

RESOLUTION NO. 2013- 2157

A RESOLUTION OF THE TOWN OF SURFSIDE, FLORIDA ACKNOWLEDGING THE MEMORANDUM OF UNDERSTANDING (“MOU”) BETWEEN THE TOWN OF SURFSIDE AND THE TOWN OF SURFSIDE COMMUNITY DOG PARK INC. TO ACT AS STEWARDS OF THE SURFSIDE PAWS UP PARK; AUTHORIZING THE TOWN MANAGER TO EXECUTE AND IMPLEMENT THE TERMS AND CONDITIONS OF THE MOU; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town of Surfside Community Dog Park Inc., (hereinafter “CDP”) has been an integral part of the creation of the Surfside Paws Up Park (hereinafter “P.U.P”) and will continue to be a part of the operation of P.U.P; and

WHEREAS, the Town of Surfside, through a Memorandum of Understanding (Exhibit “A”), desires to establish the guidelines and terms of the understanding between the Town of Surfside and CDP; and

WHEREAS, the Town Commission of the Town of Surfside feels it is in the best interests of the Town to enter into this Memorandum of Understanding for the stewardship of the P.U.P.

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

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

Section 2. Authorization and Approval. The Town Commission authorizes and approves the Town Manager to execute and implement the MOU.

Section 3. Effective Date. This Resolution shall become effective immediately upon its adoption.

PASSED AND ADOPTED this 15th day of May, 2013.

Motion by Vice Mayor Karukin, second by Commissioner Kligman.

FINAL VOTE ON ADOPTION

Commissioner Joseph Graubart	<u>NO</u>
Commissioner Michelle Kligman	<u>YES</u>
Commissioner Marta Olchyk	<u>NO</u>
Vice Mayor Michael Karukin	<u>YES</u>
Mayor Daniel Dietch	<u>YES</u>



Daniel Dietch, Mayor

ATTEST:



Sandra Novoa, CMC. Town Clerk

**APPROVED AS TO FORM AND
LEGAL SUFFICIENCY FOR THE TOWN OF SURFSIDE ONLY:**



Linda Miller, Interim Town Attorney

**MEMORANDUM OF UNDERSTANDING
BETWEEN
THE TOWN OF SURFSIDE, A FLORIDA MUNICIPAL CORPORATION
AND THE TOWN OF SURFSIDE COMMUNITY DOG PARK, INC.**

Intent and Terms of the Memorandum of Understanding ("MOU")

The Town of Surfside (hereinafter "Town") and the Town of Surfside Community Dog Park, Inc. (hereinafter "CDP") desire to enter into a memorandum of understanding so that CDP may assist the Town in the ensuring the successful operation of the Surfside Paws Up Park ("P.U.P"). The Town and CDP are committed to working collaboratively.

CDP hereby agrees:

1. CDP will act as stewards of P.U.P.
2. CDP will designate a personnel member as the program liaison.
3. CDP will maintain annual non-profit status as reflected on the attached Articles of Incorporation (Attachment "A".)
4. CDP will report violations of Town policies to appropriate Town personnel; this includes the attached P.U.P Rules and Regulations (Attachment "B".)
5. CDP will monitor and report on condition of the park no less than bi-weekly.
6. CDP will notify the Town in advance of any planned fundraising activities, all approvals must be obtained **prior** to advertising for any planned activity.

The Town and CDP agree that this MOU **does not** confer a right to use any real property for any general purposes, **does not** convey or transfer any right to exclude the Town from any real property, **does not** transfer any interest in real property owned by the Town, and **that it is a MOU for the purposes stated herein only and is not assignable.**

This MOU may be canceled by either party, for convenience, at any time by giving thirty (30) days written notice to the non-cancelling party prior to the effective date of the cancellation.

IN WITNESS WHEREOF, the parties, intending to be legally bound, hereby have executed this Agreement as of the date set forth.

**TOWN OF SURFSIDE
A Florida Municipal Corporation,**

BY: _____
Michael P. Crotty, Town Manager

Date

**TOWN OF SURFSIDE COMMUNITY DOG PARK, INC.
A Florida Not For Profit Corporation,**

BY: _____
Authorized Representative, Date
Town of Surfside Community Dog Park, Inc.

Attest: _____
Sandra Novoa, Town Clerk Date

APPROVED AS TO FORM AND LEGAL SUFFICIENCY
FOR THE USE AND RELIANCE OF THE TOWN OF
SURFSIDE ONLY:

BY: _____
Linda Miller, Interim Town Attorney Date



FLORIDA DEPARTMENT OF STATE
Division of Corporations

October 30, 2012

ANN FINDLAY
8859 DICKENS AVE
SURFSIDE, FL 33154

The Articles of Incorporation for TOWN OF SURFSIDE COMMUNITY DOG PARK INC. were filed on October 30, 2012, effective January 1, 2013 and assigned document number N12000010321. Please refer to this number whenever corresponding with this office regarding the above corporation.

PLEASE NOTE: Compliance with the following procedures is essential to maintaining your corporate status. Failure to do so may result in dissolution of your corporation.

To maintain "active" status with the Division of Corporations, an annual report must be filed yearly between January 1st and May 1st beginning in the year following the filed date or effective date indicated above. **It is your responsibility to remember to file your annual report in a timely manner.** A Federal Employer Identification Number (FEI/EIN) will be required when this report is filed. Contact the IRS at 1-800-829-4933 for an SS-4 form or go to www.irs.gov.

Should your corporate mailing address change, you must notify this office in writing, to insure important mailings such as the annual report notices reach you.

Should you have any questions regarding corporations, please contact this office at (850) 245-6052.

Tim Burch, Regulatory Specialist II
New Filing Section

Letter Number: 212A00026568

www.sunbiz.org

Division of Corporations - P.O. BOX 6327 -Tallahassee, Florida 32314

ARTICLES OF INCORPORATION
In compliance with Chapter 617, F.S., (Not for Profit)

ARTICLE I NAME

The name of the corporation shall be: **Town of Surfside Community Dog Park Inc.**

ARTICLE II PRINCIPAL OFFICE

Principal street address
8859 Dickens Avenue
Surfside Fl 33154

Mailing address, if different is:

ARTICLE III PURPOSE

The purpose for which the corporation is organized is:

Local community dog play area for the Town of Surfside residents and their dogs.

ARTICLE IV MANNER OF ELECTION

The manner in which the directors are elected and appointed: *As provided in the bylaws. of*

ARTICLE V INITIAL OFFICERS AND/OR DIRECTORS

Name and Title: Ann Findlay, President
Address: 8859 Dickens Avenue
Surfside Fl 33154

Name and Title: Joseph Corderi, Vice President
Address: 8859 Dickens Avenue
Surfside, Fl 33154

Name and Title: Andrew Feld
Address: 8858 Dickens Avenue
Surfside, Fl 33154

Name and Title: _____
Address: _____

Name and Title: _____
Address: _____

Name and Title: _____
Address: _____

ARTICLE VI REGISTERED AGENT

The name and Florida street address (P.O. Box NOT acceptable) of the registered agent is:

Name: Joseph Corderi
Address: 8859 Dickens Avenue
Surfside FL 33154


FILED
12 OCT 30 PM 3:35
SECRETARY OF STATE
TALLAHASSEE, FL

ARTICLE VII INCORPORATOR

The name and address of the Incorporator is:

Name: Ann Findlay
Address: 8859 Dickens Avenue
Surfside, fl
33154

Having been named as registered agent to accept service of process for the above stated corporation at the place designated in this certificate, I am familiar with and accept the appointment as registered agent and agree to act in this capacity




Required Signature of Registered Agent

10/26/12

Date

I submit this document and affirm that the facts stated herein are true. I am aware that any false information submitted in a document to the Department of State constitutes a third degree felony as provided for in s.817.155, F.S.



Required Signature of Incorporator

10/26/12

Date

Article VIII - Effective Date:
The effective date will be January 1, 2013. 21



EIN Assistant

Your Progress:

1. Identity ✓

2. Authenticate ✓

3. Addresses ✓

4. Details ✓

5. EIN Confirmation

Congratulations! The EIN has been successfully assigned.

EIN Assigned: 46-2109511

Legal Name: Town of Surfside Community Dog Park INC.

The confirmation letter will be mailed to the applicant. This letter will be the applicant's official IRS notice and will contain important information regarding the EIN. Allow up to 4 weeks for the letter to arrive by mail.

We strongly recommend you print this page for your records.

Click "Continue" to get additional information about using the new EIN.

[Continue >>](#)

Help Topics



[Can the EIN be used before the confirmation letter is received?](#)



NO.	
PROPOS.	



93rd Street Dog Park
 93rd Street and Byron Avenue
 TOWN OF SEBASTIAN, FLORIDA 32914

PROJECT NAME

PROPOSED
 LANDSCAPE

DESIGNED BY

DRAWN BY

DATE

SCALE

PROJECT NO.

SHEET NO.

0 1 9115

Byron Avenue

Proposed hedge

Existing trees

Proposed seating areas

Proposed berms

Proposed trees

Sod

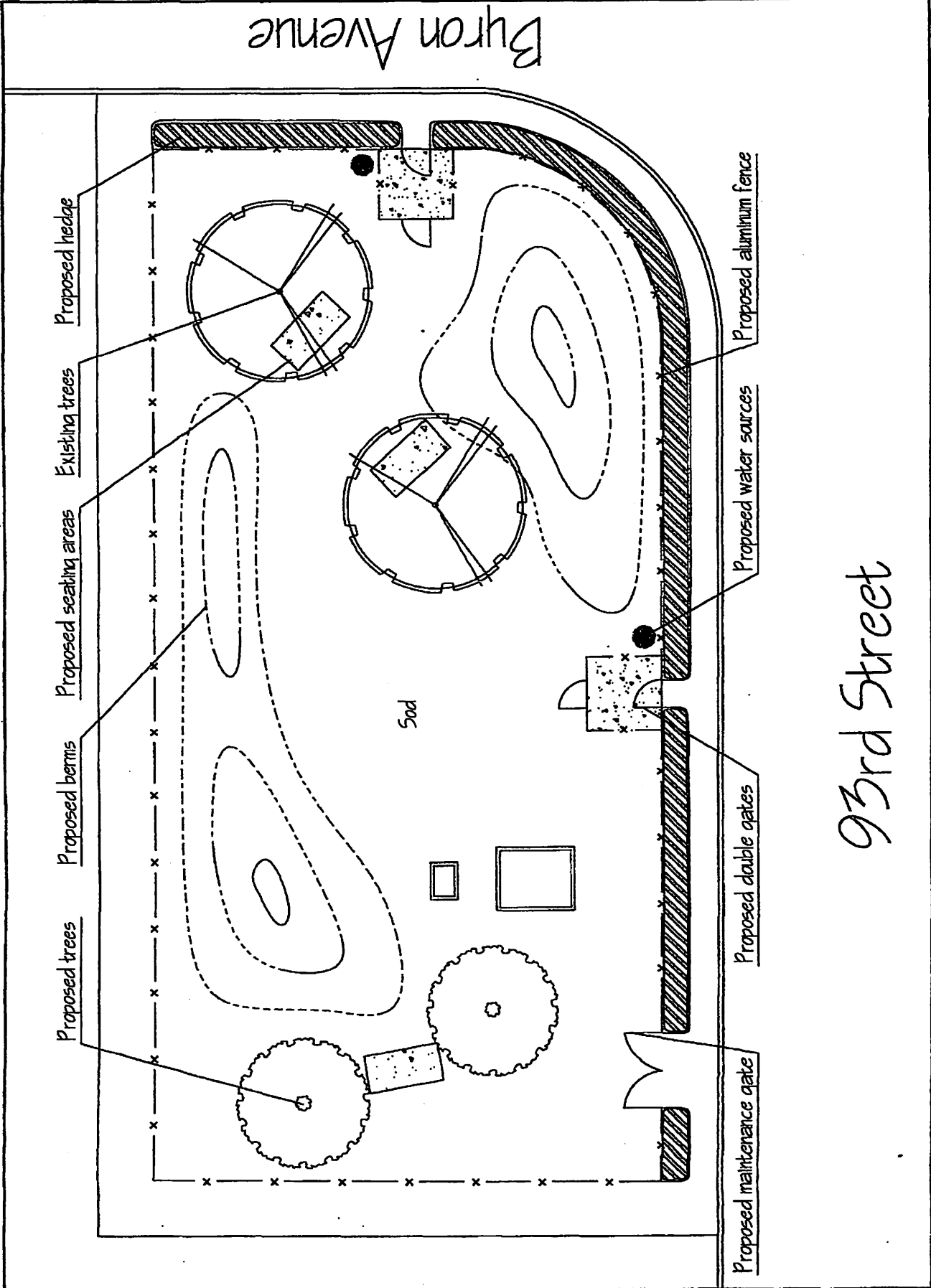
Proposed aluminum fence

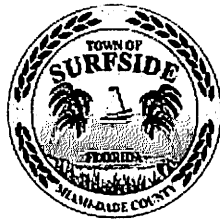
Proposed water sources

Proposed double gates

Proposed maintenance gate

93rd Street





WELCOME TO THE SURFSIDE PAWS UP PARK (P.U.P)

This area is for everyone.

Please have fun, be safe, and courteous to your neighbors
and their dogs!

- ✿ **BEWARE! P.U.P. is Unsupervised at all times. The use of the P.U.P. is at YOUR own risk. All Patrons Assume Any and All Risks.**
- ✿ The park is open from 8 A.M. to dusk.
- ✿ All dogs must have a collar and be held by a leash while entering or exiting the dog park.
- ✿ Unleash your dog inside the fenced area.
- ✿ Limit of 2 dogs per person on any one visit.
- ✿ Park gates must be kept latched and closed at all times.
- ✿ Puppies under 4 months old are not permitted in the park.
- ✿ Dogs that are in heat, sick or have internal or external parasites (fleas, ticks and worms) are not allowed in the park.
- ✿ Dogs must be vaccinated and display current licenses on their collars.
- ✿ Choke, prong, pinch, and spike collars must be removed inside the Dog Park area.
- ✿ Owners are responsible to **clean up after their dogs.**
- ✿ Owners must remain in the park with their dogs and monitor its behavior.
- ✿ Owners are legally responsible for their dogs and injury or damages caused by their dogs.
- ✿ If your dog becomes aggressive or is provoking others, it must be removed from the park immediately. **NO PITBULLS ARE ALLOWED**
- ✿ Children under the age of 18 must be supervised by an adult at all times.
- ✿ No food, treats, alcoholic beverages (soft drinks and water are allowed), strollers, or children's toys are allowed in the dog park.
- ✿ Bike riding, skateboarding, and rollerblading are not allowed in the park.
- ✿ No smoking in the park.
- ✿ **Use of the P.U.P. shall be for a dog park; ANY OTHER USE IS PROHIBITED.**

Persons in violation of these rules are subject to removal and possible suspension from the park. Thank you for your cooperation and enjoy the Surfside Paws Up Park (P.U.P.)

In case of any emergencies call – 911