Manager**

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA APPROVING A SOFTWARE SERVICE AGREEMENT WITH LEXISNEXIS COPLOGIC SOLUTIONS, INC. FOR ELECTRONIC TICKET SERVICES AND ELECTRONIC POLICE RECORD PORTAL SERVICES; PROVIDING FOR AUTHORIZATION; PROVIDING FOR IMPLEMENTATION AND PROVIDING FOR AN EFFECTIVE DATE.

- B. Annual Pension Funding Policy - Guillermo Olmedillo, Town Manager**

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, ESTABLISHING MINIMUM ANNUAL CONTRIBUTION REQUIREMENTS FOR THE TOWN OF SURFSIDE RETIREMENT PLAN; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR 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.

8. Unfinished Business and New Business

9. Mayor, Commission and Staff Communications

- A. Beach and Dune Report - Guillermo Olmedillo, Town Manager**
B. Rotary Club Donation – Guillermo Olmedillo, Town Manager
C. Paced Development – Guillermo Olmedillo, Town Manager
D. Zoning in Progress – Guillermo Olmedillo, Town Manager [Linked to Item 4B2]

10. Adjournment

Respectfully submitted,

A handwritten signature in blue ink, appearing to be 'G. Olmedillo', written over a horizontal line.

Guillermo Olmedillo
Town Manager

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

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

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

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

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



Proclamation

WHEREAS, the Florida League of Cities has recently announced that Bay Harbor Islands Council Member and Florida League of Cities First Vice President Isaac Salver will be the incoming President of the League; and

WHEREAS, this position is a fine exemplification of the decades of public service that Isaac Salver has selflessly devoted to the community; and

WHEREAS, Isaac Salver was first elected to the Bay Harbor Islands Town Council in 1999, and served as the Vice Mayor in 2003-2004 and the Mayor in 2004-2005; and

WHEREAS, Isaac Salver has served on the Executive Board of the Miami-Dade County League of Cities since 2002 and was elected President in 2005; and

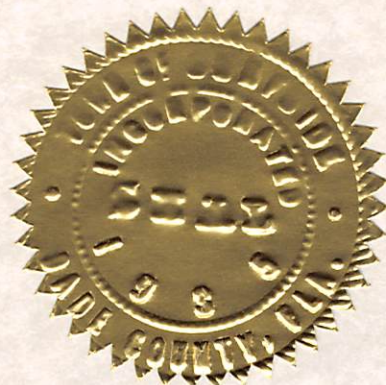
WHEREAS, Isaac Salver was elected to the Board of Directors of the Florida League of Cities in 2003, appointed Board Liaison to the Municipal Finance and Taxation Committee in 2005, served as Vice Chairman to the Florida League of Cities' Intergovernmental Relations Committee and was appointed Chairman of the Intergovernmental Relations Committee sub-committee on Education in 2002; and

WHEREAS, Isaac Salver served as Chairman of the Bay Harbor Islands Employee Retirement Trust from 2000-2004; and

WHEREAS, Isaac Salver has held leadership roles in several community and not-for-profit organizations over the last two decades,

In witness thereof I have hereunto set my hand this 10th day of October 2019.

Daniel Dietch, Mayor
Town of Surfside, Florida





Town of Surfside
Joint Town Commission and Planning and Zoning Workshop
MINUTES
August 26, 2019
6:15 p.m.
 Town Hall Commission Chambers - 9293 Harding Ave, 2nd Floor
 Surfside, FL 33154

1. Opening

A. Call to Order

Chair Lecour called the meeting to order at 6:41 p.m.

B. Roll Call of Members

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

Town Clerk Novoa called the roll with the following members present: Chair Lecour, Vice Chair Frankel, Board Member Glynn, Board Member Garcia, Board Member Kramer, Board Member Gershanovich. Board Member Roller was absent.

Commissioner Cohen arrived at 6:06 pm.

C. Pledge of Allegiance

Captain Bambis led the Pledge of Allegiance

2. Adapting Structures to Potential Flooding – Guillermo Olmedillo, Town Manager

Town Manager Olmedillo introduced the item.

George Kousoulas, gave a presentation on where the area west of Harding is in relationship to the height and what FEMA uses as their benchmark and the data where everything else is measured for Base Flood Elevation along with freeboard and what it means.

Mayor Dietch stated that the FEMA standard for the Town of Surfside is FEMA plus 2.

George Kousoulas continued his presentation.

Commissioner Karukin asked if this is only for new construction and George Kousoulas stated yes that it is for new constructions only.

Board Member Glynn asked regarding if this meant that the hotels would be emptied and barriers would be erected on the outside of the doors.

George Kousoulas answered Board Member Glynn question and stated that in a commercial setting they would evacuate the hotel and would not seal them in due to Fire reasons.

Chair Lecour thanked George Kousoulas and spoke regarding a chronology from the Planning & Zoning Board and spoke regarding sea level rise, storm surge and how it could be addressed. It is their opinion to go any higher than FEMA plus 1 it would mean bringing the height of the house higher. She gave different options and the use of floor panels.

Board Member Glynn stated that another issue they are concerned with is that after the flood happens there will be a lot of rebuilding taking place and how they would allow people to build the extra feet after they get destroyed.

Mayor Dietch addressed the issue of sea level rise, storm surge and the challenges. Surfside is mostly built out and how to navigate through this transition phase. He also stated that some flexibility can be found with more homes with flat roofs.

Commissioner Paul commented on the memorandum received which she read into the record and her question is if the Board is encouraging redevelopment of properties over renovations and would encourage the Town to do the same as other municipalities which encourage renovations as well to preserve the home.

Chair Lecour addressed Commissioner Paul's question and is interested in seeing something like that as well.

George Kousoulas addressed Commissioner Paul's question and explained how that could be done.

Commissioner Paul stated that older buildings would need to be considered and have a plan for the entire town.

Chair Lecour stated that they would like more input from the public and unlocking the code.

Commissioner Paul commented that they should have the Town Planner Sinatra to look into this and find a plan that would work.

Mayor Dietch opened the floor to the public speakers.

The following speakers spoke on the item:

Walter Javier

Chair Lecour asked Mr. Javier when he speaks about electricity if he is talking about undergrounding.

Walter Javier stated yes that undergrounding would be beneficial.

Commissioner Karukin addressed the undergrounding and that those cables would perpetually be under water and he stated that the Public Utility Research Center at UF stated that undergrounding power lines protects you from wind events but not necessarily from flooding events and their issue is flooding.

The following speakers spoke on the item:

Clara Diaz-Leal

Eliana Salzhauer

A motion was made by Commissioner Karukin, seconded by Commissioner Paul to give Ms. Salzhauer an additional minute to speak. Motion carried by consensus.

Commissioner Karukin asked speaker Salzhauer regarding an item on the budget to develop a master stormwater drainage and spending \$150,000 out of the special fund and would she be in favor of moving forward with that drainage program.

Ms. Salzhauer stated she would be in agreement if that would make a significant and substantial impact.

Commissioner Karukin continued speaking about the master stormwater drainage plan.

Ms. Salzhauer commented on reducing the carbon footprint of the Town.

The following speakers spoke on the item:

Jeff Rose

Commissioner Paul asked Mr. Rose if what he is suggesting is to raise the existing homes. Commissioner Paul also addressed Mr. Rose's comments and repurposing of homes.

Mr. Rose stated that yes to raise the existing homes.

Chair Lecour clarified the measuring of crown of road and Mr. Rose's comments on that.

Commissioner Karukin commented on Section 4 of the Charter and explained what the section stated to Mr. Rose.

The following speakers spoke on the item:

Michael Dranoff
Karla Maguire
Marc Levenson
Patricia Fernandez
Mandyf Davidspor
Oliver Sanchez

Mayor Dietch spoke regarding flood insurance subsidy.

Town Manager Olmedillo stated that it does assist with insurance rates especially in barrier islands and it does affect it.

Mayor Dietch spoke regarding his concern in changing the regulations but he does not want to encourage more flat roofs. He spoke about encouraging pitched roofs and lower ceiling heights and whether that is enough.

Vice Chair Frankel addressed Mayor Dietch's comments and regulating design styles and regulating more the massing of the building.

Discussion continued among the Commission and the Board Members of the Planning & Zoning Board regarding the regulating of set backs and looking at ways of providing design creativity and more harmonious as well as freeboard.

Commissioner Cohen left at 8:00 p.m.

George Kousoulas answered questions by the public, the Commission and the Planning & Zoning Board members regarding his presentation.

The following speaker spoke on the item:

Eliana Salzhauer

A motion was made by Commissioner Karukin, seconded by Commissioner Paul to give Ms. Salzhauer three (3) minutes to speak. Motion carried by consensus.

Mayor Dietch clarified the item at hand and the specifics of this item being focused on wanting flexibility in the event of a devastating event hitting Surfside and destroying the Town.

Commissioner Paul commented on the speaker's requests including undergrounding and other things to be considered to rebuild.

Chair Lecour spoke regarding what is under the jurisdiction of the Planning & Zoning Board.

Mayor Dietch spoke regarding the graph report and would request another discussion.

Commissioner Karukin spoke regarding the undergrounding the power line project.

Mayor Dietch asked the Planning & Zoning Board members if they would be in agreement of increasing the freeboard requirements regardless of it going to referendum or not.

Board Member Glynn addressed Mayor Dietch's question regarding freeboard and he would prefer there to be no flat roofs, instead having pitched roofs and unlocking the code.

The following speaker spoke on the item:
Patricia Fernandez

Commissioner Paul addressed Board Member Glynn's comments on raising the height of homes and the idea is not to encourage tear downs but in the event a home is destroyed they would not build the same home, but instead try to save the existing home. She also stated if the home is destroyed, they should think of how to rebuild not only the homes but the Town as whole.

Further discussion continued among the Commission regarding rebuilding and FEMA requirements.

Town Attorney Arango stated that the Town could have more restrictive charter regulations than what FEMA requires.

Chair Lecour spoke regarding the presentation and other options and she feels that given those circumstances there are sufficient options in the code to address the issues and does not feel that there is a strong enough concern or threat to motivate the kind of support needed at this time and this code gets us through the next 30 years and maybe in 15 years there are different circumstances to revisit it. She would rather focus the effort on other pressing concerns.

Board Member Glynn spoke regarding the comments made by Chair Lecour.

The following speaker spoke regarding the item:
Pamela O'Hagan

A motion was made by Commissioner Karukin, seconded by Commissioner Paul to allow Ms. O'Hagan to speak for three (3) minutes. Motion carried by consensus.

George Kousoulas asked Board Member Glynn if a 9-foot ceiling a good enough height. He also explained what the current code with FEMA plus 2 added to it.

Board Member Glynn stated that yes it would be sufficient.

Commissioner Paul commented on the flooding and the drainage study and improvements that was performed. She stated that the residents would like better drainage.

Mayor Dietch suggested FEMA plus 4 deal with the flat roofs and with the massing on 2nd floor which are manageable activities.

Chair Lecour stated that means a single-story home.

George Kousoulas stated that FEMA plus 2 gives you 2 10-foot 6-inch floors so if you go to FEMA plus 4, you take away a foot off of each floor and you are down to 9 foot 6 inches. FEMA plus 4 is a 2-story house.

Commissioner Karukin requested to take another look at the Master Stormwater Drainage Plan and the undergrounding of power lines and the debt associated with that.

Vice Mayor Gielchinsky entered at 8:51 p.m.

Board Member Glynn asked if they were going to talk about unlocking this and that the only way to unlock it is to follow FEMA recommendations.

Mayor Dietch asked Town Manager Olmedillo to place sketches on the Town Website of the presentation that Mr. George Kousoulas gave tonight.

3. Adjournment

There being no further business to discuss before the Planning & Zoning Board and the Town Commission, Commissioner Karukin made a motion, seconded by Commissioner Paul to adjourn the meeting without objection at 8:59 p.m.

Respectfully submitted,

Accepted this ____ day of _____, 2019.

Daniel Dietch, Mayor

Attest:

Sandra Novoa, MMC
Town Clerk



**Town of Surfside
Special Town Commission Meeting
Minutes**

August 26, 2019

6 p.m.

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

1. Opening

A. Call to Order

Mayor Dietch called the meeting to order at 6:04 p.m.

B. Roll Call of Members

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

Commissioner Cohen arrived at 6:06 pm.

C. Pledge of Allegiance

Police Captain Bambis led the Pledge of Allegiance.

2. Repealing of Ordinance No. 2019-1698 (Amending Section 34-11 of the Town Code to Prohibit the Distribution, Sale or Use of Single-Use Plastics, including Single Use Plastics (Bags) – Guillermo Olmedillo, Town Manager

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, REPEALING ORDINANCE NO. 2019-1698, WHICH AMENDED PORTIONS OF SECTION 34-11, "PROHIBITION ON DISTRIBUTION, SALE OR USE OF PLASTIC STRAWS" OF THE TOWN'S CODE OF ORDINANCES, AND AMENDED THE TITLE TO "PROHIBITION ON DISTRIBUTION, SALE OR USE OF SINGLE-USE PLASTICS," PROVIDED FOR DEFINITIONS FOR SINGLE-USE PLASTICS, AND REGULATING SINGLE-USE PLASTICS; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

Town Clerk Novoa read the title of the ordinance.

Town Attorney Arango introduced the item.

Commissioner Paul made a motion to defer the item. She stated the reasons why she believed the item should be deferred. The motion died for a lack of second.

The following members of the public spoke on the item:
Ellen Newburger
Eliana Salzhauer

After some discussion between the members of the Town Commission related to this issue, Commissioner Karukin made a motion to approve the repealing of the ordinance. The motion received a second from Commissioner Cohen. The motion carried 3-1 with Commissioner Paul voting against and Vice Mayor Gielchinsky absent.

3. Adjournment

There being no further business to discuss before the Commission, Commissioner Karukin made a motion to adjourn the meeting. Motion seconded by Commissioner Paul. The meeting adjourned without objection at 6:28 pm.

Respectfully submitted,

Accepted this ____ day of _____, 2019.

Daniel Dietch, Mayor

Attest:

Sandra Novoa, MMC
Town Clerk



**Town of Surfside
Special Town Commission Meeting
First Budget Hearing
MINUTES
September 10, 2010
5:01 p.m.**

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

1. Opening

A. Call to Order

Mayor Dietch called the meeting to order at 5:10 p.m.

B. Roll Call of Members

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

*Vice Mayor Gielchinsky arrived at 5:19 p.m.

C. Pledge of Allegiance

Chief Yero led the pledge of allegiance.

2. Discussion Regarding Millage Rate and Budget – Guillermo Olmedillo, Town Manager

Town Manager Olmedillo gave a synopsis of the budget and added \$2.4 million back to general budget, the budget went from a \$13.1 million in FY 19 to \$15.5 million in FY 20 bringing the millage rate to 4.5. He introduced Finance Director Greene to give the budget presentation.

Finance Director Greene presented the millage rate and budget.

Budget Office Meiri presented the program modifications for June and July 2019.

Finance Director Greene spoke regarding the prefunding of some elements of the Town's retirement fund and he gave the recommendations. He also gave them the supplemental items.

Commissioner Karukin made a motion to cut the item of the 85th anniversary. Motion died for lack of a second.

Commissioner Karukin asked regarding the 305 reserve, Building Fund, Sewer Fund and the 96th Street Park.

Budget Officer Meiri answered Commissioner Karukin question that they would use the \$60,000 from the 305 funding as the Town's match.

Commissioner Karukin asked if any of that funding could be used for the underground of power lines study.

Commissioner Paul asked if they could use those funds for the stormwater sewer master plan.

Commissioner Karukin stated that the water and sewer fund and debt service is higher than recommended.

Town Manager Olmedillo responded to Commissioner Karukin's comments.

Commissioner Karukin commented on the 96th Street Park and would like to bring back the library for the Community.

Commissioner Paul stated that she likes that idea very much.

Mayor Dietch asked for Commissioner Karukin to bring that back as a discussion item.

Vice Mayor Gielchinsky commented on Commissioner Karukin's request of bringing back the library and would like the history and asked for Parks Director Milian's comments and how much it would cost.

Commissioner Paul stated that the Parks committee asked if there are any extra Tourism monies be allocated for other activities.

Mayor Dietch commented on lowering the millage rate while trying to balance the enhancement of the community and putting monies in the reserve and continuing to enhance how the Town runs. He suggested bringing the millage down to 4.3.

Vice Mayor Gielchinsky commented on the increase of the millage and how it relates to the revenues collected and asked Finance Director Greene on how the different millage rate options would impact the budget.

Finance Director Greene presented what the millage would equate to per home based on the different rate options requested by Vice Mayor Gielchinsky.

**Commissioner Cohen arrived at 5:51 p.m.

Vice Mayor Gielchinsky agreed to lower the millage rate to 4.4.

Commissioner Paul asked how the rate would affect those that are not homesteaded.

Town Manager Olmedillo answered Commissioner Paul's question and stated it would be the same percentage. The millage is applied to the assessed value of the property and then on an individual basis you have several exemptions.

Commissioner Karukin asked if the millage rate is reduced what would get cut.

Finance Director Greene stated that it would affect the general fund reserves.

Commissioner Paul stated she is fine with a 4.4 millage rate.

3. Millage Rate Adoption Resolution

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, ADOPTING A PROPOSED MILLAGE RATE OF 4.5000 MILLS FOR THE FISCAL YEAR COMMENCING OCTOBER 1, 2019 AND ENDING SEPTEMBER 30, 2020, WHICH IS MORE THAN THE ROLLED BACK RATE OF 4.2251 MILLS COMPUTED PURSUANT TO STATE LAW BY 6.51%; CONFIRMING THE DATE OF THE SECOND BUDGET PUBLIC HEARING; AND PROVIDING FOR AN EFFECTIVE DATE.

Town Clerk Novoa read the title of the resolution.

Commissioner Cohen spoke regarding the Town looking at other municipalities to see their millage rates and how it affects their budget.

Commissioner Karukin made a motion to adopt and amend the millage rate to 4.4. The motion received a second by Commissioner Cohen and all voted in favor.

4. Public Comment

No public comments.

5. Budget Adoption Resolution

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, ADOPTING A TENTATIVE BUDGET FOR THE

FISCAL YEAR COMMENCING OCTOBER 1, 2019 AND ENDING SEPTEMBER 30, 2020; CONFIRMING THE DATE OF THE SECOND PUBLIC HEARING; PROVIDING FOR INCORPORATION OF RECITALS; AND PROVIDING FOR AN EFFECTIVE DATE.

Town Clerk Novoa read the title of the resolution.

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

6. Public Comment

No public comments.

7. Adjournment

There being no further business to discuss before the Commission, Commissioner Karukin made a motion, seconded by Commissioner Paul to adjourn the meeting without objection at 6:13 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**

September 10, 2019

7 p.m.

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

1. Opening

A. Call to Order

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

B. Roll Call of Members

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

C. Pledge of Allegiance

Chief Yero led the Pledge of Allegiance.

D. Mayor and Commission Remarks – Mayor Daniel Dietch

Vice Mayor Gielchinsky commended the Police Department, Public Works Director and the Building Department for their hard work during Hurricane Dorian.

Vice Mayor Gielchinsky wished the entire community a happy New Year during the Jewish New Year.

Commissioner Paul thanked the residents for their help during the storm and commended staff for their hard work.

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

Commissioner Karukin moved Items 4A4, 4B2 and 9D after 1H and before consent. He also requested item 3F before item 1G. The motion received a second by Vice Mayor Gielchinsky and all voted in favor with Commissioner Cohen absent.

F. Community Notes – Mayor Daniel Dietch

Mayor Dietch gave his community notes and all can be found on the Town's website.

Commissioner Karukin gave his report as the Tourist Board Liaison.

- G. Presentation of Childhood Cancer Awareness Month Proclamation –**
Mayor Daniel Dietch
Mayor Dietch presented the proclamation to Silvia Dominguez-Vanni.

- H. Scholarship Award to Farah Ritter Vazquez and Louis D’Antuono-**
Mayor Daniel Dietch

Mayor Dietch presented the Scholarship Awards to Farah Ritter Vazquez and Louis D’Antuono.

2. Quasi-Judicial Hearings - None

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

Vice Mayor Gielchinsky made a motion to approve the consent agenda minus the pulled items. The motion received a second by Commissioner Karukin and all voted in favor with Commissioner Cohen absent.

- A. Minutes –** Sandra Novoa, MMC, Town Clerk
- July 9, 2019 Special Town Commission Meeting – Budget Millage Rate Minutes
- August 13, 2019 Special Town Commission Meeting – Quasi-Judicial Hearing Minutes
- August 13, 2019 Regular Town Commission Meeting Minutes

Adopted on consent.

- *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

April 17, 2019 - Sustainability and Resiliency Committee Meeting Minutes
June 27, 2019 – Special Pension Board Meeting Minutes
July 8, 2019 – Parks and Recreation Committee Meeting Minutes
July 25, 2019 – Special Pension Board Meeting Minutes

Adopted on consent.

- E. Resolution Authorizing a Mutual Aid Agreement between the Florida Division of Emergency Management and the Town of Surfside -**
Guillermo Olmedillo, Town Manager

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, APPROVING A STATEWIDE MUTUAL AID AGREEMENT WITH FLORIDA DIVISION OF EMERGENCY

MANAGEMENT; PROVIDING FOR AUTHORIZATION; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Adopted on consent.

F. Childhood Cancer Awareness Month Proclamation – Mayor Daniel Dietch

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

Mayor Dietch presented the proclamation to Silvia Dominguez-Vanni.

Commissioner Paul asked if one of the new police vehicles could have the gold ribbon for the event on September 14.

G. Independent External Audit Re-Engagement Resolution – Guillermo Olmedillo, Town Manager

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, APPROVING AN ENGAGEMENT LETTER WITH MARCUM LLP FOR FINANCIAL AUDITING SERVICES FOR FISCAL YEAR ENDING SEPTEMBER 30, 2019; PROVIDING FOR AUTHORIZATION; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Adopted on consent.

H. Recognition of Isaac Salver from The Town of Bay Harbor Islands – Vice Mayor Gielchinsky

Vice Mayor Gielchinsky requested to pull the item from consent and amend his request from a recognition to issue a proclamation to Isaac Salver.

Commissioner Karukin made a motion to approve the proclamation at the next meeting. The motion received a second from Commissioner Paul. All voted in favor with Commissioner Cohen absent.

I. Memorandum of Understanding Between the Town of Surfside, The Village of Bal Harbour, and The Town of Bay Harbor Islands – Guillermo Olmedillo, Town Manager

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, APPROVING A MEMORANDUM OF

UNDERSTANDING AMONG THE TOWN OF SURFSIDE, THE VILLAGE OF BAL HARBOUR, AND THE TOWN OF BAY HARBOR ISLANDS RELATING TO A SCHOOL ADDRESS VERIFICATION PLAN CONTRIBUTION; PROVIDING FOR AUTHORIZATION; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Town Clerk Novoa read the title of the resolution.

The following members of the public spoke on the item:

Nelly Nogueroles
Eliana Salzhauer
Maggie McMonagle

Mayor Dietch addressed the comments made by the public.

Commissioner Paul made a motion to approve. Motion received a second by Commissioner Karukin. All voted in favor with Commissioner Cohen absent.

- J. Summer Camp Bus Invoices – Guillermo Olmedillo, Town Manager**
A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, AUTHORIZING AND APPROVING THE PURCHASE OF SUMMER CAMP BUS SERVICES FOR 2019 FROM ACADEMY; AUTHORIZING THE EXPENDITURE OF FUNDS IN THE AMOUNT OF \$11,970.00 FROM THE PARKS AND RECREATION OPERATING FUND 2018/2019 BUDGET; PROVIDING FOR WAIVER OC COMPETITIVE PROCUREMENT PURSUANT TO SECTION 3-12 OF THE TOWN CODE; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Adopted on consent.

- K. Resolution of the Town Commission to Accept the FDOT High Visibility Enforcement for Pedestrian and Bicycle Safety Grant for 2019-2020 – Guillermo Olmedillo, Town Manager**

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, ACCEPTING A \$6,000 PEDESTRIAN AND BICYCLE SAFETY HIGH VISIBILITY EDUCATION AND ENFORCEMENT CAMPAIGN GRANT FROM THE FLORIDA DEPARTMENT OF TRANSPORTATION THROUGH A GRANT WITH THE UNIVERSITY OF NORTH FLORIDA TRAINING AND SERVICES INSTITUTE, INC.; PROVIDING FOR AUTHORIZATION; PROVIDING

FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Adopted on consent.

- L. Amending and Restating Section 125 Flexible Benefit Plan - Guillermo Olmedillo, Town Manager**

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, APPROVING AN AMENDED AND RESTATED SECTION 125 FLEXIBLE BENEFITS PLAN FOR THE TOWN; PROVIDING FOR AUTHORIZATION AND IMPLEMENTATION OF THE AMENDED AND RESTATED PLAN; AND PROVIDING FOR AN EFFECTIVE DATE.

Adopted on consent.

- M. Granicus Agenda Management Software Agreement – Sandra Novoa, MMC, Town Clerk**

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, APPROVING A SERVICE AGREEMENT WITH GRANICUS, LLC, FOR NOVUS AGENDA MANAGEMENT SOFTWARE; PROVIDING FOR AUTHORIZATION; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Adopted on consent.

- N. Termination of State of Emergency Hurricane Dorian – Guillermo Olmedillo, Town Manager**

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, CONFIRMING THE TERMINATION OF THE STATE OF EMERGENCY DECLARED FOR THE TOWN OF SURFSIDE, FLORIDA RELATED TO HURRICANE DORIAN; AND PROVIDING FOR AN EFFECTIVE DATE

Adopted on consent.

4. Ordinances

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

- A. Second Reading Ordinances**

1. **Repealing Section 2-28, “Reimbursement of Travel and Other Expenses” of the Town Code** – Guillermo Olmedillo, Town Manager [*Linked to Item 5A*]

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.

Town Clerk Novoa read the title into the record.

Mayor Dietch opened the floor to public comments.

Mayor Dietch closed the floor to public comments.

Commissioner Karukin made a motion to approve. Motion received a second by Commissioner Paul. All voted in favor with Commissioner Cohen absent.

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.

Mayor Dietch opened the floor to public comments.

Mayor Dietch closed the floor to public comments.

Vice Mayor Gielchinsky made a motion to approve. The motion received a second by Commissioner Karukin. All voted in favor with Commissioner Cohen absent.

3. **Repealing of Ordinance 2019-1698 (Amending Section 34-11 of the town Code to Prohibit the Distribution, Sale or Use of**

Single-Use Plastics, Including Single Use Plastics Bags) –
Guillermo Olmedillo, Town Manager

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, REPEALING ORDINANCE NO. 2019-1698, WHICH AMENDED PORTIONS OF SECTION 34-11, “PROHIBITION ON DISTRIBUTION, SALE OR USE OF PLASTIC STRAWS” OF THE TOWN’S CODE OF ORDINANCES, AND AMENDED THE TITLE TO “PROHIBITION ON DISTRIBUTION, SALE OR USE OF SINGLE-USE PLASTICS,” PROVIDED 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.

Mayor Dietch opened the floor to public comments.

The following members of the public spoke on the item:

Eliana Salzhauer

Sasha Plutno

Mayor Dietch closed the floor to public comments.

Commissioner Paul commented on the history of this ordinance and the preemption. She spoke regarding the different options and feels that the Town should look at options on how to legally regulate the use of single use plastics.

Mayor Dietch addressed Commissioner Paul’s comments.

Commissioner Paul asked Town Attorney Arango if the ordinance can be amended to include single use plastics in our community.

Town Attorney Arango stated that the State Statutes prohibits any regulation of single use plastics and it does not differentiate between public and private entities.

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

4. **Prohibiting Hotels in H40 – Guillermo Olmedillo, Town Manager *[Linked to Item 4B2]***

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

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

Town Clerk Novoa read the title into the record.

A motion was made by Commissioner Karukin to defer the item to October 10, 2019 at 7:00 p.m. The motion received a second by Vice Mayor Gielchinsky and all voted in favor with Commissioner Cohen absent.

The following speakers spoke on the item:

Jennifer Fine
Maggie McMonagle`
Eliana Salzhauer
George Kousoulas
Sasha Plutno

B. First Reading Ordinances

1. **Ordinance Amending Section 2-235 (“Lobbying”) of the Town Code Lobbyist Registration Fee Exemption for Principals of Town Business – Guillermo Olmedillo, Town Manager**

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA AMENDING SECTION 2-235 – “LOBBYING” TO PROVIDE AN EXEMPTION FROM LOBBYIST REGISTRATION FEES FOR PRINCIPALS AND EMPLOYEES OF TOWN BUSINESSES; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

Town Clerk Novoa read the title into the record.

Vice Mayor Gielchinsky made a motion to approve. Motion received a second by Commissioner Karukin. All voted in favor with Commissioner Cohen absent.

Commissioner Karukin stated that he worked with Town Attorney Arango to clarify the ordinance.

Commissioner Paul stated that on page 556, Section v.c that the word “indirect” should be stricken.

Vice Mayor Gielchinsky asked for Town Attorney Arango to give clarification.

Town Attorney Arango clarified the item and Commissioner Paul’s question.

2. **Limitations on Accessory Uses in H40** – Guillermo Olmedillo, Town Manager [[Linked to Item 4A4](#)]

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 ESTABLISH LIMITATIONS ON HOTEL ACCESSORY USES IN THE H-40 ZONING DISTRICT SOUTH OF 93RD STREET; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR CONFLICTS AND PROVIDING FOR AN EFFECTIVE DATE.

A motion was made by Commissioner Karukin to defer the item to October 10, 2019 at 7:00 p.m. The motion received a second by Vice Mayor Gielchinsky and all voted in favor with Commissioner Cohen absent.

The following members of the public spoke on the item:
Eliana Salzhauer
Jennifer Fine
Sasha Plutno

3. **Amendment of Election Qualifying Dates Due to the March 17, 2020 Presidential Preference Primary** – Town Clerk Sandra Novoa, MMC and Town Attorney Lily Arango, Esq.

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, AMENDING SECTION 101, “QUALIFYING FOR ELECTED OFFICE” OF THE TOWN CHARTER PURSUANT TO SECTIONS 100.3605(2) AND

166.021(4), FLORIDA STATUTES, WITH LIMITED APPLICABILITY TO ESTABLISH QUALIFYING DATES AND SUPPLEMENTAL QUALIFYING DATES FOR THE TOWN'S MARCH 17, 2020 GENERAL ELECTION; PROVIDING FOR INCORPORATION INTO CHARTER; PROVIDING FOR CODIFICATION; PROVIDING FOR AUTHORIZATION; PROVIDING FOR NOTIFICATION TO MIAMI-DADE COUNTY ELECTIONS DEPARTMENT; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

Town Clerk Novoa read the title into the record.

Mayor Dietch opened the floor to public comments.

Mayor Dietch closed the floor to public comments.

Vice Mayor Gielchinsky made a motion to approve. The motion received a second by Commissioner Karukin and all voted in favor with Commissioner Cohen absent.

5. Resolutions and Proclamations

(Set for approximately 8:45 p.m.) (Note: Depends upon length of Good and Welfare)

A. New Travel, Transportation, and Meal Policy - Guillermo Olmedillo, Town Manager *[Linked to Item 4A1]*

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, ADOPTING A TRAVEL, TRANSPORTATION AND MEAL POLICY FOR TOWN OFFICIALS AND EMPLOYEES; PROVIDING FOR AUTHORIZATION AND IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Town Clerk Novoa read the title into the record.

Commissioner Karukin made a motion to approve. The motion received a second by Vice Mayor Gielchinsky and all voted in favor with Commissioner Cohen absent.

B. Solid Waste Services Special Assessment Final Rate Resolution – Guillermo Olmedillo, Town Manager

A RESOLUTION OF THE TOWN COMMISSION 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; REIMPOSING SOLID WASTE SERVICE ASSESSMENTS AGAINST ASSESSED RESIDENTIAL PROPERTY LOCATED WITHIN THE TOWN OF SURFSIDE, FLORIDA, FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2019; APPROVING THE RATE OF ASSESSMENT; APPROVING THE ASSESSMENT ROLL; AND PROVIDING FOR AN EFFECTIVE DATE.

Town Clerk Novoa read the title into the record.

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

C. American Flood Coalition Memorandum Of Understanding - Guillermo Olmedillo, Town Manager

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, APPROVING A MEMORANDUM OF UNDERSTANDING (MOU) AND ADDENDUM WITH THE AMERICAN FLOOD COALITION FOR A FLOOD ADAPTATION ASSESSMENT; AUTHORIZING THE TOWN MANAGER TO ENTER INTO THE MOU AND ADDENDUM FOR SUCH PURPOSE; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Town Clerk Novoa read the title into the record.

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

D. Employee Health Benefits Contract Renewal for FY 2019-2020 - Guillermo Olmedillo, Town Manager

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, APPROVING UNITEDHEALTHCARE TO PROVIDE EMPLOYEE HEALTH INSURANCE, GUARDIAN TO PROVIDE DENTAL AND VISION COVERAGE, MUTUAL OF OMAHA TO PROVIDE LIFE AND DISABILITY INSURANCE, AND ASURE SOFTWARE FOR FLEXIBLE SPENDING ARRANGEMENT BENEFIT SERVICES AND COBRA ADMINISTRATION, TO TOWN EMPLOYEES FOR FISCAL YEAR 2019/2020; AUTHORIZING THE TOWN MANAGER TO ENTER INTO ANY NECESSARY AGREEMENTS WITH UNITED

HEALTHCARE AND OTHER PROVIDERS; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Town Clerk Novoa read the title into the record.

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

E. Request to Join Efforts re: Proposed Constitutional Amendment re: Assault Weapons – Vice Mayor Daniel Gielchinsky

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, AUTHORIZING AND DIRECTING THE TOWN TO JOIN IN THE FILING OF A BRIEF AT THE FLORIDA SUPREME COURT SUPPORTING THE PLACEMENT ON THE BALLOT OF THE INITIATIVE PETITION ENTITLED “PROHIBITS POSSESSION OF DEFINED ASSAULT WEAPONS”; AND PROVIDING AN EFFECTIVE DATE.

Town Clerk Novoa read the title into the record.

Vice Mayor Gielchinsky commented on the Town joining the City of Weston and asked Town Attorney Arango to give a summary of the item.

Town Attorney Arango presented the item and summarized the Attorney General’s opinion.

Vice Mayor Gielchinsky is requesting Commission approval to join this lawsuit and allow this to go to the voters.

Commissioner Paul asked for the first whereas clause on page 720 to be stricken through.

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

Commissioner Karukin made a motion to approve the Resolution as written. The motion received a second by Vice Mayor Gielchinsky and all voted in favor with Commissioner Cohen absent.

- F. Approval of Temporary Use Agreement between the Town of Surfside and Miami Dade College for the use of the School of Justice Driving Range – Guillermo Olmedillo, Town Manager**

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, APPROVING AN AGREEMENT FOR TEMPORARY USE OF MIAMI-DADE COLLEGE FACILITIES; PROVIDING FOR AUTHORIZATION; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Town Clerk Novoa read the title into the record.

Commissioner Paul made a motion to approve. The motion received a second by Commissioner Karukin and all voted in favor with Commissioner Cohen absent.

- G. Single-Use Plastic Bag Preemption Urging Resolution – Mayor Daniel Dietch**

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA URGING THE FLORIDA LEGISLATURE TO REPEAL SECTIONS 403.708, 403.7033 AND 500.90, FLORIDA STATUTES, AND REJECT ANY OTHER STATUTES THAT INHIBIT A LOCAL GOVERNMENT'S ABILITY TO REGULATE EXPANDED POLYSTYRENE OR SINGLE-USE PLASTIC BAGS; AND REQUESTING THE SUPPORT OF GOVERNOR RON DESANTIS IN THOSE EFFORTS.

Town Clerk Novoa read the title into the record.

Mayor Dietch introduced the item.

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

Commissioner Paul addressed the comments made by Ms. Salzhauer and would like to know the cost entailed. She also stated that she agrees with 1, 2 and 4 and would like to know the cost for number 3.

Vice Mayor Gielchinsky spoke regarding the ability to work with Town Attorney Arango to file something with the Supreme Court.

Mayor Dietch stated that Town Attorney Arango was still researching the item.

Vice Mayor Gielchinsky made a motion to approve with the following amendments: 1) bring back a frame work for the Administration to implement the proposed education and outreach program it planned as part of the passage of Ordinance No. 2019-1698; 2) Confirm that we have a single use plastic bags as part of our legislative priorities; 3) Town Attorney Arango to identify options to use the Town's buying power to restrict single use plastic bags; 4) to have the Town Manager Olmedillo look into purchasing Town branded durable bags for the Downtown businesses.. The motion received a second by Commissioner Karukin and all voted in favor with Commissioner Cohen absent.

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

The following members of the public spoke on the item:

Sasha Plutno spoke regarding density, FEMA training for the community and resiliency.

Eliana Salzhauer spoke about hurricane Dorian and how the community helped each other through an app they created when the P3 and the importance of working together and preserving Surfside.

Victoria Saife spoke regarding flooding and the drainage system after a short time of rain.

George Kousoulas spoke regarding the elevation, improving drainage and unlocking the height limit.

Bob Fischer spoke regarding the downtown vibrancy and to create more activity for Friday nights. He stated that the street lights are yellow and he would like them whiter. He spoke regarding the fact that the Halloween Event on 92nd and Carlyle brings a lot of people. He spoke regarding the flooding on 96th Street, tags to be placed on animals, save our homes and mansions built improperly.

A motion was made by Commissioner Paul to give Mr. Fischer an additional minute. The motion received a second by Commissioner Karukin and all voted in favor with Commissioner Cohen absent.

Allen Markowitz spoke regarding parking and building heights.

Nelly Nogueroles spoke regarding the parks and the items needing to be updated and the flooding issues in town.

Commissioner Karukin addressed the comments made by Ms. Nogueroles regarding the parks.

Mayor Dietch addressed the comments made regarding the light on 94th Street and Abbott Avenue, the comment regarding there being no light between the middle of the block and Publix. He also stated that they are aware of the flooding on 96th Street and it is the responsibility of Bal Harbour.

Town Manager Olmedillo stated that the LED project with FPL will include extra lights in the areas he has discussed.

Mayor Dietch closed Good and Welfare

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

There was no unfinished business nor any new business.

9. Mayor, Commission and Staff Communications

A. Stormwater Master Plan – Guillermo Olmedillo, Town Manager

Town Manager Olmedillo provided an update on the Stormwater Master Plan.

Curt Keiser, Calvin Giordano, gave a presentation of the item.

Commissioner Paul asked regarding the information from the 2013 improvement, the funding source and if it is reflected in this plan.

Curt Keiser, Calvin Giordano answered Commissioner Paul's question regarding the funding source.

The following members of the public spoke on the item:

Eliana Salzhauer

Deborah Cimadevilla

Mayor Dietch spoke regarding funding for the seawalls and stated that there are grants available.

Commissioner Paul asked if they can look for funding for the flooding on Abbott Avenue.

Commissioner Karukin made a motion to bring it up as an action item. The motion received a second by Commissioner Paul and all voted in favor.

B. FPL Undergrounding – Commissioner Tina Paul

Commissioner Paul introduced the item to the members of the Town Commission.

Commissioner Karukin commented on the item, the aesthetics of the boxes and the appropriate debt capacity the Town should have.

Mayor Dietch spoke regarding the cost involved and who would be paying for the undergrounding.

Town Manager Olmedillo commented on the legislation passed regarding undergrounding and that FPL will charge as usage fees.

The following members of the public spoke on the item:

Eliana Salzhauer
Deborah Cimadevilla
Mahdyf Davedpour

Town Manager Olmedillo summarized the item.

Mayor Dietch gave direction to Town Manager Olmedillo to bring the item back on the November Agenda.

C. Sand Bag Distribution – Mayor Daniel Dietch

Town Manager Olmedillo introduced the item and presented the Commission with a sample of a biodegradable sand bag that is activated with water. He also suggested issuing one pack, which brings 5 bags inside, to single family homes.

The following members of the public spoke on the item:

Eliana Salzhauer
Deborah Cimadevilla
Diana Gonzalez

D. Zoning in Progress – Ordinance Regarding Hotels in H40 Zoning District, South of 93rd Street – Commissioner Michael Karukin
[Linked to items 4B2 and 4A4]

Commissioner Karukin made a motion to approve. Motion received a second by Commissioner Paul and motion passed with a 3-1 vote with Vice Mayor Gielchinsky voting no.

10. Adjournment

There being no further business to discuss before the Commission, Commissioner Karukin made a motion to adjourn. The motion received a second by Commissioner Paul. The meeting adjourned without objection at 10:07 p.m.

Respectfully submitted,

Accepted this ____ day of _____, 2019.

Daniel Dietch, Mayor

Attest:

Sandra Novoa, MMC
Town Clerk



**Town of Surfside
Special Town Commission Meeting
Final Budget Hearing
MINUTES**

September 24, 2019

5:01 p.m.

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

1. Opening

A. Call to Order

Mayor Dietch called the meeting to order at 5:03 p.m.

B. Roll Call of Members

Town Clerk Novoa called the roll with the following members present: Mayor Dietch, Commissioner Paul and Commissioner Karukin were absent.

**Commissioner Cohen and Vice Mayor Gielchinsky were absent when roll call was called.

Vice Mayor Gielchinsky arrived at 5:07 p.m.

Commissioner Cohen arrived at 5:08 p.m.

C. Pledge of Allegiance

Police Chief Yero led the pledge of allegiance.

2. Discussion Regarding Millage Rate and Budget – Guillermo Olmedillo, Town Manager

Town Manager Olmedillo introduced the item and stated the millage rate of 4.4 which the Commission discussed.

3. Millage Rate Adoption Resolution

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, ADOPTING THE FINAL MILLAGE RATE FOR THE FISCAL YEAR COMMENCING OCTOBER 1, 2019 AND ENDING SEPTEMBER

30, 2020; ANNOUNCING THE PERCENTAGE INCREASE IN THE ADOPTED FINAL MILLAGE RATE ABOVE THE ROLLED BACK RATE COMPUTED PURSUANT TO STATE LAW; PROVIDING FOR INCORPORATION OF RECITALS; AND PROVIDING FOR AN EFFECTIVE DATE.

Town Clerk Novoa read the title into the record.

Mayor Dietch shared his original thoughts of decreasing the millage rate to 4.3 but after he attended the Sustainability and Resiliency Committee Meeting, he realized and recognized that the funds will be necessary for certain projects in order to safeguard the community and infrastructure. Therefore, he stated that he is no longer moving towards reducing the millage rate to 4.3.

Finance Director Greene discussed the roll back rate, the millage rate, and the percentage increase over the rollback rate.

Commissioner Karukin made a motion to adopt the millage as stated in the Resolution of a rate of 4.4. The motion received a second by Commissioner Paul and all voted in favor.

4. Public Comment

No public comments.

5. Budget Adoption Resolution

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, ADOPTING A FINAL BUDGET FOR THE FISCAL YEAR COMMENCING OCTOBER 1, 2019 AND ENDING SEPTEMBER 30, 2020; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR EXPENDITURE OF BUDGETED FUNDS; PROVIDING FOR BUDGETARY CONTROLS; PROVIDING FOR GRANTS AND GIFTS; PROVIDING FOR BUDGET AMENDMENTS; AND PROVIDING FOR AN EFFECTIVE DATE.

Town Clerk Novoa read the title into the record.

Vice Mayor Gielchinsky made a motion to approve subject to discussion. The motion received a second by Commissioner Karukin.

Vice Mayor Gielchinsky thanked Town staff and is very proud of this budget.

Town Manager Olmedillo thanked the Commission for their support.

Mayor Dietch also thanked the staff for their hard work and the ability their ability to lower the millage rate.

Vice Mayor Gielchinsky made a motion to approve the budget. The motion received a second by Commissioner Karukin. All voted in favor.

6. Public Comment

No public comments.

7. Adjournment

There being no further business to discuss before the Commission, Commissioner Karukin made a motion, seconded by Commissioner Paul to adjourn the meeting without objection at 5:14 p.m.

Respectfully submitted,

Accepted this _____ day of _____, 2019.

Daniel Dietch, Mayor

Attest:

Sandra Novoa, MMC
Town Clerk



TOWN MANAGER'S REPORT

OCTOBER 10, 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. COMMUNITY GARDEN UPDATE – *Attachment "D"*
- V. 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 applicant has resubmitted the plans and will be scheduled for an upcoming Planning and Zoning Board meeting.

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. The Planning and Zoning Board recommended approval of the application to the Town Commission. The application will be scheduled for an upcoming Town Commission meeting.

- VI. BEACH RENOURISMENT PROJECT STATUS UPDATE – *Attachment "E"*

Town administration has been participating in Weekly Project Coordination meetings. As of October 2, 2019, there have been five meetings: 9/04/2019, 9/11/2019, 9/18/2019, 9/25/2019 and 10/2/2019.

Attached are the minutes from the 8/29/2019, 9/04/2019, 9/11/2019 and 9/18/2019.

VII. TOWN DEPARTMENTS

Code Compliance Division

A. Code Violation Cases: As of September 30, 2019, the total number of active, open cases being managed is 215; of these cases, 79 cases are still under investigation and are working towards compliance; 17 cases are on-hold; 31 are in the Special Master hearing queue; 1 cases are in post-Special Magistrate action status; 5 cases have pending liens, 33 code cases have been issued liens and remain unpaid and 49 service liens that have been issued 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 September 30, 2019, 143 cases have paid/settled for a total collection of \$35,654.
- 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 August 31, 2019 – *Attachment "F"*

Planning and Zoning Department

A joint workshop was held September 19, 2019 to discuss potential modifications to the code relating to hotels on the west side of Collins Avenue, south of 93rd Street, which include building lengths, density, aggregation, accessory uses, short term rentals and affordable housing. Staff has prepared Code amendments to be reviewed by the Town Commission and the Planning & Zoning Board.

Police Department***A. Police Department Statistics (September 1 – September 23, 2019)***

- Traffic Citations – 220
- Parking Citations – 552
- Arrests – 6
- Dispatch Events – 1,308
- Incident/Crime Reports - 58
- Suspicious Person Checks – 8

B. Police Events

- The 2nd Annual Childhood Cancer Police Car Initiative hosted by the Mystic Force Foundation was held on September 14, 2019 at Dante Law Plaza in North Miami Beach. The Gold Ribbon Event showcased police vehicles from all the departments in Miami Dade County wrapped and decorated with Gold Ribbons in support of our littlest Heroes battling childhood Cancer. Attendees experienced an unprecedented show of unity and support by Law Enforcement Officers. Officer Ronald Donoso and Public Safety Specialist Analily Perez participated in this momentous event and a Surfside police vehicle supporting childhood cancer awareness was proudly displayed.
- The 18th Annual Citizens Police Academy classes in October include Crime Scene Investigation, Driving Range, NMB Incident Command Center, Miami-Dade Fire Rescue and SWAT.
- The North Miami Beach Police Department hosted the 12th Annual Domestic Violence Walk on October 5th beginning at 9:00 a.m. Officer Duran will assist with traffic control and Lt. Marciante will participate in the event.
- The Surfside Police Department will host a Mobile Department of Motor Vehicles event for residents to apply for and renew their driver's licenses on October 17, 2019 from 10:00 a.m. to 2:00 p.m. in the Commission Chambers
- The Surfside Police Department will host a community blood drive on October 23, 2019 from 10:30 a.m. – 4:00 p.m. in the Town Hall municipal parking lot.
- Coffee with the Cops is October 24, 2019, at Starbucks at 10:00 a.m.
- Surfside PD, Aventura PD, Bay Harbor Islands PD and Sunny Isles Beach PD will host a Shred a Thon and DEA Drug Take Back on October 26, 2019 at Bill Bird Marina (Haulover Park) from 10:00 a.m. to 2:00 p.m.
- The Prescription Drug Drop Off Day is October 26, 2019 from 10:00 a.m. to 2:00 p.m. in the Town Hall Lobby.
- The monthly Bike with the Chief is October 30, 2019 at Town Hall at 5:00 p.m.

C. Traffic Mitigation Program Status Report

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

| # | TIMEFRAME | INITIATIVES | STATUS | UPDATE(S) |
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| Short Term (0 – 6 months) | | | | |
| 1. | | New Speed Bumps | Re-Opened November 2018 | <p>New speed bumps have been installed at the following locations:</p> <ul style="list-style-type: none"> • 8900 block of Abbott Avenue • 9100 block of Abbott Avenue • 9300 block of Abbott Avenue • 9500 block of Byron Avenue (second speed bump) • <p>November/December 2018: new speed bump location in the 9400 block of Abbott Avenue being evaluated.</p> <p>The location of the speed bump was determined and installation scheduled for February 2019.</p> <p>During February 2019, new speed bumps were installed at the following locations:</p> <ul style="list-style-type: none"> • 9300 block of Abbott Avenue • 9400 block of Abbott Avenue • 9500 block of Carlyle Avenue <p>New speed bumps implementation is being evaluated for the 8800 block of Carlyle Avenue.</p> |

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| | | | | In May 2019, a speed bump was installed in the 8800 block of Carlyle Avenue. |
| 2. | | Loop Detector Installation | In progress | <p>CGA was authorized to move forward with the preparation of the bid documents for the traffic loops at three signalized intersections along Harding Avenue. CGA will need to provide updated scope of services and fee in order to provide traffic counts and traffic analysis at subject intersections (before and after traffic analysis) per commission request at 05-09-17 meeting.</p> <p>The east Stop Bar at 93 Street & Harding Avenue will be moved back.</p> <p>On August 8, 2017, CGA submitted their additional service agreement for completing the before and after traffic analysis at the signalized intersections along Harding Avenue that new traffic loops are being installed. At the Commission meeting where the Post Design Services contract was approved, the Mayor and Commission asked if CGA could do a before and after analysis in order to evaluate the change in traffic operations at these subject intersections. The traffic counts are currently scheduled for the 29th, 30th or 31st of August (second week of regular school).</p> <p>Loop detectors have been approved for Harding Avenue at 88th, 93rd and 94th Streets.</p> <p>On November 3, 2017, CGA submitted for review and approval Work Authorization No. 106 for Surfside Traffic Signal Modification – Traffic Analysis. The scope of the project includes Pre – Post Construction Analysis of four intersections on Harding Avenue at 88th, 93rd, 94th and 95th Streets. Total cost not to exceed \$14,200.62.</p> <p>On January 29, 2018, a Traffic Signal Modification Mandatory Pre-Bid Opening was held at 10:30 a.m. The Assistant Town Manager, CGA, Public Works and Police Department representatives attended. No bidders attended.</p> <p>On March 8, 2018, a Traffic Signal Modification Mandatory Pre-Bid Opening was held at 2:00 p.m. The Town has received two bids. The Public Works Department and</p> |

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| | | | | <p>CGA are evaluating the bids. Once the bids are evaluated and ranked, Town staff will present their recommendation for final bid selection and award to the Town Commission.</p> <p>In a letter dated April 16, 2018, reference Town of Surfside Traffic Signal Modifications ITB No. 2018-01 and CGA Project No. 15-8083, CGA Director of Construction Engineering, Robert McSweeney, provided an analysis of the two bids received for the Surfside Traffic Signal Modification Project and recommendation for award of Contract. Under Power Corp. was the apparent low bidder with a Base Bid of \$109,045.23. Upon review, they found the bid is complete and appropriate for the proposed work. In keeping with the Town to award a Contract to the most responsible and responsive bidder whose bid is in conformance with the Bidding Documents and is in the best interest of the Town, they recommend that the Town of Surfside award the contract for the referenced project to Under Power Corp.</p> <p>At the June 12th, 2018 Commission Meeting, the Town Commission voted to approve the recommendation from CGA awarding the contract to Under Power Corp. The project is moving forward pending CGA Notice to Proceed and required permitting.</p> <p>CGA has collected traffic counts and completed intersection analysis at the Harding Avenue and 88th Street, Harding Avenue and 93rd Street, Harding Avenue and 94th Street and Harding Avenue and 95th Street intersections. Next step is to complete new traffic counts and intersection analysis once the traffic loops at all four intersections have been installed. This traffic analysis will be summarized in a memorandum.</p> <p>Public Works Department and CGA held a pre-con meeting. Contractor applied for County permit. A Notice to Proceed (NTP) will be given when contractor has permit. 30 to 45 days for completion after start.</p> <p>On 8-8-2018, the awarded contractor, Under Power Corporation, submitted the following permit applications to Miami Dade County:</p> |
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| | | | | <p>Permit No. 2018006371 – Harding Av & 88 St</p> <p>Permit No. 2018006374- Harding Ave & 93 St</p> <p>Permit No. 2018006373 – Harding Ave & 94 St</p> <p>On 8-21-2018, Miami-Dade Traffic Engineering Division provided comments on their already approved plans. They had asked for one of the pedestrian signal phases to be modified.</p> <p>On 8-22-2018, Under Power Corporation picked up 18 revised signed and sealed sets from CGA.</p> <p>On 8-23-2018, the revised plans were submitted to the County for permitting by the contractor. It seems that the County has a 12-day turn-around for these permits. Bob McSweeney has been keeping track of the County's review time and the contractor has kept CGA informed every step of this process.</p> <p>For Harding Avenue and 95th Street, CGA received an email from David Hayes (Miami-Dade County) stating that they could not sign-off on the project because they needed revised plans to reflect the same pedestrian phase modifications requested at 88th Street, 93rd Street, and 94th Street. Revised plans for Harding Avenue and 95th Street will be submitted to Miami-Dade County on 8-27-2018.</p> <p>Under Power Corp., project manager Guillermo Vado, left the company on 09-14-18, and the new project manager is Eddie Macias e.macias@underpowercorp.com.</p> <p>GCA contacted FDOT Operations concerning the Construction Agreement renewal and loop material revision, and were referred to the FDOT Permits Department. GCA have a call/message into them, and will advise as to any potential delay once we have more information.</p> <p>On 11-27-18 a meeting was conducted with Town Administration, Public Works, Police Department, and CGA regarding the Loop</p> |
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| | | | | <p>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> <p>In April 2019, Public Works advised that an RFP will have to be re-issued as the contractor has withdrawn from the project.</p> |
| 3. | | Install a crosswalk at 90 th Street & Harding Avenue (north side) and 89 th Street & Harding Avenue (north side) | Open | <p>FDOT agreed to reconsider installing a traffic signal at the location, pending study (count). The Town installed traffic delineators designed to allow a left turn only onto Harding Avenue, preventing vehicles from traveling westbound across the intersection.</p> <p>The 200 block of 90th Street has been converted to one-way traffic eastbound only.</p> |

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| | | | | <p>This new traffic pattern has eliminated the hazard of vehicles traveling west across Harding Avenue at 90th Street where a curve hindered line of sight for drivers.</p> <p>No Turn on Red signage has been installed at 90th Street & Collins Avenue for vehicles traveling eastbound in the 200 block of 90th Street.</p> <p>Crosswalk markings (Thermoplastic) installation will be performed in February 2019.</p> <p>Crosswalk markings (Thermoplastic) installation was delayed until March 2019 to allow the new pavement to properly cure.</p> <p>Crosswalk markings (Thermoplastic) installation was completed at the 89th Street & Harding Avenue (north side) location in March 2019. The Crosswalk markings (Thermoplastic) installation at 90th Street & Harding Avenue (north side) is still pending with no definitive date set.</p> |
| 4. | | <p>Collins Ave and Harding Ave. Request for additional speed limit signs & pavement markings within Town of Surfside.</p> <p>FDOT CTP</p> <p>2018-03-0031</p> | Open | <p>Per Arturo Patulot, Traffic Operations D6, Florida Department of Transportation (FDOT) 305-470-5303, arturo.patulot@dot.state.fl.us:</p> <p>FDOT Traffic Operations office conducted a field review along the subject roadway segment from 88th to 96th streets both NB and SB directions and has decided to install five (5) additional posted speed limit signs 30 MPH and three (3) sets of pavement markings 30 MPH for better exposure and driver's compliance at the following locations:</p> <p><i>Collins Avenue facing Northbound traffic</i></p> <p>Two (2) additional 30 MPH speed limit signs (Right & Left of roadway) and 30 MPH pavement markings north of 90th Street</p> <p>One (1) additional 30 MPH speed limit sign (Right of roadway) north of 92nd Street</p> <p>Two (2) additional 30 MPH speed limit signs (Right & Left of roadway) north of 94th Street</p> <p><i>Harding Avenue facing Southbound traffic</i></p> |

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| | | | | <p>30 MPH pavement markings for the three lanes across from existing speed limit sign south of 96th Street</p> <p>30 MPH pavement markings for the three lanes across from existing speed limit signs south of 92nd Street</p> <p>The proposed improvements will be completed by FDOT maintenance when workload and schedule permit. No anticipated completion dates were provided.</p> <p>FDOT was notified by email for an update on the status and Public Works is awaiting their response.</p> <p>Town Public Works advised that FDOT confirmed that a work order has been completed and pending a start date for the work.</p> <p><u>Town Public Works Administration contacted FDOT on 09-23-2019, and obtained the following update from Arturo Patulot (FDOT Traffic Operations D6):</u></p> <ul style="list-style-type: none"> <u>• FDOT traffic service request (TSR #87-0033-18) with the FDOT maintenance office is being processed and they will be expediting the implementation of the proposed improvements for Surfside on A1A</u> <u>• The FDOT contractor is scheduled to start installing the pavement markings and signage the first week of October 2019.</u> |
| 5. | | <u>Install a crosswalk at 92nd Street & Collins Avenue (FDOT Project)</u> | <u>Open</u> | <p><u>Based on citizen concerns, the Town Administration contacted FDOT regarding the installation of a crosswalk at 92nd Street and Collins Avenue to enhance pedestrian safety for Town residents and hotel guests of the Residence Inn by Marriott Hotel.</u></p> <p><u>Town Public Works contacted FDOT for an update on this project on 09-23-2019, and was advised that the project is approved under FDOT Project #FM</u></p> |

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| | | | | <u>250629-5-32-01 and is awaiting project funding.</u> |
| 6. | | <u>Stop Signs in Surfside checked for compliance with Miami-Dade County regulations.</u> | <u>Open</u> | <u>During September 2019, Town Public Works personnel checked and adjusted all stop signs in Town to ensure that they were upright, and were in compliance with the 7 foot height per Miami-Dade County regulations.</u> |
| 7. | | Evaluate Sidewalk Options | Open | Town Commission approved a motion to continue to evaluate pedestrian safety options in Surfside. |
| 8. | | <u>Pedestrian Crosswalk Safety at the 93rd Street and Collins Avenue Crosswalk</u> | <u>Closed</u> | <p>Based on citizen concerns and traffic crash data, the Town Manager and the Police Department initiated the following actions to enhance pedestrian safety at the crosswalk located at 93rd Street and Collins Avenue that is used to primarily access the Town's Community Recreational Center.</p> <p>In June 2019, the Town Manager met with Florida State Senator Jason Pizzo, Kevin J. Thibault (Secretary of Transportation), Miami-Dade County Commissioner Sally Heyman, and Jim Wolfe (Secretary of District 6, Florida DOT) and he presented the safety issues regarding the pedestrian crossing at 93rd Street and Collins Avenue and sought input and recommendations to mitigate those concerns.</p> <p>The Police Department conducted on-going proactive traffic details in the 9200 block of Collins Avenue targeting speeding vehicles and vehicles running the red light. Additionally, the Police Department partnered with FDOT representatives to conduct a pedestrian safety educational awareness day that included the 93rd Street and Collins Avenue intersection and pedestrian crossing to educate citizens and provide safety tips.</p> <p>The Police Department contacted the both FDOT and Miami-Dade Traffic Department of Transportation and Public Works Traffic Signals and Signs Division Administration to request that the timing of the traffic signal at</p> |

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| | | | | <p>93rd Street and Collins Avenue be increased to allow additional time for pedestrians to cross Collins Avenue for eastbound and westbound travel. This effort was successful and the County agreed to increase the pedestrian crossing time by an additional 3 seconds which was implemented on August 27, 2019. The pedestrian walk time now reflects a minimum of 7 seconds prior to the 16 second countdown timer of the flashing "DON'T WALK" notification, providing pedestrians a total of 23 seconds of crossing time.</p> |
| 9. | | <p>95th Street & Harding Avenue (westbound), left Turn lane added.</p> <p>300 block of 95th Street (eastbound), right turn lane added.</p> | Closed | <p>On 04-27-2017, the traffic lanes in the 200 block of 95th Street, between Collins Avenue and Harding Avenue were modified to improve the traffic flow. New lane pavement markers delineate the new vehicular traffic flow for westbound traffic on 95th Street approaching Harding Avenue. The pavement markings allow vehicles to travel in two lanes west of the alleyway with one lane designated for travel westbound only on 95 Street across Harding Avenue, and the other lane designated as a left turn only lane for vehicles turning southbound onto Harding Avenue. Three parking spaces on the North East side of 95 Street & Harding Avenue have been eliminated to allow for a westbound travel lane.</p> <p>As of 08-22-2017, the traffic flow in the 300 block of 95th Street, between Abbott Avenue and Harding Avenue, has been altered. The new lane pavement markers delineate the new vehicular traffic flow for eastbound traffic on 95th Street approaching Harding Avenue. The pavement markings allow vehicles to travel in two lanes east of the alleyway with one lane designated for travel eastbound only on 95th Street across Harding Avenue, and the other lane designated as a right turn only lane for vehicles turning southbound onto Harding Avenue. The loading zone at this location has been eliminated to allow for a right turn only lane. Please refer to the traffic diagram below.</p> |

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| 10. | | New Stop Signs at all intersections west of Harding Avenue | Closed | <p>Public Works installed stop signs at the following locations:</p> <ul style="list-style-type: none"> • 89th Street & Byron Avenue (east-west) • 90th Street & Abbott Avenue (east-west) • 90th Street & Carlyle Avenue (east-west) • 92nd Street & Abbott Avenue (east-west) • 92nd Street & Carlyle Avenue (east-west) <p>In September 2018, Public Works relocated the stop sign and stop bar at Carlyle Avenue and 90th Street (for Northbound traffic on Carlyle Avenue) 15 feet north to allow for an enhanced traffic sight cone at the intersection.</p>  |
| 11. | | New Stop Bar Reflectors | Closed | <p>New Stop Bar Reflectors Installed</p> <p>In September 2018, Public Works conducted an inspection of the Stop Bar Reflectors and determined which reflectors were non-</p> |

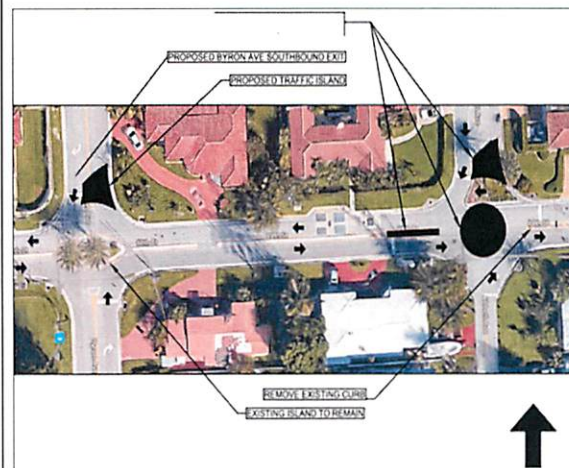
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| | | | | <p>operational. The vendor replaced the non-operational reflectors under warranty.</p> <p>Public Works ordered 24 new reflectors that were installed at the following locations:</p> <ul style="list-style-type: none"> • 90th Street and Froude (all directions) • 90th Street and Byron (all directions) • 90th Street and Abbott Avenue (East and West directions) • Yellow reflectors were installed prior to the speed bumps in the 9500 block of Byron Avenue to alert drivers. <p>During November 2018 all non-operational Stop Bar Reflectors were replaced and are now functional. Additionally, new Stop Bar reflectors were installed at the following locations:</p> <ul style="list-style-type: none"> • 90th Street and Froude (all directions) • 90th Street and Byron (all directions) • 90th Street and Abbott Avenue (East and West directions) |
| 12. | | <p>Revisit Street Closure</p> <ul style="list-style-type: none"> ○ 94th Street / Abbott Avenue | Closed | Town Commission approved a motion against revisiting this item. |
| 13. | | <p>New Street Closure</p> <p>Byron Avenue (northbound) at 88th Street</p> | Closed | <p>Requires study, Miami-Dade County and Miami Beach approval.</p> <p>On 11-29-17, Town Manager, Chief Allen and Public Works Director attended a meeting with Miami-Dade County and City of Miami Beach administration regarding the closure of northbound traffic at 88th Street and Byron Avenue.</p> <p>The above meeting resulted in a plan to add curbing to the 88th Street median extending it to Abbott Avenue. The result will prohibit drivers from executing illegal U turns disrupting the traffic flow and area residents which has been a continuous problem.</p> <p>The following traffic modification Project has been developed to improve the traffic flow at 88th Street and Abbott Avenue.</p> |



Public Works completed the installation of the pictured vehicular traffic pattern at 88th Street & Abbott Avenue. On March 12, 2018, a 60-day testing period will begin before final approval.


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.

At the Special Town Commission Meeting held May 22, 2018, the Town Commission approved the below traffic pattern design (Option A) for 88th Street and Abbott Avenue. A traffic circle at Abbott Avenue on 88th Street will allow traffic to flow east, west and south. Traffic islands on Abbott Avenue and Byron Avenue at 88th Street will prevent vehicles from traveling north on those avenues from 88th Street.



Public Works has begun work on the new traffic mitigation design on 88th Street &

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| | | | | Abbott Avenue. The project is estimated to be completed by mid-July. Project completed. |
| 14. | | Install a centerline curb on 95 th Street between Abbott and Byron Avenues | Closed | Public Works installed delineators to deter trucks from traveling west on 95 th Street. |
| 15. | | 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. |
| 16. | | 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. |
| 17. | | Install traffic light at 96 th Street & Abbott Avenue Eliminate left hand turn at 96 th Street & Byron Avenue | Closed | Town Manager Olmedillo, Chief Allen, Captain Yero and Randy Stokes, from the Town and Eric Czerniejewsky from CGA, spent a few hours with Ramon Sierra, FDOT District 6. Several simulations were run, and the result is that the back-up traffic in the east bound direction made congestion worse on 96 th Street. This will not allow the vehicles turning right from Byron to move, causing a longer back-up on Byron and creating additional congestion on Harding and Collins. FDOT will not eliminate the left turn at 96 Street & Byron Avenue. |
| 18. | | Send demand letters to mapping companies o Waze – Free Community-based GPS, | 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. |

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| | | Maps & Traffic Navigation App | | |
| 19. | | On-Street Parking Reconfiguration - 200 block of 90 th Street | Closed | <p>On Monday 10-08-18, Public Works advised that the 200 block of 90th Street On-Street Parking Reconfiguration would begin in October 2018, with Police/Parking Officers blocking off the street to complete the stripping. Stripping Reconfiguration diagram below.</p>  <p>On Monday 10-29-18, the stripping and reconfiguration was completed.</p> |
| Intermediate Term (7-18 months) | | | | |
| 1. | | Design 91 st Street Improvements <ul style="list-style-type: none"> o Sidewalk, landscaping and buried utilities | Open | Awaiting the study of walkability by FIU. |
| 2. | | Create One-Way Streets 88 th , 89 th , 90 th and 91 st Street between Collins & Harding Avenues | Closed | <p>A Town meeting was held July 18th, 2017, to present a new traffic pattern plan making 89th Street one-way only for westbound vehicular traffic from Collins Avenue to Hawthorne Avenue and 90th Street one-way only for eastbound vehicular traffic from Bay Drive to Collins Avenue.</p> <p>The Town Commission approved to conduct a test of a new streetscape design on 89th and 90th Streets, between Harding and Hawthorne. The test consists of creating a safe pedestrian path and a green area in what is currently the paved area of those streets. Because width of the street will be narrowed during the test, the streets will be changed to a one-way system, with 89th Street traffic moving from east to west and 90th Street traffic moving from west to east. The streets will be marked with paint to</p> |

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| | | | | <p>designate the pedestrian area as well as the green/parking area. The test is scheduled to begin in early December and run for a period of 60 days. At the end of the test period, staff will present a report to the Town Commission.</p> <p>The new streetscape testing was initiated December 14, 2017. The testing has gone smoothly with no incidents to report thus far. A main focus has been directed toward providing information, answering questions and educating residents and all who travel the area on the details and goals of the project.</p> <p>At the February 13th, 2018 Town Commission Meeting the Town Administration was granted time extension of sixty days to the One-Way Street Project in order to survey the streets for ADA compliance in the pedestrian lanes and to acquire more data on traffic counts. A One-Way Streets Town Hall Meeting was held on March 28th, 2018. Notifications for the March 28th One-Way Streets Town Hall Meeting have been distributed via the following channels:</p> <ul style="list-style-type: none"> • Publicly Noticed Meetings and Agenda Packets (Town Commission & Planning & Zoning) • Letter mailed to residences on 89th and 90th streets for first meeting held in July (similar to planning & zoning notices) • Door hangers to residences on 89th and 90th streets • Posted notice at Publix and Starbucks • Multiple e-blasts • Website notices on the calendar and town news • Included in multiple gazette newsletters • Channel 93 • Nextdoor postings on the Town's page • Delivery of meeting notices to residences on 89th and 90th streets for second meeting held in March |
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| | | | | <ul style="list-style-type: none"> • Surveys on Nextdoor and SurveyMonkey <p>Town collected resident feedback through a number of these channels including emails and phone calls.</p> <p>At the April 10th, 2018 Town Commission Meeting, the Town Commission approved a motion to terminate the One-Way Street Project tested on 89th Street and 90th Street.</p> <p>On April 16th, 2018, Public Works returned the traffic pattern on 89th Street and 90th Street to two-way traffic west of Harding Avenue.</p> |
| 3. | | Road closure of 95 th Street and Abbott Avenue | Closed | <p>On November 7, 2017, CGA submitted for review and approval Work Authorization No. 108 for Traffic Feasibility Study for Abbott Avenue and 95th Street. The project includes Traffic Analysis and Modeling of the road closure at 95th Street and Abbott Avenue. Total cost will not exceed \$20,149.58.</p> <p>On January 29, 2018, the Town Manager held a meeting with CGA Traffic Engineer Eric Czerniejewski, Asst. Town Manager Duncan Tavares, Public Works Director Randy Stokes and Captain Yero to review and discuss the Feasibility Study results.</p> <p>This item has been deferred due to the impact of closing the 95th Street would generate.</p> |
| Long Term (19+ months) | | | | |
| 1. | | Gate the area west of Harding Avenue and create a special taxing district. | Open | This item is provided here as a place holder. |

| # | PARKING / TAXIS | STATUS | UPDATE |
|----|--|--------|--|
| 1. | 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 | Open | <p>The additional parking spaces are located in the following locations:</p> <ul style="list-style-type: none"> • 100 block of 88th Street (4 spaces) effective 06-01-2017 |

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| | <p>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><u>Additional commercial loading zone for the 300 block of 95 Street.</u></p> | | <ul style="list-style-type: none"> • 100 block of 90th Street (4 spaces) effective upon completion of on-going construction project • 100 block of 92nd Street (4 spaces) effective 06-01-2017 • 100 block of 96th Street (6 spaces) six single pay parking spaces were removed and the area was designated a Tow-Away Zone. <p>The additional loading zones are located at the following locations:</p> <ul style="list-style-type: none"> • 100 block of 89th Street - effective 06-01-2017 • 100 block of 94th Street - effective 06-01-2017 <p>An additional loading zone was added at the following location effective Monday 04-22-2019:</p> <ul style="list-style-type: none"> • 300 block of 95 Street on the north-west corner encompassing three parking spaces. The loading zone is effective between 6:00AM – 10:00AM only. <p>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.</p> <p>In August 2019, the additional loading zone became operational in the Ride Share parking spaces located in the 300 block of 95 Street (south-side) with functional hours of Monday-Friday, 6AM-10AM. The loading zone will be evaluated for a three month period beginning August 1, 2019 and ending on November 1, 2019.</p> |
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| | | | The loading zone will be evaluated for a three-month period beginning August 1, 2019 and ending on November 1, 2019. |
| 2. | Ride Share Pick-up & Drop Off | <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 & 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</p> |

of 95th Street in Surfside. Mr. Correoso was enthusiastic about the trial program that was discussed with him and he is willing to participate and utilize the location in the Uber application for the Pick-up location. He will be contacted days before going live with the location so that he could initiate the information in the Uber application. Mr. Correoso also provided information for his counterpart at Lyft ride share so we could contact them to have the same information on their Lyft application.

Effective 08-13-2018, the Ride Share Pick-Up and Drop-Off location in the 300 block of 95th Street was completed:

- All signs installed (2 signs)
- Curb line was painted yellow
- Vehicle space lines were painted yellow
- UBER Ride Share Company has agreed to add the location to their application



The Ride Share Pick-up & Drop Off Trial Program concluded on 11-11-18. A Staff Memorandum regarding the program was prepared and submitted by the Police Department which stated that overall impact of the Ride Share Pick-Up & Drop-Off Program has been positive and led to efficiencies of the traffic flow in and around the business district of Surfside. The Police Department recommended that the Ride Share Pick-Up & Drop-Off Program continue as a full-time initiative.

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| | | | <p>The Ride Share Pick-up & Drop-off Program became a permanent on-going program effective November 2018.</p> <p>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.</p> <p>In August 2019, an additional loading zone became operational in the Ride Share parking spaces located in the 300 block of 95 Street (south-side) with functional hours of Monday-Friday, 6AM-10AM.</p> <p>An additional Ride Share parking zone (single space) is being established in the 200 block of 95 Street (south side) with an anticipated completion date in September 2019, after the Ride Share signage is received.</p> <p><u>The additional Ride Share parking space in the 200 block of 95 Street (south side) was completed and became operational on Wednesday 09-25-2019. The space was painted and proper signage installed by Town Public Works personnel.</u></p> |
| 3. | Parking Rate Increase for Off-Street Parking (Municipal Parking Lots) | <u>Closed</u> | <p>Town of Surfside Resolution No. 18-2517 was adopted by the Town Commission on 07-10-2018 stipulating a parking rate fee increase from \$1.50 per hour to \$1.75 per hour for all Off-Street (Municipal Parking Lot) spaces.</p> <ul style="list-style-type: none"> • New Parking rate decals were ordered for the Parking Pay Stations |

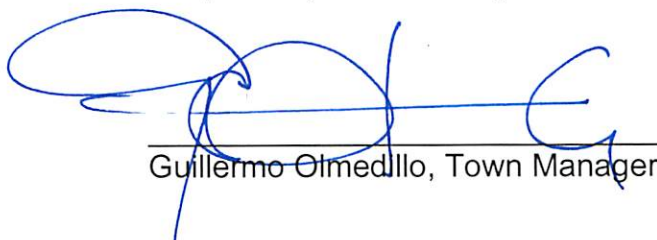
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| | | | <p>with an anticipated delivery date of mid-August 2018.</p> <ul style="list-style-type: none"> • Temporary Parking Fee Decals with the new rate were placed on the affected Parking Pay Stations. • Effective 07-25-18 at 12:00 pm the \$1.75 Parking rate commenced. Both the Pay Station System and Pay-By-Phone System were updated with the new parking rate for off-street parking. • Notifications of the parking rate change were hand-delivered to Surfside businesses on 07-24-2018. • Email notification of the parking rate change was sent out on 07-25-2018. • Notification of the parking rate change was posted on the Town website on 07-25-2018. • On 07-25-2018, the Town website "Parking" section was reviewed and the areas requiring the new rate change were updated by CGA (Adrian). <p>New Parking rate decals were received and they were affixed to the Parking Pay Stations in the Municipal Parking Lots on 08-22-2018.</p> <p>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:</p> <ul style="list-style-type: none"> • Weekends/Holidays: <ul style="list-style-type: none"> ○ 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: <ul style="list-style-type: none"> ○ 9:00 AM - 5:00 PM |
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| | | | <p>\$2.00/hour with a 4-hour limit that is not renewable</p> <ul style="list-style-type: none"> o 5:00 PM – 9:00 AM <p>\$2.00/hour with a 4-hour limit that is renewable</p> <p>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.</p> <p>At the August 13, 2019, Town Commission meeting the Commission approved the Off-Street (Municipal Parking Lots) Modifications to the Parking Rates and Parking Time Limits as previously described. Notifications regarding the new rates and time limits were posted on the Town website and were sent out on social media. Effective August 19, 2019, the new Off-Street Parking Rates and Parking Time Limits commenced.</p> |
| 4. | Variable Parking Rate for On-Street Parking Spaces in the Business District (9400 and 9500 blocks of Harding Avenue) | Closed | <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</p> |

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| | | | <p>evaluation of the program will be submitted in June 2019.</p> <p>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.</p> |
| 5. | Taxi Cab Stands added and changed | Closed | <ul style="list-style-type: none"> • The Taxi Cab Stand at 94th Street & Collins Avenue was reduced from (4) vehicles to (2) vehicles. • 94th Street & Harding Avenue (across from Publix) will have a (2) vehicle Taxi Cab Stand. *One metered parking space has been added. • In the 200 block of 92nd Street (North side in front of the Marriott) one metered parking space was removed and replaced with a (1) vehicle Taxi Cab Stand. • A (2) vehicle Taxi Cab Stand has been added to the south side of the 200 block of Collins Avenue. <p>On 11-15-17, Chief Allen met with the management of the Azure Condominium regarding the taxi stand at 94th Street and Collins Avenue. They had no complaints regarding the location of the stand and were not aware of complaints or traffic concerns from residents of the condo. The taxis crossing Collins Avenue do not interfere with the exiting of cars from their building. The manager was happy that the stand was reduced from four to two taxis.</p> <p>One person has voiced opposition with the location of the taxi stand being across the street because it is unsightly and wants it moved.</p> <p>Chief Allen next met with the valet manager of the Grand Beach Hotel who said the two taxi stand is working out well and when a taxi is 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</p> |

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| | | | is just inside the garage and is now opened for taxi use. |
| 6. | 2018 Parking Permits for the 9400 and 9500 blocks of Byron Avenue | Closed | The 2018 Byron Avenue Parking Permits are only for residents and their guests on the 9400 & 9500 blocks of Byron Avenue. The application and the registration process instructions were included in the December 2017 Surfside Gazette. Residents must provide proof of residency and may obtain up to 3 permits per household. Only residents and their guests may park in these areas with the proper permit all other vehicles are subject to being issued a parking citation. |
| 7. | Replacement of No Parking Signs and additional No Parking Signs 9400 block of Abbott Avenue | Closed | <p>Based on Police Department observations the replacement of No Parking Signs that are in poor condition, and additional No Parking Signs will be installed in the 9400 block of Abbott Avenue. Public Works is working in conjunction with the Parking Department to complete this project.</p> <p>The signs were received and installed the week of February 25th, 2019.</p> |

Respectfully submitted by:



Guillermo Olmedillo, Town Manager

Town of Surfside, FL

Between Sep 01, 2019 and Sep 30, 2019

12 requests were opened

11 requests were closed

The average time to close was 35.8 days.

| REQUEST CATEGORY | OPENED | CLOSED | DAYS TO CLOSE |
|----------------------------------|--------|--------|---------------|
| Beach Issue | 3 | 2 | 1.0 |
| Other | 2 | 3 | 122.0 |
| Code Compliance (Safety Concern) | 2 | 2 | 1.2 |
| Construction Issues | 2 | 1 | 0.1 |
| Code Compliance (Violation) | 1 | 1 | 1.8 |
| Police (Safety Concern) | 1 | 1 | 0.4 |
| Community Center (P & R) | 0 | 1 | 21.0 |
| Street lights (PW) | 1 | 0 | 0.0 |
| 96 Street Park (P & R) | 0 | 0 | 0.0 |
| Barking Dog | 0 | 0 | 0.0 |
| Beach Patrol | 0 | 0 | 0.0 |
| Dead Animal | 0 | 0 | 0.0 |
| Dog Stations (P & R) | 0 | 0 | 0.0 |
| Drainage/Flooding (PW) | 0 | 0 | 0.0 |
| Graffiti (in park) (P & R) | 0 | 0 | 0.0 |
| Graffiti (PW) | 0 | 0 | 0.0 |
| Hawthorne Tot-Lot (P & R) | 0 | 0 | 0.0 |
| Parking Issue | 0 | 0 | 0.0 |
| Pothole (PW) | 0 | 0 | 0.0 |
| Solid Waste (Commercial) (PW) | 0 | 0 | 0.0 |
| Solid Waste (Residential) (PW) | 0 | 0 | 0.0 |
| Surfside Dog Park (P & R) | 0 | 0 | 0.0 |
| Utilities (Water/Sewer) (PW) | 0 | 0 | 0.0 |
| Veterans Park (P & R) | 0 | 0 | 0.0 |

Town of Surfside, FL

Between Jan 01, 2014 and Sep 30, 2019

1077 requests were opened

1059 requests were closed

The average time to close was 26.8 days.

| REQUEST CATEGORY | OPENED | CLOSED | DAYS TO CLOSE |
|----------------------------------|--------|--------|---------------|
| Other | 238 | 237 | 25.5 |
| Beach Issue | 184 | 174 | 22.8 |
| Code Compliance (Violation) | 141 | 141 | 29.4 |
| Parking Issue | 94 | 94 | 3.5 |
| Police (Safety Concern) | 77 | 77 | 8.2 |
| Code Compliance (Safety Concern) | 86 | 86 | 33.2 |
| Street lights (PW) | 49 | 47 | 149.8 |
| Construction Issues | 40 | 39 | 14.9 |
| Utilities (Water/Sewer) (PW) | 34 | 33 | 11.5 |
| Drainage/Flooding (PW) | 30 | 28 | 26.8 |
| 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 |
| Community Center (P & R) | 10 | 9 | 12.8 |
| Surfside Dog Park (P & R) | 8 | 8 | 1.1 |
| 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: September 30, 2019

Subject: September Social Media (Nextdoor) Report

In September, 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. The month began with posts about Hurricane Dorian and its close encounter with South Florida. These posts included ongoing updates on Town closures, a State of Emergency declared for Surfside, and important hurricane safety tips (including evacuation). Following the storm, the PIR posted information on the return to normal services in the Town, in addition to information on hurricane relief efforts for the Bahamas. Furthermore, throughout September the PIR posted frequent informational posts about King Tide days, the start and continuation of the Surfside Farmers Market, and several traffic alerts. Residents also received important updates via the Town website, e-blasts, the Gazette, flyers on community boards, and Channel 663.

In the month of September, the Town's Public Information Representative published 29 posts on Nextdoor. There are currently 1,208 verified Surfside residents on the Nextdoor community (up from August's 1,170).

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

Mon, 9/30: October Gazette Now Available

Surfsiders, the October Town Gazette is ready to be viewed on the Town website. To read the digital version, please refer to the following link: (link when available)

In addition to viewing the latest Gazette, residents are encouraged to visit the Town of Surfside's website for a calendar of upcoming events during the month of October: [Town of Surfside Calendar](#)

Please continue to monitor the Town website for any changes to Town meetings and events.

Surf N' Sides at Community Center Closed until 10/02 and 10/08 - 10/09

Please be advised, the Surf n' Sides concession stand at the Community Center will be closed until Wednesday, October 2, 2019 and Tuesday, October 8, 2019 to Wednesday, October 9, 2019.

We apologize for any inconvenience.

Miami-Dade County to Raise Parking Fines Beginning on Tuesday, 10/1

Surfside residents, please be aware that Miami-Dade County has passed a new ordinance that will increase parking fines starting on Tuesday, October 1, 2019.

Citation increases include overtime parking, which will increase from \$18 to \$36, and restricted parking which will rise from \$23 to \$36. For a full list of citation fines and costs, please refer to the ordinance here:

<http://www.miamidade.gov/govaction/legistarfiles/MinMatters/Y2019/190911min.pdf>

For further information, please contact the Miami-Dade County Parking and Violations Bureau at 305.275.1133 or visit: <https://www8.miamidade.gov/global/home.page>

Report Important Town Matters via SeeClickFix



Did you know there is a quick and efficient way to communicate with the Town of Surfside and report items that need to be fixed and/or addressed, such as broken beach showers, code violations and construction issues? Sign up for free on the SeeClickFix platform, select the Town of Surfside as your place of residence, and share items you feel are important. You can post photos, too! The Town of Surfside is committed to continually enhancing the quality of life of its residents and looks forward to hearing from you.

Be sure to sign up or download the SeeClickFix app today by visiting: <https://seeclickfix.com/> Please note, the Town of Surfside responds to all submissions. However, some queries require a longer response time in order to allow for research of the issue and to resolve the matter.

Thank you for your understanding.

Tonight: Better Bus Project Workshop from 5 to 7 pm

Miami-Dade County invites residents to take part in a Better Bus Project workshop, being held in Bal Harbour tonight, September 25, 2019 from 5:00 pm to 7:00 pm at the Bal Harbour Village Hall, located at 655 96th Street. Help build a better bus route system in Miami-Dade County during this 30-minute express workshop. This intensive two-year community-driven Better Bus Project is being led by the Transit Alliance in partnership with the Miami-Dade Department of Transportation and Public Works.

Registration for this event is free. RSVP at: <https://www.eventbrite.com/e/better-bus-project-bal-harbour-tickets-71109501433>

To learn more, visit www.betterbus.miami or email team@betterbus.miami.

To view the original notice of this event sent out by Miami-Dade County Commissioner Sally A. Heyman, please refer to:

<http://campaign.r20.constantcontact.com/render?m=1104524377566&ca=92283298-50f7-4448-883a-9c77d0db2b54>

Be Prepared: King Tides expected for 9/26 - 10/3



King Tides are expected to take place next from this Thursday, September 26, 2019 to Thursday, October 3, 2019. The King Tides are the highest predicted high tides of the year, which typically occur a few times each year and can often cause flooding in coastal and low-lying areas. Severe flooding may result if King Tides coincide with poor weather conditions such as heavy rains, strong winds, or big waves.

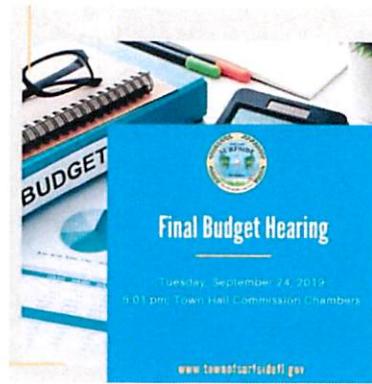
Residents are encouraged to use the National Oceanic and Atmospheric Administration's Sea Level Rise Viewer at: <https://coast.noaa.gov/slr/>. The map allows users to zoom into the overall Miami-Dade County area or your specific neighborhood. When you click on the "flood frequency tab" you will see areas in red that are vulnerable to King Tide flooding.

Please take the following safety precautions to mitigate the effects of King Tides:

- Move vehicles to higher ground before King Tides begin.
- Do not walk through flood water. It can be a health hazard and certain dangerous animals or items may be hiding beneath. If you do walk through any floodwater, wash your hands, clothes and pets immediately.
- Do not drive through flooded areas, either. It can be dangerous and can damage your vehicle. Please find an alternative route if you must drive at the moment.
- Follow all posted road closure and detour signs.
- Boaters should be aware that high tides cause lower clearance under bridges – check the tide before leaving the dock.
- Construct a barrier, such as a floodwall, to stop floodwater from entering your home or business.
- Relocate electrical panel boxes, water heaters, furnaces, washers and dryers to elevated locations.
- Be careful around manhole covers, as they can become dislodged by the high tides.

To refer to the Town of Surfside's flyer regarding King Tides, which includes all expected King Tide dates for this year, please refer to: https://www.townofsurfsidefl.gov/docs/default-source/default-document-library/king-tides-2019---safety-tips.pdf?sfvrsn=8a322b94_2

Tonight: Final Budget Hearing



Please be reminded the Final Budget Hearing will take place tonight, Tuesday, September 24, 2019 and will be held in the Town Hall Commission Chambers starting at 5:01 pm. The Town Commission will continue to discuss the budget for Fiscal Year 2020.

To view the agenda for the hearing, please visit: https://www.townofsurfsidefl.gov/docs/default-source/default-document-library/town-clerk-documents/commission-agendas/2019-commission-agenda/2019-09-24-final-budget-hearing-agenda-packet.pdf?sfvrsn=35602994_2

Haulover Skatepark/Pump Track Temporarily Closed Starting Today, 9/20

Please be advised the Haulover Skatepark/Pump Track, located at 10800 Collins Avenue at Haulover Park, will be temporarily closed starting today, September 20, 2019, for structural repairs and improvements. The closure is expected to last 6 to 8 weeks.

The Haulover Skatepark/Pump Track is made possible through a collaboration between Miami-Dade County and five municipalities: Bal Harbour, Bay Harbor Islands, Miami Beach, Sunny Isles Beach, and the Town of Surfside.

Deadline to donate emergency supplies for Bahamas is tomorrow (9/19/2019)

The Town of Surfside would like to thank residents and staff for generously donating emergency supplies for our neighbors in the Bahamas, who were affected by Hurricane Dorian. Should you wish to still drop-off supplies at Town Hall, located at 9293 Harding Avenue, the collection deadline is tomorrow (Thursday), September 19, 2019 at 9 am.

Here is a list of acceptable supplies:

Water

Non-perishable food items

Can openers

Insect repellent

Sunscreen

Baby formula and diapers

Feminine hygiene products

First aid items

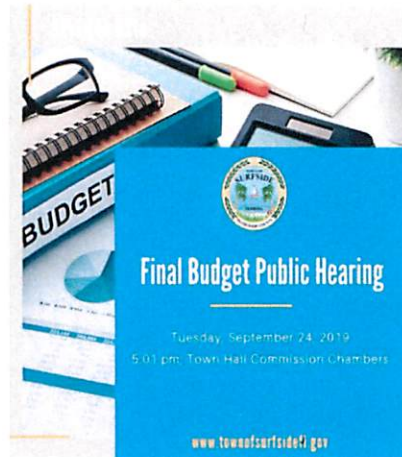
Flashlights

Batteries

For additional ways to support the disaster relief efforts in the Bahamas, visit the Red Cross at <https://bahamasredcross.org>.

As a reminder, hurricane season continues until November 30, 2019. It is important to be prepared and have your hurricane kits and evacuation plans ready.

Save the Date: Final Budget Public Hearing



The Final Budget Public Hearing to discuss the budget for fiscal year 2020 will take place on Tuesday, September 24, 2019 and will be held in the Town Hall Commission Chambers starting at 5:01 pm. To view the meeting agenda, please refer to:

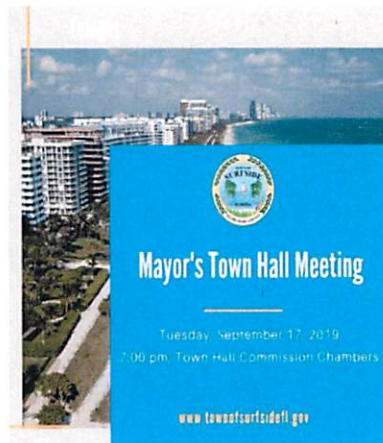
https://www.townofsurfsidefl.gov/docs/default-source/default-document-library/town-clerk-documents/commission-agendas/2019-commission-agenda/2019-09-24-final-budget-hearing-agenda-packet.pdf?sfvrsn=35602994_2

96th Street Park Closed for Field Maintenance on Wednesday, 9/18

Please be aware that for the convenience of Surfside residents, 96th Street Park, located on 9580 Bay Drive, will be closed for field maintenance until 9:00 am on Wednesday, September 18, 2019. The park normally opens at dawn.

For any questions, or for further information on the parks that the Town of Surfside has to offer, please contact the Surfside Parks and Recreation Department at 305.866.3635 or visit the Parks and Recreation section of the Town website at: <https://www.townofsurfsidefl.gov/departments-services/parks-and-recreation/parks-information>

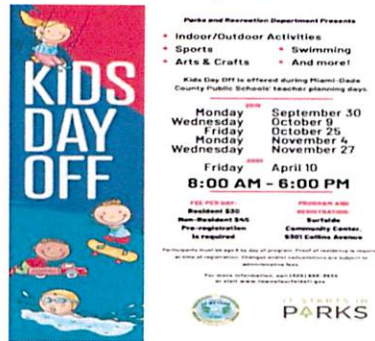
Tonight: Mayor's Town Hall Meeting



As a friendly reminder, Mayor Daniel Dietch will host a Town Hall Meeting tonight, Tuesday, September 17, 2019 at 7:00 pm in the Town Hall Commission Chambers.

All residents are welcome to attend and share concerns and/or suggestions with the Mayor during this informative community conversation.

Sign up your child for Kids Day Off on Monday, 9/30



Are you looking for a way to keep children entertained during the upcoming Miami-Dade County Public Schools' Teacher Planning Day on Monday, September 30, 2019? Enroll kiddos in the Surfside Parks and Recreation Department's 'Kids Day Off.' From sports, swimming, arts & crafts and more, your child will have a blast!

The Parks and Recreation Department will also host the Kids Day Off program on October 9, October 25, November 4, and November 27. It never hurts to plan ahead!

Sign up your child today by calling 305.866.3635.

To view the original enclosed flyer, please refer to the Town website at:

https://www.townofsurfsidefl.gov/docs/default-source/default-document-library/parks-and-recreation/events-flyers/kids-days-off---2019---2020.pdf?sfvrsn=13862994_4

William Lehman Causeway is Now Open

Please be advised that the William Lehman Causeway (SR 856) is now open. The Causeway had been closed as of Thursday, September 12, 2019 for repairs due to an underground sewer main rupture.

Drive safely and enjoy the rest of the weekend.

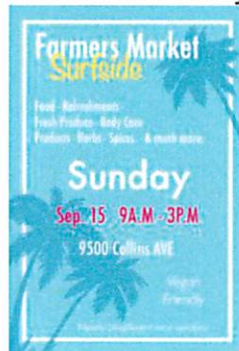
Traffic Alert: William Lehman Causeway Closed in Both Directions

Surfside residents, please be advised that the William Lehman Causeway (SR 856) is closed in both directions while repairs are being made. The closure is due to an underground sewer main rupture which caused an opening in the causeway.

Residents are asked to please seek alternate routes and to drive safely.

The Town of Surfside will provide updates on the matter as information is received.

Surfside Farmers Market Arrives in Town this Sunday, 9/15



The Town of Surfside will host the Surfside Farmers Market this coming Sunday, September 15, 2019 from 9:00 am to 3:00 pm in the parking lot on the corner of 95th Street and Collins Avenue.

Visitors to the market can expect a variety of local vendors, selling items including organic produce, food and artisan goods. Organizer Javier Valmana, who happens to be a Surfside local, has invited all residents to visit the market on Sunday to enjoy a unique shopping experience. The Surfside Farmers Market is free of cost to attend and will occur every Sunday, unless otherwise noted. Residents and visitors are invited to pass by this weekend.

Movie Under the Stars Rescheduled to 10/12/19

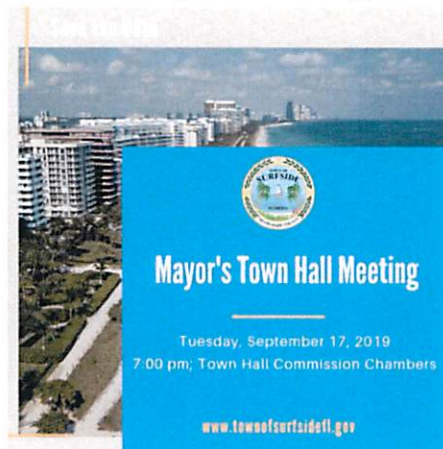
Surfside residents, please be advised that due to the possibility of a tropical depression or related poor weather this weekend the Movie Under the Stars (Free Willy) event has been rescheduled to Saturday, October 12, 2019 at 7:30 pm in the Community Center pool. It was originally scheduled for this Saturday, September 14, 2019.

The change in date comes as the Miami-Dade County Office of Emergency Management is monitoring an area of low pressure (Invest 95L) which is located near eastern Cuba through southeastern Bahamas into the southwestern Atlantic. The disturbance will likely produce periods of locally heavy rainfall and gusty winds across South Florida as early as Friday and into the weekend.

The Town of Surfside encourages residents to keep up to date on the status of the disturbance by visiting the National Hurricane Center for frequent updates: <https://www.nhc.noaa.gov>

Please find the updated flyer for the Movie Under the Stars event in the following link: https://townofsurfsidefl.gov/docs/default-source/default-document-library/movie-under-the-stars--october-12-2019.pdf?sfvrsn=dbab2994_2. The screening is made possible by the Surfside Parks and Recreation Department. If you have specific questions about the event, please contact 305.866.3635.

Save the Date: Mayor's Town Hall Meeting on Tuesday, 9/17



Surfside Mayor Daniel Dietch will host another Mayor's Town Hall Meeting next week on Tuesday, September 17, 2019. Join us for an informative community conversation, beginning at 7:00 pm in the Town Hall Commission Chambers.

The Mayor's Town Hall Meeting is an excellent opportunity for citizens to discuss matters of concern, as well as to provide suggestions for the Mayor to bring back to the Town Commission. Residents are encouraged to attend.

To view the original notice of the event, please visit the Town website at:

<https://townofsurfsidefl.gov/news-and-events/events-detail/2019/09/17/other-meetings/mayor's-town-hall-meeting>

Adopt-a-Tree this Saturday, 9/14



Miami-Dade County's Division of Environmental Resources Management will provide up to two free trees per household through its popular Adopt-a-Tree program on Saturday, September 14, 2019. The distribution will take place from 9:00 am to 12:00 pm at the South Miami-Dade Cultural Arts Center, located at 10950 SW 211 Street, Cutler Bay, Florida 33189. Residents eligible to adopt trees will be able to choose from soursop (only one per household), marlberry, locustberry, green buttonwood, Jamaican caper, orange geiger and pigeon plum.

To pre-register, which saves time by selecting tree preferences before the event, please visit: <https://survey123.arcgis.com/share/69a45a3748d846348ef2456c54f5e246?portalUrl=https://www.arcgis.com>

For further information and to view the original notice of the event, please refer to: <http://view.info.miamidade.gov/?qs=5f5c5c502851c7f506921d606c38b8c11c51f9ef24000cae9555545cdec0164e50>

Tonight: First Budget Public Hearing and Regular Town Commission Meeting



A friendly reminder, the First Budget Public Hearing and the Regular Town Commission Meeting will both take place tonight in the Town Hall Commission Chambers.

The Budget Hearing will begin at 5:01 pm to discuss the 2019-2020 fiscal year budget. To view the agenda, please click the following link: https://www.townofsurfsidefl.gov/docs/default-source/default-document-library/town-clerk-documents/commission-agendas/2019-commission-agenda/2019-09-10-special-town-commission-meeting---first-budget-hearing-agenda-packet.pdf?sfvrsn=1aae2894_2&utm_source=Single+Town+News+Article&utm_medium=newsletter&utm_campaign=Tonight%3a+Budget+and+Town+Hall+Meeting+Tonight

The monthly Regular Commission Meeting will start promptly after at 7:00 pm. The agenda for this meeting can be viewed here: https://www.townofsurfsidefl.gov/docs/default-source/default-document-library/town-clerk-documents/commission-agendas/2019-commission-agenda/2019-09-10-regular-town-commission-meeting-agenda-packet.pdf?sfvrsn=252d2894_2&utm_source=Single+Town+News+Article&utm_medium=newsletter&utm_campaign=Tonight%3a+Budget+and+Town+Hall+Meeting+Tonight

Residents are encouraged to attend both meetings.

Surfside Farmers Market arrives in Town on Sunday, 9/15

Love shopping fresh, organic and local? The Town of Surfside is excited to host the Surfside Farmers Market starting this Sunday, September 15, 2019.

The market will occur each Sunday, unless otherwise noted, from 9:00 am to 3:00 pm in the parking lot located on the corner of 95th Street and Collins Avenue. Visitors to the market can expect a variety of local vendors, selling items ranging from produce to artisan goods.

Organizer Javier Valmana, who happens to be a Surfside resident, recently spoke with the Town of Surfside's Public Information Representative (PIR) about the market, inviting "families and people of all ages" to head over on Sundays. To him, Farmers Markets not only "provide a shopping experience like no other, with local organic produce, food and other interesting products," but they also contribute positively to communities. "Farmers Markets unite communities and bring life to them. In our case, the market will be located in the middle of the Surfside Business District and will be just a block away from the beach. So, whether you go for a jog, swim, or are just doing errands around Town, you can always stop by and experience all that the market and the Surfside Business District has to offer."

Valmana recounts that he has been aiming to organize his own unique farmers market for several years and, when the opportunity presented itself, he could not pass it up. "What better place to do so than in the Town of Surfside?" he asks.

Surfside weekends just got even more exciting - enjoy your Surfside Farmers Market!

Enjoy a Movie Under the Stars this Saturday, 9/14



Make a splash at the Community Center pool during 'Movie Under the Stars' this Saturday, September 14, 2019. The Surfside Parks and Recreation Department will screen the classic film, Free Willy, starting at 7:45 pm. The movie has a run time of 1 hour and 52 minutes and is rated PG.

To check out the event flyer, please view: [https://www.townofsurfsidefl.gov/docs/default-source/default-document-library/movie-night-pf-\(1\).pdf?sfvrsn=6ec22b94_4](https://www.townofsurfsidefl.gov/docs/default-source/default-document-library/movie-night-pf-(1).pdf?sfvrsn=6ec22b94_4)

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

Save the Date: First Budget Public Hearing and Regular Town Commission Meeting on Tuesday, 9/10



Jot it down on your calendars -- there are two important community meetings taking place next Tuesday, September 10, 2019.

The First Budget Public Hearing will begin at 5:01 pm in the Town Hall Commission Chambers. During the meeting, the Town Commission will discuss the budget for fiscal year 2019-2020. To view the agenda, please refer to: https://www.townofsurfsidefl.gov/docs/default-source/default-document-library/town-clerk-documents/commission-agendas/2019-commission-agenda/2019-09-10-special-town-commission-meeting---first-budget-hearing-agenda-packet.pdf?sfvrsn=1aae2894_2

Later during the same evening at 7:00 pm, the Regular Town Commission Meeting will also be held in the Town Hall Commission Chambers. To review the agenda packet for the Commission Meeting, please refer to: https://www.townofsurfsidefl.gov/docs/default-source/default-document-library/town-clerk-documents/commission-agendas/2019-commission-agenda/2019-09-10-regular-town-commission-meeting-agenda-packet.pdf?sfvrsn=252d2894_2

Town of Surfside Sends 3 Truckloads of Food, Supplies and Clothes for Bahamas Relief



In an outpour of support and solidarity, Surfside residents donated a high volume of emergency supplies for the residents of The Bahamas who recently were impacted by Hurricane Dorian. Donations included canned foods, clothes and essential supplies. The Town of Surfside is pleased to report that on Thursday, September 5, 2019, three truckloads of donations were transported to the Relief Collection Center located in the Fuchs Pavilion at the Youth Fair Grounds, which will in turn be sent to The Bahamas. The delivery of donations was made possible by the Surfside Police Department, in addition to the Parks and Recreation and Public Works Departments.

The Town of Surfside thanks all residents for coming to the aid of our neighbors in The Bahamas. Please note, donations are still being accepted. Supplies can be dropped off in the Town Hall lobby between 8:00 am and 6:00 pm. daily. Together, we can make a difference for the people of The Bahamas!

For a list of acceptable supplies, please visit the Town website at:

<https://www.townofsurfsidefl.gov/news-and-events/news-detail/2019/09/03/donate-emergency-supplies-for-the-bahamas-at-town-hall-starting-9-4>

September Street Sweeper Schedule



For the month of September, street sweeping in Surfside will take place on Monday, September 9 and Monday, September 23. 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.

For information on how to further assist with street sweeping, please refer to the Town website at: <https://www.townofsurfsidefl.gov/departments-services/public-works/how-to-help-with-street-sweeping>

Traffic Alert: Bridge Closure in Bay Harbor Islands on 9/4 & 9/5

The Town of Surfside wants to advise residents that the Town of Bay Harbor Islands will be closing the entire bridge on the Broad Causeway (96th Street/S.R. 922) in Bay Harbor Islands. The closure is for repairs to the bridge.

The closure will be to all vehicular and pedestrian traffic during the overnight hours for the following two nights:

- Wednesday, September 4, 2019 - 10:00 pm to 6:00 am
- Thursday, September 5, 2019 - 10:00 pm to 6:00 am

Traffic delays are likely to occur so please plan your commute routes accordingly and drive safely. Bay Harbor Islands Police Department will have officers on scene to assist with traffic control.

To view the original notice issued by the Surfside Police Department, please refer to: https://townofsurfsidefl.gov/docs/default-source/default-document-library/surfside-traffic-alert_-bridge-closure-bay-in-harbor-islands-09_04_2019-and-09_05_2019.pdf?sfvrsn=1d482894_4&utm_source=Police+Events+and+Notices&utm_medium=newslet

Donate Emergency Supplies for The Bahamas at Town Hall, starting 9/4

Hurricane Dorian and its devastating impact on The Bahamas is a reminder of just how lucky we are in South Florida to have been mostly spared by this dangerous storm. Sadly, The Bahamas did not fare well and experienced major destruction and devastation as a result.

To help our neighboring islands, the Town of Surfside has established a drop-off location for supplies. Starting Wednesday, September 4, please consider dropping off emergency supplies to Town Hall, located at 9293 Harding Avenue. Drop-off is available 24/7, though we encourage residents to drop-off items between 8:00 am and 6:00 pm when staff is on site.

Here is a list of acceptable supplies:

Water

Non-perishable food items

Can openers

Insect repellent

Sunscreen

Baby formula and diapers

Feminine hygiene products

First aid items

Flashlights

Batteries

For additional ways to support the disaster relief efforts in The Bahamas, visit the Red Cross at <https://bahamasredcross.org>.

As a reminder, hurricane season continues until November 1. It is important to be prepared and have your hurricane kits and evacuation plans ready.

Note: All Town facilities, including Town Hall, the Community Center and pool, lifeguard stand at 93rd Street (behind the Community Center), 96th Street Park, Tennis Center and Hawthorne Tot Lot will resume normal operating hours on Wednesday, September 4. Residential trash pick-up will take place on Wednesday, according to schedule. Additionally, shuttle bus operations will resume in Surfside.

For updates, please visit the Town website at www.townofsurfsidefl.gov.

September Gazette Now Available

The September edition of the Surfside Gazette is now available. Residents can pick up a copy at Town Hall when it reopens tomorrow, Wednesday, September 4, 2019, or read it digitally via the Town website at: <https://issuu.com/surfsidegazette/docs/gazette-sept2019>

Residents are also encouraged to visit the official Town events and meetings calendar on the website: <https://www.townofsurfsidefl.gov/news-and-events/events-list>

As a reminder, the latest Town closures and disruptions in services due to the weather are as follows:

Tuesday, September 3

- All Town facilities, including Town Hall, the Community Center and pool, 96th Street Park, Hawthorne Tot Lot and Tennis Center, will be closed on Tuesday. All parks and recreation programs will be cancelled.
- The lifeguard stand on the beach at 93rd Street behind the Community Center will be closed. There will be no lifeguard on duty.
- There will be no residential trash pick-up.
- Shuttle bus operations will be suspended.

Wednesday, September 4

- Effective Wednesday, all Town facilities, including Town Hall, the Community Center and pool, 96th Street Park, Hawthorne Tot Lot and Tennis Center, will resume normal operating hours. However, there will be no parks and recreation programs available with the exception of after-school should Miami-Dade County Public Schools be back in session.
- Residential trash pick-up will resume according to schedule.
- Shuttle bus operations will resume according to schedule.

Please continue to monitor the Town website for any changes to Town meetings and events, in addition to the latest developments of Hurricane Dorian.

Town Closures and Disruptions in Services - 9/2 Update



As the safety of Surfside residents is top priority, Police Chief Julio Yero convened a meeting this morning with the Town Manager's office, key personnel and emergency operations command to further prepare for inclement weather due to Hurricane Dorian. Miami-Dade County is currently out of the National Hurricane Center forecast cone and under no watches or warnings, but could still experience strong winds including tropical storm force wind gusts today and tomorrow.

Again, the Town of Surfside wants to stress the importance of remaining vigilant. Please also be advised of hazardous beach conditions and pay attention to weather reports about safety hazards, such as dangerous rip currents, before entering the ocean.

Here is the latest update on Town closures and disruptions in services:

MONDAY, SEPTEMBER 2

- The Community Center, pool and 93rd Street beach lifeguard tower will be open until 2:00 pm.
- The 96th Street Park will be open until 5:00 pm.
- The Hawthorne Tot Lot will be open during normal operating hours.
- The Tennis Center is currently closed.
- Town Hall is closed in observance of Labor Day and until further notice.
- Shuttle bus operations have been suspended.

TUESDAY, SEPTEMBER 3

- All Town facilities, including Town Hall, the Community Center and pool, 96th Street Park, Hawthorne Tot Lot and Tennis Center, will be closed on Tuesday. All parks and recreation programs will be cancelled.
- The lifeguard stand on the beach at 93rd Street behind the Community Center will be closed. There will be no lifeguard on duty.
- There will be no residential trash pick-up.
- Shuttle bus operations will be suspended.

WEDNESDAY, SEPTEMBER 4

- Effective Wednesday, all Town facilities, including Town Hall, the Community Center and pool, 96th Street Park, Hawthorne Tot Lot and Tennis Center, will resume normal operating hours. However, there will be no parks and recreation programs available with the exception of after-school should Miami-Dade County Public Schools be back in session.
 - Residential trash pick-up will resume according to schedule.
 - Shuttle bus operations will resume according to schedule.
- Thank you for your continued cooperation and understanding.

Adjusted Parks and Recreation Hours and Disruptions in Services - 9/1 Update

While the latest 11 am advisory from the National Hurricane Center no longer has Miami within the cone for hurricane-force winds, the Town of Surfside continues to make necessary preparations in the event of inclement weather. Please be advised of temporary adjusted hours at the various parks and recreation facilities over the next couple of days in addition to closures and minimal disruptions in services.

It is important to remain vigilant as the path of Hurricane Dorian can change course at any time. The Town of Surfside also strongly warns beach-goers to pay careful attention to weather reports and local news for the latest beach conditions and possible safety hazards, such as dangerous rip currents, before entering the ocean.

At this time, our thoughts and prayers are with the Bahamas, as well as those communities still in the storm's path. Thank you for your continued cooperation and understanding.

SUNDAY, SEPTEMBER 1

- The Community Center, pool and 93rd Street beach lifeguard tower is open from 9:00 am – 2:00 pm, today, September 1.
- The 96th Street Park, Tennis Center and Hawthorne Tot Lot is open during normal operating hours.

MONDAY, SEPTEMBER 2

- Lap swimming at the Community Center will take place from 6:30 am to 8:30 am.

- The Community Center, pool and 93rd Street beach lifeguard tower will be open from 9:00 am – 2:00 pm.
- The 96th Street Park and Tennis Center will be open from 9:00 am to 5:00 pm
- The Hawthorne Tot Lot will be open during normal operating hours.
- Regular trash pick-up will take place on Monday morning. Please place your household garbage by the curb by 7 am.
- Town Hall will be closed in observance of Labor Day and until further notice.
- Shuttle bus operations will be suspended until further notice.

Last updated on 5/24/2019

| DEVELOPMENT APPLICATION PROCESS (2009 - PRESENT) | | | | | | | | | | | | |
|--|---|--|--|---|--|--|---|---|--|-----------------|------------|--------------------------------|
| Application Date | Location | Project Description | Zoning Process | | | Density/Intensity | | Variances | | Building Permit | | |
| | | | DRC | P&Z | TC | Allowed | Approved | Requested | Received | Application No. | Issuance | Status |
| 11/19/2009 | 9300 Collins Ave | Surfside Hotel - Proposed four-story hotel consisting of 183 hotel units, 4 stores and adjacent 3 stories garage | 1/13/2010, 1/13/2010 | 7/27/2010 | 5/10/2011 | 243 units | 175 units | None | None | 13-377 | 1/13/2014 | Issued |
| 1/6/2010 | 9580 Abbott Ave | Young Hotel - Construction of 170 units and a maximum building height of 40 feet | 1/20/2010, 1/21/2012 | 1/29/2012 | 4/10/2012 | Negotiated settlement to determine buildable area and setbacks | | Approved through Settlement agreement not variance - Settlement determined by Public | | 13-118 | 5/5/2014 | Issued |
| 5/1/2011 | 9449 & 9418 Collins Ave | Grand Beach 341 room hotel | 5/18/2011, 6/15/2011 | 7/28/2011 | 9/11/2011 | 341 units | 341 units | None | None | 12-144 | 5/5/2012 | Issued |
| 7/17/2012 | 9179, 9165 & 9189 Collins Ave | Chateau Ocean Residences - Demolition of existing 42 room hotel, construction of 40 unit residential and 1000 sq ft commercial building and adjacent storefronts | 8/12/2012, 9/11/2012 | 11/14/2012 | 1/24/2013 | 375 units | 85 units (However approximately 38 units hotel) | None | None | 14-132 | 9/24/2014 | Issued |
| Original Submittal 7/11/2012 Site plan amendment: 4/16/16 | 9011 Collins Ave | Surf Club - restoration of the famous surf club historic structure and for the construction of new improvements | 7/13/2012, 8/17/2012, site plan amendment: 5/16/2016, 8/14/2016, 3/9/2017, 5/11/2017 | Original site plan 9/27/2012, revised amendment: 3/31/2017 | Original site plan 10/15/2012, revised amendment: 10/10/2017 | 763 units | 253 units | None | None | 13-777 | 6/27/2014 | Issued |
| 7/20/2012 | 9450 Collins Ave | The Shed - New multi-use plaza structure and parking (heating center (3 stories)) | 2/11/2013, 3/27/2013, 7/9/2013 | 1/27/2014 | 10/28/2014 | 3 story expansion of 8,558 square feet | | None | None | 14-509 | 11/17/2015 | Issued |
| 3/15/2015 | 201, 203, 205, 207, 209 & 215 88th St 8829 Harding Ave | Surfside Condo's - redevelopment of 171 parcels into single unit condo development | 4/27/2015, 6/11/2015 | 8/27/2015 | 12/8/2015 | 65 units | 28 units | None | None | 16-569 | | Plans approved, waiting on CC |
| 8/17/2015 | 9111 Collins Ave & 9149 Collins Ave | Surf Club II - Redevelopment of property with a multi-family residential project and renovation of existing historic structure | 9/4/2015, 10/9/2017, 9/17/2017 | 12/7/2017 | 2/17/2018 | 199 units | 43 endomemum units, 31 hotel rooms | None | None | | | Has not applied for permit yet |
| Original Submittal 7/11/2016 Revised Submittal 5/31/18 | 9380, 9122, 9144, 9148, 9140, 9127, 9116 & 9100 Collins Ave | 9300 Collins Ave - demolition of all existing improvements, construction of 3 story building | Original Submittal: 3/10/2016, 1/27/2016 Revised Submittal: 6/27/2018, 8/28/2018, 11/7/18 | Original approval 7/18/2016, Revised approval 11/29/18 | Original approval 11/10/2016, current site plan has not been approved yet. Scheduled for February 26, 2019 | 740 units | Request in for 205 units | None | None | 18-610 | | Has not applied for permit yet |
| 5/4/2016 | 8955 Collins Ave | Residential Condominiums | 6/20/2016, 7/27/2016 | 10/27/2016 | 11/10/2016 | 110 units | 16 units | None | None | 16-602 | 12/26/2017 | Issued |
| Oct 16 | 9116 Harding Ave | 301 Surfside - 4 Townhouses | 11/27/2016, 3/7/2017, 5/18/2017 | 4/27/2018 | 4/14/2018 | 8 units | 4 units | None | None | | | Has not applied for permit yet |
| 5/19/2017 | 8995 Collins Ave | Surf House - site plan approval for expansion to existing multi family building | 6/19/2017, 8/24/2017, 9/7/2017 | 7/27/2018, 4/26/2018, 5/11/2018, no approval yet (Final approval required by the Board) | Not scheduled yet for TC until recommendation from PZ | 99 units | Current request has not been scheduled for TC until recommendation from PZ. Request in for 55 units | 1. Section 90.82 - Off-street loading requirements (Loading Space Size) 2. Section 90.91.2 - Required Buffer - Required buffer between property and adjacent streets and abutting property (Landscape Buffer) 3. Section 90.93(1b) - Open Space (Open Space Size) | Has not been scheduled for TC until recommendation from PZ | | | Has not applied for permit yet |
| Original Submittal: 10/16/2017 | Abbott Lot | Unexcused Proposal (P3) | | | | | | | | | | Terminated |
| Original Submittal 1/06/2015 Revised Submittal 8/01/2016, 1/27/2016, 01/09/2018, 10/29/2018 | 8851 Harding Avenue | 18 multi family units | 01/23/2015, 08/18/2016, 01/23/2017, 02/21/2018, 11/29/2018 | 01/13/19 P2 recommended approval | Denied by the Commission | 31 units | Request in for 18 units | 1. requested - Section 90.82 - Off-street loading requirements (Loading Space Size) | | | | Denied |
| 7/1/2019 | 9580 Abbott Ave | Young Hotel Variance Request to eliminate landscaping to provide for a handicap accessible ramp | N/A | 8/7/2019 | Will be scheduled | | | 1. requested - eliminate landscaping along the north side of the | | | | |



MEMORANDUM

To: Guillermo Olmedillo, Town Manager
From: Duncan Tavares, Assistant Town Manager
Date: October 10, 2019
Subject: Community Garden Non-Profit Annual Renewal

Please note the Surfside Community Garden non-profit "Surfside Urban Gardeners" has met the following requirements to renew their October 1 annual agreement:

- 1) Remitted payment in the amount of \$12 (\$1 per month).
- 2) Proof of their non-profit status.
- 3) Certificate of Liability Insurance.

Reviewed by

Prepared by



US Army Corps
of Engineers
Jacksonville District

| Weekly Project Coordination Meeting Minutes | | | | |
|---|---|------------------------------|------------------------------------|--|
| Day: Wednesday's Time: 10:30 AM (Rescheduled for Thursday August 29, 2019 due to schedule conflict) | | | | |
| Meeting #: | 7 | Call -In# | (646) 749-3122 | |
| Meeting Held: | Thursday, 08/29/2019 | Access Code: | 707 733 445 | |
| Project: | Beach Erosion Control and Hurricane Protection Project, Surfside Segment, Miami-Dade County, FL | Contract #: FDEP Permit # | W912EP-19-C-0017 0233882-010-JM | |
| | | | | |
| TEAM MEMBERS: Distribution (D) and Attendance (A) List indicated by "X" | | | | |
| D | A | Name / Title | Company/ Organization | Email Address |
| x | | Ricardo Villet / COO | CHC | rvillet@chcivil.com |
| x | | Paul Suellentrop / PM | CHC | psuellentrop@chcgulf.com |
| x | | Yunesky Hernandez / Super | CHC | yhernandez@chcivil.com |
| x | x | Hector Sevilla / QCM | CHC | hsevilla@chcivil.com |
| x | x | Domenic DeAmicis / SSHO | CHC | ddeamicis07@gmail.com |
| x | | Geoff Reichold | The NDN Co. | Greichold@thendncompanies.com |
| x | | Nestor Rivera / COR | USACE | Nestor.A.Rivera@usace.army.mil |
| x | x | Christopher Rego / COR | USACE | Christopher.M.Rego@usace.army.mil |
| x | | Leo Bastante / COR | USACE | Leopoldo.A.Bastante@usace.army.mil |
| x | | Brian Choate | USACE | Brian.C.Choate@usace.army.mil |
| x | | Michael Neves | USACE | Michael.P.Neves@usace.army.mil |
| x | x | Erica Skolte | USACE | Erica.A.Skolte@usace.army.mil |
| x | | Timothy Humphrey | USACE | Timothy.G.Humphrey@usace.army.mil |
| x | | Piper Austin | USACE | Piper.E.Austin@usace.army.mil |
| x | | Troy Mayhew | USACE /CESAJ-EN-GG | Troy.a.mayhew@usace.army.mil |
| x | | Guillermo Olmedillo | Town of Surfside | golmedillo@townofsurfsidefl.gov |
| x | x | Duncan Tavares | Town of Surfside | dtavares@townofsurfsidefl.gov |
| x | | Irina Mocanu | Town of Surfside | imocanu@townofsurfsidefl.gov |
| x | | Lindsay Fast | Town of Surfside | lfast@townofsurfsidefl.gov |
| x | x | Lt. J. Healy | TOS Police Dept. | JHealy@townofsurfsidefl.gov |
| x | | Julio Yero | TOS Police Dept. | jyero@townofsurfsidefl.gov |
| x | | John Bambis | TOS Police Dept. | jbambis@townofsurfsidefl.gov |
| x | x | Julio Nores | DERM-RER | Julio.Nores@miamidade.gov |



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| | | | | |
|---|---|--------------------------|------------------------|--|
| x | | Libbie McDearmid | Florida DEP | Libbie.McDearmid@FloridaDEP.gov |
| x | | Teal Kawana | MDPR | teal.kawana@miamidade.gov |
| x | x | Colette Biondi | MDPR | Colette.Biondi@miamidade.gov |
| x | | Carlos Fernandez-Quevedo | MDPR | Carlos.Fernandez-Quevedo@miamidade.gov |
| x | | Paul Voight | MDCP-RER | Paul.Voight@miamidade.gov |
| x | | Sarah Thanner | MDCP-RER | Sara.Thanner@miamidade.gov |
| x | x | Kelli Stamm | Precision Measurements | kstamm@precisionmeasurements.com |
| x | x | William "Cliff" Miller | Seismic Survey, Inc | wcmiller@seismicsurveys.net |
| x | x | Meghan Harrison | The NDN | mharrison@thendncompanies.com |

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 Submit contract project reports

- Turbidity Monitoring Report
- Seismic Survey Report

3.0 Review work progress since previous meeting:

3.1 Continue to work on Segment-1 beach fill from Station 36+800 to 36+300

- 1,111 Total truck loads as of end of day 08-28-19
- 24,906.52 Total Tons placed as of end of day 08-28-19

4.0 Review current definable feature of work:

4.1 Vibration Monitoring: No issues; continuing monitoring 24/7.

- Received reports from Seismic Survey Inc. this week, to be submitted accordingly. No issues have occurred.
- Due to storm preparedness at the end of operations and site preparedness, CHC will stop seismic monitoring and remove equipment from site to protect from severe weather, once weather conditions is clear CHC will have Seismic Survey Inc set up and continue to monitor vibration prior of start of any operations..

4.2 Environmental/Turbidity Monitoring:

- Contractor receives daily Turtle Nesting clearance notification prior start of each workday. No delays this week. Nesting area close to job site was found by Miami-Dade on Tuesday 08/27/19; CHC environmental tech constantly walked the site in effort to make sure no disturbance or turtles were in the area.



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- Daily environmental and turbidity monitoring; CHC have not encounter issues. Sampling results are below 29 NTU's. except for August 27th sampling was higher than normal which was due to weather conditions high winds and wave actions.

4.3 Beach Fill (Truck Haul):

- Segment-1
 - Station 36+800 through 36+100
 - No truck hauling as of Thursday August 29th until further notice due to Hurricane Dorian might reach Florida. CHC is preparing site for severe weather.
 - *Duncan Tavares*-TOS noted that this is a weekend holiday no work on Saturday, Sunday and Monday.
 - *Colette Biondi*-MDPR asked since CHC is not working the following days if they should still receive turtle monitoring notification? Hector S.-CHC requested MDPR to continue sending out notification.
 - *Erica Skolte*-USACE asked what would be the proper wording she can use to inform the public through the media in regard to the contractor's on site project status for the severe weather? *Chris R*-USACE answered that at the end of day today USACE/CHC will survey and that CHC will prepare to and close up and secure area. No active work Friday CHC will be on site just to double check all staging areas are secured and equipment are off the beach.

5.0 Review construction project schedule:

5.1 See attached 3-week look ahead.

- CHC continues to place material creating the template from station 36+800 through 36+600; scheduled for survey Thursday 08/19/19 at 2:00PM. Upon completion of the survey and the survey comes back acceptable, a scheduled walkthrough later on the week with contractor, USACE and/or all affiliated stakeholders. Anticipated completion of Segment-1 is Sept 10th.
- Due to forecasted sever weather conditions CHC Canceled truck hauling and will resume on Tuesday September 3rd depending on weather conditions. CHC will continue building the template with stockpiled material.
- CHC will prepare site for hurricane "Dorian".

6.0 Submittal and RFI's:

6.1 Submittals Under Review

- See attached submittals under review log, no critical submittals are overdue at this time.

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

- No RFI's are pending.



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7.0 Review off-site activities:

- Employee parking & staging site for trucking at Haulover Park; trucks arrive and are dispatch to project site.
- Area is clear and all cones will be removed and stored.

8.0 Review Environmental/Required Testing:

- 8.1 NDN samples turbidity twice a day and make notes of conditions daily.
- 8.2 CHC visually inspect and takes samples of delivered beach fill to confirm compliance. No issues up to date. Samples are being stored on on-site storage and each sample are labeled.

9.0 Review Site Safety & Deficiencies:

- 9.1 Domenic D-CHC SSHO review weekly safety briefings and deficiencies.
 - Zero incidents since project start of project.
 - CHC remediated items on the deficiency list, Chris R-USACE to perform follow up inspection.
- 9.2 Sand on the main road exiting 88th street. CHC makes all the effort to maintain roads clean by using the sweeper routinely. Additionally, CHC has contracted a company to perform street sweep/vac.

10.0 Review / Update Joint Risk Management Register:

- 10.1 Scheduled ongoing JRMR USACE and Contractor.

11.0 Modifications, Changes, Substitutions to the Contract:

- 11.1 None.

12.0 Other Business:

- 12.1 Lt. Healy requested point of contacts from CHC in case of any issues. CHC provided contact numbers and also the contact numbers are at the end of the meeting minutes.

Next Meeting Date: Wednesday, 09/04/19 @ 10:30 A.M.

Location: Conference call

Call In: (646) 749-3122

Access Code: 707 733 445

End of Meeting.

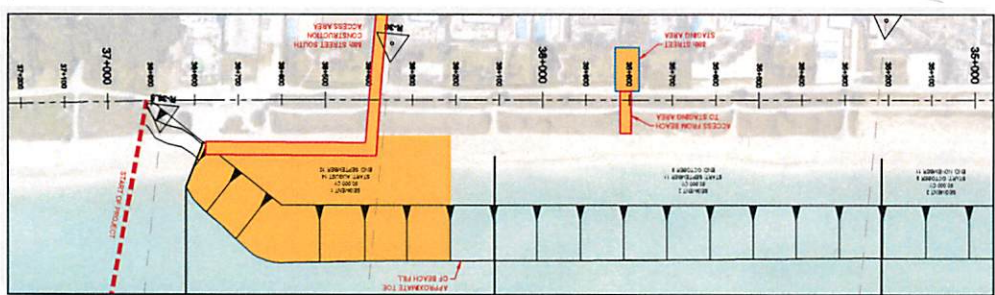
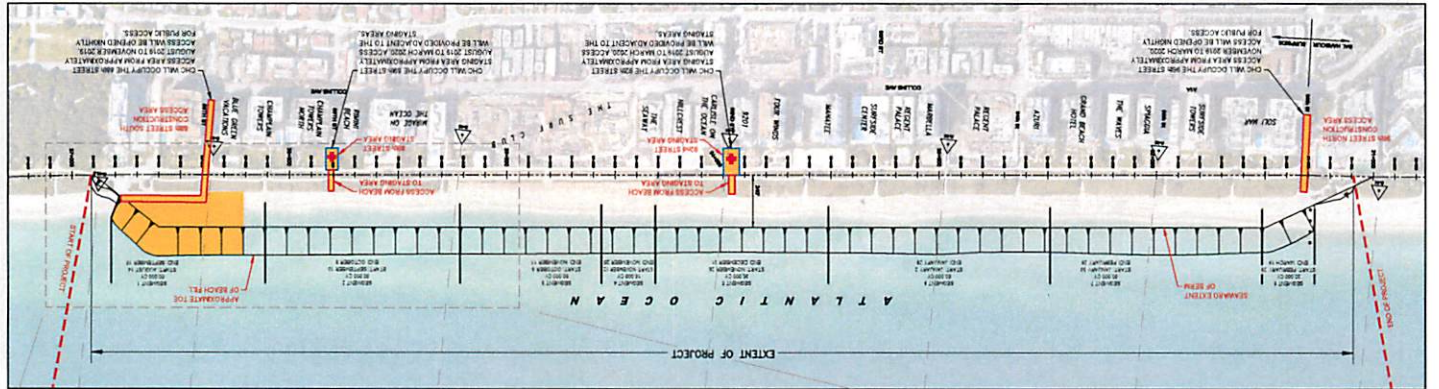
MEETING ADJOURNED – THANK YOU

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

- Ricardo Villet – Project Manager; Mobile: 305-833-6828
Email: rvillet@chcivil.com
- Hector Sevilla- Quality Control Manager; Mobile: 954-756-5865
Email: hsevilla@chcivil.com
- Yunesky Hernandez- Project Superintendent; Mobile: 786-218-2560
Email: yhernandez@chcivil.com


| | |
|--|---------------------------------|
| | FIRST AID / EYE WASH |
| | AREA NOT READY FOR CONSTRUCTION |
| | BEACH UNDER CONSTRUCTION |
| | BEACH FOR PUBLIC USE |
| | STANDING AREA |
| | DESIGNATED CONSTRUCTION ACCESS |
| | START/END OF PROJECT |

LEGEND



OVERVIEW
PROGRESS MAP

Beach Erosion Control and Hurricane Protection Project,
 Surfside Beach
 Miami-Dade County, Florida
 Last Updated: August 28, 2019



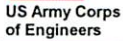
Project: USACE Surfside Project

Location: Miami-Dade County, FL

THREE WEEK LOOK AHEAD SCHEDULE

Current + 2 Weeks

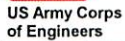
| | | START: 26-Aug-19 | | | | | | | | | | | | | | END: 14-Sep-19 | | | | | | |
|-------------------|--|------------------|---------|-----------|----------|--------|----------|--------|---------|-----------|----------|--------|----------|--------|---------|----------------|----------|--------|----------|---|---------------------------|--|
| | | 26-Aug | 27-Aug | 28-Aug | 29-Aug | 30-Aug | 31-Aug | 2-Sep | 3-Sep | 4-Sep | 5-Sep | 6-Sep | 7-Sep | 8-Sep | 9-Sep | 10-Sep | 11-Sep | 12-Sep | 13-Sep | 14-Sep | | |
| ACTIVITY ID / KTR | ACTIVITY DESCRIPTION | MONDAY | TUESDAY | WEDNESDAY | THURSDAY | FRIDAY | SATURDAY | MONDAY | TUESDAY | WEDNESDAY | THURSDAY | FRIDAY | SATURDAY | MONDAY | TUESDAY | WEDNESDAY | THURSDAY | FRIDAY | SATURDAY | ITEM COMPLETED - Y/N or O Ongoing | COMMENTS | |
| | <div>Meetings</div> <div>Preparatory Meetings for DFOV:</div> <div>Non Scheduled</div> | | | | | | | | | | | | | | | | | | | | | |
| | Weekly Project Status Meeting | | | X | | | | | X | | | | | | | X | | | | | Via Conf Call @ 10:30 AM | |
| A1330 | Vibration Control Monitoring | X | X | X | X | X | | | X | X | X | X | X | X | X | X | X | X | X | | | |
| A1340 | Environmental/Turbidity Monitoring | X | X | X | X | X | | | X | X | X | X | X | X | X | X | X | X | X | | | |
| A1400 | Beach Fill Segment 1: STA 36+800 to 36+100 | X | X | X | X | X | | | X | X | X | X | X | X | X | | | | | | | |
| | Station 36+800 to 36+600 | X | X | X | X | | | | | | | | | | | | | | | | | |
| | Station 36+600 to 36+500 | | | | | | | | X | X | | | | | | | | | | | | |
| | Station 36+500 to 36+400 | | | | | | | | | X | X | | | | | | | | | | | |
| | Station 36+400 to 36+300 | | | | | | | | | | X | X | | | | | | | | | | |
| | Station 36+300 to 36+200 | | | | | | | | | | | X | X | | | | | | | | | |
| | Station 36+200 to 36+100 | | | | | | | | | | | | X | X | X | | | | | | | |
| A1406 | Post Construction Survey Segment 1 Sta 36+800 to 36+600 | | | | | | | | | | | | | | | | | | | | | |
| A1406 | Beach Tilling Segment 1 Sta 36+800 to 36+100 | | | | | | | | | | | | | | | X | X | X | X | | | |
| A1410 | Beach Fill Segment 2: Station 36+100 to 35+200 | | | | | | | | | | | | | | | X | X | X | X | | | |
| | Station 36+100 to 36+00 | | | | | | | | | | | | | | | | | | | | | |
| | <div>Deliveries</div> <div>None Scheduled</div> | | | | | | | | | | | | | | | | | | | | Swap Out JD 450 to JD 750 | |



W912EP19C0017 113082 Miami-Dade Surfside Contract A
K3001519

Miami Resident Office

Page 86



W912EP19C0017 113082 Miami-Dade Surfside Contract A
K3001519

Miami Resident Office

[illegible]



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Deficiency Items Issued - by All

29 Aug 2019

W912EP19C0017 113082 Miami-Dade Surfside Contract A
K3001519

Miami Resident Office

| Item Number | Description | Location | Status | Date Issued | Age (days) |
|-------------|---|-------------|------------------------|-------------|------------|
| QA-00010 | Since the first day of fill being brought to the project site, the USACE representative has had to inform the contractor of excess soil and dust being build up on the public road beyond the hardpack on 88th street and being tracked on to travel lanes and shoulder Collins Ave heading north. This does not comply with EM 385-1-1, Paragraph 04.B.13 and 04.B.14, and Contract Specification Section 01 55 26, Paragraph 3.1.3. | 88th Access | Not Reported Corrected | 20 Aug 2019 | 9 |
| QC-00001 | CHC hereby acknowledges the deficiency of the vegetation protection plan at the 88th Street access. During the offloading procedures of the sand and placement on to the beach sand has accumulated in the Dune vegetation on the Northeast section of the access point. CHC is in the process of removing the accumulated sand from the vegetation. Following completion of the removal of the sand, if there are any impacts to the vegetation, CHC will mitigate the area is damaged. The impacted area is approximately 150 to 200 square feet. The coordinates of the impacted area are N 25.8733, W 80.12001. | 88th Access | Not Reported Corrected | 21 Aug 2019 | 8 |



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| Weekly Project Coordination Meeting Minutes | | | | |
|--|---|------------------------------|------------------------------------|--|
| Day: Wednesday's | | | Time: 10:30 AM | |
| Meeting #: | 8 | Call -In# | (646) 749-3122 | |
| Meeting Held: | Thursday, 09/04/2019 | Access Code: | 707 733 445 | |
| Project: | Beach Erosion Control and Hurricane Protection Project, Surfside Segment, Miami-Dade County, FL | Contract #: FDEP Permit # | W912EP-19-C-0017 0233882-010-JM | |
| | | | | |
| TEAM MEMBERS: Distribution (D) and Attendance (A) List indicated by "X" | | | | |
| D | A | Name / Title | Company/ Organization | Email Address |
| x | | Ricardo Villet / COO | CHC | rvillet@chcivil.com |
| x | | Yunesky Hernandez / Super | CHC | yhernandez@chcivil.com |
| x | x | Hector Sevilla / QCM | CHC | hsevilla@chcivil.com |
| x | x | Domenic DeAmicis / SSHO | CHC | ddeamicis07@gmail.com |
| x | | Geoff Reichold | The NDN Co. | Greichold@thendncompanies.com |
| x | x | Nestor Rivera / COR | USACE | Nestor.A.Rivera@usace.army.mil |
| x | x | Christopher Rego / COR | USACE | Christopher.M.Rego@usace.army.mil |
| x | x | Leo Bastante / COR | USACE | Leopoldo.A.Bastante@usace.army.mil |
| x | | Brian Choate | USACE | Brian.C.Choate@usace.army.mil |
| x | | Michael Neves | USACE | Michael.P.Neves@usace.army.mil |
| x | | Erica Skolte | USACE | Erica.A.Skolte@usace.army.mil |
| x | | Timothy Humphrey | USACE | Timothy.G.Humphrey@usace.army.mil |
| x | | Piper Austin | USACE | Piper.E.Austin@usace.army.mil |
| x | | Andrew Dutil | USACE | Andrew.S.Dutil@usace.army.mil |
| x | | Troy Mayhew | USACE /CESAJ-EN-GG | Troy.a.mayhew@usace.army.mil |
| x | x | Guillermo Olmedillo | Town of Surfside | golmedillo@townofsurfsidefl.gov |
| x | | Duncan Tavares | Town of Surfside | dtavares@townofsurfsidefl.gov |
| x | | Irina Mocanu | Town of Surfside | imocanu@townofsurfsidefl.gov |
| x | | Lindsay Fast | Town of Surfside | lfast@townofsurfsidefl.gov |
| x | x | Lt. J. Healy | TOS Police Dept. | JHealy@townofsurfsidefl.gov |
| x | | Julio Yero | TOS Police Dept. | jyero@townofsurfsidefl.gov |
| x | | John Bambis | TOS Police Dept. | jbambis@townofsurfsidefl.gov |
| x | x | Julio Nores | DERM-RER | Julio.Nores@miamidade.gov |
| x | | Libbie McDearmid | Florida DEP | Libbie.McDearmid@FloridaDEP.gov |



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| | | | | |
|---|---|--------------------------|------------------------|--|
| x | | Teal Kawana | MDPR | teal.kawana@miamidade.gov |
| x | | Colette Biondi | MDPR | Colette.Biondi@miamidade.gov |
| x | | Carlos Fernandez-Quevedo | MDPR | Carlos.Fernandez-Quevedo@miamidade.gov |
| x | | Paul Voight | MDCP-RER | Paul.Voight@miamidade.gov |
| x | | Sarah Thanner | MDCP-RER | Sara.Thanner@miamidade.gov |
| x | | Kelli Stamm | Precision Measurements | kstamm@precisionmeasurements.com |
| x | x | Meghan Harrison | The NDN Companies | mharrison@thendncompanies.com |
| x | x | William Gerrard | The NDN Companies | wgerrard@thendncompanies.com |

WEEKLY PROGRESS MEETING MINUTES

1.0 Review minutes from previous progress meeting:

- Chris Rego – USACE: Correction to Meeting # 7 section 4.2 Daily environmental and turbidity monitoring; CHC have not encounter issues. ~~Sampling results are below 29 NTU's, except for August 27th sampling was higher than normal which was due to weather conditions high winds and wave actions.~~ "Sampling results are below 29 NTU's. On August 27th the reading were higher than normal, although did not exceed 29 NTU's."
- Chris Rego – USACE: Confirmed with PMI that they will be on site tomorrow morning Thursday August 5th to perform post hurricane survey. Hector S.-CHC: stated that we will not haul material until the survey is completed.

2.0 Review RMS Contractor Action Item Report:

2.1 Submit contract project reports

- Turbidity Monitoring Report
- Seismic Survey Report #1

3.0 Review work progress since previous meeting:

3.1 Continue to work on Segment-1 beach fill from Station 36+800 to 36+300

- 1,111 Total truck loads as of end of day 08-28-19
- 24,906.52 Total Tons placed as of end of day 08-28-19
- CHC stopped truck hauling last Thursday August 29th due to Hurricane preparedness.



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4.0 Review current definable feature of work:

4.1 Vibration Monitoring: No issues; continuing monitoring 24/7.

- Reports from Seismic Survey Inc. submitted for review.
- Seismic survey equipment will be set up today, Cliff from SSI is arriving today to hook all the monitors back up and set to monitor 24/7. No equipment will run until the monitors are operational.

4.2 Environmental/Turbidity Monitoring:

- Contractor receives daily Turtle Nesting clearance notification prior start of each workday. No delays this week.
- No Turbidity monitoring is taking place, no actual work is being performed on site. CHC is only set up fences, barricades, poster boards, etc.

4.3 Beach Fill (Truck Haul):

- Segment-1
 - Station 36+800 through 36+100
 - CHC will start truck hauling potentially this Thursday, awaiting post topographic/hydrographic survey for quantities.
 - Guillermo O.-TOS: Asked if were having problems from central Florida bring the truck in? Hector S.-CHC, responded No issues receiving truck loads.
 - Chris R.-USACE, asked after the survey being done tomorrow will CHC will install the haul pads? Hector S.-CHC, responded that as soon as Cliff from Seismic Survey.
 - Hector S.-CHC asked if there's any further issues or comments in regard to trucking; Guillermo O.-TOS: Noted that TOS received two complaints about sand on the road Collins and 88th, although CHC took care of it and working constantly on it. Haven't received any complaint since.
 - Lt. J. Healy- TOS PD Asked for confirmation that CHC is receiving trucks tomorrow, CHC confirmed. Also mentioned that he has the contact number for CHC supervisor on site, and with the tedious operation of resetting up if CHC needs escort with truck/equipment just to contact him and that he appreciates the effort of keeping the beach free from debris and everything tiedown. Hector S.-CHC, CHC takes full effort to keep the roads clean from sand, constantly sweeping the road and also has contracted another subcontractor to sweep/vac the road.

5.0 Review construction project schedule:

5.1 See attached 3-week look ahead.

- CHC will set back up today and continue to work on the template for the first segment from station 36+800 through 36+600.
- CHC to provide monthly update schedule.



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6.0 Submittal and RFI's:

6.1 Submittals Under Review

- See attached submittals under review log, no critical submittals are overdue at this time.
- Chris R.-USACE will work on the pending submittals and will return shortly.

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

- No RFI's are pending.

7.0 Review off-site activities:

- Employee parking & staging site for trucking at Haulover Park; trucks arrive and are dispatch to project site.
- Area is clear and all cones are removed on a daily basis.

8.0 Review Environmental/Required Testing:

- 8.1 NDN samples turbidity twice a day and make notes of conditions daily.
- 8.2 CHC visually inspect and takes samples of delivered beach fill to confirm compliance. No issues up to date. Samples are being stored on on-site storage and each sample are labeled.
- 8.3 William G.-NDN; Have not noticed any invasive species around the project site.
- 8.4 Chris R.-USACE noted to keep close eye on the turtle warnings.

9.0 Review Site Safety & Deficiencies:

9.1 Domenic D.-CHC SSHO review weekly safety briefings and deficiencies.

- Zero incidents since project start of project.
- CHC remediated items on the deficiency list, Chris R.-USACE to perform follow up inspection.
- Domenic D.-CHC; Went over safety: On the deficiencies portion are very minor, need some fire extinguisher labels to inspect for the new month, job site looks very good no issues; street sweeping taking care off. Overall safety is going well. Chris R.-CHC stated that he will go over the deficiencies to clear them out tomorrow.
- Hector S.-CHC asked Lt. J. Healy if he had any issues, concerns in regard to safety from his point of view? Lt. J. Healy noted that he was out here this morning and spoke to one of CHC mangers, no issues and that that minimal complaints and had the Chief of Police on site visit.

10.0 Review / Update Joint Risk Management Register:

10.1 Scheduled ongoing JRMR USACE and Contractor.

11.0 Modifications, Changes, Substitutions to the Contract:

11.1 None.



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12.0 Other Business:

12.1 Lt. Healy requested point of contacts from CHC in case of any issues. CHC provided contact numbers and also the contact numbers are at the end of the meeting minutes.

12.2 Chris R.-USACE requested for updated schedule, asked when it will be ready for review? Hector S.-CHC noted that it will be ready to be [resented by early next week.

Next Meeting Date: Wednesday, 09/11/19 @ 10:30 A.M.

Location: Conference call

Call In: (646) 749-3122

Access Code: 707 733 445

End of Meeting.

MEETING ADJOURNED – THANK YOU

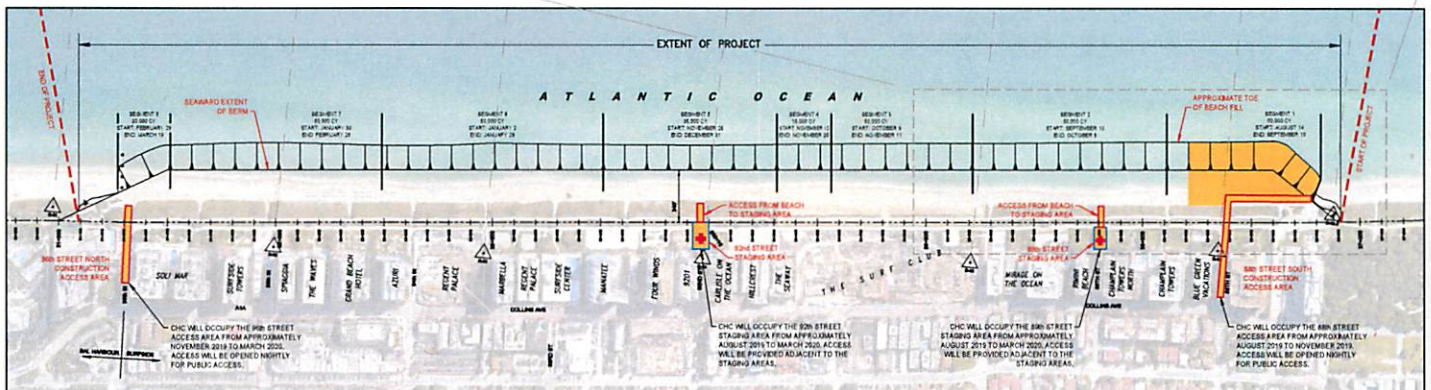
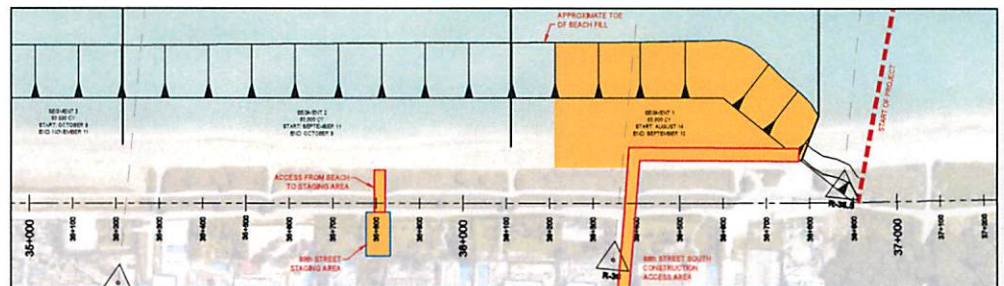
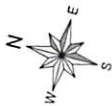
Please feel free to contact any of the following CHC Field personnel for any questions, comments or concerns.

- Ricardo Villet – Project Manager; Mobile: 305-833-6828
Email: rvillet@chcivil.com
- Hector Sevilla- Quality Control Manager; Mobile: 954-756-5865
Email: hsevilla@chcivil.com
- Yunesky Hernandez- Project Superintendent; Mobile: 786-218-2560
Email: yhernandez@chcivil.com

PROGRESS MAP OVERVIEW

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


Last Updated: August 28, 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 |
| + | FIRST AID / EYE WASH |





CONTINENTAL HEAVY CIVIL

Project: USACE Surfside Project

Location: Miami-Dade County, FL

THREE WEEK LOOK AHEAD SCHEDULE

Current + 2 Weeks

| | | | | | | | | START: | | 2-Sep-19 | | | | | | | | | | END: | | 21-Sep-19 | | | | | | | |
|-------------------|---|---|-----------------------------------|-----------|----------|--------|----------|--------|---------|-----------|----------|--------|----------|--------|---------|-----------|----------|--------|----------|---|----------|-----------|--|--------------------------|--|--|--|--|--|
| | | 2-Sep | 3-Sep | 4-Sep | 5-Sep | 6-Sep | 7-Sep | 8-Sep | 9-Sep | 10-Sep | 11-Sep | 12-Sep | 13-Sep | 14-Sep | 15-Sep | 16-Sep | 17-Sep | 18-Sep | 19-Sep | 20-Sep | 21-Sep | | | | | | | | |
| ACTIVITY ID / KTR | ACTIVITY DESCRIPTION | MONDAY | TUESDAY | WEDNESDAY | THURSDAY | FRIDAY | SATURDAY | MONDAY | TUESDAY | WEDNESDAY | THURSDAY | FRIDAY | SATURDAY | MONDAY | TUESDAY | WEDNESDAY | THURSDAY | FRIDAY | SATURDAY | ITEM COMPLETED - Y/N or O Ongoing | COMMENTS | | | | | | | | |
| | <u>Meetings</u> | Non Work Day Holiday / Hurricane Warning | Non Work Day Hurricane Warning | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | Preparatory Meetings for DFOV: Non Scheduled | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | Weekly Project Status Meeting | | | X | | | | | | | X | | | | | | | X | | | | | | Via Conf Call @ 10:30 AM | | | | | |
| A1330 | Vibration Control Monitoring | | | X | X | X | X | | X | X | X | X | X | X | X | X | X | X | X | X | X | | | | | | | | |
| A1340 | Environmental/Turbidity Monitoring | | | X | X | X | X | | X | X | X | X | X | X | X | X | X | X | X | X | X | | | | | | | | |
| A1400 | Beach Fill Segment 1: STA 36+800 to 36+100 | | | | | X | X | X | X | X | | | | | | | | | | | | | | | | | | | |
| | Station 36+800 to 36+600 | | | | | | X | X | X | X | | | | | | | | | | | | | | | | | | | |
| | Station 36+600 to 36+500 | | | | | | | | | X | X | | | | | | | | | | | | | | | | | | |
| | Station 36+500 to 36+400 | | | | | | | | | | X | X | | | | | | | | | | | | | | | | | |
| | Station 36+400 to 36+300 | | | | | | | | | | | X | X | | | | | | | | | | | | | | | | |
| | Station 36+300 to 36+200 | | | | | | | | | | | | X | X | | | | | | | | | | | | | | | |
| | Station 36+200 to 36+100 | | | | | | | | | | | | | X | X | | | | | | | | | | | | | | |
| A1406 | Post Construction Survey Segment 1 Sta 36+800 to 36+600 | | | | | | | | | | X | | | | | X | X | X | | | | | | | | | | | |
| A1406 | Beach Tilling Segment 1 Sta 36+800 to 36+100 | | | | | | | | | | X | X | X | X | | | | | | | | | | | | | | | |
| A1410 | Beach Fill Segment 2: Station 36+100 to 35+200 | | | | | | | | | | X | X | X | X | | | | | | | | | | | | | | | |
| | Station 36+100 to 36+00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | <u>Deliveries</u> | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | None Scheduled | | | | | | | | | | | | | | | | | | | | | | | | | | | | |



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| Weekly Project Coordination Meeting Minutes | | | | |
|---|---|------------------------------|------------------------------------|--|
| Day: Wednesday's | | | Time: 10:30 AM | |
| Meeting #: | 9 | Call -In# | (646) 749-3122 | |
| Meeting Held: | Thursday, 09/11/2019 | Access Code: | 707 733 445 | |
| Project: | Beach Erosion Control and Hurricane Protection Project, Surfside Segment, Miami-Dade County, FL | Contract #: FDEP Permit # | W912EP-19-C-0017 0233882-010-JM | |
| | | | | |
| TEAM MEMBERS: Distribution (D) and Attendance (A) List indicated by "X" | | | | |
| D | A | Name / Title | Company/ Organization | Email Address |
| X | | Ricardo Villet / COO | CHC | rvillet@chcivil.com |
| X | X | Francisco Juelle/PM | CHC | fjuelle@chccaribbean.com |
| X | | Yunesky Hernandez / Super | CHC | yhernandez@chcivil.com |
| X | X | Hector Sevilla / QCM | CHC | hsevilla@chcivil.com |
| X | X | Domenic DeAmicis / SSHO | CHC | ddeamicis07@gmail.com |
| X | | Geoff Reichold | The NDN Companies | Greichold@thendncompanies.com |
| X | X | Meghan Harrison | The NDN Companies | mharrison@thendncompanies.com |
| X | | William Gerrard | The NDN Companies | wgerrard@thendncompanies.com |
| X | X | Nestor Rivera / COR | USACE | Nestor.A.Rivera@usace.army.mil |
| X | X | Christopher Rego / COR | USACE | Christopher.M.Rego@usace.army.mil |
| X | | Leo Bastante / COR | USACE | Leopoldo.A.Bastante@usace.army.mil |
| X | X | Tony Jettinghoff/COR | | |
| X | | Brian Choate | USACE | Brian.C.Choate@usace.army.mil |
| X | | Michael Neves | USACE | Michael.P.Neves@usace.army.mil |
| X | X | Erica Skolte | USACE | Erica.A.Skolte@usace.army.mil |
| X | | Timothy Humphrey | USACE | Timothy.G.Humphrey@usace.army.mil |
| X | X | Piper Austin | USACE | Piper.E.Austin@usace.army.mil |
| X | | Andrew Dutil | USACE | Andrew.S.Dutil@usace.army.mil |
| X | X | Troy Mayhew | USACE /CESAJ-EN-GG | Troy.a.mayhew@usace.army.mil |
| X | X | Guillermo Olmedillo | Town of Surfside | golmedillo@townofsurfsidefl.gov |
| X | X | Duncan Tavares | Town of Surfside | dtavares@townofsurfsidefl.gov |
| X | X | Randy Stokes | Town of Surfside- PWD | rstokes@townofsurfsidefl.gov |
| x | | Irina Mocanu | Town of Surfside | imocanu@townofsurfsidefl.gov |



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| | | | | |
|---|---|--------------------------|------------------------|--|
| x | | Lindsay Fast | Town of Surfside | lfast@townofsurfsidefl.gov |
| x | X | Lt. John Healy | TOS Police Dept. | JHealy@townofsurfsidefl.gov |
| x | | Julio Yero | TOS Police Dept. | jyero@townofsurfsidefl.gov |
| x | | John Bambis | TOS Police Dept. | jbambis@townofsurfsidefl.gov |
| x | | Julio Nores | DERM-RER | Julio.Nores@miamidade.gov |
| x | | Libbie McDearmid | Florida DEP | Libbie.McDearmid@FloridaDEP.gov |
| x | | Teal Kawana | MDPR | teal.kawana@miamidade.gov |
| x | X | Colette Biondi | MDPR | Colette.Biondi@miamidade.gov |
| x | | Carlos Fernandez-Quevedo | MDPR | Carlos.Fernandez-Quevedo@miamidade.gov |
| x | | Paul Voight | MDCP-RER | Paul.Voight@miamidade.gov |
| x | X | Sarah Thanner | MDCP-RER | Sara.Thanner@miamidade.gov |
| x | | Kelli Stamm | Precision Measurements | kstamm@precisionmeasurements.com |

WEEKLY PROGRESS MEETING MINUTES

1.0 Review minutes from previous progress meeting:

- Chris Rego – USACE: Correction to Meeting # 7 section 4.2 Daily environmental and turbidity monitoring; CHC have not encounter issues. ~~Sampling results are below 29 NTU's. except for August 27th sampling was higher than normal which was due to weather conditions high winds and wave actions.~~ "Sampling results are below 29 NTU's. On August 27th the reading were higher than normal, although did not exceed 29 NTU's."
- Chris Rego – USACE: Confirmed with PMI that they will be on site tomorrow morning Thursday Sept. 5th to perform post hurricane survey. Hector S.-CHC: stated that we will not haul material until the survey is completed.

2.0 Review RMS Contractor Action Item Report:

- 2.1 Attached contractors' updates for action items list.
- 2.2 Chris R.-USACE will get CHC after the meeting to review the items.
- 2.3 Guillermo O.-TOS asked Hector-CHC if number the number of trucks increased? Hector-CHC responded that potentially the number of trucks will increase in the next week, at the moment CHC is averaging 155 truck loads a day. CHC will provide notification as soon as more trucks increase.

3.0 Review work progress since previous meeting:

- 3.1 Worked on Segment-1 beach fill from Station 36+800 to 36+700
 - CHC performed a post hurricane survey Last Thursday Sept. 5th.
 - CHC started truck hauling post hurricane on Monday Sept. 9th.



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- 1,413 Total truck loads as of end of day Sept. 10th (avg. 155 trucks per day)
- 31,705.80 Total Tons placed as of end of day Sept. 10th.

4.0 Review current definable feature of work:

4.1 Vibration Monitoring: No issues; continuing monitoring 24/7.

- Reports from Seismic Survey Inc. submission Report #2.
- No reported issues.

4.2 Environmental/Turbidity Monitoring:

- Meghan H.-NDN stated that started that turbidity monitoring resume this Monday Sept. 9th, last week no turbidity monitoring took place due to weather condition hurricane. Compliance and background haven't exceeded 8 NTU's, so we are in compliance.
- Colette B.-MDPR asked for the Turtle Survey, sometimes they have to go back and forth to Bal Harbor and some instances they need to drive back and forth and if it is possible to go through the project site on ATV's? Hector S.-CHC stated that there is no issues, CHC will inform flaggers/spotter to provide access to the Miami-Dade Turtle Monitoring team.
- Contractor receives daily Turtle Nesting clearance notification prior start of each workday. No delays up to date.

4.3 Beach Fill (Truck Haul):

- *Segment-1 (Station 36+900 - 36+100)*
 - CHC continued truck hauling operations this past Monday Sept. 9th.
 - Currently working Station 36+600 through 36+500
 - Scheduled survey for this Thursday Sept. 12th at 12:00PM.
- Chris R.-USACE mentioned that USACE/CHC need to perform the initial inspection phase for all the definable feature of work that's ongoing, it was suppose to be completed last week, it wasn't feasible last week due to the weather, need to be completed by this week. Hector S. CHC concurred, CHC will prep for the initial inspection; will plan it out after the meeting.

5.0 Review construction project schedule:

5.1 See attached 3-week look ahead.

- With the past storm CHC had delays and loss of material.
- CHC to provide monthly update schedule draft for review by end of day today.
- Chris R.-USACE mentioned that needs at least two days for review draft and then schedule meeting to review schedule prior officially submitting it, most likely will have meeting Monday, Chris R. will check with his team members and follow up with meeting schedule.
- USACE scheduled site visit Wednesday at 2:00PM to discuss Sediment tracer release on Surfside.



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6.0 Submittal and RFI's:

6.1 Submittals Under Review

- See attached submittals under review log, no critical submittals are overdue at this time, only updates submittals are under submission.
- Chris R.-USACE asked Hector S. when will USACE be receiving the "Contractors Temporary Facilities Submittals requesting additional mats to be placed? Hector S. stated that CHC is working on it and will submitted for approval. Chris R.-USACE advised Guillermo O. that a submittal will be forthcoming which CHC is requesting approval to lay down more matts from the start of the haul road (hard pack) to the edge if the current approved placed mats, the purpose and beneficial is to stabilize area and also decrease the sand getting on the roads.

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

- No RFI's are pending.

7.0 Review off-site activities:

- Employee parking & staging site for trucking at Haulover Park; trucks arrive and are dispatch to project site.
- Area is clear and all cones are removed on a daily basis.
- Hector S.-CHC stated that CHC has advised all the truck brokers to inform their truckers to stay in the middle lane for traffic safety reasons, staying in the middle until getting close to 88th street to make their turn.

8.0 Review Site Safety & Deficiencies:

8.1 Domenic D.-CHC SSHO review weekly safety briefings and deficiencies.

- Zero incidents since project start of project.
- Weekly Safety Meetings Topic: "Workplace Sanitation"
- Domenic D.-CHC meet with Chris R. last week to go over deficiency inspections, will follow up to check on the remaining items.

9.0 Review / Update Joint Risk Management Register:

9.1 Ongoing JRMR USACE and Contractor.

10.0 Modifications, Changes, Substitutions to the Contract:

10.1 None.



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11.0 Other Business:

- Guillermo O.-TOS mentioned and asked on behalf a nonprofit organization requested TOS that the diverted dunes that is planned to be removed on 96th street requested to see if it is possible not to remove the dunes, but to take from the other side? If it's complicated leave the program as scheduled and replace the dune when the project is completed; The claim is that there is a lot of Scaevola on the north side of 96th street dune, when public works inspected and noticed that there's also a lot of sea grapes in the area. If the answer is "no" its fine and will relay the information back to the organization. Hector S.-CHC stated that CHC will not shutdown on the question and requested a follow up meeting with Guillermo O. to review the request and go over the approved plans and determine what can be done. Chris. R-USACE mentioned that we have to get together and review depending what's allowed on the contract documents.
- Chris R. -USACE asked Hector S.-CHC about a pay request, USACE needs the pay request as soon as possible and need to be in the system by the end of next week. Hector-R. will relay the information to the office and get the documents in as soon as possible.
- Randy S.-TOS PWD asked CHC about the sweeping operations and needs clarification to answer a complaint about how often CHC is Sweeping and how often the street sweeper is coming by? Francisco J.-USACE at this time we are sweeping at least two times a day and additional truck that will be sweeping/vac every Friday to keep clean for the weekend, if needed CHC will add an additional day. Currently CHC is sweeping with its equipment. Randy S.-TOS asked if the mats will help with the operation? Francisco J.-CHC answered yes, the mats will help minimize the amount of sand on the road which is easier to clean and also started washing off the sand off the trucks prior leaving the site.

Next Meeting Date: Wednesday, 09/18/19 @ 10:30 A.M.

Location: Conference call

Call In: (646) 749-3122

Access Code: 707 733 445

End of Meeting.

MEETING ADJOURNED – THANK YOU

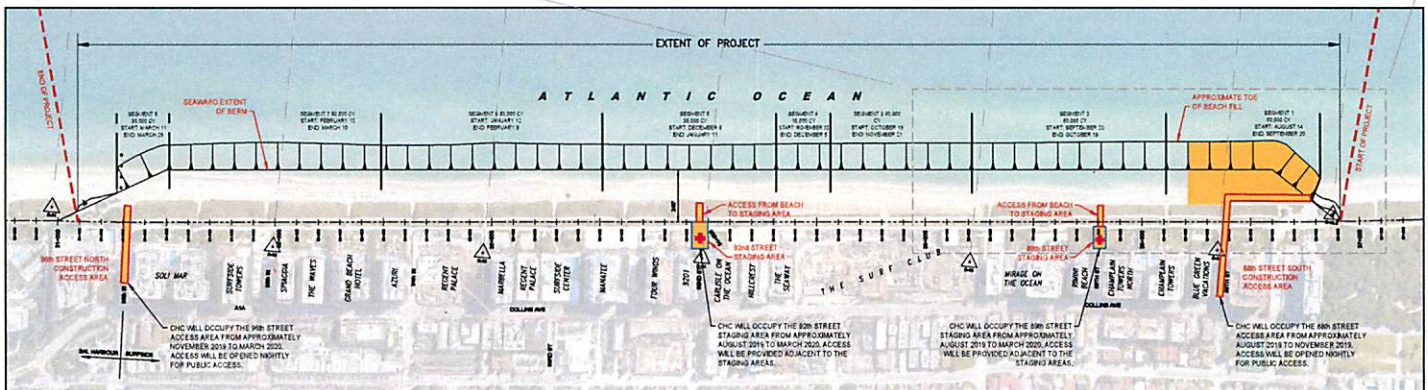
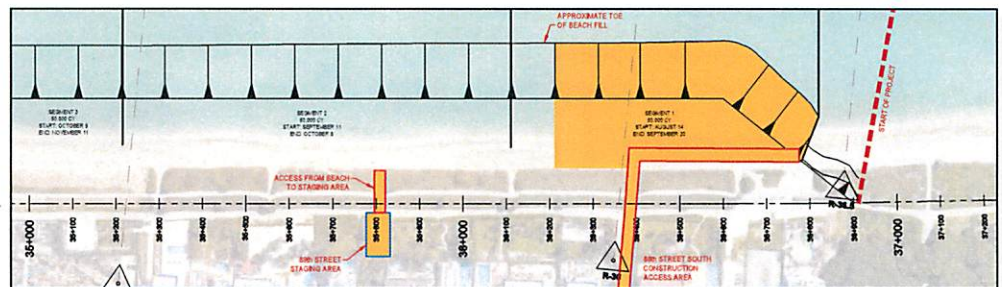
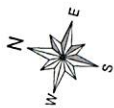
Please feel free to contact any of the following CHC Field personnel for any questions, comments or concerns.

- Ricardo Villet – Project Manager; Mobile: 305-833-6828
Email: rvillet@chcivil.com
- Francisco Juelle – Alt. Project Manager/Superintendent; Mobile: 787-238-3243
Email: fjuelle@chccaribbean.com
- Hector Sevilla- Quality Control Manager; Mobile: 954-756-5865
Email: hsevilla@chcivil.com
- Yunesky Hernandez- Project Superintendent; Mobile: 786-218-2560
Email: yhernandez@chcivil.com

PROGRESS MAP OVERVIEW

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

Last Updated: September 11, 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 |
| + | FIRST AID / EYE WASH |





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Contractor Action Items

W912EP19C0017 113082 Miami-Dade Surfside Contract A
K3001519

10 Sep 2019

Miami Resident Office

Prime Contractor Missing Critical Data

Enter missing data in "Prime Contractor"

| Prime Contractor Missing Data | Status |
|--|--------------|
| The following Prime Contractor fields need to be entered: Name, Email, | Missing Data |

Subcontractors Missing Critical Data

Enter missing data in "Subcontractors"

| Responsibility Code | Contractor Name | Trade | POC Name | Amount Subcontracted | Status |
|---------------------|-----------------|------------------|----------------|----------------------|--------------|
| CHC | CHC | Prime Contractor | Ricardo Villet | | Missing Data |
| GOV | USACE | | Chris Rego | | Missing Data |
| OHSI | Olin Hydro | Surveying | David Olin | | Missing Data |
| SEC | LSS | Security | Eliana Vita | | Missing Data |

Contractors Requiring Insurance / SF 1413

Enter expiration dates for insurance and signature date for SF1413 in "Contractor Insurance"

| Contractor | First Day on Site | Last Day on Site | General Insurance | Auto Insurance | Workman's Comp | SF1413 Acknowledged | Status |
|------------|-------------------|------------------|-------------------|----------------|----------------|---------------------|------------------|
| CHC | 08/08/2019 | | | | | | Submit documents |
| Olin Hydro | 08/08/2019 | | | | | | Submit documents |
| LSS | 08/19/2019 | | 01/02/2020 | | 01/02/2020 | 09/10/2019 | Submit documents |

Contractors Requiring Payrolls

Enter payrolls for each week shown in "Contractor Payrolls"

| Contractor | First Day on Site | Last Day on Site | Payrolls not submitted or submitted with problems | Status |
|------------|-------------------|------------------|--|------------------|
| | 08/08/2019 | | 08/11/2019, 08/18/2019, 08/25/2019, 09/08/2019, 09/15/2019 | Submit Documents |
| CHC | 08/08/2019 | | 08/11/2019, 08/18/2019, 08/25/2019, 09/01/2019, 09/08/2019, 09/15/2019 | Submit Documents |

Correspondence Requiring an Answer

The following letter(s) require an answer

| Letter No. | Subject | Letter Date | Answer Due | Status |
|------------|---|-------------|------------|-----------------|
| C-0007 | QA/QC/Safety Coordination Meeting Minutes | 09/06/2019 | 09/13/2019 | Answer Required |
| C-0008 | Payroll and Labor Hour Issues | 09/09/2019 | 09/13/2019 | Answer Required |

Daily QC Reports not Completed

Enter Daily QC Report and mark completed "Daily QC Reports"

| QC Reports not completed for the following dates | Status |
|--|---------------|
| 09/02/2019, 09/03/2019, 09/04/2019, 09/05/2019, 09/06/2019, 09/07/2019, 09/08/2019, 09/09/2019, 09/10/2019 | Not Completed |

Outstanding Deficiency Items

Enter date corrected in "Deficiency Items"

| Item No. | Date Issued | Description | Location | Status |
|----------|-------------|---|--------------|---------------|
| QA-00010 | 08/20/2019 | Since the first day of fill being brought to the project site, the USACE representative has had to inform the contractor of excess soil and dust being build up on the public road beyond the hardpack on 88th street and being tracked on to travel lanes and shoulder Collins Ave heading north. This does not comply with EM 385-1-1, Paragraph 04.B.13 and 04.B.14, and Contract Specification Section 01 55 26, Paragraph 3.1.3. | 88th Access | Not Corrected |
| QA-00019 | 08/21/2019 | The gate at the 89th staging is remaining open and unmanned leaving the area unsecure and open to public entering the area. This does not comply with CHC's security plan in Transmittal 01 50 02-2.1 that states that gates will remain locked or a flagman will be present. | 89th Staging | Not Corrected |
| QA-00021 | 08/21/2019 | There is no eye wash station at the staging area where equipment is stored/refueled and there are chemicals and other possible irritants being stored. This does not comply with EM 385-1-1, Paragraph 06.B.02.b. | Staging Area | Not Corrected |
| QA-00023 | 08/22/2019 | In performing a quick inspection of the John Deer 310E Off Road Dump Truck operating on the beach, it was observed that the daily inspection had been performed. However, upon checking the fire extinguisher, it did not have a monthly inspection or yellow tag that is being implemented around the site. This does not comply with EM 385-1-1, paragraph 09.F.01.a. | JD 310E ORDT | Not Corrected |

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Contractor Action Items

W912EP19C0017 113082 Miami-Dade Surfside Contract A
K3001519

10 Sep 2019

Miami Resident Office

Outstanding Deficiency Items

| Enter date corrected in "Deficiency Items" | | | | |
|--|-------------|--|--------------|---------------|
| Item No. | Date Issued | Description | Location | Status |
| QC-00001 | 08/21/2019 | CHC hereby acknowledges the deficiency of the vegetation protection plan at the 88th Street access. During the offloading procedures of the sand and placement on to the beach sand has accumulated in the Dune vegetation on the Northeast section of the access point. CHC is in the process of removing the accumulated sand from the vegetation. Following completion of the removal of the sand, if there are any impacts to the vegetation, CHC will mitigate the area is damaged. The impacted area is approximately 150 to 200 square feet. The coordinates of the impacted area are N 25.8733, W 80.12001. | 88th Access | Not Corrected |
| QA-00024 | 08/29/2019 | The Contractor is not labeling and keeping a log of the survey stakes as required per Contract Specification Section 35 30 00, Paragraph 3.4.2.c. | Survey | Not Corrected |
| QA-00025 | 09/05/2019 | The Gate at the 89th Street Staging does not have a continuous connection to the fencing that is grounded and is not grounded itself. Therefore, does not comply with Contract Specification Section 01 50 02, paragraph 3.8.3. | 89th Staging | Not Corrected |
| QA-00026 | 09/06/2019 | During unloading of beach fill at the 88th street access, the Contractor had spill over of fill from the bucket as it transition from the dump truck release point to the beach. This spill over went on to the dune vegetation, at the north east corner covering some vegetation. The contract picked up some but a good portion remains covered. Deficiency QC-00001 was issued for this issue but per Contract Specification Section 01 57 20, paragraph 3.1.6, if dune vegetation is impacted a plan needs to be submitted with 7 days and implemented within 30 days of the impact. This requirement has not been met. | 88th Access | Not Corrected |

Activities Scheduled to be Started in Next 7 Days

| Enter date activity started in "Activities Started/Finished" | | | | | |
|--|--------------------------------|------------|-----------------|-----------|-------------|
| Activity No. | Activity Description | Contractor | Scheduled Start | Days Late | Status |
| A1020 | End Phase 1 | CHC | 07/18/2019 | 54 days | Not Started |
| A1030 | Start Phase 2-Construction | CHC | 07/18/2019 | 54 days | Not Started |
| A1405 | Post Construction Survey Segme | GOV | 08/26/2019 | 15 days | Not Started |
| A1406 | Beach Tilling Segment One | CHC | 08/27/2019 | 14 days | Not Started |
| A1410 | Beach Fill Second Segment - 5 | CHC | 08/26/2019 | 15 days | Not Started |

Activities Scheduled to be Finished in Next 7 Days

| Enter date activity started in "Activities Started/Finished" | | | | | |
|--|--------------------------------|------------|--------------|--------------------|-------------|
| Activity No. | Activity Description | Contractor | Actual Start | Scheduled Finished | Status |
| A1010 | Start Phase 1 | CHC | 05/14/2019 | 05/17/2019 | Not Started |
| A1020 | End Phase 1 | CHC | 07/18/2019 | 07/18/2019 | Not Started |
| A1030 | Start Phase 2-Construction | CHC | 07/18/2019 | 07/18/2019 | Not Started |
| A1155 | Review/Approve - Schedule of V | GOV | 09/10/2019 | 07/17/2019 | Not Started |
| A1400 | Beach Fill First Segment - Up | CHC | 08/14/2019 | 08/23/2019 | Not Started |
| A1405 | Post Construction Survey Segme | GOV | 08/26/2019 | 08/26/2019 | Not Started |
| A1406 | Beach Tilling Segment One | CHC | 08/27/2019 | 08/27/2019 | Not Started |

Features of Work with no Activities Assigned

| Assign features to activities in "Pay Activities" | | |
|---|----------------------|---------------|
| Feature of Work | Number of Activities | Status |
| Clearing & Grubbing | 0 | No Activities |

Hazard Analysis Without Features

| Enter Hazard Analysis and complete (or assign Feature and complete) in "Hazard Analysis" | |
|--|--------------|
| Hazard Analysis Title | Status |
| Tilling | Accepted |
| Envr-Turbidity Monitoring | Not Complete |
| Demobilization | Not Complete |

Features of Work Requiring a Preparatory Inspection

| Enter date Preparatory Inspection meeting is held in "Prep/Initial Inspections" | | | | | |
|---|----------------|----------------|-----------------------|------|--------------------|
| Feature of Work | First Activity | Activity Start | Preparatory Scheduled | Time | Status |
| Coastal Vegetation Planting | | | | | Prep Not Scheduled |
| Demobilization | | | | | Prep Not Scheduled |
| Tilling | | | | | Prep Not Scheduled |

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Contractor Action Items

W912EP19C0017 113082 Miami-Dade Surfside Contract A
K3001519

10 Sep 2019

Miami Resident Office

Features of Work Requiring an Initial Inspection

Enter Scheduled Date and Time for Initial Inspection meeting is held in "Prep/Initial Inspections"

| Feature of Work | First Activity | Preparatory Held | Initial Scheduled | Time | Status |
|-----------------------------|---|------------------|-------------------|------|-----------------------|
| Beach Fill (Truck Haul) | A1400 - Beach Fill First Segment - Up | 08/12/2019 | | | Initial Not Scheduled |
| Clearing & Grubbing | | 08/12/2019 | | | Initial Not Scheduled |
| Coastal Vegetation Planting | | | | | Initial Not Scheduled |
| Demobilization | | | | | Initial Not Scheduled |
| Environmental Monitoring | A1340 - Environmental Species Coordinat | 08/12/2019 | | | Initial Not Scheduled |
| Mobilization | A1010 - Start Phase 1 | 08/07/2019 | 08/09/2019 | | Initial Not Held |
| MOT | A1170 - Prepare/Submit - Traffic Contr | 08/12/2019 | | | Initial Not Scheduled |
| Surveying | | 08/12/2019 | | | Initial Not Scheduled |
| Tilling | | | | | Initial Not Scheduled |
| Turbidity Monitoring | A1350 - Turbidity Monitoring | 08/12/2019 | | | Initial Not Scheduled |

Equipment Requiring Safety Inspection

Enter Inspection date in "Equipment Checks" or "Last Day on Site"

| Equipment ID | Make / Model | Description / Serial No. | Last Inspection | Hrs Authorized / Run | Status |
|--------------|-----------------------|----------------------------|-----------------|----------------------|--------|
| 00000011 | DOBBS 450K Bull Dozer | DOBBS 450K Bull Dozer 450K | 08/20/2019 | 0 / 10 | |

Monthly Exposure Hours Required


Enter Exposure Hours and mark completed in "Exposure Hours"

| Exposure Hours not completed for the following months | Status |
|---|---------------|
| Jun 2019 ,Jul 2019 ,Aug 2019 | Not Completed |

Range:

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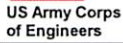
Project_USACE Surfside Project

Location: Miami-Dade County, FL

THREE WEEK LOOK AHEAD SCHEDULE

Current + 2 Weeks

| | | | | | | | | START: | | 9-Sep-19 | | | | | | | | | | | | END: | | 28-Sep-19 | | | | | |
|-------------------|---|--------|---------|-----------|----------|--------|----------|--------|---------|-----------|----------|--------|----------|--------|---------|-----------|----------|--------|----------|---|----------|--------------------------|--|-----------|--|--|--|--|--|
| | | 9-Sep | 10-Sep | 11-Sep | 12-Sep | 13-Sep | 14-Sep | 15-Sep | 16-Sep | 17-Sep | 18-Sep | 19-Sep | 20-Sep | 21-Sep | 22-Sep | 23-Sep | 24-Sep | 25-Sep | 26-Sep | 27-Sep | 28-Sep | | | | | | | | |
| ACTIVITY ID / KTR | ACTIVITY DESCRIPTION | MONDAY | TUESDAY | WEDNESDAY | THURSDAY | FRIDAY | SATURDAY | MONDAY | TUESDAY | WEDNESDAY | THURSDAY | FRIDAY | SATURDAY | MONDAY | TUESDAY | WEDNESDAY | THURSDAY | FRIDAY | SATURDAY | ITEM COMPLETED - Y/N or O Ongoing | COMMENTS | | | | | | | | |
| | Meetings | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | Preparatory Meetings for DFOV: Non Scheduled | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | Sediment Tracer Release on Surfside at 2:00 PM | | | X | | | | | | | | | | | | | | | | | | | | | | | | | |
| | Weekly Project Status Meeting | | | X | | | | | | X | | | | | | | X | | | | | Via Conf Call @ 10:30 AM | | | | | | | |
| A1330 | Vibration Control Monitoring | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| A1340 | Environmental/Turbidity Monitoring | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| A1400 | Beach Fill Segment 1: STA 36+800 to 36+100 | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | Station 36+800 to 36+600 | X | X | X | | | | | | | | | | | | | | | | | | | | | | | | | |
| | Station 36+600 to 36+500 | | | X | X | X | | | | | | | | | | | | | | | | | | | | | | | |
| | Station 36+500 to 36+400 | | | | | X | X | | | | | | | | | | | | | | | | | | | | | | |
| | Station 36+400 to 36+300 | | | | | | X | X | X | | | | | | | | | | | | | | | | | | | | |
| | Station 36+300 to 36+200 | | | | | | | X | X | X | X | X | | | | | | | | | | | | | | | | | |
| | Station 36+200 to 36+100 | | | | | | | | | | X | X | | | | | | | | | | | | | | | | | |
| A1405 | Post Construction Survey Segment 1 Sta 36+800 to 36+600 | | | | | | | | | | | | | | | X | | | | | | | | | | | | | |
| A1406 | Beach Tilling Segment 1 Sta 36+800 to 36+100 | | | | | | | | | | | | | | | | X | | | | | | | | | | | | |
| A1410 | Beach Fill Segment 2: Station 36+100 to 35+200 | | | | | | | | | | | | | | | | X | X | X | | | | | | | | | | |
| | Station 36+100 to 36+00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | Deliveries | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | None Scheduled | | | | | | | | | | | | | | | | | | | | | | | | | | | | |



W912EP19C0017 113082 Miami-Dade Surfside Contract A
K3001519

Miami Resident Office

[illegible]



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All Requests for Information

W912EP19C0017 113082 Miami-Dade Surfside Contract A
K3001519

10 Sep 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-0003 | 08/15/2019 08/16/2019 | 08/16/2019 | Ricardo Villet Christopher M. Rego, P.E. | N/A N/A | <p>INFORMATION REQUESTED: Stabilization Mats - Upon completion of the clearing and grubbing activities, it has become apparent that the hard pack conditions will not be sufficient to provide a stable driving base that the trucks will not get stuck. CHC would like to request a variance to the plans and specs to allow for the placement of the stabilization mats east of the ECL on a condition that will allow for the mats to remain in place overnight. CHC understand that measures must be put into place to serve as protection to the potential for nesting sea turtles. CHC proposes to establish a silt fence perimeter around the mats that will be placed east of the ECL. The silt fence will be installed nightly to a minimum depth of one foot below sand surface. A five foot gap in the silt fence will be placed at the west extent of the fence to allow for public access. A figure illustrating the proposed layout for the 88th Street Access is attached. Product specifications for the stabilization mats are also attached.</p> <p>GOVERNMENT RESPONSE: There is no request for information in this RFI. The Contractor is requesting a variation in regards to the requirements for the Contractor's temporary facilities and an RFI is not the manner in which to do so. The Contractor needs to follow the procedures in Contract Specification Section 01 33 00, Paragraph 1.12.6, identify what the variation being requested is and why the Government should accept it. Furthermore, the mats were addressed in the Government's response to Transmittal No. 01 50 02-4.1 "Contractor's Temporary Facilities" returned on 19 July 2019 (see attached returned 4025 and comments) and in the subsequent re-submittal the Contractor's plan did not utilize mats. If the Contractor seeks a request for a variation, they will need to make sure all the items addressed in the referenced transmittal comments above area addressed.</p> <p>Lastly, for future RFI's, ensure that the information being requested is entered under the "Information Requested" section and that the recommendation is included under the "Contractor's Recommendation" section.</p> <p>APPROVED BY: _____ Christopher M. Rego, P.E., Contracting Officer's Representative</p> |
| | | | | | |
| Page 2 of 2 Sorted by: RFI No. | | | | | |



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| Weekly Project Coordination Meeting Minutes | | | | |
|---|---|------------------------------|------------------------------------|--|
| Day: Wednesday's | | | Time: 10:30 AM | |
| Meeting #: | 10 | Call -In# | (224) 501-3412 | |
| Meeting Held: | Thursday, 09/18/2019 | Access Code: | 582-596-925 | |
| Project: | Beach Erosion Control and Hurricane Protection Project, Surfside Segment, Miami-Dade County, FL | Contract #: FDEP Permit # | W912EP-19-C-0017 0233882-010-JM | |
| | | | | |
| TEAM MEMBERS: Distribution (D) and Attendance (A) List indicated by "X" | | | | |
| D | A | Name / Title | Company/ Organization | Email Address |
| X | X | Ricardo Villet / COO | CHC | rvillet@chccivil.com |
| X | X | Francisco Juelle/PM | CHC | fjuelle@chccaribbean.com |
| X | | Yunesky Hernandez / Super | CHC | yhernandez@chccivil.com |
| X | X | Hector Sevilla / QCM | CHC | hsevilla@chccivil.com |
| X | X | Domenic DeAmicis / SSHO | CHC | ddeamicis07@gmail.com |
| X | | Geoff Reichold | The NDN Companies | Greichold@thendncompanies.com |
| X | X | Meghan Harrison | The NDN Companies | mharrison@thendncompanies.com |
| X | | William Gerrard | The NDN Companies | wgerrard@thendncompanies.com |
| X | | Nestor Rivera / COR | USACE | Nestor.A.Rivera@usace.army.mil |
| X | | Christopher Rego / COR | USACE | Christopher.M.Rego@usace.army.mil |
| X | X | Leo Bastante / COR | USACE | Leopoldo.A.Bastante@usace.army.mil |
| X | | Tony Jettinghoff/COR | | |
| X | | Brian Choate | USACE | Brian.C.Choate@usace.army.mil |
| X | | Michael Neves | USACE | Michael.P.Neves@usace.army.mil |
| X | X | Erica Skolte | USACE | Erica.A.Skolte@usace.army.mil |
| X | | Timothy Humphrey | USACE | Timothy.G.Humphrey@usace.army.mil |
| X | | Piper Austin | USACE | Piper.E.Austin@usace.army.mil |
| X | | Andrew Dutil | USACE | Andrew.S.Dutil@usace.army.mil |
| X | X | Troy Mayhew | USACE /CESAJ-EN-GG | Troy.a.mayhew@usace.army.mil |
| X | X | Guillermo Olmedillo | Town of Surfside | golmedillo@townofsurfsidefl.gov |
| X | X | Duncan Tavares | Town of Surfside | dtavares@townofsurfsidefl.gov |
| X | X | Randy Stokes | Town of Surfside-PWD | rstokes@townofsurfsidefl.gov |
| X | | Irina Mocanu | Town of Surfside | imocanu@townofsurfsidefl.gov |



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| | | | | |
|---|---|--------------------------|------------------------|--|
| X | | Lindsay Fast | Town of Surfside | lfast@townofsurfsidefl.gov |
| X | X | Lt. John Healy | TOS Police Dept. | jhealy@townofsurfsidefl.gov |
| X | | Julio Yero | TOS Police Dept. | jyero@townofsurfsidefl.gov |
| X | | John Bambis | TOS Police Dept. | jbambis@townofsurfsidefl.gov |
| X | | Julio Nores | DERM-RER | Julio.Nores@miamidade.gov |
| X | | Libbie McDearmid | Florida DEP | Libbie.McDearmid@FloridaDEP.gov |
| X | | Teal Kawana | MDPR | teal.kawana@miamidade.gov |
| X | X | Colette Biondi | MDPR | Colette.Biondi@miamidade.gov |
| X | | Carlos Fernandez-Quevedo | MDPR | Carlos.Fernandez-Quevedo@miamidade.gov |
| X | | Paul Voight | MDCP-RER | Paul.Voight@miamidade.gov |
| X | X | Sarah Thanner | MDCP-RER | Sara.Thanner@miamidade.gov |
| X | | Kelli Stamm | Precision Measurements | kstamm@precisionmeasurements.com |

WEEKLY PROGRESS MEETING MINUTES

1.0 Review minutes from previous progress meeting:

1.1 Any Corrections?

2.0 Review RMS Contractor Action Item Report:

2.1 Attached contractors' updates for action items list.

3.0 Review work progress since previous meeting:

3.1 Segment-1 (Station 36+900 - 36+100)

- Worked on beach fill Station 36+700 to 36+500
- Continued Truck Hauling.
- Segment-1 (Station 36+900 - 36+100)
- 2,168 Total truck loads as of end of day Sept. 17th (avg. 170 trucks per day)
- 48,609.21 Total Tons placed as of end of day Sept. 17th.

3.2 USACE held site visit on Wednesday Sept 11 at 2:00PM to discuss Sediment tracer release on Surfside; further information will be provided by USACE.

4.0 Review current definable feature of work:

4.1 Vibration Monitoring: No issues; continuing monitoring 24/7.

- Report No. 2 has been submitted unreview. No reported issues.



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4.2 Environmental/Turbidity Monitoring:

- Contractor receives daily Turtle Nesting clearance notification prior start of each workday. No delays up to date.
- Meghan H.-NDN stated that turbidity monitoring is taking place, took comparison and all in compliance.
- No invasive species throughout the perimeter of the project has been found nor any turtle nesting.
- Erika S.-USACE asked if the sediment tracers are visible on the beach? Hector S. CHC- stated that we have no comment at this time, the USACE made a site visit, further information can be attained through Chris R.-USACE.

4.3 Beach Fill (Truck Haul):

- *Segment-1 (Station 36+900 - 36+100)*
 - Currently working Station 36+600 through 36+500
 - Scheduled survey for this Thursday Sept. 19th in the afternoon for acceptance of Station 36+500 to 36+550, continuously work from the northern point to southern end of the project
 - Expected completion of segment-1 is October 10th.

Open Items:

1. *Pre & Post Hurricane survey, CHC and USACE to review survey data, delays and loss of material.*
2. Chris R.-USACE mentioned that USACE/CHC need to perform the "initial inspection" phase for all the definable feature of work that's ongoing.

5.0 Review construction project schedule:

- 5.1 CHC and USACE held meeting this Monday Aug. 16th for the monthly updated schedule review. CHC preparing for submission.
- 5.2 See attached 3-week look ahead.

6.0 Submittal and RFI's:

6.1 Submittals Under Review

- See attached submittals under review log, no critical submittals are overdue at this time, only updates submittals are under submission.

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

- No RFI's are pending.
- Request specs for type of materials requirements for the hard pack at truck haul access road. CHC would like to place and stabilize materials before placing mats. Submittal is forth coming.

7.0 Review off-site activities:

- Employee parking & staging site for trucking at Haulover Park; trucks arrive and are dispatch to project site. No reported issues.



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8.0 Review Site Safety & Deficiencies:

8.1 Domenic D.-CHC SSHO review weekly safety briefings and deficiencies.

- Zero incidents since project start of project.
- Weekly Safety Meetings Topic: "Hydration"
- Domenic D.-CHC meet with USACE for follow up site safety inspections.
- Near Miss: Yesterday in the afternoon a situation with truck traffic and a resident occurred. The resident bypassed (go around) a truck that was waiting to be instructed to enter the construction area. At the same time a truck was exiting the construction area. CHC personnel tried to avoid a possible collision due to the resident action. Resident claims that our flagger expressed aggressive tone of voice to resident while trying to enter the building on his vehicle.

The resident complained and stated that he was not happy with one of our flaggers at the access area on 88th street entrance into the building parking.

The reality is that our personnel have been proactive and aware that residents, pedestrian's safety and means of egress is priority.

Sometimes the residents and pedestrians ignore our effort to keep the traffic a safe environment.

- Guillermo O.-TOS noted that we have to provide access to residence at all time although appreciates CHC efforts to maintain clear access.
- Francisco J.-CHC added that CHC personnel are instructed to avoid any confrontation, communication and or conversation when if the public get uncomfortable to avoid any conflicts which are required to contact the managers on site immediately, although CHC is doing its best to maintain public service.
- Lt. Healy-TOSPD stated that they haven't been called for that incident if they do, one of the officers will address the issue.

9.0 Review / Update Joint Risk Management Register:

9.1 Ongoing JRMR USACE and Contractor.

10.0 Modifications, Changes, Substitutions to the Contract:

10.1 None.

11.0 Other Business:

- *09/11/19: Guillermo O.-TOS mentioned and asked on behalf a nonprofit organization requested TOS that the diverted dunes that is planned to be removed on 96th street requested to see if it is possible not to remove the dunes, but to take from the other side? If it's complicated leave the program as scheduled and replace the dune when the project is completed; The claim is that there is a lot of Scaevola on the north side of 96th street dune, when public works*



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inspected and noticed that there's also a lot of sea grapes in the area. If the answer is "no" its fine and will relay the information back to the organization. Hector S.-CHC stated that CHC will not shutdown on the question and requested a follow up meeting with Guillermo O. to review the request and go over the approved plans and determine what can be done. Chris. R-USACE mentioned that we have to get together and review depending what's allowed on the contract documents. Update 09/18/19: Schedule meeting with Guillermo O.-TOS and USACE for site walkthrough with Chris R.-USACE when he returns next week to go through the plans and specs.

- Duncan T.-TOS: Would like to make note that there's no workdays due to Jewish Holidays on Monday Sept. 30th and Tuesday Oct. 1st. 2019.
- Francisco J.-CHC: Noted that we have been working on Saturday from 9:00AM to 2:00PM for maintenance, although we will start hauling material this Saturday from 9:30AM to 2:00PM in order to keep up with the schedule since we lost a week due to the hurricane scare. We will start working on Saturdays to the end of the job. Lt. Healy-TOSPD asked to what time are the hauling hours? Francisco J.-CHC responded that the contract hours are from 9:00AM to 5:00PM. Erica S.-USACE asked if CHC is going to be hauling material until 2:00PM? Francisco J. we will not be hauling the same amount we normally do on the weekdays we will haul approximate 100 truck loads enough time to shutdown by 5:00PM. Leo B.-USACE asked if this has been coordinated with the mine? Francisco J.-CHC responded yes it has been coordinated with the mine and the trucking companies.

End of Meeting

Next Meeting Date: Wednesday, 09/25/19 @ 10:30 A.M.

Location: Conference call

Call In: (224) 501-3412

Access Code: 582-596-925

MEETING ADJOURNED – THANK YOU

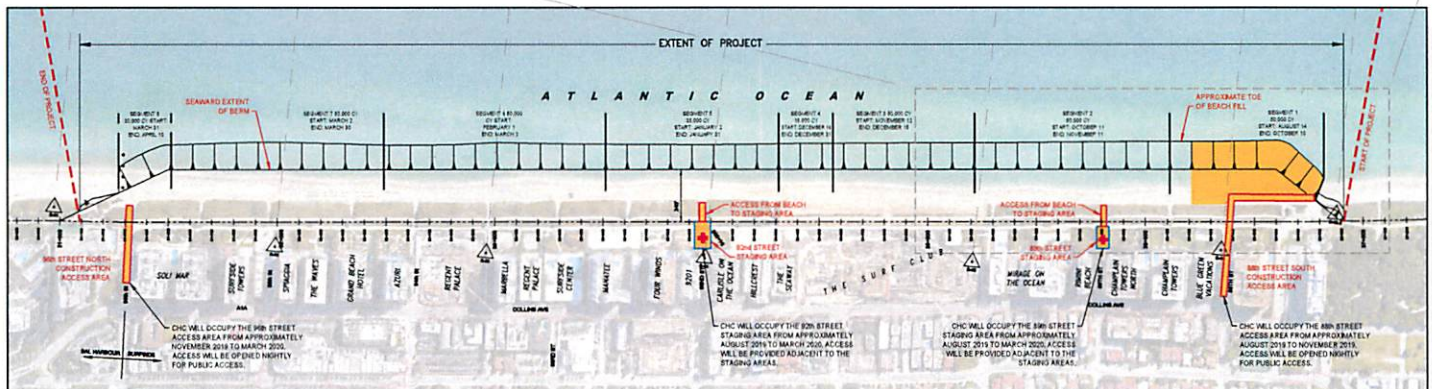
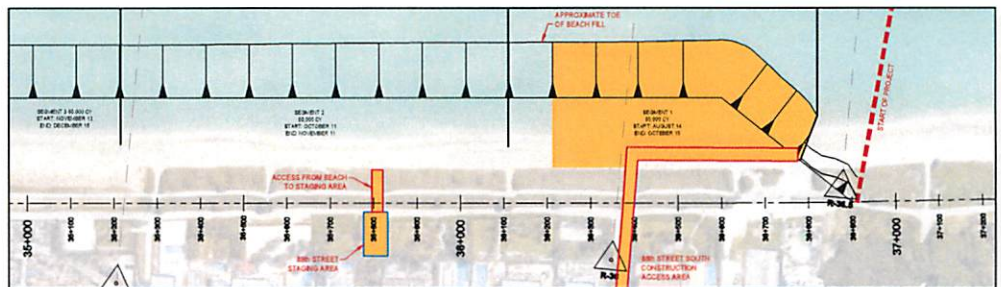
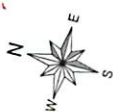
Please feel free to contact any of the following CHC Field personnel for any questions, comments or concerns.

- Ricardo Villet – Project Manager; Mobile: 305-833-6828
Email: rvillet@chcivil.com
- Francisco Juelle – Alt. Project Manager/Superintendent; Mobile: 787-238-3243
Email: fjuelle@chccaribbean.com
- Hector Sevilla- Quality Control Manager; Mobile: 954-756-5865
Email: hsevilla@chcivil.com
- Yunesky Hernandez- Project Superintendent; Mobile: 786-218-2560
Email: yhernandez@chcivil.com

PROGRESS MAP OVERVIEW

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


Last Updated: September 18, 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 |
| + | FIRST AID / EYE WASH |





Project: USACE Surfside Project

Location: Miami-Dade County, FL

THREE WEEK LOOK AHEAD SCHEDULE

Current + 2 Weeks

| ACTIVITY ID / KTR | ACTIVITY DESCRIPTION | 16-Sep-19 | | | | | | | | | | | | | | 5-Oct-19 | | | | | ITEM COMPLETED - Y/N or O Ongoing | COMMENTS |
|-------------------|---|-----------|---------|-----------|----------|--------|----------|--------|---------|-----------|----------|--------|----------|--------|---------|-----------|----------|--------|--------------------------|--|---|----------|
| | | 16-Sep | 17-Sep | 18-Sep | 19-Sep | 20-Sep | 21-Sep | 23-Sep | 24-Sep | 25-Sep | 26-Sep | 27-Sep | 28-Sep | 30-Sep | 1-Oct | 2-Oct | 3-Oct | 4-Oct | 5-Oct | | | |
| | | MONDAY | TUESDAY | WEDNESDAY | THURSDAY | FRIDAY | SATURDAY | MONDAY | TUESDAY | WEDNESDAY | THURSDAY | FRIDAY | SATURDAY | MONDAY | TUESDAY | WEDNESDAY | THURSDAY | FRIDAY | SATURDAY | | | |
| | Meetings | | | | | | | | | | | | | | | | | | | | | |
| | Preparatory Meetings for DFOV: Non Scheduled | | | | | | | | | | | | | | | | | | | | | |
| | Weekly Project Status Meeting | | | X | | | | | | X | | | | | | X | | | Via Conf Call @ 10:30 AM | | | |
| A1330 | Vibration Control Monitoring | | | | | | | | | | | | | | | | | | | | | |
| A1340 | Environmental/Turbidity Monitoring | | | | | | | | | | | | | | | | | | | | | |
| A1400 | Beach Fill Segment 1: STA 36+800 to 36+100 | | | | | | | | | | | | | | | | | | | | | |
| | Station 36+800 to 36+600 | | | X | X | X | | | | | | | | | | | | | | | | |
| | Station 36+600 to 36+500 | X | X | X | | | | | | | | | | | | | | | | | | |
| | Station 36+500 to 36+400 | | | | | X | X | X | | | | | | | | | | | | | | |
| | Station 36+400 to 36+300 | | | | | | | X | X | X | | | | | | | | | | | | |
| | Station 36+300 to 36+200 | | | | | | | | | X | X | X | X | | | | | | | | | |
| | Station 36+200 to 36+100 | | | | | | | | | | | X | X | | | | | | | | | |
| A1405 | Post Construction Survey Segment 1 Sta 36+800 to 36+600 | | | | | | | | | | | | | | | X | | | | | | |
| A1406 | Beach Tilling Segment 1 Sta 36+800 to 36+100 | | | | | | | | | | | | | | | X | | | | | | |
| A1410 | Beach Fill Segment 2: Station 36+100 to 35+200 | | | | | | | | | | | | | | | X | X | X | | | | |
| | Station 36+100 to 36+00 | | | | | | | | | | | | | | | | X | X | | | | |
| | Deliveries | | | | | | | | | | | | | | | | | | | | | |
| | None Scheduled | | | | | | | | | | | | | | | | | | | | | |

Non Work Day (Fresh Hashanah)

Non Work Day (Fresh Hashanah)



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Contractor Action Items

W912EP19C0017 113082 Miami-Dade Surfside Contract A
K3001519

18 Sep 2019

Miami Resident Office

Prime Contractor Missing Critical Data

Enter missing data in "Prime Contractor"

Prime Contractor Missing Data

Status

The following Prime Contractor fields need to be entered: Name, Email,

Missing Data

Subcontractors Missing Critical Data

Enter missing data in "Subcontractors"

| Responsibility Code | Contractor Name | Trade | POC Name | Amount Subcontracted | Status |
|---------------------|-----------------|------------------|----------------|----------------------|--------------|
| CHC | CHC | Prime Contractor | Ricardo Villet | | Missing Data |
| GOV | USACE | | Chris Rego | | Missing Data |

Contractors Requiring Insurance / SF 1413

Enter expiration dates for insurance and signature date for SF1413 in "Contractor Insurance"

| Contractor | First Day on Site | Last Day on Site | General Insurance | Auto Insurance | Workman's Comp | SF1413 Acknowledged | Status |
|------------|-------------------|------------------|-------------------|----------------|----------------|---------------------|------------------|
| CHC | 08/08/2019 | | | | | | Submit documents |
| Olin Hydro | 08/08/2019 | | | | | | Submit documents |
| LSS | 08/19/2019 | | 01/02/2020 | | 01/02/2020 | 09/10/2019 | Submit documents |

Contractors Requiring Payrolls

Enter payrolls for each week shown in "Contractor Payrolls"

| Contractor | First Day on Site | Last Day on Site | Payrolls not submitted or submitted with problems | Status |
|------------|-------------------|------------------|--|------------------|
| | 08/08/2019 | | 09/08/2019, 09/15/2019, 09/22/2019 | Submit Documents |
| CHC | 08/08/2019 | | 08/11/2019, 08/18/2019, 08/25/2019, 09/01/2019, 09/08/2019, 09/15/2019, 09/22/2019 | Submit Documents |

Daily QC Reports not Completed

Enter Daily QC Report and mark completed "Daily QC Reports"

QC Reports not completed for the following dates

Status

09/16/2019, 09/17/2019

Not Completed

Outstanding Deficiency Items

Enter date corrected in "Deficiency Items"

| Item No. | Date Issued | Description | Location | Status |
|----------|-------------|---|--------------|---------------|
| QA-00010 | 08/20/2019 | Since the first day of fill being brought to the project site, the USACE representative has had to inform the contractor of excess soil and dust being build up on the public road beyond the hardpack on 88th street and being tracked on to travel lanes and shoulder Collins Ave heading north. This does not comply with EM 385-1-1, Paragraph 04.B.13 and 04.B.14, and Contract Specification Section 01 55 26, Paragraph 3.1.3. | 88th Access | Not Corrected |
| QA-00023 | 08/22/2019 | In performing a quick inspection of the John Deer 310E Off Road Dump Truck operating on the beach, it was observed that the daily inspection had been performed. However, upon checking the fire extinguisher, it did not have a monthly inspection or yellow tag that is being implemented around the site. This does not comply with EM 385-1-1, paragraph 09.F.01.a. | JD 310E ORDT | Not Corrected |
| QC-00001 | 08/21/2019 | CHC hereby acknowledges the deficiency of the vegetation protection plan at the 88th Street access. During the offloading procedures of the sand and placement on to the beach sand has accumulated in the Dune vegetation on the Northeast section of the access point. CHC is in the process of removing the accumulated sand from the vegetation. Following completion of the removal of the sand, if there are any impacts to the vegetation, CHC will mitigate the area is damaged. The impacted area is approximately 150 to 200 square feet. The coordinates of the impacted area are N 25.8733, W 80.12001. | 88th Access | Not Corrected |
| QA-00026 | 09/06/2019 | During unloading of beach fill at the 88th street access, the Contractor had spill over of fill from the bucket as it transition from the dump truck release point to the beach. This spill over went on to the dune vegetation, at the north east corner covering some vegetation. The contract picked up some but a good portion remains covered. Deficiency QC-0001 was issued for this issue but per Contract Specification Section 01 57 20, paragraph 3.1.6, if dune vegetation is impacted a plan needs to be submitted with 7 days and implemented within 30 days of the impact. This requirement has not been met. | 88th Access | Not Corrected |

Activities Scheduled to be Started in Next 7 Days

Enter date activity started in "Activities Started/Finished"

| Activity No. | Activity Description | Contractor | Scheduled Start | Days Late | Status |
|--------------|----------------------------|------------|-----------------|-----------|-------------|
| A1020 | End Phase 1 | CHC | 07/18/2019 | 62 days | Not Started |
| A1030 | Start Phase 2-Construction | CHC | 07/18/2019 | 62 days | Not Started |

Range:

Page 1 of 3

Sorted by:



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Contractor Action Items

W912EP19C0017 113082 Miami-Dade Surfside Contract A
K3001519

18 Sep 2019

Miami Resident Office

Activities Scheduled to be Started in Next 7 Days

| Enter date activity started in "Activities Started/Finished" | | | | | |
|--|--------------------------------|------------|-----------------|-----------|-------------|
| Activity No. | Activity Description | Contractor | Scheduled Start | Days Late | Status |
| A1405 | Post Construction Survey Segme | GOV | 08/26/2019 | 23 days | Not Started |
| A1406 | Beach Tilling Segment One | CHC | 08/27/2019 | 22 days | Not Started |
| A1410 | Beach Fill Second Segment - 5 | CHC | 08/26/2019 | 23 days | Not Started |
| A1412 | Post Construction Survey Segme | GOV | 09/23/2019 | 5 days | Not Started |
| A1417 | Beach Tilling Segment Two | CHC | 09/24/2019 | 6 days | Not Started |
| A1420 | Beach Fill Third Segment - 10 | CHC | 09/23/2019 | 5 days | Not Started |

Activities Scheduled to be Finished in Next 7 Days

| Enter date activity started in "Activities Started/Finished" | | | | | |
|--|--------------------------------|------------|--------------|--------------------|-------------|
| Activity No. | Activity Description | Contractor | Actual Start | Scheduled Finished | Status |
| A1010 | Start Phase 1 | CHC | 05/14/2019 | 05/17/2019 | Not Started |
| A1020 | End Phase 1 | CHC | 07/18/2019 | 07/18/2019 | Not Started |
| A1030 | Start Phase 2-Construction | CHC | 07/18/2019 | 07/18/2019 | Not Started |
| A1400 | Beach Fill First Segment - Up | CHC | 08/14/2019 | 08/23/2019 | Not Started |
| A1405 | Post Construction Survey Segme | GOV | 08/26/2019 | 08/26/2019 | Not Started |
| A1406 | Beach Tilling Segment One | CHC | 08/27/2019 | 08/27/2019 | Not Started |
| A1410 | Beach Fill Second Segment - 5 | CHC | 08/26/2019 | 09/20/2019 | Not Started |
| A1412 | Post Construction Survey Segme | GOV | 09/23/2019 | 09/23/2019 | Not Started |
| A1417 | Beach Tilling Segment Two | CHC | 09/24/2019 | 09/24/2019 | Not Started |

Features of Work with no Activities Assigned

| Assign features to activities in "Pay Activities" | | |
|---|----------------------|---------------|
| Feature of Work | Number of Activities | Status |
| Clearing & Grubbing | 0 | No Activities |

Hazard Analysis Without Features

| Enter Hazard Analysis and complete (or assign Feature and complete) in "Hazard Analysis" | |
|--|--------------|
| Hazard Analysis Title | Status |
| Tilling | Accepted |
| Envr-Turbidity Monitoring | Not Complete |
| Demobilization | Not Complete |

Features of Work Requiring a Preparatory Inspection

| Enter date Preparatory Inspection meeting is held in "Prep/Initial Inspections" | | | | | |
|---|----------------|----------------|-----------------------|------|--------------------|
| Feature of Work | First Activity | Activity Start | Preparatory Scheduled | Time | Status |
| Coastal Vegetation Planting | | | | | Prep Not Scheduled |
| Demobilization | | | | | Prep Not Scheduled |
| Tilling | | | | | Prep Not Scheduled |

Features of Work Requiring an Initial Inspection

| Enter Scheduled Date and Time for Initial Inspection meeting is held in "Prep/Initial Inspections" | | | | | |
|--|---|------------------|-------------------|------|-----------------------|
| Feature of Work | First Activity | Preparatory Held | Initial Scheduled | Time | Status |
| Beach Fill (Truck Haul) | A1400 - Beach Fill First Segment - Up | 08/12/2019 | | | Initial Not Scheduled |
| Clearing & Grubbing | | 08/12/2019 | | | Initial Not Scheduled |
| Coastal Vegetation Planting | | | | | Initial Not Scheduled |
| Demobilization | | | | | Initial Not Scheduled |
| Environmental Monitoring | A1340 - Environmental Species Coordinat | 08/12/2019 | | | Initial Not Scheduled |
| Mobilization | A1010 - Start Phase 1 | 08/07/2019 | 08/09/2019 | | Initial Not Held |
| MOT | A1170 - Prepare/Submit - Traffic Contr | 08/12/2019 | | | Initial Not Scheduled |
| Surveying | | 08/12/2019 | | | Initial Not Scheduled |
| Tilling | | | | | Initial Not Scheduled |
| Turbidity Monitoring | A1350 - Turbidity Monitoring | 08/12/2019 | | | Initial Not Scheduled |

Range:

Page 2 of 3

Sorted by:



US Army Corps
of Engineers

Contractor Action Items

W912EP19C0017 113082 Miami-Dade Surfside Contract A
K3001519

18 Sep 2019

Miami Resident Office

Equipment Requiring Safety Inspection

Enter Inspection date in "Equipment Checks" or "Last Day on Site"

| Equipment ID | Make / Model | Description / Serial No. | Last Inspection | Hrs Authorized / Run | Status |
|--------------|-----------------------|----------------------------|-----------------|----------------------|--------|
| 00000011 | DOBBS 450K Bull Dozer | DOBBS 450K Bull Dozer 450K | 08/20/2019 | 0 / 10 | |

Monthly Exposure Hours Required

Enter Exposure Hours and mark completed in "Exposure Hours"

| Exposure Hours not completed for the following months | Status |
|---|---------------|
| Jun 2019 ,Jul 2019 ,Aug 2019 | Not Completed |

Range:

Page 3 of 3

Sorted by:

TOWN OF SURFSIDE, FLORIDA
MONTHLY BUDGET TO ACTUAL SUMMARY

FISCAL YEAR 2018/2019

As of AUGUST 31, 2019

83% OF YEAR EXPIRED (BENCHMARK)

Agenda Item #

Page

1 of 3

Agenda Date: September 10, 2019

| GOVERNMENTAL FUNDS | ACTUAL | ANNUAL BUDGET | % BUDGET |
|---|----------------------|---------------|----------|
| GENERAL FUND - 001 | | | |
| REVENUE | \$ 15,522,722 | \$16,622,251 | 93% |
| EXPENDITURES | 11,182,201 | \$16,622,251 | 67% |
| Net Change in Fund Balance | 4,340,521 | | |
| Fund Balance-September 30, 2018 (Audited) | 10,902,050 | | |
| Fund Balance-August 31, 2019 (Reserves) | <u>\$ 15,242,571</u> | | |
| TOURIST RESORT FUND - 102 | | | |
| REVENUE | \$ 3,595,514 | \$2,940,500 | 122% |
| EXPENDITURES | 2,400,843 | \$2,940,500 | 82% |
| Net Change in Fund Balance | 1,194,671 | | |
| Fund Balance-September 30, 2018 (Audited) | 356,313 | | |
| Fund Balance-August 31, 2019 (Reserves) | <u>\$ 1,550,984</u> | | |
| POLICE FORFEITURE FUND - 105 | | | |
| 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-August 31, 2019 (Reserves) | <u>\$ 105,093</u> | | |
| TRANSPORTATION SURTAX FUND - 107 | | | |
| REVENUE | \$ 137,094 | \$231,262 | 59% |
| EXPENDITURES | 198,503 | \$231,262 | 86% |
| Net Change in Fund Balance | (61,409) | | |
| Fund Balance-September 30, 2018 (Audited) | 263,292 | | |
| Fund Balance-August 31, 2019 (Reserves) | <u>\$ 201,883</u> | | |
| BUILDING FUND - 150 | | | |
| REVENUE | \$ 772,286 | \$1,427,535 | 54% |
| EXPENDITURES | 1,112,223 | \$1,427,535 | 78% |
| Net Change in Fund Balance | (339,937) | | |
| Fund Balance-September 30, 2018 (Audited) | 2,760,673 | | |
| Fund Balance-August 31, 2019 (Reserves) | <u>\$ 2,420,736</u> | | |
| CAPITAL PROJECTS FUND - 301 | | | |
| REVENUE | \$ 922,384 | \$1,470,000 | 63% |
| EXPENDITURES | 341,283 | \$1,470,000 | 23% |
| Net Change in Fund Balance | 581,101 | | |
| Fund Balance-September 30, 2018 (Audited) | 2,158,902 | | |
| Fund Balance-August 31, 2019 (Reserves) | <u>\$ 2,740,003</u> | | |

NOTES:

* Many revenues for August 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 | ANNUAL BUDGET | % BUDGET |
|-------------------|--------|---------------|----------|
|-------------------|--------|---------------|----------|

WATER & SEWER FUND - 401

| | | | |
|--|-------------------------|-------------|-----|
| REVENUE | \$ 3,596,320 | \$3,807,941 | 94% |
| EXPENDITURES | 2,506,628 | \$3,807,941 | 66% |
| Change in Net Position | 1,089,692 | | |
| Unrestricted Net Position-September 30, 2018 (Audited) | (2,546,398) | | |
| Unrestricted Net Position-August 31, 2019 (Reserves) | <u>\$ (1,456,706) B</u> | | |

MUNICIPAL PARKING FUND - 402

| | | | |
|--|---------------------|-------------|------|
| REVENUE | \$ 1,309,661 | \$1,219,000 | 107% |
| EXPENDITURES | 996,040 | \$1,219,000 | 82% |
| Change in Net Position | 313,621 | | |
| Unrestricted Net Position-September 30, 2018 (Audited) | 943,315 | | |
| Unrestricted Net Position-August 31, 2019 (Reserves) | <u>\$ 1,256,936</u> | | |

SOLID WASTE FUND - 403

| | | | |
|--|-------------------|-------------|-----|
| REVENUE | \$ 1,664,547 | \$1,910,182 | 87% |
| EXPENDITURES | 1,561,825 | \$1,910,182 | 82% |
| Change in Net Position | 102,722 | | |
| Unrestricted Net Position-September 30, 2018 (Audited) | 601,201 | | |
| Unrestricted Net Position-August 31, 2019 (Reserves) | <u>\$ 703,923</u> | | |

STORMWATER FUND - 404

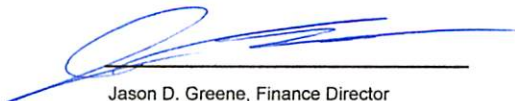
| | | | |
|--|---------------------|-----------|-----|
| REVENUE | \$ 520,087 | \$753,064 | 69% |
| EXPENDITURES | 382,187 | \$753,064 | 51% |
| Change in Net Position | 137,900 | | |
| Unrestricted Net Position-September 30, 2018 (Audited) | 3,203,878 | | |
| Unrestricted Net Position-August 31, 2019 (Reserves) | <u>\$ 3,341,778</u> | | |

FLEET MANAGEMENT FUND - 501

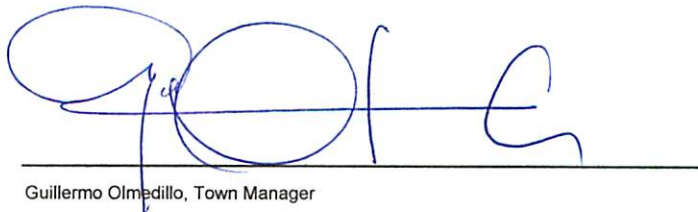
| | | | |
|--|-------------------|-------------|-----|
| REVENUE | \$ 1,091,302 | \$1,237,057 | 88% |
| EXPENDITURES | 621,185 | \$1,237,057 | 50% |
| Change in Net Position | 470,117 | | |
| Unrestricted Net Position-September 30, 2018 (Audited) | 0 | | |
| Unrestricted Net Position-August 31, 2019 (Reserves) | <u>\$ 470,117</u> | | |

NOTES:(con't)

- B. The Unrestricted Net Position of (\$1,456,706) 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.



Jason D. Greene, Finance Director



Guillermo Olmedillo, Town Manager

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

| FUND | 9/30/2015 | 9/30/2016 | 9/30/2017 | 9/30/2018 | 8/31/2019 | CAGR ^(a) |
|-----------------------|---------------------|----------------------|----------------------|----------------------|----------------------|----------------------------|
| General | \$ 5,905,726 | \$ 7,368,408 | \$ 8,460,802 | \$ 10,902,050 | \$ 15,242,571 | 22.7% |
| Tourist Resort | 339,396 | 363,407 | 469,880 | 356,313 | 1,550,984 | 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 | 201,883 | -15.8% |
| Building | - | - | 1,742,910 | 2,760,673 | 2,420,736 | 25.9% |
| Capital Projects | 182,903 | 1,154,352 | 576,122 | 2,158,902 | 2,740,003 | 127.7% |
| Water & Sewer | (2,705,871) | (2,827,890) | (3,048,579) | (2,546,398) | (1,456,706) | -2.0% |
| Municipal Parking | 1,089,165 | 1,111,941 | 811,013 | 943,315 | 1,256,936 | -4.7% |
| Solid Waste | 340,391 | 245,941 | 429,743 | 601,201 | 703,923 | 20.9% |
| Stormwater | 4,051,768 | 3,392,370 | 3,264,379 | 3,203,878 | 3,341,778 | -7.5% |
| Fleet Management | - | - | - | - | 470,117 | N/A |
| Total | \$ 9,757,571 | \$ 11,304,548 | \$ 13,259,566 | \$ 18,802,753 | \$ 26,577,318 | 28.5% |

(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: October 2, 2019

SUBJECT: Office of the Town Attorney Report for October 10, 2019

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

September 10, 2019 – First Budget Public Hearing, Town Commission

September 10, 2019 – Regular Commission Meeting

September 18, 2019 – Sustainability & Resiliency Committee

September 19, 2019 – Joint Special Meeting Town Commission and Planning & Zoning Board

September 24, 2019 - Second Budget Public Hearing, Town Commission

September 24, 2019 - Executive Session with Commission FOP Labor

September 26, 2019 – Planning & Zoning Board Meeting

Members of the firm assisted with the agendas and 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, budgetary requirements and approval process, 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 Cone of Silence
- Anti-Semitic Ordinance
- Pension Board Ordinance
- Tree Planting and Mulch In the Public Right Away Ordinance
- Ethics Ordinance
- Driveway Modifications
- Ordinance Banning Plastic Straws and Resolution Establishing Fees/Fines for Violations
- Solar Panel Permitting Ordinance and Resolution Providing for Waiver of Fees and Expediting of Permit Process
- Ordinance Lifting Prohibition on Surfboards
- Ordinance on Building Lengths and Building Separations
- Ordinance Revising Development Application Procedures
- Ordinance on Marine Turtle Lighting
- Ordinance on Development Approvals Procedures
- Ordinance on Cone of Silence Procurement Process
- Sensible Gun Reform Resolution
- Plastic Bag Ban Legislation and Analysis
- Tourist Board Agreements and Procurement
- Public Records and Subpoena Requests for Documents
- Sustainability Initiatives and Legislation
- Firearm Preemption Lawsuit
- Beach Furniture Ordinance and Regulations
- Comprehensive Plan Amendments
- 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 and Repeal of Ordinance
- Ordinance Regulating Hurricane Shutters
- Ordinance Regarding Waiver of Lobbyist Registration Fees for Town Businesses.
- Ordinance Amending Qualifying Dates for March 17, 2020 Election
- Ordinance Restricting Hotel Accessory Uses in H40 District South of 93 Street
- Resolution and Preparation of Adoption of Travel, Transportation and Meal Policy for Town Officials and Employees
- Resolutions Adopting Proposed 2019/2020 Millage Rate and Budget
- Regulation of Herbicides
- Ordinance Establishing Limitations for Hotels in the H40 District South of 93 Street
- Renewal/Amendment of Post Office Lease with USPS

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, programs and legislation, issues pertaining to the Downtown Vision Advisory Committee and Sustainability and Resiliency Committee, enforcement of beach furniture regulations and policies, sidewalk café permits and compliance, private alley compliance issues, stormwater utility fees' methodology and collection, ADA website compliance issues, challenge to and implementation of the single-use plastic straw regulation ordinance, upcoming variance requests and quasi-judicial hearings, texting policy, and various procurements and service or provider agreements.



Town of Surfside

DOWNTOWN VISION ADVISORY COMMITTEE MINUTES

June 20, 2019 – 6:00 p.m.

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

Opening Items:

1. Call to Order/Roll Call

Vice Chair Kula called the meeting to order at 6:10pm and recognized former Mayor Eli Tourgeman from the public.

The following Members introduced themselves:

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

Absent: Chair Shaun Grenald
Asmaa Benkirane
Commissioner Barry Cohen, Commission Liaison*

Also present: Guillermo Olmedillo, Town Manager
Duncan Tavares, Assistant Town Manager
Frank Trigueros, Marketing & Special Projects Coordinator
Frantza Duval, Recording Clerk
Elinor Joseph, Parking Operations Manager
John Bambis, Police Captain
Alan Graham, Code Compliance Director
Jeff Lehman, Tourist Board Liaison

2. Approval of Minutes: May 16, 2019

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

*Commissioner Cohen, Downtown Vision Advisory Committee Liaison, arrived at 6:20pm

3. Meeting Recap

Vice Chair Kula spoke that a discussion item that was brought to his attention by former Mayor Tourgeman and he would like the DVAC to discuss before proceeding with the regular agenda.

Committee Member Meischeid made a motion to add "Single-Use Plastic" to the agenda. The motion received a second from Committee Member Landsman and all voted in favor.

Former Mayor Tourgeman spoke in regards to the single-use plastics ban that was passed at first reading at the May Town Commission meeting. He mentioned that approximately 10 businesses within the business district did not support the single-use plastics ban for various reasons: religious, legal, cost, as well as others. Additionally, he mentioned that he was planning to put together a petition for the local businesses to sign against the single-use plastics ban that was being proposed.

His request was for the DVAC to propose an urging resolution that the Town Commission not adopt this resolution, and to support the downtown businesses at the next Commission meeting in urging the Commission to vote against the single use plastics ban.

Discussion ensued in regards to the scope and mandate of the Committee, and whether this topic fit into that.

After further discussion Committee Member Kousoulas made a motion to remain silent on the issue of single-use plastic. The motion received a second from Committee Member Landsman and all voted in favor.

Committee Member Landsman encouraged Mr. Tourgeman to get the Surfside Business Association together and more active so that they can approach the Downtown Vision Advisory Committee with their recommendations and needs moving forward.

A. Hurricane Shutter Recommendation to Town Commission

Assistant Town Manager Tavares introduced the item and stated that the after discussion at the Commission level, it was approved to be introduced as a first reading ordinance to the Town Commission during their next meeting in July.

B. New Member

Assistant Town Manager Tavares explained the difficulties they had looking for new members and the fact that the Town Commission had discussed the fact that would like to see some diversity within the Committee. He stated that staff

is actively working in the Downtown District to solicit more membership applications to fill the specific roll.

4. Skype Meeting with Main Street America

Assistant Town Manager Tavares introduced the item and provided an update on Main Street to the Committee. He suggested that the Committee focus on this item because it is a great possibility. The Florida representative will be available at a future meeting to skype and present.

Committee Member Landsman recommended that the Surfside Business Association be involved in the Main Street conversation.

5. Discussion Items

A. Art in Public Places

Assistant Town Manager Tavares stated that Tourism Director Fast provided some sample of ordinances and requested the Committee's direction.

*Commissioner Liaison Cohen left the meeting at 7:48pm.

Committee Member Oliva mentioned the art on Giralda in Coral Gables, Assistant Town Manager Tavares mentioned the approach with the Turtles was something similar, however due to the damage it had to be moved. And discussion ensued about other sources of inspiration.

B. Parking Lot Rates (this item was discussed after 3B)

Assistant Town Manager Tavares presented the item and stated that the Town Commission requested for the Committee to revise their recommendation.

Parking Operations Manager Joseph was in attendance and provided the members of the Committee with a recap of the current rates.

The Committee was provided a re-cap memo with a side-by-side table of the current rates and what DVAC had recommended, of which was not acceptable to the Town Commission.

Captain Bambis also spoke on the item in regards to the post-mortem of the new rates proposed for on-street parking on 9400 and 9500 block of Harding Avenue.

After some discussion Committee Member Kousoulas made a motion to recommend to the Town Commission 4hours based on their original conclusion and leave the price to the Town Commission. He also asked staff to provide the Commissioners with the guidance on comparable rates. The

motion received a second from Committee Member Meischeid and all voted in favor.

C. Design Guidelines from Planning & Zoning

Item Deferred

D. Code Compliance

Code Compliance Director Graham spoke under item 5F – Loading Zones.

E. Local Business Tax Receipts and Vacancies

Item Deferred

F. Loading Zones (discussed after 5B)

Assistant Town Manager Tavares took the opportunity that Parking Operations Manager Joseph was in attendance and asked him for an update.

Parking Operations Manager Joseph stated that they are currently working on adding a loading zoning in the Abbott parking lot. Assistant Town Manager Tavares stated that they will continue to provide updates as they come available.

Assistant Town Manager Tavares introduced Code Compliance Director Graham and asked the Committee that he is available if they have any questions related to Code Compliance.

Committee Member Landsman stated that Chair Grenald was the driver for this discussion. He asked how Code Compliance deals with the code compliance issues dealing with the business district based on appearance such as paint, windows, signage, etc.

Code Compliance Director Graham gave the Committee an overview of the Town Code that references Town properties and what his departments duties are and what they actively do within the business district.

Discussion took place related to the Town alleys and who is responsible for the maintenance of each of the alleys. Assistant Town Manager Tavares mentioned that the Alley topic would come back to DVAC at a future agenda.

G. Parking Waiver Program Update

Item Deferred

6. Future Meeting Dates

Committee Member Landsman made a motion to schedule their next meeting for July 16, 2019 or August 22, 2019. The July 16th meeting is contingent to Tourist Board Director Fast availability. The motion received a second from Committee Member Kousoulas and all voted in favor.

Tourist Board Liaison Lehman and Committee Member Oliva left the meeting at 8:05pm.

Assistant Town Manager Tavares informed the Committee about the Downtown Holiday Lighting agreement that was approved by the Tourist Board. The agreement is being negotiated and will be in front of the Town Commission for their approval in their next meeting. The decision of the Tourist Board was presented to the DVAC with the amendments they requested to the design. The recommendation was made by the Assistant Town Manager, to send feedback or recommendations to the Tourist Board to be read into the public record and/or attend their upcoming meeting.

Committee Member Kousoulas spoke about the possibility of having a saying when there are expenditures made on Harding Avenue. Assistant Town Manager Tavares stated that it is not part of their charter to have a saying on what the Tourist Board approves when they have the authority per state law to spend such funds.

Assistant Town Manager Tavares further explained that the DVAC is an advisory committee to the Town Manager and not to the Commission. He further explained the RFP public process and encourage any member of the Committee to attend the Commission meeting if they wish to express their views.

After further discussion Committee Member Kousoulas made a motion to remain silent as not enough time was allowed to discuss the item and that in the future, he would like DVAC to be more involved in the Tourist Board /DVAC related items. Motion received a second from Committee Member Meischeid and all voted in favor.


7. Adjournment

Committee Member Landsman made a motion to adjourn the meeting at 8:20 p.m.

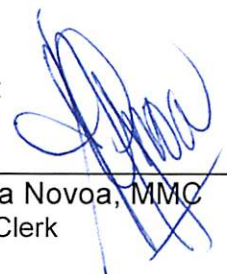
The motion received a second from Committee Member Kousoulas and all voted in favor.

Respectfully submitted:

Accepted this 12 day of September, 2019


Shaun Grenald, Chair

Attest:



Sandra Novoa, MMC
Town Clerk



Town of Surfside

SUSTAINABILITY & RESILIENCY COMMITTEE MEETING

MINUTES

July 17, 2019 – 6:30 p.m.

Chief Terrill Williamson Police Training Room
9293 Harding Ave, 2nd Floor, Surfside, FL 33154

1. Call to Order/Roll Call

The meeting was called to order at 6:40 p.m.

The following were present: Vice Chair Clara Diaz-Leal
Deborah Cimadevilla
Bertha Goldenberg
Nirit Tayas Zamir

Absent: Andrea Travani, Daniel Dietch, Mayor, Town Commission Liaison

Also present: Guillermo Olmedillo, Town Manager
James Hickey, Town Planner
Sandra Lee, Director of Environmental Services (CGA)
Frank Trigueros, Marketing & Special Projects
Haydee Sera, Town Attorney
Frantza Duval, Recording Clerk

2. Approval of Meeting Minutes: April 17, 2019

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

3. Presentation by Elizabeth Wheaton, Miami Beach Director Environment & Sustainability Department

This item was removed from the agenda to be rescheduled at a later time.

Town Manager Olmedillo advised the Committee that the Surfside 305 Strategic Climate Action Plan was sent and he wanted the Committee to familiarize themselves with the information.

Town Manager Olmedillo advised the Committee of the plastic bag action that was taken by the Town Commission. He provided a history of the action taken within other cities in Miami-Dade County. Town Attorney Sera provided information on the legal proceedings on this matter and will keep the Committee updated on the outcome.

4. Recap of Dune Management Report (previously provided)

Sandra Lee wanted to follow-up with the Committee regarding any questions that they may have regarding the report. Committee members felt that the report was thorough, but Committee Member Goldenberg inquired if the beach re-nourishment project will affect the erosion control line (ECL), to which Sandra Lee advised that it will change, but will not impact any properties.

5. Role of CGA and CGA's responsibilities

Town Planner Hickey just wanted to reiterate the roles for this specific committee that was provided at previous meetings and advised of current reports that his firm is working on for the Committee.

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

FIU graduate student stopped to offer his assistance to the Committee with regards to environmental sustainability.

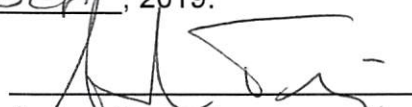
Vice Chair Clara Diaz-Leal and Committee Member Cimadevilla voiced their concerns regarding wooden light poles throughout Town. The Committee Members felt that the Town should be proactive in upgrading the lighting infrastructure should there be another major storm to impact the Town. Town Manager Olmedillo advised that he will speak to the Town's FPL representative regarding the issue, but they should also present the matter before the Town Commission during Good and Welfare.

The Committee welcomed Narit Tayas Zamir to the Committee as a new appointee.

7. Adjournment

Committee Member Goldenberg moved to adjourn the meeting at 7:27 p.m.
Committee Member Cimadevilla seconded the motion and all voted in favor.

Accepted this 18 day of September, 2019.


Andrea Travani
Committee Chair

Attest:


Sandra Novoa, MMC
Town Clerk



Town of Surfside

PARKS & RECREATION COMMITTEE MEETING

MINUTES

August 22, 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 7:06 p.m.

The following were present: Chair Retta Logan
Vice Chair Eliana Salzhauer
Committee Member Zoya P. Javier

Absent Committee Member Louisa Agresti
Committee Member Shlomo Danzinger

Also present: Tim Milian, Parks and Recreation Director
Frantza Duval, Recording Clerk

2. Agenda and Order of Business

None

3. Approval of Minutes: July 8, 2019

Committee Member Javier made a motion to approve the minutes. The motion was seconded by Vice Chair Salzhauer. The motion carried 3-0.

4. Summer Camp Recap – Tim Milian, Parks and Recreation Director

Parks and Recreation Director Milian provided a recap of the program. The program was full to capacity. He stated that everything went well and there were no incidents to be reported.

5. New After School Program Update - Tim Milian, Parks and Recreation Director

Parks and Recreation Director Milian stated that the program is up and running. The enrollment is at 60 and they are at maximum capacity. He explained that the company is based in Broward County and they do not do much work in Miami-Dade.

6. Review and Selection of the Higher Education Scholarship - Tim Milian, Parks and Recreation Director

Parks and Recreation Director Milian stated that each member was provided with a scoring sheet. He requested the Committee members to rank the scholarship applicants based on their applications.

The members of the committee ranked the scholarship applications (with the highest score being 4 and the lowest 1) and the following were the rankings:

Farah = 12
Louis = 8
Catalina = 6
Tali = 4

7. 96th Street Park Discussion (Legislation) - Tim Milian, Parks and Recreation Director

Parks and Recreation Director Milian presented the item.

After some discussion, Vice Chair Salzhauer made a motion for any available Tourist Tax dollars that are permitted under the Florida Statutes to be used towards the 96th Street Park Project/Community Center Annex. The motion received a second by Committee Member Javier.

Vice Chair Salzhauer made a motion to have the Parks and Recreation Director work with the Town Attorney to render a legal opinion advising the Town Commission about their ability to use funds for 96th Street Park Community Center Project Annex. The motion received a second from Committee Member Javier and all voted in favor.

Parks and Recreation Director Milian spoke about the conditions of the 96th Street. He addressed a question from one of the members regarding the park sprinklers and how they have to be manually activated.

Parks and Recreation Director Milian also spoke briefly about the RFP that will need to be prepared by the Town with the legal departments input. He stated that the total projected cost is \$2.5 million and the available funds at the moment are \$775,000.

There was some discussion regarding funds to be allocated to the 96th Street Park during the 2020 budget. Parks and Recreation Director Milian encouraged the members of the Committee to attend the upcoming Budget meeting.

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

No public Comments

9. Adjournment

Committee Member Javier made a motion to adjourn the meeting at 7:43 p.m. The motion received a second from Vice Chair Salzhauer.

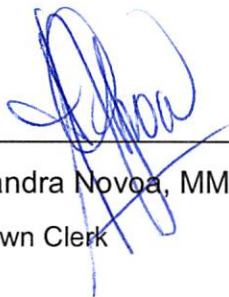
Respectfully submitted:

Accepted this 16 day of Sept., 2019



Retta Logan, Chair

Attest :



Sandra Novoa, MMC
Town Clerk



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

August 29 – 6:00 p.m.

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

1. Call to Order/Roll Call

Chair Lindsey Lecour called the meeting to order at 6:00 p.m.

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

Vice Mayor Gielchinsky absent.

Absent: *Board Member Brian Roller, *Board Member Marina Gershanovich
and *Board Member Jorge Garcia.

2. Town Commission Liaison Report – Vice Mayor Gielchinsky

3. Approval of Minutes – July 11, 2019

A motion was made by Board Member Peter Glynn to approve the July 11, 2019 minutes, motion received a second by Board Member Rochel Kramer. Motion passed with a 3-0 vote with Board Member Brian Roller, Board Member Marina Gershanovich and Board Member Jorge Garcia absent.

Chair Lindsey Lecour read the quasi-judicial statement into the record.

Planning and Zoning Town Attorney read the quasi-judicial instructions into the record and swore anyone in from the public that will be speaking on any of the quasi-judicial items and the applicants and their representatives.

4. Applications:

- A. 9008 Byron** - The applicant received approval from the Planning and Zoning Board at the July 11, 2019 meeting to convert their garage to approximately 251 square feet of additional living space. The Board added a condition of approval to require the window in the converted garage to be level with the existing windows. The applicant has evaluated this condition and found that it would create an economic hardship for

this project. Attached is a request to rescind the condition of approval with a copy of the proposed front elevation.

Board Member Marina Gershanovich entered at 6:02 p.m.

Board Member Jorge Garcia entered at 6:03 p.m.

Board Member Brian Roller entered at 6:03 p.m.

Town Planner Sarah Sinatra presented the item and staff recommendations.

The following members of the public spoke on the item:

Jeff Rose

Marco Tagliatti

Vice Chair Judith Frankel commented on the painting and moving of the windows and asked the applicant to bring the stone over and across to match to make it look more uniformed.

A motion was made by Board Member Peter Glynn to approve the item, motion received a second by Board Member Rochel Kramer. Motion passed with a 5-0 vote.

- B. 9433 Bay Drive** - The applicant is requesting to convert approximately 352 square feet of terraced area into interior living space. Furthermore, the applicant is also proposing a new terrace and interior renovations.

Town Planner Sarah Sinatra presented the item and staff recommendations for approval with the following condition: The applicant states 68% previous area, which is incorrect. Staff recommends for the applicant to provide the correct previous calculations pursuant to Code Section 90.49.

The following members of the public spoke on the item:

Felipe Lara, representing the owner.

A motion was made by Vice Chair Judith Frankel to approve the item with staff conditions, motion received a second by Board Member Peter Glynn. Motion passed with a 5-0 vote.

- C. 9540 Harding Avenue** - The applicant is requesting one (1) Permanent Wall Sign; four (4) Permanent Window Signs; three (3) on the store frontage and one (1) on the back door.

Town Planner Sarah Sinatra presented the item and staff recommendations as follows: Conditions of approval: 1) Provide a wall sign that meets the maximum coverage of 25 square feet. Currently, the applicant is proposing a wall sign which is 25.5 square feet. Please adjust accordingly. (Code Section 90.73); and 2) Clean and paint façade.

A motion was made by Board Member Peter Glynn to approve the application with staff conditions, motion received a second by Vice Chair Judith Frankel. Motion passed with a 5-0 vote.

- D. 8926 Froude Ave** - The applicant is requesting after the fact approval for a carport.

Town Planner Sarah Sinatra presented the item and staff recommendations pursuant to the Code.

A motion was made by Vice Chair Judith Frankel to approve the application with staff conditions, motion received a second by Board Member Peter Glynn. Motion passed with a 5-0 vote.

- E. 500 93rd Street** - The applicant is requesting to build a new 5,538 square foot two-story home.

Town Planner Sarah Sinatra presented the item and staff recommendations:

1) Correct the second-floor square footage to include the open space above the playroom. The correct square footage for the second floor is 1,780 square feet.

2) Provide a consistent lowest floor elevation. The zoning summary table states 8' NGVD and does not indicate the additional 2 feet for finished floor. Provide language in the zoning table reflecting this change.
code section 42.92

3) Provide opacity details for all proposed fences and walls showing that they meet the maximum 50% opacity. All wall and fence surfaces above 2 feet measured from grade shall maintain a maximum opacity of 50 percent per **code section 90-56**

- 4) Revise the pool deck to be consistent with **code section 90-48.6** for the portion of the pool deck that's within the side setback which require no greater than five feet in height above grade.
- 5) The applicant is proposing a four-foot wall on the pool deck. The pool deck is five feet above grade. This results in a nine-foot wall total. Walls cannot exceed six feet in the setback. **code section 90.56**
- 6) Provide 36" shrubs on the exterior of the fence in the secondary frontage. Currently, 30" shrubs are proposed. **code section 90.56**
- 7) Provide additional details showing that the carport is open on all four sides. **code section 90-58.**
- 8) Provide additional details as it relates to the proposed stone cladded CMU wall located at the north east corner of the property.
- 9) Adjust the typo in the zoning data table related to the allowable lot coverage. The maximum required is 40%. **code section 90-49**
- 10) Provide a consistent five-foot setback for the pool/deck to the side property line. A portion of the deck appears to encroach.

The following members of the public spoke on the item:

Markus Frankel, architect, representing the applicant and gave a presentation of the item.

Ifhat Fishman, architect, representing the applicant.

Shana Benhayoun

Janet Spector

Town Planner Sara Sinatra responded to Ms. Spector's concerns.

Board Member Jorge Garcia asked if the air conditioning units are enclosed.

Mr. Frankel answered Board Member Jorge Garcia question stating they are enclosed by free standing walls.

Vice Chair Judith Frankel commented regarding the front entrance and the ramp in the front door and wanted a clearer explanation of the entry way.

Ms. Fishman answered Vice Chair Judith Frankel's questions regarding the entry way.

Chair Lindsey Lecour explained that they would like more greenery in front of the fence.

Town Planner Sinatra wanted clarification from the Board regarding condition number four (4) above having to do with revising the pool deck to be consistent with code section 90-48.6 for the portion of the pool deck that's within the side setback which require no greater than five feet in height above grade.

Mr. Frankel and Ms. Fishman, representing the applicant, stated they will be able to meet the code with condition number four (4).

A motion was made by Board Member Peter Glynn to approve the application with staff conditions, motion received a second by Board Member Gershanovich. Motion passed with a 5-0 vote.

5. Local Planning Agency Items

A. Parking Waiver Program

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 Planner Sarah Sinatra introduced the item.

A motion was made by Board Member Peter Glynn to refer to the Town Commission, motion received a second by Board Member Jorge Garcia. Motion passed with a 5-0 vote.

- B. Young Israel Variance** - The property owner, Young Israel of Bal Harbour, Inc. (Young Israel), is requesting a variance from the Town of Surfside Zoning Code for the property located at 9580 Abbott Avenue ("Property"). The applicant is proposing to construct a ramp consisting of approximately 205 square feet in the side or north setback of the Property to provide handicapped accessibility to Young Israel.

Town Planner Sarah Sinatra introduced the item and staff recommendations and conditions for the ramp entryway to meet ADA compliance in all aspects.

Jerry Proctor, Esquire, representing the applicant, along Stanley Price, Jaime Schapiro, and Jaime Calabrese presented the item.

The following members of the public spoke on the item:

Jerry Proctor
Jaime Schapiro

Discussion continued among the Board members and the representatives for the applicant regarding staff recommendations and conditions.

The following member of the public spoke on the item:

Jaime Calabrese, applicant's landscape architect, spoke regarding the landscaping of the property.

Chair Lindsey Lecour asked regarding the relocation of the trees.

Mr. Calabrese responded to Chair Lindsey Lecour question regarding the relocation of the trees and where they would be placed.

Town Planner Sinatra also spoke regarding the landscaping and the pervious area and read the requirements into the record.

The following member of the public spoke on the item:

Rabbi Moshe Gavenstein
Stanley Price

Planning & Zoning Board Attorney reminded the Board of the ADA regulations and its affects on the law and stated that in this circumstance they have to conduct their review with this in mind.

Vice Chair Judith Frankel asked the Planning & Zoning Attorney clarification on the ADA compliance and regulations.

Planning & Zoning Board Attorney answered Vice Chair Judith Frankel question and gave her clarification on the ADA regulations.

Town Planner Sinatra asked if the ramp being ADA compatible would be an appropriate condition.

Planning & Zoning Board Attorney stated that yes that would be an appropriate condition.

Further discussion among the Board, Town Planner Sinatra and Planning & Zoning Board Attorney continued regarding ADA compliance and regulations and making this an accessible facility.

Attorney Proctor, representing the applicant accepted the conditions requested by the Board including the ramp and accessibility.

Chair Lindsey Lecour stated for the record that as part of the condition of approval the ramp and entry way must be affirmatively in compliance with ADA regulations and the applicant accepted all conditions.

A motion was made by Board Member Peter Glynn to approve the item with staff conditions and move forward to the Town Commission, motion received a second by Board Member Brian Roller. Motion passed with a 5-0 vote.

6. Discussion Items:

A. Single Family Setbacks on Aggregated Lots

George Kousoulas gave a presentation on the item.

The following members of the public spoke on the item:

Jeff Rose

Bella Krieger

Danny Sorrogon

David Krieger

Diana Vazquez

Town Planner Sinatra spoke regarding the side setbacks.

Chair Lindsey Lecour explained to the members of the public regarding the item.

Town Planner Sinatra spoke regarding justification of the variance and the process.

Discussion among the Board and Town Planner Sinatra took place regarding the item and which properties they would apply to along with their setbacks.

Chair Lindsey Lecour stated that there is a big concern about this issue and are sensitive to the perception of mass.

Town Manager Olmedillo commented on the Board's remarks on subdividing lots.

Chair Lindsey Lecour requested to have placed on the next Commission Agenda for drafting of an ordinance for single family setbacks and aggregated lots.

Town Planner Sinatra gave the time frame for first and second reading of both issues.

B. Future Agenda Items

The following future agenda items are requested to be placed on the next upcoming Planning & Zoning Board meeting agendas.

Aggregated Lot on the September 26, 2019 meeting agenda.

Second Story Massing

Setback Aggregation

C. Planning & Zoning Board Meeting Schedule [Verbal]

1. October 31st – Proposing October 24th
2. November 28th (Thanksgiving) – Proposing November 21st
3. December 26th – Proposing December 19th
4. Option – Combine November and December to December 12th.

The Board agreed by consensus to have the October meeting held on October 24, 2019 and to combine the November and December meetings and have one (1) meeting on December 12, 2019.

7. Adjournment

A motion was made by Board Member Peter Glynn to adjourn the meeting without objection at 8:03 p.m.

Respectfully submitted,

Accepted this ____ day of _____, 2019.


Lindsay Lecour, Chair

Attest:

Sandra Novoa, MMC
Town Clerk



MEMORANDUM

ITEM NO. 3E

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

From: Guillermo Olmedillo, Town Manager

Date: October 10, 2019

Subject: Stormwater Master Plan

At the August 13, 2019 Town Commission meeting the Administration was directed to return with this initiative as a discussion item. At the September 10, 2019 meeting the Town Commission directed to proceed with the approval process for this initiative.

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 Work Authorization No.127 under CGA is attached to the accompanying Resolution in the not to exceed amount of \$175,980.03. This would be funded from the Stormwater Utility Trust Fund (an Enterprise Fund) and, as an unbudgeted item in the recently approved FY 2019/2020 budget, it is identified in a budget amendment included in this meeting's agenda.

Services to be performed by CGA and will require minimal Town Staff assistance.

Seeking Town Commission approval for the accompanying CGA Work Authorization No.127 for a Stormwater Master Plan.

Reviewed by

CG
CK
RS

Prepared by

CK
DET

RESOLUTION NO. 2019- ____

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA APPROVING WORK AUTHORIZATION NO. 127 WITH CALVIN GIORDANO & ASSOCIATES, INC. FOR ENGINEERING SERVICES RELATED TO THE PREPARATION OF A STORMWATER MASTER PLAN FOR THE TOWN; 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 the Work Authorization No. 127 (“Work Authorization”) attached hereto as Exhibit “A”, authorizing the Consultant to provide professional engineering services in connection with the preparation of a Stormwater Master Plan for the Town, including evaluation of the Town’s stormwater management practices, existing drainage facilities, future projects and funding, address priority flooding and water quality concerns, and regulatory policies (“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 the amount of \$175,980.03; 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 10th day of October, 2019.

Motion By: _____

Second By: _____

FINAL VOTE ON ADOPTION

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

Attest:

Daniel Dietch, Mayor

Sandra Novoa, MMC
Town Clerk

Approved as to Form and Legal Sufficiency:

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



Calvin, Giordano & Associates, Inc.
EXCEPTIONAL SOLUTIONS™

September 24, 2019

Mr. Guillermo Olmedillo

Town Manager

TOWN OF SURFSIDE

9293 Harding Avenue
Surfside, FL 33154

RE: Work Authorization No. 127

Town of Surfside Stormwater Master Plan

CGA Proposal No. 19-3122

Dear Mr. Olmedillo,

Enclosed for your review and approval is Work Authorization No. 127 for Town of Surfside Stormwater Master Plan.

The Scope of Services to be furnished under this Work Authorization includes Civil Engineering as detailed in the attached Work Authorization.

The Basis of Compensation is hourly based upon the established rates pursuant to the Professional Services Agreement between the Town and CGA, plus reimbursables, for a total not to exceed \$175,980.03.

Sincerely,

CALVIN, GIORDANO & ASSOCIATES, INC.

Chris Giordano
Vice President

Building Code Services
Civil Engineering / Roadway
& Highway Design
Coastal Engineering
Code Compliance
Construction Engineering &
Inspection (CEI)
Construction Services
Data Technologies &
Development
Electrical Engineering
Engineering
Environmental Services
Facilities Management
Geographic Information
Systems (GIS)
Governmental Services
Landscape Architecture
Planning
Project Management
Redevelopment
& Urban Design
Surveying & Mapping
Traffic Engineering
Transportation Planning
Water / Utilities Engineering
Website Development

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

www.cgasolutions.com

TOWN OF SURFSIDE

Stormwater Master Plan

PROJECT DESCRIPTION

1. SCOPE OF SERVICES

We are pleased to submit this proposal for Professional Engineering Services for the above referenced project. These services will be provided in accordance with terms under the approved work authorization. CGA will prepare the Town's Stormwater Master Plan in order to evaluate its stormwater management practices, existing drainage facilities, future projects and funding, and regulatory policies. The updated Stormwater Master Plan will include recently completed construction projects and will address priority flooding and water quality concerns.

I. Professional Engineering Services

A. Civil Engineering

1. Task 1: Data Collection and Evaluation

- CGA will obtain data from the Town of Surfside, South Florida Water Management District, Miami-Dade County and other available sources. The data will include existing reports, studies, GIS information, LiDAR topography, land use, USGS soils information, stormwater structure inventory, stormwater models, water quality data, permits, repetitive property loss information, floodplain management plan, etc.
- CGA will prepare applicable Base Maps, background maps, limited topographic maps, etc. as necessary.
- Specific purpose survey, GPS survey, and site visits will be performed to verify existing storm drainage systems, Seawall elevation, waterways, and canals where necessary.
- CGA will review and evaluate the content of the previous Stormwater Reports, Drainage Studies that were prepared for the Town.
- CGA will review previously completed project documents.

- CGA will review as-built plans of stormwater management projects, other utility projects and existing survey information.

2. Task 2: H&H Model and Existing Conditions Evaluation

- Based on collected data and information, CGA will update the hydrologic and hydraulic (H&H) model which was originally developed with ICPR modeling.
- H&H model will be updated to reflect improvements implemented in the past decade as well as further refinement for missing infrastructure and software update.
- CGA will check, verify and calibrate the H&H model and model results based on limited available data of known flood conditions.
- CGA will evaluate the Town's primary stormwater management system based on 5-yr, 1-hour; 5-yr, 24-hour; 10-yr, 24-hour; 25-yr, 72-hour; and 100-yr, 72-hour design storm events.
- CGA will locate and prioritize flooding problem areas within the Town based on adopted Level of Service (LOS) criteria.
- CGA will perform alternative improvements modeling with the goal of improving existing flood conditions, reducing flood damage and improving Level of Service.
- Sea level rise is a growing concern for South Florida. Unified Southeast Florida Sea Level Rise Projection as developed by Southeast Florida Climate Change Compact Work Group indicates 1 foot rise can occur within next 25 to 55 years horizon. Sea level rise of 2 feet can occur within next 45 to 100 years horizon. Sea level rise of 3 feet can occur within next 60 to 135 years horizon. CGA will analyze the Storm Water Model based on these estimated sea level rises and determine the impacts on the Town and its stormwater management systems. CGA intends to develop inundation maps for the Town for predicted sea level rise with or without concurrent rainfall events. Based on the model results, CGA will recommend potential improvements. Potential improvements to eliminate negative impacts of sea level rise may include use of backflow prevention devices, or converting gravity outfalls into pump systems.

3. Task 3: Water Quality Evaluation

- CGA will perform a water quality evaluation as part of the Stormwater Master Plan. CGA will evaluate the applicable water quality data for the Town available from Miami-Dade DRER.

- CGA will identify best management practices (BMP) for Town's primary storm water management system.

4. Task 4: Evaluation for Alternative Improvements and Recommendations

- CGA will prepare conceptual design exhibits, location sketches, and cost estimates for alternative drainage improvements.

5. Task 5: Funding Evaluation for Stormwater Management Projects

- CGA will review and evaluate alternate potential funding resources, grant and loan opportunities.
- Actual grant applications preparation and submittal are not included in the scope and will need to be addressed by future projects.

6. Task 6: Regulatory Framework Evaluation

- CGA will review updated regulatory requirements by SFWMD, FDEP, US EPA, DRER, and NPDES MS4 Permit.
- CGA will evaluate the impacts of such regulatory changes on the Town's Stormwater Management System.

7. Task 7: Project Deliverables

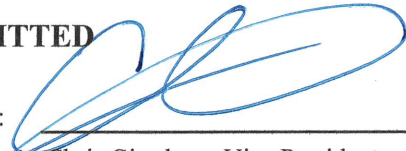
- CGA will document the findings of all tasks in Report Format including applicable Maps, Exhibits, Tables, and Appendices. Draft report will be forwarded to the Town for review and comment.
- CGA will provide two hard copies of the approved Stormwater Master Plan – Final Report in binders.
- CGA will provide one thumb drive with a PDF copy of the approved Stormwater Master Plan.
- CGA will provide one thumb drive with Hydrologic and Hydraulic model.
- CGA will provide one thumb drive containing GIS Stormwater Data in Standard Geodatabase format.

2. BASIS OF COMPENSATION:

Hourly rates with an estimated fee of \$167,600.03 plus reimbursables at \$8,380.00 with a total not to exceed amount of \$175,980.03. Payments to be made monthly.

3. SUBMITTED

Submitted by:


Chris Giordano, Vice President

Date:

9/24/19

4. APPROVAL

Approved by:

Guillermo Olmedillo, Town Manager

Date:

TOWN OF SURFSIDE
WORK AUTHORIZATION ESTIMATE DATE

WORK AUTHORIZATION NO. 127
PROJECT NAME Town of Surfside Stormwater Master Plan
CGA Proposal No. 19-3122
DESCRIPTION Stormwater Master Plan

| TITLE | RATE | HOURS/UNITS | COST |
|-------------------------------|-------------|-------------|---------------------|
| Clerical | \$83.57 | 70 | \$5,849.90 |
| Director Engineering V | \$179.11 | 28 | \$5,015.08 |
| Eng Sr CADD Tech Manager | \$119.41 | 245 | \$29,255.45 |
| Project Engineer III | \$143.28 | 265 | \$37,969.20 |
| Project Manager IV | \$155.23 | 480 | \$74,510.40 |
| Limited Surveying for Task #1 | \$15,000.00 | 1 | \$15,000.00 |
| | | | \$167,600.03 |

| SUB-CONSULTANTS | COST |
|-----------------|------|
| | |

LABOR SUBTOTAL \$167,600.03
REIMBURSABLE SUBTOTAL \$8,380.00
TOTAL \$175,980.03

Reviewed by: _____
Guillermo Olmedillo, Town Manager



MEMORANDUM

ITEM NO. 3F

To: Honorable Mayor, Vice-Mayor and Members of the Town Commission
From: Guillermo Olmedillo, Town Manager
Date: October 10, 2019
Subject: FY 2020 Budget Amendment Resolution No. 1

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

The Town Commission monitors the budget to actual summary at the fund level monthly on each agenda. The Town Manager is authorized by the Charter to make adjustments within funds so long as the appropriation for each fund is not exceeded. The purpose of this budget amendment is for the Town Commission to amend the FY 2020 annual budget and to recognize changes in revenues and expenditures that differ from the adopted budget.

The attached document represents the amendment that ensures compliance with State law, Town Charter, and sound financial management practices.

Staff has reviewed FY 2020 actual revenues and expenditures and recommends a change to the FY 2020 annual budget as follows:

STORMWATER FUND (Attachment A)

The Stormwater Fund is being amended to appropriate funds for the Stormwater Master Plan in the amount of \$175,981.

Reviewed by: LA

Prepared by AM/JDG

RESOLUTION NO. 2019-_____

**A RESOLUTION OF THE TOWN COMMISSION OF THE
TOWN OF SURFSIDE, FLORIDA, APPROVING BUDGET
AMENDMENT NO. 1 FOR THE FISCAL YEAR 2020
BUDGET; PROVIDING FOR IMPLEMENTATION; AND
PROVIDING FOR AN EFFECTIVE DATE.**

WHEREAS, on September 24, 2019, the Town of Surfside (the “Town”) Commission adopted Resolution No. 2019- 2629 approving the budget for Fiscal Year 2020 and establishing revenues and appropriations for the Town; and

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

WHEREAS, an increase to the budgeted revenue estimates and expenditure estimates is required for the Stormwater Fund in order to appropriate funds for a Stormwater Master Plan, to comply with Florida Statutes, and the Town's commitment to sound budgeting practices, where budgeted expenditures may not exceed anticipated revenues; and

WHEREAS, the Town Commission desires to amend the Fiscal Year 2020 budget by amending the Stormwater Fund as set forth in Attachment “A” attached hereto; and

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

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

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

Section 2. **Approving Amended Budget.** That the Town Commission approves the Fiscal Year 2020 budget amendments provided for in Attachment “A” attached hereto, in order to appropriate funds for a Stormwater Master Plan.

Section 3. **Implementation.** The Town Manager and/or his designee are directed to take any and all action necessary to accomplish Budget amendment and the purposes of this Resolution.

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

PASSED AND ADOPTED on this 10th day of October, 2019.

Motion By: _____

Second By: _____

FINAL VOTE ON ADOPTION:

Commissioner Barry Cohen _____

Commissioner Michael Karukin _____

Commissioner Tina Paul _____

Vice Mayor Daniel Gielchinsky _____

Mayor Daniel Dietch _____

Daniel Dietch, Mayor

Attest:

Sandra Novoa, MMC
Town Clerk

Approved as to Form and Legal Sufficiency:

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

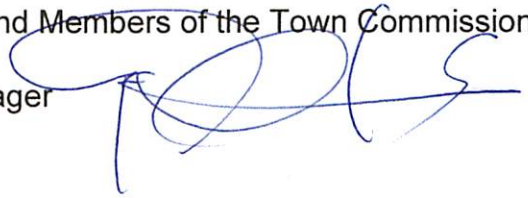
Fiscal Year 2020
 BA No. # 1
 Fund Nos. 404 Stormwater Fund

| Account Number | Account Description | Justification | Original/ Adjusted Budget | Increase | Decrease | Adjusted Budget |
|--------------------------|---------------------------------|------------------------|---------------------------------|------------------|-------------|--------------------|
| | | | | | | |
| ENTERPRISE FUNDS: | | | | | | |
| STORMWATER FUND | | | | | | |
| REVENUES | | | | | | |
| 404-538-391-10-00 | Appropriated Fund Balance | Stormwater Master Plan | \$ 165,454 | \$175,981 | \$ - | \$ 341,435 |
| TOTAL | STORMWATER FUND REVENUES | | \$ 165,454 | \$175,981 | \$ - | \$ 341,435 |
| | | | | | | |
| EXPENDITURES | | | | | | |
| 404-5500-538-31-10 | Professional Services | Stormwater Master Plan | \$ 21,250 | \$175,981 | \$ - | \$ 197,231 |
| TOTAL | STORMWATER FUND EXPENSES | | \$ 21,250 | \$175,981 | \$ - | \$ 197,231 |



MEMORANDUM

ITEM NO. 3G

To: Honorable Mayor, Vice-Mayor and Members of the Town Commission
From: Guillermo Olmedillo, Town Manager 
Date: October 10, 2019
Subject: Florida City Government Week: October 21-27, 2019

The Town of Surfside is a member of the Florida League of Cities. Florida City Government Week is a Florida League of Cities initiative that is held annually in October. This weeklong celebration raises awareness about the importance of municipal government and its daily impact on residents. The goal is to educate citizens on how government runs and to provide insights of what the Town's municipal government provides on their behalf. The Town is once again looking to take part in Florida City Government Week this year by hosting a number of related-activities after successfully participating in 2018.

This year's theme is **My Town: I'm Part of It, I'm Proud of It.**



Activities for Florida City Government week, October 21–27, 2019, in the Town of Surfside include:

- Town Hall tours, followed by an ice cream social
- “Did You Know” fun facts - to be posted on the Town's website and Nextdoor on behalf of the Town via Public Information Representative
- Coffee with the Cops
- Blood Drive
- Citizens Police Academy

The **My Town: I'm Part of It, I'm Proud of It** logo and the hashtag **#FLCityWeek** will be used to promote the events, share event reminders and updates.

A \$500 budget is requested to cover the expense for the ice cream social and Surfside branded items to giveaway to participants.

It is recommended that the Town Commission adopt the attached resolution approving the 2019 Florida City Government Week to be held October 21-27, 2019.

Reviewed by



Prepared by



RESOLUTION NO. 2019-__

**A RESOLUTION OF THE TOWN COMMISSION OF
THE TOWN OF SURFSIDE, FLORIDA, RECOGNIZING
FLORIDA CITY GOVERNMENT WEEK ON OCTOBER
21 TO 27, 2019 AND ENCOURAGING ALL CITIZENS TO
SUPPORT THE CELEBRATION AND
CORRESPONDING ACTIVITIES; AND PROVIDING
FOR AN EFFECTIVE DATE.**

WHEREAS, municipal government, or city government, is the government closest to most citizens, and the one with the most direct daily impact upon its residents; and

WHEREAS, city government provides services and programs that enhance the quality of life for residents and assists in making their community their home; and

WHEREAS, city government is administered for, and by its citizens and is dependent upon public commitment to and understanding of its many responsibilities; and

WHEREAS, city government officials and employees share the responsibility to pass along the understanding of public services and their benefits to the residents they serve; and

WHEREAS, Florida City Government Week on October 21 to 27, 2019 offers an important opportunity for elected officials and local government staff to spread the word to all citizens of Florida that they can shape and influence this branch of government; and

WHEREAS, the Florida League of Cities and its member cities have joined together to educate citizens about municipal government through a variety of activities; and

WHEREAS, the Town Commission finds that recognizing and supporting Florida City Government is in the best interests of the Town and its citizens.

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

Section 1. Recitals. The foregoing Recitals are hereby ratified and incorporated as the legislative intent of this Resolution.

Section 2. Recognizing and Encourage Florida City Government Week.

(a) The Town Commission recognizes and encourages all citizens, Town government officials, and employees to participate in events that recognize and celebrate Florida City Government Week on October 21 to 27, 2019.

(b) The Town Commission encourages educational partnerships between city government and schools as well as civic groups and other organizations to educate and inform residents of the benefits of city government.

(c) The Town Commission supports and encourages all Florida City governments to actively promote and sponsor Florida City Government Week.

Section 3. Effective Date. This Resolution shall be effective immediately from and after adoption hereof.

PASSED AND ADOPTED this ____ day of October, 2019.

Motion by _____,

Second by _____.

FINAL VOTE ON ADOPTION

| | |
|--------------------------------|-------|
| Commissioner Barry Cohen | _____ |
| Commissioner Michael Karukin | _____ |
| Commissioner Tina Paul | _____ |
| Vice Mayor Daniel Gielchninsky | _____ |
| Mayor Daniel Dietch | _____ |

Daniel Dietch, Mayor

ATTEST:

Sandra Novoa, Town Clerk

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

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



ITEM NO. 4A1

MEMORANDUM

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

From: Lillian M. Arango, Esq., Town Attorney

Date: September 10, 2019 / October 10, 2019

Subject: Ordinance Amending Section 2-235 ("Lobbying") of the Town Code -
Lobbyist Registration Fee Exemption for Principals of Town Businesses

Objective

Encourage participation from the Surfside business community in the legislative process by eliminating the current lobbyist registration fee for individuals (principals, owners and employees of Town businesses) 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:

At the August 13, 2019 Commission meeting, the Commission provided direction to the Town Attorney prepare an amendment to the Town's Lobbying Code (Section 2-235) in order to provide for an exemption from the payment of lobbying registration fees by principals, owners and employees of Town businesses. 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, owners and employees 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, owners and employees 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, owners and employees 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: Town Staff recommends approval of the Ordinance amending Section 2-235 (Lobbying) of the Town Code to exempt principals, owners and employees 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.

ORDINANCE NO. 19 - _____

**AN ORDINANCE OF THE TOWN COMMISSION OF THE
TOWN OF SURFSIDE, FLORIDA AMENDING SECTION
2-235 – “LOBBYING” TO PROVIDE AN EXEMPTION
FROM LOBBYIST REGISTRATION FEES FOR
PRINCIPALS AND EMPLOYEES OF TOWN
BUSINESSES; PROVIDING FOR SEVERABILITY;
PROVIDING FOR INCLUSION IN THE CODE;
PROVIDING FOR CONFLICTS; AND PROVIDING FOR
AN EFFECTIVE DATE.**

WHEREAS, the Town of Surfside (“Town”) Commission adopted a Code of Ethics on April 10, 2007 establishing standards of conduct for current and former town officials, employees and persons doing business with the Town; and

WHEREAS, the Town Commission subsequently amended the Code of Ethics on January 15, 2013, December 9, 2014, February 16, 2017, December 13, 2017 and March 13, 2018 to impose additional regulations on lobbyists, and to include an honor code for elected and appointed Town officials and employees and to address lobbyists’ appeals of fines for failure to file required expenditure reports; and

WHEREAS, 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; and

WHEREAS, in order to encourage participation by the Surfside business owners and employees in the legislative and public hearing process, the Town Commission desires to further amend Section 2-235 of the Code of Ethics, Article VII, of the Town Code to provide an exemption from lobbyist registration fees for principals and employees of Town businesses (business principals, owners and employees) when appearing at a public meeting before the Town Commission or other Town board, where there is no special compensation or

reimbursement paid for the principal's appearance to express support or opposition to any item; and

WHEREAS, the Town Commission finds that the proposed change to Section 2-235 is in the best interests of the Town and will encourage public participation in the legislative and public hearing process.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA:¹

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

Section 2. Town Code Amended. Section 2-235 – “Lobbying” of the Surfside Town Code of Ordinances is hereby amended and shall read as follows:

ARTICLE VII. - CODE OF ETHICS

* * *

Sec. 2-235. - Lobbying.

This section shall be applicable to all lobbyists as defined below, and shall also constitute a standard of conduct and behavior for all lobbyists. The provisions of this section shall be applied in a cumulative manner.

- (1) *Definitions.* For purposes of this section, the following words, terms and phrases shall have the meanings as indicated below:
 - a. *Town personnel.* Those town officers and employees specified to include the mayor and town commissioners, town board or town committee members, and all town employees.
 - b. *Lobbyist.* All persons, attorneys, firms, or corporations employed or retained by a principal who seeks to encourage the passage, defeat, or modifications of (1) any ordinance, resolution, action or decision of the town commission; (2) any action, decision, recommendation of a town board or committee; or (3) any action, decision or recommendation of town personnel during the time period of the entire

¹Additions to the text are shown in underline. Deletions are shown in ~~striketrough~~. Additions made after first reading are shown in double underline. Deletions made after first reading are shown in ~~double-striketrough~~.

decision-making process on such action, decision or recommendation which foreseeably will be heard or reviewed by the town commission, or a town board or committee. "Lobbyist" specifically includes the principal as well as any employee engaged in lobbying activities, 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, and 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.

c. *Principal.* All persons, firms, or corporations who employ a lobbyist.

(2) *Lobbyist registration, fees, renewal and withdrawal.*

a. All lobbyists shall register with the town clerk before engaging in any lobbying activities in the town. Every person required to register as a lobbyist shall:

i. Register as a lobbyist.

1. Complete the annual lobbyist registration form, as prepared by the town clerk, stating under oath his or her name, business address, ~~and~~ the name and business address of each person or entity which has employed the registrant to lobby, and the specific issue(s) on which the lobbyist has been employed to lobby. If the lobbyist represents a corporation or is a principal, owner or employee of a corporate or other entity, it shall also be identified.

2. Without limiting the foregoing, the lobbyist shall also identify all persons holding, directly or indirectly, a five-percent or more ownership interest in the corporation, partnership, or trust.

ii. Pay an annual lobbyist registration fee of \$250.00.

iii. Register and disclose terms for each principal represented.

1. Complete the annual principal registration form, as prepared by the town clerk, prior to conducting any lobbying for each principal (client) being lobbied. Such application shall include a requirement that the lobbyist state under oath, his or her name, business address, the name and business address of each person or entity by which s/he has been employed to lobby, the specific issue on which the lobbyist has been employed to lobby, as well as a letter of permission signed by the person, entity, principal or the principal's representative, stating that the lobbyist is authorized to represent him/her/it, together with a disclosure of the terms and amount of compensation paid by each principal to the lobbyist. Each lobbyist and his/her

principal shall attach a copy of a fee letter and specify whether any ~~bonuses, success fees, or other~~ consideration or fee shall be received for such lobbying activities. In the alternative, such lobbyist shall submit to the town clerk a joint affidavit, sign by the lobbyist and his/her principal, disclosing the terms amount of compensation (to be) paid by each principal to the lobbyist with regard to the specific issue on which the lobbyist has been engaged.

2. Pay an annual principal registration fee of \$100.00.

3. If multiple lobbyists from the same firm represent the same principal, then only one principal registration form and principal registration fee of \$100.00 is required to be filed for that principal. All lobbyists from the same firm who represent the same principal must file a separate lobbyist registration form and a lobbyist registration fee of \$250.00. All lobbyist are required to file an expenditure report as outline below in 2 (a) (iv). Any lobbyist from the same firm may submit all the necessary documents to the Town Clerk on behalf of the firm.

iv. File a lobbyist expenditure report.

1. By January 15 of each year, all lobbyists shall submit to the town clerk a signed statement under oath listing all lobbying expenditures for the preceding calendar year. The statement shall list in detail each expenditure by category, including food and beverage, entertainment, research, communication, media advertising, publications, travel, lodging and special events, and town personnel on whose behalf or benefit the expenditure was made. A statement shall be filed even if there have been no expenditures during the reporting period. Annual statements shall be required until such time as the lobbyist files a notice of withdrawal of lobbying activities with the town clerk.

2. The town clerk shall notify any lobbyist who fails to timely file an expenditure report. In addition to any other penalties which may be imposed, a fine of \$50.00 per day shall be assessed for reports filed after the due date. Any lobbyist who fails to file the required expenditure report by February 15 shall be automatically suspended from lobbying until all fines are paid, unless the fine has been appealed to the Miami-Dade Commission on Ethics and Public Trust. A lobbyist or principal may appeal a fine and may request a hearing before the Miami-Dade Commission on Ethics and Public Trust. A request for hearing on the fine must be filed with the Miami-Dade Commission on Ethics and Public Trust, with a copy to the Town Clerk, within 15 calendar days of receipt of the notification of the failure to file the required disclosure form.

v. File a notice of withdrawal. Each person who withdraws as a lobbyist for a particular principal (client) shall file an appropriate notice of withdrawal.

b. All lobbyist and principal registration forms, expenditure reports, notices of withdrawal, and applicable fees shall be submitted to the town clerk. Such forms may be amended from time to time administratively.

c. Exemption from lobbyist registration fees: A principal, owner or employee of any business located in the Town of Surfside, including a corporation, partnership, company or other entity, who appears as a lobbyist on behalf of that entity, without special compensation or reimbursement for the appearance, whether direct, indirect or contingent, to express support for or opposition to any item before the Town Commission or board, shall register with the Clerk and comply with all requirements imposed

on lobbyists in this section, and must provide disclosure as to what capacity he/she is appearing before the Town Commission or board, but shall not be required to pay any lobbyist registration fees.

(3) *Expiration of lobbyist and principal registrations.* All lobbyist and principal registrations expire December 31 of each year.

* * *

Section 3. 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 4. 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 5. Conflicts. Any and all Ordinances and Resolutions or parts of Ordinances or Resolutions in conflict herewith are hereby repealed.

Section 6. Effective Date. This ordinance shall become effective on second reading upon adoption.

PASSED AND ADOPTED on first reading this 10th day of September, 2019.

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

On Final Reading Moved by: _____

On Final Reading Second by: _____

FINAL VOTE ON ADOPTION:

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

Daniel Dietch, Mayor

ATTEST:

Sandra Novoa, MMC, Town Clerk

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

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



MEMORANDUM

ITEM NO. 4A2

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

From: Sandra Novoa, MMC and Lilian Arango, Esq.

Date: September 10, 2019 /October 10, 2019

Subject: **Amendment of Election Qualifying Dates Due to the March 17, 2020 Presidential Preference Primary**

The Presidential Preference Primary (PPP) elections are scheduled to be held every four years on the third Tuesday in March. The Supervisor of Elections deadline to receive ballot information and documents for the 2020 PPP, is Saturday, November 30, 2019.

The Town of Surfside must amend Sec. 101. – Qualifying for Elected Office of the Town of Surfside Charter to comply with state and county regulation relating to the holding of the Florida 2020 PPP.

The Town Clerk's Office and the Town Attorney's office are proposing that for the Town of Surfside General Election scheduled for March 17, 2020, the qualifying dates are as follows:

Beginning on Friday, November 1, 2019 at 9:00am and ending on Friday November 22, 2019 at noon., with any amended qualifying petition (as otherwise permitted pursuant to section 101 of the Town Charter) to be filed by no later than Thursday, November 28, 2019 at noon.

Amending the Town's qualifying dates stipulated in the Town Charter will allow all candidates sufficient time to qualify in order to get their names on the March 17, 2020 ballot.

Commission direction: Town Administration recommends approval of this resolution to adhere to the State's 2020 Election Schedule.

Reviewed by DT

Prepared by SN

ORDINANCE NO. 2019-_____

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, AMENDING SECTION 101, "QUALIFYING FOR ELECTED OFFICE" OF THE TOWN CHARTER PURSUANT TO SECTIONS 100.3605(2) AND 166.021(4), FLORIDA STATUTES, WITH LIMITED APPLICABILITY TO ESTABLISH QUALIFYING DATES AND SUPPLEMENTAL QUALIFYING DATES FOR THE TOWN'S MARCH 17, 2020 GENERAL ELECTION; PROVIDING FOR INCORPORATION INTO THE CHARTER; PROVIDING FOR CODIFICATION; PROVIDING FOR AUTHORIZATION; PROVIDING FOR NOTIFICATION TO MIAMI-DADE COUNTY ELECTIONS DEPARTMENT; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Section 105(1) of the Town of Surfside (“Town”) Charter provides that the Town’s General Election for election of the Mayor and Town Commissioners shall be held on the “third Tuesday in March in every even numbered calendar year” and related qualifying periods are set forth in Section 101 of the Town Charter; and

WHEREAS, the Town's next General Election is scheduled for March 17, 2020; and

WHEREAS, pursuant to Section 103.101, Florida Statutes, the Presidential Preference Primary (the “Presidential Primary”) is scheduled to be held on the third Tuesday in March of each presidential election year; and

WHEREAS, the 2020 Presidential Primary is scheduled for March 17, 2020; and

WHEREAS, due to the 2020 Presidential Primary, the Town must consider changing its General Election date and/or related qualifying dates; and

WHEREAS, to retain the Town’s March 17, 2020 General Election date, the qualifying periods set forth in the Town Charter must be changed to accommodate the Miami-Dade County Elections Department (the “Department”) November 30, 2019 deadline by which names of candidates for the Town’s General Election must be provided to the Department; and

WHEREAS, pursuant to Sections 100.3605(2) and 166.021(4), Florida Statutes, municipalities are permitted to change, by ordinance, Charter provisions regarding, “the selection of election dates and qualifying periods for candidates and for changes in terms of office necessitated by such changes in election dates”; and

WHEREAS, the Town Commission finds that it is in the Town's best fiscal interest to retain its March 17, 2020 General Election date and change the related qualifying dates; and

38 **NOW, THEREFORE, BE IT ORDAINED BY THE COMMISSION OF THE TOWN**
39 **OF SURFSIDE AS FOLLOWS:¹**

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

42 **Section 2.** **Qualifying Dates Changed.** That with regard to the Town's March 17,
43 2020 General Election, the qualifying periods set forth in Section 101 of the Town Charter are
44 hereby changed to establish a qualifying period to commence on Friday, November 1, 2019 at 9:00
45 a.m. and end on Friday, November 22, 2019 at 12:00 p.m., with any amended qualifying petition
46 (as otherwise permitted pursuant to Section 101 of the Town Charter) to be filed by no later than
47 Thursday, November 28, 2019 at 12:00 p.m.

48 **Section 3.** **Establishing End of Supplemental Qualifying Period.** That with regard
49 to the Town's March 17, 2020 General Election, the end date for any supplemental qualifying
50 period shall be Thursday, November 28, 2019 at 12:00 p.m.

51 **Section 4.** **Incorporation into Charter.** The provisions of Section 2 of this Ordinance
52 dealing with the limited change in qualifying dates for the Town's March 17, 2020 General
53 Election, shall become and be made part of Section 101 of the Town's Charter, and all remaining
54 language in the Charter dealing with qualifying for office not otherwise in conflict with and/or
55 expressly referred to in this Ordinance shall apply to said March 17, 2020 General Election.

56 **Section 5.** **Inclusion in the Code.** The provision of Section 3 of this Ordinance dealing
57 with the establishment of a date by which the supplemental qualifying period shall end for the
58 Town's March 17, 2020 General Election, shall become and be made part of Chapter 26 of the
59 Town's Code of Ordinances.

60 **Section 6.** **Authorization.** The Town Clerk is authorized to take all actions necessary
61 to incorporate the provisions of this Ordinance into the Town Charter and Town Code in order to
62 accomplish such intentions, and sections of this Ordinance may be implemented into the Charter
63 and Code via footnote.

64 **Section 7.** **Notification to Miami-Dade County.** The Town Clerk is directed, upon
65 adoption of this Ordinance on second and final reading, to notify the Miami-Dade County
66 Elections Department of the subject changes in qualifying dates and to transmit certified copies of
67 this Ordinance to the Miami-Dade County Supervisor of Elections.

68 **Section 8.** **Codification.** It is the intent of the Town Commission that the provisions
69 of this ordinance shall become and be made a part of the Town's Charter and Code of Ordinances,
70 and that the sections of this Ordinance may be renumbered or relettered, and the word "ordinance"
71 may be changed to "section," "article," "regulation," or such other appropriate word or phrase in
72 order to accomplish such intentions.

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

Section 9. 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 10. Conflicts. All ordinances or parts of ordinances, resolutions or parts of resolutions, in conflict herewith, are repealed to the extent of such conflict.

Section 11. Effective Date. This Ordinance shall become effective immediately upon final adoption on second reading.

PASSED on first reading on the 10th day of September, 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

**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. 4A3

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

The Town Commission directed staff to prepare an ordinance prohibiting hotels on the west side of Collins Avenue, south of 93rd 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 90th Street, limiting the size of hotels from 90th to 93rd 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

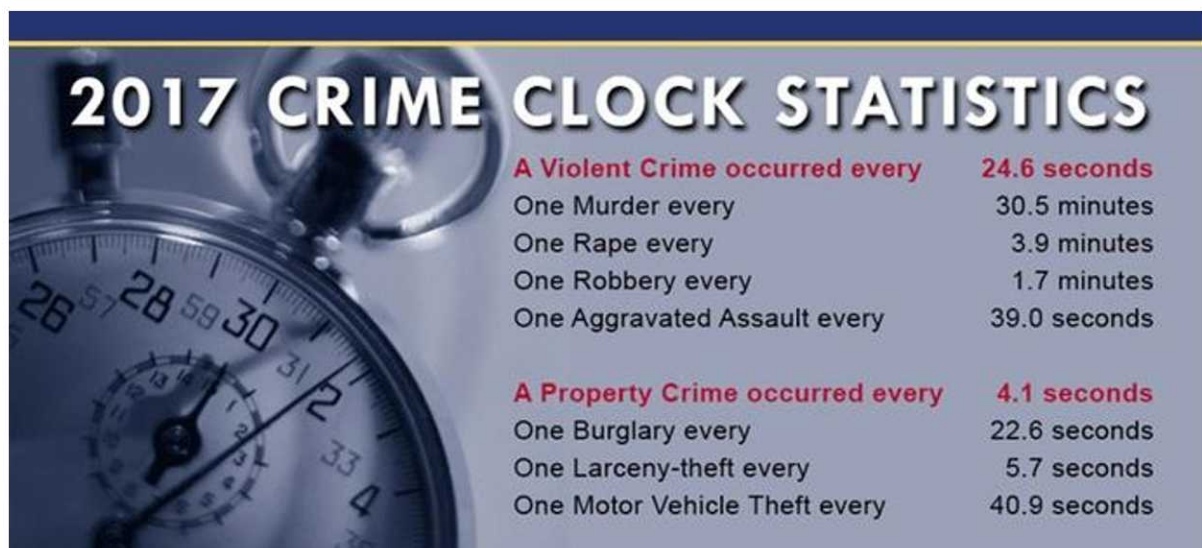
It is incumbent upon all crime data users to become as well educated as possible about how to understand and quantify the nature and extent of crime in the United States, and in any of the more than 18,000 jurisdictions represented by law enforcement contributors to the Uniform Crime Reporting (UCR) 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:

| Crime Statistics 2014-2019 | | | | | | |
|---|-------------|-------------|-------------|-------------|-------------|--------------|
| Classification | 2014 | 2015 | 2016 | 2017 | 2018 | 2019* |
| 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 |
| Total Part I Crimes | 81 | 65 | 102 | 59 | 56 | 28 |
| 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 |
| Total Part II Crimes | 182 | 158 | 168 | 111 | 121 | 57 |
| 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 |
| * 2019 Data is for 01-01-2019 through 04-30-19 | | | | | | |

The below table depicts the Town of Surfside Dispatched Events, Incident-Crime Reports, Arrests, Traffic Crashes, and Investigation data:

| Dispatched Calls-Arrests-Citations-Investigations 2014-2019 | | | | | | |
|--|-------------|-------------|-------------|-------------|-------------|-------------|
| Classification | 2014 | 2015 | 2016 | 2017 | 2018 | 2019 |
| 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 |
| * 2019 Data is for 01-01-2019 through 04-30-19 | | | | | | |

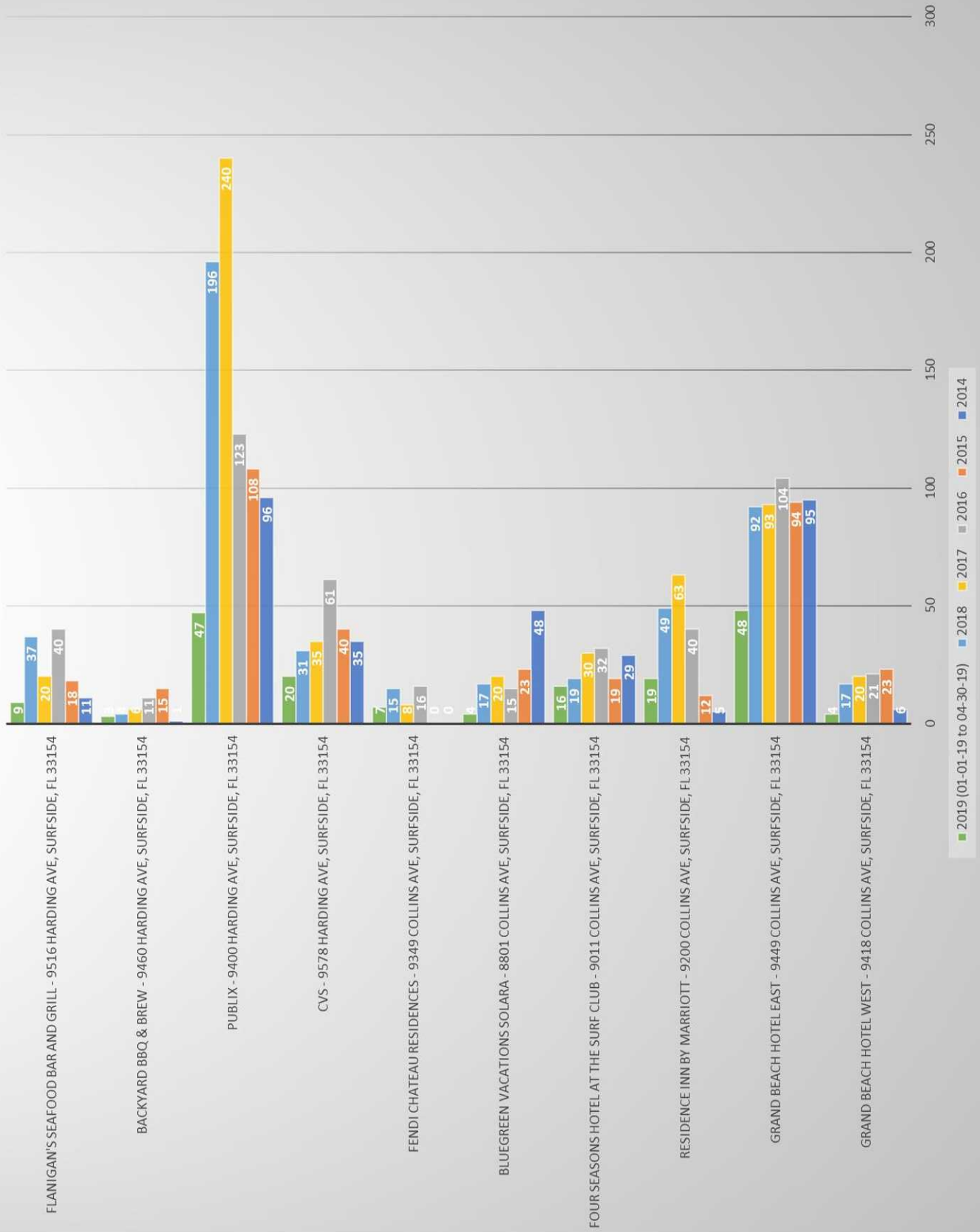
The Surfside businesses selected for comparison have differing operational start dates that are reflected in the below table:

| 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:

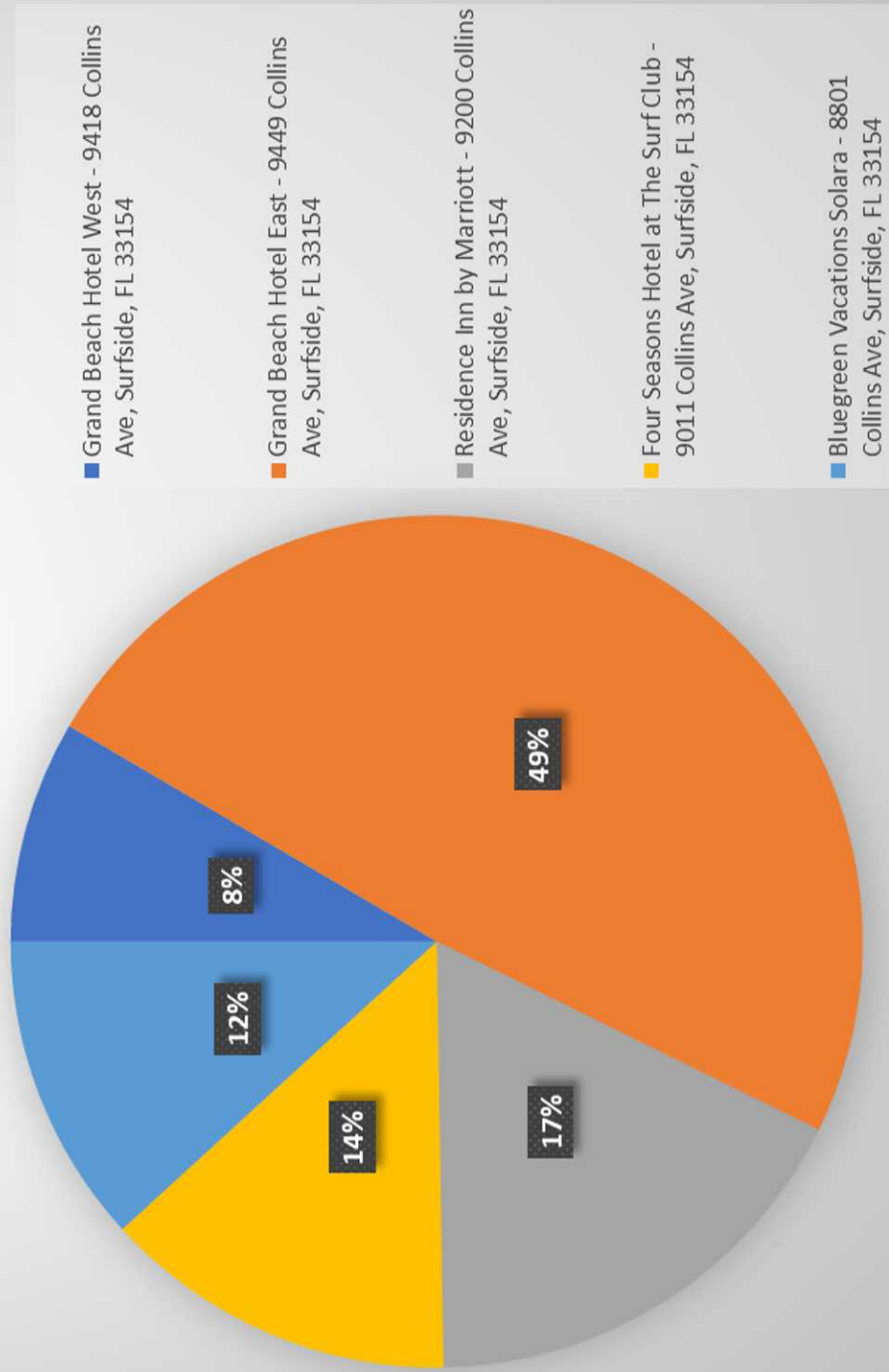
| DISPATCH EVENTS | | | | | | | | | | |
|---|---|---|--|--|---|---|--|---|--|---|
| Calendar Year (January 1st - December 31) | Grand Beach Hotel West - 9418 Collins Ave, Surfside, FL 33154 | Grand Beach Hotel East - 9449 Collins Ave, Surfside, FL 33154 | Residence Inn by Marriott - 9200 Collins Ave, 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 | 4 | 52 | 19 | 16 | 4 | 7 | 22 | 47 | 4 | 12 |
| (01-01-19 to 04-30-19) | 103 | 595 | 188 | 145 | 127 | 46 | 257 | 810 | 43 | 152 |

Dispatch Events by Location and Year

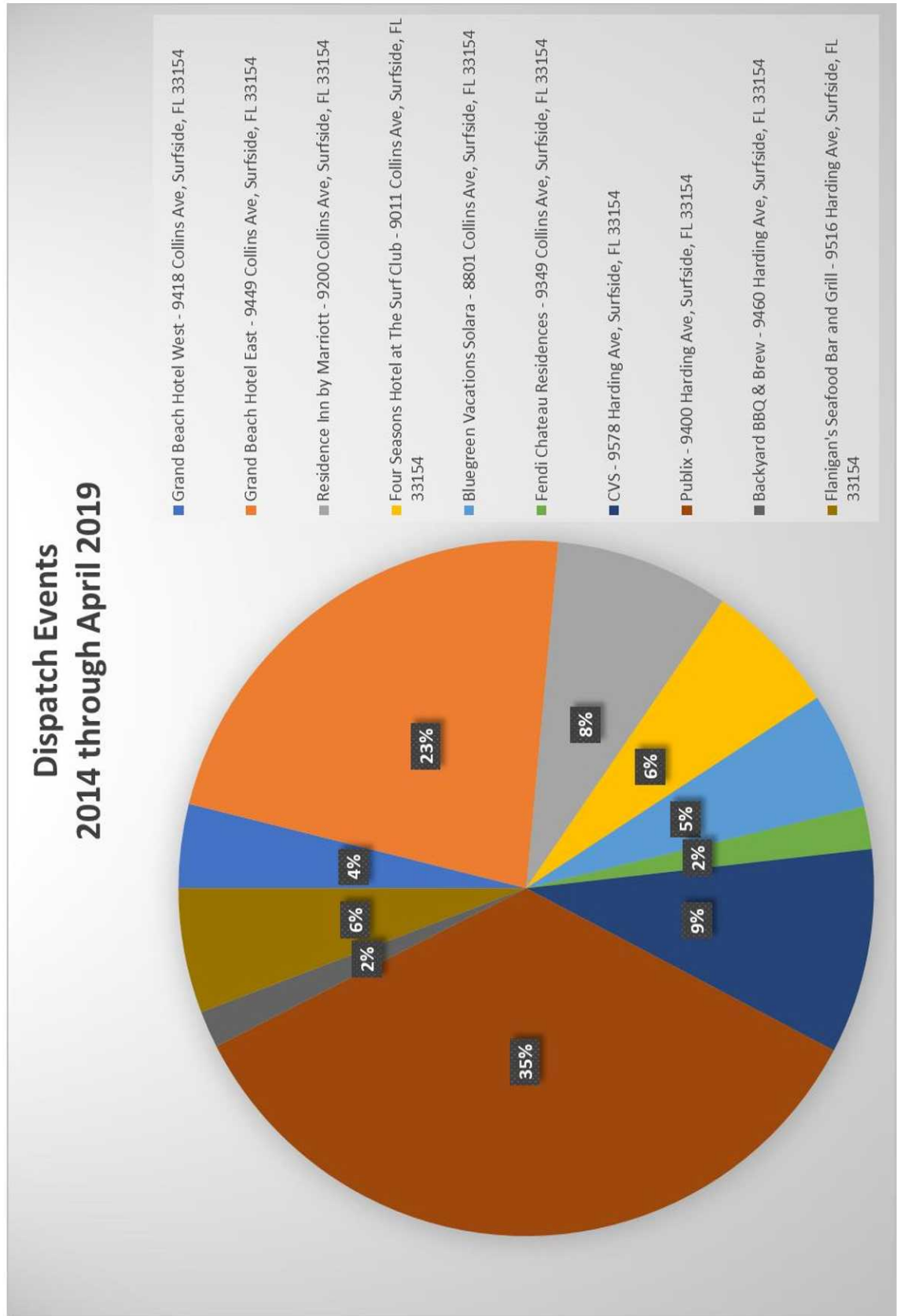


The following pie chart depicts the Police Dispatch Events for just the five Hotels:

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 INJIN | 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:

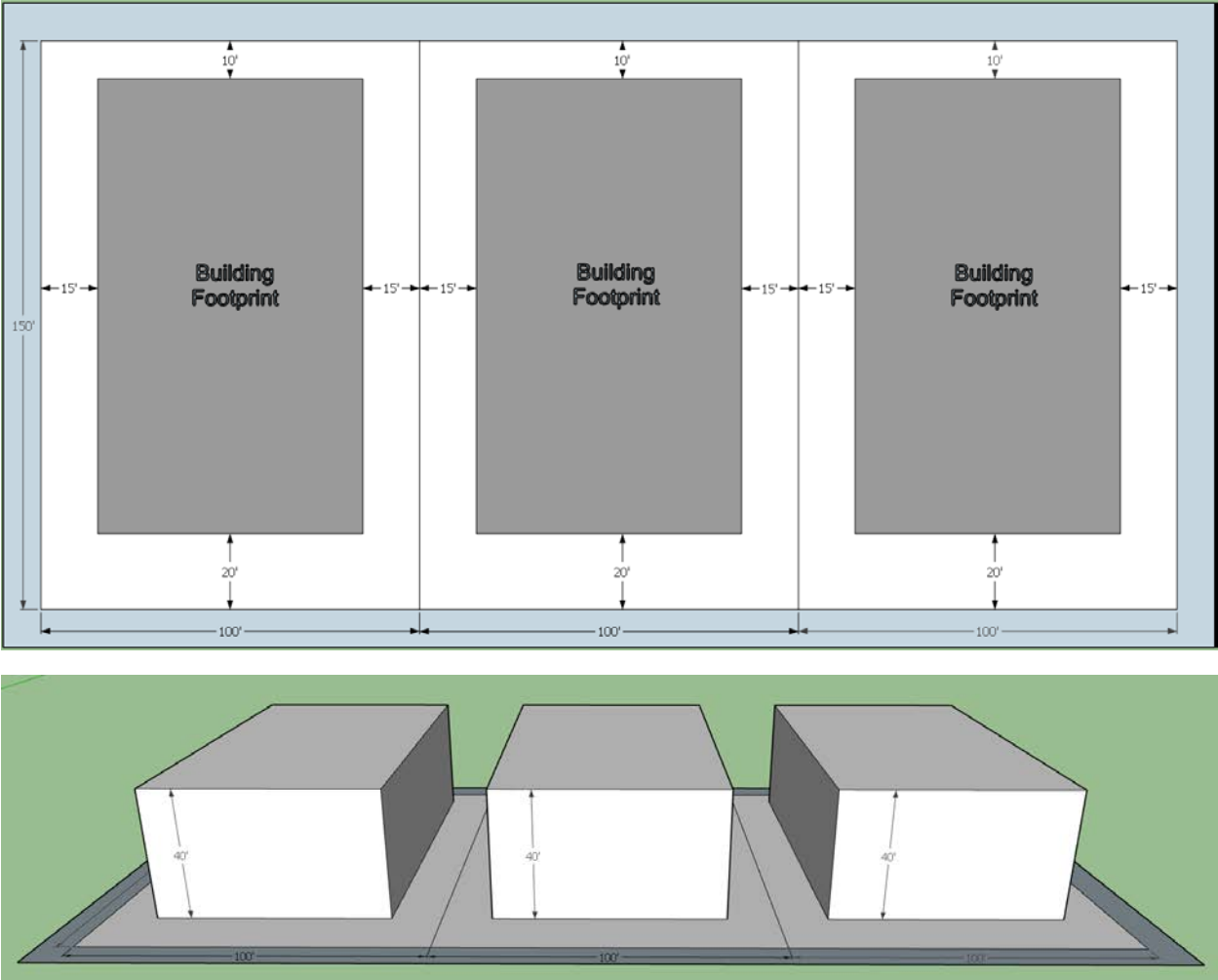
| Backyard BBQ & Brew | | | | |
|---------------------|--------|---|-----------|-------------------------------|
| 07/05/2016 | 162237 | F | W BATTERY | 9460 HARDING AVE (WEST ALLEY) |
| 08/24/2018 | 182543 | M | W BATTERY | 9460 HARDING AVE |

| 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 |

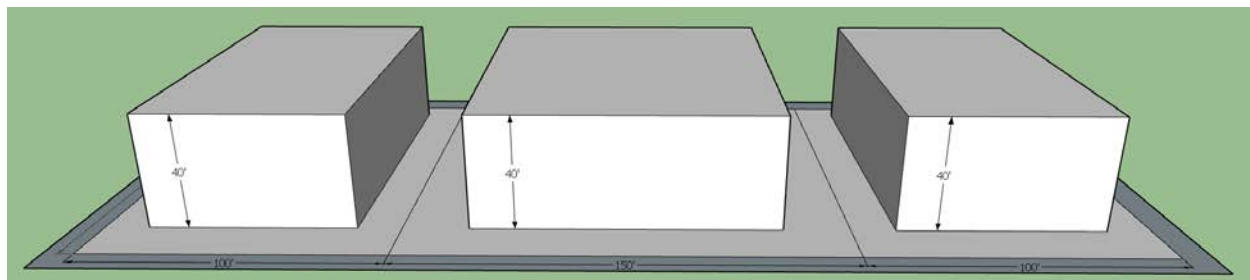
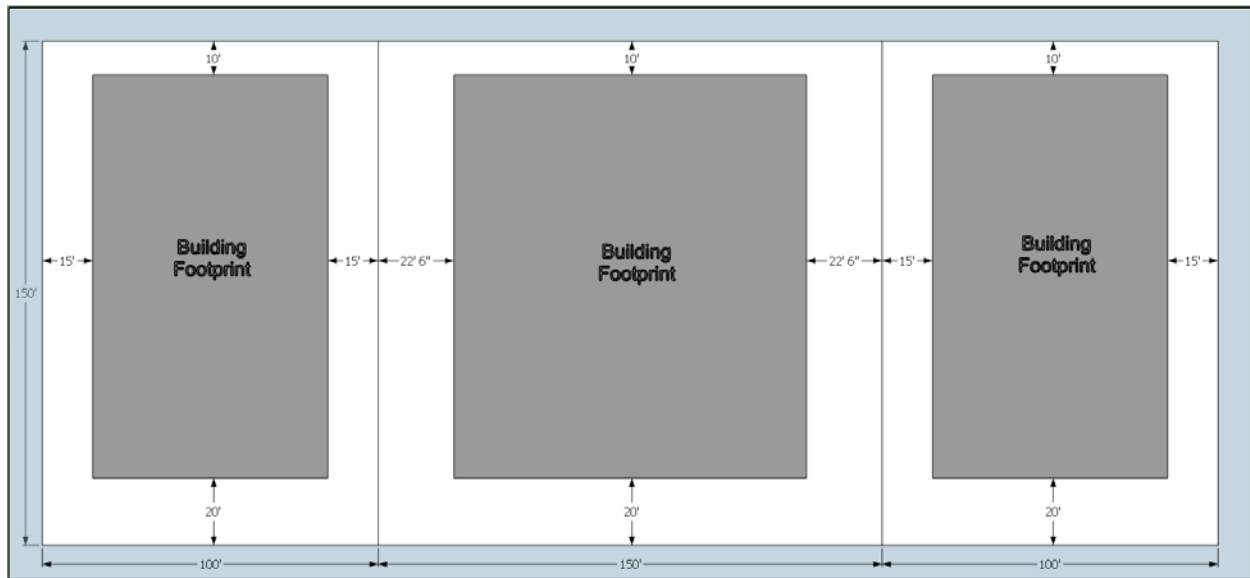
CRIME DATA INTERPRETATION

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 |
| Setbacks | |
| 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 93RD STREET AND ADDRESS HOTEL ACCESSORY USES; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR CONFLICTS AND PROVIDING FOR AN EFFECTIVE DATE.

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 93rd 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.

¹Additions 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, FLORIDA¹:

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 follows¹:

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.*

¹ Additions to the text are shown in underline. Deletions to the text are shown in ~~strike through~~.

(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 93rd Street. Hotels are prohibited south of 93rd 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: Guillermo Olmedillo, Town Manager

Date: September 10, 2019 /October 10, 2019

Subject: Limitations on Accessory Uses in H40

The Town Commission directed staff to prepare an ordinance limiting accessory uses on the west side of Collins Avenue, south of 93rd Street in H40 zoning district. The Town Commission originally proposed an ordinance to prohibit hotels in general in this district. Staff prepared an analysis to show impacts of hotels versus multifamily relating to density, water consumption, parking requirements, crime statistics, boutique hotels, short term rentals, office space limitations on aggregation and trips generated per use.

The report identified that banquet facilities and meeting spaces are the highest traffic generators out of the amenities analyzed. The proposed ordinance prohibits ballrooms and meeting spaces for hotels and suite hotels south of 93rd Street in the H40 district.

Reviewed by: GO

Prepared by: SSG

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 ESTABLISH LIMITATIONS ON HOTEL ACCESSORY USES IN THE H-40 ZONING DISTRICT SOUTH OF 93RD STREET; 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 August 13, 2019, and in order to address impacts from large-scale hotels
9 with certain accessory uses utilized by the general public, the Town Commission directed staff to
10 evaluate and prepare an ordinance restricting hotel accessory uses within the H40 District south of
11 93rd Street; and

12 **WHEREAS**, the Planning and Zoning Board, as the local planning agency for the Town,
13 held its hearing on the proposed amendment on _____, 2019 with due public notice and
14 input; and

15 **WHEREAS**, the Town Commission held its first public hearing on September 10, 2019 and
16 recommended _____ of the proposed amendments to the Code of Ordinances having
17 complied with the notice requirements by the Florida Statutes; and

18 **WHEREAS**, the Town Commission has conducted a second duly noticed public hearing on
19 these regulations as required by law on _____, 2019 and further finds the proposed
20 change to the Code necessary and in the best interest of the community.

21
¹Additions to the text are shown in underline. Deletions are shown in ~~strikethrough~~.

22 **NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COMMISSION OF**
23 **THE TOWN OF SURFSIDE, FLORIDA¹:**

24
25 **Section 1. Recitals.** The above Recitals are true and correct and are incorporated herein by
26 this reference:

27
28 **Section 2. Town Code Amended.** Section 90-41. – “Regulated Uses” of the Surfside
29 Town Code of Ordinances is hereby amended and shall read as follows¹:

30 **Sec. 90-41. Regulated uses.**

31 (a) *Purpose.* Permitted uses are considered to be fundamentally appropriate within the district
32 in which they are located and are deemed to be consistent with the comprehensive plan.
33 These uses are permitted as of right, subject to the required permits and procedures
34 described in this section. Permitted uses require final site plan review and approval for
35 compliance with the standards applicable to a particular permitted use as provided in this
36 zoning code.

37 (b) *Permits required.* Except as explicitly provided herein, no use designated as a permitted use
38 in this chapter shall be established until after the person proposing such use has applied for
39 and received all required development permits.

40 (c) Table—Regulated uses.

41 * * *

42

| | H30A | H30B | H30C | H40 | H-120 | SD-B40 |
|--------------|------|------|------|------------------|-------|---------------|
| Lodging Uses | | | | | | |
| Hotel | - | - | - | P(7) <u>(31)</u> | P(7) | - |
| Suite-Hotel | - | - | - | P(7) <u>(31)</u> | P(7) | - |

43 Key: P: Permitted Blank: Not Permitted (#): Refer to Notes CU: Conditional Use

44 * * *

45 (d) *Uses table notes.*

46 * * *

47

¹ Additions to the text are shown in underline. Deletions to the text are shown in ~~strike through~~.

(7) Subject to the limitations set forth in Section (31) below for H40 hotel and suite-hotel properties south of 93 Street, 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) Limitations on accessory uses in H40 District for hotel and suite-hotel properties south of 93rd Street: hotels and suite-hotels may include beauty/personal services, restaurant, coffee shop, bar or lounge, gift and sundry shops and health spas providing services solely for use by registered hotel guests; provided, however, that such facilities may be entered only from the inside of the structure and there shall be no window, exterior advertising or evidence of such facilities from outside the hotel. No meeting space or banquet facilities shall be permitted.

* * *

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 10th day of September, 2019.

PASSED and ADOPTED on second reading this _____ day of _____, 2019.

86 On Final Reading Moved by: _____
87
88 On Final Reading Second by: _____
89
90
91 **FINAL VOTE ON ADOPTION:**
92 Commissioner Barry Cohen _____
93 Commissioner Michael Karukin _____
94 Commissioner Tina Paul _____
95 Vice Mayor Daniel Gielchinsky _____
96 Mayor Daniel Dietch _____
97
98
99
100 _____
101 Daniel Dietch, Mayor
102 **ATTEST:**
103
104 _____
105 Sandra Novoa, MMC, Town Clerk
106
107 **APPROVED AS TO FORM AND LEGALITY FOR THE USE**
108 **AND BENEFIT OF THE TOWN OF SURFSIDE ONLY:**
109
110 _____
111 Weiss Serota Helfman Cole and Bierman, P.A.
112 Town Attorney



MEMORANDUM

ITEM NO. 4B2

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

From: Guillermo Olmedillo, Town Manager

Date: October 10, 2019

Subject: Limitations on Hotel Uses in H40

The Town Commission directed staff to prepare an ordinance limiting hotels in the H40 district south of 93rd Street. The attached ordinance does the following:

1. Prohibits ballrooms and banquet facilities.
2. Requires hotels to have 300 feet of separation between hotels.
3. Limits meeting or event rooms to 15 square feet per the number of hotel rooms with a capacity of no more than 100 people.
4. Exempts properties with previous approvals and those with Historic Designation per Miami-Dade County.
5. Requires continuous wall frontage to be no greater than 150 feet in length without exceptions.

The commission also requested a definition of a boutique hotel. Staff attempted to create a new use of a boutique hotel; however, it was challenging to allow this new use while prohibiting the existing hotel use within one zoning district. The issue is that since north and south of 93rd Street are all within the H40 district, the allowance of a primary use in one portion of the district but not the other was not easily understandable. Instead, staff followed the existing format of the code, which provides footnotes for uses and limitations. The limitations described in the ordinance function as a boutique hotel due to the limitations on ballrooms, the separation of hotels, the limits on event space and the maximum wall frontage.

The Commission also requested a map demonstrating the 300 foot radius. Currently, there is only one hotel (the Marriott) within this district. Attached is a map demonstrating the 300 foot radius measurement, measured from the southern property line (the northern property line would also be included but in this case 300 feet to the north is Town Hall property and not applicable).

Reviewed by: GO

Prepared by: SSG



Town of Surfside Zoning Map



Legend

| | |
|--------------------------------|---|
| City Boundary | Height Restriction 30ft (H30C) |
| Community Facilities (CF) | Height Restriction 40ft (H40) |
| Height Restriction 30ft (H30A) | Height Restriction 120ft (H120) |
| Height Restriction 30ft (H30B) | Special District - Height Restriction 40ft (SD-B40) |
| Height Restriction 300ft | Municipal Use (MU) |



0 150 300 600 900 1,200 Feet

1 inch = 660 feet

Print Date : September 2019



Produced and maintained by the CGA
Geographic Information Systems Services



Calvin, Giordano & Associates, Inc.
EXCEPTIONAL SOLUTIONS™

ORDINANCE NO. 19 - _____

1 **AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF**
2 **SURFSIDE, FLORIDA AMENDING THE TOWN OF SURFSIDE CODE OF**
3 **ORDINANCES BY AMENDING SECTION 90-41, "REGULATED USES", TO**
4 **ESTABLISH LIMITATIONS ON HOTELS IN THE H-40 ZONING DISTRICT**
5 **SOUTH OF 93RD STREET INCLUDING: A PROHIBITION ON**
6 **BALLROOMS AND BANQUET FACILITIES AS HOTEL ACCESSORIES;**
7 **PROVIDING DISTANCE SEPARATION STANDARDS BETWEEN HOTELS;**
8 **PROVIDING LIMITATIONS ON EVENT AND/OR MEETING ROOM**
9 **SPACE; PROHIBITING STRUCTURED PARKING FACILITIES, AND**
10 **REQUIRING THAT PARKING STRUCTURES INCORPORATE HOTEL**
11 **AND/OR ACCESSORY USES; CREATING EXEMPTIONS FOR EXISTING**
12 **AND APPROVED DEVELOPMENTS, AND FOR HISTORICALLY**
13 **DESIGNATED PROPERTIES; AND AMENDING SECTION 90-51**
14 **"MAXIMUM FRONTAGE OF BUILDINGS AND FAÇADE**
15 **ARTICULATIONS" TO ESTABLISH CONTINUOUS WALL FRONTAGES**
16 **FOR HOTELS IN THE H40 ZONING DISTRICT SOUTH OF 93 STREET;**
17 **PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE**
18 **CODE; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN**
19 **EFFECTIVE DATE.**

20 **WHEREAS**, Article VIII, Section 2 of the Florida Constitution, and Chapter 166, Florida
21 Statutes, provide municipalities the authority to exercise any power for municipal purposes,
22 except where prohibited by law, and to adopt ordinances in furtherance of such authority; and

23 **WHEREAS**, the Town Commission of the Town of Surfside ("Town Commission") finds
24 it periodically necessary to amend its Code of Ordinances and Land Development Code
25 ("Code") in order to update regulations and procedures for maintain consistency with state law
26 and to implement municipal goals and objectives; and

27 **WHEREAS**, at a joint special meeting of the Town Commission and Planning & Zoning
28 Board held on September 19, 2019, and in order to address impacts from large-scale hotels with
29 certain accessory uses utilized by the general public, the Town Commission directed staff to
30 evaluate and prepare an ordinance establishing limitations on hotels within the H40 District
31 south of 93rd Street and to address continuous wall frontages of such hotels ; and

32 **WHEREAS**, the Planning and Zoning Board, as the local planning agency for the Town,
33 held its hearing on the proposed amendment on _____, 2019 with due public notice
34 and input; and

35 **WHEREAS**, the Town Commission held its first public hearing on October 10, 2019 and
36 recommended _____ of the proposed amendments to the Code of Ordinances having
37 complied with the notice requirements by the Florida Statutes; and

38 **WHEREAS**, the Town Commission has conducted a second duly noticed public hearing
39 on these regulations as required by law on _____, 2019 and further finds the
40 proposed change to the Code necessary and in the best interest of the community.

41
42 **NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COMMISSION OF**
43 **THE TOWN OF SURFSIDE, FLORIDA¹:**
44

45 **Section 1. Recitals.** The above Recitals are true and correct and are incorporated herein
46 by this reference:
47

48 **Section 2. Town Code Amended.** Section 90-41. – “Regulated Uses” of the Surfside
49 Town Code of Ordinances is hereby amended and shall read as follows¹:

50 **Sec. 90-41. Regulated uses.**

51 Applicability and validity of tables. Nothing shall be used to misconstrue or reinterpret the
52 provisions, limitations and allowances made here in.

- 53 (a) *Purpose.* Permitted uses are considered to be fundamentally appropriate within the
54 district in which they are located and are deemed to be consistent with the
55 comprehensive plan. These uses are permitted as of right, subject to the required
56 permits and procedures described in this section. Permitted uses require final site plan
57 review and approval for compliance with the standards applicable to a particular
58 permitted use as provided in this zoning code.
- 59 (b) *Permits required.* Except as explicitly provided herein, no use designated as a
60 permitted use in this chapter shall be established until after the person proposing such
61 use has applied for and received all required development permits.
- 62 (c) *Table—Regulated uses.*

| | H30A | H30B | H30C | H40 | H120 | SD-B40 |
|--------------|------|------|------|------------------------------|------|--------|
| Lodging uses | | | | | | |
| Hotel | - | - | | P(7, <u>31, 32, 33, 34</u>) | P(7) | - |

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

| | | | | | | |
|----------------------------------|---|---|--------|---------------------|--------|---|
| Suite-Hotel | - | - | | P(7,31, 32, 33, 34) | P(7) | - |
| Retail & General Commercial Uses | | | | | | |
| Structured parking facility | - | - | CU(23) | CU(23) | CU(23) | - |
| Accessory Uses | | | | | | |
| Structured parking facility | | | | P(35) | | |

Key: P: Permitted Blank: Not Permitted (#): Refer to Notes CU: Conditional Use

(d) *Uses table notes.*

* * *

(31) H40 hotel properties south of 93rd Street: may provide a beauty/personal services, restaurant, coffee shop, bar or lounge, gift and sundry shops and health spas 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. Ballrooms and banquet facilities shall be prohibited.

(32) H40 hotel properties south of 93rd Street: Hotels shall be separated from other hotels by a minimum of 300 feet measured from property line to property line.

(33) Meeting rooms in hotels on H40 properties south of 93rd Street: event and/or meeting room space shall be based on no greater than 15 square feet per the total number of rooms of the hotel and shall have a capacity of no greater than 100 people.

(34) H40 hotel properties south of 93rd Street: Exemptions:

All properties designated by the Miami-Dade County Historic and Preservation Board and all properties that legally received Development Orders and development rights as of the date of adoption of this ordinance (November __, 2019) shall be exempt from this ordinance and remain in full effect.

(35) H40 hotel properties south of 93rd Street: Standalone structured parking facilities shall be prohibited. Accessory uses shall be integrated into the parking facility.

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

84 ***

85 **Section 3. Town Code Amended.** Section 90-51. – “Maximum frontage of buildings
86 and façade articulations” of the Surfside Town Code of Ordinances is hereby amended and shall
87 read as follows¹:

88 **Sec. 90-51. - Maximum frontage of buildings and facade articulations.**

89 90-51.1 Continuous wall frontages shall not exceed 150 feet in the H120 district.
90 Continuous wall frontages in the H40 and H30C district shall be articulated as follows:

91 (1) Continuous wall frontages in the H120 district shall not exceed 150 feet in length.

92 (2) Continuous wall frontages in the H30C zoning district shall not exceed 90 feet in
93 length subject to the following:

94 a. There shall be a minimum building separation of 12 feet between buildings on the
95 same property.

96 b. The building facades facing each side of the separation area shall provide a
97 minimum of ten percent wall openings per façade and a minimum two-foot area
98 for plantings along each façade.

99 c. Buildings may have a one-story (fifteen feet in height or less) connecting floor or
100 breezeway provided such connection is set back a minimum of:

101 1. Fifteen feet from the front building line if located on the ground floor;

102 2. Twenty-five feet from the front building line if located on the second floor; or

103 3. Thirty-five feet from the front building line if located on the third floor.

104 (3) Continuous wall frontages in the H40 zoning district shall not exceed 150 feet in
105 length, subject to the following:

106 a. There shall be a minimum building separation of 17 feet between buildings on the
107 same property.

108 b. The building facades facing each side of the separation area shall provide a
109 minimum of ten percent wall openings per façade and a minimum two-foot area
110 for plantings along each façade.

111 c. Buildings may have a one-story (15 feet in height or less) connecting floor or
112 breezeway provided such connection is set back a minimum of:

113 1. Fifteen feet from the front building line if located on the ground floor;

114 2. Twenty-five feet from the front building line if located on the second floor; or

115 3. Thirty-five feet from the front building line if located on the third floor.

116 d. This subsection (3) shall not be applicable to hotels in the H40 zoning district south
117 of 93rd Street, which shall be governed by subsection (8) below.

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

- 118
- 119 (4) In the event property is developed with more than 150 linear feet of lot frontage facing
120 Harding Avenue and an equal or greater lot frontage facing Collins Avenue, no wall
121 frontage facing Harding Avenue or Collins Avenue shall exceed 150 feet in length,
122 subject to the following:
- 123 a. There shall be a minimum building separation of 17 feet between buildings on the
124 same property and the building separation shall run from Harding Avenue directly
125 through to Collins Avenue.
- 126 b. The building facades facing each side of the separation area shall provide a
127 minimum of ten percent wall openings per façade and a minimum two-foot area
128 for plantings along each façade.
- 129 c. Buildings may have a one-story (15 feet in height or less) connecting floor or
130 breezeway provided such connection is set back a minimum of:
- 131 1. Fifteen feet from the front building line if located on the ground floor;
132 2. Twenty-five feet from the front building line if located on the 2nd floor; or
133 3. Thirty-five feet from the front building line if located on the third floor.
- 134 (5) In lieu of providing all building separations required in the H30C and H40 districts, a
135 building may provide one or more building separation equivalency areas as follows:
- 136 a. The total sum of the provided building separation equivalency areas shall not be less
137 than the sum of the total building separation areas that would be required if the
138 separations required in subsections (2), (3), or (4) above, as applicable, were
139 instituted.
- 140 b. Building separation equivalency areas shall be no more than 250 feet apart.
- 141 c. Any building separation for a property with more than 150 linear feet of lot frontage
142 on both Harding Avenue and Collins Avenue shall run from Harding Avenue
143 directly through to Collins Avenue.
- 144 d. The building facades facing each side of the separation area shall provide a
145 minimum of ten percent wall openings per façade and a minimum four-foot area
146 for plantings along each façade.
- 147 e. Buildings may have a one-story (15 feet in height or less) connecting floor or
148 breezeway provided such connection is set back a minimum of:
- 149 1. Fifteen feet from the front building line if located on the ground floor;
150 2. Twenty-five feet from the front building line if located on the second floor; or
151 3. Thirty-five feet from the front building line if located on the third floor.
- 152 (6) Structured parking garages: see section 90-49.4.

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

(7) Buildings within a district designated as a historic district per Miami-Dade County shall be excluded from these requirements.

(8) Continuous wall frontage for hotels in the H40 zoning district south of 93rd Street shall not exceed 150 feet in length.

* * *

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 10th day of October, 2019.

PASSED and ADOPTED on second reading this _____ day of _____, 2019.

On Final Reading Moved by: _____

On Final Reading Second by: _____

190 **FINAL VOTE ON ADOPTION:**

191 Commissioner Barry Cohen _____
192 Commissioner Michael Karukin _____
193 Commissioner Tina Paul _____
194 Vice Mayor Daniel Gielchinsky _____
195 Mayor Daniel Dietch _____

196

197

198

199 _____
Daniel Dietch, Mayor

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201

202

203 **ATTEST:**

204

205

206 _____
Sandra Novoa, MMC, Town Clerk

207

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

210

211

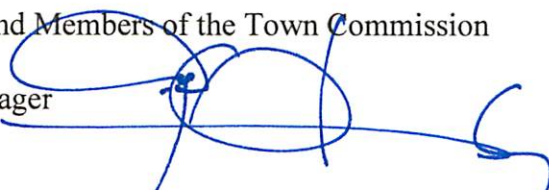
212 _____
Weiss Serota Helfman Cole and Bierman, P.A.
213 Town Attorney



MEMORANDUM

ITEM NO. 5A

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

From: Guillermo Olmedillo, Town Manager 

Date: October 10, 2019


Subject: Approval of Resolution for Agreement with Lexis Nexis Coplogic Solutions Inc., for Traffic Crash Reporting, Traffic Crash Report Distribution, and Uniform Traffic Citation Module.

The Surfside Police Department has utilized the Lexis Nexis Coplogic Solutions Inc. eCrash traffic crash reporting and on-line traffic crash distribution system for over five (5) years. The Lexis Nexis products provide the Police Department with a complete traffic crash solution that includes traffic crash software, automation of crash reporting, electronic data management/retention, crash data analysis and a citizen-friendly on-line system for consumers to access and obtain copies of traffic crash reports. The Police Department wishes to expand the capabilities of the system by including the eCitation module that will allow officers to electronically create Uniform Traffic Citations through the current software, thus enhancing officer safety through a faster and more accurate citation issuance process. The eCitation software will also reduce Department administrative processing time by allowing for the direct filing of the citations electronically to the Miami-Dade County Clerk of the Courts. The Department will implement the eCitation module on a trial basis starting with two (2) licenses.

Currently, a number of South Florida Law Enforcement Agencies and agencies throughout the State of Florida utilize the Lexis Nexis Coplogic Solutions Inc. eCrash system and eCitation software to effectively support their traffic crash reporting, citation reporting, and associated document retention/distribution.

The budget impact for Fiscal Year 2019/2020 is \$1,877.00 for the eCitation software for two (2) licenses and a recurring annual support and maintenance fee of \$287.00 for the two (2) licenses. There is no cost to the Department for the eCrash system. The Town receives a portion of the funds collected by Lexis Nexis Coplogic Solutions Inc. for crash report distribution to customers.

Staff recommends a motion to approve a resolution for the agreement with Lexis Nexis Coplogic Solutions Inc. to provide software support and maintenance for the eCrash system and eCitation software to be utilized by the Surfside Police Department.

Prepared by: Chief Julio Yero 

RESOLUTION NO. 2019- _____

**A RESOLUTION OF THE TOWN COMMISSION OF THE
TOWN OF SURFSIDE, FLORIDA APPROVING A
SOFTWARE SERVICE AGREEMENT WITH LEXISNEXIS
COPLOGIC SOLUTIONS, INC. FOR ELECTRONIC
TICKET SERVICES AND ELECTRONIC POLICE RECORD
PORTAL SERVICES; PROVIDING FOR
AUTHORIZATION; PROVIDING FOR
IMPLEMENTATION AND PROVIDING FOR AN
EFFECTIVE DATE.**

WHEREAS, the Town of Surfside (“Town”) Police Department wishes to increase efficiencies when issuing traffic and other civil citations; and to utilize the most efficient and effective mobile crash reporting software; and

WHEREAS, LexisNexis Coplogic, Inc., (“Contractor”) is in the business of developing comprehensive products for law enforcement agencies; and

WHEREAS, the Contractor has provided a Law Enforcement Agreement (the “Agreement”) for its general services and Order Forms for the Town to purchase and access the Contractor’s eCitation and eCrash software programs, all attached hereto as Exhibit “A”; and

WHEREAS, the Town Commission finds that the Agreement and approval of this Resolution is in the best interest and welfare of the residents of the Town and wishes to approve same in substantially the form attached hereto as Exhibit “A, ” together with the Addendum attached.

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

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

Section 2. Approval and Authorization. The Agreement between the Town and the Contractor, substantially in the form attached hereto as Exhibit “A,” together with the Addendum attached, is hereby approved. The Town Commission authorizes the Town Manager to execute the Agreement on behalf of the Town, together with such non-substantive changes as may be approved by the Town Manager and Town Attorney for legal sufficiency.

Section 3. Implementation. The Town Manager and/or Police Chief are authorized to take all action necessary to implement the purposes of this Resolution and the Agreement.

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

PASSED AND ADOPTED this ____ day of October, 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

LAW ENFORCEMENT AGREEMENT

This Law Enforcement Agreement ("Agreement") is dated _____ ("Effective Date") by and between LexisNexis Coplogic Solutions Inc., with its principal place of business at 1000 Alderman Drive, Alpharetta, Georgia 30005 ("Provider"), and Surfside Police Department, with its principal place of operations at 9293 Harding Avenue, Surfside, Florida 33154 ("Agency"). Provider and Agency may be referred to herein individually as a "Party" and collectively referred to as "Parties".

1. SCOPE. Provider as part of its business has developed several comprehensive products and services for law enforcement. Subject to the terms and conditions of this Agreement, Agency desires to order and Provider agrees to provide the various products and services contained herein (collectively referred to as the "Services") as described in an applicable order to this Agreement ("Order"). The parties acknowledge Agency is a law enforcement entity with responsibility for the documentation, retention, and management of information and reporting related to vehicle accidents, citations, and incidents occurring within its jurisdiction (as used within this Agreement, each documented event is a "Report"). "Report" shall also include any associated or supplemental information provided with the Report including agency name, images and upload date, as applicable.

2. LICENSE AND RESTRICTIONS.

- 2.1 License Grant and License Restrictions. Upon execution of an applicable Order, Provider hereby grants to Agency a restricted, limited, revocable license to use the Services only as set forth in this Agreement and any applicable Order, and for no other purposes, subject to the restrictions and limitations set forth below:
- a. Agency shall not use the Services for marketing or commercial solicitation purposes, resell, or broker the Services to any third-party or otherwise use the Services for any personal (non-law enforcement) purposes; and
 - b. Agency shall not access or use Services from outside the United States without Provider's prior written approval; and
 - c. Agency shall not use the Services to create a competing product or provide data processing services to third parties; and
 - d. Agency's use of the Services hereunder will not knowingly violate any agreements to which Agency is bound; and
 - e. Agency shall not harvest, post, transmit, copy, modify, create derivative works from, tamper, distribute the Services, or in any way circumvent the navigational structure of the Services, including to upload or transmit any computer viruses, Trojan Horses, worms or anything else designed to interfere with, interrupt or disrupt the normal operating procedures of Services; and
 - f. Agency may not use the Services to store or transmit infringing, libelous, or otherwise unlawful or tortious material, or to store or transmit material in violation of third-party privacy rights or otherwise infringe on the rights of others; and
 - g. Agency shall not reveal any user accounts or passwords for the Services to any third parties (third parties shall not include Agency's employees who have a need to know such information); and
 - h. Agency shall not permit any third party (third parties shall not include Agency's employees who have a need to know such information) to view or use the Services, even if such third party is under contract to provide services to Agency; and
 - i. Agency shall comply with all laws, regulations, and rules which govern the use of the Services.
- 2.2 Other Restrictions. In addition Provider may, at any time, impose restrictions and/or prohibitions on the Agency's use of the Services, or certain data or no longer offer certain functionalities or features that may be the result of a modification in Provider policy, a modification of third-party agreements, a modification in industry standards, a Security Event (defined below), a change in law or regulation, or the interpretation thereof. Upon written notification by Provider of such restrictions, Agency agrees to comply with such restrictions or, in the event that Agency is unable to comply, it shall notify Provider in writing of its inability to comply within ten (10) days after receipt of Provider's written notification. In that event, either Party may immediately terminate this Agreement by providing written notice thereof to the other Party without such termination constituting a breach of this Agreement. Provider shall be Agency's designated preferred provider of such Services as are mutually agreed to and defined hereunder, related to the handling of Agency's Reports.
- 2.3 Violation of License Terms and / or Restrictions. Agency agrees that, if Provider determines or reasonably suspects that: (i) Agency is violating any license terms, restrictions, or other material provision of the Agreement; or (ii) Agency has experienced a Security Event (as herein defined), Provider may, at its sole option, take immediate action up to and

including, without further obligation or liability of any kind, terminating Agency's account and the license to use the Services.

3. SUPPORT AND MAINTENANCE.

- 3.1. Ongoing Maintenance. Provider will, from time-to-time issue and/or provide maintenance including bug fixes, enhancements, new features, or new functionality that are generally made available to customers along with any corresponding changes to documentation ("Maintenance"). Maintenance does not include work to custom code, customized configurations, or to unauthorized modifications of the Services. Any Provider assistance beyond standard Maintenance will be billed at Provider's then current pricing schedule, as agreed upon in advance by the Parties. Additionally, upon Agency's written notice of new or revised legislation, statutes, or ordinances requiring any Services to be updated, Provider shall update or modify the Services or particular form consistent with such new regulation within a reasonable time.
- 3.2. Support Services. Provider will provide ongoing support services for problems, queries or requests for assistance ("Support") provided that all requests for Support must be made to Provider Monday through Friday from 8:00 AM ET to 8:00 PM ET at 1-888-949-3835. Provider will also provide limited after hours Support including the ability to leave a message and receive a call back the following business day or sooner, if critical. In order to provide Support, Agency will provide all information reasonably required by Provider to identify the issue, including: an Agency point of contact (familiar with the Services and issue), description of issue, screenshots, the impact, and assist in Provider's efforts to reproduce the problem (as applicable). Provider will work to resolve problem with reasonable promptness for issues that are application or Services related (Provider is not responsible for resolving issues caused by Agency hardware). The Agency agrees to provide Provider with data transfers, as requested, remote access to the Services system, and with sufficient test time on the Agency's computer system to duplicate the problem, to certify that the problem is with the Services, and to certify that the problem has been corrected. If the problem cannot readily be resolved, Provider will attempt to identify a work around. Upon resolution of any issue, Provider shall notify the Agency of such resolution via email. The Parties agree that Provider is not obligated to ensure that its Services are compatible with outdated (exceeding 4 years from date of initial release) hardware, computer operating services or database engines.
- 3.3. On Site Support. In response to written Agency requests for Provider to provide on-site routine non-emergency support, Provider shall produce a written estimate of the time required to provide the requested support and state any requirements, such as the presence of Agency staff or other resources or materials. Any on-site support provided by Provider shall only be invoiced by Provider or paid by Agency if the problem arose due to something other than a defect in the Services. The Agency shall reimburse Provider at the rate of two thousand five hundred (\$2,500.00) dollars per day for each Provider employee who provides any on-site support, and such fees will not include any reimbursement for Provider travel time or travel expenses.

4. FEES.

- 4.1. Fees due to Provider. Any fees due to Provider for Services hereunder shall be specified in an Order ("Fees"). For any Order where Fees are specified, Provider will issue an invoice to Agency pursuant to the terms in the Order. Invoices shall be paid in full by Agency within thirty (30) days from invoice date. Provider may increase or decrease the Fee following the Initial Term (as defined in an applicable Order) by providing Agency no less than sixty (60) days written notice prior to the effective date of such pricing change. In the event Agency has a good faith dispute on all or a portion of an unpaid invoice ("Dispute"), Agency shall notify Provider in writing and follow the procedures set forth below. To the extent an interface or other technological development is required to enable an Agency designated third party (i.e., RMS Vendor) to receive Reports from Provider at Agency's request or to enable Provider to intake Agency Data, such cost shall not be borne by Provider. If any invoice (or undisputed portion thereof) remains unpaid and not subject to a Dispute after sixty (60) days from the invoice date, Provider shall have the right to terminate this Agreement (including all Services) or the right to discontinue the applicable Service immediately, without such action constituting a breach or incurring any liability herein. All Fees not properly disputed or paid shall accrue interest at the rate of eighteen percent (18%) per annum. All Fees are calculated for payment made via ACH, Wire, or Agency check. Agency agrees that Fees exclude taxes (if applicable) or other cost incurred by Agency's RMS Vendor or other third parties and agrees such costs shall be passed on to Agency. Provider shall not be required to enter into a third-party relationship to obtain payment for the Service provided to Agency; however, should Provider elect to do so, Provider reserves the right to charge Agency additional fees for such accommodation.
- 4.2. Fees due to Agency. Using the process as herein defined, on behalf of Agency, Provider will collect and remit to Agency a fee for all Reports ("Agency Fee") purchased from the eCommerce portal set forth on the applicable Order, including but not limited to fees for purchases of Reports from that eCommerce portal by an Affiliate. On a monthly basis, Provider will electronically transfer to Agency's designated account, the total amount of applicable Agency Fee collected by Provider

during the previous month. Provider will make available a monthly report to Agency identifying the number of Reports provided on its behalf via the LexisNexis® Command Center administration portal and/or its successor.

4.2.1. No Agency Fee will be paid with respect to the following:

- 4.2.1.1. When an Affiliate of Provider has paid an Agency Fee to acquire a Report for an Authorized Requestor and such Affiliate later resells that Report from its inventory of previously purchased Reports to another Authorized Requestor; or
- 4.2.1.2. When one or more components of a Report (e.g., VIN number), rather than the Report in its entirety, is provided to an Authorized Requestor or an Affiliate of Provider by Provider; or
- 4.2.1.3. When a Report is acquired by an Affiliate of Provider from a source other than the eCommerce portal set forth on the applicable Order; or
- 4.2.1.4. When a fee is not charged to an Authorized Requestor for the Report.

Nothing in this Agreement shall require Provider or its Affiliate to pay an Agency Fee to the Agency when an Authorized Requestor provides a Report and/or specific data extracted from the Report to a third party after the Authorized Requestor has purchased such Report from the Affiliate's inventory of previously purchased Reports. Agency acknowledges that all reports requested by Agency Requestors shall be provided free of charge."

4.3. Fees retained by Provider. Where permitted by law, Provider will charge a convenience fee for each Report provided to an Authorized Requestor ("Convenience Fee") which shall be retained by Provider. The Convenience Fee shall be established by Provider at its discretion, but in no event shall exceed the amount a provider may legally charge an Authorized Requestor.

5. RETENTION / DISTRIBUTION. For all Services provided hereunder that involve Reports, Provider will maintain a copy of each Report for a period of no less than seven (7) years from the date of the Report. For Services that contemplate the sale of Reports, as more specifically described in an Order, Provider shall distribute Reports and/or specific data extracted from the Report to individuals or legal entities ("Authorized Requestors") and other authorized law enforcement entities ("Agency Requestors") in accordance with applicable laws and regulations. Nothing in this Agreement shall prohibit Provider's Affiliates (defined in Section 16.1, "Affiliates" below) from purchasing Reports from the eCommerce portal set forth in the Order, or from distributing previously purchased Reports and/or specific data extracted from the Report to Authorized Requestors or Agency Requestors in accordance with the terms of the Order and applicable laws and regulations. Nothing in this Agreement shall prohibit Affiliates from acquiring Reports from a source other than the eCommerce portal set forth in the Order.

6. TERMS AND TERMINATION.

6.1 Term. This Agreement shall commence upon the Effective Date and shall continue until terminated in accordance with this Agreement. Each Order shall set forth the specified term for the particular Service.

6.2 Termination.

- 6.2.1 Either Party may terminate this Agreement or any Order for cause if the other Party breaches a material obligation under the terms of this Agreement and fails to cure such breach within thirty (30) days of receiving written notice thereof from the non-breaching Party, provided, however, that if such material breach is of a nature that it cannot be cured, immediate termination shall be allowed. Failure to pay by either Party shall be considered a material default.
- 6.2.2 Either Party may elect to terminate this Agreement or any Order by providing written notice to the other of such intent, at least ninety (90) days prior to the end of the applicable Order term.
- 6.2.3 Provider may, upon six (6) months written notice to Agency, terminate any Service that will no longer be supported or offered by Provider. Provider will make reasonable efforts to transition Agency to a similar Service, if available. Further, Provider may at any time cease to provide Agency access to any portions of features of the Services thereof which Provider is no longer legally or contractually permitted to provide.

6.3 Effect of Termination. Upon termination of this Agreement, each Party shall be liable for payment to the other Party of all amounts due and payable for Services provided through the effective date of such termination. Upon receipt of Agency's written request after termination, Provider shall provide Agency with access to Reports provided by Agency under this Agreement and/or data provided through provision of the Services by Agency under an applicable Order so Agency may download and/or copy such information. Provider shall not be obligated to delete from its databases (or from other storage media) and/or return to Agency, Reports already provided to Provider by Agency, and shall be permitted to continue to maintain and distribute the Reports already in its possession to Authorized Requestors in compliance with applicable laws and regulations.

7. RELEVANT LAWS. Each party shall comply with all applicable federal, state, and local laws and regulations related to its performance hereunder, including:

- 7.1. Fair Credit Reporting Act. The Services provided pursuant to this Agreement are not provided by “consumer reporting agencies” as that term is defined in the Fair Credit Reporting Act (15 U.S.C. § 1681, et seq.) (“FCRA”) and do not constitute “consumer reports” as that term is defined in the FCRA. Agency certifies that it will not use any of the information it receives through the Services in whole or in part as a factor in determining eligibility for credit, insurance, or employment or for any other eligibility purpose that would qualify the information in as a consumer report.
- 7.2. Protected Health Information. Unless otherwise contemplated by an applicable Business Associate Agreement executed by the Parties, Agency will not provide Provider with any Protected Health Information (as that term is defined in 45 C.F.R. Sec. 160.103) or with Electronic Health Records or Patient Health Records (as those terms are defined in 42 U.S.C. Sec. 17921(5), and 42 U.S.C. Sec. 17921(11), respectively) or with information from such records without the execution of a separate agreement between the Parties.
- 7.3. Social Security Numbers. Social Security Numbers may be available hereunder as part of Reports and/or related data provided from certain states. However, Agency shall not provide Social Security Numbers to Provider under any circumstances under this Agreement. Should Agency require more information on Social Security Numbers or its obligations in relation thereto, Agency should contact Provider Agency Service at 1-866-215-2771 for assistance.
- 7.4. Privacy Principles. Agency shall comply with the “Provider Data Privacy Principles” available at <http://www.lexisnexis.com/privacy/data-privacy-principles.aspx>, as updated from time to time. Provider shall notify Agency in writing in the event that material changes are made to the Provider Data Privacy Principles.
- 7.5. Additional Requested Terms and Conditions: Provider acts on behalf of the Agency in carrying out Agency’s obligations to provide public access to vehicle accident reports under applicable public record laws. Provider will accordingly follow the instruction and direction of the Agency in fulfilling requests for Agency’s Reports. Should Agency require any specific terms and conditions for the disclosure or use of Reports on Provider’s eCommerce web portal beyond the terms and conditions otherwise defined herein, including any conditions relating to compliance with any laws restricting the disclosure, obtainment or use of Agency’s Reports, Agency will notify Provider within three (3) business days of Agency’s decision. Otherwise, Provider will rely on Agency to determine that all legal conditions relating to the disclosure, obtainment, and use of Agency’s Reports have been met when Agency authorizes Provider to disclose Agency’s Reports to Authorized Requestors on Provider’s eCommerce web portal pursuant to this Agreement.
- 7.6. Security. Agency agrees to protect against the misuse and/or unauthorized access of the Services provided to Agency in accordance with this Agreement and as set forth in Exhibit A, attached hereto.

8. CONFIDENTIAL INFORMATION AND INTELLECTUAL PROPERTY OWNERSHIP.

- 8.1. Definition. “Confidential Information” means all non-public information provided by the disclosing Party to the receiving Party hereunder, including, without limitation, the terms of this Agreement, all information related to technical, financial, strategies and related information, business information, computer programs, algorithms, know-how, processes, databases, systems, ideas, inventions (whether patentable or not), schematics, Trade Secrets (as defined by applicable law) and other information (whether written or oral). Confidential Information does not include Reports and information related thereto. Confidential Information does not include information that was, at the time of the disclosure: (a) or becomes (through no improper action or inaction by the recipient) generally known to the public; (b) lawfully disclosed to recipient by a third-party and received in good faith and without any duty of confidentiality by the recipient or the third-party; (c) in recipient’s possession or known to it prior to receipt from discloser; or (d) independently developed by recipient; provided in each case that such forgoing information was not delivered to or obtained by recipient as a result of any breach of this Agreement.
- 8.2. Treatment of Confidential Information. Each Party agrees to protect the Confidential Information with the same degree of care it uses to protect its own confidential information of a similar nature, but not less than a reasonable standard of care and not to use the other Party’s Confidential Information other than as necessary to perform its obligations or as permitted under this Agreement. A Party shall not remove or destroy any proprietary or confidential legends or markings placed upon or contained within any Confidential Information.
- 8.3. Intellectual Property Ownership. Each Party retains all right, title, and interest under applicable contractual, copyright and related laws to their respective Confidential Information, including the right to use such information for all purposes permissible by applicable laws, rules, and regulations. Provider retains all rights (other than the limited license granted herein), title, interest, ownership and all intellectual property rights in the Services including any improvements or modifications thereto, and Agency shall use such information consistent with such right, title and interest and notify Provider of any threatened or actual infringement thereof. Agency shall not remove or obscure any copyright or other notices from the Services or materials provided hereunder.
- 8.4. Exception for Subpoenas and Court Orders. A Party may disclose Confidential Information solely to the extent required by subpoena, court order or other governmental authority, provided that the receiving Party provides the disclosing Party

prompt written notice of such subpoena, court order or other governmental authority so as to allow the disclosing Party an opportunity to obtain a protective order to prohibit or limit such disclosure at its sole cost and expense. Confidential Information disclosed pursuant to subpoena, court order or other governmental authority shall otherwise remain subject to the terms applicable to Confidential Information.

- 8.5. **Duration.** Each Party's obligations with respect to Confidential Information shall continue for the term of this Agreement and for a period of five (5) years after termination of this Agreement, provided however, that with respect to Trade Secrets, each Party's obligations shall continue for so long as such Confidential Information continues to constitute a Trade Secret.
- 8.6. **Return of Confidential Information.** Upon the written request of a Party (and except as otherwise specifically set forth in an applicable Order), each Party shall return or destroy (and certify such destruction in a signed writing) any of the other Party's Confidential Information unless retention of such information is required by law, regulation, court order, or other similar mandate.
- 8.7. **Injunctive Relief.** In the event of a breach or a threatened breach of the confidentiality or privacy provisions of this Agreement, the non-breaching Party may have no adequate remedy in monetary damages and, accordingly, may seek an injunction against the breaching Party.
- 8.8. **Other.** During the term of this Agreement and subject to approval by Agency, Agency agrees to serve as a reference for the Services, which may include (i) reference calls with mutually acceptable prospects; (ii) a published "success story" describing the partnership with Provider; (iii) the use of Agency's name in Provider marketing activities; or (iv) a favorable reference of Provider to an industry analyst or at an industry conference.

9. PROVIDER AUDIT RIGHTS. Agency understands and agrees that, in order to ensure Agency's compliance with the Agreement, as well as with applicable laws, regulations and rules, Provider's obligations under its contracts with its data providers, and Provider's internal policies, Provider may conduct periodic reviews of Agency's use of the services and may, upon reasonable notice, audit Agency's records, processes and procedures related to Agency's use, storage and disposal of the Services and information received therefrom. Agency agrees to cooperate fully with any and all audits and to respond to any such audit inquiry within ten (10) business days, unless an expedited response is required. Violations discovered in any review and/or audit by Provider will be subject to immediate action including, but not limited to, invoicing for any applicable fees (if Services are based on number of users and Agency's use exceeds licenses granted), suspension or termination of the license to use the Services, legal action, and/or referral to federal or state regulatory agencies.

10. REPRESENTATIONS AND WARRANTIES. Agency represents and warrants to provider that Agency is fully authorized to disclose Reports, information, and related data or images to Provider in accordance with this Agreement and to grant Provider the rights to provide the Services as described herein. Where redaction of Reports is required prior to provision to Provider, Agency represents and warrants it will redact applicable Reports consistent with all laws and regulations. In performing their respective obligations under this Agreement, each Party agrees to use any data and provide any Services, in strict conformance with applicable laws and regulations, and further, to comply with all applicable binding orders of any court or regulatory entity and consistent with the terms of this Agreement.

11. LIMITATION OF WARRANTY. FOR PURPOSES OF THIS SECTION, "PROVIDER" INCLUDES PROVIDER AND ITS AFFILIATES, SUBSIDIARIES, PARENT COMPANIES, AND DATA PROVIDERS. THE SERVICES PROVIDED BY PROVIDER ARE PROVIDED "AS IS" AND WITHOUT ANY WARRANTY, EXPRESS, IMPLIED, OR OTHERWISE, REGARDING ITS ACCURACY OR PERFORMANCE INCLUDING WITHOUT LIMITATION ANY IMPLIED WARRANTY OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE, SUITABILITY, ORIGINALITY, OR OTHERWISE, OF ANY SERVICES, SYSTEMS, EQUIPMENT OR MATERIALS PROVIDED HEREUNDER.

12. INDEMNIFICATION. To the extent permitted under applicable law, each Party shall defend, indemnify, and hold harmless the other Party, its affiliates, and their officers, directors, employees, and agents (the "indemnified parties") against and from any and all losses, liabilities, damages, actions, claims, demands, settlements, judgments, and any other expenses (including reasonable attorneys' fees), which are asserted against the indemnified parties by a third party, but only to the extent caused by (i) violation of law in the performance of its obligations under this Agreement by the indemnifying Party, its affiliates, or the officers, agents or employees of such Party (the "indemnifying parties"); (ii) the gross negligence or willful misconduct of the indemnifying Parties during the term of this Agreement; (iii) violation, infringement or misappropriation of any U.S. patent, copyright, trade secret or other intellectual property right; or (iv) with respect to Agency, violation of any of the license terms or restrictions contained in this Agreement. The indemnities in this section are subject to the indemnified Parties promptly notifying the indemnifying Parties in writing of any claims or suits.

13. LIMITATION OF LIABILITY. To the extent permitted by applicable law, Provider's entire liability for any claims(s) resulting from its acts or omissions, including, but not limited to negligence claims under this Agreement shall not exceed the total amount of Fees actually received by provider from agency (excluding pass through or out of pocket expenses) for the specific services from which liability arises during the twelve (12) month period immediately preceding the event first giving rise to such liability, and if not

yet in the twelfth (12th) month of this Agreement, for the period leading up to such event. To the extent the relevant services are made available at no cost to agency, then in no event shall Provider's liability to agency under this Agreement exceed one hundred dollars (\$100.00) in the aggregate. This limitation of liability will not apply to any claims, actions, damages, liabilities or fines relating to or arising from provider's gross negligence or willful misconduct. In no event shall Provider be liable for any indirect, special, incidental, or consequential damages in connection with this Agreement or the performance or failure to perform hereunder, even if advised of the possibility of such damages.

14. **FORCE MAJEURE.** Neither Party will be liable for any delay or failure to perform its obligations hereunder due to causes beyond its reasonable control, including but not limited to natural disaster, pandemic, casualty, act of god or public enemy, riot, terrorism, or governmental act; provided, however, that such Party will not have contributed in any way to such event. If the delay or failure continues beyond thirty (30) calendar days, either Party may terminate this Agreement or any impacted Order with no further liability, except that agency will be obligated to pay provider for the Services provided under this Agreement prior to the effective date of such termination.

15. **NOTICES.** All notices, requests, demands or other communications under this Agreement shall be in writing to the address set forth in the opening paragraph and shall be deemed to have been duly given: (i) on the date of service if served personally on the party to whom notice is to be given; (ii) on the day after delivery to a commercial or postal overnight carrier service; or (iii) on the fifth day after mailing, if mailed to the Party to whom such notice is to be given, by first class mail, registered or certified, postage prepaid and properly addressed. Any Party hereto may change its address for the purpose of this section by giving the other party timely, written notice of its new address in the manner set forth above.

16. MISCELLANEOUS.

16.1 Affiliates. For purposes of this Agreement, "Affiliate" means any corporation, firm, partnership or other entity that directly or indirectly controls, or is controlled by, or is under common control with Provider. Affiliates shall not be bound by the terms and conditions of this Agreement with respect to the provision of their applicable Services hereunder and nothing in this Agreement shall prevent or limit Affiliates from offering previously purchased Reports or data extracted from Reports for sale.

16.2 Independent Contractor/No Agency. Each Party acknowledges that it has no authority to bind or otherwise obligate the other Party.

16.3 Assignment. Neither Party shall assign this Agreement in whole or in part without the prior written consent of the other Party, and any such attempted assignment contrary to the foregoing shall be void. Notwithstanding the foregoing, an assignment by operation of law, as a result of a merger or consolidation of a Party, does not require the consent of the other Party. This Agreement will be binding upon the Parties' respective successors and assigns.

16.4 Headings, Interpretation, and Severability. The headings in this Agreement are inserted for reference only and are not intended to affect the meaning or interpretation of this Agreement. The language of this Agreement shall not be construed against either Party. If any provision of this Agreement shall be held to be invalid, illegal, or unenforceable, the validity, legality, or enforceability of the remaining provisions shall not in any way be affected or impaired thereby.

16.5 Waiver; Remedies Non-Exclusive. No failure or delay on the part of any Party in exercising any right or remedy provided in this Agreement will operate as a waiver thereof. Unless otherwise provided herein, any remedy will be cumulative to any other right or remedy available at law or in equity.

16.6 Survival. Sections 2-4, 7-12, and 15 shall survive the termination or rescission of this Agreement.

16.7 Provider Shared Facilities. Provider may utilize facilities located outside the United States to provide support or the Services under this Agreement, and if such centers are utilized they shall be under the control of Provider and subject to all Provider policies that govern data access, protection and transport in the United States.

16.8 Entire Agreement. This Agreement represents the entire Agreement of the Parties and supersedes all previous and contemporaneous communications or agreements regarding the subject matter hereto. Agency by its signature below hereby certifies that Agency agrees to be bound by the terms and conditions of this Agreement including those terms and conditions posted on web pages specifically set forth herein or contained with any software provided under this Agreement, as may be updated from time to time. Any additional terms or conditions contained in purchase orders or other forms are expressly rejected by Provider and shall not be binding. Acceptance or non-rejection of purchase orders or other forms containing such terms; Provider's continuation of providing Products or Services; or any other inaction by Provider shall not constitute Provider's consent to or acceptance of any additional or different terms from that stated in this Agreement. This Agreement may only be modified by a written document signed by both Parties.

16.9 Governing Law. The Agreement will be governed by and construed under the laws of the State of Florida, excluding its conflict of law rules.

[Signatures on following Page]

IN WITNESS WHEREOF, the Parties have caused this Agreement to be executed by their respective authorized representatives as of the Effective Date.

Agency: **Surfside Police Department**

Provider: **LexisNexis Coplogic Solutions Inc.**

Signature: _____

Signature: _____

Printed Name: _____

Printed Name: _____

Title: _____

Title: _____

Date: _____

Date: _____

EXHIBIT A - SECURITY AND NOTIFICATION REQUIREMENTS

- 1. Data Protection.** Agency shall take appropriate measures to protect against the misuse and unauthorized access through or to Agency's (i) credentials ("Account IDs") used to access the Services; or (ii) corresponding passwords, whether by Agency or any third party; or (iii) the Services and/or information derived therefrom. Agency shall manage identification, use, and access control to all Account IDs in an appropriately secure manner and shall promptly deactivate any Account IDs when no longer needed or where access presents a security risk. Agency shall implement its own appropriate program for Account ID management and shall use commercially reasonable efforts to follow the policies and procedures for account maintenance as may be communicated to Agency by Provider from time to time in writing.
- 2. Agency's Information Security Program.** Agency shall implement and document appropriate policies and procedures covering the administrative, physical and technical safeguards in place and relevant to the access, use, storage, destruction, and control of information which are measured against objective standards and controls ("Agency's Information Security Program"). Agency's Information Security Program shall: (1) account for known and reasonably anticipated threats and Agency shall monitor for new threats on an ongoing basis; and (2) meet or exceed industry best practices. Agency will promptly remediate any deficiencies identified in Agency's Information Security Program. Agency shall not allow the transfer of any personally identifiable information received from Provider across any national borders outside the United States without the prior written consent of Provider.
- 3. Agency Security Event.** In the event Agency learns or has reason to believe that Account IDs, the Services, or any information related thereto have been misused, disclosed, or accessed in an unauthorized manner or by an unauthorized person (an "Agency Security Event") Agency shall:
 - (i) provide immediate written notice to:
 - a) the Information Security and Compliance Organization at 1000 Alderman Drive, Alpharetta, Georgia 30005; or
 - b) via email to (security.investigations@lexisnexis.com); or
 - c) by phone at (1-888-872-5375) with a written notification to follow within twenty four (24) hours; and
 - (ii) promptly investigate the situation; and
 - (iii) obtain written consent from Provider, not to be unreasonably withheld, prior to disclosing Provider or the Services to any third party in connection with the Agency Security Event; and
 - (iv) if required by law, or in Provider's discretion, Agency shall:
 - a) notify the individuals whose information was disclosed that an Agency Security Event has occurred; and
 - b) be responsible for all legal and regulatory obligations including any associated costs which may arise in connection with the Agency Security Event; and
 - (v) remain solely liable for all costs and claims that may arise from the Agency Security Event, including, but not limited to: litigation (including attorney's fees); reimbursement sought by individuals (including costs for credit monitoring and other losses alleged to be in connection with such Agency Security Event); and
 - (vi) provide all proposed third party notification materials to Provider for review and approval prior to distribution.

In the event of an Agency Security Event, Provider may, in its sole discretion, take immediate action, including suspension or termination of Agency's account, without further obligation or liability of any kind.

Order No. 1
LexisNexis® eCitation

This Order No. 1 ("Order") is entered into this _____ day of _____, 2019 ("Order Effective Date") between Surfside Police Department ("Agency") and LexisNexis Coplogic Solutions Inc. ("Provider") and subject to the terms and conditions of the Law Enforcement Agreement effective _____ ("Agreement") between the Parties.

1. TERMS AND CONDITIONS.

All of the terms and conditions contained in the Agreement shall remain in full force and effect and shall apply to the extent applicable to this Order except as expressly modified herein. To the extent that the terms and conditions of this Order are in conflict with the terms and conditions of the Agreement, or any other incorporated item, this Order shall control. Capitalized terms used herein but not defined shall have the same meaning as set forth in the Agreement.

2. DESCRIPTION OF SERVICES.

Provider, as part of its business has developed and makes available to law enforcement entities an electronic citation solution called LexisNexis® eCitation for law enforcement which enables electronic ticket writing and the ability to print citations on demand.

3. SCOPE OF SERVICES.

Provider agrees to provide the following Services to Agency subject to the provisions of this Order. Any change to the Services as set forth in this Order that occur after the Order Effective Date must be made by amendment to this Order, signed by both Parties. Provider will provide the following Services subject to Agency's technology capabilities, processes, and work-flow functionality:

- 3.1. Provide Services including licenses for two (2) devices to Agency, enabling installation of the Services on Agency's application-compatible computing devices to include the following features:
 - a. Voice response
 - b. Distribution of citation number
 - c. Ability to interface with NCIC, NLETS, and state databases to auto-populate Reports with applicable data
 - d. Online agency administration portal to view Reports and obtain information related to Agency's Reports.
- 3.2. Establish protocol to electronically transfer Reports in a timely manner from Agency to Provider.
- 3.3. Provide Support and Maintenance as set forth in the Agreement.
- 3.4. If requested by the Agency, Provider may agree to configure and/or customize the Services to the Agency's specific and reasonable requirements. Any configuration or customization of Services by Provider in accordance with this clause will become part of the Services and will continue to be subject to all the terms of the Agreement and this Order. Provider shall be entitled to charge a reasonable fee for such configuration or customization services, which will be agreed upon by the Parties in writing prior to any work being performed.
- 3.5. If maintenance requires updates to terms and conditions, Agency will require users to accept those updates at the next login after the update has been provided.

4. TERM AND TERMINATION.

This Order shall commence upon the Order Effective Date and shall continue for an initial term of twelve (12) months ("Initial Term"), whereupon this Order shall automatically renew for additional twelve (12) month periods ("Renewal Term") unless either Party provides written notice to the other Party, at least forty five (45) days prior to the expiration of the Renewal Term.

5. FEES.

The Fees for the Services shall be subject to the terms set forth in Section 5 of the Agreement.

- 5.1. The license Fees for the Services shall be One Thousand Five Hundred Ninety and 00/100 Dollars (\$1,590.00) for the

Confidential and Proprietary Information of LexisNexis

Initial Term and shall be invoiced by Provider upon the Order Effective Date.

5.2. The Support and Maintenance Fees for the Services shall be Two Hundred Eight Six and 20/100 Dollars (\$286.20) for the Initial Term and shall be invoiced by Provider upon full execution of this Order.

5.3. After the Initial Term, all license and Support and Maintenance Fees shall be invoiced by Provider according to the Agreement and shall be due on the annual anniversary of the Order Effective Date.

IN WITNESS WHEREOF, the Parties have caused this Order to be executed by their respective authorized representatives as of the Effective Date.

Agency: Surfside Police Department

Provider: LexisNexis Coplogic Solutions Inc.

Signature: _____

Signature: _____

Printed Name: _____

Printed Name: _____

Title: _____

Title: _____

Date: _____

Date: _____

Order No. 2
LexisNexis® eCrash

This Order No. 2 ("Order") is entered into this _____ day of _____, 2019 ("Order Effective Date") between Surfside Police Department ("Agency") and LexisNexis Coplogic Solutions Inc. ("Provider") and subject to the terms and conditions of the Law Enforcement Agreement effective _____ ("Agreement") between the Parties.

1. **TERMS AND CONDITIONS.** All of the terms and conditions contained in the Agreement shall remain in full force and effect and shall apply to the extent applicable to this Order except as expressly modified herein. To the extent that the terms and conditions of this Order are in conflict with the terms and conditions of the Agreement, or any other incorporated item, this Order shall control. Capitalized terms used herein but not defined shall have the same meaning as set forth in the Agreement.
2. **DESCRIPTION OF SERVICES.** Provider, as part of its business has developed and makes available to law enforcement entities a solution called LexisNexis® eCrash that enables for the collection and the online distribution of Reports via Provider's eCommerce portal(s), LexisNexis® Police Reports.com, or its successor(s). In exchange for the Services provided to Agency, Agency agrees that Provider shall have the sole and exclusive right to sell the Agency's crash Reports online and to distribute data extracted from the Reports. Agency retains the rights to fulfill requests for a Report made pursuant to state freedom of information laws.
3. **SCOPE OF SERVICES.** Provider agrees to provide the following Services to Agency subject to the provisions of this Order. Any change to the Services as set forth in this Order that occur after the Order Effective Date must be made by amendment to this Order, signed by both Parties. Provider will provide the following Services subject to Agency's technology capabilities, processes, and work-flow functionality:
 - 3.1. Permit connection of Provider's application on Agency's application-compatible computing devices, with the following features:
 - a) Integrated crash scene diagramming
 - b) Ability to interface with NCIC, NLETS, and state databases to auto-populate Reports with applicable data (in participating states)
 - c) Voice response (in participating states)
 - d) Online agency administration portal to view Reports, generate analytics, and obtain information related to Agency's Reports
 - 3.2. Establish a communication protocol to electronically or manually transfer Reports in a timely manner from Agency to Provider
 - 3.3. Provide Report retention and distribution services as set forth in in Section 5 of the Agreement.
4. **TERM AND TERMINATION.** This Order shall commence upon the Order Effective Date and shall continue for an initial term of thirty six (36) months ("Initial Term"), whereupon this Order shall automatically renew for additional twelve (12) month periods ("Renewal Term") unless either Party provides written notice to the other Party, at least sixty (60) days prior to the expiration of the Renewal Term.
5. **FEES.** Pursuant to Section 4 of the Agreement, the Agency Fee is One and 00/100 Dollars (\$1.00). There shall be no fee to Agency for the Services.
 - 5.1. For the avoidance of doubt, no Agency Fee will be paid with respect to the following:
 - a) When an Affiliate of Provider has paid an Agency Fee to acquire a Report for an Authorized Requestor and such Affiliate later resells that Report from its inventory of previously purchased Reports to another Authorized Requestor; or

- b) When one or more components of a Report (e.g., VIN number) is provided to an Authorized Requestor or an Affiliate of Provider by Provider rather than the entirety of the Report being provided; or
- c) When a Report is acquired by an Affiliate of Provider from a source other than the eCommerce portal set forth on the applicable Order; or
- d) When a fee is not charged to an Authorized Requestor for the Report.

Nothing in this Order shall require Provider or its Affiliate to pay an Agency Fee to the Agency when an Authorized Requestor provides a Report and/or specific data extracted from the Report to a third party after the Authorized Requestor has purchased such Report from the Affiliate's inventory of previously purchased reports. Agency acknowledges that all reports requested by Agency Requestors shall be provided free of charge.

IN WITNESS WHEREOF, the Parties have caused this Order to be executed by their respective authorized representatives as of the Effective Date.

Agency: **Surfside Police Department**

Provider: **LexisNexis Coplogic Solutions Inc.**

Signature: _____

Signature: _____

Printed Name: _____

Printed Name: _____

Title: _____

Title: _____

Date: _____

Date: _____

**ADDENDUM TO CONTRACT AND AGREEMENT
BETWEEN THE TOWN OF SURFSIDE, FLORIDA AND
LEXISNEXIS CHOPLOGIC SOLUTIONS, INC.**

ECITATIONS AND ECRASH SOFTWARE

THIS ADDENDUM TO CONTRACT AND AGREEMENT (“Addendum”) is made and entered into as of this ____ day of _____, 2019, by and between **TOWN OF SURFSIDE, FLORIDA**, a Florida municipal corporation (hereinafter referred to as “Town” or “Client”) and **LEXISNEXIS COPLOGIC SOLUTIONS, INC.**, a Georgia Corporation (hereinafter referred to as “LexisNexis” or “Contractor”).

WITNESSETH:

WHEREAS, the Town and Contractor wish to enter into that certain Agreement, and this Addendum, for the purpose of Contractor providing the Town with access to the Contractor’s eCitation and eCrash software solutions for use by the Town Police Department; and

WHEREAS, the Town and Contractor desire to add to and amend certain provisions of the Agreement as hereinafter provided.

NOW, THEREFORE, for and in consideration of the mutual promises herein contained, and other good and valuable consideration, the receipt, adequacy and sufficiency of which are hereby acknowledged, Town and Contractor desiring to be legally bound, do hereby agree and covenant, notwithstanding the terms and conditions of the Agreement, as follows:

1. **Addendum Controls.** In the event of any conflict between this Addendum and the Agreement, the terms of this Addendum shall prevail and govern.
2. **Defined Terms.** All initial capitalized terms used in this Addendum shall have the same meaning as set forth in the Agreement unless otherwise provided.
3. **Recitals.** The recitals set forth above are incorporated herein and made a part of this Addendum.
4. **Indemnification.** Contractor shall protect, defend, indemnify, save and hold harmless the Town, all departments, agencies, boards and commissions, its officers, agents, servants and employees, from and against any and all claims, demands, expense and liability arising out of injury or death to any person or the damage, loss or destruction of any property which may occur or in any way grow out of the Display or services and any negligent act or omission of the Contractor, its agents, servants, and employees, or any and all costs, expense and/or attorney fees incurred by the Town as a result of any claim, demands, and/or causes of action. Nothing in this indemnification or the Agreement is intended to act as a waiver of the Town’s sovereign immunity rights, including those provided under section 768.28, Florida Statutes. Any reference in the Agreement to the Town indemnifying the Contractor is hereby deleted. This indemnification shall survive the expiration or termination of the Agreement.

5. **Notices/Authorized Representatives.** Any notices required by the 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: Town of Surfside
Town Manager
9293 Harding Avenue
Surfside, Florida 33154

With a copy to: Town Attorney
Town of Surfside
9293 Harding Avenue
Surfside, Florida 33154

For the Contractor: LexisNexis Coplogic Solutions, Inc.
1000 Alderman Drive
Alpharetta, Georgia 30005

6. **Governing Law.** 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.

7.

8. **Ownership and Access to Records; Public Records.** Notwithstanding anything to the contrary in the Agreement, the Agreement and all Work, deliverables and services provided by the Contractor are subject to Florida's Public Records Law (Chapter 119, Florida Statutes, including but not limited to the following:

8.1. All records, books, documents, maps, data, deliverables, papers and financial information (the "Records") that result from the Contractor providing the Work to the Town under the Agreement shall be the property of the Town.

8.2. Contractor agrees to keep and maintain public records in Contractor's possession or control in connection with Contractor's performance under the Agreement. Contractor additionally agrees to comply specifically with the provisions of Section 119.0701, Florida Statutes. Contractor shall ensure that public records that are exempt or confidential and exempt from public records disclosure requirements are not disclosed, except as authorized by law, for the duration of the Agreement, and following completion of the Agreement until the records are transferred to the Town.

8.3. Upon request from the Town custodian of public records, Contractor shall provide the Town with a copy of the requested records or allow the records to be inspected or copied within a reasonable time at a cost that does not exceed the cost provided by Chapter 119, Florida Statutes, or as otherwise provided by law.

8.4. Unless otherwise provided by law, any and all records, including but not limited to reports, surveys, and other data and documents provided or created in connection with this

Agreement are and shall remain the property of the Town.

- 8.5. Upon completion of this Agreement or in the event of termination by either party, any and all public records relating to the Agreement in the possession of the Contractor shall be delivered by the Contractor to the Town Manager, at no cost to the Town, within seven (7) days. All such records stored electronically by Contractor shall be delivered to the Town in a format that is compatible with the Town's information technology systems. Once the public records have been delivered upon completion or termination of this Agreement, the Contractor shall destroy any and all duplicate public records that are exempt or confidential and exempt from public records disclosure requirements.
- 8.6. Any compensation due to Contractor shall be withheld until all records are received as provided herein.
- 8.7. Contractor's failure or refusal to comply with the provisions of this section shall result in the immediate termination of the Agreement by the Town.

Section 119.0701(2)(a), Florida Statutes

IF THE COMPANY HAS QUESTIONS REGARDING THE APPLICATION OF CHAPTER 119, FLORIDA STATUTES, TO THE COMPANY'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, Florida 33154**

Telephone number: **305-887-9541**

Email: **snovoa@townofsurfsidefl.gov**

9. **Compliance with Laws.** Contractor shall comply with all applicable laws, ordinances, rules, regulations, and lawful orders of public authorities in carrying out the Display, deliverables or services under the Agreement, and in particular shall obtain all required permits from all jurisdictional agencies to perform the Display and services under the Agreement.
10. **Amendments.** The Agreement may only be amended by the prior written approval of the parties or by execution of an amendment executed by both parties.
11. **Controlling Agreement; No Construction against Drafter.** The Agreement, as supplemented and modified by this Addendum, is the sole expression of the agreement

between the Town and Contractor as to the subject matter thereof.

12. **Counterparts.** This Addendum may be executed in counterparts and any counterpart evidencing signature by one party may be delivered by telecopy, facsimile or electronic mail. Each executed counterpart of this Addendum will constitute an original document and all executed counterparts, together, will constitute the same Agreement.
13. **Attorney's Fees and Waiver of Jury Trial.** In the event of any litigation arising out of this Agreement, the prevailing party shall be entitled to recover its attorneys' fees and costs, including the fees and expenses of any paralegals, law clerks and legal assistants, and including fees and expenses charged for representation at both the trial and appellate levels. 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.

**[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]
[SIGNATURE PAGE TO FOLLOW]**

IN WITNESS WHEREOF, the parties hereto have caused this Addendum on the dates set forth below their respective signatures.

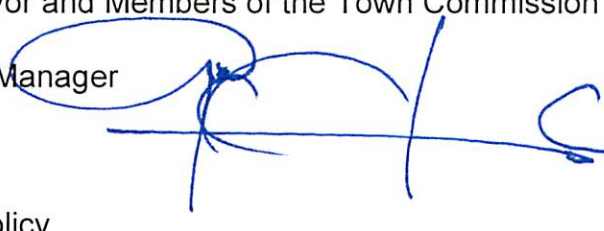
| | |
|--|--|
| <p>ATTEST:</p> <p>_____</p> <p>Town Clerk</p> | <p>TOWN:</p> <p>TOWN OF SURFSIDE, FLORIDA, a Florida municipal corporation</p> <p>By: _____</p> <p>Name: _____</p> <p>Title: _____</p> <p>Date: _____</p> |
| <p>APPROVED AS TO LEGAL FORM AND SUFFICIENCY:</p> <p>_____</p> <p>Town Attorney</p> | |
| | <p>Contractor</p> <p>LEXISNEXUS COPLOGIC SOLUTIONS, INC., a Georgia corporation</p> <p>By: _____</p> <p>Name: _____</p> <p>Title: _____</p> <p>Date: _____</p> |
| | |



MEMORANDUM

ITEM NO. 5B

To: Honorable Mayor, Vice-Mayor and Members of the Town Commission
From: Guillermo Olmedillo, Town Manager
Date: September 10, 2019
Subject: Annual Pension Funding Policy



The Town would like to adopt an Annual Pension Funding Policy ("Policy"). The Policy would set forth a requirement that the Town shall make annual contributions to the Fund, at a minimum, in an amount equal to the actuarially required payment or up to the annually budgeted amount.

The Town Commission is provided a Resolution to adopt a new Policy, which will be implemented immediately upon adoption. Administration does not expect additional staff or budgetary impacts to implement the new Policy.

The Town Administration recommends that the Commission adopt the Annual Pension Funding Policy Resolution in order to formalize the annual pension plan funding process.

Reviewed by: LA

Prepared by JDG

RESOLUTION NO. 2019- _____

**A RESOLUTION OF THE TOWN COMMISSION OF THE
TOWN OF SURFSIDE, FLORIDA, ESTABLISHING
MINIMUM ANNUAL CONTRIBUTION REQUIREMENTS
FOR THE TOWN OF SURFSIDE RETIREMENT PLAN;
PROVIDING FOR IMPLEMENTATION; AND PROVIDING
FOR EFFECTIVE DATE.**

WHEREAS, the Town of Surfside (“Town”) Commission wishes to ensure the financial stability of the Town of Surfside Retirement Plan (the “Plan”); and

WHEREAS, Division 2 (Pension Plan), Article V. (Employee Benefits), of Chapter 2 (Administration), of the Town of Surfside Code, created the pension or retirement plan for employees of the Town of Surfside, and for which a fund has been established, into which all contributions and assets attributable to the Plan are deposited (the “Fund”); and

WHEREAS, the Town Commission wishes to set forth a policy requiring that the Town shall make annual contributions to the Fund, at a minimum in an amount equal to the actuarially required payment or in excess of such amount up to the annually budgeted amount.

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

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

Section 2. **Minimum Annual Contributions.** That the Town Commission hereby adopts a policy requiring that the Town shall make annual contributions to the Fund, at a minimum in an amount equal to the actuarially required payment or in excess of such amount up to the annually budgeted amount.

Section 3. **Implementation.** That the Town Manager and/or designee are authorized to expend budgeted funds and take any and all action necessary to implement the purposes of this Resolution and the Agreement.

Section 4. **Effective Date.** That this Resolution shall be effective immediately upon adoption hereof.

PASSED AND ADOPTED on this 10th day of October, 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: October 10, 2019
Subject: Beach and Dune Report

The Sustainability and Resiliency Committee, as part of their Town Commission directed responsibilities, worked with Town staff and Calvin, Giordano and Associates to complete a Beach and Dune Report (Attachment A).

The Administration is seeking Town Commission approval to analyze the report and return with a timeline, and associated costs, for a Surfside specific Dune Management Plan.

Reviewed by

Prepared by



Town of Surfside

9293 Harding Avenue
Surfside, FL 33154

Beach and Dune Report

W.A. 110

CGA Project number: 18-9942

Prepared By: **Calvin, Giordano & Associates, Inc.**
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BEACH CREATION AND STATUS

The approximate one mile length of public beach and dune along the Town of Surfside's (Town or Surfside) ocean frontage was created from a beach renourishment program. The federally-authorized Dade County Shore Protection Project, which included Surfside, began in 1978 and was completed in January 1982 using sand from offshore borrow sites. This project included creation of a 20 foot wide dune at elevation +10.7 foot NGVD and a 50 foot wide level storm protection berm at elevation +8.2 foot NGVD. Additional fill material, equivalent to ten years of advance nourishment, was placed seaward of the design berm with this initial program. The Miami-Dade (County) *Erosion Control Master Plan* (Plan) reports that an additionally 590,000 cubic yards of sand was placed in Surfside again in 1999. The attached aerial photographs of Surfside in 1970 and 1984 demonstrate the initial beach renourishment effort and the 1999 aerial photographs (February and December) demonstrate the follow-up project. See Exhibit A. Aerial photograph of Surfside 1970 and 1984 and 1999.

The December 2017, *Critically Eroded Beaches in Florida*, report from the Florida Department of Environmental Protection (FDEP) states that most of the County's barrier island coast north of Cape Florida is critically eroded. FDEP, pursuant to rule 62B-36.002(5), Florida Administrative Code (F.A.C.), defines a critically eroded shoreline as, "a segment of the shoreline where natural processes or human activity have caused or contributed to erosion and recession of the beach or dune system to such a degree that upland development, recreational interests, wildlife habitat, or important cultural resources are threatened or lost. Critically eroded shorelines may also include peripheral segments or gaps between identified critically eroded areas which, although they may be stable or slightly erosional now, their inclusion is necessary for continuity of management of the coastal system or for the design integrity of adjacent beach management projects." The report identifies three critically eroded areas (17.0 miles), two non-critically eroded areas (1.4 miles) and one non-critically eroded inlet shoreline area (0.3 mile) in the County. Between Bakers Haulover Inlet and Government Cut (R27 – R74.4) are 9.4 miles of critical erosion, which threaten development and recreational interests along Bal Harbour, Surfside and Miami Beach. See Exhibit B. Critically Eroded Beaches Map.

The Town is approximately 0.85 miles south of Bakers Haulover Inlet. The Plan states that "areas immediately south of most inlets typically experience erosion due to sand being lost, creating a deficit on the downdrift side. At Bakers Haulover Inlet, sand is lost due to high current velocities, which tend to jet sand coming into the inlet either offshore, or into Biscayne Bay, where it accumulates in ebb and flood shoals, respectively. While these shoals are periodically dredged and the sand placed on the beach, there are inherent losses which create erosional conditions. In addition to the direct effects of the inlet, the curved jetty structure on the south side of the inlet can result in wave refraction under certain weather conditions that can accelerate the loss of sand from the beach in the vicinity of the jetty." Although Bal Harbour, which lies immediately south of the jetty and to the north of Surfside, is most strongly affected by the inlet, the lack of downdrift sand also impacts the Town and the beaches to the south, by depletion of the sand source that naturally should drift south. Inlets throughout Florida are studied, monitored and managed in accordance with their adopted Inlet Management plans; *The Baker Haulover Inlet Management and Implementation Plan* was jointly developed by FDEP and the County. Ongoing is a *Baker Haulover Inlet Feasibility Study* that is funded by FDEP with the County leading this project. A Technical Advisory Group comprised of Surfside, Bal Harbour, Sunny Isles Beach, the County, FDEP and the Florida Inland Navigation District, has been meeting over this past year to collaboratively work with the firm of Moffat & Nichol to finalize the report that is evaluating and investigating improvements to sand bypassing at the inlet. It is anticipated the report will be completed in the spring of



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2019. FDEP will then review and utilize the report to update the inlet management plan. The FDEP process may take an additional year.

Beaches and dunes are not discrete units confined by municipal limits; they are components of a larger ecosystem. The beach and dune system along Surfside is a part of the larger managed beach dune system along the County's Barrier Islands. An upcoming United States Army Corps of Engineers (ACOE) driven project proposes to place 300,000 cubic yards of sand along the beach front of Surfside from coastal range monument 31.5 to 36.5 (the entire length of the Town). This project is in the final stages of permit processing and it is anticipated work will begin in mid-2019. The proposed renourishment will have a typical berm crest of 6.1', a berm width of 240' and a construction slope of 1 vertical to 10 horizontal. The Town is an active partner with the ACOE and the County in this project. The Town is providing surveying services and permit processing services for this project. The State is reviewing the project and will be issuing a joint coastal permit through the Beaches, Inlets and Ports Program that falls within the FDEP. The County and the ACOE are co-permittees on this project and will also be issuing permits. For the Surfside project sand will be hauled to the site from approved inland sand mines sources.

The Town beach renourishment project is a component of an overall ACOE driven project in the County that also includes the Bal Harbour beach and the inlet. The Bal Harbour component involves inlet dredging as well as sand placement on the beach. It is anticipated work will begin in mid-2020 on this component. Other components of the overall County project include Sunny Isles Beach and segments of Miami Beach. These other components will run through 2020. Beach monitoring and renourishment throughout the County is a monitored and managed project with the ACOE and the County taking lead roles.

BEACH OWNERSHIP, FEATURES AND REGULATORY STRUCTURE

To understand ownership, responsibility and the applicable regulatory structure of the beach and dune system there are three distinct delineations that must be understood; these are: 1) the erosion control line (ECL), 2) the ocean bulkhead line and 3) the coastal construction control line (CCCL). These are shown on Exhibit C. Beach Aerial with ECL, Bulkhead and CCCL Delineations

1) Erosion Control Line: The ECL is defined in F.A.C. 62B-41.002(15) as "the line determined in accordance with the provisions of sections 161.141-.211, Florida Statute (F.S.) and recorded pursuant to section 161.181, F.S., in connection with beach restoration projects. Where established, an erosion control line represents the landward extent of the claims of the state in its capacity as sovereign title holder of the submerged bottoms and shores of the Atlantic Ocean, the Gulf of Mexico, the Straits of Florida and the bays, lagoons and other tidal reaches thereof."

The Plan describes the ECL as follows "Under Florida law, all land located seaward of the Mean High Water Line (MHWL) (with certain exceptions) is the property of the State of Florida. In implementing a beach nourishment or other activity that will artificially move the MHWL seaward, the State requires, pursuant to Chapter 161, F.S., that the project sponsor establish an ECL in order to allow the State to maintain ownership of these previously submerged areas. Prior to the establishment of an ECL, a riparian owner's seaward property line is the MHWL and is subject to fluctuation based on naturally occurring erosion or accretion. The establishment of an ECL occurs by surveying the location of the pre-project MHWL prior to the project using established survey procedures. This surveyed shoreline position then becomes a fixed property line known as the ECL. Once established, this line remains the seaward extent of the riparian owner, regardless of the change on the MHWL by fill placement or other means. In most cases, any new beach established seaward of the ECL is under State ownership and is available as public beach."



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Within the Town the ECL runs roughly along the crest of the storm protection dune (slightly landward of the footpath that runs along the crest of the dune). Everything seaward of the ECL is owned by the State and is open for public recreation. See Exhibit C. Beach Aerial with ECL, Bulkhead and CCCL Delineations. This line identifies the shoreline prior to the beach renourishment completed in 1982. Although not owned by the Town, the beach area east of the ECL does fall within the corporate limits of the Town. Other than one lifeguard station, there are no piers, cabanas, marinas or other structures on the public beach.

The beach and associated dune system seaward of the footpath is maintained through agreement and on behalf of the State by the County Park and Recreation Department. The beach is maintained in a natural condition. The County specifically mechanically and manually cleans the beach, removes seaweed, empties the trash cans and removes/levels any escarpments that form. The Town Commission recently approved and adopted in the 2018-2019 budget for additional mechanical beach raking to supplement that done by the County, the Town is working on implementing this raking program. The Town maintains the walking path on the crest of the dune.

Unless an extremely significant storm event would occur to move the MHWL landward of the existing ECL and a subsequent publically funded renourishment program would trigger the necessity for a new ECL survey, the ECL will remain static in the Town.

2) Ocean Bulkhead Line: The Town has established an ocean bulkhead line that falls within and applies to the privately owned beach front properties east of Collins Avenue; this line is also shown on Exhibit C. Beach Aerial with ECL, Bulkhead and CCCL Delineations. The Town zoning code prohibits development or redevelopment seaward of the ocean bulkhead line. Seaward of this bulkhead line there are approximately 19 acres that lie adjacent to the State owned beach. Within this ocean bulkhead setback area, along the landward side of the dune, there is an unimproved maintenance path that is utilized by the State, the County and the Town that runs the entire length of the Town. This maintenance path is and has historically been, a popular public walking and biking path. This maintenance path, which is also utilized for emergency vehicles, is maintained by the Town. Any commercial use of the maintenance path, for construction or special events, etc., requires a Police Department Escort permit. Nearly all of the property owners have provided landscape improvements in the area between the bulkhead line and maintenance path. The maintenance path, also referred to as the 'Hardpack' is defined in Sec. 34-3 of the Town code as "The sand road west of the Erosion Control Line used by public safety and other authorized vehicles, pursuant to section 90-60.1(5) of the Town Code of Ordinances."

Relating to the ocean bulkhead line, Article IV, Division 2 of the Town Code specifically states the following within Section 14:

Sec. 14-87. - Construction east of line. It shall be unlawful for any person to construct any groin, bulkhead, seawall, jetty, breakwater or other protective work or to place any permanent or temporary structure of any nature whatsoever east of the ocean bulkhead line. It shall also be unlawful for any person to repair, extend, alter or replace any existing structure lying east of the ocean bulkhead line.

Sec. 14-88. - Construction west of line. Except as provided in section 90-187 no structure of any nature whatsoever may be erected within 20 feet west of the ocean bulkhead line and it shall be unlawful to repair, extend, alter or replace any existing structure lying within 20 feet west of the ocean bulkhead line which is not permitted under the provisions of section 90-187.

Sec. 14-89. - Vehicles east of line. It shall be unlawful for any person to drive, park, store or leave unattended any vehicle east of the ocean bulkhead line. In case of an emergency, the Town manager may



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grant temporary permission for vehicular access, upon such terms and conditions as he shall deem appropriate.

Additionally, Sec. 90-60 of the Town code addresses construction adjacent to the ocean bulkhead line and states the following:

90-60.1 Ocean bulkhead lines are established in section 14-86 and the following regulations shall control construction adjacent thereto:

- (1) No permit shall be issued for the construction of any habitable, fully-enclosed structure east of the ocean bulkhead line.
- (2) No permit shall be issued for the repair, extension, alteration or replacement of any habitable, fully-enclosed structure east of the ocean bulkhead line.
- (3) No permit shall be issued for the construction of any habitable, fully enclosed structure closer than 20 feet to the west of the ocean bulkhead line.
- (4) No permit shall be issued for the repair, extension, alteration or replacement of any habitable, fully enclosed structure lying within 20 feet to the west of the ocean bulkhead line.
- (5) All properties east of Collins Avenue which upon redevelopment or expansion of habitable, fully enclosed structures require a permit from the town shall be required to provide an access easement to the town granting the perpetual use of the hardpack to the public, provided that the development creates an impact on public safety and the need for the easement is proportional to the impact created. The hardpack is defined as the sand road west of the Erosion Control Line used by public safety vehicles. Each access easement agreement shall be in a form acceptable to the town manager and approved as to legal sufficiency by the town attorney and shall contain a signed and sealed boundary survey and legal description of the easement area.

3) Coastal Construction Control Line: The CCCL Program is an integral component of the state's Beach and Shore Preservation Act pursuant to Part I of Chapter 161, F.S. Per FDEP, the program regulates and protects Florida's beaches and dunes from imprudent construction that could jeopardize the beach/dune system, accelerate erosion, threaten upland structures and property and interfere with public beach access while allowing reasonable use of private property. The CCCL program is administered through the FDEP. Other than a few limited exceptions, all development seaward of the CCCL requires a permit from FDEP. The CCCL permitting criteria is contained in F.A.C. 62B-26 through 56. Within the Town the CCCL runs roughly through the middle of the developable portions of the properties that fall east of Collins Avenue, this line is also shown on Exhibit C. Beach Aerial with ECL, Bulkhead and CCCL Delineations.

As stated on the FDEP website "the Coastal Construction Control Line defines that portion of the beach and dune system subject to severe fluctuations based on a 100-year storm event and establishes the landward limit of jurisdiction of the Department of Environmental Protection along sandy beaches of the state which front on the Gulf of Mexico, the Atlantic Ocean and the Straits of Florida. Unless otherwise exempt; a permit is required from FDEP for construction and excavation activities seaward of the CCCL. The CCCL is not a seaward limit for construction of upland structures (as in a setback line), but is an area where special siting and design considerations are necessary to protect the beach and dune system, proposed or existing structures, adjacent properties, public beach access, native salt-tolerant coastal vegetation and marine turtles."



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There are seven platted right of ways that run east to the ECL, these are 96th, 95th, 94th, 92nd, 90th, 89th and 88th streets. The improved roadways end near the ocean bulkhead line with unimproved paths that continue and crossover the dune and provide public access to the beach. To limit impacts to the dune and dune vegetation, there are a total of sixteen dune cross-over pathway locations that have been established within the Town, seven of these cross-overs correspond to the termination of the platted public right-of-ways referenced above and another one is in front of the Town Community Center providing public access to the beach. Although the remaining cross-overs begin on private properties, the established 'hardpack' maintenance path provides public access to the beach on these cross-overs as well. Creation or relocation of a dune cross-over requires a CCCL permit from the FDEP and notification to the Town.

In addition to the Hardpack maintenance path there is also a narrower walking path along the crest of the dune. This foot path has a coquina crushed shell base and post and rope edging to protect adjacent vegetation from foot traffic. This post and rope fencing also abuts the established maintenance path to block foot traffic from entering into the vegetated dune. The post and rope fencing is maintained by the Town.

To summarize, development on the properties east of Collins Avenue is subject to the FDEP CCCL permitting program, development within these properties adjacent to and east of the ocean bulkhead line is highly restricted through the Town code –the landward side of the dune and the public maintenance path falls within this area-and eastward of the ECL the dune and beach system is state owned and maintained by the County.

BEACH AND DUNE FUNCTIONS

In addition to the recreational functions, the beach and dune system protects upland properties from storm damage and provides habitat for plants and animals. Dunes block storm surge and absorb wave energy; vegetated dunes minimize erosion and accrete sand and enhance beautification. Impacts to dunes and dune vegetation are regulated by the State of Florida through the CCCL program. The CCCL program directs development away from the dunes, protects dune vegetation and regulates the relocation of sand within the permitted project area. The CCCL program also ensures that any relocated sand or imported sand is compatible with the existing beach sand.

The following definitions are contained in F.A.C. 62B-55.002:

- (2) "Beach" means the zone of unconsolidated material that extends landward from the mean low water line to the place where there is a marked change in material or physiographic form, or to the line of permanent vegetation, usually the effective limit of storm waves.
- (9) "Dune" means a mound or ridge of loose sediments, usually sand-sized, lying landward of the beach and deposited by any natural or artificial mechanism.
- (10) "Frontal dune" means the first natural or man-made mound or bluff of sand which is located landward of the beach and which has sufficient vegetation, height, continuity and configuration to offer protective value.

To strengthen protection for the beach and dune system, Sec. 34-2 of the Town Code states "It is hereby declared and determined that preserving and enhancing the quality of the Town's beaches is essential to serve and benefit the town's residents and visitors. The chemical and physical composition of beach sand must not interfere with the health, safety or welfare of the public." The Town has also installed 'diverter' dunes at the ocean-side ends of the beach access pathways at 96th street and the cross-over located between 90th and 92nd street (adjacent to the Surfclub development). Diverter dunes



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are small triangular shaped dunes structures created within the seaward side openings of the beach access paths designed to impede and slow the velocity of the storm surge entering the access way opening. The Town is exploring opportunities to install additional diverter dunes at other access pathway openings.

FDEP also administers the Beaches, Inlets and Ports Program (BIPP). The BIPP program permits beach renourishment projects and piers and per FDEP, “projects that generally are below the mean high water line and extend into the sovereign submerged lands and are likely to affect the distribution of sand along the beach.”

FLORA AND FAUNA CONSIDERATIONS

Florida’s sandy beaches are nesting sites for several species of threatened or endangered marine turtles. Turtle nesting season runs from May 1 to October 31 in the County. Activities that interfere with the movement of turtles up or along the beach, result in a change in the basic character of the beach itself, or result in improper lighting, can inhibit the successful nesting of turtles. The marine turtles listed below in Table 1. Protected Marine Turtle Species in Florida; are protected under the Federal Endangered Species Act of 1973 and Florida's Marine Turtle Protection Act, F.S. 379.2431.

Florida Statutes restrict the take, possession, disturbance, mutilation, destruction, selling, transference, molestation, and harassment of marine turtles, nests or eggs. Protection is also afforded to marine turtle habitat. Additionally, specific authorization from the Florida Fish and Wildlife Conservation Commission (FWC) staff is required to conduct scientific, conservation, or educational activities that directly involve marine turtles in or collected from Florida, their nests, hatchlings or parts thereof, regardless of applicant's possession of any federal permit.

Table 1. Protected Marine Turtle Species in Florida

| | | |
|--------------------------|-------------------------------|---------------------------------|
| Green sea turtle | <i>Chelonia mydas</i> | Federally-designated Threatened |
| Hawksbill sea turtle | <i>Eretmochelys imbricata</i> | Federally-designated Endangered |
| Kemp’s ridley sea turtle | <i>Lepidochelys kempii</i> | Federally-designated Endangered |
| Leatherback sea turtle | <i>Dermochelys coriacea</i> | Federally-designated Endangered |
| Loggerhead sea turtle | <i>Caretta caretta</i> | Federally-designated Threatened |

Historically hatchling turtles were guided to the ocean by an instinct to travel away from the dark silhouettes of the dune vegetation and toward the brightest horizon which was the light from the sky reflecting off the ocean. Many coastal areas are highly populated with artificial lights near the beach that can deter females from nesting and disorient hatchling sea turtles. When disoriented, the hatchlings travel inland toward the artificial lights where they often die from dehydration, entrapment predation, or sometimes crawling onto roads where they are run over by cars.

FDEP and FWC dually review permits under the CCCL program for coastal construction under Chapter 62B, F.A.C. for affects to marine turtles. FDEP also regulates mechanized beach cleaning under the Florida Beach and Shore Preservation Act, F. S. 161. In order for beach cleaning to occur during nesting season, FWC and FDEP have developed special conditions to protect marine turtles, their nests and hatchlings.

To protect turtle hatchlings from disorientation the Town code established lighting standards for new and existing development in Sec. 34-84. - *Lighting Standards for Coastal Construction Activities*, which states the following:



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- (a) *Lighting standards for new development.* It is the policy of the Town of Surfside that no artificial light shall illuminate within direct line-of-sight of the beach that has potential to interfere with turtle nesting. To meet this intent, new development construction within line-of-sight of the beach shall comply with the following:
- (1) Exterior artificial light fixtures shall be designed and positioned so that:
 - a. The point source of light or any reflective surface of the light fixture is not directly visible from the beach;
 - b. Areas seaward of the frontal dune are not directly or indirectly illuminated; and
 - c. Areas seaward of the frontal dune are not cumulatively illuminated.
 - (2) Exterior artificial light fixtures within direct line-of-sight of the beach are considered appropriately designed if:
 - a. Completely shielded downlight only fixtures or recessed fixtures having low wattage (i.e., 50 watts or less) bug type bulbs and non-reflective interior surfaces are used. Other fixtures that have appropriate shields, louvers, or cut-off features may also be used if they are in compliance with subsection (a)(1)a.—c. above; and
 - b. All fixtures are mounted as low in elevation as possible through use of low-mounted wall fixtures, low bollards, and ground-level fixtures.
 - (3) Floodlights, uplights or spotlights for decorative and accent purposes that are directly visible from the beach, or which indirectly or cumulatively illuminate the beach, shall not be used.
 - (4) Exterior lights used expressly for safety or security purposes shall be limited to the minimum number and configuration required to achieve their functional role(s). The use of motion detector switches that keep lights off except when approached and that switch lights on for the minimum duration possible are preferred.
 - (5) Only low intensity lighting shall be used in parking areas within line-of-sight of the beach. Such lighting shall be:
 - a. Set on a base which raises the source of light no higher than 48 inches off the ground or higher if necessary to conform with life safety codes; and
 - b. Positioned or shielded so that the light is cast downward and the source of light or any reflective surface of the light fixture is not visible from the beach and does not directly or indirectly illuminate the beach.
 - (6) Parking areas and roadways, including any paved or unpaved areas upon which motorized vehicles will park or operated, shall be designed and located to prevent vehicular headlights from directly or indirectly illuminating the beach.
 - (7) Vehicular lighting, parking area lighting, and roadways lighting shall be shielded from the beach through the use of ground-level barriers. Ground-level barriers must not interfere with marine turtle nesting or hatchling emergence, or cause short-or long-term damage to the beach/dune system.
 - (8) Tinted glass shall be installed on all windows and glass doors of single and multi-story structures within line-of-sight of the beach.
 - (9) Use of appropriately shielded low pressure sodium vapor lamps and fixtures shall be preferred for high-intensity lighting applications such as lighting parking areas and roadways, providing security, and similar applications.
 - (10) Temporary lighting of construction sites during the marine turtle nesting season shall be restricted to the minimal amount necessary and shall incorporate all of the standards of this section.
 - (11) Properties that abut the beach which have signage facing the beach or in the line-of-sight of the beach, including building identification signs, shall not be illuminated during the nighttime hours of the nesting season. Properties that face the beach but do not abut the beach which have signage visible from the beach shall be properly shielded with downward facing fixtures where the chosen background does not reflect the light source and signs that are lit internally must illuminate only the text and have the appropriate shielding, and not reflect the light source.



- (b) *Lighting standards for existing development.* It is the policy of the Town of Surfside that no artificial light shall illuminate any area within direct line-of-sight of the beach that has the potential to interfere with turtle nesting. To meet this intent, within 12 months of the effective date of this article or when an existing development has begun renovations exceeding 50 percent of the tax assessed value of the structure as determined by the building official, an existing development shall be in compliance with the following:
- (1) Existing artificial light fixtures shall be repositioned, modified, or removed so that:
 - a. The point source of light or any reflective surface of the light fixture is not directly visible from the beach;
 - b. Areas seaward of the frontal dune are not directly or indirectly illuminated; and
 - c. Areas seaward of the frontal dune are not cumulatively illuminated.
 - (2) The following measures shall be taken to reduce or eliminate the negative effects of existing exterior artificial lighting:
 - a. Reposition fixtures so that the point source of light or any reflective surface of the light fixture is no longer visible from the beach;
 - b. Replace fixtures having an exposed light source with fixtures containing recessed light sources or shields;
 - c. Replace traditional light bulbs with bug type bulbs not exceeding 50 watts or any alternative lighting source as defined herein;
 - d. Replace nondirectional fixtures with directional fixtures that point down and away from the beach;
 - e. Replace fixtures having transparent or translucent coverings with fixtures having opaque shields covering an arc of at least 180 degrees and extending an appropriate distance below the bottom edge of the fixture on the seaward side so that the light source or any reflective surface of the light fixture is not visible from the beach;
 - f. Replace pole lamps with low-profile, low-level luminaries so that the light source or any reflective surface of the light fixture is not visible from the beach;
 - g. Replace incandescent, fluorescent, and high intensity lighting with the lowest wattage low pressure sodium vapor lighting possible for the specific application or an alternative lighting source;
 - h. Plan or improve vegetation buffers between the light source and the beach to screen light from the beach;
 - i. Construct a ground level barrier to shield light sources from the beach. Ground-level barriers must not interfere with marine turtle nesting or hatchling emergence, or cause short- or long-term damage to the beach-dune system;
 - j. Permanently remove or permanently disable any fixture that cannot be brought into compliance with the provisions of these standards.
 - (3) Properties that abut the beach which have signage facing the beach or in the line-of-sight of the beach, including building identification signs, shall not be illuminated during the nighttime hours of the nesting season. Properties that face the beach but do not abut the beach which have signage visible from the beach shall be properly shielded with downward facing fixtures where the chosen background does not reflect the light source and signs that are lit internally must illuminate only the text and have the appropriate shielding, and not reflect the light source.
 - (4) One or more of the following measures shall be taken to reduce or eliminate the negative effects of interior light emanating from doors and windows within line-of-sight of the beach:
 - a. Apply window tint or film that meets the standards in the definition of "tinted or filmed glass";
 - b. Rearrange lamps and other moveable fixtures away from windows;
 - c. Use window treatments (e.g., blinds, curtains) to shield interior lights from the beach; and/or
 - d. Turn off unnecessary lights.



Additionally, Sec. 34-83. - *Prohibited Activities Disruptive to Marine Turtles*, includes the following provisions:

(a) *Prohibited activities*. The following activities involving direct illumination of portions of the beach are prohibited on the beach at nighttime during the nesting season for the protection of nesting marine turtle females, nests and hatchlings:

- (1) The operation of all motorized vehicles, except emergency and law enforcement, or emergency beach maintenance vehicles or those permitted on the beach for marine turtle's conservation and/or research.
- (2) The building of campfires or bonfires.
- (3) Fireworks displays, except those that have town special event permits and, if applicable, a FDEP permit; however, nothing in this article shall prohibit the town's July 4th fireworks display.
- (4) Special events pursuant to chapter 35, article 1, of the town Code, unless allowed first by permit issued by FDEP.

The Town also affords protection for turtle nesting and hatchlings through the following Town codes: Sec. 86-30. - *Limitations on Beach Furniture* and Sec. 86-31. - *Beach Furniture Permit Requirements*, specifying that beach furniture shall not inhibit access to the public beach, nor obstruct reasonable access on the beach for pedestrians and emergency vehicles, nor impact native vegetation, nor affect sea turtles or other wildlife; and requiring a hotel beach furniture operator to procure a local business tax receipt and comply with the regulations of section 70-41 of the Town of Surfside Code and all required licenses or permits from the County, the State of Florida and federal entities.

Predation or destruction of nests can occur by raccoons or uncontrolled dogs. A comprehensive beach maintenance program should include the control of these animals. The Town does not allow dogs on the public beach as specified in Code Sec. 10-33 stating "No dog, whether on a leash or without a leash, muzzled or unmuzzled, shall be permitted at any time on any public beach in the town. Nothing in this section shall be construed to apply to any deaf or hard of hearing person, totally or partially disabled person, or physically disabled person accompanied by a guide dog or service dog specially trained for the purpose."

Throughout Florida a multitude of citizen volunteers walk beaches during nesting season to report on crawls, nesting activity and nest locations. FWC's Fish and Wildlife Research Institute (FWRI) coordinates nesting beach survey programs around the state and the FWRI staff members coordinate the Florida Sea Turtle Stranding and Salvage Network (FLSTSSN), which is responsible for gathering data on dead or debilitated (i.e., stranded) sea turtles found in Florida. The beach survey program is administered on behalf of FWRI locally by the County and the Town's Park and Recreation Depart staff maintain communication with the County staff.

Sea Oats (*Uniola paniculata*) and Seagrapes (*Coccolobis uvifera*) are considered the most common dune vegetation. These are protected under F.S. 161.242 which states "Harvesting of sea oats and sea grapes prohibited; possession prima facie evidence of violation.

- (1) The purpose of this section is to protect the beaches and shores of the state from erosion by preserving natural vegetative cover to bind the sand.
- (2) It is unlawful for any purpose to cut, harvest, remove, or eradicate any of the grass commonly known as sea oats or *Uniola paniculata* and *Coccolobis uvifera* commonly known as sea grapes from any public land or from



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any private land without consent of the owner of such land or person having lawful possession thereof.

Possession of either *Uniola paniculata* or *Coccolobis uvifera* by other than the owner of such land shall constitute prima facie evidence of violation of this section. However, licensed, certified nurserymen who grow any of the native plants listed in this section from seeds or by vegetative propagation are specifically permitted to sell these commercially grown plants and shall not be in violation of this section of the law if they do so, as it is the intent of the law to preserve and encourage the growth of these native plants which are rapidly disappearing from the state."

The FDEP has established *Sea Grape Trimming Guidelines* for maintenance trimming of sea grapes, any trimming outside the established guidelines, or the need to remove a tree, will require a permit from the FDEP.

There are several listed plant species that may make their home in the sandy dune habitat of south Florida. These include but are not limited to the plants listed below in Table2. Listed Dune Plant Species

Table 2. Listed Dune Plant Species

| Scientific name | Common Name | Status |
|---------------------------------|--------------------------------|------------------|
| <i>Coccothrinax argentata</i> | Florida Silver Palm | Threatened-State |
| <i>Ernodea cokeri</i> | Coker's Beach Creeper | Endangered-State |
| <i>Heliotropium gnaphalodes</i> | Sea Rosemary; Sea Lavender | Endangered-State |
| <i>Leucothrinax morrisii</i> | Brittle Thatch Palm | Threatened-State |
| <i>Okenia hypogaea</i> | Beach Peanut | Endangered-State |
| <i>Scaevola plumieri</i> | Beachberry; Inkberry; Gullfeed | Threatened-State |

There are several aggressive invasive plant species that can flourish in the sandy dune habitat and disrupt native vegetative communities. In particular the Hawaiian half-flower or beach naupaka (*Scaevola taccada*) is a common invasive exotic dune plant plaguing south Florida beaches. The plant's shallow roots and fragile stems are easily destroyed in high winds or storms making it far less effective in dune stabilization than sea oats and other native species. This aggressive plant will colonize and block out native vegetation. Brazilian-pepper trees (*Schinus terebinthifolius*) and Australian-pine trees (*Casuarina equisetifolia*) can also infest and disrupt dune vegetative communities. All three of these species are recognized as Category I invasive species by the Florida Exotic Pest Plant Council. A Category I species is defined as "Invasive exotics that are altering native plant communities by displacing native species, changing community structures or ecological functions, or hybridizing with natives."

For the landward side of the dune on the private properties, when these properties pursue development permits the Town code in Section 90-90.3 states "As a condition of approval, the property owner shall remove all invasive exotic species from the property prior to final approval." The Town also regulates native vegetation through the following codes: Sec. 90-86 "All buildings, structures, new developments, redevelopment and changes of use requiring a permit shall require submittal of a landscape and irrigation plan"; and Sec. 90-97 "Tree removal/relocation permits and native plant community vegetation removal permits are required prior to the removal/relocation of trees, specimen trees, or any vegetation, pursuant to section 24-60 of the County Code. Also, tree abuse including hack racking is prohibited within the town. Tree protection barriers are required during site development to preserve existing and relocated trees. The County Department of



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Environmental Resources Management (DERM) is responsible for administering and enforcing these provisions.” As a component of a project specific CCCL permit the FDEP may require dune plantings and the removal of invasive vegetation on the dune system adjacent to a development project.

The Town partnered with the not-for-profit Youth Environmental Alliance (YEA), on a one-time dune planting project along with the removal of the invasive Scaevola plant.

RECOMMENDATIONS

The Town’s capacity to directly manage or impact the beach and dune system activity is limited due to their limited ownership; however, below are some best management practices (BMPs) that the Town can pursue to provide protection for sea turtles and the dune system.

Control Light Pollution: Turning out unnecessary lights is the simplest, most effective and most energy efficient solution to avoid negative impacts to wildlife from light pollution. However, this is not a feasible solution where lighting is required for safety and security. The FWC wildlife lighting criteria specifies that a fixture, lamp, or community lighting must be able to satisfy three (3) conditions. These conditions are: 1) keep it low, 2) keep it shielded and 3) keep it long. These are described as follows:

- “Keep it low” means that the fixtures must be able to be mounted as low as possible and still be appropriate for the needed purpose, must be able to accept lamps that produce only the lumens necessary for the needed purpose and bulb must produce the lowest lumens necessary for the needed purpose.
- “Keep it shielded” means that the: fixture must meet or exceed full cut-off (meaning the fixture blocks light from shining at an upward angle), must be able to shield the bulb, lamp, or glowing lens from the beach, wildlife corridor, or protected natural area (when mounted appropriately) and that the bulb must be able to be used in an FWC approved fixture.
- “Keep it long” means that the fixture must accept long wavelength bulbs. The acceptable long wavelength light is 560 nanometers (nm) while anything below 560 nm would be unacceptable.

The site plan review, CCCL and Town building permit processes ensure that new oceanfront lighting complies with the FDEP and FWC lighting criteria, the Town code compliance process can ensure that lighting remains in compliance. Lighting Surveys of beach facing properties can be conducted to identify any existing lighting that may need to be brought into compliance.

Provide Public Education: Many visitors to the Town are unfamiliar with beach and dune habitat and marine turtles. Educational signage at public beach access points can inform visitors. Information on the Town website and in the Surfside Gazette can reach and inform residents and visitors alike. The Town can utilize useful education material on turtles from <http://myfwc.com/education/wildlife/sea-turtle/>. The Town can publicize the FWC Wildlife Alert phone number (1-888-404-FWCC) to inform people where to report information on injured or stranded turtles.

Beach Furniture Compliance: The Town code compliance process can ensure that beach furniture placement remains in compliance and that any hotel or condominium that plans to put beach furniture on the beach obtain the required Town permit.



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Protect Native Dune Vegetation: Native dune species help to trap and hold sand and inhibit erosion. Invasive dune species can crowd out and impede the growth of native species and often have shallow roots and fragile stems that are easily destroyed in high winds or storms making them ineffective in dune stabilization. The removal of invasive species and installation of native dune species restores the dune's natural functions and biodiversity. The following measures protect and enhance native dune vegetation and the dune structure:

- Remove invasive vegetation. Coordinate with the County to ensure invasive/aggressive vegetation is removed from the state owned portions of the dune. Conduct the follow-up inspection on private properties to ensure invasive species are completely removed when required through the issuance of a Town development permit. On the platted right of ways and Town-owned properties all invasive vegetation should be removed with a routine inspection and follow-up eradication program established.
- Do not leave removed invasive vegetation on-site. Removed invasive exotic vegetation shall be completely removed (including root systems) and properly disposed of; do not shred or chip and leave on site.
- Protect native vegetation during exotic plant removal. To ensure native species are not collaterally damaged during the removal of non-natives, barriers should be installed prior to the removal of invasives.
- Immediately replant cleared areas. To impede re-infestation of aggressive non-native vegetation, any cleared dune area should immediately get installed with diverse native materials. See attached DEP brochure for a list of native dune species. Exhibit D. Recommended Florida Native Beach and Dune Plants for Beachfront Properties and Dune Restoration.
- Sea oats planting. Coordinate with FDEP and the County and support sea oat planting programs and sponsor a Town planting program.
- Limit dune crossovers. Coordinate with FDEP when CCCL permits are sought to ensure no additional dune crossovers are permitted and constructed.
- Maintain the rope and post sand fencing. To impede foot traffic into the dune and the creation of additional unpermitted dune crossovers of convenience, routinely inspect and conduct or coordinate any needed repairs to the rope and post fencing system.

Dune Management: Develop a Town Dune Management program addressing vegetation, wildlife, lighting, maintenance and interagency coordination. Include information on which public and/or private entities currently conduct any beach or dune maintenance activities and what these are.

Code Review: Review the Town code to determine if amendments are needed to provide definitions or to strengthen beach and dune protection measures.

Control Raccoons and Feral Cats: The raccoon is a native species with a year-round hunting and trapping season in Florida. Raccoons are known to carry a wide variety of diseases and parasites and they destroy marine turtle nests. Per Florida Rule 68A-9.010 if a raccoon is a nuisance, it can be captured or taken as a nuisance animal using legal and humane methods. The best way to avoid raccoons is to not attract them, do not feed raccoons. Per F.A.C.68A-4.001, placing food outside attracts wild animals and intentional feeding of raccoons is illegal. Ensure trash cans and dumpsters are not accessible to raccoons and are frequently emptied. When raccoons are reported as frequenting the beach, professional firms can be hired that lawfully remove them. Large populations of feral cats can impact native dune wildlife species, management plans should



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implement spay and neutering programs for feral cats to ensure population levels are maintained. Professional firms can be hired that can humanly capture injured or unhealthy cats for appropriate treatment and adoption if feasible.

Maintain Interagency Communication: Multiple agencies play roles in the ownership, management, maintenance, protection and restoration of the beach and dune. The Town does and should continue to maintain effective communication with these agencies to facilitate effective management.

FWC's Fish and Wildlife Research Institute (FWRI) coordinates nesting beach survey programs around the state, volunteers ensure crawls are identified and nests are marked as soon as they are established. The Town maintains communication with the local ongoing beach survey program to best understand local nesting activity, locations and beach conditions.

The County conducts beach maintenance including trash and debris removal. In addition to being unsightly, trash on the beach can entrap, entangle or be ingested by marine turtles and be detrimental. The beach maintenance program should ensure debris does not easily escape from trash receptacles and that loose debris is picked-up. On occasion tar washes onto the beach; this can be detrimental to hatchlings. The beach maintenance program should include removal and proper disposal of any tar that has washed ashore. Compacting beach sand can also be detrimental to marine turtle nesting, the County ensures beach cleaning firms adhere to FWC requirements relating to tire pressure. Other than for life safety, vehicles should be prohibited from the beach. The Town coordinates with the County to designated established access points for emergency and other vehicles to prohibit vehicles from destroying the structure of the existing dunes in other locations. When applicable, mobi-mats should be used for beach access for other special purpose needs.

FDEP produces the annual critically eroded beaches report and administers the CCCL permitting program. Coordinate with FDEP when CCCL permits are sought to ensure no additional dune crossovers are permitted and constructed.

Beach renourishment is a region-wide multi-agency program including Federal, State, County and Local agencies with the Army Corps of engineers taking the lead role. The Town maintains contact with the Corps and with the County to ensure they are apprised of all proposed or pending activities and to ensure the Town's needs and concerns are considered in project planning and implementation.



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ATTACHMENTS

Exhibit A. Aerial photograph of Surfside 1970 and 1984 and 1999

Exhibit B. Critically Eroded Beaches Map

Exhibit C. Beach Aerial with ECL, Ocean Bulkhead Line and CCCL Delineations

Exhibit D. Recommended Florida Native Beach and Dune Plants for Beachfront Properties and Dune Restoration



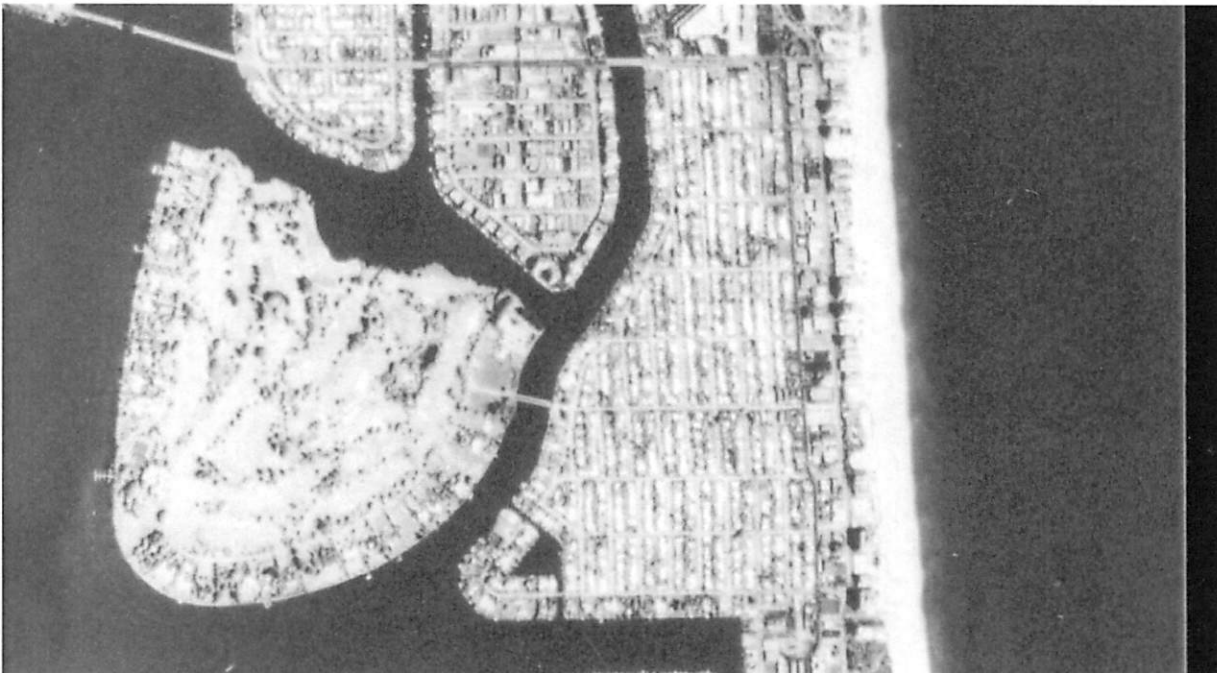
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Exhibit A. 1970, 1984, and 1999 Aerial photographs of Surfside

1970 Aerial photo of Surfside from the University of Florida Map and Imagery Library (before beach renourishment)



1984 Aerial Photo of Surfside from the University of Florida Map and Imagery Library (after beach renourishment)



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February 1999

December 1999

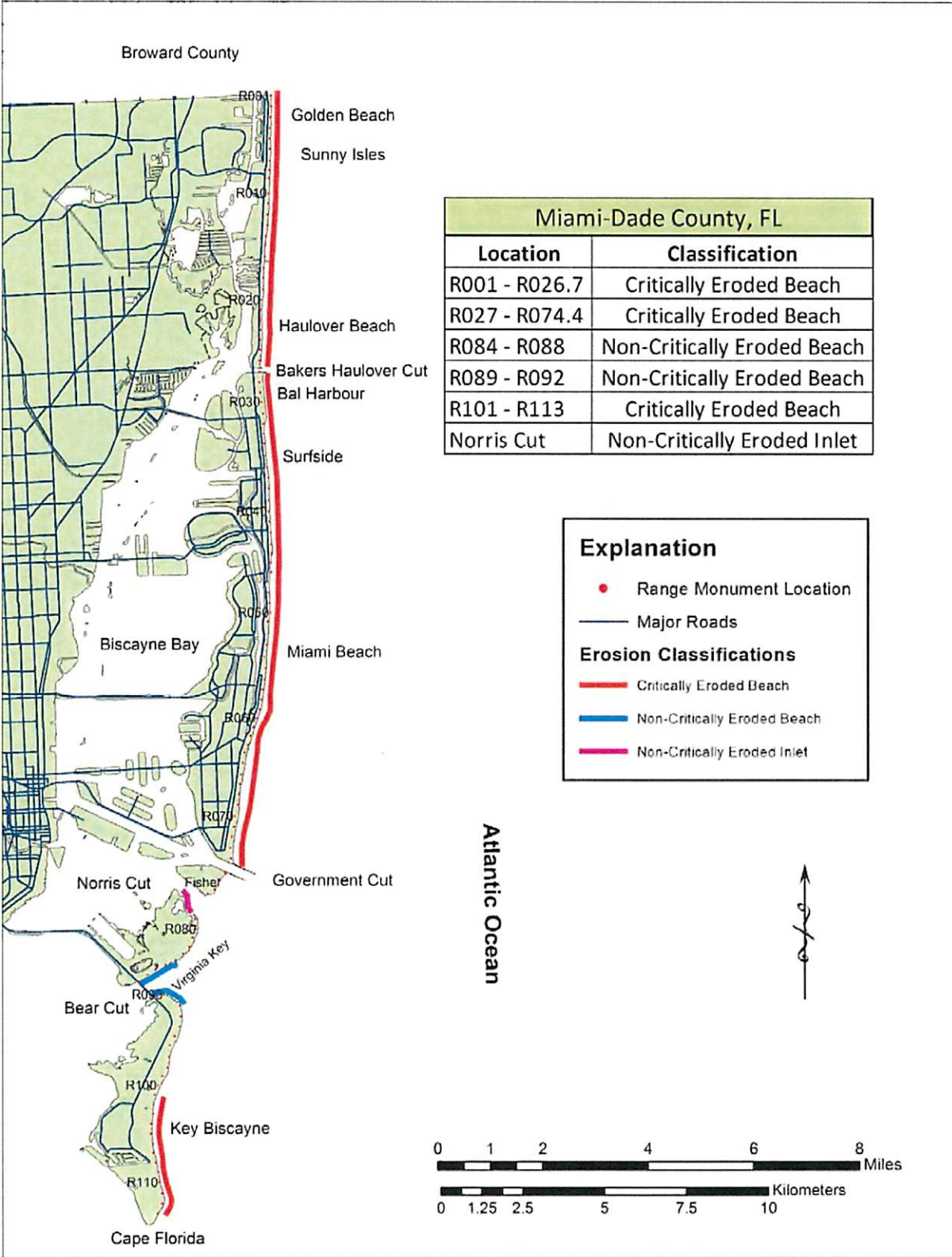


Aerial Photos of Surfside from Google Earth



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Exhibit B. Critically Eroded Beaches Map

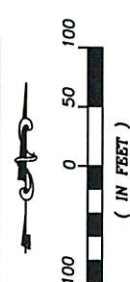



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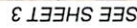
LOCATION & KEY MAP

File Name: P:\Projects\2018\1809042 Dune Survey & Beach Management Plan\Survey\SKETCH\18-09042-V-BM-Surfside Ocean Fronting - (Plotted by: Steve Watts on Thursday, September 27, 2018 11:32:08 AM)



| | | | | | | | |
|--|--|---|--|--|--|-----------------------------|----------------------------|
|  <p> Calvin, Giordano & Associates, Inc. EXCEPTIONAL SOLUTIONS 1800 Eller Drive, Suite 600, Fort Lauderdale, Florida 33316 Phone: 954.921.7701 • Fax: 954.921.8807 </p> | | <p> DUNE SURVEY & BEACH MANAGEMENT PLAN TOWN OF SUITESIDE </p> | | <p> BEACH FRONT PROPERTY MAP </p> | | <p>SCALE</p> <p>1"=100'</p> | <p>SHEET</p> <p>2 OF 5</p> |
| FIELD BOOK: | | | | | | | |
| PAGE: | | | | | | | |
| DRAWN: SWW | | | | | | PROJECT NO. | 18-9942 |
| DATE: 9/15/2018 | | | | | | WORK AUTHORIZATION NO. | 110 |
| CHECKED: | | | | | | | |
| DATE: | | | | | | | |
| BY: | | | | | | | |
| SECTION: | | | | | | | |
| DATE: | | | | | | | |
| NO. | | | | | | | |





(IN FEET)

Calvin, Giordano & Associates, Inc.
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1800 Eller Drive, Suite 600, Fort Lauderdale, Florida 33316
Phone: 954.921.7781 • Fax: 954.921.8007

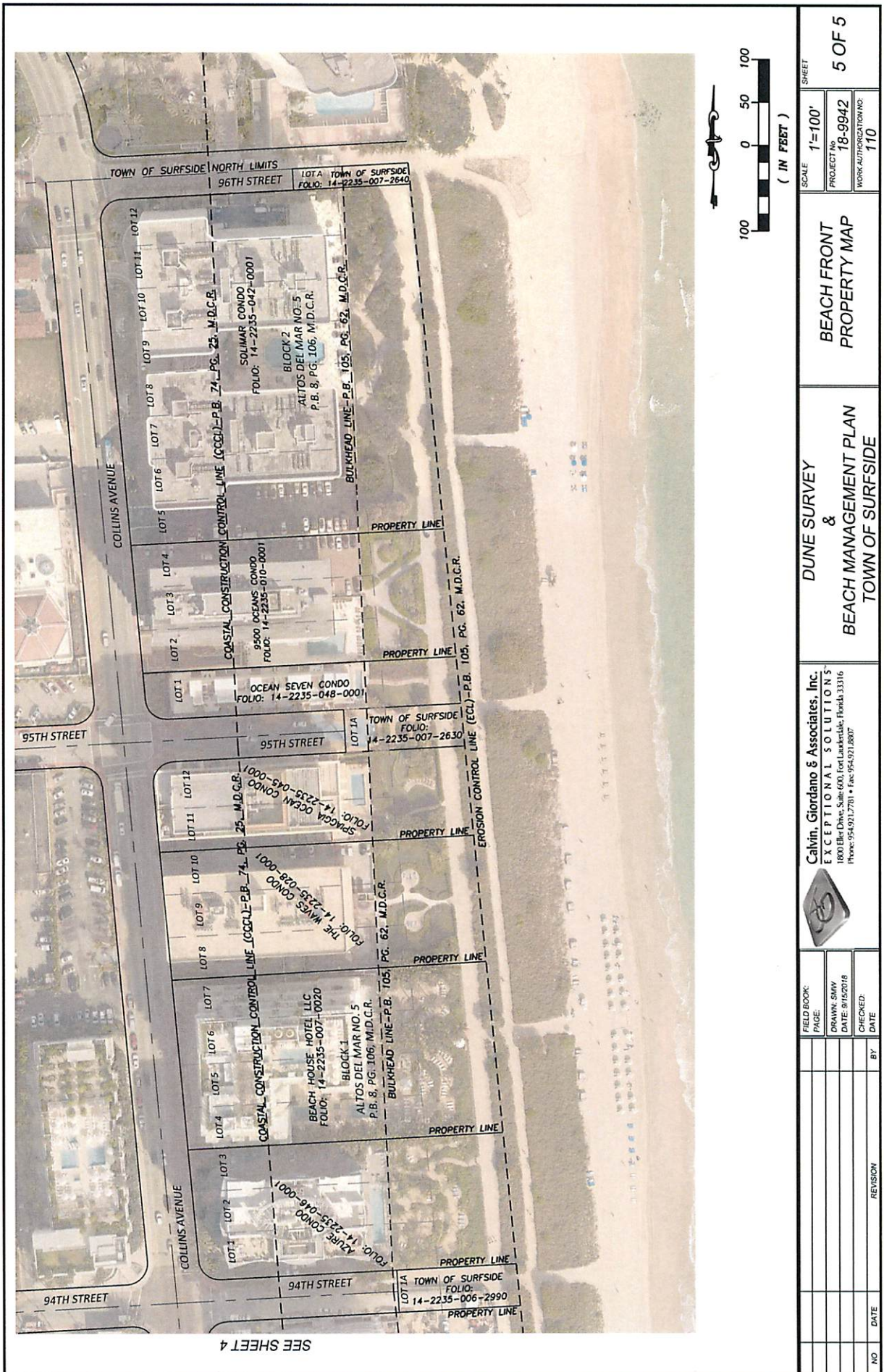


Exhibit D.

Recommended Florida Native Beach and Dune Plants for Beachfront Properties and Dune Restoration

Notes:

1. Salt tolerance: high (tolerant of heavy and frequent salt spray, salt water flooding); moderate (tolerant of salt spray but subject to leaf burn from heavy salt spray or root damage from flooding); low (tolerant of salt laden air and short duration, infrequent salt water flooding but usually in protected areas).
2. Region: NW = northwest Florida Panhandle; SW = Pinellas to Collier counties; NE = Nassau to Volusia counties; SE = Brevard to Dade counties; Keys = restricted to the Florida Keys and adjacent Dade and Monroe County islands. Regions have primarily been determined by the historic distribution of the plant in Florida's coastal upland natural communities, not necessarily by the range of areas or habitats where the plant could survive.
3. Soil Moisture: moist (subject to flooding as within low dune swales); moderate (not subject to frequent flooding but not adapted to deepest sands or driest conditions; dry (adapted to deep sands, dune ridges, or well drained rocky soils); and variations for plants adapted across a range of conditions.

References:

1. Nelson, Gil. 2003. Florida's Best Native Landscape Plants: 200 readily available species for homeowners and professionals. Florida Association of Native Nurseries. University Presses of Florida.
2. Williams, M.J. 2007. Native Plants for Coastal Dune Restoration: what, when and how for Florida. USDA, NRCS, Brooksville Plant Materials Center, Brooksville, Florida.
3. Wunderlin, Richard P., etal. Plant Atlas. University of South Florida (www.plantatlas.usf.edu).

| Scientific Name | Common Name | Salt tolerance | Region (NW/SW/NE/SE/Keys) | Soil Moisture |
|--|--------------------------|----------------|------------------------------|---------------|
| Dune Grasses | | | | |
| <i>Distichlis spicata</i> | salt grass | high | all | moist |
| <i>Muhlenbergia capillaris</i> var. <i>filipes</i> | Gulf hairawn muhly grass | moderate | all | moderate |
| <i>Panicum amarum</i> | bitter panic grass | high | all | dry |
| <i>Panicum vaginatum</i> | seashore paspalum | high | all | moderate |
| <i>Schizachyrium scoparium</i> | coastal bluestem | high | all | moderate |
| <i>Spartina patens</i> | marshhay | high | all | moderate |
| <i>Sporobolus virginicus</i> | seashore dropseed | high | all | moist |
| <i>Uniola paniculata</i> | sea oats | high | all | dry |

| Common Name | Salt tolerance | Region (NW/SW/NE/SE/Keys) | Soil Moisture |
|--|----------------|------------------------------|------------------|
| Groundcovers | | | |
| Borrichia arborescens | high | SW, SE, Keys | moist |
| Borrichia frutescens | high | all | moist |
| Ernodea littoralis | high | SW, SE, Keys | moderate - dry |
| Gaillardia pulchella | moderate | all | dry |
| Helianthus debilis | high | NE, SE, Keys | dry |
| Helianthus debilis spp. cucumerifolius | high | NW, SW | dry |
| Helianthus debilis ssp. vestitus | high | SW | dry |
| Hymenocallis latifolia | high | SW, NE, SE, Keys | moist - dry |
| Ipomoea imperati | high | all | moderate - dry |
| Ipomoea pes-caprae | high | all | moderate - dry |
| Iva imbricata | high | all | moist – dry |
| Sesuvium portulacastrum | high | all | moist - moderate |
| Solidago sempervirens | high | NW, SW, NE, SE | moist – moderate |
| Yucca filamentosa | moderate | NW, SW, NE, SE | dry |
| Shrubs | | | |
| Ardisia escallonioides | moderate | SW, SE, Keys | moderate |
| Argusia gnaphalodes | high | SE, Keys | dry |
| Chrysobalanus icaco | moderate | SW, SE, Keys | moderate - dry |
| Erythrina herbacea | low | all | moderate - dry |
| Eugenia axillaris | low | SW, SE, Keys | moderate |
| Eugenia foetida | low | SW, SE, Keys | moderate |
| Forestiera segregata | low | SW, NE, SE, Keys | moist - moderate |

Shrubs (continued)

| | | | | |
|---------------------------|---------------|----------|------------------|------------------|
| <i>Ilex vomitoria</i> | yaupon | moderate | SW, NE, SE, Keys | moderate - dry |
| <i>Myrica cerifera</i> | wax myrtle | moderate | all | moist - moderate |
| <i>Quercus geminata</i> | sand live oak | moderate | NW, SW, NE, SE | dry |
| <i>Quercus myrtifolia</i> | myrtle oak | moderate | NW, SW, NE, SE | dry |
| <i>Rapanea punctata</i> | myrsine | moderate | SW, SE, Keys | moist - dry |
| <i>Serenoa repens</i> | saw palmetto | high | all | moist - dry |
| <i>Suriana maritima</i> | bay cedar | high | SW, SE, Keys | dry |
| <i>Zamia pumila</i> | coontie | moderate | SW, NE, SE, Keys | dry |

Thorn/Scrub Plants

| | | | | |
|-----------------------------------|------------------|----------|------------------|----------------|
| <i>Agave decipiens</i> | false sisal | high | SW, SE, Keys | dry |
| <i>Caesalpinia bonduc</i> | gray nickerbean | moderate | SW, SE, Keys | moderate - dry |
| <i>Erythrina herbacea</i> | coral bean | low | all | dry |
| <i>Opuntia</i> spp. | prickly pears | high | all | moderate - dry |
| <i>Serenoa repens</i> | saw palmetto | high | all | moist - dry |
| <i>Sideroxylon tenax</i> | tough bully | low | NE, SE | dry |
| <i>Smilax auriculata</i> | earleaf catbrier | moderate | all | dry |
| <i>Ximenia Americana</i> | hog plum | low | NE, SE | dry |
| <i>Yucca aloifolia</i> | Spanish bayonet | high | all | dry |
| <i>Yucca filamentosa</i> | Adam's needle | moderate | NW, SW, NE, SE | dry |
| <i>Yucca gloriosa</i> | Moundlily yucca | moderate | NW, SW, NE | dry |
| <i>Zanthoxylum clava-hercules</i> | Hercules' club | moderate | NW, SW, NE, SE | dry |
| <i>Zanthoxylum fagara</i> | wild lime | moderate | SW, NE, SE, Keys | moderate - dry |

| Scientific Name | Common Name | Salt tolerance | Region (NW/SW/NE/SE/Keys) | Soil Moisture |
|---------------------------------|--------------------|----------------|------------------------------|------------------|
| Trees | | | | |
| <i>Acacia farnesiana</i> | sweet acacia | moderate | all | moist - dry |
| <i>Baccharis halimifolia</i> | salt bush | high | all | moist - moderate |
| <i>Bursera simauruba</i> | gumbo limbo | moderate | SW, SE, Keys | moderate - dry |
| <i>Capparis cynophallophora</i> | Jamaica caper | moderate | SW, SE, Keys | dry |
| <i>Celtis laevigata</i> | hackberry | low | NW, SW, NE, SE | moist - moderate |
| <i>Chrysophyllum oliviforme</i> | satinleaf | moderate | SE, Keys | moderate - dry |
| <i>Citharexylum spinosum</i> | fiddleleaf | moderate | SE, Keys | dry |
| <i>Coccoloba diversifolia</i> | pigeon plum | high | SW, SE, Keys | moderate - dry |
| <i>Coccoloba uvifera</i> | sea grape | high | SW, SE, Keys | moderate - dry |
| <i>Conocarpus erectus</i> | buttonwood | high | SW, SE, Keys | moist - moderate |
| <i>Cordia sebestena</i> | Geiger tree | moderate | SW, SE, Keys | moderate - dry |
| <i>Ficus aurea</i> | golden fig | moderate | SW, SE, Keys | moderate |
| <i>Ilex x. attenuata</i> | East Palatka holly | low | NW, SW, NE, SE | moderate |
| <i>Ilex cassine</i> | dahoon holly | low | NW, SW, NE, SE | moist - moderate |
| <i>Ilex opaca</i> | American holly | low | NW, SW, NE, SE | moderate |
| <i>Ilex vomitoria</i> | yaupon holly | moderate | NW, SW, NE, SE | moderate - dry |
| <i>Juniperus silicicola</i> | southern red cedar | moderate | NW, SW, NE, SE | moderate |
| <i>Laguncularia racemosa</i> | white mangrove | high | SW, SE, Keys | moist - moderate |
| <i>Magnolia grandiflora</i> | southern magnolia | moderate | NW, SW, NE | moderate |
| <i>Persea borbonia</i> | redbay | moderate | NW, SW, NE, SE | moderate |

Exhibit D.

| Scientific Name | Common Name | Salt tolerance | Region (NW/SW/NE/SE/Keys) | Soil Moisture |
|---------------------------|---------------------|----------------|------------------------------|------------------|
| Trees continued | | | | |
| Persea humilis | silkbay | moderate | SW, NE, SE | moderate - dry |
| Pinus clausa | sand pine | moderate | NW, SW, NE, SE | dry |
| Pinus elliottii | slash pine | moderate | NW, SW, NE, SE, Keys | moist - moderate |
| Quercus geminata | sand live oak | moderate | NW, SW, NE, SE | moderate - dry |
| Quercus virginiana | live oak | moderate | NW, SW, NE, SE, Keys | moderate - dry |
| Sideroxylon foetidissimum | mastic | moderate | SW, SE, Keys | moderate |
| Palms | | | | |
| Acoelorrhaphe wrightii | paurotis palm | moderate | SW, SE, Keys | moist - moderate |
| Coccothrinax argentata | silver palm | high | SE, Keys | dry |
| Sabal palmetto | cabbage palm | high | all | moist - moderate |
| Serenoa repens | saw palmetto | high | all | moist - dry |
| Thrinax morrissii | brittle thatch palm | moderate | Keys | dry |
| Thrinax radiata | Florida thatch palm | moderate | Keys | dry |

Fritz Wettstein
 Coastal Construction Control Line Program
 Division of Water Resource Management
 Florida Department of Environmental Protection
 2600 Blair Stone Road, Mail Station 3522
 Tallahassee, Florida 32399
 850/245-7672
john.wettstein@dep.state.fl.us
www.floridadep.org/beaches



MEMORANDUM

ITEM NO. 9B

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

From: Guillermo Olmedillo, Town Manager

Date: October 10, 2019

Subject: Rotary Club of Bal Harbour Donation Request

The Rotary Club of Bal Harbour is requesting a donation from the Town (Attachment A).

The Town Commission authorized a \$1,000 donation at the February 12, 2019 meeting to this organization.

For Fiscal Year 2019/2020, \$4,500 is budgeted for miscellaneous donations.

The Administration is seeking Town Commission direction.

Reviewed by

Prepared by



ROTARY CLUB OF BAL HARBOUR

Club #4433 District #6990

Mailing Address: P.O. Box 546461, Surfside, FL 33154-6461 USA

Meeting Thursday mornings, 8:00-9:00am at the
Sea View Hotel, 9909 Collins Avenue, Bal Harbour, FL

2019-2020 Officers:

President: Hyon O'Brien, (786) 327-9200, HyonObrien@gmail.com

Past President: Sara J Saba, esquire, (305) 450-8009, SaraJSaba@me.com

Treasurer: Gayle Mintz, (786) 350-8228 or Gmintz96@yahoo.com

Secretary: Rabbi Chaim Casper, (305) 865-0433 or info@surfflorist.com

Facebook: [Rotary Club of Bal Harbour](#) Website: <http://rotarybalharbour.org/>

בעדהש"ית

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

September 9, 2019

Dear Friends:

Allow me to introduce our club to you. Rotary is a worldwide organization of more than 1.2 million business, professional, and community leaders founded in 1905 by Paul Harris in Chicago. Rotary club members provide humanitarian service, encourage high ethical standards in all vocations, and help build goodwill and peace in the world. There are 33,000 Rotary clubs in more than 200 countries and geographical areas (plus a high school affiliate with 12,000 clubs in 109 countries with 275,000 members and a college affiliate with 7,500 clubs in 163 countries with 175,000 members). Rotary's main objective is service — in the community, in the workplace, and throughout the world and it is most famous for our leadership role in eliminating polio throughout the world. The Rotary Club of Bal Harbour is a member club of this international service organization. Our local district #6990 has 49 clubs and spans Key West to Pompano Beach and over to the Bahamas. Our club was founded in 1953. Further information about our organization may be found through our local district website at <https://ri6990.org/about-rotary-district-6990/> or click on any or all of the tabs on the Rotary International website at <https://www.rotary.org/en/about-rotary> for the who, what and why of Rotary for prospective members.

As a follow up to your instructions in your grant application, please note that our foundation is an IRS 501c(4) recognized charity organization. We have attached that determination to this package.

In addition, we have also attached our recognition of incorporation from the State of Florida Secretary of State's office.

Town of Surfside, FL
September 9, 2019
Page 2

We will attempt to get you our yearly IFS Form# 990 as quickly as possible so please excuse us if we need a couple of days to fulfill this request.

Finally, as secretary of the club, I affirm that our club has authorized the submission of this application.

Please contact me with any questions.

Chaim Casper

Yours in Rotary,
Rabbi Chaim Casper
Secretary

Enc.

**Application By Not-For-Profit/Charitable Organization For Financial or In-Kind Assistance From
The Town of Surfside**

Legal Name of Applicant: Rotary Club of Bal Harbour

Year Established in Florida: 1953

Business Address: %Sea View Hotel, 9909 Collins Ave, Bal Harbour, FL 33154

Business Phone Number: Rabbi Chaim Casper, secretary 305-865-0433
Hyon O'Brien, president 786 327-9200 Gayle Mintz, treasurer 786-385-5764

Contact Name and Phone Number: see above

Contact email address: info@SurfFlorist.com
hyonobrien@gmail.com GayleMende@yahoo.com

Business Website URL: <http://rotarybalharbour.org/>

Facebook page which is more informative: Rotary Club of Bal Harbour

Describe the services you will provide to the Town of Surfside Residents or Businesses with the assistance you will receive from the Town: We run a yearly 5K and hopefully this March, 2020 a 10K race proceeds of which fund a scholarship for qualified applicants to any of the three Miami Dade County Police Academies. The race is named in memory of Chief Overton and Chief de la Rosa, two well known and beloved Bal Harbour police chiefs.

What assistance do you need from the Town: We are looking for a grant to our 501c(4) foundation that will fund this scholarship. Each scholarship costs \$7000 per applicant.

Who will be the person in your organization accountable for the assistance the Town provides your organization: Chief Raleigh Flowers of the Bal Harbour Police Department

How will you measure and report to the Town how well the assistance was used by your organization:

Miami Dade Police Departments are always in need of qualified applicants to fill positions in the county's police forces. Our program will be a success if we can help qualified applications enter the academies without the burden of having to pay for their education and training.

If you have provided the intended services to other communities or organizations, please briefly describe them below or attach them to this application: We have reached out and received in the past help for our project from Bal Harbour, Bay Harbor Islands and Sunny Isles Beach. All three communities have been approached for this year's race and have signaled a willingness to help.

If you are not awarded the assistance you are requesting, what do you think it will mean to the community and the Town: We will continue with our program with or without Surfside's leadership. We welcome their participation and view it as a feather in their communal cap.

Please detail any known relationship (familial, business, friendship, etc.), no matter how distant, that your organization has with any elected official or employee of the Town of Surfside:
None known.

- **Documents to be submitted with applications from not-for-profit organizations:**
 - State of Florida Certificate of Status, Non-Profit Corporation
 - IRS Ruling or Determination Letter of your charitable status
 - Your most recent annual information return (Form 990 or 990-EZ) or a determination letter stating your organization is exempt from the annual return requirement
 - A letter from the applicant that is signed by an individual authorized to make the request of the Town stating that the application has been authorized by the organization



MEMORANDUM

ITEM NO. 9C

To: Honorable Mayor, Vice-Mayor and Members of the Town Commission
From: Guillermo Olmedillo, Town Manager
Date: October 10, 2019
Subject: Paced Development

At the August 11, 2015 Town Commission meeting, the concept of "Paced Development" was first presented for your consideration.

At the January 9, 2019 Town Commission agenda, after hearing Item 9-D, on the same topic, Commissioner Karukin made a motion directing the Town Manager to meet with Staff and present a recommendation to the Town Commission, at a future meeting. Commissioner Paul seconded the motion and all voted in favor.

At the July 9, 2019 Town Commission meeting, the Administration presented an updated memorandum for discussion and direction.

Controlling the pace of development is not a novel concept; along with the principle that development must pay to address all impacts it creates, are part of the philosophy behind "Growth Management".

Some municipalities have placed controls on the number of development permits issued in any given period. Most have used the number of dwelling units or area of construction to be permitted in a given year as the metric.

The common principles used to support the limitations are typically environmental impacts, infrastructure capacity, hurricane evacuation capacity, zoning capacity, conservation of property values and preservation of character.

Environmental principles include population impact, flooding, and open space vs. built space, among others.

Physical principles include evacuation capacity, delivery of service capacity, zoning capacity, and infrastructure capacity.

Quality of life principles include character of the community, and capacity of existing and projected community facilities.

Should the Town Commission decide to adopt policies to control the pace of development approvals, clear direction is necessary to quantify the administrative and legal work that is required, to not only prepare the respective ordinances necessary to implement the policies, but also to prepare the technical reports necessary to establish the clear rational nexus between the ordinances and the protection of health, life safety and welfare of the community.

I recommend that the Town Commission start with the decision on the policy adoption, and as a second step to decide on the principles to be used in the preparation of the necessary ordinances.

The first question to be answered is: Does the Town Commission want to adopt a policy to control the impacts and the time when the construction process begins and ends.? Or does the Town Commission want to limit the impact of development once it is used for its intended function? Or both?

Development has four phases, project concept, permitting, construction and use of the premises.

The project concept is a privately generated plan based on business decisions and applicable codes.

Permits are instruments issued by public agencies who base their approvals on existing codes. The Zoning Code and other land development regulations establish the limits for the scale, density and intensity for projects in Surfside. Such permits assign development rights to a particular piece of real estate. The Florida Building Code regulates the process and all physical aspects of the building.

The construction is the actual building process of the approved structures, developed by the private sector with a degree of supervision of public agencies.

The use and activities that can be conducted in the property, once it is built out, is controlled by the Comprehensive Plan and all applicable codes.

The Development Order is a contract between the Town and the Applicant, and it contains all conditions of development that the Town Commission considers appropriate and reasonable and that are not arbitrary and capricious.

Option 1.

Should the Town Commission decide to control only the duration of the construction phase and its impacts of parking, noise, dust and traffic, the Development Order is the appropriate instrument.

Option 2.

Amendments to the Town Code, where parameters of time may be included, and where limitations on noise and dust emission already exist.

This option is more complex because development applications are all different and the ordinance would have to address them generally.

Option 3.

Should the Town Commission opt to address both the impacts of the entire process of development and include the impacts of the ultimate use of the property, then a comprehensive review of the Code is necessary.

Additionally, I recommend that the Town Commission make a policy decision to create "Impact Fees."

As stated above, part of the Growth Management philosophy is the principle that development must pay for all impacts it creates.

The reference is related to physical impacts that can be measured through Level of Service standards, such as roads, parks, police, fire, schools, and water and sewer.



Town of Surfside Commission Communication

Agenda Item: # 9D

Agenda Date: October 10, 2019

From: Michael Karukin, Town Commissioner

Subject: Zoning in Progress – New Applications or Site Plans for Hotels in H40 Zoning District, South of 93rd Street

Proposed Ordinance Amending the Town of Surfside Code of Ordinances by Amending Section 90-41, “Regulated Uses”, To Establish Limitations on Hotels in the H-40 Zoning District South of 93rd Street Including: Prohibition on Ballrooms and Banquet Facilities as Hotel Accessories; Providing Distance Separation Standards Between Hotels; Providing Limitations on Event and/or Meeting Room Space; Prohibiting Structured Parking Facilities, And Requiring That Parking Structures Incorporate Hotel and/or Accessory Uses; Creating Exemptions for Existing and Approved Developments, and for Historically Designated Properties; and Amending Section 90-51 “Maximum Frontage of Buildings and Façade Articulations” to Establish Continuous Wall Frontages for Hotels in the H40 Zoning District South of 93 Street.

Background: At a joint special meeting of the Town Commission and Planning & Zoning Board held on September 19, 2019, and in order to address impacts from large-scale hotels with certain accessory uses utilized by the general public, the Town Commission directed staff to evaluate and prepare an ordinance establishing limitations on hotels within the H40 District south of 93rd Street and to address continuous wall frontages of such hotels. Staff has prepared a draft Ordinance for consideration on first reading on this date, October 10, 2019.

Analysis: Code section 90-6 states that the purpose of zoning in process *generally allows the town to apply, on a retroactive basis, if necessary, changes to zoning regulations or to the zoning district status of property, to previously approved or currently in process development applications. Additionally, the zoning in progress allows a temporary hold on permits and licenses if there is a change in zoning, which is already in progress that would affect the permit of license.* In an effort to avoid the Town accepting an application for a hotel in the H40 District south of 93 Street without having the proposed hotel limitations in place as set forth in the Ordinance, Staff is proposing a zoning in progress be implemented to allow time to consider and approve the Ordinance.

Recommendation: The Town Commission is on this date considering first reading of the Ordinance. It is recommended that the Town Commission direct the Town Clerk to publish a "Notice of Zoning in Progress" as soon as reasonable possible, as provided in Section 90-6 "Zoning in Progress" of the Code of Ordinances, in order to apply a hold on the processing of new or development applications that are submitted to the Town after the date of the publication of the notice.

Michael Karukin, Town Commissioner