



Town of Surfside

DOWNTOWN VISION ADVISORY COMMITTEE AGENDA

June 20, 2019 – 6:00 p.m.

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

The following also applies to all Boards and Committees:

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.

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 corporation or entity (such as charitable organization, a trade association or trade union), without special compensation or reimbursement for the appearance, whether direct, indirect, or contingent, to express support or opposition to any item.

***If the public wishes to speak on a matter on this agenda they must inform the Town Clerk prior to the start of the meeting and they will be recognized to speak prior to the approval of the item. ***

Opening Items:

- 1. Call to Order/Roll Call**
- 2. Approval of Minutes: May 16, 2019**
- 3. Meeting Recap**
 - A. Hurricane Shutter Recommendation to Town Commission**
 - B. New Member**
- 4. Skype Meeting with Mainstreet USA**
- 5. Discussion Items**
 - A. Art in Public Places**
 - B. Parking Lot Rates**

- C. Design Guidelines from Planning & Zoning**
- D. Code Compliance**
- E. Local Business Tax Receipts and Vacancies**
- F. Loading Zones**
- G. Parking Waiver Program Update**

6. Future Meeting Dates

7. Adjournment

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.

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

TWO OR MORE MEMBERS OF TOWN COMMISSION OR OTHER TOWN BOARDS MAY ATTEND AND PARTICIPATE AT 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.



Town of Surfside

SPECIAL DOWNTOWN VISION ADVISORY COMMITTEE MINUTES

May 16, 2019 – 6:00 p.m.

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

Opening Items:

1. Call to Order/Roll Call

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

The following Members introduced themselves:

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

Absent: Asmaa Benkirane

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

2. Approval of Minutes: April 11, 2019

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

3. Meeting Recap

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

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

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

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

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

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

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

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

Fred Landsman
Shaun Grenald
George Kousoulas
Marianne Meischeid

A. Off-Street Parking Rates

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

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

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

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

B. Main Street Program

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

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

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

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

4. Discussion Items

A. Unified look

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

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

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

B. Walkability

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

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

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

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

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

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

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

C. Alleyways

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

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

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

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

**Item 4A was discussed next.

5. Future Meeting Dates

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

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

6. Adjournment

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

Respectfully submitted:

Accepted this _____ day of _____, 2019

Shaun Grenald, Chair

Attest:

Sandra Novoa, MMC
Town Clerk



MEMORANDUM

ITEM NO. 5A

To: Members of the Downtown Vision Advisory Committee

From: Lindsay Fast, Tourism Director

Date: June 20, 2019

Subject: Art in Public Places – Key Biscayne & Miami Beach Ordinances

At the May 16, 2019 Downtown Vision Advisory Committee meeting discussion ensued regarding art in public places and instagrammable moments.

It was brought to the attention of the Committee that Surfside does not currently have an Ordinance in place governing art in public places. The Committee requested that staff review other municipalities art in public places legislation, and bring it back to the Committee for their recommendation to the Town Commission.

Please find the following attachments herein for consideration:

- Attachment A is the Village of Key Biscayne's Art in Public Places Ordinance.
- Attachment B is the City of Miami's Art in Public Places Ordinance.

The administration seeks direction on the proposed ordinance to bring to the Town Commission at the August 5, 2019 Town Commission meeting.

Reviewed by

Prepared by

ATTACHMENT A

ARTICLE VII. - WORKS OF ART IN PUBLIC PLACES

Sec. 2-141. - Art-in-public-places program.

(a) *Appropriation for construction to include amount for works of art.* The Village of Key Biscayne, Florida, shall provide for the acquisition of Works of Art equivalent in value to not less than 1½ percent of the Construction Costs of new governmental buildings, provided that no funds may be appropriated for this purpose from the ad valorem tax operations fund. To the extent the total appropriation is not used for the acquisition of Works of Art for said buildings, the remainder may be used for:

- (1) Program administrative costs, insurance costs or for the repair and maintenance of any Works of Art acquired under this section; or
- (2) To supplement other appropriations for the acquisition of Works of Art under this section or to place works of art in, on, or near government facilities which have already been constructed.

(b) *Definitions.* For the purpose of this section, the following terms are hereby defined:

Construction cost is defined to include architectural and engineering fees, site work, and contingency allowances. It does not include land acquisition or subsequent changes to the construction contract. All construction costs shall be calculated as of the date the contract is executed.

Works of art is defined as the application of skill and taste to production of tangible objects, according to aesthetic principles, including, but not limited to, paintings, sculptures, engravings, carvings, frescoes, mobiles, murals, collages, mosaics, statues, bas-reliefs, tapestries, photographs, lighting designs and drawings.

(Ord. No. 2001-14, § 1, 11-27-01)

Sec. 2-142. - Art-in-Public-Places Board.

(a) *Established.* There shall be an Art-in-Public-Places Board to administer the program.

(b) *Purpose.* The Art-in-Public-Places Board shall act in the public interest upon all matters relating to the program and shall support the program's goals and objectives. The Board's responsibilities include recommendations to the Village Council for the selection, maintenance, planning, and curating of all Works of Art acquired by the Village. The Board's responsibilities also include the selection, maintenance, planning, and public education regarding and curating of all Works of Art to be loaned to the Village.

- (1) *Membership; qualifications.* The Board shall be composed of up to eight members appointed by the Mayor, with the approval of the Council, as provided in the Charter, at Section 2.02. Each Board member shall be appointed to a term of two years. Appointments of four members shall be made each year so that the staggered terms of members shall be maintained. If a vacancy occurs prior to the expiration of Board member's term, another appointment shall be made to fill the vacancy for the remainder of the term. Each Board member must be knowledgeable in public art, must be a resident of the Village, and is precluded from participating in and/or voting on any matter which may directly or indirectly benefit the member, any family member or business associate of the member.

- (2) *Term of office.* No Board member shall serve more than eight consecutive years on the Board. Nothing shall prohibit any individual from being reappointed to the Board after a hiatus of two years.
- (3) *Duties.* The Board shall prepare written guidelines for curatorial purposes of acquired Works of Art and loaned Works of Art. The written guidelines shall not be effective unless and until approved by the Village Council. In accordance with the written guidelines, the Board shall recommend to the Village Council which Works of Art should be acquired by the Village. In accordance with the written guidelines, the Board shall select which works of art or exhibits of Works of Art shall be loaned temporarily to the Village.

(Ord. No. 2001-14, § 1, 11-27-01; Ord. No. 2007-10, § 2, 12-4-07; Ord. No. 2009-2, § 2, 2-10-09)

Sec. 2-143. - Selections of Works of Art.

- (a) *Acquisition procedure.* All acquisitions will be in accordance with the written guidelines approved by the Village Council. The Village Manager will negotiate and execute appropriate contracts to acquire each approved Work of Art. Funds may be aggregated to acquire Works of Art.
- (b) *Selection criteria.* In the selection process for acquired Works of Art, the following principles shall be observed:
 - (1) Works of Art shall be located in areas where residents and visitors live and congregate and shall be highly accessible and visible.
 - (2) The Board and the Village Council should consider the inherently intrusive nature of public art on the lives of those frequenting public places. With respect to acquired Works of Art, artworks reflecting enduring artistic concepts, not transitory ones, should be sought.
 - (3) Recommendations by the Board and selections by the Village Council must reflect the cultural and ethnic diversity of the Village without deviation from a standard of excellence.
 - (4) Selections of acquired Works of Art shall also take into account appropriateness to the site, permanence of the work in light of environmental conditions at the site, maintenance requirements, quality of the work, likelihood that the artist can successfully complete the work within the available funding, diversity of works already acquired by the Village, diversity of the artists whose work has been acquired by the Village.

(Ord. No. 2001-14, § 1, 11-27-01)

Sec. 2-144. - Written guidelines.

The Board shall recommend and the Village Council shall adopt and publish in the Village Council Agenda uniform written guidelines to govern the manner and method of submission of proposed Works of Art for acquisition by the Village. The Board shall recommend and the Village Council shall adopt and publish in the Village Council Agenda uniform written guidelines to govern the manner and method of submission of Works of Art for temporary display by the Village in public spaces owned by the Village, which artworks shall be loaned to the Village from such sources as may loan these artworks to the Village without charge. Purchases of Works of Art shall be approved by the Village Council. Loans of Works of Art shall be approved by the Board.

(Ord. No. 2001-14, § 1, 11-27-01)

Sec. 2-145. - Ownership and upkeep.

With respect to both acquired Works of Art and Works of Art temporarily loaned to the Village, the Art-in-Public-Places Board is charged with making recommendations to the Village Council regarding the custody, supervision, maintenance and preservation of Works of Art.

(Ord. No. 2001-14, § 1, 11-27-01)

Sec. 2-146. - Personnel.

The Village Manager shall provide adequate and competent clerical and administrative support as may be reasonably required by the Board for the proper performance of its duties, subject to budget limitations.

(Ord. No. 2001-14, § 1, 11-27-01)

Secs. 2-147—2-149. - Reserved.

ATTACHMENT B

ARTICLE XVI. - ART IN PUBLIC PLACES

Sec. 62-654. - Purpose and intent.

- (a) This article shall be known, cited, and referred to as the "Public Art Program."
- (b) It is the intent and purpose of the public art program to promote the general welfare of the community by uniting citizens through shared cultural and artistic experiences; to enhance the aesthetic diversity of the city through art integrated in architecture, infrastructure, and landscape; to chronicle the city's heritage through the collection and preservation of monuments, artifacts, objects, and documents; to create a cultural legacy for future generations through the curation and exhibition of high quality art; and to develop educational and cultural programs that will further the intent and purpose of the public art program.
- (c) The requirements found in this article are design standards based upon the aesthetic needs of the city and its communities and are not intended to be either an impact fee or a tax.
- (d) This article shall constitute a land development regulation of the city and any amendment shall be subject to a review and recommendation of the planning, zoning appeals board ("PZAB") and the art in public places board established below.
- (e) All terms specified herein shall be as defined in the Miami 21 Code.

(Ord. No. 13657, § 2, 1-12-17)

Sec. 62-655. - Art in public places board.

- (a) *Establishment.* There is hereby established a board to be known as the city's art in public places board ("AIPPB"). The AIPPB shall consist of nine voting members and two alternate members whose membership, meetings, duties, and other responsibilities are described below.
- (b) *Appointments; qualifications.*
 - (1) No appointment shall be made by the city commission to membership or alternate membership on the AIPPB until the city clerk has given at least 30 days' notice of the vacancies on the city's website and/or in a newspaper of general circulation in the city. The city commission shall solicit and encourage the members of the public and professional and citizen organizations within the area having interest in and knowledge of the purpose and functions of the AIPPB to apply for appointment. At least five days prior to the making of any appointment, the city clerk shall publicly notice the list of names submitted and the names of candidates submitted by the city commission, together with a short statement of the qualifications of each person, prepared and available for public inspection and consideration. No person shall be appointed to the AIPPB whose name and qualifications have not been made publicly available in the manner set out herein. In reaching a decision on an appointment, the city commission shall give due consideration to the qualifications of the candidates.
 - (2) Nomination and appointment. Each city commissioner shall appoint one board member, the mayor shall appoint one member, and the city commission at-large shall appoint three at large members and two alternate members subject to the criteria established herein. Appointees shall be persons in a position to represent the public interest, and no person shall be appointed having personal or private interests likely to conflict with the public interest. No person shall be appointed who has any interest in the profits or emoluments of any contract, job, work, or service for the city or is otherwise not qualified pursuant to the provisions of chapter 2 of this

Code. Before making any appointment, the city commission shall confirm that the person to be appointed has filed the statement required by section 2-615 of this Code.

- (3) Terms of appointment. The terms of appointment shall be the latter of those terms provided in section 2-885 of this Code.
- (4) Qualifications. It is intended that members and alternate members of the AIPPB be persons of knowledge, experience, mature judgment, and background; having ability and desire to act in the public interest; and representing, insofar as may be possible, the various special professional training, experience, and interests required to make informed and equitable decisions concerning development of an artistic, culturally enriching, and visually diverse physical environment. To that end, qualifications of members and alternate members shall be as follows:
 - a. All members shall have an interest and knowledge of the visual and performing arts and the artistic development of the city.
 - b. Eight board members must be knowledgeable and have a bachelor's, master's, or doctorate degree from an accredited university or college in fine arts, art education, museum curation, architecture, art history, architectural history, urban planning, urban design, landscape architecture, interior design, graphic or product design, music, real estate development, construction management, or finance. Additionally, the following shall apply to the same eight members:
 1. Five members shall be chosen from the following fields: fine arts, art education, museum curation, architecture, art history, architectural history, urban planning, urban design, landscape architecture, interior design, and/or graphic or product design;
 2. One member shall be a professional artist; and
 3. Two members shall be from the following fields: finance, real estate development, and/or construction management.
 - c. One member and two alternate members must have an interest in the visual and performing arts. Neither of these members is required to have a bachelor's, master's, or doctorate degree. One alternate member shall be a representative of Miami-Dade County Public Schools. The superintendent of schools shall make a recommendation to the city commission on the appointment of the alternate member.
- (5) Vacancies.
 - a. Vacancies in the membership or alternate membership of the AIPPB shall be filled by the city commission and mayor by appointment, in the manner set forth herein and for the unexpired term of the member or alternate member affected. The city commission may appoint an alternate member of the board to a vacancy as a full member of the board without resorting to the procedural requirements of subsection (b)(1) so long as the alternate member meets the qualifications of subsection (b)(4)c.
 - b. The executive secretary of the AIPPB shall notify the city clerk within ten days after a vacancy occurs and the city clerk shall promptly transmit such information to the city commission for nomination and appointment in accordance with subsection (b)(1).
- (6) Removal.
 - a. Members and the alternate members of the AIPPB may be removed for cause by not less than three affirmative votes of the city commission.
 - b. There is hereby established a point system. Each member, including alternate members, of the AIPPB who arrive after the beginning of the first agenda item or leaves before the termination of the last agenda item, at a regularly scheduled meeting of the AIPPB, shall receive one point. Any member of the AIPPB who accumulates more than seven points in one calendar year shall be brought to the attention of the city commission for its consideration of removal of the member.

- c. Notwithstanding subsection (b)(6)b. above, any member or alternate member of the AIPPB who is absent, for whatever reason, from more than three or more meetings in one calendar year shall be brought to the attention of the city commission for consideration of removal of the member.
- (c) *Functions, powers and duties.* The AIPPB, with the assistance and recommendations of the planning department, public art division, and all other city departments, as necessary, shall have the functions, duties, and powers as follows:
- (1) To recommend the public art program guidelines and amendments to the public art program guidelines thereto to the city commission;
 - (2) To recommend the public art master plan and amendments to the public art master plan thereto to the city commission;
 - (3) To approve expenditures of the public art fund as proposed by the city manager or his/her designee;
 - (4) To approve, approve with conditions, or deny proposed installations, dedications, or donations of art, based on the public art program guidelines and the public art master plan; and
 - (5) To act on any other art in public places related matter as assigned by the city commission.
 - (6) Notwithstanding section 18-115, the AIPPB shall have the authority to accept donations of art in excess of \$25,000.00 in accordance with this article.
- (d) *Proceedings of the art in public places board ("AIPPB").*
- (1) Officers and voting. The AIPPB shall select a chairperson and a vice-chairperson for one-year terms from among its members and may create and fill such other officers as it may determine. The planning director or his/her designee shall attend all meetings of the AIPPB. The office of hearing boards, or its successor, shall be the executive secretary of the AIPPB.
 - (2) Rules of procedure. The AIPPB shall establish rules of procedure necessary for its governing and the conduct of its affairs, in keeping with the applicable provisions of state law, the City Charter, the City Code, and all applicable resolutions. Such rules of procedure shall be available in written form to persons appearing before the AIPPB and to the public upon request and should be on file with the city clerk. For any quasi-judicial procedures, the provisions established in the Miami 21 Code, the zoning ordinance of the City of Miami, Florida, as amended ("Miami 21 Code"), shall control.
 - (3) Meetings. The AIPPB shall hold at least one regularly scheduled meeting each month, except the month of August. Other meetings may be set by the AIPPB, and additional meetings may be held at the call of the chairperson and at such other times as the AIPPB may determine. Meetings that are not regularly scheduled shall not be held without at least ten days' written notice. If the agenda for a regularly scheduled meeting does not contain any items which require action by the AIPPB, the executive secretary for the AIPPB may cancel the meeting.
 - (4) Quorum; public records. A majority of the members who have been appointed shall constitute a quorum. The office of hearing boards shall keep minutes of board proceedings, showing the vote of each member or alternate member, if sitting for a member, or if absent or failing to vote under subsection (d)(5) below, indicating such fact. It shall be the responsibility of the office of hearing boards to handle all procedural activities for all public hearings held by the AIPPB, including the preparation of detailed minutes and official records of such hearings. The official records of such public hearings shall be filed with the city clerk.
 - (5) Disqualification of members or alternate members. The AIPPB members shall comply with F.S. ch. 112, the Miami-Dade County Code of Ethics, and the City Code.
 - (6) All city departments and employees shall, under the direction of the city manager, and upon request and within a reasonable time, furnish to the public art division such available records or information as may be required of the AIPPB. The city manager shall assign a member of the resilience and public works department, planning and zoning department, capital improvement

projects office, parks and recreation department, and fire-rescue department, or their successors, to attend public hearings of the AIPPB and to advise the AIPPB when necessary, and to furnish information, reports, and recommendations upon request of the AIPPB.

- (7) The city attorney, or his/her designee, shall act as counsel and provide legal services to the AIPPB.
- (8) The alternate members shall only vote in the event of a vacancy or absence of a regular member.

(Ord. No. 13657, § 2, 1-12-17; Ord. No. 13792, § 1, 10-11-18)

Sec. 62-656. - City commission.

The city commission, in addition to its duties and obligations under the City Charter, the City Code, and other applicable laws, shall have the following duties specifically in regard to the public art program:

- (1) To appoint members to the AIPPB, as set forth in this article;
- (2) To approve the public art program guidelines and amendments to the public art program guidelines upon recommendation of the AIPPB;
- (3) To approve the public art master plan and amendments to the public art master plan upon recommendation of the AIPPB; and
- (4) To hear appeals of decisions of the AIPPB related to installation, dedication, and donation of art.

(Ord. No. 13657, § 2, 1-12-17)

Sec. 62-657. - Conflicts of interest.

No member of the AIPPB shall have his/her work of art considered or approved by the AIPPB during his/her term of service on the AIPPB or for one year thereafter.

(Ord. No. 13657, § 2, 1-12-17)

Sec. 62-658. - Selections of works of art.

The AIPPB shall establish procedures and criteria for the commissioning, selection, and acquisition of art to be acquired using the resources available within the public art fund, and in accordance with the criteria and standards set forth in the adopted public art master plan and the public art program guidelines. The city manager, or his/her designee, may only acquire each piece of art upon affirmative vote of the majority of the AIPPB. The city manager, or his/her designee, will negotiate appropriate contracts to acquire, insure, and maintain the art using available resources within the public art fund and the contract will be executed by the city manager subject to review and approval of the city attorney.

- (1) *Selection process.* The AIPPB shall establish procedures for selecting art works to be purchased from the resources of the city's public arts fund. Those procedures can include the following:
 - a. Open competition;
 - b. Limited competition;
 - c. Invitation;
 - d. Direct purchase;

- e. Donation; or
- f. Any combination of the above.

(2) *Selection criteria.* In the selection process, the AIPPB shall consider the following:

- a. Permanent and temporary works of art shall be located in areas where residents and visitors live and congregate and shall be publicly accessible and/or visible from public property or right-of-way (maximum visual accessibility to pedestrian or vehicular traffic);
- b. Location in areas used by tourists, including the waterfront, parks, thoroughfares, and at public or governmental facilities shall be preferred;
- c. The inherently intrusive nature of public art on the lives of those frequenting a public place. Artworks reflecting enduring artistic concepts, not transitory ones, should be sought;
- d. The cultural and ethnic diversity of the city and South Florida without deviation from a standard of excellence;
- e. The appropriateness to the site, permanence of the work in light of environmental conditions at the site, maintenance requirements, quality of the work, likelihood that the artist can successfully complete the work within the available funding, diversity of works already acquired by the city, and diversity of the artists whose work has been acquired by the city;
- f. If the artwork too closely resembles a business logo or sign, has any commercial message or purpose, contains adult content as defined in the Miami 21 Code, and should, therefore, be rejected;
- g. Any other criteria set forth in the public art program guidelines as amended from time to time;
- h. Exhibition and sales history of the artist, as well as works of art in public collections and previous public art purchases or commissions;
- i. The maintenance and insurance expense of the art;
- j. The public health, safety, and welfare;
- k. The ability to safely secure the art against high wind, inclement weather, or other acts of God; and
- l. Whether the art may be reasonably maintained to last for a minimum life cycle of 25 years.

(Ord. No. 13657, § 2, 1-12-17)

Secs. 62-659, 62-660. - Reserved.

Sec. 62-661. - Creation of public art fund.

There is hereby created within the city a trust fund to be known as the City of Miami Public Art Fund. This public art fund shall be maintained by the city and shall be used for the acquisition, installation, improvement, maintenance, and insurance of art, arts education programming, grants, and administrative costs of the public art program as follows:

- (1) All monies received by the city pursuant to the requirements of the public art program or from endowments, gifts, or donations to the city designated for public art shall be placed in the public art fund. All monies within the public art fund shall be deposited, invested, expended, and accounted for as follows:
 - a. All monies received shall be deposited into the public art fund and shall not be commingled with non-public art related revenues of the city. All monies within the public art fund shall

be expended solely for the purpose and intent of the public art program. Any interest income earned by the public art fund shall be expended or invested only for the purpose for which the money was originally accepted, collected, or received.

- b. The public art fund shall be used for expenses associated with the selection, commissioning, acquisition, transportation, maintenance, repair, restoration, rehabilitation, appraisal, removal, insurance of art, development of education programming, community outreach, or advocacy with an emphasis in the visual and performing arts, grants, and administrative costs for the public art program. Once monies intended for the purpose of satisfying this article are deposited into the public art fund, the monies from separate, different development projects may be comingled. Monies within the public art fund can be dispersed, expended, invested, or granted in accordance with this article.
- c. Ten percent of the fees collected annually shall be allocated towards the restoration or rehabilitation of either publicly or privately owned historic resources that are individually designated or contributing structures within a locally designated historic district or towards public improvements within a historic district as identified in the public art master plan. Fees allocated but not expended within a fiscal year shall be rolled over to the next fiscal year and allocated for the same purposes. Privately owned historic resources shall be allocated monies from the public art fund through a grant application process as described in the public art master plan. The public art division will review all grant applications in consultation with the historic preservation office and the historic and environmental preservation board. The public art division and the historic preservation office in consultation with the historic and environmental preservation board shall have the discretion to recommend to the AIPPB for final decision and expenditure of funds. Restoration or rehabilitation shall be in accordance with chapter 23 and subject to the approval of a certificate of appropriateness by the historic and environmental preservation board.
- d. Five percent of the fees collected annually shall be allocated towards cultural, education, community outreach, or advocacy purposes and may include social practice art, all designed to promote the visual and performing arts such as but not limited to youth based programming involving the city's arts and entertainment council, public academic institutions, or non-profit organizations. Fees allocated but not expended within a fiscal year shall be rolled over to the next fiscal year and allocated for the same purposes. The city's arts and entertainment council, public academic institutions, or non-profit organizations shall be allocated monies from the public art fund through a grant application process as described in the public art master plan. The public art division will review all grant applications and shall have the discretion to recommend approval or denial of grant applications to the AIPPB for expenditure of funds in accordance with the program guidelines.
- e. Fifteen percent of the fees collected annually shall be allocated towards operating and administrative costs associated with the public art program, including but not limited to, staffing, marketing, programming, training, and outside consulting. Training shall be directly related to the implementation of this article and Article 11 of the Miami 21 Code. Fees allocated but not expended within a fiscal year shall be rolled over to the next fiscal year and allocated for the same purposes. The city manager or his/her designee shall have the authority to allocate and expend funds in accordance with this subsection e.
- f. Seventy percent of the fees collected annually shall be allocated towards the commissioning, selection, acquisition, display, maintenance, repair, restoration, rehabilitation, insurance of city-owned art, transportation, installation, removal, appraisal, collection, and exhibition of high-quality art in accordance with the public art master plan and the public art program guidelines. Fees allocated but not expended within a fiscal year shall be rolled over to the next fiscal year and allocated for the same purposes. For all expenditures in excess of \$25,000.00 pursuant to this subsection f., the city manager or his/her designee shall be the applicant to the AIPPB in accordance with this article.

- g. If tangible property purchased with monies from the public art fund is subsequently sold, the proceeds from the sale shall be returned to the public art fund.
- (2) All funds shall be expended for public and municipal purposes in accordance with the terms of this article and Article 11 of the Miami 21 Code.

(Ord. No. 13657, § 2, 1-12-17)

Sec. 62-662. - Ownership and maintenance of artwork placed on site.

- (a) Ownership of all art acquired by the city pursuant to the requirements of this article shall be vested in the city, which shall retain title to each work of art.
- (b) Ownership of all art donated to the city pursuant to the requirements of this article shall be donated and titled to the city upon approval of the AIPPB.
- (c) Stolen or illegally removed art, or art that is deemed destroyed by the public art division in consultation with an independent art appraiser, must be either:
 - (1) Replaced by the property owner within 120 days. Replaced Art shall be reviewed and approved by the AIPPB subject to the criteria set forth in this article, or
 - (2) The public art fee required under this article and the Miami 21 Code, based upon the current fee schedule and the current fair market value of the building, structure or improvement for which the art was required, as determined by an appraiser, must be paid within 30 days.

(Ord. No. 13657, § 2, 1-12-17)



MEMORANDUM

ITEM NO. 5B

To: Members of the Downtown Vision Advisory Committee
From: Lindsay Fast, Tourism Director
Date: June 20, 2019
Subject: Parking Recommendations

At the March 12, 2019 Town Commission Meeting, there was a discussion item to approve a modification of parking meter rates to a variable rate-based system. The goal was to have parking spaces turn over more frequently and, therefore provide more availability, by increasing the parking rates based on time of day and location with the following:

A 2-hour, non-renewable limit, to Harding Avenue parking spaces, Monday through Friday 10am to 4pm at the rate of \$4/hour. From 4pm to 10am, the rate is \$2/hour and is renewable. Saturday, Sunday and holidays are \$2/hour renewable four-hour limit.

With the above approved, further direction was given to have the Downtown Vision Advisory Committee (DVAC) review the parking issue, and propose solutions to the off-street parking. Below is a chart outlining the current rates versus what was proposed at the April 11, 2019 DVAC meeting:

Off-Street (6 Parking Lots)

Existing Rates M-F	DVAC Recommendation
\$1.75/hour renewable two-hour time limit 6 AM to 3 PM	\$4.00/hour non-renewable 4-hour time limit 9am to 5pm.
\$1.75/hour Renewable four-hour time limit 3 PM to 6 AM	\$4.00/hour renewable 4-hour time limit 5pm to 9am


Existing Rates Sat/Sun & Holidays	DVAC Recommendation
\$1.75/hour renewable four-hour time limit	\$4.00/hour renewable four-hour limit

The unanimously supported recommendation was presented to the Town Commission at the May 14, 2019 meeting. The subsequent direction from the Town Commission is for DVAC to reconsider the recommendation. It is thought that the cost was too prohibitive and would have a detrimental effect on the staff of the downtown stores and restaurants who utilize the off-street parking.

Presently monthly permits are issued at \$74.90 per month. 180 permits are issued for the 94th Street lot (including the contractual obligation to the Post Office) and 30 permits are issued for the Abbott Ave lot.

The Administration seeks direction on a final recommendation for the Town Commission.

Reviewed by 

Prepared by 



MEMORANDUM

To: Downtown Vision Advisory Committee

From: Sarah Sinatra Gould, AICP, Town Planner

Date: June 20, 2019

Subject: Guidelines or Requirements for the Business District

The purpose of this memorandum is to summarize the current code language guidelines and requirements as it relates to the design criteria of the business district within the Town of Surfside.

ARTICLE IV. – DISTRICT REGULATIONS
<p style="text-align: center;">Section 90-49.1 – Entrances, windows and storefronts [APPENDIX - A]</p> <p>Section 90-49.1 supplies design guidelines for building facades for all multi-dwelling and non-residential properties. These guidelines include pedestrian entrances, divided light window mullions, burglar bars, fixed window shutters, window and storefront articulations, window heights and allowed glass materials.</p>
<p style="text-align: center;">Section 90-49.2 – Awnings and canopies [APPENDIX - B]</p> <p>Section 90-49.2 supplies design guidelines for awnings and canopies for all multi-dwelling and non-residential properties. As it relates to awnings and canopies, these guidelines include; the allowable location and placement (height, length, depth, scale, projections), the appearance (materials, color, graphics), construction and maintenance (mold and UV-resistant, frame structure, degree angle, maintenance, repair, replacement, and/or removal) and enforcement (code enforcement).</p>
<p style="text-align: center;">Section 90-49.3 – Materials and finishes [APPENDIX - C]</p> <p>Section 90-49.3 provides design guidelines for materials and finishes for all multi-dwelling and non-residential properties. As it relates to materials and finishes, these guidelines include; the surface material (stucco, stone, metal, glass and wood) and material qualities and articulation.</p>
ARTICLE V. – DESIGN STANDARDS
<p style="text-align: center;">Section 90-50 – Architecture and roof decks [APPENDIX – D]</p> <p>Section 90-50 provides guidelines for architecture and roof decks which includes the following; elevation and façade articulation variations (variations to the adjacent two buildings on each side of the subject property), requirements for wall openings, roof materials, garage facades, conversions and roof deck provisions (area, height, setbacks and inspection standards)</p>

Appendices

A) Sec. 90-49.1. - Entrances, windows and storefronts.

The following Design Criteria are applicable to all multi-dwelling and non-residential properties:

- a. *All building facades, including those facing alleyways, shall be rendered consistently with the overall architectural treatment of the building.*
- b. *Pedestrian entrances shall be easily recognizable and oriented towards the public right-of-way.*
- c. *Divided light window mullions, where provided, shall be through the pane.*
- d. *Exterior burglar bars, fixed "shutters" or similar security devices shall be prohibited.*
- e. *Window and storefront articulations shall utilize similar proportions as those within the surrounding context and shall be primarily oriented towards the public right-of-way.*
- f. *Multiple storefronts within a larger building shall have consistent materials and articulation and shall relate to the detailing of the entire building.*
- g. *The bottom edge of windows shall be no less than 24 inches above the fronting finished sidewalk elevation.*
- h. *For non-residential uses, the first vertical ten feet of building elevation shall be composed of 50 percent minimum transparency for street-facing building facades and walls. The bottom of transparent openings shall be no higher than 24 inches above the public right-of-way. Display windows used to satisfy these requirements shall have a minimum vertical dimension of four feet and shall be internally illuminated.*
- i. *Mirrored, reflective and opaque tinted glass shall be prohibited.*
- j. *External street-level entrances shall be recessed and centered a minimum of 36 inches from the building frontage.*

B) Sec. 90-49.2. - Awnings and canopies.

The following Design Criteria are applicable to all multi-dwelling and non-residential properties. All new and replacement awnings and canopies shall meet these requirements.

- a. *Location/placement.*
 1. *Awnings and canopies shall have consistent height and depth subject to the size of the wall opening which, the awning or canopy is affixed.*
 2. *Awnings and canopies shall remain consistent with architectural details and proportions harmonious with the overall building design and historic context.*
 3. *Awnings and canopies shall be consistent on multiple storefronts within a larger building.*
 4. *After 25 feet in length, an awning or canopy shall have either a break of a minimum of six inches or articulation of the awning or canopy.*
 5. *Awnings shall be attached to the building facades and shall not be supported by vertical elements within the right-of-way.*
 6. *Awnings shall have a pedestrian scale and be placed so as to provide weather protection.*
 7. *Awnings shall be an enhancement to the building facade and shall be proportional with and complimentary to nearby buildings and awnings.*

8. *Awnings shall be mounted in locations that respect the design of the building and do not obscure ornamental features over storefronts (i.e. rooflines, arches, materials, banding).*
 9. *Awnings shall project a minimum of three feet and a maximum six feet over the sidewalk, not to exceed the width of the sidewalk.*
- b. *Appearance.*
1. *Awnings shall be fabric or metal. Plastic and vinyl awnings are prohibited, except for First Grade vinyl awnings, subject to design review approval by the planning and zoning board.*
 2. *Awnings shall be solid colors rather than patterned.*
 3. *If an awning valance is proposed, it shall be straight rather than curved, except for special architectural elements to be compatible with historic building styles.*
 4. *Awning colors shall enhance and complement the building and adjacent awnings, rather than overwhelm the building scheme. Colors shall not call more attention to the awning than the building.*
 5. *Lighting associated with awnings and canopies shall be prohibited, except lighting approved by the planning and zoning board which is attached underneath the awning and intended to provide pedestrian lighting.*
 6. *Signage, graphics and lettering shall be prohibited on canopies and awnings.*
- c. *Construction and maintenance.*
1. *Awnings shall be mold and UV-resistant.*
 2. *The awning frame structure shall be finished to match the metal storefront system color or the awning fabric color. The structure shall also be compatible with the window system of the building in terms of placement and materials.*
 3. *Awnings shall have between a 30 and 50 degree angle, taking into consideration the height of the storefront and wind load requirements.*
 4. *Awnings shall not be torn, frayed, ripped, faded, or stained, soiled or dirty. When not specifically addressed by this ordinance, provisions of the town's property maintenance code shall apply.*
 5. *Maintenance, repair, replacement, and/or removal. All awnings and canopies shall be maintained and kept in good order and repair. Awnings and canopies which are found, upon inspection, to be in disrepair shall be subject to removal and/or replacement in accordance with the commercial standards established in section 14-52 of the Code of Ordinances.*
- d. *Enforcement.*
1. *Code enforcement and/or the building department shall be responsible for the enforcement of these provisions. Any person or entity violating these provisions shall be subject to fines as set forth in the schedule of fines adopted by resolution and punishable as provided in section 1-8 and all other applicable sections of the Code of the Town of Surfside.*

C) Sec. 90-49.3. - Materials and finishes.

The following Design Criteria are applicable to all multi-dwelling and non-residential properties.

- a. *The surface shall be stucco, stone, metal, glass block and accent wood. Materials vernacular or characteristic to other regions including but not limited to flagstone and adobe shall be prohibited.*
- b. *Materials shall be true and genuine, rather than simulated. Multiple storefronts within a larger building shall have consistent material qualities and articulation.*

D) Sec. 90-50. - Architecture and roof decks.

90-50.2 Roof deck provisions.

- (1) *Roof decks shall be permitted in all zoning districts.*
- (2) *For properties designated H30A and H30B, roof decks area limited as follows:*
 - a. *Exterior and interior stairs shall be permitted.*
 - b. *No extension of stairs shall be permitted over the 30-foot height limitation of the building.*
 - c. *Roof decks shall provide ten-foot setbacks on the sides and rear of the building.*
- (3) *For properties designated H30C, H40, H120, SD-B40 and MU, roof decks are limited to:*
 - a. *A maximum of seventy (70) percent of the aggregate roof area;*
 - b. *Shall not exceed the maximum roof height required by any abutting property's zoning designation;*
 - c. *Shall be setback from the roofline at least ten feet on all sides to provide for minimal visibility of roof decks from any public way, except on properties designated SD-B40; and*
- (4) *All roof decks added to existing buildings shall be inspected by a registered structural engineer and registered architect, who shall address in writing to the building official the following issues:*
 - a. *How will the existing roofing system be protected or replaced to allow for the new use;*
 - b. *Structural support strategies for any increase in live loads and dead loads;*
 - c. *Compliance with applicable ADA requirements;*
 - d. *Location of plumbing and mechanical vent stacks, fans and other appurtenances;*
 - e. *Egress design compliance per the Florida Building Code and the Florida Fire Prevention Code;*
 - f. *Added occupancy and servicing restroom facilities; and*
 - g. *All other issues applicable in the Florida Building Code.*
- (5) *All work performed on an existing roof deck to allow for occupancy shall be considered a change of use and shall require both a permit and a certificate of occupancy.*