



**Town of Surfside
Regular Town Commission Meeting**

AGENDA

August 14, 2018

7 p.m.

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

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

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

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

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

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

1. Opening

- A. Call to Order**
- B. Roll Call of Members**
- C. Pledge of Allegiance**
- D. Mayor and Commission Remarks – Mayor Daniel Dietch**
- E. Agenda and Order of Business Additions, deletions and linkages**
- F. Community Notes – Mayor Daniel Dietch**
- G. Scholarship Award to Jorge Cortes – Guillermo Olmedillo, Town Manager**

2. Quasi-Judicial Hearings

- 3. Consent Agenda (*Set for approximately 7:30 p.m.*) All items on the consent agenda are considered routine or status reports by the Town Commission and will be approved by one motion. Any Commission member may request that an item be removed from the Consent Agenda and discussed separately. If the public wishes to speak on a matter on the consent agenda they must inform the Town Clerk prior to the start of the meeting. They will be recognized to speak prior to the approval of the consent agenda.**

Recommended Motion: To approve all consent agenda items as presented below.

A. Minutes – Sandra Novoa, MMC, Town Clerk

- **July 10, 2018 Special Commission Meeting**
- **July 10, 2018 Regular Town Commission Meeting**

***B. Town Manager’s Report – Guillermo Olmedillo, Town Manager**

***C. Town Attorney’s Report – Weiss Serota, Town Attorney**

D. Committee Reports – Guillermo Olmedillo, Town Manager

- April 26, 2018 Design Review Board and Planning and Zoning Meeting Minutes
- June 4, 2018 Tourist Board Meeting Minutes
- June 27, 2018 Planning and Zoning Board Meeting Minutes
- July 9, 2018 Tourist Board Meeting Minutes

E. Resolution Approving Agreement with CRS Max Consultants, Inc. for Community Rating System Services - Guillermo Olmedillo, Town Manager

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA APPROVING AN AGREEMENT WITH CRS MAX CONSULTANTS, INC FOR COMMUNITY RATING SYSTEM SERVICES; PROVIDING FOR AUTHORIZATION AND IMPLEMENTATION OF THE AGREEMENT; AND PROVIDING FOR AN EFFECTIVE DATE.

F. Approval of Expenditure of General Funds for Renewal of Research Investigative Tool – CLEAR 36-month agreement - Guillermo Olmedillo, Town Manager

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA APPROVING A SOFTWARE SERVICE CONTRACT WITH WEST PUBLISHING CORPORATION FOR ONLINE INVESTIGATION SOFTWARE; PROVIDING FOR AUTHORIZATION AND IMPLEMENTATION OF THE AGREEMENT; AND PROVIDING FOR AN EFFECTIVE DATE.

4. Ordinances

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

A. Second Reading Ordinances

(Set for approximately 7:30 p.m.) (Note: Good and Welfare must begin at 8:15)

B. First Reading Ordinances

1. Aggregation of Single Family Lots – Guillermo Olmedillo, Town Manager

AN ORDINANCE OF THE TOWN OF SURFSIDE, FLORIDA AMENDING SECTION 90-45 “SETBACKS” OF “CHAPTER 90 ZONING” OF THE TOWN OF SURFSIDE CODE OF ORDINANCES TO PROVIDE SETBACKS AND MAXIMUM SECOND STORY FLOOR AREAS FOR CERTAIN LOTS IN THE H30A AND H30B ZONING DISTRICTS; PROVIDING FOR REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

2. Modifications to Planning and Zoning Board and Dissolving the Development Impact Committee – Guillermo Olmedillo, Town Manager

AN ORDINANCE OF THE TOWN OF SURFSIDE, FLORIDA AMENDING CHAPTER 90 “ZONING” OF THE TOWN OF SURFSIDE CODE OF ORDINANCES TO ABOLISHING THE DESIGN REVIEW BOARD, MODIFYING THE PLANNING AND ZONING BOARD MEMBERSHIP AND RESPONSIBILITIES, ABOLISHING THE DEVELOPMENT IMPACT COMMITTEE, AND REVISING THE DESIGN REVIEW GROUP REVIEW REQUIREMENTS; PROVIDING FOR REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

3. Modification to Building Length Requirements to Permit Redevelopment of Existing Structures Destroyed by Acts of God - Guillermo Olmedillo, Town Manager

AN ORDINANCE OF THE TOWN OF SURFSIDE, FLORIDA AMENDING SECTION 90-51 "MAXIMUM FRONTAGE OF BUILDINGS AND FACADE ARTICULATIONS." OF "CHAPTER 90 ZONING" OF THE TOWN OF SURFSIDE CODE OF ORDINANCES TO ADDRESS APPLICABILITY OF MAXIMUM BUILDING LENGTH REQUIREMENTS FOR EXISTING BUILDINGS IN THE H30C AND H40 ZONING DISTRICTS; PROVIDING FOR REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

5. Resolutions and Proclamations

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

A. A Resolution Expressing Opposition to Offshore Drilling Activities, Including Seismic Airgun Blasting – Commissioner Tina Paul

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, OPPOSING OFFSHORE DRILLING ACTIVITIES, INCLUDING SEISMIC AIRGUN BLASTING; PROVIDING FOR CONFLICTS AND AN EFFECTIVE DATE.

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

Public comments for subjects or items not on the agenda. Public comment on agenda items will be allowed when agenda item is discussed by the Commission.

7. Town Manager and Town Attorney Reports

Town Manager and Town Attorney Reports have been moved to the Consent Agenda – Item 3.

All items on the Consent Agenda are considered routine or status reports by the Town Commission and will be approved by one motion. Any Commission member may request that an item be removed from the consent agenda and discussed separately.

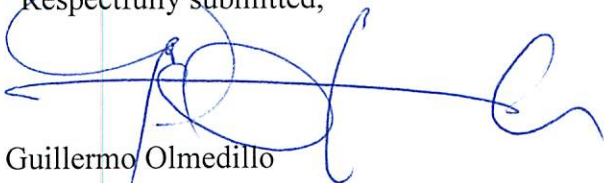
8. Unfinished Business and New Business

9. Mayor, Commission and Staff Communications

- A. Board and Committee Appointments [Verbal]**– Sandra Novoa, MMC, Town Clerk
- *Sustainability and Resiliency Committee – Mayor Dietch, Vice Mayor Gielchinsky and Commissioner Cohen*
- B. Concession RFP Update [Verbal]**- Guillermo Olmedillo, Town Manager
- C. Benchmarking and Measuring Debt Capacity** – Commissioner Michael Karukin
- D. “Share the Road Project” Safety and Walkability Proposal – Update** – Commissioner Tina Paul
- E. Revised Beach Furniture Ordinance** – Commissioner Tina Paul
- F. Zoning Code Update [Verbal]** - Guillermo Olmedillo, Town Manager

10. Adjournment

Respectfully submitted,



Guillermo Olmedillo
Town Manager

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

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

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

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

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



**Town of Surfside
Town Special Commission Meeting
Proposed Budget
Minutes
July 10, 2018
5 p.m.**

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

1. Opening

A. Call to Order

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

B. Roll Call of Members

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

Vice Mayor Gielchinsky arrived at 5:16 p.m.

C. Pledge of Allegiance

Chief Julio Yero led the Pledge of Allegiance

D. Presentation of FY 18/19 Budget and Proposed Operating Millage Rate –
Guillermo Olmedillo, Town Manager and Christopher Wallace, Interim Finance Director

Mayor Dietch thanked the Town Manager and staff for preparing a great budget. Town Manager Olmedillo alongside with Interim Finance Director Wallace presented a PowerPoint presentation to the Town Commission.

Discussion ensued amongst the Town Commission and staff regarding different projects and programs within the budget.

The following items were discussed:

- Big Belly trash receptacles
- ERP Software allocated funds
- Parking Trust Fund
- Assistant Building Official
- Impact Fee Study
- Hurricane and reimbursements
- Allocating funds for daily beach maintenance
- FP&L Undergrounding Study
- Ruth K. Broad Mental Health Financial Support

- Summer Studies; Energy Efficiency with Solar Panels at Municipal Facilities and the entire cost or phasing it in
- Contributing Fixed Amount to Homeless Trust
- Litigation Budget

There was consensus by the Town Commission to include \$60,000 +/- to the budget for a binding undergrounding estimate from FP&L and the cable and phone providers.

Town Manager Olmedillo mentioned that installing solar panels to all municipal facilities would cost approximately \$400,000. The Mayor asked to bring back a detailed report as to the payback period.

The Mayor opened the public comments and the following speakers spoke:

- Victor May – 9117 Froude Avenue

Commissioner Karukin made a motion to set the preliminary millage rate at 4.5. The motion was seconded by Vice Mayor Gielchinsky which carried 4-0.

Town Attorney Arango confirmed the next date of the First budget hearing for September 12, 2018 at 5:01 p.m.

2. Adjournment

Commissioner Paul made a motion to adjourn. The motion received a second from Vice Mayor Gielchinsky and the meeting adjourned at 6:16 p.m.

Respectfully submitted,

Accepted this _____ day of _____, 2018

Daniel Dietch, Mayor

Attest:

Sandra Novoa, MMC
Town Clerk



**Town of Surfside
Regular Town Commission Meeting
MINUTES
July 10, 2018
7 p.m.**

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

1. Opening

A. Call to Order

Mayor Dietch called the meeting to order at 7:00 p.m.

B. Roll Call of Members

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

Commissioner Karukin arrived at 7:03 p.m.

C. Pledge of Allegiance

Police Chief Julio Yero led the pledge of allegiance.

D. Mayor and Commission Remarks – Mayor Daniel Dietch

Vice Mayor Gielchinsky spoke about the success of the July 4th event and also thanked staff for the First Friday event which was a success. He also thanked staff for promoting the Town through events. He would like to see some accommodations to residents and would like to address it at the budget meeting.

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

Vice Mayor Gielchinsky made a motion to move Item 9D after Good and Welfare. The motion received a second from Commissioner Karukin and all voted in favor.

Commissioner Paul made a motion to link Item 5E and 9F. The motion received a second from Commissioner Karukin and all voted in favor.

F. Community Notes – Mayor Daniel Dietch

Mayor Dietch thanked the Town Commission and the Commissions of Sunny Isles Beach, Bal Harbour, Bay Harbor and the City of Miami Beach. The skate park that they have contribute to and donated to Miami-Dade County is officially open. The Skate Park official ribbon cutting will take place August 7, 2018 at 10:00 a.m.

Mayor Dietch reminded the residents that it is turtle nesting season and they must turn off their lights and close their blinds at night.

Mayor Dietch spoke regarding hurricane preparedness and the Town's Code Red System and how to sign up.

Mayor Dietch spoke regarding the recycling pick up schedule.

Mayor Dietch mentioned the Meet and Greet with the new Police Chief tomorrow night at 6:00 p.m. and spoke regarding Chief Yero's background and experience.

Mayor Dietch spoke regarding the blood drive scheduled for July 12, 2018 from 11:30 a.m. to 2:00 p.m. in the Town Hall parking lot.

Mayor Dietch stated that there will be a rain barrel workshop at the Community Center on July 15, 2018 from 10:00 a.m. to 11:30 a.m.

Mayor Dietch mentioned the Second Annual Mango Contest which will be held on July 15, 2018 at the Community Garden located on Dickens Avenue and 89th Street from 5:00 p.m. to 6:00 p.m.

Mayor Dietch said that the street sweeper will be making its rounds on Monday, July 23rd and Monday, August 6th and reminded residents to please make sure the streets in front of their home are free of any vehicles.

Mayor Dietch said that the Police Department will be hosting its next bike ride with the Chief on Wednesday, July 25, 2018 at 5:00 p.m. starting at Town Hall. The next coffee with the cops will be held on Thursday, July 26th at 10:00 a.m. at Starbucks on Harding Avenue.

Mayor Dietch stated that the Town is promoting higher education by providing two \$1,000 scholarships that will be awarded to Town of Surfside graduating high school seniors that are pursuing post High School studies. The application period for this grant has been extended.

Mayor Dietch stated that the next Tourist Board sponsored event will be held on August 3rd on the beach behind the Community Center between 6:00 p.m. and 7:00 p.m.

Mayor Dietch talked about the dog park and its location, rules and regulations and reminded people to pick up after their dogs.

Mayor Dietch spoke regarding the Town Shuttle Bus and its schedule and where the residents can find the schedule.

Mayor Dietch spoke about the SeeClickFix App and how they can report issues around Town and that the residents can sign up to receive emails regarding the happenings in Surfside.

G. The Government Finance Officers Association (GFOA) Budget Presentation Award – Guillermo Olmedillo, Town Manager

Town Manager Olmedillo introduced the item of the award to the Budget Department. Andria Meiri was the recipient of the award and Mayor Dietch presented the award.

Mayor Dietch gave some history on the CAFR and the difficulty of the budget during some hard times that Surfside experienced in the past and commended the Budget Department on a job well done.

2. Quasi-Judicial Hearings

None.

- 3. Consent Agenda** (*Set for approximately 7:30 p.m.*) *All items on the consent agenda are considered routine or status reports by the Town Commission and will be approved by one motion. Any Commission member may request that an item be removed from the Consent Agenda and discussed separately. If the public wishes to speak on a matter on the consent agenda they must inform the Town Clerk prior to the start of the meeting. They will be recognized to speak prior to the approval of the consent agenda.*

Commissioner Paul pulled item 3B for discussion from the Consent Agenda.

Mayor Dietch pulled item 3E from the Consent Agenda.

Vice Mayor Gielchinsky pulled item 3B from the Consent Agenda.

Vice Mayor Gielchinsky made a motion to approve the consent agenda minus the pulled items. The motion received a second from Commissioner Karukin. The motion carried 4-0.

Recommended Motion: To approve all consent agenda items as presented below.

A. Minutes – Sandra Novoa, MMC, Town Clerk

Approved on Consent

- **June 12, 2018 Budget Workshop Minutes**
- **June 12, 2018 Regular Town Commission Meeting**

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

Items discussed and clarified at the end of the meeting.

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

Approved on Consent

D. Committee Reports – Guillermo Olmedillo, Town Manager

Approved on Consent

- May 21, 2018 Parks and Recreation Committee Meeting Minutes

E. Property Assessed Clean Energy (PACE) – Guillermo Olmedillo, Town Manager

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, APPROVING PROPERTY ASSESSED CLEAN ENERGY (PACE) PROGRAMS WITH THE FLORIDA GREEN FINANCE AUTHORITY, THE FLORIDA RESILIENCY AND ENERGY DISTRICT, AND THE FLORIDA PACE FUNDING AGENCY; PROVIDING FOR AUTHORIZATION AND INDEMNIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Town Clerk Novoa read the title of the resolution.

Mayor Dietch recused himself from this item in an abundance of caution.

After a brief discussion, Commissioner Karukin made a motion to approve. The motion received a second from Commissioner Paul. The motion carried 3-0 with Mayor Dietch absent from the vote.

F. Approval of Town Coin for Freddy Chiche, Former President of the Surfside Urban Gardeners – Mayor Daniel Dietch

Approved on Consent

G. A Resolution to Commemorate the 50th Anniversary of Home Rule – Commissioner Tina Paul

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA COMMEMORATING 50 YEARS OF MUNICIPAL HOME RULE IN THE FLORIDA CONSTITUTION AND PROMOTING AWARENESS AND EDUCATION ON THE IMPORTANCE OF LOCAL GOVERNANCE; AND PROVIDING FOR AUTHORIZATION AND IMPLEMENTATION.

Approved on consent.

Commissioner Paul made a motion to approve the pulled items. The motion received a second from Commissioner Karukin and all voted in favor.

4. Ordinances

(Set for approximately 7:30 p.m.) (Note: Good and Welfare must begin at 8:15)

A. Second Reading Ordinances

1. Solid Waste Assessment Ordinance – Guillermo Olmedillo, Town Manager

AN ORDINANCE OF TOWN OF SURFSIDE, FLORIDA, RELATING TO SOLID WASTE MANAGEMENT SERVICES, INCLUDING COLLECTION, DISPOSAL AND RECYCLING OF RESIDENTIAL SOLID WASTE IN THE TOWN OF SURFSIDE, FLORIDA; AUTHORIZING THE IMPOSITION AND COLLECTION OF ANNUAL SOLID WASTE SERVICE ASSESSMENTS AGAINST RESIDENTIAL

PROPERTY THROUGHOUT TOWN OF SURFSIDE, FLORIDA; PROVIDING FOR DEFINITIONS; ESTABLISHING THE PROCEDURES FOR IMPOSING SOLID WASTE SERVICE ASSESSMENTS; PROVIDING THAT SOLID WASTE SERVICE ASSESSMENTS CONSTITUTE A LIEN ON ASSESSED PROPERTY UPON ADOPTION OF ASSESSMENT ROLL; PROVIDING THAT THE LIEN FOR A SOLID WASTE SERVICE ASSESSMENT COLLECTED PURSUANT TO SECTIONS 197.3632 AND 197.3635, FLORIDA STATUTES, UPON PERFECTION SHALL ATTACH TO THE PROPERTY ON THE PRIOR JANUARY 1, THE LIEN DATE FOR AD VALOREM TAXES; PROVIDING THAT A PERFECTED LIEN SHALL BE EQUAL IN RANK AND DIGNITY WITH THE LIENS OF ALL STATE, COUNTY, DISTRICT, OR MUNICIPAL TAXES AND ASSESSMENTS AND SUPERIOR IN DIGNITY TO ALL OTHER PRIOR LIENS, MORTGAGES, TITLES, AND CLAIMS; AUTHORIZING THE IMPOSITION OF INTERIM ASSESSMENTS; PROVIDING PROCEDURES FOR COLLECTION OF SOLID WASTE SERVICE ASSESSMENTS; PROVIDING THAT ALL ORDINANCES AND PARTS OF ORDINANCES AND ALL RESOLUTIONS AND PARTS OF RESOLUTIONS IN CONFLICT HEREWITH BE REPEALED TO THE EXTENT OF SUCH CONFLICT; AND PROVIDING AN EFFECTIVE DATE.

Town Clerk Novoa read the title of the ordinance.

Commissioner Karukin made a motion to approve the Ordinance on second reading.

Mayor Dietch opened the floor to public comments. Hearing none, Mayor Dietch closed the public hearing.

The motion received a second by Vice Mayor Gielchinsky. The motion carried 4-0.

2. Downtown Business District Parking Requirement Waiver – Guillermo Olmedillo, Town Manager

AN ORDINANCE OF THE TOWN OF SURFSIDE, FLORIDA AMENDING SECTION 90-77 “OFF-STREET PARKING REQUIREMENTS,” OF “CHAPTER 90 ZONING” OF THE TOWN OF SURFSIDE CODE OF ORDINANCES TO PROVIDE A PARKING EXEMPTION PROGRAM TO ADDRESS VACANCY AND ECONOMIC REVITALIZATION IN THE SD-B40 ZONING DISTRICT; PROVIDING FOR REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

Town Clerk Novoa read the title of the ordinance.

Vice Mayor Gielchinsky made a motion to discuss. The motion received a second by Commissioner Karukin.

Vice Mayor Gielchinsky wanted to note for the record that there is a Town inventory of vacant properties that was prepared by the Town Manager. If anyone wanted to see it or comment on the item, he would offer his inventory for them to look at.

Town Manager Olmedillo wanted to state for the record that there are 10 vacant properties and none of them have received permits. Of the 10 vacant properties; three are on the west side and seven are on the east side. If you go by address, there are five in the 9400 block and there are five on the 9500 block. They split evenly.

Commissioner Karukin asked if anyone knew what the square footage price was and the response was no.

Commissioner Paul stated that there were only two vacancies now and that is a great sign.

Mayor Dietch went ahead and gave a history of why this ordinance is coming before the Town Commission and the issues that existed before.

Vice Mayor Gielchinsky expressed his view on this item.

Mayor Dietch opened the public hearing for public comments.

Jorge Gutierrez, Miami resident spoke and addressed Commissioner Karukin's question regarding the going rates for the square footage price which is between \$30 and \$50 a square foot.

Mayor Dietch seeing no other public speakers closed the floor to public hearing.

Vice Mayor Gielchinsky made a motion to approve the Ordinance on second reading. The motion received a second by Commissioner Karukin. The motion carried 4-0.

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

B. First Reading Ordinances

5. Resolutions and Proclamations

(Set for approximately 9:00 p.m.) (Note: Depends upon length of Good and Welfare)

A. Dune Survey and Beach Management Plan – Guillermo Olmedillo, Town Manager

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA APPROVING THE PROPOSAL AND WORK AUTHORIZATION WITH CALVIN GIORDANO & ASSOCIATES, INC. TO PERFORM A DUNE SURVEY AND BEACH MANAGEMENT PLAN; AUTHORIZING THE TOWN MANAGER TO EXECUTE THE WORK AUTHORIZATION; AUTHORIZING THE TOWN MANAGER AND TOWN OFFICIALS TO IMPLEMENT THE TERMS AND CONDITIONS OF THE WORK AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE

Town Clerk Novoa read the title of the ordinance.

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

Commissioner Paul questioned if this resolution is going to incorporate the Pressure Equalizer Module (PEM) System and Town Manager Olmedillo replied that he does not believe it will incorporate the PEM since the Town Commission did not take any action on the item when it previously came before them.

Commissioner Karukin is not in agreement with this item as it is written and does not see how it is actually helping the beach management system plan.

Commissioner Paul agrees that this is more of a management of the dunes and agrees with the management of dunes and if the final report will be presented at a commission meeting.

Chris Giordano of Calvin Giordano and Associates, Inc., explained the project and addressed the Commissioners' concerns and questions.

Commissioner Karukin asked why they are spending \$36,000 for something they already have and stated that he is not in support of this item.

Town Manager Olmedillo explained that this is more than the ECL and what they are exactly voting on and receiving.

Mayor Dietch explained exactly what the issues are and what the beach nourishment program is.

Discussion ensued on the item.

Commissioner Karukin made a motion to defer the item and the motion died for lack of a second.

George Kousoulas of 9225 Collins Avenue, spoke on this item and requested clarification on the item and the lines on the beach.

Chris Giordano explained the lines on the beach and the survey.

Commissioner Paul made a motion to approve the Resolution. The motion received a second from Vice Mayor Gielchinsky. The motion carried 3-1 with Commissioner Karukin voting in opposition.

B. Approval and Award of Contract to DRC Emergency Services for Emergency Debris Removal via a Piggy Back Bid from the Town of Lighthouse Point – Guillermo Olmedillo, Town Manager

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA APPROVING AN AGREEMENT WITH DRC EMERGENCY SERVICES, LLC FOR STORM DEBRIS COLLECTION AND DISPOSAL SERVICES; FINDING THAT THE SERVICES ARE EXEMPT FROM COMPETITIVE PROCUREMENT PURSUANT TO SECTION 3-13(3) OF THE SURFSIDE CODE OF ORDINANCES; AUTHORIZING THE TOWN MANAGER TO EXECUTE THE AGREEMENT; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Town Clerk Novoa read the title of the resolution.

Town Manager Olmedillo gave an overview of the item.

Mayor Dietch had a question on Page 252, section 4 second to last sentence and wanted clarification and what assurance was there regarding the Town getting reimbursement and wanted the Town Manager to explain the sentence. He also asked a question regarding the cost for the vegetative portion of the debris.

Town Manager Olmedillo clarified that section for Mayor Dietch.

Town Attorney Arango further clarified the Mayor's concern and question.

Vice Mayor Gielchinsky had a question regarding the standby costs on the contract. Town Attorney Arango replied how the unit pricing works and that the mobilization and standby cost is included in the unit pricing.

Randy Stokes, Public Works Director, answered questions by the Town Commission.

Vice Mayor Gielchinsky made a motion to approve the Resolution. The motion received a second by Commissioner Paul. The motion carried 4-0.

C. Sustainability Subcommittee of the Planning and Zoning Board -
Guillermo Olmedillo, Town Manager [LINKED TO ITEM 5D]

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA SUNSETTING AND ABOLISHING THE TOWN OF SURFSIDE SUSTAINABILITY SUBCOMMITTEE OF THE PLANNING AND ZONING BOARD; PROVIDING FOR AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Town Clerk Novoa read the title of the resolution.

Town Manager Olmedillo introduced the item.

Commissioner Cohen arrived at 8:04 p.m.

Commissioner Karukin made a motion to approve. The motion received a second from Vice Mayor Gielchinsky. The motion carried 4-1 with Commissioner Cohen voting in opposition.

D. Sustainability and Resiliency Committee – Guillermo Olmedillo, Town Manager [LINKED TO ITEM 5C]

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, ESTABLISHING THE TOWN OF SURFSIDE SUSTAINABILITY AND RESILIENCY COMMITTEE TO STUDY AND RECOMMEND POLICIES TO THE TOWN COMMISSION; PROVIDING FOR THE COMMITTEE'S CHARTER AND ORGANIZATION; PROVIDING FOR AUTHORIZATION AND IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Town Clerk Novoa read the title of the resolution.

Mayor Dietch had a comment on Page 297 and feels it is an appropriate list of qualifications but a challenging one. He questioned if there could be flexibility when it comes to the member having to be a Surfside Resident.

Town Attorney Arango stated that they can make that flexibility change to attachment "A" to provide some flexibility. Town Attorney Arango followed up on Town Code section 2-204 which requires committee members to be Town residents. She believes that perhaps an amendment to that section of the Town Code should be made as well. Commissioner Karukin is not in favor of allowing non-residents to be members of committees. Commissioner Paul is in agreement with Commissioner Karukin.

After some discussion, the Mayor suggested item 1 to read as follows: "...expertise in engineering, planning or architecture, with a focus on infrastructure."

And item 5 to read as follows: "...expertise in economics, finance and/or risk management."

Commissioner Karukin made a motion to approve the Resolution with said amendments. The motion received a second by Commissioner Paul. The motion carried 5-0.

E. Approval to Increase the Parking Meter Rate from 1.50 to 1.75 Per Hour for Off-Street Parking (Municipal Parking Lots) Effective October 1, 2018 - Guillermo Olmedillo, Town Manager

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA APPROVING AN INCREASE OF THE PARKING METER RATE FROM \$1.50 TO \$1.75 PER HOUR FOR OFF-STREET PARKING SPACES (MUNICIPAL PARKING LOTS); PROVIDING AUTHORIZATION; PROVIDING FOR CONFLICTS, SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.

Town Clerk Novoa read the title of the resolution.

Town Manager Olmedillo presented the item to the Town Commission.

The Mayor requested that Town Attorney Arango conduct a legal analysis so that the Town can capture that incremental increase and use it for Community Enhancement.

Commissioner Paul made a motion to approve. The motion received a second from Commissioner Karukin. The motion carried 4-0 with Commissioner Cohen absent.

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

Public comments for subjects or items not on the agenda. Public comment on agenda items will be allowed when agenda item is discussed by the Commission.

Mayor Dietch opened the floor to public comment.

Jorge Gutierrez Architect, LLC, spoke about a remodeling for a client who lives in Surfside and needs a 6-foot-high gate and has requested that the Commission review and consider a requirement amendment from a 4-foot height gate and fence to a 6-foot high gate and fence. He also wanted to thank the Commission for their trust in him to serve on several boards for the Town.

Vice Mayor Gielchinsky thanked Mr. Gutierrez for his 12 years of service to the Town of Surfside.

Victor May, Surfside resident, spoke about the concession stand at the Community Center and problems he has with the financial report and red-light camera program. Mayor Dietch closed Good and Welfare having no one else wishing to speak.

Commissioner Paul asked if the fence issue required a variance or a code change and Town Manager Olmedillo replied that it would be an application variance and that Mr. Gutierrez was mentioning actually changing the code.

Commissioner Karukin mentioned that they were going to request Planning and Zoning take a look at the corner lots as a separate entity. Mayor Dietch stated that the Town has spent an exhaustive amount of time on corner lots and hedges but he would like for it to start with a Planning and Zoning discussion.

Town Manager Olmedillo corrected the record and stated that it would require a Code change.

Commissioner Paul made a motion to refer the issue of corner lots to the Planning & Zoning Board. Mayor Dietch passed the gavel and seconded the motion. The motion carried 4-1 with Commissioner Karukin voting in opposition.

Commissioner Cohen left at 8:50 p.m.

7. Town Manager and Town Attorney Arango Reports

Town Manager and Town Attorney Arango Reports have been moved to the Consent Agenda –

Item 3.

All items on the Consent Agenda are considered routine or status reports by the Town Commission and will be approved by one motion. Any Commission member may request that an item be removed from the consent agenda and discussed separately.

8. Unfinished Business and New Business

9. Mayor, Commission and Staff Communications

A. Board and Committee Appointments [Verbal]– Sandra Novoa, MMC, Town Clerk
Dissolving the Design Review Board - Guillermo Olmedillo, Town Manager
[LINKED TO ITEM 9B]

- *Design Review Board – At Large – See item 9B*

After the establishment of the new Sustainability and Resiliency Committee, Commissioner Paul made a motion to appoint Debby Cimadevilla to serve on the new Committee under qualification number 2 and Commissioner Karukin appointed

Andrea Travani to serve on the new Committee under qualification number 3. Commissioner Karukin seconded the motion and all voted in favor.

B. Dissolving the Design Review Board - Guillermo Olmedillo, Town Manager
[LINKED TO ITEM 9A]

Town Planner Sinatra presented the item and explained the issues on obtaining a quorum for the Design Review Board meetings due to the requirements. She explained that a discussion took place among the Planning and Zoning Board members and they would like to see the Design Review Board dissolved and roll those functions onto the Planning and Zoning Board.

Commissioner Karukin made a motion to discuss. The motion received a second from Commissioner Paul.

Vice Mayor Gielchinsky proposed to appoint the two applicants that applied for the Design Review Board positions with the understanding that the Design Review Board will be dissolved and the Planning and Zoning Board will expand to allow for the five regular members plus two alternates. They will only have voting rights when one or more members of the Planning and Zoning Board are absent. They will be considered alternate members one and two.

Commissioner Karukin believes that the best approach is to abolish the Design Review Board.

Town Attorney Mehaffey spoke on the item and further explained the advantages of the Vice Mayor's proposal.

Public speaker George Kousoulas spoke on the item.

After some discussion, Commissioner Karukin withdrew his motion and Commissioner Paul withdrew her second to the motion.

Vice Mayor Gielchinsky made a motion to appoint Marina Gershanovich as the professional qualified member and Rochel Kramer as the non-professional member to the Design Review Board. Commissioner Paul seconded the motion and all voted in favor.

Vice Mayor Gielchinsky made a motion to direct staff to move forward and prepare an ordinance to dissolve the Design Review Board and to modify the Planning & Zoning Board to allow for two alternates to serve on the Planning and Zoning Board. Commissioner Karukin seconded the motion and the motion carried 3-1 with Commissioner Paul voting in opposition.

C. Comprehensive Annual Financial Report (CAFR) - Guillermo Olmedillo, Town Manager – Verbal - [TIME CERTAIN 7:45PM]

Town Manager Olmedillo introduced the item.

Michael Futterman, External Auditor and Brandon Lopez, Managing Auditor, gave a synopsis of the CAFR.

Vice Mayor Gielchinsky had a question regarding changes in accounting policies and whether the debt management policy falls under an accounting policy. Mr. Futterman answered Vice Mayor Gielchinsky questions.

Mayor Dietch thanked Mr. Futterman for his work and asked if it was his company or the Town's responsibility to submit for next year to the GFOA.

Mr. Futterman stated that it was the Town's responsibility to submit to the GFOA. He also thanked the Town of Surfside staff for all their assistance.

D. Food and Beverage Concession Services for Surfside Community Center/Pool -
Guillermo Olmedillo, Town Manager

This item was heard after Good and Welfare.

Town Manager Olmedillo provided a synopsis on the item and requested direction on where to go on the issuance of a temporary contract to the applicant or re-writing the RFP in order to receive more bids.

Commissioner Karukin asked a question regarding the RFP process and Mayor Dietch asked the Town Manager to explain what non-responsive meant.

Vice Mayor Gielchinsky asked the applicants to address the different criteria and what they would do if the Town Commission decided to move forward. He also asked if they are prepared to address all of the issues in terms of the legal requirements including the company, insurances, licenses, etc.

Mr. Ginsburg and the members of his business spoke about what their plans are in order to make everything work and apply and receive all the licenses and insurances required by the Town. He also spoke about the line of credit they have secured in order to run this establishment.

Commissioner Paul asked the business what their operational plan would be and what the hours of operation would be. She also spoke about the menu and perhaps to consider some vegetarian choices and offered herself to provide ideas.

The Mayor spoke about the sketch of the concession location not being clear.

Mayor Dietch suggested that the Town Manager sit down with the business and work through the financial and operational issues during the upcoming three weeks in order for the Town Manager to provide a positive or negative recommendation to the Town Commission at the August meeting. The business and the Town Manager agreed.

Commissioner Cohen spoke on the item and is looking forward to them to succeeding.

Rosh Lowe spoke in favor of the item and the fact that there was only one applicant and they should give them an opportunity on a trial basis.

Commissioner Karukin made a motion to award the RFP subject to the criteria discussed and making the recommendation to award if the financial and operational issues can be worked out. The motion received a second from Vice Mayor Gielchinsky and all voted in favor.

E. Policy for Contributions to Not-For-Profit Organizations (Policy) – Guillermo Olmedillo, Town Manager

Town Manager Olmedillo presented the item to the Town Commission.

Commissioner Karukin spoke on the item and he would like to see two items addressed; one being exclusions of religious causes and/or political events and the other being the assessment of conflict of interest. He spoke about focus areas of interest that some policies have and he thought it was good practice.

Assistant Town Manager Tavares stated that they have between \$5,000 – \$8,000 but the Parks and Recreation Scholarship Award and the Nurse Initiative grant comes out of those funds as well.

Commissioner Karukin made a motion to approve. The motion received a second from Vice Mayor Gielchinsky. The motion carried 3-0 with Commissioner Paul absent.

F. Municipal Parking Rate Analysis – Mayor Daniel Dietch
Item briefly discussed under item 5E.

G. Little Free Library – Mayor Daniel Dietch

Mayor Dietch introduced the item to the Town Commission. Mayor Dietch made a recommendation to find a community champion that would be the steward for this project and maybe engage an Eagle Scout candidate and turn this into a great Community initiative.

Commissioner Karukin moved to approve the special project. Vice Mayor Gielchinsky seconded the motion. The motion carried 3-0 with Commission Paul absent.

Vice Mayor Gielchinsky suggested the Community Center as a good spot for a Little Free Library.

H. “Share the Road Project” Safety and Walkability Proposal – Update –
Commissioner Tina Paul

Commissioner Paul presented the item to the Town Commission and showed a PowerPoint presentation.

Mayor Dietch asked Town Manager Olmedillo for his suggestions on how to move this forward.

Town Manager Olmedillo explained that graphics will be used substantially on any traffic calming project but there are limitations on what can be used. He stated that if the Town Commission directs him to continue with the County, he will move forward with contacting them. He also needs to know which streets the Town Commission would like the trial on and the icons/graphics to be used.

After some discussion among the members of the Town Commission, Vice Mayor Gielchinsky would like, with the support of the rest of the Commission, to direct Commissioner Paul to speak with Mr. Sanchez and come up with a revised proposal to create a specific visual icon plan and streetscape plan in the immediate vicinity of the Tot-Lot and the one block radius surrounding the Tot-Lot that depicts the exact location and number of visual icons that will be used and approximate graphics proposed to be used as well as a revised budget for the revised test area to bring back to the Town Commission for further consideration as well as the proposed submission to the County for their approval. Commissioner Paul seconded the motion. Motion carried 4-0.

10. Adjournment

There being no further business, Commissioner Karukin made a motion to adjourn. The motion received a second from Commissioner Paul. The meeting adjourned at 10:10 p.m.

Respectfully submitted,

Accepted this _____ day of _____, 2018

Daniel Dietch, Mayor

Attest:

Sandra Novoa, MMC
Town Clerk



TOWN MANAGER'S REPORT

AUGUST 14, 2018

COMMUNITY PROGRAMS / INITIATIVES / ENHANCEMENTS

- I. **SEE CLICK FIX REPORT** – See Attachment “A”
- II. **SOCIAL MEDIA REPORT** – See Attachment “B”
- III. **DEVELOPMENT APPLICATIONS STATUS**

A. 9116 Harding – The property has recently been sold and the new owner has added property. The revised site will include pools for the four units. Design Review Group (“DRG”) meeting was held on December 7, 2017 and was scheduled for a Development Impact Committee (“DIC”) meeting on May 24, 2018. A Planning and Zoning Board/Design Review Board meeting was held on July 26, 2018 and a Town Commission meeting will be scheduled.

B. 8851 Harding – The applicant has resubmitted plans for a 28 unit development. The DIC meeting was held on March 26, 2018. A Planning and Zoning Board meeting will be scheduled once the applicant addresses outstanding comments.

C. 8995 Collins – A site plan was submitted on May 19, 2017. A DRG meeting was held on June 19, 2017. The applicant submitted the revised drawings and a second DRG meeting was held on August 24, 2017. Revisions were required and a third DRG meeting was held on September 28, 2017. The DIC meeting was held on November 16, 2017. The application was heard at the February 22, 2018 Planning and Zoning Board meeting where it was deferred. It was heard on the April 26, 2018 Planning and Zoning Board meeting where it was deferred to the May 31, 2018 meeting to allow the applicant to revise their traffic analysis. This meeting was deferred to June 27, 2018 due to a lack of quorum. The June 27, 2018 meeting was also deferred due to a lack of quorum. The application was scheduled for July 26, 2018 but the applicant had a conflict and requested a deferral to the August 30, 2018 Planning and Zoning meeting. The application will be scheduled for a Town Commission meeting, once the Planning and Zoning Board issues its recommendation.

D. 9300 Collins – A site plan was submitted on May 31, 2018 for a 207 room hotel development. The plans were reviewed by staff and a DRG meeting was held on June 27, 2018. The applicant will need to revise the plans based on staff's comments and resubmit for a second DRG meeting. Once all DRG technical comments are met, a DIC meeting will be scheduled.

IV. TOWN DEPARTMENTS

Code Compliance Division

A. Code Violation Cases: As of July 27, 2018, the total number of active, open cases being managed is 197; of these cases, 100 cases are still under investigation and are working towards compliance; 4 cases are on-hold; 30 are in the Special Master hearing queue; 3 cases are in post-Special Magistrate action status; and 60 cases have been issued liens and remain unpaid. Properties with unpaid liens are sent reminder letters on a quarterly basis.

B. Collected Civil Penalty Fines: Unresolved code compliance cases accrue fines until the code violation is resolved. After the violation is abated, then the property owners are notified to remit the fine amount due. In many cases, the fine amount is either paid, resolved via a settlement agreement, or referred to the Town's Special Master for a hearing and ruling on the fine amount due.

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

- FY 17/18: 82 cases have paid/settled through July 27, 2018 for a total collection of \$26,427.50
- FY 16/17: 117 cases have paid/settled through September 25, 2017 for a total collection of \$40,842
- FY 15/16: 152 cases paid/settled for a total of \$137,282

Finance Department

Monthly Budget to Actual Summary as of June 30, 2018 – See Attachment "C"

Police Department

A. July 2018 Significant Incidents/Arrests:


- Disorderly Intoxication, Resisting Officer without Violence and Criminal Mischief Arrest - 7/01/18 at 0145 hours: 9500 block of Harding Avenue. An intoxicated female resisted arrest and attempted to kick out the window in the police vehicle.

- Auto Burglary - 07/01/2018 at 0120 hours: 1200 block of Biscaya Drive. A subject entered an unlocked vehicle parked in a driveway and took a purse containing \$15.00 in coins.
- Lewd and Lascivious - 07/05/2018 at 1120 hours: 9400 block of Collins Avenue. A male was observed masturbating inside the gated pool area of a condominium.
- Commercial Burglary - 07/07/2018 at 1734 hours: 9400 block of Harding Avenue. A subject used a brick to break the front door glass and took tip jars.
- Auto Burglaries -between 07/10/2018 at 1700 hours – 07/11/2018 at 0900 hours: 8800 - 8900 block of Carlyle Avenue. Three unlocked vehicles were entered however nothing was taken from any of the vehicles.
- Hit and Run Arrest - 07/15/2018 at 1815 hours: 94th Street and Harding Avenue. A vehicle struck the victim while he was riding his bicycle and did not stop. The victim sustained a minor leg injury and followed the vehicle until it came to a stop at 91st Street. The subject was arrested and charged with one count of leaving the scene of a traffic crash with injuries.
- Auto Theft Arrest - 07/16/2018 at 0240 hours: 400 block of 90th Street. A rental vehicle reported stolen from the City of Miami Gardens on April 17th, 2018 was recovered in Surfside during a traffic stop. All five occupants in the vehicle were arrested.
- Aggravated Assault - 07/15/2018 1815 hours: 94th Street & Harding Avenue. The victim was standing on the sidewalk when a vehicle with four males pulled up alongside of him. A passenger in the vehicle yelled racial slurs at the victim and pointed a handgun at him.
- Loitering and Prowling/Possession of Cannabis with intent to sell/Unoccupied Burglary to a Conveyance and Warrant Arrest- 7/29/18 at 0330 hours: 200 block of 88th Street. An officer initiated a stop with a suspicious male he observed walking in the residential area. The male admitted to checking vehicle doors and an entering an unlocked vehicle but did not take anything. The male was also in possession of marijuana with intent to sell.

B. Traffic Mitigation Program Status Report

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

over the roads in Surfside. The following chart illustrates and tracks the progress of this ongoing effort.

#	Timeframe	Initiatives	Status	Update(s)
1	Short Term (0 – 6 months)	<p>95th Street & Harding Avenue (westbound), left Turn lane added.</p> <p>300 block of 95th Street (eastbound), right turn lane added.</p>	Closed	<p>On 04-27-2017, the traffic lanes in the 200 block of 95 Street, between Collins Avenue and Harding Avenue were modified to improve the traffic flow. New lane pavement markers delineate the new vehicular traffic flow for westbound traffic on 95 Street approaching Harding Avenue. The pavement markings allow vehicles to travel in two lanes west of the alleyway with one lane designated for travel westbound only on 95 Street across Harding Avenue, and the other lane designated as a left turn only lane for vehicles turning southbound onto Harding Avenue. Three parking spaces on the North East side of 95 Street & Harding Avenue have been eliminated to allow for a westbound travel lane.</p> <p>As of 08-22-2017, the traffic flow in the 300 block of 95th Street, between Abbott Avenue and Harding Avenue, has been altered. The new lane pavement markers delineate the new vehicular traffic flow for eastbound traffic on 95th Street approaching Harding Avenue. The pavement markings allow vehicles to travel in two lanes east of the alleyway with one lane designated for travel eastbound only on 95th Street across Harding Avenue, and the other lane designated as a right turn only lane for vehicles turning southbound onto Harding Avenue. The loading zone at this location has been eliminated to allow for a right turn only lane. Please refer to the traffic diagram below.</p> 
		New Stop Signs at all intersections west of Harding Avenue	Closed	<p>Public Works installed stop signs at the following locations:</p> <ul style="list-style-type: none"> • 89th Street & Byron Avenue (east-west)

				<ul style="list-style-type: none"> • 90th Street & Abbott Avenue (east-west) • 90th Street & Carlyle Avenue (east-west) • 92nd Street & Abbott Avenue (east-west) • 92nd Street & Carlyle Avenue (east-west)
3		New Stop Bar Reflectors	Closed	Installed
4		New Speed Bumps	Closed	<p>New speed bumps have been installed at the following locations:</p> <ul style="list-style-type: none"> • 8900 block of Abbott Avenue • 9100 block of Abbott Avenue • 9300 block of Abbott Avenue • 9500 block of Byron Avenue (second speed bump)
5		<p>Revisit Street Closure</p> <ul style="list-style-type: none"> ○ 94th Street / Abbott Avenue ○ 	Closed	Town Commission approved a motion against revisiting this item.
6		<p>New Street Closure</p> <ul style="list-style-type: none"> ○ Byron Avenue (northbound) at 88th Street 	In progress	<p>Requires study, Miami-Dade County and Miami Beach approval.</p> <p>On 11-29-17, Town Manager, Chief Allen and Public Works Director attended a meeting with Miami-Dade County and City of Miami Beach administration regarding the closure of northbound traffic at 88th Street and Byron Avenue.</p> <p>The above meeting resulted in a plan to add curbing to the 88th Street median extending it to Abbott Avenue. The result will prohibit drivers from executing illegal U turns disrupting the traffic flow and area residents which has been a continuous problem.</p> <p>The following traffic modification Project has been developed to improve the traffic flow at 88th Street and Abbott Avenue.</p>

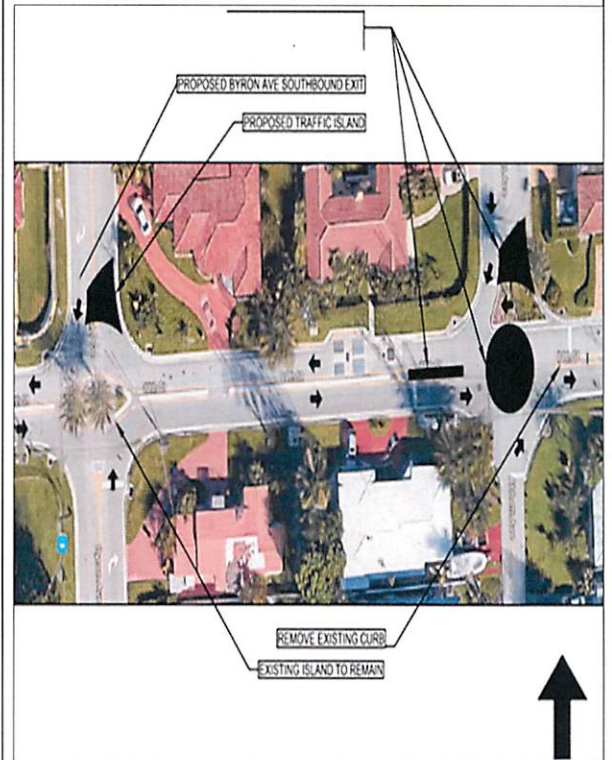


Public Works completed the installation of the pictured vehicular traffic pattern at 88th Street & Abbott Avenue. On March 12, 2018, a 60-day testing period will begin before final approval.

The 60-day trial period before final approval continues. There have been no traffic accidents reported and no matters of concern have been brought to the attention of the Police Department.

This item will be brought before the Town Commission at the May Commission Meeting for final approval.

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



Public Works has begun work on the new traffic mitigation design on 88th Street & Abbott Avenue. The project is estimated to be completed by mid-July.

Project completed.

7		Loop Detector Installation	In progress	<p>CGA was authorized to move forward with the preparation of the bid documents for the traffic loops at three signalized intersections along Harding Avenue. CGA will need to provide updated scope of services and fee in order to provide traffic counts and traffic analysis at subject intersections (before and after traffic analysis) per commission request at 05-09-17 meeting.</p> <p>The east Stop Bar at 93 Street & Harding Avenue will be moved back.</p> <p>On August 8, 2017, CGA submitted their additional service agreement for completing the before and after traffic analysis at the signalized intersections along Harding Avenue that new traffic loops are being installed. At the Commission meeting where the Post Design Services contract was approved, the Mayor and Commission asked if CGA could do a before and after analysis in order to evaluate the change in traffic operations at these subject intersections. The traffic counts are currently scheduled for the 29th, 30th or 31st of August (second week of regular school).</p> <p>Loop detectors have been approved for Harding Avenue at 88th, 93rd and 94th Streets.</p> <p>On November 3, 2017, CGA submitted for review and approval Work Authorization No. 106 for Surfside Traffic Signal Modification – Traffic Analysis. The scope of the project includes Pre – Post Construction Analysis of four intersections on Harding Avenue at 88th, 93rd, 94th and 95th Streets. Total cost not to exceed \$14,200.62.</p> <p>On January 29, 2018, a Traffic Signal Modification Mandatory Pre-Bid Opening was held at 10:30 a.m. The Assistant Town Manager, CGA, Public Works and Police Department representatives attended. No bidders attended.</p> <p>On March 8, 2018, a Traffic Signal Modification Mandatory Pre-Bid Opening was held at 2:00 p.m. The Town has received two bids. The Public Works Department and CGA are evaluating the bids. Once the bids are evaluated and ranked, Town staff will present their recommendation for final bid selection and award to the Town Commission.</p> <p>In a letter dated April 16, 2018, reference Town of Surfside Traffic Signal Modifications ITB No. 2018-01 and CGA Project No. 15-8083, CGA Director of Construction Engineering, Robert McSweeney,</p>
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				<p>provided an analysis of the two bids received for the Surfside Traffic Signal Modification Project and recommendation for award of Contract. Under Power Corp. was the apparent low bidder with a Base Bid of \$109,045.23. Upon review, they found the bid is complete and appropriate for the proposed work. In keeping with the Town to award a Contract to the most responsible and responsive bidder whose bid is in conformance with the Bidding Documents and is in the best interest of the Town, they recommend that the Town of Surfside award the contract for the referenced project to Under Power Corp.</p> <p>At the June 12th, 2018 Commission Meeting, the Town Commission voted to approve the recommendation from CGA awarding the contract to Under Power Corp. The project is moving forward pending CGA Notice to Proceed and required permitting.</p> <p><u>CGA has collected traffic counts and completed intersection analysis at the Harding Avenue and 88th Street, Harding Avenue and 93rd Street, Harding Avenue and 94th Street and Harding Avenue and 95th Street intersections. Next step is to complete new traffic counts and intersection analysis once the traffic loops at all four intersections have been installed. This traffic analysis will be summarized in a memorandum.</u></p> <p><u>Public Works Department and CGA held a pre-con meeting. Contractor applied for County permit. A Notice to Proceed (NTP) will be given when contractor has permit. 30 to 45 days for completion after start.</u></p>
8		Install a centerline curb on 95 th Street between Abbott and Byron Avenues	Closed	Public Works installed delineators to deter trucks from traveling west on 95 th Street.
9		Eliminate Crosswalks on Collins (north) & Harding (south) Avenues	Closed	FDOT stated that eliminating crosswalks would hinder pedestrian travel and further study would be required before they can agree to that recommendation.
10		Create Vehicular Circulation Plans for New Construction Projects	Closed	MOT’s and circulation plans for new construction projects was a primary topic of discussion with FDOT and the surrounding jurisdictions representatives. A plan to improve the coordination of projects and to enhance


		<ul style="list-style-type: none"> ○ Minimize lane closures 		communication by FDOT providing notice well in advance of all approved MOT's to the three jurisdictions was agreed upon. The early notice system has shown an improvement.
11		Evaluate Sidewalk Options	Open	Town Commission approved a motion to continue to evaluate pedestrian safety options in Surfside.
12		<p>Install traffic light at 96th Street & Abbott Avenue</p> <p>Eliminate left hand turn at 96th Street & Byron Avenue</p>	Closed	<p>Town Manager Olmedillo, Chief Allen, Captain Yero and Randy Stokes, from the Town and Eric Czerniejewsky from CGA, spent a few hours with Ramon Sierra, FDOT District 6. Several simulations were run, and the result is that the back-up traffic in the east bound direction made congestion worse on 96th Street. This will not allow the vehicles turning right from Byron to move, causing a longer back-up on Byron and creating additional congestion on Harding and Collins.</p> <p>FDOT will not eliminate the left turn at 96 Street & Byron Avenue.</p>
13		Install a crosswalk at 90 th Street & Harding Avenue (north side)	Open	<p>FDOT agreed to reconsider installing a traffic signal at the location, pending study (count). The Town installed traffic delineators designed to allow a left turn only onto Harding Avenue, preventing vehicles from traveling westbound across the intersection.</p> <p>The 200 block of 90th Street has been converted to one-way traffic eastbound only. This new traffic pattern has eliminated the hazard of vehicles traveling west across Harding Avenue at 90th Street where a curve hindered line of sight for drivers.</p>
14		<p>Send demand letters to mapping companies</p> <p>Waze – Free Community-based GPS, Maps & Traffic Navigation App</p>	Closed	The Town became a Participating Member of the Connected Citizens Program. This is the Town's effort to address in real-time reported accidents and improve navigation throughout the Town.
15	Intermediate Term (7 – 18 months)	<p>Create One-Way Streets</p> <ul style="list-style-type: none"> ○ 88th, 89th, 90th and 91st Street between Collins & Harding Avenues 	Closed	<p>A Town meeting was held July 18th, 2017, to present a new traffic pattern plan making 89th Street one-way only for westbound vehicular traffic from Collins Avenue to Hawthorne Avenue and 90th Street one-way only for eastbound vehicular traffic from Bay Drive to Collins Avenue.</p> <p>The Town Commission approved to conduct a test of a new streetscape design on 89th and 90th</p>

				<p>Streets, between Harding and Hawthorne. The test consists of creating a safe pedestrian path and a green area in what is currently the paved area of those streets. Because width of the street will be narrowed during the test, the streets will be changed to a one-way system, with 89th Street traffic moving from east to west and 90th Street traffic moving from west to east. The streets will be marked with paint to designate the pedestrian area as well as the green/parking area. The test is scheduled to begin in early December and run for a period of 60 days. At the end of the test period, staff will present a report to the Town Commission.</p> <p>The new streetscape testing was initiated December 14, 2018. The testing has gone smoothly with no incidents to report thus far. A main focus has been directed toward providing information, answering questions and educating residents and all who travel the area on the details and goals of the project.</p> <p>At the February 13th, 2018 Town Commission Meeting the Town Administration was granted time extension of sixty days to the One-Way Street Project in order to survey the streets for ADA compliance in the pedestrian lanes and to acquire more data on traffic counts.</p> <p>A One-Way Streets Town Hall Meeting was held on March 28th, 2018. Notifications for the March 28th One-Way Streets Town Hall Meeting have been distributed via the following channels:</p> <ul style="list-style-type: none"> • Publicly Noticed Meetings and Agenda Packets (Town Commission & Planning & Zoning) • Letter mailed to residences on 89th and 90th streets for first meeting held in July (similar to planning & zoning notices) • Door hangers to residences on 89th and 90th streets • Posted notice at Publix and Starbucks • Multiple e-blasts • Website notices on the calendar and town news • Included in multiple gazette newsletters • Channel 93 • Nextdoor postings on the Town's page
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				<ul style="list-style-type: none"> • Delivery of meeting notices to residencies on 89th and 90th streets for second meeting held in March • Surveys on Nextdoor and SurveyMonkey <p>Town collected resident feedback through a number of these channels including emails and phone calls.</p> <p>At the April 10th, 2018 Town Commission Meeting, the Town Commission approved a motion to terminate the One-Way Street Project tested on 89th Street and 90th Street.</p> <p>On April 16th, 2018, Public Works returned the traffic pattern on 89th Street and 90th Street to two-way traffic west of Harding Avenue.</p>
16		<p>Design 91st Street Improvements</p> <ul style="list-style-type: none"> ○ Sidewalk, landscaping and buried utilities 	Open	Awaiting the study of walkability by FIU.
17		Road closure of 95 th Street and Abbott Avenue	Closed	<p>On November 7, 2017, CGA submitted for review and approval Work Authorization No. 108 for Traffic Feasibility Study for Abbott Avenue and 95th Street. The project includes Traffic Analysis and Modeling of the road closure at 95th Street and Abbott Avenue. Total cost will not exceed \$20,149.58.</p> <p>On January 29, 2018, the Town Manager held a meeting with CGA Traffic Engineer Eric Czerniejewski, Asst. Town Manager Duncan Tavares, Public Works Director Randy Stokes and Captain Yero to review and discuss the Feasibility Study results.</p>
18	Long Term (19+ months)	Gate the area west of Harding Avenue and create a special taxing district.	Open	This item is provided here as a place holder.

#	Parking / Taxis	Status	Update
1	The Town of Surfside added 18 new single parking spaces and 2 loading zones in the streets that are east of Collins Avenue. These new parking spaces provide additional parking options for residents and visitors to our Town. The additional loading zones provide a safe location for trucks and other	Closed	<p>The additional parking spaces are located in the following locations:</p> <ul style="list-style-type: none"> • 100 block of 88th Street (4 spaces) effective 06-01-2017

	<p>vehicles to deliver goods and services to residents. The total number of single parking spaces added is now 12.</p>		<ul style="list-style-type: none"> • 100 block of 90th Street (4 spaces) effective upon completion of on-going construction project • 100 block of 92nd Street (4 spaces) effective 06-01-2017 • 100 block of 96th Street (6 spaces) six single pay parking spaces were removed and the area was designated a Tow-Away Zone. <p>The additional loading zones are located at the following locations:</p> <ul style="list-style-type: none"> • 100 block of 89th Street - effective 06-01-2017 • 100 block of 94th Street - effective 06-01-2017
<p>2</p>	<p>Taxi Cab Stands added and changed</p>	<p>Closed</p>	<ul style="list-style-type: none"> • The Taxi Cab Stand at 94th Street & Collins Avenue was reduced from (4) vehicles to (2) vehicles. • 94th Street & Harding Avenue (across from Publix) will have a (2) vehicle Taxi Cab Stand. *One metered parking space has been added. • In the 200 block of 92nd Street (North side in front of the Marriott) one metered parking space was removed and replaced with a (1) vehicle Taxi Cab Stand. • A (2) vehicle Taxi Cab Stand has been added to the south side of the 200 block of Collins Avenue. <p>On 11-15-17, Chief Allen met with the management of the Azure Condominium regarding the taxi stand at 94th Street and Collins Avenue. They had no complaints regarding the location of the stand and were not aware of complaints or traffic concerns from residents of the condo. The taxis crossing Collins Avenue do not interfere with the exiting of cars from their building. The manager was happy that the stand was reduced from four to two taxis.</p> <p>One person has voiced opposition with the location of the taxi stand being across the street because it is unsightly and wants it moved.</p> <p>Chief Allen next met with the valet manager of the Grand Beach Hotel who said the two taxi stand is</p>

			<p>working out well and when a taxi is needed they signal for one from the stand. Chief Allen also met with the General Manager of the hotel regarding the concern and asked for one space for a taxi on the hotel property. The GM agreed. The space is just inside the garage and is now opened for taxi use.</p>
<p>3</p>	<p>2018 Parking Permits for the 9400 and 9500 blocks of Byron Avenue</p>	<p>Closed</p>	<p>The 2018 Byron Avenue Parking Permits are only for residents and their guests on the 9400 & 9500 blocks of Byron Avenue. The application and the registration process instructions were included in the December 2017 Surfside Gazette. Residents must provide proof of residency and may obtain up to 3 permits per household. Only residents and their guests may park in these areas with the proper permit all other vehicles are subject to being issued a parking citation.</p>
<p>4</p>	<p>Ride Share Pick-up & Drop Off</p>	<p>In progress</p>	<p>Background: There has been a proliferation of citizens utilizing Ride Share services such as Uber and Lyft which has impacted the efficient flow of traffic in the Town of Surfside. The operators for these services have been observed picking up and dropping off their customers in the Surfside Business District occupying Town parking spaces and double parking while picking up or dropping off customers.</p> <p>The Surfside Police Department recommends that a 90 day “Town of Surfside Ride Share Pick-Up & Drop-Off Trial Program” be conducted in the 300 block of 95th Street on the south-side of the roadway encompassing three parking spaces closest to Abbott Avenue. See below picture (Red Box Area).</p>  <p>Budget Impact: There will be a reduction in the Town Parking revenue stream due to three (3) less</p>

			<p>parking spaces being available for paid parking. There will be incurred costs for procuring signage and possible repainting of the parking spaces.</p> <p><u>On 07-20-18 the signs for the Ride Share location were ordered and the expected delivery date is in early August 2018. On 07-26-2018, Captain Bambis and Parking Manager Joseph met with Mr. Javier Correoso (Public Affairs Manager) from Uber ride share regarding the new Pick-up and Drop-off site proposed for the 300 block of 95th Street in Surfside. Mr. Correoso was enthusiastic about the trial program that was discussed with him and he is willing to participate and utilize the location in the Uber application for the Pick-up location. He will be contacted days before going live with the location so that he could initiate the information in the Uber application. Mr. Correoso also provided information for his counterpart at Lyft ride share so we could contact them to have the same information on their Lyft application.</u></p>
<p>5</p>	<p><u>Parking Rate Increase for Off-Street Parking (Municipal Parking Lots)</u></p>	<p>Completed</p>	<p><u>Town of Surfside Resolution No. 18-2517 was adopted by the Town Commission on 07-10-2018 stipulating a parking rate fee increase from \$1.50 per hour to \$1.75 per hour for all Off-Street (Municipal Parking Lot) spaces.</u></p> <ul style="list-style-type: none"> • <u>New Parking rate decals were ordered for the Parking Pay Stations with an anticipated delivery date of mid-August 2018.</u> • <u>Temporary Parking Fee Decals with the new rate were placed on the affected Parking Pay Stations.</u> • <u>Effective 07-25-18 at 12:00 pm the \$1.75 Parking rate commenced. Both the Pay Station System and Pay-By-Phone System were updated with the new parking rate for off-street parking.</u> • <u>Notifications of the parking rate change were hand-delivered to Surfside businesses on 07-24-2018.</u> • <u>Email notification of the parking rate change was sent out on 07-25-2018.</u> • <u>Notification of the parking rate change was posted on the Town website on 07-25-2018.</u>

			<ul style="list-style-type: none">• <u>On 07-25-2018, the Town website "Parking" section was reviewed and the areas requiring the new rate change were updated by CGA (Adrian).</u>
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C. Police Events:

- The Police Teen Summer Program in conjunction with the Parks and Recreation Teen Camp concluded on August 2 with a graduation for the teenagers. The presentations included Fundamentals of Law, K-9, Crime Scene Investigation, U.S. Customs and Border Protection Marine Interdiction and S.W.A.T. and visits to the U.S. Coast Guard Air Base and Miami-Dade Fire Rescue Station 25 in Opa Locka, U.S. Customs and Border Protection and the U.S Air Force Base in Homestead.
- The Surfside Police Department will host a Mobile Department of Motor Vehicles event for residents to apply for and renew their driver's licenses on August 16th from 10:00 a.m. to 2:00 p.m. in the Commission Chambers.
- The monthly Bike with the Chief is August 29 at Town Hall at 5:00 p.m.
- Coffee with the Cops is August 30 at Starbucks at 10:00 a.m.

Respectfully submitted:

by: _____

Guillermo Olmedillo, Town Manager



Town of Surfside, FL

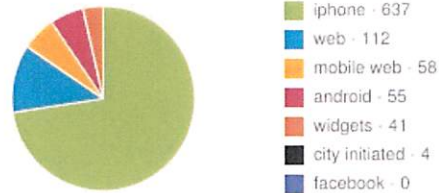
Between Feb 03, 2014 and Aug 06, 2018

907 requests were opened

900 requests were closed

The average time to close was 27.8 days.

Requests by Source



REQUEST CATEGORY	OPENED	CLOSED	DAYS TO CLOSE
Other	211	209	23.5
Beach Issue	149	146	23.7
Parking Issue	86	86	3.6
Code Compliance (Violation)	112	112	34.4
Police (Safety Concern)	73	73	8.7
Code Compliance (Safety Concern)	63	63	43.1
Street lights (PW)	40	40	168.8
Construction Issues	32	32	11.1
Utilities (Water/Sewer) (PW)	29	28	11.5
Drainage/Flooding (PW)	18	18	22.9
Solid Waste (Residential) (PW)	17	17	31.9
Dog Stations (P & R)	14	14	5.0
Barking Dog	12	12	20.0
96 Street Park (P & R)	10	10	3.2
Surfside Dog Park (P & R)	8	8	1.1
Community Center (P & R)	7	7	0.1
Solid Waste (Commercial) (PW)	6	6	8.4
Hawthorne Tot-Lot (P & R)	6	5	4.8
Pothole (PW)	5	5	31.7
Beach Patrol	3	3	0.7
Dead Animal	3	3	21.0
Graffiti (PW)	3	3	25.2
Graffiti (in park) (P & R)	0	0	0.0
Veterans Park (P & R)	0	0	0.0



Town of Surfside, FL

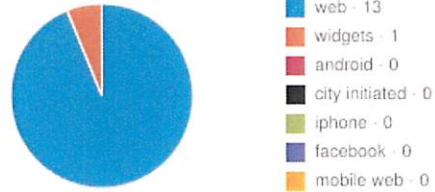
Between Jul 01, 2018 and Jul 31, 2018

14 requests were opened

11 requests were closed

The average time to close was 7.0 days.

Requests by Source



REQUEST CATEGORY	OPENED	CLOSED	DAYS TO CLOSE
Beach Issue	4	2	2.4
Code Compliance (Safety Concern)	3	3	1.9
Code Compliance (Violation)	3	3	3.8
Other	2	1	18.8
Construction Issues	1	1	1.9
Utilities (Water/Sewer) (PW)	1	1	34.7
96 Street Park (P & R)	0	0	0.0
Barking Dog	0	0	0.0
Beach Patrol	0	0	0.0
Community Center (P & R)	0	0	0.0
Dead Animal	0	0	0.0
Dog Stations (P & R)	0	0	0.0
Drainage/Flooding (PW)	0	0	0.0
Graffiti (in park) (P & R)	0	0	0.0
Graffiti (PW)	0	0	0.0
Hawthorne Tot-Lot (P & R)	0	0	0.0
Parking Issue	0	0	0.0
Police (Safety Concern)	0	0	0.0
Pothole (PW)	0	0	0.0
Solid Waste (Commercial) (PW)	0	0	0.0
Solid Waste (Residential) (PW)	0	0	0.0
Street lights (PW)	0	0	0.0
Surfside Dog Park (P & R)	0	0	0.0
Veterans Park (P & R)	0	0	0.0



TOWN OF SURFSIDE
MUNICIPAL BUILDING
9293 HARDING AVENUE
SURFSIDE, FLORIDA, 33154-3009
Telephone (305) 861-4863

TO: Town Commission
FROM: Guillermo Olmedillo, Town Manager
DATE: July 25, 2018
SUBJECT: July Social Media Report

Following the FY 2019 Proposed Budget Meeting, the Town's Public Information Representative shared a meeting recap on Nextdoor in order to help educate residents on the budget process and share meeting highlights. Additionally, the Town's Public Information Representative continued to monitor and respond to resident questions, pertaining to the 92nd Street beach end and mango contest. Refer to Exhibit "A" for Nextdoor updates that took place in July.

Nextdoor provides monthly metrics on the 5th of each month for the previous month to track resident engagement. A summary for July is currently unavailable. However in June, Nextdoor reported a total of 785 verified Surfside residents in the Nextdoor community. The Town's Public Information Representative posted 11 messages over the course of the month, resulting in 1,752 views and 1,640 opened emails.

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

NEXTDOOR POSTS

7/2: Join Surfside's Tourism Board for First Fridays beach party this Fri., July 6

Visitors, local residents and neighboring communities are invited to experience the Surfside lifestyle at the next Summer Harvest themed First Fridays event. With the beach to serve as a picturesque backdrop, guests can enjoy healthy treats during food demonstrations led by local nutrition leaders; a vegetable and fruit stand; and complimentary juices from Maison Meneau. Bring your own backyard mangoes and coconuts to be incorporated into healthy snacks at a smoothie station. Participate in a drum circle and listen to live soul, blues & rock music courtesy of the Rachael Rage band. Not to mention, The Carrot, a healthy Kosher eatery in Surfside, will offer delicious wraps available for pre-purchase and then will deliver orders directly to the event.

First Fridays is a monthly summer event sponsored by the Surfside Tourism Board. The next one is scheduled from 4 to 7 p.m. this Friday, July 6 on the beach behind Surfside's oceanfront Community Center, located at 9301 Collins Avenue. Event admission is free and open to the public.

To RSVP and to purchase wraps ahead of time from The Carrot, visit <https://www.eventbrite.com/e/first-fridays-summer-harvest-celebration-tickets-46723332746>.

Follow @VisitSurfside on social media, and use #uptownbeachtown and #FridayBeaching for event updates.

7/3: Celebrate July 4th at Surfside's Community Center tomorrow

Get ready to have a blast with your friends and neighbors at the Town of Surfside's annual July 4th celebration. In honor of America's birthday, residents can enjoy live music, swim races, arts & crafts, and much more.

The pool opens from 9 a.m. to 8 p.m. at the Surfside Community Center located at 9301 Collins Avenue. Swim races begin at 2 p.m., while registration will be held between 9.am. and 1:30 p.m. the day of the event. Live music starts at 3 p.m. followed by a fireworks show to be held beachside at 9 p.m. Please note, some portions of the beach will be closed due to fireworks. The fireworks show is sponsored by the Surfside Tourist Board.

The event is FREE for residents and \$5 for non-residents. Surfside residents must show an up-to-date Surfside or picture ID with current address. For more information, please call (305) 866-3635 or visit https://www.townofsurfsidefl.gov/docs/default-source/default-document-library/parks-and-recreation/events-flyers/july-4th-celebration.pdf?sfvrsn=43964c94_10.

***As a reminder, Town Hall will be closed in observance of Independence Day.

7/6: Friday Beach gathering today from 4 to 7 p.m. in Surfside

This is a friendly reminder to join us on the beach behind the Community Center for a First Fridays Summer Harvest themed event from 4 to 7 p.m. TODAY. Sponsored by the Surfside Tourism Bureau, this family-friendly affair is free and open to the public. For more details and to RSVP, visit <https://www.eventbrite.com/e/first-fridays-summer-harvest-celebration-tickets-46723332746>

7/8: Traffic Alert – Lane Closures

The Town of Surfside wants you to be aware the Florida Department of Transportation has authorized a double lane closure along the 8900 block of Collins Avenue (SR A1A North) on the following dates and times:

- Monday 07-09-2018 from 9:00 p.m. to 5:00 a.m.
- Tuesday 07-10-2018 from 9:00 p.m. to 5:00 a.m.
- Wednesday 07-11-2018 from 9:00 p.m. to 5:00 a.m.
- Thursday 07-12-2018 from 9:00 p.m. to 5:00 a.m.

Surfside Police Officers will be on site to assist with traffic control. Please plan your commute routes accordingly and drive safely. For more information, please call the Surfside Police Department at 305-861-4862.

7/9: Meet & Greet Surfside's new Police Chief on Wednesday, Jul. 11

Want to meet Surfside's new Police Chief Julio Yero? Now's your chance at a meet & greet event to be held at 6 p.m. in the Town Hall Commission Chambers this Wednesday, July 11. Captain Yero has been a fixture in the department for nearly four years and is committed to public safety and excellence. Residents are invited to come say hello and share community matters of interest with the new Chief.

For further information, please contact Dina Goldstein at (305) 861-4862 or dgoldstein@townofsurfsidefl.gov.

7/11: Help save lives by participating in tomorrow's Blood Drive

Get ready to roll up your sleeves and help others. The Surfside Police Department is hosting a Blood Drive in conjunction with the One Blood organization tomorrow, July 12 from noon to 3 p.m. The Blood Mobile will be located in the Town Hall parking lot. For further information, please contact Dina Goldstein at (305) 861-4862 or dgoldstein@townofsurfsidefl.gov.

7/13: Mango Contest and Rain Barrel Workshop this Sun., July 15

Think you have the best mangoes in Surfside? We're giving you the chance to prove it. Join the Surfside Urban Gardeners (SUG) for the 2018 Surfside Summer Mango Contest this **Sunday, July 15**.

To participate, download the entry form found on the Town website at <https://www.townofsurfsidefl.gov/news-and-events/events-detail/2018/07/15/events/surfside-mango-contest> and stop by the Community Center on July 15 from 9 to 11 a.m. to drop off your finest Surfside mango to Dalia Blumstein. Then join SUG again from 5 to 6 p.m. on the same day at the Surfside Community Garden (89th Street and Dickens Avenue) where the owner of the best tasting mango will be selected by our special judges.

All mango samples must be carefully labeled using the contest form found in the link enclosed and must be grown in Surfside. For more information and to receive the contest form via email, contact DaliaBlumstein@gmail.com.

Also, this Sunday, learn how harvesting rainwater can help reduce pollution from storm water runoff and provide a supply of free, non-chlorinated, pH-neutral water for your garden, prize orchids, potted plants and much more. Local residents also can exchange up to (3) old light bulbs for energy-saving compact fluorescent light bulbs and exchange up to (2) water-wasting showerheads for water-efficient models. The workshop is FREE to attend and recycled plastic 60-gallon food-grade drums (rain barrels) are available for purchase at \$40 each. You can purchase them online through registration with a credit card. Rain barrels can also be purchased at the workshop with a check or money order only. Cash is NOT accepted.

Register or reserve your seat by visiting <https://www.eventbrite.com/e/rain-barrel-workshop-surfside-community-center-tickets-43891750407?aff=ebdssbdestsearch>
This event is being held at the Surfside Community Center, located at 9301 Collins Avenue. For more information contact (305) 866-3635.

7/15: Traffic Alert – Lane Closures

The Town of Surfside wants you to be aware that the Florida Department of Transportation has authorized a double lane closure along the 8900 block of Collins Avenue (SR A1A North) on the following dates and times:

- Monday 07/16/2018 from 9:00 p.m. to 5:00 a.m.
- Tuesday 07/17/2018 from 9:00 p.m. to 5:00 a.m.
- Wednesday 07/18/2018 from 9:00 p.m. to 5:00 a.m.
- Thursday 07/19/2018 from 9:00 p.m. to 5:00 a.m.

Surfside Police Officers will be on site to assist with traffic control. Please plan your commute routes accordingly and drive safely. For more information, please call the Surfside Police Department at 305.861.4862.

7/16: Recap from FY 2019 Proposed Budget Meeting on July 10

In case you missed last Tuesday's Special Town Commission Meeting on the Town of Surfside's Fiscal Year 2019 (FY 2019) proposed budget, you can still watch the taped broadcast by visiting <https://www.townofsurfsidefl.gov/departments-services/town-clerk/public-records/videos>

The budget plan for FY 2019 balances the Town's financial resources with current programming; enhances service levels by providing necessary resources to Town administration in order to meet the needs of the community; and continues to improve the Town's solid financial position and healthy reserves.

As part of the FY 2019 proposed budget, the preliminary plan is to reduce the Town's general operating millage rate from 4.8000 mills to a suggested 4.500 mills by Town Commission, which will result in higher overall tax revenue and property tax savings for Surfside residents. This savings is from an increase in property values generated from our new commercial development. This marks the 5th time since 2013 that the Town has lowered its property tax rate.

To learn more about what was proposed at last Tuesday's meeting, please visit: https://www.townofsurfsidefl.gov/docs/default-source/default-document-library/town-clerk-documents/commission-agendas/2018-commission-agenda/2018-07-10-special-town-commission-meeting---proposed-millage-rate-packet-with-proposed-budget.pdf?sfvrsn=a5c5094_6

The next budget hearing will take place at 5:01 p.m. in the Town Hall Commission Chambers on September 12, 2018. You're invited to attend the budget hearing and to learn first-hand how the budget process works, as well as how the Town is addressing the many concerns and needs of the community.

7/16: 92nd Street Beach Access

The Town of Surfside will be working on the 92nd Street beach access at the street end today, Monday, July 16, 2018. The work should not impede access to and from the beach.

7/17: Deadline for Surfside Higher Education Scholarship DUE AUGUST 1st by 5 p.m.

Each year, the Town of Surfside awards a Higher Education Scholarship to two deserving graduating seniors who are pursuing post-high school course of study. Continuation of education may be at either college/university level or other post-secondary education institution. The scholarship winners will be selected by the Town of Surfside Scholarship Committee and will receive a \$1,000 scholarship each.

To be considered, the criteria is as follows:

- Applicant must be a Surfside resident for at least 5 years.
- Applicant must be a graduating high school senior in the year of the award.
- Applicant must have a minimum graduation GPA of 3.0.
- Applicant must have a financial need for the scholarship.
- Applicant must have evidence of registration to an accredited post-secondary institution
- Applicant must demonstrate a positive impact through community/civic involvement as determined through letters of recommendation and responses included in the application.

The deadline to submit an application is 5 p.m. on Wednesday, August 1. For more information, please call the Town Clerk at (305) 861-4863 or visit www.townofsurfsidefl.gov.

7/18: Are you hurricane ready?

Hurricane season is in full swing. Don't let this year's major storms catch you off guard. We strongly encourage residents to make hurricane preparations and evacuation plans well in advance.

For your convenience, you'll find the official Miami-Dade County Hurricane Preparedness Guide available for pick-up in the Town Hall lobby and also on the Town website at <https://www.townofsurfsidefl.gov/how-do-i/hurricane-and-flood-information>.

7/24: Special Town Commission Meeting tonight (7/24) at 6 p.m.

Please be advised a Special Town Commission Meeting will be held tonight starting at 6 p.m. in the 2nd floor Commission Chambers at Town Hall, 9293 Harding Avenue. An agenda for tonight's meeting can be found here: https://townofsurfsidefl.gov/docs/default-source/default-document-library/town-clerk-documents/commission-agendas/2018-commission-agenda/2018-07-24-special-town-commission-meeting-agenda-packet?sfvrsn=b8c5194_2. Thank you.

7/26: Registration for Fall Programs begins today...

Ready to be a social butterfly this fall? Take a look at all of the activities the Town of Surfside has to offer. For more information and registration, call the Parks and Recreation Department at (305) 866-3635 or visit www.townofsurfsidefl.gov.

TOWN OF SURFSIDE, FLORIDA
MONTHLY BUDGET TO ACTUAL SUMMARY
FISCAL YEAR 2017/2018

AS OF

June 30, 2018

75% OF YEAR EXPIRED (BENCHMARK)

Page

1 of 3

GOVERNMENTAL FUNDS	ACTUAL	ANNUAL BUDGETED	% BUDGET
GENERAL FUND			
REVENUE	\$ 13,683,330	\$14,598,096	94%
EXPENDITURES	9,620,458	\$14,598,096	66%
Net Change in Fund Balance	4,062,872		
Fund Balance-September 30, 2017 (Audited)	8,460,802		
Fund Balance-June 30, 2018 (Reserves)	<u>\$ 12,523,674</u>		
TOURIST RESORT FUND			
REVENUE	\$ 782,682	\$1,081,553	72%
EXPENDITURES	931,000	\$1,081,553	86%
Net Change in Fund Balance	(148,318)		
Fund Balance-September 30, 2017 (Audited)	469,880		
Fund Balance-June 30, 2018 (Reserves)	<u>\$ 321,562</u>		
POLICE FORFEITURE FUND			
REVENUE	\$ 27,468	\$78,192	35%
EXPENDITURES	27,089	\$78,192	35%
Net Change in Fund Balance	\$ 379		
Fund Balance-September 30, 2017 (Audited)	164,933		
Fund Balance-June 30, 2018 (Reserves)	<u>\$ 165,312</u>		
TRANSPORTATION SURTAX FUND			
REVENUE	\$ 167,962	\$434,250	39%
EXPENDITURES	279,354	\$434,250	64%
Net Change in Fund Balance	(111,392)		
Fund Balance-September 30, 2017 (Audited)	388,363		
Fund Balance-June 30, 2018 (Reserves)	<u>\$ 276,971</u>		
BUILDING FUND			
REVENUE	\$ 1,874,943	\$1,657,000	113%
EXPENDITURES	775,686	\$1,657,000	47%
Net Change in Fund Balance	1,099,257		
Fund Balance-September 30, 2017 (Audited)	1,742,910		
Fund Balance-June 30, 2018 (Reserves)	<u>\$ 2,842,167</u>		
CAPITAL PROJECTS FUND			
REVENUE	\$ 1,270,005	\$1,552,911	82%
EXPENDITURES	102,484	\$1,552,911	7%
Net Change in Fund Balance	1,167,521		
Fund Balance-September 30, 2017 (Audited)	576,122		
Fund Balance-June 30, 2018 (Reserves)	<u>\$ 1,743,643</u>		

NOTES:

* Many revenues for June 2018 are received in subsequent months (timing difference) and are recorded on a cash basis in the month received.

A. Includes \$2,000,000 available for hurricane/emergencies. The balance of \$6,286,341 is unassigned fund balance (reserves).

B. Resort Tax Revenues total collected through June 2018 is \$2,285,771 (\$782,682 is the Tourist Resort Fund and \$1,503,089. is the General Fund).

ENTERPRISE FUNDS	ACTUAL	ANNUAL BUDGETED	% BUDGET
------------------	--------	-----------------	----------

WATER & SEWER FUND

REVENUE	\$ 3,152,039	\$3,677,158	86%
EXPENDITURES	2,030,227	\$3,677,158	55%
Change in Net Position	1,121,812		
Unrestricted Net Position-September 30, 2017 (Audited)	(3,048,579)		
Unrestricted Net Position-June 30, 2018 (Reserves)	<u>\$ (1,926,767) C1</u>		

MUNICIPAL PARKING FUND

REVENUE	\$ 943,290	\$1,203,158	78%
EXPENDITURES	776,154	\$1,203,158	65%
Change in Net Position	167,136		
Unrestricted Net Position-September 30, 2017 (Audited)	811,013		
Unrestricted Net Position-June 30, 2018 (Reserves)	<u>\$ 978,149</u>		

SOLID WASTE FUND

REVENUE	\$ 1,471,354	\$1,767,886	83%
EXPENDITURES	1,267,290	\$1,767,886	72%
Change in Net Position	204,064		
Unrestricted Net Position-September 30, 2017 (Audited)	429,743		
Unrestricted Net Position-June 30, 2018 (Reserves)	<u>\$ 633,807</u>		

STORMWATER FUND

REVENUE	\$ 474,754	\$691,330	69%
EXPENDITURES	283,457	\$691,330	41%
Change in Net Position	191,297		
Unrestricted Net Position-September 30, 2017 (Audited)	3,264,379		
Unrestricted Net Position-June 30, 2018 (Reserves)	<u>\$ 3,455,676</u>		

NOTES:(con't)

C1. The reserves balance of (\$1,926,767) is the result of a change in current net position as of June 2018 of \$1,121,812, net position as of September 30, 2017 (Audited) of (\$3,048,579).



Christopher Wallace, Interim Finance Director



Guillermo Olmedillo, Town Manager

Town of Surferside
Fund Balance (Reserves)
6/30/2018

FUND	9/30/2015	9/30/2016	9/30/2017	6/30/2018
General	\$ 5,905,726	\$ 7,368,408	\$ 8,460,802	\$ 12,523,674
Tourist Resort	339,396	363,407	469,880	321,562
Police Forfeiture	113,431	141,755	164,933	165,312
Transportation Surtax	440,662	354,264	388,363	276,971
Building	-	-	1,742,910	2,842,167
Capital Projects	182,903	1,154,352	576,122	1,743,643
Water & Sewer	(2,705,871)	(2,827,890)	(3,048,579)	(1,926,767)
Municipal Parking	1,089,165	1,111,941	811,013	978,149
Solid Waste	340,391	245,941	429,743	633,807
Stormwater	4,051,768	3,392,370	3,264,379	3,455,676
Total	\$ 9,757,571	\$ 11,304,548	\$ 13,259,566	\$ 21,014,194



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

TO: Town Commission

FROM: Lillian M. Arango, Town Attorney

CC: Guillermo Olmedillo, Town Manager

DATE: August 6, 2018

SUBJECT: Office of the Town Attorney Report for August 14, 2018

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

July 9, 2018 - Tourist Board Meeting

July 10, 2018 - Special Town Commission Meeting – Budget Millage Rate

July 10, 2018 - Regular Town Commission Meeting

July 24, 2018 - Special Town Commission Meeting

July 28, 2018 - Design Review Board and Planning & Zoning Board Meeting

Members of the firm drafted the resolutions and ordinances for these meetings in addition to drafting or assisting with the preparation of a number of the communications and reviewing, revising and, as appropriate, negotiating the legal requirements of the relative agreements and supporting documents.

Commission support:

Attorneys of the firm have worked with members of the Town Commission to address concerns and research specific issues and are always available, either in the office or by phone or email. We appreciate your support as we continue to work in transitioning the office, fine-tune schedules, evaluate and adjust prior practices. Transitions are always challenging, but often a time to make improvements or adjustments which will improve quality and service.

Staff support:

Members of the firm have met with and provided extensive support to staff, boards and committees with application review, contract and agreement review, negotiation and preparation, unsolicited proposal for public-private partnership (P3) process and Statute. procurement and purchasing (including staff workshop on procurement issues), Request for Proposals for Community Center Food Concession and Marketing Services for the Tourist Bureau, bid documents for traffic improvements, code enforcement and interpretation, attend Code Enforcement Hearings, building permit and enforcement issues, subpoenas, public records requests, research, document review, legal review of various issues, oversight and case management for litigation, and Town Code interpretation and application.

Key issues:

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

- Negotiation and document drafting for several interlocal issues
- Various development and quasi-judicial applications
- Agreement for Interim Finance Director Services
- Unsolicited Proposal (P3) – Abbott Lot and Town Hall Site
- Code of Ethics and Lobbying Code
- Roof Height Ordinance
- Freeboard Ordinance
- Sign Code Amendment Ordinance
- Various Urging Resolutions

- Amendments to the Town's Purchasing Code and Cone of Silence
- Anti-Semitic Ordinance
- Pension Board Ordinance
- Tree Planting and Mulch In the Public Right Away Ordinance
- Ethics Ordinance
- Driveway Modifications
- Ordinance Banning Plastic Straws and Resolution Establishing Fees/Fines for Violations
- Solar Panel Permitting Ordinance and Resolution Providing for Waiver of Fees and Expediting of Permit Process
- Ordinance Lifting Prohibition on Surfboards
- Ordinance on Building Lengths and Building Separations
- Ordinance Revising Development Application Procedures
- Ordinance on Marine Turtle Lighting
- Ordinance on Development Approvals Procedures
- Ordinance on Cone of Silence Procurement Process
- Sensible Gun Reform Resolution
- Plastic Bag Ban Legislation and Analysis
- Tourist Board Agreements and Procurement
- Public Records and Subpoena Requests for Documents
- Sustainability Initiatives and Legislation
- Firearm Preemption Lawsuit
- Beach Furniture Ordinance and Regulations
- Comprehensive Plan Amendments
- Parking Waiver Ordinance for Business District
- Solid Waste Service Assessment Ordinance
- PACE District Agreements
- Debris Collection and Disposal Agreements
- Aggregation of Single Family Lots Ordinance
- DIC/DRG/DRB Procedures Ordinance
- Building Length Ordinance & Grandfathering Amendments

Litigation:

Victor May v. Sandra Novoa, Daniel Edward Dietch, Daniel Gielchinsky, Barry Richard Cohen, Michael Karukin, Tina Paul, Guillermo Olmedillo, Weiss Serota Helfman Cole & Bierman, P.L., Alexander Boksner, Christina White, Miami-Dade County Supervisor of Elections, et al. Case No. 2018 – 13373-CA-01, Circuit Court, Eleventh Judicial Circuit, Miami-Dade County, Florida. On April 25, 2018, the County Court (Case No. 2018-04205-CC-05) entered an order granting Defendants', Sandra Novoa's and Christina White's Motions to Dismiss the first election challenge case for lack of subject matter jurisdiction. On April 27, 2018, Plaintiff Victor May filed a new lawsuit in Circuit Court seeking to challenge the March 20, 2018 general election alleging election code breaches, and adding various counts or claims including, Misfeasance in Code Compliance, Transparency Act Violations, Water Billing Overcharge and Outside Employment Bonds. On May 24, 2018, the Court entered an Order denying various motions filed by Plaintiff May, including Motion to stop, delay or otherwise cease the government of Surfside, Motion to suspend attorneys, Motion for default, Motion to stop obstruction or delay by attorneys, and entered an Order in favor of Defendants granting a protective order in part. On June 11, 2018, Appellant May filed an appeal of the Circuit Court's Order with the Third District Court of Appeal, Case No. 3D18-1133. On July 3, 2018, the Third District Court of Appeals granted the Town Appellee's motion to dismiss the appeal for lack of jurisdiction and dismissed the appeal from the Circuit Court. On August 1, 2018, the Circuit Court dismissed with prejudice all counts in Plaintiff May's complaint, including election challenges. A written order is pending, which should result in a final order of the Circuit Court, subject to any motions to reconsider the outcome.

Special Matters: Continued monitoring of new case law and legislation from Federal, State and County. Matters which we will continue to work on, some of which you may anticipate in the upcoming months, include issues related to evaluation of unsolicited proposals for the Abbot Lot and Town Hall Parcel, necessary Code amendments in connection with potential development of Town-owned parcels for P3 projects, sign code revisions, conceptual parking strategies, freeboard regulations and ordinances, ordinance providing for revisions to development

application procedures, ordinance restructuring the Design Review Board and Planning & Zoning Board functions, ordinance on building length and separations, ordinance on marine turtle lighting regulations, ordinance on cone of silence procurement procedures, ordinances and resolutions addressing solar panels and plastic straws, interlocal agreements for shuttle services, recycling ordinance, short term rental provisions, sustainability initiatives and legislation, beach furniture regulations and policies, and various procurements,



**Town of Surfside
DESIGN REVIEW BOARD/
PLANNING & ZONING BOARD
MINUTES**

April 26, 2018 – 6:00 p.m.
Town Hall Commission Chambers –
9293 Harding Ave, 2nd Floor, Surfside, FL 33154

DESIGN REVIEW BOARD

1. Call to Order/Roll Call

Chair Lecour called the meeting to order at 6:04 p.m.

Recording Clerk Duval called the roll with the following members present: Chair Lindsay Lecour, Vice Chair Judith Frankel, Board Member Peter Glynn, Board Member Brian Roller, Board Member William Fleck and Board Member Jorge Garcia.

The meeting was turned over to the Town Attorney to elect a Design Review Board Chair and Vice Chair. Board Member Roller nominated Lindsay Lecour as Chair. The motion received a second from Board Member Glynn and all voted in favor. Board Member Roller nominated Judith Frankel as Vice Chair. The motion received a second from Board Member Glynn and all voted in favor.

2. Approval of Minutes: March 29, 2018

Vice Chair Frankel made a motion to approve the minutes. The motion received a second from Board Member Fleck and all voted in favor.

3. Design Review Board Applications:

A. 8810 Harding Avenue - The applicant is requesting to add a pre-fabricated shed to the rear of the property.

Town Planner Sinatra introduced Town Planner Robert Collins from Calvin Giordano & Associates who will be presenting all development items. Mr. Collins presented the item and staff is recommending approval.

Chair Lecour asked if any members of the public wished to speak on the item and seeing none the public hearing was closed.

Building Official Prieto answered questions from the Board. The Board discussed the item.

Board Member Roller made a motion to approve as recommended by staff. The motion received a second from Vice Chair Frankel and all voted in favor.

B. 9217 Emerson Avenue - The applicant is requesting replacing their existing asphalt shingle roof with new asphalt shingles.

Town Planner Collins presented the item.

Chair Lecour asked if any members of the public wished to speak on the item.

Public Speaker Denis Murphy the contractor and applicant Mercy MacDonell spoke on the item. Building Official Ross Prieto answered questions from the Board.

Board Member Glynn made a motion to approve. The motion received a second from Board Member Garcia and all voted in favor.

C. 9325 Abbott Avenue - The applicant is requesting to build a 4,007 square foot two-story new home.

Town Planner Collins presented the item and is recommending approval with conditions. The applicant and architects for the project gave further details on the item.

Chair Lecour asked if any members of the public wished to speak on the item and seeing none the public hearing was closed.

The Board discussed the item and the architect answered questions from the Board.

Board Member Fleck made a motion to approve with the following conditions:

1. At time of Building Permit, submit a Landscape Plan that meets the requirements of Town Code Section 90-95.
2. Driveway material to be verified at Building Permit.
3. Add one foot of freeboard

The motion received a second from Vice Chair Frankel and all voted in favor.

D. 9482 Harding Avenue - The applicant is requesting one (1) illuminated wall sign for the Italian Jewelry business.

Town Planner Collins presented the item and is recommending approval with conditions.

Chair Lecour asked if any members of the public wished to speak on the item and seeing none the public hearing was closed.

Board Member Glynn made a motion to approve with the following conditions:

1. Proposed sign shall be off-set from the wall a minimum of one quarter inch to a maximum of two inches to permit rain water to flow down the wall face.
 2. The wall face shall be reconditioned and painted as necessary
- The motion received a second from Vice Chair Frankel and all voted in favor.

E. 9499 Collins Avenue - The applicant is requesting two (2) illuminated reverse channel letter signs for the existing Spiaggia Ocean Condominium.
Town Planner Collins presented the item and is recommending approval.

Chair Lecour asked if any members of the public wished to speak on the item and seeing none the public hearing was closed.

Board Member Roller made a motion to approve. The motion received a second from Board Member Garcia and all voted in favor.

F. 9525 Carlyle Avenue - The applicant is requesting to convert their garage to approximately 260 square feet of additional living space.
Town Planner Collins presented the item and is recommending approval.

Chair Lecour asked if any members of the public wished to speak on the item and seeing none the public hearing was closed.

The Board discussed the item.

Vice Chair Frankel made a motion to approve with the following conditions:

1. No net decrease in windows.
2. Irrigate planter or plant landscaping directly in the ground.

The motion received a second from Board Member Roller and all voted in favor.

G. 8975 Hawthorne Avenue - The applicant is requesting fencing in the secondary front yard. A 4.0-foot-high wood fence is proposed.
Town Planner Collins presented the item and is recommending approval. Lisa Herman the applicant spoke on the item.

Chair Lecour asked if any members of the public wished to speak on the item and seeing none the public hearing was closed.

The Board discussed the item and Building Official Prieto provided information.

Board Member Glynn made a motion to approve with the following condition:

1. The applicant shall provide that it meets the 50% opacity requirement.

The motion received a second from Board Member Fleck and all voted in favor.

Vice Mayor Daniel Gielchinsky attending as liaison entered at 6:41 p.m.

4. Quasi-Judicial Application:

A. 8995 Collins Avenue – Site Plan; Conditional Use for Hotel Pool and Alternative Parking System; Variances for Landscaping and Loading Space Size

Chair Lecour read the process and rulings of a quasi-judicial hearing.

The applicant attested that compliance with advertising notice requirements have been met. The Town Attorney asked the DRB and Planning and Zoning Board if anyone had ex-parte communications with the Applicant or any objector. Board Member Roller said he had spoken briefly with the applicant. All other Board members said no. Recording Clerk Duval swore in anyone who wished to speak on the item.

Town Planner Sinatra presented a brief synopsis of the item. Graham Penn representing the applicant spoke on the item and introduced members of the team. George Kousoulas, Justine Velez, and Kobi Karp architects for the project went through the overall plan with a slide presentation.

Chair Lecour opened the public hearing.

Public Speakers:

-Michael Marcell representing clients from the Surf Club spoke objecting to the project.

No one else wishing to speak the Chair closed the public hearing.

The Board discussed the item and the applicant answered questions posed by the Board. The Board discussed the dunes and traffic issues as it was a concern. Karl Peterson, Traffic Consultant from CGA, spoke about his traffic analysis. Jason Halpern gave details regarding public space and answered questions from the Board. There was further discussion regarding traffic issues.

Vice Mayor Gielchinsky attending as liaison exited at 7:15 p.m.


Board Member Fleck made a motion to continue the item next month, May 31, 2018 at 6:00 p.m. The motion received a second from Board Member Garcia and all voted in favor.


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5. Adjournment

There being no further business to come before the Design Review Board, Board Member Glynn made a motion to adjourn the meeting. The motion received a second from Vice Chair Frankel and all voted in favor. Meeting adjourned at 8:54 p.m.

Accepted this 26th day of July, 2018


Chair Lindsay Lecour

Attest:


Sandra Novoa, MMC
Town Clerk



**Town of Surfside
DESIGN REVIEW BOARD/
PLANNING & ZONING BOARD
MINUTES**

April 26, 2018 – 6:00 p.m.

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

PLANNING & ZONING BOARD

1. Call to Order/Roll Call

Chair Lindsay Lecour called the meeting to order at 8:54 p.m.

Recording Clerk Duval called the roll with the following members present: Chair Lindsay Lecour, Vice Chair Judith Frankel, Board Member Peter Glynn, Board Member Brian Roller and Board Member Jorge Garcia. Liaison, Vice Mayor Daniel Gielchinsky was absent.

The meeting was turned over to the Town Attorney to elect a Planning and Zoning Board Chair and Vice Chair. Board Member Roller nominated Lindsay Lecour as Chair. The motion received a second from Board Member Glynn and all voted in favor. Board Member Roller nominated Judith Frankel as Vice Chair. The motion received a second from Board Member Glynn and all voted in favor.

2. Town Commission Liaison Report – Vice Mayor Daniel Gielchinsky

Vice Mayor Gielchinsky was not present to provide a report.

3. Approval of Minutes: March 29, 2018

Board Member Roller corrected the minutes on page 4 to read “there may or not be a better solution to one-way streets.” Board Member Glynn made a motion to approve the minutes. The motion received a second from Vice Chair Frankel and all voted in favor.

4. Quasi-Judicial Application:

A. 8995 Collins Avenue – Site Plan; Conditional Use for Hotel Pool and Alternative Parking System; Variances for Landscaping and Loading Space Size

Board Member Glynn made a motion to defer the item to the May 31, 2018 meeting at 6:00p.m. The motion received a second from Vice Chair Frankel and all voted in favor.

5. Local Planning Agency Items:

A. Development Approval Procedures

AN ORDINANCE OF THE TOWN OF SURFSIDE, FLORIDA AMENDING DIVISION 3, "SPECIAL EXCEPTIONS, ZONING CHANGES, CONDITIONAL USES AND VARIANCES," OF ARTICLE II, "ADMINISTRATION AND ENFORCEMENT," OF CHAPTER 90 "ZONING" OF THE TOWN OF SURFSIDE CODE OF ORDINANCES TO ADDRESS DEVELOPMENT APPLICATION PROCEDURES AND REQUIREMENTS; PROVIDING FOR REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

Recording Clerk Duval read the title of the ordinance. Town Planner Sinatra presented the item. Town Manager Olmedillo gave further details on the item.

Board Member Roller made a motion to recommend to the Town Commission. The motion received a second from Board Member Glynn and all voted in favor.

B. Maximum Building Length

AN ORDINANCE OF THE TOWN OF SURFSIDE, FLORIDA AMENDING SECTION 90-51 "MAXIMUM FRONTAGE OF BUILDINGS AND FACADE ARTICULATIONS." OF "CHAPTER 90 ZONING" OF THE TOWN OF SURFSIDE CODE OF ORDINANCES TO ADDRESS FAÇADE ARTICULATIONS, MAXIMUM BUILDING LENGTHS AND BUILDING SEPARATIONS IN THE H30C AND H40 ZONING DISTRICTS; PROVIDING FOR REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

Recording Clerk Duval read the title of the ordinance. Town Planner Sinatra presented the item and recommended revisions to the ordinance regarding ground level connections and setbacks.

Chair Lecour opened the public hearing:

Public Speaker Neisen Kasdin for the record said that a letter is forthcoming from attorneys regarding the due process and for the limited number of properties affected. He then spoke on the item and presented some proposed changes.

The Board discussed the item and gave their views. Staff and legal will review the language revisions suggested by Mr. Kasdin.

Board Member Glynn made a motion to recommend to the Town Commission with revisions presented by Staff and discussed by the Board. Direction was also given to the Town Attorney and Town Planner to review any additional language additions/changes. The motion received a second from Board Member Garcia and all voted in favor.

6. Discussion Items:

A. Construction Fencing for Single Family

This item was moved to next month.

B. Walkability – Verbal Update

Town Manager Olmedillo gave a brief update.

C. Sustainability Subcommittee Priorities

This item was moved to next month.

D. Future Agenda Items

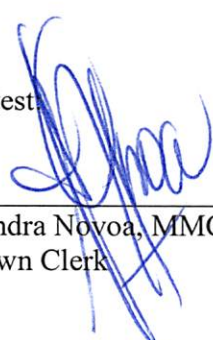
Highwater Line and Beachfront preservation was added to future agenda items.

7. Adjournment:


There being no further business to come before the Planning and Zoning Board, Board Member Glynn made a motion to adjourn the meeting. The motion received a second from Board Member Roller and all voted in favor. Meeting adjourned at 10:05 p.m.

Accepted this 27th day of June, 2018

Attest:



Sandra Novoa, MMC
Town Clerk



Chair Lindsay Lecour



Town of Surfside

TOURIST BOARD MEETING MINUTES

June 4, 2018 – 5:30 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 by Chair Barbara Cohen at 5:30 p.m.

The following were present:

- Chair Barbara Cohen
- Vice Chair Jeff Lehman
- Board Member MaryAnna Estomba
- Board Member Jennifer Brilliant
- Board Member Bera Kalhan

Also present:

- Guillermo Olmedillo, Town Manager
- Duncan Tavares, Assistant Town Manager
- Lindsay Fast, Tourism Director
- Mitch Bierman, Town Attorney
- Frank Trigueros, Marketing & Special Projects Coordinator
- Elora Riera, Deputy Town Clerk

2. **Welcome New Members – Chair Barbara Cohen**

Chair Barbara Cohen welcomed the new members to the Board and welcomed everyone to the meeting.

3. **Approval of Minutes: May 14, 2018**

Vice Chair Lehman made a motion to approve the minutes as written. The motion was seconded by Board Member Estomba and all voted in favor.

4. **A/R (Resort Tax)**

The A/R resort tax spreadsheets were provided to the Board for their information. Tourism Director Fast commented that moving forward there will be a year over year comparison. Chair Lehman requested that the budget to actual comparison be added to the report as well as the funds that go to the Town and the funds that go to the Tourist Board and Tourism Director Fast responded that it will be included moving forward.

Discussion Items

5. **RFP 2018-04 “Marketing Services for Town of Surfside’s Tourist Bureau” Update**

Tourism Director Fast provided an update to the Board on the RFP for marketing services for the Tourist Bureau. She commented that the Town held a mandatory pre-RFP submission conference meeting and that there was a great turnout.

6. Downtown Vision Advisory Committee (DVAC) Tourist Board Representation

Tourism Director Fast reported that this item was deferred from the last meeting so that a nomination could be made with a full board.

Passing the gavel, Chair Barbara Cohen made a motion to assign Vice Chair Lehman as the Tourist Board Liaison to the Downtown Vision Advisory Committee (DVAC). The motion was seconded by Board Member Estomba and all voted in favor.

7. Paddletopia Recap – Sara Liss

Sara Liss of Friday Beach, LLC presented a PowerPoint overview of the Paddletopia event.

The Board commended her on a job well done.

8. June 1 – “Summer of Love” First Fridays Recap

Tourism Director Fast provided a recap of the “Summer of Love” First Fridays event that took place on June 1st.

The Board discussed some ideas for future events to bring more attention to all areas of the event.

9. Status update of Digital Application

Tourism Director Fast deferred this item.

10. Next Tourist Board Meeting: Monday, July 2, 2018 at 5:30pm

Chair Barbara Cohen advised the Board that the next meeting is on July 2, 2018 at 5:30pm.

Discussion ensued regarding the budget process.

11. Public Comments

There were no public comments.

12. Adjournment

There being no further business to discuss, Vice Chair Lehman made a motion to adjourn the meeting. Board Member Estomba seconded the motion and all voted in favor.

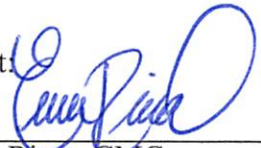
The meeting adjourned at 6:38 p.m.

Respectfully submitted:

Accepted this 9th day of July, 2018


Barbara Cohen, Chair

Attest:


Elora Riera, CMC
Deputy Town Clerk



**Town of Surfside
DESIGN REVIEW BOARD/
PLANNING & ZONING BOARD
MINUTES**

June 27, 2018 – 6:00 p.m.

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

PLANNING & ZONING BOARD

1. Call to Order/Roll Call

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

Deputy Clerk Riera called the roll with the following members present: Chair Lindsay Lecour, Board Member Peter Glynn and Board Member Jorge Garcia. Vice Chair Judith Frankel and Board Member Brian Roller were absent.

2. Town Commission Liaison Report – Vice Mayor Daniel Gielchinsky

Vice Mayor Gielchinsky reported on the parking waiver ordinance, undergrounding and the future of the Design Review Board and the possibility of consolidating the Board to just a Planning and Zoning Board.

3. Approval of Minutes: April 26, 2018

Board Member Glynn made a motion to approve the minutes. The motion received a second from Board Member Garcia and all voted in favor.

4. Quasi-Judicial Application:

A. 8995 Collins Avenue - Site Plan; Conditional Use for Hotel Pool and Alternative Parking System; Variances for Landscaping and Loading Space Size
This item was deferred.

B. 303 Surfside Boulevard – Site Plan for Four Unit Townhouse Development
This item was deferred.

5. Local Planning Agency Items:

A. Downtown Business District Parking Requirement Waiver

AN ORDINANCE OF THE TOWN OF SURFSIDE, FLORIDA AMENDING SECTION 90-77 “OFF-STREET PARKING REQUIREMENTS,” OF “CHAPTER 90 ZONING” OF THE TOWN OF SURFSIDE CODE OF ORDINANCES TO PROVIDE A PARKING EXEMPTION PROGRAM TO ADDRESS VACANCY AND ECONOMIC REVITALIZATION IN THE SD-B40 ZONING DISTRICT; PROVIDING FOR REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

Deputy Clerk Riera read the title of the ordinance. Town Planner Sinatra-Gould presented the item. Assistant Town Manager Tavares gave further details on the item.

Board Member Glynn made a motion to recommend to the Town Commission. The motion received a second from Board Member Garcia and the motion carried 3-0 on roll call vote.

6. Discussion Items:

A. Walkability – Verbal Update

Town Planner Sinatra-Gould commented that she does not have an update on this item. It is still being looked into by the Town Manager.

B. Construction Fencing for Single Family

Town Planner Sinatra-Gould presented the item.

After some discussion, Town Planner Sinatra-Gould stated that she will speak with the Code Compliance Director and the Town Manager on the other options to have contractors maintain fencing.

C. Aggregation of Single Family Lots

Town Planner Sinatra-Gould presented the item.

By consensus, the Board was in favor of this item.

D. Sustainability Subcommittee Update

Town Planner Sinatra-Gould explained that at the last Town Commission meeting, the Commission decided to shift the responsibility of creating the agendas to the Town Commission. She suggested striking this item from the agenda since it no longer would fall under the Planning and Zoning Board.

E. Future Agenda Items

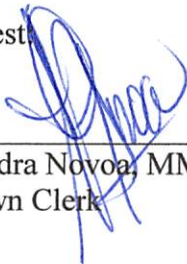
Town Planner Sinatra-Gould commented to include the aggregation of single family lots.

7. Adjournment:

There being no further business to come before the Planning and Zoning Board, Board Member Glynn made a motion to adjourn the meeting. The motion received a second from Board Member Garcia and all voted in favor. The meeting adjourned at 6:23 p.m.

Accepted this 26th day of July, 2018

Attest



Sandra Novoa, MMC
Town Clerk



Chair Lindsay Lecour



Town of Surfside

TOURIST BOARD MEETING MINUTES

July 9, 2018 – 5:30 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 by Chair Barbara Cohen at 5:30 p.m.

The following were present:

Chair Barbara Cohen
Board Member MaryAnna Estomba
Board Member Jennifer Brilliant
Board Member Bera Kalhan

Absent: Vice Chair Jeff Lehman

Also present:

Guillermo Olmedillo, Town Manager
Duncan Tavares, Assistant Town Manager
Lindsay Fast, Tourism Director
Lilian Arango, Town Attorney
Frank Trigueros, Marketing & Special Projects Coordinator
Elora Riera, Deputy Town Clerk

2. **Welcome New Members – Chair Barbara Cohen**

Chair Barbara Cohen welcomed everyone to the meeting.

3. **Approval of Minutes: May 14, 2018**

Board Member Brilliant made a motion to approve the minutes as written. The motion was seconded by Board Member Estomba and all voted in favor.

4. **A/R (Resort Tax)**

The A/R resort tax spreadsheets were provided to the Board for their information.

Board Member Kalhan requested to view the resort tax on a monthly basis and Tourism Director Fast responded that the Finance Director has asked that that level of detail not be shared.

Discussion Items

5. **FY 2017/2018 Q3 Results & Updates – Jacober Creative, Pinzur Communications + Tourism Director**

Luisa Jimenez of Jacober Creative, Rachel Pinzur and Suanny Garcia of Pinzur Communications presented the third quarter update and along with Tourism Director Fast, answered questions from the Board Members.

6. Fiscal Year 2018/2019 Budget Discussion

Tourism Director Fast presented a handout to the Board for budget discussion.

Discussion ensued regarding the discontinuation of the digital app, adjusting the event schedule, golf cart shuttle services for hotels, Miami Spice, summer monthly downtown festival, health and wellness pop up events and video content.

Board Member Estomba made a motion to assess the Miami Spice interests from the local restaurants. Board Member Brilliant seconded the motion and all voted in favor.

Board Member Kalhan mentioned that while speaking with the restaurants regarding Miami Spice to also ask the other shops regarding how they can participate in Third Thursdays.

Ronaldo Caldas of Peikin Empire speaks and says that he would be willing to stay open and participate in the Third Thursdays events and encourages other businesses to do the same.

7. Moving November Tourist Board Meeting from November 5th to November 14th

Tourism Director Fast explained that the Chambers will be reserved for the Election and therefore the meeting will be rescheduled to November 14th.

8. Next Tourist Board Meeting: Monday, August 6, 2018 at 5:30pm

Chair Barbara Cohen advised the Board that the next meeting is on August 6, 2018 at 5:30pm.

9. Public Comments

There were no public comments.

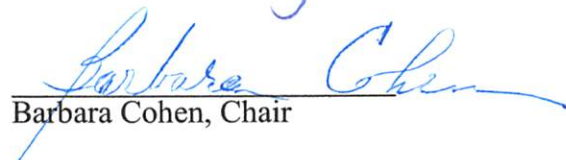
10. Adjournment

There being no further business to discuss, Board Member Estomba made a motion to adjourn the meeting.


The meeting adjourned at 7:21 p.m.

Respectfully submitted:

Accepted this 10th day of August, 2018


Barbara Cohen, Chair

Attest:


Elora Riera, CMC
Deputy Town Clerk



Town of Surfside Commission Communication

Agenda Item # 3E

Agenda Date: August 14, 2018

Subject: Resolution Approving Agreement with CRS Max Consultants, Inc. for Community Rating System Services

Background: The Community Rating System (CRS) allows for credits to communities that adopt and apply floodplain management above and beyond the minimum criteria of the National Flood Insurance Program (NFIP). Any community can apply for rating under the CRS program and if rated are eligible for discounts on their flood insurance premiums.

CRS Max Consultants, Inc. (CRS Max) specialize in application and acceptance into the CRS program and are recognized by the Emergency Management Institute, the Insurance Services Office and the Florida Floodplain Managers Association. Flood insurance premiums are discounted in increments of 5% for CRS participating communities. The Town of Surfside earned a rating of 8 in 2016 and, having accumulated enough credits to date, will earn a rating of 7 effective October 2018.

Analysis: Utilizing the consulting services of CRS Max can aid in maximizing the Town's efforts when attempting improvement in the CRS program. CRS Max's professional services are exempt from the competitive procurement procedures pursuant to Section 3-12 (2) of the Town Code. With its improvement to Class 7, the CRS program will save residents and businesses within the Town of Surfside an estimated \$260,000 annually in reduced flood insurance premiums.

Budget Impact: CRS Max proposes that its fee be based upon the classification it is able to help secure for the Town. The basic fee for continuing service is \$6,000, plus a bonus of \$5,000 for each class rating improvement achieved. The fee for classification rating improvement will be \$5,000 from the FY 18/19 General Fund Account No. 001-7900-590-3110, plus an estimated bonus of \$5,000, for a total fee of \$11,000.

The community rating class and discounts are as follows:

<u>Community Class</u>	<u>Discount</u>
9	5%
8	10%
7	15%
6	20%
5	25%
4	30%
3	35%
2	40%
1	45%

Staff Impact: Existing staff will provide all the needed information for continuing participation in the CRS program.

Recommendation: Staff recommends that the Town Commission approve the Resolution with CRS Max to approve the Agreement and retain the services of CRS Max to aid in the continued participation and advancement in the CRS program.



Ross Prieto, Floodplain Manager



Christopher Wallace, Finance Director



Guillermo Olmedillo, Town Manager

RESOLUTION NO. 2018- _____

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA APPROVING AN AGREEMENT WITH CRS MAX CONSULTANTS, INC FOR COMMUNITY RATING SYSTEM SERVICES; PROVIDING FOR AUTHORIZATION AND IMPLEMENTATION OF THE AGREEMENT; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town of Surfside (“Town”) has adopted and applied floodplain management policies that are more than the minimum criteria of the National Flood Insurance Program; and

WHEREAS, communities can apply under the Community Rating System program (“CRS Program”) and if deemed eligible may receive discounts on flood insurance premiums; and

WHEREAS, CRS Max Consultants, Inc. (“CRS Max”) specializes in application and acceptance in the CRS Program to assist and maximize the Town’s efforts to secure an improved classification in the CRS program (“Services”); and

WHEREAS, CRS Max has agreed to provide the Services, pursuant to the Agreement as attached hereto as Exhibit “A” (“Consulting Agreement”); and

WHEREAS, the Town Commission finds that the use of CRS Max’s Services is necessary and is in the best interest and welfare of the Town and wishes to approve the Consulting Agreement, in substantially the form attached hereto as Exhibit “A.”

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

Section 1. Recitals. That the above and foregoing recitals are true and correct and are hereby incorporated by reference.

Section 2. Approval and Authorization. The Consulting Agreement between the Town and CRS Max, substantially in the form attached hereto as Exhibit “A,” is hereby approved. The Town Commission authorizes the Town Manager to execute the Consulting Agreement on behalf of the Town, together with such non-substantive changes as may be approved by the Town Manager and Town Attorney for legal sufficiency.

Section 3. Implementation. The Town Manager and/or Building Official are authorized to take all action necessary to implement the purposes of this Resolution and the Consulting Agreement.

Section 4. Effective Date. This Resolution will become effective upon adoption.

PASSED AND ADOPTED this 14th day of August, 2018.

Motion by _____.

Second by _____.

FINAL VOTE ON ADOPTION

Commissioner Barry Cohen _____

Commissioner Michael Karukin _____

Commissioner Tina Paul _____

Vice Mayor Daniel Gielchinsky _____

Mayor Daniel Dietch _____

Daniel Dietch, Mayor

ATTEST:

Sandra Novoa, MMC,
Town Clerk

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

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

COMMUNITY RATING SYSTEM (CRS) CONTINUING CONSULTANT SERVICES 2018-2019

This is an Agreement made on _____ 2018 (Effective Date), between **THE TOWN OF SURFSIDE**, a political subdivision of the State of Florida, with an address of 9293 Harding Avenue, Surfside, Florida 33154, hereinafter referred to as TOWN, and **CRS MAX CONSULTANTS, INC.**, a Florida corporation, with an address of 3331 N.W. 71 Street, Coconut Creek, Florida 33073, hereinafter referred to as CONSULTANT :

WITNESSETH, in consideration of the mutual terms and conditions, promises, covenants and payments hereinafter set forth, TOWN and CONSULTANT agree as follows:

ARTICLE 1

SCOPE OF SERVICES

TOWN intends to utilize CONSULTANT for Community Rating System Continuing Services when duly authorized by TOWN, through this Agreement.

1.1 CRS CONTINUING CONSULTANT SERVICES

The following services shall be included in CRS Continuing Consulting Services as requested by the TOWN:

- a. Review current CRS program
- b. Provide answers to questions pertaining to the CRS program
- c. Assist with annual CRS recertification
- d. Interface with ISO/CRS Specialist as required
- e. Assist with efforts to improve TOWN's CRS classification

1.2 CONSULTANT'S AND TOWN'S RESPONSIBILITIES

CONSULTANT shall have responsibility for:

- a. Advising the TOWN of CRS-related responsibilities
- b. Notifying the TOWN of scheduling deadlines in time to meet scheduling requirements
- c. Reviewing the TOWN'S documentation and advising TOWN staff of any required or recommended documentation improvements
- d. Answering CRS-related questions TOWN may have and providing consultation whenever requested
- e. Identifying all CRS requirements for recertifications and working together with staff to complete and submit recertification package

TOWN is responsible to process and maintain all elevation certificates in accordance with State and NFIP requirements. CONSULTANT is not responsible for the CRS score of the

County's floodplain management plan, which the TOWN may choose to adopt. TOWN is ultimately responsible for implementation of the TOWN's CRS program.

ARTICLE 2

2.1 NOTICE OF MEETING

CONSULTANT anticipates providing all services from its offices in Coconut Creek, Florida. However if onsite visit is requested by TOWN and deemed by CONSULTANT to be advisable, CONSULTANT will visit TOWN. In such a case, CONSULTANT agrees to meet with TOWN at reasonable times and with reasonable notices.

2.2 TERM OF AGREEMENT

This Agreement shall remain in effect twelve months from the Effective Date or date of complete execution of this Agreement by both parties.

2.3 COMMENCEMENT OF WORK AND TIME TO COMPLETE

The Agreement shall take effect upon execution by both parties. The authorized work as described in the Agreement will commence immediately upon receipt of notice to proceed issued by the TOWN. CONSULTANT agrees that time is of the essence and CONSULTANT shall diligently accomplish and complete the Services within the term of this Agreement, unless extended, in writing, by the TOWN Manager and/or his designee.

2.4 OWNER FURNISHED SERVICES

It is understood and agreed that TOWN will furnish:

- a. The reasonable services of its officials and staff to assist CONSULTANT in obtaining background information to perform its duties.
- b. To assist CONSULTANT in the proper and timely performance of its duties, reasonable access to existing records of TOWN, where available, including, but not limited to, previous reports.
- c. To grant to CONSULTANT access to available TOWN records of Repetitive Loss Properties and Insurance Services Office/Community Rating System (ISO/CRS) Specialist.
- d. TOWN shall give prompt written notice to CONSULTANT whenever TOWN observes or otherwise becomes aware of any development which affects the scope or timing of CONSULTANT'S services or any defect in the work of the CONSULTANT.

ARTICLE 3

COMPENSATION AND METHOD OF PAYMENT

3.1 COMPENSATION

The TOWN agrees to pay CONSULTANT as compensation for its services provided under the terms of this Agreement amounts calculated in accordance with the following schedule:

Basic Continuing Consultant Services	\$6,000.00
--------------------------------------	------------

3.1.1 There will not be any fees charged to TOWN by CONSULTANT for travel, per diem, or subsistence expenses, or travel time, unless specifically authorized in writing in advance by TOWN.

3.1.2 All required copies of documents will be furnished to TOWN at no additional cost.

3.1.3 CONSULTANT will work diligently to improve the CRS class rating of TOWN. As an incentive to be successful in its efforts, a bonus of \$5,000 will be invoiced for every class rating improvement achieved.

3.2 METHOD OF BILLING AND PAYMENT

3.2.1 Payment shall be due within 30 days after date of invoice in accordance with the Florida Prompt Payment Act, provided the invoice is accepted for payment. Payment shall be made only for approved invoices. The TOWN retains the right to delay or withhold payment for services, which have not been accepted by the TOWN.

3.2.2 Invoice for Basic Continuing Consultant Services shall be submitted following contract execution by the TOWN and CONSULTANT.

3.2.3 Invoice for bonus shall be submitted as follows:

Receipt of ISO/CRS Specialist recommendation for class modification	\$2,500.00
Receipt of NFIP advisement of class modification	\$2,500.00

ARTICLE 4

MISCELLANEOUS PROVISIONS

4.1 BOOKS OF ACCOUNT

CONSULTANT will maintain books and accounts of all expenses charged to TOWN. Said books shall be available at all reasonable times for examination by TOWN or authorized agent at the corporate office of CONSULTANT.

4.2 INSURANCE

4.2.1 CONSULTANT shall secure and maintain throughout the duration of this Agreement, if selected, insurance of such types and in such amounts not less than those specified below as satisfactory to TOWN, naming the TOWN as an Additional Insured, underwritten by a firm rated A-X or better by A.M. Best and qualified to do business in the State of Florida. The insurance coverage shall be primary insurance with respect to the TOWN, its officials, employees, agents and volunteers naming the TOWN as additional insured. Any insurance maintained by the TOWN shall be in excess of the CONSULTANT'S insurance and shall not contribute to the CONSULTANT'S insurance. The insurance coverages shall include at a minimum the amounts set forth in this section and may be increased by the TOWN as it deems necessary or prudent.

- a. Commercial General Liability coverage with limits of liability of not less than a \$1,000,000 per Occurrence combined single limit for Bodily Injury and Property Damage. This Liability Insurance shall also include Completed Operations and Product Liability coverages and eliminate the exclusion with respect to property under the care, custody and control of CONSULTANT. The General Aggregate Liability limit and the Products/Completed Operations Liability Aggregate limit shall be in the amount of \$2,000,000 each.
- b. Workers Compensation and Employer's Liability insurance, (unless exempt in accordance with State of Florida provisions) to apply for all employees for statutory limits as required by applicable State and Federal laws. The policy(ies) must include Employer's Liability with minimum limits of \$1,000,000.00 each accident. No employee, subcontractor or agent of the CONSULTANT shall be allowed to provide Services pursuant to this Agreement who is not covered by Worker's Compensation insurance (unless exempt in accordance with State of Florida provisions).
- c. Business Automobile Liability with minimum limits of \$1,000,000 per Occurrence, combined single limit for Bodily

Injury and Property Damage. Coverage must be afforded on a form no more restrictive than the latest edition of the Business Automobile Liability policy, without restrictive endorsements, as filed by the Insurance Service Office, and must include Owned, Hired, and Non-Owned Vehicles.

- d. Professional Liability Insurance in an amount of not less than One Million Dollars (\$1,000,000.00) per occurrence, single limit.

4.2.2 **Certificate of Insurance.** Certificates of Insurance shall be provided to the TOWN, reflecting the TOWN as an Additional Insured (except with respect to Professional Liability Insurance and Worker's Compensation Insurance), no later than ten (10) days after award of this Agreement and prior to the execution of this Agreement by TOWN and prior to commencing Services. Each certificate shall include no less than (30) thirty-day advance written notice to TOWN prior to cancellation, termination, or material alteration of said policies or insurance. The CONSULTANT shall be responsible for assuring that the insurance certificates required by this Section remain in full force and effect for the duration of this Agreement, including any extensions or renewals that may be granted by the TOWN. The Certificates of Insurance shall not only name the types of policy(ies) provided, but also shall refer specifically to this Agreement and shall state that such insurance is as required by this Agreement. The TOWN reserves the right to inspect and return a certified copy of such policies, upon written request by the TOWN. If a policy is due to expire prior to the completion of the Services, renewal Certificates of Insurance shall be furnished thirty (30) calendar days prior to the date of their policy expiration. Each policy certificate shall be endorsed with a provision that not less than thirty (30) calendar days' written notice shall be provided to the TOWN before any policy or coverage is cancelled or restricted. Acceptance of the Certificate(s) is subject to approval of the TOWN.

4.2.3 **Additional Insured.** Except with respect to Professional Liability Insurance and Worker's Compensation Insurance, the TOWN is to be specifically included as an Additional Insured for the liability of the TOWN resulting from Services performed by or on behalf of the CONSULTANT in performance of this Agreement. The CONSULTANT'S insurance, including that applicable to the TOWN as an Additional Insured, shall apply on a primary basis and any other insurance maintained by the TOWN shall be in excess of and shall not contribute to the CONSULTANT 's insurance. The CONSULTANT'S insurance shall contain a severability of interest provision providing that, except with respect to the total limits of liability, the insurance shall apply to each Insured or Additional Insured (for applicable policies) in the same manner as if separate policies had been issued to each.

4.2.4 **Deductibles.** All deductibles or self-insured retentions must be declared to and be reasonably approved by the TOWN. CONSULTANT shall be responsible for the payment of any deductible or self-insured retentions in the event of any claim.

4.2.5 The provisions of this section shall survive termination of this Agreement.

4.3 OWNERSHIP AND ACCESS TO RECORDS AND AUDITS.

4.3.1 CONSULTANT acknowledges that all inventions, innovations, improvements, developments, methods, designs, analyses, drawings, reports, compiled information, and all similar or related information (whether patentable or not) which relate to Services to the TOWN which are conceived, developed or made by CONSULTANT during the term of this Agreement (“Work Product”) belong to the TOWN. CONSULTANT shall promptly disclose such Work Product to the TOWN and perform all actions reasonably requested by the TOWN (whether during or after the term of this Agreement) to establish and confirm such ownership (including, without limitation, assignments, powers of attorney and other instruments).

4.3.2 CONSULTANT agrees to keep and maintain public records in Consultant’s possession or control in connection with CONSULTANT’S performance under this Agreement. CONSULTANT additionally agrees to comply specifically with the provisions of Section 119.0701, Florida Statutes. CONSULTANT shall ensure that public records that are exempt or confidential and exempt from public records disclosure requirements are not disclosed, except as authorized by law, for the duration of the Agreement, and following completion of the Agreement until the records are transferred to the TOWN.

4.3.3 Upon request from the TOWN’S custodian of public records, CONSULTANT shall provide the TOWN with a copy of the requested records or allow the records to be inspected or copied within a reasonable time at a cost that does not exceed the cost provided by Chapter 119, Florida Statutes, or as otherwise provided by law.

4.3.4 Unless otherwise provided by law, any and all records, including but not limited to reports, surveys, and other data and documents provided or created in connection with this Agreement are and shall remain the property of the TOWN.

4.3.5 Upon completion of this Agreement or in the event of termination by either party, any and all public records relating to the Agreement in the possession of the CONSULTANT shall be delivered by the CONSULTANT to the TOWN Manager, at no cost to the TOWN, within seven (7) days. All such records stored electronically by CONSULTANT shall be delivered to the

TOWN in a format that is compatible with the TOWN'S information technology systems. Once the public records have been delivered upon completion or termination of this Agreement, the CONSULTANT shall destroy any and all duplicate public records that are exempt or confidential and exempt from public records disclosure requirements.

- 4.3.6 Any compensation due to CONSULTANT shall be withheld until all records are received as provided herein.
- 4.3.7 CONSULTANT'S failure or refusal to comply with the provisions of this section shall result in the immediate termination of this Agreement by the TOWN.

Section 119.0701(2)(a), Florida Statutes

IF THE CONSULTANT HAS QUESTIONS REGARDING THE APPLICATION OF CHAPTER 119, FLORIDA STATUTES, TO THE CONSULTANT 'S DUTY TO PROVIDE PUBLIC RECORDS RELATING TO THIS CONTRACT, CONTACT THE CUSTODIAN OF PUBLIC RECORDS:

Custodian of Records: Sandra Novoa, MMC
Mailing address: 9293 Harding Avenue,
Surfside, Florida 33154
Telephone number: 305-861-4863

Email : snovoa@townofsurfsidefl.gov

4.4 TERMINATION OR ABANDONMENT

Either party may terminate this Agreement without cause upon giving thirty (30) days written notice. CONSULTANT will be paid for all work performed prior to termination.

4.5 SUCCESSORS AND ASSIGNS; ASSIGNMENT

All of the terms, conditions and provisions hereof shall inure to the benefit of and be binding upon the parties hereto and their respective successors and assigns provided, however, that no assignment of the Agreement shall be made without written consent of the parties to the Agreement.

4.6 CONFLICT OF INTEREST

CONSULTANT agrees not to accept employment during the time this Agreement is in effect from any builder, land developer, utility company, or others which might be construed as a conflict of interest with CONSULTANT's work for the TOWN. The CONSULTANT shall conscientiously avoid a conflict of interest with regard to work for TOWN, but when unavoidable, the CONSULTANT shall forthrightly take the following action:

- a. Disclose in writing to TOWN the full circumstances of possible conflict of interest; and
- b. Assure in writing that the conflict will in no manner influence his judgment or the quality of his services to TOWN; and

CONSULTANT shall promptly inform TOWN of any business association, interest or circumstances, which may be influencing his judgment or the quality of his services to TOWN.

CONSULTANT shall not solicit or accept financial or other valuable considerations from material or equipment suppliers for specifying their products.

CONSULTANT shall not solicit or accept gratuities directly or indirectly, from contractors, their agents or other parties dealing with TOWN in connection with work for which it is responsible.

4.7 NOTICES

Whenever either party desires to give notice unto the other, it must be given by written notice, sent by nationally recognized courier service or registered United States mail with return receipt requested, addressed to the party for whom it is intended, at the place last specified, and the place for giving of notice shall remain such until it shall have been changed by written notice in compliance with the provisions of this paragraph. For the present, the parties designate the following as the respective places for giving of notice, to-wit:

FOR TOWN
Guillermo Olmedillo, TOWN Manager
9293 Harding Avenue
Surfside, FL 33154

FOR CONSULTANT
Cathy King, President
CRS Max CONSULTANT s, Inc.
3331 NW 71st Street
Coconut Creek, Florida 33073

4.8 ALL PRIOR AGREEMENTS SUPERSEDED; AMENDMENTS

This document incorporates and includes all prior negotiations, correspondence, agreements or understandings between the parties applicable to the matters contained herein. The parties agree there are not commitments, agreements or understanding between the parties concerning the subject matter of this Agreement that are not contained in this document. Accordingly, the parties agree no deviation from the terms shall be predicated upon any prior representations or agreements between the parties, whether oral or written. No agent, employee, or other representative of either party is empowered to modify or amend the terms of this Agreement, unless executed with the same formality as this document. CONSULTANT represents that is an entity validly existing and in good standing under the laws of Florida. The execution, delivery and performance of this Agreement by CONSULTANT have been duly authorized, and this Agreement is binding on CONSULTANT and enforceable against CONSULTANT in accordance with its terms.

4.9 OBSERVANCE OF LAWS

CONSULTANT shall keep fully informed of all federal and state laws, all local laws, ordinances and regulations, and all orders and decrees of bodies or tribunals having jurisdiction or authority which, in any manner, affect work or services authorized under the terms of this Agreement. CONSULTANT shall at all times observe and comply with all such laws and regulations.

4.10 TRUTH-IN-NEGOTIATION CERTIFICATE

Signature of this Agreement by CONSULTANT shall act as the execution of a truth-in-negotiation certificate stating that wage rates and other factual unit costs supporting the compensation of this Agreement are accurate, complete, and current at the time of contracting. The original contract price and any additions thereto shall be adjusted to exclude any significant sums by which TOWN determines the contract price was increased due to inaccurate, incomplete, or noncurrent wage rates and other factual unit's costs.

4.11 PROHIBITION AGAINST CONTINGENT FEES

CONSULTANT warrants that it has not employed or retained any company or person, other than a bona fide employee working solely for CONSULTANT, to solicit or secure this Agreement and that it has not paid or agreed to pay any person, company, corporation, individual or firm, other than a bona fide employee working solely for CONSULTANT any fee, commission, percentage, gift, or other consideration contingent upon or resulting from the award of making of this Agreement. For the breach or violation of this provision, TOWN shall have the right to terminate the Agreement without liability at its discretion, to deduct from the contract price, or otherwise recover the full amount of such fee, commission, percentage, gift or consideration.

4.12 SUBCONSULTANTS.

CONSULTANT shall be responsible for all payments to any Subconsultant and shall maintain responsibility for all work related to the Services. CONSULTANT may only utilize the services of a particular Subconsultant with the prior written approval of the TOWN Manager, which approval shall be in the TOWN Manager's or his/her designee's sole and absolute discretion.

4.13 INDEPENDENT CONTRACTOR.

CONSULTANT and its employees, volunteers and agents shall be and remain an independent contractor and not an agent or employee of the TOWN with respect to all of the acts and services performed by and under the terms of this Agreement. This Agreement shall not in any way be construed to create a partnership, association or any other kind of joint undertaking, enterprise or venture between the parties.

4.14 ATTORNEYS FEES AND WAIVER OF JURY TRIAL.

4.14.1 In the event of any litigation arising out of this Agreement, the prevailing party shall be entitled to recover its attorneys' fees and costs, including the fees and expenses of any paralegals, law clerks and legal assistants, and including fees and expenses charged for representation at both the trial and appellate levels.

4.14.2 IN THE EVENT OF ANY LITIGATION ARISING OUT OF THIS AGREEMENT, EACH PARTY HEREBY KNOWINGLY, IRREVOCABLY, VOLUNTARILY AND INTENTIONALLY WAIVES ITS RIGHT TO TRIAL BY JURY.

4.15 WARRANTIES; COMPLIANCE WITH LAWS.

4.15.1 CONSULTANT shall exercise the same degree of care, skill and diligence in the performance of the Services as is ordinarily provided by a consultant under similar circumstances, and all work under this Agreement shall be CONSULTANT'S original work and will not infringe, misappropriate, or violate any intellectual property or other right of any person or entity. If at any time during the term of this Agreement or within two (2) years from the completion of this Agreement, it is determined that the CONSULTANT'S deliverables or Services are incorrect, not properly rendered, defective, or fail to conform to Town requests, the CONSULTANT shall at CONSULTANT'S sole expense, immediately correct its Deliverables or Services.

4.15.2 CONSULTANT hereby warrants and represents that at all times during the Term of this Agreement it shall maintain in good standing all required licenses, certifications and permits required under Federal, State and local

laws applicable to and necessary to perform the Services for TOWN as an independent contractor of the TOWN.

4.16 GOVERNING LAW AND VENUE.

This Agreement shall be construed in accordance with and governed by the laws of the State of Florida. Venue for any proceedings arising out of this Agreement shall be in Miami-Dade County, Florida.

4.17 COUNTERPARTS.

This Agreement may be executed in several counterparts, each of which shall be deemed an original and such counterparts shall constitute one and the same instrument.

ARTICLE 5

EQUAL OPPORTUNITY EMPLOYMENT

CONSULTANT agrees not to discriminate against any employee or applicant for employment for work under this Agreement because of race, color, religion, sex, age, handicapped status or national origin.

**[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK;
SIGNATURE PAGES FOLLOW]**

IN WITNESS WHEREOF, the parties have signed this agreement as of the day and year first above written.

TOWN:

TOWN OF SURFSIDE, a Florida corporation

By: _____
Guillermo Olmedillo, Town Manager

Date Executed: _____

ATTEST:

Sandra Novoa, Town Clerk

Approved as to Form and Legal Sufficiency:

Town Attorney

CONSULTANT:

CRS MAX CONSULTANTS, INC., a Florida Corporation

By: _____
Cathy L. King, President

Date Executed: _____



Town of Surfside Commission Communication

Agenda Item # 3F

Agenda Date: August 14, 2018

Subject: Approval of Expenditure of General Funds for renewal of Research Investigative Tool – CLEAR 36-month agreement.


Background: The Surfside Police Department researched and attended training for several commercially available research investigative systems including CLEAR and ACCURINT. Thomson Reuters CLEAR (Consolidated Lead Evaluation and Reporting) was the superior system. CLEAR is utilized by several major local law enforcement agencies. The SPD Criminal Investigations Unit has used the CLEAR system since 2014.

Analysis: The agreement between the Surfside Police Department and CLEAR (Consolidated Lead Evaluation and Reporting) expired in 2017. We have continued the service on a month by month bases since the expiration of the original agreement. The information obtained from the CLEAR system by the Criminal Investigations Unit during the past three years has proved highly beneficial and critical in obtaining investigative leads which ultimately leads to arrests and/or more thorough and efficient investigations. Town legal staff has reviewed and approved a new 36-month unlimited user CLEAR agreement.

Budget Impact: \$590.00 per month for 36 months with year over year increase of 3%. Total expenditure from the General Fund for year one \$7,080. year two \$7,292. and year three \$7,511.

Staff Impact: N/A

Recommendation: Staff recommends a motion to approve a resolution to authorize expenditure from the General Fund to continue the use of the CLEAR system for a 36-month period.



Chief of Police Julio Yero



Town Manager Guillermo Olmedillo

RESOLUTION NO. 2018- _____

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA APPROVING A SOFTWARE SERVICE CONTRACT WITH WEST PUBLISHING CORPORATION FOR ONLINE INVESTIGATION SOFTWARE; PROVIDING FOR AUTHORIZATION AND IMPLEMENTATION OF THE AGREEMENT; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town of Surfside (“Town”) Police Department wishes to utilize the most efficient and effective investigation software to obtain and analyze information critical to criminal investigations through the online software service provided by West Publishing Corporation, a Thomson Reuters business (“West”); and

WHEREAS, West has agreed to provide access to the information data base, pursuant to the Order Form, with General Terms and Conditions, attached hereto as Exhibit “A” (collectively, the “Service Contract”); and

WHEREAS, the Town Commission finds that the use of the online software is necessary and in the best interest and welfare of the Town and wishes to approve the Service Contract, in substantially the form attached hereto as Exhibit “A.”

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

Section 1. Recitals. That the above and foregoing recitals are true and correct and are hereby incorporated by reference.

Section 2. Approval and Authorization. The Service Contract between the Town and West, substantially in the form attached hereto as Exhibit “A,” is hereby approved. The Town Commission authorizes the Town Manager to execute the Service Contract on behalf of the Town, together with such non-substantive changes as may be approved by the Town Manager and Town Attorney for legal sufficiency.

Section 3. Implementation. The Town Manager and/or Police Chief are authorized to take all action necessary to implement the purposes of this Resolution and the Service Contract.

Section 4. Effective Date. This Resolution will become effective upon adoption.

PASSED AND ADOPTED this 14th day of August, 2018.

Motion by _____.

Second by _____.

FINAL VOTE ON ADOPTION

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

Daniel Dietch, Mayor

ATTEST:

Sandra Novoa, MMC,
Town Clerk

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

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



Addendum to West Order Form - Order ID: Q-00217007

Subscriber: SURFSIDE POLICE DEPT

Account #: 1004648032

1. **Effect of Addendum.** The underlying General Terms and Conditions, the Order Form and applicable Schedule A (collectively the "Agreement"), between you and West ("us") is amended as specifically set forth herein to incorporate the terms of this Addendum. As amended, the Agreement will remain in full force and effect according to its terms and conditions. All terms used in this Addendum will have the meanings given to them in the Agreement. This Addendum supersedes any and all prior understandings and agreements, oral or written, relating to the subject matter. If there is a conflict between the terms and conditions of the Agreement and the terms and conditions of this Addendum, the terms and conditions of this Addendum will control.

2. **Modification to Order Form.** The Applicable Law provision is amended to state the following:

Applicable Law: This Order Form will be interpreted under Florida state law. Any claim by one of us may be brought in the state or federal courts in Miami-Dade, Florida.

3. **Modification to Order Form.** The following is added to the end of the paragraph entitled 'CLEAR Fixed Rate Usage':

"West will provide you prompt written notice if the transactional value of your CLEAR fixed rate usage exceeds your then-current Monthly Charges by more than 10 times in any month (or by 20 times in any month for Enterprise Law Enforcement subscribers."

4. **Modification to Order Form.** The following is added to the end of the paragraph entitled 'Batch Usage':

"West will provide you prompt written notice if you exceed your annual fixed rate batch or total batch alerts allotment"

5. **Modification to Order Form.** The CLEAR Subscribers via an Alliance Partner provision is amended to add the following sentence to the end:

"This provision is not a waiver of Subscriber's sovereign immunity."

6. **Modification to Order Form.** The following language is incorporated into the Agreement as set forth below:

"West and Subscriber shall comply with Chapter 119, Florida Statutes, for all documents and records pursuant to this Agreement."

All other terms and conditions of the Agreement will remain unchanged. Please have this document signed by your authorized representative and returned to us along with the signed West Order Form.

West Publishing Corporation

Subscriber

Signed _____

Accepted By _____

Name (please print) _____

Title _____

Title _____

Date _____

Date _____



THOMSON REUTERS™

Order Form

Order ID:Q-00217007

Contact your representative tyler.murray@thomsonreuters.com with any questions. Thank you.

Subscriber Information

Account Address

Account #: 1004648032
SURFSIDE POLICE DEPT
9293 HARDING AVE
SURFSIDE
FL, 33154-3009
US

Shipping Address

Account #: 1004648032
SURFSIDE POLICE DEPT
9293 HARDING AVE
SURFSIDE
FL, 33154-3009
US

Billing Address

Account #: 1004648032
SURFSIDE POLICE DEPT
9293 HARDING AVE
SURFSIDE
FL, 33154-3009
US

This Order Form is a legal document between West Publishing Corporation and Subscriber. West Publishing Corporation also means “West”, “we” or “our” and Subscriber means “you”, “my” or “I”. Subscription terms, if any, follow the ordering grids below

Clear Fixed Rate / Window Products

Service Material	Product	Quantity	Unit	Monthly Charges	Minimum Term (Months)	Year Over Year Increase During Minimum Terms	Order Type
41882302	CLEAR for Law Enforcement Plus	30	Seats	\$475.00	36	3%	Subscription

Post Minimum Terms

For NON-ProFlex Online/Practice Solutions/Software Products: Your subscription will change to a month-to-month status at the end of the Minimum Term, and your Monthly Charges will be billed at up to our then-current retail rate. Thereafter, we may modify the Monthly Charges after at least 30 days notice. You are also responsible for all Excluded Charges. Excluded Charges may change after at least 30 days written or online notice. Either of us may cancel the month-to-month subscription by sending at least 30 days written notice. Send your notice of cancellation to Customer Service, 610 Opperman Drive, P.O. Box 64833, Eagan MN 55123-1803

Post Renewal Term for ProFlex Products . Your subscription will change to a month-to-month status at the end of the Minimum Term, and your Monthly Charges will increase by 7%. Thereafter, the Monthly Charges will increase 7% every 12 months unless we notify you of a different rate at least 60 days before the annual increase. You are also responsible for all Excluded Charges. Excluded Charges may change after at least 30 days written or online notice. Either of us may cancel the month-to-month subscription by sending at least 30 days written notice. Send your notice of cancellation to Customer Service, 610 Opperman Drive, P.O. Box 64833, Eagan, MN 55123-1803

Automatic Renewal Term for Window Products. Your subscription will change to a month-to-month status at the end of the Minimum Term and your Monthly Charges will be billed at up to our then-current rate. Thereafter, we may modify the Monthly Charges after at least 30 days notice. The Monthly Window will remain unchanged. Monthly Charges are due regardless of the level of your usage. Transactional usage charges that exceed the Monthly Charges are waived up to the Monthly Window. In addition to the Monthly Charges, you are responsible for transactional usage charges in excess of the Monthly Window. Transaction charges are calculated based upon our then-current Schedule A rate. You are also responsible for all Excluded Charges. Excluded Charges may change after 30 days written or online notice. Either of us may cancel the month-to-month subscription by sending at least 30 days written notice. Send your notice of cancellation to Customer Service, 610 Opperman Drive, P.O. Box 64833, Eagan MN 55123-1803.

To apply Window charges to a specific month, the request must be submitted at least five (5) business days prior to the end of the month.

Federal Government Subscribers Optional Minimum Term. Federal government subscribers that chose a multi-year Minimum Term, those additional months will be implemented at your option pursuant to federal law.

CLEAR / ProFlex Renewals

Svc Mat#	Renewed Product (s)	Agreement #	Deal ID	*Current Monthly Rate	Renewal Term (Months)	First Year Renewal Term Increase	Year Over Year Renewal Term Increase
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41343547	CLEAR Alerting Pro Addon			\$20.00	36	3%	3%
41547037	Enhanced CLEAR Incarceration & Arrest Gateway PRO			\$95.00	36	3%	3%

Renewal Terms

*I am aware that the Renewal Term Monthly Charges will be based on the Monthly Charges in effect the month before the Renewal Term starts. This amount may be different from the Current Monthly Rate shown above

For Online/Practice Solutions/Software/Proflex Products Renewal Term Monthly Charges will be based on the Monthly Charges in effect at the end of the month before the Renewal Term starts. Renewal Term Monthly Charges begin at the end of your Minimum Term or current Renewal Term. The Renewal Term will continue for the number of complete calendar months identified in the Renewal Term column above. The annual percent increases will be as stated in the grid above.

You are also responsible for all Excluded Charges. Excluded Charges are charges for accessing data or services that are not included in your subscription. Excluded Charges may change after 30 days written or online notice.

For Window Products Renewal Term Monthly Charges are due regardless of the level of your usage. The Monthly Window will remain unchanged. Transactional usage charges that exceed the Monthly Charges are waived up to the Monthly Window. You are responsible for transactional usage charges in excess of the Monthly Window. Transactional charges are calculated based upon our then-current Schedule A rate. You are also responsible for all Excluded Charges. Schedule A rates may change upon at least 30 days written or online notice.

To apply Window charges to a specific month, the request must be submitted at least five (5) business days prior to the end of the month.

Post Renewal Terms

For Online/Solutions/Software/Products: Your subscription will change to a month-to-month status at the end of the Minimum Term and your Monthly Charges will be billed at up to our then current rate. Thereafter, we may modify the Monthly Charges after at least 30 days notice. The Monthly Window will remain unchanged. Schedule A rates may change after at least 30 days written or online notice. You are also responsible for all Excluded Charges. Excluded Charges may change after at least 30 days written or online notice. Either of us may cancel the month-to-month subscription sending at least 30 days written notice. Send your notice of cancellation to Customer Service, 610 Opperman Drive, P.O. Box 64833, Eagan MN 55123-1803.

Federal Government Subscribers Optional Minimum Term. Federal government subscribers that chose a 24 or 36 month Minimum Term, those additional months will be implemented at your option pursuant to federal law.

Post Renewal Term for ProFlex Products . Your subscription will change to a month-to-month status at the end of the Renewal Term, and your Monthly Charges will increase by 7%. Thereafter, the Monthly Charges will increase 7% every 12 months unless we notify you of a different rate at least 60 days before the annual increase. You are also responsible for all Excluded Charges. Excluded Charges may change after at least 30 days written or online notice. Either of us may cancel the month-to-month subscription by sending at least 30 days written notice. Send your notice of cancellation to Customer Service, 610 Opperman Drive, P.O. Box 64833, Eagan, MN 55123-1803.

For Window Products Your subscription will change to a month-to-month status at the end of the Minimum Term and your Monthly Charges will be billed at up to our then current rate. Thereafter, we may modify the Monthly Charges after at least 30 days notice. The Monthly Window will remain unchanged. Schedule A rates may change after at least 30 days written or online notice. You are also responsible for all Excluded Charges. Excluded Charges may change after at least 30 days written or online notice. Either of us may cancel the month-to-month subscription by sending at least 30 days written notice. Send your notice of cancellation to Customer Service, 610 Opperman Drive, P.O. Box 64833, Eagan MN 55123-1803.

Miscellaneous

Charges, Payments & Taxes. You agree to pay all charges in full within 30 days of the date of invoice. You are responsible for any applicable sales, use, value added tax (VAT), etc. unless you are tax exempt. If you are a non-government subscriber and fail to pay your invoiced charges, you are responsible for collection costs including attorneys' fees.

Credit Verification. If you are applying for credit as an individual, we may request a consumer credit report to determine your creditworthiness. If we obtain a consumer credit report, you may request the name, address and telephone number of the agency that supplied the credit report. If you are applying for credit on behalf of a business, we may request a current business financial statement from you to consider your request.

Excluded Charges and Schedule A rates. If you access CLEAR services that are not included in your subscription you will be charged our then current rate. Excluded Charges will be invoiced and due with your next payment. For your reference, the current Excluded Charges schedules are located at <http://static.legalsolutions.thomsonreuters.com/static/agreement/schedule-a-clear.pdf> Excluded Charges may change after at least 30 days written or online notice. Modification of Excluded Charges or Schedule A rates is not a basis for termination under Term, Termination of the General Terms and Conditions.

Auto Charge Credit Card/Electronic Funds Transfer Election Payment Terms. You may authorize us to automatically charge a credit card, debit card or electronic fund transfer to pay charges due. Contact Customer Service at 1-800-328-4880 for authorization procedures. If you have previously authorized us to bill a credit card, debit card or make electronic fund transfers for West subscriptions on an ongoing basis, or are authorizing the same as part of this order, no further action is needed.

Returns and Refunds. You may return a print or CD-ROM/DVD product to us within 45 days of the original shipment date if you are not completely satisfied. Assured Print Pricing, Library Savings Plan, West Complete, Library Maintenance Agreements, ePack, WestPack, Westlaw, CLEAR, Monitor Suite, ProView eBook, Software, West LegalEdcenter, Practice Solutions, TREWS and Serengeti charges are not refundable. Please see <http://static.legalsolutions.thomsonreuters.com/static/returns-refunds.pdf> or contact Customer Service at 1-800-328-4880 for additional details regarding our policies on returns and refunds.

Applicable Law. This Order Form will be interpreted under Minnesota state law. Any claim by one of us may be brought in the state or federal courts in Minnesota. If you are a state or local governmental entity, your state's law will apply and any claim may be brought in the state or federal courts located in your state. If you are a United States Federal Government subscriber, United States federal law will apply and any claim may be brought in any federal court.

General Terms and Conditions, apply to all products ordered, except print and is located at <http://static.legalsolutions.thomsonreuters.com/static/general-terms-conditions.pdf>. The General Terms and Conditions for Federal Subscribers is located at <http://static.legalsolutions.thomsonreuters.com/static/federal-general-terms-conditions.pdf>. In the event of a conflict between the General Terms and Conditions and this Order Form, the terms of this Order Form control.

CLEAR Fixed Rate Usage :If the transactional value of your CLEAR fixed rate usage exceeds your then-current Monthly Charges by more than 10 times in any month (or by 20 times in any month for Enterprise Law Enforcement subscribers), we may limit access to live gateways and request that the parties enter into good faith renegotiation or terminate upon 10 days written notice. Transactional value of your CLEAR usage is calculated based upon our then-current Schedule A rate. Schedule A rates may change upon at least 30 days written or online notice.

Batch Usage :If you have a fixed rate batch and/or batch alerts subscription and the total of your batch inputs or batch alerts exceeds your annual fixed rate batch or total batch alerts allotment, we may: 1) request the parties enter into good faith negotiations regarding a superseding agreement, 2) terminate your subscription upon 10 days written notice or 3) limit your access to your fixed rate batch subscription for the remainder of the then-current 12 month period, during which time you will continue to be billed your Monthly Charges. If your access to your fixed rate batch subscription has been limited, your access will be reinstated on the first day of the following 12 month period

Existing Vigilant Subscribers: We may terminate your License Plate Recognition (LPR) subscription if you are an existing Vigilant LEARN subscriber whose LPR pricing is based upon your existing Vigilant LEARN agreement, and you cancel your Vigilant LEARN agreement.

Enterprise Law Enforcement Subscribers: You certify that you have up to the number of sworn officers in your employ at this location identified in the QTY Column above. Our pricing for banded products is made in reliance upon your certification. If we learn that the actual number is greater, we reserve the right to increase your charges as applicable.

CLEAR Subscribers via an Alliance Partner. In limited circumstances we may allow you to access CLEAR through a third party's ("Service Provider") software or service (together with CLEAR, the "Integrated System"). In the event that you enter into a license agreement to access an Integrated System, you agree as follows:

We have no obligation to Service Provider with regard to the functionality or non-functionality of CLEAR during or after the integration. Service Provider will have access to CLEAR on your behalf and you will ensure Service Provider's compliance with the terms and conditions of the Thomson Reuters General Terms and Conditions located in the General Terms and Conditions paragraph above. Except as otherwise provided in your agreement with us, Data may not (i) be distributed or transferred in whole or in part via the Integrated System or otherwise to any third party, (ii) be stored in bulk or in a searchable database, and (iii) not be used in any way to replace or to substitute for CLEAR or as a component of any material offered for sale, license or distribution to third parties. No party will use any means to discern the source code of our products and product data. You are responsible for Service Provider's access to CLEAR on your behalf. You are responsible for all damages caused by misuse, abuse or compromise of the data by Service Provider, you, your employees and any person or entity with which you shared the data. We will be responsible for damages caused by us.

. For Law Enforcement Agencies and Correctional Facilities Only – No Inmate Westlaw or CLEAR Access (direct or indirect)

I certify, on behalf of Subscriber, that I understand and accept the security limits of Westlaw or CLEAR ; Subscriber's responsibility for controlling Westlaw, CLEAR, internet and network access; and, how Subscriber will be using Westlaw or CLEAR. I acknowledge Subscriber's responsibility for providing West with prompt written notice if Subscriber's type of use changes.

Only non-inmates/administrative staff will access Westlaw or CLEAR with no direct Westlaw research results provided to inmates (including work product created as part of inmates' legal representation). In no event shall anyone other than Subscriber's approved employees be provided access to or control of any terminal with access to Westlaw or Westlaw Data.

Functionality of Westlaw or CLEAR cannot and does not limit access to non-West internet sites. It is Subscriber's responsibility to control access to the internet.

Subscriber will provide its own firewall, proxy servers or other security technologies as well as desktop security to limit access to the Westlaw or CLEAR URL and West software (including CD-ROM orders). Subscriber will design, configure and implement its own security configuration.

Subscriber will not use any data nor distribute any data to a third party for use, in a manner contrary to or in violation of any applicable federal, state, or local law, rule or regulation or in any manner inconsistent with the General Terms and Conditions.

Subscriber will maintain the most current version of the West software to access CD-ROM Products for security purposes.

Signature for Order ID: Q-00217007

ACKNOWLEDGEMENT

I have read all pages and attachments to this Order Form and I accept the terms on behalf of Subscriber. I warrant that I am authorized to sign this Order Form on behalf of the Subscriber.

_____	_____
Signature of Authorized Representative for order	Title
_____	_____
Printed Name	Date

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This Order Form will expire and will not be accepted after 7/13/2018 CT.



THOMSON REUTERS™

Attachment

Contact your representative tyler.murray@thomsonreuters.com with any questions. Thank you.

Order ID: Q-00217007

Payment and Shipping Information

Payment Method:

Payment Method: Bill to Account
Account Number: 1004648032
P.O. Number:
SA ID:
GSA Funding:

Order Confirmation Contact (#28)

Contact Name: Marian Cruz
Email: mcruz@townofsurfsidefl.gov

Online Contact Information

User		Email Address	Contact Description
Marian	Cruz	mcruz@townofsurfsidefl.gov	CLEAR PRIMARY CONT
Marian	Cruz	mcruz@townofsurfsidefl.gov	EML PSWD CONTACT

IP Address

From IP Address	To IP Address	From IP Address	To IP Address	From IP Address	To IP Address
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Lapsed Products

Sub Material	Quantity	Active Subscription to be Lapsed
41859364	4	CLEAR Government Investigations Advanced



Town of Surfside Commission Communication

Agenda Item: 4B1
Agenda Date: August 14, 2018
Subject: Aggregation of Single Family Lots
From: Sarah Sinatra Gould, AICP, Town Planner

Background: The Town Commission requested that the Planning and Zoning Board (Board) address the effects of aggregation of single family lots. For reference, see attached memorandum from Commissioner Karukin.

Analysis:

Staff is recommending the following.

1. Increase side setbacks for lots over 75 feet in the H30B district and for lots over 100 feet in the H30A district to 15% of the frontage, while the current code requires setbacks of 10% of the frontage.
2. In connection with the additional side setbacks for the first floor, require that lots with lot widths greater than 75 feet in the H30B district and 100 feet in the H30A districts not be permitted to have second stories greater than 65% of the first floor, while the current code permits up to 80% of the first floor.

For example, on a 100 foot X100 foot lot (10,000 sq ft), the current code allows up to a 7,200 square foot building with 10 foot side setbacks. This proposed code change would result in a total building area of 6,352 square feet, a reduction of 848 square feet. The following chart provides an analysis of the changes.

Setbacks- Existing	Proposed	Lot Coverage
Front: 20 feet	20 feet (no change)	Lot Size: 100'x100' = 10,000 sq. ft.
Rear: 20 Feet	20 feet (no change)	Maximum Lot Coverage: 4,000 sq. ft.
Side: 10 feet	15 feet	Maximum Second Floor Coverage: 65% of the first floor
Side: 10 feet	15 feet	
Building Footprint		Total Square footage Maximum
First Floor: 55'x70'= 3,850 sq. ft.		Existing allowed - 7,200
Second Floor: 2,502 (65% of the first floor)		Proposed - 6,352 - Overall reduction in 848 square feet

Budget Impact: Cost of advertising an ordinance as well as approximately 16 hours of staff time analyzing the options, preparing language, preparing graphics and making revisions based on Planning & Zoning Board input.

Growth Impact: Limits development on single family aggregated lots.

Staff Recommendation: Approve on first reading.



Sarah Sinatra Gould, AICP, Town Planner



Guillermo Olmedillo, Town Manager



**Town of Surfside
Town Commission Meeting
January 9, 2018
7:00 pm**

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

DISCUSSION ITEM MEMORANDUM

Agenda #:

Date: January 9, 2018

From: Michael Karukin, Commissioner

Subject: **Impact from Aggregation of Lots in Single Family Home Districts**

Objective: Mitigate risk of McMansions due to property aggregation in single family home districts H30A and H30B.

Consideration: Our zoning code has always reflected an overall intent to prevent McMansions. For example:

- In 2007, 2008 and April 2009, McMansion ordinances were adopted.
- In December 2012 I asked P and Z to develop policies and planning concepts that prevent large massive structures from being built on aggregated or very large lots. They agreed.
- In April 2016, Commissioner Paul sent us an article about McMansions.
<http://www.miaminewtimes.com/news/residents-and-preservationists-push-back-as-mcmansions-take-over-miami-beach-8382869>
- In March 2017, I asked the staff a question about the impact on continuous maximum wall frontage from property aggregation in the single-family district.

"In the single family home districts, if more than one 50x100 lot is aggregated resulting in a larger lot size can a single larger structure be built to the side setbacks? For example, if the new lot is now 100 x 100 can a new home or other structure have a 90 foot frontage?"

They said.....

"the side setbacks in single family are 5 ft or 10% of the lot width, whichever is greater. In this scenario the side setbacks would be 10 ft on either side and the house frontage could be 80 feet for the 1st floor but would need to provide greater setbacks on the 2nd floor."

Based on the answer to the question, there is a loophole that needs to be addressed. Apparently, in the single-family home district, an aggregated lot can result in a home with an 80-foot frontage. And if a house on that size lot, with the set back requirements for a second floor, that house can be huge.

The size and scale of such a home in the single-family home district resulting from property aggregation has the potential to be out of scale for surrounding homes, and not compatible with the overall character of the Town and inconsistent with our intent and policies and preventing such homes. Therefore, this loophole can be used as a way to get around our efforts to mitigate McMansions.

Recommendation: Direct the planning and zoning board to fix this loophole in our code.

ORDINANCE NO. 18 - _____

AN ORDINANCE OF THE TOWN OF SURFSIDE, FLORIDA AMENDING SECTION 90-45 “SETBACKS” OF “CHAPTER 90 ZONING” OF THE TOWN OF SURFSIDE CODE OF ORDINANCES TO PROVIDE SETBACKS AND MAXIMUM SECOND STORY FLOOR AREAS FOR CERTAIN LOTS IN THE H30A AND H30B ZONING DISTRICTS; PROVIDING FOR REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

1 **WHEREAS**, the Town Commission of the Town of Surfside, Florida, recognizes that
2 changes to the adopted Code of Ordinances are periodically necessary in order to ensure that the
3 Town’s regulations are current and consistent with the Town’s planning and regulatory needs;
4 and

5 **WHEREAS**, the Town Commission finds that the development of a single family
6 structure on an aggregation of single family lots can create an over-sized dwelling which is
7 incompatible with the surrounding neighborhood; and

8 **WHEREAS**, the Commission desires to encourage development consistent and
9 compatible with the existing residential scale of the Town and therefore chooses to reduce the
10 likelihood of over-development of lots within the single family neighborhoods; and

11 **WHEREAS**, the Commission directed the Planning and Zoning Board to review, analyze
12 and make recommendations for zoning strategies to prevent development of over-sized
13 incongruous with the character of the Town; and

14 **WHEREAS**, the Planning and Zoning Board recommended revisions to the setbacks and
15 second story floor areas limitations for aggregated single family lots; and

16 **WHEREAS**, the Town Commission held its first public hearing on these regulations on
17 August 14, 2018; and

18 **WHEREAS**, the Planning and Zoning Board, sitting as the Local Planning Agency, has
19 reviewed the revisions to the Code for consistency with the Town’s Comprehensive Plan at a
20 duly noticed hearing on _____, 2018; and

21 **WHEREAS**, the Town Commission has conducted a second duly noticed public hearing
22 on these regulations as required by law on _____, 2018; and

23
24 **WHEREAS**, the Town Commission hereby finds and declares that adoption of this
25 Ordinance is necessary, appropriate, and advances the public interest.

26
27 **NOW THEREFORE, BE IT ORDAINED BY THE TOWN COMMISSION OF**
28 **THE TOWN OF SURFSIDE, FLORIDA, AS FOLLOWS:**

29 **Section 1. Recitals.** Each of the above stated recitals is true and correct and the recitals are
30 incorporated herein by this reference.

31 **Section 2. Code Amendment.** The Code of Ordinances of the Town of Surfside,
32 Section 90-45 “Setbacks” of Chapter 90 “Zoning” is hereby amended as follows¹:

33 Sec. 90-45. - Setbacks.

34 (a) *Massing*:

35 (1) *Required massing—Generally.* The development of new single-family structures and additions
36 to existing single-family structures shall abide by height and massing regulations.

37 Massing regulations are based on the height of the structure and are delineated between (a)
38 single and multi-story structures (b) new structures or additions to existing structures and (c) the
39 ratio of area of the first story to the area of the upper stories.

40 ~~The area of the upper stories (wall plane greater than 15 feet in height) for new structures and~~
41 ~~additions to existing single-story structures shall not exceed 80 percent of the area of the first~~
42 ~~story.~~

43 (2) *Required Massing—New single-story structures and single-story additions to single-story*
44 *structures in H30A and H30B districts.* The following table shall be utilized for new single-story
45 structures and single-story additions to existing single-story structures (up to 15 feet in height) in
46 both the H30A and H30B districts.

H30A and H30B (SINGLE-STORY STRUCTURES UP TO 15 FEET IN HEIGHT)	PERCENTAGE
Maximum Lot Coverage	40%
SINGLE STORY STRUCTURES	MINIMUM SETBACK
Primary frontage	20 FT
Interior side (lots equal to or less than 50 feet in width)	5 FT

¹ Additions to text are shown in underline. Deletions to text are shown in ~~strikethrough~~.

<u>Interior side (lots over 50 feet but less than 100 feet in width in H30A)</u>	<u>10% of the frontage</u>
Interior side (lots over 50 feet <u>but less than 75 feet</u> in width in H30B)	10% of the frontage
<u>Interior side (100 feet or greater in width in H30A)</u>	<u>15% of the frontage</u>
<u>Interior side (75 feet or greater in width in H30B)</u>	<u>15% of the frontage</u>
Rear	20 FT
Secondary frontage (Corner only)	10 FT

47

48 (3) *Required Massing—Single-family homes within the H30A and H30B districts.* For single-family
 49 homes within the H30A and H30B districts, the following table shall be utilized for new multi-
 50 story structures or multi-story additions (additions greater than 15 feet in height) to existing
 51 single-story structures where the upper-story floor area is less than 50 percent of first-story floor
 52 area. Where provided both the minimum and average setback shall be utilized.

H30A AND H30B UPPER STORY FLOOR AREA IS LESS THAN 50% OF FIRST STORY FLOOR AREA	PERCENTAGE
Maximum Lot Coverage	40%
FIRST STORY (UP TO 15 FT IN HEIGHT)	SETBACK
Primary frontage	Minimum 20 FT
Interior side (lots equal to or less than 50 feet in width)	Minimum 5 FT
Interior side (lots over 50 feet <u>but less than 100 feet</u> in width in H30A)	Minimum 10% of the frontage
<u>Interior side (lots over 50 feet but less than 75 feet in width in H30B)</u>	<u>Minimum 10% of the frontage</u>
<u>Interior side (100 feet or greater in width in H30A)</u>	<u>15% of the frontage</u>

<u>Interior side (75 feet or greater in width in H30B)</u>	<u>15% of the frontage</u>
Rear	Minimum 20 FT
Secondary frontage (Corner only)	Minimum 10 FT
UPPER STORY OR WALL PLANES GREATER THAN 15 FT IN HEIGHT	SETBACK
Primary frontage	Minimum 20 FT
	Average 22.5 FT
Interior side (lots equal to or less than 50 feet in width)	Minimum 5 FT
	Average n/a
Interior side (lots greater than 50 feet in width)	Minimum 10% of lot frontage
	Average n/a
Rear	Minimum 20 FT
	Average n/a
Secondary frontage (corner only)	Minimum 10FT
	Average 12.5 FT

53

54 (4) *Required massing—New multi-story structures or multi-story additions.* For single-family homes
55 within the H30A and H30B districts, the following table shall be utilized for new multi-story
56 structures or multi-story additions (additions greater than 15 feet in height) to existing single-
57 story structures where the upper-story floor area is 50 percent to 64 percent of first-story floor
58 area. Where provided, both the minimum and average setbacks shall be utilized.

H30A AND H30B UPPER STORY FLOOR AREA IS 50% TO 64% OF FIRST STORY AREA	PERCENTAGE
Maximum Lot Coverage	40%

FIRST STORY (UP TO 15 FT IN HEIGHT)		Setback
Primary frontage		Minimum 20 FT
Interior side (lots equal to or less than 50 feet in width)		Minimum 5 FT
Interior side (lots over 50 feet <u>but less than 100 feet in width in H30A</u>)		Minimum 10% of the frontage
<u>Interior side (lots over 50 feet but less than 75 feet in width in H30B)</u>		<u>Minimum 10% of the frontage</u>
<u>Interior side (100 feet or greater in width in H30A)</u>		<u>15% of the frontage</u>
<u>Interior side (75 feet or greater in width in H30B)</u>		<u>15% of the frontage</u>
Rear		Minimum 20 FT
Secondary frontage (Corner only)		Minimum 10 FT
UPPER STORY OR WALL PLANES GREATER THAN 15 FT IN HEIGHT		SETBACK
Primary frontage		Minimum 20 FT
		Average 25 FT
Interior side (lots equal to or less than 50 feet in width)	H30A - Wall length is equal to or less than 20% of the lot depth	Minimum 5 FT
		Average n/a
	H30A - Wall length is greater than 20% of the lot depth	Minimum 5 FT
		Average 7.5 FT
	H30B - Wall length is equal to or less than 25% of the lot depth	Minimum 5 FT
		Average n/a
H30B - Wall length is greater than 25% of	Minimum 5 FT	

	the lot depth	Average 7.5 FT
Interior side (lots greater than 50 feet in width)	H30A - Wall length is equal to or less than 20% of the lot depth	Minimum 10% of lot frontage
		Average n/a
	H30A - Wall length is greater than 20% of the lot depth	Minimum 10% of lot frontage
		Average 15% of the frontage
	H30B - Wall length is equal to or less than 25% of the lot depth	Minimum 10% of the frontage
		Average n/a
	H30B - Wall length is greater than 25% of the lot depth	Minimum 10% of lot frontage
		Average 15% of the frontage
Rear	Minimum 20 FT	
	Average n/a	
Secondary frontage (corner only)	Minimum 10 FT	
	Average 15 FT	

59

60 (5) *Required Massing—New multi-story structures or multi-story additions (additions greater than*
61 *15 feet in height) to existing single-story structures where the upper-story floor area is 65*
62 *percent to 80 percent of first-story floor area. For single family homes within the H30A and*
63 *H30B districts, the following table shall be utilized for new multi-story structures or multi-story*
64 *additions (additions greater than 15 feet in height) to existing single-story structures where the*
65 *upper-story floor area is 65 percent to 80 percent of first-story floor area. Where provided, both*
66 *the minimum and average setbacks shall be utilized.*

H30A AND H30B UPPER STORY FLOOR AREA IS 65% TO 80% OF FIRST STORY FLOOR AREA		PERCENTAGE
<u>Lots in H30A 100 feet or greater in width and lots in H30B 75 feet or greater in width are not eligible to build a second story with more floor area than 64% of the first floor</u>	<u>Maximum Lot Width in H30A</u>	<u>less than 100 feet</u>
	<u>Maximum Lot Width in H30B</u>	<u>less than 75 feet</u>
Maximum Lot Coverage		40%
FIRST STORY (UP TO 15 FT IN HEIGHT)		SETBACK
Primary frontage		Minimum 20 FT
Interior side (lots equal to or less than 50 feet in width)		Minimum 5 FT
Interior side (lots over 50 feet <u>but less than 100 feet in width in H30A</u>). <u>Lots in the H30A 100 feet or greater in width are not eligible to build more than 64% of the first floor)</u>		Minimum 10% of the frontage
<u>Interior side (lots over 50 feet but less than 75 feet in width in H30B)</u> . <u>Lots in the H30B 75 feet or greater in width are not eligible to build more than 64% of the first floor)</u>		<u>Minimum 10% of the frontage</u>
Rear		Minimum 20 FT
Secondary frontage (Corner only)		Minimum 10 FT
UPPER STORY OR WALL PLANES GREATER THAN 15 FT IN HEIGHT		Setback
Primary frontage		Minimum 20 FT
		Average 30 FT
Interior side (lots equal	H30A - Wall length is equal to or less than	Minimum 5 FT

to or less than 50 feet in width)	20% of the lot depth	Average n/a
	H30A - Wall length is greater than 20% of the lot depth	Minimum 5 FT
		Average 10 FT
	H30B - Wall length is equal to or less than 25% of the lot depth	Minimum 5 FT
		Average n/a
	H30B - Wall length is greater than 25% of the lot depth	Minimum 5 FT
Average 10 FT		
Interior side (lots greater than 50 feet in width)	H30A - Wall length is equal to or less than 20% of the lot depth	Minimum 10% of lot frontage
		Average n/a
	H30A - Wall length is greater than 20% of the lot depth	Minimum 10% of lot frontage
		Average 20% of the frontage
	H30B - Wall length is equal to or less than 25% of the lot depth	Minimum 10% of lot frontage
		Average n/a
	H30B - Wall length is greater than 25% of the lot depth	Minimum 10% of lot frontage
		Average 20% of the frontage
Rear		Minimum 20 FT
		Average n/a

Secondary frontage (Corner only)	Minimum 10 FT
	Average 20 FT

67 * * *

68 **Section 3. Severability.** If any section, subsection, clause or provision of this Ordinance is
69 declared invalid or unconstitutional by a court of competent jurisdiction, the remainder shall not be
70 affected by such invalidity.

71 **Section 4. Conflict.** All sections or parts of sections of the Town of Surfside Code of
72 Ordinances in conflict herewith are intended to be repealed to the extent of such conflict.

73 **Section 5. Inclusion in the Code of Ordinances.** It is the intention of the Town
74 Commission, and it is hereby ordained that the provisions of this Ordinance shall become and made
75 a part of the Town of Surfside Code of Ordinances, that the sections of this Ordinance may be
76 renumbered or re-lettered to accomplish such intentions; and the word “Ordinance” may be changed
77 to “Section” or other appropriate word.

78 **Section 6. Effective Date.** This Ordinance shall be effective upon final adoption on
79 second reading.

80

81 **PASSED** on first reading this 14th day of August, 2018.

82 **PASSED** and **ADOPTED** on second reading this _____ day of _____, 2018.

83

84 On Final Reading Moved by: _____

85 On Final Reading Second by: _____

86 **FINAL VOTE ON ADOPTION**

- 87 Commissioner Barry Cohen _____
- 88 Commissioner Michael Karukin _____
- 89 Commissioner Tina Paul _____
- 90 Vice Mayor Daniel Gielchinsky _____
- 91 Mayor Daniel Dietch _____

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Daniel Dietch, Mayor

ATTEST:

Sandra Novoa, MMC, Town Clerk

**APPROVED AS TO FORM AND LEGALITY FOR THE USE
AND BENEFIT OF THE TOWN OF SURFSIDE ONLY:**

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



Town of Surfside
9293 Harding Ave, 2nd Floor
Surfside, FL 33154

COMMISSION COMMUNICATION

Agenda Item # – 4B2

Date – August 14, 2018

Subject – Modifications to Planning and Zoning Board and Dissolving the Development Impact Committee

Background – The following ordinance changes include code amendments to abolish the Design Review Board and incorporate its functions into the Planning and Zoning Board duties and to dissolve the Development Impact Committee and incorporate the function of the committee into the existing Development Review Group.

Modifications to Planning and Zoning Board:

The Design Review Board (DRB) has had numerous quorum challenges. In addition to the Planning and Zoning Board (PZ) members, the DRB includes two specifically appointed DRB members. One of the two specifically appointed DRB members must be present at each meeting to make a quorum. The proposed modification is to absorb the DRB functions into the PZ and to expand PZ by two alternate members. These two members will only be able to vote if one of the regular members of PZ are absent, however, they will be able to participate in the discussions for any of the agenda items.

Dissolving the Development Impact Committee:

The Development Impact Committee (DIC) is a staff committee whose role is to determine impacts the project may have on the Town. The Town also has a staff Development Review Group (DRG), with the goal of reviewing the technical aspects of a project. The two meetings and reviews are similar and should be combined for consistency and to reduce duplication. The functions of DIC would be incorporated into the functions of the DRG.

Staff Recommendation – Based on the direction from Commission to consolidate the DRB and PZ and expand the PZ, staff has prepared the attached ordinance. As recommended above, and because the issues are intertwined in the same sections of the Code we have also incorporated recommended changes to dissolve the DIC and incorporate the functions performed by DIC into the DRG. Staff recommends approval on first reading.


Guillermo Olmedillo, Town Manager


SSG

ORDINANCE NO. 18 - _____

AN ORDINANCE OF THE TOWN OF SURFSIDE, FLORIDA AMENDING CHAPTER 90 “ZONING” OF THE TOWN OF SURFSIDE CODE OF ORDINANCES TO ABOLISHING THE DESIGN REVIEW BOARD, MODIFYING THE PLANNING AND ZONING BOARD MEMBERSHIP AND RESPONSIBILITIES, ABOLISHING THE DEVELOPMENT IMPACT COMMITTEE, AND REVISING THE DESIGN REVIEW GROUP REVIEW REQUIREMENTS; PROVIDING FOR REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town Commission of the Town of Surfside, Florida, recognizes that changes to the adopted Code of Ordinances are periodically necessary in order to ensure that the Town’s regulations are current and consistent with the Town’s planning and regulatory needs; and

WHEREAS, the Town wishes to abolish the Design Review Board and provide for design review by the Planning and Zoning Board so the functions of zoning and design review are consolidated in the Planning and Zoning Board; and

WHEREAS, the Town desires to abolish the Development Impact Committee to reduce duplicative efforts and consolidate review in the administrative design review process; and

WHEREAS, the Town Commission held its first public hearing on these regulations on August 14, 2018; and

WHEREAS, the Planning and Zoning Board, sitting as the Local Planning Agency, has reviewed the revisions to the Code for consistency with the Town’s Comprehensive Plan at a duly noticed hearing on _____; and

WHEREAS, the Town Commission has conducted a second duly noticed public hearing on these regulations as required by law on _____; and

WHEREAS, the Town Commission hereby finds and declares that adoption of this Ordinance is necessary, appropriate, and advances the public interest.

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

Section 1. Recitals. Each of the above stated recitals is true and correct and the recitals are incorporated herein by this reference.

Section 2. Code Amendment. The Code of Ordinances of the Town of Surfside, Chapter 90 “Zoning,” is hereby amended as follows¹:

* * *

DIVISION 1. - PLANNING AND ZONING BOARD

Sec. 90-14. - Created.

There is created a town planning and zoning board.

Sec. 90-15. - Membership/quorum, minimum qualifications, officers, terms of officers, vacancies, general regulations, recommendations, expenditures, indebtedness.

(1) *Membership/quorum:* The planning and zoning board membership and quorum requirements for zoning matters and design review matters are as follows:

(a) *Zoning matters:* The planning and zoning board, ~~when performing its zoning functions,~~ shall consist of five members and a first alternate member and a second alternate member. ~~At least three of the Two~~ members or alternates must be one of the following:

1. Florida-licensed general contractor or a construction management professional with at least three years of professional experience as a construction project manager, construction superintendent or construction estimator;
2. Florida licensed PE or a civil, mechanical, electrical, chemical or environmental engineer with a baccalaureate degree in engineering and three years of professional experience;
3. Certified planner (AICP) or a planning professional with a graduate degree in planning from a program accredited by the Planning Accreditation Board with at least three years of professional planning experience or a bachelor's degree in planning from a program, accredited by the Planning Accreditation Board (PAB) with at least three years of professional planning experience;
4. Florida-licensed landscape architect with at least three years of professional experience;
5. Registered interior designer with at least three years of professional experience;
6. Florida-licensed attorney with at least three years of professional experience;
7. Florida-licensed architect; or
87. Real estate developer with three years of professional experience, either as the principal or executive.

¹ Additions to text are shown in yellow underline. Deletions to text are shown in ~~yellow strikethrough~~.

- (b) *Alternate participation.* Alternates shall be subject to the same attendance and participation requirements as members. Alternates may participate in all board discussions but may not vote unless sitting as a substitute for a member. In the event a member is absent or unable to participate in an item before the board, the first alternate or if the first alternate is unavailable, the second alternate, shall fill the absent or recused member's position for the duration of that member's absence.
- (c) *All board matters:* One town commissioner shall be a liaison, non-voting representative without a vote at all planning and zoning board meetings.
- (2) *Minimum board member qualifications:* All board members must have been a town resident for a minimum period of one year, except for the licensed architects, including the Florida-licensed landscape architect, if applicable, who must have been a town residents for a minimum period of six months. ~~The Florida-licensed architects must have a minimum of five years of practical experience in the field of landscape design. To the extent that no licensed architect (whether for service on the planning and zoning board or design review board only as more specifically described in section 90-18 hereinbelow) who is also a town resident can be identified and is willing to serve at the time of appointment to either board, then the commission may select a non-resident architect who otherwise fulfills the requirements of this section, provided that appointment shall be ratified by a majority of the board of commissioners. To the extent an architect (resident or non resident) cannot be located within three (3) months of the vacancy, this requirement may after a majority vote of the commission become null and void until such time this board member vacates the position before his/her term expires or a full new board is appointed whichever comes first.~~
- (3) *Officers:* The board shall elect one of its members as chairman and one of its members as vice-chairman, at its first regular meeting in April of each year. In the event of the resignation, removal, or inability of the chairman to serve, the vice-chairman shall succeed to the chairman position for the unexpired term; and the board shall, thereupon, elect one of its members as vice-chairman for the unexpired term. The chairman shall preside at all meetings. In the chairman's absence, the vice-chairman shall preside. The chairman shall submit all board reports and recommendations to the town commission, by and through the chairman, vice-chairman or the town commission liaison member. The town shall provide a secretary for the board and the town clerk shall be custodian of all records, books and journals of the board.
- (4) *Board member term(s):* Each commissioner shall be responsible for one board member appointment. The first and second alternates shall be appointed at-large by the majority vote of the Commission present at the meeting. The term of each board member and alternate appointment shall begin on the last Thursday of April of the year in which the board member or alternate is appointed and end when a successor board member is appointed or on the last Thursday in April, whichever dates comes first. The term of any board member or alternate filling a vacancy created on the board as provided in paragraph (5) shall begin at the time of the board members appointment and end the last Thursday in April or whenever a replacement is appointed.
- (5) *Vacancies:* A vacancy shall exist: (1) on the date that any member or alternate ceases to possess the minimum required membership qualifications provided herein; (2) when a board member or alternate has been absent from three consecutive regularly convened board

meetings or has been absent from five regularly convened board meetings within a board year; or (3) **for members** if the appointing commissioner resigns or his position otherwise becomes vacant during his/her term. Vacancies on the board shall be filled by appointment for the unexpired term in the same manner as original appointments are made provided however, if the seat shall remain vacant longer than a three-month period for any reason, the town commission **may** collectively, by majority **vote**, appoint a temporary member until such commission position is filled in accordance with the Town Charter and Code.

~~(6) *Transition provision:* Inasmuch as the enactment of Ordinance No. 1598 will occur mid-term, and the planning and zoning board as currently composed contains no architect, any architect currently serving on the design review board at the time of enactment, shall continue to serve in an ex officio capacity with the planning and zoning board as a nonvoting member and that the comments of that ex officio member will be considered and accorded equal weight with those who vote. Upon the expiration of the term of the current planning and zoning board, this provision shall become null and void.~~

(7) *General regulations governing members:* Board members **and alternates** shall be appointed in accordance with all applicable state, county and town ethics laws, rules and regulations. Appointed members **and alternates** of the board shall not, during their term, hold any other public office, paid position or serve on any other board under town government, except as a temporary board member, or that of a voluntary fireman.

(8) *Expenditures; indebtedness:* The town commission may authorize the expenditure by the planning and zoning board of such funds as the town commission may deem necessary to perform the requirements of this chapter. The town commission may appropriate from the general fund as set up in the annual budget and such sums as it may from time to time authorize the board to expend. The board may not incur indebtedness without prior commission approval.

Sec. 90-16. - Meetings: board year; timeframe; order of presentation; location.

(1) *Board year:* The board year shall commence on the last Thursday of April in each year.

(2) *Meetings on zoning **and design review** matters/timeframe:* Regular board meetings for zoning **and design review** matters shall be held on the last Thursday of each month. The chair may call special meetings and may cancel or continue meetings as may be necessary.

~~(3) *Meetings on design review matters/timeframe:* The board shall meet as needed on design review matters. The chairman may call special meetings and may cancel or continue meetings as may be necessary.~~

~~(4) *Order of presentation for zoning matters and design review matters:* In order to avoid unnecessary project costs and delays, the board shall address and finalize each project zoning matter prior to initiating each project design review, to the extent applicable.~~

~~(35)~~ *Location of all board meetings:* All board meetings shall be held in the Town Hall or Community Center.

Sec. 90-17. - Powers and duties.

(1) *Zoning matters:* The planning and zoning board shall act as an advisory board to the town commission on zoning matters and design review matters. The boards' powers and duties are as follows:

- (a) To perform its responsibilities as the local planning agency pursuant to local and state government comprehensive planning and land development regulations (F.S. Ch. 163);
 - (b) To review and make recommendations to the town manager and the town commission regarding the adopting and amendment of the official zoning map; the land development regulations amendments; zoning district boundary changes; and comprehensive plan amendments;
 - (c) To review and make recommendations to the town commission, on applications pertaining to site plans (if applicable) zoning changes, special use permits, conditional use variances vested rights and any other zoning applications;
 - (d) To conduct such studies and investigations required under the Town Code and/or requested by the town commission and as needed from time to time to sit in a joint session with the town commission as requested by the town commission; and
 - (e) The planning and zoning board shall have such other duties pertaining to zoning matters as prescribed by law, this section and the Town Code.
- (2) *Design Review :* The planning and zoning board shall conduct a design review for all structures to be constructed and renovated within town limits on the terms outlined below.
- (3) *FEMA review:* The planning and zoning board ~~when constituted as a design review board as set forth in section 90-18 herein below,~~ shall act as the variance and appeals board pursuant Chapter 42, "Floods," Division 6, Variance Procedures, sections 42-111 through 42-117.

Sec. 90-18. - Design Review ~~Board.~~

- ~~(a) *Membership.* The planning and zoning board, when performing its design review and FEMA variance and appeals board functions shall be constituted as the design review board and shall have seven members. The seven members shall include the five members appointed by the town commission for the planning and zoning board and two additional members, at least one of the design review board members shall be a Florida licensed architect or Florida licensed landscape architect. The second design review board member shall be a Florida licensed architect or a:~~
- ~~(1) Florida licensed general contractor or a construction management professional with at least three years of professional experience as a construction project manager, construction superintendent or construction estimator;~~
 - ~~(2) Florida licensed PE or a civil, mechanical, electrical, chemical or environmental engineer with a baccalaureate degree in engineering and three years of professional experience;~~
 - ~~(3) Certified planner (AICP) or a planning professional with a graduate degree in planning from a program accredited by the Planning Accreditation Board with at least three years of professional planning experience or a bachelor's degree in planning from a program, accredited by the Planning Accreditation Board (PAB) with at least three years of professional planning experience;~~

- ~~(4) Florida licensed landscape architect with at least three years of professional experience;~~
- ~~(5) Registered interior designer with at least three years of professional experience;~~
- ~~(6) Florida licensed attorney with at least three years of professional experience; or~~
- ~~(7) Real estate developer with three years of professional experience, either as the principal or executive.~~

~~Both of these members shall be appointed by a majority of the town commission. Four members present at the planning and zoning board design review meetings shall constitute a quorum and at least one of the four members shall be a design review board member.~~ The design review process is set forth as follows.

~~(a)~~ *Design review process.*

- (1) *Purpose.* This section is intended to promote excellence in architectural and urban design; preservation of the town's historic and architectural and neighborhood character; and desirable urban growth and development. To implement this goal, the ~~design review board is hereby created to review and make advisory recommendations to the~~ planning and zoning board ~~shall review and evaluate applications~~ as to whether the design of new developments and/or improvements within the town are consistent with and in conformance with the design guidelines set forth in the Town Code. The design guidelines are attached thereto as Exhibit A [at the end of this chapter] provided that the town commission may amend said guidelines from time to time via resolution. The guidelines as amended, shall govern and be applied as fully set forth herein.
- (2) *Design review procedure:*
 - a. All applications for new developments or improvements that are subject to the town's adopted design guidelines shall be referred to the ~~planning and zoning~~ board for review and consideration.
 - b. The board shall review each application whether for development of single-family, multifamily, commercial or other districts for conformity with the town's adopted design guidelines and ~~recommend the application to the planning and zoning board for approval, approval~~ with conditions, or ~~disapproval~~ of the ~~design review~~ application. With regard to the design review process, no applicant shall be required to appear before the ~~design review~~ board more than twice per application.
 - c. Meetings held by the board for review and recommendations of applications shall be arranged to permit participation by the person or group making the application or request and representatives of such person or group, if desired. Architectural plans and drawings of the building facades, lists of finish materials and other information necessary to provide adequate insight into the proposed development/improvement shall be provided to the board by the person or group making the proposal or request.
 - ~~d. For design review applications that are not otherwise heard by the planning and zoning board, appeal of any design review board decision may be taken by an interested party to the town commission within 30 days of the hearing at which the design review board makes its final decision, by the filing of a notice of the appeal with the town commission. The appeal shall be heard as a quasi-judicial matter.~~

(3) Design review application fees are set forth in the town designated fee schedule.

(4) Design review applications which are made in conjunction with other development approval applications may be reviewed and considered concurrently with related development approval applications.

~~(4) All meetings of the design review board shall be publicly noticed.~~

Sec. 90-19. - Single-family and two-family development review process.

* * *

90-19.5 Design guidelines. The town has adopted design guidelines intended to provide direction and suggestions for all development. The purpose of the planning and zoning board when conducting design review ~~design review board~~ is to interpret those guidelines and provide guidance to the applicants as to how the design should be revised to more closely approximate or reflect the town's adopted guidelines. The applicant shall then incorporate those suggestions prior to proceeding to building permit.

90-19.6 Single-family and two-family development shall be reviewed by the planning and zoning board ~~design review board~~. The following types of applications shall require noticing as described below:

- (1) Construction of new single-family homes.
- (2) Partial demolition and rebuilding of at least 50 percent of the square footage of a single-family home where the exterior facade of the structure is affected.
- (3) An addition of at least 50 percent of the square footage of the existing single-family home.

The applicant shall notify the public of the planning and zoning board ~~design review board~~ hearing date and location, on the proposed application as follows:

- a. The applicant shall post a notice on the property one week prior to the planning and zoning board ~~design review board~~ meeting and remove the notice three days after the conclusion of the planning and zoning board ~~design review board~~ meeting. A notice, 18 inches by 24 inches, shall be placed in a prominent place on the property by the applicant, denoting the following:

REQUEST FOR: _____

PLANNING AND ZONING BOARD DESIGN REVIEW BOARD MEETING:
DATE AND TIME

TOWN HALL
9293 Harding Avenue
Surfside, FL 33154

COMPLETE INFORMATION REGARDING THE APPLICATION IS AVAILABLE BY CONTACTING THE TOWN HALL.

- b. The applicant shall mail written courtesy notices via certified mail, to the abutting single-family property owners and single-family property owners parallel to the

subject property line across any right-of-way, of the planning and zoning board design review board meeting date and location ten days prior to the meeting.

- c. The applicant shall provide the town the corresponding certified mail receipts, indicating the notices have been mailed and provide evidence that the sign has been posted three days prior to the planning and zoning board design review board meeting.

90-19.7 The following shall be exempt from planning and zoning board and design-review board review; however, the design guidelines shall be followed:

- (1) Interior or rear yard fences.
- (2) Interior renovations.
- (3) Single-family and two-family Awnings.
- (4) Screens.
- (5) Driveways.
- (6) Re-roofs
- (7) Trellis.
- (8) Rooftop photovoltaic solar systems.
- (9) Sheds.

90-19.8 The following are required for submittal to the planning and zoning board for design review applications design review board:

* * *

90-19.9 *Effective period of planning and zoning board design review design review board approval. An design review approval from the planning and zoning board design review board shall be effective until the development is completed except that if, after 24 months from the date of the approval by the planning and zoning board design review board a building permit for a principal building has not been issued and remains in effect, the approval shall be null and void.*

- (1) Extensions for good cause, not to exceed a total of one year for all extensions, may be granted by the town commission, at its sole discretion, provided the applicant submits a request in writing to the town manager or designee in advance of the expiration of the original approval, setting forth good cause for such an extension. For the purpose of this Section, a building permit for a principal building shall cease to be in effect once required inspections have lapsed or once a certificate of completion or certificate of occupancy is issued.
- (2) All approvals which have been granted prior to the effective date of this chapter, shall be null and void and of no further force or effect if not utilized within two years after the effective date of this chapter, unless vested rights are demonstrated pursuant to subsection 90-5(11) of the zoning code. The foregoing provision of this paragraph shall not apply if the governmental resolution granting the approval expressly established a specific time limitation for utilizing the approval. In such instances, the time limitation established by such resolution shall prevail.

Sec. 90-20. - Development review requirements for submittals other than single-family and two-family.

- (1) Generally. Review and approval of a site plan by staff reviewing agencies, ~~the design review board,~~ and ~~the development impact committee,~~ the planning and zoning board, and the town commission is required prior to any development of land in the town.
- (2) Process. Submit plans (sets to be determined by town staff as appropriately needed), which are distributed to the staff members of the development review group (DRG).
 - (a) The DRG member shall review the site plan and prepare comments. The comments shall be forwarded to the town manager or designee. The comments shall be addressed by the applicant, if applicable. The town manager or designee shall hold a development review group meeting with appropriate town staff and the applicant to discuss the comments. In reviewing an application each reviewer shall consider, and comment as appropriate, on applicable issues relevant to their particular area of expertise, the extent to which:
 - i. The development, as proposed, conforms to the comprehensive plan and the zoning code;
 - ii. The development, as proposed, will have a favorable or unfavorable impact on the environment and natural resources, including a consideration of the means and estimated cost necessary to minimize the adverse impacts, if any;
 - iii. The development, as proposed, will have a favorable or unfavorable impact on the economy of the Town of Surfside;
 - iv. The development, as proposed, will efficiently use or unduly burden water, sewer, solid waste disposal, education, recreation or other necessary public facilities which have been constructed or planned and budgeted for construction in the area;
 - v. The development, as proposed, will efficiently use or unduly burden or affect public transportation facilities, including mass transit, public streets, and roads, which have been planned and budgeted for construction in the area, and if the development is or will be accessible by private or public roads or streets.
 - vi. The development, as proposed, is consistent with the community character of the immediate neighborhood. In addition to consistency there must be congruity between the subject development and neighboring improvements and surroundings including but not limited to form, spacing, heights, setbacks, materials, color, rhythm and pattern of architectural or aesthetic interest or value as well as with any overlays and other development schemes or legislation.
 - vii. In the event of redevelopment, the applicant shall also submit a detailed plan for demolition.
 - (b) After the revisions and upon review of the final site plan by the DRG members, the site plan will be scheduled for the next available ~~town design review board and~~ planning and zoning board meetings. If possible, the planning and zoning board meeting and the

~~design review board meeting should be held on the same date. The materials required under subsection 90-19.8 should not be duplicated for both the planning and zoning board meeting and design review board meeting. They shall be considered one submittal package. The Town Manager or designee shall prepare a report to the planning and zoning board and town commission, addressing the applicable criteria.~~

- (3) ~~Submittal requirements for DRG, and planning and zoning board and design review board are provided below.~~

~~* * *~~

~~(4) Developmental impact committee.~~

~~(a) There is hereby established a developmental impact committee composed of seven members representing the following town departments and disciplines:~~

- ~~i. Town manager~~
- ~~ii. Town attorney~~
- ~~iii. Public works/landscape~~
- ~~iv. Planning and zoning~~
- ~~v. Park and recreation department~~
- ~~vi. Engineering and traffic engineering~~
- ~~vii. Building~~

~~(b) The developmental impact committee shall review all developments (except single family and two family homes) and recommend where applicable, whether, and the extent to which:~~

- ~~i. The development, as proposed, conforms to the comprehensive plan and the zoning code;~~
- ~~ii. The development, as proposed, will have a favorable or unfavorable impact on the environment and natural resources, including a consideration of the means and estimated cost necessary to minimize the adverse impacts, if any;~~
- ~~iii. The development, as proposed, will have a favorable or unfavorable impact on the economy of the Town of Surfside;~~
- ~~iv. The development, as proposed, will efficiently use or unduly burden water, sewer, solid waste disposal, education, recreation or other necessary public facilities which have been constructed or planned and budgeted for construction in the area;~~
- ~~v. The development, as proposed, will efficiently use or unduly burden or affect public transportation facilities, including mass transit, public streets, and roads, which have been planned and budgeted for construction in the area, and if the development is or will be accessible by private or public roads or streets.~~
- ~~vi. The development, as proposed, is consistent with the community character of the immediate neighborhood. In addition to consistency there must be congruity between the subject development and neighboring improvements and surroundings including but not limited to form, spacing, heights, setbacks, materials, color,~~

rhythm and pattern of architectural or aesthetic interest or value as well as with any overlays and other development schemes or legislation.

vii. In the event of redevelopment, applicant shall also submit a detailed plan for demolition.

(c) The committee shall meet prior to the planning and zoning board's hearing on the application. The committee shall be chaired by the town manager. The town manager or designee shall prepare a summary report of the development application to be distributed to and reviewed by the development impact committee prior to the committee meeting.

(d) The town manager or designee shall prepare a summary report of the results of the development impact committee to be transmitted to the planning and zoning board and town commission upon their review of the development application.

(e) The committee shall review and make recommendations pursuant to the criteria stated in (2) to the planning and zoning board and town commission whether, and to the extent to which, the development will efficiently use or unduly burden water, sewer, solid waste disposal, education, recreation or other necessary public facilities or public transportation facilities, including roads and streets, which have been constructed or planned and budgeted for construction in the area, and whether the proposed development will have a favorable or unfavorable impact on the economy of the Town of Surfside.

(f) No public hearing shall be held by any board on any application subject to review by the developmental impact committee until the committee has made its recommendations with regard thereto.

(g) Development impact committee meetings shall be noticed on the town website and shall be open to the public who may comment during a specific time scheduled on the agenda.

* * *

90-20.2 *Exempt development.* Notwithstanding any other provision of this chapter, the following activities shall not require site plan approval, however, may require design review board approval by the planning and zoning board:

- (1) The deposit and contouring of fill on land.
- (2) Construction of a single-family home on an existing single-family lot.
- (3) Construction of a single duplex on an existing single lot.

90-20.3 *Effective period of final site plan approval.* An approved final site plan shall be effective until the development is completed except that if, after 24 months from the date the final site plan is approved by the planning and zoning board a building permit for a principal building has not been issued and remains in effect, the site plan shall be null and void.

- (1) Extensions for good cause, not to exceed a total of one year for all extensions, may be granted by the town commission, at its sole discretion, provided the applicant submits a request in writing to the town manager or designee in advance of the expiration of the original approval, setting forth good cause for such an extension. For the purpose of this

section, a building permit for a principal building shall cease to be in effect once required inspections have lapsed or once a certificate of completion or certificate of occupancy is issued. In those cases where a development includes more than one principal building and it is contemplated that the development shown on a site plan will not be completed with a building permit for a principal building continuously in effect, approval by the planning and zoning board of a phasing schedule must be obtained as part of the overall site plan approval. Amendments to the original site plan shall not extend this time frame unless an extension is expressly granted by the planning and zoning board as a part of the approval of the amendment.

- (2) All approvals which have been granted prior to the effective date of this chapter, shall be null and void and of no further force or effect if not utilized within two years after the effective date of this chapter, unless vested rights are demonstrated pursuant to subsection 90-5(11) of the zoning code. The foregoing provision of this paragraph shall not apply if the governmental ~~resolution granting the~~ approval expressly established a specific time limitation for utilizing the approval. In such instances, the time limitation established by such resolution shall prevail.

* * *

Sec. 90-23. - Conditional uses.

90-23.1 Purpose. Conditional Uses are generally compatible with the other land uses permitted in a zoning district but, because of their unique characteristics or potential impacts on the surrounding neighborhood and the town as a whole, require individual review as to their location, design, configuration, and/or operation for the particular use at the particular location proposed, as well as the imposition of individualized conditions in order to ensure that the use is compatible with the surrounding neighborhoods and appropriate at a particular location.

90-23.2 Standards of review. In addition to the standards set forth in this zoning code for the particular use, all proposed conditional uses shall meet each of the following standards:

- (1) The proposed use shall be consistent with the Comprehensive Plan and the Zoning Code;
- (2) The establishment, maintenance or operation of the proposed use shall not be detrimental to or endanger the public health, safety, or general welfare;
- (3) The proposed use shall be compatible with the community character of the immediate neighborhood. In addition to compatibility there must be congruity between the subject development and neighboring improvements and surroundings including but not limited to form, spacing, heights, setbacks, materials, color, rhythm and pattern of architectural or aesthetic interest or value as well as with any overlays and other development schemes or legislation.
- (4) Adequate provisions shall be included for parking and safe traffic movement, both vehicular and pedestrian, both internal to the use and in the area which will serve the use;
- (5) Adequate measures exist including landscaping or other buffering measures or shall be taken to mitigate any adverse effects of noise, light or other potential nuisances; and

- (6) The establishment of the conditional use shall not impede the development of surrounding properties for uses permitted in the zoning district; and
- (7) Any other condition imposed by the **planning and zoning design review board and/or the development impact committee.**

DIVISION 2. - NONCONFORMING USES, LOTS AND STRUCTURES

Sec. 90-33. - Alterations or enlargement of nonconforming structures.

Except as provided in this section a nonconforming structure shall not be enlarged in any manner or undergo any structural alteration unless to make it a conforming structure. Such alteration or enlargement may be permitted provide that:

- (1) Enlargement or alteration itself conforms to the requirement of these regulations;
- (2) Building non-conformity only as to height area or floor area requirements may be altered or extended; enlarged so long as it does not increase the degree of non-conformity for the applicable district.
- (3) Alterations or additions to architecturally significant buildings on H120 zoned lots that are nonconforming as to setbacks may follow existing building lines as long as the alteration or addition maintains the architectural integrity of the existing building. The lesser of the current code-required setback or the existing building line shall be deemed to be the required setback line.

Any redevelopment project undertaken under this subsection must comply with the Town's minimum finished floor elevation requirements for all portions of the building and further must be designed and developed in accordance with Leadership in Energy & Environmental Design (LEED) or Florida Green Building Coalition (FGBC) building design and construction standards.

Redevelopment projects seeking to utilize the setback exception of this subsection shall be limited to a total height of no more than twice the number of existing floors in a building, up to a maximum of 120 feet.

Existing Building Floors	Maximum Number of Floors of Redevelopment/Expansion using Exception
1	2
2	4
3	6

4	8
5	10
6 and above	12

(a) Determinations of Architectural Significance. Determinations of architectural significance will be made as follows:

- (1) All requests for a determination of architectural significance must be made by a property owner in writing on the forms promulgated by the town. As part of the determination application, a property owner will submit an analysis of the architectural qualities of the existing structure prepared by a licensed architect, at the property owner's expense, demonstrating why the building is consistent with the Code's definition of an architecturally significant building. This analysis shall be accompanied with other materials deemed necessary by the town manager or designee to accommodate the review, including, but not limited to, all available data and documentation regarding the building, site, features, or other considerations by the town manager or designee.
- (2) The town manager or designee will review the analysis prepared by the property owner and issue a recommendation as to whether the building meets the town's standards of architectural significance. The property owner shall be responsible for the town's costs associated with this review, including the fees charged by any necessary consultants, such amounts shall be determined by the town manager or designee and held in escrow by the town.
- (3) Determinations of architectural significance will be made by the planning and zoning design review board, after public hearing, based on the following requirements.

* * *

(b) Alterations to Architecturally Significant Buildings. Any alteration proposed for a building on H120 zoned lots determined by the planning and zoning design review board to be architecturally significant will be reviewed by the Town Manager or his designee and the planning and zoning design review board to determine whether:

- i. The proposed alteration or addition does not require demolition or alteration in a manner that would render the building no longer architecturally significant; and
- ii. The proposed alteration or addition is designed in a manner that is compatible with the existing building.

(c) Site Plan Review for Architecturally Significant Buildings. Any addition requiring a site plan that is proposed for a building determined by the planning and zoning

~~design review~~ board to be architecturally significant will be reviewed by the town manager or designee, ~~the design review board~~, the planning and zoning board, and the town commission to determine whether:

- i. The proposed alteration or addition does not require demolition or alteration in a manner that would render the building no longer architecturally significant; and
- ii. The proposed alteration or addition is designed in a manner that is compatible with the existing building.

Sec. 90-34. - Nonconforming uses not validated.

A nonconforming use in violation of a provision of these regulations, or any provision which these regulations amend or replace shall not be validated by the adoption of these regulations.

* * *

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.*

* * *

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 design review~~ 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 design review~~ 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.

* * *

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

90-50.1 Architecture.

- (1) Elevation and facade articulation variations.

- a. The architectural design of proposed main buildings shall create a unique elevation compared to the main buildings of the adjacent two buildings on each side of the subject property on the same side of street. If the adjacent lot is vacant then the next adjacent lot shall be utilized. A unique elevation shall be created through the modulation of at least three of the following architectural features:
 1. Length, width and massing of the structure;
 2. Number of stories;
 3. Facade materials;
 4. Porches and other similar articulation of the front facade;
 5. Number and location of doors and windows; and
 6. Roof style and pitch.
- (2) In the H30C, H40 and H120 districts: when more than one building is provided, buildings shall be designed in such a way that they are not monotonous.
- (3) All elevations for new structures and multi-story additions (additions greater than 15 feet in height) shall provide for a minimum of ten-percent wall openings including windows, doors or transitional spaces defined by porches, porticoes or colonnades per story.
- (4) All elevations for single story additions to existing structures shall result in a zero percent net loss of wall openings including windows, doors or transitional spaces defined by porches, porticoes or colonnades.
- (5) Roof materials are limited as follows:
 - a. Clay tile; or
 - b. White concrete tile; or
 - c. Solid color cement tile which color is impregnated with the same color intensity throughout, provided said color is granted design review approval by the planning and zoning design review board;
 - d. Architecturally embellished metal; or
 - e. Other Florida Building Code approved roof material(s) if granted design review approval by the planning and zoning design review board.
- (6) Garage facades. Attached garages located at the front of a single family home shall not exceed 50 percent of the overall length of the facade.
- (7) Converting single-family attached garages. When an attached garage is converted for any other use, the garage door or doors may be replaced by a solid exterior wall and access to the former garage area must be provided from the main premises, in addition to any other permitted access. At least one window shall be provided. If the garage entrance is located at the front or primary corner of the property, landscaping shall be provided along the base of the new exterior wall. When the installation of landscaping results in insufficient off-street parking, a landscaped planter shall be permitted in lieu of the required landscaping. It is intended hereby to prohibit and prevent any violation

of the single-family classification and to minimize the burden upon the administrative forces of the town in policing and enforcing the provisions hereof. Changes to the appearance of the residence shall not constitute a change prohibited by the "home office" provision of this Code. If the exterior door of the garage conversion is no longer level with grade, stairs may be installed and the exterior door must be accordingly corrected to comply with the Florida Building Code. The stairs shall be permitted to encroach no more than 24 inches into the side or rear setbacks.

- (8) Notwithstanding the foregoing, some of the architecture provisions in this section, while specific to zoning districts H30A and H30B, may also be applicable to single family homes in other zoning districts.
- (9) Paint colors. Structures in the H30A and H30B zoning districts shall be permitted to be painted the four lightest colors for the structure's primary color on the color swatch on file in the building department. All other colors may be accent colors. A paint swatch shall be submitted to the building department for approval by the town manager or designee. The planning and zoning design review board shall make a design determination in cases of uncertainty.

* * *

Sec. 90-54. - Accessory buildings and structures in the H30A and H30B districts.

* * *

90-54.8 All accessory buildings and structures, swimming pools, and accompanying fences and landscaping, located in the front yard setback shall be subject to review by the planning and zoning design review board.

* * *

Sec. 90-56. - Fences, walls and hedges.

* * *

90-56.2 A fence or ornamental wall may be placed within the front yard or primary corner yard if granted design review approval by the planning and zoning design review board.

* * *

90-56.9 Hedges shall be no more than four feet in height in the front yard and side corner yards and ten feet in height in the rear and interior side yards. Hedges may be higher if granted design review approval by the planning and zoning design review board, on a case-by-case basis.

* * *

Section 3. Severability. If any section, subsection, clause or provision of this Ordinance is declared invalid or unconstitutional by a court of competent jurisdiction, the remainder shall not be affected by such invalidity.

Section 4. Conflict. All sections or parts of sections of the Town of Surfside Code of Ordinances in conflict herewith are intended to be repealed to the extent of such conflict.

Section 5. Inclusion in the Code of Ordinances. It is the intention of the Town Commission, and it is hereby ordained that the provisions of this Ordinance shall become and made a part of the Town of Surfside Code of Ordinances, that the sections of this Ordinance may be renumbered or re-lettered to accomplish such intentions; and the word “Ordinance” may be changed to “Section” or other appropriate word.

Section 6. Effective Date. This Ordinance shall be effective upon final adoption on second reading.

PASSED on first reading this 14th day of August, 2018.

PASSED and **ADOPTED** on second reading this ____ day of _____, 2018.

On Final Reading Moved by: _____

On Final Reading Second by: _____

FINAL VOTE ON ADOPTION

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

Daniel Dietch, Mayor

ATTEST:

Sandra Novoa, MMC, Town Clerk

**APPROVED AS TO FORM AND LEGALITY FOR THE USE
AND BENEFIT OF THE TOWN OF SURFSIDE ONLY:**

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



Town of Surfside Commission Communication

Agenda Item: 4B3

Agenda Date: August 14, 2018

Subject: Modifications to Building Length Requirements to Permit Redevelopment of Existing Structures Destroyed by Acts of God

From: Guillermo Olmedillo, Town Manager

Background: On May 8, 2018, the Town Commission adopted regulations setting maximum building lengths and minimum building separations in the H30C and H40 zoning districts facing Collins and Harding Avenues. At the time of adoption, the Commission directed staff to draft Code revisions to clearly preserve and codify the redevelopment rights of existing buildings which would not be subject to the newly adopted building length and separation requirements if they were destroyed.

The attached ordinance allows existing buildings in the H30C and H40 zoning district to be repaired or rebuilt according to their existing, approved site plans if they are damaged or destroyed by fire, natural disaster, or other act of God instead of being required to comply with the new building length and building separation requirements. This exemption applies only in the event of fire, natural disaster, or other act of God and would not apply if a property owner independently chose to redevelop their property.

Staff Recommendation: Review and approve the attached Ordinance on first reading. The Ordinance will be reviewed by the Planning and Zoning Board at the end of August and then return to the Town Commission for second reading.


Guillermo Olmedillo, Town Manager

ORDINANCE NO. 18 - _____

AN ORDINANCE OF THE TOWN OF SURFSIDE, FLORIDA AMENDING SECTION 90-51 “MAXIMUM FRONTAGE OF BUILDINGS AND FACADE ARTICULATIONS.” OF “CHAPTER 90 ZONING” OF THE TOWN OF SURFSIDE CODE OF ORDINANCES TO ADDRESS APPLICABILITY OF MAXIMUM BUILDING LENGTH REQUIREMENTS FOR EXISTING BUILDINGS IN THE H30C AND H40 ZONING DISTRICTS; PROVIDING FOR REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

1 **WHEREAS**, the Town Commission of the Town of Surfside, Florida, recognizes that
2 changes to the adopted Code of Ordinances are periodically necessary in order to ensure that the
3 Town’s regulations are current and consistent with the Town’s planning and regulatory needs;
4 and

5 **WHEREAS**, on May 8, 2018, the Town Commission adopted regulations setting
6 maximum building lengths and minimum building separations in the H30C and H40 zoning
7 districts facing Collins and Harding Avenues; and

8 **WHEREAS**, at the time of adoption, the Commission directed staff to draft Code
9 revisions to clearly preserve and codify the redevelopment rights of existing buildings which
10 would not be subject to the building length and separation requirements adoption on May 8,
11 2018; and

12 **WHEREAS**, the Town Commission held its first public hearing on these regulations on
13 August 14, 2018; and

14 **WHEREAS**, the Planning and Zoning Board, sitting as the Local Planning Agency, has
15 reviewed the revisions to the Code for consistency with the Town’s Comprehensive Plan at a
16 duly noticed hearing on _____, 2018; and

17 **WHEREAS**, the Town Commission has conducted a second duly noticed public hearing
18 on these regulations as required by law on _____, 2018; and

19
20 **WHEREAS**, the Town Commission hereby finds and declares that adoption of this
21 Ordinance is necessary, appropriate, and advances the public interest.

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

Section 1. Recitals. Each of the above stated recitals is true and correct and the recitals are incorporated herein by this reference.

Section 2. Code Amendment. The Code of Ordinances of the Town of Surfside, Section 90-51 “Maximum frontage of buildings and facade articulations “ of Chapter 90 “Zoning” is hereby amended as follows¹:

Sec. 90-51. - Maximum frontage of buildings and facade articulations.

90-51.1 Continuous wall frontages.

- (1) Continuous wall frontages in the H120 district shall not exceed 150 feet in length
- (2) Continuous wall frontages in the H30C zoning district shall not exceed 90 feet in length, subject to the following:
 - a. There shall be a minimum building separation of 12 feet between buildings on the same property.
 - b. The building facades facing each side of the separation area shall provide a minimum of 10% wall openings per façade and a minimum two-foot area for plantings along each façade.
 - c. Buildings may have a one-story (fifteen feet in height or less) connecting floor or breezeway located on the ground floor between the separated buildings, provided such connection is set back a minimum of 15 feet from the front building line.
- (3) Continuous wall frontages in the H40 zoning district shall not exceed 150 feet in length, subject to the following:
 - a. There shall be a minimum building separation of 17 feet between buildings on the same property.
 - b. The building facades facing each side of the separation area shall provide a minimum of 10% wall openings per façade and a minimum two-foot area for plantings along each façade.
 - c. Buildings may have a one-story (fifteen feet in height or less) connecting floor or breezeway between the separated buildings located on the ground floor, provided such connection is set back a minimum of 15 feet from the front building line.

¹ Additions to text are shown in underline. Deletions to text are shown in ~~strikethrough~~.

53 (4) In the event property is developed with lot frontage facing Harding Avenue and Collins
54 Avenue, no wall frontage facing Harding Avenue or Collins Avenue shall exceed 150
55 feet in length, subject to the following:

56 a. There shall be a minimum building separation of 17 feet between buildings on the
57 same property and the building separation shall run from Harding Avenue directly
58 through to Collins Avenue.

59 b. The building facades facing each side of the separation area shall provide a
60 minimum of 10% wall openings per façade and a minimum two-foot area for
61 plantings along each façade.

62 c. Buildings may have a one-story (fifteen feet in height or less) connecting floor or
63 breezeway between the separated buildings located on the ground floor, provided
64 such connection is set back a minimum of 15 feet from the front building line.

65 (5) In lieu of providing all building separations required in the H30C and H40 districts, a
66 building may provide a building separation equivalency area as follows:

67 a. The total sum of the provided building separation equivalency areas shall not be
68 less than the sum of the total building separation areas that would be required if the
69 separations required in subsections (2), (3), or (4) above, as applicable, were
70 instituted.

71 b. Building separation equivalency areas shall be no more than 250 feet apart.

72 c. Any building separation for a property that fronts on both Harding Avenue and
73 Collins Avenue shall run from Harding Avenue directly through to Collins Avenue.

74 d. The building facades facing each side of the separation area shall provide a
75 minimum of 10% wall openings per façade and a minimum four-foot area for
76 plantings along each façade.

77 e. Buildings may have a one-story (fifteen feet in height or less) connecting floor or
78 breezeway between the separated buildings located on the ground floor, provided
79 such connection is set back a minimum of 15 feet from the front building line.

80 (6) Structured parking garages: see section 90-49.4.

81 (7) Buildings within a district designated as a historic district per Miami-Dade County shall
82 be excluded from these requirements.

83 (8) Structures located in the H30C or H40 zoning district which existed on May 8, 2018 and
84 which are destroyed or damaged by fire, flood, windstorm, natural disaster or similar
85 event, shall be exempt from the requirements of paragraphs (2), (3), (4) and (5) of this
86 Section, provided the structure(s) are repaired or rebuilt in compliance with their existing,
87 previously approved and built site plans and, except as exempted by this paragraph, the
88 requirements of Section 90-31 of this Code.

89 * * *

90 **Section 3. Severability.** If any section, subsection, clause or provision of this Ordinance is
91 declared invalid or unconstitutional by a court of competent jurisdiction, the remainder shall not be
92 affected by such invalidity.

93 **Section 4. Conflict.** All sections or parts of sections of the Town of Surfside Code of
94 Ordinances in conflict herewith are intended to be repealed to the extent of such conflict.

95 **Section 5. Inclusion in the Code of Ordinances.** It is the intention of the Town Commission,
96 and it is hereby ordained that the provisions of this Ordinance shall become and made a part of the
97 Town of Surfside Code of Ordinances, that the sections of this Ordinance may be renumbered or re-
98 lettered to accomplish such intentions; and the word “Ordinance” may be changed to “Section” or
99 other appropriate word.

100 **Section 6. Effective Date.** This Ordinance shall be effective upon final adoption on second
101 reading.

102

103 **PASSED** on first reading this 14th day of August, 2018.

104 **PASSED** and **ADOPTED** on second reading this _____ day of _____, 2018.

105

106 On Final Reading Moved by: _____

107 On Final Reading Second by: _____

108

109 **FINAL VOTE ON ADOPTION**

110 Commissioner Barry Cohen _____

111 Commissioner Michael Karukin _____

112 Commissioner Tina Paul _____

113 Vice Mayor Daniel Gielchinsky _____

114 Mayor Daniel Dietch _____

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116 _____
117 Daniel Dietch, Mayor

118

119 **ATTEST:**
120 _____
121 _____

122 Sandra Novoa, MMC, Town Clerk

123

124 **APPROVED AS TO FORM AND LEGALITY FOR THE USE**

125 **AND BENEFIT OF THE TOWN OF SURFSIDE ONLY:**

126

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128 _____
Weiss Serota Helfman Cole & Bierman, P.L.,

129 Town Attorney

130



**Town of Surfside
Town Commission Meeting**

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

Commission Communication

Agenda #: 5A

Date: August 14, 2018

From: Commissioner Tina Paul

Subject: A Resolution Expressing Opposition to Offshore Drilling Activities, Including Seismic Airgun Blasting.

Objective – To oppose seismic airgun blasting and offshore drilling explorations.

Consideration – More than 250 East Coast municipalities and over 1,700 elected local, state and federal officials have formally opposed offshore oil and gas drilling and seismic airgun blasting.

Fishing and tourism interests, including local chambers of commerce, tourism and restaurant associations, and an alliance representing over 41,000 businesses and 500,000 commercial fishing families from Florida to Maine, also oppose oil exploration and development in the Atlantic.

Opposition to seismic airgun blasting and Atlantic drilling has intensified over the years, and the issue continues to be significant along the East Coast. It is essential for Town of Surfside to support all efforts to maintain healthy ocean ecosystems for fishing, tourism and recreation.

Recommendation – To pass the resolution urging the federal government not to pursue these methods for oil and gas exploration and protect Florida's environment, beaches, marine resources and local economies.

RESOLUTION NO. 2018 ____

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, OPPOSING OFFSHORE DRILLING ACTIVITIES, INCLUDING SEISMIC AIRGUN BLASTING; PROVIDING FOR CONFLICTS AND AN EFFECTIVE DATE.

WHEREAS, the United States government has expressed interest in opening the Atlantic Ocean and Eastern Gulf of Mexico to offshore oil and gas development and exploration, including risky methods such as seismic airgun blasting; and

WHEREAS, seismic airguns fire intense blasts of compressed air, one of the loudest manmade sounds in the ocean, every 10-12 seconds for days, weeks, or months on end; and

WHEREAS, seismic airgun noise has been shown to harm and injure dolphins, whales, endangered sea turtles, fish, and other marine life; and

WHEREAS, exploratory and commercial drilling, extraction, and transportation of offshore oil and gas resources pose a significant risk of oil spills and chronic leakage; and

WHEREAS, eventual offshore drilling may require significant onshore infrastructure, such as pipelines or refineries, which would harm the character of the coast; and

WHEREAS, offshore drilling activities pose threats to treasured vacation destinations on Florida's Coasts, which are of intrinsic economic value for numerous industries, provide essential nursery habitats for recreational and commercially important fisheries, and act as natural buffers from storm surge and hurricanes; and

WHEREAS, the Town of Surfside (the "Town") recognizes that the tourism and fishing industries, which depend on a healthy and vibrant coastal environment, both serve as major economic drivers benefiting the current and future residents, property owners, and visitors to Florida; and

WHEREAS, the Town endeavors to be a good steward of the state and region's environment and its resources; and

WHEREAS, exploration and development of oil and gas resources off the coast of Florida will not effectively address the long-term energy needs of our country; and

WHEREAS, the Town recommends that it would be more economically and ecologically responsible to pursue non-polluting sources of renewable energy such as solar and wind, that pose less risk to the coastal environment and economic health before using uncertain methods of seismic airgun blasting for offshore oil and gas deposits.

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

Section 1. Recitals Adopted. The above referenced “Whereas” clauses are true and correct and made a part hereof.

Section 2. Findings. The Town Commission of the Town of Surfside finds that offshore oil and gas drilling and exploration, including seismic airgun blasting, will put Florida’s environment, beaches, marine resources and local economies at risk.

Section 3. Opposition to Offshore Drilling. The Town Commission of the Town of Surfside opposes offshore oil and gas drilling and exploration, including seismic airgun blasting.

Section 4. Repeal of Conflicting Resolutions. All resolutions or parts of resolutions, in conflict with this Resolution are hereby repealed to the extent of such conflict.

Section 5. Effective Date. This Resolution shall become effective immediately upon its passage and adoption.

PASSED AND ADOPTED this 14th day of August, 2018.

Motion by _____.

Second by _____.

FINAL VOTE ON ADOPTION

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

Daniel Dietch, Mayor

ATTEST:

Sandra Novoa, MMC,
Town Clerk

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

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



**Town of Surfside
Town Commission Meeting
August 14, 2018
7:00 pm**

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

DISCUSSION ITEM MEMORANDUM

Agenda #: 9C
Date: August 14, 2018
From: Michael Karukin, Commissioner
Subject: Benchmarking and Measuring Debt Capacity

Objective: Conduct a debt capacity analysis to determine if our existing debt management policy covering limitations on bonds and bonded indebtedness is consistent with Government Finance Officers Association (GFOA) best practices.¹

Consideration: Most if not all debt management policies contain language that place limits or restrictions on debt types, issuance, service, amount of outstanding debt, legal terms, and the process.²

Our policy for limitations on bonds and bonded indebtedness first appeared on page 69 of last years proposed budget book and is on page 252 of this years' proposed budget book.

Debt Management Policies

1. Limitations on bonds and bonded indebtedness.
Bonds issued by the Town of Surfside may or may not be limited as follows:
 - a) The total amount of general obligation bonds of the Town of Surfside outstanding in any one fiscal year shall not exceed fifteen percent of the assessed value of the taxable property of the town according to the assessment roll.
 - b) Bonds payable exclusively from the revenue of a municipal project may be issued without regard to any limitation or indebtedness.
 - c) Bonds, other than bonds payable exclusively from the revenue of a municipal project, issued by the Town of Surfside shall be considered in computing the amount of indebtedness.
 - d) Bonds, payable exclusively from the revenue of a municipal project or from special assessments, shall not be considered in computing the amount of indebtedness.
2. Financing of capital projects.
The maturity of any debt shall not exceed the useful life of the infrastructure improvement or capital acquisition.

Taking a closer look at that policy, and reading material from the GFOA, it became clear to me that a discussion on our debt management policy is needed because the current language in our policy is too permissive. However unlikely, taken to an extreme, our existing policy can result in debt loads that would far exceed acceptable levels for a town our size.

For example, using the methodology approved in the current policy (i.e., 15% of assessed value), our debt load could legally exceed 450 million dollars in outstanding debt or about 75,000 dollars per person. In contrast, if one were to restrict outstanding debt to a number derived from the more conservative per capita methodology, the total outstanding debt should be no greater than about 8 million (or about \$2,000 per person).³ We already exceed that number. That is, the total current debt across all types is \$16,443,400 which translates to a “Total” debt load per person in Surfside of \$2,828 (see page 95 of 2017 CAFR).

Clearly the range of permissible debt load is wide, depends on the methodology and many other contributing factors. In addition, as pointed out by GFOA, “debt should not constitute an unreasonable burden to residents and taxpayers or use self-supporting debt wherever possible”.⁴ and it should be “within the norm of comparable cities”.⁵

We do not know what the appropriate debt capacity is for Surfside without some sort of assessment and benchmarking.

Recommendation: The Commission has been approached or is considering some potential big ticket items that could be tacked onto existing debt in some way, shape or form. Therefore, I recommend we direct the Town Manager to find out how much a debt capacity study would cost and report back to the commission with recommendations and options prior to the next budget hearing. In this manner we can make more educated decisions and more effectively establish priorities.

¹ *Best Practice: Debt Management Policy*. 2018 8/3/2018; Available from: <http://www.gfoa.org/debt-management-policy>.

² Rowan A. Miranda and R.D. Picur, *Benchmarking and Measuring Debt Capacity*, in GFOA Budgeting Series. 2000, Government Finance Officers Association: Chicago, IL 60601. p. 70.
http://www.gfoa.org/sites/default/files/BenchmarkingAndMeasuringDebtCapacity_BudgetSeriesVolume1.pdf

³ *Ibid*, page 53 of printed version or page 61 in pdf version

⁴ *Ibid*, p. 48 of printed version or page 56 in pdf version

⁵ *Ibid*



**Town of Surfside
Town Commission Meeting**

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

DISCUSSION ITEM MEMORANDUM

Agenda #: 9D

Date: August 3, 2018

From: Commissioner Tina Paul

Subject: "Share The Road Project" safety and walkability proposal - Update

Objective – To implement a cost-effective, artistic, Safety and Walkability concept that will enhance our neighborhood streets, resulting in slowed traffic, through use of visual communications for our communal roads.

Consideration – Share The Road Project, concept by Oliver Sanchez, resident and renowned artist, was presented at the May 8, 2018 Commission meeting. The Town Manager was directed to obtain Miami-Dade County guidelines for implementation of this project, while a cost estimation was requested from Mr. Sanchez for implementing a trial plan.

At the July 10, 2018 Commission meeting, examples of the Road Tattoo project in West Palm Beach, Barnes Dance project in Washington DC and 3D Crosswalks around the world were presented, with an update to Share The Road project that included a cost estimation.

Vice Mayor Gielchinsky made a motion to respectfully request a revised proposal to create a specific visual icon plan and streetscape plan in the immediate vicinity of the Tot Lot and the one block radius surrounding the Tot Lot that depicts the exact location and number of visual icons that would be used and the approximate graphics that would be proposed to be used as well as a revised budget for that revised test area, for further consideration by the Town Commission, as well as for the proposed submission to the County for their approval.

The attached documents include a revised budget and visuals of the test area. The visual icons function collectively, appropriately representing the diversity among our communal roads.

Recommendation – Approval to move forward with the trial implementation of this project.

OLIVER SANCHEZ
9140 EMERSON AVE.
SURFSIDE, FL 33154

August 3, 2018

TO:
TOWN OF SURFSIDE, FL
ATTENTION: COMMISSIONER TINA PAUL

RE: SHARE THE ROAD CREATIVE CROSSWALKS PROJECT

COST ESTIMATION

TRIAL PLAN IMPLEMENTATION

CONCEPT DEVELOPMENT	1. (Waived)
GRAPHIC DESIGN	1,400. (Set of 24 icons)
STENCIL PRODUCTION	3,600. (12 stencils @ 300 each; Two ICON SETS)
MATERIALS AND SUPPLIES	1,200. (4-6 applications)
VOLUNTEERS / INTERNS	500. (Stipend for youth aids)
DATA COLLECTION PLAN	(Pending)
MAINTENANCE PLAN	(Re-paint schedule)

BUDGET TOTAL **\$ 6,701.**

COMPREHENSIVE PLAN

PENDING.

TO BE DEVELOPED IN ACCORDANCE WITH RESPONSE DATA
COMPILED DURING TRIAL PLAN.

SHARE THE ROAD PROJECT
TOWN OF SURFSIDE, FL

OLIVER SANCHEZ
9140 EMERSON AVE.
SURFSIDE, FL 33154

AUGUST 3, 2018

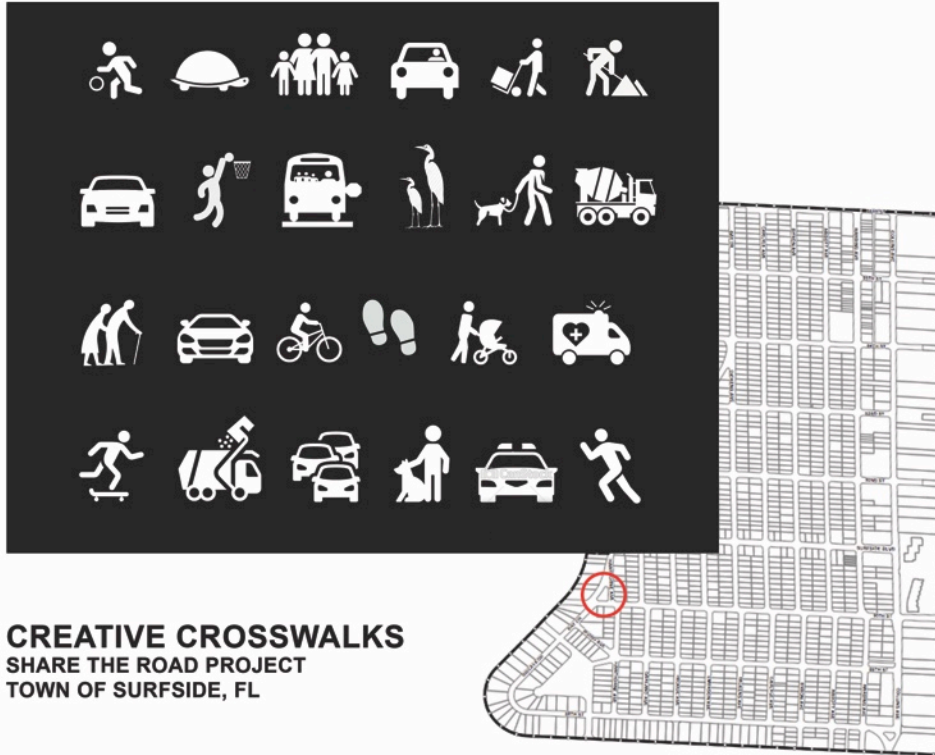
TO:
COMMISSIONER TINA PAUL
TOWN OF SURFSIDE, FL

CC:
VICE MAYOR DAN GIELCHINSKY
TOWN MANAGER GUILLERMO OLMEDILLO

RE: PROPOSAL REVISED 8/5/2018

Vice Mayor Gielchinsky made a motion to respectfully direct Commissioner Paul to engage with Mr. Sanchez to ask for a revised proposal to create a specific visual icon plan and streetscape plan in the immediate vicinity of the Tot Lot and the one block radius surrounding the Tot Lot that depicts the exact location and number of visual icons that would be used and the approximate graphics that would be proposed to be used as well as a revised budget for that revised test area to bring back to the Town Commission for further consideration as well as for the Town Commission's proposed submission to the County for their approval. The motion was seconded by Commission Paul and all voted in favor.

FOUR ICON SETS



Share The Road Project aims to remind everyone of the importance of safety on our residential streets. Most folks are familiar with the effectiveness of simple icons to communicate ideas and instructions on how to cooperate with others as we share our public commons. By stenciling graphic that represent the spectrum of users of our streets, Share the Road serves as a constant passive reminder to all on how to coexist in a responsible manner. Using durable paint on asphalt these graphics will be placed at key locations such as intersections and where all manner of traffic converge. With this light-hearted and cost effective approach we can strengthen the underlayment of community for a more inclusive and considerate cooperation among all traffic; pedestrians, cyclists, pet-walkers, vehicles and trucks.

SHARE THE ROAD PROJECT
TOWN OF SURFSIDE, FL

TRIAL SITE NEAR HAWTHORNE PARK TOT LOT.



ARTIST RENDERING

TRIAL SITE NEAR HAWTHORNE PARK TOT LOT.



ARTIST RENDERING

AERIAL VIEW OF TRIAL SITE - CREATIVE CROSSWALKS



ARTIST RENDERING

TYPICAL PAINT RECOMMENDATION:

Home / Specialty Coatings / Reflective Safety Paint™



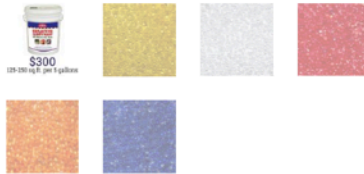
Reflective Safety Paint™

★★★★★ (2 customer reviews)

Ames® Reflective Safety Paint™ strongly reflects light while also resisting peeling because of its elasticity and also is safe to use outdoors. It is easy to apply as well as clean up, making it great for DIY projects as well as commercial ones.

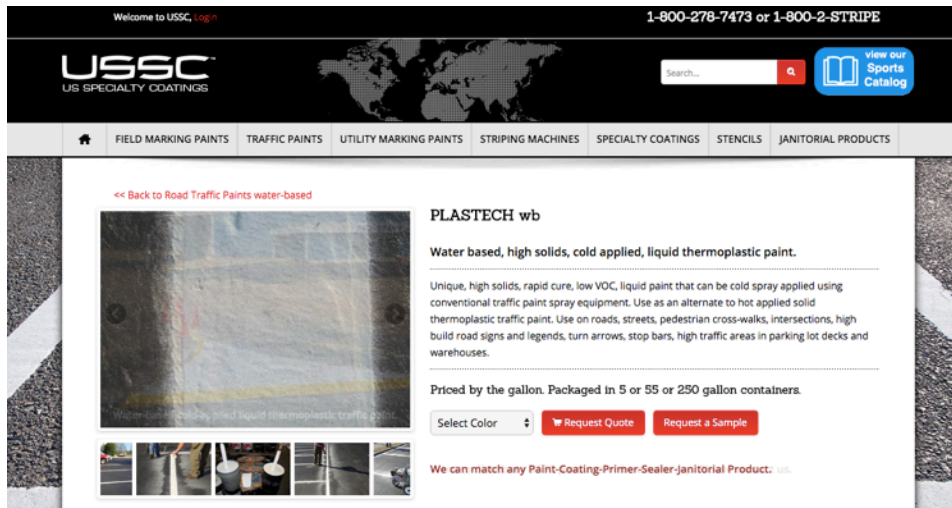
How Much Do You Need? Omit commas.

Enter Your Square Footage



Total Gallons 0.00

https://www.amesresearch.com/product/reflective-safety-paint/?gclid=EAlaIQobChMlvvqa-qj13AIVDKZpCh2vcQ6TEAQYAIABEgKG9_D_BwE



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PHASE 2

COMPREHENSIVE PLAN

INCREMENTAL DEVELOPMENT STRATEGY

COST ESTIMATION

IMPLEMENTATION

DATA COLLECTION

MAINTENANCE PLAN

SHARE THE ROAD PROJECT
TOWN OF SURFSIDE, FL

**LETTER OF RECOMMENDATION: MIAMI-DADE COUNTY DEPARTMENT OF
CULTURAL AFFAIRS:**

Sanfilippo, Amanda (CUA) <Amanda.Sanfilippo@miamidade.gov>

Jun 6

Kind greetings,

I am delighted to enthusiastically recommend Mr. Sanchez's creative work in the community in support of his "share the road" proposal. Congratulations on a terrific creative concept for public safety, Oli!

Please find a profile of Mr. Sanchez as named as one of the 2017 Miami New Times Masterminds Awardees [here](#).

Please do not hesitate to contact me further regarding this item.

With warm regards,

Amanda

AMANDA SANFILIPPO
CURATOR + ARTIST MANAGER
ART IN PUBLIC PLACES
MIAMI-DADE COUNTY DEPARTMENT OF CULTURAL AFFAIRS

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**Town of Surfside
Town Commission Meeting**

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

DISCUSSION ITEM MEMORANDUM

Agenda #: 9E

Date: August 3, 2018

From: Commissioner Tina Paul

Subject: Revised Beach Furniture Ordinance.

Objective – To conclude the ongoing Beach Furniture Issue by adding revisions to the Beach Furniture Ordinance, as noted at the July 24, 2018 Special Commission Meeting.

Consideration – At the May 1, 2018 Special Commission Meeting, Town Administration was directed to prepare an amendment to the Beach Furniture Ordinance in a motion approved by a vote of 3 to 2.

A Special Commission Meeting was held on July 24, 2018 with the amended Beach Furniture Ordinance presented for first reading. After a visual presentation, public comment and discussion, amendments to the ordinance were suggested and noted for inclusion, however the motion to approve ended in a vote of 2 to 2.

Because the Commission finds this Ordinance is necessary for the preservation of the public beach, environment, marine wildlife and vegetation, and the public health, safety and welfare of the Town's residents, property owners and visitors, we must resume our efforts to reach a determination.

In addition to the following original revisions:

- A clear 12-foot access way on the beach for emergency and maintenance vehicles, Beach furniture shall be set no less than 12 feet seaward from the edge of the vegetation line of the dune;
- No beach furniture at street ends or near a lifeguard tower/ station;

- Beach Furniture Operators to remove all furniture within 2- hour notice of a state of emergency or hurricane warning;
- Overnight storage of chairs with stacks no more than 5 –feet in height;
- Overnight storage of chairs to be secured/ covered with a tarp - optional;
- Box type material to surround stacked chairs to prevent turtles from getting entangled with the chairs;
- Pre-set for condos to remain at ten percent (10%) of the number of dwelling units;
- No storage shed or similar containers to be permitted overnight on the beach;
- Beach Furniture Operators to obtain an annual permit;
- Annual fee of \$500.00 for Beach Furniture Operator permit for hotels and \$250.00 for condominiums. The permit shall be valid for one year, commencing October 1st and ending on September 30th of each year;
- Proof of Insurance required for all Beach Furniture Operators; and
- All Beach Furniture Operators to submit an annual operations plan that includes the following information components, which shall be submitted annually and reviewed by the Town Manager, and must comply with the Manager’s conditions for public health, safety and welfare;
 - Transportation of chairs to and from the beach.
 - Use of hand carts (preferably electric powered or manually powered).
 - Storage, set-up and any other operational plans.
- All beach furniture items shall be clearly and uniquely identified as to their ownership.
- All beach furniture items shall be maintained in good condition, and shall be free from evidence of deterioration, weathering and discoloration.
- All Beach Furniture Operators shall be responsible for the continuous and prompt clean-up and disposal of trash, garbage, litter and debris on the beach in the immediate area where their beach furniture items are in use and/ or stored on the beach.
- During sea turtle nesting season (May 1st through October 31st of each year), beach furniture items shall not be set out on the beach before the completion of the daily monitoring for turtle nesting activity. Such inspection shall be performed by the Florida Fish and Wildlife Commission (FWC) or their designee.

- Beach furniture items shall be deployed on the beach in a manner that assures public access and shall not cause an obstruction to the general public.
- During nighttime hours (dusk to dawn), Beach Furniture Operators shall not store on the beach, other than stacked chairs, any other furniture items, such as chair pads, tents, cabanas, umbrellas, tables, towels, carts, toys or similar items.
- Enforcement of Ordinance: Any person or entity found to be in violation of any provisions of this Ordinance, the Administrative Policy and/ or the beach furniture operations permit shall be enforced as provided for in Section 86-33 of the Code.

The suggested amendments for inclusion to the revised Beach Furniture Ordinance are:

- line 64 strike through word, vehicle, line 72 change word, vehicles to carts.
- Beach Furniture Operator shall not place or store beach furniture at or within 6 feet of street ends or public access areas or points along the public beach throughout the Town, or in the 6 foot areas immediately adjacent to or directly seaward of the street ends.
- Each Beach Furniture Operator should be unique to each entity. One Beach Furniture Operator per establishment, to have a separation of operations. Each Beach Furniture Operator has to hire sufficient staff.
- Removal of beach furniture for other emergencies as directed by Town Manager or designee.
- Storage of beach stacked chairs on the beach shall be limited to thirty (30) chairs per property.
- Provision for habitual violators.

The amended Beach Furniture Ordinance presented at the July 24, 2018 meeting with the suggested inclusions, provides a well-reasoned Beach Furniture Ordinance quintessential to achieve the balance the Commission has been working to accomplish.

Recommendation – To instruct Town Administration to include amendments to the Beach Furniture Ordinance as noted at the July 24, 2018 Special Commission Meeting, and present the revised Beach Furniture Ordinance for first reading at the next Town Commission meeting.