

### Town of Surfside Special Town Commission Meeting AGENDA Wednesday, September 28, 2022 6:00 PM

**Commission Chambers** 

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 6.06 (a)3 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 this capacity has been reached, people will be asked to watch the meeting from the first floor.

- 1. Opening
  - 1.A Call to Order
  - 1.B Roll Call of Members
  - 1.C Pledge of Allegiance
- 2. Mayor, Commission and Staff Communication
  - 2.A Ratification of Collective Bargaining Agreement with the American Federation of State, County, and Municipal Employees (AFSCME Florida Council 79) Andrew Hyatt, Town Manager

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE. FLORIDA. PROVIDING FOR RATIFICATION OF THE COLLECTIVE BARGAINING AGREEMENT BETWEEN AFSCME FLORIDA COUNCIL 79, AMERICAN FEDERATION OF STATE. COUNTY. AND MUNICIPAL EMPLOYEES. AFL-CIO AND THE TOWN OF SURFSIDE IN EFFECT FROM OCTOBER 1, 2022 THROUGH SEPTEMBER 30, 2025; AUTHORIZING THE TOWN MANAGER TO SIGN THE COLLECTIVE BARGAINING AGREEMENT ON BEHALF OF THE TOWN: AUTHORIZING THE TOWN MANAGER TO TAKE ALL ACTIONS NECESSARY TO IMPLEMENT THE COLLECTIVE BARGAINING AGREEMENT; AND PROVIDING FOR AN EFFECTIVE DATE.

Resolution Approving CBA.docx AFSCME CBA - Final.docx.pdf

- **2.B Town Manager's Report** Andrew Hyatt, Town Manager 2022-09 September Town Manager's Report.pdf
- 2.C Town Attorney Report Lillian Arango, Town Attorney Town Attorney's Report.DOCX
- **2.D Charter Review Board** Lillian Arango, Town Attorney Exhibit A.docx
- **2.E Beautification of Residential Area Street Signage** Andrew Hyatt, Town Manager

Exhibit A - Surfside Street Name Sign Technical Memorandum Exhibit B - Decorative Sign Visual Options

2.F Update on Improving Walkability and Pedestrian Safety within Residential Area - Andrew Hyatt, Town Manager

Exhibit A - "One Way Pilot Technical Memorandum"

Exhibit B - "Estimate of Probable Cost for One-Way Trial Implementation"

- 2.G Hedges in the Right of Way (H30A/H30B) Shlomo Danzinger, Mayor
- **2.H Pelican Harbor Seabird Station Donation Request** Commissioner Marianne Meischeid

Application for Assistance from the Town of Surfside.pdf

Request Letter of CB.pdf 2021 990 Pelican Harbor Seabird Station Inc.pdf PHSS Consumers Certificate of Exemption 2022-2027.pdf 2021 PHSS Audited Financials.pdf PHSS - IRS Letter of determination.docx

2.I Town of Surfside Sister City Resolution Approval and Key to the Town Request - Shlomo Danzinger, Mayor

A RESOLUTION OF THE TOWN OF SURFSIDE, FLORIDA, ESTABLISHING A SISTER CITY RELATIONSHIP WITH THE REGION OF SHOMRON, ISRAEL TO PROMOTE EDUCATIONAL, INFORMATIONAL, CULTURAL AND ECONOMIC EXCHANGES; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Shomron Sister City Resolution.pdf Key Request for Shomron.pdf

#### 3. Adjournment

Respectfully submitted,

Andrew Hayatt 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 <a href="https://www.townofsurfsidefl.gov">www.townofsurfsidefl.gov</a>.

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.



### **MEMORANDUM**

ITEM NO. 2.A

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

**From:** Andrew Hyatt, Town Manager

Date: September 28, 2022

Subject: Ratification of Collective Bargaining Agreement with the American

Federation of State, County, and Municipal Employees (AFSCME Florida

Council 79)

It is recommended that the Town Commission adopt the Resolution approving the Collective Bargaining Agreement with AFSCME Florida Council 79.

The American Federation of State, County, and Municipal Employees (AFSCME Florida Council 79) filed a representation-certification petition with the Public Employees Relations Commission (PERC) on October 6, 2020, pursuant to Florida Statute 447.307(2). A secret ballot election was conducted May 12, 2021 through June 2, 2021. AFSCME Florida Council 79 received a majority of the votes and became the certified bargaining representative for certain Town full-time civilian employees on June 18, 2021. The covered unit classifications include:

 Accountant, Beach Patrol/Litter Custodian, Building Permit Clerk, Code Compliance Officer, Custodian, Customer Service Representative, General Service Worker, Lifeguard, Maintenance Worker, Mechanic, Parking Enforcement Officer, Payroll/Accounts Payable Specialist, Program and Events Coordinator, Public Safety Specialist, Public Works Coordinator, Records Technician/Assistant to Town Clerk, Recreation Leader I, Recreation Leader II, Refuse Collector, Solid Waste Refuse Truck Operator.

There are currently 45 bargaining unit members. Due to a community of interest, a PERC unit clarification will be submitted to include the new positions of CDL and Heavy Equipment Operator, Building Inspector/Plans Examiner, and Multi-Media Communications Specialist.

The Town began initial negotiations for a collective bargaining agreement on January 31, 2022. The Town's bargaining team included: Andrew Hyatt, Town Manager; Jason Greene, Assistant Town Manager/CFO, Yamileth Slate-McCloud, HR Director; and Caroline Saiz, Labor Counsel. AFSCME's bargaining team included: Cristopher Serrano, Organizing Director; Carlos Cross, Assistant Regional Director; Priscilla Krutules, Steward; William Perez, Steward; and Frantza Duval, Steward.

The Town held six (6) negotiation sessions with the Union and two (2) executive sessions with the Town Commission were held.

The attached Collective Bargaining Agreement is a three (3) year contract with no re-opener (effective October 1, 2022 – September 30, 2025). It details terms and conditions of employment, wages, and benefits to include holidays, work schedule and overtime, out of classification and call-back pay, longevity, leave time, layoffs, probationary period, insurance, and discipline and grievance procedure. The following is a summary of key terms:

- Initial "bring to market" wage placement for current employees based on years of service. Thereafter, newly hired employees will start at the minimum wage range with the Manager having discretion to hire at 20% above minimum.
- 6% wage increase by October 1, 2022, 4% wage increase by October 1, 2023, 3% wage increase by October 1, 2024 (subject to a satisfactory performance evaluation).
- Unpaid half hour lunch.
- Out of classification pay of 3.5% after 20 days.
- Discipline procedure and 5% pay decrease for demotion.
- Grievance procedure with binding arbitration.
- Performance Evaluation that encompasses a performance improvement plan and reevaluation in three months.
- Vacation leave accrual of 240 hours for 21+ years of service.
- No paid vacation leave taken within first six (6) months of employment.
- Training requirement with four (4) hour bonus vacation accrual for timely completion.
- Inclusion of Juneteenth as a holiday.
- Probationary period of one (1) year (two (2) year requirement to utilize personnel appeals board appeal).

The AFSCME membership ratified the Collective Bargaining Agreement on September 13, 2022.

#### RESOLUTION NO. 2022-

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, PROVIDING RATIFICATION OF **FOR** THE COLLECTIVE BARGAINING AGREEMENT BETWEEN AFSCME FLORIDA COUNCIL 79, AMERICAN FEDERATION **OF** STATE, COUNTY, AND **MUNICIPAL** EMPLOYEES. AFL-CIO AND THE TOWN OF SURFSIDE IN EFFECT FROM OCTOBER 1, 2022 THROUGH SEPTEMBER 30, 2025; AUTHORIZING THE TOWN MANAGER TO SIGN THE COLLECTIVE BARGAINING AGREEMENT ON BEHALF OF THE TOWN; AUTHORIZING THE TOWN MANAGER TO TAKE ALL ACTIONS NECESSARY TO IMPLEMENT THE COLLECTIVE BARGAINING AGREEMENT; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, AFSCME Florida Council 79, American Federation of State, County, and Municipal Employees, AFL-CIO ("the Union") was certified as the bargaining representative for certain full-time civilian employees of the Town of Surfside (the "Town") on June 18, 2021; and,

WHEREAS, the Town desires to ratify the Collective Bargaining Agreement (the "Agreement") between the Town and the Union for a bargaining unit of civilian personnel in effect from October 1, 2022 through September 30, 2025 (a copy of the Agreement is attached hereto as Exhibit "A"); and,

**WHEREAS,** the Town Commission finds that this Resolution is in the best interest and welfare of the residents and employees 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. Authorized and Approved. That the ratification of the Agreement between the Town and the Union in the form attached hereto as Exhibit "A" is hereby authorized and approved.

**Section 3. Execution of Agreement**. That the Town Manager is hereby authorized to sign the Agreement on behalf of the Town.

**Section 4. Implementation.** That the Town Manager is authorized to take all actions necessary to implement the Agreement.

<u>Section 5.</u> <u>Effective Date.</u> That this Resolution shall become effective immediately upon adoption.

PASSED AND ADOPTED on the	nis day of October, 2022.
Moved By:	<del></del>
Second By:	
FINAL VOTE ON ADOPTION Vice Mayor Jeffrey Rose Commissioner Fred Landsman Commissioner Marianne Meischeid Commissioner Nelly Velasquez Mayor Shlomo Danzinger	
ATTEST:	Shlomo Danzinger Mayor
Sandra McCready MMC	

Town Clerk

# COLLECTIVE BARGAINING AGREEMENT BETWEEN



### **AND**



# FOR THE PERIOD OCTOBER 1, 2022 - SEPTEMBER 30, 2025

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#### **PREAMBLE**

THIS AGREEMENT is entered into by the Town of Surfside, Florida, hereinafter referred to as the "Employer" or "Town", and AFSCME Florida Council 79, hereinafter referred to as the "AFSCME" or "Union", for the purpose of promoting harmonious relations between the Town and the Union, to establish an orderly and peaceful procedure to settle differences which might arise and to set forth the basic and full agreement between the parties concerning rates of pay, wages, hours of work and other conditions of employment.

# ARTICLE 1 RECOGNITION

Pursuant to and in accordance with all applicable provisions of Chapter 447, Florida Statutes, the Town recognizes the Union as the exclusive collective bargaining representative for the purpose of bargaining collectively in the determination of the wages, hours, and terms and conditions of employment of the public employees within the bargaining unit covered by PERC certification number 1997 issued June 2, 2021. "Employee" shall be defined to include all classified employees who are employed by the Town of Surfside, whose classifications appear on the attached Appendix C or others that may be added as needed.

# ARTICLE 2 UNION SECURITY

<u>Section 1:</u> Public employees have the right to form, join or assist labor unions or labor organizations or to refrain from such activity, to bargain collectively through representatives of their choosing, and to engage in concerted activities for the purpose of collective bargaining or other mutual aid or protection.

<u>Section 2:</u> The President of AFSCME, Florida Council 79, or an alternate officially designated in writing, will be the official spokesperson for the Union in any matter between the Union and the Town.

<u>Section 3:</u> The Town will provide information to the Union and bargaining unit employees as follows:

A. If prepared and supplied by the Union, the Town will give each newly hired bargaining unit employee an envelope, which will provide the employee with a greeting, the name, address, and phone number of the Union and notify the employee that he or she may call the Union for additional information. The Town will provide the notification referred to in this paragraph during the new employee orientation period for new employees.

- B. The Town will notify the Union of all persons hired into job classifications represented by AFSCME via email.
- C. Where employees do not have portal access in their work area during working hours, the Town will place one copy of this Agreement at Town Hall and the Community Center.
- D. When the Town establishes an Employee Portal, an electronic copy of this Agreement will be posted for reference by employees and supervisors.
- E. On a semi-annual basis, the Town will provide the Union with a list of all employees in positions within the assigned bargaining unit via electronic mail and shall include the employee's name, job title, department and division, job code, employment date, home address/phone (if not protected) and annual base salary. The list shall be provided at no cost.
- F. The Union will be provided with a copy of departmental employee-related policies and work regulations. Copies of new or revised departmental employee-related policies or work regulations such as new shifts and work schedules, and other policies and procedures that affect employees' terms and conditions of employment, will be provided to the Union prior to implementation. Any policy that will affect the employees covered by this agreement, will be noticed to the Union as set forth in this provision.
- G. The Town will post all departmental employee-related policies and work regulations in appropriate areas.

#### Section 4:

- A. Upon receipt of a written authorization from the Union, the Town will deduct union dues and uniform assessments from a bargaining unit employees pay.
- B. Requests for dues deduction or revocation of dues deduction will be processed on the next available payroll.
- C. No deduction shall be made from an employee's pay for any payroll period in which the employee's net earnings are less than the amount of dues to be deducted. Net earnings shall mean earnings after required deductions are made for federal taxes, social security, pensions, and health and life insurance.
- D. Authorized dues will be deducted in every pay period in the fiscal year.
- E. Deductions for Union dues and/or uniform assessments shall continue until one of the following occurs:
- (1) the employee revokes their authorization for dues deduction by submitting a signed revocation form to Human Resources/or Finance with a copy to the Union; or
- (2) the authorization for dues deduction is revoked pursuant to Section 447.507, Florida Statutes; or
- (3) the employee terminates employment with the Town; or
- (4) the employee transfers, promotes or demotes out of the bargaining unit; or
- (5) the Union is no longer certified to represent employees in the bargaining unit.
- F. The Union will certify changes in the Union membership dues rate to the Town in writing over the signature of the authorized officer(s) of the Union, at least thirty (30) days in advance of the effective date of any change.
- G. The Town will remit collected dues to the Union upon transmission of every pay period.
- H. The Town remittance will be deemed correct if the Union does not give written notice to the Town within two (2) calendar weeks after a remittance is received, of its belief that the remittance is incorrect, with reason stated therefore.
- I. The Town will notify AFSCME Council 79 of all additions to and deletions from the dues deduction roster within two weeks following the close of each pay period.
- J. The Employer agrees to deduct from the wages of any employee who is a member of the Union a PEOPLE deduction as provided for in a written authorization. Such authorizations must be executed by the employee and may be revoked by the employee at any time by giving written notice to both the Town and the Union. The Town agrees to remit any deductions made pursuant

to this provision promptly to the Union together with an itemized statement showing the name of each employee from whose pay such deductions have been made and the amount deducted during the period covered by the remittance. Such deductions will be made at the same time dues are deducted.

K. The Union will indemnify, defend, and hold the Town harmless, against any claim made and against any suit instituted against the Town on account of any deductions for Union dues or uniform assessments.

### ARTICLE 3 MANAGEMENT RIGHTS

- <u>Section 1:</u> The Town has and will continue to retain, whether exercised or not, the right to operate, manage and direct its operations and all, powers and authority, not officially relinquished, abridged or limited by the express provisions of this Agreement. The Town shall have the sole, unilateral and unquestioned right, responsibility and prerogative to manage the affairs of the Town and direct the work forces, including, but not limited to, the following:
- A. To determine the acquisition, care, maintenance and operation of equipment and property used for and on behalf of the purposes of the Town;
- B. To establish or continue the mission, purpose, objectives, policies, practices and procedures for the conduct of the Town business, operation of departments, and, from time to time, to change or abolish such policies, practices or procedures;
- C. To discontinue processes or operations or to discontinue their performance by employees;
- D. To select, determine and assign the number and types of employees required to perform the Town's operations, to meet the needs of the Town and the Department;
- E. To employ, transfer, promote, demote, layoff, discipline, terminate, or otherwise relieve employees from duty for lack of work or for any legitimate reason when it shall be in the best interest of the Town or the Departments;
- F. To prescribe and enforce reasonable rules and regulations for the maintenance of ethical and professional standards, and for the performance of work, services to be offered to the public, control and discretion over the operation of the Departments and its employees, provided such rules and regulations are made known in a reasonable manner to the employees affected by them;
- G. To establish contracts or subcontracts for municipal operations, or Mutual Aid Agreements provided that this right shall not be used for the purpose or intention of undermining the union or of discriminating against its members. The above rights, responsibilities and prerogatives are inherent in the Town Commission and the Town Manager, by virtue of Statutory and Charter provisions and are not subject to delegations in whole or in part. Such rights may not be subject to review or determination in any grievance or arbitration proceedings, but the manner of exercise of such rights may be subject to the grievance procedure in this Agreement.
- <u>Section 2:</u> The Union and the Town jointly recognizing the need to perform maximum municipal services at minimum cost, and the difficult problems facing the Town, hereby agree that the interest of both employee and the Town will best be served by attaining maximum efficiency and productivity. Therefore, the parties shall use their best efforts to create and maintain an atmosphere in which every employee can give a day's work for a day's pay. The Union agrees

that the efforts of all employees are required to achieve these objectives and will cooperate to this end.

<u>Section 3:</u> The Town shall provide the Union written notice of its intent to subcontract. In the event that AFSCME bargaining unit positions are subcontracted by the Town, the Town shall use its best efforts to have the subcontractor employ existing bargaining unit employees.

# ARTICLE 4 SPECIAL MEETINGS

The Town Manager or their designee and the Union agree to meet and confer on matters of interest upon the written request of either party. The written request shall state the nature of the matters to be discussed and the reason(s) for requesting the meeting. Discussion shall be limited to matters set forth in the request, or other subjects mutually agreed to, but it is understood that these special meetings shall not be used to renegotiate this Agreement. Such special meetings shall be held within ten (10) calendar days of the receipt of the written request and at a time and place mutually agreeable to the parties. The Union shall have the right at these special meetings to recommend to the Town Manager or their designee corrections of any inequities known to the Union.

## ARTICLE 5 UNION ACTIVITY

#### Section 1: Stewards and Representation

A. The employees covered by this Agreement will be represented by stewards, one of which will be designated as the Chief Steward. A written list of stewards and alternates will be submitted to the Town, together with the specific areas in which they will function, annually by October 1<sup>st</sup> of each year. The alternate steward will only become active in the event of the physical absence of the regular steward and upon prior notification by the Union. Alternate Stewards are subject to the same rules and regulations that govern the conduct of stewards. For the purpose of this agreement and unless otherwise addressed in this agreement, the use of the word steward shall also refer to the Chief Steward.

B. The Town recognizes and shall work with the appropriate Union stewards and representative of AFSCME Florida Council 79 in matters relating to grievances and interpretation of this contract, including promoting harmonious working relationships. Manpower and workflow permitting, the Local Union President (or designee) or the Chief Steward may be permitted to assist other Stewards in matters of complexity or when a new steward is in the training process with the local Union.

C. Union stewards shall be active employees as designated by AFSCME Florida Council 79 and shall be members of the bargaining unit.

D. Union representatives and stewards are subject to the same rules of the Town of Surfside and its Independent Agencies as are all other public employees, except as specifically outlined in this Agreement.

E. While on leave of absence, no employee shall function as a Union steward without mutual consent of the Union and the Town.

F. A written list of Union stewards and officers shall be furnished to the Town prior to the effective date for their assuming duties of office. There shall be a maximum of five (5) stewards: one (1) for the Parking Department, one (1) for the Public Works Department, one (1) for the Parks & Recreation Department, one (1) for the compilation of all other departments, and one (1) Chief Steward. AFSCME Florida Council 79 shall notify the Town promptly of any changes of such Union stewards. No Union steward shall perform any Union work unless the Union has complied with this requirement.

G. One (1) Union steward shall be granted time off during working hours without loss of pay to investigate and settle grievances on the job site which is within their department. There shall only be one (1) steward addressing a particular investigation or grievance. The steward must secure approval from their immediate supervisor prior to performing such duty. The steward receiving time off under this provision shall record their time before leaving the job and upon returning.

When entering the area of a supervisor other than their own, the steward shall notify that supervisor of their presence and purpose.

A steward will only be granted time off under this provision when requested by an employee in the bargaining unit for assistance with a grievance, or when requested by the Union in writing. Stewards may receive and discuss grievances of employees on the premises or in the field during working hours, to the extent that such discussions do not interfere with the work of other employees. Union stewards shall not conduct any grievance work on overtime or holiday time except in emergency situations. It is acknowledged that only one (1) steward will work on grievances from any employee unless a variance to Section 1 is approved. A Union officer may substitute for a Union steward for all purposes set forth in this paragraph.

<u>Section 2</u>: Nothing in this Agreement shall prevent any employee from presenting, at any time, their own grievances, in person or by legal counsel to the Town, or from having such grievance adjusted without the intervention of the bargaining agent, if the adjustment is not inconsistent with terms of the collective bargaining agreement when in effect, and if the bargaining agent has been given reasonable opportunity to be present at any meeting called for the resolution of such grievance.

<u>Section 3</u>: Employees designated in the bargaining unit shall have the right to join, or to refrain from joining, the Union, to engage in lawful concerted activities for the purpose of collective bargaining or negotiation or any other mutual aid and protection, and to express opinions related to the conditions of employment, all free from restraint, discrimination, intimidation, or reprisal because of that employee's membership or lack of membership in the Union or by virtue of that employee's holding office or not holding office in the Union. This provision shall be applied to all employees in this bargaining unit.

In employment, job assignment and employee/employer relations, no procedure shall discriminate against any employee on the basis of age, disability, sex, race, creed, national origin, sexual orientation or marital status.

<u>Section 4</u>: The Union shall neither actively solicit grievances nor collect Union monies on Town property.

<u>Section 5</u>: Officials of the Union, with proper authorization, which will not be unreasonably withheld, be admitted to the property of the Town. Officials as designated above shall be able to talk with employees before or after regular working hours or during lunch hours of said employees on Town property in areas mutually agreed on by the Union and the Town.

<u>Section 6</u>: The Local Union President or one alternate officially designated by the Local Union President shall be granted reasonable time off during working hours without loss of pay for the purpose of attending to appropriate Union activities requiring his/her presence. This shall not be interpreted to limit the Union to the resolution of only one issue at a time Town wide but is intended to limit the number of Union representatives being granted time off to attend to a single specific issue. The local Union President or alternate must secure approval from his/her immediate supervisor prior to performing such duty. In situations where Union representatives are required

simultaneously at more than one meeting, the Union President may request the Town Manager or designee to authorize release of up to two additional Union representatives, subject to operational needs.

Section 7: Arrangements will be made for officers or an accredited representative of the Union to be admitted to the property of the Town during working hours for the purpose of ascertaining whether or not this Agreement is being observed by the parties, provided such visitation is not disruptive to the work force. When an area or building belonging to the Town is not normally open for visitation, then the Town shall provide a responsible escort to that Union Officer or accredited representative; provided, this service must be arranged by the Union in advance of the visitation.

<u>Section 8</u>: The Union will be permitted to have three (3) committee members to serve on the negotiating committee. These employees will be authorized to take time off of work with pay for the purpose of preparation and to be present at all bargaining sessions.

<u>Section 9</u>: The Union and/or stewards shall request approval prior to utilizing any Town facility for Union-related meetings.

### ARTICLE 6 BULLETIN BOARDS

#### Section 1:

The Union shall be provided adequate space on bulletin boards, including at least one (1) at each location so designated by the Town. Bulletin boards will be located in Town Hall and the Community Center. The Union may, if it so desires, provide a bulletin board of standard size for its exclusive use, in keeping with the decor of the above locations, and with the approval of the Town.

#### Section 2:

A. The Union agrees that it shall use its space on bulletin boards provided for in Section 1 above, and, if established, the union electronic bulletin board section on the Employee and Labor Relations page of the Town portal may be used for the following purposes:

- Notices of Union Meetings
- Notices of Union Elections
- Reports of Union Committees
- Rulings and Policies of the Union
- Recreational and Social Affairs of the Union, subject to the Union providing a copy of the notice to the Town prior to posting
- Union Bulletins or other information conforming to Section 6.3
- B. Any notice or other information that is date-specific shall include the date by which the notice or information will be removed from the electronic bulletin board.
- C. Any conforming notices posted shall only be removed by a representative of the Union or as provided in Articles 6.3 and 6.4 of this Agreement.

<u>Section 3</u>: No material, notices, or announcements shall be posted by the Union which contains anything adversely reflecting upon the Town of Surfside, its officials, managers, consultants or agents, its independent agencies, its employees, or any other labor organization. Any proven violation of this Article by the Union shall entitle the Town to remove the posting in violation.

#### Section 4:

A. Notices or other information intended for electronic posting shall be submitted on acceptable electronic medium to the Town Manager or their designee for approval as to compliance with Section 3 before being posted. Notices or other information intended for electronic posting shall include a specific date on which the notice or information is to be automatically deleted from the electronic bulletin board. Approved materials will be posted electronically as soon as practicable.

B. To access Town facilities to update information on regular bulletin boards, AFSCME shall contact the Town Manager or designee to make arrangements to do so.

C. Where bulletin boards are locked, or otherwise inaccessible, the Town shall notify the assigned Union steward of the procedure for obtaining access. This procedure must provide the steward or other representative access to the bulletin board within a reasonable time after the request for access.

<u>Section 5</u>: Alleged abuse of the bulletin boards will be a matter for a special meeting or conference between the proper official of the Union, the Town Manager or their designee, and the appropriate member of the agency involved. Such meeting or conference shall be held within five (5) calendar days after receipt of a written complaint by either the Town or the Union that a violation exists.

## ARTICLE 7 HOURS OF WORK AND OVERTIME

- <u>Section 1 Work Week</u>: The regular workweek for employees covered by this agreement shall be established by the Town based on operating needs and efficiency.
- <u>Section 2 Workday</u>: A workday is defined as a regular recurring period of work with a fixed starting and ending time, exclusive of overtime. The normal workday for employees shall be determined by the Department Head based on the operational needs of the Department and include an unpaid thirty (30) minute meal period.
- <u>Section 3 Work Schedule</u>: Work schedules or any changes thereto showing the shifts, days, and hours of all bargaining unit employees shall be prepared and posted at least fourteen (14) calendar days in advance of their effective dates, unless waived by the effected employee(s).
- <u>Section 4 Time Clocks:</u> Non-exempt employees are required to clock in and out at the start and end of their workday and lunch break.

#### Section 6 - Overtime Payment:

- A. The Town agrees that work schedules will not be changed or altered for the purpose of avoiding the payment of overtime. All hours worked in excess of forty (40) hours in a workweek will be paid in accordance with the Fair Labor Standards Act (FLSA).
- B. Overtime will be paid based on actual time worked in a workweek in accordance with the Fair Labor Standards Act (FLSA).
- C. There shall be no duplicating or pyramiding in the computation of overtime and nothing in this Article shall be construed to require the payment of overtime more than once for the same hours worked.
- D. Employees must obtain approval from their Department Head prior to working in excess of forty (40) hours in a workweek.

#### Section 7 - Breaks:

- A. All employees shall be provided two (2) fifteen (15) minute, non-waivable paid break periods per workday, one (1) in the morning and one (1) in the afternoon, which shall not be used to extend lunch or end the workday early.
- B. Paid break periods shall be considered the same as time worked for the purpose of determining when overtime starts.

#### <u>Section 8 - Scheduling of Overtime:</u>

- A. Overtime work shall be offered to employees based on classification seniority and shall be offered to employees who normally perform such work. Each employee shall be selected, in turn, according to their place on the classification seniority list as defined in Article 17 by rotation. The list regarding seniority for the purpose of assigning overtime shall be posted publicly for employees to view.
- B. An employee requesting to be skipped when it becomes their turn to work overtime shall not be rescheduled for overtime work until their name is reached again in orderly sequence and an appropriate notation shall be made in the overtime roster.
- C. In the event no employee wishes to perform the required overtime work, the Town shall assign the necessary employees required to perform the work in question.
- D. The Union recognizes that work in progress shall be completed by the employee performing the work at the time the determination was made that overtime was necessary.
- E. Each Supervisor shall maintain an overtime roster.
- F. If an employee is skipped or denied an opportunity to work overtime in violation of this Agreement, they shall be rescheduled for overtime work the next time overtime work is required, in accordance with paragraph A above.
- <u>Section 9 Call Back Pay</u>: An employee called for work when not regularly scheduled shall be paid a minimum of four (4) hours. Any subsequent call backs within the initial four (4) hour block shall be considered one call back.
- Section 10 Compensatory Time: A non-exempt bargaining unit employee may choose compensatory time, at time and one-half instead of overtime. Compensatory time shall be capped at eighty (80) hours. Payment of all compensatory time shall be at the last payroll of the fiscal year at the employee's current rate of pay. Request for compensatory time use must be approved by the immediate Supervisor and/or the Department Head.

## ARTICLE 8 PROBATIONARY PERIOD AND TRANSFERS

#### Section 1 - Probationary Period:

The probationary period for all new hires covered by this Agreement shall be twelve (12) months. An employee's probationary period shall be tolled and extended during any time period the employee is not at work performing their regular, normal duties for more than thirty (30) consecutive calendar days (e.g. sick leave, light duty, and workers' compensation leave). The probationary period will commence running only when the employee returns to their normal duties. The Town Manager has the discretion to extend the probationary period up to a maximum of six (6) months. Probationary employees shall have no right to utilize the grievance and arbitration article contained in this Agreement or any other internal Town policy or procedure for any matter concerning discharge, suspension, or other discipline.

#### Section 2 - Transfers:

An employee will be eligible to apply for a transfer to another position after one (1) year of continuous employment in their current position.

# ARTICLE 9 PAID TIME FOR CIVIC DUTY

#### <u>Section 1 - Jury Service</u>:

A. An employee who is legally summoned to serve on a jury shall be permitted absence with pay, minus the amount received from the courts, for the time required to perform such duty. If excused and/or released from such service, the employee should report for their regular employment. If selected to sit on a jury, the employee will be permitted the time off to perform the duties as a jurist.

B. The employee shall notify their supervisor of the jury service summons as soon as they receives it. The employee must provide both the summons and return form to Human Resources.

#### Section 2 - Witness Service:

#### A. Testimony Related to Official Duties:

An employee who is called to testify outside normal work hours in any court proceeding as a result of their normal Town duties is considered to be on duty. The employee shall be compensated at the appropriate rate for all hours engaged in such testimony with a minimum payment of four (4) hours.

#### B. Testimony Unrelated to Official Duties:

An employee who is subpoenaed to serve as a witness in a criminal or civil case to which they are not a party, shall be granted paid leave for the time they are absent during normal work hours. A copy of the subpoena must be attached to the leave request.

#### ARTICLE 10 HEALTH AND SAFETY

<u>Section 1</u>: The Town will conform to and comply with safety, health, sanitation, and working conditions properly required by federal, state, and local law. The Town and the Union will cooperate in the continuing objective of eliminating safety and health hazards due to unsafe working conditions and inadequate restroom facilities where they are shown to exist.

#### Section 2:

- A. All parties will cooperate to eliminate safety and health hazards.
- B. The Town will provide protective devices, wearing apparel, and other equipment necessary to protect employees from occupational injury or disease in accordance with established safety practices. Such practices may be improved from time to time by the Town's in-house safety representatives. The Union may submit safety recommendations from time to time.
- C. Employees are responsible for utilizing safety equipment, protective devices, apparel, and equipment when they are provided and required.
- D. Employees must follow safety rules and practices as issued by the Town. An employee's willful neglect and/or failure to obey safety regulations and to use safety devices and/or equipment shall be just cause for disciplinary action.

#### Section 3:

- A. An employee, who believes an assignment is abnormally dangerous or hazardous, shall immediately notify their supervisor. The supervisor will take such measures as are necessary to make the assignment consistent with health and safety guidelines.
- B. The Town shall respond in writing to written employee reports of unsafe working conditions in a timely manner. This will include keeping the affected employee informed about the status of their report.
- C. The Town will notify affected employees of major remodeling construction.

<u>Section 4</u>: The Town shall have a Safety Committee to discuss safety and health matters such as existing practices and rules relating to safety and health, workplace design, accident statistics and trends, personal protective equipment, safety training, potential toxic substances, first aid procedures and other safety matters. This committee will meet on a regularly scheduled basis and allow input from a Union representative. AFSCME will provide the Town with names of AFSCME bargaining unit participants.

#### ARTICLE 11 HOLIDAYS

#### Section 1 - Days Observed:

A. The following and any other days which the Town may declare, are paid holidays:

1.	New Year's Day	January 1st
2.	Martin Luther King Day	Third Monday in January
3.	President's Day	Third Monday in February
4.	Memorial Day	Last Monday in May
5.	Juneteenth	June 19th
6.	Independence Day	July 4th
7.	Labor Day	First Monday in September
8.	Veteran's Day	November 11th
9.	Thanksgiving Day	Fourth Thursday in November
10.	Friday after Thanksgiving	Day after Thanksgiving
11.	Christmas Day	December 25th
12.	Three (3) Personal Days	

B. When a holiday falls on a Saturday, the preceding Friday shall be observed as the official holiday for that year. When a holiday falls on a Sunday, the following Monday shall be observed as the official holiday.

#### Section 2 - Holiday on Workday:

A. Employees who work on a holiday shall receive their regular hourly rate of pay in addition to holiday pay for all hours worked on that holiday.

B. An employee who is scheduled to work on the day observed as a holiday and calls in sick will be charged sick leave hours and not receive holiday pay for that day.

#### Section 3 - Holiday on Leave Day:

A. Holidays which occur during Vacation Leave shall be charged to Holiday Leave and not to Vacation Leave.

B. When a holiday falls within a period of leave of absence without pay, the employee shall not be paid for the holiday.

C. If an observed holiday falls on the employee's normal day off, the employee will receive pay for the holiday.

#### ARTICLE 12 REVIEW OF ASSIGNED DUTIES

#### <u>Section 1 - Working Out of Classification:</u>

Assignment of employees to responsibility for work of another classification or position shall be limited to a period of six (6) months and shall be to temporarily replace employees on leave or to perform work of a vacant position until it can be filled. Employees so assigned, for twenty (20) days shall receive a three and one half percent (3.5%) pay additive to their base rate of pay starting on the twenty-first (21<sup>st</sup>) day and continuing for the duration of the time they are performing the duties of that classification.

#### Section 2 - Changes to Position Duties and Responsibilities:

In instances where the Union or the department head believe that the responsibilities of a position may have changed over time, the Town will review the duties assigned to that position, for the purpose of determining if the position is properly classified. In situations where the position is evaluated at a higher level, if the incumbent meets the promotional requirements of the position and the department head certifies that the current incumbent has been performing the higher-level work at the full performance level or above for at least six (6) months, the following action shall be taken:

A. The employee shall be reclassified to the position in which the employee has been performing the duties of and the employee to receive the three and one half percent (3.5%) pay additive retroactive to the twenty-first (21<sup>st</sup>) day in which the employee started doing the duties of the higher classification if not already provided.

#### Section 3 – Classifications:

A. When establishing a new classification within the bargaining unit, the Town will notify the Union in writing.

- B. The Town shall notify the Union of any revisions to the class specifications or changes to the pay grade for any classification that is currently in the certified bargaining unit prior to the implementation of those revisions. The Union may submit comments about the revisions within ten (10) working days of the date of the Town's notice.
- C. The Town will notify the Union of any job abolishment in the bargaining unit at least thirty days (30), if possible, but at least prior to implementation.
- D. If the Town creates a new position that AFSCME believes should be in their bargaining unit, the parties agree that it may be submitted to the Florida Public Relations Commission (PERC) for resolution.

#### ARTICLE 13 DISCIPLINE AND DISCHARGE

#### <u>Section 1 – Discipline</u>:

Disciplinary action may be imposed upon an employee only for just cause. Any disciplinary action imposed upon a non-probationary employee may be processed as a grievance through the grievance procedure in this agreement. A non-probationary employee may initiate the grievance procedure pertaining to disciplinary action contained in this agreement or that of the Personnel Appeals Board, however the employee may not appeal under both procedures and may not switch once the grievance is initiated under the chosen procedure. If the employee chooses to appeal the discipline through the Personnel Appeals Board, that employee must have completed two (2) years of service. If the Town has reason to reprimand an employee, it shall be done in a private manner that will not embarrass the employee before other employees or the public. An employee may request to have a Union Representative present during questioning if they believe the investigation may lead to disciplinary action against the employee. An interview will not be postponed for more than two (2) business days to allow for the presence of a Union Representative. Any evidence presented at a disciplinary hearing shall be in accordance with the accepted rules of evidence. Each employee shall be furnished with a copy of all performance evaluation or disciplinary entries in his personnel record and shall be permitted to respond thereto. The contents of an employee's personnel records shall be disclosed to the employee upon his request. Union Representatives may request the employee's personnel records in accordance with the Public Records Act. The Town will initiate disciplinary action in a timely manner.

- A. Counseling The employee is counseled by their supervisor regarding the inappropriate conduct and advised of the need for corrective action. A brief written record of the conversation should be prepared and signed by both the supervisor and employee and placed in the employee's personnel file.
- B. Written Reprimand This is a written record of a Disciplinary Action, which may or may not follow previous Counseling efforts. This shall include the purpose of the reprimand, the expected action(s) to be taken, and a copy will be placed in the employee's personnel file. The record shall include a place for employee comment and should be signed by both the supervisor and employee. If employee refuses to sign the reprimand, supervisor will note such.
- C. Suspension Without Pay This is an ordered absence from duty without pay for a prescribed period and may be used when evidence of violation of policy, rules, regulations, laws, and/or safety standards or inappropriate behavior or conduct is conclusive and substantiated. This Disciplinary Action, which may or may not follow previous Counseling or Written Reprimands, will be documented and a copy will be placed in the employee's personnel file.
- D. Involuntary Demotion The movement of the employee from their present position to one with a lower salary due to misconduct and/or unsatisfactory performance. An employee involuntarily demoted will have their rate of pay reduced by five percent (5%) or to the maximum of the pay range for the lower classification, whichever is greater. An employee that does not satisfactorily

complete their promotional probation will be placed back in their prior position and rate of pay. Under no circumstance shall the demoted employee receive a rate of pay at or above their current rate of pay.

- E. Dismissal Involuntary termination from employment.
- F. The Town will follow a policy of corrective and progressive discipline by which lesser severe forms of discipline are imposed prior to the imposition of more severe sanctions for the same or similar conduct of the employee, unless egregious conduct warrants a higher level of discipline.
- G. When any disciplinary action more severe than counseling is intended, the Town shall, before or at the time such action is taken, notify the employee in writing of the specific reasons for such actions.

### Section 2 - Informal Hearing to be Given Prior to Suspension or Dismissal:

Prior to effecting any suspension or dismissal of any employee as provided in these rules, the employee is to be given a pre-hearing by the Department Head or his designee in which the employee shall be allowed to respond to the charges made against him. Should the employee elect to have union representation, the Union's representative shall be allowed to participate in the Informal Hearing.

Procedure: The pre-hearing is to be informal and conducted by the Department Head or designee without extensive witnesses or court reporters. Notes on the hearing are to be made and witnessed whenever possible. These notes will be submitted to Human Resources and will become part of the employee's file. Prior to the pre-hearing the employee shall be given a statement of the specifications of charges. The employee shall be given at least five (5) working days prior to the hearing to study the charges and prepare for the pre-hearing, at which time the employee shall have the right to representation of his choice. The Department Head or designee shall conduct the pre-hearing and shall give due consideration to the contents of the employee's rebuttal before initiating the required personnel action papers. The Department shall inform the employee of his right of appeal or grievance.

<u>Section 3 - Right to Grieve</u>: The Union or the employee shall have the right to initiate a grievance on a suspension or discharge at the third step of the grievance procedure and the matter shall be handled in accordance with this procedure through the arbitration step if deemed necessary.

<u>Section 4 - Counseling and Reprimands</u>: Counseling and written reprimands will not be considered for purposes of progressive discipline if more than two (2) years have passed since the employee last received a counseling or written reprimand.

## ARTICLE 14 GRIEVANCE PROCEDURE AND ARBITRATION

<u>Section 1:</u> A grievance is defined as a dispute involving the interpretation or application of the specific provisions of this Agreement. All grievances must be reduced to writing.

Step 1. The Union Steward, with the employee, shall take up the grievance or dispute with the employee's immediate Supervisor within ten (10) calendar days of the date of the incident or the employee's knowledge of its occurrence. The immediate Supervisor shall attempt to adjust the matter and shall respond in writing to the Steward within ten (10) calendar days after meeting with the aggrieved employee.

Immediate Supervisor is defined as the individual responsible for work assignments, evaluations, discipline, etc. of an aggrieved employee.

The grievant must submit the grievance on the official grievance form, as provided by the Union, to include each article and section of the contract that has been violated and the grievant's statement of resolution.

If the Union decides not to represent the grievant at any step, the grievant will still follow the grievance procedure as outlined in the Union Agreement.

Step 2. If the employee is not satisfied with the written decision of the immediate Supervisor in Step 1, within ten (10) calendar days, the grievant or his Union Representative shall submit the grievance in writing to the appropriate Department Head or designee. The Department Head or designee shall meet with the aggrieved employee and reply in writing within ten (10) calendar days, after meeting with the aggrieved employee.

Step 3. If the grievance is still unsettled, the grievant or the Union Representative shall within ten (10) calendar days after the reply of the Department Head, submit the grievance to the Town Manager or designee.

The Town Manager or designee shall meet with the employee and the Union representative, or with grievant if not being represented by the Union, to discuss a solution of the grievance and shall communicate a decision in writing to the employee and the employee's representative ten (10) calendar days following the meeting with the aggrieved employee at Step 3.

Step 4. If the grievance is still unsettled either party may within ten (10) calendar days after the reply of the Town, by written notice to the other, request arbitration. Failure to communicate the decision within the specified time limit shall permit the employee, or the Union, to proceed to the next step.

The arbitration proceeding shall be conducted by an arbitrator to be selected by the Town and the Union. If the parties fail to select an arbitrator, the Federal Mediation and Conciliation Service shall be requested by either or both parties to provide a panel of seven (7) arbitrators. This action shall be taken within thirty (30) calendar days by the party requesting arbitration. Both the Town and the Union shall have the right to strike three (3) names from the panel. The party requesting

arbitration shall strike the first name; the other party shall then strike one name. The process will be repeated, and the remaining person shall be the arbitrator. The arbitrator shall not have the power to add to, subtract from, modify or alter, the terms of a collective bargaining agreement in arriving at a decision of the issue or issues presented, and shall confine their decision solely to the interpretation or application of the agreement. The arbitrator shall not have authority to determine any other issues not submitted to them. The decision of the arbitrator shall be final and binding on the parties to the extent provided by law, and the arbitrator shall be requested to issue his decision within thirty (30) days after the conclusion of the testimony and argument. The cost and expense incurred by the impartial arbitrator shall be shared equally by the parties involved in the arbitration procedure. The parties shall bear the cost of their own witness and legal fees. The cost for secretarial duties and a transcript, if requested, shall be shared equally.

#### Section 2 - Rules for Processing Grievances:

A. In the event a grievance arises, the employee must submit the grievance, in writing to their immediate Supervisor within ten (10) calendar days after having knowledge of the grievance. However, if the incident occurred while the employee was on an excused absence and they had no knowledge of it until their return to work, the ten (10) calendar days period shall begin on their first scheduled workday following the return from the absence.

- B. A grievance not appealed by the employee from one step to the next within the specified time limits shall be considered settled based on the last answer unless such time limits are extended by mutual agreement. Failure on the part of Management to answer within the time limit set forth in any step shall entitle the employee to advance the grievance to the next step.
- C. The Union may file a "class action" grievance, provided such filing specifically identifies the class/members to whom such grievance applies. This will be designated as a Union Grievance.
- D. No matter shall be entertained as a grievance hereunder unless it is raised within the timeframe provided in Section 2.A.
- E. An exception to the above timeframe shall be made in the instance of an employee's suspension or dismissal, which shall be entered as a written grievance in Step 3 of the grievance procedure within fifteen (15) calendar days of the employee receiving written notification of their suspension or dismissal
- F. All time limits set forth in this Article may be extended by mutual consent in writing, but if not so extended the time limits will be strictly observed.
- G. Union grievances filed on behalf of the Union, will be signed by the designated Steward or appropriate Officer, and shall follow the procedure as set forth in this article except where the problem occurs at a specific level of supervision, in which case the grievance will be submitted at the appropriate Step.
- H. Nothing in this Article shall be construed to prevent any employee from presenting his own grievance.

- I. Any time spent by the grievant, stewards, or witnesses during a grievance hearing in attendance with management up through and including Step 4, will be permitted at no loss of pay during working hours.
- J. The hearing on the grievance shall be informal and the strict rules of evidence shall not apply. The Arbitrator shall have the authority to issue subpoenas for the appearance of witnesses. Such subpoenas shall be enforceable through the processes set forth under Florida law.

K. The Union bargains for all positions covered by the certification but the Union does not have to represent a non-dues-paying member. A Union member must pay dues for a minimum of sixty (60) days prior to request for representation. The Union reserves the right to pursue issues pertaining to the safety, health, and welfare of all classifications, whether the bargaining unit employee is a due paying member or not. The Union also reserves the right not to represent a bargaining unit employee that is suspended or terminated if the employee is not a due paying member. All public employees shall have the right to a fair and equitable grievance procedure administered without regard to membership or non-membership in any organization, except that certified employee organizations shall not be required to process grievances for employees who are not members of the organization. (Florida Statutes, Title XXXI, Labor, Chapter 447, Labor Organizations, 447.401 – Grievance Procedures.)

# ARTICLE 15 PHONE AND EQUIPMENT ALLOWANCE

### Section 1 - Mobile Phone:

The Town may issue certain employees a mobile phone if the use of one is an integral part of the performance of their job duties. The issuance of a mobile phone will be at the Department Head and Town Manager's discretion. All policies in the Handbook pertaining to the use of the Town issued mobile device shall be adhered to. The Town will not issue stipends for the use of personal mobile phones.

### Section 2 - Equipment:

The Town will provide the necessary equipment required for the performance of job duties. The Town will not issue any allowance to employees for the individual purchase of tools or equipment.

### ARTICLE 16 EDUCATION ASSISTANCE

### Section 1 – Tuition Reimbursement:

A. Employees may apply and receive approval for partial tuition reimbursement of college courses. Courses must be from an accredited public or private academic institution, directly related to an employee's particular job, position or assignment, and taken for academic credit towards a degree. The reimbursement is conditioned upon achieving a grade of "C" or better, or its equivalent, and is limited to one-half of the tuition cost of the tuition cost of a similar course at a State University. Tuition reimbursement will apply on to tuition cost and it will exclude any scholarship, grant or the like. Reimbursement will not cover application fees, testing of any kind and/or other fees.

B. Employees must attend pre-approved courses on their own time and not during their respective regular working hours.

C. An employee who receives a tuition reimbursement shall remain employed by the Town for a minimum of twelve (12) months from the date of completion of any college course for which the Town has provided the employee a reimbursement. If the employee voluntarily leaves the employment of the Town prior to the expiration of this time period, the amount of all college tuition received in the prior twelve (12) months will be deducted from the employees final pay check.

<u>Section 2 – Training</u>: Employees may apply and receive approval from the Town Manager and Department Head for job related training, up to the IRS limit.

<u>Section 3 – Funding</u>: Education and training reimbursement is contingent on annual funding availability.

<u>Section 4 – Supplemental Pay</u>: There shall be no supplemental pay for the attainment of a degree, certification, or training.

### ARTICLE 17 SENIORITY, DEMOTIONS, LAYOFF AND RECALL

### Section 1 - Definitions:

A. Seniority: Is hereby defined as the employee's length of continuous service after initial date of employment by the Town. An employee's continuous service record shall be broken by voluntary resignation, discharge for just cause, and retirement.

B. Classification Seniority: Classification Seniority is defined as the length of continuous service in a specific job classification within the bargaining unit.

C. Seniority Rosters: In the event a layoff in classifications represented by this Agreement, the Town shall prepare and post on all union bulletin boards seniority rosters for the bargaining unit. Two (2) copies of the roster shall be furnished to the Union. The rosters will list each employee in the order of seniority and reflect each employee's date of classification seniority. When two (2) or more employees have the same seniority or classification seniority date, their seniority position shall be determined by the date and time of original application for their respective job with the Town.

### Section 2 – Demotions:

A. The term demotion, as used in this provision, means reassignment from a position in one job classification to a position in a lower paying job classification within the bargaining unit for which the employee is qualified.

B. Demotions may be made to avoid laying off employees. In cases involving demotions to avoid a layoff, the employee involved shall have the right to elect which alternative he or she will take, either the demotion or the layoff.

C. No demotion shall be for disciplinary reasons except that if any employee through his own fault fails to satisfactorily meet performance expectations or fails to continue to meet the job description qualifications of the position for which he was employed or to which he was promoted, then demotion for disciplinary reasons may be considered. Involuntary demotions resulting from disciplinary action under this Section will result in a five percent (5%) pay decrease and are grievable for non-probationary employees under Article 14.

### Section 3 – Layoff:

A. In the event of a layoff affecting the bargaining unit, the Town shall give notice to the Local Union President at least thirty (30) calendar days prior to the effective date of such action. The Town will meet with the Union to discuss the effect of the layoff on the employee(s) involved.

- B. In the event of layoff or reduction in force, employees shall be laid off in the inverse order of seniority within the classification. No regular employee within a job classification shall be laid off until all probationary, temporary, provisional, or emergency employees, or trainees in the same classification are laid off first.
- C. Employees requesting transfers to vacant position to avoid layoff shall be transferred to other job classifications within the bargaining unit for which they qualify. Employees who transfer to another position to avoid layoff shall have no change in annual review date and shall not serve a probationary period.
- D. Regular employees who have been laid off shall have preference for any intermittent or declared seasonal vacancy in the class from which the employee was laid off if the employee so desires.
- E. An employee laid off from work for twelve (12) months or less shall retain seniority during layoff period.

### Section 4 - Layoff Lists:

A.The names of laid off or transferred employees shall be placed on a re-employment list for a period of twelve (12) months.

B. No employee shall be removed from the re-employment list because of refusal to report to work, except in the classification from which they were laid off.

### Section 5 – Recall:

A. Regular employees shall be recalled from layoff in the order in which their names appear on the re-employment list for the class and employment status from which they were laid off. An employee shall be notified of recall by certified mail (return receipt requested) sent to the employee's last known address at least fourteen (14) calendar days prior to the reporting date. The employee shall notify the Town by certified mail (return receipt requested) within seven (7) calendar days of receipt of notification of intent to return to work and shall report for work on the reporting date unless other arrangements are made. Alternatively, the employee may be notified via phone call along with notification to the Union President at least fourteen (14) calendar days prior to the reporting date. The employee may notify the Town via phone call of the intent to return to work within five (5) calendar days of the Town's recall phone notification and shall report for work on the reporting date unless other arrangements are made.

B. Vacancies not filled by recall shall be offered to employees on layoff from higher classifications before any new employee is hired.

<u>Section 6 - Individual Work Schedules</u>: Work schedule changes initiated by the Town, affecting an individual employee shall be in accordance with classification seniority.

<u>Section 7 - Application of Seniority</u>: The application of seniority other than as set forth elsewhere in this Agreement shall be subject to negotiations in supplemental agreements to this Agreement.

### ARTICLE 18 DRUG FREE WORKPLACE PROGRAM

The Town agrees to consult with the Union prior to implementing any changes to the Town's Drug Free Workplace Program.

### ARTICLE 19 PERFORMANCE EVALUATIONS

Performance evaluations will be conducted annually by the employee's immediate supervisor. Employees will be notified in writing, of any deficiencies that could result in a below satisfactory rating within specific categories to allow the employee to make necessary improvements prior to the annual evaluation being conducted. Employees will receive coaching and meaningful feedback throughout the course of the evaluation cycle. Performance evaluations will not be done in an arbitrary or capricious manner. An overall performance evaluation rating of conditional or unsatisfactory shall negate a wage increase and the employee shall be re-evaluated in three (3) months to check for progress in the substandard performance. Once the employee achieves a rating that is satisfactory or above they will receive a wage increase. The wage increase shall be effective upon the aforementioned rating and shall not be retroactive. An employee who is rated below satisfactory shall receive an Improvement Plan specifying the areas of performance that must be improved.

### ARTICLE 20 TRAINING

The Town may institute and establish new training methods and require employees, at the Town's expense, to attend training in various subject areas. Failure of the employee to complete such training will subject them to discipline. The Town shall notify the employee of the required core training program by September 1<sup>st</sup> of the current year. If the employee fails to complete the required training program prior to August 31<sup>st</sup> of the following year, the employee's wage increase will not become effective until completion of the program. If the employee completes the program by August 31<sup>st</sup> the employee will receive four (4) bonus vacation hours, to be credited in the first pay period of September and subject to the maximum allowable carry over from one calendar year to the next.

### ARTICLE 21 LEAVE TIME

### Section 1 - Vacation Leave:

Bargaining unit employees shall be provided vacation leave to be used throughout the year upon approval of their immediate supervisor. Vacation leave will not be unreasonably denied. Vacation leave will be accrued based on the following:

Years of Service	Vacation Leave Accrual
0 – 5 Years	10 days (80 hours)
6 – 10 Years	15 days (120 hours)
11 – 15 Years	17.5 days (140 hours)
16 – 20 Years	20 days (160 hours)
21+ Years	22.5 days (180 hours)

Employees will be permitted to roll over three hundred (300) hours each year and are required to use all hours in excess of three hundred (300) hours before December 31<sup>st</sup> or those additional hours will be forfeited.

Upon separation with the Town, an employee will be paid out all unused vacation leave up to three hundred (300) hours. Employees are able to cash out up to eighty (80) hours of vacation leave each calendar year. A written payment request must be submitted to Human Resources by September 1<sup>st</sup> for payment with the last pay period of the current fiscal year. The employee's remaining accrued vacation leave hours may not be less than eighty (80) hours at the time of payout.

Full-time employees may not use any accrued vacation leave until the completion of six (6) months of employment with the Town, unless approved in advance by the Town Manager.

### Section 2 - Sick Leave:

Sick leave shall be earned at a rate of one (1) day per month based on a forty (40) hour workweek and added to the employee's sick leave bank. Unused sick leave shall roll over to the following year and accumulate to 1050 hours.

Sick leave may be used for personal illness, doctor appointments or personal injury, as well as the personal illness, doctor appointments or personal injury of an immediate family member. A doctor note can be requested by an employee's supervisor if that employee has been out for more than three (3) consecutive sick days. The employee shall provide such requested doctor's note to Human Resources, who will then notify the supervisor of receipt.

Employees who terminate employment prior to completion of ten (10) years of service will not be compensate for any accumulated sick leave. Employees who terminate employment after completion of ten (10) years of continuous service will be compensated for thirty-five percent (35%) of their accumulated sick leave. Accumulated sick leave shall be paid at the rate being earned at the time of termination, or resignation, as applicable. Employees who are terminated by the Town as a result of disciplinary action shall not be paid for any accumulated sick leave.

Employees who retire under "normal retirement" as that term is defined in the Town's pension plan, shall be compensated for sixty percent (60%) of their accumulated sick leave.

### Section 3 - Bereavement Leave:

Employees shall be granted time off with pay to arrange the funeral of or pay final respects to an immediate family member. Employees will be provided three (3) days off with pay for bereavement or five (5) days if out of State travel is necessary.

Immediate family is defined as, father, mother, father in-law, mother in-law, spouse, child, grandchild, grandparents, sister, brother, brother in-law or sister in-law. At the discretion of the Town Manager, bereavement leave may be granted for other individuals that are not an employee's immediate family member.

### ARTICLE 22 BENEFITS

### Section 1 – Insurance:

The Town will cover the cost of single coverage in the high deductible plan for the duration of this agreement. The Town will offer dependent care coverage at a reduced cost.

### Section 2 – Retirement:

All current Town retirement plans offered to employees covered under this agreement will remain unchanged for the duration of the agreement, unless otherwise statutorily required.

### Section 3 – Preservation:

A. This Agreement constitutes the entire Agreement between the parties and no other written or verbal statements shall supersede any of its provisions. Any amendment or agreement supplemental hereto shall not be binding upon either party unless executed in writing by the parties hereto.

B. Therefore, the Town and AFSCME, for the term of this Agreement, agree that AFSCME does not waive its right to impact bargaining in accordance with the law. Waiver of any breach of this Agreement by either party shall not constitute a waiver of any future breach of this Agreement.

C. Unless explicitly provided for in this Agreement, the Town will not seek to diminish or impair during the terms of this Agreement any benefit or privilege provided by law, rule or regulation, beneficial and past practices to employees without prior notice to the Union and without negotiations with the Union.

### ARTICLE 23 LONGEVITY

<u>Section 1 – Longevity Bonus</u>: Bargaining Members are eligible to receive longevity bonus on the anniversary of their uninterrupted full-time employment as follows:

Years of Service	Longevity Bonus
Beginning the 7 <sup>th</sup> year	\$1,000
Beginning the 11 <sup>th</sup> year	\$1,250
Beginning the 15 <sup>th</sup> year	\$1,500
Beginning the 20 <sup>th</sup> year	\$1,750

<u>Section 2 – Performance Evaluation</u>: To move from one longevity step to the next higher step, employees must demonstrate satisfactory performance. Failure to achieve a satisfactory performance evaluation will result in an employee remaining at their current longevity step until performance objectives are met and the overall performance improves to satisfactory. An employee who does not achieve a satisfactory performance evaluation will be provided with the Improvement Plan as contained in Article 19.

<u>Section 3 – Anniversary Date</u>: Anniversary dates shall be adjusted by the Town, due to any leaves and suspensions without pay.

### ARTICLE 24 WAGES

### Section 1 - Initial Step Placement:

Upon ratification of this agreement, all current bargaining unit employees will be placed in the appropriate step in Appendix A based on the following years of service:

1 to 4 years of service – Step 1 5 to 9 years of service – Step 2 10 to 14 years of service – Step 3 15 to 19 years of service – Step 4 20 to 24 years of service – Step 5 25 to 29 years of service – Step 6 30 to 34 years of service – Step 7 35+ Years of Service – Step 8

No employee will be placed in a step that would be a pay decrease for the employee. After initial placement in the appropriate step, employees will receive a wage increase at the beginning of each fiscal year for the duration of this Agreement upon receiving a satisfactory performance evaluation.

### Section 2 - Employees Hired after Step Placement:

All employees hired after the initial step placement of current employees, will start at the minimum wage range in Appendix B and receive a wage increase each year at the beginning of each fiscal year for the duration of this Agreement upon receiving a satisfactory performance evaluation. The Town Manager retains discretion to hire an employee at twenty percent (20%) above the range minimum.

### Section 3 – Wage Increase:

A. Employees will be granted a 6% wage increase on October 1, 2022. On October 1, 2023, employees will be granted a 4% wage increase. On October 1, 2024, employees will be granted a 3% wage increase. The wage ranges will increase pursuant to the wage increase that is approved each year pursuant to the collective bargaining agreement at the minimum and maximum of the range.

B. Wage increases shall be granted upon the employee receiving a satisfactory performance evaluation for the review period, pursuant to Article 19.

### ARTICLE 25 SEVERABILITY

This agreement is subject to all federal, state and local laws. In the event any article, section, or portion of this Agreement should be held invalid or unenforceable by any court of competent jurisdiction, such decision shall apply only to the specific article, section, or portion thereof specified in the court's decision. Upon request of either party, the parties agree to meet for the purpose of negotiating a substitute for that specific article, section, or portion thereof. All other articles, sections, and portions of this Agreement shall remain valid and enforceable.

# ARTICLE 26 DURATION OF AGREEMENT

This Agreement shall be effective as of <u>October 1, 2022</u> and shall remain in full force and effect until <u>September 30, 2025</u>. This agreement shall remain in full force and effect during the period of negotiations, or until notice of termination is provided to the other party.

IN WITNESS WHEREOF, these parties heretometric in the second parties heretometric in t	o have set their hands this	day of
FOR THE UNION:	FOR THE TOWN:	
Cristopher Serrano Council 79 Representative	Andrew Hyatt Town Manager	
APPROVED AS TO FORM:		
Lillian Arango, Interim City Attorney		
Ratified by the Town Commission by Resolution #_ Ratified by the AFSCME bargaining unit on Septem		, 2022.

### APPENDIX A STEPS

Classification	Step 1	Step 2	Step 3	Step 4	Step5	Step 6	Step 7	Step 8
Accountant	\$65,082.23	\$68,336.34	\$71,753.16	\$75,340.82	\$79,107.86	\$83,063.25	\$87,216.41	\$91,577.23
Beach Patrol/ Litter custodian	\$36,936.90	\$38,783.74	\$40,722.93	\$42,759.07	\$44,897.03	\$47,141.88	\$49,498.97	\$51,973.92
Building Permit Clerk I	\$43,049.91	\$45,202.41	\$47,462.53	\$49,835.65	\$52,327.44	\$54,943.81	\$57,691.00	\$60,575.55
Building Permit Clerk II	\$45,884.30	\$48,178.52	\$50,587.44	\$53,116.82	\$55,772.66	\$58,561.29	\$61,489.35	\$64,563.82
Building Permit Clerk III	\$47,726.95	\$50,113.29	\$52,618.96	\$55,249.91	\$58,012.40	\$60,913.02	\$63,958.68	\$67,156.61
Code Compliance Officer I	\$41,273.67	\$43,337.35	\$45,504.22	\$47,779.43	\$50,168.40	\$52,676.82	\$55,310.66	\$58,076.20
Code Compliance Officer II	\$43,337.35	\$45,504.22	\$47,779.43	\$50,168.40	\$52,676.82	\$55,676.82	\$58,076.20	\$60,980.01
Code Compliance Officer III	\$45,054.35	\$47,304.96	\$49,670.21	\$52,153.72	\$54,761.41	\$57,499.48	\$60,374.45	\$63,393.18
Custodian	\$31,200.00	\$32,760.00	\$34,398.00	\$36,117.90	\$37,923.79	\$39,819.98	\$41,810.98	\$43,901.53
Customer Service Rep	\$42,186.45	\$44,406.79	\$46,743.99	\$49,204.20	\$51,664.41	\$54,247.63	\$56,960.01	\$59,960.01
General Service Worker	\$39.775.42	\$41,764.19	\$43,852.40	\$46,045.02	\$48,347.27	\$50,764.63	\$53,302.86	\$55,968.01
Lifeguard	\$42,635.82	\$44,767.61	\$47,005.99	\$49,356.29	\$51,824.11	\$54,415.32	\$57,136.08	\$59,992.89
Maintenance Worker I	\$36,729.41	\$38,662.54	\$40,697.41	\$42,839.39	\$44,981.35	\$47,230.42	\$49,591.94	\$52,071.54
Maintenance Worker II	\$38,001.60	\$39,901.68	\$41,896.76	\$43,991.60	\$46,191.18	\$48,500.74	\$50,925.77	\$53,472.06
Maintenance Worker III	\$41,600.00	\$43,680.00	\$45,864.00	\$48,157.20	\$50,565.06	\$53,093.31	\$55,747.97	\$58,535.37
Mechanic	\$47,984.47	\$50,509.96	\$53,168.38	\$55,826.79	\$58,618.13	\$61,549.04	\$64,626.49	\$67,857.82
Parking Enforcement Officer	\$39,366.60	\$41,334.93	\$43,401.67	\$45,571.76	\$47,850.34	\$50,242.86	\$52,755.00	\$55,392.75
Payroll/Accounts Payable Specialist	\$49,004.10	\$51,583.26	\$54,298.17	\$57,155.97	\$60,164.18	\$63,172.39	\$66,331.00	\$69,647.56
Program and Events Coordinator	\$41,600.00	\$43,680.00	\$45.864.00	\$48,157.20	\$50,565.06	\$53,093.31	\$55,747.97	\$58,535.37
Public Safety Specialist	\$41,600.00	\$43,680.00	\$45,864.00	\$48,157.20	\$50,565.06	\$53,093.31	\$55,747.97	\$58,535.37
Public Works Coordinator	\$45,887.92	\$48,182.31	\$50,591.43	\$53,121.00	\$55,777.05	\$58,565.90	\$61,494.20	\$64,568.91
Records Technician/ Assistant to Town Clerk	\$49,036.46	\$51,617.33	\$54,334.03	\$57,193.72	\$60,053.40	\$63,056.07	\$66,208.88	\$69,519.32
Recreation Leader I	\$31,200.00	\$32,760.00	\$34,398.00	\$36,117.90	\$37,923.79	\$39,819.98	\$41,810.98	\$43,901.53

### APPENDIX A (Continued)

Classification	Step 1	Step 2	Step 3	Step 4	Step5	Step 6	Step 7	Step 8
Recreation Leader II	\$36,561.19	\$38,485.46	\$40,511.01	\$42,536.56	\$44,663.38	\$46,896.55	\$49,241.38	\$51,703.45
Refuse Collector	\$38,241.84	\$40,153.93	\$42,161.62	\$44,269.71	\$46,483.19	\$48,807.35	\$51,247.72	\$53,810.10
Solid Waste Refuse Truck Operator I	\$38,489.82	\$40,515.60	\$42,541.38	\$44,668.44	\$46,901.87	\$49,246.96	\$51,709.31	\$54,294.77
Solid Waste Refuse Truck Operator II	\$41,751.18	\$43,948.61	\$46,261.70	\$48,574.78	\$51,003.52	\$53,553.70	\$56,231.38	\$59,042.95
Heavy Equipment Operator	\$43,680.00	\$45,864.00	\$48,157.20	\$50,565.06	\$53,093.31	\$55,747.97	\$58,535.37	\$61,462.14

### APPENDIX B WAGE RANGE

Classification	Minimum	Maximum
Accountant	\$52,782.01	\$74,916.46
Beach Patrol/ Litter custodian	\$36,936.90	\$51,973.92
Building Inspector/ Plans Examiner	\$71,375.12	\$98,200.20
Building Permit Clerk I	\$43,049.91	\$60,575.55
Building Permit Clerk II	\$45,884.30	\$64,563.82
Building Permit Clerk III	\$47,726.95	\$67,156.61
Code Compliance Officer I	\$41,273.67	\$58,076.20
Code Compliance Officer II	\$43,337.35	\$60,980.01
Code Compliance Officer III	\$45,054.35	\$63,393.18
Custodian	\$31,200.00	\$43,901.53
Customer Service Rep	\$42,186.45	\$59,960.01
General Service Worker	\$39.775.42	\$55,968.01
Heavy Equipment Operator	\$43,680.00	\$61,462.14
Lifeguard	\$42,635.82	\$59,992.89
Maintenance Worker I	\$36,729.41	\$52,071.54

### APPENDIX B (Continued)

Maintenance Worker II	\$38,001.60	\$53,472.06
Maintenance Worker III	\$41,600.00	\$58,535.37
Mechanic	\$47,984.47	\$67,857.82
Multi-Media Communication Specialist	\$51,100.38	\$80,160.61
Parking Enforcement Officer	\$39,366.60	\$55,392.75
Payroll/Accounts Payable Specialist	\$49,004.10	\$69,647.56
Program and Events Coordinator	\$41,600.00	\$58,535.37
Public Safety Specialist	\$41,600.00	\$58,535.37
Public Works Coordinator	\$45,887.92	\$64,568.91
Records Technician/ Assistant to Town Clerk	\$49,036.46	\$69,519.32
Recreation Leader I	\$31,200.00	\$43,901.53
Recreation Leader II	\$36,561.19	\$51,703.45
Refuse Collector	\$38,241.84	\$53,810.10
Solid Waste Refuse Truck Operator I	\$38,489.82	\$54,294.77
Solid Waste Refuse Truck Operator II	\$41,751.18	\$59,042.95

## APPENDIX C AFSCME UNIT CLASSIFICATIONS

### Classification Title

Accountant

Beach Patrol/Litter Custodian

Building Inspector/Plans Examiner\*\*

Building Permit Technician I\*

Building Permit Technician II\*

Building Permit Technician III\*

Code Compliance Officer I

Code Compliance Officer II

Code Compliance Officer III

Custodian

Customer Service Rep

General Service Worker

Heavy Equipment Operator\*\*

Lifeguard

Maintenance Worker I

Maintenance Worker II

Maintenance Worker III

Mechanic

Multi-media Communications Specialist\*\*

Parking Enforcement Officer

Payroll/Accounts Payable Specialist

### **APPENDIX C (Continued)**

Program and Events Coordinator

Public Safety Specialist

**Public Works Coordinator** 

Records Technician/Assistant to Town Clerk

Recreation Leader I

Recreation Leader II

Refuse Collector

Solid Waste Refuse Truck Operator I

Solid Waste Refuse Truck Operator II

\*Title change from Building Permit Clerk I, II, III

\*\*Unit Clarification Addition



### TOWN MANAGER'S REPORT SEPTEMBER 13, 2022

### I. TOWN DEPARTMENTS

### **Building Department**

- **A.** This month the Building Department expects to issue the foundation permit for Eden Surfside, LLC, a 205 room Kosher Hotel with ballroom and commercial kitchen located across from Town Hall and occupying the entire east half block from 93<sup>rd</sup> Street to 94<sup>th</sup> Street. All applicable conditions of the site plan approval have been satisfied. Other commercial construction activity includes preparations to demolish the existing Hillcrest and Regent Palace condominiums to make room for new modern condominium buildings. These significant commercial projects, including a new development in design to be located at 88<sup>th</sup> and Collins total over \$450,000,000.00 in combined construction value. When our brisk residential construction is added in, the total exceeds half a billion dollars of construction to be administered by the Building Department and constructed in the next two years.
- **B.** Building Department Permit and Inspection numbers (as of August 29<sup>th</sup> business day) continue to show significant growth over prior years as follows: Building Permits issued: 155; Inspections performed: 244; Lien searches performed: 21 and TCO/COs issued: 19.
- **C.** The Building Department has launched its upgraded Ener-Gov software platform by Tyler which has been upgraded from the 2018 version. With staff working out some software issues, this new software platform will allow us to build and open a customer service/contractor online (CSS) portal for online permitting, inspection requests and plans review. This will greatly increase speed and efficiency of permits issued, raise the levels of service and greatly reduce lobby traffic which now takes up much of our staff's time.
- **D.** GRM Document Storage and Scanning services, has begun the first digitization of building plans for the Town of Surfside. This is a monumental task which involves countless building plans going back to the early days of Surfside: Some of the plans are over 70 years old! This digitization work will make them available on the Town website via a link to the Cloud. This will be of great benefit to property owners, contractors and

public service providers who seek detailed information about existing buildings in the Town.

**E. PLEASE PARDON OUR DUST!** Building, Finance and Utilities Departments, as contracted with RMB General Contractors, prepare for the complete redesign, demolition, reconstruction and modernization of the front lobby offices. This is a new modern front lobby design that is open and welcoming, creating an important positive first impression to our customers. Demolition of the existing lobby is scheduled to begin September 12, 2022. Customers are encouraged to apply for permits by email, as our building department forms are all available online in fillable format. Additionally, our goal is to have our CSS portal up and running soon so that our customers have a more viable alternative of applying for a building permit or paying utility fees than in person. Ultimately, they will be served by permitting staff utilizing digital permitting technology from individual kiosks. Glass office partitions will provide an open, transparent environment to enhance communication and efficiency in the office environment.

### **Code Compliance Division**

- **A.** Code Compliance Cases: As of August 30, 2022, the total number of active, open cases being managed is 186. Of these cases, 91 cases are still under investigation and are working towards compliance; 12 cases are on-hold; 13 cases are in the Special Master hearing queue; 10 cases are in post-hearing status; 16 code cases have been issued liens and remain unpaid; 44 code cases have service liens and remain unpaid. Properties with unpaid liens are sent reminder letters on a semi-annual basis. The Code Compliance staff has conducted an approximate of 219 inspections from July 20 to August 30.
- **B.** Collected Civil Penalty Fines: Unresolved code compliance cases accrue fines until the code violation is resolved. After the violation is corrected, the property owner is 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 potential mitigation on the fines due.

The following is a summary by fiscal year of the fine amounts collected by the Town:

- FY 22: As of August 30, 2022, 93 cases have paid/settle for a total monetary collection of \$42,497.63
- FY 21: 86 cases paid/settled for a total collection of \$39,464.
- FY 20: 109 cases paid/settled for a total collection of \$115,851.
- **C.** The Code Compliance Division has assisted the Finance Department by conducting 34 Code lien searches from July 20 to August 30.

- **D.** The Code Compliance Division has continued to assist the Town Clerk's Office with public records requests.
- **E.** The Division presented 13 Code Compliance cases to the Special Master on August 17, 2022.

### Community Services & Public Communications Department

- **A.** Tourism and Communications has been working to support the organization of multiple public forums including the recently held Condo Laws Forum and the upcoming community meet and greet with Senator Shevrin Jones. The Team has been busy promoting those events in addition to the Ethics Forum held on September 7, 2022.
- **B.** With the Town Hall lobby remodeling project now underway, Tourism and Communications has been actively messaging the "Excuse Our Dust" message to manage expectations and keep residents informed regarding layout changes and the Customer Self-Service Portal (CSS).
- **C.** The Tourist Bureau had a successful finish to the Summer Fridays event series with strong attendance numbers posted at the August and September events. Visitors and residents enjoyed complimentary umbrella seating, live music, food and drink, sports, activities and more.
- **D.** Tourism and Communications is putting the finishing touches on a new resident brochure that will be available beginning in October.
- **E.** Tourism and Communications supported the Town Manager's first Downtown Vision Advisory Committee (DVAC) meeting where the Town Planner presented options to increase walkability following the conclusion of his business district study.

### Human Resources

Human Resources continues to provide support and assistance to the Town Administration, departments and staff in relation to a variety of items/services to include:

- **A. AFSCME Florida Council 79:** AFSCME and the Town held the sixth collective bargaining meeting on August 17, 2022. A second shade session with the Town Commission was held on August 31, 2022.
- **B.** Fraternal Order of Police (FOP): The first contract negotiation meeting with the FOP was held on July 20, 2022. The Town is currently reviewing and analyzing the financial impact of the FOP's request. A collective bargaining meeting will be scheduled once all data/cost is analyzed.

- C. Insurance Renewal: Completed Open enrollment for active and retired staff.
- **D.** Evaluations: Non-FOP staff evaluations for fiscal year 2022 were completed.
- **E. Interviews:** Conducted interviews for Town Planner, Code Compliance Officer, Communications Manager, Lifeguard, and Recreation Leader.
- **F.** Background/Offer/Orientation: Prepared offer letters, conducted the background investigations, and initial employment orientations for new hires.
- **G. Workers Comp:** Provided assistance to staff and FLC attorney regarding workers comp matter.
- **H. EEOC Discrimination Complaints:** Awaiting on response with regards to EEOC complaints filed by Mr. Victor May.
- **I. COVID-19 Health Pandemic:** Provided staff with COVID-19 information, support and assistance.
- **J.** Safety and Wellness Initiatives: Provided staff with information regarding weekly webinars and classes for mental health support, nutrition, fitness, support groups, community health initiatives and exercise classes.

#### K. Other Human Resources Functions to include:

- Employee appreciation, recognition, and activities
- Pre-employment Background Check
- Conditional offer of employment offers (withdrawal when applicable)
- New hire orientation
- New hire reporting Florida Department of Revenue
- Labor statistics report U.S. Department of Labor Statistics
- Workers' compensation
- Grievance
- Interviews
- Exit interviews
- Personnel counseling
- Retirement plan related assistance
- Recruitment / Advertising for vacancies
- Responding to candidates / acknowledge resumes received
- Verification of Employment Requests
- Personnel maintenance changes
- Insurance enrollment, changes and termination of coverage
- Public records requests related to personnel (active/inactive)
- Criminal records check level 2 for all Parks & Recreation instructors/concession staff

### Finance Department

Monthly Budget to Actual Summary as of July 31, 2022 – Attachment "A"

### Parks and Recreation Department

- **A. Facilities/Hours of operation** Parks and Recreation continues to operate the following facilities: The 96th Street Park, the Beach Lifeguard Tower, Hawthorne Tot Lot and the Dog Park. The Tennis Center continues to operate with court reservations during prime hours. The pool continues to operate with lap swimming registrations during all hours of operation. Pool hours continue to be adjusted month to month to maximize day light hours. Current Pool hours are from 7:00 a.m. 7:00pm for month of September
- **B.** Hawthorne Tot Lot update Parks and Recreation Staff continue to have discussions on a weekly basis with representatives from Game Time Playgrounds regarding the progress of the Hawthorne Tot Lot renovation which will include a new playground surface, new playground structures, shade structures and outdoor exercise equipment. KCI technologies was on site on Monday, August 22<sup>nd</sup> and conducted the survey/site plan. The Town will receive the data results with 2-3 weeks. The data will be review by an arborist to determine what is the best course of action to install root barriers around each tree.

The design for the outdoor exercise equipment was present to the Parks and Recreation committee on Monday, July 18<sup>th</sup> and they were all very happy and excited with the design and progress of the project thus far.

- **C.** After Care Program Update We continue to meet with the YMCA on a weekly basis in an effort to restart our after-care program as soon as possible. At the moment, YMCA is reviewing our draft agreement. We are also working to identify a date to conduct a job fair at the community center in an effort to hire staff for the program. YMCA submitted the licensing exemption and is awaiting a response. If we are exempt from the licensing process, we may be able to advance the start date of the program. At the moment, the target start date is November 1<sup>st</sup>. However, staff continues to work hard to start sooner.
- **D. Programming** Fall session I programming is scheduled to begin Tuesday, September 6. Parks and Recreation is offering over 20 programs (48 sessions) for Youth, Adults and Seniors this upcoming fall season. Staff continues to look for ways to enhance programming and ensure we are meeting the needs of the community. Fall session II registration is scheduled to commence on September 19 for Residents.

**E. Events** – Our Halloween Spooky Spooktacular is scheduled to take place Saturday, October 29<sup>th</sup> at our 96<sup>th</sup> St Park at 6pm. The event will offer an entire haunted house, rides, giveaways and a number of other activities.

Additionally, staff is working with CASA Church to schedule beach cleanups in an effort to clean our dunes.

- **F. 96**<sup>th</sup> **St. Park Update** The 96th Street Park RFP has been re-advertised and will run for 45 days. This will be the step to start the selection of a construction company to begin the construction process. The RFP was released again on August 12, 2022. The final day of the add will be October 14, 2022.
- **G. Other Items** Staff is working with our legal team to draft the RFP for beach furniture service. We have reached out to condos and hotels in Town to get more information in an effort to draft an operation plan that meets the need of the Town.

### Planning Department

Development Application Process (2012 – Present) – Attachment "B"

### **Downtown Walkability and Design Study Update**

On August 29, 2022, the Town Planner Mr. Keller presented to the Downtown Vision Advisory Committee the results of the business district study, as well as the options to increase walkability following the conclusion of this study. Mr. Keller will present these options to the Town Commission at the September Town Commission meeting.

### Police Department

### A. Police Department Statistics (August 1 – August 24, 2022)

- Traffic Citations 446
- o Parking Citations 389
- o Arrests 2
- Dispatch Events 1,429
- Incident/Crime Reports 32

### **B. Surf Club Foundation Police Department Donation**

On August 10, 2022, the Surf Club Foundation graciously donated 31 rifle plates to the Surfside Police Department to supplement our current ballistic vests. The additional layer of protection is an extra safety measure to safeguard our police officers.

### C. Police Events/Community Outreach

- The Town of Surfside, Bal Harbour Village and the Town of Bay Harbor Islands will host the Miami-Dade County League of Cities Board of Director's meeting on September 1, 2022 at the Sea View Hotel in Bal Harbour. Officer Juan Duran will participate in the Presentation of Colors as a member of a multijurisdictional Honor Guard Team. Officer Bobby Gabriel will attend as a representative of the Surfside Police Department.
- o In conjunction with the "Drive Sober or Get Pulled Over" campaign, the Coral Gables Police Department will conduct a multiagency DUI Operation on September 2, 2022 from 6:00 p.m. to 2:00 a.m. Officer Loxley Arch will participate in this initiative.
- The 19<sup>th</sup> Citizens Police Academy will begin September 7, 2022 and will conclude November 16, 2022 with a graduation ceremony. The classes in September will include:
  - September 7, 2022 Introduction/ Body Worn Camera Presentation from Officer John Gentile / Patrol Procedures with Sergeant Jay Matelis and Officer Loxley Arch
  - September 14, 2022 Basic Life Support/CPR
  - September 21, 2022 K-9 Presentation from Aventura and Sunny Isles Beach Police Departments
  - September 28, 2022- Fundamentals of Law with Senator Jason Pizzo
- o The Surfside Police Department will host a community blood drive on September 7, 2022 from 11:00 a.m. − 4:30 p.m. in the Town Hall municipal parking lot.
- The Mystic Force Foundation will host the 5<sup>th</sup> Annual Childhood Cancer Police Car Initiative and Gold Ribbon Childhood Cancer Parade on September 10, 2022. The parade will depart from Nicklaus Children's Hospital at 10:00 a.m. and conclude at the North Miami Police Department. Police Departments throughout Miami-Dade County and elected officials in support of our littlest heroes battling Childhood Cancer will participate in this momentous event. Officer Arch will proudly represent the Surfside Police Department.
- The FLOW (Florida Licensing on Wheels) September 13, 2022 from 10:00 a.m. to 2:00 p.m. in the Commission Chambers.
- The Florida Department of Transportation (FDOT) District Six in conjunction with the Miami Beach Police Department will host a multi-agency traffic safety enforcement and educational detail on September 15, 2022 from 8:00 a.m. to 12:00 p.m. Law enforcement will primarily focus on aggressive driving (as part of the Drive Safe campaign), distracted driving, red-light running, speeding, seatbelt use, move-over law compliance, bike/pedestrian safety compliance and general traffic safety. Officer Arch will participate in this event.
- o The monthly Coffee with the Cops September 29, 2022 at 10:00 a.m. at Starbucks.
- The South Florida PBA will host the Annual Feast Day Celebration of St. Michael, the Patron Saint of Law Enforcement Officers, on September 29, 2022 at 10:00 a.m. at Our Lady of Guadalupe Catholic Church in Doral, Florida. Sergeant Alejandro Lorente

and Officer Andres Mendoza will proudly represent the Surfside Police Department as members of a multijurisdictional Honor Guard Team participating in the service.

### II. SEE CLICK FIX REPORT

Requests filtered by request category that have been created 08/01/2022 - 08/31/2022

Request Category	Created in period	Closed in period	Average days to close
Beach Issue	1	0	
Code Compliance (Safety Concern)	1	1	1.5
Drainage/Flooding (PW)	0	0	
Other	5	1	3.1
Police (Safety Concern)	1	1	0.2
Beach Patrol	0	0	
Parking Issue	1	1	0.1
Construction Issues	3	0	

### III. TOWN PROJECTS

### 96th Street Park

No proposals were received at the July submittal deadline, so a second Park Construction RFP was released on August 12, 2022. The revised RFP was more widely advertised and included some minor modifications to the contractor experience requirements. A prebid conference and site visit held on August 31 was well attended by potential contractors. The deadline for bidder questions is September 16 and Construction Proposals are due on October 13, 2022. The design team continues the permitting process, applying to the necessary regulatory agencies and responding to comments with revised drawings as necessary. Coordination with FPL for new electric service to the Park in underway as well.

### Abbott Avenue Drainage Study

Progress Status Report – Attachment "C"

### Stormwater Master Plan Update

Project Schedule - Attachment "D"

### Traffic Calming and Pedestrian Safety Plan

Progress Status Report – Attachment "E"

### **Undergrounding of Utilities**

Current activity for the utility undergrounding project continues with existing condition survey, verification and locations of utility equipment as proposed by utility providers. Meetings were attended this month with FPL to address amended design related issues for placement of equipment and alternate phasing of installation. Design continues regarding the commercial alley corridor between Collins and Harding, including a detailed existing conditions survey identifying unknown improvements completed within the alley corridor which will also to be utilized in developing center on Rights of Way and easements which will likely required. The most significant occurrence this month was receipt of formal design agreements from ATT, a major milestone which had been eluding the project progression.

Respectfully submitted by:

Andrew E. Hyatt, Town Manager

# TOWN OF SURFSIDE, FLORIDA MONTHLY BUDGET TO ACTUAL SUMMARY FISCAL YEAR 2022

### As of JULY 31, 2022

#### 83% OF YEAR EXPIRED (BENCHMARK)

Agenda Item# Page 1 of 3

#### September 13, 2022

GOVERNMENTAL FUNDS	ACTUAL	ANNUAL BUDGET	% BUDGET
GENERAL FUND - 001 REVENUE EXPENDITURES Net Change in Fund Balance Fund Balance-September 30, 2021 (Audited) Fund Balance-July 31, 2022 (Reserves)	\$ 15,980,851 19,458,761 (3,477,910) 21,091,150 A \$ 17,613,240 B	\$23,770,620 \$23,770,620	67% 82%
TOURIST RESORT FUND - 102 REVENUE EXPENDITURES Net Change in Fund Balance Fund Balance-September 30, 2021 (Audited) Fund Balance-July 31, 2022 (Reserves)	\$ 4,961,469 2,534,848 \$ 2,426,621 4,264,457 \$ 6,691,078 C	\$4,845,294 \$4,845,294	102% 52%
POLICE FORFEITURE FUND - 105 REVENUE EXPENDITURES Net Change in Fund Balance Fund Balance-September 30, 2021 (Audited) Fund Balance-July 31, 2022 (Reserves)	\$ - 44,597 \$ (44,597) 221,034 \$ 176,437	\$79,534 \$79,534	0% 56%
TRANSPORTATION SURTAX FUND - 107 REVENUE EXPENDITURES Net Change in Fund Balance Fund Balance-September 30, 2021 (Audited) Fund Balance-July 31, 2022 (Reserves)	\$ 227,939 202,913 25,026 569,453 \$ 594,479	\$523,649 \$523,649	44% 39%
BUILDING FUND - 150 REVENUE EXPENDITURES Net Change in Fund Balance Fund Balance-September 30, 2021 (Audited) Fund Balance-July 31, 2022 (Reserves)	\$ 996,898 932,694 64,204 1,904,548 \$ 1,968,752	\$1,756,131 \$1,756,131	57% 53%
CAPITAL PROJECTS FUND - 301 REVENUE EXPENDITURES Net Change in Fund Balance Fund Balance-September 30, 2021 (Audited) Fund Balance-July 31, 2022 (Reserves)	\$ 7,164,203 2,396,566 4,767,637 5,894,823 \$ 10,662,460	\$11,807,255 \$11,807,255	61% 20%

#### NOTES:

- 1) Many revenues for July 2022 are received in subsequent months (timing difference) and are recorded on a cash basis in the month received.
- 2) Expenditures include payments and encumbrances. An encumbrance is a reservation of a budget appropriation to ensure that there is sufficient funding available to pay for a specific obligation.
- A. Includes \$2,000,000 available for hurricane/emergencies. The audited balance of \$19,091,151 is unassigned fund balance (reserves).
- **B.** Includes \$7,704,488 committed for operations & maintenance, hurricane/natural disaster, budget stabilization, and capital. The balance of \$9,908,792 is unassigned fund balance (reserves).
- C. Includes \$720,285 committed for hurricane/natural disaster, budget stabilization, and capital. The balance of \$5,970,793 is unassigned fund balance (reserves).

		Page	2 of 3
PROPRIETARY FUNDS	ACTUAL	ANNUAL BUDGET	% BUDGET
WATER & SEWER FUND - 401 REVENUE EXPENDITURES Change in Net Position Unrestricted Net Position-September 30, 2021 (Audited) Unrestricted Net Position-July 31, 2022 (Reserves)	\$ 3,455,101 3,265,582 189,519 (1,389,877) \$ (1,200,358)	\$4,497,641 \$4,497,641	77% 73%
MUNICIPAL PARKING FUND - 402 REVENUE EXPENDITURES Change in Net Position Unrestricted Net Position-September 30, 2021 (Audited) Unrestricted Net Position-July 31, 2022 (Reserves)	\$ 1,355,780 891,527 464,253 1,657,883 \$ 2,122,136	\$1,264,180 \$1,264,180	107% 71%
SOLID WASTE FUND - 403 REVENUE EXPENDITURES Change in Net Position Unrestricted Net Position-September 30, 2021 (Audited) Unrestricted Net Position-July 31, 2022 (Reserves)	\$ 1,491,044 1,465,435 25,609 (271,836) \$ (246,227)	\$1,811,003 \$1,811,003	82% 81%
STORMWATER FUND - 404 REVENUE EXPENDITURES Change in Net Position Unrestricted Net Position-September 30, 2021 (Audited) Unrestricted Net Position-July 31, 2022 (Reserves)	\$ 731,510 1,170,174 (438,664) 3,581,622 \$ 3,142,958	\$1,557,284 \$1,557,284	47% 75%
FLEET MANAGEMENT FUND - 501 REVENUE EXPENDITURES Change in Net Position Unrestricted Net Position-September 30, 2021 (Audited) Unrestricted Net Position-July 31, 2022 (Reserves)	\$ 653,941 659,213 (5,272) 1,091,020 \$ 1,085,748	\$808,044 \$808,044	81% 82%

Jason D. Greene, Assistant Town Manager/CFO

Andrew Hyatt, Town Manager

# Town of Surfside Net Funds Historical Balances Period 2018 - July 2022

FUND	9/30/2018	9/30/2019	9/30/2020	9/30/2021	7/31/2022	CAGR (a)
General	\$ 10,902,050	\$ 14,984,105	\$ 18,286,748	\$ 21,091,150	\$ 17,613,240	24.6%
Tourist Resort	356,313	1,640,525	2,109,658	4,264,457	6,691,078	128.7%
Police Forfeiture	159,527	105,725	168,289	221,034	176,437	11.5%
Transportation Surtax	263,292	328,377	442,856	569,453	594,479	29.3%
Building	2,760,673	2,563,517	1,991,388	1,904,548	1,968,752	-2.2%
Capital Projects	2,158,902	3,048,582	4,899,128	5,894,823	10,662,460	39.8%
Water & Sewer	(2,546,398)	(2,367,098)	(1,733,610)	(1,389,877)	(1,200,358)	-18.3%
Municipal Parking	943,315	1,198,948	1,293,993	1,657,883	2,122,136	20.7%
Solid Waste	601,201	641,636	219,615	(271,836)	(246,227)	-176.8%
Stormwater	3,203,878	3,200,132	3,205,050	3,581,622	3,142,958	3.8%
Fleet Management	-	585,363	825,468	1,091,020	1,085,748	N/A
Total	\$ 18,802,753	\$ 25,929,812	\$ 31,708,583	\$ 38,614,277	\$ 42,610,703	22.7%

<sup>(</sup>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.

### **Attachment "B"**

Last updated on 8/30/2022

	DEVELOPMENT APPLICATION PROCESS (2012 - PRESENT)								
	2		Density/Intensity		Variances		Building Permit		Status
Application Date Location	Project Description	Zoning Process	Allowed	Approved	Requested	Received	Application No.	Status	Status
Original submittal: 7/13/2012 Site plan amendment: 4/16/16 9011 Collins Avenue	Surf Club - restoration of the famous surf club historic structure and for the construction of new improvements	DRG - 7/31/2012, 8/23/2012, site plan amendment: 5/16/2016, 8/4/2016, 3/9/2017, 5/11/2017         P&Z - Original site plan: 9/27/2012, site plan amendment: 8/31/2017         TC - Original site plan: 10/15/2012, site plan amendment: 10/10/2017         Site	762 units	257 units	None	None	13-727	Issued	Fort Partners has indicated a desire to obtain a final CO and Landscape approval needs to be resolved. A landscape inspection was performed and comments were provided by the Town Planner on November 5, 2021. Once the comments are addressed a final inspection will be required.
7/20/2012 9450 Collins Ave	The Shul - New multiuse glass atrium and joining learning center (3 stories)	DRG - 2/11/2013, 3/27/2013, 7/9/2013 P&Z - 2/27/2014 TC - 10/28/2014 Site Plan Ext -		pansion of 8,558.9 quare feet	None	None	14-509	Issued	A landscape inspection has been performed and the proposed landscape revisions have been reviewed. Preliminary building signage plans have been submitted and staff comments provided. Awaiting signage plan revisions form Applicant.
8/12/2015 12/23/20 Site Plan Amendment 9133 Collins Ave & 9149 Collins Ave	Surf Club II - Redevelopment of property with a multi-family residential project and renovation of existing historic structure. Reduction of dwelling units and hotel rooms.  Revisions to expand underground parking and revisions to balcony design	DRG - 9/4/2015, 3/9/2017, 9/17/2017, 2/9/2021 P&Z - 12/7/2017, 2/11/2021, 4/29/21 TC - 2/13/2018, 4/13/21, 6/8/21 Scheduled Site Plan Ext - Site Plan Extension of approved by TC on 7/28 TC Meeting. Applicant requested extension of site plan due to FL Declaration of Emergency. Additional Covid extension - New Permit Due Date December 26, 2021	199 units	Reduced to 31 condo units, 26 hotel rooms	None	None	20-536	Foundation Only Permit Issued	Work is underway by Building Department to permit remainder of the building. Planning will be complete with it's review by 7/22/22.
Original submittal: 2/11/2016 Revised submittal: 5/31/18 9380, 9372, 9364, 9348, 9340, 9322, 9316 & 9300 Collins Ave	9300 Collins Ave - demolition of all existing improvements, construction of 3-story building	DRG - Original submittal: 3/10/2016, 4/27/2016 Revised submittal: 6/27/2018, 8/28/2018, 11/1/18 P&Z - Original approval: 7/18/2016, Revised approval: 11/29/18 TC - Original approval: 11/10/2016, Approved February 26, 2019 Site Plan Ext - Request submitted to extend approval due to emergency declaration (Hurricane Dorian). Additional Covid and Tropical Storm Elsa extensions - New Permit Due Date February 4, 2024	250 units	Request is for 205 units	None	None	18-610	Has not applied for permit yet	Information supplied by the Eden Surfside LLC to Town Bldg Dept on 11/30/21 indicates desire to obtain a foundation permit. MDC receipts for impact fees of \$1,105,679.93 (Pd. 8/3/21) and 20% Water and Sewer fees (Pd. 10/26/21) have been received.
5/4/2016 8955 Collins Ave	Residential Condominiums	DRG - 6/20/2016, 7/27/2016 P&Z - 10/27/2016 11/10/2016 TC - 11/10/2016 Site Plan Ext -	110 units	16 units	None	None	16-602	Issued	The Town Planner signed off on the Landscape Plan on June 17, 2022. Public Works Department is working to resolve a couple of issues so that the Building Department can issue a permanent CO.
3/14/22 9309 - 9317 Collins Ave	93 Ocean - Demolition of 2 existing 3 story buildings and construction of 12 story condominium building with 27 dwelling units.	DRG - 8/23/22 P&Z - 8/25/22 TC - Tentatively set for 10/12/22							DRG agreed to send to Planning and Zoning Board. P & Z recommended approval to the Town Commission.  Additional discussions are underway with the Applicant.
8/29/22 200 96th Street	Surf Harbor, LLC. Proposed 3 story Office Building with at grade parking garage.	DRG - TBD P&Z - TBD							Application, plans and check submitted for 3 story Office Building. Proposed plans require possible Land Use Plan Amendment and rezoning. Efforts underway to determine needed activities in order to process application.

Page 1 of 2

DEVELOPMENT APPLICATION PROCESS (2012 - PRESENT), Cont.									
Application Date Location	Project Description	Zoning Process	Density/Intensity		Variances		<b>Building Permit</b>		-
			Allowed	Approved	Requested	Received	Application No.	Status	Status
	303 Surfside - 4 Townhouses (2018) 303 Surfside - 6 Townhouses (2021)	DRG - 11/2/2016, 2/7/2017, 5/18/2017, 6/21 TBD P&Z - 6/27/2018, 6/21 TBD TC - 4/14/2018 Approval Expired Site Plan Ext -	8 units	4 units	None	None		Site Plan approval has expired	
5/19/201/ 4/1/22 8995 Collins Ave	Surf House - site plan approval for expansion to existing multi-family building deemed architecturally significant per <b>Sec. 90-33(3)</b> of the Town Code.	DRG - 6/19/2017, 8/24/2017, 9/28/2017, May 2022 P&Z - 2/22/2018, 4/26/2018, 5/31/2018, approved on 10/27/19 TC - 12/10/19 Site Plan Ext - 2 COVID Extensions New Permit Deadline 9/27/23 Site Plan Amendment - P & Z approval May 26, 2022 TC - Approved Site Plan Amendment June 16, 2022	99 units	Resolution # 19-2661 approved by Town Commission on December 10, 2019 for 12 stories, 34 units and 72 parking spaces.	Original application requested 3 Variances. Final application did not include any Variances. Site Plan Amendment - Density Reduction from 34 to 19 Units Other interior, exterior and construction revisions.	None		Has not applied for permit yet	Planning and Zoning Board recommended approval of Site Plan Amendment with reduction to 19 units and interior and exterior revisions on May 26, 2022. Town Commission approved Site Plan Amendment on June 16, 2022
Original Submittal: 1/06/2015 Revised submittals: 8/01/2016, 12/23/2016, 03/09/2018, 10/29/2018 9/25/2020 8851 Harding Avenue	18 multi-family units	DRG - 01/22/2015, 08/18/2016, 01/23/2017, 03/23/2018, 11/29/2018 Meeting Pending, 2/25/2021 P&Z - 01/31/19 P&Z recommended approval (Requires P&Z Recondsider) 2/25/2021 P&Z Denied Plan TC - Denied by the Commission (requires reconsideration by TC), TC Approval 5/26/21 Site Plan Ext -		Current request is for 18 units. Town Planner, DRG recommended approval, P&Z recommended denial	1 requested: Section 90-82. – Off-street loading requirements (Loading Space Size). Not Required in 2021 Plan	Not needed in 2021 request		Has not applied for permit yet	Site Plan Approval 5/26/21
	Young Israel Variance Request to eliminate landscaping to provide for a handicapped accessible ramp	DRG - N/A P&Z - 8/29/2019 TC - 10/29/19 Site Plan Ext -			1 requested: eliminate landscaping along the north side of the building	None			
	Arte request to have FPL vault encroach into landscape buffer.	DRG - N/A P&Z - 1/30/2020 TC - 2/11/2020 Site Plan Ext -			Landscape buffer	Approved			This parcel on the west side of Collins Avenue was also inspected along with the residential component on the east side of Collins Avenue. See discussion on first page speadsheet.
11/18/2021 9165 Collins Avenue	Site Plan approval to develop an 11 story, 14 unit MF Bldg with 33 parking spaces in the H120 Zoning District on the north side of the Seaway and south side of the Carlisle.	DRG - 1/14/22 - Via Zoom - Approved Proceeding to P & Z P&Z - 1/27/22 - Deferred to 2/24/22 P&Z Mtg P&Z - 2/24/22 - Recommended approval TC - Site Plan Approval received 4/12/22	58 units	Proposing 14 units	None				DRG recommmended on January 14, 2022 proceeding to P&Z on January 27, 2022. After discussion, P&Z decided to continue the Item to the February 24, 2022. P&Z recommended approval at the February 24, 2022 meeting.
4/27/2022 8809 Harding Avenue	Site Plan Application for 8 Townhouse Units	DRG - Expected September 2022 P&Z - Expected September 29, 2022 TC - to be scheduled	TBD	Proposing 8 units	Preliminary review comments were prepared at the request of the Applicant. Actual Site Plan submission for September 29th P & Z.			Page 2 of 2	Site Plan Application received 4/27/22. Applicant requested preliminary review prior to proceeding to formal Site Plan Review. Zoom meeting with Applicant's development team and Town Staff was held on 7/7/22. Expect resubmission for 9/29/22 P & Z.

Page 2 of 2



August 29, 2022

Jason D. Greene, CGFO, CFE, CPFIM Assistant Town Manager / Chief Financial Officer Town of Surfside 9293 Harding Avenue Surfside, Florida 33154 Phone (305) 861-4863 Ext. 225

RE: KEITH Progress Report – August 29, 2022

Project Name: Abbott Avenue Drainage Improvements – Phase 2

Project Location: Town of Surfside Our Project/Proposal Number: 11494.01

### Dear Jason:

For the past month KEITH & Associates has been developing the construction documents for the Abbott Avenue Drainage Improvements Project. Due to the weather in June & July geotechnical exploration started on August 11, 2022. Should start permitting after the next submittal to the Town. The following is a summary of the project progress for the month of September 2022.

- Geotechnical exploration finalized exploration on August 20, 2022.
- Plans and Stormwater report are being QAQC by KEITH Quality Assurance Department and we are Pending Geotech Report to submit to start permitting
- MEP working on Electrical Plans and should be ready in mid-September to start Town's building Permit.
- Construction Documents are ready to start permitting.

After the task are completed and submitted to the Town, KEITH will start the permitting process through the county to be able to meet the deadline of August 2022 to complete the phase 2 of the project.

KEITH & ASSOCIATES, INC.

**Consulting Engineers** 

Carlos Morales Project Manager PROJECT SCHEDULE (7/27/2022)
Town of Surfside Stormwater Master Plan

								20	22							T										202	23									
		July		ugust			ember		Octob			oveml			cember			uary		Febr			March		April		M	_		June			July	$\Box$		ugust
		25	1 8	15 2	2 29	5 12	19 26	3 1	0 17	24 33	1 7	14 2:	1 28	5 1	.2 19 2	26 2	9 1	16 23	30 6	5 13	20 27	6	13 20 2	27 3	10 17	24 1	8 1	5 22	29 5	12 19	) 26	3 10	17 2	4 31	7 1/	4 21 28
Task 1.0 Collect, Review, and Ana	lyze Current Mapping Data																																			
1.1 Project Administration																																				
1.1.1 Project Kickoff Meeting																																				
1.1.2 Progress Meetings																																				
1.1.3 Town Council Meetings (Ti																																				
1.2 Policy Planning And Publi	Coordination																																			
1.3 Data Collection and Docu	nentation																																			
1.3.1 Initial Data Collection and	Review																																			
1.3.2 Preliminary Data Gaps Ma	o																																			
1.3.3 Field Visits (4 weeks field t	me)																																			
1.4 Model Recommendations	And Analysis																																			
1.4.1 Analysis and Technical Me	morandum																																			
1.4.2 Project DEM																																			$I \square I$	
Task 2.0 Produce a Stormwater N	odel																																			
2.1 Existing Conditions Mode																																			$\Box$	
2.1.1 Model Development																																			$\Box$	
2.1.2 Design Storm Model Runs																																				
Task 3.0 Develop the Adaptation	Strategy																																			
3.1 Alternatives Analysis																															П			$\top$	$\Box$	$\Box$
3.1.1 Needs Assessment																																$\neg$				
3.1.2 Alternatives Analysis																																			$\Box$	
3.1.3 Design Storm Model Runs																																		17		
3.2 Future Conditions Analysi	1																																		$\Box$	
3.2.1 Baseline Future Conditions	Model																															$\neg$				
3.2.2 Improvements Future Con-	litions Models																															$\neg$				
Task 4.0 Stormwater Master Plan																			-										4							
4.1 Alternatives Selection																															$\prod$			$\Box$		
4.2 Preliminary Opinion of Pro	bable Costs																																		$\sqcap$	
4.3 Capital Improvement Plan																								1												
4.4 Final Technical Memo																																				
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Kimley » Horn

# **TOWN OF SURFSIDE**

**Public Works Department** 

"Traffic Calming and Pedestrian Safety Plan"

# **August 11, 2022**

9293 HARDING AVENUE, SURFSIDE, FL 33154 PHONE: (305) 861-4863

Prepared By:



Public Works Department



# **TABLE OF CONTENTS**

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SUMMARY AND OBJECTIVE	3
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TABLE A - "Update Table"	5



### **SUMMARY AND OBJECTIVE**

During the April 2022 Town General Commission meeting, administration was tasked to explore various options to increase pedestrian safety and increase traffic calming throughout Town. Of the various options, some will be implemented through Town administrative action while others will need to return to commission for approval to contract and expend.

In order to create uniformity and tracking of the various projects, the Public Works Department created a Traffic Calming and Pedestrian Safety Plan. This document will assist with centralizing all projects and providing status updates for the Town Manager and Elected Officials.

The objective is to create a project bank of proposed and working projects. The projects within the project banks are those that have been deemed feasible by Town administration; directed by the Town Commission; and co-coordinated with other jurisdictions such as Florida Department of Transportation (FDOT).

#### **PROJECT BANK**

All the projects within this section are either in planning, design or construction phase. They are a culmination of administrative decision, commission direction or co-agency coordination. The project bank will provide a brief description of the work. If additional information is needed to supplement the description, it will be provided through an Appendix item. The following are current project bank items:

# 300 BLK and 95 Street Crosswalk and Sidewalk Improvement

Improve pedestrian crossing at the intersection of 95 Street and Abbott Avenue by installing new sidewalks, improving line of sight visibility for vehicular traffic and reinstallation of crosswalk marking as well as signage.

### Adjust Stops with Line-of-Sight Issues

Improve visibility at all residential area intersections by adjusting stop bars and stop signs in a manner that allows for visibility of other directional travel. Amplifying intersections by installing Reflective Pavement Markers (RPM'S) and thermoplastic marking.

## Signal Shielding at 96 Street and Byron Avenue Intersection

Incorporating into the current design of the signalization project at 96 Street and Byron Avenue signalization shields to limit the visibility of traffic light to a distance less than 600 linear feet (current).



## **Bay Drive Street Closure**

Close northbound traffic on Bay Drive in order to eliminate cut through along the Bay Drive corridor near 96 Street Park in order to create a safe roadway near park activities.

# **Byron Avenue Traffic Calming**

Minimize and mitigate speeding concerns along Byron Avenue, specifically between 95 Street to 96 Street, by upgrading current traffic calming features and improving pedestrian as well as cyclist lanes of travel.

#### **Multi-Use Lanes**

Installation of multi-purpose bike lanes in various residential areas, where possible, in order to define co-shared roadway and create physical as well as visual buffers.

# **Update Pedestrian Safety and Traffic Mitigation Plan (Traffic Study)**

The previous traffic study performed for the Town was composed in 2012 and it addressed various traffic issues and pedestrian issues that were of concern at the time. The plan will assist the Town in creating additional traffic modifications, approval from County with relative field data and provide a holistic approach to addressing various current pedestrian and vehicular concerns. The document can also be used to seek various grant opportunities.

# **Community Workshop and Resident Survey**

As part of an update to the 2012 Traffic Study and to better understand from resident perspective current Traffic and Pedestrian issues, a community workshop and resident survey will be used to gather feedback for incorporation into projects. Resident feedback is also a key component in various grant applications.

### **Shared Road Signage**

Upgrade existing "Children at Play" signage and install a variety of other in order to emphasize shared roadways and children at play on streets. Signage to be deployed throughout Town.

# Interlocal Agreement between Town of Surfside and Miami Dade County

After meeting with Miami Dade County and expressing pedestrian safety concerns, the Town was offered a chance to enter into a Interlocal Agreement with Miami Dade County in order to use County resources to assess Town pedestrian infrastructure deficiencies and determining probable solutions.



Truck Deterrent Strategies at Byron Avenue and Abbott Avenue along 95 Street Residents have expressed concerns regarding truck intrusion into the residential area from the commercial district. Currently, there are minimal signage to detour trucks away from the residential area; specifically, around Byron Avenue and 95 Street. The Public Works Department proposes the installation of a series of signs detouring trucks incoming into the Byron Avenue and 95 Street intersection from all directions. Additional improvements include the re-construction of the intersection roundabout on Byron Avenue and 95 Street to make it more aesthetic while promoting deterrent of truck passage.

### **UPDATE TABLE**

**Table A** – "Update Table" in page 5, provides all projects the Town is currently undergoing with a brief status update that will be updated monthly. If project is completed, the item will remain in the table with a "completed" notation.

Item Number	Category	Project Title (From project bank)	Update
1	Pedestrian / Traffic	300 BLK and 95 Street Crosswalk and Sidewalk Improvement	Project Completed, Refer to <b>Exhibit A</b> .
2	Traffic	Adjust Stops with Line-of- Sight Issues	Aerial Public Right-of-Way Imagery Collection/Survey of 88 <sup>th</sup> and 89 street underway. Assessments of line-of-sight ongoing.
3	Traffic	Signal Shielding at 96 Street and Byron Avenue Intersection	Coordinating the installation with currently approved Village of Bal Harbour Shops signalization project on 96 and Byron Ave. Town made a requirement for shielding to be incorporated into the design. Provided the design shop drawing to Whitman Family Development on 07/11/2022.  Refer to Exhibit B
4	Traffic	Bay Drive Street Closure	Bay Drive will be closed at 96 Street for construction operations of 96 Street Park. The Town will perform a comparison of



	1		
			temporary closure with Byron Avenue during traffic study in
	T (C:	D A T (" O L :	order to assess impacts.
5	Traffic	Byron Avenue Traffic Calming	During June 2022 budget meeting, Town Commission did not approve
			expenditures to perform upgrades on existing facilities. Town
			commission approved to proceed
			with traffic study to assess Town-
			wide issues for Town wide
			integrations once study is
			complete.
6	Pedestrian	Bike / Walk Lanes	Public Works performed
			assessment and provided findings
			in <b>Exhibit C</b> for Town commission
			review and recommendation.
			During August 2022 commission
			meeting, Town Commission
			requested Administration to come
			back with opinion of probable cost
	<b>.</b>		an procedure for implementation.
8	Pedestrian	Update Pedestrian Safety	Traffic study was approved by
		and Traffic Mitigation Plan	Town Commission and purchase
		(Traffic Study)	order was issued to consultant.
			Scope Kick off meeting is
9	Pedestrian	Community Workshop	scheduled for August 26 2022.
9	/ Traffic	Community Workshop	Will be incorporated with item
	/ Traffic	and Resident Survey	number 8 in order to gather
			information for study
			implementation.
10	Pedestrian	Shared Road Signage	Signs installed in July 2022.
	/ Traffic		Project completed.
			Refer to <b>Exhibit D</b>
11	Pedestrian	Interlocal Agreement between	Will discuss with the County the
		Town of Surfside and Miami	parameters of the interlocal
		Dade County	agreement and add as a
			coordination task within the Traffic
			Study proposal.



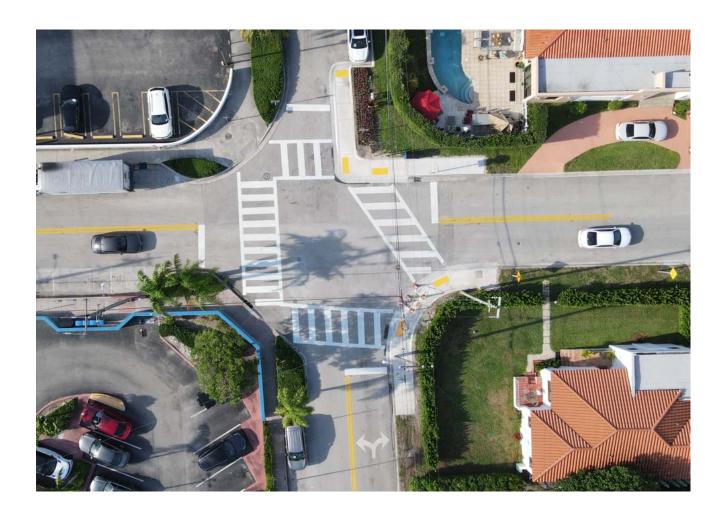
12	Traffic	Truck Deterrent Strategies at Byron Avenue and Abbott Avenue along 95 Street	Signs have been ordered and have arrived. Signs will be installed in August of 2022. Refer <b>Exhibit E.</b> Roundabout concrete scope of work has been completed in August 2022. Refer to Exhibit E. Pending is also additional bollards and railing to create roundabout visibility and protect landscaping.
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Table A – "Update Table"



# Exhibit A 1 page







# Exhibit B 2 pages



PH: 405-340-3434 FAX: 405-340-3435 Edmond, OK 73013 www.pelcoinc.com

This drawing is for reference only. It is the property of Pelco and is not to be used in whole or in part without Pelco's written permission.

# **ASSEMBLY SHEET**

**OPTIONS** 

7°, 8°, 9°, 11°, 13°, 15°, 23-1/2°, 42°

View Angle:

Paint

UC=with Universal Clip

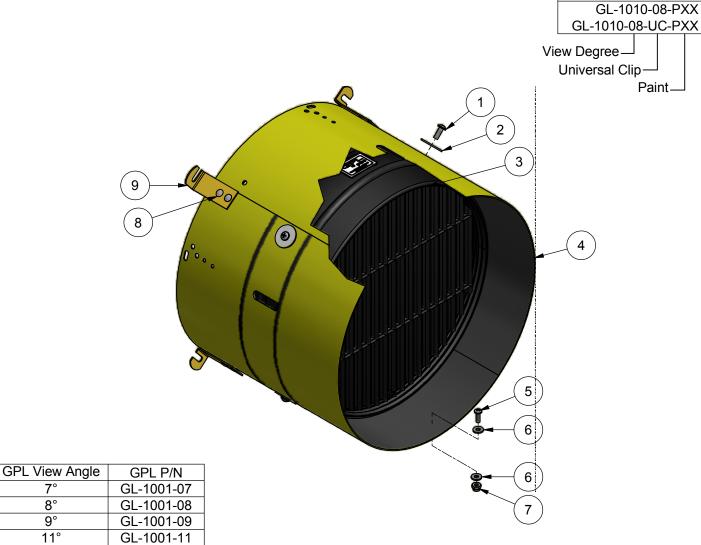
GPL, 12", w/ Slotted Full Circle Visor & Hardware

PART NO.:

GL-1010

**PART NO** 

Paint\_



Note: Shown With Clips

GL-1001-13

GL-1001-15

GL-1001-23.5

GL-1001-42

8°

9°

11°

13°

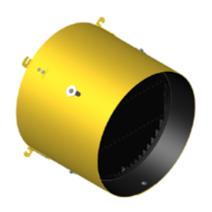
15°

23-1/2°

42°

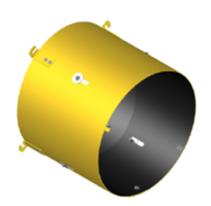
	ITEM	PART NUMBER	DESCRIPTION	QTY								
	1	FS-3933-SS	Screw, Phil Pan Hd, #10-24 x 1/2", Type 304 Stainless									
	2	FS-4002-SS	Washer, Fender, #10 x 1", Type 304 Stainless	4								
	3	SEE CHART	GPL, Geometrically Programmed Louver, 12"	1								
	4	SM-0242-M2	Visor, 12" Full Circle w/ Slots, Alum	1								
13	5	FS-3955-SS	Screw, Phil Pan Hd, #8-32 x 1/2", Type 304 Stainless	2								
6/20	6	FS-4104-SS	Washer, Flat, #8, Type 304 Stainless									
/ 12/1	7	FS-1200-SS	Nut, Nylon Lock, #8-32, Type 304 Stainless									
al.idv	8	FS-6401	Rivet, Semi-Tubular Oval Hd, .141"146" Dia x .188", Alum	8								
Vertic	9	SM-0227-PXX	Clip, Visor Mounting, Universal, Alum									
Pelco'	LCA DRAWN:	11/19/2003 KBM DATE: CHECKED:	5/18/2005 JDC 9/30/2014 ZSM 10/1/2014 J 09/30/14 CBJ JDC 9/30/2014 SHEET DATE: MFG ENG: DATE: QA: DATE: REV: DATE: REV CHK'D: DATE: SHEET	1 OF 84								
_												

# **Traffic Accessories**



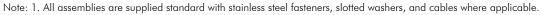
GPL, 7 Degree View Angle Geometrically Programmed Louver, 12" w/ Visor w/ Universal Clips

APL Certification #650-024-001



# Visor, Full Circle w/Slots for 12" Signal w/ Universal Clips

APL Certification #650-023-001



2. See page ii for available paint colors.





# Exhibit C 4 pages



# **MEMORANDUM**

To: Town Manager

From: Public Works Department Allus

**Date:** July 7 2022

Subject: Walkability Update - Public Works Department Evaluation of Multi-Use Lane

on Existing Roadway Streets and Avenues

## **Background**

Town administration evaluated the existing conditions of streets and avenues in order to determine the feasibility of installing multi use lanes along the roadway corridors. The purpose of the multi-use lanes is to accommodate non vehicular traffic in a safe zone in order promote traffic calming and pedestrian safety.

## **Findings**

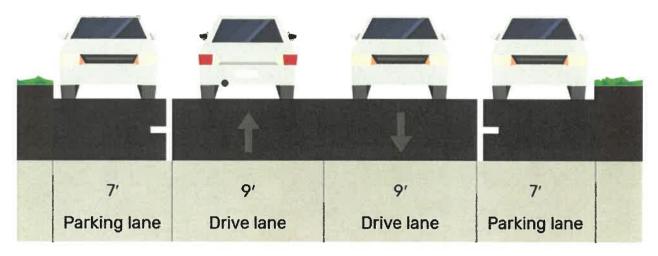
Per Miami Dade County Transportation and Public Works (DTPW), the minimum width for a parallel parking space in a residential roadway is 8'-00". The minimum width per Miami Dade County Complete Streets Design Guidelines for a vehicular travel way in a residential area is 9'-00". 2

Within the Town's residential area, streets do not have the required width (existing average 26'-00") to host parallel parking on both sides, two-way vehicular travel and a multi-use lane. In order to accomplish adding a multi-use lane, one of the stated travel or parking areas will need to be removed. Additionally, avenues also do not have the required width (average 32'-00") to host parallel parking on both sides, two-way traffic vehicular travel and a multi-use lane. In order to accomplish adding a multi-use lane, one of the stated travel or parking areas will need to be removed. **Figure A** – "Existing Conditions", depicts a typical profile view of how the roadways (streets and avenues) are currently used. Additionally, it shows existing non-conforming widths of parking spaces.

<sup>&</sup>lt;sup>1</sup> (Ord. No. 57-19, § 5(BB), 10-22-57; Ord. No. 69-71, § 1, 10-8-69; Ord. No. 80-116, § 1, 10-21-80; Ord. No. 83-40, § 1, 6-7-83; Ord. No. 85-19, § 1, 4-2-85; Ord. No. 91-36, § 1, 3-19-91)

https://www.miamidade.gov/neatstreets/library/complete-street-design-guidelines.pdf

Figure A – "Existing Conditions"



In the configuration shown in **Figure A**, the roadway is very congested and does not freely accommodate pedestrian or other type of traffic. When two vehicles are parked on either side of the road, travel way traffic needs to merge onto centerline of roadway in order to travel. Additionally, the existing configuration shown in **Figure A** does not meet DTPW standards because parking spaces are less than 8'-00". In order to have the configuration in **Figure A** within proper guidelines, a total of 34'-00" of roadway surface is required. **Table A** – "Minimum Requirement" depicts the deficit of roadway surface width in order to meet configuration within an avenue and a street:

Item Number	Configuration	Required Width	Existing Width	Difference (Deficit)	Minimum for Multi Use Lane	Deficit Including Multi-Use Lane
1	Existing Conditions on Streets	34'-00"	32'-00"	2'-00"	4'-00"	6'-00"
2	Existing Conditions on Avenues	34'-00"	26'-00"	8'-00"	4'-00"	12'-00"

Table A - "Minimum Requirement"

**Figure B** – "Alternative Methods to Meet Standards on Avenues" and **Figure C** – "Alternative Methods to Meet Standards on Streets", in the following page depicts two possible alternatives of creating conformance with county guidelines and meeting the objective of installing a multi-use lane within the existing roadway. As previously stated, a trade off of an existing facility would need to occur. On a typical avenue, only one side of parking on the roadway will need to be traded as an opportunity cost of having a multi-use lane. On a typical street, due to the current limitations, the opportunity cost of having a multi-use lane and being within conformance of county guidelines, will require removing one travel lane (creating a one-way road) and removing one side of parallel parking.

H.b. 07/06/2022

Figure B – "Alternative Methods to Meet Standards on Avenues"

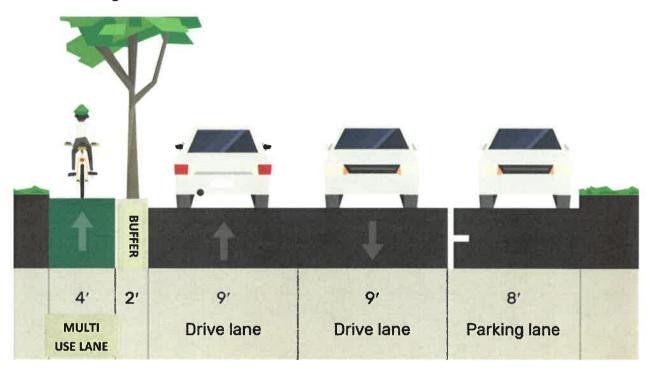
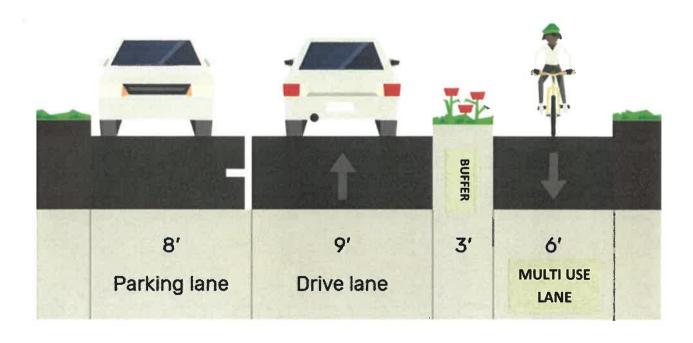


Figure C – "Alternative Methods to Meet Standards on Streets"



# **Staff Considerations**

The Town reviewed all the findings and determined it is more feasible to implement a multi-use lane on an avenue than a street. The implementation of a multi-use lane on an avenue will require minimal county approval as it does not impact a travel lane. Implementing a multi-use lane within a street is more difficult due to the existing nonconforming dimensions and conversion of a street to a one-way. The county will require the Town to complete a study of the impacts of reducing a street to one-way vehicular traffic. This study can be captured within the proposed 2022 traffic study using data collected.

Another project the Town is undertaking is the Utilities Undergrounding project. This project will require various facilities from different utilities to be installed within the Right of Way of the Town. If the feasibility of installing above ground structures within non paved Right of Way (area between curb and private property line) becomes difficult, the buffer zones shown in Figure B and Figure C can be used for this purpose. The above ground structures being mentioned are FPL transformer boxes, communication boxes and light poles.

Lastly, due to roadway slope designed to drain stormwater faster, various areas near the existing curb line are slopped greater than 3% which can cause issues with American Disability Act (ADA) walkability on the studied multi-use lane. Therefore, the multi-use lane can't be referred to or called a pedestrian walkway. A pedestrian walkway must confirm with the same requirements of a sidewalk.

During the review, curb gutters were not determined part of the study area and roadway width.



# Exhibit D 1 page

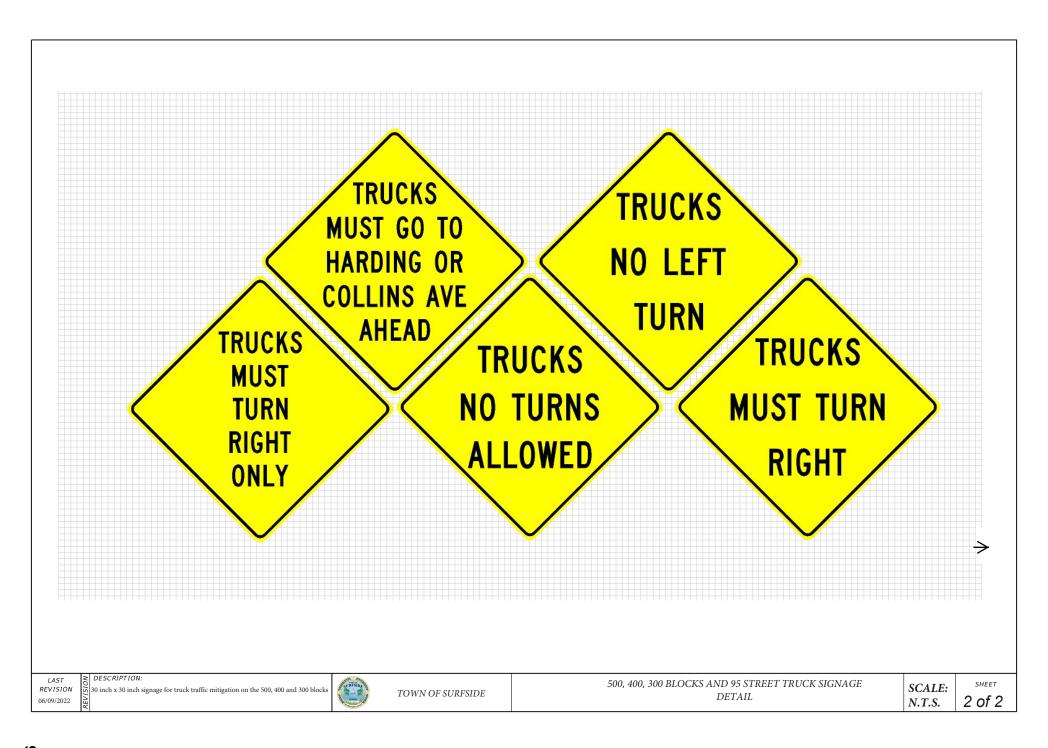


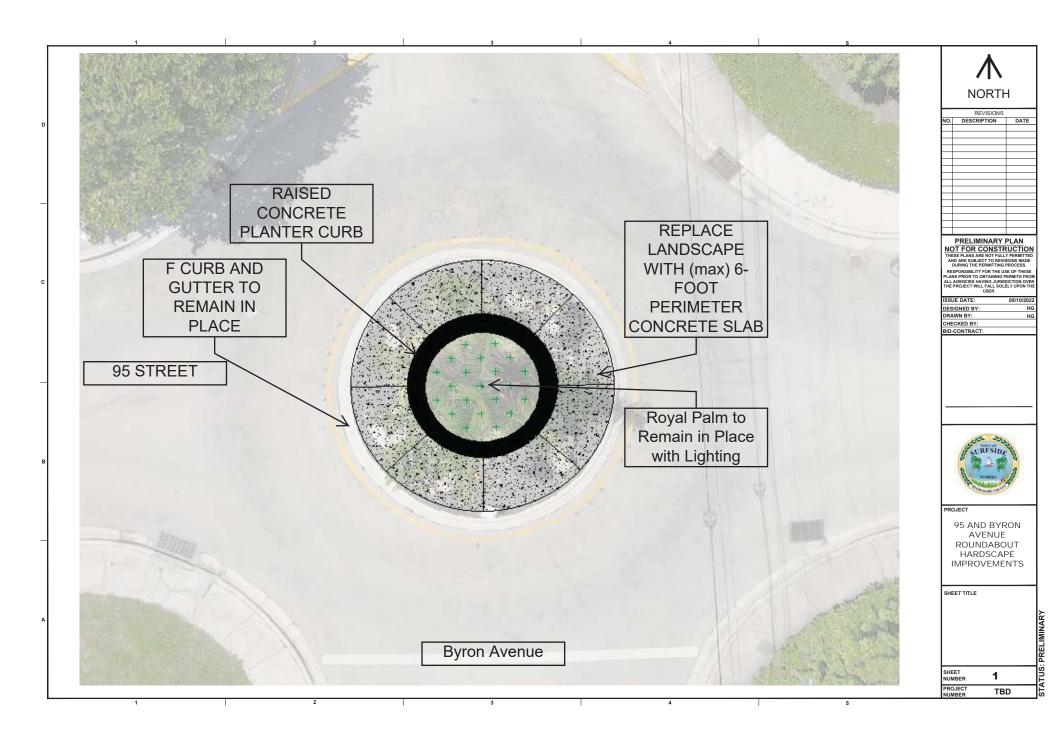




# Exhibit E 3 pages









#### **TOWN OF SURFSIDE**

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

TO: Mayor and Town Commission

FROM: Lillian M. Arango and Tony Recio, Town Attorney

Weiss Serota Helfman Cole & Bierman, P.L.

CC: Andrew Hyatt, Town Manager

**Jason Greene, Assistant Town Manager** 

DATE: September 2, 2022

SUBJECT: Office of the Town Attorney Report for September 13, 2022 Regular

**Commission Meeting** 

This Firm attended/prepared and/or rendered advice for the following Commission meetings and workshops, public meetings and workshops, and Board and Committee meetings during the past month:

August 1, 2022 - Tourist Board Meeting

August 9, 2022 - Special Town Commission Meeting

August 9, 2022 - Regular Town Commission Meeting

August 25, 2022 - Planning & Zoning Board Meeting

August 31, 2022 - Executive Session-Attorney/Client Session - AFSCME Union Bargaining

Members of the firm assisted with the agendas and drafted the resolutions and ordinances where necessary for the above noted 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.

Various members of the Firm have and continue to assist the Town with the response and emergency actions needed in the aftermath of the CTS Collapse, including public records and media requests, settlement discussions and hearings, ongoing causation investigations at the CTS Site and off-site facilities, and interaction with KCE Engineering (Allyn Kilsheimer) and NIST representatives in connection with In re: Champlain Towers South Collapse Litigation, Case No. 2021-015089-CA-01. Most recently, this office participated in settlement discussions and hearings, including review of a Settlement Agreement among all parties and the Town contributing Town insurance proceeds towards the victims' settlement fund.

## **Commission Support:**

Attorneys of the firm have worked with the Mayor and members of the Town Commission to provide orientation sessions and required Ethics training, including Sunshine Law and Public Records, and address concerns and research specific issues and policy initiatives, and are always available, either in the office or by phone or email. We appreciate your support as we commence our sixth year of service and work in implementing the elected Mayor and Town Commission's policy directives.

# **Staff Support:**

Members of the Firm continue to provide support to Town administration and staff during the COVID-19 health pandemic, and continue to work with Town administration and staff responding to various needs arising from the CTS Building Collapse.

As typical, members of the Firm continue to assist the Town administration and staff, as well assist boards and committees, with application review, contract and agreement review; preparation of ordinances as directed by the Commission; procurement and purchasing, various solicitations for Town services and providers (RFQs and RFPs) and agreements; IT related agreements; Parks & Recreation Department contracts and services; Tourist Board purchases and agreements; Code enforcement and interpretation, and attendance at Special Master Hearings upon request; beach furniture operator permits and administration; ethics issues, requirements and complaints; police matters and agreements, forfeiture, public records and complaints; building permit and enforcement issues; public records and media requests; litigation representation and support, subpoenas, oversight and case management; Town Code interpretation and application; labor, employment and pension matters; assistance with and negotiations with the AFSCME Florida Council 79 for Town civilian employees; EEOC complaints, and employee complaints of discrimination; resident ethics complaints and inquiries; various procurements and service provider contracts for Town Departments, including Contract

for Construction for Town Hall front office remodeling, RFP and resulting award of Agreements for Disaster Debris Monitoring Services and Debris Removal Services, and contracts associated with design and construction at 96<sup>th</sup> Street Park; Zoning Code issues and ordinances; and implementation of undergrounding of utilities project.

# **Key Issues:**

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

- Contract Review Related to COVID-19 health pandemic.
- Ch. 90 Zoning Code and Adoption of Amendments thereto.
- Assistance and Response to AFSCME Florida Council 79 Union Representation Certification Petition for Civilian Town Employees
- Resolution in Support of Closing Byron Avenue at 96 Street and/or Other Traffic Mitigation Measures
- Resolution Approving Agreement with Savino Miller for Design of 96<sup>th</sup> Street Park, and corresponding Professional Services Agreement
- Resolution Approving Agreement with HPF Associates for Project Management Support Services for Undergrounding of FPL and Utilities Project, and corresponding Professional Services Agreement
- Resolution in Support of Closing Bay Drive at 96 Street and/or Other Traffic Mitigation Measures
- Resolution Approving an Agreement with Keith and Associates for Study and Design of Abbott Avenue Drainage Improvements
- Resolution Approving Project Agreement with KCI Technologies, Inc. for Utility Undergrounding Services for Phase I Preparation of Utility Coordination Plans Pursuant to Continuing Services Agreement for Professional Engineering Services; Preparation of Project Agreement
- Resolution Approving Project Agreement with Nova Consulting, Inc. for Utilities Engineering Retainer Services Pursuant to Continuing Services Agreement for Professional Engineering Services; Preparation of Project Agreement
- Resolution Approving Project Agreement with Keith and Associates, Inc. for Stormwater Engineering Retainer Services Pursuant to the Continuing Services Agreement for Professional Engineering Services; Preparation of Project Agreement
- Resolution Approving First Amendment to the Agreement with Zambelli Fireworks Manufacturing Co. for 2021 Fourth of July Fireworks Show Services; Preparation of First Amendment to Agreement
- Resolution for Quasi-Judicial Hearing Regarding Amended Site Plan Application for the Property Located at 9133-0149 Collins Avenue (Seaway)
- Resolution for Quasi-Judicial Hearing Approving and Accepting Waiver of Plat for 8712 Byron Avenue
- Resolution for Quasi-Judicial Hearing Approving/Denying Site Plan Application for 8851 Harding Avenue
- Contract for Construction for Biscaya Subaqueous Water Main Crossing

- Resolution Approving Project Agreement with Alvarez Engineers, Inc. for Structural Plan Review Services Pursuant to Continuing Services Agreement for Professional Engineering Services; Authorizing Expenditure of Funds
- Resolution Approving Renewal of Term of Agreement for Food and Beverage Concession Services with Hamsa, LLC D/B/A Surf-N-Sides for the Surfside Community Center; Authorizing the Town Manager To Execute a Second Amendment to the Agreement; Preparation of Second Amendment to Concession Agreement
- Resolution Approving Emergency Repair Work for the Town Hall Air Conditioning System's Chiller and Coils Replacement from Smart Air Systems, Inc.
- Resolution Ratifying an Amendment to the Off-Street Variable Parking Rate and Time Limitation Schedule for Municipal Parking Lots
- Resolution Approving an Engagement Letter with Marcum LLP for Financial Auditing Services for Fiscal Year Ending September 30, 2021
- Resolution Approving a Memorandum of Understanding Between the Town and The Florida Department of Law Enforcement Relating to Investigations of Incidents Involving the Use of Deadly Force by Law Enforcement Officers
- Resolution for Quasi-Judicial Hearing Waiver of Plat for 8712 Byron Avenue
- Resolution for Quasi-Judicial Hearing Site Plan Approval for 8851 Harding Avenue
- Resolution for Quasi-Judicial Hearing Site Plan Amendment for Seaway Condominium 9133-9149 Collins Avenue (2019 Historical Certificate of Appropriateness)
- Temporary Revocable License Agreement with Curative for Covid-19 Testing at Town Hall, and Corresponding Resolution Approving Same
- Debris Monitoring Procurement and Contract
- Resolution Approving Project Agreement with Alvarez Engineers, Inc. for Structural Plan Review Services
- Resolution Approving Declaration of State of Emergency for CTS Building Collapse
- PSA Agreement with Haggerty Consulting (FEMA compliance)
- PSA Agreement with KCE Structural Engineers for Structural Engineering Consultation CTS Building Collapse
- PSA Agreement with The News Directors (Communications and Media Response)
- Agreement with the Italian Space Agency Re Images on the CTS Building Collapse
- Annual Sold Waste Assessment FY 2021/22
- Resolution Urging Biden Administration to Condemn Cuban Government's Handling of Pro-Democracy Protests and Support of the Cuban People
- Resolution Approving Keith Engineering for Design Phase of Abbott Avenue Drainage Improvements
- Resolution Awarding Star Cleaning USA for Street Sweeping Services and Agreement
- Agreement with BOOST Media for Emergency Response Website CTS Building Collapse
- Agreement with JUST FOIA for Public Records Request Software

- Resolution Approving a Purchase Order to The Corradino Group, Inc. to Perform Traffic Engineering Services for 88<sup>th</sup> Street Corridor Multiway Stop Warrant Study
- Resolution Approving Pelican Harbor Donation
- Resolution Accepting a \$107,500 Community Development Block Grant Mitigation Program (CDBG-MIT) from the Florida Department of Economic Opportunity (DEO) to Develop a Drainage Improvement Plan for the Town's Stormwater System
- MOU and Resolution Approving the Memorandum of Understanding (MOU)
  Between the Town, the Village of Bal Harbour, and the Town of Bay Harbor
  Islands to Fund the Cost of a School Resource Officer for Ruth K. Broad K-8
  Center School
- Resolution Approving the Final Design Development Plans for 96<sup>th</sup> Street Park Project Prepared by Savino & Miller Design Studio, P.A.
- Resolution Approving Employee Health Benefits Contracts for Fiscal Year 2021/2022
- Resolution Accepting an Allocation of \$2,830,324 in Coronavirus State and Local Fiscal Recovery Funds from the U.S. Department of Treasury Under the American Rescue Plan Act; Review of American Rescue Plan Act Coronavirus Local Fiscal Recovery Fund Agreement
- Ordinance Side Setbacks for H120 District
- Resolutions Approving Tentative Millage Rate and Budget for FY 2022 (1<sup>st</sup> Budget Hearing)
- Resolutions Approving Final Millage Rate and Budget for FY 2022 (2<sup>nd</sup> Budget Hearing)
- Resolution Authoring Expenditure of Funds to KCE Structural Engineers for Task
   2 Engineering Analysis and Destructive Testing
- Resolution Approving Project Agreement with 300 Engineering Group, P.A. for Sanitation Sewer Evaluation Survey and Smoke Testing Services for the Town's Sanitary Sewer System
- Resolution Approving a Federally Funded Subaward and Grant Agreement with Florida Department of Emergency Management (FDEM) for Public Assistance Grant Program Eligibility in Connection with Federal Emergency Management Agency (FEMA) Disaster Declaration No. 2560-EM-FL Relating Champlain Towers Building Collapse.
- Resolution Approving the Submission of Grant Applications For Town Projects Between October 1, 2021 and September 30, 2022; Subject to and Pending Final Acceptance of Awarded Funds and Approval of Grant Agreements by Town Commission
- Resolution Expressing Support for the Sister Bays Program and Urging Coastal Communities Throughout the County to Support the Program; Encouraging the Miami-Dade County Board of County Commissioners to Develop a Memorandum Of Understanding for The Sister Bays Program
- Resolution Approving a Voluntary Cooperation and Operational Assistance Mutual Aid Agreement with the City of North Miami
- Resolution Approving Fiscal Year 2021/2022 Police Forfeiture Fund Expenditures
- Resolution Approving Budget Amendment No. 11 for Fiscal Year 2020/2021 Budget

- Resolution Approving Purchase of Services from Kofile Technologies, Inc. for Preservation. Archival and Digitization of Historical Town Documents
- Resolution Approving the Purchase of a Town Hall Fire Alarm System Upgrade from Sciens Building Solutions, LLC c/o Empire Fire Safety
- Resolution Urging the Florida Public Service Commission (PSC) to Reject Florida Power & Light's (FPL) Request for a Base Rate Increase and Rate Unification, and to Reject the Proposed \$25 Per Month Minimum Charge
- Resolution Approving Budget Amendment No. 1 for Fiscal Year 2022 Budget
- Resolution Approving the Renewal of Agreement with Thomson Reuters West Publishing Corporation for Clear Investigative Tool for Fiscal Years 2022-2024
- Resolution Calling for a Town Of Surfside Special Election to be Held on March 15, 2022 for a Bond Referendum Issuance of General Obligation Bonds for the Purpose of Undergrounding of Utilities
- Resolution Calling for a Town of Surfside Special Election on March 15, 2022 for the Purpose of Submitting to the Electorate a Proposed Amendment to the Town Charter Regarding Lot Area, Building Height For Beachfront Properties, and Increasing Minimum Required Electoral Vote to 60% to Repeal or Amend Section 4 of the Charter
- Resolution Calling for a Town of Surfside Special Election on March 15, 2022 for Proposed Amendments to the Town Charter at Article IX. – "Miscellaneous Provisions," Adding Section 149 - "Hedges In Single-Family Residential Lots", to Provide That Six (6) Foot Hedges Shall be Permitted on Single-Family Lots
- Resolution Calling for a Town of Surfside Special Election on March 15, 2022 for Proposed Amendments to the Town Charter at Article IX. – "Miscellaneous Provisions," Adding Section 150 - "Prohibition on Storage of Privately-Owned Property Overnight on Beach" to Provide for a Prohibition on thee Storage of Privately-Owned Property overnight on the Beach
- Resolution Calling for a Town of Surfside Special Election on March 15, 2022 for Proposed Amendments to the Town Charter Section 7 - "Salary", to Provide for Payment of an Annual Salary for Mayor and Commissioners and Single Health Insurance Benefit
- Resolution Approving an Agreement with Alves Sports Group, LLC for the Town's Youth Soccer Program and with GM Sports Tennis, LLC for the Town's Youth Tennis Program
- Resolution Approving Purchase 0f Four (4) 2022 Ford Police Interceptor Utility Vehicles, Together With Emergency Lighting Equipment, Graphics, and Radio Equipment for Each Police Vehicle
- Resolution Approving Purchase of New Cellular Encoders Together with Cloud-Based Hosting Services from Badger Meter, Inc. to Replace Existing Encoders Used to Transmit Water Meter Information to Town Hall
- Ordinance Securing Construction Sites, Safety and Other Requirements
- Ordinance Creating Section 14-3, "Recertification of Existing Buildings", in Article
  I. "In General", of Chapter 14 Buildings and Building Regulations", to Adopt
  and Incorporate Section 8-11. "Existing Buildings" of the Miami-Dade County
  Code of Ordinances with Modifications in Furtherance of the "Don't Wait,
  Accelerate" Plan to Improve Building Safety.

- Resolution Authorizing and Approving Additional Expenditure of Funds to Special Counsel, Leech Tishman Fuscaldo & Lampl, regarding the Appeal of the Federal Aviation Administration's (FAA's) South Central Florida Metroplex Project (Metroplex), for Legal Fees and Consultant's Services
- Resolution Approving a First Amendment to the Revocable, Non-Exclusive License Agreement with Curative Inc. to Extend the Term of the Agreement; Approving the Extension of the Temporary Use Permit Issued to Curative Inc. Beyond the Initial Ninety (90) Day Term to Allow the Continued Utilization of a Covid-19 Testing Kiosk Pursuant to Section 90-36.1 of the Town Code
- Resolution Approving and Authorizing the Expenditure of Budgeted Funds in an amount not to exceed \$145,000 to Implement the 89<sup>th</sup> Street Beach End Capital Improvement Project (CIP)
- Resolution Approving and Authorizing the Expenditure of Funds in an amount not to exceed \$50,000 to Engage Marlin Engineering, Inc. for a Downtown Walkability and Design Study
- Resolution Approving the Opioid Settlement Interlocal Agreement with Miami-Dade County Governing the Use of Opioid Settlement Funds Allocated to the Miami-Dade County Regional Fund.
- Resolution Approving Budget Amendment No. 2 for Fiscal Year 2022 Budget
- Resolution Approving an Amendment to Resolution No. 13-Z-06 for the Surf Club Property Located at 9011 Collins Avenue to Amend Condition No. 19, of Section IV., Requiring Design and Construction of a Lifeguard Stand and Payment of Operational Costs, and Providing for a One-Time Payment to the Town In Lieu Thereof for 96<sup>th</sup> Street Park Renovations
- Resolution Directing the Manager to Pursue the Closure of 88<sup>th</sup> Street East of Collins Avenue to Vehicular Traffic for the Purpose of Providing a Memorial Park and Pedestrian Plaza Honoring the Victims of the Champlain Towers South Collapse
- Resolution Approving Budget Amendment No. 3 for Fiscal Year 2022 Budget
- Resolution Urging the Florida Legislature to Oppose Senate Bill 280, Which Would Allow Individuals and Entities to Delay Enactment of Local Ordinances by Filing Lawsuits that Allege an Ordinance is Arbitrary or Unreasonable
- Resolution Reaffirming Town's Commitment to Condemn Anti-Semitic, Hateful And Hurtful Messages And Behavior, Including Reaffirmation of the Provisions of Section 54-2 of Town's Code, "Consideration Of Anti-Semitism And Hate Crimes In Enforcing Laws" and Supporting an Amendment to Section 54-2 to Broaden the Definition of Anti-Semitism as Outlined Herein
- Ordinance Amending the Town Code of Ordinances by Amending Section 90-57.
   "Marine Structures", to Provide for Regulations for Construction of Docks, Piers and Moorings on Waterfront Lots;
- Ordinance Implementing "Accelerate, Don't' Wait", Approach for 30-year Recertification of Threshold Buildings
- Ordinance Amending Section 90-2. "Definitions", to Delete the Definition for "Gross Acre" and to Revise Definitions for "Height," "Lot Area," And "Lot Coverage"
- Ordinance Creating Article V "Construction Sites", Consisting of Section 14-104
   "Securing of Construction Sites, Safety, and Other Requirements", of Chapter 14
   "Buildings and Building Regulations"

- Ordinance Amending Section 54-2. "Consideration of Anti-Semitism and Hate Crimes In Enforcing Laws", to Strengthen and Amend the Definition and Examples of Anti-Semitism, Including Examples of Anti-Semitism Related to Israel
- Resolution Expressing Opposition to Proposed Florida Senate Bill 1024 and House Bill 741, "Net Metering," Revising Legislative Findings Relating to Redesign of Net Metering to Avoid Cross-Subsidization of Electric Service Costs Between Classes of Ratepayers
- Resolution Urging the Court to Consider Disbursing a Portion of Funds Already Collected to Living Former Residents of The Champlain Towers South and to Consider Disbursing New Funds to Victims as Collected
- Resolution Approving Budget Amendment No. 4 for the Fiscal Year 2022 Budget
- Resolution Authorizing Additional Expenditure of Funds to Special Counsel, Leech Tishman Fuscaldo & Lampl, for Legal Fees and Costs, in Connection with the Appeal of the Federal Aviation Administration's (FAA's) South Central Florida Metroplex Project
- Resolution Approving Purchase of Laserfiche Cloud Hosting Services from MCCI, LLC to Make Public Records Readily Accessible Through the Cloud
- Resolution Certifying and Declaring Results of the Surfside General and Special Municipal Elections Held On March 15, 2022 for Election of Mayor and Four (4) Town Commissioners and Five Referendum/Ballot Questions
- Resolution Selecting and Approving the Quote from CDW Government, LLLC for the Purchase of Thirty-Seven (37) Fully-Integrated Police Mobile Laptop Computers In an Amount Not to Exceed \$113,309.17
- Ordinance Amending Section 90-47. "Yards, Generally Allowable Projections", Specifically Sub-Section 90-47.1 to Restrict Projections for Certain Architectural Elements and to Prohibit Combining Allowed Encroachments
- Resolution Approving Purchase and Installation of Video Surveillance and Recording Camera System Equipment for Town Hall from Streamline Voice & Data Inc.
- Resolution Amending Resolution No. 2021-2827 to Revise the Fiscal Year 2022 Police Forfeiture Fund Expenditures
- Resolution Amending Resolution No. 2021-2827 to Revise the Fiscal Year 2022 Police Forfeiture Fund Expenditures
- Resolution Approving the Fifth Amendment to the Agreement with Limousines of South Florida, Inc. for Municipal Bus Services
- Resolution Adopting Proclamation Honoring the Importance of Trees for Surfside's Community Environment and Encouraging the Planting of Trees; Proclaiming April 29, 2022, in Surfside As "Arbor Day"
- Resolution Approving an Appeal of Application of Zoning In Progress to Rooftop Amenities; Approving a Site Plan Application to Permit the Development of Property Located at 9165 Collins Avenue, Surfside, Florida, for a Multifamily Residential Development Consisting of 14 Dwelling Units and 32 Parking Spaces Subject to Conditions
- Resolution Approving a First Amendment to Employment Agreement between Town of Surfside and Town Manager, Andrew Hyatt; First Amendment to Employment Agreement

- Resolution Approving a First Amendment to Professional Services Agreement with HPF Associates, Inc. for Project Management Support Services for Phase II of the Undergrounding of Utilities Project; First Amendment to Professional Services Agreement
- Resolution Approving Budget Amendment No. 5 for the Fiscal Year 2022 Budget
- Resolution Approving a Project Agreement with KCI Technologies, Inc. for Undergrounding of Utilities - Phase II Pursuant to the Continuing Services Agreement for Professional Engineering Services
- Resolution Abolishing the Downtown Vision Advisory Committee; Establishing a Downtown Visioning Taskforce; Adopting a Charter and Organizational Structure for the Taskforce
- Resolution Approving Amendment No. 5 to the Memorandum of Understanding Between the Town of Surfside, City of Miami Beach, North Bay Village, Town of Bay Harbor Islands, Bal Harbour Village, and Miami Beach Chamber Education Foundation, Inc. to Fund a Nurse Enhancement Initiative for School Year 2022/2023 for Ruth K. Broad Bay Harbor K-8 Center
- Resolution Abolishing the Town of Surfside Budget Advisory Committee
- Resolution Approving an Engagement Letter with Marcum LLLP for Financial Auditing Services for Fiscal Year Ending September 30, 2022
- Resolution Approving an Interlocal Agreement Between Miami-Dade County and Co-Permitees Named in the National Pollutant Discharge Elimination System Permit No.Fls000003 for Pollution Identification and Control Services in Municipal Separate Storm Sewer Systems (MS4S)
- Ordinance Amending the Town Code by Amending Section 90-2. "Definitions" to Amend the Definition of "Story" and to Create A Definition of "Nonhabitable Understory;" Creating a New Section 90-49.5. – "Nonhabitable Understory" to Regulate Nonhabitable Understories in Low-Rise Residential
- Contract for Construction Building Department/First Floor Interior Remodeling
- RFP Disaster Debris Removal and Agreement
- Contract with Badger Meter for Water Encoder Meters
- Agreement with AA Musicians LLC for Jazz Events
- Resolution and Contract of Construction for Town Hall first floor renovations
- Resolution and Title VI Program Plan for the Town Regarding Town's Transit Services Funding
- Resolution Adopting the Town's Fund Balance Policy
- Resolution Approving Binding Costs Estimates with Florida Power & Light Company and Underground Facilities Conversion Agreements for undergrounding electric facilities conversion
- Resolution and Agreement with GRM Information Management for document storage, handling, scanning and digitization services for the Building Department
- Resolution and Revised Surfside Social Media Policy
- Resolution Authorizing Award and Agreement for Engineering Services to Kimley-Horn & Associates for Engineering Services Related to the CDBG-MIT Town-wide Drainage Improvements and Flood Hazard Mitigation Plan
- Resolution Authorizing Award and Agreement for Disaster Debris Monitoring Services to Whitt O'Brien per RFP No. 2022-01

- Resolution and Second Amendment to Limited Revocable License Agreement with Wavey Acai Bowls LLC for Surfside's Farmer's Market
- Resolution Approving Budget Amendment No. 6 for FY 2022 Budget
- Ordinance Amending Section 54-78 of Town Code "Prohibited Noises" relating to Permitted Hours of Operation for Personal and Resident Landscaping Equipment
- Ordinance Amending Section 90-57 of the Town Code "Marine Structures" to Amend Regulations for Construction of Docks, Piers and Moorings on Waterfront Lots to Modify Allowable Dock Projections into Waterways
- Ordinance Amending Section 90-47 of the Town Code "Yards, Generally Allowable Projections" to Clarify Allowances for Projections into Required Setbacks
- Resolution Commemorating and Humoring Victims, Family and Friends, First Responders and Search and Rescue Teams to the Champlain Towers South Collapse, and Declaring June 24<sup>th</sup> "Surfside Champlain Towers South Remembrance Day"
- Resolution in Support of the Establishment of a New High School to Service Surfside and Neighboring Communities
- Resolution Approving a Memorandum of Understanding between Surfside, Bal Harbour, and Bay Harbor Islands, to Fund a School Resource Officer School Year 2022/2023 for Ruth K. Broad Bay Harbor K-8 Center
- Resolution and Agreement Awarded to DRC Emergency Services, LLC for Disaster Debris Removal Services Pursuant to RFP No. 2022-03
- Resolution Approving and Accepting a Matching Grant from the Florida Department of Environmental Protection for the Surfside Collins Avenue Water Main Replacement Design Phase Project
- Resolution and First Amendment to the Agreement with SFM Services, Inc. for Comprehensive Landscape Maintenance and Related Services
- Resolution Ratifying an Amendment to the Off-Street Variable Parking Rates and Time Limitation Schedule for Municipal Parking Lots
- Ordinance Amending Section 90-2 "Definitions" to Revise the Definition for "Lot Coverage" and Section 90-49 "Lot Standards" to Increase the Maximum Lot Coverage Allowed for Single-Story Homes that Do Not Exceed 22 Feet in Height to 50%
- Ordinance Amending Section 54-78(15) "Prohibited Noises," and Section 66-7
  "Disposal of Grass Cuttings and Hedge Trimmings" to Allow Operation of
  Landscaping Equipment and Other Noise-Producing Mechanical Devices During
  Permitted Hours
- Ordinance Amending Sections 90-90 and 90-95 of Article VIII, "Landscape Requirements" of Chapter 90 of the Town Code, to Increase Florida Friendly Landscaping in the Previous Areas of Single Family and Duplex Dwellings
- Ordinance Amending Section 90-67.3 Relating to the Location and Requirements for Ground-Level Mechanical Equipment and Creating Section 90-67.3 Relating to the Location and Requirements for Rooftop Mechanical Equipment, on Properties in the Single-Family H30A and H30B Zoning Districts
- Resolution Relating to Preliminary Solid Waste Assessments, Including Collection, Disposal and Recycling of Residential Solid Waste
- Resolution Approving and Adopting an Increase in Commercial Solid Waste Rates

- Resolution Authorizing Expenditure of Funds to K.C.E. Structural Engineers, P.C., for the Champlain Towers South Collapse Continued Engineering Analysis and Destructive Testing Investigation
- Resolution and Project Agreement with the Corradino Group for the Townwide Traffic Study
- Resolution Approving Budget Amendment No. 7 for FY 2022 Budget
- Resolution Approval and Project Agreement with Nova Consulting, Inc. for Collins Avenue Water Main Design Phase Project Contingent Fiscal Year 2023 Budget Approval
- Resolution Approval and Piggyback Agreement for Stand-By Disaster Cost Recover Services Competitively Awarded Pursuant to Miami-Dade County RFP No. 01488
- Resolution Approving Employee Health Benefits Contract Renewal for FY 2023
- Resolution Approving Budget Amendment No. 8 for FY 2022
- Beach Furniture Ordinance

## September 2022

- Resolution Adopting a Proposed Millage Rate of 4.2000 Mills for the Fiscal Year 2023, Greater than the Rolled Back Rate of 3.7102 Mills Computed Pursuant to State Law by 13.20%
- Resolution Adopting a Tentative Budget for the Fiscal Year Commencing October
   1, 2022 and Ending September 30, 2023
- Resolution Approving and Adopting Multi-Year Water and Sewer Rates and Service Charges Effective October 1, 2022 for Fiscal Years 2023 to 2026
- Resolution Supporting the Designation and Renaming of State Road A1A/Collins Avenue Between 87<sup>th</sup> Terrace and 88<sup>th</sup> Street as "98 Points Of Light Way" to Honor and In Remembrance of the Victims of the Champlain Towers South Building Collapse
- Resolution Approving an Agreement with SimpleView, LLC for Website Consulting, Development, and Hosting Services for the Redesign and Relaunch of the Town's "Visit Surfside" Visitor Website
- Resolution Supporting the Town's Florida Department of Environmental Protection (FDEP) Grant Application for the Dune Restoration Project; Confirming the Town's Ability to Fund and Support the Permitting, Design, Construction, and Monitoring of the Town's Dune Restoration Project
- Resolution Approving and Supporting the Submission of Grant Applications for Town's Priority Projects Between October 1, 2022, and September 30, 2023, Subject to and Pending Final Acceptance of Awarded Funds and Approval of Grant Agreements by the Town Commission
- Resolution Approving an Agreement With Beach Raker, LLC for Beach Cleaning and Maintenance Services in an Amount not to Exceed \$171,000 Annually Utilizing the Terms and Conditions of Village of Key Biscayne Contract No.2021-11-29
- Agreement with Beach Raker LLC for Beach Cleaning and Maintenance Services
- Resolution Approving Budget Amendment No. 9 for the Fiscal Year 2022 Budget

- Resolution Relating to Solid Waste Management Services, Including Collection, Disposal and Recycling of Residential Solid Waste; Reimposing Solid Waste Service Assessments Against Assessed Residential Property for The Fiscal Year Beginning October 1, 2022
- Ordinance Amending the Town Code of Ordinances by Amending Section 90-67

   "Emergency Power Generators" to Permit the Installation of Emergency Power Generators on the Rooftop of Residential Structures in the H30A and H30B Zoning Districts

## **Litigation:**

New or supplemental information is provided for the following cases:

Beach House Hotel, LLC vs. Town of Surfside, Case No. 2020-025405-CA-06 in the Circuit Court 11th Judicial Circuit, Miami-Dade County, Florida. On December 7, 2020, the Town was served with a Complaint for Declaratory Relief, Preliminary and Permanent Injunction in connection with the Town's Beach Furniture Ordinance. On December 23, 2020, the Town filed a Motion for Extension of Time to Respond to the Complaint for 30 days. An Executive Session pursuant to Section 286.011(8), F.S., was held with the Town Commission on January 22, 2021. The Town filed its Answer and Affirmative Defenses on February 4, 2021. On May 4, 2021, the Plaintiff filed its initial discovery requests, including "First Set of Interrogatories to Defendant" and "First Request for Production of Documents to Defendant", both due within 30 days of the filing. The Town responded to the Interrogatories and Request for Documents. The Town and the Plaintiff have engaged in written discovery, which is mostly complete. On May 16, 2022, the Town Commission held an executive session per FS 286.011(8) to discuss the pending litigation and possible settlement. The Town anticipates seeking summary judgment against the claims in the event that the matter cannot be settled. Following the executive session, the Town Commission has discussed potential changes to the beach furniture ordinance, which, if adopted, may resolve the dispute consistent with the Town's vision for beach furniture regulation.

Solimar Condominium Association, Inc. v. Town of Surfside, Case No. 2019-025481-CA-01 in the Circuit Court 11th Judicial Circuit, Miami-Dade County, Florida. On September 18, 2019, the Town was served with a Complaint for Declaratory Judgment, Injunctive Relief, and Restitution in connection with the Town's implementation of its 1998 stormwater fee ordinance. The plaintiff contends that the method of calculating stormwater fees is not fair to condominium unit owners, who are charged 1.0 equivalent residential units ("ERU"), the same as a single family home. The Town moved for dismissal of the Complaint on March 12, 2020, which was denied. The Town then moved for summary judgment on October 27, 2020, which remains pending. The summary judgment motion was delayed due to the COVID pandemic, court availability for a hearing, and the plaintiff's desire to conduct expert witness discovery. The Town engaged its own expert witness to rebut the opinions of the plaintiff's expert. Expert discovery is completed. Mediation of the dispute occurred on December 6, 2021 with Retired Judge Joseph Farina, but with no result. An Executive Session with the Town Commission occurred on January 6, 2022 as part of the mediation process, but no agreement was reached. No further attempts to resolve the matter have occurred. The parties have

stipulated to a set of undisputed facts to permit the action to resolve by summary judgment and agreed to a briefing schedule. On June 16, 2022, Solimar filed its cross motion for summary judgment and responded to the Town's summary judgment motion. On July 5, 2022, the Town responded to Solimar's motion for summary judgment and replied to Solimar's response to the Town's motion. Solimar replied to the Town's response on July 15, 2022, as provided in the Court's order. The summary judgment motions are now ready for hearing, pending the Court's setting of a hearing date. Currently, there is a trial order setting a trial calendar during a three-week period commencing October 3, 2022, if necessary. The summary judgment motions will be heard prior to that date.

<u>Village of Indian Creek, Florida, Town of Surfside, Florida and Charles Burkett, Petitioners, v. Federal Aviation Administration and Stephen M. Dickson, in his official capacity as Administrator, Federal Aviation Administration, Respondents.</u>

On December 14, 2020, Town, together with the Village of Indian Creek, filed a Petition for Review of Agency Order appealing the FAA's Finding of No Significant Impact and Record of Decision in connection with the proposed South-Central Florida Metroplex. The FAA announced that it implemented Phase 2 of the Metroplex project on August 12, 2021. On October 26, 2021, the Town's Special Counsel filed the consolidated Opening Brief. The Opening Brief which, among other matters, contends that aircraft noise jeopardizes public health and welfare and that the FAA is not accurately evaluating aircraft noise or its impact to persons on the ground; that the South-Central Florida Metroplex Project is in violation of the National Environmental Policy Act; and that as such the FAA is violating the constitutional rights of the citizens of the affected communities. On February 9, 2022, the FAA filed its response brief to the Town's consolidated Opening Brief. The FAA argues in its response that the FAA satisfied all the requirements of law in adopting the Metroplex, and other procedural/standing arguments against petitioners' claims. The Town's Reply Brief was filed on March 9, 2022. Oral arguments before the 11th Circuit Court occurred in Miami on June 6, 2022, at which hearing the Town's Special Counsel, Steve Taber, was present as well as our office. On September 2, 2022, the 11th Circuit Court issued an Order denying the consolidated petition for review filed by the Town and neighboring municipalities, finding that the FAA engaged in an exhaustive study of the South-Central Florida Metroplex Project's impact on the environment and noise levels in the affected area, and it found no significant impact. The 11<sup>th</sup> Circuit Court also found that the FAA provided ample opportunity for the various stakeholders to learn about and comment on the Metroplex project, and complied with all procedural requirements.

<u>Shannon Gallagher, Petitioner, vs. The Town Of Surfside and 9165 Surfside LLC, Respondents;</u>

County, Florida. A Petition for Certiorari was filed on May 20, 2022 by Shannon Gallagher alleging failure to comply with provisions of Surfside's Zoning Ordinance and Town Charter and asking certiorari review of a quasi-judicial order by the Town Commission approving plans submitted by the Applicant, Fort Point Capital, to construct a 14-unit building at 9165 Collins Avenue (Hillcrest). Gallagher moved to amend the Petition on June 10, 2022, refiled on June 15, 2022. On June 27, 2022, the Town filed its Response in Opposition to Gallagher's Motion for Leave to File and Amend Petition and Appendix. On August 26, 2022, the Court issued its order granting Petitioner Gallagher's Motion to

File an Amended Petition for Certiorari and Amended Appendix. Pursuant to the Court's Order, Petitioner shall have ten (10) days from the date of the Order or by September 6, 2022 to file a corrected amended petition and appendix, which shall not include items or arguments that are not included in the record below, and Respondents are directed to file an original of their responses to the amended petition for writ of certiorari with this Court within twenty (20) days of the date of filing of the amended petition and appendix and show cause why the amended petition should not be granted.

Information on other pending litigation matters has or will be provided individually to members of the Town Commission, as needed or requested.

### **Special Matters:**

 Continued monitoring of new case law and legislation from Federal, State and County, challenging local home rule authority and analysis legislation adopted in the last Florida Legislative Session. Matters which we will continue to work on and anticipate in the upcoming months include: continued efforts to inspect the CTS Site and Off-Site Facilities for investigations as to the cause of the collapse in connection with the CTS Building Collapse; public records requests and ethics complaints, inquiries and opinions; implementation of various policy directives from the Mayor and Town Commissioners; implementation and procurement of professional services and contracts for beach furniture at the Community Center, new tennis center, resident gym and rooftop pickle ball court, and tot lot upgrades; continued review and monitoring of all Development Orders and approvals; police matters and mutual aid and other agreements; implementation of agreements resulting from Abbott Avenue Drainage project, shuttle and transportation, and undergrounding of utilities plan design; various procurements and service or provider agreements for Town improvements, facilities and programs, implementation of undergrounding of utilities and engagement of consultants to implement the utilities undergrounding project; continued assistance with and finalizing negotiations with AFSCME Florida Council 79 Union for Town civilian employees; implementation of construction contract for 96th Street Park; implementation of procurement and construction phase for Abbott Avenue Drainage Improvements; contract for construction for the Town Hall first floor remodeling project; implementation of undergrounding of utilities project, including approval of FPL electrical conversion agreements; beach furniture legislation; review and implementation of new legislation (SB 4D) affecting Condominiums;

implementation of walkability initiatives and new traffic signage; dune restoration project and grant funding; and upcoming Charter review and process.



### Town of Surfside Special Town Commission Meeting September 28, 2022

### DISCUSSION ITEM MEMORANDUM

Agenda #: 2.D

Date: September 28, 2022

From: Lillian Arango, Town Attorney Subject: Charter Review Board

Suggested Action: - Charter Review Board Summary for September 13, 2022 Regular

**Commission Meeting** 

**Background/Analysis:** – Beginning in December 2022, the Town will start the Charter review process pursuant to Section 128, "Mandatory Charter Review," of the Town of Surfside ("Town") Charter. A copy of Section 128 of the Town Charter is attached hereto as Exhibit "A."

By way of background, the Town's Charter is the Town's founding document, and among other things, establishes and confers upon the Town its governmental powers and restrictions. In this way, the Town's Charter serves as its constitution.

Pursuant to Section 128 of the Town Charter, the Charter review process requires the Town Commission to establish and appoint members to a Charter Review Board (the "Board") every 10 years. The purpose of the Board is to review the Town Charter and, if the Board determines that revisions to the Town Charter are necessary, draft a written report to the Town Commission detailing its recommended Charter amendments.

Each Town Commissioner may appoint one (1) member to the Board, subject to ratification by a majority of the Town Commission. While the Town Charter does not establish specific qualification requirements for Board appointees, we recommend that Board appointees hold professional or educational experience necessary for Charter review, such as in the fields of law, political science, public policy or administration, or similar fields of expertise. Additionally, Board appointees must be able to dedicate significant time and effort to reviewing the Town Charter, attending Board meetings, and developing Charter amendment recommendations and a final report.

Once the Board is formally established, the Board must meet within forty-five (45) days after appointment by the Town Commission. We anticipate that the Charter review process will take approximately six (6) to eight (8) months, culminating in a special election to be held on proposed Charter amendments. Below is a proposed timeline and process for the Charter review:

- 1. On or before the December 13, 2022, Regular Town Commission Meeting Town Commission establishes and appoints members to the Board.
- 2. Week of January 16 to January 27, 2023 Board holds first meeting to (1) review the purpose and framework of the Charter review process, (2) nominate a Board Chair and Vice Chair, (3) receive orientation on Sunshine and Public Records Laws, and (4) schedule future Board meetings.
- 3. January 2023 through May 2023 the Board will meet on various occasions (recommend bi-monthly for a total of four (4) to six (6) meetings) to review each Article of the Town Charter (e.g. review of Articles I and II at the first Board meeting, Articles III and IV at the second Board meeting, etc.) and make recommendations on amendments.
- 4. May 2023 the Board will meet one final time to finalize and submit its Charter Review Report to the Town Commission, which report will contain all Charter amendment recommendations, if any.
- 5. June 2023 and July 2023 the Town Commission shall consider the recommendations and report of the Board and adopt a Resolution calling for a special election[1] referendum on the proposed Charter amendments accepted by the Town Commission.
- 6. November 2023 County Special Election to be held on any proposed Charter Amendments.
- [1] The exact date for a potential special election must be coordinated with the Miami-Dade County Supervisor of Elections.

### Exhibit "A"

### **TOWN OF SURFSIDE CHARTER**

\* \* \*

### **ARTICLE IX. - MISCELLANEOUS PROVISIONS**

\* \* \*

Section 128. - Mandatory charter review.

Within the first twelve (12) months after the adoption of this provision, the Town Commission shall commence Charter Review. Thereafter every 10th year commencing December 2022, the Commission shall appoint a Charter review board ("Charter Board") consisting of five persons. Each Commissioner shall be entitled to appoint one Charter Review Board member but that appointee shall be ratified by a majority of the Commission. The review Board shall commence its proceedings within forty-five (45) days after appointment by Commission and upon completion of their work and written recommendations to the Commission, the Town Commission shall consider said recommendations at the next regularly scheduled Commission meeting. This provision does not inhibit the Town Commission or the electorate at any time from initiating a charter amendment in accordance with Article VIII ("Initiative and Referendum") hereinabove.



### Town of Surfside Special Town Commission Meeting September 28, 2022

### DISCUSSION ITEM MEMORANDUM

Agenda #: 2.E

Date: September 28, 2022

From: Andrew Hyatt, Town Manager

**Subject: Beautification of Residential Area Street Signage** 

**Suggested Action:** – Town administration is seeking direction from the Town Commission on how to proceed with the decorative street signs throughout Town. In order to proceed with the decorative signs, the following actions need to occur:

- Obtain product approval from Miami Dade County
- Enter into an interlocal agreement with Miami Dade County
- Procure sign materials and contractor to perform scope of work

**Background/Analysis:** – In order to beautify the residential area, during the August 2022 General Town Commission meeting, the Town commission tasked Town administration to explore options for decorative street signage and provide information in regards to implementation cost and procedure.

Town administration contacted other local municipalities that have implemented decorative street signage and consulted with the Corradino Group, Town Traffic Consultant, to understand the approval process with Miami Dade County Transportation and Public Works (MDTPW). It was determined that the County will need to approve product installed and the product must be consistent with Municipal Uniform Traffic Control Devices (MUTCD) standards, Florida Department of Transportation (FDOT) Standard Specifications for Road and Bridge Construction and Miami Dade County Public Works Manual. Additionally, the maintenance of the specific signage will need to be absorbed by the Town and an agreement will need to be drafted between the County and the Town. Refer to Exhibit A - "Surfside Street Name Sign Technical Memorandum".

Currently the Town has a total of 284 traffic control signs throughout the Town which are primarily STOP signs. For purposes of this analysis, SPEED LIMIT, parking enforcement or other signages were not taken into consideration. Town administration composed an estimate of probable cost based on every intersection having the current STOP signs and poles upgraded, as well as having one STOP sign and pole with street cross names incorporated.

**Budget Impact:** – Two options that are consistent with previous County approvals have been explored and are being presented to the Town Commission. The first option, Standard Option,

is a typical rectangular signage with decorative pole and themed design. The second option, Bell Shape Option, is a bell shape signage with decorative pole and themed design. Both options can be found in Exhibit B - "Decorative Signs Visual Options". The STOP signs are consistent between both designs and therefore, do not change. Refer to bullets below for estimate of probable cost for each option:

- Option One with all Stop signs included Price Range \$340,000 \$386,780
- Option Two with all Stop signs included Price Range \$350,000 \$399,160

The estimates of probable costs includes delivery of material and contractor cost for installation and traffic engineer review for standard conformance.

ENGINEERS · PLANNERS · PROGRAM MANAGERS · ENVIRONMENTAL SCIENTISTS

date: August 30, 2022

to: Hector Gomez, P.E., Public Works Director, Town of Surfside

from: Eric Czerniejewski, P.E., ENV SP

subject: Decorative Street Name Signs and Poles- Town of Surfside

**MEMORANDUM** 

The Town of Surfside has requested clarification regarding the process for the design and permitting of decorative street name signs and poles in the Town of Surfside. I contacted Doraida Rodriguez, P.E., PTOE at Miami-Dade Department of Transportation and Public Works (DTPW) Traffic Engineering Division on 08/29/2022 to discuss the permitting process.

I was told that the Town of Surfside will need to submit a specification package with plans that define which intersections will have the proposed decorative signs and poles. In addition, the Town of Surfside will need to agree to enter an interlocal agreement with Miami-Dade DTPW to own and maintain the decorative signs and poles. The signs and poles will need to conform to the applicable requirements of the following design criteria publications:

- Manual on Uniform Traffic Control Devices for Streets and Highways, U.S. Department of Transportation Federal Highway Administration (ANSI D6.1e-1989), including latest revisions.
- 2. Florida Department of Transportation Standard Specifications for Road and Bridge Construction.
- Miami-Dade County Public Works Manual (available from the Public Works Department, Reproduction Services, 111 NW 1 Street, Suite 1604, Miami, FL 33128).
- 4. Standard Highway Signs, U.S. Department of Transportation, Federal Highway Administration.

Sample copies of the interlocal agreements between Miami-Dade County DTPW and the City of Doral, and Miami-Dade County DTPW and the Village of Palmetto Bay for similar requests are attached to this technical memorandum. In addition, the draft specification cut sheets for the decorative street name signs and poles have been attached to this memorandum.

### APPENDIX A:

### CONCEPTUAL STREET NAME SIGNAGE AND POLE SPECIFICATIONS



# TOWN OF SURFSIDE FL

Quote #19656



POST PROFILE

4" x 13'-0" POLE (x1)

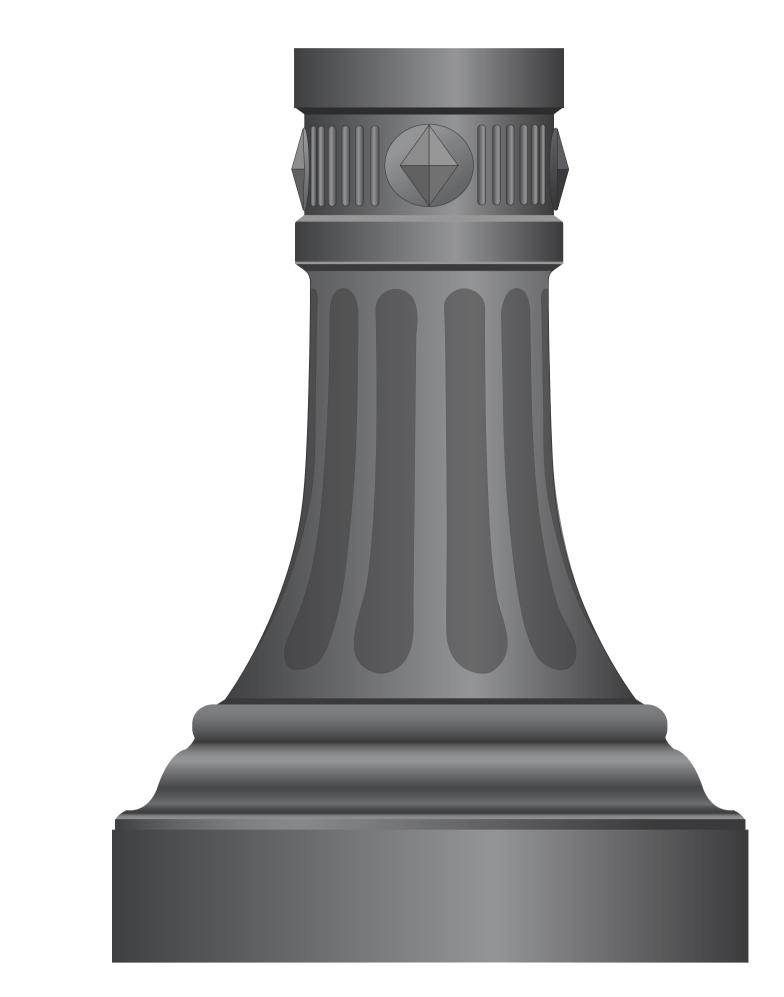
4" DIAMETER SMOOTH POLE WALL THICKNESS: .125
EXTRUDED ALUMINUM: ALLOY 6063



### FINIAL: FN-0204 (x1)

GLOBE FINIAL FOR 4" OD POLE
HEIGHT: 7.00"
WIDTH: 5.25"
CAST ALUMINUM: ALLOY 356

\* fastens with (3) 1/4-20 x 3/8" stainless steel set screws provided



### BASE: BS-04H (x1)

LEGEND BASE (1 pc.)

FITS 4" OD POLE

HEIGHT: 18.65"

WIDTH: 13.16"

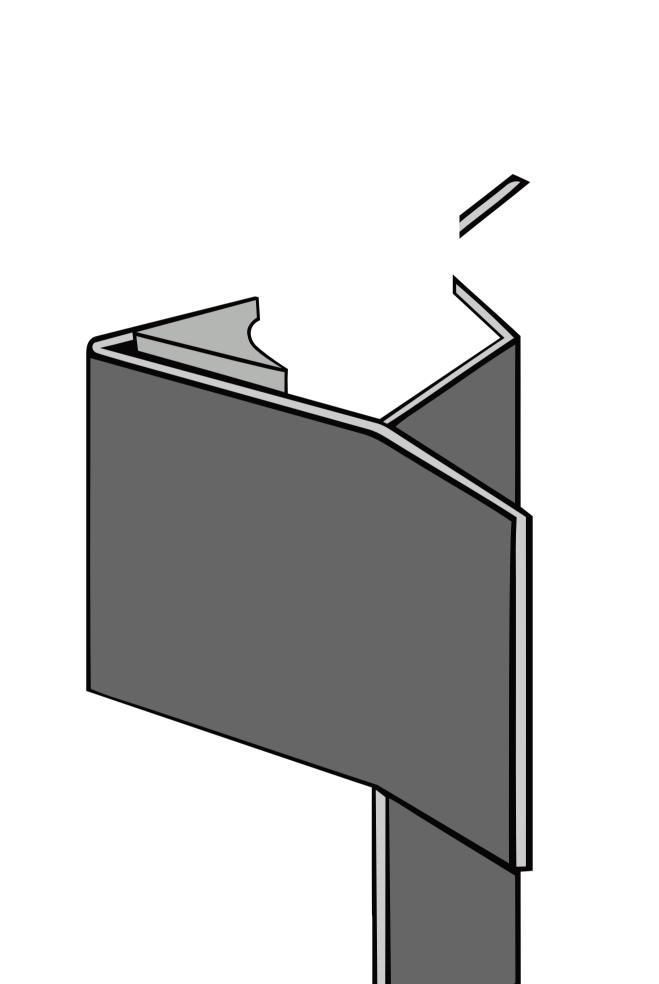
CAST ALUMINUM: ALLOY 356

\* fastens with (3) 1/4-20 x 3/8" stainless steel set screws provided

### SIGN TRIM: CT-9A-42 (x2)

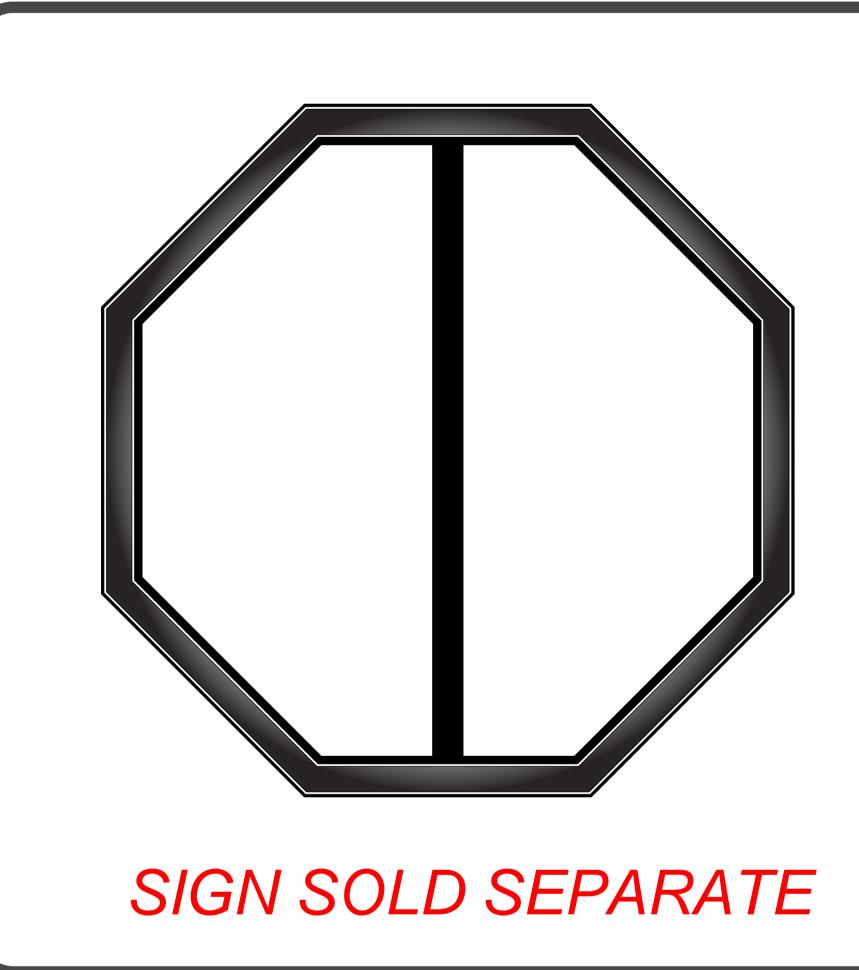
CLASSIC SIGN TRIM SIGN SIZE: 42" x 9" FITS SIGN THICKNESS: .080 EXTRUDED ALUMINUM FRAME: ALLOY 6063

CAST ALUMINUM BRACKET: ALLOY 356 SCROLL OPTION: NONE



# VLOC-034 (x1) BREAKAWAY ANCHORS

V-LOC,40-VR3
FOR NEW CONCRETE INSTALLATION
FITS 3" OD ROUND POST
TUBING BREAKAWAY COMPLIANT



### STOP FRAME (x1)

30" STOP SIGN: SF-SS03
STANDARD HOLE PUNCH
2" WIDE EXTRUDED
ALUMINUM ALLOY #6063




ASIS

AS CORRECTED

REVISE & RESIDENT

REVISE & RESUBMIT

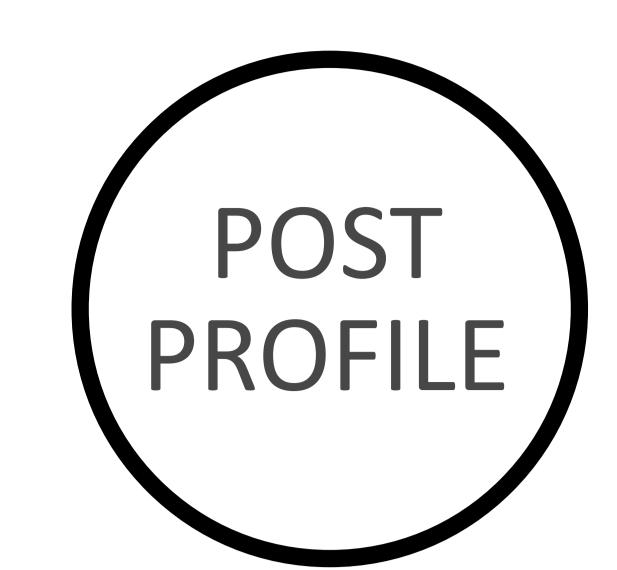




## TOWN OF SURFSIDE FL

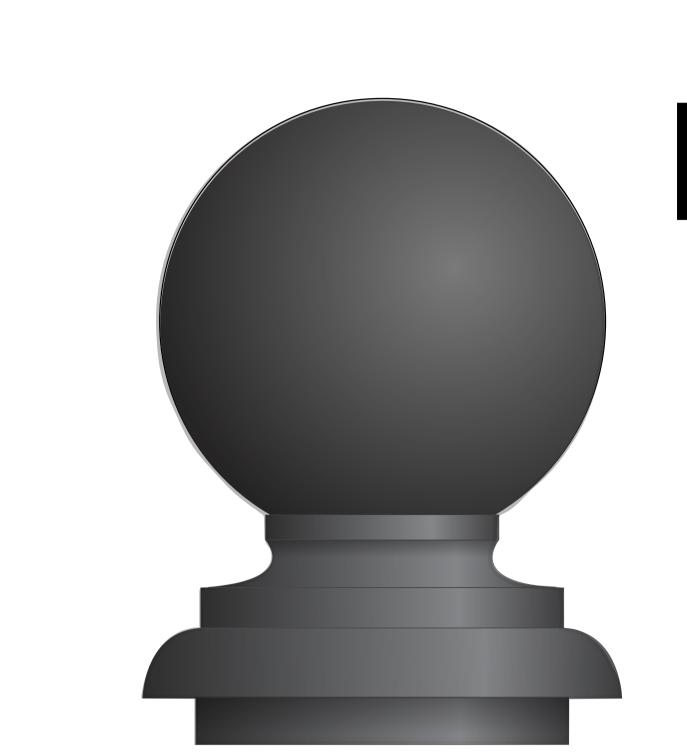
Quote #19657





4" x 13'-0" POLE (x1)

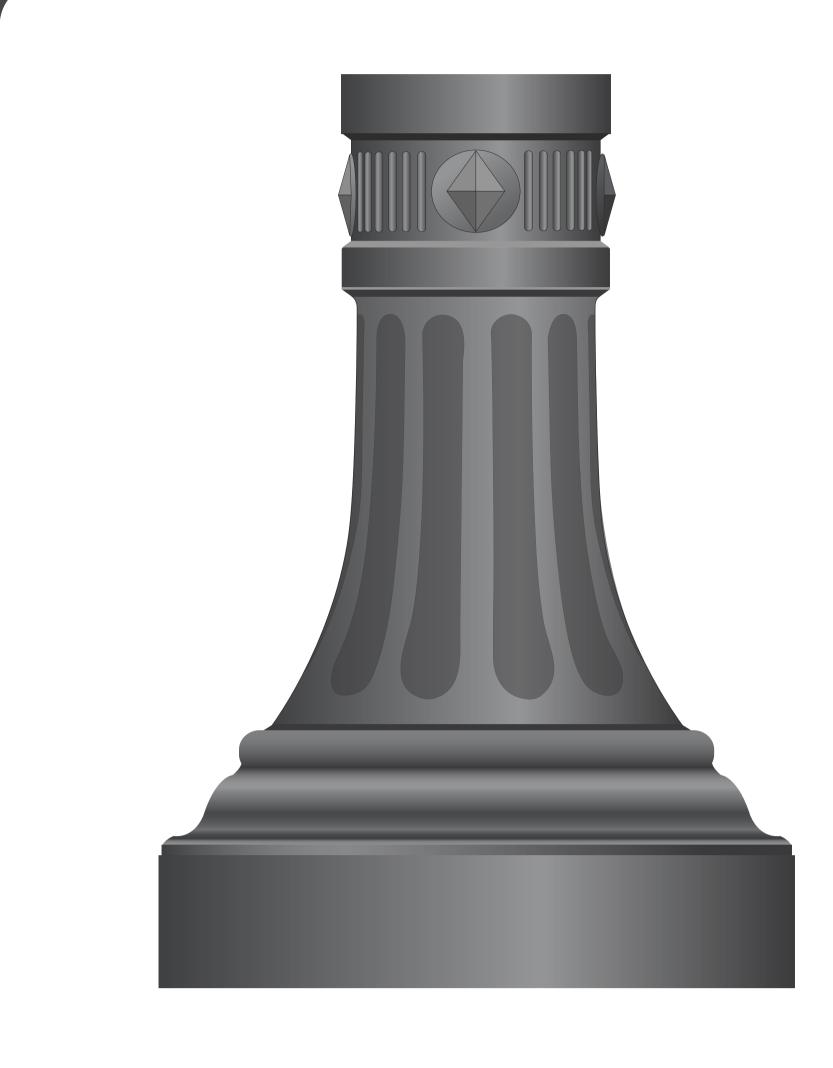
4" DIAMETER SMOOTH POLE
WALL THICKNESS: .125
EXTRUDED ALUMINUM: ALLOY 6063



### FINIAL: FN-0204 (x1)

GLOBE FINIAL FOR 4" OD POLE
HEIGHT: 7.00"
WIDTH: 5.25"
CAST ALUMINUM: ALLOY 356

\* fastens with (3) 1/4-20 x 3/8" stainless steel set screws provided

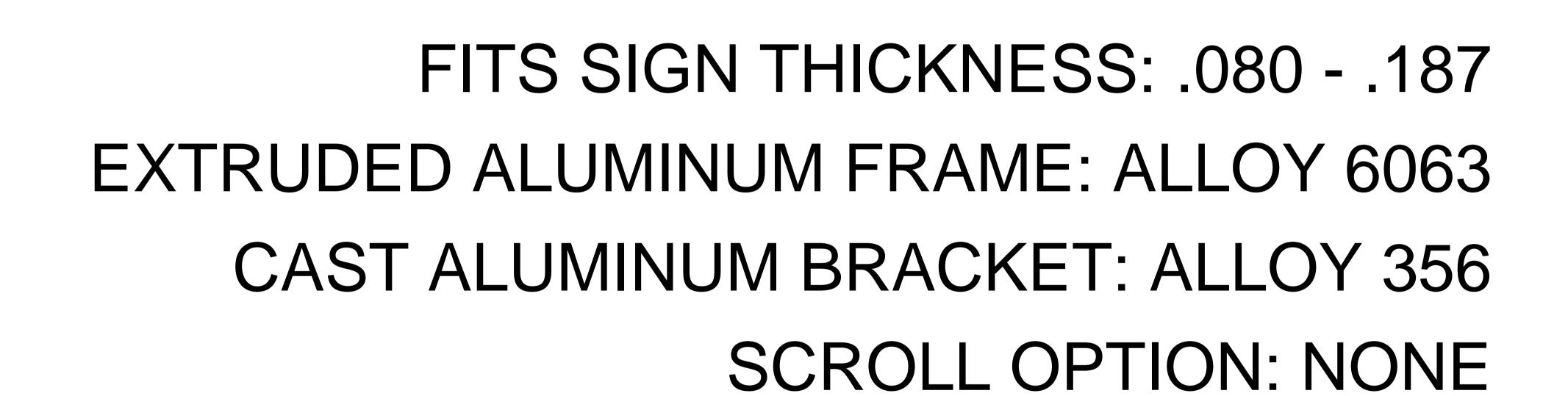


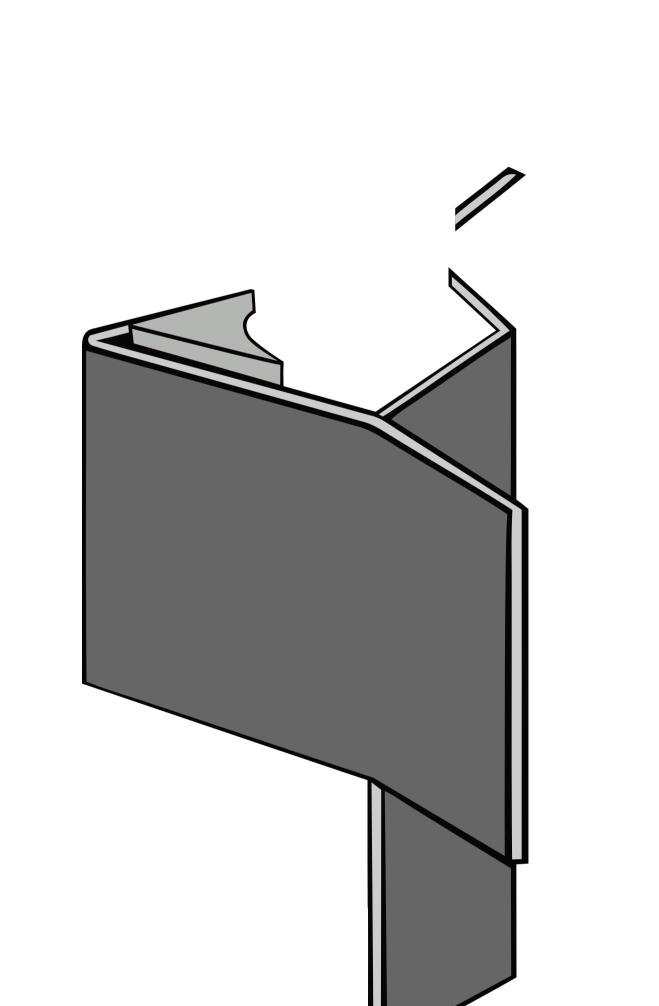
### BASE: BS-04H (x1)

LEGEND BASE (1 pc.)
FITS 4" OD POLE
HEIGHT: 18.65"
WIDTH: 13.16"
CAST ALUMINUM: ALLOY 356

\* fastens with (3) 1/4-20 x 3/8" stainless steel set screws provided

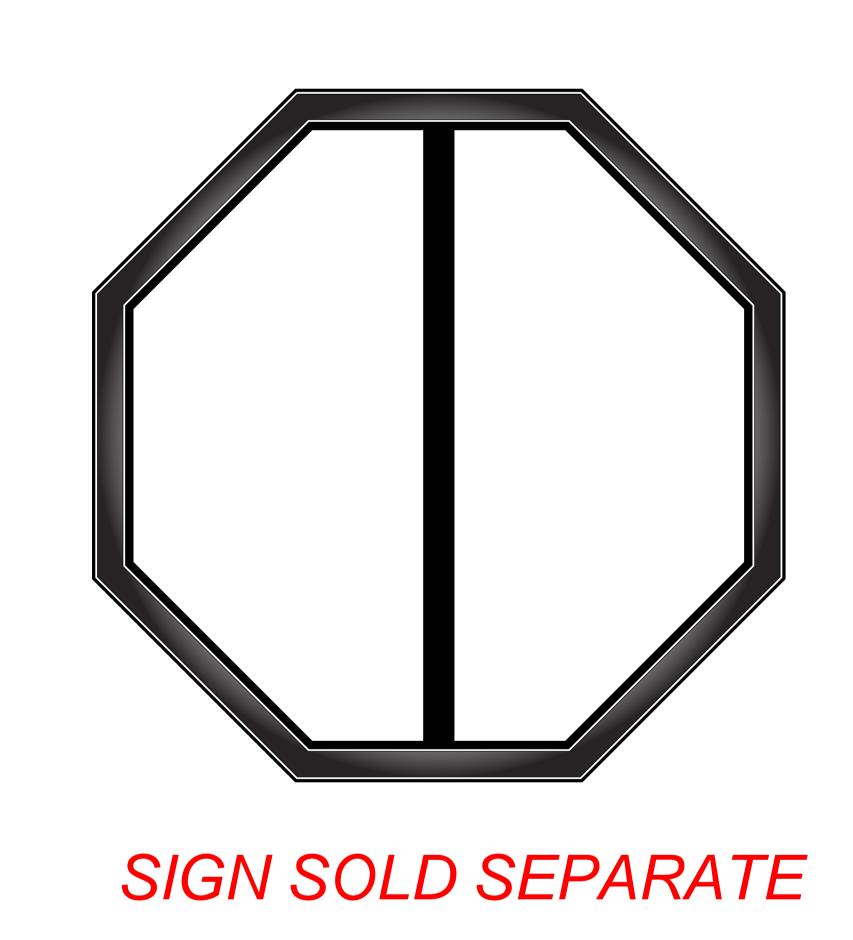
## COLLAR HANGER ARM: (x1) CHA-0-04-36





# VLOC-034 (x1) BREAKAWAY ANCHORS

V-LOC,40-VR3
FOR NEW CONCRETE INSTALLATION
FITS 3" OD ROUND POST
TUBING BREAKAWAY COMPLIANT



### STOP FRAME (x1)


30" STOP SIGN: SF-SS03
STANDARD HOLE PUNCH
2" WIDE EXTRUDED
ALUMINUM ALLOY #6063



ASIS

AS CORRECTED

REVISE & RESUBMIT



### **APPENDIX B:**

### SAMPLE INTERLOCAL AGREEMENTS BETWEEN MIAMI-DADE COUNTY AND MUNICIPALITIES

### INTERGOVERMENTAL AGENCY AGREEMENT TO PERFORM TRAFFIC ENGINEERING FUNCTIONS.

### WITNESSETH

WHEREAS, pursuant to Section 2-96.1 of the Miami-Dade County Code, all traffic control and traffic engineering services in Miami-Dade County are under the exclusive jurisdiction of the COUNTY; and

WHEREAS, the CITY desires to assume the installation and maintenance responsibilities of certain traffic engineering functions pertaining to it's Municipal and County right-of-way; and

WHEREAS, the **COUNTY** has determined that the **CITY** is both equipped and able to perform the traffic engineering functions as herein specified on its local and county streets; and

WHEREAS the CITY has, by proper resolution attached hereto and by reference made a part hereof, authorized its officer to enter into this AGREEMENT.

NOW THEREFORE, the CITY and the COUNTY agree as follows:

- 1. The recitals set forth above are incorporated herein by reference.
- 2. The **CITY** will only install and maintain the following designated types of traffic control devices within municipal and county streets within its boundaries:

STREET NAME SIGNS

Traffic calming devices may be installed on local municipal streets only after an appropriate traffic engineering study has been performed and sealed and signed plans have been submitted to the Public Works Department of the **COUNTY** for its review and approval.

- The CITY shall attach a decal to the back of the sign panels indicating ownership and date of installation.
- 4. The CITY assumes sole and complete responsibility for the maintenance of all such signs that are installed by the CITY within its boundaries.
- 5. The CITY assumes sole and complete liability for any accidents and/or injuries which may or are alleged to occur or arise out of the installation, operation or maintenance of said traffic control devices, and hereby indemnifies and saves harmless the COUNTY from any and all claims of negligence as a result of the installation, operation or maintenance of said signs. Neither the CITY nor the COUNTY in any way waives its rights and immunities under Section 768.28 of Florida Statues.
- 6. All traffic control signs installed by the CITY in accordance with this AGREEMENT shall conform to the applicable requirements established by the following publications:

Florida Department of Transportation Standard Specifications for Road and Bridge Construction.

Manual on Uniform Traffic Control Devices for Streets and Highways, U.S. Department of Transportation Federal Highway Administration (ANSI D6.le-1989), including latest revisions.

Standard Highway Signs, U.S. Department of Transportation, Federal Highway Administration.

Miami-Dade County Public Works Manual (available from the Public Works Department, Reproduction Services, 111 NW 1 Street, Suite 1604, Miami, FL 33128)

7. For installation of traffic control devices, the CITY shall hire a COUNTY licensed contractor or perform the work in-house by the CITY Public Works crew.

- 8. The CITY shall not remove the existing signs from the stop-top installation. Should the CITY install street name signs at the same locations where a stop-top street name exists, then the CITY shall utilize the other corners of the intersection and subsequently notify the Traffic Signals & Signs Division of the COUNTY Public Works Department to remove the street name signs from the stop-top.
- 9. The **CITY** shall be responsible for keeping records of any and all installations and repairs, and furnishing pertinent documents as and when said records may be requested.
- 10. Failure to carry out any of the duties and responsibilities assumed herein by the CITY may result in termination of this AGREEMENT, at the sole discretion of the COUNTY.

IN WITNESS WHEREOF, the CITY and the COUNTY have set their hands the day and year above written.

Attest: HARVEY RUVIN, CLERK Approved as to form and legal sufficiency: Assistant County Attorney City of Doral By: Sergio Purrinos, City Manager Attest: Barbara Herrera, City Clerk Approved as to form and legal sufficiency:

John Hearn, Esq., City Attorney

MIAMI-DADE COUNTY

### RESOLUTION No. 06 - 68

A RESOLUTION OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF DORAL, FLORIDA, AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND ENTER INTO AN INTERLOCAL AGREEMENT WITH THE MIAMI-DADE COUNTY PUBLIC WORKS DEPARTMENT FOR THE IMPLEMENTATION OF A CITY OF DORAL STREET NAME SIGN PROGRAM; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the City of Doral seeks to beautify street name signage throughout the City; and

WHEREAS; an interlocal agreement with the Miami-Dade County Public Works

Department would provide the City with the right and responsibility of installing and
maintaining street name signs within the limits of Doral; and

WHEREAS, Staff respectfully requests that Council authorize the City Manager to negotiate and enter into an Interlocal agreement with the Miami-Dade County Public Works Department for the City of Doral to implement its own Street Name Sign Program.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY
OF DORAL, FLORIDA, AS FOLLOWS:

Section 1. The City Council of the City of Doral, Florida hereby authorizes the City Manager to negotiate and enter into an Interlocal agreement with the Miami-Dade County Public Works Department for the implementation of a Street Name Sign Program.

Section 2. This Resolution shall take effect immediately upon adoption.

[This area left blank intentionally]

The foregoing resolution was offered by Vice Mayor Cabrera who moved its adoption. The motion was seconded by Councilman DiPietro and upon being put to a vote, the vote was as follows:

Mayor Juan Carlos Bermudez	Yes
Vice Mayor Pete Cabrera	Yes
Councilman Michael DiPietro	Yes
Councilwoman Sandra Ruiz	Yes
Councilman Robert Van Name	Yes

PASSED and ADOPTED this 8<sup>th</sup> day of November, 2006.

JUAN CARLOS BERMUDEZ, MAYOR

ATTEST:

APPROVED AS TO FORM AND

LEGAL SUFFICIENCY:

JOHN HEARN, ESQ., CITY ATTORNEY

### INTERLOCAL AGREEMENT FOR THE INSTALLATION AND MAINTENANCE OF SIGNS

THIS AGREEMENT entered into this May of Leve, 2005, between MIAMI-DADE COUNTY, a political subdivision of the State of Florida (the "County"), and the VILLAGE OF PALMETTO BAY, a municipal corporation of the State of Florida (the "Village").

WHEREAS, the Village desires to assume the installation and maintenance responsibilities of street name, parking restrictions, warning and speed limit signs.

NOW THEREFORE, in consideration of the premises and mutual covenants contained herein, it is hereby agreed between the Village and the County as follows:

- 1. The recitals set forth above are incorporated herein by reference. The Village will only install and maintain ground mounted street name signs on those streets within its jurisdictional boundaries.
- 2. The Village assumes sole and complete responsibility for the maintenance of all such signs that are installed by the Village, within its boundaries.
- 3. The Village pursuant to the limitations in Section 768.28, Florida Statues, assumes sole and complete liability for any accidents and/or injuries which may or are alleged to occur or arise out of the installation, operation or maintenance of said signs, and hereby indemnifies and holds harmless the County from any and all claims of negligence as a result of the installation, operation or maintenance of said signs.
  - 4. All signs installed by the Village shall conform to the applicable

requirements established by the following publications:

Florida Department of Transportation Standard Specifications for Road and Bridge Construction.

Manual on Uniform Traffic Control Devices for Streets and Highways, U.S. Department of Transportation Federal Highway Administration (ANSI D6.le-1989), including latest revisions.

Standard Highway Signs, U.S. Department of Transportation, Federal Highway Administration.

Miami-Dade County Public Works Manual (available from the Public Works Department, Reproduction Services, 111 NW 1 Street, Suite 1604, Miami, FL 33128)

- 5. The Village shall hire a Miami-Dade County licensed contractor or the installation must be done in-house, by the Village's Public Works crews.
- 6. The Village shall not remove the existing signs from the stop-top installation. Should the Village install street name signs at the same location where a stop-top street name sign exists, then the Village shall install their signs on the opposite corner(s) of the intersection. The Village, subsequent to this alternate installation, may remove the County's stop-top street name signs by an approved sign contractor. All signs and hardware removed shall be returned to the County.
- 7. The Village shall be responsible for keeping records of any and all installations and repairs, and shall furnish pertinent documents when said records may be requested.
- 8. The Village shall attach a decal to the back of the sign panels indicating ownership and date of installation.

IN WITNESS WHEREOF, the Village and the County set their hands and affix their

respective seals, the day and year above written.

**MIAMI-DADE COUNTY** 

M. Burgess

County Manager

Attest:

HARVEY RUVIN, CLERK

By-Deputy Clerk

Approved as to form and legal sufficiency:

Assistant County Attorney

Attest:

Meighan Pier Village Clerk

Approved as to form and legal sufficiency:

illage Attorney

VILLAGE OF PALMETTO BAY

By: Agels Charles Scurr

Village Manager

### **RESOLUTION NO.** 05-49

A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO VILLAGE SIGNAGE; AUTHORIZING THE VILLAGE MANAGER TO EXECUTE AN AGREEMENT WITH MIAMI-DADE COUNTY ACCEPTING RESPONSIBILITY FOR THE INSTALLATION AND MAINTENANCE OF STREET NAME ON JURISDICTIONAL STREETS MAINTAINED BY THE VILLAGE, WITHIN ITS VILLAGE BOUNDARIES; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Village is desirous of assuming responsibility for the installation and maintenance of street name signs on those streets maintained by the Village within its boundaries; and

WHEREAS, the Village will assume sole and complete responsibility for the maintenance of all such signs installed by Village Public Works staff or a Village licensed contractor within the boundaries of the Village of Palmetto; and

WHEREAS, the Village, pursuant to Section 768.28, Florida Statues, assumes sole and complete liability for any accident or injury which may occur during the installation and maintenance of said traffic control devices; and

WHEREAS, the County and the Village have determined that it is in the best interest of the parties that responsibility for recordkeeping of all installation and repairs be transferred to the Village; and

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, AS FOLLOWS:

Section 1: Miami-Dade County shall transfer sole and complete responsibility for the installation and maintenance of street name signs on jurisdictional streets maintained by the Village to the Village of Palmetto Bay after the execution of the agreement.

Section 2: Village Manager is authorized to execute an agreement with Miami-Dade County for the Installation and Maintenance of Signs.

Section 3: This Resolution shall take effect immediately upon approval.

PASSED and ADOPTED this 11 day of July, 2005.

ATTEST: Meighan Pier

City Clerk

APPROVED:

Eagen P. Flinn

Mayor

READ AND APPROVED AS TO FORM:

Eve Boutsis Village Attorney

FINAL VOTE AT ADOPTION:

Council Member Ed Feller

YES

Council Member Paul Neidhart

YES

Council Member John Breder

Vice-Mayor Linda Robinson

Mayor Eugene P. Flinn

YES

K:\Users\cpatterson\resolution\July Agenda\resolutionsignageagreement.doc

STATE OF FLORIDA COUNTY OF MIAMI-DADE

I, Meighan J. Pier, Village Clerk of the Village of Palmetto Bay, Florida, hereby certify that the attached is a true and correct copy of Resolution 05-49, as shown in the records of the Village on file in the office of the Village Clerk.

Witness my hand and corporate seal of the Village of Palmetto Bay, FL, this 25<sup>th</sup> day of July 2005.

Meighan J. Pier, CMC Village Clerk

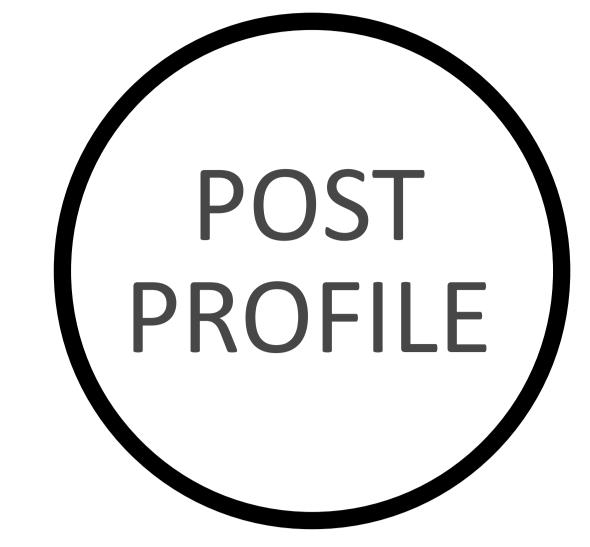


TOWN OF SURFSIDE FL

Quote #19656

1-800-705-1446

www.signaturestreetscapes.com



### 4" x 13'-0" POLE (x1)

4" DIAMETER SMOOTH POLE WALL THICKNESS: .125 EXTRUDED ALUMINUM: ALLOY 6063

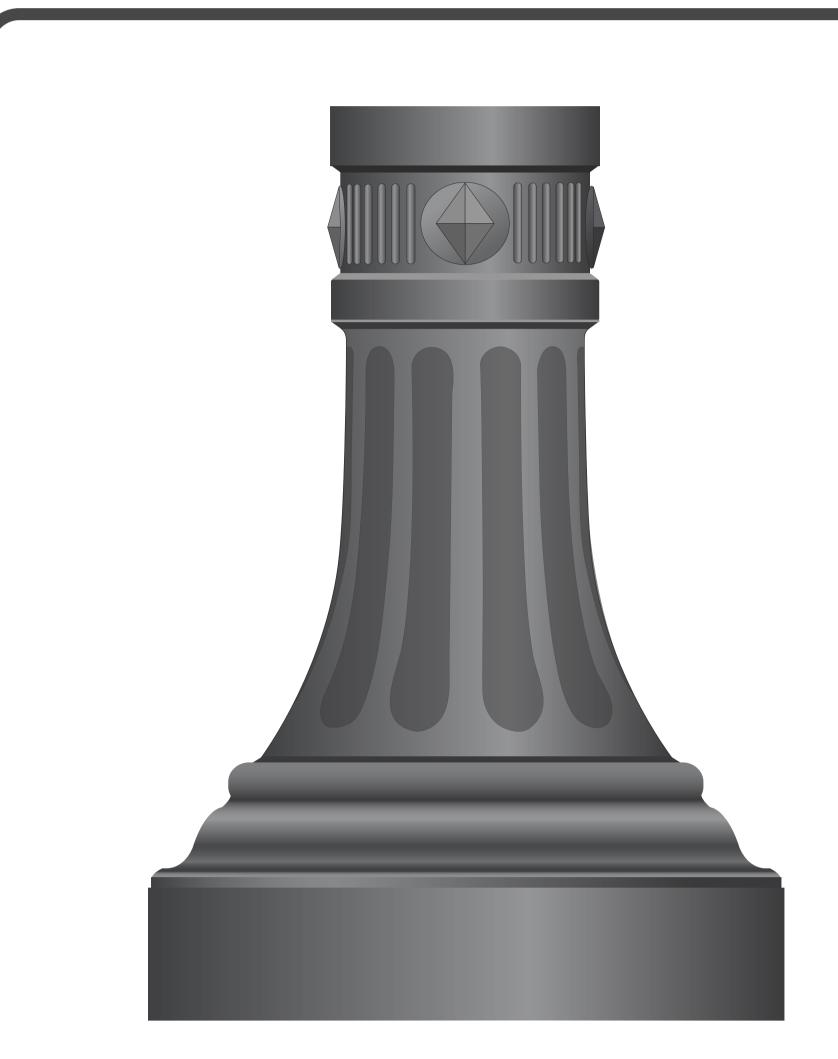


### FINIAL: FN-0204 (x1)

GLOBE FINIAL FOR 4" OD POLE HEIGHT: 7.00" WIDTH: 5.25"

CAST ALUMINUM: ALLOY 356

\* fastens with (3) 1/4-20 x 3/8" stainless steel set screws provided



### BASE: BS-04H (x1)

LEGEND BASE (1 pc.) FITS 4" OD POLE HEIGHT: 18.65" WIDTH: 13.16" CAST ALUMINUM: ALLOY 356

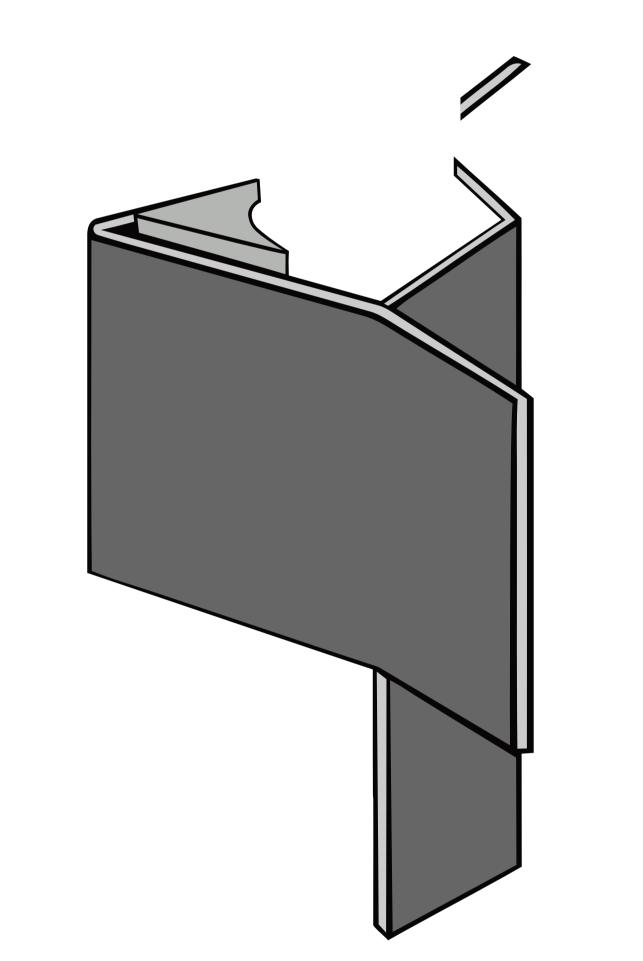
\* fastens with (3) 1/4-20 x 3/8" stainless steel set screws provided

### SIGN TRIM: CT-9A-42 (x2)

CLASSIC SIGN TRIM SIGN SIZE: 42" x 9" FITS SIGN THICKNESS: .080

EXTRUDED ALUMINUM FRAME: ALLOY 6063 CAST ALUMINUM BRACKET: ALLOY 356 SCROLL OPTION: NONE





V-LOC,40-VR3 FOR NEW CONCRETE INSTALLATION FITS 3" OD ROUND POST TUBING BREAKAWAY COMPLIANT



### STOP FRAME (x1)


30" STOP SIGN: SF-SS03 STANDARD HOLE PUNCH 2" WIDE EXTRUDED ALUMINUM ALLOY #6063



AS IS

AS CORRECTED

REVISE & RESUBMIT

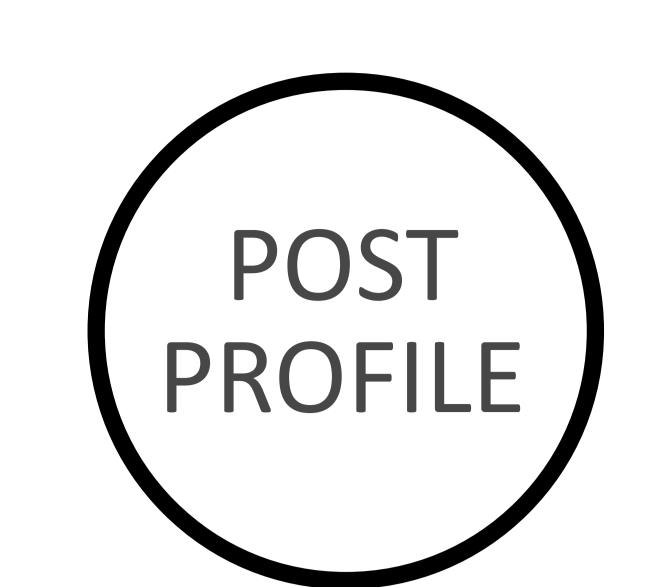




## TOWN OF SURFSIDE FL

Quote #19657





### 4" x 13'-0" POLE (x1)

4" DIAMETER SMOOTH POLE
WALL THICKNESS: .125
EXTRUDED ALUMINUM: ALLOY 6063



### FINIAL: FN-0204 (x1)

GLOBE FINIAL FOR 4" OD POLE
HEIGHT: 7.00"
WIDTH: 5.25"

CAST ALUMINUM: ALLOY 356

\* fastens with (3) 1/4-20 x 3/8" stainless steel set screws provided



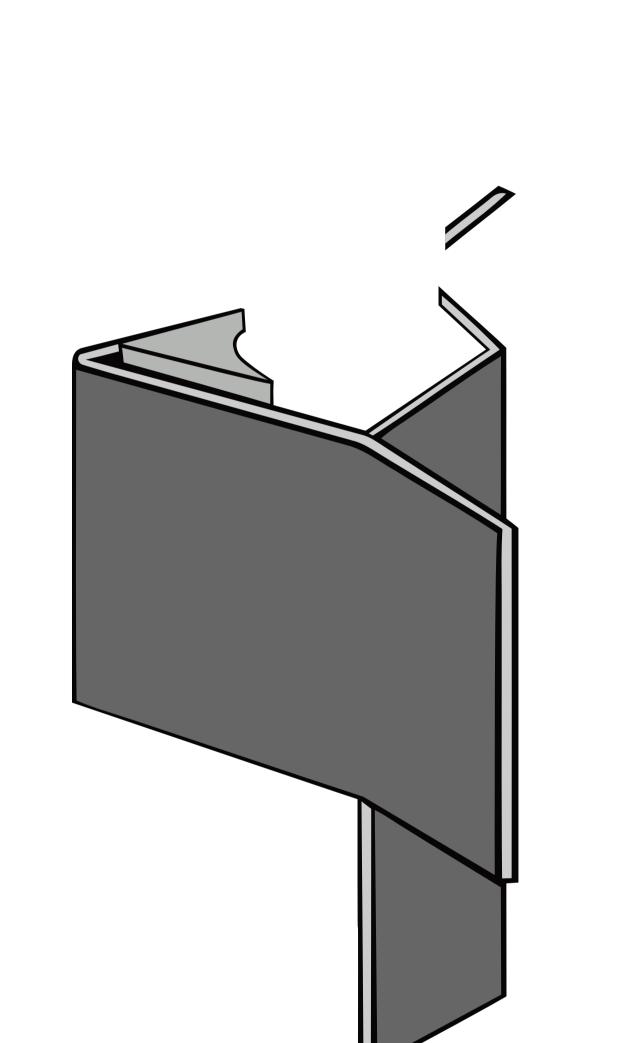
### BASE: BS-04H (x1)

LEGEND BASE (1 pc.)
FITS 4" OD POLE
HEIGHT: 18.65"
WIDTH: 13.16"
CAST ALUMINUM: ALLOY 356

\* fastens with (3) 1/4-20 x 3/8" stainless steel set screws provided

### COLLAR HANGER ARM: (x1) CHA-0-04-36

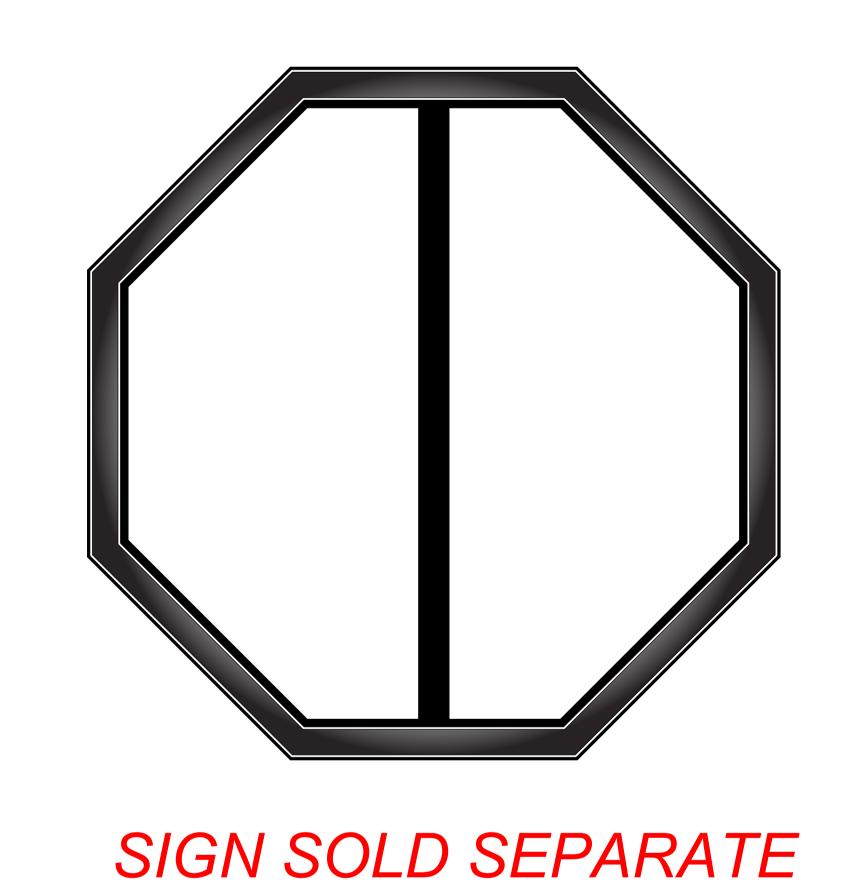
FITS SIGN THICKNESS: .080 - .187
EXTRUDED ALUMINUM FRAME: ALLOY 6063
CAST ALUMINUM BRACKET: ALLOY 356
SCROLL OPTION: NONE



# VLOC-034 (x1) BREAKAWAY ANCHORS

V-LOC,40-VR3
FOR NEW CONCRETE INSTALLATION
FITS 3" OD ROUND POST

TUBING BREAKAWAY COMPLIANT



### STOP FRAME (x1)

30" STOP SIGN: SF-SS03
STANDARD HOLE PUNCH
2" WIDE EXTRUDED
ALUMINUM ALLOY #6063




ASIS

AS CORRECTED

REVISE & RESUBMI

REVISE & RESUBMIT





### Town of Surfside Special Town Commission Meeting September 28, 2022

### DISCUSSION ITEM MEMORANDUM

Agenda #: 2.F

Date: September 28, 2022

From: Andrew Hyatt, Town Manager

Subject: Update on Improving Walkability and Pedestrian Safety within Residential Area

**Background/Analysis:** – In order to improve walkability and pedestrian safety within the Town, and based on Town Commission direction to report back with an implementation time frame and associated costs, the following status update is being provided:

- Town-wide Traffic Study
  - Town held the Traffic Study kick-off meeting on August 26 2022 with the Corradino Group to discuss project objective, activities and time table. A project schedule will be provided and distributed. Key dates upcoming are:
    - Video and tube data collection during September 2022
    - Community Outreach meeting during December 2022 (date pending)
- One Way Trial Implementation Strategies Update
  - Refer to Exhibit A "One Way Pilot Technical Memorandum" that outlines the procedure for the implementation of one-way trial within the residential neighborhood.
  - Town administration was tasked to provide an estimate of probable cost for the implementation of a one-way trial. This estimate can be found in **Exhibit B** - "Estimate of Probable Cost for One-Way Trial Implementation". The estimate presents three cost alternatives based on simple implementation, moderate implementation and complete implementation.
  - Based on engineering recommendation, data from Traffic Study can be used to warrant a one way trial or other traffic modifications.
- 91 Street Boulevard Beautification
  - Through various funding sources, including State Appropriations, the Town of Surfside has or has allocated an approximate total of \$1,050,000 towards the beautification of 91 ST, also known as, Surfside Boulevard between Abbott Avenue and Bay Drive. As a result, the Town is seeking to retain engineering services for the design and permitting of the project so that construction start occurs at the conclusion of the Abbott Avenue Drainage Improvements project.

ENGINEERS · PLANNERS · PROGRAM MANAGERS · ENVIRONMENTAL SCIENTISTS

date:

September 2, 2022

to:

Hector Gomez, P.E., Public Works Director, Town of Surfside

from:

Eric Czerniejewski, P.E., ENV SP

subject:

One Way Street Pilot Program- Town of Surfside

**MEMORANDUM** 

The Town of Surfside has requested clarification regarding the process for the evaluation of a one-way street pilot program. I contacted Doraida Rodriguez, P.E., PTOE at Miami-Dade Department of Transportation and Public Works (DTPW) Traffic Engineering Division on 08/29/2022 to discuss the process. I was told Miami-Dade County DTPW has in the past approved temporary pilot programs to evaluate one-way streets on a temporary basis. These pilot projects included the Washington Avenue corridor and the Miami Beach Flamingo Park Neighborhood during the pandemic in 2020. The Washington Avenue corridor pilot project created additional space for restaurants along Washington Avenue to create expanded dining space. The Flamingo Park Neighborhood used the Slow Streets concepts from the National Association of City Transportation Officials (NACTO)

The process would need to follow the Miami-Dade County Department of Transportation and Public Works (DTPW) Traffic Engineering Division criteria within the "Traffic Flow Modifications/Street Closure Procedure" dated January 2009 or as amended.

Miami-Dade County has exclusive jurisdiction over traffic control within a municipality. As such, the municipal jurisdictions are required to submit a traffic study to PWD for their review and approval. The study must support the proposed traffic flow modification(s)/street closure(s) and show that County and State roadways would not be adversely impacted as a result of such traffic flow modification(s)/street closure(s).

The following steps need to be followed per this document.

.

- 1. Submit letter request or application to Miami-Dade County DTPW identifying the traffic concern (traffic intrusion, excessive traffic volume, speeding, traffic accidents, etc.).
  - a. Identify the type of traffic control measure that is being requested (one-way street pilot program).
  - b. Identify on whose behalf the application is being made (i.e. HOA, Individual or the Town)
- 2. A traffic study methodology is required to be submitted to Miami-Dade County DTPW for review and approval. The Town will need to coordinate with applicable public agencies that with agencies potentially affected by the proposed traffic flow modification(s)/street closure(s) to obtain concurrence/approval. All comments brought forth by these agencies should be resolved.
- A traffic study will need to be prepared per the approved traffic study methodology. The traffic study will be submitted for review and approval by Miami-Dade County DTPW.
- 4. Concurrence by affected residents and/or property owners is required. A one-way pilot program will require concurrence of two thirds (2/3) of the affected residents and/or property owners, who elected to vote (ballots received). Non-voters are not counted (ballots not returned). In lieu of concurrence from the affected residents and/or property owners, the Town may pass a resolution after a public hearing requesting Miami-Dade County DTPW to consider the proposed traffic flow modification(s)/street closure(s).

Miami-Dade County has the sole discretion, subject to all applicable laws, to approve, modify, remove, continue or deny any traffic flow modification(s)/street closure(s) request regardless of any support or lack thereof via the petition process. The approval or denial issued by the Director of PWD for a traffic flow modification(s)/street closure(s) is final.

The results of the traffic study must meet the first criteria and at least one of the remaining criteria in for the Miami-Dade County DTPW to consider traffic calming measures as outlined in the Table of Appendix 1 as included as part of the Miami-Dade County Department of Transportation and Public Works (DTPW) Traffic Engineering Division criteria within the "Traffic Flow Modifications/Street Closure Procedure" dated January 2009 or as amended.

### **APPENDIX 1**

### Public Works Department – Traffic Engineering Division Policy on Traffic Calming Measures

Must meet the first criteria and at least one of the remaining criteria in order for the Public Works Department to consider traffic calming measures:

Criterion	Residential Local Streets	Residential Collector Streets	
Minimum Traffic Volume	>1,500 VPD <3000***	>3,000 VPD <8,000***	
	>150 VPH <300***	>300 VPH <800	
85th Percentile Speed+	ntile Speed+ 10 MPH> Speed Limit 10 MPH> Speed Limit		
Correctable Accidents per year	>3 per year	>6 per year	
Cut Through Traffic during the a.m. or p.m. peak hour	>25%	>50%	
Pedestrian Crossing Volume during the a.m. or p.m. peak hour	>25 >50		
Concurrence from affected residents/property owners.*	2/3 of returned ballots**	2/3 of returned ballots **	

VPD = Vehicles per day;

VPH = Vehicles per hour

- + It is the speed at which 85% of motorists travel.
- \* Affected residents/property owners to be determined on a case by case basis.
- \*\* For traffic circle 100% concurrence from adjacent affected residents and or property owners is required.

Municipal Jurisdictions: In lieu of concurrence a resolution is acceptable from municipalities.

\*\*\* The traffic volume within a municipal boundary could be reduced by a total of 30%, and speed by 50% at the request of and for those municipalities, which provide funding for their traffic calming program.

T:\Citizen Support\Traffic Flow Moadification - Street Closure.doc





### **Town of Surfside**

### Public Works Department Exhibit B - Estimate of Probable Cost for One Way Trial Implementation

Item Number	Activity	Simple Implementation	Moderate Implementation	Complex Implementation
1	General Conditions	\$55,000.00	\$75,000.00	\$100,000.00
2	Removal of Existing Conditions	\$35,000.00	\$35,000.00	\$35,000.00
3	Striping and Reflective Pavement Markers (RPM's)	\$27,360.00	\$27,360.00	\$27,360.00
4	Signage	\$55,760.00	\$55,760.00	\$55,760.00
5	Dilineators		\$43,200.00	\$43,200.00
6	Entry Islands		\$150,000.00	\$150,000.00
7	Landscape along passive area			\$82,000.00
	Total Cost	\$173,120.00	\$386,320.00	\$493,320.00



### Town of Surfside Special Town Commission Meeting September 28, 2022

### DISCUSSION ITEM MEMORANDUM

Agenda #: 2.G

Date: September 28, 2022

From: Shlomo Danzinger, Mayor

Subject: Hedges in the Right of Way (H30A/H30B)

**Suggested Action:** – For the commission to determine if a revision to the town code is required regarding bushes in the right-of-way for the H30A & H30B zones.

**Background/Analysis:** – The Towns Code of Ordinances forbids hedges to be planted in the town's right of way. As of today, there are many, many homes/properties in Surfside which have hedges in the right of way.

Historically, the town has never enforced the ordinance, since it would be a situation too complex to address since so many residents would be in violation. However, more recently, homeowners who have recently planted hedges in the right of way have been given violations and penalties.

This does not seem fair given the precedence. Additionally, the Town of Surfside has budgeted millions of dollars for the FPL under-grounding project to cover the cost of REPLACING residents' hedges that may have to be removed for the project. This is not consistent with the Town's laws in regards to any other aspect of a home that is out of code (which may have been grandfathered in). For example; if a resident were to have a fence that was out of code but grandfathered in, and the fence was to be damaged or destroyed, the homeowner would NOT be allowed to replace the fence with a fence that did not meet the current code. However, in the case of hedges that are out of code, the residents are set to spend MILLIONS of dollars to replace hedges that do not meet code. This means that the same resident who is being fined and punished for planting his hedges in the right-of-way, will be paying over the next 30 years to replace his neighbor's hedges - which are also out of code.

My suggestion is for the commission to discuss and propose a solution that would be fair and balanced to all the residents.



### Town of Surfside Special Town Commission Meeting September 28, 2022

### **DISCUSSION ITEM MEMORANDUM**

Agenda #: 2.H

Date: September 28, 2022

From: Commissioner Marianne Meischeid

**Subject: Pelican Harbor Seabird Station Donation Request** 

**Suggested Action:** – Continue the Town of Surfside's legacy in donating \$1,000 to their cause of rehabilitating and releasing seabirds, pelican and other wildlife.

**Background/Analysis:** – The Town of Surfside in the past few years has donated to the Pelican Harbor Seabird Station located in Miami-Dade County. They have dedicated their services since 1980 to revolutionize the rehabilitation and care of Brown Pelicans and assist sick and/or injured birds. Pelican Harbor Seabird Station is Miami's native wildlife hospital and according to their website have treated over 39,500 native wildlife patients, including over 9,000 pelicans.

**Budget Impact:** – The budget impact will be \$1,000.



### Application by Not-For-Profit/Charitable Organization for Financial or In-Kind Assistance from The Town of Surfside

Legal Name of Applicant: Pelican Harbor Seabird Station Inc.

Year Established in Florida: 1980

Business Address: 1279 NE 79th St. Causeway, Miami FL 33138

**Business Phone Number: 305-762-7633** 

Contact Name and Phone Number: Judith Gatti – 305-324-3694

Contact email address: development@pelicanharbor.org

**Business Website URL: www.pelicanharbor.org** 

Describe the services you will provide to the Town of Surfside Residents or Businesses with the assistance you will receive from the Town:

Pelican Harbor is dedicated to the rescue, rehabilitation, and release of Florida's native wildlife. We assist the residents and visitors of Surfside when they encounter an injured or displaced wild animal and provide veterinary care as a free service to the community. We also engage with the community via events, educational presentations and bird releases.

### What assistance do you need from the Town:

We are requesting a \$1,000 contribution to cover services rendered for the town of Surfside. Last year, Pelican Harbor treated 25 patients from your area. With an average cost of care of \$292 per patient, your contribution will help to offset these expenses.

Who will be the person in your organization accountable for the assistance the Town provides your organization:

Hannah McDougall; hannah@pelicanharbor.org and Samantha Martinez: Sam@pelicanharbor.org

How will you measure and report to the Town how well the assistance was used by your organization: We will use files from our online patient database to report the amount and type of species that we treat from Surfside each year. We will also record the date, location, and attendance of any Surfside community events.

If you have provided the intended services to other communities or organizations, please briefly describe them below or attach them to this application:

In the past 41 years, Pelican Harbor has treated over 39,500 animals from every municipality in

Miami-Dade. In the past, we have partnered with Miami Beach, Bay Harbor Islands, South Miami, Biscayne Park, Williams Island, North Bay Village, and Miami Shores through sponsorships or contributions for services rendered to their communities.

### If you are not awarded the assistance you are requesting, what do you think it will mean to the community and the Town:

If we do not receive this assistance, it may influence our ability to provide the optimal level of care for our patients, including those that come from the Town of Surfside and/or our ability to participate in community events and/or bird releases.

### 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:

We have partnered with the Town of Surfside for the past four years to do bird releases at the Community Center on Earth Day, tabling for environmental education at the Earth Day event, as well as rescuing and providing medical care for dozens of wildlife patients annually from within your area. We have also worked with Elizabeth Hopkins at the Community Center and Vice Mayor Paul has been present for many of our releases and often represented Surfside at our annual Pelican Party celebration.

### • 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

Commission Appro	val Date:				
Commission Approval Amount:					
Attested by:					
	Sandra Novoa, Town Clerk				

<sup>\*</sup>Approved form to be delivered to Finance Department for processing

### **Board of Directors**

David Epstein Chairman

Marcus McCarthy Vice Chairman

Darren Steinbook Treasurer

Helene Valentine

Adrian P. Chapman

Jacqueline Contney

Robert Glidewell

Jacqueline D. Greenberg, CPA Marilyn Magill

David Williams, Jr.



Christopher Boykin Executive Director

Chloe Chelz Assistant Director

Yaritza Acosta Wildlife Rehabilitation Manager

Hannah McDougall Director of Communications

Stephanie Moure Operations & IT Manager

Linda Gregard, DVM Veterinarian

Renata Schneider, DVM Veterinarian & Clinic Liaison

Amanda Burke Wildlife Rehabilitator & Intern Coordinator

Mary Diddle Accounting Coordinator

Judith Gatti Development Director

Carolina Labro Wildlife Rehabilitator

Samantha Martinez **Environmental Educator** 

Ricky Nieves Wildlife Intake Coordinator

> Jacquelyn Schoppe Wildlife Rehabilitator

Alissa Shull Wildlife Rehabilitator

Sarah Stinson-Hurwitz Wildlife Intake Associate



To Whom It May Concern:

I have reviewed the attached application for financial assistance from the Town of Surfside and authorize this request on behalf of Pelican Harbor Seabird Station Inc.

We look forward to our continued partnership with the Town of Surfside and thank you for your time and consideration.

Sincerely,

Christopher Boykin

**Executive Director** 



1279 NE 79th St. Causeway, Miami, FL 33138 | 305-751-9840

# 990

## **Return of Organization Exempt From Income Tax**

OMB No. 1545-0047

2021

Open to Public

Department of the Treasury

Under section 501(c), 527, or 4947(a)(1) of the Internal Revenue Code (except private foundations) ▶ Do not enter social security numbers on this form as it may be made public.

Internal Revenue Service ▶ Go to www.irs.gov/Form990 for instructions and the latest information. Inspection For the 2021 calendar year, or tax year beginning , 2021, and ending , 20 C Name of organization Pelican Harbor Seabird Station, Check if applicable: D Employer identification number Inc. Doing business as 59-2137331 Address change Number and street (or P.O. box if mail is not delivered to street address) E Telephone number Name change Room/suite 1279 NE 79th Street Causeway (305)751 - 9840Initial return Final return/terminated City or town, state or province, country, and ZIP or foreign postal code  ${f G}$  Gross receipts \$2,447,947. Miami, FL 33138 Amended return H(a) Is this a group return for subordinates? Yes No Application pending F Name and address of principal officer: Darren Steinbook, 1279 NE 79th Street Causeway, Miami, FL 33138 H(b) Are all subordinates included? Tyes No Tax-exempt status: **X** 501(c)(3) 501(c) ( 4947(a)(1) or 527 If "No," attach a list. See instructions. ) ◀ (insert no.) Website: ▶ pelicanharbor.org **H(c)** Group exemption number ▶ Form of organization: X Corporation Trust 1981 M State of legal domicile: FL Association L Year of formation: Part I **Summary** Briefly describe the organization's mission or most significant activities: Pelican Harbor Seabird Station is dedicated to the rescue, rehabilitation and release of sick, 1 injured or orphaned brown pelicans, seabirds, and other native wildlife; Activities & Governance and the preservation and protection 2 Check this box ▶ ☐ if the organization discontinued its operations or disposed of more than 25% of its net assets. 3 Number of voting members of the governing body (Part VI, line 1a) . . . . . . . . 11 4 Number of independent voting members of the governing body (Part VI, line 1b) . 4 11 5 Total number of individuals employed in calendar year 2021 (Part V, line 2a) 5 16 6 6 9 7a Total unrelated business revenue from Part VIII, column (C), line 12 7a 0. Net unrelated business taxable income from Form 990-T, Part I, line 11 7b 0. **Prior Year Current Year** 8 Contributions and grants (Part VIII, line 1h) . . . . . . . . 2,498,511. 2,423,951. Revenue 9 Program service revenue (Part VIII, line 2g) 4,894. 22,485. 10 Investment income (Part VIII, column (A), lines 3, 4, and 7d) . . . . . . . 1,070. -2,933. 11 Other revenue (Part VIII, column (A), lines 5, 6d, 8c, 9c, 10c, and 11e) . . . 16,127 -1,590. 12 Total revenue—add lines 8 through 11 (must equal Part VIII, column (A), line 12) 2,520,602 2,441,913. 13 Grants and similar amounts paid (Part IX, column (A), lines 1-3) . . . . . Benefits paid to or for members (Part IX, column (A), line 4) . . . . 14 15 Salaries, other compensation, employee benefits (Part IX, column (A), lines 5–10) 556,429 673,487. 16a Professional fundraising fees (Part IX, column (A), line 11e) . . . . . . . Total fundraising expenses (Part IX, column (D), line 25) ► 82,598. b 17 Other expenses (Part IX, column (A), lines 11a-11d, 11f-24e) . . . . . 344,041. 524,610. Total expenses. Add lines 13–17 (must equal Part IX, column (A), line 25) 18 900,470. 1,198,097. Revenue less expenses. Subtract line 18 from line 12 . . . . . . . 19 1,620,132. 1,243,816. Assets or designation of designation of the designa **Beginning of Current Year** End of Year 20 Total assets (Part X, line 16) 4,221,057. 5,899,329. 1,071,269. 21 Total liabilities (Part X, line 26) . 636,814. 22 Net assets or fund balances. Subtract line 21 from line 20 4,828,060. 3,584,243. Part II **Signature Block** Under penalties of perjury, I declare that I have examined this return, including accompanying schedules and statements, and to the best of my knowledge and belief, it is true, correct, and complete. Declaration of preparer (other than officer) is based on all information of which preparer has any knowledge.

_				04/04/2022				
Sign Here Paid Preparer Use Only	Signature of officer			Date				
Here	Darren Steinbook, Treas	surer						
	Type or print name and title							
Paid	Print/Type preparer's name	Preparer's signature	Date	Check X if PTIN				
	Marie Rosier			self-employed P01700480				
	Firm's name ► MMR CPA		Firm's EIN ► 45-3					
OSC Offiny	Firm's address ► 4000 Hollywood B	lvd Suite 555-S, Hollywood,	FL 33021 P	hone no. (954)448-7721				

May the IRS discuss this return with the preparer shown above? See instructions . . . . . . . REV 04/04/22 PRO

Form **990** (2021)

Part	Statement of Program Service Accomplishments  Check if Schedule O contains a response or note to any line in this Part III
1	Briefly describe the organization's mission:
	Pelican Harbor Seabird Station is dedicated to the rescue, rehabilitation and release of sick,
	injured or orphaned brown pelicans, seabirds, and other native wildlife;
	and the preservation and protection
2	Did the organization undertake any significant program services during the year which were not listed on the prior Form 990 or 990-EZ?
	If "Yes," describe these new services on Schedule O.
3	Did the organization cease conducting, or make significant changes in how it conducts, any program services?
	If "Yes," describe these changes on Schedule O.
4	Describe the organization's program service accomplishments for each of its three largest program services, as measured by expenses. Section 501(c)(3) and 501(c)(4) organizations are required to report the amount of grants and allocations to others, the total expenses, and revenue, if any, for each program service reported.
4a	(Code: ) (Expenses \$ 1,012,251. including grants of \$ 0.) (Revenue \$ 2,443,503.)
	Pelican Harbor Seabird Station, Inc. (PHSS) is a FL non-for-profit corporation and federally permitted wildlife rehabilitation facility under US Fish and wildlife permit #MB-4856A-0. Pelican Harbor Seabird Station is dedicated to the rescue, rehabilitation and release of sick, injured or orphaned brown pelicans, seabirds and other native wildlife; and the preservation and protection of these species through educational and scientific means. A total of 2,124 patients of 118 native species were treated in 2021 and over 5,615 wildlife calls were fielded by staff and volunteers.
4 h	(Code) \(\( \sum_{\text{typepage}} \text{f.} \) \(\( \sum_{\text{typepage}} \text{f.} \)
4b	(Code:) (Expenses \$including grants of \$) (Revenue \$)
4c	(Code: ) (Expenses \$ including grants of \$ ) (Revenue \$ )
	, (a. ponoso +
4d	Other program services (Describe on Schedule O.)
	(Expenses \$ including grants of \$ ) (Revenue \$ )

1,012,251.

Total program service expenses ▶

Part	Checklist of Required Schedules			
1	Is the organization described in section 501(c)(3) or 4947(a)(1) (other than a private foundation)? If "Yes,"		Yes	No
•	complete Schedule A	1	×	
2	Is the organization required to complete Schedule B, Schedule of Contributors? See instructions	2	×	
3	Did the organization engage in direct or indirect political campaign activities on behalf of or in opposition to candidates for public office? <i>If</i> "Yes," complete Schedule C, Part I	3		×
4	<b>Section 501(c)(3) organizations.</b> Did the organization engage in lobbying activities, or have a section 501(h) election in effect during the tax year? <i>If "Yes," complete Schedule C, Part II</i>	4		×
5	Is the organization a section 501(c)(4), 501(c)(5), or 501(c)(6) organization that receives membership dues, assessments, or similar amounts as defined in Rev. Proc. 98-19? If "Yes," complete Schedule C, Part III	5		×
6	Did the organization maintain any donor advised funds or any similar funds or accounts for which donors have the right to provide advice on the distribution or investment of amounts in such funds or accounts? If "Yes," complete Schedule D, Part I	6		×
7	Did the organization receive or hold a conservation easement, including easements to preserve open space, the environment, historic land areas, or historic structures? If "Yes," complete Schedule D, Part II			
8	Did the organization maintain collections of works of art, historical treasures, or other similar assets? <i>If</i> "Yes," complete Schedule D, Part III	7		×
9	Did the organization report an amount in Part X, line 21, for escrow or custodial account liability, serve as a custodian for amounts not listed in Part X; or provide credit counseling, debt management, credit repair, or debt negotiation services? <i>If "Yes," complete Schedule D, Part IV</i>	9		×
10	Did the organization, directly or through a related organization, hold assets in donor-restricted endowments or in quasi endowments? <i>If "Yes," complete Schedule D, Part V</i>	10		×
11	If the organization's answer to any of the following questions is "Yes," then complete Schedule D, Parts VI, VII, VIII, IX, or X, as applicable.			
а	Did the organization report an amount for land, buildings, and equipment in Part X, line 10? If "Yes," complete Schedule D, Part VI	11a	×	
b	Did the organization report an amount for investments—other securities in Part X, line 12, that is 5% or more of its total assets reported in Part X, line 16? If "Yes," complete Schedule D, Part VII	11b		×
С	Did the organization report an amount for investments—program related in Part X, line 13, that is 5% or more of its total assets reported in Part X, line 16? <i>If "Yes," complete Schedule D, Part VIII </i>	11c		×
d	Did the organization report an amount for other assets in Part X, line 15, that is 5% or more of its total assets reported in Part X, line 16? <i>If "Yes," complete Schedule D, Part IX </i>	11d		×
e f	Did the organization report an amount for other liabilities in Part X, line 25? <i>If "Yes," complete Schedule D, Part X</i> Did the organization's separate or consolidated financial statements for the tax year include a footnote that addresses the organization's liability for uncertain tax positions under FIN 48 (ASC 740)? <i>If "Yes," complete Schedule D, Part X</i>	11e		×
12a	Did the organization obtain separate, independent audited financial statements for the tax year? If "Yes," complete Schedule D, Parts XI and XII	12a		×
b	Was the organization included in consolidated, independent audited financial statements for the tax year? If "Yes," and if the organization answered "No" to line 12a, then completing Schedule D, Parts XI and XII is optional	12b		×
13	Is the organization a school described in section 170(b)(1)(A)(ii)? If "Yes," complete Schedule E	13		×
14a	Did the organization maintain an office, employees, or agents outside of the United States?	14a		×
b	Did the organization have aggregate revenues or expenses of more than \$10,000 from grantmaking, fundraising, business, investment, and program service activities outside the United States, or aggregate foreign investments valued at \$100,000 or more? If "Yes," complete Schedule F, Parts I and IV	4.41		
15	Did the organization report on Part IX, column (A), line 3, more than \$5,000 of grants or other assistance to or for any foreign organization? <i>If "Yes," complete Schedule F, Parts II and IV </i>	14b 15		×
16	Did the organization report on Part IX, column (A), line 3, more than \$5,000 of aggregate grants or other assistance to or for foreign individuals? If "Yes," complete Schedule F, Parts III and IV.	16		×
17	Did the organization report a total of more than \$15,000 of expenses for professional fundraising services on Part IX, column (A), lines 6 and 11e? If "Yes," complete Schedule G, Part I. See instructions	17		×
18	Did the organization report more than \$15,000 total of fundraising event gross income and contributions on Part VIII, lines 1c and 8a? If "Yes," complete Schedule G, Part II	18		_^ ×
19	Did the organization report more than \$15,000 of gross income from gaming activities on Part VIII, line 9a?  If "Yes," complete Schedule G, Part III	19		×
20a	Did the organization operate one or more hospital facilities? <i>If "Yes," complete Schedule H</i>	20a		×
b	If "Yes" to line 20a, did the organization attach a copy of its audited financial statements to this return?	20b		
21	Did the organization report more than \$5,000 of grants or other assistance to any domestic organization or domestic government on Part IX, column (A), line 1? If "Yes," complete Schedule I, Parts I and II	21		×

Part	Checklist of Required Schedules (continued)			
22	Did the organization report more than \$5,000 of grants or other assistance to or for domestic individuals on		Yes	No
	Part IX, column (A), line 2? If "Yes," complete Schedule I, Parts I and III	22		×
23	Did the organization answer "Yes" to Part VII, Section A, line 3, 4, or 5, about compensation of the organization's current and former officers, directors, trustees, key employees, and highest compensated employees? If "Yes," complete Schedule J	00		
24a	Did the organization have a tax-exempt bond issue with an outstanding principal amount of more than \$100,000 as of the last day of the year, that was issued after December 31, 2002? If "Yes," answer lines 24b through 24d and complete Schedule K. If "No," go to line 25a	23		×
b	Did the organization invest any proceeds of tax-exempt bonds beyond a temporary period exception?	24a 24b		×
C	Did the organization maintain an escrow account other than a refunding escrow at any time during the year to defease any tax-exempt bonds?	24c		
d 25a	Did the organization act as an "on behalf of" issuer for bonds outstanding at any time during the year? Section 501(c)(3), 501(c)(4), and 501(c)(29) organizations. Did the organization engage in an excess benefit transaction with a disqualified person during the year? If "Yes," complete Schedule L, Part I	24d 25a		×
b	Is the organization aware that it engaged in an excess benefit transaction with a disqualified person in a prior year, and that the transaction has not been reported on any of the organization's prior Forms 990 or 990-EZ? If "Yes," complete Schedule L, Part I	25b		×
26	Did the organization report any amount on Part X, line 5 or 22, for receivables from or payables to any current or former officer, director, trustee, key employee, creator or founder, substantial contributor, or 35% controlled entity or family member of any of these persons? <i>If "Yes," complete Schedule L, Part II</i>	26		×
27	Did the organization provide a grant or other assistance to any current or former officer, director, trustee, key employee, creator or founder, substantial contributor or employee thereof, a grant selection committee member, or to a 35% controlled entity (including an employee thereof) or family member of any of these persons? If "Yes," complete Schedule L, Part III	27		×
28	Was the organization a party to a business transaction with one of the following parties (see the Schedule L, Part IV, instructions for applicable filing thresholds, conditions, and exceptions):			
а	A current or former officer, director, trustee, key employee, creator or founder, or substantial contributor? If "Yes," complete Schedule L, Part IV	28a		×
b	A family member of any individual described in line 28a? If "Yes," complete Schedule L, Part IV	28b		×
С	A 35% controlled entity of one or more individuals and/or organizations described in line 28a or 28b? If "Yes," complete Schedule L, Part IV	28c		×
29 30	Did the organization receive more than \$25,000 in non-cash contributions? <i>If</i> "Yes," <i>complete Schedule M</i> Did the organization receive contributions of art, historical treasures, or other similar assets, or qualified conservation contributions? <i>If</i> "Yes," <i>complete Schedule M</i>	30	×	×
31 32	Did the organization liquidate, terminate, or dissolve and cease operations? If "Yes," complete Schedule N, Part I Did the organization sell, exchange, dispose of, or transfer more than 25% of its net assets? If "Yes," complete Schedule N, Part II	31		×
33	Did the organization own 100% of an entity disregarded as separate from the organization under Regulations sections 301.7701-2 and 301.7701-3? <i>If</i> "Yes," <i>complete Schedule R, Part I</i>	33		×
34	Was the organization related to any tax-exempt or taxable entity? If "Yes," complete Schedule R, Part II, III, or IV, and Part V, line 1	34	×	
35a b	Did the organization have a controlled entity within the meaning of section 512(b)(13)?	35a 35b		×
36	<b>Section 501(c)(3) organizations.</b> Did the organization make any transfers to an exempt non-charitable related organization? <i>If "Yes," complete Schedule R, Part V, line 2 </i>	36	×	
37	Did the organization conduct more than 5% of its activities through an entity that is not a related organization and that is treated as a partnership for federal income tax purposes? If "Yes," complete Schedule R, Part VI	37		×
38	Did the organization complete Schedule O and provide explanations on Schedule O for Part VI, lines 11b and 19? <b>Note:</b> All Form 990 filers are required to complete Schedule O	38	×	
Part	Statements Regarding Other IRS Filings and Tax Compliance Check if Schedule O contains a response or note to any line in this Part V			. <sub>П</sub>
			Yes	No
1a b	Enter the number reported in box 3 of Form 1096. Enter -0- if not applicable			
С	reportable gaming (gambling) winnings to prize winners?	10	×	

Part	V Statements Regarding Other IRS Filings and Tax Compliance (continued)		Yes	No
2a	Enter the number of employees reported on Form W-3, Transmittal of Wage and Tax Statements, filed for the calendar year ending with or within the year covered by this return 2a 16			
b	If at least one is reported on line 2a, did the organization file all required federal employment tax returns? .	2b	×	
	<b>Note:</b> If the sum of lines 1a and 2a is greater than 250, you may be required to <i>e-file</i> . See instructions.			
3a	Did the organization have unrelated business gross income of \$1,000 or more during the year?	3a		×
b	If "Yes," has it filed a Form 990-T for this year? If "No" to line 3b, provide an explanation on Schedule O .	3b		
4a	At any time during the calendar year, did the organization have an interest in, or a signature or other authority over, a financial account in a foreign country (such as a bank account, securities account, or other financial account)?	4a		×
b	If "Yes," enter the name of the foreign country ▶			
E-	See instructions for filing requirements for FinCEN Form 114, Report of Foreign Bank and Financial Accounts (FBAR).	Eo		<b>.</b>
5a	Was the organization a party to a prohibited tax shelter transaction at any time during the tax year? Did any taxable party notify the organization that it was or is a party to a prohibited tax shelter transaction?	5a 5b		×
b	If "Yes" to line 5a or 5b, did the organization file Form 8886-T?	5c		
c 6a	Does the organization have annual gross receipts that are normally greater than \$100,000, and did the	30		
va	organization solicit any contributions that were not tax deductible as charitable contributions?	6a		×
b	If "Yes," did the organization include with every solicitation an express statement that such contributions or	Ua		
	gifts were not tax deductible?	6b		
7	Organizations that may receive deductible contributions under section 170(c).			
а	Did the organization receive a payment in excess of \$75 made partly as a contribution and partly for goods			
	and services provided to the payor?	7a	×	
b	If "Yes," did the organization notify the donor of the value of the goods or services provided?	7b		×
С	Did the organization sell, exchange, or otherwise dispose of tangible personal property for which it was required to file Form 8282?	7.		
d	If "Yes," indicate the number of Forms 8282 filed during the year	7c		×
d e	Did the organization receive any funds, directly or indirectly, to pay premiums on a personal benefit contract?	7e		×
f	Did the organization, during the year, pay premiums, directly or indirectly, on a personal benefit contract? .	7f		×
g g	If the organization received a contribution of qualified intellectual property, did the organization file Form 8899 as required?	7g		
h	If the organization received a contribution of cars, boats, airplanes, or other vehicles, did the organization file a Form 1098-C?	7h		
8	<b>Sponsoring organizations maintaining donor advised funds.</b> Did a donor advised fund maintained by the			
	sponsoring organization have excess business holdings at any time during the year?	8		
9	Sponsoring organizations maintaining donor advised funds.			
а	Did the sponsoring organization make any taxable distributions under section 4966?	9a		
b	Did the sponsoring organization make a distribution to a donor, donor advisor, or related person?	9b		
10	Section 501(c)(7) organizations. Enter:			
а	Initiation fees and capital contributions included on Part VIII, line 12			
b	Gross receipts, included on Form 990, Part VIII, line 12, for public use of club facilities . 10b			
11	Section 501(c)(12) organizations. Enter:			
a b	Gross income from members or shareholders			
D	against amounts due or received from them.)			
12a	Section 4947(a)(1) non-exempt charitable trusts. Is the organization filing Form 990 in lieu of Form 1041?	12a		
b	If "Yes," enter the amount of tax-exempt interest received or accrued during the year   12b	. <b>_a</b>		
13	Section 501(c)(29) qualified nonprofit health insurance issuers.			
а	Is the organization licensed to issue qualified health plans in more than one state?	13a		
	Note: See the instructions for additional information the organization must report on Schedule O.			
b	Enter the amount of reserves the organization is required to maintain by the states in which			
	the organization is licensed to issue qualified health plans			
С	Enter the amount of reserves on hand			
14a	Did the organization receive any payments for indoor tanning services during the tax year?	14a		×
_b	If "Yes," has it filed a Form 720 to report these payments? If "No," provide an explanation on Schedule O.	14b		
15	Is the organization subject to the section 4960 tax on payment(s) of more than \$1,000,000 in remuneration or excess parachute payment(s) during the year?	4-		
		15		
16	If "Yes," see the instructions and file Form 4720, Schedule N. Is the organization an educational institution subject to the section 4968 excise tax on net investment income?	16		
10	If "Yes," complete Form 4720, Schedule O.	10		
17	Section 501(c)(21) organizations. Did the trust, any disqualified person, or mine operator engage in any			
	activities that would result in the imposition of an excise tax under section 4951, 4952 or 4953?	17		
	If "Yes," complete Form 6069.			

Part VI

Part	Governance, Management, and Disclosure. For each "Yes" response to lines 2 through 7b below response to line 8a, 8b, or 10b below, describe the circumstances, processes, or changes on Schedule O. Check if Schedule O contains a response or note to any line in this Part VI	See in	struct	tions.
Secti	on A. Governing Body and Management			
			Yes	No
1a	Enter the number of voting members of the governing body at the end of the tax year If there are material differences in voting rights among members of the governing body, or if the governing body delegated broad authority to an executive committee or similar committee, explain on Schedule O.	-		
b 2	Enter the number of voting members included on line 1a, above, who are independent .   Did any officer, director, trustee, or key employee have a family relationship or a business relationship with any other officer, director, trustee, or key employee?			
3	Did the organization delegate control over management duties customarily performed by or under the direct supervision of officers, directors, trustees, or key employees to a management company or other person?	3		<u>×</u>
4	Did the organization make any significant changes to its governing documents since the prior Form 990 was filed?	4		×
5	Did the organization become aware during the year of a significant diversion of the organization's assets?	5		<u>~</u>
6	Did the organization have members or stockholders?	6		<u>~</u>
7a	Did the organization have members, stockholders, or other persons who had the power to elect or appoint one or more members of the governing body?	7a		
b	Are any governance decisions of the organization reserved to (or subject to approval by) members, stockholders, or persons other than the governing body?	7b		× ×
8	Did the organization contemporaneously document the meetings held or written actions undertaken during the year by the following:	15		
а	The governing body?	8a	×	
b	Each committee with authority to act on behalf of the governing body?	8b	×	
9	Is there any officer, director, trustee, or key employee listed in Part VII, Section A, who cannot be reached at			
	the organization's mailing address? If "Yes," provide the names and addresses on Schedule O	9		×
Secti	on B. Policies (This Section B requests information about policies not required by the Internal Rever	ue C	ode.)	
			Yes	No
10a	Did the organization have local chapters, branches, or affiliates?	10a		×
b	If "Yes," did the organization have written policies and procedures governing the activities of such chapters, affiliates, and branches to ensure their operations are consistent with the organization's exempt purposes?	10b		
11a	Has the organization provided a complete copy of this Form 990 to all members of its governing body before filing the form?	11a	×	
b	Describe on Schedule O the process, if any, used by the organization to review this Form 990.			
12a	Did the organization have a written conflict of interest policy? If "No," go to line 13	12a	×	
b c	Were officers, directors, or trustees, and key employees required to disclose annually interests that could give rise to conflicts? Did the organization regularly and consistently monitor and enforce compliance with the policy? If "Yes," describe on Schedule O how this was done.	12b	×	
13	Did the organization have a written whistleblower policy?	12c	^	
14	Did the organization have a written document retention and destruction policy?	14		$\frac{\hat{x}}{x}$
15	Did the process for determining compensation of the following persons include a review and approval by independent persons, comparability data, and contemporaneous substantiation of the deliberation and decision?	14		
а	The organization's CEO, Executive Director, or top management official	15a	×	
b	Other officers or key employees of the organization	15b	×	
16a	Did the organization invest in, contribute assets to, or participate in a joint venture or similar arrangement with a taxable entity during the year?	16a		×
b	If "Yes," did the organization follow a written policy or procedure requiring the organization to evaluate its participation in joint venture arrangements under applicable federal tax law, and take steps to safeguard the			
	organization's exempt status with respect to such arrangements?	16b		
	on C. Disclosure			
17 18	List the states with which a copy of this Form 990 is required to be filed ► FL  Section 6104 requires an organization to make its Forms 1023 (1024 or 1024-A, if applicable), 990, and 990- (3)s only) available for public inspection. Indicate how you made these available. Check all that apply.	T (sec	tion 5	601(c)
19	☐ Own website ☒ Another's website ☒ Upon request ☐ Other (explain on Schedule O)  Describe on Schedule O whether (and if so, how) the organization made its governing documents, conflict of and financial statements available to the public during the tax year.			olicy,
20	State the name, address, and telephone number of the person who possesses the organization's books and re Brigade Bookkeeping, 6161 Blue Lagoon Dr, Miami, FL 33126 (786)275-0175	cords	<b>&gt;</b>	

Form 990 (2021)

# Part VII Compensation of Officers, Directors, Trustees, Key Employees, Highest Compensated Employees, and Independent Contractors

Check if Schedule O contains a response or note to any line in this Part VII . . . . . . . . . . . . . . . . .

### Section A. Officers, Directors, Trustees, Key Employees, and Highest Compensated Employees

1a Complete this table for all persons required to be listed. Report compensation for the calendar year ending with or within the organization's tax year.

- List all of the organization's **current** officers, directors, trustees (whether individuals or organizations), regardless of amount of compensation. Enter -0- in columns (D), (E), and (F) if no compensation was paid.
  - List all of the organization's current key employees, if any. See the instructions for definition of "key employee."
- List the organization's five **current** highest compensated employees (other than an officer, director, trustee, or key employee) who received reportable compensation (box 5 of Form W-2, Form 1099-MISC, and/or box 1 of Form 1099-NEC) of more than \$100,000 from the organization and any related organizations.
- List all of the organization's **former** officers, key employees, and highest compensated employees who received more than \$100,000 of reportable compensation from the organization and any related organizations.
- List all of the organization's **former directors or trustees** that received, in the capacity as a former director or trustee of the organization, more than \$10,000 of reportable compensation from the organization and any related organizations.

☐ Check this box if neither the organization nor any related organization compensated any current officer, director, or trustee.

See the instructions for the order in which to list the persons above.

			_	_	_		_			
				(0	C)					
(A)	(B)	(al -	- t-		ition	a 4la - :-		(D)	(E)	(F)
Name and title	Average					e than o is both		Reportable	Reportable	Estimated amount
	hours per week	office	er and	d a d	lirect	or/trust	ee)	compensation from the	compensation from related	of other compensation
	(list any hours for related organizations below dotted line)	Individual trustee or director	Institutional trustee	Officer	Key employee	Highest compensated employee	Former	organization (W-2/ 1099-MISC/ 1099-NEC)	organizations (W-2/ 1099-MISC/ 1099-NEC)	from the organization and related organizations
(1) David Epstein	1.00									
Chair		×						0.	0.	0.
(2) Marilyn Magill	1.00									
VP		×						0.	0.	0.
(3) Christopher Boykin Executive Director	40.00	×		×		×		97,990.	0.	0.
(4) Darren Steinbook	1.00									
Treasurer		×						0.	0.	0.
(5) Helene Valentine	1.00									
Secretary		×						0.	0.	0.
(6) Robert Glidewell	1.00									
Board Member		×						0.	0.	0.
(7) Marcus McCarthy Vice Chair	1.00	×						0.	0.	0.
(8) Jacqueline Greenberg	1.00									
Board Member		×						0.	0.	0.
(9) Adrian P. Chapman	1.00									
Board Member		×						0.	0.	0.
(10) Jacqueline Contney	1.00									
Board Member		×						0.	0.	0.
(11) David Williams Jr.	1.00									
Board Member		×						0.	0.	0.
(12)										
(13)										
(14)										
			_	_	_		_			

Part	VII Section A. Officers, Directors, 7	Γrustees,	Key I	Emį	ploy	yee	s, an	d F	lighest Compe	nsated Empl	oyees (continued)
	·	(C)									
	(A)	(B) Position				(D)	(E)	(F)			
	Name and title	Average	(do not check more than or box, unless person is both				Reportable	Reportable	Estimated amount		
		hours					or/trus		compensation	compensation	of other
		per week (list any	악고	٦	Q	<u>~</u>	g 프	F	from the organization (W-2/	from related	compensation from the
		hours for	divid	stitu	Officer	y e	ghe	Former	1099-MISC/	1099-MISC/	organization and
		related	dual	tion	_	힐	st co	4	1099-NEC)	1099-NEC)	related organizations
		organizations below	Individual trustee or director	Institutional trustee		Key employee	Highest compensated employee				
		dotted line)	stee	uste			ensa				
				ď			ated				
(15)											
3			1								
(16)											
3			1								
(17)											
32			1								
(18)											
3			1								
(19)											
3			1								
(20)											
32			1								
(21)											
32			1								
(22)											
32			1								
(23)											
<u> </u>			1								
(24)											
32			1								
(25)											
3			1								
1b	Subtotal		٠	٠.				<b></b>	97,990.	0.	. 0.
С	Total from continuation sheets to Part		n A					<b></b>			
d								<b></b>	97,990.	0.	. 0.
2	Total number of individuals (including but						above	e) w	ho received mor	e than \$100,00	0 of
	reportable compensation from the organi	zation >					0				
											Yes No
3	Did the organization list any former of	officer, dire	ector,	tru	ste	e, k	кеу е	mpl	loyee, or highes	st compensate	d
	employee on line 1a? If "Yes," complete s	Schedule J	for su	uch	indi	ivid	ual				3 ×
4	For any individual listed on line 1a, is the	sum of re	portal	ble (	com	npei	nsatic	n a	nd other compe	nsation from th	e
	organization and related organizations	greater th	an \$1	150,	000	? /	f "Ye	s,"	complete Sched	dule J for suc	h
	individual										4 ×
5	Did any person listed on line 1a receive of									tion or individua	al
	for services rendered to the organization	? If "Yes," c	compl	ete	Sch	nedu	ıle J t	for s	such person .		5 X
Secti	on B. Independent Contractors										
1	Complete this table for your five high										
	compensation from the organization. Rep	ort compen	satior	1 for	r the	e ca	lenda	r ye	ar ending with or	within the orga	nization's tax year.
	(A)								(B)		(C)
	Name and business add	ress							Description of serv	vices	Compensation
								L			
2	Total number of independent contractor							th	ose listed abov	e) who	
	received more than \$100,000 of compens	ation from	the or	gan	izat	ion	<b>•</b>				

# Part VIII Statement of Revenue

		Check if Schedule	О со	ntains a re	spor	nse or note to ar	ny line in this Pa	art VIII		🗆
							(A) Total revenue	(B) Related or exempt function revenue	(C) Unrelated business revenue	(D) Revenue excluded from tax under sections 512–514
ts, ts	1a	Federated campaign	ns .		1a					
Contributions, Gifts, Grants, and Other Similar Amounts	b	Membership dues			1b					
عَ جَ	С	Fundraising events			1c					
fts	d	Related organization	ns .		1d					
	е	Government grants			1e					
Sin	f	All other contribution								
it e		and similar amounts no			1f	2,423,951.				
년 <u></u>	g	Noncash contribution								
o tr		lines 1a-1f			1g	\$ 47,041.				
<u>a</u>	h	Total. Add lines 1a-	-1f .			<u> </u>	2,423,951.			
						Business Code				
Program Service Revenue	<b>2</b> a	Seabirds on the	he B	ay		712190	22,485.	22,485.	0.	0.
le ez	b									
n S	С									
gram Ser Revenue	d									
	е	A.III								
₫	f	All other program se					00 105			
	<u>g</u> 3	Total. Add lines 2a- Investment income					22,485.			
	3	other similar amoun					1 511	1 [11	0	0
	4	Income from investn	•				1,511.	1,511.	0.	0.
	4 5					•				
		noyanies		 (i) Rea		(ii) Personal				
	6a	Gross rents	6a	(1) 1.000	•	(1) 1 01001141	-			
	b	Less: rental expenses	6b				-			
	C	Rental income or (loss)	6c				-			
	d	Net rental income of		3)		•				
	7a	Gross amount from	(,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,	(i) Securit		(ii) Other				
		sales of assets					-			
		other than inventory	7a			0.				
<u>o</u>	b	Less: cost or other basis								
Revenue		and sales expenses .	7b			4,444.				
ě	С	Gain or (loss)	7с			-4,444.				
	d	Net gain or (loss)				🕨	-4,444.	-4,444.	0.	0.
Other	8a	Gross income from	m fui	ndraising						
Ò		events (not including								
		of contributions rep								
		1c). See Part IV, line			8a	0.				
	b	Less: direct expense			8b	1,590.				
	С	Net income or (loss)			g eve	ents ▶	-1,590.		0.	-1,590.
	9a	Gross income f activities. See Part I			_					
					9a		-			
		Less: direct expense			9b					
		Net income or (loss) Gross sales of in			CUVITIE	es ▶				
	IVa	returns and allowan		, iess	100					
	b	Less: cost of goods			10a 10b		-			
	C	Net income or (loss)								
S			0111	32.30 OI II	5	Business Code				
Miscellaneous Revenue	11a									
scellaneo Revenue	b									
	С									
isc R	d	All other revenue								
Σ	е	Total. Add lines 11a	<u>a–1</u> 1d	<u></u>		•				
	12	Total revenue See	instr	ıctions			2.441.913	19.552	0	-1.590

Part IX Statement of Functional Expenses Section 501(c)(3) and 501(c)(4) organizations must complete all columns. All other organizations must complete column (A). Check if Schedule O contains a response or note to any line in this Part IX . . . (**D**) Fundraising expenses Do not include amounts reported on lines 6b. 7b. (A) Total expenses Management and general expenses Program service expenses 8b, 9b, and 10b of Part VIII. Grants and other assistance to domestic organizations and domestic governments. See Part IV, line 21 2 Grants and other assistance to domestic individuals. See Part IV, line 22 . . . . . Grants and other assistance to foreign organizations, foreign governments, and foreign individuals. See Part IV, lines 15 and 16 Benefits paid to or for members . . . . Compensation of current officers, directors, trustees, and key employees . . . . . 97,989. 80,351. 9,799. 7,839. 6 Compensation not included above to disqualified persons (as defined under section 4958(f)(1)) and persons described in section 4958(c)(3)(B) . . . Other salaries and wages 40,508. 506,348. 415,205. 50,635. Pension plan accruals and contributions (include section 401(k) and 403(b) employer contributions) 10,139. 8,314. 1,014. 811. 16,123. 13,221. 1,612. 1,290. Other employee benefits . . . . . . 9 10 Payroll taxes . . . . . . . . . . . . 42,888. 35,168. 4,289. 3,431. 11 Fees for services (nonemployees): Management . . . . . . . . . . . . Legal . . . . . . . . . . . . . . . . 19,038. 15,611 1,904. 1,523. Lobbying . . . . . . . . . . . Professional fundraising services. See Part IV, line 17 Investment management fees . . . . . Other. (If line 11g amount exceeds 10% of line 25, column (A), amount, list line 11g expenses on Schedule O.) . 12 Advertising and promotion . . . . . . 41,827. 34,298. 4,183. 3,346. 13 75,144. 61,618. 7,514. 6,012. Office expenses . . . . . . . . Information technology . . . . . . 14 15 Royalties . . . . . . . . . . . Occupancy . . . . . . . . . . . . 16 17 18 Payments of travel or entertainment expenses for any federal, state, or local public officials 19 Conferences, conventions, and meetings . 7,198. 5,902. 720. 576. 20 21 Payments to affiliates . . . . . . . 19,751. 16,196. 1,975. 1,580. 22 Depreciation, depletion, and amortization . 23 15,473. 12,688. 1,547. 1,238. 24 Other expenses. Itemize expenses not covered above. (List miscellaneous expenses on line 24e. If line 24e amount exceeds 10% of line 25, column (A), amount, list line 24e expenses on Schedule O.) a Repair and Maintenance 133,518. 109,485. 13,352. 10,681. Veterinarian Supplies and Lab 92,993. 92,993. 0. 0. c Patient Transport 0. 13,702. 13,702. 0. Educational Programming 58,217. 58,217. 0. 0.

47,749.

1,198,097.

39,282.

1,012,251.

4,704.

103,248.

All other expenses

**Total functional expenses.** Add lines 1 through 24e

**Joint costs.** Complete this line only if the organization reported in column (B) joint costs from a combined educational campaign and fundraising solicitation. Check here ▶ ☐ if following SOP 98-2 (ASC 958-720) . . . .

25

3,763.

82,598.

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## Part X Balance Sheet

	Check if Schedule O contains a response or note to any line in this Par	(A)		(B)
	Cook was interest beginn	Beginning of year	4	End of year
1	Cash—non-interest-bearing	1,265,660.	1 2	2,454,376
3	Pledges and grants receivable, net		3	
4	Accounts receivable, net	125 464	4	201 470
5	Loans and other receivables from any current or former officer, director,	135,464.	4	301,470
	trustee, key employee, creator or founder, substantial contributor, or 35%			
	controlled entity or family member of any of these persons		5	
6	Loans and other receivables from other disqualified persons (as defined under section 4958(f)(1)), and persons described in section 4958(c)(3)(B) .		6	
ည္ 7	Notes and loans receivable, net		7	
7 8 8 9 9	Inventories for sale or use		8	
ĝ   9	Prepaid expenses and deferred charges	3,312.	9	
10a	Land, buildings, and equipment: cost or other basis. Complete Part VI of Schedule D   10a   3,143,483.			
		2,816,621.	10c	3,143,483
b	Investments—publicly traded securities	2,010,021.	11	3,143,403
12	Investments—other securities. See Part IV, line 11		12	
13	Investments—program-related. See Part IV, line 11		13	
14	. •		14	
15	Intangible assets		15	
16	<b>H</b>	4,221,057.	16	5,899,329
17	Total assets. Add lines 1 through 15 (must equal line 33)	18,571.	17	55,899,329
18	Grants payable	10,5/1.	18	55,931
19	Deferred revenue		19	
20	Tax-exempt bond liabilities		20	
21	Escrow or custodial account liability. Complete Part IV of Schedule D		21	
-	Loans and other payables to any current or former officer, director,		21	
	trustee, key employee, creator or founder, substantial contributor, or 35% controlled entity or family member of any of these persons		22	
23	Secured mortgages and notes payable to unrelated third parties	532,043.	23	986,804
24	Unsecured notes and loans payable to unrelated third parties	86,200.	24	28,534
25	Other liabilities (including federal income tax, payables to related third	00,200.	24	20,334
20	parties, and other liabilities not included on lines 17–24). Complete Part X			
	of Schedule D		25	
26	Total liabilities. Add lines 17 through 25	636,814.	26	1,071,269
27 28 29 30 31 32 33 33 33 33 33	Organizations that follow FASB ASC 958, check here ▶   and complete lines 27, 28, 32, and 33.	030,011.	20	1,071,209
E 27	Net assets without donor restrictions	2,545,192.	27	2,805,828
28	Net assets with donor restrictions	1,039,051.	28	2,022,232
2	Organizations that do not follow FASB ASC 958, check here ▶ ☐	1,030,031.		2,022,232
2	and complete lines 29 through 33.			
5 29	Capital stock or trust principal, or current funds		29	
30	Paid-in or capital surplus, or land, building, or equipment fund		30	
31	Retained earnings, endowment, accumulated income, or other funds		31	
32	Total net assets or fund balances	3,584,243.	32	4,828,060
2 33	Total liabilities and net assets/fund balances	4,221,057.	33	5,899,329
	PEV (M/M/22 PPO	-,,		Form <b>990</b> (202

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Part	XI Reconciliation of Net Assets				-	
	Check if Schedule O contains a response or note to any line in this Part XI					
1	Total revenue (must equal Part VIII, column (A), line 12)	1	2	2,4	41,9	13.
2	Total expenses (must equal Part IX, column (A), line 25)	2		1,1	98,0	97.
3	Revenue less expenses. Subtract line 2 from line 1	3		1,2	43,8	16.
4	Net assets or fund balances at beginning of year (must equal Part X, line 32, column (A))	4		3,5	84,2	43.
5	Net unrealized gains (losses) on investments	5				
6	Donated services and use of facilities	6				
7	Investment expenses	7				
8	Prior period adjustments	8				
9	Other changes in net assets or fund balances (explain on Schedule O)	9				
10	Net assets or fund balances at end of year. Combine lines 3 through 9 (must equal Part X, line					
	32, column (B))	10	4	1,8	28,0	59.
Part	XII Financial Statements and Reporting					
	Check if Schedule O contains a response or note to any line in this Part XII					
			_		Yes	No
1	Accounting method used to prepare the Form 990:  Cash Accrual Other					
	If the organization changed its method of accounting from a prior year or checked "Other," exchedule O.	plain	on			
2a	Were the organization's financial statements compiled or reviewed by an independent accountant?			2a	×	
	If "Yes," check a box below to indicate whether the financial statements for the year were cor	npiled	or			
	reviewed on a separate basis, consolidated basis, or both:					
	Separate basis Consolidated basis Both consolidated and separate basis					
b	Were the organization's financial statements audited by an independent accountant?		• _	2b		<u>×</u>
	If "Yes," check a box below to indicate whether the financial statements for the year were aud	tea oi	n a			
	separate basis, consolidated basis, or both:					
_	Separate basis Consolidated basis Both consolidated and separate basis	ا مارم ! مررم				
С	If "Yes" to line 2a or 2b, does the organization have a committee that assumes responsibility for ov the audit, review, or compilation of its financial statements and selection of an independent accounts				.,	
	If the organization changed either its oversight process or selection process during the tax year, e			2c	×	
	Schedule O.	λμιαιΓΙ	OII			
32	As a result of a federal award, was the organization required to undergo an audit or audits as set for	rth in	the			
Ja	Single Audit Act and OMB Circular A-133?			3а		×
b	If "Yes," did the organization undergo the required audit or audits? If the organization did not undergo the required audit or audits?	lergo		Ja		
~	required audit or audits, explain why on Schedule O and describe any steps taken to undergo such a	_		3b		
	, , , , , , , , , , , , , , , , , , ,			~~		

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### SCHEDULE A (Form 990)

## **Public Charity Status and Public Support** Complete if the organization is a section 501(c)(3) organization or a section 4947(a)(1) nonexempt charitable trust.

OMB No. 1545-0047 20**21** 

Department of the Treasury

► Attach to Form 990 or Form 990-EZ.

Open to Public Inspection

Internal Revenue Service ▶ Go to www.irs.gov/Form990 for instructions and the latest information.

**Employer identification number** Name of the organization Pelican Harbor Seabird Station, Inc. 59-2137331 Reason for Public Charity Status. (All organizations must complete this part.) See instructions. The organization is not a private foundation because it is: (For lines 1 through 12, check only one box.) A church, convention of churches, or association of churches described in section 170(b)(1)(A)(i). ☐ A school described in **section 170(b)(1)(A)(ii).** (Attach Schedule E (Form 990).) A hospital or a cooperative hospital service organization described in section 170(b)(1)(A)(iii). A medical research organization operated in conjunction with a hospital described in section 170(b)(1)(A)(iii). Enter the hospital's name, city, and state: An organization operated for the benefit of a college or university owned or operated by a governmental unit described in 5 section 170(b)(1)(A)(iv). (Complete Part II.) ☐ A federal, state, or local government or governmental unit described in section 170(b)(1)(A)(v). X An organization that normally receives a substantial part of its support from a governmental unit or from the general public described in section 170(b)(1)(A)(vi). (Complete Part II.) ☐ A community trust described in **section 170(b)(1)(A)(vi).** (Complete Part II.) 8 An agricultural research organization described in section 170(b)(1)(A)(ix) operated in conjunction with a land-grant college or university or a non-land-grant college of agriculture (see instructions). Enter the name, city, and state of the college or university: An organization that normally receives (1) more than 331/3% of its support from contributions, membership fees, and gross 10 receipts from activities related to its exempt functions, subject to certain exceptions; and (2) no more than 331/3% of its support from gross investment income and unrelated business taxable income (less section 511 tax) from businesses acquired by the organization after June 30, 1975. See **section 509(a)(2).** (Complete Part III.) An organization organized and operated exclusively to test for public safety. See section 509(a)(4). 12 An organization organized and operated exclusively for the benefit of, to perform the functions of, or to carry out the purposes of one or more publicly supported organizations described in section 509(a)(1) or section 509(a)(2). See section 509(a)(3). Check the box on lines 12a through 12d that describes the type of supporting organization and complete lines 12e, 12f, and 12a, Type I. A supporting organization operated, supervised, or controlled by its supported organization(s), typically by giving а the supported organization(s) the power to regularly appoint or elect a majority of the directors or trustees of the supporting organization. You must complete Part IV, Sections A and B. b Type II. A supporting organization supervised or controlled in connection with its supported organization(s), by having control or management of the supporting organization vested in the same persons that control or manage the supported organization(s). You must complete Part IV, Sections A and C. Type III functionally integrated. A supporting organization operated in connection with, and functionally integrated with, its supported organization(s) (see instructions). You must complete Part IV, Sections A, D, and E. Type III non-functionally integrated. A supporting organization operated in connection with its supported organization(s) d that is not functionally integrated. The organization generally must satisfy a distribution requirement and an attentiveness requirement (see instructions). You must complete Part IV. Sections A and D. and Part V. Check this box if the organization received a written determination from the IRS that it is a Type I, Type III, Type III functionally integrated, or Type III non-functionally integrated supporting organization. Enter the number of supported organizations . . . Provide the following information about the supported organization(s). (iii) Type of organization (i) Name of supported organization (ii) EIN (iv) Is the organization (v) Amount of monetary (vi) Amount of (described on lines 1-10 listed in your governing support (see other support (see above (see instructions)) document? instructions) instructions) Yes No (A) (B) (C) (D) (E) **Total** 

Support Schedule for Organizations Described in Sections 170(b)(1)(A)(iv) and 170(b)(1)(A)(vi)

(Complete only if you checked the box on line 5, 7, or 8 of Part I or if the organization failed to qualify under Part III. If the organization fails to qualify under the tests listed below, please complete Part III.)

Secti	on A. Public Support	quality unde		sted below, pi	case comple	te ran iii.)			
	dar year (or fiscal year beginning in)	(a) 2017	<b>(b)</b> 2018	<b>(c)</b> 2019	(d) 2020	<b>(e)</b> 2021	(f) Total		
1	Gifts, grants, contributions, and membership fees received. (Do not	(a) 2011	(b) 2010	(6) 2013	( <b>u)</b> 2020	(6) 2021	(i) rotai		
	include any "unusual grants.")	629,443.	714,487.	1,458,746.	886,090.	1,126,185.	4,814,951.		
2	Tax revenues levied for the organization's benefit and either paid to or expended on its behalf								
3	The value of services or facilities furnished by a governmental unit to the organization without charge	37,261.	39,497.		44,378.				
4	Total. Add lines 1 through 3	666,704.	753,984.	1,500,612.	930,468.	1,173,226.	5,024,994.		
5	The portion of total contributions by each person (other than a governmental unit or publicly supported organization) included on line 1 that exceeds 2% of the amount shown on line 11, column (f)								
6	Public support. Subtract line 5 from line 4						5,024,994.		
Secti	on B. Total Support								
Calen	dar year (or fiscal year beginning in) ▶	<b>(a)</b> 2017	<b>(b)</b> 2018	(c) 2019	(d) 2020	(e) 2021	(f) Total		
7	Amounts from line 4	666,704.	753,984.	1,500,612.	930,468.	1,173,226.	5,024,994.		
8	Gross income from interest, dividends, payments received on securities loans, rents, royalties, and income from similar sources	877.	708.	3,243.			4,828.		
9	Net income from unrelated business activities, whether or not the business is regularly carried on			·					
10	Other income. Do not include gain or loss from the sale of capital assets (Explain in Part VI.)								
11 12 13	Total support. Add lines 7 through 10 Gross receipts from related activities, etc. First 5 years. If the Form 990 is for the organization, check this box and stop he	organization's	•	l, third, fourth,	or fifth tax ye	12 ear as a section			
Secti	on C. Computation of Public Suppor								
14 15 16a	Public support percentage for 2021 (line 6 Public support percentage from 2020 Sch 331/3% support test—2021. If the organi box and stop here. The organization qua	nedule A, Part zation did not	II, line 14 . check the box		 nd line 14 is 33				
b	<b>33</b> <sup>1</sup> /3% <b>support test—2020.</b> If the organithis box and <b>stop here.</b> The organization								
17a	this box and <b>stop here.</b> The organization qualifies as a publicly supported organization								
b	10%-facts-and-circumstances test—20 15 is 10% or more, and if the organizatio in Part VI how the organization meets the organization	n meets the fa	cts-and-circu cumstances te	mstances test, est. The organi	check this bozation qualifie	ox and <b>stop he</b> s as a publicly	ere. Explain supported		
18	<b>Private foundation.</b> If the organization of instructions								

## Part III Support Schedule for Organizations Described in Section 509(a)(2)

(Complete only if you checked the box on line 10 of Part I or if the organization failed to qualify under Part II. If the organization fails to qualify under the tests listed below, please complete Part II.)

Secti	on A. Public Support			, ,		,	
Calen	dar year (or fiscal year beginning in) ▶	(a) 2017	<b>(b)</b> 2018	(c) 2019	(d) 2020	(e) 2021	(f) Total
1	Gifts, grants, contributions, and membership fees						
	received. (Do not include any "unusual grants.")						
2	Gross receipts from admissions, merchandise sold or services performed, or facilities						
	furnished in any activity that is related to the						
	organization's tax-exempt purpose						
3	Gross receipts from activities that are not an unrelated trade or business under section 513						
4	Tax revenues levied for the						
•	organization's benefit and either paid to or expended on its behalf						
5	The value of services or facilities						
	furnished by a governmental unit to the organization without charge						
_	_						
6	<b>Total.</b> Add lines 1 through 5 Amounts included on lines 1, 2, and 3						
7a	received from disqualified persons .						
<b>L</b>	•						
b	Amounts included on lines 2 and 3 received from other than disqualified						
	persons that exceed the greater of \$5,000						
	or 1% of the amount on line 13 for the year						
С	Add lines 7a and 7b						
8	Public support. (Subtract line 7c from						
	line 6.)						
Secti	on B. Total Support		!		!		
Calen	dar year (or fiscal year beginning in) ▶	(a) 2017	<b>(b)</b> 2018	(c) 2019	(d) 2020	<b>(e)</b> 2021	(f) Total
9	Amounts from line 6						
10a	Gross income from interest, dividends,						
	payments received on securities loans, rents,						
	royalties, and income from similar sources .						
b	Unrelated business taxable income (less						
	section 511 taxes) from businesses						
	acquired after June 30, 1975						
С	Add lines 10a and 10b						
11	Net income from unrelated business						
	activities not included on line 10b, whether						
	or not the business is regularly carried on						
12	Other income. Do not include gain or loss from the sale of capital assets						
	(Explain in Part VI.)						
13	Total support. (Add lines 9, 10c, 11,						
	and 12.)						50(()(=)
14	First 5 years. If the Form 990 is for the organization, check this box and stop he	•	s first, second		-		. , . ,
Secti	on C. Computation of Public Suppor	t Percentag	е				
15	Public support percentage for 2021 (line 8						%
16	Public support percentage from 2020 Sch	nedule A, Part	III, line 15 .			16	%
	on D. Computation of Investment In						
17	Investment income percentage for 2021 (			•			%
18	Investment income percentage from 2020						%
19a	33 <sup>1</sup> / <sub>3</sub> % support tests—2021. If the organi						
-	17 is not more than 33 <sup>1</sup> / <sub>3</sub> %, check this box	_	_	-		=	_
b	331/3% support tests—2020. If the organiz						
00	line 18 is not more than 331/3%, check this b	_	=	•	-		_
20	Private foundation. If the organization di	u not check a	DOX ON line 14.	, 19a, or 19b, (	CHECK THIS DOX	and see instru	นเดกร 🟲 🔲

#### Part IV **Supporting Organizations**

(Complete only if you checked a box in line 12 on Part I. If you checked box 12a, Part I, complete Sections A and B. If you checked box 12b, Part I, complete Sections A and C. If you checked box 12c, Part I, complete Sections A, D, and E. If you checked box 12d, Part I, complete Sections A and D, and complete Part V.)

## Se

Secti	ion A. All Supporting Organizations			
			Yes	No
1	Are all of the organization's supported organizations listed by name in the organization's governing documents? If "No," describe in <b>Part VI</b> how the supported organizations are designated. If designated by class or purpose, describe the designation. If historic and continuing relationship, explain.	1		
2	Did the organization have any supported organization that does not have an IRS determination of status under section 509(a)(1) or (2)? If "Yes," explain in <b>Part VI</b> how the organization determined that the supported organization was described in section 509(a)(1) or (2).	2		
3a	Did the organization have a supported organization described in section 501(c)(4), (5), or (6)? If "Yes," answer lines 3b and 3c below.	3a		
b	Did the organization confirm that each supported organization qualified under section 501(c)(4), (5), or (6) and satisfied the public support tests under section 509(a)(2)? If "Yes," describe in <b>Part VI</b> when and how the organization made the determination.	3b		
С	Did the organization ensure that all support to such organizations was used exclusively for section 170(c)(2)(B) purposes? If "Yes," explain in <b>Part VI</b> what controls the organization put in place to ensure such use.	3c		
4a	Was any supported organization not organized in the United States ("foreign supported organization")? If "Yes," and if you checked box 12a or 12b in Part I, answer lines 4b and 4c below.	4a		
b	Did the organization have ultimate control and discretion in deciding whether to make grants to the foreign supported organization? If "Yes," describe in <b>Part VI</b> how the organization had such control and discretion despite being controlled or supervised by or in connection with its supported organizations.	4b		
С	Did the organization support any foreign supported organization that does not have an IRS determination under sections 501(c)(3) and 509(a)(1) or (2)? If "Yes," explain in <b>Part VI</b> what controls the organization used to ensure that all support to the foreign supported organization was used exclusively for section 170(c)(2)(B) purposes.	4c		
5a	Did the organization add, substitute, or remove any supported organizations during the tax year? If "Yes," answer lines 5b and 5c below (if applicable). Also, provide detail in <b>Part VI</b> , including (i) the names and EIN numbers of the supported organizations added, substituted, or removed; (ii) the reasons for each such action; (iii) the authority under the organization's organizing document authorizing such action; and (iv) how the action was accomplished (such as by amendment to the organizing document).	5a		
b	Type I or Type II only. Was any added or substituted supported organization part of a class already designated in the organization's organizing document?	5b		
С	Substitutions only. Was the substitution the result of an event beyond the organization's control?	5c		
6	Did the organization provide support (whether in the form of grants or the provision of services or facilities) to anyone other than (i) its supported organizations, (ii) individuals that are part of the charitable class benefited by one or more of its supported organizations, or (iii) other supporting organizations that also support or			
	benefit one or more of the filing organization's supported organizations? <i>If "Yes," provide detail in <b>Part VI.</b></i>	6		
7	Did the organization provide a grant, loan, compensation, or other similar payment to a substantial contributor (as defined in section 4958(c)(3)(C)), a family member of a substantial contributor, or a 35% controlled entity with regard to a substantial contributor? If "Yes," complete Part I of Schedule L (Form 990).			
8	Did the organization make a loan to a disqualified person (as defined in section 4958) not described on line 7? If "Yes," complete Part I of Schedule L (Form 990).	8		
9a	Was the organization controlled directly or indirectly at any time during the tax year by one or more disqualified persons, as defined in section 4946 (other than foundation managers and organizations described in section 509(a)(1) or (2))? If "Yes," provide detail in <b>Part VI.</b>	9a		
b	Did one or more disqualified persons (as defined on line 9a) hold a controlling interest in any entity in which the supporting organization had an interest? If "Yes," provide detail in <b>Part VI.</b>	9b		
С	Did a disqualified person (as defined on line 9a) have an ownership interest in, or derive any personal benefit from, assets in which the supporting organization also had an interest? If "Yes," provide detail in <b>Part VI</b> .	9c		
10a	Was the organization subject to the excess business holdings rules of section 4943 because of section 4943(f) (regarding certain Type II supporting organizations, and all Type III non-functionally integrated supporting organizations)? If "Yes," answer line 10b below.	10a		
b	Did the organization have any excess business holdings in the tax year? (Use Schedule C, Form 4720, to			

determine whether the organization had excess business holdings.)

Part	IV Supporting Organizations (continued)		-	
			Yes	No
11	Has the organization accepted a gift or contribution from any of the following persons?			
а	A person who directly or indirectly controls, either alone or together with persons described on lines 11b and			
	11c below, the governing body of a supported organization?	11a		
b	A family member of a person described on line 11a above?	11b		
С	A 35% controlled entity of a person described on line 11a or 11b above? If "Yes" to line 11a, 11b, or 11c,			
	provide detail in <b>Part VI.</b>	11c		
Secti	on B. Type I Supporting Organizations			
			Yes	No
1	Did the governing body, members of the governing body, officers acting in their official capacity, or membership of one or more supported organizations have the power to regularly appoint or elect at least a majority of the organization's officers, directors, or trustees at all times during the tax year? If "No," describe in <b>Part VI</b> how the supported organization(s) effectively operated, supervised, or controlled the organization's activities. If the organization had more than one supported organization, describe how the powers to appoint and/or remove officers, directors, or trustees were allocated among the supported organizations and what conditions or restrictions, if any, applied to such powers during the tax year.	1		
2	Did the organization operate for the benefit of any supported organization other than the supported organization(s) that operated, supervised, or controlled the supporting organization? If "Yes," explain in <b>Part VI</b> how providing such benefit carried out the purposes of the supported organization(s) that operated, supervised, or controlled the supporting organization.	2		
Secti	on C. Type II Supporting Organizations			
			Yes	No
1	Were a majority of the organization's directors or trustees during the tax year also a majority of the directors or trustees of each of the organization's supported organization(s)? If "No," describe in <b>Part VI</b> how control or management of the supporting organization was vested in the same persons that controlled or managed the supported organization(s)			
C +:	the supported organization(s).	1		
Secu	on D. All Type III Supporting Organizations		<b>V</b>	NI.
			Yes	No
1	Did the organization provide to each of its supported organizations, by the last day of the fifth month of the organization's tax year, (i) a written notice describing the type and amount of support provided during the prior tax year, (ii) a copy of the Form 990 that was most recently filed as of the date of notification, and (iii) copies of the organization's governing documents in effect on the date of notification, to the extent not previously provided?	4		
•		1		
2	Were any of the organization's officers, directors, or trustees either (i) appointed or elected by the supported organization(s) or (ii) serving on the governing body of a supported organization? If "No," explain in <b>Part VI</b> how the organization maintained a close and continuous working relationship with the supported organization(s).	2		
3	By reason of the relationship described on line 2, above, did the organization's supported organizations have a significant voice in the organization's investment policies and in directing the use of the organization's income or assets at all times during the tax year? If "Yes," describe in <b>Part VI</b> the role the organization's supported organizations played in this regard.	3		
Secti	on E. Type III Functionally Integrated Supporting Organizations			
1	Check the box next to the method that the organization used to satisfy the Integral Part Test during the year (see i	netru	ctions	2)
a b c	<ul> <li>☐ The organization satisfied the Activities Test. Complete line 2 below.</li> <li>☐ The organization is the parent of each of its supported organizations. Complete line 3 below.</li> <li>☐ The organization supported a governmental entity. Describe in Part VI how you supported a governmental entity.</li> </ul>			
2	Activities Test. Answer lines 2a and 2b below.		Yes	_
а	Did substantially all of the organization's activities during the tax year directly further the exempt purposes of the supported organization(s) to which the organization was responsive? If "Yes," then in <b>Part VI identify those supported organizations and explain</b> how these activities directly furthered their exempt purposes, how the organization was responsive to those supported organizations, and how the organization determined that these activities constituted substantially all of its activities.	2a		
b	Did the activities described on line 2a, above, constitute activities that, but for the organization's involvement, one or more of the organization's supported organization(s) would have been engaged in? If "Yes," explain in <b>Part VI</b> the reasons for the organization's position that its supported organization(s) would have engaged in these activities but for the organization's involvement.	2b		
3 a	Parent of Supported Organizations. <i>Answer lines 3a and 3b below</i> .  Did the organization have the power to regularly appoint or elect a majority of the officers, directors, or trustees of each of the supported organizations? <i>If "Yes" or "No," provide details in Part VI.</i>	3a		
b	Did the organization exercise a substantial degree of direction over the policies, programs, and activities of each of its supported organizations? If "Yes." describe in <b>Part VI</b> the role played by the organization in this regard.	3h		

#### Type III Non-Functionally Integrated 509(a)(3) Supporting Organizations 1 Check here if the organization satisfied the Integral Part Test as a qualifying trust on Nov. 20, 1970 (explain in Part VI). See instructions. All other Type III non-functionally integrated supporting organizations must complete Sections A through E. (B) Current Year Section A-Adjusted Net Income (A) Prior Year (optional) Net short-term capital gain 1 2 Recoveries of prior-year distributions 3 3 Other gross income (see instructions) 4 4 Add lines 1 through 3. 5 5 Depreciation and depletion 6 Portion of operating expenses paid or incurred for production or collection of gross income or for management, conservation, or maintenance of property held for production of income (see instructions) 6 Other expenses (see instructions) 7 Adjusted Net Income (subtract lines 5, 6, and 7 from line 4) 8 (B) Current Year (A) Prior Year Section B-Minimum Asset Amount (optional) 1 Aggregate fair market value of all non-exempt-use assets (see instructions for short tax year or assets held for part of year): a Average monthly value of securities 1a 1b Average monthly cash balances Fair market value of other non-exempt-use assets 1c Total (add lines 1a, 1b, and 1c) 1d **Discount** claimed for blockage or other factors (explain in detail in Part VI): Acquisition indebtedness applicable to non-exempt-use assets 2 3 3 Subtract line 2 from line 1d. 4 Cash deemed held for exempt use. Enter 0.015 of line 3 (for greater amount, 4 see instructions). 5 5 Net value of non-exempt-use assets (subtract line 4 from line 3) 6 6 Multiply line 5 by 0.035. 7 7 Recoveries of prior-year distributions 8 Minimum Asset Amount (add line 7 to line 6) 8 Section C-Distributable Amount **Current Year** 1 Adjusted net income for prior year (from Section A, line 8, column A) 2 2 Enter 0.85 of line 1. 3 Minimum asset amount for prior year (from Section B, line 8, column A) 3 4 Enter greater of line 2 or line 3. 4 5 5 Income tax imposed in prior year 6 Distributable Amount. Subtract line 5 from line 4, unless subject to emergency temporary reduction (see instructions). 6 Check here if the current year is the organization's first as a non-functionally integrated Type III supporting organization

Schedule A (Form 990) 2021

(see instructions).

Part	V Type III Non-Functionally Integrated 509(a)(3	3) Supporting Organi	zations (continue	ed)	Page
	ion D-Distributions	, capperang ergan			Current Year
-	Amounts paid to supported organizations to accomplish	avampt purpasas		1	
2	Amounts paid to supported organizations to accomplish Amounts paid to perform activity that directly furthers exe		rted		
_	organizations, in excess of income from activity	mpt purposes of suppe	itted	2	
2		according to the second second	nizations	3	
3 4	Administrative expenses paid to accomplish exempt purp	oses of supported orga	HIZALIOHS	4	
	Amounts paid to acquire exempt-use assets	provide details in Dort	170	+	
5	Qualified set-aside amounts (prior IRS approval required-		VI)	5	
6	Other distributions (describe in <b>Part VI</b> ). See instructions.			6	
7 8	<b>Total annual distributions.</b> Add lines 1 through 6.  Distributions to attentive supported organizations to whic	h the examination is rea	nanaiva	7	
0	(provide details in <b>Part VI</b> ). See instructions.	n the organization is res	ponsive		
				8	
9	Distributable amount for 2021 from Section C, line 6			9	
10	Line 8 amount divided by line 9 amount	T		10	
Sect	ion E—Distribution Allocations (see instructions)	(i) Excess Distributions	(ii) Underdistributio Pre-2021	ns	(iii) Distributable Amount for 2021
1	Distributable amount for 2021 from Section C, line 6				
2	Underdistributions, if any, for years prior to 2021 (reasonable cause required—explain in <b>Part VI</b> ). See instructions.				
3	Excess distributions carryover, if any, to 2021				
а	From 2016				
b	From 2017				
С	From 2018				
d	From 2019				
е	From 2020				
f	Total of lines 3a through 3e				
g	Applied to underdistributions of prior years				
h	Applied to 2021 distributable amount				
i	Carryover from 2016 not applied (see instructions)				
j	Remainder. Subtract lines 3g, 3h, and 3i from line 3f.				
4	Distributions for 2021 from Section D, line 7:				
а	Applied to underdistributions of prior years				
b	Applied to 2021 distributable amount				
c	Remainder. Subtract lines 4a and 4b from line 4.				
5	Remaining underdistributions for years prior to 2021, if				
3	any. Subtract lines 3g and 4a from line 2. For result greater than zero, explain in <b>Part VI</b> . See instructions.				
6	Remaining underdistributions for 2021. Subtract lines 3h and 4b from line 1. For result greater than zero, <i>explain in Part VI</i> . See instructions.				
7	Excess distributions carryover to 2022. Add lines 3j and 4c.				
8	Breakdown of line 7:				
а	Excess from 2017				
b	Excess from 2018				
С	Excess from 2019				

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Excess from 2020 Excess from 2021

Schedule A (Form 990) 2021

Part VI	<b>Supplemental Information.</b> Provide the explanations required by Part II, line 10; Part II, line 17a or 17b; Part III, line 12; Part IV, Section A, lines 1, 2, 3b, 3c, 4b, 4c, 5a, 6, 9a, 9b, 9c, 11a, 11b, and 11c; Part IV, Section B, lines 1 and 2; Part IV, Section C, line 1; Part IV, Section D, lines 2 and 3; Part IV, Section E, lines 1c, 2a, 2b, 3a, and 3b; Part V, line 1; Part V, Section B, line 1e; Part V, Section D, lines 5, 6, and 8; and Part V, Section E, lines 2, 5, and 6. Also complete this part for any additional information. (See instructions.)

# SCHEDULE D (Form 990)

# **Supplemental Financial Statements**

► Complete if the organization answered "Yes" on Form 990, Part IV, line 6, 7, 8, 9, 10, 11a, 11b, 11c, 11d, 11e, 11f, 12a, or 12b. 
► Attach to Form 990.

OMB No. 1545-0047

Open to Public Inspection

Department of the Treasury Internal Revenue Service

► Go to www.irs.gov/Form990 for instructions and the latest information.

Name o	f the organization		Employer identification number
Pel	ican Harbor Seabird Station, Inc.		59-2137331
Par	t I Organizations Maintaining Donor Advis	sed Funds or Other Similar Fund	ls or Accounts.
	Complete if the organization answered "	Yes" on Form 990, Part IV, line 6.	
	·	(a) Donor advised funds	(b) Funds and other accounts
1	Total number at end of year		
2	Aggregate value of contributions to (during year) .		
3	Aggregate value of grants from (during year)		
4	Aggregate value at end of year		
5	Did the organization inform all donors and donor a	advisors in writing that the assets he	ld in donor advised
	funds are the organization's property, subject to the		
6	Did the organization inform all grantees, donors, an	nd donor advisors in writing that grant	funds can be used
	only for charitable purposes and not for the benefit		
	conferring impermissible private benefit?		· · · · · · 🗌 Yes 🗌 No
Par	Conservation Easements.		
	Complete if the organization answered "	Yes" on Form 990. Part IV. line 7.	
1	Purpose(s) of conservation easements held by the o		
-	Preservation of land for public use (for example, recrea		f a historically important land area
	Protection of natural habitat	·	f a certified historic structure
	Preservation of open space		
2	Complete lines 2a through 2d if the organization hele	d a qualified conservation contribution	n in the form of a conservation
	easement on the last day of the tax year.	·	Held at the End of the Tax Year
а			_
b	Total acreage restricted by conservation easements		
C	Number of conservation easements on a certified hi		
ď	Number of conservation easements included in (		
3	Number of conservation easements modified, trans		
_	tax year ▶		g
4	Number of states where property subject to conserv	vation easement is located ▶	
5	Does the organization have a written policy regard		ection, handling of
	violations, and enforcement of the conservation eas		
6	Staff and volunteer hours devoted to monitoring, inspec-	ting, handling of violations, and enforcing	conservation easements during the vear
	<b>&gt;</b>	g, a - g a, a	,
7	Amount of expenses incurred in monitoring, inspecting	a. handling of violations, and enforcing o	conservation easements during the year
	<b>▶</b> \$	g, g ,	,
8	Does each conservation easement reported on line 2	2(d) above satisfy the requirements of s	section 170(h)(4)(B)(i)
	and section 170(h)(4)(B)(ii)?		· · · · · · □ Yes □ No
9	In Part XIII, describe how the organization reports co	onservation easements in its revenue a	
	balance sheet, and include, if applicable, the text of		incial statements that describes the
	organization's accounting for conservation easemer	nts.	
Part	III Organizations Maintaining Collections	of Art, Historical Treasures, or 0	Other Similar Assets.
	Complete if the organization answered "	Yes" on Form 990, Part IV, line 8.	
1a	If the organization elected, as permitted under FASI	B ASC 958, not to report in its revenu	e statement and balance sheet works
	of art, historical treasures, or other similar assets	held for public exhibition, education,	, or research in furtherance of public
	service, provide in Part XIII the text of the footnote to	o its financial statements that describe	es these items.
b	If the organization elected, as permitted under FAS	B ASC 958, to report in its revenue s	tatement and balance sheet works of
	art, historical treasures, or other similar assets held	for public exhibition, education, or res	earch in furtherance of public service,
	provide the following amounts relating to these item	s:	
	(i) Revenue included on Form 990, Part VIII, line 1 (ii) Assets included in Form 990, Part X		▶ \$
	(ii) Assets included in Form 990, Part X		• \$
2	If the organization received or held works of art,		
	following amounts required to be reported under FA		5 71
а	Revenue included on Form 990, Part VIII, line 1 .	_	▶ \$
b	Assets included in Form 990, Part X		

Part	Organizations Maintaining (	Collections of	Art, Hist	torical T	reasures, or	r Oth	ner Similar As	sets (continued)
3	Using the organization's acquisition, accollection items (check all that apply):	ccession, and ot	her recor	ds, chec	k any of the fo	ollowi	ing that make s	ignificant use of its
а	☐ Public exhibition		d [	Loan	or exchange p	rogra	ım	
b	☐ Scholarly research		е [	Other				
С	☐ Preservation for future generations							
4	Provide a description of the organization XIII.	on's collections a	and expla	in how t	hey further the	orga	anization's exem	npt purpose in Part
5	During the year, did the organization sassets to be sold to raise funds rather t							ır □ Yes □ No
Part	V Escrow and Custodial Arrar	ngements.						
	Complete if the organization a	answered "Yes	" on For	m 990, F	Part IV, line 9	, or r	eported an am	ount on Form
1a	Is the organization an agent, trustee, included on Form 990, Part X?							ot □ Yes □ No
b	If "Yes," explain the arrangement in Par	rt XIII and comple	ete the fo	llowing ta	able:			
		•					Ar	mount
С	Beginning balance					1c		
d	Additions during the year					1d		
е	Distributions during the year					1e		
f	Ending balance					1f		
2a	Did the organization include an amount					odial	account liability	? 🗌 Yes 🗌 No
b	If "Yes," explain the arrangement in Par	rt XIII. Check here	e if the ex	planatio	n has been pro	vide	d on Part XIII .	$\square$
Par	V Endowment Funds.				-			
	Complete if the organization a	answered "Yes'	" on For	m 990, F	Part IV, line 1	0.		
		(a) Current year	(b) Prio	or year	(c) Two years ba	ack (	(d) Three years back	(e) Four years back
1a	Beginning of year balance							
b	Contributions							
С	Net investment earnings, gains, and losses							
d	Grants or scholarships							
e	Other expenditures for facilities and							
	programs					_		
f	Administrative expenses							
g	End of year balance							
2	Provide the estimated percentage of th			e (line 1g	ı, column (a)) h	eld a	s:	
a	Board designated or quasi-endowment	· <b>•</b>	%					
b	Permanent endowment	%						
С	Term endowment ▶ %							
_	The percentages on lines 2a, 2b, and 2							
3a	Are there endowment funds not in the	possession of th	ie organiz	zation tha	at are held and	d adn	ninistered for th	
	organization by:							Yes No
	(i) Unrelated organizations							3a(i)
_	`,							3a(ii)
_	If "Yes" on line 3a(ii), are the related org							3b
4	Describe in Part XIII the intended uses		n's endo	wment to	unds.			
Part			. –	000 5	5 1 1 1 1 1			D 137 11 40
	Complete if the organization a							
	Description of property	(a) Cost or ot (investm	I		or other basis ther)		ccumulated oreciation	(d) Book value
1a	Land	2,48	4,290.					2,484,290.
b	Buildings	110	0,116.					110,116.
С	Leasehold improvements							
d	Equipment	26:	2,059.					262,059.
е	Other	28'	7,018.					287,018.
Total.	Add lines 1a through 1e. (Column (d) mu	ust equal Form 9	90. Part X	(. column	(B), line 10c.)		•	3,143,483.

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 Schedule D (Form 990) 2021

Part VII	Investments – Other Securities.  Complete if the organization answered "Yes" on Form	m 990 Part IV line	a 11h See Form	000 Part X line 12
	(a) Description of security or category (including name of security)	(b) Book value	(c) Metho	od of valuation: of-year market value
(1) Financial	derivatives			
(2) Closely h	eld equity interests			
(3) Other				
(A)				
(B)				
(C)				
(D)				
(E)				
(F)				
(G)				
(H)	(b) (D) line 10)			
Part VIII	mn (b) must equal Form 990, Part X, col. (B) line 12.) .			
Part VIII	Investments – Program Related.  Complete if the organization answered "Yes" on Form	m 000 Dort IV line	a 11a Saa Earm (	000 Dart V line 12
	· · · · · · · · · · · · · · · · · · ·			
	(a) Description of investment	(b) Book value		od of valuation: of-year market value
(1)				
(1)				
(3)				
(4)				
(5)				
(6)				
(7)				
(8)				
(9)				
	mn (b) must equal Form 990, Part X, col. (B) line 13.) . 🕨			
Part IX	Other Assets.	'		
	Complete if the organization answered "Yes" on Form	m 990, Part IV, line	e 11d. See Form	990, Part X, line 15.
	(a) Description			(b) Book value
(1)				
(2)				
(3)				
(4)				
(5)				
(6)				
(7)				
(8)				
(9)	(I) I I I OOO D I V I (D) (1 45)			
	mn (b) must equal Form 990, Part X, col. (B) line 15.)		▶	
Part X	Other Liabilities.  Complete if the organization answered "Yes" on Form	m 000 Dort IV line	110 or 11f Sca	Form 000 Dort V
_	line 25.	11 990, Part IV, IIII	e Tie Or Tii. See	roilli 990, Part A,
1.	(a) Description of liability			(b) Book value
(1) Federal in	come taxes			
(2)				
(3)				
(4)				
(5)				
(6)				
(7)				
(8)				
(9)	mn (b) must equal Form 990, Part X, col. (B) line 25.)			
	m nominusi eduam omi 330. Fait A. COL (D) IIIIE 20.1			

organization's liability for uncertain tax positions under FASB ASC 740. Check here if the text of the footnote has been provided in Part XIII .

Part	VI Decemblishing of Devenue was Audited Financial Statemen	· nto	With Davenus ner	Dation	
Part	•			netui	111.
	Complete if the organization answered "Yes" on Form 990, F				
1	Total revenue, gains, and other support per audited financial statements			1	
2	Amounts included on line 1 but not on Form 990, Part VIII, line 12:		1		
а	Net unrealized gains (losses) on investments	2a			
b	Donated services and use of facilities	2b			
С	Recoveries of prior year grants	2c			
d	Other (Describe in Part XIII.)	2d			
е	Add lines 2a through 2d			2e	
3	Subtract line <b>2e</b> from line <b>1</b>			3	
4	Amounts included on Form 990, Part VIII, line 12, but not on line 1:	ĺ			
a .	Investment expenses not included on Form 990, Part VIII, line 7b	4a			
b	Other (Describe in Part XIII.)	4b			
c	Add lines <b>4a</b> and <b>4b</b>			4c	
5	Total revenue. Add lines <b>3</b> and <b>4c.</b> ( <i>This must equal Form 990, Part I, line</i>			5	
Part					turn
ı aı t	Complete if the organization answered "Yes" on Form 990, F			,, ,,,,,,	.u.i.
1			· · · · · · · ·	1	
	Amounts included on line 1 but not on Form 990, Part IX, line 25:			ı	
2		00	1		
a	Donated services and use of facilities	2a		-	
b	Prior year adjustments	2b			
С	Other losses	2c		-	
d	Other (Describe in Part XIII.)	2d			
е	Add lines 2a through 2d			2e	
3	Subtract line <b>2e</b> from line <b>1</b>			3	
4	Amounts included on Form 990, Part IX, line 25, but not on line 1:				
а	Investment expenses not included on Form 990, Part VIII, line 7b	4a			
	OH (D H : D : ) (H)	4b			
b	Other (Describe in Part XIII.)	40			
b b	Add lines <b>4a</b> and <b>4b</b>			4c	
с 5	Add lines <b>4a</b> and <b>4b</b>			4c 5	
c 5 Part	Add lines <b>4a</b> and <b>4b</b>	 e 18.)	<u> </u>	5	
<b>5 Part</b> Provid	Add lines <b>4a</b> and <b>4b</b>	 e 18.)		<b>5</b> ; Part	
<b>5 Part</b> Provid	Add lines <b>4a</b> and <b>4b</b>	 e 18.)		<b>5</b> ; Part	
<b>5 Part</b> Provid	Add lines <b>4a</b> and <b>4b</b>	 e 18.)		<b>5</b> ; Part	
<b>5 Part</b> Provid	Add lines <b>4a</b> and <b>4b</b>	 e 18.)		<b>5</b> ; Part	
<b>5 Part</b> Provid	Add lines <b>4a</b> and <b>4b</b>	 e 18.)		<b>5</b> ; Part	
<b>5 Part</b> Provid	Add lines <b>4a</b> and <b>4b</b>	 e 18.)		<b>5</b> ; Part	
<b>5 Part</b> Provid	Add lines <b>4a</b> and <b>4b</b>	 e 18.)		<b>5</b> ; Part	
<b>5 Part</b> Provid	Add lines <b>4a</b> and <b>4b</b>	 e 18.)		<b>5</b> ; Part	
<b>5 Part</b> Provid	Add lines <b>4a</b> and <b>4b</b>	 e 18.)		<b>5</b> ; Part	
<b>5 Part</b> Provid	Add lines <b>4a</b> and <b>4b</b>	 e 18.)		<b>5</b> ; Part	
<b>5 Part</b> Provid	Add lines <b>4a</b> and <b>4b</b>	 e 18.)		<b>5</b> o; Part	
<b>5 Part</b> Provid	Add lines <b>4a</b> and <b>4b</b>	 e 18.)		<b>5</b> o; Part	
<b>5 Part</b> Provid	Add lines <b>4a</b> and <b>4b</b>	 e 18.)		<b>5</b> o; Part	
<b>5 Part</b> Provid	Add lines <b>4a</b> and <b>4b</b>	 e 18.)		<b>5</b> o; Part	
<b>5 Part</b> Provid	Add lines <b>4a</b> and <b>4b</b>	 e 18.)		<b>5</b> o; Part	
<b>5 Part</b> Provid	Add lines <b>4a</b> and <b>4b</b>	 e 18.)		<b>5</b> o; Part	
<b>5 Part</b> Provid	Add lines <b>4a</b> and <b>4b</b>	 e 18.)		<b>5</b> o; Part	
<b>5 Part</b> Provid	Add lines <b>4a</b> and <b>4b</b>	 e 18.)		<b>5</b> o; Part	
<b>5 Part</b> Provid	Add lines <b>4a</b> and <b>4b</b>	 e 18.)		<b>5</b> o; Part	
<b>5 Part</b> Provid	Add lines <b>4a</b> and <b>4b</b>	 e 18.)		<b>5</b> o; Part	
<b>5 Part</b> Provid	Add lines <b>4a</b> and <b>4b</b>	 e 18.)		<b>5</b> o; Part	
<b>5 Part</b> Provid	Add lines <b>4a</b> and <b>4b</b>	 e 18.)		<b>5</b> o; Part	
<b>5 Part</b> Provid	Add lines <b>4a</b> and <b>4b</b>	 e 18.)		<b>5</b> o; Part	
<b>5 Part</b> Provid	Add lines <b>4a</b> and <b>4b</b>	 e 18.)		<b>5</b> o; Part	
<b>5 Part</b> Provid	Add lines <b>4a</b> and <b>4b</b>	 e 18.)		<b>5</b> o; Part	

Schedule D (Fo	rm 990) 2021	Page 5
Part XIII	Supplemental Information (continued)	

## **SCHEDULE M** (Form 990)

## **Noncash Contributions**

OMB No. 1545-0047

Open to Public Inspection

Department of the Treasury Internal Revenue Service Name of the organization

▶ Complete if the organizations answered "Yes" on Form 990, Part IV, lines 29 or 30.

► Attach to Form 990.

▶ Go to www.irs.gov/Form990 for instructions and the latest information.

Pelican Harbor Seabird Station, Inc.

59-2137331

Employer identification number

Part	Types of Property							
		(a) Check if applicable	(b) Number of contributions or items contributed	(c) Noncash contribution amounts reported on Form 990, Part VIII, line 1g	Method o			
1	Art—Works of art			, ,				
2	Art—Historical treasures							
3	Art—Fractional interests							
4	Books and publications							
5	Clothing and household goods							
6	Cars and other vehicles							
7	Boats and planes							
8	Intellectual property							
9	Securities—Publicly traded							
10	Securities—Closely held stock .							
11	Securities—Partnership, LLC, or trust interests							
12	Securities-Miscellaneous							
13	Qualified conservation contribution—Historic							
	structures							
14	Qualified conservation contribution—Other							
15	Real estate - Residential							
16	Real estate - Commercial							
17	Real estate—Other							
18	Collectibles							
19	Food inventory							
20	Drugs and medical supplies							
21	Taxidermy							
22	Historical artifacts							
23	Scientific specimens							
24	Archeological artifacts							
25	Other ► ()							
26	Other ► ()							
27	Other ► ()							
28	Other ► ( )							
29	Number of Forms 8283 received							
	which the organization completed	Form 8283	s, Part V, Donee Acknowled	agement	29			
							Yes	No
30a	During the year, did the organiza							
	28, that it must hold for at least t to be used for exempt purposes					30a		×
	If "Yes," describe the arrangement							
31	Does the organization have a							
						31		×
32a	Does the organization hire or us							
						32a		×
ь 33	If "Yes," describe in Part II.  If the organization didn't report an describe in Part II.	amount in	column (c) for a type of pro	perty for which column (a)	is checked,			

Schedule M (Form 990) 2021

Page 2

Part II Supplemental Information Provide the information required by Part I lines 30b, 32b, and 33, and whether

Part II	<b>Supplemental Information.</b> Provide the information required by Part I, lines 30b, 32b, and 33, and whether the organization is reporting in Part I, column (b), the number of contributions, the number of items received, or a combination of both. Also complete this part for any additional information.

# SCHEDULE O (Form 990)

## Supplemental Information to Form 990 or 990-EZ

Complete to provide information for responses to specific questions on Form 990 or 990-EZ or to provide any additional information.

OMB No. 1545-0047

Open to Public Inspection

Employer identification number

Department of the Treasury Internal Revenue Service Name of the organization ► Attach to Form 990 or Form 990-EZ.

► Go to www.irs.gov/Form990 for the latest information.

Pelican Harbor Seabird Station, Inc.	59-2137331
Pt VI, Line 15a: The board meets once a year and reviews the salar:	ies of the
officer and all support personnel. Upon the completion of their and	nual review,
salary adjustments are made necessary based on outside information	/salary indicators.
Pt VI, Line 11b: Return is reviewed by the finance committee before	e filing
Pt VI, Line la: The governing body delegated broad authority to the	e executive
committee	
Pt VI, Line 19: Governing documents are made available for review a	at our office
located at 1279 NE 79th Street Causeway, Miami, FL 33138	
Pt VI, Line 15b: The board meets once a year and reviews the salar:	ies of the
officer and all support personnel. Upon the completion of their ann	nual review,
salary adjustments are made necessary based on outside information,	/salary indicators.
Pt VI, Line 12c: The conflict of interest policy is reviewed by the	e board on
an annual basis. The board reviews their interest, discloses any co	onflicts, and
signs off.	

## **SCHEDULE R** (Form 990)

Part I

## **Related Organizations and Unrelated Partnerships**

OMB No. 1545-0047

(f)

Direct controlling

Department of the Treasury Internal Revenue Service

▶ Complete if the organization answered "Yes" on Form 990, Part IV, line 33, 34, 35b, 36, or 37. ► Attach to Form 990.

**Open to Public** Inspection

(e)

End-of-year assets

(d)

Total income

Name of the organization

▶ Go to www.irs.gov/Form990 for instructions and the latest information.

(b)

Primary activity

Identification of Disregarded Entities. Complete if the organization answered "Yes" on Form 990, Part IV, line 33.

**Employer identification number** Pelican Harbor Seabird Station, Inc. 59-2137331

(c)

Legal domicile (state

			or foreign country)			enti	ty
zations. Coluring the t	omplete if tax year.	the organization a	answered "Yes" o	n Form 990, Part	t IV, line 34, bed	cause it h	nad
Prima	<b>(b)</b> ary activity	(c) Legal domicile (state or foreign country)	(d) Exempt Code section	(e) Public charity status (if section 501(c)(3))		g Section con	(g) n 512(b)(13) ntrolled ntity?
						Yes	No
		FL					
	luring the t	luring the tax year.  (b)  Primary activity	luring the tax year.  (b) (c)  Primary activity Legal domicile (state or foreign country)	luring the tax year.  (b) Primary activity  Legal domicile (state or foreign country)  Exempt Code section	zations. Complete if the organization answered "Yes" on Form 990, Parluring the tax year.  (b) Primary activity  (c) Legal domicile (state or foreign country)  (d) Exempt Code section (if section 501(c)(3))	Primary activity  Legal domicile (state or foreign country)  Legal domicile (state or foreign country)  Exempt Code section  Public charity status (if section 501(c)(3))  Direct controlling entity	Eations. Complete if the organization answered "Yes" on Form 990, Part IV, line 34, because it huring the tax year.  (b) Primary activity  Legal domicile (state or foreign country)  Exempt Code section Public charity status (if section 501(c)(3)) Direct controlling entity  Section core

Name, address, and EIN (if applicable) of disregarded entity

Page **2** 

Part III Identification of Related Organizations Taxable as a Partnership. Complete if the organization answered "Yes" on Form 990, Part IV, line 34, because it had one or more related organizations treated as a partnership during the tax year.

(a) Name, address, and EIN of related organization	<b>(b)</b> Primary activity	(c) Legal domicile (state or foreign	(d) Direct controlling entity	(e) Predominant income (related, unrelated, excluded from tax under	(f) Share of total income	(g) Share of end-of- year assets	Disprope alloca	ortionate	(i) Code V—UBI amount in box 20 of Schedule K-1 (Form 1065)	Gene man	i) eral or aging ner?	(k) Percentage ownership
		country)		sections 512-514)			Yes	No		Yes	No	
(2)												
(3)												
(4)												
(5)												
(6)												
(7)												

Part IV Identification of Related Organizations Taxable as a Corporation or Trust. Complete if the organization answered "Yes" on Form 990, Part IV, line 34, because it had one or more related organizations treated as a corporation or trust during the tax year.

(a) Name, address, and EIN of related organization	(c) Legal domicile (state or foreign country)	(e)	(f)	(g) Share of end-of-year assets	(h) Percentage ownership	Section 5 conti ent	i) 512(b)(13) rolled tity?
						Yes	No
(1)							
(2)							
(3)							
(4)							
(5)							
(6)							
(7)							

Transactions With Related Organizations. Complete if the organization answered "Yes" on Form 990, Part IV, line 34, 35b, or 36. Part V

S Other transfer of cash or property from related organization(s)  2 If the answer to any of the above is "Yes," see the instructions for information on who must complete this line, including covered relationships and transaction thresholds the above is "Yes," see the instructions for information on who must complete this line, including covered relationships and transaction thresholds the above is "Yes," see the instructions for information on who must complete this line, including covered relationships and transaction thresholds the above is "Yes," see the instructions for information on who must complete this line, including covered relationships and transaction thresholds the above is "Yes," see the instructions for information on who must complete this line, including covered relationships and transaction thresholds the above is "Yes," see the instructions for information on who must complete this line, including covered relationships and transaction thresholds the above is "Yes," see the instructions for information on who must complete this line, including covered relationships and transaction thresholds the above is "Yes," see the instructions on who must complete this line, including covered relationships and transaction thresholds the above is "Yes," see the instructions on who must complete this line, including covered relationships and transaction thresholds the above is "Yes," see the instructions of the above is "Yes," see the instructions on who must complete this line, including covered relationships and transaction thresholds the above is "Yes," see the instructions of the above is "Yes," see the instruction of the above is "Yes," see the instructio	A Receipt of (i) interest, (ii) annuities, (iii) royalties, or (iv) rent from a controlled entity Gift, grant, or capital contribution to related organization(s) Gift, grant, or capital contribution from related organization(s) Gift, grant, or capital contribution from related organization(s) Loans or loan guarantees to or for related organization(s) Loans or loan guarantees by related organization(s) Loans or loan guarantees by related organization(s) Dividends from related organization(s) Signature of seasests to related organization(s) Purchase of assests from related organization(s) Purchase of assests with related organization(s) Lease of facilities, equipment, or other assets to related organization(s) Lease of facilities, equipment, or other assets from related organization(s) Lease of facilities, equipment, or other assets from related organization(s) Lease of facilities, equipment, or other assets from related organization(s) Lease of facilities, equipment, mailing lists, or other assets with related organization(s) Reformance of services or membership or fundraising solicitations for related organization(s) Sharing of facilities, equipment, mailing lists, or other assets with related organization(s) Reimbursement paid to related organization(s) Reimbursement paid to related organization(s) for expenses Reimbursement paid to related organization(s) for expenses Other transfer of cash or property to related organization(s) Reimbursement paid to related organization(s) for expenses Other transfer of cash or property from related organization(s) Reimbursement paid to related organization(s) Reimburs	Not	e: Complete line 1 if any entity is listed in Parts II, III, or IV of this schedule.		Yes	No
b Gift, grant, or capital contribution to related organization(s)	Gift, grant, or capital contribution to related organization(s) Gift, grant, or capital contribution from related organization(s) Gift (grant, or capital contribution from related organization from the frame fr	1	During the tax year, did the organization engage in any of the following transactions with one or more related organizations listed in Parts II–IV?			
c Gift, grant, or capital contribution from related organization(s) d Loans or loan guarantees to or for related organization(s) 11d c Loans or loan guarantees by related organization(s) 11e 15 Dividends from related organization(s) 11 pruchase of assets to related organization(s) 11 pruchase of assets to related organization(s) 12 Exchange of assets the related organization(s) 13 Lease of facilities, equipment, or other assets to related organization(s) 14 Lease of facilities, equipment, or other assets from related organization(s) 15 Lease of facilities, equipment, or other assets from related organization(s) 16 Lease of facilities, equipment, or other assets from related organization(s) 17 Performance of services or membership or fundraising solicitations for related organization(s) 18 Lease of facilities, equipment, mailing lists, or other assets with related organization(s) 19 Part organization or services or membership or fundraising solicitations by related organization(s) 10 Sharing of facilities, equipment, mailing lists, or other assets with related organization(s) 11 profit organization organization organization(s) 11 profit organization organization(s) 12 Profit organization organization(s) 13 Profit organization organization(s) 14 Profit organization organization(s) 15 Profit organization organization(s) 16 Profit organization organization(s) 17 Profit organization organization(s) 18 Profit organization organization(s) 19 Pelican Harbor Seabird Foundation, Inc 10 Pelican Harbor Seabird Foundation, Inc 11 Profit organization or	Giff, grant, or capital contribution from related organization(s)  d Loans or loan guarantees to or for related organization(s)  Loans or loan guarantees to or for related organization(s)  Dividends from related organization(s)  Dividends from related organization(s)  Sale of assets to related organization(s)  Purchase of assets to related organization(s)  Exchange of assets with related organization(s)  Lease of facilities, equipment, or other assets to related organization(s)  Lease of facilities, equipment, or other assets from related organization(s)  Performance of services or membership or fundraising solicitations for related organization(s)  Performance of services or membership or fundraising solicitations by related organization(s)  Sharing of facilities, equipment, mailing lists, or other assets with related organization(s)  Reimbursement paid to related organization(s) for expenses  Q Reimbursement paid to related organization(s) for expenses  Other transfer of cash or property to related organization(s)  If the answer to any of the above is "Yes," see the instructions for information on who must complete this line, including covered relationships and transaction thresholds.  (a)  Name of related organization  (b)  Transaction  Type (a – s)  Method of determining amount involved  Method of determining amount involved	а	Receipt of (i) interest, (ii) annuities, (iii) royalties, or (iv) rent from a controlled entity	1a		×
d Loans or loan guarantees to or for related organization(s) 1de  e Loans or loan guarantees by related organization(s) 1e  f Dividends from related organization(s) 1ff g Sale of assets to related organization(s) 1ff g Sale of assets to related organization(s) 1fh li Exchange of assets with related organization(s) 1fh li Exchange of assets or or other assets to related organization(s) 1fh li Exchange of assets with related organization(s) 1fh li E	d Loans or loan guarantees to or for related organization(s)  Loans or loan guarantees by related organization(s)  Dividends from related organization(s)  Dividends from related organization(s)  Dividends from related organization(s)  Bell of assets to related organization(s)  Purchase of assets from related organization(s)  Lease of assets with related organization(s)  Lease of facilities, equipment, or other assets to related organization(s)  Lease of facilities, equipment, or other assets from related organization(s)  Lease of facilities, equipment, or other assets from related organization(s)  Performance of services or membership or fundraising solicitations by related organization(s)  Performance of services or membership or fundraising solicitations by related organization(s)  Dividends from related organization(s)  Performance of services or membership or fundraising solicitations by related organization(s)  Performance of services or membership or fundraising solicitations by related organization(s)  Performance of services or membership or fundraising solicitations by related organization(s)  Performance of services or membership or fundraising solicitations by related organization(s)  Performance of services or membership or fundraising solicitations by related organization(s)  Performance of services or membership or fundraising solicitations by related organization(s)  Performance of services or membership or fundraising solicitations by related organization(s)  Performance of services or membership or fundraising solicitations by related organization(s)  Performance of services or membership or fundraising solicitations by related organization(s)  Performance of services or membership or fundraising solicitations by related organization(s)  Performance of services or membership or fundraising solicitations by related organization(s)  Performance of services or membership or fundraising solicitations by related organization(s)  Performance of services or membership or fundraising solicitations by r	b	Gift, grant, or capital contribution to related organization(s)	1b		×
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the Loans or loan guarantees by related organization(s)	be Loans or loan guarantees by related organization(s)    Dividends from related organization(s)   Sale of assets to related organization(s)   Dividends from related organization(s)   Purchase of assets from related organization(s)   Dividends from related organization(s)   Dividend	d		1d		×
f Dividends from related organization(s)	Dividends from related organization(s)  3 Sale of assets to related organization(s)  4 Purchase of assets from related organization(s)  5 Purchase of assets with related organization(s)  6 Lease of facilities, equipment, or other assets to related organization(s)  7 Lease of facilities, equipment, or other assets from related organization(s)  8 Lease of facilities, equipment, or other assets from related organization(s)  9 Performance of services or membership or fundraising solicitations for related organization(s)  10 Narring of facilities, equipment, mailing lists, or other assets with related organization(s)  11 Narring of paid employees with related organization(s)  12 Performance of services or membership or fundraising solicitations by related organization(s)  13 Narring of paid employees with related organization(s)  14 Narring of paid employees with related organization(s)  15 Narring of paid employees with related organization(s)  16 Narring of paid employees with related organization(s)  17 Narring of paid employees with related organization(s)  18 Narring of paid employees with related organization(s)  19 Narring of paid employees with related organization(s)  10 Narring of paid employees with related organization(s)  10 Narring of paid employees with related organization(s)  10 Narring of paid employees with related organization(s)  11 Narring of paid employees with related organization(s)  12 Narring of paid employees with related organization(s)  13 Narring of paid employees with related organization(s)  14 Narring of paid employees with related organization(s)  15 Narring of paid employees with related organization(s)  16 Narring of paid employees with related organization(s)  17 Narring of paid employees with related organization(s)  18 Narring of paid employees with related organization(s)  19 Narring of paid employees with related organization(s)  10 Narring of paid employees with related organization(s)  11 Narring of paid employees with related organization(s)  12 Narring of paid employees	е		1e		×
g Sale of assets to related organization(s)	Sale of assets to related organization(s)					
g Sale of assets to related organization(s)	Sale of assets to related organization(s)	f	Dividends from related organization(s)	1f		×
n Purchase of assets from related organization(s)  i Exchange of assets with related organization(s)  j Lease of facilities, equipment, or other assets to related organization(s)  k Lease of facilities, equipment, or other assets from related organization(s)  l Performance of services or membership or fundraising solicitations for related organization(s)  n Performance of services or membership or fundraising solicitations by related organization(s)  n Sharing of facilities, equipment, mailing lists, or other assets with related organization(s)  n Sharing of paid employees with related organization(s)  p Reimbursement paid to related organization(s) for expenses  p Reimbursement paid to related organization(s) for expenses  1p  Reimbursement paid by related organization(s) for expenses  1p  1t × 3  1th	Purchase of assets from related organization(s)  Exchange of assets with related organization(s)  Lease of facilities, equipment, or other assets to related organization(s)  Lease of facilities, equipment, or other assets from related organization(s)  Lease of facilities, equipment, or other assets from related organization(s)  Lease of facilities, equipment, or other assets from related organization(s)  Lease of facilities, equipment, or other assets from related organization(s)  Performance of services or membership or fundraising solicitations by related organization(s)  Performance of services or membership or fundraising solicitations by related organization(s)  Sharing of facilities, equipment, mailing lists, or other assets with related organization(s)  Sharing of facilities, equipment, or other assets with related organization(s)  Sharing of paid employees with related organization(s)  Reimbursement paid to related organization(s) for expenses  Reimbursement paid to related organization(s) for expenses  Reimbursement paid by related organization(s) for expenses  Other transfer of cash or property to related organization(s)  Solution or property from related organization(s)  In X  Other transfer of cash or property from related organization(s)  Reimbursement paid to related organization(s)  Transaction truncluding covered relationships and transaction thresholds.  (a)  Name of related organization  (b)  Transaction  T	a		1a		×
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## Part VI Unrelated Organizations Taxable as a Partnership. Complete if the organization answered "Yes" on Form 990, Part IV, line 37.

Provide the following information for each entity taxed as a partnership through which the organization conducted more than five percent of its activities (measured by total assets or gross revenue) that was not a related organization. See instructions regarding exclusion for certain investment partnerships.

(a) Name, address, and EIN of entity	<b>(b)</b> Primary activity	(c) Legal domicile (state or foreign country)	(d) Predominant income (related, unrelated, excluded from tax under	Are all sec 501	e) partners ction (c)(3) zations?	(f) Share of total income	(g) Share of end-of-year assets		n) ortionate tions?	(i) Code V—UBI amount in box 20 of Schedule K-1 (Form 1065)	Gene mana part	ral or aging	(k) Percentage ownership
			sections 512—514)	Yes	No			Yes	No		Yes	No	1
(1)	_												
(2)	-												
(3)	_												
(4)	-												
(5)	-												
(6)	-												
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14)	_												
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16)													
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Schedule R (F	Form 990) 2021	Page <b>5</b>
Part VII	Supplemental Information Provide additional information for responses to questions on Schedule R. See instructions.	
	·	

## Form **8879-TE**

## **IRS** e-file Signature Authorization for a Tax Exempt Entity

(	OMB	No.	1545	-0047	
(	OMB	No.	1545	-0047	

Department of the Treasury

For calendar year 2021, or fiscal year beginning , 2021, and ending

▶ Do not send to the IRS. Keep for your records. ► Go to www.irs.gov/Form8879TE for the latest information.

Internal Revenue Service Name of filer EIN or SSN 59-2137331 Pelican Harbor Seabird Station, Inc. Name and title of officer or person subject to tax Darren Steinbook, Treasurer Type of Return and Return Information Check the box for the return for which you are using this Form 8879-TE and enter the applicable amount, if any, from the return. Form 8038-CP and Form 5330 filers may enter dollars and cents. For all other forms, enter whole dollars only. If you check the box on line 1a, 2a, 3a, 4a, 5a, 6a, 7a, 8a, 9a, or 10a below, and the amount on that line for the return being filed with this form was blank, then leave line 1b, 2b, 3b, 4b, 5b, 6b, 7b, 8b, 9b, or 10b, whichever is applicable, blank (do not enter -0-). But, if you entered -0- on the return, then enter -0- on the applicable line below. **Do not** complete more than one line in Part I. Form 990 check here . . ▶ 🔀 **b Total revenue.** if any (Form 990, Part VIII, column (A), line 12) . . . 2,441,913. Form 990-EZ check here . ▶ □ **b Total revenue,** if any (Form 990-EZ, line 9) . . . . . . . . 3a Form 1120-POL check here ▶ **b Total tax** (Form 1120-POL, line 22) . . . . . . . . . . 3b Form 990-PF check here . ▶ □ **b** Tax based on investment income (Form 990-PF, Part V, line 5) . 4a 4b **b Balance due** (Form 8868, line 3c) . . . . . . . . . . . . Form 8868 check here . . ▶ □ 5b Form 990-T check here . ▶ □ **b** Total tax (Form 990-T, Part III, line 4) . . . . . . . . . . . . . Form 4720 check here . . ▶ **b Total tax** (Form 4720, Part III, line 1) . . . . . . . . . . . 7a 7b Form 5227 check here . . ▶ □ **b FMV** of assets at end of tax year (Form 5227, Item D) . . . Form 5330 check here . . ▶ □ **b Tax due** (Form 5330, Part II, line 19) . . . . . . . . . . . 9b 92 Form 8038-CP check here ▶ **b** Amount of credit payment requested (Form 8038-CP, Part III, line 22) 10a **Declaration and Signature Authorization of Officer or Person Subject to Tax** Part II Under penalties of perjury, I declare that 🗵 I am an officer of the above entity or 🗌 I am a person subject to tax with respect to (name of entity) , (EIN) and that I have examined a copy of the 2021 electronic return and accompanying schedules and statements, and, to the best of my knowledge and belief, they are true, correct, and complete. I further declare that the amount in Part I above is the amount shown on the copy of the electronic return. I consent to allow my intermediate service provider, transmitter, or electronic return originator (ERO) to send the return to the IRS and to receive from the IRS (a) an acknowledgement of receipt or reason for rejection of the transmission, (b) the reason for any delay in processing the return or refund, and (c) the date of any refund. If applicable, I authorize the U.S. Treasury and its designated Financial Agent to initiate an electronic funds withdrawal (direct debit) entry to the financial institution account indicated in the tax preparation software for payment of the federal taxes owed on this return, and the financial institution to debit the entry to this account. To revoke a payment, I must contact the U.S. Treasury Financial Agent at 1-888-353-4537 no later than 2 business days prior to the payment (settlement) date. I also authorize the financial institutions involved in the processing of the electronic payment of taxes to receive confidential information necessary to answer inquiries and resolve issues related to the payment. I have selected a personal identification number (PIN) as my signature for the electronic return and, if applicable, the consent to electronic funds withdrawal. PIN: check one box only X I authorize MMR CPA to enter my PIN as my signature **ERO** firm name Enter five numbers, but on the tax year 2021 electronically filed return. If I have indicated within this return that a copy of the return is being filed with a state agency(ies) regulating charities as part of the IRS Fed/State program, I also authorize the aforementioned ERO to enter my PIN on the return's disclosure consent screen. As an officer or person subject to tax with respect to the entity, I will enter my PIN as my signature on the tax year 2021 electronically filed return. If I have indicated within this return that a copy of the return is being filed with a state agency(ies) regulating charities as part of the IRS Fed/State program, I will enter my PIN on the return's disclosure consent screen. Signature of officer or person subject to tax ▶ Date ► 04/04/2022 **Certification and Authentication** Part III **ERO's EFIN/PIN.** Enter your six-digit electronic filing identification number (EFIN) followed by your five-digit self-selected PIN. 9 8 8 Do not enter all zeros I certify that the above numeric entry is my PIN, which is my signature on the 2021 electronically filed return indicated above. I confirm that I

am submitting this return in accordance with the requirements of Pub. 4163, Modernized e-File (MeF) Information for Authorized IRS e-file Providers for Business Returns.

ERO's signature ▶ Date ▶

# **Smart Worksheets from your 2021 Federal Exempt Tax Return**

SMART WORKSHEET FOR: Form 990: Return of Organization Exempt from Income Tax

	Line 22 - Depreciation, Depletion, and Amortization Smart Worksheet											
C C	To enter assets, QuickZoom to Asset Entry Worksheet											
	Description	<b>(A)</b> Total	<b>(B)</b> Program services	<b>(C)</b> Management and general	<b>(D)</b> Fundraising							
A B C	Depreciation Depletion	19,751.	16,196.	1,975.	1,580.							

# Additional information from your 2021 Federal Exempt Tax Return

# Form 990: Return of Organization Exempt from Income Tax

Noncash Itemization Statement

Description	Amount
In-Kind Use of Facilities	47,041.
Total	47,041.

## Form 990: Return of Organization Exempt from Income Tax

Line 1, column (B) Itemization Statement

Description	Amount
Cash and cash equivalents	527,558.
Resticted Cash and Investments	1,926,818.
Total	2,454,376.

# FLORIDA

#### Consumer's Certificate of Exemption

#### Issued Pursuant to Chapter 212, Florida Statutes

85-8012640670C-3	06/30/2022	06/30/2027	501(C)(3) ORGANIZATION
Certificate Number	Effective Date	Expiration Date	Exemption Category

This certifies that

PELICAN HARBOR SEABIRD STATION INC 1279 NE 79TH ST MIAMI FL 33138-4206

is exempt from the payment of Florida sales and use tax on real property rented, transient rental property rented, tangible personal property purchased or rented, or services purchased.



#### **Important Information for Exempt Organizations**

DR-14 R. 01/18

- 1. You must provide all vendors and suppliers with an exemption certificate before making tax-exempt purchases. See Rule 12A-1.038, Florida Administrative Code (F.A.C.).
- 2. Your Consumer's Certificate of Exemption is to be used solely by your organization for your organization's customary nonprofit activities.
- 3. Purchases made by an individual on behalf of the organization are taxable, even if the individual will be reimbursed by the organization.
- 4. This exemption applies only to purchases your organization makes. The sale or lease to others of tangible personal property, sleeping accommodations, or other real property is taxable. Your organization must register, and collect and remit sales and use tax on such taxable transactions. Note: Churches are exempt from this requirement except when they are the lessor of real property (Rule 12A-1.070, F.A.C.).
- 5. It is a criminal offense to fraudulently present this certificate to evade the payment of sales tax. Under no circumstances should this certificate be used for the personal benefit of any individual. Violators will be liable for payment of the sales tax plus a penalty of 200% of the tax, and may be subject to conviction of a third-degree felony. Any violation will require the revocation of this certificate.
- 6. If you have questions about your exemption certificate, please call Taxpayer Services at 850-488-6800. The mailing address is PO Box 6480, Tallahassee, FL 32314-6480.

### Pelican Harbor Seabird Station, Inc.

Financial Statements
For the Years Ended December 31, 2021 and 2020 (restated)

#### TABLE OF CONTENTS

Independent Accountant's Review Report	1
Statement of Financial Position	2
Statement of Activities and Change in Net Assets	- 4
Statement of Functional Expenses 5 –	- 6
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Notes to Financial Statements	18





#### INDEPENDENT ACCOUNTANT'S REVIEW REPORT

To the Board of Directors Pelican Harbor Seabird Station, Inc. 1275 NE 79 Street Causeway Miami, FL 33138

I have reviewed the accompanying financial statements of Pelican Harbor Seabird Station, Inc. (a nonprofit organization), which comprise the statement of financial position as of December 31, 2021 and the related statements of activities, functional expenses and cash flows for the year then ended, and the related notes to the financial statements. A review includes primarily applying analytical procedures to management's financial data and making inquiries of management. A review is substantially less in scope than an audit, the objective of which is the expression of an opinion regarding the financial statements as a whole. Accordingly, I do not express such an opinion.

#### Management's Responsibility for the Financial Statements

Management is responsible for the preparation and fair presentation of these financial statements in accordance with accounting principles generally accepted in the United States of America; this includes the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement whether due to fraud or error.

#### **Accountant's Responsibility**

My responsibility is to conduct the review engagement in accordance with Statements on Standards for Accounting and Review Services promulgated by the Accounting and Review Services Committee of the AICPA. Those standards require me to perform procedures to obtain limited assurance as a basis for reporting whether I am aware of any material modifications that should be made to the financial statements for them to be in accordance with accounting principles generally accepted in the United States of America. I believe that the results of my procedures provide a reasonable basis for my conclusion.

#### **Accountant's Conclusion**

Based on my review, I am not aware of any material modifications that should be made to the accompanying financial statements in order for them to be in accordance with accounting principles generally accepted in the United States of America.





#### **Other Matters**

As discussed in Note. 18, the 2020 financial statements were restated to accurately reflect Grants Receivable for the Employee Retention Credit ("ERC") and professional fees related to the ERC. As a result of the restatement described in Note. 18, I believe the financial statements as of December 31, 2021 and 2020 are in accordance with accounting principles generally accepted in the United State of America.



## PELICAN HARBOR SEABIRD STATION, INC. STATEMENT OF FINANCIAL POSITION DECEMBER 31, 2021 AND 2020

	2021	2020
ASSETS		
Current assets:		
Cash and cash equivalents	\$ 527,558	\$ 301,988
Cash on Hand	\$ -	-
Resticted Cash and Investments	\$ 1,926,818	963,672
Grants and Contributions receivable, net	301,470	73,170
Prepaid expenses	-	3,312
Investments		
Total current assets	2,755,846	1,342,142
Non-current assets:		
Land	2,484,290	2,484,290
Grants and Contributions receivable, net	-	62,294
Investments - building	110,116	
Property and equipment, net	262,059	91,057
Software, net	287,018	
Total non-current assets	3,143,483	2,878,915
Total assets	\$ 5,899,329	\$ 4,221,057
LIABILITIES AND NET ASSETS		
Current liabilties		
Accounts payable and accrued expenses	55,931	18,571
Loan Payable	28,534	
Current Portion of Long Term Debt	95,205	
Total current liabilities	179,669	173,711
Non-current liabilties:		
Long Term Debt	891,600	463,102
Total liabilities	1,071,269	636,813
NET ASSETS		
Without donor restrictions	2,805,828	2,545,192
With donor restrictions	2,022,232	
Total net assets	4,828,060	3,584,243
Total liabilities and net assets	\$ 5,899,329	\$ 4,221,057

See accompanying notes and independent accountant's report.

#### PELICAN HARBOR SEABIRD STATION, INC. STATEMENT OF ACTIVITIES AND CHANGE IN NET ASSETS YEAR ENDED DECEMBER 31, 2021

		thout Donor estrictions	Vith Donor estrictions	Total
OPERATING ACTIVITES	•		 	 _
REVENUES AND OTHER SUPPORT				
Grant Revenue		\$ 493,713	\$ 180,061	\$ 673,774
Donations and contributions and fees		452,412	1,250,725	1,703,137
Program Service Fees		22,485		22,485
Special Event Income	-			
Special Event Expenses	(1,590)			
		(1,590)		(1,590)
In-kind use of facilities		47,041	-	47,041
Unrealized gain		-	-	-
Gain on Sale		(4,444)		(4,444)
Investment and interest income, net	-	1,511	 	 1,511
Total revenues and other support	-	1,011,127	 1,430,786	 2,441,913
EXPENSES				
Program Services				
Total program services	-	1,012,252	 	 1,012,252
Supporting services:				
Management and general		103,248	-	103,248
Fundraising	-	82,598	 	 82,598
Total support services	-	185,846	 <u>-</u>	 185,846
Total expenses	-	1,198,097		1,198,097
Change in net assets from operations	-	(186,970)	 1,430,786	 1,243,816
NONOPERATING ACTIVITIES				
Restrictions satisfied by payments	-	447,605	 (447,605)	 -
Total nonoperating activities	-	447,605	 (447,605)	 
Change in net assets		260,635	983,181	1,243,816
Net assets, beginning of year	-	2,545,193	1,039,051	3,584,244
Net assets, end of year	=	\$ 2,805,828	\$ 2,022,232	\$ 4,828,060

#### PELICAN HARBOR SEABIRD STATION, INC. STATEMENT OF ACTIVITIES AND CHANGE IN NET ASSETS YEAR ENDED DECEMBER 31, 2020

		thout Donor	Vith Donor estrictions	Total
OPERATING ACTIVITES				
REVENUES AND OTHER SUPPORT				
Grant Revenue		\$ 388,597	\$ 159,806	\$ 548,403
Donations and contributions and fees		333,548	1,572,182	1,905,730
Program Service Fees		4,894		4,894
Special Event Income	31,252			
Special Event Expenses	(15,125)			
		16,127		16,127
In-kind use of facilities		44,378	-	44,378
Unrealized gain		908	-	908
Gain on Sale		69		69
Investment and interest income, net		1,001	 	 1,001
Total revenues and other support		789,523	1,731,988	2,521,511
EXPENSES				
Program Services				
Total program services		754,868	 	 754,868
Supporting services:				
Management and general		80,890	-	80,890
Fundraising		64,712	 	 64,712
Total support services		145,602	 	 145,602
Total expenses		900,470	 	 900,470
Change in net assets from operations		(110,947)	 1,731,988	 1,621,041
NONOPERATING ACTIVITIES				
Restrictions satisfied by payments		1,923,020	 (1,923,020)	 
Total nonoperating activities		1,923,020	 (1,923,020)	
Change in net assets		1,812,073	(191,032)	1,621,041
Net assets, beginning of year		733,120	1,230,083	 1,963,203
Net assets, end of year		\$ 2,545,192	\$ 1,039,051	\$ 3,584,243

#### PELICAN HARBOR SEABIRD STATION, INC. STATEMENT OF FUNCTIONAL EXPENSES YEAR ENDED DECEMBER 31, 2021

	2021							
		Program	Ma	nagement				
		Services	and	d General	Fu	ndraising		Total
Salaries and related cost	\$	552,259	\$	67,349	\$	53,879	\$	673,486
Professional services	·	15,611		1,904		1,523	·	19,038
Advertising and promotion		34,298		4,183		3,346		41,826
Conferences and meetings		-		-		-		_
Office expenses		61,618		7,514		6,012		75,145
Information technology		-		-		-		-
Occupancy		-		-		-		_
Occupancy - donated facilities		38,573		4,704		3,763		47,041
Insurance		12,688		1,547		1,238		15,473
Veterinarian supplies and laboratory		92,993		-		=		92,993
Repairs and maintenance		109,485		13,352		10,681		133,518
Educational Programing		58,217		-		-		58,217
Patient Transport		13,702		-		-		13,702
Interest and Bank Fees		5,902		720		576		7,198
Charitable Contributions		709				-		709
Total expenses before depreciation		996,056		101,272		81,018		1,178,346
amortization and bad debt								
Depreciation		16,196		1,975		1,580		19,751
Amortization		-		-		-		-
Bad Debt								
Total depreciation, amortization		16,196		1,975		1,580		19,751
and bad debt								
Total Expenses	\$	1,012,252	\$	103,248	\$	82,598	\$	1,198,097

#### PELICAN HARBOR SEABIRD STATION, INC. STATEMENT OF FUNCTIONAL EXPENSES YEAR ENDED DECEMBER 31, 2020

				202	20		
	F	rogram	Ma	nagement			
		Services	and	General	Fu	ndraising	 Total
Salaries and related cost	\$	456,272	\$	55,643	\$	44,514	\$ 556,429
Professional services		22,758		2,775		2,220	27,754
Advertising and promotion		39,796		4,853		3,883	48,532
Conferences and meetings		3,519		429		343	4,291
Office expenses		41,702		5,086		4,068	50,856
Information technology		=		-		-	-
Occupancy		-		-		-	-
Occupancy - donated facilities		36,390		4,438		3,550	44,378
Insurance		11,882		1,449		1,159	14,490
Veterinarian supplies and laboratory		61,269		_		-	61,269
Repairs and maintenance		35,398		4,317		3,453	43,168
Educational Programing		20,829		-		-	20,829
Patient Transport		7,328		-		-	7,328
Interest and Bank Fees		6,784		827		662	8,274
Charitable Contributions		2,145					 2,145
Total expenses before depreciation		746,072		79,817		63,854	 889,743
amortization and bad debt							
Depreciation		7,422		905		724	9,051
Amortization		1,374		168		134	1,676
Bad Debt							 
Total depreciation, amortization		8,796		1,073		858	10,727
and bad debt							
Total Expenses	\$	754,868	\$	80,890	\$	64,712	\$ 900,470

## PELICAN HARBOR SEABIRD STATION, INC. STATEMENT OF CASH FLOWS YEARS ENDED DECEMBER 31, 2021 AND 2020

INDIRECT METHOD		
	 2021	 2020
CASH FLOWS FROM OPERATING ACTIVITIES		
Change in net assets	\$ 1,243,816	\$ 1,621,041
Adjustments to reconcile change in net assets to net		
cash provided by (used in) operating activities:		
Depreciation	(824)	9,051
Amortization	-	1,676
(Increase) decrease in assets		
Unrealized gains/losses on investments	-	-
Contributions receivable	(166,007)	(29,478)
Due from related parties	_	_
Prepaid expenses	3,312	(3,312)
Increase (decrease) in liabilities		
Accounts payable and accrued expenses	65,741	5,179
Net cash provided by (used in) operating activities	1,146,037	 1,604,157
CASH FLOWS FROM INVESTING ACTIVITIES		
Proceeds from the sale of investments	-	39,259
Purchase of Property and Equipment	(326,037)	 (2,609,555)
Net cash provided by (used in) investing activities	(326,037)	(2,570,297)
CASH FLOWS FROM FINANCING ACTIVITIES		
Loan Payable	(86,200)	86,200
Long-Term Debt	 454,915	 531,890
Net cash provided by (used in) financing activities	 368,715	 618,090
Net increase (decrease) in cash and cash equivalents	1,188,715	(348,050)
Cash and cash equivalents, beginning of year	1,265,660	1,613,710
Cash and cash equivalents, end of year	\$ 2,454,376	\$ 1,265,660

#### NOTE 1 – NATURE OF BUSINESS AND ORGANIZATION

The Pelican Harbor Seabird Station ("the Station") is a Florida not-for-profit Corporation exempt from income taxes under Section 501(c)(3) of the Internal Revenue Code. The station was organized under the laws of the State of Florida on October 29, 1981.

The wildlife rehabilitation facility was organized for the purpose of providing aid to heal animals harmed by mankind and return them to their ecosystem. The Station specializes in brown pelicans and serves the Greater-Miami metropolitan area. Its mission is to rescue, treat, rehabilitate and care for sick, injured, or orphaned wildlife, and to foster and promote the preservation, protection and propagation of pelicans and other wildlife. It provides free admission and tours of its facility located at 1279 NE 79<sup>th</sup> Street Causeway, Miami, Florida 33138 to the general public to promote these efforts.

#### NOTE 2 – SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

#### Basis of presentation

The Station prepares its financial statements in accordance with Statement of Financial Accounting Standards Codification (ASC) Topic 958-205 of the Financial Accounting Standards Board (FASB), "Presentation of Financial Statements of Not-For-Profit Entities". It uses the accrual basis of accounting which recognizes revenues in the accounting period in which they are earned and become measurable and expenses in the period incurred, if measurable. Contributions are recorded when received. Grants are recorded as revenue when performance occurs under the terms of the agreement. The Station is required to report information regarding its financial position and activities according to the following net asset classifications:

**Net assets without donor restrictions:** Net assets that are not subject to donor-imposed restrictions and may be expended for any purpose in performing the primary objectives of the organization. These net assets may be used at the discretion of the Station's management and the board of directors.

**Net assets with donor restrictions**: Net assets subject to stipulations imposed by donors, and grantors. Some donor restrictions are temporary in nature; those restrictions will be met by actions of the Station or by the passage of time. Other donor restrictions are perpetual in nature, whereby the donor has stipulated the funds be maintained in perpetuity.

Donor restricted contributions are reported as increases in net assets with donor restrictions. When a restriction expires, net assets are reclassified from net assets with donor restrictions to net assets without donor restrictions in the statements of activities.

#### **Contributions**

In accordance with FASB ASC Topic 958, "Not-For Profit Entities," contributions received are recorded as with donor restrictions or without donor restrictions depending on the existence and/or nature of any donor restrictions. Net assets with donor restrictions are reclassified to net assets without donor restrictions upon satisfaction of the time or purpose restrictions.

#### NOTE 2 – SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES CONTINUED

#### Promises to Give

Contributions are recognized when the donor makes a promise to give to the Station that is, in substance, unconditional. All other donor-restricted contributions are reported as increases in net assets with donor restrictions.

When a restriction expires, net assets with donor restrictions are reclassified to net assets without donor restrictions. For the years ended December 31, 2021 and 2020, the Station received no unconditional promises to give.

#### **Investments**

Investments are made in marketable securities with readily determinable fair values and all investments in debt securities are valued at their fair values in the statement of financial position.

#### **Donated Facilities and Services**

The Station occupies buildings owned by Miami-Dade County, Florida (the "County"). The basis for determining the fair value of such facilities is based on the assessed fair market value of property as determined by Miami-Dade County. The fair value of the contributed facilities were \$47,041 and \$44,378 for the years ended December 31, 2021 and 2020, respectively.

#### **Donated Materials and Services**

Donations of property are recorded as support at their estimated fair value. Such donations are reported as unrestricted support unless the donor has restricted the donated assets to a specific purpose. Assets donated with explicit restrictions regarding their use and contributions of cash that must be used to acquire property are reported as restricted support. In the absence of donor stipulations regarding how long those donated assets must be maintained, the Station reports expirations of donor restrictions when the donated or acquired assets are placed in service. At which time the station reclassifies temporarily restricted net assets to unrestricted net assets. The Station records the value of donated goods or services when there is an objective basis available to measure their fair value. No amounts have been reflected in the statements for donated services since no objective basis is available to measure the fair value of such services.

#### **Income Taxes**

The Station is exempt from federal income taxes under Section 501(C)(3) of the Internal Revenue Code. Accordingly, a provision for income taxes were not made. The Internal Revenue Service ruled in a letter dated June 15, 1987 that the Station is not a private foundation under Sec 509 (A).

The Station has reviewed its tax status and related filings and determined that there are no uncertain tax positions for which an obligation needs to be recorded pursuant to the Income Taxes Topic (ASC 740).

#### NOTE 2 – SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES CONTINUED

#### Functional Allocation of Expenses

The Station reports expenses by functional classification, whereby expenses are categorized by program activities and supporting services. Program activities include direct and indirect costs associated with activities carried out for the fulfillment of the objectives of the Station. Supporting services related costs are costs incurred other than those classified under program activities.

Expenses incurred for program activities and supporting services are summarized on a functional basis in the statements of activities. The Station has the following functional expense categories:

- Program Expenses charges include expenses incurred for wildlife rehabilitation and education
- Fundraising charges include expenses incurred for travel, events and other operating costs to support fundraising efforts
- Management and general charges represent operating expenses including salaries, materials and supplies for programs supported through the Station

Accordingly, certain costs have been allocated among program activities and supporting services benefited. Such allocations are determined by management on an equitable basis. The expenses that are allocated include the following:

Expense	Method of Allocation
Salaries and related cost	Time and effort
Professional services	Time and effort
Advertising and promotion	Time and effort
Conferences and meetings	Time and effort
Office expenses	Time and effort
Information technology	Time and effort
Occupancy	Time and effort
Occupancy - donated facilities	Time and effort
Entertainment and dinners	Time and effort
Insurance	Time and effort
Materials and supplies	Time and effort
Veterinarian supplies & laboratory	Time and effort
Repairs and maintenance	Time and effort
Educational Programing	Time and effort
Depreciation	Time and effort
Amortization	Time and effort

#### NOTE 2 – SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES CONTINUED

#### Use of Estimates

The preparation of financial statements in conformity with accounting principles generally accepted in the United States of America requires management to make estimates and assumptions that affect certain reported amounts and disclosures. Accordingly, actual results could differ from those estimates.

#### Property & Equipment - Fixed Assets

Property and equipment are carried at cost and depreciated using the straight-line method over the following estimated useful lives of the respective classes of assets.

	<b>Useful Lives</b>
Furniture and equipment	5 to 10 years
Computer	5 years
Leasehold improvements	15 years
Software	3 to 5 years

#### Due to/from Related Parties

Amounts reported as due to/from related parties, included in the accompanying statements of financial position, arise principally from activities between the Station and Pelican Harbor Seabird Station Foundation, Inc. to further the mission of the organization

#### Reclassifications

Certain prior year amounts have been reclassified to conform to the current year presentation.

#### New Accounting Pronouncement

On August 18, 2016, FASB issued ASU 2016-14, Not-for-Profit Entities (Topic 958) – Presentation of Financial Statements of Not-for-Profit Entities. The update addresses the complexity and understandability of net asset classification, deficiencies in information about liquidity and availability of resources, and the lack of consistency in the type of information provided about expenses and investment return. The Station has adjusted the presentation of these statements accordingly. The ASU has been applied retrospectively to all periods presented.

#### NOTE 3. CASH AND CASH EQUIVALENTS

The Station defines cash and cash equivalents to include cash on hand, demands deposits and investments with original maturities of three months or less. During 2021 and 2020, total interest deposited to the Corporation's business checking accounts totaled \$1,511 and \$1,001, respectively. At December 31, 2021 and 2020, the Station held funds without donor restrictions of \$527,558 and \$301,988 and funds with donor restrictions of \$1,926,818 and \$963,672.

#### **NOTE 4. AVAILABILITY AND LIQUIDITY**

Financial assets at year end:	2021	 2020
Cash and cash equivalents	\$ 527,558	\$ 301,988
Cash on Hand	-	-
Restricted cash	1,926,818	963,672
Contributions receivable	301,470	73,170
Investments at fair value		 
Total financial assets	2,755,846	1,338,830
Less amounts not available to be used within one year:		
Net assets with donor restrictions	2,022,232	1,039,051
Less net assets with purpose restrictions to be met in		
less than a year	-	-
Board Designated Reserve	 71,280	71,075
	 2,093,512	 1,110,126
Financial assets available to meet general expenditures		
over the next twelve months	\$ 662,334	\$ 228,704

The Station's goal is generally to maintain financial assets to meet 90 days of operating expenses.

#### **NOTE 5. INVESTMENTS**

The Financial Accounting Standards Board (FASB) Accounting Standards Codification Topic 820, Fair Value Measurements and Disclosures (ASC 820) (formerly referred to as FASB Statement of Financial Accounting Standards [SFAS] 157, Fair Value Measurements) is the authoritative U.S. GAAP guidance on how entities should measure and disclose fair value in their financial statements. Fair value is defined in ASC 820 as the "price that would be received to sell an asset or paid to transfer a liability in an orderly transaction between market participants at the measurement date." ASC 820 establishes a three-level hierarchy for fair value measurements based upon the transparency of inputs to the valuation methodology for an asset or liability as of the measurement date. The valuation hierarchy assigns highest priority to Level 1 measurements, and lowest priority to Level 3 measurements. The three levels are defined as follows:

#### Level 1

Financial assets and liabilities whose values are based on unadjusted quoted prices in active markets for identical assets or liabilities. Instruments in this category include money market funds and common stocks traded on exchanges such as the New York Stock Exchange.

#### Level 2

Financial assets and liabilities whose values are based on quoted prices for similar assets or liabilities in active markets. Level 2 inputs may include quoted prices for identical or similar assets or liabilities in markets that are not active. Instruments in this category include some corporate and municipal bonds that may not be traded frequently.

#### NOTE 5. INVESTMENTS CONTINUED

#### Level 3

Financial assets and liabilities whose values are based on unobservable inputs for the asset or liability. These inputs may be used with internally developed methodologies that result in management's best estimate of fair value. Instruments in this category include investments in hedge funds and real estate funds.

Following is a description of the valuation methodologies used for assets measured at fair value. There have been no changes to the methodologies used at December 31, 2021 and 2020.

*Mutual Funds/Short-term investments* – Valued at the net asset value of shares held by the Foundation at year-end. All investment assets are Level 1 as of December 31, 2021.

#### **NOTE 6. NET INVESTMENT INCOME**

			2021			
			Wi	th		
	Withou	ut Donor	Doı	nor		
	Restr	rictions	Restric	ctions	T	otal
Interest and dividends	\$	1,511	\$	-	\$	1,511
Unrealized gain on investments		-		-		-
Unrealized loss on investments		-		-		-
Investment fees				_		
Net investment loss	\$	1,511	\$		\$	1,511
			2020	)		
			2020 Wi			
	Witho	out Donor		th		
		out Donor	Wi	th nor		Total
Interest and dividends			Wi Doi	th nor		Total 1,001
Interest and dividends Realized gain on investments	Re	strictions	Wi Doi Restric	th nor	\$	
	Re	strictions 1,001	Wi Doi Restric	th nor	\$	1,001
Realized gain on investments	Re	strictions 1,001	Wi Doi Restric	th nor	\$	1,001
Realized gain on investments Unrealized gain on investments	Re	strictions 1,001	Wi Doi Restric	th nor		1,001

#### NOTE 7. GRANTS AND CONTRIBUTIONS RECEIVABLE

Contributions receivable consist primarily of noninterest-bearing amounts due for programs. Management determines the allowance for uncollectable accounts receivable based on historical experience, an assessment of economic conditions, and a review of subsequent collections. An allowance is recorded for receivables deemed to be uncollectible. As of December 31, 2021 and 2020, the contributions receivable

#### NOTE 7. GRANTS AND CONTRIBUTIONS RECEIVABLE CONTINUED

balances net of allowance are \$301,470 and \$73,170 respectively. As of December 31, 2021 and 2020, management has recorded an allowance for bad debt of \$7,000 and \$9,500 respectively.

As discussed in Note 18, The Station is eligible for the Employee Retention Credit ("ERC") under the CARES Act. A refund of \$147,137.94 and \$62,294 is expected to be received after December 31, 2021 and 2020, respectively. As of December 31, 2021 and 2020, Grants receivable for the ERC are \$209,431.94 and \$62,294, respectively. These amounts represent refunds due on the 2021 Form 941-X *Adjusted Employer's Quarterly Federal Tax Return or Claim for Refund* for the quarters ended March 31, 2021 and June 30, 2021 and 2020 Form 941-X *Adjusted Employer's Quarterly Federal Tax Return or Claim for Refund* for the quarters ended June 30, 2020, September 30, 2020 and December 31, 2020.

#### NOTE 8. IN-KIND USE OF FACILITIES – LEASE OBLIGATIONS

The Station leases its facilities from Miami-Dade County under a twenty (20) year lease agreement dated April 1992. The lease provides for a nominal annual rent of \$300. The lease contains a renewal clause for an additional ten (10) year term under the same conditions as the original lease. The lease requires that the building and property be maintained, repaired and improved as is necessary to keep it in good order. The initial lease was signed on July 24, 1990 with the provision that initial term shall commence when construction of the new building was completed, i.e. 1992. The basis for determining the fair value of such facilities is based on the assessed fair market value of property as determined by Miami-Dade County. The fair value of the contributed facilities were \$47,041 and \$44,378 for the years ended December 31, 2021 and 2020, respectively.

#### **NOTE 9. FIXED ASSETS**

Property and Equipment are carried at cost and depreciated using the straight- line method over their estimated useful lives. During 2021 and 2020, depreciation expense totaled \$19,751 and \$9,051 respectively.

Fixed assets consist of the following at December 31, 2021 and 2020:

_	2021	2020
Depreciable Assets		
Furniture and equipment	\$173,957	\$202,671
Computer	13,395	3,342
Leasehold improvements	74,717	74,717
Total assets	262,059	280,730
Accumulated depreciation		
Furniture and equipment	\$132,591	\$136,825
Computer	13,395	1,812
Leasehold improvements	56,258	51,036
Total accumulated depreciation	202,244	189,673
Fixed assets, net	\$ 59,815	\$ 91,057

#### NOTE 10. SOFTWARE

Software is carried at cost and amortized using the straight- line method over their estimated useful lives. During 2021 and 2020, amortization expense totaled \$0 for both years.

Software consisted of the following at December 31, 2021 and 2020:

_	2020	2019
Amortizable Assets		
Software	\$13,395	\$13,395
Less: accumulated depreciation	(13,395)	(13,395)
Software, net	<u> </u>	<u>-</u>

#### **NOTE 11. BUILDING**

During fiscal year 2009, the Station's Board of Directors approved the planned construction of an added facility for use by the Station. Restricted funds were received in the amount of \$500,000 from the James E. Lockwood Foundation for this purpose and have been placed in interest bearing accounts.

During 2020 and 2019, the Station received a gift of \$1,300,000 and \$675,000 from the Deeks Family Foundation for the purchase and planned construction of a facility for use by the Station.

Predevelopment fees have amounted to \$599,378 and \$241,274 as of December 31, 2021 and 2020, respectively. These items are reflected on the balance sheet as "Investments-Building".

On January 31<sup>st</sup>, 2020 the Station purchased a 2.6-acre property on the Little River. The site will be used to build a new wildlife rehabilitation facility.

The following table presents certain information about the property The Station acquired:

	Acre	Purchase Price (1)
Purchase	2.6	\$2,450,000

(1) Contract purchase price, excluding acquisition and transaction related costs.

#### NOTE 12. PAYROLL PROTECTION PROGRAM

On January 25, 2021 and May 6, 2020, the Station was granted a loan in the amount of \$99,475 and \$86,200, pursuant to the Paycheck Protection Program ("PPP") established as part of the Coronavirus Aid, Relief and Economic Securities Act. The loan is forgivable as long as the Station uses the loan proceeds for eligible purposes, including payroll, benefits, rent, and utilities, and maintains its employee levels based on requirements set forth by the SBA and the United States Treasury. Any unforgiven portion of the PPP loan is payable over two years at an interest rate of 1%, with deferral of payments for the first six months. The Station intends to use the proceeds for the purposes consistent with the PPP rules and guidelines.

#### NOTE 13. LONG TERM DEBT

The Station's long-term debt consists of the following:

	2021	2020
Mortgage Payable, due in monthly installments of \$5,745 at an annual rate of 4.6%, secured by land	\$486,805	\$532,042
Small Business Administration Economic Injury Disaster Loan at an	****	
annual rate of 2.75%, unsecured	\$500,000	
	\$986,805	\$532,042

Future scheduled maturities of long-term debt are as follows:

#### Years Ending December 31st:

2022	\$151,221
2023	151,221
2024	151,221
2025	151,221
2026	151,221
Thereafter	230,700
	\$986,805

#### NOTE 14. NET ASSETS

Net assets with donor restrictions were as follows for the years ended December 31, 2021 and 2020:

	2021	2020
Undesignated	\$ 2,532,644	\$ 2,272,008
Restricted for Building Purchase	2,022,232	1,039,051
Board Reserved	273,184	273,184
	4,828,060	3,584,243
Satisfaction of Purpose Restrictions	2019	2019
	447,605	1,923,020

#### NOTE 15. RISK MANAGEMENT

For the year ended December 31, 2021 and 2020, the lease on the operating facilities requires that certain insurances be maintained. Policies shall be endorsed to include Metropolitan Dade County as an additional insured.

- Public liability insurance on a comprehensive basis in an amount not less than \$1,000,000. (Combined single limit for bodily injury and property damage)
- Automobile liability insurance \$1,000,000
- Hazard Insurance Fire, extended coverage, and vandalism and malicious mischief for the full insurable value of any structure located upon the premises.
- Builder's risk insurance for any construction during the term of the lease.

The Station currently maintains public liability insurance, with an effective renewal date of April 23, 2021 with a one (1) year term, through April 23, 2022. This policy was placed with Cincinnati Insurance Companies. The policy includes commercial general liability coverage with limits of liability of \$2,000,000. The Station also carries a commercial property policy which includes hazard coverage with liability limits of \$90,000. The station has a separate automobile insurance policy with Allstate Insurance Company with limits of \$500,000 and separate directors' and officers' policy with Christian-Baker Company with limits of \$2,000,000.

The Station also has crime insurance, with an effective renewal date of December 20, 2021 with a one (1) year term, through December 20, 2022. This policy was placed with Chubb Group of Insurance Co. and includes crime coverage with limit of \$1,000,000.

#### NOTE 16. GIFTS, GRANTS AND PLEDGES

During 2020, the Station received a gift of \$1,300,000 from the Deeks Family Foundation for the purchase and planned construction of a facility for use by the Station. The gift represents 53% of all revenue for 2020.

During 2021, the Station was awarded \$500,000 from The Clinton Family Fund for the planned construction of a facility for use by the Station. The gift represents 20% of all revenue for 2021.

During 2021, the Station received a gift of \$250,000 from Laurence Baldwin for the planned construction of a facility for use by the Station. The gift represents 10% of all revenue for 2021.

During 2021 and 2020, the Station was awarded \$103,000 and \$100,000 from the Batchelor Foundation for the sole purpose of funding wildlife programs. The Batchelor Foundation grant represents 4% of all revenue each year.

#### **NOTE 17. LITIGATION AND CONTINGENCIES**

The Station is not currently subject to or a part to any litigation. There are presently no known claims of action pending or unresolved.

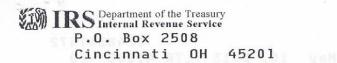
#### NOTE 18. RESTATEMENT OF 2020 GRANT RECEIVABLE AND RELATED PROFESSIONAL COSTS

The Taxpayer Certainty and Disaster Tax Relief Act of 2020, enacted December 27, 2020, made a number of changes to the Employee Retention Credit ("ERC") previously made available under the Coronavirus Aid, Relief, and Economic Security Act (CARES Act). The law allowed employers who received Paycheck Protection Program (PPP) loans to claim the ERC for qualified wages that are not treated as payroll costs in obtaining forgiveness of the PPP loan.

As a result and subsequent to the issuance of the financial statements, management determined that The Station is eligible for the Employee Retention Credit ("ERC") under the CARES Act. A refund of \$62,294 is expected to be received after December 31, 2020 in the form of 2020 Form 941-X Employer Quarterly Federal Tax Return refund payments. As such, the financial statements of PHSS as of December 31, 2020 were restated to accurately reflect Grants receivable for the ERC as discussed in Note 7. Additionally, professional fees of \$6,229 were accrued to accurately reflect the cost related to the ERC.

#### **NOTE 19. SUBSEQUENT EVENTS**

The Station has evaluated events and transactions for potential recognition or disclosure in the financial statements through March 31, 2022 the date the financials were available for issuance and determined that there have been no events that have occurred that would require adjustments to our disclosures in the consolidated financial statements.



In reply refer to: 0248367572 May 10, 2013 LTR 4168C E0 59-2137331 000000 00

> 00029049 BODC: TE

PELICAN HARBOR SEABIRD STATION INC 1279 N E 79TH STREET CAUSEWAY MIAMI FL 33138-4206



008664

Employer Identification Number: 59-2137331
Person to Contact: Ms. Mueller
Toll Free Telephone Number: 1-877-829-5500

Dear Taxpayer:

This is in response to your May 01, 2013, request for information regarding your tax-exempt status.

Our records indicate that you were recognized as exempt under section 501(c)(3) of the Internal Revenue Code in a determination letter issued in May 1982.

Our records also indicate that you are not a private foundation within the meaning of section 509(a) of the Code because you are described in section(s) 509(a)(1) and 170(b)(1)(A)(vi).

Donors may deduct contributions to you as provided in section 170 of the Code. Bequests, legacies, devises, transfers, or gifts to you or for your use are deductible for Federal estate and gift tax purposes if they meet the applicable provisions of sections 2055, 2106, and 2522 of the Code.

Please refer to our website www.irs.gov/eo for information regarding filing requirements. Specifically, section 6033(j) of the Code provides that failure to file an annual information return for three consecutive years results in revocation of tax-exempt status as of the filing due date of the third return for organizations required to file. We will publish a list of organizations whose tax-exempt status was revoked under section 6033(j) of the Code on our website beginning in early 2011.

0248367572 May 10, 2013 LTR 4168C E0 59-2137331 000000 00 00029050

PELICAN HARBOR SEABIRD STATION INC 1279 N E 79TH STREET CAUSEWAY MIAMI FL 33138-4206

If you have any questions, please call us at the telephone number shown in the heading of this letter.

Sincerely yours,

Receard marin

Richard McKee, Department Manager Accounts Management Operations



#### **MEMORANDUM**

ITEM NO. 2.I

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

From: Shlomo Danzinger, Mayor

Date: September 28, 2022

Subject: Town of Surfside Sister City Resolution Approval and Key to the Town

Request

For the commission to approve the resolution of the town of Surfside, Florida, establishing a sister city relationship with the region of Shomron, Israel as a sister city to the Town of Surfside, Florida.

June 24<sup>th</sup>, 2021, was not only the worst day in Surfside's history, but was a tragedy felt across the world. 98 precious souls were extinguished in the blink of an eye without warning.

When news of the collapse spread across the globe, Israel immediately mobilized the IDF's Homefront Command Search & Rescue Unit (ISR-1) and sent them overseas to Surfside to aid in the rescue efforts. Their experience brought new methods and technologies which dramatically changed the speed and precision of the rescue and recovery efforts.

Being home to the tragedy, it's important for Surfside to show our appreciation and support to the people and the state of Israel. I am proposing that the Town establish a sister city relationship with the Region of Shomron, which is a region populated by a large diversity of cultures.

I have selected the region of Shomron because as frequent victims of terror attacks, their suffering and resiliency is something that we can continue to take courage from. As sister cities, we can support each other and lean on each other in times of need. In this gesture, the Town of Surfside can show its appreciation to Israel, who was here for us in our darkest hour.

Establishing a sister city relationship with Shomron will benefit the residents of the Town of Surfside by allowing us to promote educational, informational, cultural and economic exchanges between our two cities.

Shomron Sister City Resolution.pdf

Key Request for Shomron.pdf

#### RESOLUTION NO. 2022-\_\_\_\_

A RESOLUTION OF THE TOWN OF SURFSIDE, FLORIDA, ESTABLISHING A SISTER CITY RELATIONSHIP WITH THE REGION OF SHOMRON, ISRAEL TO PROMOTE EDUCATIONAL, INFORMATIONAL, CULTURAL AND ECONOMIC EXCHANGES; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

**WHEREAS**, the Town of Surfside (the "Town") desires to establish a sister city relationship with the Region of Shomron, Israel as a sister city to the Town in order to promote educational, informational, cultural, and economic exchange between the Town and the Region of Shomron; and

**WHEREAS**, the Town of Surfside, located in Miami Dade County Florida, is a thriving community made up of diverse cultures and nationalities, and the unity, courage, and kindness displayed after the tragic collapse of the Surfside Champlain Towers South became a beacon of light and goodness which shone throughout the world; and

**WHEREAS**, Shomron, which is located in the Judea and Samaria region of Israel, represents a large diversity of cultures and nationalities that have been resilient in the face of terror and tragedy, yet, is a region that flourishes with hospitals, universities, businesses, cultural centers, and archeological sites; and

**WHEREAS**, the State of Israel mobilized the Israeli Defense Force's Search & Rescue Team (ISR-1) which responded from overseas and provided vital intel, aid, and support in the rescue and recovery efforts in the aftermath of the Surfside Champlain Towers South Collapse; and

WHEREAS, in furtherance of the strong bond between the people and government of the United States of America and the State of Israel, and, specifically, the strong bond and relationship that was created between the Town and the State of Israel after the tragic collapse of the Surfside Champlain Towers South, the parties wish to establish a sister city relationship to provide and explore trade and economic opportunities and engage in cultural, educational and informational exchanges; and

**WHEREAS**, Shlomo Danzinger, Mayor of the Town of Surfside, and the Honorable Yossi Dagan, Chairman of the Shomron Regional Council, will work diligently to develop and strengthen ties between the two communities; and

**WHEREAS**, the Town Commission finds that it is in the best interests of the Town to establish a sister city relationship with the region of Shomron, Israel as a sister city to the Town.

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

- **Section 1. Recitals.** The above recitals are true and correct and incorporated herein by this reference.
- <u>Section 2.</u> <u>Establishment of Sister City.</u> The Town Commission hereby establishes a sister city relationship with the region of Shomron, Israel as a sister city to the Town of Surfside, Florida to promote educational, informational, cultural and economic exchanges.
- <u>Section 3.</u> <u>Implementation.</u> That the Town Mayor and Town Officials are hereby authorized to take any and all actions which are necessary to implement the purposes of this Resolution, including authorizing the Town Mayor to execute any appropriate agreements, as necessary, subject to approval as to form and legal sufficiency by the Town Attorney.

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

PASSED AND ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_\_, 2022.

Motion By: \_\_\_\_\_\_ Second By: \_\_\_\_\_ Second By: \_\_\_\_\_\_ Second By: \_\_\_\_\_\_ Second By: \_\_\_\_\_\_ Shlomo Danzinger Shlomo Danzinger Shlomo Danzinger Shlomo Danzinger, Mayor ATTEST:

Sandra McCready, 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



### TOWN OF SURFSIDE

## PROCLAMATION, CERTIFICATE, COIN AND KEY TO THE TOWN REQUEST FORM

OFFICE OF THE TOWN CLERK

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ate of Request:	September 28, 2022			
ame of Requestor:	Shlomo Danzinger, Mayor	<del></del>		
rganization:	Town of Surfside			-
ddress:	9293 Harding Ave, Surfside	e FL 33154		-
hone / E-Mail:	sdanzinger@townofsurfsidefl.	gov		-
ame of Individual / Orgar	nization to be honored:			
′ossi Dagan, Chairmar	n - Shomron Regional Council			_
itle for Proclamation or C	ertificate:			
resolution of the town of Surfside, Flo	rida, adopting the region of Shomron, Israel as a siste	er city to the Town of Surfside,	Florida; and providing for	an effectiv
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