



**Town of Surfside  
Regular Town Commission Meeting  
AGENDA  
October 13, 2020  
7 p.m.**

Town Hall Commission Chambers - 9293 Harding Ave, 2<sup>nd</sup> Floor  
Surfside, FL 33154

**1. Opening**

**A. Call to Order**

**B. Roll Call of Members**

**C. Pledge of Allegiance**

**D. Mayor and Commission Remarks – Mayor Charles W. Burkett**

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

**F. Community Notes – Mayor Charles W. Burkett**

**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.*

**A. Minutes – Sandra N. McCreedy, MMC, Town Clerk (Pages 1-92)**

- August 11, 2020 Regular Town Commission Meeting Minutes
- August 18, 2020 Special Town Commission Meeting Minutes
- August 25, 2020 Special Town Commission Meeting Minutes
- September 10, 2020 Regular Town Commission Meeting Minutes
- September 15, 2020 Special Town Commission Meeting Minutes
- September 15, 2020 First Budget Hearing Meeting Minutes
- September 22, 2020 Second Budget Hearing Meeting Minutes

**\*B. Town Manager's Report** – Jason Greene, Interim Town Manager (Pages 93-103)

**\*C. Town Attorney's Report** – Weiss Serota, Town Attorney (Pages 104-108)

**D. Committee Reports** - Jason Greene, Interim Town Manager (Pages 109-137)

- March 2, 2020 Tourist Board Meeting Minutes
- July 15, 2020 Budget Advisory Committee Meeting Minutes
- July 20, 2020 Parks and Recreation Committee Meeting Minutes
- August 3, 2020 Tourist Board Meeting Minutes
- August 17, 2020 Parks and Recreation Committee Meeting Minutes

**E. Acting Town Manager Proclamation and Pay Adjustment** – Vice Mayor Tina Paul (Pages 138-140)

**F. Memorandum of Understanding between the Town of Surfside and the Town of Bay Harbor Islands** - Jason Greene, Interim Town Manager (Pages 141-146)

**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, APPROVING A MEMORANDUM OF UNDERSTANDING (MOU) BETWEEN THE TOWN OF SURFSIDE AND THE TOWN OF BAY HARBOR ISLANDS RELATING TO A SCHOOL ADDRESS VERIFICATION PLAN CONTRIBUTION; PROVIDING FOR AUTHORIZATION; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.**

**G. Resolution Approving a Memorandum of Understanding (MOU) Between the Town of Surfside and the Florida State Lodge Fraternal Order of Police to Provide 1% Hazard Pay to First Responders-** Jason Greene, Interim Town Manager (Pages 147-154)

**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, APPROVING A MEMORANDUM OF UNDERSTANDING (MOU) BETWEEN THE TOWN OF SURFSIDE AND THE FLORIDA STATE LODGE FRATERNAL ORDER OF POLICE TO PROVIDE 1% HAZARD PAY TO FIRST RESPONDERS; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.**

**H. Approval of Resolution – Acceptance of State Financial Assistance Grant - Florida Department of Law Enforcement (FDLE) Florida Incident-Based Reporting System (FIBRS) Implementation Grant Award** - Jason Greene, Interim Town Manager (Pages 155-174)

**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, ACCEPTING A \$27,567.22 STATE FINANCIAL ASSISTANCE GRANT FROM THE FLORIDA DEPARTMENT OF LAW ENFORCEMENT (FDLE) FOR THE FLORIDA INCIDENT-BASED REPORTING SYSTEM (FIBRS) IMPLEMENTATION PROJECT; APPROVING THE GRANT AGREEMENT; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.**

**I. Budget Amendment - Jason Greene, Interim Town Manager (Page 175-178)**

**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, APPROVING BUDGET AMENDMENT NO. 1 FOR THE FISCAL YEAR 2021 BUDGET; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.**

**J. Resolution Urging the Federal Aviation Administration (FAA) to Modify and Redirect Flight Paths and Altitudes Imposed in the South-Central Florida Metroplex/Nextgen Air Transportation (Metroplex) to Mitigate Detrimental Impacts to the Town of Surfside and Surrounding Communities; Further Urging Support for Miami-Dade County's Proposed Resolution Requesting Data and Other Evidence Demonstrating the Benefits and Impacts of Metroplex – Vice Mayor Tina Paul (Pages 179-184)**

**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, URGING THE FEDERAL AVIATION ADMINISTRATION (FAA) TO MODIFY AND REDIRECT FLIGHT PATHS AND ALTITUDES IMPOSED IN THE SOUTH-CENTRAL FLORIDA METROPLEX/NEXTGEN AIR TRANSPORTATION (METROPLEX) TO MITIGATE DETRIMENTAL IMPACTS TO THE TOWN OF SURFSIDE AND SURROUNDING COMMUNITIES; FURTHER URGING SUPPORT FOR MIAMI-DADE COUNTY'S PROPOSED RESOLUTION REQUESTING DATA AND OTHER EVIDENCE FROM THE FAA DEMONSTRATING THE BENEFITS AND IMPACTS OF METROPLEX; PROVIDING FOR TRANSMITTAL; 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  N/A  p.m.) (Note: Good and Welfare must begin at 8:15)*

**B. First Reading Ordinances**

**5. Resolutions and Proclamations**

*(Set for approximately 9:45 p.m.) (Note: Depends upon length of Good and Welfare)*

**A. Design Services for the Reconstruction of 96th Street Park- Jason Greene, Interim Town Manager (Pages 185-188)**

**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA AUTHORIZING NEGOTIATIONS WITH THE HIGHEST-RANKED QUALIFIED FIRM, SAVINO & MILLER DESIGN STUDIO, PURSUANT TO RFQ NO. 2020-02 SEEKING DESIGN SERVICES FOR RECONSTRUCTION OF 96<sup>TH</sup> STREET PARK; AND FURTHER AUTHORIZING, IF NECESSARY, NEGOTIATIONS WITH SUBSEQUENTLY RANKED QUALIFIED FIRMS, FOR THE AWARD OF A PROFESSIONAL SERVICES AGREEMENT FOR SUCH SERVICES; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.**

**B. Miami-Dade County Local Mitigation Strategy (LMS) Plan – Jason Greene, Interim Town Manager (Pages 189-195)**

**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, ADOPTING THE MIAMI-DADE COUNTY LOCAL MITIGATION STRATEGY (LMS) 2020; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.**

**C. Structural Plans Review Funding Authorization - Jason Greene, Interim Town Manager (Pages 196-214)**

**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, AUTHORIZING THE EXPENDITURE OF FUNDS FOR STRUCTURAL PLAN REVIEW SERVICES TO M.T. CAUSLEY, LLC; PROVIDING FOR AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE.**

**D. Downtown Decorative Lighting - Jason Greene, Interim Town Manager (Pages 215-231)**

**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, APPROVING THE PURCHASE, INSTALLATION AND MAINTENANCE OF PERMANENT LIGHTING FOR THE DOWNTOWN DISTRICT AND AUTHORIZING AN AGREEMENT WITH R&D ELECTRIC INC. FOR SUCH LIGHTING; FURTHER AUTHORIZING THE INSTALLATION**

**AND MAINTENANCE OF SUPPLEMENTAL LIGHTING FOR PALM FRONDS, MONUMENT SIGNS AND POCKET PARKS AND AUTHORIZING AN AGREEMENT WITH MIAMI CHRISTMAS LIGHTS FOR SUCH SUPPLEMENTAL LIGHTING; FINDING THAT THE PURCHASES/WORK ARE EXEMPT FROM COMPETITIVE BIDDING PURSUANT TO SECTION 3-13(7)F OF THE TOWN CODE AS A PUBLIC WORKS OR UTILITIES PURCHASE FOR TOWN FACILITIES; AUTHORIZING THE TOWN MANAGER TO ENTER INTO AGREEMENTS FOR SUCH PURCHASES/WORK; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.**

**E. General Planning Services RFQ 2020-05 - Jason Greene, Interim Town Manager (Pages 232-235)**

**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA AUTHORIZING NEGOTIATIONS WITH THE HIGHEST-RANKED QUALIFIED FIRM, MARLIN ENGINEERING, PURSUANT TO RFQ NO. 2020-05 SEEKING GENERAL PLANNING SERVICES, AND FURTHER AUTHORIZING, IF NECESSARY, NEGOTIATIONS WITH SUBSEQUENTLY RANKED QUALIFIED FIRMS, FOR THE AWARD OF A PROFESSIONAL SERVICES AGREEMENT FOR SUCH SERVICES; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.**

**F. Public Information Representative Contract with Pinzur Communications - Jason Greene, Interim Town Manager (Pages 236-244)**

**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, APPROVING THE SECOND RENEWAL/AMENDMENT TO THE AGREEMENT WITH PINZUR COMMUNICATIONS, INC. FOR PUBLIC INFORMATION REPRESENTATIVE SERVICES; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.**

**G. Engineering Services for Abbott Avenue Drainage - 90th Street to 96th Street RFQ 2020-04 – Jason Greene, Interim Town Manager (Pages 245-248)**

**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA AUTHORIZING NEGOTIATIONS WITH THE HIGHEST-RANKED QUALIFIED FIRM, KEITH ENGINEERING, PURSUANT TO RFQ NO. 2020-04 SEEKING ENGINEERING SERVICES FOR THE STUDY AND DESIGN OF ABBOTT AVENUE DRAINAGE IMPROVEMENTS FROM 90<sup>TH</sup> STREET TO 96<sup>TH</sup> STREET, AND FURTHER AUTHORIZING, IF NECESSARY, NEGOTIATIONS WITH SUBSEQUENTLY RANKED QUALIFIED FIRMS, FOR THE AWARD OF A PROFESSIONAL SERVICES AGREEMENT FOR SUCH SERVICES; PROVIDING FOR**

**IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.**

**6. Good and Welfare/ Public Comments from Residents**

**(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.

**8. Unfinished Business and New Business**

**9. Mayor, Commission and Staff Communications**

- A. COVID-19 Task Force Update** – Commissioner Charles Kesl (Page 249)
- B. Discussion and Action Regarding Newly Implemented “Town Blog”, Surfside Gazette and Social Media Guidelines** – Commissioner Eliana Salzhauer (Pages 250-262)
- C. Permanent Digital Sign** – Commissioner Nelly Velasquez (Page 263)
- D. Resident Survey regarding Kayak Launch** – Vice Mayor Paul (Pages 264-266)
- E. Amending Town Code Section 2-205 Conduct of Meetings; Agenda** – Mayor Charles W. Burkett (Pages 267-283)
- F. Topper Selection for 4 x 4 Posts on Hardpack and Walking Path** - Jason Greene, Interim Town Manager (Pages 284-286)
- G. Building Department Document Scanning**- Jason Greene, Interim Town Manager (Page 287)
- H. Demolition by Neglect** - Mayor Charles W. Burkett (Pages 288-290)
- I. Excessive Homeless Contribution made by the Former Commission** - Mayor Charles W. Burkett (Page 291)
- J. Free (hassle-free) downtown parking for residents** - Mayor Charles W. Burkett (Page 292)
- K. Records Retention Policy** – Mayor Charles W. Burkett (Page 293)
- L. Regulation of Short-Term Rentals** – Mayor Charles W. Burkett (Page 294)
- M. Quality Control & Quality Assurance** – Commissioner Charles Kesl (Page 295)
- N. Weiss Serota Contract Follow up – Staff Report** – Jason Greene, Interim Town Manager (Pages 296-302)
- O. Town Pension Benefits for Non-Public Safety Employees** – Mayor Charles W. Burkett (Page 303)

- P. Increase Lighting Plan – Staff Report** – Jason Greene, Interim Town Manager (Pages 304-332)
- Q. Lowering of Property Taxes and Water Bills – Staff Report** – Jason Greene, Interim Town Manager (Pages 333-370)
- R. Calvin Giordano Contracts – Staff Report** – Jason Greene, Interim Town Manager (Pages 371-374)
- S. FPL Solar Together - Vice Mayor Tina Paul** (Pages 375-378)
- T. Climate Environmental Collective Revised - Vice Mayor Tina Paul** (Pages 379-381)
- U. Interest Free Loans to Surfside Builders Granted by Former Mayor and Commission** – Mayor Charles W. Burkett (Pages 382-393)
- V. Amending Town Code Section 2-237 Business Relationships** – Commissioner Eliana Salzhauer (Pages 394(A) – 394(F))
- W. Beachwalk Trimming- Staff Report** – Jason Greene, Interim Town Manager (Pages 395-399)
- X. Community Center Pool Deck Lighting - Staff Report** – Jason Greene, Interim Town Manager (Pages 400-402)
- Y. Community Center Second Floor – Staff Report** - Jason Greene, Interim Town Manager (Page 403)
- Z. Designated (Painted) Walking Areas in the Residential District- Staff Report** – Jason Greene, Interim Town Manager (Pages 404-406)
- AA. Alternative Kayak Launches in Addition to the 96th Street Park** – Mayor Charles W. Burkett (Page 407)
- BB. Comparison of 2006 Code to 2020 Code – Staff Report** – Jason Greene, Interim Town Manager (Pages 408-412)
- CC. Stormwater Masterplan - Staff Report** – Jason Greene, Interim Town Manager (Pages 413-414)
- DD. Amendment to the Tourist Board Ordinance** – Commissioner Nelly Velasquez (Page 415)
- EE. Legally Defective Charter Amendment Vote in 2012** – Mayor Charles W. Burkett (Page 416)
- FF. Purchase of Land for Parks** – Commissioner Nelly Velasquez (Page 417)
- GG. Traffic Control Devices on 88<sup>th</sup> Street and Hawthorne Avenue** – Commissioner Eliana Salzhauer (Page 418)
- HH. Cone of Silence/Secrecy** – Mayor Charles Burkett (Page 419)
- II. Taking Steps to Keep our Businesses Alive During COVID** – Mayor Charles Burkett (Page 420)

***Items Completed or Removed from Previous Agendas***

- A. Resolution Adopting an Amended Resiliency Reserve Policy Revision
- B. Resolution Approving the March 17, 2020 Town of Surfside

**Municipal Election**

- C. Resolution Abolishing the Sustainability and Resiliency Committee**
- D. Resolution Amending the Downtown Vision Advisory Committee**
- E. Resolution Reauthorizing the Parks and Recreation Committee**
- F. “Flash Your Lights”**
- G. Mandatory Face Mask in the Town of Surfside**
- H. Bandanas for Town Residents**
  - I. Commission Meeting Starting Time at 6:00pm**
- J. Discussion Regarding Assistant Town Manager position and Action**
- K. Photovoltaic RFP**
- L. Facilities Review**
- M. Kayak Launch**
- N. Jacober Contract**
- O. Zambelli Fireworks Manufacturing**
- P. Small Business Survival Grant**
- Q. Review of Amendment No. 2 to Update No. 5 Town of Surfside Emergency Measures**
- R. Downtown Surfside Sidewalk Beautification - Plans and Studies - *[Downtown Vision Advisory Committee to discuss]***
- S. Sidewalk on N 95<sup>th</sup> St between Abbott and Byron**
- T. Beach Raking**
- U. Community Digital Signs**
- V. Government Academy**
- W. Various Tourism Related Events, Initiatives, and Destination Marketing**
  - X. Classification and Compensation Study**
  - Y. Flooding/ Drainage Improvements**
  - Z. Abbott Avenue Drainage**
- AA. Police Body-Worn Camera System**
- BB. Care ACT Fund**
- CC. FY 2020 Budget Amendment**
- DD. Purchase of Additional Sewer Pump**
- EE. Planning and Zoning Board Membership Requirements Ordinance**
- FF. Tourist Board Membership Requirement Ordinances**
- GG. Resolution Renaming the Town’s Higher Education Scholarships to be called the “Arya Gray Memorial Higher Education Scholarship”**
- HH. Interlocal Shuttle System Report Update**

- II. Reconsideration of the Installation of Berms on 92<sup>nd</sup>**
- JJ. Staffing Hiring Freeze**
- KK. Undergrounding power lines – Staff Report**
- LL. Streamline Town Staffing**
- MM. Brightview Agreement (FKA Luke’s Landscape) Report and Follow up–Staff Report**
- NN. Replacement Bins for Trash and Recycling Receptacles Throughout Town**
- OO. Discussion and Action on Ballot Language for Undergrounding of Utilities**
- PP. Potential Ballot Question - P3/Lease or Sale of Town Property**
- QQ. Charter Amendments to affirm the limit of pay for elected officials to a maximum of \$1 per year, term limits for elected officials of 3 consecutive terms, or any part thereof, for both Mayor & Commissioners, a prohibition on the sale or leasing of any Town property without a referendum & a prohibition against any loan or borrowing of any type, which would put the Town into debt for more than 10% of its annual property tax revenue and which could not be fully amortized within a total of 5 years and restore development protections in the charter**
- RR. Star Cleaning Service (Street Sweeping)**
- SS. New Zoning Code-Procedural and Notice Requirements**
- TT. 92<sup>nd</sup> St Beach-end Improvements**
- UU. Develop Capital Improvement Plan (CIP)**
- VV. 10 Year Water Supply Plan**
- WW. Various Parks & Recreation Related Events and Initiatives**
- XX. CARES Act Funding Interlocal with Miami-Dade County Resolution**
- YY. Repeal of Ordinance No. 17-1662 Beach Furniture – Mayor Charles W. Burkett**
- ZZ. Preservation of Eden Project located at 9300 Collins Avenue – Removed by Mayor Burkett**
- AAA. Speeding on Collins and Harding – Removed by Mayor Burkett**
- BBB. How are Zoning Protections Against Over-Development Were Gutted – Removed by Mayor Burkett**
- CCC. Amending Town Code Section 2-233 to include Non-for-Profit – Removed by Mayor Burkett**
- DDD. Procurement Expertise – Removed by Commissioner Salzhauer**
- EEE. Take Home Vehicles – Removed by Commissioner Salzhauer**
- FFF. Beach Raking – Removed by Commissioner Salzhauer**
- GGG. Speeding and Stop Signs Running – Removed by Commissioner Salzhauer**

**HHH. Draft Ordinance Amending the Definition of Lot Coverage –  
Removed by Commissioner Salzhauer**

**III. Gazette Revenue and Funding Sources – Removed by Mayor  
Burkett**

## 10. Adjournment

Respectfully submitted,



Jason Greene  
Interim Town Manager

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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](http://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  
Regular Town Commission Meeting  
MINUTES  
August 11, 2020  
7 p.m.**

Town Hall Commission Chambers - 9293 Harding Ave, 2<sup>nd</sup> Floor  
Surfside, FL 33154

**1. Opening**

**A. Call to Order**

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

**B. Roll Call of Members**

Town Clerk McCready called the roll with the following members present:

Present: Mayor Charles Burkett, Vice Mayor Tina Paul, Commissioner Charles Kesl, and Commissioner Nelly Velasquez. Commissioner Eliana Salzhauer arrived at 7:05 p.m.

Also present were Interim Town Manager Jason Greene and Town Attorney Lillian Arango.

**C. Pledge of Allegiance**

**D. Mayor and Commission Remarks – Mayor Charles W. Burkett**

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

A motion was made by Commissioner Velasquez to move up on the agenda items 9ZZ (Purchase of the Property Located at 9540 Bay Drive (Pink House)), 9AAA (Permanent Digital Sign), 9TT (Amendment to the Tourist Board Ordinance), 9CCC (Cone of Silence/Secrecy) and 9W (Lowering of Property Taxes and Water Bills). The motion died for lack of a second.

Vice Mayor Paul suggested prioritizing the items that continue to be deferred.

Commissioner Salzhauer stated that the dog park item should be removed from the agenda since it was already addressed.

Mayor Burkett directed Town Clerk McCready to remove the dog park item from the agenda.

A motion was made by Commissioner Salzhauer to move up on the agenda Item 9VV (Discussion and Action Regarding Newly Implemented "Town Blog", Surfside Gazette and Social Media Guidelines), seconded by Vice Mayor Paul. The motion carried with a 4-1 vote with Commissioner Velasquez voting in opposition.

**F. Community Notes – Mayor Charles W. Burkett**

**2. Quasi-Judicial Hearings**

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

A motion was made by Vice Mayor Paul to approve the Consent with the amendment to the minutes and minus the Town Manager's report, seconded by Commissioner Velasquez. The motion carried with a 5-0 vote.

**A. Minutes – Sandra N. McCready, MMC, Town Clerk**

- July 21, 2020 Budget Workshop Meeting Minutes
- July 21, 2020 Special Town Commission Meeting Minutes
- July 28, 2020 Special Town Commission Meeting Minutes

Commissioner Velasquez stated that she would like to amend the July 21, 2020 Budget Workshop Meeting Minutes by adding that she voted against the water rebate due to the pandemic.

Mayor Burkett commented on the changes made by Vice Mayor Paul to the July 21 meeting minutes regarding the water rebate and asked if she is for or against the rebate.

**\*B. Town Manager's Report – Jason Greene, Interim Town Manager**

Vice Mayor Paul commented on the previous Joint Town Commission and Budget Advisory Committee Meeting and asked Interim Town Manager Greene to speak about it.

Interim Town Manager Greene gave an update on the CARES Act which is in the Town Manager's Report.

Discussion took place among the Commission regarding the CARES Act, what is the fastest way of getting money for the residents, the water rebate, as well as the water usage by residents and condominiums.

Interim Town Manager Greene addressed comments made by the Town Commission regarding the item.

Commissioner Velasquez asked how much reserve the Town needs before being able to help the residents with rebates.

Mayor Burkett stated that is not a question for the Interim Town Manager.

Commissioner Salzhauer commented on the rumors of defunding the Police Department and that was not the desire of the Commission.

Mayor Burkett stated that he agrees with Commissioner Salzhauer.

Commissioner Salzhauer commented on purchasing the pink house property in order to expand the park.

Vice Mayor Paul stated that there was talk about defunding the Police Department and that is why she pulled the Town Manager's Report.

Mayor Burkett addressed comments made on the chat and spoke regarding the water rebate.

Interim Town Manager Greene addressed the items in his report regarding the lobbyist firm and if the Commission had an issue to continue utilizing the existing lobbyist firm.

Mayor Burkett stated that he was not comfortable signing the check because this contract has not been discussed by the Commission and asked how the Commission would like to proceed.

Vice Mayor Paul stated the importance of having a lobbyist represent the Town's interest in Tallahassee, as well as obtaining funding for the Town.

A motion was made by Vice Mayor Paul to accept the lobbyist firm contract, seconded by Commissioner Salzhauer. The motion carried with a 5-0 vote.

Interim Town Manager Greene commented on the task the lobbyist firm does for the Town. He also stated that the lobbyist will be reaching out to each Commission member with updates.

Further discussion took place among the Commission regarding the lobbyist firm and the work they do for the Town.

Mayor Burkett stated that he agrees they need a lobbyist but they need results

and a plan. He mentioned having the lobbyist ask what the Commission wants and expects from the firm.

Interim Town Manager Greene presented the Budget Advisory Committee's recommendations on cutting the Police Department by 15-20%.

A motion was made by Vice Mayor Paul not to proceed with cutting the Police Department budget, seconded by Commissioner Velasquez. The motion carried with a 5-0 vote.

Commissioner Salzhauer stated that she appreciates the Budget Advisory Committee members and their work. She stated that she believes that all departments need to look at their resources. She commented on the police staffing and that the residents want it to stay the way it is.

Commissioner Velasquez stated that they should not defund the Police Department, but does believe that they need to restructure the department by having less on the top and more on the bottom. She addressed the speeding on Collins Avenue and the police are not out there giving out tickets. She believes there should be more police presence.

Commissioner Kesl spoke regarding comments made about defunding the Police Department and that no one stated to do that. He spoke regarding revenues coming in and the importance of looking at our budget.

Vice Mayor Paul commented on the budget workshop meeting and the savings that Interim Town Manager Greene presented. She stated that she appreciated the Budget Advisory Committee but they are new and need more time to review the budget.

A motion as made by Vice Mayor Paul to accept the Town Manager's Report, seconded by Commissioner Velasquez. The motion carried with a 5-0 vote.

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

**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 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. Employee Health Benefits Contract Renewal for FY 2021 - Jason Greene, Interim Town Manager**

**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, APPROVING EMPLOYEE HEALTH BENEFITS CONTRACT RENEWALS FOR FISCAL YEAR 2020/21, INCLUDING UNITEDHEALTHCARE FOR EMPLOYEE HEALTH INSURANCE, GUARDIAN FOR DENTAL AND VISION COVERAGE, MUTUAL OF OMAHA FOR LIFE AND DISABILITY INSURANCE, AND ASURE SOFTWARE FOR FLEXIBLE SPENDING ACCOUNT, BENEFIT SERVICES HEALTH REIMBURSEMENT ARRANGEMENT, AND COBRA ADMINISTRATION; AUTHORIZING THE TOWN MANAGER TO ENTER INTO ANY NECESSARY AGREEMENTS WITH UNITED HEALTHCARE AND OTHER PROVIDERS; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.**

Town Clerk McCready read the title into the record.

Interim Town Manager Greene introduced the item.

A motion was made by Vice Mayor Paul to approve the Resolution, seconded by Commissioner Kesl. The motion carried with a 5-0 vote.

**B. Resolution – New Town Phone Service Provider- Jason Greene, Interim Town Manager**

**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, APPROVING AN AGREEMENT WITH VONAGE BUSINESS INC FOR TELEPHONE SERVICES; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.**

Town Clerk McCready read the title into the record.

Interim Town Manager Greene introduced the item.

A motion was made by Commissioner Kesl to approve the Resolution, seconded by Commissioner Velasquez. The motion carried with a 5-0 vote.

Vice Mayor Paul spoke regarding compatibility issues with the equipment and wants to make sure they would not need to purchase other additional equipment.

**C. Waste Connections Recycling Contract** – Jason Greene, Interim Town Manager

**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, APPROVING AN AGREEMENT FOR THE COLLECTION, HAULING AND PROCESSING OF COMMERCIAL AND MULTI-FAMILY SINGLE STREAM RECYCLING WITH WASTE CONNECTIONS OF FLORIDA, INC.; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.**

Town Clerk McCready read the title into the record.

A motion was made by Vice Mayor Paul to approve the Resolution, seconded by Commissioner Velasquez. The motion carried with a 5-0 vote.

**D. Design Services for the Reconstruction of 96th Street Park-** Jason Greene, Interim Town Manager

**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA AUTHORIZING NEGOTIATIONS WITH THE HIGHEST-RANKED QUALIFIED FIRM, SAVINO & MILLER DESIGN STUDIO, PURSUANT TO RFQ NO. 2020-02 SEEKING DESIGN SERVICES FOR RECONSTRUCTION OF 96<sup>TH</sup> STREET PARK; AND FURTHER AUTHORIZING, IF NECESSARY, NEGOTIATIONS WITH SUBSEQUENTLY RANKED QUALIFIED FIRMS, FOR THE AWARD OF A PROFESSIONAL SERVICES AGREEMENT FOR SUCH SERVICES; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.**

Town Clerk McCready read the title into the record.

A motion was made by Vice Mayor Paul for discussion purposes, seconded by Commissioner Velasquez.

Commissioner Velasquez asked if the Commission was not supposed to be advised of the firms and how we know this firm would be the best one. She suggested deferring this item to the next meeting in order to have their questions answered.

Interim Town Manager Greene addressed the comment made by Commissioner Velasquez and gave an update of the item. He stated that the WeTransfer file

with each pdf proposal submitted by the firms was forwarded to each Commissioner. He gave an update on the evaluation process and what the process of the chosen firm would be.

Vice Mayor Paul commented on the firms and stated that the one that was chosen had a bit of an advantage due to them working with the Town previously. She believes this should go to the Parks and Recreation Committee for their recommendations and then back to the Commission.

Commissioner Salzhauer commented on her concerns with the selection process.

Commissioner Velasquez stated that she did not get a chance to look at the files and would like to have this deferred to the next meeting in order for her to have more time to review the documents.

Mayor Burkett asked Interim Town Manager Greene to provide a presentation with some work product and information about each company. He stated for Interim Town Manager Greene to then come back to the Commission to discuss each firm including the selected firm.

Vice Mayor Paul asked what would be the cost for this project.

Interim Town Manager Greene addressed the comments made by the Town Commission regarding the item. He suggested that the top three firms that were shortlisted would then make a presentation along with questions that were asked.

Mayor Burkett stated that what is being requested is for Interim Town Manager Greene to provide a presentation with the recommendation of the Committee and its thought process.

Commissioner Salzhauer would like the link and if it could be made available.

Mayor Burkett asked Interim Town Manager Greene to place the links and the recommendations on the website and be prepared to make a presentation at the next Commission meeting.

Further discussion among the Town Commission and Town Attorney Arango took place regarding the item and the Cone of Silence.

The following individual from public spoke on the item:  
George Kousoulas

A motion was made by Vice Mayor Paul to defer this item for two weeks, seconded by Commissioner Velasquez. The motion carried with a 5-0 vote.

A motion was made by Commissioner Salzhauer to hear Item 9A (COVID-19 Task Force Update), seconded by Commissioner Kesl. The motion carried with a 3-2 vote with Commissioner Velasquez and Mayor Burkett voting in opposition.

**6. Good and Welfare/ Public Comments from Residents**  
**(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.*

The following individuals spoke on the item:

Ann Findlay spoke regarding the proposed budget cut to the Police Department. She commented regarding the Budget Advisory Committee meeting discussion and agreement of cutting the Police Department by 15-20% and it was requested by Committee Member Bobby Cummings.

Jeff Rose spoke regarding the liaison role on the Committees and they are not to act as a board member. He asked when the signs would be coming back up on 88<sup>th</sup> Street. He spoke regarding the kayak launch and why it was removed from the agenda. He spoke regarding the purchase of the pink building, zoning in progress; and comments made on Next Door regarding the cut of the Police Department.

Horace Henderson spoke regarding condominium owners paying for water.

Yoann Andreu spoke regarding the Planning and Zoning Meeting and the items on the agenda.

Clara Diaz-Leal spoke regarding making an analysis and consider attrition. She stated that there should be a plan in place and not make decisions without making an analysis. She stated that if you want to make cuts you do it based on attrition and not cut the police department. She stated that you must retain your best employees because they are loyal to the residents. She spoke regarding the kayak launch.

Jordan Wachtel spoke regarding comments made about defunding the Police Department and the amount of time they took on the Gazette item. He spoke regarding the Community Center and asked when it will be opening up and it should be opening up to the children.

Mayor Burkett addressed the comments made by Mr. Wachtel and the email they had among themselves.

Commissioner Salzhauer addressed the comments made by Mr. Wachtel regarding defunding the Police Department.

Commissioner Velasquez commented on bringing normalcy back and how COVID is destroying the economy and believes we should open the parks.

Vice Mayor Paul addressed the comments on the kayak launch and the liability involved. She suggested placing a survey in the Gazette to see if the residents want a kayak launch and where it should be located but they have to look at the liability portion. She also spoke regarding COVID and how it is a very real and serious issue.

Commissioner Kesl commented on COVID and the statistics and seriousness of this disease.

Andrew Craven spoke regarding purchasing the pink house for the park and for the Town to consider those that live close to the house as well as the problem with parking and have consideration on the issue that could arise.

Commissioner Velasquez addressed the comments made by the public speakers regarding traffic and enforcement of speed limits in Town.

Commissioner Salzhauer addressed the comments made by speaker Andrew Craven.

Mayor Burkett addressed the comments made by speaker Clara Diaz-Leal on the issue on Byron Avenue and making Byron Avenue as nice as Carlyle and Dickens.

Deborah Cimadevilla spoke regarding traffic on Byron Avenue and closing it off would be a great idea.

Commissioner Velasquez stated that Interim Town Manager Greene should assess the properties in Town and which ones could be purchased that would be best for the Town and we could have a beautiful park with a kayak launch. She suggested having Interim Town Manager Greene come back with options of properties they could purchase.

Commissioner Salzhauer commented on the kayak launch and what solutions they could come up with.

Mayor Burkett addressed the comments made by the Commission as well as the residents and due to the rise in property prices, this is not the time to make real estate purchases.

Commissioner Kesl agreed with Mayor Burkett regarding this not being the time to purchase properties. He spoke regarding water access for the kayak launches.

George Kousoulas spoke regarding the Planning and Zoning Board meeting and the ethics and Sunshine Law orientation which was very good and how serious the Planning and Zoning Board has to be. He stated that a meeting needs to take place for the Planning and Zoning Board to know how to apply the zoning code.

Commissioner Salzhauer addressed the comments made by speaker George Kousoulas.

Moshe Banin spoke regarding the conversations about COVID and the Police cuts the Budget Advisory Committee requested and stated that they did not listen to what Police Chief Yero explained to the Committee.

Commissioner Velasquez addressed the comments made by the public speakers and that the pools should be open to the children.

Commissioner Salzhauer addressed the comments made and the rules through phases that are allowed and the Town is enforcing the rules in place.

Commissioner Velasquez addressed comments made by Commissioner Salzhauer and continuing to put our children through this and not allowing the children to go in the pool.

Vice Mayor Paul stated that it would be a good idea for Parks and Recreation Director Milian to open up the pool to residents and their families.

Commissioner Salzhauer stated that if the playground equipment is closed, the area of the pool is considered to fall under that same description which is based on County Order.

Mayor Burkett addressed comments made by the public speakers and Town Commission and directed Interim Town Manager Greene and Parks and Recreation Director Milian to come up with a plan for reopening the pool for the children.

Further discussion took place among the Town Commission regarding opening up the pool to Town residents' children and their families as well as the issue involving COVID.

Interim Town Manager Greene addressed the comments made by the Town Commission and he as well as Parks and Recreation Director Milian will look at possibly modifying the reservations for the usage of the pool in accordance with the County Order.

Discussion took place among the Town Commission regarding the opening of the pool following guidelines placed by the County and State.

A motion was made by Commissioner Velasquez to direct Interim Town Manager Greene and Parks and Recreation Director Milian to make proper decisions for what is best for the residents and children, seconded by Vice Mayor Paul. The motion carried with a 5-0 vote.

Interim Town Manager Greene stated that they worked out a plan already and are looking at implementing said plan.

Vice Mayor Paul stated that once they have their plan ready they can put it into place.

Commissioner Salzhauer would like to know the plan that the Interim Town Manager and Parks and Recreation Director have in place.

Mandyf Davenport spoke regarding opening the pool for the children and would like to see more help from the Commission on helping the Town with the safety of the residents and putting the green paint on the sidewalk for walkability.

Deputy Town Clerk Herbelo read into the record the comment emailed from public speaker Ellen Abramson.

A motion was made by Commissioner Velasquez to move forward with item 9MM (Designated (Painted) Walking Areas in the Residential District Staff Report), seconded by Commissioner Salzhauer. Commissioner Salzhauer withdrew the second to her motion. Mayor Burkett passed the gavel and seconded the motion. The motion failed with a 2-3 vote with Commissioner Kesl, Commissioner Salzhauer and Vice Mayor Paul voting in opposition.

Vice Mayor Paul stated her previous comments on prioritizing the agenda.

Commissioner Salzhauer commented on reorganizing the agenda.

Commissioner Velasquez suggested to go through the entire list and decide which items stay and go.

Further discussion took place among the Commission regarding what the order of the agenda should be.

## **9. Mayor, Commission and Staff Communications**

### **A. COVID -19 Task Force Update – Jason Greene, Interim Town Manager**

Interim Town Manager Greene gave an update on the COVID-19 Task Force.

Discussion took place among the Town Commission regarding the Task Force and

having Commissioner Kesl remain as the liaison to this Task Force.

A motion was made by Vice Mayor Paul to have Commissioner Kesl continue being the liaison with the COVID-19 Task Force, seconded by Commissioner Salzhauer. The motion carried with a 5-0 vote.

**B. Topper Selection for 4 x 4 Posts on Hardpack and Walking Path - Jason Greene, Interim Town Manager**

Item deferred.

**C. Building Department Document Scanning- Jason Greene, Interim Town Manager**

Item deferred.

**D. Pinzur Communication – Jason Greene, Interim Town Manager**

Item deferred.

**E. Preservation of Eden Project located at 9300 Collins Avenue - Mayor Charles W. Burkett**

Item deferred.

**F. Speeding on Collins and Harding - Mayor Charles W. Burkett**

Item deferred.

**G. Amending Town Code Section 2-205 Conduct of Meetings; Agenda –Mayor Charles W. Burkett**

Item deferred.

**H. Homeless Contribution by the Town of Surfside of \$100,000 - Mayor Charles W. Burkett**

Item deferred.

**I. Free (hassle-free) downtown parking for residents - Mayor Charles W. Burkett**

Item deferred.

**J. Records Retention Policy – Mayor Charles W. Burkett**

Item deferred.

**K. Regulation of Short-Term Rentals – Mayor Charles W. Burkett**

Item deferred.

**L. S.M.A.R.T Goals, Quality Control & Quality Assurance – Commissioner Charles Kesl**

Item deferred.

**R. Design Review Board Discussion – Staff Report – Jason Greene, Interim Town Manager**

Item deferred.

**S. Weiss Serota Contract Follow up – Staff Report – Jason Greene, Interim Town Manager**

Item deferred.

**T. Town Pension Benefits for Non-Public Safety Employees – Mayor Charles W. Burkett**

Item deferred.

**U. Additional lighting in the residential area – Staff Report – Jason Greene, Interim Town Manager**

Item deferred.

**V. Construction Guidelines for Hurricane Season – Commissioner Nelly Velasquez**

Item deferred.

**W. Lowering of Property Taxes and Water Bills – Staff Report – Jason Greene, Interim Town Manager**

Item deferred.

**X. CGA Contract Follow Up – Staff Report – Jason Greene, Interim Town Manager**

Item deferred.

**Y. Discussion Regarding Appointments to Committees and Boards –Sandra N. McCready, Town Clerk**

Item deferred.

**Z. Dog Park – Mayor Charles W. Burkett**

Item deferred.

**AA. FPL Solar Together - Vice Mayor Tina Paul**

Item deferred.

**BB. Climate Environmental Collective Revised - Vice Mayor Tina Paul**

Item deferred.

**CC. Interest Free Loans to Surfside Builders Granted by Former Mayor and Commission – Mayor Charles W. Burkett**

Item deferred.

**DD. How our Zoning Protections Against Over-Development Were Guttled - Mayor Charles W. Burkett**

Item deferred.

**EE. Amending Town Code Section 2-233 to Include Non-for-Profit – Mayor Charles W. Burkett**

Item deferred.

**FF. Amending Town Code Section 2-237 Business Relationships – Commissioner Eliana Salzhauer**

Item deferred.

**GG. Speeding & Stop Sign Running - Commissioner Eliana Salzhauer**

Item deferred.

**HH. Surfside Point Lake Subaqueous WM Crossing - Bid Documents** – Jason Greene, Interim Town Manager

Item deferred.

**II. Beachwalk Trimming- Staff Report** – Jason Greene, Interim Town Manager

Item deferred.

**JJ. Pool Deck Lighting for Extended Winter Hours- Staff Report** – Jason Greene, Interim Town Manager

Item deferred.

**KK. Community Center Second Floor – Staff Report** - Jason Greene, Interim Town Manager

Item deferred.

**LL. Repeal of Ordinance No. 17-1662 Beach Furniture** – Mayor Charles W. Burkett

Item deferred.

**MM. Designated (Painted) Walking Areas in the Residential District- Staff Report** – Jason Greene, Interim Town Manager

Item deferred.

**NN. Procurement Expertise** – Commissioner Eliana Salzhauer

Item deferred.

**OO. Take Home Vehicles** - Commissioner Eliana Salzhauer

Item deferred.

**PP. Recent and Significant Increase in Boat, Paddleboard and Kayak Use on Point Lake** – Mayor Charles W. Burkett

Item deferred.

**QQ. Comparison of 2006 Code to 2020 Code – Staff Report** – Jason Greene, Interim Town Manager

Item deferred.

**RR. Stormwater Masterplan - Staff Report** – Jason Greene, Interim Town Manager

Item deferred.

**SS. Securing Power Infrastructure: Timely Action Plan for Hurricane Season through accountability now by FPL, ATT and Atlantic Broadband – Staff Report** – Jason Greene, Interim Town Manager

Item deferred.

**TT. Amendment to the Tourist Board Ordinance** – Commissioner Nelly Velasquez

Item deferred.

**UU. Demolition by Neglect** - Mayor Charles W. Burkett

Item deferred.

**VV. Discussion and Action Regarding Newly Implemented “Town Blog”, Surfside Gazette and Social Media Guidelines** – Commissioner Eliana Salzhauer

Commissioner Salzhauer introduced the item and commented on social media and if the Town Gazette is best left to the Interim Town Manager for updates. She suggested to rotate every month with one Commissioner having a corner on a rotation basis. She commented on this not being a strong mayor form of government.

Commissioner Kesl spoke commented on the Gazette.

Mayor Burkett spoke regarding the salary being in the Charter and how some wanted greater pay, pension and other benefits and does not feel Town elected officials should receive payment for their services. He felt it was a disservice to the residents not allowing them to opine. He also stated that the residents should opine on term limits. He stated that in the Town Gazette all the residents are made aware of what is happening in Town as well as the ballot questions that will be on the

November ballot.

Commissioner Salzhauer addressed the comments made by Mayor Burkett, the Gazette and moving the items on the agenda forward.

Vice Mayor Paul agrees with Commissioner Salzhauer and believes that the cost should be reduced. She commented on the charter changes on the salary of the commissioners and stated it was under Mayor Burkett's administration that the salary was raised to \$500 and while she has served her salary has always been \$1.00. She stated that it was misleading for him to place his comments in the Gazette.

Mayor Burkett addressed the comments made by Vice Mayor Paul and that all the facts should be stated.

Vice Mayor Paul stated that the Cone of Silence had nothing to do with the P-3.

Commissioner Kesl stated that it should be equal time for all in the Gazette and follow the rules of decorum.

Commissioner Velasquez stated that she agrees to not interfere with Town business and stated that Commissioner Salzhauer has interfered with Town business in several areas. She spoke regarding the Commissioner's corner in the Gazette.

Town Clerk McCready reiterated the motion on the table.

Commissioner Salzhauer stated that all Commissioner Velasquez stated was false and does not appreciate the comments. She commented on the Gazette corner and comments made by Commissioner Velasquez. She believes the comments should come from Interim Town Manager Greene.

Mayor Burkett stated that an elected official can write at any time and commented on the past comments regarding the Gazette.

Commissioner Kesl commented on the Town resources and believes the agenda should be handled more affectively. He stated that they should stay with the most basic principles. He would like more representation in the Gazette.

Mayor Burkett stated that he would not mind giving each elected official an equal voice in the Gazette.

Vice Mayor Paul spoke regarding the videos some Commissioners made and they were pulled because Mayor Burkett complained during the elections that it was a misuse of Town resources and she does not want to get caught in the same track. She stated the Gazette is to provide information to the residents only.

Mayor Burkett addressed the comments made by Vice Mayor Paul and believes that he is just advising the residents what is taking place in the Town.

Further discussion took place among the Commission regarding the Gazette and what was written by Mayor Burkett.

A motion was made by Vice Mayor Paul to have the Gazette under the Interim Town Manager to give the written updates and message to the residents; the Interim Town Manager will make sure each Commissioner gets the same amount of space in the Gazette and have those comments placed in a corner designated for the Commission, seconded by Commissioner Salzhauer. The motion carried with a 5-0 vote.

A motion was made by Commissioner Velasquez to move up Item 9ZZ (Purchase of the property located at 9540 Bay Drive (Pink House)) before COVID-19, seconded by Commissioner Salzhauer. The motion failed with a 2-3 vote with Commissioner Kesl, Vice Mayor Paul and Mayor Burkett voting in opposition.

Commissioner Kesl made a motion to move up Item 9G (Amending Town Code Section 2-205 Conduct of Meetings; Agenda) to be heard after COVID-19, seconded by Commissioner Salzhauer. The motion carried with a 4-1 vote with Commissioner Velasquez voting in opposition.

Commissioner Salzhauer commented on the discussion regarding the water rebate and stated that it should be removed since it was discussed.

A motion was made by Commissioner Salzhauer to delete item 9W (Lowering Property Taxes and Water Bills) from the agenda. The motion died for a lack of a second.

**WW. Draft Ordinance Amending Definitions of Lot Coverage - Commissioner Eliana Salzhauer**

Item deferred.

**XX. Zoning Rewrite “Acre” vs. “Gross Acre” - Commissioner Eliana Salzhauer**

Item deferred.

**YY. Legally Defective Charter Amendment Vote in 2012 – Mayor Charles W. Burkett**

Item deferred.

**ZZ. Purchase of the property located at 9540 Bay Drive (Pink House) – Commissioner Nelly Velasquez**

Item deferred.

**AAA. Permanent Digital Sign – Commissioner Nelly Velasquez**

Item deferred.

**BBB. Traffic Control Devices on 88<sup>th</sup> Street and Hawthorne Avenue – Commissioner Eliana Salzhauer**

Item deferred.

**CCC. Cone of Silence/Secrecy – Mayor Charles Burkett**

Item deferred.

***Thirty (30) Day Staff Report – Items from June 23, 2020 Special Town Commission Meetings***

**A. Miami Christmas Lights – Jason Greene, Interim Town Manager**

***Items Completed or Removed from Previous Agendas***

**A. Resolution Adopting an Amended Resiliency Reserve Policy Revision**

**B. Resolution Approving the March 17, 2020 Town of Surfside Municipal Election**

- C. Resolution Abolishing the Sustainability and Resiliency Committee
- D. Resolution Amending the Downtown Vision Advisory Committee
- E. Resolution Reauthorizing the Parks and Recreation Committee
- F. “Flash Your Lights”
- G. Mandatory Face Mask in the Town of Surfside
- H. Bandanas for Town Residents
- I. Commission Meeting Starting Time at 6:00pm
- J. Discussion Regarding Assistant Town Manager position and Action
- K. Photovoltaic RFP
- L. Facilities Review
- M. Kayak Launch
- N. Jacober Contract
- O. Zambelli Fireworks Manufacturing
- P. Small Business Survival Grant
- Q. Review of Amendment No. 2 to Update No. 5 Town of Surfside Emergency Measures
- R. Downtown Surfside Sidewalk Beautification - Plans and Studies -  
*[Downtown Vision Advisory Committee to discuss]*
- S. Sidewalk on N 95<sup>th</sup> St between Abbott and Byron
- T. Beach Raking
- U. Community Digital Signs
- V. Government Academy
- W. Various Tourism Related Events, Initiatives, and Destination Marketing
- X. Classification and Compensation Study
- Y. Flooding/Drainage Improvements
- Z. Abbott Avenue Drainage
- AA. Police Body-Worn Camera System
- BB. Care ACT Fund
- CC. FY 2020 Budget Amendment
- DD. Purchase of Additional Sewer Pump
- EE. Planning and Zoning Board Membership Requirements Ordinance
- FF. Tourist Board Membership Requirement Ordinances
- GG. Resolution Renaming the Town’s Higher Education Scholarships to be called the “Arya Gray Memorial Higher Education Scholarship”
- HH. Interlocal Shuttle System Report Update
- II. Reconsideration of the Installation of Berms on 92<sup>nd</sup>
- JJ. Staffing Hiring Freeze

- KK. Undergrounding power lines – Staff Report**
- LL. Streamline Town Staffing**
- MM. Brightview Agreement (FKA Luke’s Landscape) Report and Follow up–Staff Report**
- NN. Replacement Bins for Trash and Recycling Receptacles Throughout Town**
- OO. Discussion and Action on Ballot Language for Undergrounding of Utilities**
- PP. Potential Ballot Question - P3/Lease or Sale of Town Property**
- QQ. Charter Amendments to affirm the limit of pay for elected officials to a maximum of \$1 per year, term limits for elected officials of 3 consecutive terms, or any part thereof, for both Mayor & Commissioners, a prohibition on the sale or leasing of any Town property without a referendum & a prohibition against any loan or borrowing of any type, which would put the Town into debt for more than 10% of its annual property tax revenue and which could not be fully amortized within a total of 5 years and restore development protections in the charter**
- RR. Star Cleaning Service (Street Sweeping)**
- SS. New Zoning Code-Procedural and Notice Requirements**
- TT. 92<sup>nd</sup> St Beach-end Improvements**
- UU. Develop Capital Improvement Plan (CIP)**
- VV. 10 Year Water Supply Plan**
- WW. Various Parks & Recreation Related Events and Initiatives**

**10. Adjournment**

A motion was made by Commissioner Velasquez to adjourn the meeting without objection at 11:00 p.m. The motion received a second from Commissioner Kesl. The motion carried with a 5-0 vote.

Accepted this \_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
Charles W. Burkett, Mayor

Attest:

\_\_\_\_\_  
Sandra N. McCready, MMC  
Town Clerk



**Town of Surfside  
Special Town Commission Meeting  
MINUTES  
August 18, 2020  
7pm**

Town Hall Commission Chambers - 9293 Harding Ave, 2<sup>nd</sup> Floor  
Surfside, FL 33154

**1. Opening**

**A. Call to Order**

Mayor Burkett called the meeting to order at 7:08 p.m.

**B. Roll Call of Members**

Town Clerk McCready called the roll with the following members present:

Present: Mayor Charles Burkett, Vice Mayor Tina Paul, Commissioner Charles Kesl, Commissioner Nelly Velasquez and Commissioner Eliana Salzhauer.

Also present were Interim Town Manager Jason Greene, Human Resources Director Yamileth Slate-McCloud and Town Attorney Lillian Arango.

**C. Town Manager Recruitment Process**

Human Resources Director Slate-McCloud introduced the item to the members of the Town Commission and provided an overview of the selection process, the ranking system, the summary, the candidates and the potential dates of August 24 and August 25, 2020 for interviews. She requested clarification of the number of candidates and length of interviews to determine if they need another date for interviews.

Mayor Burkett requested input from the Commissioners.

Commissioner Salzhauer commented on the dates of the interviews and the review of the candidates and would need other dates due to missing of the original deadlines. She stated she was impressed with the candidates and was frustrated that they had to make selections based on paper and feels that points should be assigned once you meet the candidate. She suggested starting interviews with the 12 individuals that they have and possibly being able to submit other candidates.

Commissioner Kesl suggested keeping the process moving and commented on top candidates. He suggested using points for the selection.

Commissioner Velasquez thanked Human Resources Director Slate-McCloud and wants to make sure the Town is in its best hands and is good with the consensus.

Vice Mayor Paul thanked all the applicants for their submission and is open to interviewing more candidates.

Human Resources Director advised the Commission that Matthew Garcide removed himself from the selection process. She discussed the different candidates and their scoring. She requested clarification on the time slots for the interviews. She requested clarification on the number of interviewees and the time slots.

Commissioner Salzhauer recommended interviewing at least 10 candidates and then break it down to the top five candidates.

Human Resources Director Slate-McCloud stated that if they consider a panel it has to be done in a panel setting due to Sunshine Law.

Commissioner Velasquez agrees that they should speak to all the candidates. She stated that currently the Town is in good hands and agrees on interviewing the 10 candidates.

Commissioner Kesl suggested a round robin. His concern is that other candidates will drop out and believes starting with a smaller group and then choose to open that up.

Vice Mayor Paul agrees splitting the group into two groups to interview and does not believe the questions should be sent to them in advance.

Mayor Burkett suggested that the candidates not be invited to the meeting and just to their interview.

Commissioner Velasquez agreed with Mayor Burkett.

Mayor Burkett suggested sending the questions to all the Commissioners and determine how to budget their time to conduct their interview.

Commissioner Salzhauer clarified that the interviews would be via zoom and the other applicants not be invited and see how many questions they would get.

Mayor Burkett stated that Human Resources Director Slate-McCloud would give them the questions and have it circulated.

Commissioner Velasquez commented on the interviews being done the same week as a Commission Meeting.

Town Clerk McCready requested from Town Attorney Arango if they are able to not allow other applicants to be part of the meeting.

Town Attorney Arango stated it would be a professional courtesy for those applicants not to be signed in.

Commissioner Salzhauer suggested having the interviews the first week of September.

Vice Mayor Paul suggested the following week due to Labor Day weekend.

Further discussion took place among the Town Commission on the interview dates and the questions for the interview.

Mayor Burkett agrees with Vice Mayor Paul with the questions, the scheduling and believes this should be allocated on a date that they are fresh and not when they have three meetings the same week. He asked Human Resources Director Slate-McCloud what dates would be good.

Vice Mayor Paul would like to change the date of the Commission Meeting and stated that the Commission agreed not to have Commission meetings every week.

Mayor Burkett commented to figure out what is the best date to have the meeting and requested Town Clerk McCready to circulate the dates available. He asked Vice Mayor Paul what are the dates agreed upon.

Vice Mayor Paul stated it was August 24 and 26.

Mayor Burkett stated he would be out of town and suggested the week of September 1.

Further discussion took place among the Commission and Human Resources Director Slate-McCloud for the interviews of the candidates, the questions to be asked and the dates available with 30 minutes for each candidate.

The following members from the public spoke on the item:

George Kousoulas

Clara Diaz-Leal

Vice Mayor Paul likes the idea going with Human Resources Director Slate-McCloud's questions and coming up with five questions and then one additional questions for each Commissioner.

Vice Mayor Paul stated they have to be clear on how many questions since they do not have endless time for the interviews and Human Resources Director Slate-McCloud should know and limit the number of questions with a maximum of five questions from each Commissioner and one from Human Resources Director Slate-McCloud.

Further discussion took place on the amount of questions each Commissioner is to send Human Resources Director Slate-McCloud and how they approve those questions and to submit them to Clara Diaz-Leal to review and work with her schedule.

A motion was made by Commissioner Salzhauer to interview all 12 final candidates and do it in a room format as a panel in a public meeting, for the questions to be set in advance with room to supplement questions for the week of September 1, seconded by Commissioner Velasquez. The motion carried with a 5-0 vote.

Commissioner Salzhauer and Commissioner Velasquez suggested top three or five candidates in the third round.

A motion was made by Commissioner Kesi to set up a third round of the three to five top finalists within the 2-3 weeks after the next round, seconded by Commissioner Velasquez. The motion carried with a 5-0 vote.

Commissioner Salzhauer asked if Human Resources Director Slate-McCloud could give them a sheet for evaluation and notes along with the questions on the other side.

Human Resources Director Slate-McCloud stated that she will circulate the questions they had previously by the headhunter in the past and those questions could be adjusted.

The Commission directed Town Clerk McCready to coordinate dates that she is available.

Clara Diaz-Leal stated that she is available on September 3 and 4.

## **2. Adjournment**

A motion was made by Commissioner Velasquez to adjourn the meeting without objection at 8:26 p.m. The motion received a second from Commissioner Salzhauer. The motion carried with a 5-0 vote.

Accepted this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
Charles W. Burkett, Mayor

Attest:

\_\_\_\_\_  
Sandra N. McCready, MMC  
Town Clerk



**Town of Surfside  
Special Town Commission Meeting  
MINUTES  
August 25, 2020  
7 p.m.**

Town Hall Commission Chambers - 9293 Harding Ave, 2<sup>nd</sup> Floor  
Surfside, FL 33154

**1. Opening**

**A. Call to Order**

Mayor Burkett called the meeting to order at 7:03 p.m.

**B. Roll Call of Members**

Town Clerk McCreedy called the roll with the following members present:

Present: Mayor Charles Burkett, Vice Mayor Tina Paul, Commissioner Charles Kesl, Commissioner Nelly Velasquez and Commissioner Eliana Salzhauer.

Also present were Interim Town Manager Jason Greene and Town Attorney Lillian Arango.

**2. Ordinances**

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

**A. First Reading Ordinances**

- 1. Beach Furniture Ordinance 2020 Sponsored by Commissioner Salzhauer** – Jason Greene, Interim Town Manager, Lillian M. Arango, Haydee Sera and Anthony Recio, Town Attorneys

**AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, AMENDING ARTICLE II, "PUBLIC BEACHES," OF CHAPTER 86, "WATERWAYS" OF THE TOWN'S CODE OF ORDINANCES RELATING TO BEACH FURNITURE AND PUBLIC BEACHES; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; PROVIDING FOR EXPIRATION OF BEACH FURNITURE OPERATOR PERMIT APPROVED**

**PURSUANT TO RESOLUTION NO. 17-2470; AND PROVIDING FOR AN EFFECTIVE DATE.**

Town Clerk McCready read the title of the ordinance into the record.

Commissioner Salzhauer introduced the item and stated that Assistant Town Attorney Recio would be making the presentation. She commented on the different options including the repeal and what options would be best.

Commissioner Kesl stated that what Commissioner Salzhauer stated is not all correct and stated that the Town Attorney came up with a proposal that would work for everyone. He spoke regarding the analysis of the repeal and replace of this ordinance.

Vice Mayor Paul stated that this has been in the making for over six years and previous Commission did not act in the proper way. She spoke regarding the presentation and why it is needed to regulate what is taking place.

Mayor Burkett commented on the item and stated that he has a presentation to provide.

Commissioner Salzhauer provided a presentation on the item and then had Assistant Town Attorney Recio continue with the presentation.

Commissioner Salzhauer asked regarding the beach ratio, if it was done before the beach renourishment.

Commissioner Velasquez asked if the photos used in the presentation were prior to the beach renourishment.

Assistant Town Attorney Recio stated it was prior to the beach renourishment.

Commissioner Velasquez asked regarding the calculations as well as the language the Commission has to approve and if future Commissions could place the language that was taken out back.

Mayor Burkett stated that it has to be in the Charter.

Commissioner Salzhauer stated that there were no new photos due to COVID and the changes in the language is to avoid other Commissions from changing the language by stating that they want more beach chairs for the public to have access to the beach.

Vice Mayor Paul stated that she has a presentation which was prior to the beach renourishment and COVID.

Vice Mayor Paul introduced her presentation on the item.

The following individuals from the public spoke on the item:

Joseph Rebak  
Allan Yarkin  
Frederic Marq  
Marilyn Reitman  
Niesen Kasdin  
George Kousslouas  
Ben Jacobson  
Jennifer Rotker  
Eli Tourgeman  
Jeff Rose  
Richard Ramunno  
Yoann Andreu  
Ralph Wolfe  
Rene Wolfe  
Ron Glass  
Horace Henderson  
Jeffrey Platt  
Steve Schott  
Clara Diaz-Leal  
Deborah Cimadevilla  
Michael Kashtan  
Aurora De La Rosa  
Mandyf Davenport  
Katy Horowitz  
Caridad Izquierdo  
Manty Sabates  
Oliver Sanchez  
Max Dekelbaum  
Silvia Coltrane  
Victoria Saife

Commissioner Salzhauer addressed the comments made by the speakers and the restrictions currently in place and once COVID is over and everything goes back to status quo it will allow them to place the beach chairs where they please. She apologized for bringing this ordinance because she knows that the hotels will not be happy and she will not negotiate with terrorists. She does not want things status quo.

Commissioner Velasquez stated that she would like to see the pictures after the beach renourishment that would show the conditions of the beach at that time.

Vice Mayor Paul clarified when the photographs were taken, the one from the storage was 2018 and the crowded beach was 2019. She stated she has current photos to share and this is about the residents and everyone being happy. She spoke regarding the beach chairs, the condition of the beach, and what is in the best interest for the tourists and residents. She stated that this ordinance represents everyone.

Commissioner Kesl thanked everyone participating in the meeting. He spoke regarding his support for this item. He spoke regarding the need to preserve the dunes and if the beach chairs are back there it jeopardizes the dunes.

Commissioner Velasquez spoke regarding this issue which was brought up in March and believes that they should be able to discuss this further and feels passing something today would be irresponsible and believes it should be deferred in order for them to speak to the Interim Manager and Town Attorney.

Mayor Burkett provided a PowerPoint presentation and stated the residents come first.

Discussion took place among the Town Commission regarding Mayor Burkett's presentation and proposed changes to the ordinance and possibly addressing it at another time.

Commissioner Velasquez asked what is the urgency of this item and why this item could not be addressed at a later time.

Vice Mayor Paul addressed the importance and urgency of the item and Commissioner Kesl's comments.

A motion was made by Vice Mayor Paul to approve the Ordinance on first reading subject to Mayor Burkett's comments to amend the ordinance, seconded by Commissioner Salzhauer. The motion carried with a 3-2 vote with Commissioner Kesl and Commissioner Velasquez voting in opposition.

### **3. Resolutions and Proclamations**

***(Set for approximately 8:00 p.m.) (Note: Depends upon length of Good and Welfare)***

#### **A. Design Services for the Reconstruction of 96th Street Park- Jason Greene, Interim Town Manager**

**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA AUTHORIZING NEGOTIATIONS WITH THE HIGHEST-RANKED QUALIFIED FIRM, SAVINO & MILLER DESIGN STUDIO,**

**PURSUANT TO RFQ NO. 2020-02 SEEKING DESIGN SERVICES FOR RECONSTRUCTION OF 96<sup>TH</sup> STREET PARK; AND FURTHER AUTHORIZING, IF NECESSARY, NEGOTIATIONS WITH SUBSEQUENTLY RANKED QUALIFIED FIRMS, FOR THE AWARD OF A PROFESSIONAL SERVICES AGREEMENT FOR SUCH SERVICES; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.**

*Item Deferred to next meeting.*

**B. CARES Act Funding Interlocal with Miami-Dade County – Jason Greene, Interim Town Manager**

**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA APPROVING AN INTERLOCAL AGREEMENT FOR FEDERALLY-FUNDED SUBAWARD WITH MIAMI-DADE COUNTY FOR THE REIMBURSEMENT OF NECESSARY EXPENSES INCURRED DUE TO THE NOVEL CORONAVIRUS DISEASE 2019 PURSUANT TO THE CORONAVIRUS AID, RELIEF, AND ECONOMIC SECURITY (CARES) ACT; PROVIDING FOR AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE.**

Town Clerk McCready read the title of the resolution into the record.

A motion was made by Vice Mayor Paul to approve the Resolution, seconded by Commissioner Velasquez. The motion carried with a 5-0 vote.

**C. Structural Plans Review Funding Authorization - Jason Greene, Interim Town Manager**

**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, AUTHORIZING THE EXPENDITURE OF FUNDS FOR STRUCTURAL PLAN REVIEW SERVICES TO M.T. CAUSLEY, LLC; PROVIDING FOR AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE.**

*Item Deferred to next meeting.*

**4. Good and Welfare/ Public Comments from Residents  
(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.*

Commissioner Velasquez commented on the dates for the Town Manager interviews. She is not available on September 4, she is available Monday, Tuesday Wednesday and Thursday but not Friday, September 4 and would like more dates to be sent out.

Commissioner Kesl stated the dates he would be available for the interviews.

The following individuals from the public spoke:

Florida State Senator Jason Pizzo wanted to say hello and stated he has been dealing with several issues in Tallahassee and extended his assistance in anything they would need from his office.

Jeff Rose spoke regarding having Interim Town Manager Jason Greene as our permanent Manager. He spoke regarding roadblocks with the new zoning in progress.

Mayor Burkett responded to the comments made by speaker Jeff Rose.

Jeffrey Platt

Clara Diaz-Leal would like to have the walkability issues and traffic concerns be addressed at the next meeting.

Jennifer Rotker spoke regarding the marine turtle lighting ordinance and for it to be enforced.

Mandyf Davoudourf spoke regarding having more control over the speeding.

George Kouslouas spoke regarding the zoning in progress.

Sharon Hakmon spoke regarding the zoning code.

Mayor Burkett responded to the comments made regarding the zoning code.

Commissioner Salzhauer addressed comments made by the public speakers regarding the zoning code and the platform they ran on.

Yoann Andreu spoke regarding the zoning in progress.

Diana Gonzalez spoke regarding the lights in Town in the areas that are very dark.

Horace Henderson spoke regarding the condominium association at the Carlyle is aware of what they have to do regarding the turtle lights. He spoke regarding the zoning changes. He spoke regarding reaching out to the Interim Town Manager and the Commission and promote employees that have been performing a good job.

David Epstein spoke regarding his support for the beach chair ordinance and believes it is the right thing to do. He spoke regarding the speeding on Harding Avenue and Collins Avenue.

Commissioner Velasquez addressed comments made by the public speakers regarding the speeding in Town.

Mayor Burkett stated that he has spoken with Police Chief Yero and they have come up with a new Traffic Detail Unit and have command staff also assisting with this and the residents will see a change. He thanked Clara Diaz-Leal on her hard work with

the walkability project and returning Byron Avenue to a normal street.

Commissioner Velasquez stated that adjustments in the new Traffic Unit should include the Police Chief providing the Commission a report of how many tickets are being written.

Vice Mayor Paul stated that the Commission does get a monthly report from the Police Department on how many tickets have been written. She also spoke regarding the speeding in Town.

Commissioner Kesl spoke regarding the incident in Bal Harbor and the speeding in Town.

Commissioner Salzhauer suggested placing on the agenda red light/speeding cameras.

Mayor Burkett stated that they were removed because they were deemed to be unconstitutional and we should look at what Golden Beach and Bal Harbour are doing.

Vice Mayor Paul commented on the red light cameras and the faultiness of the cameras.

Commissioner Velasquez spoke regarding a company in New York that does red light cameras and that in Florida, the officer has to see the individual speeding but they do it in New York.

Mayor Burkett stated that one of the things with the red light cameras was that there were accidents due to the cameras. He stated that the red light cameras are illegally dubious.

Vice Mayor Paul spoke regarding the data of those red light cameras and its accuracy.

Tricia Fowley stated that she supports the beach chair ordinance and spoke regarding some individuals bringing alcohol bottles into the water.

Alice Boymelgreen spoke regarding the legal standing of the street ends and kayak launch and its status.

Deborah Cimadevilla thanked the Commission for their work and contributions. She spoke regarding the speeding in Town.

Mayor Burkett asked if the County has opened up the restaurants to 50% and once they do for the Town to follow the same order.

A motion was made by Vice Mayor Paul to open the restaurants to 50% once the County issues their order, seconded by Commissioner Salzhauer. The motion carried with a 5-0 vote.

Commissioner Velasquez requested different dates for the interviews for the Town Manager and she is not available on Friday. She is available Monday, Tuesday and Wednesday.

Further discussion continued among the Commission regarding the dates for the interviews.

Clara Diaz-Leal stated she was voted in and gave the dates of her availability which is all day Thursday and some other days the following weeks.

Vice Mayor Paul stated that Monday is Labor Day and Thursday is their meeting and she will not do that.

Commissioner Salzhauer stated that Clara Diaz-Leal is available on September 3 and possibly doing Tuesday September 8 for the others.

Clara Diaz-Leal stated that she will be available September 3<sup>rd</sup> and September 8<sup>th</sup> in the afternoon.

Vice Mayor Paul stated those dates will work.

Commissioner Kesl stated those dates will work.

Mayor Burkett stated those dates will work.

## **5. Mayor, Commission and Staff Communications**

### **A. COVID-19 Task Force Update – Jason Greene, Interim Town Manager**

Commissioner Kesl gave an update on the COVID-19 task force meeting and the ban implemented on short-term rentals.

A motion was made by Commissioner Kesl to not renew the short-term rental emergency order, seconded by Vice Mayor Paul. The motion carried with a 4-1 vote with Commissioner Salzhauer voting in opposition.

### **B. Discussion and Action Regarding Newly Implemented “Town Blog”, Surfside Gazette and Social Media Guidelines – Commissioner Eliana Salzhauer**

*Item Deferred to next meeting.*

**C. Amending Town Code Section 2-205 Conduct of Meetings; Agenda –**  
Mayor Charles W. Burkett

*Item Deferred to next meeting.*

**D. Topper Selection for 4 x 4 Posts on Hardpack and Walking Path - Jason**  
Greene, Interim Town Manager

*Item Deferred to next meeting.*

**E. Building Department Document Scanning- Jason Greene, Interim Town**  
Manager

*Item Deferred to next meeting.*

**F. Pinzur Communication – Jason Greene, Interim Town Manager**

*Item Deferred to next meeting.*

**G. Preservation of Eden Project located at 9300 Collins Avenue - Mayor Charles**  
W. Burkett

*Item Deferred to next meeting.*

**H. Speeding on Collins and Harding - Mayor Charles W. Burkett**

*Item Deferred to next meeting.*

**I. Homeless Contribution by the Town of Surfside of \$100,000 - Mayor Charles**  
W. Burkett

*Item Deferred to next meeting.*

**J. Free (hassle-free) downtown parking for residents - Mayor Charles W. Burkett**

*Item Deferred to next meeting.*

**K. Records Retention Policy – Mayor Charles W. Burkett**

*Item Deferred to next meeting.*

**L. Regulation of Short-Term Rentals – Mayor Charles W. Burkett**

*Item Deferred to next meeting.*

**M. S.M.A.R.T Goals, Quality Control & Quality Assurance – Commissioner Charles Kesl**

*Item Deferred to next meeting.*

**N. Design Review Board Discussion – Staff Report – Jason Greene, Interim Town Manager**

*Item Deferred to next meeting.*

**O. Weiss Serota Contract Follow up – Staff Report – Jason Greene, Interim Town Manager**

*Item Deferred to next meeting.*

**P. Town Pension Benefits for Non-Public Safety Employees – Mayor Charles W. Burkett**

*Item Deferred to next meeting.*

**Q. Additional lighting in the residential area – Staff Report – Jason Greene, Interim Town Manager**

*Item Deferred to next meeting.*

**R. Construction Guidelines for Hurricane Season – Commissioner Nelly Velasquez**

*Item Deferred to next meeting.*

**S. Lowering of Property Taxes and Water Bills – Mayor Charles Burkett**

*Item Deferred to next meeting.*

- T. CGA Contract Follow Up – Staff Report – Jason Greene, Interim Town Manager**

*Item Deferred to next meeting.*

- U. Discussion Regarding Appointments to Committees and Boards – Sandra N. McCready, Town Clerk**

*Item Deferred to next meeting.*

- V. FPL Solar Together - Vice Mayor Tina Paul**

*Item Deferred to next meeting.*

- W. Climate Environmental Collective Revised - Vice Mayor Tina Paul**

*Item Deferred to next meeting.*

- X. Interest Free Loans to Surfside Builders Granted by Former Mayor and Commission – Mayor Charles W. Burkett**

*Item Deferred to next meeting.*

- Y. How our Zoning Protections Against Over-Development Were Gutted - Mayor Charles W. Burkett**

*Item Deferred to next meeting.*

- Z. Amending Town Code Section 2-233 to Include Non-for-Profit – Mayor Charles W. Burkett**

*Item Deferred to next meeting.*

- AA. Amending Town Code Section 2-237 Business Relationships – Commissioner Eliana Salzhauer**

*Item Deferred to next meeting.*

- BB. Speeding & Stop Sign Running - Commissioner Eliana Salzhauer**

*Item Deferred to next meeting.*

**CC. Surfside Point Lake Subaqueous WM Crossing - Bid Documents** – Jason Greene, Interim Town Manager

*Item Deferred to next meeting.*

**DD. Beachwalk Trimming- Staff Report** – Jason Greene, Interim Town Manager

*Item Deferred to next meeting.*

**EE. Pool Deck Lighting for Extended Winter Hours- Staff Report** – Jason Greene, Interim Town Manager

*Item Deferred to next meeting.*

**FF. Community Center Second Floor – Staff Report** - Jason Greene, Interim Town Manager

*Item Deferred to next meeting.*

**GG. Repeal of Ordinance No. 17-1662 Beach Furniture** – Mayor Charles W. Burkett

*Item Deferred to next meeting.*

**HH. Designated (Painted) Walking Areas in the Residential District- Staff Report** – Jason Greene, Interim Town Manager

*Item Deferred to next meeting.*

**II. Procurement Expertise** – Commissioner Eliana Salzhauer

*Item Deferred to next meeting.*

**JJ. Take Home Vehicles** - Commissioner Eliana Salzhauer

*Item Deferred to next meeting.*

**KK. Recent and Significant Increase in Boat, Paddleboard and Kayak Use on Point Lake** – Mayor Charles W. Burkett

*Item Deferred to next meeting.*

- LL. Comparison of 2006 Code to 2020 Code – Staff Report** – Jason Greene, Interim Town Manager

*Item Deferred to next meeting.*

- MM. Stormwater Masterplan - Staff Report** – Jason Greene, Interim Town Manager

*Item Deferred to next meeting.*

- NN. Securing Power Infrastructure: Timely Action Plan for Hurricane Season through accountability now by FPL, ATT and Atlantic Broadband – Staff Report** – Jason Greene, Interim Town Manager

*Item Deferred to next meeting.*

- OO. Amendment to the Tourist Board Ordinance** – Commissioner Nelly Velasquez

*Item Deferred to next meeting.*

- PP. Demolition by Neglect** - Mayor Charles W. Burkett

*Item Deferred to next meeting.*

- QQ. Draft Ordinance Amending Definitions of Lot Coverage** - Commissioner Eliana Salzhauer

*Item Deferred to next meeting.*

- RR. Zoning Rewrite “Acre” vs. “Gross Acre”** - Commissioner Eliana Salzhauer

*Item Deferred to next meeting.*

- SS. Legally Defective Charter Amendment Vote in 2012** – Mayor Charles W. Burkett

*Item Deferred to next meeting.*

- TT. Purchase of the property located at 9540 Bay Drive (Pink House)**  
– Commissioner Nelly Velasquez

*Item Deferred to next meeting.*

- UU. Permanent Digital Sign** – Commissioner Nelly Velasquez

*Item Deferred to next meeting.*

- VV. Traffic Control Devices on 88<sup>th</sup> Street and Hawthorne Avenue** –  
Commissioner Eliana Salzhauer

*Item Deferred to next meeting.*

- WW. Cone of Silence/Secrecy** – Mayor Charles Burkett

*Item Deferred to next meeting.*

- XX. Gazette Revenue and Funding Sources** – Mayor Charles Burkett

*Item Deferred to next meeting.*

- YY. Resident Survey regarding kayak Launch** – Vice Mayor Paul

*Item Deferred to next meeting.*

- ZZ. Beach Raking** – Commissioner Eliana Salzhauer

*Item Deferred to next meeting.*

- AAA. Kayak Launch** – Commissioner Eliana Salzhauer

*Item Deferred to next meeting.*

- BBB. Taking Steps to Keep our Businesses Alive During COVID** – Mayor Charles  
Burkett

*Item Deferred to next meeting.*

## ***Thirty (30) Day Staff Report – Items from June 23, 2020 Special Town Commission Meetings***

- A. **Miami Christmas Lights** – Jason Greene, Interim Town Manager

### ***Items Completed or Removed from Previous Agendas***

- A. **Resolution Adopting an Amended Resiliency Reserve Policy Revision**
- B. **Resolution Approving the March 17, 2020 Town of Surfside Municipal Election**
- C. **Resolution Abolishing the Sustainability and Resiliency Committee**
- D. **Resolution Amending the Downtown Vision Advisory Committee**
- E. **Resolution Reauthorizing the Parks and Recreation Committee**
- F. **“Flash Your Lights”**
- G. **Mandatory Face Mask in the Town of Surfside**
- H. **Bandanas for Town Residents**
- I. **Commission Meeting Starting Time at 6:00pm**
- J. **Discussion Regarding Assistant Town Manager position and Action**
- K. **Photovoltaic RFP**
- L. **Facilities Review**
- M. **Kayak Launch**
- N. **Jacobson Contract**
- O. **Zambelli Fireworks Manufacturing**
- P. **Small Business Survival Grant**
- Q. **Review of Amendment No. 2 to Update No. 5 Town of Surfside Emergency Measures**
- R. **Downtown Surfside Sidewalk Beautification - Plans and Studies -**  
*[Downtown Vision Advisory Committee to discuss]*
- S. **Sidewalk on N 95<sup>th</sup> St between Abbott and Byron**
- T. **Beach Raking**
- U. **Community Digital Signs**
- V. **Government Academy**
- W. **Various Tourism Related Events, Initiatives, and Destination Marketing**
- X. **Classification and Compensation Study**
- Y. **Flooding/Drainage Improvements**
- Z. **Abbott Avenue Drainage**
- AA. **Police Body-Worn Camera System**

- BB. Care ACT Fund**
- CC. FY 2020 Budget Amendment**
- DD. Purchase of Additional Sewer Pump**
- EE. Planning and Zoning Board Membership Requirements Ordinance**
- FF. Tourist Board Membership Requirement Ordinances**
- GG. Resolution Renaming the Town's Higher Education Scholarships to be called the "Arya Gray Memorial Higher Education Scholarship"**
- HH. Interlocal Shuttle System Report Update**
- II. Reconsideration of the Installation of Berms on 92<sup>nd</sup>**
- JJ. Staffing Hiring Freeze**
- KK. Undergrounding power lines – Staff Report**
- LL. Streamline Town Staffing**
- MM. Brightview Agreement (FKA Luke's Landscape) Report and Follow up–Staff Report**
- NN. Replacement Bins for Trash and Recycling Receptacles Throughout Town**
- OO. Discussion and Action on Ballot Language for Undergrounding of Utilities**
- PP. Potential Ballot Question - P3/Lease or Sale of Town Property**
- QQ. Charter Amendments to affirm the limit of pay for elected officials to a maximum of \$1 per year, term limits for elected officials of 3 consecutive terms, or any part thereof, for both Mayor & Commissioners, a prohibition on the sale or leasing of any Town property without a referendum & a prohibition against any loan or borrowing of any type, which would put the Town into debt for more than 10% of its annual property tax revenue and which could not be fully amortized within a total of 5 years and restore development protections in the charter**
- RR. Star Cleaning Service (Street Sweeping)**
- SS. New Zoning Code-Procedural and Notice Requirements**
- TT. 92<sup>nd</sup> St Beach-end Improvements**
- UU. Develop Capital Improvement Plan (CIP)**
- VV. 10 Year Water supply Plan**
- WW. Various Parks & Recreation Related Events and Initiatives**
- XX. Dog Park – Removed by the Mayor on 08/11/2020**

## **6. Adjournment**

A motion was made by Commissioner Velasquez to adjourn the meeting without objection at 11:13 p.m. The motion received a second from Commissioner Kesl. The motion carried with a 5-0 vote.

Accepted this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
Charles W. Burkett, Mayor

Attest:

\_\_\_\_\_  
Sandra N. McCreedy, MMC  
Town Clerk



**Town of Surfside  
Regular Town Commission Meeting  
MINUTES  
September 10, 2020  
7 p.m.**

Town Hall Commission Chambers - 9293 Harding Ave, 2<sup>nd</sup> Floor  
Surfside, FL 33154

**1. Opening**

**A. Call to Order**

Mayor Burkett called the meeting to order at 7:05 p.m.

**B. Roll Call of Members**

Town Clerk McCready called the roll with the following members present:

Present: Mayor Charles Burkett, Vice Mayor Tina Paul, Commissioner Nelly Velasquez and Commissioner Eliana Salzhauer.

Absent: Commissioner Charles Kesl

Also present were Interim Town Manager Jason Greene and Town Attorney Lillian Arango.

**C. Pledge of Allegiance**

**D. Mayor and Commission Remarks – Mayor Charles W. Burkett**

Mayor Burkett spoke regarding the Town Manager recruitment process and spoke regarding moving the items on the agenda to be heard up and seems there is a desire to reform the agenda and believes the manager has no business doing that and it should be up to the Commission. He stated that he is open to a better way of arranging the agenda he would like to discuss it.

Vice Mayor Paul stated that she brought it up at the last meeting and if they go line by line. She stated that she is not comfortable with moving items up they should be able to discuss and review.

Commissioner Salzhauer stated that we should place on the agenda the items that

they will definitely get to and not list items that will never be addressed. She believes that they should go through the agenda and determine which ones are relevant. She discussed addressing items that are important to the residents and prioritize them.

Commissioner Velasquez stated that they should go through the items and see what is relevant and see which ones can be addressed quickly and what is priority. She discussed items that might not be relevant any longer and believes they need to narrow them down.

Mayor Burkett addressed Commissioner Salzhauer's and Commissioner Velasquez' comments and suggested that if there are items that they agree should be prioritized they bring them up and if any Commissioner needs to remove their item, they can do so without Commission direction.

Vice Mayor Paul discussed the Holiday Lights item that has not been addressed and the holidays are approaching.

Mayor Burkett suggested if there is an item that is urgent and needs immediate action or one that needs to be removed for the Commission to do so.

Vice Mayor Paul stated that she is not comfortable removing an item if it is not hers.

Further discussion took place among the Commission regarding the prioritizing of items on the agenda and order of the agenda.

A motion as made by Commissioner Salzhauer to have a workshop an hour prior to the Budget Workshop next week, seconded by Commissioner Velasquez. The motion carried with a 4-0 vote with Commissioner Kesl absent.

Interim Town Manager Greene requested to pull his Town Manager Report from the agenda.

Consensus was reached to pull the Town Manager's Report from consent.

A motion was made by Commissioner Velasquez to move up items 9D, 9E and 9SS to be heard tonight after item 9A, seconded by Commissioner Salzhauer. The motion carried with a 4-0 vote with Commissioner Kesl absent.

Vice Mayor Paul would like to hear regarding the holiday lights from the Interim Town Manager Greene.

Interim Town Manager Greene gave an update on the Holiday Lights contract and the renegotiation of the contract.

Commissioner Salzhauer asked how the lights would look and where they are placed and the color of the lights.

The Commission requested to see samples before they agree on the contract.

Commissioner Velasquez commented on the process and would like to have this on the agenda at the next commission meeting and address it at that meeting.

Mayor Burkett stated that he is not sure if the residents want lights all year long. He thanked Interim Town Manager Greene for his work and how he explored all the possibilities. He spoke regarding the five-year deal.

Commissioner Velasquez commented on the prior lights and spoke regarding other items they would put specific to the holiday season and would they be receiving those items or would it be a different contract.

Interim Town Manager Greene stated that he will work with the vendor on how it will look.

Commissioner Salzhauer stated that she was under the impression that there was another proposal and believes it should be more methodical in order to work quickly with this.

Vice Mayor Paul stated that they do not have to speak about this tonight, but it was discussed months ago and the holiday season is approaching.

Commissioner Salzhauer requested to move item 9PP up.

Mayor Burkett stated that that item will be coming back at a future meeting.

Commissioner Salzhauer asked if it is on the zoning in progress.

Assistant Town Attorney Recio stated it is on the zoning in progress.

Commissioner Salzhauer requested to remove the item regarding the gross acreage from the agenda. Consensus was reached.

A motion was made by Commissioner Salzhauer to link 9YY and 9WW and hear the items after 9A, seconded by Commissioner Velasquez. The motion carried with a 4-0 vote with Commissioner Kesl absent.

A motion was made Commissioner Salzhauer to move up the lights in the pool. The motion died for lack of a second.

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

**F. Community Notes** – Mayor Charles W. Burkett

**G. Surfside Higher Education Scholarship** – Mayor Charles W. Burkett

Interim Town Manager Greene introduced the item in the amount of \$1,000 for each recipient.

Parks Director Milian stated the process of the scholarship selection to the Commission and advised who the recipients of the scholarship were that received the Ayra Gray Scholarship and the Higher Education Scholarship.

Commissioner Salzhauer and Commissioner Velasquez asked who the recipients are.

Parks Director Milian stated that the recipients are Judah Dietch and Julian Rubinovich and gave a biography of each recipient.

Commissioner Velasquez would like to see the recipients in order to congratulate them and their success in college.

**2. Quasi-Judicial Hearings**

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

A motion was made by Vice Mayor Paul to approve the Consent Agenda minus the pulled items, seconded by Commissioner Velasquez. The motion passed with a 4-0 vote with Commissioner Kesl absent.

**A. Minutes** – Sandra N. McCreedy, MMC, Town Clerk

- August 11, 2020 Regular Town Commission Meeting Minutes
- August 18, 2020 Special Town Commission Meeting Minutes
- August 25, 2020 Special Town Commission Meeting Minutes

A motion was made by Commissioner Velasquez to defer the minutes, seconded by Commissioner Salzhauer. The motion carried with a 4-0 vote with Commissioner Kesl absent.

**\*B. Town Manager's Report** – Jason Greene, Interim Town Manager

Interim Town Manager Greene encouraged residents to complete the census.

Interim Town Manager Greene spoke regarding the multi-agency speeding operation and thanked the agencies that supported Surfside. He gave the statistics of the number

of citations that were handed out and thanked Police Chief Yero.

Mayor Burkett thanked Police Chief Yero and Sergeant Matelis for the work they did.

Commissioner Velasquez wanted to congratulate Police Chief Yero for the great outcome and helping control the traffic and speeding issue.

Vice Mayor Paul stated it was a great effort and all they want is to have safe streets.

Interim Town Manager Greene formally announced that on October 6<sup>th</sup> from 7 pm to 9 pm the Town will have an election ballot meeting and provide a presentation on all the ballot questions.

Commissioner Salzhauer spoke regarding the information on the website and that some of the ballot questions will be hard to understand and suggested to send something to the residents in layman terms what those ballot questions mean in order for them to understand. She suggested placing it in the Gazette.

Mayor Burkett suggested Interim Town Manager Greene put together language and send it to the Commission to see if they object and if the Commission objects it gets brought back to the Commission.

Commissioner Salzhauer suggested to work with Rachel Pinzur to come up with language that is easy to understand.

Further discussion took place among the Commission regarding the language for the workshop and a banner on the website regarding the October 6<sup>th</sup> forum.

Interim Town Manager Greene stated that the Human Resources Director wanted to clarify some items regarding the Town Manager recruitment.

Yami wanted to formally thank Clara Diaz-Leal and stated that she needs the next step and direction from the Commission. She stated the next phase is the round robin and needs clear direction from the Commission. How they will apply the selection on the ranking sheet. If its top three or five, will they use the point system and needs confirmation on the item frame. She asked Town Clerk McCready to circulate dates and if the interviews will be one hour or thirty minutes.

Commissioner Salzhauer stated that she would like to have five to interview in depth and rank them the way they did before.

Commissioner Velasquez stated that she agrees to interview the top five. She does not think the point system really works and is a waste of time. She would like to do the meetings within two weeks on a week that they do not have a meeting and an hour max for the interview.

Vice Mayor Paul agrees with Commissioner Velasquez to not do the point system and is fine with three or five, would prefer five and is not ready to rank them.

Yami stated that she would like to have the names by Monday or Tuesday in order to provide the candidates maybe Monday the latest in order to rank them and schedule the top five in two to three weeks for an hour.

Commissioner Velasquez asked if she has to interview those that she is not interested in.

Yami stated that she should interview them all even if she does not spend an hour with them.

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

**D. Committee Reports** - Jason Greene, Interim Town Manager

- March 2, 2020 – Tourist Board Meeting Minutes

Approved on Consent

**E. Resolution Authorizing the Mutual Aid Agreement between the Town of Surfside and the City of Miami** - Jason Greene, Interim Town Manager

**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, APPROVING A VOLUNTARY COOPERATION AND OPERATIONAL ASSISTANCE MUTUAL AID AGREEMENT WITH THE CITY OF MIAMI; PROVIDING FOR AUTHORIZATION; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.**

Approved on Consent

#### **4. Ordinances**

*(Set for approximately 7:20 p.m.) (Note: Good and Welfare must begin at 8:15)*

##### **A. Second Reading Ordinances**

- 1. Beach Furniture Ordinance 2020 Sponsored by Commissioner Salzhauer** – Jason Greene, Interim Town Manager, Lillian M. Arango, Haydee Sera and Anthony Recio, Town Attorneys

**AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, AMENDING ARTICLE II, "PUBLIC BEACHES," OF CHAPTER 86, "WATERWAYS" OF THE TOWN'S CODE OF ORDINANCES RELATING TO BEACH FURNITURE AND PUBLIC BEACHES; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; PROVIDING FOR EXPIRATION OF BEACH FURNITURE OPERATOR PERMIT APPROVED PURSUANT TO RESOLUTION NO. 17-2470; AND PROVIDING FOR AN EFFECTIVE DATE.**

Town Clerk McCready read the title of the Ordinance.

Commissioner Velasquez stated that she would like some amendments done to this ordinance.

Commissioner Salzhauer introduced the item and the specifics of this ordinance.

Vice Mayor Paul commented on page 92 changes to the formula under letter C and would like to change letter D to have hotels and condos to be equal. She stated there should be a cap. Letter E She wanted to add a sentence "unless approved by Town Manager or designee and placed within the beach frontage of the beach property."

Commissioner Velasquez suggested to have a specific area and only allowing the number of chairs allotted for that specific area. She suggested having the residents being able to sit closer to the water's edge and having a set number is better. She would like to include the word "lounge chair".

Commissioner Salzhauer clarified how they got to the calculations which was by using the frontage.

Mayor Burkett provided a presentation on the item.

Commissioner Velasquez asked regarding the spaces shown on the presentation of where the chairs would be placed.

Commissioner Salzhauer stated she is not comfortable with the number of chairs being so high and spoke regarding the depth.

Vice Mayor Paul spoke regarding the cap and trade portion of the presentation and is not in agreement with it.

Commissioner Velasquez stated that she does believe this is commercializing our beaches.

Mayor Burkett responded to the comments made by the Town Commission on his presentation.

Vice Mayor Paul commented on the presentation and restrictions that should be added and is against the Cap and Trade.

After a lengthy discussion among the Commission regarding the presentation and the number of chairs, the following motion was made.

The following individuals spoke on the item:

Monica Garafolo  
Allan Yarkin  
Ana Pavlovicz  
Tony Canacarus  
Jeffrey Platt

A motion was made by Vice Mayor Paul to give Jeff Platt an additional two minutes to speak, seconded by Commissioner Salzhauer. The motion carried with a 4-0 vote with Commissioner Kesl absent.

Michael Kohlsdorf  
Meir Cosiol

A motion was made by Vice Mayor Paul to give Meir Cosiol an additional two minutes to speak, seconded by Commissioner Velasquez. The motion carried with a 4-0 vote with Commissioner Kesl absent.

Commissioner Salzhauer addressed comments made regarding presetting.

Commissioner Velasquez stated that the beach chairs are for the lounge chairs that the condos and hotels would be placing out and not pertain to the residents bringing their own chair.

Joel Simmonds  
Ron Glass

Commissioner Velasquez stated that perhaps they should have a conversation with the organizations and come up with a happy median.

William Thompson  
George Kousoulas  
Jeff Rose  
Joseph Rebak

Vice Mayor Paul addressed the comments made by speaker Joseph Rebak.

Commissioner Salzhauer addressed comments made by speaker Joseph Rebak.

Eric Rosenstock  
Neisen Kasdin  
Manty Sabates Morse  
Richard Ramunno  
Carl Henderson

A motion was made by Vice Mayor Paul to extend the meeting 30 minutes, seconded by Commissioner Salzhauer. The motion passed with a 4-0 vote with Commissioner Kesl absent.

Ben Jacobson  
Victor Cohen  
Jennifer Rotker  
Jonah Bargas  
Horace Henderson  
Steve Schott  
Silvia Coltrane

A motion was made by Vice Mayor Paul to give Silvia Coltrane an additional two minutes to speak, seconded by Commissioner Velasquez. The motion carried with a 4-0 vote with Commissioner Kesl absent.

Clara Diaz-Leal

A motion was made by Vice Mayor Paul to extend the meeting for 30 minutes, seconded by Commissioner Salzhauer. The motion carried with a 3-1 vote with Commissioner Velasquez voting in opposition and Commissioner Kesl absent.

Aurora De La Rosa  
Deborah Cimadevilla  
Sharon Hakmon  
Renee Wolfe  
Tricia Fowley

Mayor Burkett closed public comment.

Vice Mayor Paul provided her input on the item and addressed comments made by the speakers and everyone wants what is best for the Town and are trying to protect the Town. She stated that they are trying to regulate it in a more efficient way. She would like to approve the ordinance with the amendments she requested.

Commissioner Velasquez addressed comments made by the public and suggested bringing it up as a ballot question for the residents to approve or disapprove it. She

stated that they should not be selling spaces and storing chairs on the beach. She commented on presetting chairs that could be done for the elderly and have it be in a boxed area in the frontage of the property and how many fit there is what would be allowed.

Commissioner Salzhauer addressed the comments made by speaker and the presetting and is not in agreement of presetting and it is not a good concept. She stated that this ordinance is a compromise and is in agreement with Vice Mayor Paul's amendments.

Mayor Burkett stated that they need to come up with a ratio and mentioned Vice Mayor Paul came up with .25 and believes they should get something passed and come back later if need be. He spoke regarding the discussion of the presets and that residents wanted that discussed and he sees that is something that the majority does not want to do. He stated that potentially the hotels will need more chairs and stated that .3 would be better with no presets, not allow overnight storage, and the flexibility portion allows for mischief and that is the part that concerns him.

Vice Mayor Paul addressed a comment from one of the speakers regarding the number of chairs and the reduction is due to COVID. She stated that the flexibility allowed some extra chairs in the event that .25 was too small of an amount. She stated that there are individuals sitting behind the building as well. She stated that if you up the percentage they will use it.

Commissioner Salzhauer agrees with the .25 and would like in writing from the hotels that they will not sue the Town since they gave them more chairs. She stated that the .25 is enough chairs.

A motion was made by Commissioner Salzhauer to extend the meeting for 30 minutes, seconded by Vice Mayor Paul. The motion carried with a 3-1 vote with Commissioner Velasquez voting in opposition and Commissioner Kesl absent.

Commissioner Velasquez stated that she has attended other beaches and preset does exist. She suggested having a preset area to place their beach chair.

Vice Mayor Paul addressed the comments made by Commissioner Velasquez regarding preset. She would be in favor to allow the preset instead of the staging areas.

Assistant Town Attorney Recio asked what the standard would be for the Town Manager to apply.

Vice Mayor Paul stated within the parameters of the beach front as long as it fits.

Mayor Burkett stated that he will not vote if it is not .3 and presets and the setbacks must be discussed and define the corridors.

Commissioner Salzhauer stated that the corridors were already addressed and the staging area is outlined in the ordinance.

A motion was made by Commissioner Velasquez to extend the meeting for 15 minutes, seconded by Vice Mayor Paul. The motion carried with a 4-0 vote with Commissioner Kesl absent.

After a lengthy discussion on the item and the number of chairs each condominium and hotel would have, the following motion was made.

A motion was made by Commissioner Salzhauer to approve the Ordinance on second reading with the following changes: give the same rate of .25 for everyone with flexibility to include five preset chairs, 10 staging chairs, setback 15 feet from the dunes and 20 feet from high tide, and if they need more chairs it must be approved by the Town Manager, and barriers on each side of the lots, seconded by Vice Mayor Paul. The motion failed by a 2-2 vote with Commissioner Velasquez and Mayor Burkett voting in opposition. Commissioner Kesl was absent.

A motion was made by Commissioner Velasquez to approve the Ordinance on second reading with the following changes: give the rate of .3 with flexibility at the Town Manager's discretion within the parameters of the property, include five preset chairs, 10 staging chairs, setback 15 feet from the dunes and 20 feet from high tide water line, and if they need more chairs it must be approved by the Town Manager, and barriers on each side of the lots, seconded by Vice Mayor Paul. The motion failed by a 2-2 with Commissioner Salzhauer and Mayor Burkett voting in opposition. Commissioner Kesl was absent.

A motion was made by Vice Mayor Paul to approve the Ordinance with the following changes: to accept ordinance with .25 chairs equal amount for condominiums and hotels and extend flexibility of chairs, 10 preset chairs and 10 staging, flexibility for the Town Manager in the event they reach their limit, setback 15 feet from the dunes and 20 feet from high tide water line, seconded Commissioner Salzhauer. Vice Mayor Paul withdrew her motion.

A motion was made by Mayor Burkett, to approve the Ordinance with the following changes: .3 with flexibility at the Town Manager's discretion within the parameters of the property, include 5 preset chairs, 10 staging chairs, one-half the number of umbrellas, setback 15 feet from the dunes and 20 feet from high tide water line, 10 feet side setbacks, seconded by Commissioner Velasquez. The motion carried with a 4-0 vote with Commissioner Kesl absent.

A motion was made by Vice Mayor Paul to direct Interim Town Manager Greene to increase the rate for parking, seconded by Mayor Burkett. The motion carried with a 3-1 vote with Commissioner Salzhauer voting in opposition and Commissioner Kesl absent

*(Set for approximately 9:00 p.m.) (Note: Good and Welfare must begin at 8:15)*

**B. First Reading Ordinances**

**1. Beach Furniture Ordinance – Commissioner Charles Kesl**

**AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, REPEALING SECTION 86-31, “BEACH FURNITURE PERMIT REQUIREMENTS” AND SECTION 86-32, “INDEMNIFICATION AND INSURANCE” OF THE TOWN’S CODE OF ORDINANCES; AMENDING DIVISION 1, “GENERALLY,” OF ARTICLE II, “PUBLIC BEACHES,” OF CHAPTER 86, “WATERWAYS” OF THE TOWN’S CODE OF ORDINANCES RELATING TO BEACH FURNITURE AND PUBLIC BEACHES; PROVIDING FOR EXPIRATION OF BEACH FURNITURE OPERATOR PERMITS; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.**

Item deferred.

**5. Resolutions and Proclamations**

*(Set for approximately 9:45 p.m.) (Note: Depends upon length of Good and Welfare)*

**A. Design Services for the Reconstruction of 96th Street Park- Jason Greene, Interim Town Manager**

**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA AUTHORIZING NEGOTIATIONS WITH THE HIGHEST-RANKED QUALIFIED FIRM, SAVINO & MILLER DESIGN STUDIO, PURSUANT TO RFQ NO. 2020-02 SEEKING DESIGN SERVICES FOR RECONSTRUCTION OF 96<sup>TH</sup> STREET PARK; AND FURTHER AUTHORIZING, IF NECESSARY, NEGOTIATIONS WITH SUBSEQUENTLY RANKED QUALIFIED FIRMS, FOR THE AWARD OF A PROFESSIONAL SERVICES AGREEMENT FOR SUCH SERVICES; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.**

Item deferred.

**B. Miami-Dade County Local Mitigation Strategy (LMS) Plan – Jason Greene, Interim Town Manager**

**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, ADOPTING THE MIAMI-DADE COUNTY LOCAL**

**MITIGATION STRATEGY (LMS) 2020; PROVIDING FOR IMPLEMENTATION;  
AND PROVIDING FOR AN EFFECTIVE DATE.**

Item deferred

**C. Structural Plans Review Funding Authorization - Jason Greene, Interim Town  
Manager**

**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF  
SURFSIDE, FLORIDA, AUTHORIZING THE EXPENDITURE OF FUNDS FOR  
STRUCTURAL PLAN REVIEW SERVICES TO M.T. CAUSLEY, LLC;  
PROVIDING FOR AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE  
DATE.**

Item deferred

**D. General Planning Services RFQ 2020-05 - Jason Greene, Interim Town  
Manager**

**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF  
SURFSIDE, FLORIDA AUTHORIZING NEGOTIATIONS WITH THE  
HIGHEST-RANKED QUALIFIED FIRM, MARLIN ENGINEERING,  
PURSUANT TO RFQ NO. 2020-05 SEEKING GENERAL PLANNING  
SERVICES, AND FURTHER AUTHORIZING, IF NECESSARY,  
NEGOTIATIONS WITH SUBSEQUENTLY RANKED QUALIFIED FIRMS,  
FOR THE AWARD OF A PROFESSIONAL SERVICES AGREEMENT FOR  
SUCH SERVICES; PROVIDING FOR IMPLEMENTATION; AND PROVIDING  
FOR AN EFFECTIVE DATE.**

Item deferred

**E. Pinzur Communications Agreement - Jason Greene, Interim Town Manager**

**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF  
SURFSIDE, FLORIDA, APPROVING THE SECOND  
RENEWAL/AMENDMENT TO THE AGREEMENT WITH PINZUR  
COMMUNICATIONS, INC. FOR PUBLIC INFORMATION REPRESENTATIVE  
SERVICES; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR  
AN EFFECTIVE DATE.**

Item deferred

**6. Good and Welfare/ Public Comments from Residents**

***(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.*

The following individuals from the public spoke:

Camila Martinez spoke regarding opening the Hawthorne Tot Lot and Community Center Children's pool.

A motion was made by Commissioner Velasquez to allow Camila Martinez to speak for an additional minute, seconded by Vice Mayor Paul. The motion carried with 3-1 vote with Commissioner Salzhauer voting in opposition and Commissioner Kesl absent.

A motion was made by Commissioner Velasquez to approve opening the Hawthorne Tot Lot and Community Center Children's Pool to the extent of not defying the County Order and the County will permit, seconded by Mayor Burkett. The motion carried with a 3-1 vote with Commissioner Salzhauer voting in opposition and Commissioner Kesl absent.

Vice Mayor Paul spoke regarding the reports on COVID and the rules set by Miami Dade County.

Commissioner Salzhauer stated that our hands are tied and one is not legally able to defy the County's Order and cannot override their guidelines.

Commissioner Velasquez addressed the comments made by speaker Camila Martinez and agrees to reopen the tot lot and pool.

Mayor Burkett addressed the comments by the Commission and speaker Camila Martinez and stated they cannot stay closed forever and does understand the science of children and the adults are different and would make every effort to open those up.

Town Attorney Arango stated there is a County Order to keep the playgrounds closed and they have the authority to specifically close parks in a state of emergency and if the Town defies that order they will have consequences.

Jeff Platt spoke regarding muting of Commissioner Salzhauer.

Mayor Burkett addressed the comments made by Jeff Platt.

Meir Cosiol stated that he supports the Mayor on keeping the meeting in decorum and addressed the comments made by Commissioner Salzhauer in controlling the Town by the County's Order and what her suggestion on jurisdiction of the beach chairs.

Commissioner Salzhauer stated that the way they control the beach chairs is due to a quality of life issue and that is how they can regulate it.

Joshua Epstein commented on the state of emergency and regarding the muting of Commissioner Salzhauer.

Andrew Septimus thanked the Commission for their leadership during the pandemic and

spoke regarding construction while children are doing schoolwork and asked for a moratorium.

Mandyf Davoudorf spoke regarding the work done on the speeding detail that was done this week and if the same thing could be done in the residential areas; kayak launch and agrees with keeping the meeting in order.

Deborah Cimadevilla spoke regarding rules and decorum and how many turns each Commissioner has to speak on a specific item.

Clara Diaz-Leal spoke regarding decorum among the Commission.

George Kousoiulas spoke regarding the trimming of the items on the agenda.

Jeff Rose spoke regarding being able to address the walkability and kayak launch item. He spoke regarding having a zoning workshop soon.

Robert Lisman stated that the Mayor ignored the law after the Town Attorney advised him he couldn't do what he was asking to be done. He asked if the Mayor ever played team sports and the way he plays this sport is terrible. He is a shameful team player.

Phyllis Shamis spoke regarding item 9U regarding pension for the unsworn employees and trying to fix the inequities found while comparing the other pensions in the area.

Steve White spoke regarding the conduct and interactions among the Commission. He would like to hear an explanation regarding the beach chairs and how they infringe on health and safety.

Jordan Wackta spoke regarding the recreation swimming.

Commissioner Salzhauer addressed the comments made by the public speakers regarding the pool lanes and beach chairs.

#### **7. Town Manager and Town Attorney Reports**

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

#### **8. Unfinished Business and New Business**

#### **9. Mayor, Commission and Staff Communications**

##### **A. COVID-19 Task Force Update – Jason Greene, Interim Town Manager**

Item deferred.

##### **B. Discussion and Action Regarding Newly Implemented “Town Blog”,**

**Surfside Gazette and Social Media Guidelines – Commissioner Eliana Salzhauer**

Item deferred.

**C. Amending Town Code Section 2-205 Conduct of Meetings; Agenda – Mayor Charles W. Burkett**

Item deferred.

**D. Topper Selection for 4 x 4 Posts on Hardpack and Walking Path - Jason Greene, Interim Town Manager**

Item deferred.

**E. Building Department Document Scanning- Jason Greene, Interim Town Manager**

Item deferred.

**F. Preservation of Eden Project located at 9300 Collins Avenue - Mayor Charles W. Burkett**

Item deferred.

**G. Speeding on Collins and Harding - Mayor Charles W. Burkett**

Item deferred.

**H. Homeless Contribution by the Town of Surfside of \$100,000 - Mayor Charles W. Burkett**

Item deferred.

**I. Free (hassle-free) downtown parking for residents - Mayor Charles W. Burkett**

Item deferred.

**J. Records Retention Policy – Mayor Charles W. Burkett**

Item deferred.

**K. Regulation of Short-Term Rentals – Mayor Charles W. Burkett**

Item deferred.

**L. S.M.A.R.T Goals, Quality Control & Quality Assurance – Commissioner Charles Kesl**

Item deferred.

**M. Design Review Board Discussion – Staff Report – Jason Greene, Interim Town Manager**

Item deferred.

**N. Weiss Serota Contract Follow up – Staff Report – Jason Greene, Interim Town Manager**

Item deferred.

**O. Town Pension Benefits for Non-Public Safety Employees – Mayor Charles W. Burkett**

Item deferred.

**P. Additional lighting in the residential area – Staff Report – Jason Greene, Interim Town Manager**

Item deferred.

**Q. Construction Guidelines for Hurricane Season – Commissioner Nelly Velasquez**

Item deferred.

**R. Lowering of Property Taxes and Water Bills – Staff Report – Jason Greene, Interim Town Manager**

Item deferred.

**S. CGA Contract Follow Up – Staff Report** – Jason Greene, Interim Town Manager

Item deferred.

**T. Discussion Regarding Appointments to Committees and Boards** – Sandra N. McCready, Town Clerk

Item deferred.

**U. FPL Solar Together** - Vice Mayor Tina Paul

Item deferred.

**V. Climate Environmental Collective Revised** - Vice Mayor Tina Paul

Item deferred.

**W. Interest Free Loans to Surfside Builders Granted by Former Mayor and Commission** – Mayor Charles W. Burkett

Item deferred.

**X. How our Zoning Protections Against Over-Development Were Guttled** - Mayor Charles W. Burkett

Item deferred.

**Y. Amending Town Code Section 2-233 to Include Non-for-Profit** – Mayor Charles W. Burkett

Item deferred.

**Z. Amending Town Code Section 2-237 Business Relationships** – Commissioner Eliana Salzhauer

Item deferred.

**AA. Speeding & Stop Sign Running** - Commissioner Eliana Salzhauer

Item deferred.

**BB. Beachwalk Trimming- Staff Report** – Jason Greene, Interim Town Manager

Item deferred.

**CC. Pool Deck Lighting for Extended Winter Hours- Staff Report** – Jason Greene, Interim Town Manager

Item deferred.

**DD. Community Center Second Floor – Staff Report** - Jason Greene, Interim Town Manager

Item deferred.

**EE. Designated (Painted) Walking Areas in the Residential District- Staff Report** – Jason Greene, Interim Town Manager

Item deferred.

**FF. Procurement Expertise** – Commissioner Eliana Salzhauer

Item deferred.

**GG. Take Home Vehicles** - Commissioner Eliana Salzhauer

Item deferred.

**HH. Recent and Significant Increase in Boat, Paddleboard and Kayak Use on Point Lake** – Mayor Charles W. Burkett

Item deferred.

**II. Comparison of 2006 Code to 2020 Code – Staff Report** – Jason Greene, Interim Town Manager

Item deferred.

**JJ. Stormwater Masterplan - Staff Report** – Jason Greene, Interim Town Manager

Item deferred.

**KK. Securing Power Infrastructure: Timely Action Plan for Hurricane**

**Season through accountability now by FPL, ATT and Atlantic  
Broadband – Staff Report – Jason Greene, Interim Town Manager**

Item deferred.

**LL. Amendment to the Tourist Board Ordinance – Commissioner Nelly  
Velasquez**

Item deferred.

**MM. Demolition by Neglect - Mayor Charles W. Burkett**

Item deferred.

**NN. Discussion and Action Regarding Newly Implemented “Town Blog”,  
Surfside Gazette and Social Media Guidelines – Commissioner Eliana  
Salzhauer**

Item deferred.

**OO. Draft Ordinance Amending Definitions of Lot Coverage -  
Commissioner Eliana Salzhauer**

Item deferred.

**PP. Zoning Rewrite “Acre” vs. “Gross Acre” - Commissioner Eliana  
Salzhauer**

Item deferred.

**QQ. Legally Defective Charter Amendment Vote in 2012 – Mayor Charles  
W. Burkett**

Item deferred.

**RR. Purchase of the property located at 9540 Bay Drive (Pink House) –  
Commissioner Nelly Velasquez**

Item deferred.

**SS. Permanent Digital Sign – Commissioner Nelly Velasquez**

Item deferred.

**TT. Traffic Control Devices on 88<sup>th</sup> Street and Hawthorne Avenue –  
Commissioner Eliana Salzhauer**

Item deferred.

**UU. Cone of Silence/Secrecy – Mayor Charles Burkett**

Item deferred.

**VV. Gazette Revenue and Funding Sources – Mayor Charles Burkett**

Item deferred.

**WW. Resident Survey regarding Kayak Launch – Vice Mayor Paul**

Item deferred.

**XX. Beach Raking – Commissioner Eliana Salzhauer**

Item deferred.

**YY. Kayak Launch – Commissioner Eliana Salzhauer**

Item deferred.

**ZZ. Taking Steps to Keep our Businesses Alive During COVID – Mayor  
Charles Burkett**

Item deferred.

***Thirty (30) Day Staff Report – Items from June 23, 2020 Special Town Commission  
Meetings***

**A. Miami Christmas Lights – Jason Greene, Interim Town Manager**

***Items Completed or Removed from Previous Agendas***

- A. Resolution Adopting an Amended Resiliency Reserve Policy Revision**
- B. Resolution Approving the March 17, 2020 Town of Surfside Municipal Election**
- C. Resolution Abolishing the Sustainability and Resiliency**

**Committee**

- D. Resolution Amending the Downtown Vision Advisory Committee**
- E. Resolution Reauthorizing the Parks and Recreation Committee**
- F. “Flash Your Lights”**
- G. Mandatory Face Mask in the Town of Surfside**
- H. Bandanas for Town Residents**
  - I. Commission Meeting Starting Time at 6:00pm**
- J. Discussion Regarding Assistant Town Manager position and Action**
- K. Photovoltaic RFP**
- L. Facilities Review**
- M. Kayak Launch**
- N. Jacober Contract**
- O. Zambelli Fireworks Manufacturing**
- P. Small Business Survival Grant**
- Q. Review of Amendment No. 2 to Update No. 5 Town of Surfside Emergency Measures**
- R. Downtown Surfside Sidewalk Beautification - Plans and Studies - *[Downtown Vision Advisory Committee to discuss]***
- S. Sidewalk on N 95<sup>th</sup> St between Abbott and Byron**
- T. Beach Raking**
- U. Community Digital Signs**
- V. Government Academy**
- W. Various Tourism Related Events, Initiatives, and Destination Marketing**
- X. Classification and Compensation Study**
- Y. Flooding/ Drainage Improvements**
- Z. Abbott Avenue Drainage**
- AA. Police Body-Worn Camera System**
- BB. Care ACT Fund**
- CC. FY 2020 Budget Amendment**
- DD. Purchase of Additional Sewer Pump**
- EE. Planning and Zoning Board Membership Requirements Ordinance**
- FF. Tourist Board Membership Requirement Ordinances**
- GG. Resolution Renaming the Town’s Higher Education Scholarships to be called the “Arya Gray Memorial Higher Education Scholarship”**
- HH. Interlocal Shuttle System Report Update**
  - II. Reconsideration of the Installation of Berms on 92<sup>nd</sup>**
- JJ. Staffing Hiring Freeze**

- KK. Undergrounding power lines – Staff Report**
- LL. Streamline Town Staffing**
  
- MM. Brightview Agreement (FKA Luke’s Landscape) Report and Follow up–Staff Report**
- NN. Replacement Bins for Trash and Recycling Receptacles Throughout Town**
- OO. Discussion and Action on Ballot Language for Undergrounding of Utilities**
- PP. Potential Ballot Question - P3/Lease or Sale of Town Property**
- QQ. Charter Amendments to affirm the limit of pay for elected officials to a maximum of \$1 per year, term limits for elected officials of 3 consecutive terms, or any part thereof, for both Mayor & Commissioners, a prohibition on the sale or leasing of any Town property without a referendum & a prohibition against any loan or borrowing of any type, which would put the Town into debt for more than 10% of its annual property tax revenue and which could not be fully amortized within a total of 5 years and restore development protections in the charter**
- RR. Star Cleaning Service (Street Sweeping)**
- SS. New Zoning Code-Procedural and Notice Requirements**
- TT. 92<sup>nd</sup> St Beach-end Improvements**
- UU. Develop Capital Improvement Plan (CIP)**
- VV. 10 Year Water Supply Plan**
- WW. Various Parks & Recreation Related Events and Initiatives**
- XX. CARES Act Funding Interlocal with Miami-Dade County Resolution**
- YY. Repeal of Ordinance No. 17-1662 Beach Furniture – Mayor Charles W. Burkett**

## **10. Adjournment**

A motion was made by Commissioner Velasquez to adjourn the meeting without objection at 1:10 a.m. on September 11, 2020. The motion received a second from Vice Mayor Paul. The motion carried with a 4-0 vote with Commissioner Kesl absent.

Accepted this \_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
Charles W. Burkett, Mayor

Attest:

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Sandra N. McCreedy, MMC  
Town Clerk



**Town of Surfside  
Special Town Commission Meeting  
First Budget Hearing  
MINUTES  
September 15, 2020  
7:00 p.m.**

**1. Opening**

**A. Call to Order**

Mayor Burkett called the meeting to order at 7:19 p.m.

**B. Roll Call of Members**

Town Clerk McCreedy called the roll with the following members present:

Present: Mayor Charles Burkett, Vice Mayor Tina Paul, Commissioner Nelly Velasquez, Commissioner Eliana Salzhauer and Commissioner Kesl.

Also present were Interim Town Manager Jason Greene and Town Attorney Lillian Arango.

**2. Discussion Regarding Millage Rate and Budget – Jason Greene, Interim Town Manager**

Interim Town Manager Greene introduced the item and gave the process of tonight's meeting and provided a presentation of the millage rate and budget. He stated that the tentative millage rate is for 4.4, roll back rate is 4.3499. He discussed the elimination of positions. He has requested to add a part time code compliance position that will be funded out of the Tourist Resort Fund to work with the beach issues.

Commissioner Velasquez commented on the FY 2021 proposed budget property values and asked why is the assessment being done based on the property values going down when in fact they are going up. She asked what those numbers are based on.

Interim Town Manager Greene addressed the comments made by Commissioner Velasquez.

Commissioner Velasquez asked if a landlord gets a tax break if their tenants do not pay since the hotels get a break.

Interim Town Manager Greene answered Commissioner Velasquez' question.

Commissioner Salzhauer commended Interim Town Manager Greene on his presentation. She commented on Pinzur's contract and the budget cuts. She asked if they will be as cautious for next fiscal year in order to go into reserves.

Commissioner Kesl commended Interim Town Manager Greene and asked what matrix are being used.

Interim Town Manager Greene addressed the comment made by Commissioner Kesl. He discussed removing some responsibilities from Pinzur.

Commissioner Kesl commented on reserves and asked Interim Town Manager Greene how they should balance the reserves with whoever comes on as Town Manager.

Interim Town Manager Greene addressed the comments by Commissioner Kesl regarding reserves.

Vice Mayor Paul spoke regarding the healthy reserves the Town has and the good position they have.

Mayor Burkett thanked Interim Town Manager Greene for the presentation.

Commissioner Velasquez commented on when they hired the resiliency officer and why are they trying to incorporate that position into another position within the Town. She commented on eliminating that position as a whole.

Interim Town Manager Greene addressed the comments made by Commissioner Velasquez.

Commissioner Velasquez commented on restructuring the communications position and assigning the duties to Frank Trigueros.

A motion was made to hire a multi-task employee to do grants, procurement and communication, seconded by Commissioner Kesl. The motion failed with a 2-3 vote with Vice Mayor Paul, Commissioner Salzhauer and Commissioner Kesl voting in opposition.

Commissioner Kesl stated that the organization is in place with the right expectation. He spoke regarding streamlining with the right duties and individuals.

Commissioner Salzhauer commented on bringing everything inhouse and if this is still the goal to place the right person to do the communications.

Interim Town Manager Greene addressed the comments made by Commissioner Salzhauer regarding the contract employees and with this budget it will fund a full-time employee to do the communications.

Vice Mayor Paul commented on the loss of the sustainability officer who also did our grant writing. She commented on Pinzur assisting the Tourism Director. She commented on the Miami Shine initiative and we need to consider the Tourism revenue to bring visitors to Surfside.

Commissioner Velasquez commented on having an individual to do the grant writing and procurement duties.

Interim Town Manager Greene addressed the comments made by Commissioner Velasquez regarding the position of a procurement specialist and grant writing.

Commissioner Kesl commented on having individuals that are multi-skilled and multi-talented.

Commissioner Salzhauer stated that their goal is to bring everything inhouse.

Mayor Burkett asked if these positions are able to be done by part time personnel.

### **3. Millage Rate Adoption Resolution - Jason Greene, Interim Town Manager**

**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, ADOPTING A PROPOSED MILLAGE RATE OF 4.4000 MILLS FOR THE FISCAL YEAR 2020-2021, WHICH IS GREATER THAN THE ROLLED BACK RATE OF 4.3499 MILLS COMPUTED PURSUANT TO STATE LAW BY 1.15%; CONFIRMING THE DATE OF THE SECOND BUDGET PUBLIC HEARING; AND PROVIDING FOR AN EFFECTIVE DATE.**

Town Clerk McCready read the title of the resolution.

Interim Town Manager Greene introduced the item.

A motion was made by Commissioner Salzhauer to approve the resolution, seconded by Vice Mayor Paul. The motion failed with a 2-3 vote.

Commissioner Kesl Commissioner Velasquez Mayor Burkett no

Commissioner Velasquez stated she was under the impression to lower the milage rate.

Commissioner Salzhauer stated she supports keeping the millage rate the same and the Town needs to stay in a good financial shape.

Commissioner Kesl commented on the difficult times individuals are facing during this COVID time.

Vice Mayor Paul stated that Interim Town Manager Greene is the financial expert and would like to maintain the level of service the Town currently has. She stated that the residents would benefit more by keeping the services.

Commissioner Velasquez commented on the different funds and giving back to the residents of the Town even if it is \$20.00 or the water bill rebate.

Mayor Burkett stated he agrees with Commissioner Velasquez and that everyone needs to tighten their belts. He would like to reduce the milage rate to 4 which would be a 10% reduction and tighten the budget and revisit it next year.

A motion was made by Mayor Burkett to reduce the milage rate to 4, seconded by Commissioner Velasquez. The motion failed with a 2-3 vote with Commissioner Salzhauer, Commissioner Kesl and Vice Mayor Paul in opposition.

Commissioner Salzhauer stated to open it up to public comment. She commented on how much money that would cost the Town.

Interim Town Manager Greene stated that it would cost the Town \$1.187 million reduction. He stated it would be 8%.

Commissioner Salzhauer stated it is not acceptable when they want to purchase property for the parks and underground powerlines.

Further discussion took place regarding the reduction of the millage rate and keeping the milage rate as it is.

Commissioner Kesl will support going to the roll back rate.

Commissioner Velasquez commented on the water bill rebate and the undergrounding of powerlines.

Vice Mayor Paul pointed out the recommendation by Interim Town Manager Greene.

Mayor Burkett commented on the amount the increase of the millage rate would represent.

Commissioner Kesl commented on having a healthy reserve.

Commissioner Salzhauer commented on Mayor Burkett's and Commissioner Velasquez' comments regarding the expertise of Interim Town Manager Greene as a Finance Director. She spoke regarding giving it to everyone in the water bill.

Commissioner Velasquez agreed with Interim Town Manager Greene and stated that they should give the residents money back during this time of need.

Vice Mayor Paul commented on Mayor Burkett's and Commissioner Kesl's comments and stated that the millage rate was reduced in the past and she did not see any change in her tax bill. She also wanted clarification that once you reduce the milage rate you cannot change it next week.

Mayor Burkett asked what the reduction would entail in revenues.

Interim Town Manager Greene answered the Commission's questions regarding reduction and stated that it would reduce the amount going into the reserves.

Mayor Burkett stated that it would only reduce the amount being saved for this year.

Commissioner Velasquez commented on the savings of \$200 would represent a savings to the residents.

Vice Mayor Paul stated that it would be maybe a \$20 reduction and these reserves will not last forever and it will be needed to operate our budget.

Commissioner Salzhauer commented on needing the reserves to operate the Town and emergencies.

Mayor Burkett addressed the comments made by Commissioner Salzhauer.

Commissioner Salzhauer commented on the reduction and needing to be financial stewards.

Commissioner Velasquez stated that being financially secure is important and commented on positions that the Town has that is not crafty.

Further discussion took place among the reduction and the value of services being provided.

Town Attorney Arango reread the revised resolution title into the record.

A motion was made by Commissioner Kesl to bring the millage rate to the roll back rate of 4.399, seconded by Commissioner Velasquez. The motion carried with a 4-1 vote with Mayor Burkett voting in opposition.

#### **4. Public Comment**

The following individuals from the public spoke on the item:

Joshua Epstein  
Jeff Rose  
Clara Diaz-Leal  
Robert Lisman

**5. Budget Adoption Resolution - Jason Greene, Interim Town Manager**

**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, ADOPTING A TENTATIVE BUDGET FOR THE FISCAL YEAR COMMENCING OCTOBER 1, 2020 AND ENDING SEPTEMBER 30, 2021; CONFIRMING THE DATE OF THE SECOND PUBLIC HEARING; PROVIDING FOR INCORPORATION OF RECITALS; AND PROVIDING FOR AN EFFECTIVE DATE.**

Town Clerk McCready read the title of the resolution.

Interim Town Manager Greene introduced the item.

A motion was made by Vice Mayor Paul to approve the resolution, seconded by Commissioner Kesl. The motion passed with a 3-2 vote with Commissioner Velasquez and Mayor Burkett voting in opposition.

Commissioner Velasquez commented on having more programs for the residents and not three communications individuals and not a \$372,000 landscaping contract.

Commissioner Salzhauer clarified that there are not three communications individuals. She stated that they need the 1.5 head count. She stated that she is concerned that they need to bring as much inhouse as possible. She asked what the new zoning rewrite would cost.

Interim Town Manager Greene addressed the comments made by Commissioner Salzhauer and the Town Planner would be negotiating a fee schedule.

**6. Public Comment**

**No public comments.**

**7. Solid Waste Services Special Assessment Final Rate Resolution – Jason Greene, Interim Town Manager**

**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, RELATING TO SOLID WASTE MANAGEMENT SERVICES, INCLUDING COLLECTION, DISPOSAL AND RECYCLING OF**

**RESIDENTIAL SOLID WASTE IN THE TOWN OF SURFSIDE, FLORIDA;  
REIMPOSING SOLID WASTE SERVICE ASSESSMENTS AGAINST  
ASSESSED RESIDENTIAL PROPERTY LOCATED WITHIN THE TOWN OF  
SURFSIDE, FLORIDA, FOR THE FISCAL YEAR BEGINNING OCTOBER 1,  
2020; APPROVING THE RATE OF ASSESSMENT; APPROVING THE  
ASSESSMENT ROLL; AND PROVIDING FOR AN EFFECTIVE DATE.**

Town Clerk McCready read the title of the resolution.

Interim Town Manager Greene introduced the item.

A motion was made by Commissioner Velasquez to approve the resolution, seconded by Commissioner Kesl. The motion passed with a 5-0 vote.

Commissioner Velasquez asked regarding the funding in reserves and why they could not reduce this item for the residents.

Commissioner Kesl commented on the exemplary employees the Town has.

Interim Town Manager Greene addressed the comments by the Commission.

Commissioner Salzhauer commented on passing this resolution as is which is paying less than \$1 a day for the service they are receiving by the employees.

Mayor Burkett commented on the fact that there was no reduction on the taxes and the cost of landscaping in Town which is out of this world. He commented on evaluating if it is more feasible to bring the landscaping for the Town in house.

A motion was made by Vice Mayor to have meetings once a month, seconded by Commissioner Salzhauer. The motion carried with a 5-0 vote.

**8. Adjournment**

A motion was made by Commissioner Velasquez to adjourn the meeting without objection at 9:31 p.m. The motion received a second from Commissioner Salzhauer. The motion carried with a 5-0 vote.

Accepted this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
Charles W. Burkett, Mayor

Attest:

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Sandra N. McCready, MMC  
Town Clerk



**Town of Surfside  
Special Town Commission Meeting  
Agenda Streamline  
MINUTES**

**September 15, 2020**

**6-7 p.m.**

Town Hall Commission Chambers - 9293 Harding Ave, 2<sup>nd</sup> Floor  
Surfside, FL 33154

**1. Opening**

**A. Call to Order**

Mayor Burkett called the meeting to order at 6:02 p.m.

**B. Roll Call of Members**

Town Clerk McCready called the roll with the following members present:

Present: Mayor Charles Burkett, Vice Mayor Tina Paul, Commissioner Nelly Velasquez, Commissioner Eliana Salzhauer and Commissioner Charles Kesl.

Also present were Interim Town Manager Jason Greene and Town Attorney Lillian Arango.

**2. Minutes Deferred from the September 10, 2020 Regular Town Commission Meeting – Sandra N. McCready, MMC, Town Clerk**

- August 11, 2020 Regular Town Commission Meeting Minutes
- August 18, 2020 Special Town Commission Meeting Minutes
- August 25, 2020 Special Town Commission Meeting Minutes

A motion was made by Commissioner Kesl to defer the above minutes, seconded by Commissioner Velasquez. All voted in favor.

A motion was made by Commissioner Salzhauer to interview all six candidates, three interviews one day and three interviews another day and special meeting on another date, seconded by Commissioner Kesl.

Commissioner Kesl withdrew his second. The motion died for lack of a second.

Commissioner Velasquez commented that one of the candidates was arrested for abusing one of the commissioners and believes that needs to be in consideration and is serious.

Commissioner Salzhauer stated she just wants to go over the formality of the procedure.

Vice Mayor Paul stated that they had a tie for third place and one candidate dropped out and wants to stay with the top four candidates.

Commissioner Velasquez addressed the comment made by Vice Mayor Paul and if they keep the top three candidates it would remove the candidate that was arrested.

Commissioner Salzhauer commented on the process, that it should include all the candidates, that that specific candidate disclosed it.

Commissioner Kesl stated that he looked at the results and there is a cut off of the three candidates and one candidate just withdrew because he only had the support of two of the five. That is a reason to go with the top candidates.

Vice Mayor Paul stated that she is in favor of not interviewing the top three candidates.

Commissioner Velasquez stated that she in agreement with interviewing the two candidates that have been voted by everyone. She commented again on the candidate that was arrested by assaulting a commissioner and she fears for her life.

Mayor Burkett stated that he agrees with the comments made by Commissioners Kesl and Commissioner Velasquez. He also stated that this topic was not on the agenda.

Commissioner Salzhauer stated that candidate explained his background and they need to give the one on one to those candidates and give them an hour of their day and does not want to eliminate Natasha Hampton because she is the only female candidate.

Commissioner Kesl stated that he made a mistake on his assessments and that there are four candidates as finalists. He would like to ask the motion maker to add the top four finalists because six is too many.

A motion was made by Commissioner Velasquez to choose the top four candidates, seconded by Commissioner Kesl. The motion carried with a 4-1 vote with Commissioner Salzhauer voting in opposition.

Commissioner Salzhauer stated it is not appropriate to eliminate the minority candidate and it will look discriminatory.

Vice Mayor Paul stated that she is not seeing them as a minority candidate but the

candidate that only received two votes and that is why the third candidate dropped out because they only received two votes.

Commissioner Velasquez stated that it is not correct, that if they do not believe they were not qualified that just because of race they should be included. She stated that she voted for those that were best qualified for the position.

### **3. Agenda Streamline - Mayor, Commission and Staff Communications**

Commissioner Velasquez stated that there are different items that need to be reduced to something that they could handle and then they could include more. She has decided to remove her items.

Commissioner Kesl agrees to remove his item.

Commissioner Salzhauer suggested for the Town Attorney give suggestions on which ones should be removed. She stated that all items should have a memo and if it does not have a summary memo then it should not be on the agenda and have it for the October agenda. She also suggested workshops for large items that would take more time and have a workshop for those meetings. She also stated that there should be more formality and time limits also on presentations.

Vice Mayor Paul spoke regarding item E and if they can get to that they can incorporate some of these items. She believes that the round table meetings should be determined by the Commission. She agrees that power point presentations should be circulated 24 hours ahead and the cover memo for the agenda items.

Commissioner Velasquez stated that each Commissioner should be asking the Town Attorney what needs to be done and those questions should be addressed to the Town Attorney and she is willing to answer the questions. She stated that there should be no censoring of the Commission and residents.

Mayor Burkett stated that all Commissioners are allowed to place things on the agenda and they are already prioritized and understands the amount of items and stated that Town Clerk McCready does not have to redo a book each meeting. The Commissioners can keep the items.

Town Clerk McCready stated that does not work with all the Commissioners.

Mayor Burkett stated it has to work with all of them. He stated that some complain about the length of the agenda but do not address the items on the agenda. Do not reinvent the wheel.

Commissioner Kesl stated that he volunteered to remove his item. He agrees with having the memo and pare down the length

A motion was made by Commissioner Salzhauer that every item that stays on the agenda must be accompanied by a memo with a summary of the issue and how it is to be discussed or changed, all presentation items must be circulated to everyone 48 hours before the meeting, seconded by Vice Mayor Paul. The motion carried with a 4-1 vote with Commissioner Velasquez voting in opposition.

Commissioner Velasquez stated that each Commissioner should decide what they want to keep and commented on the fact that the one thing Commissioner Kesl has on the agenda, he had to withdraw his item and does not find that to be fair. She stated that there are some items that should be removed because they have been addressed already and those that are not priority and can be discussed in a different matter or the Town Manager could make it happen.

Commissioner Kesl thanked Commissioner Velasquez for her comments. He will remove it and come back to it at a later time. He removed item N on the agenda.

Vice Mayor Paul encouraged Commissioner Kesl not to remove his item but to add the cover memo and her items have cover memos and encourages everyone to do cover memos in order to have everyone know what the items entail.

Mayor Burkett went through his items.

Vice Mayor Paul asked if Mayor Burkett could link the Eden and the demolition by neglect.

Interim Town Manager Greene spoke regarding the presentations being provided 48 hours prior and stated if budget related presentations by staff can have an exception.

Commissioner Velasquez commented on the censoring of the Commission and the residents and stated that she does not have a staff that would be putting a presentation together. She stated that they ran on transparency.

Commissioner Salzhauer agrees with Commissioner Velasquez with how the meetings have become the Jerry Springer Show. She commented on the items she has on the agenda and she is certain that some of them will come off when she has to do a cover memo for. She commented on having the presentations 48 hours before.

Commissioner Kesl commented on the knowledge of the public they serve and by tightening the agenda and having the presentations in advance, it will help the public in understanding the items.

Vice Mayor Paul stated that the cover memos are important.

Commissioner Velasquez asked who will be preparing the cover memos for the

Commissioners.

Mayor Burkett asked who will be preparing the cover memos.

Commissioner Salzhauer stated that if the individual putting the item on the agenda is not able to come up with a short memo then they should remove the item.

Vice Mayor Paul stated that the Commissioner writes the memo and it is their responsibility to write it and send to the Town Attorney for legal sufficiency.

Commissioner Velasquez stated that they should designate a Town employee to write the memos for them.

Mayor Burkett explained to Commissioner Velasquez the cover memo and what it should entail.

Town Clerk McCready stated on the record that she circulated the deadline for agenda items due to the Clerk's Office as well as a sample of the cover memo.

**A. COVID-19 Task Force Update – Jason Greene, Interim Town Manager**

Deferred to next meeting.

**B. Discussion and Action Regarding Newly Implemented “Town Blog”, Surfside Gazette and Social Media Guidelines – Commissioner Eliana Salzhauer**

Deferred to next meeting.

**C. Permanent Digital Sign – Commissioner Nelly Velasquez**

Deferred to next meeting.

**D. Resident Survey regarding Kayak Launch – Vice Mayor Paul / Commissioner Salzhauer**

Deferred to next meeting.

**E. Amending Town Code Section 2-205 Conduct of Meetings; Agenda – Mayor Charles W. Burkett**

Deferred to next meeting.

**F. Topper Selection for 4 x 4 Posts on Hardpack and Walking Path - Jason Greene, Interim Town Manager**

Deferred to next meeting.

**G. Building Department Document Scanning- Jason Greene, Interim Town Manager**

Deferred to next meeting.

**H. Preservation of Eden Project located at 9300 Collins Avenue - Mayor Charles W. Burkett**

Mayor Burkett stated that is important and will not take it off.

**I. Speeding on Collins and Harding - Mayor Charles W. Burkett**

Mayor Burkett requested to remove this item.

**J. Homeless Contribution by the Town of Surfside of \$100,000 - Mayor Charles W. Burkett**

Mayor Burkett requested for the Commission to request \$50,000 back from the Homeless.

**K. Free (hassle-free) downtown parking for residents - Mayor Charles W. Burkett**

Mayor Burkett kept the item.

**L. Records Retention Policy – Mayor Charles W. Burkett**

Deferred to next meeting.

**M. Regulation of Short-Term Rentals – Mayor Charles W. Burkett**

Deferred to next meeting.

**N. S.M.A.R.T Goals, Quality Control & Quality Assurance – Commissioner Charles Kesl**

Deferred to next meeting.

**O. Design Review Board Discussion – Staff Report – Jason Greene, Interim Town Manager**

Deferred to next meeting.

**P. Weiss Serota Contract Follow up – Staff Report – Jason Greene, Interim Town Manager**

Deferred to next meeting.

**Q. Town Pension Benefits for Non-Public Safety Employees – Mayor Charles W. Burkett**

Deferred to next meeting.

**R. Additional lighting in the residential area – Staff Report – Jason Greene, Interim Town Manager**

Deferred to next meeting.

**S. Lowering of Property Taxes and Water Bills – Staff Report – Jason Greene, Interim Town Manager**

Deferred to next meeting.

**T. CGA Contract Follow Up – Staff Report – Jason Greene, Interim Town Manager**

Deferred to next meeting.

**U. FPL Solar Together - Vice Mayor Tina Paul**

Deferred to next meeting.

**V. Climate Environmental Collective Revised - Vice Mayor Tina Paul**

Deferred to next meeting.

**W. Interest Free Loans to Surfside Builders Granted by Former Mayor and Commission – Mayor Charles W. Burkett**

Deferred to next meeting.

**X. How our Zoning Protections Against Over-Development Were Guttled - Mayor Charles W. Burkett**

Mayor Burkett requested to remove the item.

**Y. Amending Town Code Section 2-233 to Include Non-for-Profit – Mayor Charles W. Burkett**

Mayor Burkett requested to remove the item.

**Z. Amending Town Code Section 2-237 Business Relationships – Commissioner Eliana Salzhauer**

Deferred to next meeting.

**AA. Speeding & Stop Sign Running - Commissioner Eliana Salzhauer**

Deferred to next meeting.

**BB. Beachwalk Trimming- Staff Report – Jason Greene, Interim Town Manager**

Deferred to next meeting.

**CC. Pool Deck Lighting for Extended Winter Hours- Staff Report – Jason Greene, Interim Town Manager**

Deferred to next meeting.

**DD. Community Center Second Floor – Staff Report - Jason Greene, Interim Town Manager**

Deferred to next meeting.

**EE. Designated (Painted) Walking Areas in the Residential District- Staff Report – Jason Greene, Interim Town Manager**

Deferred to next meeting.

**FF. Procurement Expertise – Commissioner Eliana Salzhauer**

Deferred to next meeting.

**GG. Take Home Vehicles - Commissioner Eliana Salzhauer**

Deferred to next meeting.

**HH. Recent and Significant Increase in Boat, Paddleboard and Kayak Use on Point Lake – Mayor Charles W. Burkett**

Deferred to next meeting.

**II. Comparison of 2006 Code to 2020 Code – Staff Report – Jason Greene, Interim Town Manager**

Deferred to next meeting.

**JJ. Stormwater Masterplan - Staff Report – Jason Greene, Interim Town Manager**

Deferred to next meeting.

**KK. Securing Power Infrastructure: Timely Action Plan for Hurricane Season through accountability now by FPL, ATT and Atlantic Broadband – Staff Report – Jason Greene, Interim Town Manager**

Deferred to next meeting.

**LL. Amendment to the Tourist Board Ordinance – Commissioner Nelly Velasquez**

Deferred to next meeting.

**MM. Demolition by Neglect - Mayor Charles W. Burkett**

Mayor Burkett requested to remove the item.

**NN. Draft Ordinance Amending Definitions of Lot Coverage - Commissioner Eliana Salzhauer**

Deferred to next meeting.

**OO. Legally Defective Charter Amendment Vote in 2012 – Mayor Charles W. Burkett**

Mayor Burkett requested to keep the item on the agenda.

**PP. Purchase of Waterfront Property for Park Land (Pink House) – Commissioner Nelly Velasquez**

Deferred to next meeting.

**QQ. Traffic Control Devices on 88<sup>th</sup> Street and Hawthorne Avenue – Commissioner Eliana Salzhauer**

Deferred to next meeting.

**RR. Cone of Silence/Secrecy – Mayor Charles Burkett**

Mayor Burkett requested to keep the item on the agenda.

**SS. Gazette Revenue and Funding Sources – Mayor Charles Burkett**

Deferred to next meeting.

**TT. Beach Raking – Commissioner Eliana Salzhauer**

Deferred to next meeting.

**UU. Taking Steps to Keep our Businesses Alive During COVID – Mayor Charles Burkett**

Deferred to next meeting.

**4. Good and Welfare/ Public Comments from Residents**

*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.*

No public speakers.

**5. Adjournment**

A motion was made by Commissioner Kesl to adjourn the meeting without objection at 7:11 p.m. The motion received a second from Vice Mayor Paul. The motion carried with a 5-0 vote.

Accepted this \_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
Charles W. Burkett, Mayor

Attest:

\_\_\_\_\_  
Sandra N. McCready, MMC  
Town Clerk



**Town of Surfside  
Special Town Commission Meeting  
Final Budget Hearing  
AGENDA  
September 22, 2020  
7:00 p.m.**

Town Hall Commission Chambers - 9293 Harding Ave, 2<sup>nd</sup> Floor  
Surfside, FL 33154

**1. Opening**

**A. Call to Order**

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

**B. Roll Call of Members**

Town Clerk McCready called the roll with the following members present:

Present: Mayor Charles Burkett, Vice Mayor Tina Paul, Commissioner Nelly Velasquez, Commissioner Eliana Salzhauer and Commissioner Kesl.

Also present were Interim Town Manager Jason Greene and Town Attorney Lillian Arango.

**2. Final Millage Rate Adoption Resolution for FY 2021 - Jason Greene, Interim Town Manager**

**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, ADOPTING THE FINAL MILLAGE RATE FOR THE FISCAL YEAR COMMENCING OCTOBER 1, 2020 AND ENDING SEPTEMBER 30, 2021; ANNOUNCING THE ADOPTED FINAL MILLAGE RATE OF 4.3499 MILLS WHICH IS EQUAL TO THE ROLLED BACK RATE OF 4.3499 MILLS COMPUTED PURSUANT TO STATE LAW; PROVIDING FOR INCORPORATION OF RECITALS; AND PROVIDING FOR AN EFFECTIVE DATE.**

Town Clerk McCready read the title of the resolution into the record.

Interim Town Manager Greene introduced the item and gave a brief presentation.

A motion was made by Vice Mayor Paul to approve the Resolution, seconded by Commissioner Kesl. The motion carried with a 4-1 vote with Mayor Burkett voting in opposition.

Commissioner Velasquez asked if they are including the Seaway in this budget.

Interim Town Manager Greene stated that if there are any new developments it would assist us.

Commissioner Velasquez asked if the interest rates are lower if it makes the property value go up. She does not believe that is correct due to the interest rates. The value of the property in Surfside will go down when interest rates are lower.

Mayor Burkett addressed the comments made by Commissioner Velasquez regarding the interest rates.

Interim Town Manager Greene stated that there is a general feeling that if the interest rates are lower then you have increasing property value and that is the general feeling in the short term.

Commissioner Kesl commented on the total taxable value of the property in town dropping and the roll back rate. He commented on the County's portion of taxes and although the Town will go to the roll back rate that does not mean that their taxes will go down due to the County's action.

Commissioner Salzhauer agrees with Commissioner Kesl and spoke regarding the roll back rate and would like to move forward and hopefully next year they could do better in order to keep the Town fiscally sound.

Vice Mayor Paul would like to adopt the millage rate as proposed.

Mayor Burkett commented on the statement made by Commissioner Salzhauer regarding giving away money. He commented on the reduction of taxes by 10% in order to give residents some relief. He stated that he is not happy that they are not giving back money to the residents and will be voting against this resolution.

Vice Mayor Paul stated that she does believe it is a fiscal responsibility and spoke regarding the healthy reserve. She stated that during these challenging times they need to keep a healthy reserve.

Commissioner Salzhauer stated that the residents feel strongly that the Town be fiscally sound and deliver with the promises made.

Commissioner Velasquez stated that the residents would have liked a lower millage rate and they do not feel by lowering it they would be irresponsible.

Commissioner Velasquez spoke regarding the reserves the Town currently has and the amounts on each fund. She would like to know the services that will not be given to the residents.

Vice Mayor Paul spoke regarding the reserves and the reserve that is needed in case of emergencies.

Commissioner Kesl commented on the reserves and next year the Town being in a more fiscally sound place.

Commissioner Salzhauer commented on this being tax payer dollars and the need of being fiscally responsible and being able to do the projects needed.

Mayor Burkett commented on information placed in the zoom chat.

Commissioner Velasquez commented on having three (3) communications individuals is not fiscally responsible as well as having an Assistant Town Manager is not being fiscally responsible.

### **3. Public Comment**

The following individuals from the public spoke:

Donna Natales stated she was a part time employee in the Police Department and was laid off.

Jeff Rose spoke regarding budgeted items and not cutting the budget too much in order to have services like the kayak launch.

Deborah Cimadevilla stated that the elected officials to do what is correct like the water bill rebate.

Joshua Epstein stated that the way the millage rate is set currently is good and they should look at it next year after COVID.

### **4. FY 2021 Final Budget Adoption Resolution - Jason Greene, Interim Town Manager**

**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, ADOPTING A FINAL BUDGET FOR THE FISCAL YEAR COMMENCING OCTOBER 1, 2020 AND ENDING SEPTEMBER 30, 2021; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR EXPENDITURE OF BUDGETED FUNDS; PROVIDING FOR BUDGETARY CONTROLS; PROVIDING FOR GRANTS AND GIFTS; PROVIDING FOR BUDGET AMENDMENTS; AND PROVIDING FOR AN EFFECTIVE DATE.**

Town Clerk McCready read the title of the resolution into the record.

Interim Town Manager Greene introduced the item and gave a presentation regarding the final budget.

A motion was made by Commissioner Salzhauer to approve the Resolution, seconded by Vice Mayor Paul. The motion carried with 3-2 vote with Commissioner Velasquez and Mayor Burkett voting in opposition.

Vice Mayor Paul clarified that there are no three (3) communication positions and currently there is no Assistant Town Manager. She also commented on the Town employee that was laid off that was a part time position and if there is a reconsideration for that position by adding additional responsibilities since Code and Police have been combined.

Vice Mayor Paul spoke regarding Interim Town Manager Greene filling in as a Finance Director and Interim Town Manager and would like to consider a 15% retroactive pay adjustment as well as a proclamation from when he started in that position for the enormous amount of work he has taken on.

Mayor Burkett agrees with the retroactive pay for Interim Town Manager Greene.

Commissioner Salzhauer asked if it is a 15% for the time he served.

Vice Mayor Paul stated it was from when he started doing those duties.

Commissioner Salzhauer addressed the comments made by public speaker Donna Natales regarding her lay off and referred her to the Town Manager and they are currently in a tough position which means cutting positions.

Commissioner Kesl spoke regarding the challenges that the Town has been dealing with and there is improvement that will come. He also stated that this is a learning curve and feels at this time it is good to have a solid framework.

Mayor Burkett spoke regarding the tax base and the budget.

Commissioner Velasquez asked if this budget includes the three (3) communication positions and the Assistant Town Manager position.

Interim Town Manager Greene answered Commissioner Velasquez' question and clarified the positions.

Interim Town Manager Greene commented on having the next Commission Meeting October 13, 2020 in person but he can extend the zoom commission meetings beyond October 1 and would like feedback from the Commission.

Commissioner Kesl stated that the Town has guidelines for the meeting in person.

Vice Mayor Paul commented on a call she had with the League of Cities and are requesting the Governor to extend the virtual meetings until December and other municipalities agree to continue zoom meetings.

Commissioner Velasquez would like to continue the zoom meetings and not put our staff and families at risk.

Commissioner Salzhauer addressed comments made by Commissioner Velasquez by her wanting the playgrounds open and the issues with decorum and believes it is due to zoom and there can be more respect when the meetings are done in person. She agrees for the meetings to be done in person and eliminate the chats online. She is agreement meeting in zoom one more month and go live in November. She also stated that if the League will extend it then she believes we should follow suit.

Mayor Burkett believes we need to get back as soon as possible and outbursts will be dealt with. He stated his concern is if they are able to accommodate residents that would like to attend. He suggested for Interim Town Manager Greene to put a plan together and then the Commission can make an informed decision. He stated either you go full blast or continue zoom until there is a plan.

Interim Town Manager Greene stated he could extend it for 30 more days and stated they did layout a plan of hybrid but the Commission did not approve it and will speak with the Town Attorney. He stated that he would like to readdress the suggestion made by Vice Mayor Paul regarding the 15% pay adjustment.

Mayor Burkett asked Interim Town Manager Greene to put the numbers together and place it on the agenda for October 13, 2020.

Commissioner Velasquez agrees with disabling the chat.

Commissioner Kesl thanked the members of the Commission and having the live meetings and staying healthy.

Commissioner Salzhauer stated that they do need to save the chat and keep it for public records. She stated maybe in a month to determine if to move forward with live meetings.

**5. Public Comment**

No public speakers.

**6. Adjournment**

A motion was made by Commissioner Velasquez to adjourn the meeting without objection at 8:07 p.m. The motion received a second from Commissioner Kesl. The motion carried with a 5-0 vote.

Accepted this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
Charles W. Burkett, Mayor

Attest:

\_\_\_\_\_  
Sandra N. McCreedy, MMC  
Town Clerk



## TOWN MANAGER'S REPORT

OCTOBER 13, 2020

### COMMUNITY PROGRAMS / INITIATIVES / ENHANCEMENTS

- I. SEE CLICK FIX REPORT – *Attachment “A”*
- II. SOCIAL MEDIA (NEXTDOOR) REPORT – *Attachment “B”*
- III. DEVELOPMENT APPLICATION PROCESS (2009 – PRESENT) – *Attachment “C”*
- IV. COMMUNITY GARDEN UPDATE – *Attachment “D”*
- V. TOWN DEPARTMENTS

#### ***Code Compliance Division***

**A.** Code Violation Cases: As of September 25, 2020, the total number of active, open cases being managed is 192; of these cases, 74 cases are still under investigation and are working towards compliance; 15 cases are on-hold; 16 cases are in the Special Master hearing queue; 5 cases are in the post-hearing status; 2 cases have pending liens, 44 code cases have been issued liens and remain unpaid, and 36 service cases have been issued liens and remain unpaid. Properties with unpaid liens are sent reminder letters on a semi-annual 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 by the Town:

- FY 19/20: Through September 25, 2020, 109 cases have paid/settled for a total collection of \$96,240.

- FY 18/19: 143 cases paid/settled for a total collection of \$35,654.
- FY 17/18: 92 cases paid/settled for a total collection of \$29,576.
- FY 16/17: 117 cases paid/settled for a total collection of \$40,842.
- FY 15/16: 152 cases paid/settled for a total of \$137,282

### ***Finance Department***

Monthly Budget to Actual Summary as of September 30, 2020 – *Attachment "E"*

### ***Police Department***

#### ***A. Police Department Statistics (September 1 – September 23, 2020)***

- Traffic Citations – 622
- Parking Citations – 317
- Arrests – 16
- Dispatch Events – 1,208
- Incident/Crime Reports - 63
- Suspicious Person Checks – 16

#### ***B. Coronavirus (COVID-19) Update***

The Surfside Police Department has maintained situational awareness of the COVID-19 Pandemic Incident in coordination with Local, State, and Federal partner Agencies and through continued contact and information sharing with the Miami-Dade County Office of Emergency Operations-Emergency Operations Center. Our Department strives to maintain operational readiness, public preparedness, safeguarding the community, and enforcement of laws-ordinances-governmental orders.

#### ***C. Coronavirus (COVID-19) Related Actions:***

- Surfside Police Department personnel conducted beach and business checks for compliance with COVID-19 related County and Town Orders
- Surfside Police Department personnel continue to monitor and enforce the Miami-Dade County Emergency Orders. Surfside PD may issue Adult Civil Citations for:
  - Violations relating to adults not wearing masks/facial coverings; or persons gathering in groups in excess of ten persons
  - Violations relating to businesses not adhering to conditions of Miami-Dade County Emergency Orders (such as: employees not wearing masks/facial coverings, restaurants serving food to persons eating inside of the business, etc.)
- Daily Communications with Miami-Dade Emergency Operations Center

- Miami-Dade EOC WebEOC COVID-19 Municipal Protective Actions - Situation Reports
- Daily Patrol Shift Monitoring of Street Ends at Waterways

*D. Police Events/Community Outreach*

- Monthly community events (Bike with the Chief and Coffee with the Cops) are cancelled until further notice due to Covid-19 and will resume as soon as possible.
- The Mobile DMV will be rescheduled as soon as possible.
- FDOT in conjunction with the Surfside Police Department hosted a Multi-Agency Traffic Enforcement Detail in the Town of Surfside on September 8, 2020 from 8:00 a.m. to 1:00 p.m. Police Officers from Surfside, Aventura, Bal Harbour, Bay Harbor Islands, Miami Beach, Miami-Dade County, North Miami Beach and Sunny Isles Beach Police Departments participated in this event. Sgt. Jay Matelis, Officer Ronald Donoso, Officer Juan Duran and Officer Marianne Durante proudly represented the Surfside Police Department issuing 79 traffic citations.
- FDOT in conjunction with the Sunny Isles Beach Police Department hosted a Multi-Agency Traffic Enforcement Detail in Sunny Isles Beach on September 22, 2020 from 8:00 a.m. to 1:00 p.m. Police Officers from Surfside, Aventura, Bal Harbour, Bay Harbor Islands, Miami Beach, Miami-Dade County, North Miami Beach and Sunny Isles Beach Police Departments participated in this event. Sgt. Jay Matelis, Officer Juan Duran and Officer Marianne Durante proudly represented the Surfside Police Department.
- The Surfside Police Department will host a community blood drive on October 21, 2020 from 11:00 a.m. – 4:30 p.m. in the Town Hall municipal parking lot.
- Surfside PD, Aventura PD, Bay Harbor Islands PD, North Miami PD and Sunny Isles Beach PD will host a Shred a Thon and DEA Drug Take Back on October 24, 2020 at Bill Bird Marina (Haulover Park) from 10:00 a.m. to 2:00 p.m.

Respectfully submitted by:



Jason D. Greene, Interim Town Manager

Requests filtered by request category that have been created 09/05/2020 - 09/30/2020

Request Category	Created in period	Closed in period	Average days to close
<u>Code Compliance (Safety Concern)</u>	1	0	
<u>Drainage/Flooding (PW)</u>	1	0	
<u>Other</u>	2	0	
<u>Police (Safety Concern)</u>	1	0	
<u>Solid Waste (Commercial) (PW)</u>	1	0	
<u>Street lights (PW)</u>	2	0	
<u>Utilities (Water/Sewer) (PW)</u>	3	0	
<u>Construction Issues</u>	1	0	

Requests filtered by request category that have been created 01/01/2014 - 09/30/2020

Request Category	Created in period	Closed in period	Average days to close
<u>96 Street Park (P &amp; R)</u>	11	11	2
<u>Beach Issue</u>	224	211	13
<u>Code Compliance (Safety Concern)</u>	100	98	20.3
<u>Code Compliance (Violation)</u>	163	160	18.3
<u>Community Center (P &amp; R)</u>	11	9	8.1
<u>Dog Stations (P &amp; R)</u>	15	15	3.1
<u>Drainage/Flooding (PW)</u>	38	34	17
<u>Graffiti (PW)</u>	4	3	17.5
<u>Hawthorne Tot-Lot (P &amp; R)</u>	7	7	22.5
<u>Other</u>	272	268	15.6
<u>Police (Safety Concern)</u>	88	86	5.8
<u>Pothole (PW)</u>	6	6	18.4
<u>Solid Waste (Commercial) (PW)</u>	8	7	4.8
<u>Solid Waste (Residential) (PW)</u>	27	27	14.1
<u>Street lights (PW)</u>	63	59	84.3
<u>Surfside Dog Park (P &amp; R)</u>	9	9	0.2
<u>Utilities (Water/Sewer) (PW)</u>	47	34	7.2
<u>Barking Dog</u>	12	12	13.2
<u>Beach Patrol</u>	5	5	2.1
<u>Parking Issue</u>	103	103	2.1
<u>Construction Issues</u>	43	40	10.3
<u>Dead Animal</u>	5	5	8.7



## **MEMORANDUM**

**To:** Jason Greene, Interim Town Manager  
**From:** Rachel Pinzur, Public Information Representative  
**Date:** September 29, 2020  
**Subject:** September Social Media (Nextdoor) Report

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As part of the Town's communication strategy, the Public Information Representative (PIR) uses Nextdoor to provide residents with helpful information especially amid the coronavirus crisis and to further direct strategy based on matters that are important to residents. Nextdoor is only one of several communication channels used to reach residents including the Town's at-risk seniors and most vulnerable communities. The PIR recently rolled out new text messages, which residents noted as their #1 preferred way to receive communication from Surfside in a recent communication survey.

During the month of September, the PIR continued to publish posts pertaining to the COVID-19 pandemic; rolled out a Weekly Surfside Digest; sent out Census deadline reminders; informed residents about a Blood Drive and distributed various advisories including new restrictions on beach furniture, budget hearings and Town Commission notices. Residents can find valuable COVID-19 updates on the Town website.

The Town of Surfside remains committed to staying on top of the most up-to-date information in order to make informed decisions to help safeguard the Surfside community. As the situation is changing rapidly, the Town provides regular updates as new information emerges.

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](http://www.townofsurfsidefl.gov)) and/or by contacting the Town directly.

Last updated on 10/22/2020

DEVELOPMENT APPLICATION PROCESS (2009 - PRESENT)														
Application Date	Location	Project Description	Zoning Process				Density/Intensity		Variances		Building Permit		Construction Status	
			DRG	P&Z	TC	Site Plan Extension	Allowed	Approved	Requested	Received	Application No.	Issuance		Status
12/29/2009	930 Collins Ave	Surfside Hotel - Proposed surfside hotel consisting of 100 units, 4 stories and adjacent 3 stories garage.	1/13/2010, 2/1/2010	2/25/2010	5/10/2011		242 units	175 units	None	None	13-377	1/13/2014	Issued	Completed
1/6/2010	950 Abbott Ave	Young Island - Construction of beach, walkway, break containing 371 seats and a maximum building height of 40 feet.	1/20/2010, 2/2/2012	3/29/2012	4/19/2012		Negotiated settlement to determine buildable area and setbacks.		Approved through settlement agreement not a variance. Settlement determined setbacks.	None	13-118	5/5/2014	Issued	Completed
5/4/2011	949 & 918 Collins Ave	Grand Beach 341 room hotel	5/18/2011, 6/15/2011	7/29/2011	9/12/2011		341 units	341 units	None	None	13-144	5/5/2012	Issued	Completed
7/1/2012	9379, 9366 & 9349 Collins Ave	Charau Ocean Residences - Demolition of existing 90-room hotel, construction of 90-unit residential condominium building and accessory amenities	8/12/2012, 9/11/2012	12/4/2012	1/24/2013		325 units	85 units (however approximately 58 were built)	None	None	14-132	9/24/2014	Issued	Completed
Original submit: 7/13/2012 Site plan amendment: 4/18/16	9811 Collins Ave	Surf Club - restoration of the famous surf club historic structure and for the construction of new apartment.	7/13/2012, 8/23/2012, site plan amendment: 5/16/2016, 8/4/2016, 3/9/2017, 3/11/2017	Original site plan: 8/27/2012, approved: 8/14/2017 amendment: 10/10/2017	Original site plan: 10/20/2012, approved: 10/10/2017 amendment: 10/10/2017		762 units	259 units	None	None	13-727	6/27/2014	Issued	Under Construction
7/20/2012	9400 Collins Ave	The Shul - New multiuse glass atrium and joining learning center (3 stories)	2/11/2013, 3/27/2013, 7/9/2013	2/27/2014	10/28/2014		3 story expansion of 8,288.9 square feet		None	None	14-509	11/7/2015	Issued	Under Construction
3/15/2015	201, 203, 205, 207, 209 & 215 88th St 8809 Harding Ave	Surfside condos - redevelopment of 7 parcels into single unified condo development	4/2/2015, 6/9/2015	8/27/2015	12/8/2015		65 units	28 units	None	None	15-589		Plans approved, waiting on GC	Pending selection of GC
8/2/2015	913 Collins Ave & 9149 Collins Ave	Surf Club II - Redevelopment of property with a multi-lot residential project and renovation of existing historic structure	9/4/2015, 3/9/2017, 9/17/2017	11/7/2017	2/13/2018	Applicant requested extension of approval to be extended approval approved by TC on 7/28 TC Meeting. Applicant requested extension of approval.	199 units	48 condominium units, 31 hotel rooms	None	None			Has not applied for permit yet.	
Original submit: 2/11/2016 Revised submit: 5/31/18	9380, 9372, 9366, 9348, 9340, 9322, 9316 & 9300 Collins Ave	9300 Collins Ave - demolition of all existing improvements, construction of 3 story building	Original submit: 3/10/2016, Revised submit: 8/27/2016, 11/17/18	Original approval: 7/18/2016, Revised approval: 11/27/18	Original approval: 11/20/2016, approved February 20, 2018.		250 units	Request is for 205 units.	None	None	16-610		Has not applied for permit yet.	
5/4/2016	8855 Collins Ave	Residential Condominium	6/29/2016, 7/27/2016	10/7/2016	11/10/2016		110 units	16 units	None	None	16-602	12/26/2017	Issued	Under Construction
Oct-16	9116 Harding Ave	3033 surfside - 4 Townhouses	11/2/2016, 2/27/2017, 5/18/2017	6/27/2018	4/14/2018		8 units	4 units	None	None			Has not applied for permit yet.	
5/19/2017	8995 Collins Ave	Surf House - site plan approval for expansion to existing multi-family building	6/19/2017, 8/24/2017, 9/28/2017	2/22/2018, 4/26/2018, 5/31/2018, approved on 10/27/19	Scheduled for 12/10/19		99 units	Current request has not been scheduled for TC until 12/10/19. Request is for 34 units	Has not been scheduled for TC until 12/10/19. Request is for 34 units	None			Has not applied for permit yet.	
Original submit: 10/24/2017	Abbott Lot	Uninclosed Proposal (P3)												Terminated
Original Submit: 8/01/2016 Revised submit: 03/09/2018, 10/29/2018	8851 Harding Avenue	18 multi-family units	6/12/2016, 8/16/2016, 01/22/2017, 09/29/2018, 11/29/2018	01/31/19 PZ recommended approval	Denied by the Commission		31 units	Request is for 18 units	None	Approved				Denied
7/3/2019	9380 Abbott Ave	Young Island Variance Request to eliminate landscaping to provide for a handicapped accessible ramp request to demolish and rebuild historic structure.	N/A	8/29/2019	10/29/19					Approved				
1/7/2020	9340 Collins Avenue	Site plan amendment	N/A		Applicant withdrew the site plan					Withdrawn				Withdrawn by the applicant
1/7/2020	8928 Collins Avenue	Landscaping buffer	N/A	1/29/2020	2/11/2020					Approved				



## **MEMORANDUM**

**To:** Honorable Mayor, Vice-Mayor and Members of the Town Commission  
**From:** Jason Greene, Interim Town Manager  
**Date:** October 13, 2020  
**Subject:** Community Garden Non-Profit Annual Renewal

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

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

Prepared by *IM*

**TOWN OF SURFSIDE, FLORIDA**  
**MONTHLY BUDGET TO ACTUAL SUMMARY**  
**FISCAL YEAR 2020**  
**As of SEPTEMBER 30, 2020**  
**100% OF YEAR EXPIRED (BENCHMARK)**

Agenda Item #

Page

1 of 3

October 2, 2020

GOVERNMENTAL FUNDS	ACTUAL	ANNUAL BUDGET	% BUDGET
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**GENERAL FUND - 001**

REVENUE	\$ 17,132,225	\$16,549,272	104%
EXPENDITURES	13,646,537	\$16,549,272	82%
Net Change in Fund Balance	3,485,688		
Fund Balance-September 30, 2019 (Unaudited)	14,984,105		
Fund Balance-April 30, 2020 (Reserves)	\$ 18,469,793		

A

**TOURIST RESORT FUND - 102**

REVENUE	\$ 2,470,123	\$3,308,050	75%
EXPENDITURES	2,036,579	\$3,308,050	62%
Net Change in Fund Balance	433,544		
Fund Balance-September 30, 2019 (Unaudited)	1,640,525		
Fund Balance-April 30, 2020 (Reserves)	\$ 2,074,069		

**POLICE FORFEITURE FUND - 105**

REVENUE	\$ 154,008	\$101,300	152%
EXPENDITURES	76,315	\$101,300	75%
Net Change in Fund Balance	\$ 77,693		
Fund Balance-September 30, 2019 (Unaudited)	105,725		
Fund Balance-April 30, 2020 (Reserves)	\$ 183,418		

**TRANSPORTATION SURTAX FUND - 107**

REVENUE	\$ 250,608	\$276,000	91%
EXPENDITURES	224,818	\$276,000	81%
Net Change in Fund Balance	25,790		
Fund Balance-September 30, 2019 (Unaudited)	328,377		
Fund Balance-April 30, 2020 (Reserves)	\$ 354,167		

**BUILDING FUND - 150**

REVENUE	\$ 609,644	\$1,517,713	40%
EXPENDITURES	1,112,134	\$1,517,713	73%
Net Change in Fund Balance	(502,490)		
Fund Balance-September 30, 2019 (Unaudited)	2,563,517		
Fund Balance-April 30, 2020 (Reserves)	\$ 2,061,027		

**CAPITAL PROJECTS FUND - 301**

REVENUE	\$ 2,017,492	\$2,050,000	98%
EXPENDITURES	124,727	\$2,050,000	6%
Net Change in Fund Balance	1,892,765		
Fund Balance-September 30, 2019 (Unaudited)	3,048,582		
Fund Balance-April 30, 2020 (Reserves)	\$ 4,941,347		

**NOTES:**

\* Many revenues for September 2020 are received in subsequent months (timing difference) and have been estimated as of 10/2/2020.

A. Includes \$2,000,000 available for hurricane/emergencies. The balance of \$12,984,105 is unassigned fund balance (reserves).

PROPRIETARY FUNDS	ACTUAL	ANNUAL BUDGET	% BUDGET
<b>WATER &amp; SEWER FUND - 401</b>			
REVENUE	\$ 4,436,450	\$4,424,500	100%
EXPENDITURES	3,531,722	\$4,424,500	80%
Change in Net Position	904,728		
Unrestricted Net Position-September 30, 2019 (Unaudited)	(2,367,098)		
Unrestricted Net Position-April 30, 2020 (Reserves)	<u>\$ (1,462,370)</u>		
<b>MUNICIPAL PARKING FUND - 402</b>			
REVENUE	\$ 1,195,930	\$1,333,618	90%
EXPENDITURES	1,078,406	\$1,333,618	81%
Change in Net Position	117,524		
Unrestricted Net Position-September 30, 2019 (Unaudited)	1,198,948		
Unrestricted Net Position-April 30, 2020 (Reserves)	<u>\$ 1,316,472</u>		
<b>SOLID WASTE FUND - 403</b>			
REVENUE	\$ 1,959,426	\$2,132,673	92%
EXPENDITURES	1,939,882	\$2,132,673	91%
Change in Net Position	19,544		
Unrestricted Net Position-September 30, 2019 (Unaudited)	641,636		
Unrestricted Net Position-April 30, 2020 (Reserves)	<u>\$ 661,180</u>		
<b>STORMWATER FUND - 404</b>			
REVENUE	\$ 735,595	\$1,034,704	71%
EXPENDITURES	453,778	\$1,034,704	44%
Change in Net Position	281,817		
Unrestricted Net Position-September 30, 2019 (Unaudited)	3,200,132		
Unrestricted Net Position-April 30, 2020 (Reserves)	<u>\$ 3,481,949</u>		
<b>FLEET MANAGEMENT FUND - 501</b>			
REVENUE	\$ 993,325	\$987,346	101%
EXPENDITURES	737,025	\$987,346	75%
Change in Net Position	256,300		
Unrestricted Net Position-September 30, 2019 (Unaudited)	585,363		
Unrestricted Net Position-April 30, 2020 (Reserves)	<u>\$ 841,663</u>		

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Jason D. Greene, Interim Town Manager/Finance Director

**Town of Surfside**  
**Net Funds Historical Balances**  
**Period 2016 - 2020**

FUND	9/30/2016	9/30/2017	9/30/2018	9/30/2019	9/30/2020	CAGR <sup>(a)</sup>
General	\$ 7,368,408	\$ 8,460,802	\$ 10,902,050	\$ 14,984,105	\$ 18,469,793	26.7%
Tourist Resort	363,407	469,880	356,313	1,640,525	2,074,069	65.3%
Police Forfeiture	141,755	164,933	159,527	105,725	183,418	-9.3%
Transportation Surtax	354,264	388,363	263,292	328,377	354,167	-2.5%
Building	-	1,742,910	2,760,673	2,563,517	2,061,027	-3.6%
Capital Projects	1,154,352	576,122	2,158,902	3,048,582	4,941,347	38.2%
Water & Sewer	(2,827,890)	(3,048,579)	(2,546,398)	(2,367,098)	(1,462,370)	-5.8%
Municipal Parking	1,111,941	811,013	943,315	1,198,948	1,316,472	2.5%
Solid Waste	245,941	429,743	601,201	641,636	661,180	37.7%
Stormwater	3,392,370	3,264,379	3,203,878	3,200,132	3,481,949	-1.9%
Fleet Management	-	-	-	585,363	841,663	N/A
<b>Total</b>	<b>\$ 11,304,548</b>	<b>\$ 13,259,566</b>	<b>\$ 18,802,753</b>	<b>\$ 25,929,812</b>	<b>\$ 32,922,715</b>	<b>30.6%</b>

(a) - CAGR stands for Compound Average Growth Rate, and is a useful measure of growth over multiple time periods. It represents the growth rate of a Fund Balance from the initial time value to the ending balance if you assume that the fund has been compounding over a time period.



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

**TO: Mayor and Town Commission**

**FROM: Lillian M. Arango, Town Attorney**  
**Weiss Serota Helfman Cole & Bierman, P.L.**

**CC: Jason Greene, Interim Town Manager**

**DATE: October 6, 2020**

**SUBJECT: Office of the Town Attorney Report for October 13, 2020 Regular Commission Meeting**

---

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

September 10, 2020 - Virtual Regular Town Commission Meeting

September 14, 2020 - Virtual Tourist Board Meeting

September 15, 2020 - Virtual Special Town Commission Meeting (Agenda)

September 15, 2020 - Virtual First Budget Hearing Town Commission

September 22, 2020 - Virtual Second Budget Hearing Town Commission

September 24, 2020 - Virtual Planning & Zoning Board Meeting

October 1, 2020 - Virtual Special Town Commission Meeting (Town Manager Selection)

Members of the firm assisted with the agendas and drafted the resolutions and ordinances for

these meetings in addition to drafting or assisting with the preparation of a number of the communications and reviewing, revising and, as appropriate, negotiating the legal requirements

of the relative agreements and supporting documents. Members of the firm were instrumental in contacting Governor DeSantis early in the COVID-19 pandemic to seek approval by Emergency Order 20-69 for virtual commission meetings to ensure that the Town Commission could continue meeting and conducting essential Town business and implementing policy. The Firm assisted with the preparation and adoption of rules governing virtual meeting or communications media technology for public meetings during the COVID-19 health emergency, as required by Governor DeSantis' Executive Order 20-69, "Emergency Management - COVID-19 Local Government Public Meetings." The Firm has also assisted the Town with the preparation of numerous emergency measures or orders due to the COVID-19 health pandemic.

With the appointment of new Boards and Committee members, members of the Firm provided various orientation sessions to members regarding Sunshine Law, Public Records Law, Ethics and Board/Committee procedures. The Firm recently organized and hosted a Social Media and Government Communications: Legal and Ethical Considerations webinar with the Miami-Dade County Commission on Ethics and continues to support the Town Commission, Committees and staff with all ethical considerations and training.

#### **Commission Support:**

Attorneys of the firm have worked with members of the newly elected Town Commission to transition and address concerns and research specific issues and are always available, either in the office or by phone or email. The COVID-19 health pandemic has created additional challenges, and inhibited our ability to personally meet with members of the Town Commission. We appreciate your support as we continue our third year of service and work in implementing new policy directives.

#### **Staff Support:**

Members of the firm have provided extensive support to Town administration and staff during the recent COVID-19 health pandemic, and addressed a variety of issues and assisted with the Town's response to the crisis. The Firm provides regular information and orders issued by the State, the County and other municipalities in response to COVID-19.

As typical, members of the Firm continue to assist the Town administration and staff, as well as assist boards and committees, with application review, contract and agreement review, preparation of ordinances as directed by the Commission, procurement and purchasing, budgetary requirements and approval process, various solicitations (RFQs and RFPs) and agreements, IT related agreements, ADA compliance agreements, Code enforcement and interpretation, attendance at Special Master Hearings, beach furniture operator permits and administration, ethics issues and requirements, police related issues and matters, vehicle purchases for Town Departments, building permit and enforcement issues, subpoenas and public records requests, research, litigation support, oversight and case management, Town Code interpretation and application, labor, employee and pension matters, and various procurements and service provider contracts for Town Departments.

**Key Issues:**

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

- Emergency Declaration and Emergency Measures and Orders related to the COVID-19 health pandemic.
- Contract Review Related to COVID-19 health pandemic.
- Resolution Establishing Budget Committee
- Resolution On Parks and Recreation Committee
- Resolution Revising Down Vision Advisory Committee (DVAC) Charter
- Resolution Revising Resiliency Reserve Fund Policy
- Repeal of Ch. 90 Zoning Code and Map and Adoption of New Zoning Code (2006 Code with modifications).
- Ordinance Revising Planning & Zoning Board Membership to Add Resiliency Member
- Ordinance Revising Resort Tax Board Membership to Add Resiliency Member
- Resolution Combatting Hate Due to COVID-19 Health Pandemic
- Resolutions Approving Interlocal Agreements with Miami-Dade County for Access to Exempt Information and Enforcement of Miami-Dade County Code
- Resolution for the Purchase of Police Body-Worn Cameras and Preparation of Agreement

- Resolution Regarding Nurse Initiative Ruth K. Broad
  - Beach Furniture Ordinance and Regulations
  - Rate Resolutions Solid Waste Assessment
  - RFQs for Abbott Avenue Drainage, Planning Services and Engineering Services
  - Resolutions Calling Special Election and Referendum for Undergrounding of Utilities, Restricting Sale, Lease or Exchange of Town Land, and Indebtedness Restrictions
  - Resolution Approving Waste Connections for Recycling Services
  - Resolution Approving Interlocal Agreement with Miami-Dade County CARES Act
  - Resolution Approving Miami-DADE County Local Mitigation Strategy 2020 (LMS)
  - Resolution Approving a MOU with the Florida State Lodge Fraternal Order of Police to Provide 1% Hazard Pay to First Responders Due to COVID-19
  - Resolution Authorizing Negotiations with Highest Ranked Firm Pursuant to RFQ Seeking General Planning Services
  - Resolution Authorizing Negotiations with the Highest-Ranked Qualified Firm Pursuant to RFQ 2020-04 Seeking Engineering Services for Abbott Avenue Drainage Improvements.
  - Resolution Approving Purchase and Installation of Lighting Regarding Holiday and Downtown District
  - Resolution Approving MOU with Bay Harbor Islands for School Address Verification Program
  - Resolutions Approving Proposed and Final Millage Rates and Budget for FY 2020-2021
  - Resolution Urging FAA Regarding Metroplex/NextGen Flight Paths
- 

**Litigation:** New or supplemental information is provided for the following case:

No report at this time. Information on pending litigation has or will be provided individually to members of the Town Commission, as needed.

**Special Matters:** Continued monitoring of new case law and legislation from Federal, State and County, including implementation of adopted House and Senate Bills for the 2020 Florida Legislative Session. Matters which we will continue to work on and anticipate in the upcoming

months include, implementation of various policy directives from the Mayor and Town Commissioners, orientation and training of Commissioners and Board and Committee Members related to Sunshine Law, Public Records Law and Ethics, issues related to the COVID-19 health pandemic, including issuance and implementation of various emergency orders and measures, review of existing contracts for services related to the COVID-19 pandemic, review of utility/franchise agreements and address existing telecommunication facilities in the Town's rights-of-way, revised or replacement beach furniture ordinance, short term rentals ordinance, review of revenue utility bonds and reduction of water/sewer rates, review and analysis of Resort Tax and Tourist Board legislation, procurement of professional services and contracts, FAA revised NextGen flights paths and providing comments/objections to the FAA regarding the draft Environmental Assessment Report, review and policy implementation of revisions to Zoning Code and Map, review and monitoring of all Development Orders and approvals, police matters and agreements, stormwater utility fees' methodology and collection, re-imposition of solid waste assessment by initial and final rate resolutions, RFQs for Planning Services, Engineering Services, Abbott Avenue Drainage project, landscaping services and shuttle and transportation services, Referendum and Charter amendments, election assistance, various procurements and service or provider agreements for Town improvements, facilities and programs, and implementation and transition back to in-person Commission and Committee meetings.



**Town of Surfside**  
**TOURIST BOARD MEETING**  
**MINUTES**

**March 2, 2020– 5:30 p.m.**  
 Town Hall Commission Chambers –  
 9293 Harding Ave, 2<sup>nd</sup> Floor, Surfside, FL 33154

**Opening Items:**

**1. Call to Order/Roll Call**

The meeting was called to order by Chair Barbara Cohen at 5:32 p.m.

Present: Chair, Barbara Cohen  
 Vice Chair Lisa Herman  
 Board Member Charles Kesl

Absent: Board Member Cornelia Samara  
 Board Member Neil Goodman

Also present: Duncan Tavares, Assistant Town Manager  
 Haydee Sera, Town Attorney  
 Michael Karukin, Town Commission Liaison  
 Evelyn Herbello, Deputy Town Clerk  
 Frank Trigueros, Interim Tourism Director

**2. Welcome– Chair Barbara Cohen**

**3. Resort Tax Revenue Accounts Receivable Report**

Interim Tourism Director Trigueros gave an update of the Resort Tax Revenue Accounts Receivable Report.

**4. Approval of Meeting Minutes: February 3, 2020**

A motion was made by Board Member Kesl to approve the February 3, 2020 minutes, seconded by Vice Chair Herman. All voted in favor with Board Member Samara and Board Member Goodman absent.

**5. Quarter 1 Marketing Review by Jacober Creative**

Luisa Jimenez, Brand Strategist, Jacober Creative, provided the Board with the Quarter 1 Marketing Review.

Board Member Kesl commented regarding the dead links and why the system did not pick up on the issue. He also asked Jacober Creative what are their best practices.

Luisa Jimenez, Jacober Creative, stated that they are not broken links but slow websites due to the fact that they come from external sites and links that needed to be updated. She answered further questions asked by Board Member Kesl.

Interim Tourism Bureau Director Trigueros responded to Board Member Kesl's question.

Assistant Town Manager Tavares also addressed questions from Board Member Kesl regarding the time frame of when the site was down.

Vice Chair Herman asked if they are cross promoting when they place it on social media.

Luisa Jimenez, Jacober Creative, answered Vice Chair Herman's question stating that they do and gave the number of posts per week on social media.

Assistant Town Manager Tavares asked Luisa Jimenez, Jacober Creative, to explain the vetting process on posts tagging the Town of Surfside.

Luisa Jimenez, Jacober Creative, explained to the Board the vetting process on posts, tags and permission for access and how it is placed in a social media platform.

Assistant Town Manager Tavares further explained to the Board the issues that have been encountered in obtaining certain content for it to be able to be user generated.

Further discussion took place among the Board Members, Luisa Jimenez, Jacober Creative and staff regarding the marketing plan, ROI and how much business and users are being tracked.

Board Member Kesl gave an option of possibly having a ribbon cutting for new downtown businesses assisting in the promotion of those businesses. He also asked if it could be added to the Town's website.

Chair Cohen commented on the coupons in newsletters for new restaurants during the summer, but has noticed that many have not participated.

Assistant Town Manager Tavares addressed the issues they had with the coupons and restaurants and they will look into it.

Further discussion took place among the Board and staff on ways to encourage the businesses to participate with the Town and help the businesses with their marketing and social media.

Commissioner Karukin commented on DVAC's promotion of new businesses.

Assistant Town Manager Tavares advised the Board that at the next meeting they can provide a comprehensive review of what DVAC does so the Board can be more aware of their function.

**6. Quarter 1 Anything But Advertising Public Relations Review – Frank Trigueros**

Interim Tourism Director Trigueros provided the Board with the Quarter 1 Anything But Advertising public relations review along with a presentation with the summary highlights.

**7. Welcoming Carolyn Izzo Integrated Communications – Public Relations Contract, Finalized Scope of Work**

Interim Tourism Director Trigueros provided an update on the new Public Relations Contract with Carolyn Izzo Integrated Communications and advised the Board they are finalizing the scope of work and contract.

Board Member Kesl asked who were the individuals on the Evaluating Committee.

Assistant Town Manager Tavares answered Board Member Kesl's question stating that the Tourist Board selected Chair Cohen to be part of the Evaluation Committee as well as Interim Tourism Bureau Director Trigueros, Assistant Town Manager Tavares and other individuals.

**Discussion Items:**

**1. New Mission and Vision Statement**

Chair Cohen stated that they have been using the current mission and vision statement and due to the elections coming up, she suggests to defer this item until the April 6, 2020 meeting.

A motion was made by Vice Chair Herman to defer this item to the April 6, 2020 meeting. The motion received a second from Board Member Kesl. All voted in favor with Board Member Samara and Board Member Goodman absent.

**2. Web and Social Media Marketing, Projections, Assessments, Knowing the Competition, Maximizing ROI – Board Member Charles Kesl**

Board Member Kesl gave a presentation of the item with the materials that was presented to the Board and what benchmarks can be added to help the Town grow.

Greg Shaughnessy, Search Marketing, Jacober Creative, spoke on the item stating that the information was inaccurate. He also commented that this was made for a desktop and not for mobile phone. He stated that individuals do their searches on mobile phones. He also stated that trying to engage local businesses people/tourists is done by using mobile phones and when you look at website use and the amount of traffic it is 86% mobile phone use.

Assistant Town Manager Tavares commented on Board Member Kesl's report and asked Jacober Creative to address the concerns on the report and come up with what exactly can be added to what is being done that can make it more relatable.

Interim Tourism Director Trigueros commented on the presentation made by Board Member Kesl and stated that they are looking at areas that can be reached as it comes from the public relations point of having benchmarks and ways of integrating it.

Further discussion continued among Board Member Kesl, Jacober Creative and staff regarding the presentation and Assistant Town Manager Tavares explained that everything is not handled by just one company.

Assistant Town Manager Tavares suggested to revisit the Strategic Plan as well as the Marketing Plan that was part of the RFP process and possibly refocusing on some of the items.

**3. Quality Control, Quality Assurance – Board Member Charles Kesl**

Board Member Kesl presented the item, the budget as well as the user generated content. He also spoke regarding ADA compliancy.

Assistant Town Manager Tavares addressed the budgetary process and advised the Board of the budget and what areas the monies are allocated.

**4. Sponsorship Application: Farmer's Market Enhancement – Javier Valmana**

Interim Tourism Director Trigueros introduced the item and provided the Board members with a copy of the application.

Assistant Town Manager Tavares spoke about the work that Mr. Valmana has been doing with the Farmer's Market.

Javier Valmana, Farmer's Market Enhancement, spoke regarding his application and work with the engagement of the community. He discussed some issues he has run into; one being not having the right infrastructure which affects the resident's enjoyment. He would like to add lighting, entertainment and tents for the residents.

Chair Cohen asked Mr. Valmana how much furniture was he looking at purchasing.

Mr. Valmana answered Chair Cohen's question and stated that he is looking at purchasing something that would fit with the Town of Surfside look. He would like to have chairs, umbrellas and entertainment.

Board Member Kesl asked regarding the success of the Farmer's Market and the vendors that participated.

Mr. Valmana answered Board Member Kesl's question that at times the number of vendors have gone down due to not having the proper infrastructure.

Interim Tourism Bureau Director Trigueros asked Mr. Valmana to share with the Board his experience and how the lack of proper infrastructure affects the Farmer's Market.

Discussion took place among the Board and staff regarding storage of the equipment, the furniture being purchased, and possible cost savings by using the same furniture for other events.

A motion was made by Board Member Kesl to defer the item to the April 6, 2020 meeting. The motion died for a lack of a second.

Town Attorney Sera stated that they will draft a letter with the conditions that come with the grant and asked if the Board wanted additional conditions imposed.

A motion was made by Chair Cohen to approve the sponsorship application in the amount of \$3,500 with the conditions imposed by the Tourist Board to include acoustical entertainment, provide the Tourist Bureau with an inventory of the furniture purchased, he will be responsible for the storage of the furniture, and once his contract ends, the furniture will be returned to the Tourism Bureau. The motion received a second from Vice Chair Herman. All voted in favor with Board Member Samara and Board Member Goodman absent.

**5. Next Meeting: Monday, April 6, 2020 at 5:30 p.m.**

Assistant Town Manager Tavares provided the Board with the next meeting date of April 6, 2020 at 5:30 p.m.

Consensus was reached by the Board agreeing to hold the next meeting on April 6, 2020 at 5:30 p.m.

**6. Public Comment – 3-minute time limit each, please**

Chair Cohen opened the floor to public comment.

There being no one from the public signed up to speak, Chair Cohen closed the floor to public comment.

**7. Adjournment**

There being no further business to discuss before the Tourist Board, Board Member Kesl made a motion to adjourn the meeting, seconded by Vice Chair Herman. All voted in favor with Board Member Samara and Board Member Goodman absent.

The meeting adjourned at 8:01 p.m.

Respectfully submitted:

Accepted this 4 day of August, 2020

  
\_\_\_\_\_  
Lisa Herman, Chair

Attest:

  
\_\_\_\_\_  
Evelyn Herbello  
Deputy Town Clerk



## **Town of Surfside**

### **BUDGET ADVISORY COMMITTEE MEETING**

#### **MINUTES**

**July 15, 2020 – 6:00 p.m.**  
Surfside Community Center  
9301 Collins Avenue, Surfside, FL 33154

#### **1. Call to Order/Roll Call**

The meeting was called to order by Deputy Town Clerk Herbello at 6:06 p.m.

The following were present:   Committee Member Lauren Bardos  
  Committee Member Andrew Craven  
  Committee Member Robert (Bobby) Cummings  
  Committee Member Sheryl Goldberg  
  Committee Member Diana Gonzalez

Also, present:                            Jason Greene, Interim Town Manager  
  Lillian Arango, Town Attorney  
  Javier Collazo, Financial Accounting & Reporting Manager  
  Evelyn Herbello, Deputy Town Clerk

#### **2. Agenda and Order of Business**

#### **3. Committee Introductions**

The Town Staff introduced themselves to the Committee members.

The Committee members introduced themselves to the rest of the Committee and staff.

#### **4. Appointment of Chair and Vice Chair**

Town Clerk Sandra McCready advised the Committee the process of selecting a Chair and a Vice Chair.

A motion was made by Committee Member Diana Gonzalez to appoint Committee Member Sheryl Goldberg as Chair of the Budget Advisory Committee, seconded by Committee Member Andrew Craven. All voted in favor.

A motion was made by Committee Member Andrew Craven to appoint Robert (Bobby) Cummings as Vice Chair of the Budget Advisory Committee, seconded by Chair Sheryl Goldberg. All voted in favor.

#### **5. Committee Functions**

Town Attorney Arango gave an overview to the Committee members of their functions as part of the Budget Advisory Committee and how business is to be conducted.

Town Attorney Arango advised the Committee that they will be having an Orientation on July 28, 2020 where they will discuss sunshine law, ethics law and financial rules and regulations in order to be in compliance with Florida Statutes.

Interim Town Manager Greene also provided insight and explanation of the Committee's function and their goal and vision. He stated that this Committee will be active monthly during the budget cycle. The meetings will be monthly through September and unless there is a specific action needed they will not meet again until February. The Committee Charter is to provide guidance in crafting and providing input into the preparation of the Town's Budget.

#### **6. Town Finance Orientation**

Vice Chair Cummings asked if the Committee would find any discrepancies or issues if there is time to change the budget.

Interim Town Manager Greene advised them that the presentation tonight will be very similar to what the Town Commission will see at next week's budget workshop. He stated that the Committee would then meet in August and he can prepare a more in-depth presentation for the August meeting.

Vice Chair Cummings asked if they have questions regarding certain factual information in the budget, who they can address their questions to.

Interim Town Manager Greene stated that any questions regarding the budget should be directed to him.

Committee Member Gonzalez asked if this is a proposed budget.

Interim Town Manager Greene stated that yes, this is a proposed budget.

Interim Town Manager Greene provided the Committee members with a presentation of the Town's Budget as well as the FY 20/21 Proposed Draft Budget.

Committee Member Gonzalez asked what the Tourist Fund is being used for.

Interim Town Manager Greene addressed the question asked by Committee Member Gonzalez and stated that he will be answering their questions as he continues his presentation.

Discussion among the Committee members took place regarding the presentation on the milage rate, increase in taxes and different budgetary funds.

Interim Town Manager Greene addressed the questions asked by the Committee members.

Vice Chair Cummings asked regarding the number of police vehicles and why there are so many vehicles having to be replaced. He also commented on the police take home vehicles. He believes it is absurd that there are so many vehicles for a police force that patrols an 8-block area and would like this to be addressed at a later meeting.

Interim Town Manager Greene continued presenting the Tourist Resort Fund Budget.

Further discussion took place among the Committee members regarding cost of personnel that comes out of the Water and Sewer Fund as well as the Stormwater Fund.

Interim Town Manager Greene addressed the questions from the Committee members.

Vice Chair Cummings asked if once a month was enough time to meet, make recommendations and asked what the plan would be.

Chair Goldberg commented on this Committee coming into the tail end of the budget cycle period.

Vice Chair Cummings suggested to meet once a week for the next month in order to table some topics and address them. He stated that the Commission should be aware that the Budget Committee needs to meet more than once a month in order to address the different topics if not it makes this Committee ineffective.

Further discussion took place among the Committee members regarding the amount of materials to review, be able to give a proper recommendation and have shorter tight agenda meetings in order to come prepared to address the concerns.

Interim Town Manager Greene addressed the questions posed by the Committee members and advised that Staff needs enough time to prepare the presentations and suggested possibly focusing on one fund or department to address per meeting.

Chair Goldberg stated that her concern is the personnel cost in the Parking Department.

Interim Town Manager Greene suggested if the Committee would like to address the Public Safety Department which includes the Parking Department, he would be able to invite Police Chief Yero in order for him to provide feedback.

Committee Member Gonzalez commented on needing to work on this budget now even if it means meeting every month.

The Committee members agreed by consensus to review the budget and send Interim Town Manager Greene and Deputy Town Clerk Herbello their questions on specific funds and/or departments they would like to prioritize to be placed on the agenda for their next meeting.

The Committee members agreed by consensus to provide their topics of interest to Interim Town Manager Greene and Deputy Town Clerk Herbello by July 21, 2020.

The Committee members agreed by consensus to have their next meeting on August 5, 2020 at 4:00 p.m. to discuss questions regarding the Budget pertaining to specific funds and departments.

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

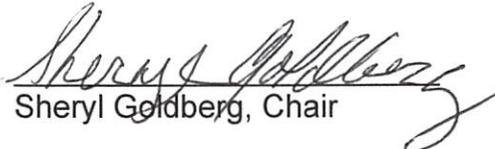
There were no public speakers.

**8. Adjournment**

A motion was made by Chair Goldberg to adjourn the meeting without objection at 8:42 p.m. The motion received a second from Committee member Gonzalez. All voted in favor.

Respectfully submitted:

Accepted this 6 day of August, 2020

  
Sheryl Goldberg, Chair

Attest:

  
Evelyn Herbello  
Deputy Town Clerk



**Town of Surfside**

**PARKS & RECREATION COMMITTEE  
MEETING**

**MINUTES**

**July 20, 2020 – 7:00 p.m.**

Surfside Community Center

9301 Collins Avenue, Surfside, FL 33154

**1. Call to Order/Roll Call**

The meeting was called to order by Deputy Town Clerk Herbello at 7:01 p.m.

The following were present: Committee Member Retta Logan  
Committee Member Nicole Travis  
Committee Member Frank McBride, Jr. (absent) (he kept trying to connect but was unable to connect via video or phone.) (He was able to join at 7:50 pm)  
Committee Member Janice Tatum  
Committee Member Marta Olchyk

Also, present: Commissioner Nelly Velasquez  
Tim Milian, Parks and Recreation Director  
Sandra McCready, Town Clerk  
Evelyn Herbello, Deputy Town Clerk

**2. Agenda and Order of Business**

**3. Committee Introductions**

Parks and Recreation Director Milian introduced himself to the new Committee members and gave them an overview of the functions of the Parks and Recreation Committee.

The Committee members introduced themselves.

Town Clerk McCready read the duties and responsibilities of the Liaison for this Committee. She stated that the Liaison for this Committee is Commissioner Nelly Velasquez.

Commissioner Velasquez introduced herself and her goals. She spoke regarding the undergrounding of powerlines in the Town and her goal as a liaison for this Committee.

Town Clerk McCready reminded the Committee members of their upcoming Committee orientation scheduled for July 28, 2020 at from 2:00 p.m. to 3:00 p.m., which will entail ethics law and sunshine law as well.

Parks and Recreation Director Milian gave an introduction of Committee member MacBride since he had difficulty connecting all night via phone and video.

Committee member MacBride introduced himself after connection issues.

#### **4. Appointment of Chair and Vice Chair**

A motion was made by Committee member Tatum to appoint Committee member Logan to be the Chair of the Parks and Recreation Committee, seconded by Committee member Olchyk. The motion carried with a 4-0 vote with Committee member MacBride absent.

A motion was made by Committee Member Olchyk to appoint Committee member Travis as Vice Chair of the Parks and Recreation Committee, seconded by Committee member Tatum. The motion carried with a 4-0 vote with Committee member MacBride absent.

#### **5. Committee Function**

Parks and Recreation Director Milian gave the Committee members an overview of their functions.

#### **6. Approval of Minutes: February 24, 2020**

A motion was made by Committee Member Tatum to approve the February 24, 2020 Parks and Recreation Committee Meeting Minutes, seconded by Vice Chair Travis. The motion carried with a 4-0 vote with Committee Member MacBride absent.

#### **7. Scholarship Selection- Tim Milian, Parks and Recreation Director**

Parks and Recreation Director Milian provided a summary of the application process and explained that there are 2 scholarships one for the Arya Gray Scholarship and one for the Higher Education Scholarship. The Commission voted to change one to Arya Gray and added a new criteria which was added after the deadline date of June 1. He stated that for next year the applicants will have to follow the new criteria.

Parks and Recreation Director Milian stated that the Committee's responsibility is to review the applicant's material submitted and determine if they meet the criteria for the scholarship. He stated that since there is no voting to take place because there are 2 applicants for 2 scholarships, they can email to him their review to determine that they met the criteria.

Chair Logan asked if there were different requirements for the Arya Gray scholarship.

Parks and Recreation Director Milian explained that the different criteria moving forward since the changing of the scholarship name was done after the submission deadline date.

Chair Logan explained the history of how the scholarship of Arya Gray came about and it was due to the tragedy that occurred.

Parks and Recreation Director Milian thanked Committee Member Olchyk for her assistance when she was a Commissioner and when she served on the Education Committee.

**8. 96<sup>th</sup> Street Park Project Update - Tim Milian, Parks and Recreation Director**

Parks and Recreation Director Milian gave an overview and status of the project.

Commissioner Velasquez stated the need for completing the project.

Parks and Recreation Director Milian gave an update on the RFQ process and the Cone of Silence.

Town Clerk McCready explained the Cone of Silence and advised the Committee they are not allowed to speak with any of the firms that submitted a proposal while the process is underway.

Parks and Recreation Director Milian gave the names of the firms that submitted a bid proposal.

Chair Logan explained what the RFQ process was for this project to the Committee.

Committee member Tatum asked if there will be another RFQ for the engineering portion.

Parks and Recreation Director Milian answered Committee Member Tatum's stated that the engineering portion will require another RFQ.

Chair Logan requested for the RFQ to be sent to the Committee members and explained what the previous Parks and Recreation Committee requested for this project. She also stated that the idea was to also have green space.

Parks and Recreation Director Milian explained that they wanted to keep as much green space as possible. He stated that the building would be crucial for the different programs the Parks and Recreation Department offers to the residents.

Chair Logan spoke regarding the entrance of 96<sup>th</sup> Street corner and changing the dynamics.

Committee member Tatum asked regarding the priority on this project and if a kayak launch would be on the list as a priority for this project.

Parks and Recreation Director Milian addressed the comment made regarding the kayak launch and stated that due to the Cone of Silence the specifics of this RFQ would not be addressed at this time.

Town Clerk McCready explained what the specific responsibility of the selection committee for the RFQ.

Parks and Recreation Director Milian stated that once an architectural firm is selected, the Parks and Recreation Committee will be fully engaged in the design concept of the 96<sup>th</sup> Street Park.

**9. New Normal Zoom Programing for Parks and Recreation Programing (Adults, Seniors, and Youth) During COVID-19 Pandemic - Tim Milian, Parks and Recreation Director**

Parks and Recreation Director Milian provided an overview of the new zoom programming for the programs for the adults, seniors and youth. He advised the Committee if they have ideas of other zoom programs to bring it up to his attention.

Chair Logan commented on how the children are playing video games and possibly coming up with some games for the youth to play among themselves but currently these types of programs would be hard to convince the teens to participate.

Parks and Recreation Director Milian stated that is the feedback he has received and they will determine if there is enough interest to continue with the zoom programs. He stated they will be bringing in an organization to work with the teens and preteens.

Vice Chair Travis asked when they give feedback do they come back to discuss what programs they would like or do they send Parks and Recreation Director Milian their suggestions.

Parks and Recreation Director Milian addressed the comments made by Vice Chair Travis.

Chair Logan explained to the Committee members how the process of bringing items on the agenda and the ideas should come in early in order to give the Clerk's Office time to prepare the agenda and have it ready for the next meeting.

Deputy Town Clerk Herbello explained the process of when the agenda goes out for the meetings.

Town Clerk McCready explained the importance of responding to the emails sent from the Town Clerk's Office on the meetings as well as their response advising the Town Clerk's Office of their attendance for said meeting. She advised the Committee that once the meeting is cancelled due to lack of quorum, they are not able to hold the meeting on that date.

Committee member Olchyk left the meeting at 8:15 p.m.

Parks and Recreation Director Milian advised the Committee to submit their items for the next agenda in advance so everyone has the opportunity to review the material.

Chair Logan explained how the public comment section works and stated that the public is able to speak through the chat section on zoom just like they do in the commission meetings.

Commissioner Velasquez commented on the kayak launch on 96<sup>th</sup> Street Park and the emails from residents she has been receiving. She stated that the desire of the residents is to have a kayak launch at the park.

Chair Logan stated that has to be on hold due to the RFQ and the Cone of Silence.

Committee member Tatum stated that she knows they will have residents approaching them for the kayak launch.

#### **10. Public Comments - (3-minute time limit per speaker)**

There were no public speakers.

**11. Next Meeting: August 17, 2020**

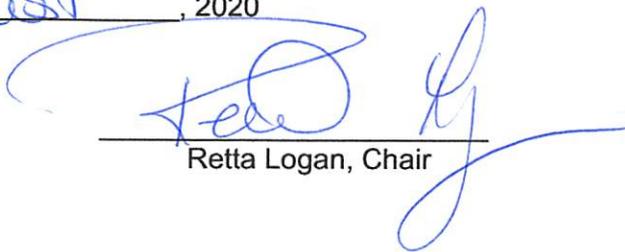
Parks and Recreation Director Milian discussed the next meeting for the Parks and Recreation Committee which will be held on August 17, 2020.

**12. Adjournment**

A motion was made by Committee member MacBride to adjourn the meeting without objection at 8:25 p.m. The motion received a second from Committee member Tatum. All voted in favor.

Respectfully submitted:

Accepted this 17 day of August, 2020

  
Retta Logan, Chair

Attest:

  
Evelyn Herbello  
Deputy Town Clerk



## **Town of Surfside**

### **TOURIST BOARD MEETING MINUTES**

**August 3, 2020– 5:30 p.m.**

#### **Opening Items:**

##### **1. Call to Order/Roll Call**

The meeting was called to order Deputy Town Clerk Herbello at 5:32 p.m.

Present: Board Member Clara Diaz-Leal  
Board Member Lisa Herman  
Board Member Eli Tourgeman  
Board Member Robert Lisman  
Board Member Ian Marovath

Also present: Jason Greene, Interim Town Manager  
Haydee Sera, Town Attorney  
Vice Mayor Tina Paul, Town Commission Liaison  
Town Clerk Sandra N. McCready  
Evelyn Herbello, Deputy Town Clerk  
Frank Trigueros, Interim Tourism Director

##### **2. Agenda and Order of Business**

##### **3. Board Member Introductions**

Town staff introduced themselves to the newly appointed Board.

Board Members introduced themselves to Town Staff.

##### **4. Appointment of Chair and Vice Chair**

A motion was made by Board Member Diaz-Leal to appoint Board Member Herman as Chair of the Tourist Board, seconded by Board Member Tourgeman. All voted in favor.

A motion was made by Board Member Tourgeman to appoint himself as Vice Chair of the Tourist Board, seconded by Board Member Diaz-Leal. All voted in favor.

## **5. Board Functions**

Tourism Director Trigueros along with Town Attorney Sera gave a summary of the Board Member functions.

## **6. Approval of Meeting Minutes: March 2, 2020**

A motion was made by Vice Chair Tourgeman to approve the March 2, 2020 Tourist Board Meeting Minutes, seconded by Chair Herman. All voted in favor.

## **7. Downtown Vision Advisory Committee (DVAC) Liaison Selection**

A motion was made by Vice Chair Tourgeman to appoint Board Member Diaz-Leal as the Downtown Vision Advisory Committee Liaison, seconded by Board Member Mavorah. All voted in favor.

## **8. Visit Surfside Overview 2018 - 2020**

Tourism Director Trigueros gave an overview of work executed over the last two seasons.

Discussion took place among the Board regarding the tourism website and how it was previously managed.

Tourism Director Trigueros stated that the former Visit Surfside website was shut down per the Town Commission's request in April. As was social media content, which he suggested reactivating right away in support of the local businesses.

Board Member Mavorah asked who drafted the content on the former blog.

Tourism Director Trigueros responded saying it was part of the former agency's scope of work.

Board Member Diaz-Leal asked if there is normally an increase in visitation during Spring Break.

Tourism Director Trigueros stated that historically, there is always an increase in visitation during Spring Break given vacations though this year was impacted by coronavirus.

After Tourism Director Trigueros covered the Southern Florida Concierge Association Surfside reception event in 2019, discussion took place and Board Member Diaz-Leal then mentioned the importance of cruise passengers in Greater Miami and the value of attracting them to Surfside in the future.

She asked Tourism Director Trigueros if they were part of the SFCA event and marketing lists. He responded saying he would need to look at the participation list, but agrees that the cruise industry should be a target market for Surfside.

Chair Herman asked Tourism Director Trigueros if he is able to move forward with marketing, website work, PR, social media and blog content with the current resources at his disposal. He assured the Board that he would be taking on those responsibilities in an effort to scale down spending, and hopes to work with the Public Information Officer on the media side.

Vice Mayor Paul asked if the "Something for Everyone" video was produced and also inquired about the resident brochure because she had not seen it.

Tourism Director Trigueros stated yes it was produced and released last year, and that he would send it out along with the resident brochure

Vice Mayor Paul commented on the website redirect also citing some issues and broken links. She stated that there should be a website person designated to fix those issues. She also commented on the shop and dine link.

Tourism Director Trigueros answered Vice Mayor Paul's questions.

### **State of Tourism and COVID-19**

Tourism Director Trigueros gave an overview of the item and its impact on the tourism industry.

Vice Chair Tourgeman asked how resident programming might be impacted given the reduction in tourism revenue.

Tourism Director Trigueros stated that Resort Tax revenue appears healthy enough not to impact programming. He added that the Tourist Bureau's budget and spending has been significantly reduced per the Town Commission's direction. They terminated the marketing services contract with Jacober in April.

Board Member Diaz-Leal commented on different things that could be done to move forward to assist businesses while being conscious of what is taking place with COVID and have a process in place. She also commented that mom and pop stores are not in the best position to help themselves.

Tourism Director Trigueros answered Board Member Diaz-Leal's question and understands that everyone has cabin fever and wants to get out as long as they are taking care of themselves.

Further discussion took place among the Board and staff to determine what is best for the Town and helping the small businesses through drive-by markets.

**9.  
Discussion Items:**

**1. Tourism Website**

Tourism Director Trigueros gave an overview of the item.

He covered the old website and discussion then took place regarding the functioning of the Booking Portal and if it worked with hotel systems as well as other platforms.

Vice Mayor Paul stated that she would like to see more visuals on the current Support Local page on the Town website which is powered by Sitefinity.

Tourism Director Trigueros answered the Board and Vice Mayor Paul's questions.

**2. Supporting the Business District**

Tourism Director Trigueros gave an overview of the item.

Chair Herman addressed the issues with the website and what the residents are looking for.

Tourism Director Trigueros addressed the comments made by Chair Herman.

Board Member Mavorah raised the idea of shutting down Harding Avenue for pedestrians.

Tourism Director Trigueros addressed the closing of Harding Avenue which is challenging given the state road designation.

Further discussion took place among the Board, Vice Mayor Paul and staff regarding the business district and outdoor dining adaptations in the wake of COVID-19. The Vice Mayor mentioned challenges with sidewalk expansions crowding pedestrian access.

Discussion took place among the Board regarding promotions for businesses to help jump start sales. Ideas included drive thru events, themed specials, social media promotions and COVID-conscious activations.

Staff discussed the ideas and suggestions given by the Board members.

Consensus was reached for the Tourist Bureau to move forward and take action to kick start activities that will support businesses, including the creation of a new Support Local section on the Town website with full listings and the reactivation

of social media. Staff will come back at the next meeting with updates and information to activate future ideas.

### 3. Board Ideas, Future Topics

Tourism Director Trigueros opened up the floor to the Board to introduce new ideas or future topics they would like to discuss.

Lisa Herman suggested getting branded masks to give out to the hotels and see the cost involved.

Tourism Director Trigueros stated that they do not have additional budget for these items, but that he would look into it to see if they could be obtained, nothing they have some giveaways from the last season.

### 4. Next Meeting: Monday, September 14, 2020 at 5:30 p.m.

Tourism Director Trigueros advised the Board of their next meeting taking place on September 14, 2020 at 5:30 p.m. Consensus was reached by the Board to have the meeting on that date and time.

### 5. Public Comment – 3-minute time limit each, please

No one from the public signed up to speak.

### 6. Adjournment

There being no further business to discuss before the Tourist Board, Vice Chair Tourgeman made a motion to adjourn the meeting at 7:41 p.m., seconded by Chair Herman. All voted in favor.

Respectfully submitted:

Accepted this 20 day of Sept., 2020

  
\_\_\_\_\_  
Lisa Herman, Chair

Attest:

  
\_\_\_\_\_  
Evelyn Herbello  
Deputy Town Clerk



**Town of Surfside**

**PARKS & RECREATION COMMITTEE  
MEETING**

**MINUTES**

**August 17, 2020 – 7:00 p.m.**  
Surfside Community Center  
9301 Collins Avenue, Surfside, FL 33154

**1. Call to Order/Roll Call**

The meeting was called to order by Deputy Town Clerk Herbello at 7:11 p.m.

The following were present: Chair Retta Logan  
Vice Chair Nicole Travis  
Committee Member Frank MacBride, Jr.  
Committee Member Janice Tatum  
Committee Member Marta Olchyk

Also, present: Commissioner Nelly Velasquez  
Tim Milian, Parks and Recreation Director  
Evelyn Herbello, Deputy Town Clerk

**2. Agenda and Order of Business**

**3. Approval of Minutes: July 20, 2020**

A motion was made by Committee Member Tatum to approve the July 20, 2020 Parks and Recreation Committee Meeting Minutes, seconded by Committee Member MacBride. The motion carried with a 4-1 vote with Committee Member Olchyk voting in opposition because she did not have an opportunity to read the minutes.

**4. Reservation Set up and cancelation for lap Swimming - Tim Milian, Parks and Recreation Director**

Parks Director Milian gave an update on the item and provided the way the program will work and possibly applying a penalty for those that reserve their lap spot and do not show up.

Chair Logan stated that she would believe to wait until it becomes chronic and when they call to remind them are they getting feedback that the individuals forgot.

Committee Member Olchyk stated that they should be penalized if they do not meet their reservation and time slot.

Parks Director Milian stated that if he sees it to be chronic he would then address it and currently they are doing a courtesy phone call to remind them of their appointment.

Committee member Tatum asked if the demand is high and possibly a verbal wording.

Parks Director Milian stated that yes, it has been constant from open to close.

Vice Chair Travis commented on the reservation and that is glad they are watching it and if it does become a chronic issue that they will do something about it.

Commissioner Velasquez suggested instead of giving the slot up within 15 minutes of their reservation time to change it to 5 minutes and then after five minutes they are able to give it to the next individual on the list.

Chair Logan agrees with the 15-minute grace period due to traffic and if after a reminder they still are not showing up, then that individual has to be addressed and that is not fair. She asked if they answer the reminder call from the Parks and Recreation Department.

Parks Director Milian answered Chair Logan's question and stated that they do answer their call.

Chair Logan requested for an update at the next meeting.

Parks Director Milian spoke regarding monitoring it when school starts and he does not agree with banning individuals.

**5. Fall on site programing under new normal - Tim Milian, Parks and Recreation Director**

Parks Director Milian gave an update on the item and if the Committee has any suggestions on programs to please let him know. He spoke regarding possibly doing drills with Tennis and Soccer programs. He stated that after Labor Day they will have something in place.

Chair Logan stated that she watched one of the Teen zooms and suggested for other Committee Members to watch some of those zoom programs to have an idea of how it is working. She commented on the curriculum changes for school this year and is worried about the zoom classes for those children of school age and how watching the screen for additional time how that would affect them and the program.

Parks Director Milian addressed the comments made by Chair Logan and discussed the programs during school year and how some programs will run and others will not, it all depends on the attendance. He stated they will keep things as normal as they can. He believes this is a good start to see how it will work and get the kids outside.

Committee member Tatum stated that the zoom might be good for afterschool program giving the parents some time for work.

Parks Director Milian stated that the zoom program does have monitors on there as well. He spoke regarding the fees and keeping them as low as possible so it will not be an additional burden on the parents.

Commissioner Velasquez asked how much the zoom classes cost the residents. She stated that a resident contacted her and can provide social media classes for free.

Parks Director Milian answered Commissioner Velasquez' question and stated that the zoom programs are free. He stated that he has asked the Committee for their ideas and thoughts and for them to feel free to forward to him some ideas. He stated that the Interim Town Manager stated not to charge for the zoom classes at this present time. He stated that they are sampling the waters with this.

Vice Chair Travis stated that her son likes the snapology class.

Parks Director Milian stated that the drill classes will be different from the zoom that it would be similar to before and they will keep the cost down. He asked the Committee for their feedback on the Pre-Teen/Teen programs.

#### **6. Part-Time Staff vs. Full-Time Staff – Tim Milian, Parks and Recreation Director**

Parks Director Milian gave an update on the item and that they are going through the budget process. He stated that the Parks and Recreation Department is 80% part-time employees and he advocates for full-time employees. He went through the Parks and Recreation staff.

Committee member MacBride always advocates for full-time employees and it is difficult on part-time salary.

Chair Logan agrees with Committee member MacBride.

Committee member Olchyk commented on her complaints with the employees that work the pool and that are part-timers and believes if they would be full-time employees the employees would be more helpful to the residents. She stated she is an advocate for full-time employees.

Committee member MacBride stated that those complaints need to be addressed. He asked Parks Director Milian if there is a liability in assisting individuals from entering and exiting the ocean.

Parks Director Milian stated it is a liability. He spoke regarding a rope that used to be in place for when staff was not there for the elderly to assist themselves in pulling themselves out of the water. That rope was removed due to liability. He has addressed with his staff to help the residents and seniors.

Commissioner Velasquez asked how many full-time staff members would he need.

Parks Director Milian stated that currently they are good with the eight (8) full time employees. He stated that if he could fill all the lifeguards with full time would be great but currently they are managing with the ones they have.

Further discussion took place among Parks Director Milian and Committee members regarding the programs that are open, the regulations on cleanliness and if they are able to maintain the new normal with the number of employees he currently has.

Committee member MacBride asked if they have the necessary materials that the CDC requires one to have in order to open the facilities and programs.

Parks Director Milian answered Committee member MacBride's question and stated that he does have the required materials.

Chair Logan asked regarding the reservations and if the seniors that need special accommodations if they can assist them.

Parks Director Milian answered Chair Logan's question and stated that they do assist them and that all they need to do is request the special assistance with they call to make the reservation.

**7. Scholarship Selection Announcement - Tim Milian, Parks and Recreation Director**

Parks Director Milian stated that he received the Committee members suggestions and that both applicants met all the criteria and it will be brought before the Commission as the selected scholarship winners.

**8. 96<sup>th</sup> Street Park Project Update - Tim Milian, Parks and Recreation Director**

Parks Director Milian gave an update on the item and explained the process once the design selection is chosen he will continue updating the Committee on this project. He stated that this will be an item that will continue to be on the agenda. He spoke regarding the Selection Committee meeting and spoke regarding the work the selected firm has performed.

Parks Director Milian stated that what is needed is something functional and aesthetics.

Commissioner Velasquez asked if this firm has done any other parks that one can take a look at.

Parks Director Milian addressed Commissioner Velasquez' question and stated that yes this firm has done work in Miami Beach and Hallandale. He stated that the Clerk's Office will have a link that one can look at.

Vice Chair Travis asked where they are in the process and what the next step is.

Parks Director Milian answered Vice Chair Travis' question and gave her an explanation of the process and selection process.

Committee member MacBride asked if the kayak launch is still part of this project. He stated that he is not in agreement with a kayak launch at the 96<sup>th</sup> Street Park.

Committee member Tatum asked if there is an avenue to explore the kayak launch quicker.

Parks Director Milian stated that they have not discussed that at this time.

Further discussion took place among the Committee members, Commissioner Velasquez and Parks Director Milian regarding the kayak launch, its design, location and funding.

Parks Director Milian stated he will speak with the Interim Town Manager and bring back the kayak launch item on the September agenda.

Commission Member MacBride commented on the amount of traffic that would be coming into 96<sup>th</sup> Street Park with a kayak launch. He suggested taking a walk and see what size of the area needed.

Parks Director Milian stated that it would have to be noticed due to more than one member present but he will look into it.

Chair Logan suggested for Committee Member MacBride or Committee Member Tatum to go and take pictures individually and submit to Deputy Town Clerk for the next agenda. She requested for Parks Director Milian to bring it back to the Committee at the September meeting.

Commissioner Velasquez spoke regarding the Point Lake suggestion area and that those residents are very vocal and that location might not be a good spot. She suggested other areas that can possibly be a good spot that will not have a major impact on those residents and should only be for Surfside residents. Parks Director Milian stated he will put it on September and they can discuss and address the kayak launch.

Commissioner Velasquez suggested it going before the Town Commission Meeting for direction.

Parks Director Milian agreed with Commissioner Velasquez and stated it go on the September Commission meeting agenda.

Further discussion took place among the Committee members, Commissioner Velasquez and Parks Director Milian regarding possible location for the kayak launch without having to wait for the 96<sup>th</sup> Street Park to be built.

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

There are no public comments.

**10. Next Meeting: September 21, 2020**

Parks Director Milian advised the Committee of the next Parks and Recreation Committee Meeting date.

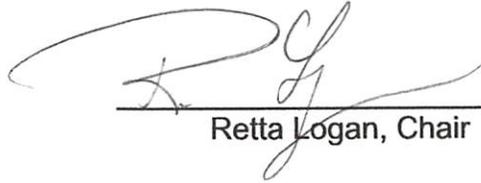
Consensus was reached by all the Committee members to hold their next meeting on September 21, 2020 at 7:00 p.m.

**11. Adjournment**

A motion was made by Committee Member MacBride to adjourn the meeting without objection at 8:28 p.m. The motion received a second from Committee Member Tatum. All voted in favor.

Respectfully submitted:

Accepted this 14 day of September, 2020

  
\_\_\_\_\_  
Retta Logan, Chair

Attest:

  
\_\_\_\_\_  
Evelyn Herbell  
Deputy Town Clerk



**Town of Surfside  
Town Commission Meeting  
October 13, 2020  
7:00 pm**

Town Hall Commission Chambers - 9293 Harding Avenue, 2<sup>nd</sup> Floor  
Surfside, FL 33154

**Date:** October 13, 2020

**Prepared by:** Vice Mayor Paul

**Subject:** Acting Town Manager Proclamation and Pay Adjustment

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**Objective:**

To provide compensation to Interim Town Manager, Jason D. Greene, for additional work as Interim Assistant Town Manager and Acting Town Manager.

**Consideration:**

On May 26, 2020, the Town Commission, as agreed to the Town Manager, promoted Finance Director Jason Greene to Interim Assistant Town Manager in response to the resignation of Town Manager Guillermo Olmedillo. On July 14, 2020, the Town Commission promoted Jason Greene to the position of Acting Town Manager. Both promotions did not include additional compensation for these additional services. Currently, Finance Director Greene is serving in multiple roles as the Town Manager, Assistant Town Manager, and Finance Director, managing the Executive, Finance, Information Technology, Community Services and Public Communications Departments.

The standard out of class pay adjustment is 15%. A retroactive pay adjustment of 15% beginning May 26, 2020, in a lump sum payment for services through the end of the fiscal year (September 30, 2020) would amount to \$7,188 resulting in approximately \$5,475 after tax and benefit deductions. After September 30, 2020, this pay adjustment would equal an additional \$403.85 per week or \$297.45 after tax and benefit deductions.

In addition to the out of class pay adjustment, the Commission may decide to issue a Proclamation as appreciation of our gratitude and recognition to Interim Town Manager Greene for his management and executive leadership during this time of transition.

**Recommendation:**

Provide a 15% retroactive pay adjustment for Jason D. Greene to reflect his promotion to Assistant Town Manager and continue until the new Town Manager determines his role and compensation. Issue a Proclamation as appreciation of our gratitude and recognition to Interim Town Manager Greene for his management and executive leadership during this time of transition. Please find attached Proclamation Request Form.



# TOWN OF SURFSIDE

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

### REQUEST FORM

OFFICE OF THE TOWN CLERK

Request for: Proclamation  Certificate  Key  Brick  (check one)



Date of Request: \_\_\_\_\_ October 2, 2020 \_\_\_\_\_

Name of Requestor: \_\_\_\_\_ Vice Mayor Paul \_\_\_\_\_

Organization: \_\_\_\_\_ Town of Surfside \_\_\_\_\_

Address: \_\_\_\_\_ 9293 Harding Ave \_\_\_\_\_

Phone / E-Mail: \_\_\_\_\_ tpaul@townofsurfsidefl.gov \_\_\_\_\_

Name of Individual / Organization to be honored:  
\_\_\_\_\_ Jason Greene \_\_\_\_\_

Title for Proclamation or Certificate:  
\_\_\_\_\_ In recognition of Jason Green for Executive Leadership as Interim Town Manager \_\_\_\_\_

Date of Recognition: \_\_\_\_\_ October 13, 2020 \_\_\_\_\_

Reason for Recognition (*Please attach 4 – 6 “whereas clauses” as draft text for a Proclamation*):  
\_\_\_\_\_ see attached \_\_\_\_\_

**Document is to be:**

- Presented at a Commission Meeting in \_\_\_\_\_ November 2020 \_\_\_\_\_ (month / year)
- Presented at the following event \_\_\_\_\_ (Please attach event information to the request form)
- Picked up by \_\_\_\_\_ on \_\_\_\_\_ (date)

**Administrative Use Only**

Proclamation \_\_\_\_\_ Certificate \_\_\_\_\_ Key \_\_\_\_\_ Coin \_\_\_\_\_

Approved: Yes \_\_\_\_\_ No \_\_\_\_\_ If no, state reason: \_\_\_\_\_

Approved Date: \_\_\_\_\_

Date Submitted for Mayor's Signature: \_\_\_\_\_

Date Issued: \_\_\_\_\_

Completed by: \_\_\_\_\_



**Town of Surfside  
Town Commission Meeting  
October 13, 2020  
7:00 pm**

Town Hall Commission Chambers - 9293 Harding Avenue, 2<sup>nd</sup> Floor  
Surfside, FL 33154

**Date: October 13, 2020**

**Prepared by: Vice Mayor Paul**

**Subject: Proclamation of recognition to Acting Town Manager Greene**

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**Whereas;** the Town Commission promoted Finance Director Jason D. Greene to Interim Assistant Town Manager on May 26, 2020; and

**Whereas;** on July 14, 2020, the Town Commission promoted Jason D. Greene to the position of Acting Town Manager; and

**Whereas;** Finance Director Greene served in multiple roles as the Acting Town Manager, Interim Assistant Town Manager, and Finance Director, managing the Executive, Finance, Information Technology, Community Services and Public Communications Departments; and

**Whereas;** The Town of Surfside wishes to proclaim appreciation, gratitude and recognition to Acting Town Manager Jason Greene for his dedication, management and executive leadership during this time of transition; and

**Now therefore,** *I, Charles W. Burkett, Mayor of the Town of Surfside, Florida, by the power vested in me, do hereby proclaim the Town of Surfside's appreciation, gratitude and recognition to Acting Town Manager Jason Greene for his dedication, management and executive leadership while serving as the Interim Assistant Town Manager, the Acting Town Manager, while also serving as the Finance Director and managing the Executive, Finance, Information Technology, Community Services and Public Communications Departments.*



# MEMORANDUM

ITEM NO. 3F

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

**From:** Jason D. Greene, Interim Town Manager

**Date:** October 13, 2020

**Subject:** Memorandum of Understanding between the Town of Surfside and the Town of Bay Harbor Islands

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At the September 10, 2019 Town Commission meeting, a Memorandum of Understanding was authorized to provide resources to support the Miami-Dade County School Board ("School Board") efforts to ensure that only children who have a primary residence within the school's attendance boundaries attend the school.

The Town of Surfside will equally share the cost with the Town of Bay Harbor Islands to fund the School Board's part-time employee assigned to administer the Address Verification Plan.

The Town's financial contribution is \$5,000. This item is budgeted in FY 2021. Staff time would only be required to process the required documents and issue the payment.

The Town Administration recommends approval.

Reviewed by *JDG*

Prepared by *IM*

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, APPROVING A MEMORANDUM OF UNDERSTANDING (MOU) BETWEEN THE TOWN OF SURFSIDE AND THE TOWN OF BAY HARBOR ISLANDS RELATING TO A SCHOOL ADDRESS VERIFICATION PLAN CONTRIBUTION; PROVIDING FOR AUTHORIZATION; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the Town of Surfside (“Town”) and the Town of Bay Harbor Islands (“Bay Harbor Islands”) are municipalities located within Miami-Dade County, Florida, that border each other; and

**WHEREAS**, many children who are residents of the Town and Bay Harbor Islands attend Ruth K. Broad K-8 Center School (the “School”), which is located in Bay Harbor Islands; and

**WHEREAS**, Bay Harbor Islands executed a Program Grant Agreement with the Miami-Dade County School Board (“School Board”) for an Address Verification Plan (“Verification Plan”) in order to allow the School Board to take certain efforts to ensure that only children who have a primary residence within the School’s attendance boundaries attend the School; and

**WHEREAS**, the School Board requires an extra part-time employee to administer the Verification Plan and a \$10,000 contribution in order to fund the employee (“Employee Contribution”); and

**WHEREAS**, on September 10, 2019, the Town Commission adopted Resolution 2019-2615, approving a memorandum of understanding between the Town, the Village of Bal Harbour, and Bay Harbor Islands in order to equally contribute to the cost of the Employee Contribution for the Verification Plan; and

**WHEREAS**, the Town and Bay Harbor Islands desire to enter into a new memorandum of understanding in order to equally contribute to the cost of the Employee Contribution for the Verification Plan in substantially the form attached hereto as Exhibit “A” (“MOU”); and

**WHEREAS**, the Town Commission finds that this Resolution is in the best interest and welfare of the Town.

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

**Section 1.**     **Recitals Adopted.** Each of the above-stated recitals are hereby adopted, confirmed and incorporated herein.

**Section 2.**     **Approval.** That the Town Commission hereby approves the MOU in substantially the form attached hereto as Exhibit “A.”

**Section 3.**     **Authorization.** That the Town Manager is hereby authorized to execute the MOU, subject to approval by the Town Attorney as to form, content, and legal sufficiency.

**Section 4.**     **Implementation.** That the Town Manager and/or designee is hereby authorized to expend budgeted funds and take any and all action necessary to implement the purposes of this Resolution and the MOU.

**Section 5.**     **Effective Date.** This Resolution shall be effective immediately upon adoption.

PASSED AND ADOPTED this \_\_\_\_ day of October, 2020.

Motion By: \_\_\_\_\_  
Second By: \_\_\_\_\_

**FINAL VOTE ON ADOPTION:**

Commissioner Charles Kesl                     \_\_\_\_\_  
Commissioner Eliana R. Salzhauer         \_\_\_\_\_  
Commissioner Nelly Velasquez             \_\_\_\_\_  
Vice Mayor Tina Paul                         \_\_\_\_\_

Mayor Charles W. Burkett \_\_\_\_\_

\_\_\_\_\_  
Charles W. Burkett, Mayor

**ATTEST:**

\_\_\_\_\_  
Sandra McCready, MMC  
Town Clerk

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

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

**MEMORANDUM OF UNDERSTANDING  
BETWEEN THE TOWN OF SURFSIDE AND THE  
TOWN OF BAY HARBOR ISLANDS**

This Memorandum of Understanding (“MOU”) is entered into this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ by and between the Town of Surfside (“Surfside”) and the Town of Bay Harbor Islands (“Bay Harbor Islands”). Surfside and Bay Harbor Islands are collectively referred to as the "Parties" and individually as a “Party.”

**WHEREAS**, Surfside and Bay Harbor Islands are municipalities located within Miami-Dade County that border each other; and

**WHEREAS**, children who are residents of Surfside and Bay Harbor Islands attend Ruth K. Broad K-8 Center School (“School”) which is located in Bay Harbor Islands; and

**WHEREAS**, Bay Harbor Islands executed a Program Grant Agreement for Town of Bay Harbor Islands Address Verification Plan (“Verification Plan”) with the Miami-Dade County School Board (“School Board”) in which, the School Board shall take certain efforts to ensure that only children who have a primary residence within the School’s attendance boundaries attend the School; and

**WHEREAS**, the School Board informed Bay Harbor Islands that it requires an extra part-time employee to administer the Verification Plan and that the School Board requires a \$10,000.00 contribution in order fund its extra part-time employee (“Employee Contribution”); and

**WHEREAS**, the Parties wish to equally share the cost of the Employee Contribution as the part-time employee will benefit the children who reside within the School boundaries in Surfside and Bay Harbor Islands and attend the School; and

**WHEREAS**, the Parties find that the adoption of this Memorandum of Understanding is in the best interest of the residents of Surfside and Bay Harbor Islands.

**NOW, THEREFORE**, the Parties agree as follows:

1. The above recitals are true and correct and are incorporated herein by reference.
2. The Parties agree to equally share the Employee Contribution.
3. The Employee Contribution applicable to each Party is \$5,000.00<sup>1</sup>
4. Bay Harbor Islands and Surfside’s obligations under this MOU are solely limited to their financial contribution of \$5,000.00, each. Nothing in this agreement permits, and Bay Harbor Islands and Surfside do not have the ability to exercise any control over any aspect of the employment, duties, tasks, responsibilities, operations, actions or inactions of any part-time (or full time) person(s) employed by the School Board. Under no circumstance shall this MOU

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<sup>1</sup> The anticipated Employee Contribution of \$10,000.00 divided by 2 equals \$5,000.00.

provide the basis for any claim that: a) the part-time School Board employee is an employee or agent of Bay Harbor Islands or Surfside; or b) Bay Harbor Islands or Surfside are a “joint employer” of the School Board’s part-time employee or are in any way responsible for the actions or inactions of the School Board’s part-time employee. The School Board shall be solely responsible for the employment of the School Board’s part-time employee and payment of salary, wages, and fringe benefits, if any, to the School Board’s part-time employee. The School Board shall be solely responsible for any employment based claims made by the School Board part-time employee, including claims for the payment of salary, wages, fringe benefits, and for unlawful termination, and for any claims based on the employee’s actions or inactions. Under no circumstance shall this MOU provide the basis for any Party to make a claim against any other Party for indemnification.

5. The Parties agree that this MOU represents the Parties' entire agreement and it cannot be amended or modified without the express consent of the Parties.
6. The Parties have had the opportunity to consult with legal counsel of their choosing.
7. The Parties signify their agreement with this MOU by affixing their signatures below.
8. This MOU shall become effective the date on which it is fully ratified by the Parties (“Effective Date”). The term of this MOU shall run concurrently with the term of the Verification Plan, a copy of which is attached hereto as Composite Exhibit “A.”

**Town of Bay Harbor Islands, Florida**

**By:** \_\_\_\_\_

**Date:** \_\_\_\_\_

**Town of Surfside, Florida**

**By:** \_\_\_\_\_

**Date:** \_\_\_\_\_



# MEMORANDUM

ITEM NO. 3G

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

**From:** Jason Greene, Interim Town Manager

**Date:** October 13, 2020

**Subject:** Resolution Approving a Memorandum of Understanding (MOU) between the Town of Surfside and the Florida State Lodge Fraternal Order of Police to Provide 1% Hazard Pay to First Responders

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On March 12, 2020, the Town of Surfside (the "Town") declared a local state of emergency due to the nationwide emergency posed by the Novel Coronavirus Disease 2019 ("COVID-19") pandemic. In order to combat COVID-19 pandemic, President Trump signed into law the Coronavirus Aid, Relief, and Economic Security ("CARES") Act, which allocated \$150 billion of Coronavirus Relief Fund monies to local governments. Of the \$150 billion, the State of Florida received \$8.328 billion, of which \$474 million was allocated to Miami-Dade County (the "County"). From the \$474 million given to the County, the County has agreed to distribute \$100 million to municipalities in the County.

The Town has entered into an Interlocal Agreement with the County to provide the Town with CARES Act funds for eligible COVID-19 pandemic expenses. Providing the Town's first responders with a 1% hazard pay supplement qualifies under the CARES Act and the Interlocal Agreement with the County as an eligible COVID-19 pandemic expense.

However, in order to provide the Town's first responders a 1% hazard pay supplement, state law requires that adjustments to first responder wages be supported by a mutual agreement between the Town and the Florida State Lodge Fraternal Order of Police ("Fraternal Order"). As such, the Town and the Fraternal Order must enter into a memorandum of understanding ("MOU") in order for the Town to provide its first responders with a 1% hazard pay supplement.

This Resolution will not impact the Town's budget as the 1% hazard pay supplement will be reimbursed from CARES Act funding, and in accordance with the proposed MOU, the Town will not be responsible for any funding shortfalls arising due to lack of available CARES Act funding.

Town Staff recommends a motion to approve this Resolution approving the MOU between the Town and the Fraternal Order to provide a 1% hazard pay supplement to the Town's first responders.

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, APPROVING A MEMORANDUM OF UNDERSTANDING (MOU) BETWEEN THE TOWN OF SURFSIDE AND THE FLORIDA STATE LODGE FRATERNAL ORDER OF POLICE TO PROVIDE 1% HAZARD PAY TO FIRST RESPONDERS; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, on March 12, 2020, the Town Commission of the Town of Surfside (“Town”) adopted Resolution No. 2020-2676, declaring a local state of emergency due to the Novel Coronavirus Disease 2019 (“COVID-19”); and

**WHEREAS**, on March 27, 2020, President Trump signed the Coronavirus Aid, Relief, and Economic Security Act (the “CARES Act”) into law; and

**WHEREAS**, among other things, the CARES Act includes a \$150 billion Coronavirus Relief Fund for local governments to cover expenses that are necessary expenditures incurred due to the COVID-19 public health emergency; and

**WHEREAS**, the State of Florida was allocated \$8.328 billion from the Coronavirus Relief Fund, of which Miami-Dade County (the “County”) received \$474 million; and

**WHEREAS**, at the August 4, 2020, Special Meeting of the County Board of County Commissioners (the “BCC”), the BCC allocated a total of not-to-exceed \$100,000,000 in CARES Act funds for municipalities in the County, which included funds for a one percent (1%) hazard pay supplement for first responders; and

**WHEREAS**, on August 25, 2020, the Town Commission adopted Resolution 2020-2713 approving an Interlocal Agreement with the County for reimbursement of necessary expenses incurred due to COVID-19 pursuant to the CARES Act; and

**WHEREAS**, the Town desires to enter into a Memorandum of Understanding between the Town and the Florida State Lodge Fraternal Order of Police (the “MOU”), in substantially the form attached hereto as Exhibit “A,” in order to provide first responders with a one percent (1%) hazard pay supplement; and

**WHEREAS**, the Town Commission finds that this Resolution is in the best interest and welfare of the Town.

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

**Section 1. Recitals Adopted.** Each of the above-stated recitals are hereby adopted, confirmed and incorporated herein.

**Section 2. Approval and Authorization.** The Town Commission hereby approves the MOU, in substantially the form attached hereto as Exhibit “A.” The Town Manager is authorized to execute the MOU in substantially the form attached hereto as Exhibit “A.”

**Section 3. Implementation.** The Town Manager and/or designee is hereby authorized to take any and all action necessary to implement the purposes of this Resolution and the MOU.

**Section 4. Effective Date.** This Resolution shall be effective immediately upon adoption.

PASSED AND ADOPTED this \_\_\_\_ day of October, 2020.

Motion By: \_\_\_\_\_  
Second By: \_\_\_\_\_

**FINAL VOTE ON ADOPTION:**

Commissioner Charles Kesl \_\_\_\_\_  
Commissioner Eliana R. Salzhauer \_\_\_\_\_  
Commissioner Nelly Velasquez \_\_\_\_\_  
Vice Mayor Tina Paul \_\_\_\_\_  
Mayor Charles W. Burkett \_\_\_\_\_

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Charles W. Burkett, Mayor

**ATTEST:**

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Sandra McCready, MMC  
Town Clerk

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

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

**MEMORANDUM OF UNDERSTANDING BETWEEN  
TOWN OF SURFSIDE AND  
FLORIDA STATE LODGE FRATERNAL ORDER OF POLICE**

This Memorandum of Understanding is entered into this \_\_\_\_\_ day of \_\_\_\_\_, 2020 by and between the TOWN OF SURFSIDE, a Florida Municipal Corporation (the “Town”) and FLORIDA STATE LODGE FRATERNAL ORDER OF POLICE (the “Union”). The Town and the Union are collectively referred to as the “Parties.”

**WHEREAS**, the Union serves as the exclusive bargaining agent for Town employees that are considered “first responders” as that term may be defined by the County, as described in this MOU; and

**WHEREAS**, the terms and conditions of employment for the Town’s “first responders” are governed by a Collective Bargaining Agreement covering the period October 1, 2019 through September 30, 2022 (the “CBA), including wages; and

**WHEREAS**, the Coronavirus (“COVID-19”) is a respiratory illness that has led to a declaration of a public health emergency locally, state-wide and nationally, and has required a considerable expenditure of governmental resources; and

**WHEREAS**, the federal Coronavirus Aid, Relief, and Economic Security (“CARES”) Act was passed in March 2020 which, among other things, appropriated federal monies for local units of governments to cover expenditures incurred due to the COVID-19 pandemic; and

**WHEREAS**, the CARES Act specifically appropriated federal monies to Miami-Dade County (the “County”) to mitigate the economic impact of COVID-19; and

**WHEREAS**, on July 27, 2020, the County approved the disbursement of federal monies to municipalities within its geographic region to provide what the County referred to as a one percent (1%) hazardous pay supplement or the “1% Hazard Pay” to first responders, in recognition of their tireless work during the pandemic despite the health risk and exposure; and

**WHEREAS**, the Town’s “first responders” are eligible for the 1% Hazard Pay; and

**WHEREAS**, state law mandates that any adjustment to wages requires mutual agreement between the Town and the Union; and

**WHEREAS**, the Parties agree that the first responders covered by the CBA shall receive the 1% Hazard Pay in accordance with the provisions herein.

**NOW, THEREFORE**, the Parties agree as follows:

1. The foregoing recitals are true and correct and are incorporated herein by reference.
2. Effective March 1, 2020 through the end of the declared emergency, but no later than December 30, 2020 (the “Relevant Period”), bargaining unit employees that

meet the definition of “first responders”, as defined herein, may be eligible to receive a temporary 1% supplemental pay increase (which the County called “Hazard Pay”) based on their base pay for the performance of any necessary actions taken to respond to COVID-19. This means that the work for which payment is due under this MOU must be completed during the Relevant Period.

3. For the purposes of this MOU, based on a FAQ dated August 7, 2020 from the County, a “first responder” means sworn law enforcement officers, state-certified firefighters and corrections officers. The eligible bargaining unit positions are enumerated on the attached list, but the parties also agree that this definition remains subject to further modification based on additional definitional guidance/direction from the County.
4. The 1% Hazard Pay applies only to personal services that are substantially dedicated to mitigating or responding to COVID-19, but it is presumed that all hours actually worked by first responders relate to such services unless the Town determines that specific circumstances indicate otherwise and/or if the County provides further guidance that may also limit the scope of how this 1% Hazard Pay shall be applied or paid. The 1% pay adjustment shall be paid for hours physically worked by the employee dedicated to mitigating or responding to the COVID-19 public health emergency or hours directly related to a COVID-19 absence, if permissible [Families First Coronavirus Response Act (FFCRA) leave, Sick Injury for COVID-19, Workers’ Compensation Leave for COVID-19]. Because the 1% Hazard Pay may only be based on hours actually worked, employees shall not receive this supplemental pay if they are not in pay status or on any unworked paid hours (e.g., vacation, sick, jury duty, etc.), unless the employee’s absence is directly related to COVID-19 [Families First Coronavirus Response Act (FFCRA) leave, Sick Injury for COVID-19, Workers’ Compensation Leave for COVID-19]. Additionally, the 1% pay adjustment is not to be paid on any leave payouts such as DROP or separation payouts.
5. The 1% Hazard pay shall not be incorporated when calculating the employees’ regular base rate of pay for any other type of payment (e.g., leave payout) unless mandated by law.
6. The 1% Hazard Pay increases eligible bargaining unit employees’ base salary, which means that this adjustment to their salary will be used for all wage calculation purposes (e.g., tax obligations) during the Relevant Period.

7. The 1% Hazard Pay is a nonregular payment and, therefore, is not “compensation” under the defined benefit pension plan as set forth in Section 2-171 of the Town Code.
8. The funding source for the 1% Hazard Pay exclusively comes from the CARES Act funding disbursements provided by the County and, therefore, will be cost neutral to the Town. The Town shall not be obligated to make up the difference due to any County disbursement shortfall, even if it results in employees receiving an amount less than 1%, though the Town will endeavor to request sufficient funding. Under any circumstances where there is a shortfall in the County disbursements that results in any failure to cover 100% of the costs related to this 1% Hazard Pay, the Union agrees that insufficient funding shall not be subject to the grievance/arbitration procedure in the CBA, nor will the Union or any employees have the right to appeal or otherwise challenge the Town’s decision to stop making any of these payments due to a funding shortfall. Furthermore, if any payments made to employees pursuant to this MOU are not reimbursed by the County, the Town shall recoup the unreimbursed amount from the employees who received payment (“the Overpaid Amount”). In such case, the Overpaid Amount will be recouped from the impacted employees in installments using a timeframe agreeable by the parties, provided full recoupment occurs no later than September 30, 2021.
9. The Parties have had the opportunity to consult with legal counsel of their choosing prior to executing this MOU.
10. This MOU shall become effective upon ratification (though retroactively applied) by the bargaining unit employees represented by the Union and by the Town Commission, whichever occurs later. In the event that this MOU is not fully ratified for any reason, it shall have no force or effect upon either party.
11. Other than as specifically set forth herein, this MOU does not modify the CBA.
12. The parties agree that this MOU represents the Parties’ entire agreement with regards to this subject matter, and that it cannot be amended or modified without express written consent of the Parties.

**FLORIDA STATE LODGE  
FRATERNAL ORDER OF POLICE**

**TOWN:**

**TOWN OF SURFSIDE, a Florida  
municipal corporation**

By: \_\_\_\_\_  
Vincent Castiglia,  
FOP Staff Representative

By: \_\_\_\_\_

Date Executed: \_\_\_\_\_

**ATTEST:**

\_\_\_\_\_  
Sandra McCready, MMC, Town Clerk

**APPROVED AS TO FORM AND LEGAL  
SUFFICIENCY:**

\_\_\_\_\_  
Weiss Serota Helfman Cole & Bierman, P.L.



# MEMORANDUM

ITEM NO. 3H

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

**From:** Jason Greene, Interim Town Manager

**Date:** October 13, 2020

**Subject:** Approval of Resolution – Acceptance of State Financial Assistance Grant - Florida Department of Law Enforcement (FDLE) Florida Incident-Based Reporting System (FIBRS) Implementation Grant Award

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The Surfside Police Department (SPD) responded by application to a solicitation for grant funding for the implementation of an Incident-Based Reporting System that is being mandated by the Federal Bureau of Investigation, and FDLE for Florida Law Enforcement Agencies. The application was completed by SPD and submitted through FDLE for review and approval.

The grant application requested funding in the amount \$27,567.22 for the project to enable the SPD to be in compliance with the new FIBRS standards that commence January 01, 2021. The new FIBRS protocols will require law enforcement agencies to change the manner in which crime incidents are reported to FDLE and then forwarded to the FBI for state and national level crime statistics tracking and reporting processes.

The FDLE grant funding allows the SPD to procure the necessary computer hardware, software, installation, and training necessary to effectively achieve the new Incident-Based Reporting mandates, timelines, and compliance standards. The SPD was awarded the full amount requested in the grant application of \$27,567.22. The SPD will conform to all applicable administrative and financial requirements, including timely submission of all monthly financial and performance reports, and compliance with all terms and conditions of the grant award.

Staff recommends a motion to approve a resolution for the Town of Surfside to accept the Department of Law Enforcement (FDLE) Florida Incident-Based Reporting System (FIBRS) Implementation Grant Award in the amount of \$27,567.22.

Reviewed by: Chief Julio Yero

Prepared by: Captain John Bambis

**RESOLUTION NO. 2020-\_\_\_\_\_**

**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, ACCEPTING A \$27,567.22 STATE FINANCIAL ASSISTANCE GRANT FROM THE FLORIDA DEPARTMENT OF LAW ENFORCEMENT (FDLE) FOR THE FLORIDA INCIDENT-BASED REPORTING SYSTEM (FIBRS) IMPLEMENTATION PROJECT; APPROVING THE GRANT AGREEMENT; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the Town of Surfside (“Town”) has been awarded a \$27,567.22 State Financial Assistance Grant (the “Grant”) by the Florida Department of Law Enforcement (“FDLE”) for the Florida Incident-Based Reporting System Implementation Project (“FIBRS Project”); and

**WHEREAS**, the purpose of the FIBRS Project is to implement solutions to collect and process incident-based crime data from Florida’s participating local law enforcement agencies for the FDLE and the FBI; and

**WHEREAS**, the Town desires to accept the Grant and authorize the Town Manager to execute the Grant Award Contract (Grant No. 2020-FBSF-F2-037) (the “Grant Agreement”) with the FDLE, in substantially the form attached hereto as Exhibit “A”; and

**WHEREAS**, the Town Commission finds that this Resolution in the best interest of the Town and will promote the health, safety, and welfare of the Town and its residents and visitors.

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

**Section 1.    Recitals.** That the above-stated recitals are true and correct and are incorporated herein by this reference.

**Section 2. Accepting the Grant and Approving Grant Agreement.** The Town Commission hereby accepts the Grant and approves the Grant Agreement, in substantially the form attached hereto as Exhibit “A.”

**Section 3. Implementation.** The Town Manager is hereby authorized to execute the Grant Agreement with FDLE, in substantially the form attached hereto as Exhibit “A,” and is further authorized to take any and all necessary action to implement the purposes of the Grant Agreement and this Resolution.

**Section 4. Effective Date.** This Resolution shall become effective immediately upon adoption.

PASSED AND ADOPTED this \_\_\_\_\_ day of October, 2020.

Motion By: \_\_\_\_\_

Second By: \_\_\_\_\_

**FINAL VOTE ON ADOPTION:**

Commissioner Charles Kesl \_\_\_\_\_

Commissioner Eliana R. Salzhauer \_\_\_\_\_

Commissioner Nelly Velasquez \_\_\_\_\_

Vice Mayor Tina Paul \_\_\_\_\_

Mayor Charles W. Burkett \_\_\_\_\_

\_\_\_\_\_  
Charles W. Burkett, Mayor

**ATTEST:**

\_\_\_\_\_  
Sandra McCready, MMC  
Town Clerk

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

\_\_\_\_\_  
Weiss Serota Helfman Cole & Bierman, P.L.

Town Attorney



Florida Department of  
Law Enforcement

Richard L. Swearingen  
*Commissioner*

**Criminal Justice Information Services**  
Post Office Box 1489  
Tallahassee, Florida 32302-1489  
(850) 410-7100  
[www.fdle.state.fl.us](http://www.fdle.state.fl.us)

Ron DeSantis, *Governor*  
Ashley Moody, *Attorney General*  
Jimmy Patronis, *Chief Financial Officer*  
Nikki Fried, *Commissioner of Agriculture*

September 22, 2020

Mr. Julio Yero  
Chief  
Surfside Police Department  
9293 Harding Avenue  
Surfside, Florida 33154

Re: 2020-FBSFA-F2-037

Dear Chief Yero:

The Florida Department of Law Enforcement (FDLE) is pleased to award the Surfside Police Department a grant for State Financial Assistance in the amount of \$27,567.22 for the project entitled, Florida Incident-Based Reporting System (FIBRS) Implementation.

This award is approved for a single non-recurring grant. Funding is allocated for the state fiscal year 2020-2021, with the grant period beginning July 1, 2020 and ending June 30, 2021. The amount awarded will only fund the categories and items outlined in the Grant Award. Due to the limited funds authorized for disbursement under General Appropriations Act 1306, not all requests were fully funded.

Enclosed is a copy of the approved award with the grant number, standard conditions, and the financial claim report template. This award is subject to all administrative and financial requirements, including timely submission of all monthly financial and performance reports, and compliance with all terms and conditions. Information provided will be used by FDLE to meet Legislative and Governor's Office reporting requirements for recipient performance and return on investment.

Information from grant awards and performance reports are provided to the Legislature and Governor's Office, as well as to the Department of Financial Services (DFS) via the Florida Accountability Contract Tracking System (FACTS). This grant agreement, all corresponding information, and a copy of the grant document is provided to FACTS to meet requirements under Chapter 2013-54 and 2013-154 Laws of Florida. Please be aware, in the event your agency's submission contains confidential and/or exempt information prohibited from public dissemination under Florida's Public Records Law, Chapter 119, Florida Statutes, your organization bears the responsibility for applying proper redactions. Otherwise, any and all records submitted may be released without redactions.

Support will be offered to agencies lacking the full resources to purchase a Record Management System (RMS) or maintain an RMS with the ability of producing data compatible for incident-based reporting. A state-sponsored RMS capable of submitting FIBRS data will be made available to all local agencies. FDLE is currently procuring the Statewide RMS with information on its availability disseminated in the future.

Mr. Julio Yero  
September 22, 2020  
Page Two

Should your agency opt to decline the grant award, in whole or in part, notification should be made to the Criminal Justice Information Services (CJIS) Director on agency letterhead. The notification should be emailed to [CJISDirector@fdle.state.fl.us](mailto:CJISDirector@fdle.state.fl.us) no later than October 1, 2020.

We look forward to working with you on this project. Please contact Planning and Policy Administrator April Haupt or your grant manager Nelson Ocampo at (850) 410-7100 if you have any questions or we can be of further assistance.

Sincerely,

A handwritten signature in cursive script that reads "April J. Cross".

April J. Cross  
Deputy Director

AJC/no

Enclosures

**State of Florida  
Criminal Justice Information Services  
Florida Department of Law Enforcement  
2331 Phillips Road  
Tallahassee, Florida 32308**

**GRANT AWARD**

Recipient: Surfside Police Department

Grant Period: From: 7/1/2020 To: 6/30/2021

Project Title: FY 20/21 FIBRS IMPLEMENTATION ASSISTANCE PROGRAM: SUPPORT FOR LOCAL LAW ENFORCEMENT AGENCIES

Grant Number: 2020-FBSFA-F2-037

Awarded Funds: \$27,567.22

CSFA Catalog Number: 71043

This agreement is entered into by and between the Department and Recipient shown above, and

WHEREAS the Department pursuant to Fiscal Years 2019-2020 and 2020-2021, General Appropriations Act 1306 has authority to distribute up to \$810,523 supporting local agencies' efforts in transitioning to incident-based crime data reporting. FDLE's Florida Incident-Based Reporting System (FIBRS) repository will receive and process the data submitted by local agencies and report it to the Federal Bureau of Investigation and

WHEREAS the Recipient represents that it is fully qualified, possesses the requisite skills, knowledge, qualifications and experience to carry out the state project identified herein, and does offer to perform such services, and

Failure to comply with provisions of this agreement, or failure to meet minimum performance specified in the agreement will result in required corrective action up to and including project costs being disallowed, withholding of funds and/or termination of the project, as specified within the terms of the agreement and 215.97 F.S.

The proviso language from the General Appropriations Act (GAA) is copied below and provides information on the legislative intent for use of these funds:

From the funds in Specific Appropriation 1306, the Florida Department of Law Enforcement is authorized to issue a competitive procurement solicitation for the Florida Incident Based Reporting System. The Department shall submit monthly independent verification and validation assessments and quarterly project status reports to the Executive Office of the Governor's Office of Policy and Budget and the chairs of the Senate Committee on Appropriations and the House of Representatives Appropriations Committee. Each status report must include progress made to date for each project milestone, planned and actual costs incurred, and any current project issues and risks.

This award is subject to enclosed special conditions.

**Scope of Work**

The Subrecipient must meet the requirements of quantifiable units of deliverables and scope of work as identified in the approved budget for the subgrant award to the Subrecipient referenced in this Agreement, in conjunction with the goals and requirements of the FY20/21 FIBRS Implementation Assistance funding.

### **Project Deliverables**

Total payments for all deliverables will not exceed the maximum grant award amount of \$27,567.22.

The Subrecipient may invoice the Department for reimbursement under the Grant on a monthly basis. The maximum allowable reimbursable amount shall be \$27,567.22. Reimbursements to the Subrecipient will be limited to actual, allowable expenses documented and submitted to the Department. All invoices, receiving documentation, purchase orders, and copies of checks must be submitted by the Subrecipient with related reimbursement requests. The Subrecipient shall make supporting documentation available upon request, to comply with state grant documentation requirements and/or audits. Minimum performance for contracted providers and deliverables are to be documented in the contractual agreement between the Subrecipient and the provider and overseen by Department staff.

### **Performance Reports**

Supporting documentation for performance must be maintained by Recipient and made available upon request for monitoring purposes. Examples of supporting documentation include but are not limited to invoices, performance reports and status reports.

Recipient shall provide monthly Performance Reports to the Department attesting to the progress towards deliverables and to validate the required minimum acceptable level of service performed. Performance Reports are due 15 days after the end of each reporting period. (Example: If the reporting period is July 1-31, the Performance Report is due August 15<sup>th</sup>.)

Recipient will respond to the questions listed below in the monthly Performance Reports. Information provided by the Recipient will be used by the Department for processing payments, verifying deliverables, and to compile reports on project progress to the Legislature and Executive Office of the Governor.

Performance Reports must address and/or contain the following:

1. Provide a narrative describing the activities and accomplishments achieved during the reporting period.
2. Provide a summary report of activities completed and status addressing the deliverables in the scope of work.
3. Describe any progress or barriers encountered related to achieving those goals during the reporting period and how these obstacles will impact the successful completion of the project.

### **Payment Requirements & Financial Claim Reports**

This is a cost reimbursement agreement with the ability to advance. The Recipient must maintain original supporting documentation for all funds expended and received under this agreement in sufficient detail for proper pre- and post-audit and to verify work performed was in accordance with the deliverable(s) and not eligible for payment under another state or federal funding source. Payment shall be contingent upon the Department's grant manager receiving and accepting the invoice and supporting documentation. Supporting documentation includes, but is not limited to, quotes, procurement documents, purchase orders, original receipts, invoices, canceled checks or EFT records, bank statements, etc.

Claim Reports shall validate the receipt of goods and services and verify the Recipient's compliance with 69I-40.002, F.A.C. All expenditures for state financial assistance must comply with the Reference Guide for State Expenditures published by the Florida Department of Financial Services. The Department will administer and disburse funds under this agreement in accordance with ss. 215.97, 215.971, 215.981 and 215.985, F.S.

The Department will fund the Recipient for allowable expenditures incurred during the eligible reporting period according to the terms and conditions, subject to the availability of funds and satisfactory performance of all terms by the Recipient. The State of Florida's performance and obligation to pay under this agreement is contingent upon an appropriation by the Legislature.

Recipient shall provide monthly Claim Reports to the Department due 30 days after the end of each reporting period. All Claim Reports must be approved and signed by the Recipient's chief financial official and include a certification that costs claimed are true and valid costs incurred in accordance with the agreement.

The State Chief Financial Officer (CFO) reserves the right to require further documentation on an as needed basis.

Using the forms provided in conjunction with this agreement, Claim Reports must clearly identify the dates of services, a description of the specific contract deliverables provided during the reporting period, the quantity provided, and the payment amount specified in the agreement. Except for advances, deliverables must be received and accepted prior to payment and are subject to subsequent audit and review to the satisfaction of the Department. The Department's determination of acceptable expenditures shall be conclusive.

The final Claim for Payment shall be submitted to the Department no more than 30 days after the end date of the grant. Any payment due under the terms of this agreement may be withheld until performance of services and all reports due from the Recipient and necessary adjustments have been approved by the Department. Before the final payment will be processed, the Recipient shall submit to the Department all outstanding project reports and must have satisfied all special conditions. Failure to comply with these provisions shall result in forfeiture of reimbursement.

## Appendix A: Administration

Changes to the following points of contact and chief officials below must be submitted to FDLE CJIS Director's Office in writing.

Chief Official	
Name	
Title	
Address	
Phone	
Email	

Programmatic Contact	
Name	
Title	
Address	
Phone	
Email	

Contract/Grant Manager	
Name	
Title	
Address	
Phone	
Email	

Chief Financial Officer	
Name	
Title	
Address	
Phone	
Email	

Official Payee	
Name	
Address	
Phone	
Email	
FEID#	

## Appendix B: Budget

The following describes the proposed budget for the project. All amounts noted in budget are estimates based on preliminary quotes or prior program activities. Deviations from this budget that exceed 10% of the total amount in any budget category must be approved by FDLE CJIS Director's Office in writing prior to payment.

Budget Category	Total
A. Personnel (Salary/Overtime)	
B. Fringe Benefits	
C. Expenses (Supplies)	
D. Equipment (OCO)	\$15,077.22
E. Travel	
F. Construction	
G. Contractual Services & Subcontracts	\$12,490.00
H. Other Costs	
<b>TOTAL</b>	<b>\$27,567.22</b>

### Budget Narrative:

#### A. Personnel (Salaries & Overtime)

#### B. Fringe Benefits

#### C. Expenses (Supplies)

#### D. Equipment (Operating/Fixed Capital Outlay)

Dell EMC Servers (2) - \$15,077.22

#### E. Travel

#### F. Construction

#### G. Contractual Services & Subcontracts

USA Software FIBRS Transition Project - \$9,995.00

Crimefile Version 8 Upgrade - \$2,495.00

#### H. Other Costs

## Appendix C: Standard Conditions

The following terms and conditions will be binding upon approval of the grant award and completion of the Certificate of Acceptance by the Recipient. The Recipient will maintain required registrations and certifications for eligibility under this program.

The Department and the Recipient agree that they do not contemplate the development, transfer or receipt of intellectual property as a part of this agreement.

The Recipient certifies with respect to this agreement that it possesses the legal authority to receive the funds to be provided under this agreement and that, if applicable, its governing body has authorized, by resolution or otherwise, the execution and acceptance of this agreement with all covenants and assurances contained herein. The Recipient also certifies that the undersigned possesses the authority to legally execute and bind Recipient to the terms of this agreement.

If a project is not operational within 30 days of the original start date of the award period, the Recipient must report by letter to the Department the steps taken to initiate the project, the reasons for delay, and the expected start date. If a project is not operational within 60 days of the original start date of the award period, the Recipient must submit a second statement to the Department explaining the implementation delay.

Upon receipt of the 90 day letter, the Department shall determine if the reason for delay is justified or shall, at its discretion, require additional project documentation and justifications throughout the award period. The Department will also require the Recipient provide a revised project timeline that includes all anticipated project activities, tasks, and estimated completion date(s).

### I. PAYMENTS

#### Overpayments

Any funds paid in excess of the amount to which the Recipient is entitled under the terms and conditions of the agreement must be refunded to the Department.

Any balance of unobligated cash that have been advanced or paid that is not authorized to be retained for direct program costs in a subsequent period must be refunded to the state.

### II. PROJECT AND GRANT MANAGEMENT

#### Personnel Changes

In the event there is a change in Chief Officials or Project Director for the Recipient or any contact information to include mailing address, phone number, email or title change, the Recipient must notify the FDLE grant manager.

#### Obligation of Grant Funds

Grant funds shall not under any circumstances be obligated prior to the effective date, or subsequent to the termination date, of the period of performance. Only project costs incurred on or after the effective date, and on or prior to the termination date of the Recipient's project are eligible for reimbursement. All payments must be completed within thirty (30) days of the end of the grant period of performance.

#### Financial Management

The Recipient must have a financial management system in place that is able to record and report on the receipt, obligation, and expenditure of grant funds. An adequate accounting system must be able to separately track receipts, expenditures, assets, and liabilities for awards, programs, and subrecipients.

The Recipient shall maintain books, records, and documents (including electronic storage media) in accordance with generally accepted accounting procedures and practices.

Recipient must have written procedures for procurement transactions.

#### Travel

Cost for travel shall be reimbursed at the Recipient's travel rate, but the total per travel voucher shall not exceed rates established in State of Florida Travel Guidelines, s. 112.061, F.S.

#### Subcontracts

Recipient agrees that all employees, subcontractors, or agents performing work under the agreement shall be properly trained individuals who meet or exceed any specified training qualifications.

Recipient agrees to be responsible for all work performance and all expenses incurred in fulfilling the obligations of this agreement, and will not

assign the responsibility for this agreement to another party. If the Recipient subcontracts any or all of the work required under this agreement, a copy of the executed subcontract must be forwarded to the Department within thirty (30) days after execution of the subcontract. The Recipient agrees to include in the subcontract that (i) the subcontractor is bound by all applicable state and federal laws and regulations, and (ii) the subcontractor shall hold the Department and Recipient harmless against all claims of whatever nature arising out of the subcontractor's performance of work under this agreement, to the extent allowed and required by law.

### **Grant Adjustments**

Recipients must submit a grant adjustment to the FDLE grant manager for major substantive changes such as: scope modifications or changes to project activities, target populations, service providers, implementation schedules, project director, designs or research plans set forth in the approved agreement, and for any budget changes that affect a cost category that was not included in the original budget.

Recipients may transfer up to 10% of the total budget between current, approved budget categories without prior approval, as long as the funds are transferred to an existing line item. Adjustments are required when there will be a transfer of 10% or more of the total budget between budget categories.

Under no circumstances can transfers of funds increase the total award.

Requests for changes to the grant agreement must be signed by the Recipient or implementing agency's chief official or the chief official's designee.

All requests for changes must be submitted no later than thirty (30) days prior to grant expiration date.

## **III. MANDATORY DISCLOSURES**

### **Conflict of Interest**

The Recipient will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain.

Recipients must disclose in writing any potential conflict of interest to the Department.

### **Violations of Criminal Law**

The Recipient must disclose all violations of state or federal criminal law involving fraud, bribery or gratuity violations potentially affecting the grant award.

### **Convicted Vendors**

The Recipient shall disclose to the Department if it, or any of its affiliates, as defined in s. 287.133(1)(a) F.S., is on the convicted vendor list. A person or affiliate placed on the convicted vendor list following a conviction for a public entity crime is prohibited from doing any activities listed in the agreement for a period of thirty-six (36) months from the date of being placed on the convicted vendor list.

### **Vendors on Scrutinized Companies Lists**

If this agreement is in the amount of \$1 million or more, Recipient certifies upon executing this agreement, that it is not listed on either the Scrutinized Companies with Activities in Sudan List or the Scrutinized Companies with Activities in the Iran Petroleum Energy Sector List, created pursuant to s. 215.473, F.S., or engaged in business operations in Cuba or Syria. In the event that federal law ceases to authorize the states to adopt and enforce the contracting prohibition identified herein, this provision shall be null and void.

### **Discriminatory Vendors**

The Recipient shall disclose to the Department if it or any of its affiliates, as defined by s. 287.134(1)(a), F.S. appears on the discriminatory vendors list. An entity or affiliate placed on the discriminatory vendor list pursuant to s. 287.134, F.S. may not a) submit a bid, proposal, or reply on a contract or agreement to provide any goods or services to a public entity; b) submit a bid, proposal, or reply on a contract or agreement with a public entity for the construction or repair of a public building or public work; c) submit bids, proposals, or replies on leases of real property to a public entity; d) be awarded or perform work as a contractor, subcontractor, Recipient, supplier, subrecipient, or consultant under a contract or agreement with any public entity; or e) transact business with any public entity.

### **Reporting Potential Fraud, Waste, Abuse, and Similar Misconduct**

The Recipient must promptly refer to the Department of Law Enforcement, Office of Criminal Justice Grants any credible evidence that a principal, employee, agent, contractor, subcontractor, or other person has either 1) submitted a claim for grant funds that violates the False Claims Act; or 2) committed a criminal or civil violation of laws pertaining to fraud, conflict of interest, bribery, gratuity, or similar misconduct involving grant funds.

### **Restrictions and certifications regarding non-disclosure agreements and related matters**

Recipients or contracts/subcontracts under this award may not require any employee or contractor to sign an internal confidentiality agreement or statement that prohibits, restricts or purports to prohibit or restrict, the reporting of waste, fraud or abuse in accordance with law, to an investigative or law enforcement representative of a state or federal department or agency authorized to receive such information.

The Recipient certifies that if is informed or notified of any subrecipient, or contractor/subcontractor has been requiring their employees to execute agreements or statements that prohibit the reporting of fraud, waste, or abuse that it will immediately cease all further obligations of award funds to the entity and will immediately notify the Department. The Recipient will not resume obligations until expressly authorized to do so from the Department.

### **IV. COMPLIANCE WITH STATUTES, RULES, AND REGULATIONS**

In performing its obligations under this agreement, the Recipient shall without exception be aware of and comply with all State and Federal laws, rules and regulations relating to its performance under this agreement as they may be enacted or amended from time-to-time, as well as any court or administrative order, judgment, settlement or compliance agreement involving the Department which by its nature affects the services provided under this agreement. The following are examples of rules and regulations that govern Recipient's performance under this agreement.

#### **Civil Rights**

The Recipient agrees to comply with the Americans With Disabilities Act (Public Law 101-336, 42 U.S.C. Section 12101 et seq.) and shall not discriminate against any employee (or applicant for employment) in the performance of this agreement because of race, color, religion, sex, national origin, disability, age, or marital status. These requirements shall apply to all contractors, subcontractors, subgrantees or others with whom it arranges to provide services or benefits to clients or employees in connection with its programs and activities.

#### **Lobbying Prohibited**

The Recipient shall comply with the provisions of ss. 11.062 and 216.347, F.S., which prohibit the expenditure of funds for the purpose of lobbying the Legislature, judicial branch, or a State agency. No funds or other resources received from the Department in connection with this agreement may be used directly or indirectly to influence legislation or any other official action by the Florida Legislature or any state agency.

#### **Public Records**

As required by s. 287.058(1)(c), F.S., the Recipient shall allow public access to all documents, papers, letters, or other public records as defined in s. 119.011(12), F.S. as prescribed by s. 119.07(1) F.S., made or received by the Recipient in conjunction with this agreement, except that public records which are made confidential by law must be protected from disclosure. It is expressly understood that the Recipient's failure to comply with this provision shall constitute an immediate breach of contract, for which the Department may unilaterally terminate this agreement.

#### **Timely Payment of Subcontractors**

To the extent that a subcontract provides for payment after Recipient's receipt of payment from the Department, the Recipient shall make payments to any subcontractor within 7 working days after receipt of full or partial payments from the Department in accordance with s. 287.0585, F.S., unless otherwise stated in the agreement between the Recipient and subcontractor. Failure to pay within seven (7) working days will result in a penalty that shall be charged against the Recipient and paid by the Recipient to the subcontractor in the amount of one-half of one percent (.005) of the amount due per day from the expiration of the period allowed for payment. Such penalty shall be in addition to actual

payments owed and shall not exceed fifteen (15%) percent of the outstanding balance due.

#### **Legal Authorization**

The Recipient certifies with respect to this agreement that it possesses the legal authority to receive the funds to be provided under this agreement and that, if applicable, its governing body has authorized, by resolution or otherwise, the execution and acceptance of this agreement with all covenants and assurances contained herein. The Recipient also certifies that the undersigned possesses the authority to legally execute and bind Recipient to the terms of this agreement.

#### **Independent Contractor, Subcontracting and Assignments**

In performing its obligations under this agreement, the Recipient shall at all times be acting in the capacity of an independent contractor and not as an officer, employee, or agent of the State of Florida. Neither the Recipient nor any of its agents, employees, subcontractors or assignees shall represent to others that it is an agent of or has the authority to bind the Department by virtue of this agreement, unless specifically authorized in writing to do so.

#### **Notice of Legal Actions**

The Recipient shall notify the Department of potential or actual legal actions taken against the Recipient related to services provided through this agreement or that may impact the Recipient's ability to complete the deliverables outlined herein, or that may adversely impact the Department. The Department's Grant Manager will be notified within 10 days of Recipient becoming aware of such actions or potential actions or from the day of the legal filing, whichever comes first.

#### **Property**

In accordance with s. 287.05805, F.S., any State funds provided for the purchase of or improvements to real property are contingent upon the Recipient granting to the State a security interest in the property at least to the amount of the State funds provided for at least five (5) years from the date of purchase or the completion of the improvements or as further required by law.

#### **Background Check**

Whenever a background screening for employment or a background security check is required by law for employment, unless otherwise provided by law, the provisions of Chapter 435 F.S., shall apply.

All employees in positions designated by law as positions of trust or responsibility shall be required to undergo security background investigations as a condition of employment and continued employment. For the purposes of the subsection, security background investigations shall include, but not be limited to, employment history checks, fingerprinting for all purposes and checks in this subsection, statewide criminal and juvenile record checks through the Florida Department of Law Enforcement, and federal criminal record checks through the Federal Bureau of Investigation, and may include local criminal record checks through local law enforcement agencies.

### **V. RECORDS, AUDITS AND DATA SECURITY**

#### **Records, Retention**

Retention of all financial records, supporting documents, statistical records, and any other documents (including electronic storage media) pertinent to this agreement shall be maintained by the Recipient during the term of this agreement and retained for a period of five (5) years after completion of the agreement or longer when required by law. In the event an audit is required under this agreement, records shall be retained for a minimum period of five (5) years after the audit report is issued or until resolution of any audit findings or litigation based on the terms of this agreement, at no additional cost to the Department.

Upon demand, at no additional cost to the Department, the Recipient will facilitate the duplication and transfer of any records or documents during the term of this agreement and the required five (5) year retention period. No record may be withheld, nor may the Recipient attempt to limit the scope of any of the foregoing inspections, reviews, copying, transfers or audits based on any claim that any record is exempt from public inspection or is confidential, proprietary or trade secret in nature; provided, however, that this provision does not limit any exemption to public inspection or copying to any such record.

These records shall be made available at all reasonable times for inspection, review, copying, or audit by State, or other personnel duly authorized by the Department.

### **Audits**

The Recipient shall comply and cooperate immediately with any inspections, reviews, investigations, or audits deemed necessary by The Office of the Inspector General (s. 20.055, F.S.).

In the event that the recipient expends a total amount of state financial assistance equal to or in excess of \$750,000 in any fiscal year of such recipient (for fiscal years ending June 30, 2017, or thereafter), the recipient must have a state single or project-specific audit for such fiscal year in accordance with section 215.97, F.S.; applicable rules of the Department of Financial Services; and Chapters 10.550 (local governmental entities) and 10.650 (nonprofit and for-profit organizations), Rules of the Auditor General. Exhibit 1 to this form lists the state financial assistance awarded through the Department by this agreement. In determining the state financial assistance expended in its fiscal year, the recipient shall consider all sources of state financial assistance, including state financial assistance received from the Department, other state agencies, and other nonstate entities. State financial assistance does not include federal direct or pass-through awards and resources received by a nonstate entity for federal program matching requirements.

Recipient shall ensure that the audit complies with the requirements of section 215.97(8), F.S. This includes submission of a financial reporting package as defined by section 215.97(2), F.S., and Chapters 10.550 (local governmental entities) and 10.650 (nonprofit and for-profit organizations), Rules of the Auditor General.

If the recipient expends less than \$750,000 in state financial assistance in its fiscal year (for fiscal years ending June 30, 2017, or thereafter), an audit conducted in accordance with the provisions of section 215.97, F.S., is not required. If the recipient expends less than \$750,000 in state financial assistance in its fiscal year and elects to have an audit conducted in accordance with the provisions of section 215.97, F.S., the cost of the audit must be paid from the nonstate entity's resources (i.e., the cost of such an audit

must be paid from the recipient's resources obtained from other than state entities).

Pursuant to s. 215.97(8), F.S., State agencies may conduct or arrange for audits of state financial assistance that are in addition to audits conducted in accordance with s. 215.97, F.S.. In such an event, the State awarding agency must arrange for funding the full cost of such additional audits.

Any reports, management letters, or other information required to be submitted to the Department pursuant to this agreement shall be submitted timely in accordance with 2 CFR §200.512, section 215.97, F.S., and Chapters 10.550 (local governmental entities) and 10.650 (nonprofit and for-profit organizations), Rules of the Auditor General, as applicable.

Recipients, when submitting financial reporting packages to the Department of ABC for audits done in accordance with 2 CFR 200, Subpart F - Audit Requirements, or Chapters 10.550 (local governmental entities) and 10.650 (nonprofit and for-profit organizations), Rules of the Auditor General, should indicate the date that the reporting package was delivered to the recipient in correspondence accompanying the reporting package.

Copies of financial reporting packages required by this agreement shall be submitted by or on behalf of the Recipient directly to each of the following:

The Department of Law Enforcement at:

ATTN: April Haupt  
Florida Department of Law Enforcement  
Criminal Justice Information Services  
Post Office Box 1489  
Tallahassee, Florida 32302-1489

The Auditor General's website (<https://flauditor.gov/>) provides instructions for filing an electronic copy of a financial reporting package.

The Auditor General's Office at:

Auditor General's Office  
Room 401, Pepper Building  
111 West Madison Street  
Tallahassee, Florida 32399-1450

### **Monitoring**

The Recipient agrees to comply with the Department's grant monitoring guidelines, protocols, and procedures; and to cooperate with the Department on all grant monitoring requests. In addition to reviews of audits conducted in accordance with 2 CFR 200, Subpart F - Audit Requirements, and section 215.97, Florida Statutes (F.S.), monitoring procedures may include, but not be limited to, on-site visits by Department staff, limited scope audits as defined by 2 CFR §200.425, or other procedures.

By entering into this agreement, the recipient agrees to comply and cooperate with any monitoring procedures or processes deemed appropriate by the Department. In the event the Department determines that a limited scope audit of the recipient is appropriate, the recipient agrees to comply with any additional instructions provided by Department staff to the recipient regarding such audit. The recipient further agrees to comply and cooperate with any inspections, reviews, investigations, or audits deemed necessary by the Chief Financial Officer (CFO) or Auditor General. Failure to cooperate with grant monitoring activities may result in sanctions affecting the Recipient's award, including, but not limited to: withholding and/or other restrictions on the Recipient's access to funds, and/or referral to the Office of the Inspector General for audit review.

### **Property Management**

The Recipient shall establish and administer a system to protect, preserve, use, maintain, and dispose of any property furnished to it by the Department or purchased pursuant to this agreement.

### **Recipient's Confidential and Exempt Information**

By executing this agreement, the Recipient acknowledges that, having been provided an opportunity to review all provisions hereof, all provisions of this agreement not specifically identified in writing by the Recipient prior to execution hereof as "confidential" or "exempt" will be posted by the Department on the public website maintained by the Department of Financial Services pursuant to s. 215.985, F.S. The Recipient agrees that, upon written request of the Department, it shall promptly provide to the Department a written statement of the basis for the exemption applicable to each provision

identified by the Recipient as "confidential" or "exempt", including the statutory citation to an exemption created or afforded by statute, and state with particularity the reasons for the conclusion that the provision is exempt or confidential.

Any claim by Recipient of trade secret (proprietary) confidentiality for any information contained in Recipient's documents (reports, deliverables or work papers, etc., in paper or electronic form) submitted to the Department in connection with this agreement cannot be waived, unless the claimed confidential information is submitted in accordance with the following two paragraphs.

The Recipient must clearly label any portion of the documents, data, or records submitted that it considers exempt from public inspection or disclosure pursuant to Florida's Public Records Law as trade secret. The labeling will include a justification citing specific statutes and facts that authorize exemption of the information from public disclosure. If different exemptions are claimed to be applicable to different portions of the protected information, the Recipient shall include information correlating the nature of the claims to the particular protected information.

The Department, when required to comply with a public records request including documents submitted by the Recipient, may require the Recipient to expeditiously submit redacted copies of documents marked as trade secret in accordance with this section. Accompanying the submission shall be an updated version of the justification, correlated specifically to redacted information, either confirming that the statutory and factual basis originally asserted remain unchanged or indicating any changes affecting the basis for the asserted exemption from public inspection or disclosure. The redacted copy must exclude or obliterate only those exact portions that are claimed to be trade secret. If the Recipient fails to promptly submit a redacted copy, the Department is authorized to produce the records sought without any redaction of proprietary or trade secret information.

### **VI. PENALTIES, TERMINATION, DISPUTE RESOLUTION, LIABILITY AND COMMUNICATION**

### **Financial Penalties for Failure to Take Corrective Action**

Corrective action plans may be required for noncompliance, nonperformance, or unacceptable performance under this agreement. Penalties may be imposed for failures to implement or to make acceptable progress on such corrective action plans.

### **Termination**

The Department reserves the right to unilaterally cancel this agreement for refusal by the Recipient to allow public access to all documents, papers, letters or other material subject to the provisions of Chapter 119, Florida Statutes, and made or received by the Recipient in conjunction with this agreement, unless the records are exempt pursuant to Article I, Section 24(a), of the Florida Constitution and s. 119.07(1), F.S.

The Department shall be the final authority as to the appropriation, availability and adequacy of funds. In the event the Recipient fails to fully comply with the terms and conditions of this agreement, the Department may terminate the agreement upon written notice. Such notice may be issued without providing an opportunity for cure if it specifies the nature of the noncompliance and states that provision for cure would adversely affect the interests of the State or is not permitted by law or regulation. Otherwise, notice of termination will be issued after the Recipient's failure to fully cure such noncompliance within the time specified in a written notice of noncompliance issued by the Department specifying the nature of the noncompliance and the actions required to cure such noncompliance. In addition, the Department may employ the default provisions in Rule 60A-1.006(3), F.A.C., but is not required to do so in order to terminate the agreement. The Department's failure to demand performance of any provision of this agreement shall not be deemed a waiver of such performance. The Department's waiver of any one breach of any provision of this agreement shall not be deemed to be a waiver of any other breach and neither event shall be construed to be a modification of the terms and conditions of this agreement. The provisions herein do not limit the Department's right to remedies at law or in equity. The validity of this agreement is subject to the truth and accuracy of all the information, representations, and materials submitted or provided by the Recipient in this agreement, in any subsequent

submission or response to Department request, or in any submission or response to fulfill the requirements of this agreement, and such information, representations, and materials are incorporated by reference. The lack of accuracy thereof or any material changes shall, at the option of the Department and with thirty (30) days written notice to the Recipient, cause the termination of this agreement and the release of the Department from all its obligations to the Recipient. This agreement shall be construed under the laws of the State of Florida, and venue for any actions arising out of this agreement shall lie in Leon County. If any provision hereof is in conflict with any applicable statute or rule, or is otherwise unenforceable, then such provision shall be deemed null and void to the extent of such conflict, and shall be deemed severable, but shall not invalidate any other provision of this agreement.

No waiver by the Department of any right or remedy granted hereunder or failure to insist on strict performance by the Recipient shall affect or extend or act as a waiver of any other right or remedy of the Department hereunder, or affect the subsequent exercise of the same right or remedy by the Department for any further or subsequent default by the Recipient. Any power of approval or disapproval granted to the Department under the terms of this agreement shall survive the terms and life of this agreement as a whole.

The agreement may be executed in any number of counterparts, any one of which may be taken as an original. In the event of termination, the Recipient will be compensated for any work satisfactorily completed through the date of termination or an earlier date of suspension of work.

### **Disputes and Appeals**

The Department shall make its decision in writing when responding to any disputes, disagreements, or questions of fact arising under this agreement and shall distribute its response to all concerned parties. The Recipient shall proceed diligently with the performance of this agreement according to the Department's decision. If the Recipient appeals the Department's decision, the appeal also shall be made in writing within twenty-one (21) calendar days to the Department's clerk (agency clerk). The Recipient's right to appeal the Department's

decision is contained in Chapter 120, F.S., and in procedures set forth in Fla. Admin. Code R.28-106.104. Failure to appeal within this time frame constitutes a waiver of proceedings under Chapter 120, F.S. After receipt of a petition for alternative dispute resolution the Department and the Recipient shall attempt to amicably resolve the dispute through negotiations. Timely delivery of a petition for alternative dispute resolution and completion of the negotiation process shall be a condition precedent to any legal action by the Recipient concerning this agreement.

### **Liability**

Unless the Recipient is a state agency or subdivision, the Recipient shall be solely responsible to parties with whom it shall deal in carrying out the terms of this agreement, and shall save the Department harmless against all claims of whatever nature by third parties arising out of the performance of work under this agreement. For purposes of this agreement, Recipient agrees that it is not an employee or agent of the Department, but is an independent contractor.

Nothing herein shall be construed as consent by a state agency of the State of Florida to be sued by third parties in any matter arising out of any contract.

Nothing in this agreement shall be construed to affect in any way the Recipient rights, privileges, and immunities under the doctrine of "sovereign immunity" and as set forth in s. 768.28,

**Section VI: Signatures**

In witness whereof, the parties affirm they each have read and agree to the conditions set forth in this agreement, have read and understand the agreement in its entirety and have executed this agreement by their duty authorized officers on the date, month and year set out below.

**Corrections on this page, including strikeouts, whiteout, etc. are not permitted.**

**State of Florida  
Department of Law Enforcement  
Criminal Justice Information Services**

Signature: \_\_\_\_\_

Typed Name and Title: Charles I. Schaeffer, Director

Date: \_\_\_\_\_

**Recipient  
Surfside Police Department**

Signature: \_\_\_\_\_

Typed Name and Title: \_\_\_\_\_

Date: \_\_\_\_\_



# MEMORANDUM

ITEM NO. 31

**To:** Honorable Mayor, Vice-Mayor and Members of the Town Commission  
**From:** Jason Greene, Interim Town Manager  
**Date:** October 13, 2020  
**Subject:** FY 2021 Budget Amendment Resolution No. 1

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

The Town Commission monitors the budget to actual summary at the fund level monthly on each agenda. The Town Manager is authorized by the Charter to make adjustments within funds so long as the appropriation for each fund is not exceeded. The purpose of this budget amendment is for the Town Commission to amend the FY2021 annual budget and to recognize changes in revenues and expenditures that differ from the adopted budget.

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

Staff has reviewed FY2021 actual revenues and expenditures and recommends a change to the FY2021 annual budget is as follows:

### **GENERAL FUND (Attachment A)**

The General Fund is being amended to record a financial assistance grant award of \$27,568 from the Florida Department of Law Enforcement (FDLE) for the Florida Incident-Based Reporting System (FIBRS), and to appropriate those funds to procure computer hardware, software, installation and training for the implementation of the system in the amount of \$27,568.

Reviewed by: LA

Prepared by AM/JDG

**RESOLUTION NO. 2020-\_\_\_\_\_**

**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, APPROVING BUDGET AMENDMENT NO. 1 FOR THE FISCAL YEAR 2021 BUDGET; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, on September 22, 2020, the Town of Surfside (the “Town”) Commission adopted Resolution No. 2020-2716 approving the budget for Fiscal Year 2021 and establishing revenues and appropriations for the Town; and

**WHEREAS**, the General Fund is being amended to record a financial assistance grant award of \$27,568 from the Florida Department of Law Enforcement (FDLE) for the Florida Incident-Based Reporting System (FIBRS), and to appropriate those funds to procure computer hardware, software, installation and training for the implementation of the system in the amount of \$27,568; and

**WHEREAS**, an increase to the budgeted revenue estimates and expenditure estimates is required for the General Fund, to comply with Florida Statutes and the Town's commitment to sound budgeting practices, where budgeted expenditures may not exceed anticipated revenues; and

**WHEREAS**, the Town Commission desires to amend the Fiscal Year 2021 budget by amending the General Fund as set forth in Attachment “A” attached hereto; and

**WHEREAS**, the Town Commission finds that this Resolution is in the best interest and welfare of the residents of the Town.

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

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

**Section 2. Approving Amended Budget.** That the Town Commission approves the 2020-2021 fiscal year budget amendment provided for in Attachment “A” attached hereto.

**Section 3. Implementation.** The Town Manager and/or his designee are directed to take any and all action necessary to accomplish this Budget amendment and the purposes of this Resolution.

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

**PASSED AND ADOPTED** on this 13<sup>th</sup> day of October, 2020.

Motion By: \_\_\_\_\_

Second By: \_\_\_\_\_

**FINAL VOTE ON ADOPTION:**

Commissioner Charles Kesl \_\_\_\_\_

Commissioner Eliana R. Salzhauer \_\_\_\_\_

Commissioner Nelly Velasquez \_\_\_\_\_

Vice Mayor Tina Paul \_\_\_\_\_

Mayor Charles W. Burkett \_\_\_\_\_

\_\_\_\_\_  
Charles W. Burkett, Mayor

Attest:

\_\_\_\_\_  
Sandra Novoa, MMC  
Town Clerk

Approved as to Form and Legal Sufficiency:

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

**TOWN OF SURFSIDE  
BUDGET AMENDMENT  
ATTACHMENT A**

Fiscal Year            2020/2021  
 BA No.                 1  
 Fund No.              101 General Fund

10/13/2020

Account Number	Account Description	Justification	Original/ Adjusted Budget	Increase	Decrease	Adjusted Budget
<b>GENERAL FUND</b>						
<b>REVENUES</b>						
001-521-334-21-10	State Grant - FDLE FIBRS	State Financial Assistance Grant - Florida Department of Law Enforcement FIBRS Implementation Grant Award	\$0	\$27,568		\$27,568
<b>TOTAL</b>	<b>GENERAL FUND REVENUES</b>			<b>\$27,568</b>	<b>\$0</b>	
<b>EXPENDITURES</b>						
001-3000-521-34-10	Contractual Services	CAD system for FIBRS reporting - computer server, additional software modules, and implementation	\$ 8,200	\$ 9,995		\$ 18,195
001-3000-521-46-01	Repair & Maintenance - Repair Contracts		\$ 55,075	\$ 2,495		\$ 57,570
001-3000-521-64-10	Machinery & Equipment		\$ 16,600	\$ 15,078		\$ 31,678
<b>TOTAL</b>	<b>GENERAL FUND EXPENDITURES</b>			<b>\$ 27,568</b>	<b>\$ -</b>	



**Town of Surfside  
Town Commission Meeting**

Town Hall Commission Chambers - 9293 Harding Ave, 2<sup>nd</sup> Floor  
Surfside, FL 33154

**DISCUSSION ITEM MEMORANDUM**

**Agenda #:** 3J

**Date:** October 13, 2020

**From:** Vice Mayor Tina Paul

**Subject:** Resolution Urging the Federal Aviation Administration (FAA) to Modify and Redirect Flight Paths and Altitudes Imposed in the South-Central Florida Metroplex/Nextgen Air Transportation (Metroplex) to Mitigate Detrimental Impacts to the Town of Surfside and Surrounding Communities; Further Urging Support for Miami-Dade County's Proposed Resolution Requesting Data and Other Evidence Demonstrating the Benefits and Impacts of Metroplex

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**Objective** – To urge the Federal Aviation Administration (FAA) to modify and redirect flights paths and altitudes imposed in the South-Central Florida Metroplex/Nextgen Air Transportation (Metroplex) to mitigate detrimental impacts to the Town of Surfside and surrounding communities, and in support of Miami-Dade County's Resolution urging the FAA to provide evidence demonstrating the benefits and impacts of the Metroplex project and its associated modifications to the existing flight departure and arrival procedures prior to implementation of the project.

**Consideration** – Since April 30, 2019, Town Staff and our Town Attorney have been monitoring the discussion of the FAA's Metroplex project.

While the Metroplex project is designed to increase fuel efficiency and optimize flight patterns through advanced navigational technology, it has the potential for impacts of significant noise level and vibration increases, light and air pollution, and additional environmental consequences. Consideration for these impacts to areas where people live, work and vacation as a destination is not accounted for in the FAA Fact Sheets that list benefits from the Metroplex project. These proposed flight path shifts over populated coastal areas in Miami-Dade County and its effect on quality of life and property values has become a growing concern among many municipalities. Surfside has actively sent

public comments and filed objections to the FAA's Draft Environmental Assessment for the Metroplex Project, including a report from a noise expert.

The proposed resolution urging the FAA to modify and redirect flights paths and altitudes imposed in the Metroplex to mitigate detrimental impacts to the Town of Surfside and surrounding communities, and in support Miami-Dade County's efforts to protect our coastal communities will strengthen the message to the FAA on behalf of our residents.

**Recommendation** – With the objective of seeking redirection of flight paths and associated impacts from coastal populated areas in Miami Dade County and Surfside, adopt the resolution urging the FAA to modify and redirect flights paths and altitudes imposed in the Metroplex to mitigate detrimental impacts to the Town of Surfside and surrounding communities, and in support of Miami-Dade County's urging resolution requesting data and evidence from the FAA demonstrating benefits and impacts for the Metroplex.

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**RESOLUTION NO. 2020-\_\_\_\_\_**

**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, URGING THE FEDERAL AVIATION ADMINISTRATION (FAA) TO MODIFY AND REDIRECT FLIGHT PATHS AND ALTITUDES IMPOSED IN THE SOUTH-CENTRAL FLORIDA METROPLEX/NEXTGEN AIR TRANSPORTATION (METROPLEX) TO MITIGATE DETRIMENTAL IMPACTS TO THE TOWN OF SURFSIDE AND SURROUNDING COMMUNITIES; FURTHER URGING SUPPORT FOR MIAMI-DADE COUNTY'S PROPOSED RESOLUTION REQUESTING DATA AND OTHER EVIDENCE FROM THE FAA DEMONSTRATING THE BENEFITS AND IMPACTS OF METROPLEX; PROVIDING FOR TRANSMITTAL; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the Federal Aviation Administration (“FAA”) has proposed new flight patterns for aircraft arriving at and departing from several airports in Miami-Dade County, including Miami International Airport and Miami Executive/Opa-Locka Airport, as part of their South-Central Florida Metroplex/NextGen Air Transportation System (“Metroplex”); and

**WHEREAS**, the Metroplex changes in flight paths and altitudes can have a negative impact on the quality of life and property values for a large number of Miami-Dade residents, including the Town of Surfside as a coastal community with a sensitive environment (the “Town”); and

**WHEREAS**, the Town has received several calls and emails from concerned citizens directly impacted by the change in flight patterns, with neighborhoods increasingly affected by noise, light and air pollution from low-flying aircraft for almost 24 hours a day; and

**WHEREAS**, Miami-Dade County has proposed a resolution requesting the FAA provide additional data related to the Metroplex and its associated modifications to the existing flight departure and arrival procedures prior to implementation of the project, as well as details regarding the benefits of the implementation of the changes proposed; and

**WHEREAS**, the Town urges the FAA to revisit the proposed Metroplex flight pattern plan and re-route or shift flight paths away from the Town and other populated coastal areas to mitigate detrimental impacts to the Town and surrounding communities; and

**WHEREAS**, the Town further supports Miami-Dade County's resolution urging the FAA to provide data and other evidence of benefits of the Metroplex proposed flight paths, and seeks further data and evidence on the impacts and the proposed mitigation of such impacts.

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

**Section 1. Recitals.** The foregoing recitals are confirmed, adopted, and incorporated herein and made a part hereof by this reference.

**Section 2. Position; Urging FAA to Modify and Redirect Flight Paths Imposed by Metroplex.** The FAA is urged to modify and redirect flight paths and altitudes imposed by the Metroplex so as to mitigate the negative impacts, such as, without limitation, noise, vibrations, and light and air pollution, on the residents of the Town of Surfside and surrounding communities, thereby achieving aviation goals while refraining from affecting the quality of life in the Town.

**Section 3. Position; In Support of Miami-Dade County's Resolution Urging FAA to Provide Data and Evidence on the Benefits and Impacts of the Metroplex.** The Town supports Miami-Dade County's Resolution urging the FAA to provide data and evidence to the County and affected municipalities on the benefits and impacts of Metroplex and its associated modifications to the existing flight departure and arrival procedures prior to implementation of the project, and the proposed mitigation of such impacts.

**Section 4. Transmittal.** The Town Manager and Town Clerk are hereby authorized to transmit a copy of this Resolution to the FAA, the Miami-Dade County Board of County

Commissioners and Miami-Dade County Aviation Department, the Clerks and Commissions/Councils of all surrounding municipalities, and any other entity as may be necessary to maximize the efficacy of the adopted urging position.

**Section 5.** **Effective Date.** This Resolution shall take effect immediately upon its adoption.

**PASSED AND ADOPTED** on this \_\_\_\_ day of October, 2020.

Motion By: \_\_\_\_\_

Second By: \_\_\_\_\_

**FINAL VOTE ON ADOPTION:**

Commissioner Charles Kesl \_\_\_\_\_

Commissioner Eliana R. Salzhauer \_\_\_\_\_

Commissioner Nelly Velasquez \_\_\_\_\_

Vice Mayor Tina Paul \_\_\_\_\_

Mayor Charles W. Burkett \_\_\_\_\_

\_\_\_\_\_  
Charles W. Burkett, Mayor

Attest:

\_\_\_\_\_  
Sandra Novoa, MMC  
Town Clerk

Approved as to Form and Legal Sufficiency:

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





# MEMORANDUM

ITEM NO. 5A

**To:** Honorable Mayor, Vice-Mayor, and Members of the Town Commission  
**From:** Jason Greene, Interim Town Manager  
**Date:** August 11, 2020  
**Subject:** Design Services for the Reconstruction of 96<sup>th</sup> Street Park

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On May 20, 2019 the Parks and Recreation Committee reviewed a selected design firm's proposal and qualifications. It was noted during the meeting that having a preapproved firm would help expedite the design concept phase of the park. The committee felt at this time the best possible way to proceed would be to request the town to go back out for a new RFQ to include one for design and one for construction of 96<sup>th</sup> street park. The committee felt that a new RFQ would provide the best possible current firms available. The motion was made to request a new RFQ as stated and the motion was approved 4-0 by the committee.

The Parks and Recreation Committee recommendation along with other options to move forward with the selection of a design firm for the reconstruction of the 96<sup>th</sup> street park facility was presented to the Town Commission during the June 11, 2019 Commission Meeting.

The Town Commission's direction during this meeting was for staff to move forward with the Parks and Recreation Committee's recommendation to draft a new RFQ for Design Services for the design concept for a rebuilt facility.

Due to the technical and complex details involved in the design process of a new facility, staff reached out for professional services to provide the professional guidance necessary to communicate to as well as inform prospective design teams of all the project requirements and essential elements to make certain that all bids are responsive and inclusive. The scope also provided professional guidance to prepare the RFQ document and review the bid responses. Calvin, Giordano & Associates Inc. was retained for these professional services. CGA Work Authorization No. 128 Surfside Reconstruction of 96<sup>th</sup> Street Park approved 11/12/19 Commission to provide RFQ Consulting Services.

RFQ No. 2020-02 advertised January 31, 2020

RFQ Submission Deadline/Bid Opening date: March 20, 2020

Mandatory Pre-Proposal Meeting February 13, 2020 10:00am Commission Chambers

Addendums issued:

1. March 2, 2020 Answered 23 questions
2. March 17, 2020 postponed Submission Deadline/Bid Opening to April 30, 2020
3. April 17, 2020 postponed Submission Deadline/Bid Opening to May 28, 2020

RFQ Bid Opening May 28, 2020. Responders:

- MC Harry & Associates Inc.
- Synalowski Romanik Saye LLC
- Savino & Miller Design Studio
- Groundswell Design Group
- The Beta Jones Group Inc.

Evaluation Committee Meeting June 11, 2020 2:30pm Town Hall Conference Room

- Groundswell Design Group – deemed non-responsive due to not attending Mandatory Pre-Proposal Meeting
- Selection Committee ranked three (3) firms by vote for oral presentation to Committee:
  - Synalowski Romanik Saye LLC
  - Savino & Miller Design Studio
  - The Beta Jones Group Inc

Evaluation Committee Meeting July 23, 2020 Virtual ZOOM Meeting for oral presentations:

1. 10:00am: The Beta Jones Group Inc.
2. 10:45am: Savino & Miller Design Studio
3. 11:30am: Synalowski Romanik Saye LLC

Evaluation Committee Meeting July 23, 2020 Virtual ZOOM Meeting for oral presentations rankings

1. Committee met immediately following oral presentations via ZOOM
2. Rankings by Committee vote:
  - #1 Savino & Miller Design Studio
  - #2 Synalowski Romanik Saye LLC
  - #3 The Beta Jones Group Inc

The evaluation committee scored Savino & Miller Design Studio the highest and they were deemed most qualified. Savino & Miller Design Studio will work with the Commission and the Parks & Recreation Committee to ensure the park is designed in accordance with Town concepts, requirements and budgets. The Park Project design team is capable and experienced in the delivery of project designs that are both permissible and constructible.

Town Administration is requesting authorization to enter into contract negotiations with Savino & Miller Design Studio for design and post-design services for the Surfside 96<sup>th</sup> Street Park Project.

Reviewed by JG/TM

Prepared by TM

**RESOLUTION NO. \_\_\_\_**

**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA AUTHORIZING NEGOTIATIONS WITH THE HIGHEST-RANKED QUALIFIED FIRM, SAVINO & MILLER DESIGN STUDIO, PURSUANT TO RFQ NO. 2020-02 SEEKING DESIGN SERVICES FOR RECONSTRUCTION OF 96<sup>TH</sup> STREET PARK; AND FURTHER AUTHORIZING, IF NECESSARY, NEGOTIATIONS WITH SUBSEQUENTLY RANKED QUALIFIED FIRMS, FOR THE AWARD OF A PROFESSIONAL SERVICES AGREEMENT FOR SUCH SERVICES; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, on January 31, 2020, the Town of Surfside (“Town”) issued and advertised Request for Qualifications (RFQ) No.2020-02 seeking design or architectural services for the reconstruction of 96<sup>th</sup> Street Park (“Services”); and

**WHEREAS**, proposals received from qualified firms in response to RFQ No. 2020-02 were evaluated and ranked, and three firms ranked as responsive and qualified, with Savino & Miller Design Studio. as the highest-ranked firm; and

**WHEREAS**, the Town Commission desires to authorize the Town Mayor and Town administration to negotiate a professional services agreement with the highest-ranked firm, Savino & Miller Design Studio, and, if necessary, authorize negotiations with the subsequently ranked qualified firms for award of a professional services agreement for the Services; and

**WHEREAS**, the Town Commission finds that it is in the best interests of the Town to proceed as indicated in this Resolution and authorize negotiations with the qualified firms in order to enter into a professional services agreement for the Services.

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

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

**Section 2. Negotiations Authorized with Qualified and Ranked Firms Pursuant to RFQ 2020-02.** The Town Mayor and Town administration are hereby authorized to negotiate a professional services agreement with the highest-ranked firm, Savino & Miller Design Studio, and, if necessary, authorize negotiations with the subsequently ranked qualified firms for award of a professional services agreement for the Services.

**Section 3. Implementation.** The Town Mayor and Town administration are hereby authorized to take any further action as necessary to implement the purposes of this Resolution.

**Section 4. Effective Date.** This Resolution shall be effective immediately upon adoption.

PASSED AND ADOPTED this 13<sup>th</sup> day of October, 2020.

\_\_\_\_\_  
CHARLES W. BURKETT, MAYOR

**SUMMARY OF VOTE**

Commissioner Charles Kesl \_\_\_\_\_  
Commissioner Eliana R. Salzhauer \_\_\_\_\_  
Commissioner Nelly Velasquez \_\_\_\_\_  
Vice Mayor Tina Paul \_\_\_\_\_  
Mayor Charles W. Burkett \_\_\_\_\_

ATTEST:

\_\_\_\_\_  
SANDRA MCCREADY, MMC, TOWN CLERK

APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY:

\_\_\_\_\_  
TOWN ATTORNEY

Resolution \_\_\_\_  
Page 2



# MEMORANDUM

ITEM NO. 5B

**To:** Honorable Mayor, Vice-Mayor and Members of the Town Commission  
**From:** Jason Greene, Interim Town Manager  
**Date:** September 10, 2020  
**Subject:** Miami-Dade County Local Mitigation Strategy (LMS) Plan

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The State of Florida has completed the Miami-Dade County Local Mitigation Strategy Plan (LMS) review and determined that the Plan meets all the requirements as it relates to Federal Hazard Mitigation Planning Standards contained in 44 CFR 201.6(b)-(d). As the report is very large a link to the report will be provided by the Clerk.

In order for the Town to maintain compliance with Federal standards and continue to receive LMS funding, each municipality must adopt the Miami-Dade County LMS Plan prior to the September 15, 2020 - expiration date of the current LMS. Furthermore, local governments acting as sub-grantees must adopt the attached Miami-Dade County LMS Plan to have eligibility to apply for and/or receive payments and reimbursement under executed grant agreements for the following hazard mitigation grant programs:

- Hazard Mitigation Grant Program (HMGP)
- Business Resilient Infrastructure and Communities (BRIC) - formerly known as Pre-Disaster Mitigation (PDM)
- Flood Mitigation Assistance (FMA) Grant Program
- Community Development Block Grant - Mitigation (CDBG-MIT) Grant Program

Town Administration recommends the Commission approve the attached resolution. The Town plan on submitting for grants through these programs.

Reviewed by: LA

Prepared by: JG

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, ADOPTING THE MIAMI-DADE COUNTY LOCAL MITIGATION STRATEGY (LMS) 2020; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the Federal Emergency Management Agency funds a national initiative to help communities develop local mitigation strategies to identify projects that mitigate the effects of natural disasters and to identify funding sources necessary to implement the projects; and

**WHEREAS**, the Florida Division of Emergency Management (“FDEM”) entered into a contract with Miami-Dade County (“County”) to provide funding to the County and municipalities within its jurisdiction to jointly develop the County’s Local Mitigation Strategy 2020 (the “LMS”), which will be incorporated into the Statewide Mitigation Strategy; and

**WHEREAS**, on August 28, 2020, FDEM completed its review of the LMS and informed the County that the LMS met the Federal Hazard Mitigation Planning Standards requirements contained in 44 CFR 201.6(b)-(d) (“Federal Standards”); and

**WHEREAS**, in order to maintain compliance with Federal Standards and to remain eligible to receive LMS funding under various grant agreements, the Town of Surfside (the “Town”) desires to adopt the LMS, a copy of which is on file in the Office of the Town Clerk and attached hereto as Exhibit “A”; and

**WHEREAS**, the Town Commission finds that this Resolution is in the best interest and welfare of the Town.

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

**Section 1.     Recitals Adopted.** Each of the above-stated recitals are hereby adopted, confirmed and incorporated herein.

**Section 2.     Adoption.** The Town Commission hereby adopts the LMS, a copy of which is on file in the Office of the Town Clerk and attached hereto as Exhibit “A.”



## **EXHIBIT A**

A copy of the “2020 Miami-Dade County Local Mitigation Strategy” is available in the Office of the Town Clerk.

In addition, the documents for Exhibit “A” are available (as of September 1, 2020) at:

<https://onedrive.live.com/?authkey=%21ANHKEc2ON%5FvvtbU&id=CABEA3690EFE858C%21106&cid=CABEA3690EFE858C>

Alternatively, the individual documents that comprise Exhibit “A” may be accessed at the following links (as of September 1, 2020):

Part 1: The Strategy

<https://onedrive.live.com/?authkey=%21ANHKEc2ON%5FvvtbU&cid=CABEA3690EFE858C&id=CABEA3690EFE858C%21111&parId=CABEA3690EFE858C%21106&o=OneUp>

Part 2: The Projects

<https://onedrive.live.com/?authkey=%21ANHKEc2ON%5FvvtbU&cid=CABEA3690EFE858C&id=CABEA3690EFE858C%21113&parId=CABEA3690EFE858C%21106&o=OneUp>

Part 3: Funding

<https://onedrive.live.com/?authkey=%21ANHKEc2ON%5FvvtbU&cid=CABEA3690EFE858C&id=CABEA3690EFE858C%21107&parId=CABEA3690EFE858C%21106&o=OneUp>

Part 4: The Appendices

<https://onedrive.live.com/?authkey=%21ANHKEc2ON%5FvvtbU&cid=CABEA3690EFE858C&id=CABEA3690EFE858C%21109&parId=CABEA3690EFE858C%21106&o=OneUp>

Part 5: Meeting Minutes

<https://onedrive.live.com/?authkey=%21ANHKEc2ON%5FvvtbU&cid=CABEA3690EFE858C&id=CABEA3690EFE858C%21108&parId=CABEA3690EFE858C%21106&o=OneUp>

Part 6: Completed Projects

<https://onedrive.live.com/?authkey=%21ANHKEc2ON%5FvvtbU&cid=CABEA3690EFE858C&id=CABEA3690EFE858C%21112&parId=CABEA3690EFE858C%21106&o=OneUp>

Part 7: National Flood Insurance Program and Community Rating System

<https://onedrive.live.com/?authkey=%21ANHKEc2ON%5FvvtbU&cid=CABEA3690EFE858C&id=CABEA3690EFE858C%21110&parId=CABEA3690EFE858C%21106&o=OneUp>



STATE OF FLORIDA

**DIVISION OF EMERGENCY MANAGEMENT**

Ron DeSantis  
Governor

Jared Moskowitz  
Director

August 26, 2020

Frank Rollason, Director  
Miami-Dade County Emergency Management  
9300 Northwest 41<sup>st</sup> Street  
Doral, Florida 33178

Re: Miami-Dade County Local Hazard Mitigation Plan Approved Pending Adoption

Dear Director Rollason,

This is to confirm that we have completed a State review of the Miami-Dade County Local Mitigation Strategy (LMS) update for compliance with the federal hazard mitigation planning standards contained in 44 CFR 201.6(b)-(d). Based on our review and comments, Miami-Dade County developed and submitted all the necessary plan revisions and our staff has reviewed and approved these revisions. We have determined that the Miami-Dade County LMS plan is compliant with federal standards, subject to formal community adoption, for the jurisdictions below:

- |                                   |                             |
|-----------------------------------|-----------------------------|
| Miami-Dade County, Unincorporated | City of Sweetwater          |
| City of Aventura                  | City of West Miami          |
| City of Coral Gables              | Town of Bay Harbor Islands  |
| City of Doral                     | Town of Cutler Bay          |
| City of Florida City              | Town of Golden Beach        |
| City of Hialeah Gardens           | Town of Key Biscayne        |
| City of Hialeah                   | Town of Medley              |
| City of Homestead                 | Town of Miami Lakes         |
| City of Miami                     | Town of Surfside            |
| City of Miami Beach               | Village of Bal Harbour      |
| City of Miami Gardens             | Village of Biscayne Park    |
| City of Miami Springs             | Village of El Portal        |
| City of North Miami               | Village of Indian Creek     |
| City of North Bay Village         | Village of Miami Shores     |
| City of North Miami Beach         | Village of Palmetto Bay     |
| City Opa Locka                    | Village of Pinecrest        |
| City of South Miami               | Village of Virginia Gardens |
| City of Sunny Isles Beach         |                             |

Upon submittal of a copy of all participating jurisdictions' documentation of their adoption resolutions to our office, we will send all necessary documentation to the Federal Emergency Management Agency (FEMA) who will issue formal approval of the Miami-Dade County LMS.

If you have any questions regarding this matter, please contact your LMS Liaison Laura Waterman at [Laura.Waterman@em.myflorida.com](mailto:Laura.Waterman@em.myflorida.com) or 850-815-4512.

Respectfully,



Miles E. Anderson,  
Bureau Chief, Mitigation  
State Hazard Mitigation Officer

MEA/lw

Attachments: MEMORADUM: State approval of LMS plans under Program Administration by States (PAS)

cc: FEMA Region IV, Mitigation Division – Risk Analysis Branch



Office of Emergency Management  
9300 NW 41 Street  
Miami, FL 33178  
Email: [eoc@miamidade.gov](mailto:eoc@miamidade.gov)  
Phone: 305-468-5400  
Fax: 305-468-5401

August 28, 2020

**Municipality Address**

To Whom It May Concern:

**RE: Miami-Dade County Local Mitigation Strategy (LMS) 2020 Approval Process**

This letter is to inform you that the State of Florida has completed the Miami-Dade County Local Mitigation Strategy Plan (LMS) review and determined that the Plan meets all the requirements as it relates to Federal Hazard Mitigation Planning Standards contained in 44 CFR 201.6(b)-(d).

In order for a jurisdiction to maintain compliance with Federal standards **and continue to receive LMS funding**, each municipality must adopt the Miami-Dade County LMS Plan prior to the September 15, 2020 - expiration date of the current LMS. Furthermore, local governments acting as sub-grantees must adopt the attached Miami-Dade County LMS Plan to have eligibility to apply for and/or receive payments and reimbursement under executed grant agreements for the following hazard mitigation grant programs:

- Hazard Mitigation Grant Program (HMGP)
- Business Resilient Infrastructure and Communities (BRIC) – *formerly known as Pre-Disaster Mitigation (PDM)*
- Flood Mitigation Assistance (FMA) Grant Program
- Community Development Block Grant - Mitigation (CDBG-MIT) Grant Program

Please submit a copy of your jurisdiction's fully executed LMS adopted resolution to Robin Yang, Whole Community Mitigation Planner, at [robin.yang@miamidade.gov](mailto:robin.yang@miamidade.gov). Should you have any questions regarding the process or need further clarification, please contact Mr. Yang.

Sincerely,

Frank K. Rollason  
Director

Enclosures



# MEMORANDUM

ITEM NO. 5C

**To:** Honorable Mayor, Vice-Mayor and Members of the Town Commission  
**From:** Jason Greene, Interim Town Manager  
**Date:** August 25, 2020  
**Subject:** Structural Plans Review Funding Authorization

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Structural plans review is an essential function of the Building Department in issuing building permits that involve said scope. This professional service is provided by MTCI Private Provider Services, LLC.

Staff respectfully requests authorization of funding for structural plan review until such time as the Town begins the bidding process for engineering pool services (GECS) under RFQ per Town Ordinance Section 3-7.

Reviewed by: MR/RP

Prepared by: MR/RP

**RESOLUTION NO. 2020-\_\_\_\_\_**

**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, AUTHORIZING THE EXPENDITURE OF FUNDS FOR STRUCTURAL PLAN REVIEW SERVICES TO M.T. CAUSLEY, LLC; PROVIDING FOR AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the Town of Surfside (the “Town”) issued RFQ 2020-06 for Continuing Professional Engineering Services, which seeks to competitively secure proposers that will, among other things, provide the Town with structural plan review services (“Services”); and

**WHEREAS**, the Town is currently receiving the Services from M.T. Causley, LLC (“Consultant”) pursuant to the Professional Services Agreement attached hereto as Exhibit “A” (“Agreement”); and

**WHEREAS**, pursuant to Section 3-6(b) of the Town Code of Ordinances (“Code”), the Town Manager is currently authorized to expend up to \$25,000 per fiscal year for the Services; and

**WHEREAS**, in order to continue receiving the Services while the Town procures RFQ 2020-06, the Town Manager requires Town Commission approval to make continued expenditures for the Services exceeding the \$25,000 expenditure authority limit through the current fiscal year and through December 31, 2020, as needed; and

**WHEREAS**, pursuant to Section 3-6(c) of the Town Code, the Town Commission wishes to authorize the expenditure of funds to the Consultant for the continued provision of the Services exceeding \$25,000 for the current fiscal year and through December 31, 2020, as needed; and

**WHEREAS**, the Town Commission finds that this Resolution is in the best interest and welfare of the residents of the Town and will ensure continued Services.

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

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

**Section 2. Authorization to Expend Funds.** The Town Manager is authorized to expend funds for the Services to Consultant exceeding \$25,000 for the current fiscal year through September 30, 2020, and is further authorized to expend funds as needed for the continuation of Services through December 31, 2020.

**Section 3. Implementation.** The Town Manager is authorized to take any and all action necessary to implement the purposes of this Resolution.

**Section 4. Effective Date.** That this Resolution shall become effective immediately upon its adoption.

**PASSED AND ADOPTED** this 13<sup>th</sup> day of October, 2020.

**FINAL VOTE ON ADOPTION:**

Commissioner Charles Kesl	_____
Commissioner Eliana R. Salzhauer	_____
Commissioner Nelly Velasquez	_____
Vice Mayor Tina Paul	_____
Mayor Charles W. Burkett	_____

\_\_\_\_\_  
Charles W. Burkett, 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

**PROFESSIONAL SERVICES AGREEMENT  
BETWEEN  
THE TOWN OF SURFSIDE  
AND  
M.T. CAUSLEY, LLC**

**THIS PROFESSIONAL SERVICES AGREEMENT** (this “Agreement”) is made effective as of the 1st day of April , 2020 (the “Effective Date”), by and between the **TOWN OF SURFSIDE, FLORIDA**, a Florida municipal corporation, whose principal address is 9293 Harding Avenue, Surfside, Florida 33154 (hereinafter the “Town”), and **M.T. CAUSLEY, LLC.**, a Florida limited liability company, whose principal address is 866 Ponce de Leon Blvd., 2<sup>nd</sup> Floor, Coral Gables, FL 33134 (hereinafter, the “Contractor”).

**WHEREAS**, the Town is seeking an independent contractor or consultant to perform structural plan review services, as described in the List of Services attached hereto as Exhibit “A” (the “Services”); and

**WHEREAS**, the Contractor and Town have, through mutual agreement, agreed upon the rate schedule as set forth in Exhibit “B” (the “Fee Schedule for Services”) in connection with the Services; and

**WHEREAS**, the Town desires to engage the Contractor to perform the Services and provide the deliverables as specified below.

**NOW, THEREFORE**, in consideration of the mutual covenants and conditions contained herein, the Contractor and the Town agree as follows:

**1. Scope of Services.**

- 1.1. The Contractor shall furnish the Services, as requested by the Town and on an as-needed basis, as detailed in Exhibit “A” attached (“List of Services” or “Services”).
- 1.2. The Contractor shall furnish all reports, documents, information obtained pursuant to this Agreement, and recommendations during the term of this Agreement (hereinafter “Deliverables”).
- 1.3. The Contractor shall abide by and perform the Services in accordance with the Charter, Code and all ordinances and regulations of the Town of Surfside, Miami-Dade County, the Florida Building Code and State of Florida laws.
- 1.4. **Staffing.** The Contractor shall provide adequate personnel and staff necessary to timely and efficiently perform the Services, in accordance with the requirements of the List of Services in Exhibit A” attached hereto. Adjustments may be made based upon the needs and demands of the Town, as approved by the Town Manager. If at any time during the term of this

Agreement, the Town becomes dissatisfied with the performance of any of the Contractor's employees or personnel assigned to perform the Services, the Town may request that the Contractor remove the employee or personnel immediately upon the notification by the Town. The Contractor agrees to act in good faith and to use its best efforts to replace same with an employee acceptable to the Town and resolve any problems experienced by the Town.

**2. Term/Commencement Date.**

- 2.1 This Agreement shall remain in effect from the Effective Date through September 30, 2020, unless earlier terminated in accordance with Paragraph 8. Additionally, the Town Manager may renew this Agreement for two (2) additional one (1) year periods on the same terms and conditions as set forth herein upon written notice to the Contractor and approval by the Town Commission, as required.
- 2.2 Contractor agrees that time is of the essence and Contractor shall complete the Services within the timeframes set forth in the List of Services attached hereto as Exhibit "A" and in the manner provided in this Agreement, unless extended by the Town Manager.

**3. Compensation and Payment.**

- 3.1 Compensation for Services provided by Contractor shall be in accordance with the approved rates and "Fee Schedule for Services" attached hereto as Exhibit "B."
- 3.2 Contractor shall deliver an invoice to Town no more often than once per month detailing Services completed and the amount due to Contractor under the Fee Schedule for Services attached hereto as Exhibit "B." Fees shall be paid in arrears each month, pursuant to Contractor's invoice, and in accordance with the Florida Prompt Payment Act after approval and acceptance of the Services by the Town Manager.

**4. Subcontractors.**

- 4.1 The Contractor shall be responsible for all payments to any subcontractors and shall maintain responsibility for all work related to the Services.
- 4.2 Contractor may only utilize the services of a particular subcontractor with the prior written approval of the Town Manager, which approval shall be granted or withheld in the Town Manager's sole and absolute discretion.

**5. Town's Responsibilities.**

- 5.1 Town shall make available any maps, plans, existing studies, reports, staff and representatives, and other data pertinent to the Services and in possession of the Town, and provide criteria requested by Contractor to assist Contractor in performing the Services.
- 5.2 Upon Contractor's request, Town shall reasonably cooperate in arranging access to public information that may be required for Contractor to perform the Services.

**6. Contractor's Responsibilities.**

- 6.1 The Contractor represents and warrants to the Town that it has the required knowledge, expertise and experience to perform the Services and carry out its obligations under this Agreement in a professional and first class manner. The Contractor shall exercise the same degree of care, skill and diligence in the performance of the Services for each project as is ordinarily provided by a Contractor under similar circumstances. 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 Contractor's Deliverables or Services are incorrect, not properly rendered, defective, or fail to conform to Town requests, the Contractor shall at Contractor's sole expense, immediately correct its Deliverables or Services.
- 6.2 The Contractor 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.

**7. Conflict of Interest.**

- 7.1 To avoid any conflict of interest or any appearance thereof, Contractor shall not, for the term of this Agreement, provide any consulting services to any private sector entities (developers, corporations, real estate investors, etc.), with any current, or foreseeable, adversarial issues in the Town. For the purposes of this section "adversarial" shall mean any development application before the Town where staff is recommending denial or denied an application, or an administrative appeal or court action wherein the Town is a party.

**8. Termination.**

- 8.1 The Town Manager, without cause, may terminate this Agreement upon five (5) calendar day's written notice to the Contractor, or immediately with cause.
- 8.2 Upon receipt of the Town's written notice of termination, Contractor shall immediately stop Services, unless directed otherwise by the Town Manager.
- 8.3 In the event of termination by the Town, the Contractor shall be paid for all work accepted by the Town Manager up to the date of termination, provided that the Contractor has first complied with the provisions of Paragraph 8.4.
- 8.4 The Contractor shall transfer all books, records, reports, working drafts, documents, maps, and data pertaining to the Services and the project to the Town, in a hard copy and electronic format within fourteen (14) days from the date of the written notice of termination or the date of expiration of this Agreement.

**9. Insurance.**

- 9.1 Contractor shall secure and maintain throughout the duration of this agreement 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 Contractor's insurance and shall not contribute to the Contractor'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 Contractor. 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, 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 Contractor shall be allowed to provide Services pursuant to this Agreement who is not covered by Worker's Compensation insurance.

- 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 Two Million Dollars (\$2,000,000.00) per occurrence, single limit, and Two Million Dollars (\$2,000,000.00) in the aggregate. .

9.2 **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 Contractor 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.

9.3 **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 Contractor in performance of this Agreement. The Contractor'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 Contractor's insurance. The Contractor'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.

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

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

**10. Nondiscrimination.**

10.1 During the term of this Agreement, Contractor shall not discriminate against any of its employees or applicants for employment because of their race, color, religion, sex, or national origin, and to abide by all Federal and State laws regarding nondiscrimination

**11. Attorneys Fees and Waiver of Jury Trial.**

11.1 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.

11.2 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.

**12. Indemnification.**

12.1 Contractor shall indemnify and hold harmless the Town, its officers, agents and employees, from and against any and all demands, claims, losses, suits, liabilities, causes of action, judgment or damages, arising from Contractor's negligent acts, errors, or omissions arising out of the performance or non-performance of the Services or any provision of this Agreement, including, but not limited to, liabilities arising from contracts

between the Contractor and third parties made pursuant to this Agreement. Contractor shall reimburse the Town for all its expenses including reasonable attorneys' fees and costs incurred in and about the defense of any such claim or investigation and for any judgment or damages arising from Contractor's negligent performance or non-performance of this Agreement.

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

**3. Notices/Authorized Representatives.**

13.1 Any notices required by this Agreement shall be in writing and shall be deemed to have been properly given if transmitted by hand-delivery, by registered or certified mail with postage prepaid return receipt requested, or by a private postal service, addressed to the parties (or their successors) at the following addresses:

For the Town: Guillermo Olmedillo, Town Manager  
Town of Surfside  
9293 Harding Avenue  
Surfside, FL 33154  
[golmedillo@townofsurfside.fl.gov](mailto:golmedillo@townofsurfside.fl.gov)

With a copy to: Lillian M. Arango, Esq.  
Town Attorney  
Weiss Serota Helfman Cole & Bierman, P.L.  
2525 Ponce de Leon Blvd., Suite 700  
Coral Gables, FL 33134  
Email: [larango@wsh-law.com](mailto:larango@wsh-law.com)

For the Contractor: Michael T. Causley, President  
M.T.Causley, LLC  
866 Ponce de Leon Blvd., 2<sup>nd</sup> Floor  
Coral Gables, Florida 33134  
Email: [MTC@mtcinspectors.com](mailto:MTC@mtcinspectors.com)

**14. Governing Law and Venue.**

14.1 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 proper exclusively in Miami-Dade County, Florida.

**15. Entire Agreement/Modification/Amendment.**

- 15.1 This writing contains the entire Agreement of the parties and supersedes any prior oral or written representations. No representations were made or relied upon by either party, other than those that are expressly set forth herein.
- 15.2 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.
- 15.3 Contractor 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 Contractor have been duly authorized, and this Agreement is binding on Contractor and enforceable against Contractor in accordance with its terms. No consent of any other person or entity to such execution, delivery and performance is required.

**16. Ownership and Access to Records and Audits.**

- 16.1 Contractor 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 Contractor during the term of this Agreement (“Work Product”) belong to the Town. Contractor 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).
- 16.2 Contractor agrees to keep and maintain public records in Contractor’s possession or control in connection with Contractor’s performance under this Agreement. Contractor additionally agrees to comply specifically with the provisions of Section 119.0701, Florida Statutes. Contractor shall ensure that public records that are exempt or confidential and exempt from public records disclosure requirements are not disclosed, except as authorized by law, for the duration of the Agreement, and following completion of the Agreement until the records are transferred to the Town.
- 16.3 Upon request from the Town’s custodian of public records, Contractor shall provide the Town with a copy of the requested records or allow the records to be inspected or copied within a reasonable time at a cost that does not exceed the cost provided by Chapter 119, Florida Statutes, or as otherwise provided by law.
- 16.4 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.

- 16.5 Upon completion of this Agreement or in the event of termination by either party, any and all public records relating to the Agreement in the possession of the Contractor shall be delivered by the Contractor to the Town Manager, at no cost to the Town, within seven (7) days. All such records stored electronically by Contractor shall be delivered to the Town in a format that is compatible with the Town's information technology systems. Once the public records have been delivered upon completion or termination of this Agreement, the Contractor shall destroy any and all duplicate public records that are exempt or confidential and exempt from public records disclosure requirements.
- 16.6 Any compensation due to Contractor shall be withheld until all records are received as provided herein.
- 16.7 Contractor's failure or refusal to comply with the provisions of this section shall result in the immediate termination of this Agreement by the Town.

**Notice Pursuant to Section 119.0701(2)(a), Florida Statutes**

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

**Custodian of Records:** Sandra Novoa  
**Mailing address:** 9293 Harding Avenue  
Surfside, FL 33154  
**Telephone number:** 305- 861-4863, Ext. 226  
**Email:** [snovoa@townofsurfside.fl.gov](mailto:snovoa@townofsurfside.fl.gov)

**17. Solicitation/Hiring of Contractor's Employees.**

- 17.1 During the term of this Agreement, Town shall not solicit, recruit or hire, or attempt to solicit, recruit or hire, any employee or former employee of

Contractor who provided services to Town pursuant to this Agreement (“Service Providers”), or who interacted with the Town in connection with the provision of such services (including but not limited to supervisors or managers of Service Providers, customer relations personnel, accounting personnel, and other support personnel of Contractor). The Parties agree that this provision is reasonable and necessary in order to preserve and protect Contractor’s trade secrets and other confidential information, its investment in the training of its employees, the stability of its workforce, and its ability to provide competitive building department programs in this market. If any provision of this section is found by a court or arbitrator to be overly broad, unreasonable in scope or otherwise unenforceable, the Parties agree that such court or arbitrator shall modify such provision to the minimum extent necessary to render this section enforceable.

**18. Nonassignability.**

18.1 This Agreement shall not be assignable by Contractor unless such assignment is first approved by the Town Manager. The Town is relying upon the apparent qualifications and expertise of the Contractor, and Contractor’s familiarity with the Town’s area, circumstances and desires.

**19. Severability.**

19.1 If any term or provision of this Agreement shall to any extent be held invalid or unenforceable, the remainder of this Agreement shall not be affected thereby, and each remaining term and provision of this Agreement shall be valid and be enforceable to the fullest extent permitted by law.

**20. Independent Contractor.**

20.1 The Contractor 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.

**21. Compliance with Laws.**

21.1 The Contractor shall comply with all applicable laws, ordinances, rules, regulations, and lawful orders of public authorities in carrying out Services under this Agreement, and in particular shall obtain all required permits from all jurisdictional agencies to perform the Services under this Agreement at its own expense.

**22. Waiver.**

22.1 The failure of either party to this Agreement to object to or to take affirmative action with respect to any conduct of the other which is in violation of the terms of this Agreement shall not be construed as a waiver of the violation or breach, or of any future violation, breach or wrongful conduct.

**23. Survival of Provisions.**

23.1 Any terms or conditions of either this Agreement that require acts beyond the date of the term of the Agreement, shall survive termination of the Agreement, shall remain in full force and effect unless and until the terms or conditions are completed and shall be fully enforceable by either party.

**24. Prohibition of Contingency Fees.**

24.1 The Contractor warrants that it has not employed or retained any company or person, other than a bona fide employee working solely for the Contractor, to solicit or secure this Agreement, and that it has not paid or agreed to pay any person(s), company, corporation, individual or firm, other than a bona fide employee working solely for the Contractor, any fee, commission, percentage, gift, or any other consideration, contingent upon or resulting from the award or making of this Agreement.

**25. Public Entity Crimes Affidavit.**

25.1 Contractor shall comply with Section 287.133, Florida Statutes (Public Entity Crimes Statute), notification of which is hereby incorporated herein by reference, including execution of any required affidavit.

**26. Counterparts.**

26.1 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.

[Remainder of Page Left Intentionally Blank]

IN WITNESS WHEREOF the parties hereto have executed this Agreement as of the date written below their signatures.

**FOR THE CONTRACTOR:**

**M.T. CAUSLEY, LLC., a**

Florida limited liability company

By: 

Name: Michael T. Caustey

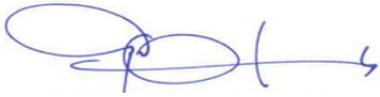
Title: President

Date Executed: March 17, 2020

IN WITNESS WHEREOF the parties hereto have executed this Agreement on the day and date first above written.

**FOR THE TOWN:**

**TOWN OF SURFSIDE**, a  
Florida municipal  
corporation

By:   
Guillermo Olmedillo, Town Manager  
Date Executed: April 1, 2020

Attest:

  
By: \_\_\_\_\_  
Sandra Novoa, MMC, Town Clerk

Approved as to Form and Legal Sufficiency:

By:   
Weiss Serota Helfman Cole & Berman, P.L.  
Town Attorney

**EXHIBIT “A”  
LIST OF SERVICES**

The List of Services are to be provided by Contractor include the following:

Structural Plan Review Services

- √ Provide plan review services electronically or in the traditional paper format
- √ Review Plans for compliance with adopted building codes, local amendments or ordinances
- √ Be available for pre-submittal meetings by appointment
- √ Communicate plan review findings and recommendations in writing
- √ Return a set of finalized plans and all supporting documentation
- √ Provide review of plan revisions and remain available to applicant after the review is complete

Timeline for Performance

Services will be performed during normal business hours, excluding municipal holidays.

- √ Services will be performed on an as needed, as requested basis
- √ Contractors representative(s) will be on-site weekly, based on activity levels
- √ Contractors representative(s) will be available by cell phone and email
- √ Contractors representative(s) will meet with the public by appointment
- √ Plan review shall be performed timely in accordance with the following schedule: Five (5) business days from receipt
- √ The Town is in the process of implementing and utilizing the Tyler Software application software for plan review and inspections (“Software”). The Contractor shall fully implement, integrate and utilize the Software in the performance of the Services once the Software is operational and in use by the Building Department.

Municipal Obligations

- √ Municipality will issue permits and collect all fees
- √ Municipality will intake plans and related documents for pickup by Contractor and/or submit to Contractor electronically
- √ Municipality will provide a monthly activity report that will be used for monthly invoicing
- √ Municipality will provide zoning administration for projects assigned to Contractor
- √ Municipality will provide code books for front counter use
- √ Municipality will provide office space, desk, desk chairs, file cabinets, local phone service, internet, use of copier and fax

**EXHIBIT "B"**  
**FEE SCHEDULE FOR SERVICES**

The Fee Schedule for Services to be performed pursuant to this Agreement are as follows:

<b>Structural Plan Review Services</b>	<b>\$150.00 per hour, not to exceed \$25,000 per fiscal year</b>
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# MEMORANDUM

ITEM NO. 5D

**To:** Honorable Mayor, Vice-Mayor and Members of the Town Commission  
**From:** Jason D. Greene, Interim Town Manager  
**Date:** October 13, 2020  
**Subject:** Downtown Decorative Lighting

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The Town Administration was tasked with finding a more affordable option for Surfside's annual holiday lighting for the 2020 season and beyond. After researching additional choices, the recommendation is to enter into a three-year contract with new vendor R&D Electric, Inc with a renewable option for two additional years for hardware maintenance. The R&D Electric proposal would simply wrap the trunks of the treescape along Harding Avenue's 94<sup>th</sup> and 95<sup>th</sup> streets with white lights. Additionally, it would be installed permanently to illuminate the district year-round. Though a competitive bidding process wasn't utilized, the Town is piggy-backing on the pilot project done with this vendor by Miami Beach. Miami Beach uses this vendor for electrical work in the city and negotiated a contract after an extensive pilot project to find lighting hardware that would work along the 41<sup>st</sup> street corridor. See Exhibit A.

This cost would be \$99,152.82 for initial installation which includes three years of warranty on the lights. R&D Electric is extending at three-year warranty on the light bulbs to ensure the product will retain its intended effect throughout, and that any-maintenance related issues on the lights are at no cost to the Town. An additional \$6,102.00 per year would be for Ground Fault Circuit Interrupter (GFI), which is type of electrical outlet, hardware maintenance. The initial three-year contract term would cost \$117,458.82. The GFI hardware maintenance could be extended for an additional two years at \$6,102.00 per year. The entire five-year period would total \$129,662.82 if the extra two-year GFI hardware maintenance period is implemented.

Miami Beach example images below:



In order to accent the holidays and provide warmth to that season's lighting, the Administration has also researched the option of supplementing the R&D Electric contract with another using existing vendor Miami Christmas Lights.

The Town Commission would need to terminate their current contract, but could consider the add-on quotes provided at the end of this communication.

This is the cost per individual element:

- Monument signs, \$15,000 for four. \$3,750.00 each.



- 8 pocket parks on Harding Avenue, \$9,600.00



- \*Palm fronds, 7 per 77 palms, \$27,855.00  
*\*Fronds lighting shown below. Crown concentrated lighting at the top of the palm tree not included.*



Town Administration is requesting authorization to enter into an agreement with R&D Electric, Inc for installation of permanent lighting for the downtown district.

Also, at the request of the Commission, and with the holiday season quickly approaching, the Town Administration is seeking the direction on selecting any additional supplemental temporary holiday-type lighting. Town Administration's recommendation is to install the monument signs for \$15,000.

# Exhibit A

RESOLUTION NO. 2019-31109

**A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, ACCEPTING THE RECOMMENDATION OF THE NEIGHBORHOODS/COMMUNITY AFFAIRS COMMITTEE AT ITS SEPTEMBER 25, 2019 MEETING TO PROCEED WITH A REQUEST FOR PROPOSALS FOR LIGHTING ENHANCEMENTS AT THE 41ST STREET CORRIDOR.**

**WHEREAS**, at the February 13, 2019 meeting, the Mayor and City Commission approved a referral to the Neighborhoods/Community Affairs Committee ("NCAC") regarding a motion made by the Mayor's 41st Street Blue Ribbon Committee (the "Committee"), requesting to prioritize lighting enhancements at the 41st Street corridor and to allocate 41st Street Quality of Life Funds towards street lighting; and

**WHEREAS**, at its April 11, 2019 meeting, the Mayor's 41st Street Blue Ribbon Committee held the discussion on lighting enhancements at the 41st street corridor, with the City's Property Management Department presenting lighting options to the Committee that would be used for the 41st Street corridor; and

**WHEREAS**, the options reviewed included Light 365 by Artistic Holiday Lighting, and rope lighting by R&D Electric, Inc.; and

**WHEREAS**, both vendors are registered with the City of Miami Beach and approved for electrical and decoration services; and

**WHEREAS**, at the April 11, 2019 meeting, the Property Management Department presented the Committee with the following quotes:

**Light 365**

5-year warranty  
No maintenance cost

**Total cost for 251 Palms: \$675,000.00**

**R&D Electric Rope Lights**

Yearly replacement  
Monthly maintenance

**Total cost for 251 Palms (yearly):  
\$154,510.00; and**

**WHEREAS**, at its May 11, 2019 meeting, the Mayor's 41st Street Blue Ribbon Committee further discussed the lighting on the 41st Street corridor, during which the Committee discarded the R&D electric rope lighting option and decided to pursue a pilot program with Artistic Holiday for Light 365; and

**WHEREAS**, at its July 23, 2019 meeting, the Mayor's 41st Street Blue Ribbon Committee passed a motion to install Light 365 at every other palm from Prairie Avenue to Royal Palm Avenue, for a total of 11 palms, as part of a pilot program with the City's vendor Artistic Holiday; and

**WHEREAS**, the lighting pilot program was installed at the 41st Street corridor three weeks later by City staff, including temporary electrical connections in order to assess the brightness and quality of the lights; and

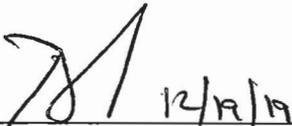
**WHEREAS**, at its September 25, 2019 meeting, the NCAC discussed the lighting options presented and concluded that the rope lighting was dated and did not create the ambiance they were attempting to achieve with the master plan, and recommended to proceed with a Request for Proposals ("RFP"); and

**WHEREAS**, since the last NCAC meeting, City vendor R&D Electric, Inc. has provided a revised proposal for the wrapping of 251 palms along the 41st Street corridor with LED expandable year-round lighting, for an installation cost of \$380,708.31 and a yearly maintenance fee of \$23,004.00 for a total cost of \$403,712.31 for the first year and \$23,004.00 each additional year.

**NOW, THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA**, that the Mayor and City Commission hereby accept the recommendation of the Neighborhoods/Community Affairs Committee at its September 25, 2019 meeting to proceed with a Request for Proposals for lighting enhancements at the 41st Street corridor.

**PASSED and ADOPTED** this 11 day of December, 2019.

**ATTEST:**

  
\_\_\_\_\_  
Rafael E. Granada, City Clerk

  
\_\_\_\_\_  
Dan Gelber, Mayor



APPROVED AS TO  
FORM & LANGUAGE  
& FOR EXECUTION

  
\_\_\_\_\_  
City Attorney

12-16-19  
\_\_\_\_\_  
Date

# MIAMI BEACH

## COMMISSION MEMORANDUM

TO: Honorable Mayor and Members of the City Commission  
FROM: Jimmy L. Morales, City Manager  
DATE: December 11, 2019

SUBJECT: A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, ACCEPTING THE RECOMMENDATION OF THE NEIGHBORHOODS/COMMUNITY AFFAIRS COMMITTEE AT ITS SEPTEMBER 25, 2019 MEETING TO PROCEED WITH A REQUEST FOR PROPOSALS FOR LIGHTING ENHANCEMENTS AT THE 41ST STREET CORRIDOR.

### RECOMMENDATION

The following is presented to the members of the City Commission for consideration and to provide direction on new proposal received.

### BACKGROUND/HISTORY

At its February 13, 2019 meeting, the City Commission approved a referral to the Neighborhoods/Community Affairs Committee (NCAC) regarding a motion made by the Mayor's 41st Street Blue Ribbon Committee, requesting to prioritize lighting enhancements at their corridor and to allocate 41st Street Quality of Life Funds towards street lighting.

At its April 11, 2019 meeting, the Mayor's 41st Street Blue Ribbon Committee heard the discussion on lighting enhancements at the 41st street corridor. The City's Property Management Department presented lighting options to the Committee that would be used for the 41st Street corridor as requested by the Committee.

The options reviewed included Light 365 by Artistic Holiday Lighting and rope lighting by R&D Electric, Inc. These are two vendors registered with the City of Miami Beach and approved for electrical and decoration services. The Property Management Department presented the following quotes by the vendors:

#### Light 365

5-year warranty

No maintenance cost

**Total cost for 251 \$ 675,000.00**

**Palms:**

#### R&D Electric Rope Lights

Yearly replacement

Monthly maintenance

**Total cost for 251 Palms \$ 154,510.00**

**(yearly):**

At its May 11, 2019 meeting, the Mayor's 41st Street Blue Ribbon Committee brought back the

lighting on the 41st street corridor item for further discussion. At the meeting, the Committee discarded the R&D rope lighting option and decided to pursue a pilot program with Artistic Holiday for Light 365.

At its July 23, 2019 meeting, the Mayor's 41st Street Blue Ribbon Committee passed a motion to install Light 365 at every other palm from Prairie Avenue to Royal Palm Avenue, for a total of 11 palms, as part of a pilot program with the City's vendor Artistic Holiday. The lighting pilot program was installed at the corridor three weeks later by City staff, including temporary electrical connections in order to assess the brightness and quality of the lights.

On September 25, 2019, the Neighborhoods/Community Affairs Committee (NCAC) discussed the options presented and concluded that the rope lighting was dated and did not create the ambiance they were attempting to achieve with the master plan. The Committee recommended to proceed with a Request for Proposal (RFP) and to bring it to the City Commission for approval.

### **CURRENT STATUS**

Since the last NCAC Committee meeting, City vendor R&D Electric, Inc. has provided a revised proposal for the wrapping of 251 palms along the 41st Street corridor with LED expandable year-round lighting, for an installation cost of \$380,708.31 and a yearly maintenance fee of \$23,004.00 for a total cost of \$403,712.31 for the first year and \$23,004.00 each additional year.

#### **Applicable Area**

North Beach

#### **Is this a Resident Right to Know item?**

Yes

#### **Does this item utilize G.O. Bond Funds?**

No

#### **Legislative Tracking**

Public Works

#### **Sponsor**

Commissioner Steven Meiner

#### **ATTACHMENTS:**

##### **Description**

- R&D Electric Inc. Proposal



**ELECTRICAL ENGINEERS  
ELECTRICAL CONTRACTORS**

7447 NW 48 Street  
Miami, Florida 33166  
Phone: (305) 403-7841  
Fax: (305) 403-7842  
www.RDElectricalInc.com

PROJECT: 41 Street Palm Tree LIGHTING  
Palm Lighting wrapping

EC13001534  
3/19/2019  
Revision. 12/6/2019

Item	Description	Unit	Qty	Unit Price	Total
<b>Initial Installation</b>					
1	Wrap around palm trees using "LED Expandable Year Round LED lights". (not rope lights). Estimated number of palm trees is 251. Each Tree takes 17 sets of cords.	LABOR (HR)	2465	\$ 45.00	\$ 110,925.00
		Police (HR)	210	\$ 60.00	\$ 12,600.00
		MATL (LS)	4267	\$ 41.00	\$ 174,947.00
		TAX on material only (7%)			\$ 12,246.29
		MARKUP on material only (10%)			\$ 17,494.70
				subtotal:	\$ 328,212.99
<b>Power Requirement</b>					
2	Provide GFCI receptacles at each pole.	LABOR (HR)	544	\$ 45.00	\$ 24,480.00
		Police (HR)	272	\$ 60.00	\$ 16,320.00
		MATL (LS)	68	\$ 147.00	\$ 9,996.00
		TAX on material only (7%)			\$ 699.72
		MARKUP on material only (10%)			\$ 999.60
				subtotal:	\$ 52,495.32
<b>Monthly Patrol and Maintenance</b>					
2	Maintenance. Provide monthly maintenance to GFIs	LABOR (HR)	40	\$ 45.00	\$ 1,800.00
		MATL (LS)	1	\$ 100.00	\$ 100.00
		TAX on material only (7%)			\$ 7.00
		MARKUP on material only (10%)			\$ 10.00
		Monthly Cost:			
				Yearly maintenance :	\$ 23,004.00
<b>TOTAL:</b>					<b>\$ 403,712.31</b>

**Warranty.**

1 Year Manufacturer Warranty on lights. Manufactures do not offer more than 1 year on these lights.

**NOTE:**

LS-LUMP SUM EA-EACH

Replacement of lights at each palm tree after warranty has expired will be at a cost of \$1,230.00.

Rafael Echarri

**RESOLUTION NO. 2020 \_\_\_\_**

**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, APPROVING THE PURCHASE, INSTALLATION AND MAINTENANCE OF PERMANENT LIGHTING FOR THE DOWNTOWN DISTRICT AND AUTHORIZING AN AGREEMENT WITH R&D ELECTRIC INC. FOR SUCH LIGHTING; FURTHER AUTHORIZING THE INSTALLATION AND MAINTENANCE OF SUPPLEMENTAL LIGHTING FOR PALM FRONDS, MONUMENT SIGNS AND POCKET PARKS AND AUTHORIZING AN AGREEMENT WITH MIAMI CHRISTMAS LIGHTS FOR SUCH SUPPLEMENTAL LIGHTING; FINDING THAT THE PURCHASES/WORK ARE EXEMPT FROM COMPETITIVE BIDDING PURSUANT TO SECTION 3-13(7)F OF THE TOWN CODE AS A PUBLIC WORKS OR UTILITIES PURCHASE FOR TOWN FACILITIES; AUTHORIZING THE TOWN MANAGER TO ENTER INTO AGREEMENTS FOR SUCH PURCHASES/WORK; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the Town of Surfside (“Town”) wishes to purchase and install annual holiday lighting in the Downtown District and install additional lighting for palm fronds, monument signs and pocket parks throughout the Town; and

**WHEREAS**, pursuant to Section 3-13(7)(f) of the Town’s Code, public works or utilities purchases or work for Town facilities are exempt from competitive bidding; and

**WHEREAS**, the Town obtained the Quotation attached hereto as Exhibit “A” from R&D Electric Inc. (“R&D Electric”) for the purchase, installation and maintenance of permanent lighting in the Downtown District at a total cost of \$129,662.82, with R&D Electric providing similar lighting services to the City of Miami Beach pursuant to a pilot program; and

**WHEREAS**, The Town obtained the Quotation attached hereto as Exhibit “B” from Miami Christmas Lights (“MCL”) for the installation and maintenance of supplemental or additional lighting for monument signs in the Town, at a cost of \$15,000.00, with MCL being

the Town’s existing vendor for holiday lighting; and

**WHEREAS**, the Town Commission wishes to approve the purchase, installation and maintenance of permanent lighting in the Downtown District from R&D Electric, in accordance with the Quotation attached hereto as Exhibit “A”, and authorize the Town Manager to enter into an agreement with R&D Electric for such work; and

**WHEREAS**, the Town Commission further wishes to approve the installation and maintenance of supplemental lighting from MCL, in accordance with the Quotation attached hereto as Exhibit “B”, and authorize the Town Manager to enter into an agreement with MCL for such work; and

**WHEREAS**, the Town Commission finds that this Resolution is in the best interests and welfare of the Town.

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

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

**Section 1. Approving Purchase, Installation and Maintenance of Permanent Lighting for the Downtown District and Authorizing an Agreement with R&D Electric Inc. for Such Work; Exemption from Competitive Bidding.** The purchase, installation and maintenance of permanent lighting for the Downtown District in accordance with the Quotation attached hereto as Exhibit “A” from R&D Electric is hereby approved. The Town Commission finds that pursuant to Section 3-13(7)(f) of the Town’s Code, the purchase or work is exempt from competitive bidding. The Town Manager is authorized to execute an agreement with R&D Electric for the work.

**Section 2. Approving Installation and Maintenance of Supplemental Lighting and Authorizing an Agreement with Miami Christmas Lights for Such Work; Exemption from Competitive Bidding.** The installation and maintenance of supplemental lighting for the Town in accordance with the Quotation attached hereto as Exhibit “B” from MCL is hereby approved.

The Town Commission finds that pursuant to Section 3-13(7)(f) of the Town's Code, the acquisition of the work is exempt from competitive bidding. The Town Manager is authorized to execute an agreement with MCL for the work.

**Section 3. Implementation.** The Town Manager and Town Officials are authorized to take any and all necessary action to implement the purchase and/or installation of the lighting and the work and the purposes of this Resolution.

**Section 4. Effective Date.** This Resolution shall be effective immediately upon adoption.

PASSED AND ADOPTED this 13<sup>rd</sup> day of October, 2020.

**FINAL VOTE ON ADOPTION:**

Commissioner Charles Kesl \_\_\_\_\_  
Commissioner Eliana R. Salzhauer \_\_\_\_\_  
Commissioner Nelly Velasquez \_\_\_\_\_  
Vice Mayor Tina Paul \_\_\_\_\_  
Mayor Charles W. Burkett \_\_\_\_\_

\_\_\_\_\_  
Charles W. Burkett, 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

**Exhibit "A"**

**(Quotation from R&D Electric Inc.)**



**ELECTRICAL ENGINEERS  
ELECTRICAL CONTRACTORS**

7447 NW 48 Street  
Miami, Florida 33111  
Phone: (305) 403-7...  
Fax: (305) 403-7...  
www.RDElectricIn  
EC13001534

PR

Palm Lighting wrapping

9/9/2020

item	Description	Unit	Qty	Unit Price	Total
<b>Initial Installation</b>					
1	Wrap around palm trees using "LED Expandable Year Round LED lights".	LABOR (HR)	657	\$ 45.00	\$ 29,565.00
		Police (HR)	48	\$ 60.00	\$ 2,880.00
		MATL (LS)	1100	\$ 41.00	\$ 45,100.00
		TAX on material only (7%)			\$ 3,157.00
		MARKUP on material only (10%)			\$ 4,510.00
				subtotal:	\$ 85,212.00
<b>Power Requirement</b>					
2	Provide GFCI Breaker Box & Standard Receptacle	LABOR (HR)	145	\$ 45.00	\$ 6,525.00
		Police (HR)	72	\$ 60.00	\$ 4,320.00
		MATL (LS)	18	\$ 147.00	\$ 2,646.00
		TAX on material only (7%)			\$ 185.22
		MARKUP on material only (10%)			\$ 264.60
				subtotal:	\$ 13,940.82
<b>Monthly Patrol and Maintenance</b>					
2	Maintenance. Provide monthly maintenance to GFIs	LABOR (HR)	10	\$ 45.00	\$ 450.00
		MATL (LS)	1	\$ 50.00	\$ 50.00
		TAX on material only (7%)			\$ 3.50
		MARKUP on material only (10%)			\$ 5.00
				Monthly Cost:	\$ 508.50
				Yearly maintenance :	\$ 6,102.00
				5 year full maintenance :	\$ 30,510.00

<b>TOTAL:</b>	<b>\$ 129,662.82</b>
---------------	----------------------

**Warranty.**

3 year warranty on the lights. 1 Year Manufacturer Warranty on lights plus 2 year contractor warranty .

**NOTE:**

LS-LUMP SUM EA-EACH

Replacement of lights at each palm tree after warranty has expired will be at a cost of \$1,230.00.

Rafael Echarri

**Exhibit "B"**

**(Quotation from Miami Christmas Lights)**



Miami Christmas Lights  
1167A NW 159th Dr  
Miami Gardens 33169

# Estimate

305.908.8000  
info@miamichristmaslights.com  
miamichristmaslights.com

## Customer Information

Town of Surfside  
Frank Trigueros  
9293 Harding Ave  
Surfside, FL 33154  
Ph: 305-722-7578  
Em: ftrigueros@townofsurfsidefl.gov

## Proposal Information

Estimate#: 20 -280  
Proposal Date: Sep 14, 2020  
Decision Date: Mar 4, 2020  
Desired Install Date: Sep 1, 2020  
Desired Removal Date: Mar 31, 2021  
Contract Expire Date: 2021

Product Details	Price	Units	Total
7 Fronds per 77 Palms	\$ 27,855.00	1	\$ 27,855.00
Install elegant 3' tall by 4' wide art decor inspired LED illuminated ribbon monument enhancer	\$ 3,750.00	4	\$ 15,000.00
Install elegant, 7" LED illuminated acrylic landscape enhancing spheres	\$ 150.00	64	\$ 9,600.00
Decorate 8 pocket parks with elegantly illuminated acrylic spheres complimented with twinkle lights through the ground foliage of the park.			

Sub Total \$ 52,455.00  
Discount Terms \$ 0.00  
Adjustments \$ 0.00

**Grand Total \$ 52,455.00**

**Pay Deposit Now Online \$ 26,227.50**

Prices include all materials, which are supplied by Miami Christmas Lights and remain the property of Miami Christmas Lights, installation, maintenance, and removal. Customer is only responsible to supply adequate power sources. If Customer is providing any materials, that will be noted in the Notes section.

Notes: 50% deposit due on execution of the contract with Town of Surfside. Balance of payment is due after light up date when the installation is complete.

Power: Outlets at the base of each tree.  
Pocket parks have outlets, but need to run power to the individual products.  
Outlet Location:  
Circuit Breaker Location:  
Timer Hours: N/A

Insurance  
Miami Christmas Lights carries \$3,000,000/\$4,000,000 commercial liability and \$1,000,000 workers compensation insurance. For copies of either policy, please ask your sales representative.

Terms and Conditions  
By my signature below, I certify that I have read and agree to the provisions set forth in this invoice and to the Miami Christmas Lights Standard Terms and Conditions posted at [www.miamichristmaslights.com/termsandconditions.pdf](http://www.miamichristmaslights.com/termsandconditions.pdf) which are incorporated by reference herein. **A deposit of 50% of the total estimate is required to reserve the installation time slot. Miami Christmas Lights will not begin any work until deposit is received**

Name: \_\_\_\_\_ Signature: \_\_\_\_\_ Date: \_\_\_\_\_



# MEMORANDUM

ITEM NO. 5E

**To:** Honorable Mayor, Vice-Mayor, and Members of the Town Commission  
**From:** Jason Greene, Interim Town Manager  
**Date:** August 25, 2020  
**Subject:** General Planning Services RFQ 2020-05

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The Town of Surfside issued RFQ 2020-05 for General Planning Services on June 15, 2020 pursuant to Town Ordinance Section 3-7.

Addendum Number 1 was issued June 26, 2020 to reschedule the pre-proposal submission conference venue to virtual via Zoom.

Addendum Number 2 was issued July 20, 2020 to answer submitted questions concerning staff presentations, qualifications and experience.

Bids were opened July 30, 2020 with six firms responding to the RFQ.

The Evaluation Committee is made up the following participants:

Judith Frankel, Resident Chairperson	Randy Stokes, Public Works Director
Alan Graham, Code Director	Ross Prieto, Building Official

The Evaluation Committee ranked the six responsive firms via Zoom August 12, 2020 selecting three finalists to proceed to the presentation phase.

- Corradino Group
- KCI Tech
- Marlin Engineering

The Evaluation Committee meeting via Zoom August 20, 2020 viewed presentations by the three finalist firms as follows including rankings:

- 10 am Marlin Engineering (369 points) – ranked number 1
- 11 am KCI Tech (322 points) – ranked number 2
- 12 noon Corradino Group (321 points) – ranked number 3

Town Administration is requesting authorization to enter into contract negotiations with Marlin Engineering for General Planning Services.

Reviewed by JG

Prepared by RP

**RESOLUTION NO. \_\_\_\_**

**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA AUTHORIZING NEGOTIATIONS WITH THE HIGHEST-RANKED QUALIFIED FIRM, MARLIN ENGINEERING, PURSUANT TO RFQ NO. 2020-05 SEEKING GENERAL PLANNING SERVICES, AND FURTHER AUTHORIZING, IF NECESSARY, NEGOTIATIONS WITH SUBSEQUENTLY RANKED QUALIFIED FIRMS, FOR THE AWARD OF A PROFESSIONAL SERVICES AGREEMENT FOR SUCH SERVICES; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, on June 15, 2020, the Town of Surfside (“Town”) issued and advertised Request for Qualifications (RFQ) No.2020-05 seeking qualified firms to provide general planning services to the Town (“Services”); and

**WHEREAS**, proposals received from qualified firms in response to RFQ No. 2020-05 were evaluated and ranked, and three firms were ranked as responsive and qualified, with Marlin Engineering, as the highest-ranked firm; and

**WHEREAS**, the Town Commission wishes to authorize the Town Manager and administration to negotiate a professional services agreement with the highest-ranked firm, Marlin Engineering, including a scope of services and fees for the Services, and, if necessary, authorize negotiations with the subsequently ranked qualified firms for award of a professional services agreement for the Services; and

**WHEREAS**, the Town Commission finds that it is in the best interests of the Town to proceed as indicated in this Resolution and authorize negotiations with the qualified firms in order to enter into a professional services agreement for the Services.

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

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

**Section 2. Negotiations Authorized with Qualified and Ranked Firms Pursuant to RFQ 2020-05.** The Town Manager and Town administration are hereby authorized to negotiate a professional services agreement with the highest-ranked firm, Marlin Engineering, including a scope of services and fees for the Services, and, if necessary, authorize negotiations with the subsequently ranked qualified firms for award of a professional services agreement for the Services.

**Section 3. Implementation.** The Town Manager and Town administration are hereby authorized to take any further action as necessary to implement the purposes of this Resolution.

**Section 4. Effective Date.** This Resolution shall be effective immediately upon adoption.

PASSED AND ADOPTED this 13<sup>th</sup> day of October, 2020.

\_\_\_\_\_  
CHARLES W. BURKETT, MAYOR

**SUMMARY OF VOTE**

Commissioner Charles Kesl \_\_\_\_\_  
Commissioner Eliana R. Salzhauer \_\_\_\_\_  
Commissioner Nelly Velasquez \_\_\_\_\_  
Vice Mayor Tina Paul \_\_\_\_\_  
Mayor Charles W. Burkett \_\_\_\_\_

ATTEST:

\_\_\_\_\_

Resolution \_\_\_\_  
Page 2

SANDRA MCCREADY, MMC, TOWN CLERK

APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY:

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TOWN ATTORNEY



# MEMORANDUM

ITEM NO. 5F

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

**From:** Jason Greene, Interim Town Manager

**Date:** September 10, 2020

**Subject:** Public Information Representative Contract with Pinzur Communications

The Town entered into an extension of the contract with Pinzur Communications for Public Information Representative services in 2018 at a rate of \$7,500 per month. At the July 28, 2020 Special Commission Meeting, Town Administration was directed to re-negotiate the existing scope of service reducing the cost to the Town while expanding services to include tourism support.

Negotiations have resulted in a revised scope that includes tourism support while decreasing the cost by 13.3% or \$1,000 per month. The contract includes a termination clause. It is expected that the new Community Services & Public Communications department will work with Pinzur Communications to shift some responsibilities inhouse.

Town Administration recommends approval of the resolution and amended contract that would extend the Public Information Representative contract.

Reviewed by: LA

Prepared by: JG

**RESOLUTION NO. 2020- \_\_\_\_\_**

**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, APPROVING THE SECOND RENEWAL/AMENDMENT TO THE AGREEMENT WITH PINZUR COMMUNICATIONS, INC. FOR PUBLIC INFORMATION REPRESENTATIVE SERVICES; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, on November 15, 2017, the Town of Surfside (the “Town”) entered into a Professional Services Agreement with Pinzur Communications, Inc. (“Consultant”) for public information representative services (“Agreement”); and

**WHEREAS**, on October 9, 2018, the Town Commission adopted Resolution No. 2018-2540, approving the First Renewal/Amendment to the Agreement with the Consultant to amend the scope of services and extend the term of the Agreement; and

**WHEREAS**, the Town and the Consultant wish to amend the Agreement as set forth in the Second Renewal/Amendment to the Agreement attached hereto as Exhibit “A” (the “Second Renewal/Amendment”), in order to retroactively extend the term of the First Renewal/Amendment from October 1, 2019, through September 30, 2020; to extend the term of the Agreement for an additional one year period effective October 1, 2020 through September 30, 2021, with additional renewal terms; and to amend the compensation terms and scope of services; and

**WHEREAS**, the Town Commission finds that the Second Renewal/Amendment is in the best interest and welfare of the Town and wishes to approve same 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 of Second Renewal/Amendment.** The Town Commission hereby approves the Second Renewal/Agreement between the Town and the Consultant, in substantially the form attached hereto as Exhibit “A.”

**Section 3. Implementation.** The Town Commission hereby authorizes the Town Manager to execute the Second Renewal/Agreement with the Consultant, together with such changes as may be approved by the Town Manager, subject to approval by the Town Attorney as

to form and legality, and to take any action which is reasonably necessary to implement the purposes of the Second Renewal/Agreement and this Resolution.

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

**PASSED AND ADOPTED** this 13<sup>th</sup> day of October, 2020.

Motion By: \_\_\_\_\_

Second By: \_\_\_\_\_

**FINAL VOTE ON ADOPTION:**

Commissioner Charles Kesl                    \_\_\_\_\_

Commissioner Eliana R. Salzhauer        \_\_\_\_\_

Commissioner Nelly Velasquez            \_\_\_\_\_

Vice Mayor Tina Paul                        \_\_\_\_\_

Mayor Charles W. Burkett                   \_\_\_\_\_

\_\_\_\_\_  
Charles W. Burkett, Mayor

**ATTEST:**

\_\_\_\_\_  
Sandra McCready, MMC  
Town Clerk

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

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

**SECOND RENEWAL/AMENDMENT TO AGREEMENT**  
**TOWN OF SURFSIDE**  
**AND**  
**PINZUR COMMUNICATIONS, INC.**  
**PUBLIC INFORMATION REPRESENTATIVE**

**THIS SECOND RENEWAL/AMENDMENT TO AGREEMENT** (this "Renewal/Amendment") is entered into as of October 1, 2020, by and between the **TOWN OF SURFSIDE, FLORIDA**, a Florida municipal corporation (hereinafter the "Town"), and **PINZUR COMMUNICATIONS, INC.**, a Florida corporation (hereinafter the "Consultant").

**WHEREAS**, the Town and Consultant entered into that certain Professional Services Agreement for Public Information Representative services ("Services") dated November 15, 2017 (the "Agreement"); and

**WHEREAS**, the Town and Consultant previously entered into a Renewal/Amendment effective October 1, 2018, extending or renewing the term of the Agreement for a one (1) year period through September 30, 2019 ("First Renewal Term"), and amending the scope of services to be provided by Consultant ("First Renewal/Amendment"); and

**WHEREAS**, the Town and Consultant wish to retroactively ratify and extend or renew the Term of the Agreement for a one (1) year period effective October 1, 2019, through September 30, 2020, and desire to further extend or renew the Term of the Agreement for a one (1) year period effective October 1, 2020, through September 30, 2021, as provided for herein; and

**WHEREAS**, the Town and Consultant further wish to update the compensation term to provide compensation for up to fifty (50) hours of Services per month in an amount not to exceed \$6,500; and

**WHEREAS**, the Town and Consultant desire to further modify the Agreement by amending the scope of services as set forth in Exhibit "A" attached hereto ("Scope of Services").

**NOW, THEREFORE**, for and in consideration of the mutual promises set forth herein, the parties do hereby agree as follows:

1. **Recitals Adopted.** The above recitals are true and correct and are incorporated herein by this reference. All initially capitalized terms used but not otherwise defined herein shall have the meaning ascribed thereto in the Agreement.
2. **Scope of Services.** Consultant shall provide all Services provided in the updated Scope of Services attached hereto as Exhibit "A."
3. **Extension/Renewal of Term.** Section 2 of the Agreement is hereby amended to extend or renew the Term of the Agreement for one (1) year effective October 1, 2020, through September 30, 2021 ("Second Renewal Term").

4. **Compensation and Payment.** Section 3.1 of the Agreement is hereby deleted in its entirety and replaced as follows:

The Consultant shall be compensated for performing up to fifty (50) hours of Services per month in an amount not to exceed \$6,500. Compensation for performance of Services in excess of the fifty (50) hour monthly limit must be approved in writing by the Town Manager. Consultant shall monitor and track the number of hours spent performing the Services every month and shall notify the Town when it has spent more than forty (40) hours performing the Services in a month.

5. **Conflict; Amendment Prevails.** In the event of any conflict or ambiguity between the terms and provisions of this Second Amendment and the terms and provisions of the Agreement and the First Renewal/Amendment, the terms and provisions of this Second Amendment shall control.
6. **Agreement Ratified.** Except as otherwise specifically set forth or modified herein, all terms and conditions in the Agreement, and the First Renewal/Amendment, are hereby ratified and affirmed and shall remain unmodified and in full force and effect in accordance with its terms.

**[THE REST OF THIS PAGE INTENTIONALLY LEFT BLANK;  
SIGNATURE PAGES FOLLOW]**

IN WITNESS WHEREOF, the parties have executed this Second Renewal/Amendment as of the date first set forth above.

**TOWN:**

TOWN OF SURFSIDE, a Florida municipal corporation

By: \_\_\_\_\_  
Jason Greene, Interim Town Manager

Date Executed: \_\_\_\_\_

Attest:

\_\_\_\_\_  
Sandra McCready, MMC  
Town Clerk

Approved as to Legal Form and  
Leal Sufficiency:

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

IN WITNESS WHEREOF, the parties have executed this Amendment as of the date first set forth above.

**CONSULTANT:**

Witnesses:

PINZUR COMMUNICATIONS, INC., a Florida corporation

\_\_\_\_\_

By: \_\_\_\_\_

Print Name: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

\_\_\_\_\_

Date Executed: \_\_\_\_\_

Print Name: \_\_\_\_\_

**EXHIBIT “A”**

**(Attach Updated Scope of Services)**



**PUBLIC INFORMATION REPRESENTATIVE**  
**SCOPE OF SERVICES**

- 1-Year Monthly Fee:** \$6,500 (split between Town & Tourism) includes scope of services below and graphic design fees
- Potential Additional Fees:** Annual SurveyMonkey subscription (\$408); printing of signs and materials as needed for community outreach campaigns (cost varies depending on number of signs, size, color, etc.)
- Additional Services Offered:** Professional video and editing services, professional photography, social media management (fees based on project)
- Responsible for:** Supporting the Town in its commitment to transparency and accountability through strategic communications and outreach with residents, businesses, visitors and media

**Scope of Work:**

- Draft strategic FY communications plan and timeline for Town of Surfside
- Draft communications policy for Town Commission approval (to complement social media policy)
- Assist with the creation of monthly eblast/resident communication schedules; oversee and review copy prior to distribution to residents; assist with drafting of materials, as needed
- Provide strategic PR counsel on matters of importance to Town residents and tourism board
- Basic videos filmed and editing for Channel 663, Town website and for media use
- Implement public awareness campaigns (i.e. ballot questions for November 3 election, stormwater pollution education, 96<sup>th</sup> Street Park renovations, resiliency measures, upcoming projects, etc.) as well as help boost citizen engagement
- Monitor conversations being held about Surfside including Nextdoor for example to further direct communications strategy
- Rollout new text messaging channel of communication to residents based on feedback received in recent resident communication survey
- Assist with the development of flyers and graphics to be used in various communication and campaigns (i.e. community bulletin boards, Nextdoor, handouts for residents, door hangers, posters, brochures, banners, signs, etc.); ensure design consistency
- Assist with partnership outreach for various communication campaigns
- Continue to reach out to neighboring municipalities to form beneficial partnerships and share best practices
- Work with team to revamp the Town Gazette and make it more resident-driven; draft articles and town manager's message, as needed
- Regularly review and provide direction on the content for the town website
- Assist with the development of promotion and event ideas
- Help support the marketing goals of the tourism board through the execution of a strategic public relations plan including drafting of press materials and media pitches, regularly pitching press to cover the destination and local businesses; exchange of information, photos and videos with media; hosting of press, etc.
- Provide crisis communications in the event of an emergency, such as hurricanes, natural disasters, pandemic, etc.



# MEMORANDUM

ITEM NO. 5G

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

**From:** Jason D. Greene, Interim Town Manager

**Date:** October 13, 2020

**Subject:** Request for Qualification (RFQ) Update for Engineering Services for the Study and Design of Abbott Avenue Drainage Improvements from 90<sup>th</sup> Street to 96<sup>th</sup> Street

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Town Administration was tasked to find an Engineer of Record (EOR) for the design of drainage improvements to assist with the recurring flooding along Abbott Avenue from 92<sup>nd</sup> Street to 96<sup>th</sup> Street. In order to complete the task, the Town administration issued a RFQ to obtain an EOR to design drainage improvements for the area. Included in the RFQ were previously composed reports by Calvin Giordano and Associates as well as existing data supporting the recurring flooding issues.

On June 10<sup>th</sup>, 2020, the Abbot Avenue Drainage Engineering Services – 90<sup>th</sup> Street to 96<sup>th</sup> Street RFQ was advertised and a total of 6 firms responded. Of the six firms, a total of three were short-listed through a resident and staff evaluation panel in order to provide presentations. On September 11<sup>th</sup>, 2020 short-list presentations were given by the following short-listed firms:

- Keith Engineering
- BCC Engineering
- Coastal Systems

Once the presentations were complete, the evaluation panel reviewed all options and determined that Keith Engineering was the firm to recommend to the Town Commission to move forward with the design of a drainage improvement project for Abbott Avenue from 92<sup>nd</sup> Street to 96<sup>th</sup> Street. This decision was based on the following criteria:

- Qualification of the firm
- Qualification of the project team
- Technical approach to the project and timeliness
- Previous similar projects and references

Town Administration is requesting authorization to enter into contract negotiations with Keith Engineering for the design of a drainage improvement project for Abbott Avenue from 90<sup>th</sup> Street to 96<sup>th</sup> Street.

Reviewed by: RS/JDG

Prepared b: HG

**RESOLUTION NO. \_\_\_\_**

**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA AUTHORIZING NEGOTIATIONS WITH THE HIGHEST-RANKED QUALIFIED FIRM, KEITH ENGINEERING, PURSUANT TO RFQ NO. 2020-04 SEEKING ENGINEERING SERVICES FOR THE STUDY AND DESIGN OF ABBOTT AVENUE DRAINAGE IMPROVEMENTS FROM 90<sup>TH</sup> STREET TO 96<sup>TH</sup> STREET, AND FURTHER AUTHORIZING, IF NECESSARY, NEGOTIATIONS WITH SUBSEQUENTLY RANKED QUALIFIED FIRMS, FOR THE AWARD OF A PROFESSIONAL SERVICES AGREEMENT FOR SUCH SERVICES; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, on June 10, 2020, the Town of Surfside (“Town”) issued and advertised Request for Qualifications (RFQ) No.2020-04 seeking qualified firms to provide engineering services for the study and design of Abbott Avenue drainage improvements from 90<sup>th</sup> Street to 96<sup>th</sup> Street (“Services”); and

**WHEREAS**, proposals received from qualified firms in response to RFQ No. 2020-04 were evaluated and ranked, and three firms were ranked as responsive and qualified, with Keith Engineering, as the highest-ranked firm; and

**WHEREAS**, the Town Commission wishes to authorize the Town Manager and administration to negotiate a professional services agreement with the highest-ranked firm, Keith Engineering, including a scope of services and fees for the Services, and, if necessary, authorize negotiations with the subsequently ranked qualified firms for award of a professional services agreement for the Services; and

**WHEREAS**, the Town Commission finds that it is in the best interests of the Town to proceed as indicated in this Resolution and authorize negotiations with the qualified firms in order to enter into a professional services agreement for the Services.

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

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

**Section 2. Negotiations Authorized with Qualified and Ranked Firms Pursuant to RFQ 2020-04.** The Town Manager and Town administration are hereby authorized to negotiate a professional services agreement with the highest-ranked firm, Keith Engineering, including a scope of services and fees for the Services, and, if necessary, authorize negotiations with the subsequently ranked qualified firms for award of a professional services agreement for the Services.

**Section 3. Implementation.** The Town Manager, Town administration and Town Attorney are hereby authorized to take any further action as necessary to implement the purposes of this Resolution.

**Section 4. Effective Date.** This Resolution shall be effective immediately upon adoption.

PASSED AND ADOPTED this 13<sup>h</sup> day of October, 2020.

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CHARLES W. BURKETT, MAYOR

**SUMMARY OF VOTE**

Commissioner Charles Kesl	_____
Commissioner Eliana R. Salzhauer	_____
Commissioner Nelly Velasquez	_____
Vice Mayor Tina Paul	_____
Mayor Charles W. Burkett	_____

Resolution \_\_\_\_  
Page 2

ATTEST:

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SANDRA MCCREADY, MMC, TOWN CLERK

APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY:

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TOWN ATTORNEY

Resolution \_\_\_\_  
Page 3



**Town of Surfside  
Town Commission Meeting  
October 13, 2020  
7:00 pm**

Town Hall Commission Chambers - 9293 Harding Avenue, 2<sup>nd</sup> Floor  
Surfside, FL 33154

**Date:** October 5, 2020  
**Prepared by:** Charles Kesl  
**Subject:** Covid Task Force Agenda Item

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**Objective:** Retain Covid Task Force report and discussion item on the agenda in its current prominent position.

**Consideration:** Rate of infection has lowered, prompting the State and County to further reopen facilities and lift restrictions as we continue under the “New Normal”. It is positive for public health, the economy and the local businesses and residents of Surfside. However, it remains to be seen if infection rates will continue to head lower, or rebound higher causing increase of risk and more deaths. The Covid Task Force compiled a Resource Map which still is applicable and can be augmented for flexibility in the future if needed. Commissioner Kesl was reappointed unanimously to be the Commission Liaison to the Task Force. The Task Force was highly effective and productive given that it met daily in a 15 to 30 minute power meeting, completed action items, and provided timely deliverables with few Communication gaffs. Task Force is meeting morning of October 13.

**Recommendation:** Continue the Agenda Task Force Item until further notice. It will introduce the new Town Manager to the work done and systems in place going forward, for Covid and other types of emergency responses. We can assess what worked and what did not. When appropriate Commissioner Kesl with the Town Manager’s consent and the task force’s advisement, bring the request to the Commission to remove the item from the agenda. That will be welcome, good news.



**Town of Surfside  
Town Commission Meeting  
October 13, 2020  
7:00 pm**

Town Hall Commission Chambers - 9293 Harding Avenue, 2<sup>nd</sup> Floor  
Surfside, FL 33154

**Date:** 10-5-2020  
**Prepared by:** Commissioner Eliana Salzhauer  
**Subject:** Discussion and Action Regarding Newly Implemented “Town Blog”, Surfside Gazette, and Social Media Guidelines

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**Objective:** To protect Surfside’s integrity by ensuring accuracy and legitimacy in communications and by strengthening our town’s Social Media Policy.

**Consideration:** Social Media has become a distraction and ethically compromised forum for conducting Town Business. Open government laws and ethics make social media usage problematic. The Town should avoid the expense and oversight of creating any additional social media platforms or “blogs.” There are ample existing avenues for communication. The taxpayer-funded Gazette should abide by the Truth in Government standard that residents deserve and legally expect. A “disclaimer” does not absolve that requirement. The Surfside Town Seal is prohibited for personal use.

The current Surfside Social Media Policy holds employees to a higher standard than the Town Commission.

\*\*\*please review the Surfside Social Media Policy (enacted in 2019) attached to this Memo

**Recommendation:**

The Social Media Policy should be strengthened to include the above considerations, and updated to create equitable expectations of all town representatives (employees, consultants, & elected officials), and include consequences for violation.

RESOLUTION NO. 19-2564

**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, ADOPTING A SOCIAL MEDIA AND MEDIA INQUIRY POLICY FOR THE TOWN; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the Town of Surfside ("Town") finds it necessary and important to establish an official Town Social Media and Media Inquiry Policy to provide guidance to all contracted agencies, administration and employees, the Town Commission, and Town residents when interacting with the Town's official social media networks and/or sharing Town information on personal social media channels and websites. This includes all platforms used to communicate information on the Internet, such as personal websites (including blogs), Facebook, Twitter, Instagram, Yelp, LinkedIn, Pinterest, YouTube, NextDoor and SeeClickFix; and

**WHEREAS**, it is vital that the Town implement and abide by a professional, modern and efficient code of conduct on digital social platforms, and provide guidance on working with and handling media requests and inquiries, as well as providing residents with accurate and objective information as it pertains to the Town; and

**WHEREAS**, the Town Commission wishes to adopt a uniform Social Media and Media Inquiry Policy for the Town, substantially in the form attached hereto as Exhibit "A" ("Social Media Policy"); and

**WHEREAS**, the Town Commission desires to adopt the Social Media Policy and finds that it is in the best interests of the Town and necessary for the proper conduct of the Town and dissemination of information.

**NOW, THEREFORE, BE IT RESOLVED BY TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, THAT:**

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

**Section 2. Adoption and Approval of Social Media and Media Inquiry Policy.** The Policy, in substantially the form attached hereto as Exhibit "A", is hereby adopted and approved, subject to any non-substantive changes as may be directed and approved by the Town Manager and Town Attorney.

**Section 3. Implementation.** The Town Manager and Town Officials are hereby authorized to take all action necessary to implement and enforce the Policy and the purposes of this Resolution.

**Section 4. Effective Date.** This Resolution shall be effective immediately upon adoption.

PASSED AND ADOPTED this 12<sup>th</sup> day of February, 2019.

Motion By: Commissioner Paul  
Second By: Commissioner Karukin.

**FINAL VOTE ON ADOPTION:**

Commissioner Barry Cohen	<u>Absent</u>
Commissioner Michael Karukin	<u>yes</u>
Commissioner Tina Paul	<u>yes</u>
Vice Mayor Daniel Gielchinsky	<u>Absent</u>
Mayor Daniel Dietch	<u>yes</u>



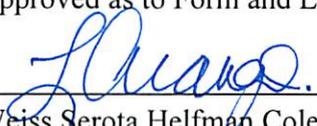
\_\_\_\_\_  
Daniel Dietch, Mayor

Attest:



\_\_\_\_\_  
Sandra Novoa, MMC  
Town Clerk

Approved as to Form and Legal Sufficiency:



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



## **Social Media and Media Inquiry Policy for the Town of Surfside**

### **Purpose and Scope**

Social media has drastically changed the world of media, news and communications. When it comes to government and civic engagement, digital outlets such as Facebook, Twitter, Instagram, NextDoor and YouTube, make it possible for councils, commissions and public servants to communicate directly with their constituents and vice-versa. To expand on the importance of the medium, a Pew Research Center Study found that **69%** of the public uses some form of social media. Meanwhile, **62%** of adults receive the majority of their news from social media.

The Social Media Policy for the Town of Surfside establishes the official Town policy to provide guidance to all contracted agencies, administration and employees, and the Town Commission on the use of social media networks and personal websites. Social media includes all platforms used to communicate information on the Internet, including personal websites (including blogs), Facebook, Twitter, Instagram, Yelp, LinkedIn, Pinterest, YouTube, NextDoor and SeeClickFix. Employees have the right to maintain personal social media. However, the use of social media also represents certain risks and therefore carries with it certain responsibilities. It is not permissible to state or imply that personal social media in any way officially represents the Town of Surfside.

It's important the Town of Surfside abide by a professional, modern and efficient code of conduct on digital social platforms. This Social Media Policy also establishes the Communications Policy to provide guidance on working with and handling media requests and inquiries, as well as providing residents with accurate and objective information as it pertains to the Town.

The Social Media Policy for the Town of Surfside is to be made public on the Town's official website, following approval by Town Commission. A URL link also will be added to all social media channels.

### **Social Media Accounts**

The Town of Surfside's social media presence should be limited to one account per specific platform. For example, the Parks & Recreation Department for Surfside should not have a Facebook page that is separate from the Town. Instead, the Town's Facebook

page should, when appropriate, incorporate information pertaining to Parks & Recreation. By doing so, important public information becomes more organized and residents know where to find such information, thus eliminating any layer of confusion or public misinformation.

As of 2019, the Town website serves as the primary communication tool for the Town of Surfside. The Town also uses two social media platforms: NextDoor and SeeClickFix.

### **Best Practice and Standards for Use of Social Media**

The official use of social media by the Town of Surfside is to adhere to the below standards and practices:

#### ***Users, Posting and Account Activations***

- No Department or individual may establish, use, or terminate a social media identity or page without the approval of the Town Manager or designee.
- The Town of Surfside has authorized the Public Information Representative (PIR) to oversee and manage all social media administration, including, but not limited to, blogs, video sharing, business pages and social networking sites. The Town reserves the right to delegate to other individual(s) the authority to upload approved material to the Town's social media.
- To meet its purpose, the Town of Surfside's social media may contain links to other social networking sites or websites that are not owned, regularly reviewed or controlled by the Town. The Town of Surfside is not responsible for the content, photos and videos placed on these external social networking sites or websites. The Town's social media may not provide links to external sites that are political or religious in nature. The provision of direct links should not be construed as an endorsement or sponsorship of these external sites, their content or hosts.
- Social media sites must prominently display links to the Town's official website (<https://www.townofsurfsidefl.gov/>) or appropriate landing pages whenever possible.

#### **Ownership**

All social media communications messages that are composed, sent or received on the Town's IT equipment or used in official Town business or representing the Town of Surfside are the property of the Town of Surfside and subject to public records laws. The Town of Surfside reserves the right not to publish any posting or to later remove it.

## **Town Administration / Employee Conduct (refer to HR policy)**

- Social media accounts established by the Town of Surfside are to be used solely for the Town of Surfside and business pertaining to the Town. Any other content pertaining to other topics or promotions is not permitted.
- Employees, or the contracted agency managing the Town of Surfside's social media, are prohibited from using the Town's social media outlets for personal use, including posting personal content and/or opinions.
- Personal use of social media by Town employees is never permitted on working time by means of the company's computers, networks, and other IT resources and communications systems.
- Employees are expected to be attentive and careful in their use of social media. Employees should be aware that their use of social media may be perceived as representing the Town and Town government, and should tailor their use accordingly.
- Employees may not post anything on their personal blog or social media site/page, or on the blog or social media site/page of another individual or entity (other than the Town), in the name of the Town or in a manner that could reasonably be attributed as the official position of the Town without authorization from the Town Manager or designee.
- Employees are prohibited from engaging in inappropriate use of social media accounts established by the Town or a Town department. It is unacceptable for social media to be used in a manner that does not comply with federal, state and local laws and regulations, and Town policy. Employees are expected to abide by the following guidelines:
  - Respect copyright, trademark, or other intellectual property rights of any person or entity, or otherwise violates their legal ownership interest. Employees may not use the Town's logo, seal, slogan or trademarks on their personal blog or social media site or page in a manner that suggests that the posts express the opinions of the Town.
  - Refrain from the use of ethnic slurs, profanity, threats of violence, material that is harassing, defamatory, fraudulent or discriminatory.
  - Refrain from the use of sexually explicit images, cartoons, jokes, messages, or other material that violates the Town's policy or any federal, state, or local law prohibiting sexual harassment.
  - Refrain from posting material which contains confidential information that compromises the security of Town networks or information systems. Such

confidential information includes, but is not limited to, information that is protected under the Health Insurance Portability and Accountability Act of 1996 (HIPAA) or other federal, state, or local laws and regulations (except as permitted under such laws and regulations), as well as social security numbers and other personally identifiable information.

- Refrain from circulating or posting commercial, personal, religious or political solicitations, chain letters, spam, or promotion of outside organizations unrelated to Town operations are also prohibited [unless otherwise protected or required by law].

The policy, however, does not prohibit or discourage employees from engaging in speech as independent citizens on matters of public concern, or to prohibit or discourage employees from engaging in any protected activities under the State of Florida's Public Employee Relations Act (Chapter 447, F.S.)

All employees are required to sign a written acknowledgement that they have received, read, understand and agree to comply with the Town's social media policy.

### **Town Commission Conduct**

It is advisable that Town Commission strictly follow the code of ethics set forth by the Miami-Dade County – Commission on Ethics and Public Trust, as well as compliance with the Florida Sunshine Law.

- Commission members must not communicate amongst themselves in a social media exchange or discussion regarding any matter that is before the board/commission for action.
- Commission members may not utilize the Town's social media outlets for personal use, including posting personal content and/or opinions.
- Without prior authorization from the Town, Commission members should refrain from positing on social media in a manner that would suggest that they are representing the official position of the Town and Town government.
- In the event of an emergency, Town Commission is encouraged to "share" posts created by Town's PIR. It is not advisable to copy & paste a post or paraphrase content to ensure accuracy of information to public.

### **Resident Conduct on Town Social Media Pages**

While social media sites promote an open forum, the Town requests that residents endeavor to make their comments respectful and appropriate. Inappropriate comments, comments not related to the purpose of the page or comments not related to the specific

post are subject to deletion by the PIR or Town designee. The PIR will not engage in a negative conversation on social media. If residents fail to comply with the posting guidelines, the PIR or Town designee may contact the resident and their message may be removed. If the resident posts inappropriate content a second time, the PIR or Town designee will contact the resident and he/she will be blocked from posting to the site.

This forum is monitored on a regular basis. However, residents should NOT use this forum to report emergency situations or time-sensitive issues.

Residents are encouraged to keep the following guidelines in mind when posting:

- Graphic, obscene or explicit comments or submissions are prohibited, as well as comments that are abusive, threatening, hateful or intended to defame anyone or any organization, or comments that suggest or encourage illegal activity.
- Content that promotes, fosters or perpetuates discrimination on the basis of race, creed, color, age, religion, gender, marital status, status with regard to public assistance, national origin, physical or mental disability, gender identity or sexual orientation will not be tolerated.
- Content posted by persons whose profile picture or avatar, username or e-mail address contains any of the aforementioned prohibited content will not be tolerated.
- Content should be related to the subject matter of the social media site where it is posted.
- Solicitations or advertisements are prohibited. This includes promotion or endorsement of any financial, commercial or non-governmental agency. Similarly, attempts to defame or defraud any person or financial, commercial or governmental agency are not permitted. Information intended to compromise the safety or security of the public or public systems is prohibited.
- Residents' participation is voluntary and taken at residents' own risk. Residents maintain personal responsibility for their comments, their username and/or any information provided.
- All comments are subject to Florida's public records law.
- The appearance of external links on this site does not constitute official endorsement on behalf of the Town of Surfside.

### **Management of Social Media Applications**

Using the established Public Information Program as a guide, the Town of Surfside's PIR is responsible for overall social media administration and management of Nextdoor's

public agency page and social media channels, as well as the oversight of SeeClickFix to ensure directors are responding on a timely basis to resident submissions and receive the tools needed in order to form an appropriate response.

The PIR is responsible for the following:

- Maintain social media pages, including the look and feel of the pages and descriptions;
- Draft and review content for posts on social media platforms;
- Draft content calendars and receive approvals of scheduled content;
- Regularly respond to, and follow-up on, resident questions that abide by Town's social media policy;
- Coordinate the review of any legal matters with the Town's attorney.

### **Content, Tone and Interactions**

- A content calendar for the month is to be drafted by the person responsible for the Town's social media and turned in to the Assistant Town Manager for approval before posting. If more than one person is in charge of social media management, the PIR is required to ensure that the team is on the same page and in-line with the Social Media Policy. The Town's goal is to maintain "one voice" when managing the social media for The Town of Surfside.
- Content must be relevant to the Town of Surfside's mission. It can reflect current news, feature polls or open ended questions to measure resident consensus on community issues, explain future or current Town projects, or highlight Town achievements. It can also include photos, graphics and/or videos associated with the content.
- Responses to residents on social media must always be professional, respectful and diplomatic. Residents should be thanked for taking the time to provide their feedback or ask a question, and also thanked for any positive acknowledgements in their comments. Residents' concerns should be addressed, and/or the residents should be advised that the Town is working on finding a solution to their problems (if applicable). The following provides an outline for recommended steps to respond to residents on social media:
  - Inform the resident that the Town of Surfside is more than happy to address the problem. Identify the steps taken to fix the problem and (if applicable) clearly and professionally explain why a specific problem cannot be fixed and/or refer the resident to a Town administrator who may be able to help.

- The tone on the Town’s social media should never be dramatic, sarcastic, condescending or defensive.
- Interactions with residents on social media should be as transparent as possible. Provide residents with honest feedback and a realistic timeline of when a specific problem or issue may be addressed.
- Follow-up is essential, especially in government-civic affairs. Once a specific matter has been resolved, provide the resident with an update. In the case of SeeClickFix, mark the conversation “closed.”

**Emergency Communications on Social Media**

Surfside’s Police Department and acting PIO are to immediately communicate with the PIR in writing or via a phone call whenever major incidents occur that could potentially impact residents or local businesses. Examples include:

- Major incidents that involve fatalities or shootings;
- Serious felony crimes (murder or rape);
- Major damage to infrastructure;
- Extensive traffic congestion, road closures due to an accident or construction;
- Incidents at Town facilities;
- Any other incident that using reasonable judgement may be newsworthy;
- Conversely, if a violent threat is made on our social media channels, it must be recorded and reported to the appropriate Town personnel.

The PIR will use this information to share with residents on social media. This is in addition to various other communication channels used by the Town including CodeRed alerts, website, Town notifications, etc.

**Media Inquiries**

***Town Spokespeople:***

Only authorized spokespeople are permitted to speak to the press. The spokespeople for the Town of Surfside are as follows:

- Primary Spokesperson* – Town Manager
- Secondary Spokesperson* – Mayor
- Town Matters* - Public Information Representative

*Police Matters* – Public information Officer

The Town Manager reserves the right to delegate his/her authority as authorized spokesperson for the Town.

***Elected Officials:***

Elected officials are encouraged to share interview requests with the Town Manager/PIR in order to create consistency in messaging

***Media Inquiries via Town Employees:***

When a member of the press contacts the Town of Surfside, please follow these steps:

1. Ask the journalist for the *purpose* of his or her call.
2. Record the journalist's *name, media outlet, phone number and email address*.
3. Inform the journalist that someone will follow-up with him or her as soon as possible.
4. Contact the Town's Public Information Officer –or- Public Information Representative within one hour of receiving request via email, text message or phone call. Do not send journalists directly to the Town Manager or Mayor for comment.
  - If it's a police-related matter, reach out to Public Information Officer Marian Cruz at 305-861-4862 Ext. 224 or [macruz@townofsurfsidefl.gov](mailto:macruz@townofsurfsidefl.gov)
  - *Examples include:* Pending investigation, arrests, murder, crimes such as a burglary or unlicensed practice.
  - If it's a Town matter, reach out to Public Information Representative Rachel Pinzur at 305-725-2875 or [Rachel@pinzurpr.com](mailto:Rachel@pinzurpr.com). *Examples include:* Town development stories, events, ordinances, resolutions, new businesses in Surfside, etc.
5. Please do not attempt to answer the journalist's questions. Simply tell the journalist that the PIO or PIR will follow-up with him or her.

***Press Policy for Employees***

Employees are not authorized to provide any information to the press – with the exception of the name and telephone number and/or email address for the PIR or PIO.

It is every employee's responsibility to inform his/her supervisor or the designated spokesperson if he/she observes members of the press asking questions or taking pictures or if they are contacted by the press.

Employees are not permitted to share sensitive/confidential information pertaining to the Town, an investigation, etc. on their own personal social media pages. Employees who violate the Town's social media policy (refer to Personnel Policies and Procedures Manual) may be subject to disciplinary action, up to and including termination.

***PIR and PIO Policy for Media Responses:***

In order to create seamless communication and consistent messaging, it's important that the PIR and acting PIO's efforts are aligned. It is the responsibility of both parties to keep

each other copied and informed of media requests and anything of sensitive nature. When working with the press, the PIR and the acting PIO are to follow these steps:

1. Respond to journalist in timely manner, within one to two hours.
2. Confirm journalist's purpose for call and ask journalist for his or her deadline and anticipated questions.
3. Research answers to questions and draft media talking points or press statement.
4. Prepare spokesperson(s) in advance of media interview.
5. If sensitive issues arise, such as a pending legal investigation, run draft media response and statements by Town attorney for approval first. (Refer to crisis communications plan on how to address press in the event of a crisis.)
6. Alert mayor and elected officials and keep them abreast of the situation, along with messaging in case they receive questions from residents and/or businesses.
7. Tailor messaging and provide to Town's human resources director, to be shared with dispatch for example in the event they receive questions from the public.



**Town of Surfside  
Town Commission Meeting  
October 13, 2020  
7:00 pm**

Town Hall Commission Chambers - 9293 Harding Avenue, 2<sup>nd</sup> Floor  
Surfside, FL 33154

Date: October 5, 2020  
Prepared by: Commissioner Nelly Velasquez  
Subject: Digital Sign

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**Objective:** Purchase of two digital signs.

**Consideration:** to inform residents of various events.

**Recommendation:** various locations



**Town of Surfside  
Town Commission Meeting**

Town Hall Commission Chambers - 9293 Harding Ave, 2<sup>nd</sup> Floor  
Surfside, FL 33154

**DISCUSSION ITEM MEMORANDUM**

**Agenda #:**

**Date: August 31, 2020**

**From: Vice Mayor Tina Paul**

**Subject: Resident Survey Regarding Kayak Launch**

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**Objective** – To find out how many residents are interested in having a kayak launch within the Town, and share their expectations and ideas in order to proceed with a course of action and implementation of a Town kayak launch.

**Consideration** – Several residents have emailed or spoken at Commission meetings in favor of a Kayak launch within the Town. It would be good to know how many residents would like to see the Town implement a kayak launch site, to determine a suitable location to accommodate current and future uses.

In 2012 and 2013, and 2017, the Town entered into project agreements with the Florida Inland Navigation District for grants and assistance funding related to seawall restoration and replacement (FIND Grants). The project agreements provide that these areas shall be readily accessible on a non-exclusive basis to the general public, without regard to residency. Any activities on seawalls funded by the FIND Grants must be open to all members of the public, and not restricted to Surfside residents.

It should be noted that the street ends are considered passive access areas to the waterways where possible, with limitations on parking, ADA accessibility and lack of physical access and facilities. Unauthorized or improper launching of a kayak from the seawall can damage the seawall and possibly cause injury to persons due to an unsafe manner or environment. Fishing from any public property at any time, except a public beach between the hours of 8 pm and 8 am is prohibited in Section 86-2 of the Town Code. This has been in Town Code since 1960 and was revised in 1995 and 1997.

As a first step, it is important to know how many residents desire that the Town implement an area for a kayak launch or fishing. If it is the will of the majority of residents to implement a kayak launch, the Town would then need to identify a location

for the kayak launch. Any location with access to the Bay would require that the Town obtain a Submerged Land Lease or permission of the State of Florida for a floating dock or observation deck, as well as permitting and approval by Miami-Dade County and DERM for the dock. Other requirements and considerations include compliance with ADA accessibility, public access, addressing parking requirements and physical requirements for users and launch of the kayaks. The Town may want to engage a coastal engineering firm to do a feasibility study to perform a comprehensive review and analysis of available kayak launch sites and address environmental aspects, permitting and approvals and physical issues in order to ensure safe and correct implementation.

Another option for consideration is the purchase of a parcel of land to be utilized for the purpose of a kayak launch and fishing, while simultaneously serving as an adult and family park, with outdoor fitness equipment, seating and limited parking. This would support the Town's priority of sustainability and resilience by providing more green space and can include a rain garden to collect stormwater and reduce flooding. There are currently vacant lots in Town that could be purchased with these purposes in mind. This option would provide essential green space and an additional park for residents to enjoy the natural setting of the Bay.

**Recommendation** – Begin this discussion by providing a survey to be published in the Town Gazette, and eBlast for resident participation in order to ascertain resident feedback for a Town kayak launch and fishing site. Included on the next page are a sample of recommended survey questions for residents.

## Resident Survey Regarding Kayak Launch - sample questions

Would you like to have a Kayak launch in Surfside?

Yes / No

What is the ideal location for this?

A Street End • 96<sup>th</sup> Street Park • A New Park Facility dedicated to Surfside residents

Do you support the purchase of vacant land by the Town to facilitate this?

Yes / No

Would you like the space to include Fishing?

Yes / No

Would you like the space to be available for picnics?

Yes / No

Would you like the space to have outdoor fitness equipment?

Yes / No

Would you like the space to have a facility with restrooms?

Yes / No



**Town of Surfside  
Town Commission Meeting  
October 13, 2020  
7:00 pm**

Town Hall Commission Chambers - 9293 Harding Avenue, 2<sup>nd</sup> Floor  
Surfside, FL 33154

Date: September 19, 2020  
Prepared by: Mayor  
Subject: Amending Town Code, Conduct of meetings

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**Objective:** Reduce codified restrictions on speech by residents and add procedures for elected officials.

**Consideration:** Commission to discuss

**Recommendation: Adoption**

ORDINANCE NO. 17 - \_\_\_\_\_

**AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA AMENDING ARTICLE VI. - "RULES OF PROCEDURE FOR TOWN MEETINGS"; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR CONFLICTS AND PROVIDING FOR AN EFFECTIVE DATE.**

1       **WHEREAS**, Section 20 of the Town of Surfside Charter provides that the Town Commission  
2 of the Town of Surfside shall fix its rules of procedure; and

3       **WHEREAS**, the Town Commission adopted rules of procedure which have been  
4 incorporated into Article, VI, Chapter 2 of the Town Code of Ordinances; and

5       **WHEREAS**, the Town Commission desires to amend Article VI. – “Rules of Procedure for  
6 Town Meetings;” and

7       **WHEREAS**, the amendments to the ordinance do not conflict with the provisions in Section  
8 2-151 Personnel Appeals Board Section, 2-185 Pension Board, Section 70-124 Resort Tax Board  
9 or Sections 90-15, 90-16, 90-17, 90-18 of the Zoning Code for Planning and Zoning and Design  
10 Review Board members; and

11       **WHEREAS**, the Town Commission held its first public reading on September 18, 2017 and  
12 recommended approval of the proposed amendments to the Code of Ordinances having complied  
13 with the notice requirements by the Florida Statutes; and  
14

15       **WHEREAS**, the Town Commission has conducted a second duly noticed public hearing on  
16 these regulations as required by law on October 10, 2017 and further finds the proposed change to  
17 the Code necessary and in the best interest of the community.  
18

19       **NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COMMISSION OF THE**  
20 **TOWN OF SURFSIDE, FLORIDA:**

21  
22       **Section 1. Recitals.** The above Recitals are true and correct and are incorporated herein by  
23 this reference:  
24

25       **Section 2. Town Code Amended.** Article VI. – “Rules of Procedure for Town Meetings”  
26 of the Surfside Town Code of Ordinances are hereby amended and shall read as follows<sup>1</sup>:

27 **ARTICLE VI. - RULES OF PROCEDURE FOR TOWN MEETINGS**  
28

<sup>1</sup>Additions to the text are shown in underline. Deletions are shown in ~~strikethrough~~. Additions made after first reading are shown in double underline. Deletions made after first reading are shown in ~~double-strikethrough~~.

29 Sec. 2-201. - Rules of procedure for the town commission and town boards and committees.

30 *Rule 2.01 Governing rules; amendment.* Except as may be provided in the Charter, the  
31 Town of Surfside Code, Florida laws or by these rules as set forth in this Article<sup>ordinance</sup>,  
32 questions of order, the methods of organization and the conduct of business of the town  
33 commission and town boards and committees and to the extent there is no conflict, the town  
34 commission, and town boards and committees shall be governed by Robert's Rules of Order  
35 Mason's Manual of Legislative Procedure (2010 Edition). Once enacted, and except as already  
36 amended by the provisions contained herein, these rules may be amended by ~~two-thirds~~ majority  
37 vote of the entire town commission.

38 Sec. 2-202. - Officers.

39 *Rule 3.01 Presiding officer.* The ~~mayor~~Mayor shall preside at all meetings of the town  
40 commission at which he or she is present. In the absence of the ~~mayor~~Mayor, the vice  
41 ~~mayor~~Mayor shall act as ~~mayor~~Mayor. In the absence of both the ~~mayor~~Mayor and vice  
42 ~~mayor~~Mayor, the town commission shall select one of its members as a temporary presiding  
43 officer. The presiding officer shall preserve strict order and decorum at all meetings of the  
44 commission. A majority vote of the members present shall govern and conclusively determine all  
45 questions of order not otherwise covered. The presiding officer has the power, among other  
46 things, to recognize a speaker, secure and retain the floor for the speaker and keep order during  
47 the time the floor is taken subject to Robert's ~~Mason's~~ Rules and to the rules contained in this  
48 article.

49 *Rule 3.02 Clerk.* The town clerk shall act as clerk of the commission. The clerk of the  
50 commission shall call the roll, prepare the minutes and shall be custodian of the records and shall  
51 certify all ordinances and resolutions adopted by the commission, and perform such other duties  
52 as required by the Town Charter.

53 *Rule 3.03 Town attorney.* The town attorney, or such member of the office of the town  
54 attorney as may be designated, shall be available to the commission at all meetings: the town  
55 attorney shall act as parliamentarian, and shall advise and assist the presiding officer in matters  
56 of parliamentary law.

57 *Rule 3.04 Sergeant-at-arms.* The town police chief, or such other town official or employee  
58 as the chief may designate, shall be the sergeant-at-arms of the town commission meeting, at the  
59 request of the presiding officer or the town manager. The sergeant-at-arms shall carry out all  
60 orders and instructions given by the presiding officer or the town manager for the purpose of  
61 maintaining order and decorum at the meetings.

62 Sec. 2-203. - Meetings.

63 *Rule 4.01 Regular Meetings.*

64 (a) The commission shall hold regular meetings in accordance with its Charter or, if the Charter  
65 provision is amended, in accordance with an ordinance duly adopted by the commission, as  
66 may be amended from time to time.

- 67 (1) All regular and zoning meetings shall be held irrespective of whether or not any particular  
68 commission member (including the ~~Mayor~~Mayor) may be able to attend unless otherwise  
69 agreed by a majority of the commission. Such meetings shall be held in the commission  
70 chambers at 9293 Harding Avenue, Surfside, Florida 33154, or such location as may be  
71 approved by a majority of the commission members present and shall be open to the public  
72 and all news media.
- 73 (2) Regular meetings may be otherwise postponed or canceled by resolution or motion  
74 adopted at a regular meeting by a majority of the commission members present.
- 75 (3) No meeting shall continue beyond 11:00 p.m. unless there is an emergency, which is  
76 presented to the Commission, which is then followed with by a vote of the majority of the  
77 members of the commission present, the commission agrees to extend the meeting beyond  
78 this time.
- 79 (4) Workshops may be scheduled at the request of the Mayor, town manager, the town  
80 attorney or a majority of the commission at any time, provided appropriate notice is given.
- 81 (b) Zoning matters shall be scheduled as part of regular town commission meetings unless  
82 otherwise decided by the commission.
- 83 (c) The second reading (public hearing) of the annual budget ordinance or resolution shall be  
84 considered at a meeting at which the said budget ordinance or resolution and the levy of the  
85 millage are the only items on the agenda.

86 *Rule 4.02 Special meetings; emergency meetings.*

- 87 (1a) Special meetings. A special meeting of the commission may be called by the Mayor, a  
88 majority of the members of the ~~Mayor~~, town commission or the town manager. The clerk  
89 shall forthwith serve either verbal or written notice upon each member of the commission  
90 stating the date, hour and place of the meeting and the purpose for which such meeting is  
91 called; and no other business shall be transacted at that meeting, other than that described  
92 in the aforementioned notice. At least twenty-four (24) ~~hours notice~~ hour's notice must  
93 elapse between the time the clerk receives notice in writing and the time the meeting is to  
94 be held.
- 95 (2b) Emergency meetings. An emergency meeting of the town commission may be called by  
96 the Mayor, ~~mayor~~Mayor in accordance with prescriptions of the town charter whenever  
97 in his or her; opinion an emergency exists that requires immediate action by the  
98 commission. Whenever such emergency meeting is called, the ~~M~~Mayor shall  
99 notify the clerk who shall forthwith serve either verbal or written notice upon each  
100 member of the commission, stating the date, hour and place of the meeting and the  
101 purpose for which it is called, and no other business shall be transacted at that meeting,  
102 other than that described in the aforementioned notice. At least 24 hours shall elapse  
103 between the time the clerk receives notice of the meeting and the time the meeting is to  
104 be held.
- 105 (3e) If after reasonable diligence, it is impossible to give notice to each commissioner, such  
106 failure shall not affect the legality of the meeting if a quorum is present. The minutes of  
107 each special or emergency meeting shall show the manner and method by which notice of

108 such special or emergency meeting was given to each member of the commission, or shall  
109 show a waiver of notice. All special or emergency meetings shall be open to the public  
110 and shall be held and conducted in the Commission Chambers, Town Hall, 9293 Harding  
111 Avenue, Surfside, Florida 33154, or other suitable location within the Town of Surfside,  
112 Florida. Minutes thereof shall be kept by the town clerk.

113 (4d) No special or emergency meeting shall be held unless notice thereof is given in compliance  
114 with the provisions of this rule, or notice thereof is waived by a majority of the entire  
115 membership of the commission and in accordance with the town charter.

116 *Rule 4.03 Electronic files presented at public meetings.* Electronic files to be presented at  
117 public meetings in the Town of Surfside must be provided to the town clerk by noon on the  
118 business day prior to the scheduled meeting.

119 Sec. 2-204. – Boards, cCommittees, sub-committees and ad hoc committees.

120 *Rule 5.01 Boards, ccontinuing committees, sub-committees and ad hoc committees.* There  
121 may be continuing committees, sub-committees and ad hoc committees of the town commission  
122 created by resolution as the town commission deems necessary to conduct the business of the  
123 town appropriately and in accordance with the town charter. Such committees and all Town  
124 Boards to the extent these provisions do not conflict with other governing procedures or  
125 requirements specific to a particular Board, shall be governed by these rules of procedure and  
126 shall be subject to the Florida sunshine and public records laws. Each member of the town  
127 commission shall appoint one (1) member to each committee. All appointments are at the will of  
128 the appointing member of the town commission and may be removed at any time by the  
129 appointing member of the town commission. Members of committees shall be appointed to serve  
130 until the expiration of the committee or to the end of the appointing member of the town  
131 commission's term.

132 (a+) *Continuing committees and sub-committee committees.* Continuing committees and sub-  
133 committees shall exist until abolished by the town commission or shall have a sunset provision.

134 (b2) *Ad hoc committees.* The expiration date for each ad hoc committee shall be designated at the  
135 time of formation, or the ad hoc committee shall expire when the ad hoc committee reports to  
136 the commission that its designated goal or goals have been accomplished.

137 (c3) All continuing committees, sub-committees and ad hoc committees shall abide by the  
138 following procedures:

139 (1)a- *Mission statement.* A mission statement shall be developed by the town commission.

140 (2)b- *Public meetings.* All meetings and business of any committee, sub-committee or ad  
141 hoc committee shall comply with the Florida Statutes including that all committee  
142 meetings shall be open to the public at all times, noticed, and minutes of the meetings shall  
143 be taken and retained in the office of the town clerk. All committee members shall be  
144 subject to the State of Florida, Miami-Dade County and Town of Surfside Conflict of  
145 Interest and Code of Ethics Ordinance.

146 (3)e- *Agenda.* The committee chairperson shall prepare the agenda for the committee  
147 meeting with the assistance of the committee staff liaison. ~~In the chairperson's absence,~~

148 ~~the vice chairperson shall prepare the agenda.~~ Any committee member may propose  
149 additional agenda items at any time. Items proposed after the agenda is distributed may  
150 only be heard under "New Business" and upon an affirmative vote of the majority of the  
151 committee. Each agenda shall also include a section for public comment.

152 ~~(4)d.~~ *Public appearances and requests.* Any person may appear before any committee  
153 during the public comment portion of the meeting.

154 ~~(5)e.~~ *Quorum.* A majority of the appointed members of the committee shall constitute a  
155 quorum. ~~shall be 50 percent plus one of the committee members.~~ Provided there is a  
156 quorum, a majority of those present and voting shall be required to adopt any motion or  
157 take any action.

158 ~~(6)~~ *Failure to obtain a quorum.*

159 a. If, 48 hours prior to a regular meeting, the clerk has not received confirmation of  
160 attendance from a sufficient number of committee members to constitute a quorum,  
161 the meeting shall be canceled for lack of a quorum.

162 b. Should no quorum attend any meeting within 15 minutes after the hour appointed for  
163 the meeting, the presiding member or the town clerk may adjourn the meeting. The  
164 names of the members present at such meeting shall be recorded in the minutes.

165 ~~(7)f.~~ *Voting.* Each committee member shall be entitled to one vote. The committee shall act as  
166 a body in making its decisions. No committee member present at a meeting may abstain  
167 from voting unless the committee member possesses a conflict of interest, as provided in  
168 either the Florida Statutes or the Miami-Dade County Code of Ethics and submits the  
169 appropriate form to the town clerk.

170 ~~(8)g.~~ *Attendance.* In the event that a committee member fails to attend three regularly  
171 scheduled meetings in any one calendar year, the committee member may be removed  
172 from the committee and the town commission will be notified of the vacancy.

173 ~~(9)h.~~ *Appointments, vacancies and resignations.* Each person appointed to a committee,  
174 sub-committee or ad hoc committee shall be appointed by the town commission in the  
175 following manner:

176 a1. The ~~mayer~~ Mayor and each member of the town commission shall appoint one  
177 member to each committee.

178 b2. Should any appointee resign or be removed during the term of the committee, sub-  
179 committee or ad hoc committee, the appointing commissioner may select another  
180 appointee in accordance with the procedure outlined as follows:

181 Upon notification of the vacancy of an at-large member, the town clerk shall notify  
182 the town commission, or in the case of an individual appointment, the town  
183 commissioner responsible for the appointment with a copy to the remainder of the  
184 town commission, in writing. ~~The town commission shall establish a deadline for the~~  
185 ~~submission of letters of interest to serve on the committee at a commission meeting.~~

186 1. ~~(i)~~ Any person who wishes to serve on a committee and who meets the qualifications  
187 of office as set forth in this code and in the resolution creating or re-authorizing

188 the committee, shall submit his or her name and committee application available  
189 from the town clerk or on the town website ~~together with a letter of interest~~ to the  
190 town clerk ~~by the deadline established by the town commission~~. Thereafter, the  
191 town clerk shall provide the appointing town commissioner or the entire town  
192 commission, as applicable, with the names and submitted material(s) ~~letters of~~  
193 interest.

194 ~~2.~~(ii) Nominations and appointments to fill the vacancy shall be made at a town  
195 commission meeting. Appointments to fill a mid-term vacancy shall only be  
196 made for the remainder of the term of the committee member being replaced.

197 (10)i- *Reappointment.* Committee, sub-committee or ad hoc committee members shall be  
198 eligible for reappointment and shall hold office until their successors have been duly  
199 appointed and qualified.

200 (11)j- *Residency requirement.* Committee, sub-committee or ad hoc committee members  
201 shall be registered qualified electors of Miami-Dade County, Florida, whose legal  
202 residence is in the Town of Surfside.

203 (12)k- *Compensation.* All committee, sub-committee or ad hoc committee members shall  
204 serve without compensation and shall not otherwise obtain direct or indirect financial gain  
205 from their service on a committee.

206 (13)l- *Oath requirement.* All committee, sub-committee or ad hoc committee members  
207 shall be required to subscribe to an oath or affirmation to be administered by and filed with  
208 the town clerk, swearing to support, protect and defend the Constitution and laws of the  
209 United States and of the State of Florida, the Charter and all ordinances of the Town of  
210 Surfside and Miami-Dade County, and in all respects to faithfully discharge their duties.

211 (14)m- *Financial disclosure requirement/standards of conduct.* If required by law,  
212 committee members shall file appropriate annual financial disclosure forms. All  
213 committee members shall be subject to the standards of conduct for public officers and  
214 employees set by federal, state, county or other applicable ethics or conflicts of interest  
215 laws.

216 (15)n- *Officers and elections.* Except as provided otherwise in the resolution creating or re-  
217 authorizing a committee, each committee shall elect a chairperson, and vice-chairperson  
218 ~~and secretary~~ at the first committee meeting.

219 (16)o- *Records.* Minutes of all committee meetings shall be prepared by the town  
220 administration and shall be available for public inspection. The minutes shall be forwarded  
221 to each committee member for review and shall be approved by the committee at a public  
222 meeting. Once approved, the meeting minutes shall be forwarded to the town clerk for  
223 filing. ~~Attendance and absences must be recorded and submitted to the town clerk along~~  
224 ~~with the minutes.~~ The ~~chair~~secretary of a committee, sub-committee or ad hoc committee,  
225 working with the staff liaison, shall prepare a final report summarizing the committee's  
226 activities, accomplishments, challenges and recommendations during the term. Such  
227 report shall be presented for review and approval by the committee no later than the last  
228 meeting of the term, and to be submitted to the town clerk for transmittal to the town

229 commission which shall be presented at the first a regular town commission meeting after  
230 the election.

231

232 *Rule 5.02 Town commission liaison; appointment and definition.*

233 (a1) *Appointment:* The ~~mayer~~Mayor shall designate and appoint one member of the town  
234 commission as the liaison to each board, committee and subcommittee of the town commission.

235 (b2) *Definition:* The town commission liaison is defined as a nonvoting member of a board,  
236 committee or sub-committee who communicates the activities of the board, committee or  
237 subcommittee to the town commission. The liaison's role is limited to responding to questions  
238 posed by members of the board, committee or subcommittee to which the liaison serves. All  
239 remarks from the liaison shall be addressed to the chair who serves as the presiding officer.

240 Sec. 2-205. - Conduct of meetings; agenda.

241 *Rule 6.01 Call to order.* Promptly at the hour set for each meeting, the ~~mayer~~Mayor and the  
242 members of the town commission, the town attorney, the town manager and the town clerk shall  
243 take their regular stations in the commission chambers. The presiding officer shall take the chair  
244 and shall call the town commission to order immediately. In the absence of the presiding officer,  
245 the town clerk shall then determine whether a quorum is present and in that event shall call for  
246 the election of a temporary presiding officer. Upon the arrival of the presiding officer, the  
247 temporary presiding officer shall relinquish the chair upon the conclusion of the business  
248 immediately before the commission.

249 *Rule 6.02 Roll call.* The town clerk shall call the roll of the members, and the names of those  
250 present shall be entered in the minutes. In the event the roll call reflects the absence of any  
251 member on official town business that fact shall be noted in the minutes. Any town commissioner  
252 who intends to be absent from town commission meeting shall notify the town clerk of the  
253 intended absence as soon as convenient.

254 *Rule 6.03 Participation by physically absent member of the town commission; town board*  
255 *or committee. ~~shall be permitted, but a town board or committee. -shall no bet permitted.~~ A*  
256 *member of the town commission shall be permitted to participate and/or vote telephonically, by*  
257 *virtual video or other electric means, provided that a physical quorum of the town commission is*  
258 *present. A ~~but, a~~ town board or committee shall not be ~~is not~~ permitted to participate and/or vote*  
259 *telephonically, by virtual video -and/or by interactive video.*

260 *Rule 6.04 Quorum.* A majority of the members of the town commission then in office shall  
261 constitute a quorum. No ordinance, resolution or motion shall be adopted by the town commission  
262 without the affirmative vote of the majority of all the members present.

263 *Rule 6.05 Failure to attain a quorum.* Should no quorum attend within 15 minutes after the  
264 hour appointed for the meeting of the commission, the presiding officer or the town clerk may  
265 adjourn the meeting. The names of the members present ~~and their action~~ at such meeting shall be  
266 recorded in the minutes by the town clerk.

267 Rule 6.06 Agenda.

268 (a) *Order of business.* There shall be an official agenda for every meeting of the commission which  
269 shall determine the order of business conducted at the meeting.

270 (1) The order of business shall be as follows:

271 ~~(a1)~~ order of business

272 a. call to order,

273 b. roll call of members,

274 c. pledge of allegiance,

275 d. agenda/order of business (additions/deletions),

276 e. special presentations,

277 (b) public comment on agenda items

278 ~~(b2)~~ quasi-judicial hearings

279 ~~(c3)~~ consent agenda at the pleasure of the commission, approval of minutes, town  
280 manager, town attorney reports

281 ~~(d4)~~ ordinances,

282 ~~(e5)~~ resolutions

283 ~~(f6)~~ good and welfare shall be heard at a time certain at 8:15 p.m.

284 ~~(g7)~~ unfinished business and new business

285 ~~(h8)~~ ~~mayor~~ Mayor, town commission and staff communications.

286 ~~(24)~~ Items shall be considered in the order in which they are placed on the agenda unless a  
287 majority of the commissioners determines to deviate from the printed agenda.

288 ~~(3)~~ ~~The public may comment- comment on all -agenda items portion of the meeting. -shall be not be~~  
289 ~~restricted to discussion on agenda items which are not scheduled for public hearing. Each speaker~~  
290 ~~shall be given no more than three minutes to address the agenda speak and shall try to end on~~  
291 ~~time as a courtesy to the residents and other participants wishing to also speak on the item. ,~~  
292 ~~unless by vote of a majority of the members of the commission present, it is agreed to extend the~~  
293 ~~time frames.~~

294 ~~(32)~~ The good and welfare portion of the agenda set for 8:15 p.m. ~~-shall provide for public~~  
295 ~~comment on any items related to Town business or any matter within the scope of the~~  
296 ~~jurisdiction of the town commission, whether or not included on the agenda for the~~  
297 ~~meeting. shall be restricted to discussion on subjects not already specifically scheduled~~  
298 ~~on the agenda. In no event shall this portion of the agenda be allotted more than 45 minutes~~  
299 ~~with each speaker to be given no more than three minutes, unless by vote of a majority of~~  
300 ~~the members of the commission present, it is agreed to extend the time frames. Likewise,~~  
301 ~~members of the town commission shall be restricted to speaking three minutes each unless~~  
302 ~~an extension is granted in the same manner as set forth in the prior sentence. The rules of~~

303 section 2-207(e) as set forth hereinbelow shall be observed during this portion of the  
304 agenda.

305 (43) The town commission shall not take action upon any matter, proposal, or item of business  
306 which is not listed upon the official agenda, unless it is approved at the meeting by a  
307 majority of the entire commission, which shall have first consented to the matter for  
308 consideration. No ordinance, resolution or other matter listed on the agenda for public  
309 hearing, or the vote thereon, may be deferred until a later time unless a majority of the  
310 entire town commission shall vote in favor of such deferral.

311 (b) ~~Authority to p~~Placing items on agenda.

312 ~~(12) Ordinances, Resolutions and O~~Ordinances may be prepared and scheduled on the agenda  
313 at the direction of the town commission, a town commissioner with the support of the  
314 majority of the commissioners present at a town commission meeting, or by Mayor, the  
315 town manager, town attorney or town clerk.

316 ~~(21) All other matters.~~ Matters, other than ~~resolutions or~~ ordinances, may be placed on the  
317 agenda by any member of the town commission, the town manager, the town attorney and  
318 the town clerk. ~~Members of the town commission may, at a town commission meeting,~~  
319 ~~direct the town manager or the town attorney to prepare an resolution or ordinance for~~  
320 ~~placement on the agenda for the following agenda.~~

321 ~~(32)Deadline.~~ In no event may any town commissioner place an item on an agenda unless all  
322 materials for the item are provided to the town clerk by 12:00 noon seven working days  
323 prior to the meeting date unless approved by the Town Manager. Any complete item  
324 provided after 12:00 noon seven working days prior to the meeting date shall be  
325 distributed to the commission with a "7-day cover memo" and shall be added to the agenda  
326 only if a majority of the commissioners present consent to the addition of the item to the  
327 agenda.

328 (c) *Approval of minutes.* All minutes shall be summary in nature. A copy of such completed  
329 minutes shall be placed on a regular agenda and may only be approved by a majority of the  
330 members of the town commission, and upon such approval shall become the official minutes.

331 *Rule 6.07 Ordinances, resolutions, motions, contracts.*

332 (a) *Preparation and enactment of ordinances.* The town attorney shall prepare ordinances and  
333 resolutions. Ordinances may be introduced, listed by title and shall be read by title only before  
334 consideration by the town commission on first reading. At public hearing, each ordinance shall  
335 be voted on individually by a call of the roll. Only resolutions and motions may be enacted by  
336 voice vote calling for "ayes" or "no" on the question.

337 (b) *Approval by town attorney.* All ordinances, resolutions and contract documents, before  
338 presentation to the town commission, shall have been reduced to writing and reviewed for form  
339 and legality by the town attorney. Ordinances, resolutions and contract documents, in their  
340 final form as approved by the Town Commission shall be have been approved as to form and  
341 legality by the town attorney prior to execution.

342 (c) *Introduction and sponsorship.* Ordinances, resolutions and other matters and subjects requiring  
343 action by the town commission may be introduced and sponsored by the ~~mayor~~Mayor or any  
344 member of the town commission, ~~except that either the~~ The town manager, the town attorney or  
345 town clerk may present ordinances, resolutions and other matters or subjects to the town  
346 commission for consideration, and any commissioner may assume sponsorship thereof by  
347 moving that such ordinance, resolution, matter or subject be adopted in accordance with law;  
348 otherwise they shall not be considered.

349 (d) *Sunset.* There is no requirement for any ordinance to contain a sunset provision.

350 (e) *Zoning exception.* The provisions of this Rule 6.06 shall not be applicable to zoning resolutions  
351 which shall be governed exclusively by the Zoning Code.

352 ~~(f) *No commission jurisdiction.* Prior to the commission's considering any resolution over which~~  
353 ~~the commission does not have substantive jurisdiction, including resolutions expressing the~~  
354 ~~commission's intent or opinion, a preliminary vote shall be taken to determine whether it is~~  
355 ~~appropriate for the commission to consider such resolution. Unless the commission, by a two-~~  
356 ~~thirds vote of the members present, agrees to consider the resolution, the resolution shall be~~  
357 ~~deemed to have failed. If the commission agrees to consider the resolution, the resolution shall~~  
358 ~~be heard after all other resolutions sponsored by commissioners have been addressed by the~~  
359 ~~commission. If the commission decides to discuss such resolution, the resolution shall require~~  
360 ~~a two-thirds affirmative vote of the commissioners present in order to be passed. The provisions~~  
361 ~~of this ordinance shall not apply to resolutions relating to state or federal legislative priorities.~~

362 *Rule 6.08 Statement of fiscal impact required for ordinances; exceptions.* Prior to the second  
363 reading of any ordinance, the town manager shall prepare a written statement setting forth the  
364 fiscal impact, if any, of the proposed ordinance. No ordinance shall be considered on second  
365 reading if the statement of fiscal impact is not submitted with the ordinance as part of the agenda.  
366 The provisions of this rule shall not apply to any emergency ordinance or any budget ordinance  
367 or resolution.

368 *Rule 6.09 Limitation on agenda items.* No commissioner shall sponsor or cosponsor a total  
369 of more than three ordinances for first reading and three resolutions at any commission meeting.  
370 This provision shall not be applied to ordinances or resolutions which are intended to correct  
371 scrivener's errors.

372 Sec. 2-206. - Public participation.

373 *Rule 7.01 Persons authorized on the dais.* No person, except town officers or their  
374 representatives, shall be permitted on the dais unless authorized by the presiding officer or a  
375 majority of the town commission.

376 *Rule 7.02. Citizens presentations; public hearings.*

377 (a) *Citizens' presentations.* Any citizen ~~may request may request shall be entitled shall be entitled~~  
378 ~~to be placed on the official agenda of a regular meeting of the town commission and be heard~~  
379 ~~concerning any matter within the scope of the jurisdiction of the town commission~~ outside of  
380 Good and Welfare. Only members of the town commission and the town manager may place  
381 a citizen on the official agenda.

382 (b) *Public hearings.* Any citizen shall be entitled to speak on any matter appearing on the official  
383 agenda under the section "public hearings."

384 (c) *Public discussion on agenda items.* ~~No citizen shall be entitled~~Citizens shall be permitted to  
385 address the town commission on any matter listed on or added to the official agenda which is  
386 not scheduled for public hearing, discussion or debate. ~~except during Public Comment on~~  
387 ~~Agenda Items unless the item is opened for public comment and the speaker recognized by the~~  
388 ~~Chair~~Good and Welfare. ~~When the town commission considers an agenda item that is open for~~  
389 ~~public hearing, discussion or debate that is not a public hearing and on which the public~~  
390 ~~comment is either unanimously in favor or unanimously against the item's passage, input from~~  
391 ~~members of the public shall be limited to no more than three minutes on any given item, unless~~  
392 ~~an extension is granted by a majority of the members of the town commission.~~

393 *Rule 7.03 Registration of speakers.*

394 (a) Registration of speakers ~~shall be required~~ shall be encouraged. The town clerk shall prepare  
395 appropriate registration cards. The cards shall include a place for the speaker to provide his/her  
396 name, address, lobbyist registration status which may be verified by the town clerk prior to  
397 speaking, and the agenda item on which he or she is speaking ~~if registration is required on a~~  
398 ~~particular agenda item.~~

399 (b) For any single agenda item, and except for zoning, no more than one-half hour per side shall  
400 be allocated to speakers from the public. The presiding officer shall limit the time of each  
401 individual speaker in order to insure compliance with this rule.

402 *Rule 7.04 Addressing commission, manner, time.* Each person, other than ~~salaried~~ members  
403 of the town staff, who addresses the town commission shall step up to a podium and shall give  
404 the following information in an audible tone of voice for the minutes:

405 (a) Name;

406 (b) Address;

407 (c) Whether the person speaks on his or her own behalf, a group of persons, or a third party; if the  
408 person represents an organization, the person shall also indicate the number of members in the  
409 organization, the annual dues paid by the members, the date of the most recent meeting of the  
410 organization's board or governing council, and whether the view expressed by the speaker  
411 represents an established policy of the organization approved by the board or governing  
412 council, if requested; if the person is speaking on behalf of a group, s/he shall be required to  
413 register as a lobbyist if required by that ordinance and shall state for the record: (i)  
414 Compensation, if any, (ii) whether the person or any immediate family member has a personal  
415 financial interest in the pending matter, other than as set forth in (i) if requested.

416 Unless further time is granted by the town commission and with the sole exception of zoning items  
417 which shall not have a prescribed time limit unless imposed by the chair in accordance with the  
418 advice of the town attorney, the statement shall be limited to the times prescribed herein. All  
419 remarks shall be addressed to the town commission as a body and not to any member thereof. No  
420 person, other than the ~~mayor~~Mayor, members of the town commission and the person having the  
421 floor shall be permitted to enter into any discussion, either directly or through a member of the

422 commission, without the permission of the presiding officer. No question shall be asked of any  
423 member of the town commission except through the presiding officer.

424 *Rule 7.05 Decorum.* Any person making ~~impertinent or~~ slanderous remarks ~~or who becomes~~  
425 ~~boisterous~~ while addressing the town commission shall be warned. If after the warning, the  
426 behavior continues, said person shall be barred from further appearance before the town  
427 commission by the presiding officer for the duration of the meeting, unless permission to continue  
428 or again address the town commission is granted by the majority vote of the town commission  
429 members present. ~~No clapping, applauding, h~~Heckling or verbal outbursts in support or  
430 opposition to a speaker or his or her remarks shall not be permitted. ~~Signs or placards may be~~  
431 ~~disallowed in the town commission chambers by the presiding officer. Persons exiting the town~~  
432 ~~commission chambers shall do so quietly.~~

433 Sec. 2-207. - Rules of debate.

434 *Rule 8.01 Rules of debate.*

435 (a) *Questions under consideration.* When a motion is presented and seconded, it is under  
436 consideration and no other motion shall be received thereafter, except to adjourn, to lay on the  
437 table, to postpone, or to amend until the question is decided. These motions shall have  
438 preference in the order in which they are mentioned. A motion to adjourn and a motion to lay  
439 on the table shall be decided without debate. Final action upon a pending motion may be  
440 deferred until a date certain by a majority of the members present.

441 (b) *As to the presiding officer.* The ~~mayor~~Mayor, as presiding officer, may vote on but shall not  
442 move or second an item of debate. The presiding officer, however, upon relinquishing the chair,  
443 may move or second an item, ~~vote~~, subject only to such limitations as are by these rules  
444 imposed upon all members.

445 (c) *Getting the floor, improper references to be avoided.* Every member desiring to speak for any  
446 purpose shall address the presiding officer, ~~and~~ upon recognition, ~~shall be confined to the~~  
447 ~~question under debate avoiding all personalities and indecorous language.~~

448 (d) *Interruption; call to order; appeal a ruling of the chair.* A member once recognized shall not  
449 be interrupted when speaking unless it is a call to order or as herein otherwise provided. If a  
450 member be called to order, the member shall cease speaking until the question of order is  
451 determined by the presiding officer, and if in order, the member shall be permitted to proceed.  
452 Any member may appeal to the town commission from the decision of the presiding officer  
453 upon a question of order when, without debate, the presiding officer shall submit to the town  
454 commission the question, "Shall the decision of the chair be sustained?" and the town  
455 commission shall decide by a majority vote.

456 (e) *Time limit for Consent agenda debate.* The presiding officer shall open for public comment on  
457 any items on the consent agenda, prior to commission consideration of the consent agenda.  
458 There shall be no dDebate on any motion pertaining to an item on the consent agenda, however,  
459 any member of the town commission may pull an item from the consent agenda for  
460 consideration shall be limited to three minutes. After three minutes of debate the item shall be  
461 ~~removed from the consent agenda, if any, and placed on the regular town commission agenda.~~

462 ~~The discussion by the town commission on any one item shall not exceed one half hour or~~  
463 ~~unless an extension is granted by a majority of votes of the town commission.~~

464 (f) *Privilege of closing debate.* Any town commission member (including the presiding officer)  
465 shall have the privilege of closing the debate by making a motion to that effect and provided it  
466 is affirmed by vote of a majority of the town commission present.

467 (g) *Method of voting.* After the debate is closed, and/or the motion is restated if necessary, the  
468 presiding officer shall call for a vote on the motion. Voting shall be by roll call or voice vote,  
469 or paper ballot (at the decision of the majority of the commission in certain circumstances)  
470 depending on whether the ballot is on an ordinance or resolution or motion. Ordinances require  
471 a roll call vote by calling the names of the members of the town commission in rotating order,  
472 provided that the ~~V~~ice-mayorMayor shall vote next to last and alphabetically by surname,  
473 except that the names shall be rotated after each roll call vote, if requested, so that the  
474 commissioner who voted first on a preceding roll call shall vote last upon the next subsequent  
475 matter; provided, however, that the presiding officer, if a member of the town commission,  
476 shall always cast the last vote.

477 The town clerk shall call the roll, tabulate the votes, and announce the results. The vote upon  
478 any resolution, motion or other matter may be by voice vote as previously noted, provided that  
479 the presiding officer or any commissioner may require a roll call to be taken upon any  
480 resolution or motion.

481 (h) *Explanation of vote; conflicts of interest.* There shall be no discussion by any town  
482 commissioner voting, and the town commissioner shall vote yes or no. Any town  
483 commissioner, upon voting, may give a brief statement to explain his or her vote. A town  
484 commissioner shall have the privilege of filing with the clerk a written explanation of his or  
485 her vote. Any town commissioner with a conflict of interest on a particular matter shall refrain  
486 from voting or otherwise participating in the proceedings related to that matter and must leave  
487 the commission chambers until the consideration of that matter is concluded and file the proper  
488 form with the town clerk.

489 (i) *Tie votes.* Whenever action cannot be taken because the vote of the town commissioners has  
490 resulted in a tie, the status quo shall continue in effect and the proposed ordinance, resolution  
491 or motion that produced the tie vote shall be removed from the agenda without prejudice to its  
492 reintroduction on a de novo basis at a later time, ~~provided that in zoning and other quasi-~~  
493 ~~judicial matters when action on a resolution results in a tie vote, such resolution matter shall~~  
494 ~~be carried over to the next regularly scheduled meeting for the consideration of such quasi-~~  
495 ~~judicial matters unless the town commission designates a different time for such~~  
496 ~~reconsideration.~~

497 (j) *Vote change.* Any town commissioner may change his or her vote before the next item is called  
498 for consideration, or before a recess or adjournment is called, whichever occurs first, but not  
499 thereafter. In this case, the town clerk shall call back the vote and verify the outcome for the  
500 presiding officer.

501 (k) *No motion or second.* If an agenda item fails to receive a motion or second, it shall be removed  
502 from the agenda and shall be reintroduced only in accordance with the renewal provisions of  
503 Rule 8.01(m).

504 (l) *Reconsideration.* An action of the town commission may be reconsidered only at the same  
505 meeting at which the action was taken, or, if not, at the next meeting thereafter a motion to  
506 reconsider may be made only by a town commissioner who voted on the prevailing side of the  
507 question and must be concurred in by a majority of those present at the meeting. ~~A motion to~~  
508 ~~reconsider shall not be considered unless at least the same number of town commissioners is~~  
509 ~~present as participated in the original vote, or upon affirmative vote of two thirds of those~~  
510 ~~commissioners present.~~ Adoption of a motion to reconsider shall rescind the action  
511 reconsidered.

512 (m) *Renewal.* Once action is taken on a proposed ordinance or resolution neither the same matter  
513 nor its repeal or rescission may be brought before the town commission again for a three-month  
514 period following the said action unless application for renewal by three commissioners is first  
515 submitted to the presiding officer. Should an ordinance or resolution be proposed that raises  
516 the same previously resolved matter, or its repeal or rescission, in different or modified form  
517 during the three-month period, the presiding officer may declare the proposal out of order.

518 (n) *Adjournment.* A motion to adjourn shall always be in order and decided without debate.

519 (o) *Suspension of the rules.* No rule of procedure adopted by the town commission shall be  
520 suspended except by an affirmative vote of a majority two-thirds of the members of the town  
521 commission present.

522 Sec. 2-208. - Additional ordinances prescribing town commission procedure.

523 ~~Rule 9.01 Representation of Town of Surfside. Whenever~~ The presiding officer town  
524 commission may, with the consent of the designee, designate a member(s) of the town  
525 commission to represent the town commission at such meetings, conferences or other occasions  
526 as deemed ~~deems it necessary or desirable that~~ by the town commission, shall be represented at  
527 ~~meetings, conferences or other occasions involving other governmental entities, agencies,~~  
528 ~~officials or groups, or non-governmental organizations, or departments, agencies or officials of~~  
529 ~~the town government, the presiding officer may designate members of the town commission to~~  
530 ~~represent the town commission at such meetings, conferences or other occasions, with the consent~~  
531 ~~of the designee.~~ A designation must be ratified by a majority of the members of the town  
532 commission then present ~~may disapprove any such appointment.~~ Such representative(s) shall have  
533 no power to act for or on behalf of the town commission, or to make any commitment or binding  
534 obligation on behalf of the town commission or the town. Such representatives shall report to the  
535 town commission with regard to such meeting, conference or other occasion.

536 *Rule 9.02 Noncompliance with procedural rules.* If a procedural rule pursuant to this Article  
537 VI. — "Rules of Procedure for Town Meetings" is not complied with as a result of either mistake,  
538 inadvertence or excusable neglect, as those terms are defined by law, by either the presiding  
539 officer or the parliamentarian, then the validity of the underlying substantive ordinance,  
540 resolution, motion or other action shall in no way be affected thereby, and the failure of  
541 compliance with said procedural rule shall not be the basis for any person or party to challenge  
542 any ordinance, resolution or other action.

543 Sec. 2-209. - Amendment to rules of procedure for town meetings.

544 Once adopted, changes to these rules may be made as changes to any other ordinance are  
545 made by a majority vote and after two readings of the amendatory ordinance.

546 Secs. 2-210—2-225. - Reserved.

547 **Section 3. Severability.** If any section, sentence, clause or phrase of this ordinance is held  
548 to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in  
549 no way affect the validity of the remaining portions of this ordinance.

550 **Section 4. Inclusion in the Code.** It is the intention of the Town Commission, and it is hereby  
551 ordained that the provisions of this Ordinance shall become and made a part of the Town of Surfside  
552 Code of Ordinances, that the sections of this Ordinance may be renumbered or re-lettered to  
553 accomplish such intentions; and the word “Ordinance” may be changed to “Section” or other  
554 appropriate word.

555 **Section 5. Conflicts.** Any and all Ordinances and Resolutions or parts of Ordinances or  
556 Resolutions in conflict herewith are hereby repealed.  
557

558 **Section 6. Effective Date.** This ordinance shall become effective upon adoption.  
559

560  
561 **PASSED and ADOPTED** on first reading this 18th day of September, 2017.  
562

563 **PASSED and ADOPTED** on second reading this 10th day of October, 2017.  
564

565  
566 On Final Reading Moved by: \_\_\_\_\_  
567

568 On Final Reading Second by: \_\_\_\_\_  
569

570  
571 **FINAL VOTE ON ADOPTION:**

572 Commissioner Daniel Gielchinsky \_\_\_\_\_

573 Commissioner Michael Karukin \_\_\_\_\_

574 Commissioner Tina Paul \_\_\_\_\_

575 Vice ~~Mayor~~Mayor Barry Cohen \_\_\_\_\_

576 ~~Mayor~~Mayor Daniel Dietch \_\_\_\_\_  
577

578  
579  
580 \_\_\_\_\_  
Daniel Dietch, ~~Mayor~~Mayor

581  
582 **ATTEST:**  
583

584 \_\_\_\_\_  
585 Sandra Novoa, MMC, Town Clerk

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

589 \_\_\_\_\_  
590 Weiss Serota Helfman Cole and Bierman, P.A.  
591 Town Attorney  
592



# MEMORANDUM

ITEM NO. 9F

**To:** Honorable Mayor, Vice-Mayor and Members of the Town Commission  
**From:** Jason D Greene, Interim Town Manager  
**Date:** August 11, 2020  
**Subject:** Topper Selection for 4 x 4 Posts on Hardpack and Walking Path

---

The Public Works Department is 70% complete with the changing of 4x4 posts and rope along the hardpack and walking path on the east boundary of the Town of Surfside. Per the commission meeting held on July 28, 2020, direction was given to the Town Administration to finalize the remaining 30% of the 4x4 posts and rope replacement project and to include in the scope of work the addition of toppers to the 4x4 posts in order to prolong replacement cycle.

A total of 4 topper options were reviewed. **Table A – “Topper Option Costs”** below shows the total additional cost for each option:

Option	Total Quantity (each)	Unit Price	Total Cost
1	1800	\$9.98	\$17,964.00
2		\$9.77	\$17,586.00
3		\$2.47	\$4,446.00
4		\$3.98	\$7,164.00

**Table A – “Topper Option Costs”**

A picture of each option can be found in **Exhibit A – “Topper Option”**. The Town Administration is requesting for the Town Commission to provide direction on which topper to proceed with. The 4x4 post and rope replacement project is budgeted and there are enough funds in the project budget to cover any of the four options.

Reviewed by: JG

Prepared by: HG



**OPTION 1**

**COPPER AND WOOD HYBRID**  
*\$9.98 each (1800 total posts)*



**OPTION 2**

**WOOD WITH MILLWORK TRIM**  
*\$9.77 each (1800 total posts)*

LAST  
 REVISION  
 08/03/2020

DESCRIPTION:  
 Topper Option 1 and Topper Option 2



TOWN OF SURFSIDE

TOWN OF SURFSIDE  
 4x4 Topper Options

SCALE:

SHEET  
 1 of 2



**OPTION 3**  
**PLASTIC**  
 \$2.47 each (1800 total posts)



**OPTION 4**  
**COPPER HEAD**  
 \$3.98 each (1800 total posts)

LAST REVISION  
 08/04/2020

DESCRIPTION:  
 Topper Option 3 and Topper Option 4



TOWN OF SURFSIDE

TOWN OF SURFSIDE  
 4x4 Topper Options

SCALE:

SHEET  
 2 of 2



# MEMORANDUM

ITEM NO. 9G

**To:** Honorable Mayor, Vice-Mayor and Members of the Town Commission  
**From:** Jason Greene, Interim Town Manager  
**Date:** August 11, 2020  
**Subject:** Building Department Document Scanning

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On March 18, 2018, the Town Commission approved a contract with Blue Digital Corporation to scan all existing building plans and building department documents. It was determined that the Town of Surfside building files and plans were still of significant historic value to each property given the level of interest in the properties and the Town could lower costs by no longer having to lease offsite storage. All new building and substantial construction plans are required to be submitted electronically. Smaller scale projects plans may be provided electronically.

Scanning all existing building plans and building department documents and publishing to the Town website would create convenient public records access to end users including residents, property professionals, design professionals and government agencies. The continued use of departmental resources on public records requests and the handling of increasingly perishable plans would be eliminated. A gain in CRS points for open access of electronic documents and ease of public use would increase departmental efficiency and productivity. The Town currently pays approximately \$30,000 per year in offsite storage costs for these documents which would be eliminated when the project is completed.

Document files are prepared by staff and the selected vendor collects said documents and scans them onto digital media. The scanned documents in PDF format are returned to the Town on CD. Staff then saves all files follow an electronic document management naming convention of Property Folio and Property Address. All subfolders contain permits and plans for said property.

Reviewed by: JG

Prepared by: AG



**Town of Surfside  
Town Commission Meeting  
October 13, 2020  
7:00 pm**

Town Hall Commission Chambers - 9293 Harding Avenue, 2<sup>nd</sup> Floor  
Surfside, FL 33154

**Date: September 19, 2020**

**Prepared by: Mayor**

**Subject: Demolition by neglect**

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**Objective:** Introduce a new ordinance to prevent property owners from allowing their properties to deteriorate.

**Consideration:** Commission to discuss

**Recommendation: Adoption**



City of Miami Beach, 1700 Convention Center Drive, Miami Beach, Florida 33139, www.miamibeachfl.gov

Item 13.  
**COMMITTEE MEMORANDUM**

TO: Land Use and Sustainability Committee

FROM: Jimmy L. Morales, City Manager

DATE: May 6, 2020

TITLE: **DISCUSSION: ESTABLISHMENT OF PENALTIES FOR PROPERTY OWNERS ENGAGING IN DEMOLITION BY NEGLECT**

**ACTION REQUESTED:**

**Conclude the item and recommend that the City Commission adopt the attached ordinance.**

**ADMINISTRATION RECOMMENDATION:**

**Discuss the item and recommend that the City Commission adopt the attached ordinance.**

**HISTORY:**

On July 17, 2019, at the request of Commissioner Ricky Arriola, the City Commission referred the discussion item to the Land Use and Development Committee (Item C4 O). The item was discussed at the September 18, 2019 LUDC meeting, and continued to the October 30, 2019 meeting with the following direction:

1. The administration and City Attorney's office will research and provide recommendations regarding a process for imposing proportional fines, development and use reductions, and building registrations.
2. The administration will bring a discussion item to the October 8, 2019 meeting of the Historic Preservation Board for recommendations on posting unsafe structures on the city's website.

On October 30, 2019, the item was discussed and continued to the December 2, 2019 LUDC, with the following direction:

1. The administration and the City Attorney will further evaluate the recommendations noted in the LUDC memo regarding proportional fines and building registry, as well as creating a process for as-built drawings of contributing structures.
2. Recommend that the City Commission refer the proposed amendment to chapter 118, article X, pertaining to a presumption clause, to the Planning Board.
3. The addresses of properties that have both an active unsafe structures violation and have been referred to the Miami-Dade County Unsafe Structures Board by the Building Official will be posted on the City website. This list shall be posted within the Building Department webpage, and the Planning Department webpage shall contain a direct link.

The December 2, 2019 LUDC meeting was cancelled, and the item was moved to the January 21, 2020 agenda of the newly created Land Use and Sustainability Committee. On January 21, 2020 the item was continued to the February 18, 2020 LUSC meeting. On February 18, 2020 the item was continued to March 17, 2020. The March 17, 2020 was cancelled and the item was moved to the May 6, 2020 LUSC agenda.

**ANALYSIS:**

**PLANNING AND LEGAL ANALYSIS**

On October 8, 2019, the Historic Preservation Board discussed the matter and recommended that the City begin the process of posting the addresses of properties that have an active unsafe structures violation and have been referred to the Miami-Dade County Unsafe Structures Board by the Building Official on the City website. The Board also recommended that this information be available on either the Building Department or Planning Department page.

As indicated on October 30, 2019, planning staff and the City Attorney's office have researched and discussed other options to address demolition by neglect in historic districts. The following is an update and summary of these efforts:

1. Fines. The way properties are currently fined is general and not specific to the size of the building. The administration and the City Attorney's office have researched the concept of proportional fines and it appears that it is not pre-empted under State law. The administration and the City Attorney are exploring potential amendments that would result in more proportional fines for larger buildings.
2. Building Registry. The Building Department is researching and evaluating a method to establish a building registry process.

**UPDATE**

The ordinance pertaining to the presumption clause, as previously recommended by the Land Use and Development Committee, is pending before the City Commission and scheduled to be adopted on May 13, 2020. Additionally, a list of unsafe buildings has been posted on the City website, with a direct link from the planning department webpage.

About as-built drawings, as indicated previously, there are a couple of different options; each, however, has a budget impact and would need to be part of a budget enhancement for FY 2021. These include hiring an architectural firm or local University to do built drawings based upon available archival plans and a field assessment. Another potential option would be laser scanning and point cloud files that are then rendered. In those instances where a contributing building is proposed to be replaced or substantially modified, the Architect of record already puts together a detailed set of as-built drawings. Given the current limited need for such drawings on an emergency basis, as well as the potential cost of computer software required, the administration recommends that such a process not move forward at this time.

The administration has reviewed a model building registry ordinance from the City of Riviera Beach, as well as an updated list of abandoned commercial properties, which is color coded based on priority. Also included in the list of properties is the number of stories and the square footage to assist with determining appropriate, proportional fees. The attached draft ordinance, which amends chapter 58 of the City Code, and creates a building registry process specific to Miami Beach. The following is a summary of the key points of the proposed ordinance:

- Terms specific to the proposed Abandoned and Vacant Properties Registry have been defined.
- Division 4 has been created within chapter 58, establishing an Abandoned and Vacant Properties Registry.
- Applicability: All properties within a locally designated historic district are subject to the Abandoned and Vacant Properties Registry. A property must register within 15 days of becoming abandoned or vacant.
- Detailed registration requirements have been developed. This includes a nonrefundable annual registration fee in the amount of two hundred dollars (\$200) per property, as well as a nonrefundable annual fee of thirty cents (\$0.30) per square foot shall be paid for any building or structure that exceed three (3) stories. This tiered approach to assessing fees will have a greater impact on larger structures, which are typically more vulnerable to demolition by neglect.
- A responsibility for compliance section is established, requiring that is the responsibility of the owner to maintain the property in accordance with the provisions in this article.

The administration believes that the proposal herein will create a fair and transparent process for tracking at risk properties within the City's local historic district. Additionally, it will allow for the City to proactively monitor the conditions of the structures, and better enforce the demolition by neglect section of the City Code.

The one section of the legislation that still needs to be worked out is the administering City department for the registry. The administration is discussing this internally, and it is anticipated that this piece of the legislation will be ready for first reading.

**Applicable Area**

Citywide

**Is this a "Residents Right to Know" item, pursuant to City Code Section 2-14?**

Yes

**Does this item utilize G.O. Bond Funds?**

No

**Departments**

Planning

**ATTACHMENTS:**

Description	Type
□ <a href="#">Draft ORD - Building Registry</a>	Memo



**Town of Surfside  
Town Commission Meeting  
October 13, 2020  
7:00 pm**

Town Hall Commission Chambers - 9293 Harding Avenue, 2<sup>nd</sup> Floor  
Surfside, FL 33154

**Date: September 19, 2020**

**Prepared by: Mayor**

**Subject: Excessive Homeless contribution made by the former Commission**

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**Objective:** Report on an excessive contribution made by the former Commission and request that the Commission authorize a letter to request a refund of at least 50%.

**Consideration:** Commission to discuss

**Recommendation: Adoption**



**Town of Surfside  
Town Commission Meeting  
October 13, 2020  
7:00 pm**

Town Hall Commission Chambers - 9293 Harding Avenue, 2<sup>nd</sup> Floor  
Surfside, FL 33154

**Date: September 19, 2020**

**Prepared by: Mayor**

**Subject: Free (hassle-free) downtown parking for residents**

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**Objective:** Enhance parking for residents in Town / Introduce electric vehicles.

**Consideration:** Commission to discuss

**Recommendation: Adoption**



**Town of Surfside  
Town Commission Meeting  
October 13, 2020  
7:00 pm**

Town Hall Commission Chambers - 9293 Harding Avenue, 2<sup>nd</sup> Floor  
Surfside, FL 33154

**Date: September 19, 2020**

**Prepared by: Mayor**

**Subject: Records Retention Policy**

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**Objective:** To prevent the destruction of records at Town Hall.

**Consideration:** To discuss with the Commission

**Recommendation: Adoption**



**Town of Surfside  
Town Commission Meeting  
October 13, 2020  
7:00 pm**

Town Hall Commission Chambers - 9293 Harding Avenue, 2<sup>nd</sup> Floor  
Surfside, FL 33154

**Date: September 19, 2020**

**Prepared by: Mayor**

**Subject: Short term rentals**

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**Objective:** To clarify the laws associated with same

**Consideration:** Discuss with Commission

**Recommendation:** TBA



**Town of Surfside  
Town Commission Meeting  
October 13, 2020  
7:00 pm**

Town Hall Commission Chambers - 9293 Harding Avenue, 2<sup>nd</sup> Floor  
Surfside, FL 33154

**Date:** October 5, 2020  
**Prepared by:** Charles Kesl  
**Subject:** Quality Control, Quality Assurance

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**Objective:** Make assessments for Proposals to gain a full understanding of its impacts over time and define measurable goals to track over time for success. This ensures projects are well thought out with clearly defined goals. It shows value, and in turn encourages better investments with future proposals. A business and operational standard in setting goals is to make sure they are specific, measurable, achievable, relevant and time-based (“S.M.A.R.T”).

**Consideration:** Proposal assessments include or may include:

*COSTS:* Short term, long term. Direct, indirect.

*IMPACTS:* Budget, environmental, staff and support

*FEASIBILITY:* Does this fit and can it work.

*RISK:* What could happen negatively, how impactful and what will be response

*ORGANIZATION:* changes, areas to improve

*RESOURCES:* Map out all resources internal and external

Any project proposal will also define its goals through defining what will be tracked on a “dashboard” and assessed and reported on over time. The Value Proposition, if adopted, will hold the project and its leaders accountable to value.

This may sound overwhelming, but once adopted it becomes quite clear that it is helpful and brings a common set of principles for everyone to work with. It means assessments are less subjective and open to interpretation and criticism which can change over time as circumstances change.

**Recommendation:** Using S.M.A.R.T goals is critical to show objective value to everyone, from Town Manager to members of the Commission, to Town staff members, to most importantly taxpaying residents. SMART is an acronym that stands for **Specific, Measurable, Achievable, Relevant and Time-based**. Each element of the SMART framework works together to create a goal that is carefully planned, clear and trackable. Work with the Town Manager and staff to develop a recommendation for implementation of S.M.A.R.T goals. Assessments and requirements can be rolled out so as to not overwhelm the systems and workflow of Town governance. The team will actually set SMART goals for defining success for the project and rollout itself. It will speak for itself, while practicing what it preaches.

Commissioner Kesl is looking for two or more co-sponsors to get support and traction for the Objective. Inform the Town Manager if you are interested.



# MEMORANDUM

ITEM NO. 9N

**To:** Honorable Mayor, Vice-Mayor and Members of the Town Commission  
**From:** Guillermo Olmedillo, Town Manager  
**Date:** April 16, 2020  
**Subject:** Weiss Serota Contract Follow up

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At the March 24, 2020 Special Commission Meeting, Town Administration was directed to provide a report on the expenditures related to the Weiss Serota Town Attorney contract for the period of January 2019 through December 2019.

Please find attached requested report. Th report was provided to Commission on April 7, 2020.

Reviewed by: LA

Prepared by: JDG



Town of Surfside, Florida

# My Vendor History Report

By Vendor Name  
Posting Date Range 01/01/2019 - 12/31/2019  
Payment Date Range -

Payable Number	Description	Units	Price	Post Date	1099 Account Number	Payment Number	Account Name	Amount	Shipping Dist Amount	Tax	Discount	Net	Payment
1067 - WEISS SEROTA HELFMAN COLE	SEP-19 PARTICIPATION OF COAL OF CITIES F19/30/2019	0.00	0.00	1,923.08	Y	112423	1/22/2020	1,923.08	0.00	0.00	0.00	1,923.08	1,923.08
12345	SEP-19 PARTICIPATION O	0.00	0.00	1,923.08	001-1500-514-31-10	109435	PROFESSIONAL SERVICES	1,923.08	0.00	0.00	0.00	1,923.08	1,923.08
212256	LEGAL FEES DECEMBER 2018 12/1/2018-12/31/28/2019	0.00	0.00	2,596.52	Y	109435	2/22/2019	2,596.52	0.00	0.00	0.00	2,596.52	2,596.52
	LEGAL FEES DECEMBER 21	0.00	0.00	2,596.52	001-1500-514-31-10	109435	PROFESSIONAL SERVICES	2,596.52	0.00	0.00	0.00	2,596.52	2,596.52
212257	LEGAL FEES 12/1/18-12/31/2018	0.00	0.00	29,653.84	Y	109435	2/22/2019	29,653.84	0.00	0.00	0.00	29,653.84	29,653.84
	LEGAL FEES 12/1/18-12/31/2018	0.00	0.00	29,653.84	001-1500-514-31-10	109435	PROFESSIONAL SERVICES	29,653.84	0.00	0.00	0.00	29,653.84	29,653.84
212258	LEGAL DECEMBER 12/1/18-12/31/2018	0.00	0.00	125.00	Y	109435	2/22/2019	125.00	0.00	0.00	0.00	125.00	125.00
	LEGAL DECEMBER 12/1/1	0.00	0.00	125.00	001-220-90-10	109435	COST RECOVERY	125.00	0.00	0.00	0.00	125.00	125.00
212259	LEGAL FEES DECEMBER 12/1/2018-12/31/201/28/2019	0.00	0.00	125.00	Y	109435	2/22/2019	125.00	0.00	0.00	0.00	125.00	125.00
	LEGAL FEES DECEMBER 1	0.00	0.00	125.00	001-220-90-10	109435	COST RECOVERY	125.00	0.00	0.00	0.00	125.00	125.00
212260	LEGAL FEES DECEMBER 2018 12/1/2018-12/31/28/2019	0.00	0.00	6,267.29	Y	109435	2/22/2019	6,267.29	0.00	0.00	0.00	6,267.29	6,267.29
	LEGAL FEES DECEMBER 21	0.00	0.00	6,267.29	001-1500-514-31-10	109435	PROFESSIONAL SERVICES	6,267.29	0.00	0.00	0.00	6,267.29	6,267.29
212261	LEGAL FEES DECEMBER 12/1/2018-12/31/201/28/2019	0.00	0.00	482.50	Y	109435	2/22/2019	482.50	0.00	0.00	0.00	482.50	482.50
	LEGAL FEES DECEMBER 1	0.00	0.00	482.50	001-1500-514-31-10	109435	PROFESSIONAL SERVICES	482.50	0.00	0.00	0.00	482.50	482.50
213421	LEGAL FEES FOR JANUARY 2019	0.00	0.00	858.00	Y	109833	4/8/2019	858.00	0.00	0.00	0.00	858.00	858.00
	LEGAL FEES FOR JANUARY	0.00	0.00	858.00	001-1500-514-31-10	109833	PROFESSIONAL SERVICES	858.00	0.00	0.00	0.00	858.00	858.00
213422	LEGAL FEES FOR JANUARY 2019	0.00	0.00	1,225.00	Y	109833	4/8/2019	1,225.00	0.00	0.00	0.00	1,225.00	1,225.00
	LEGAL FEES FOR JANUARY	0.00	0.00	1,225.00	001-1500-514-31-10	109833	PROFESSIONAL SERVICES	1,225.00	0.00	0.00	0.00	1,225.00	1,225.00
213423	LEGAL FEES JANUARY 2019	0.00	0.00	29,660.22	Y	109833	4/8/2019	29,660.22	0.00	0.00	0.00	29,660.22	29,660.22
	LEGAL FEES JANUARY 201	0.00	0.00	29,660.22	001-1500-514-31-10	109833	PROFESSIONAL SERVICES	29,660.22	0.00	0.00	0.00	29,660.22	29,660.22
213424	LEGAL FEES FOR JANUARY 2019	0.00	0.00	125.00	Y	109833	4/8/2019	125.00	0.00	0.00	0.00	125.00	125.00
	LEGAL FEES FOR JANUARY	0.00	0.00	125.00	001-220-90-10	109833	COST RECOVERY	125.00	0.00	0.00	0.00	125.00	125.00
213425	LEGAL FEES FOR JANUARY 2019	0.00	0.00	1,533.00	Y	109833	4/8/2019	1,533.00	0.00	0.00	0.00	1,533.00	1,533.00
	LEGAL FEES FOR JANUARY	0.00	0.00	1,533.00	001-1500-514-31-10	109833	PROFESSIONAL SERVICES	1,533.00	0.00	0.00	0.00	1,533.00	1,533.00
213426	LEGAL FEES FOR JANUARY 2019	0.00	0.00	250.00	Y	109833	4/8/2019	250.00	0.00	0.00	0.00	250.00	250.00
	LEGAL FEES FOR JANUARY	0.00	0.00	250.00	001-220-90-10	109833	COST RECOVERY	250.00	0.00	0.00	0.00	250.00	250.00
213427	LEGAL FEES FOR JANUARY 2019	0.00	0.00	1,625.00	Y	109833	4/8/2019	1,625.00	0.00	0.00	0.00	1,625.00	1,625.00
	LEGAL FEES FOR JANUARY	0.00	0.00	1,625.00	001-1500-514-31-10	109833	PROFESSIONAL SERVICES	1,625.00	0.00	0.00	0.00	1,625.00	1,625.00
213905	LEGAL FEES FEBRUARY 2019	0.00	0.00	2,273.50	Y	109833	4/8/2019	2,273.50	0.00	0.00	0.00	2,273.50	2,273.50
	LEGAL FEES FEBRUARY 2C	0.00	0.00	2,273.50	001-1500-514-31-10	109833	PROFESSIONAL SERVICES	2,273.50	0.00	0.00	0.00	2,273.50	2,273.50

My Vendor History Report

Posting Date Range 01/01/2019 - 12/31/2019

Payable Number	Item Description	Description	Units	Price	Amount	Post Date	1099 Account Number	Payment Number	Account Name	Payment Date	Amount	Shipping Dist Amount	Tax	Discount	Net	Payment
213906	LEGAL FEES FEBRUARY 2019	LEGAL FEES FEBRUARY 2019	0.00	0.00	50.00	3/18/2019	Y 109833		PROFESSIONAL SERVICES	4/8/2019	50.00	0.00	0.00	0.00	50.00	50.00
213908	LEGAL FEES FOR FEBRUARY 2019	LEGAL FEES FOR FEBRUARY 2019	0.00	0.00	29,655.06	3/18/2019	Y 109833		PROFESSIONAL SERVICES	4/8/2019	29,655.06	0.00	0.00	0.00	29,655.06	29,655.06
213909	LEGAL FEES FEBRUARY 2019	LEGAL FEES FEBRUARY 2019	0.00	0.00	6,200.00	3/18/2019	Y 109833		COST RECOVERY	4/8/2019	6,200.00	0.00	0.00	0.00	6,200.00	6,200.00
213910	LEGAL FEES FEBRUARY 2019	LEGAL FEES FEBRUARY 2019	0.00	0.00	383.00	3/18/2019	Y 109833		PROFESSIONAL SERVICES	4/8/2019	383.00	0.00	0.00	0.00	383.00	383.00
213911	LEGAL FEES FEBRUARY 2019	LEGAL FEES FEBRUARY 2019	0.00	0.00	4,175.00	3/18/2019	Y 109833		PROFESSIONAL SERVICES	4/8/2019	4,175.00	0.00	0.00	0.00	4,175.00	4,175.00
215204	LEGAL FEES FOR FEB. 2019 /PERIOD 3/1/19-3/4/16/2019	LEGAL FEES FOR FEB. 2019 /PERIOD 3/1/19-3/4/16/2019	0.00	0.00	913.70	3/1/19-3/4/16/2019	Y 110114		PROFESSIONAL SERVICES	5/6/2019	913.70	0.00	0.00	0.00	913.70	913.70
215205	LEGAL FEES FOR FEB 2019 /PERIOD 3/1/19-3/4/16/2019	LEGAL FEES FOR FEB 2019 /PERIOD 3/1/19-3/4/16/2019	0.00	0.00	2,395.65	3/1/19-3/4/16/2019	Y 110114		PROFESSIONAL SERVICES	5/6/2019	2,395.65	0.00	0.00	0.00	2,395.65	2,395.65
215206	LEGAL FEES FOR FEB 2019 /PERIOD 3/1/19-3/4/16/2019	LEGAL FEES FOR FEB 2019 /PERIOD 3/1/19-3/4/16/2019	0.00	0.00	29,656.30	3/1/19-3/4/16/2019	Y 110114		PROFESSIONAL SERVICES	5/6/2019	29,656.30	0.00	0.00	0.00	29,656.30	29,656.30
215207	LEGAL FEES FOR FEB 2019 /PERIOD 3/1/19-3/4/16/2019	LEGAL FEES FOR FEB 2019 /PERIOD 3/1/19-3/4/16/2019	0.00	0.00	475.00	3/1/19-3/4/16/2019	Y 110114		COST RECOVERY	5/6/2019	475.00	0.00	0.00	0.00	475.00	475.00
215208	LEGAL FEES FOR FEB 2019 /PERIOD 3/1/19-3/4/16/2019	LEGAL FEES FOR FEB 2019 /PERIOD 3/1/19-3/4/16/2019	0.00	0.00	1,300.00	3/1/19-3/4/16/2019	Y 110114		COST RECOVERY	5/6/2019	1,300.00	0.00	0.00	0.00	1,300.00	1,300.00
215209	LEGAL FEES FOR FEB 2019 /PERIOD 3/1/19-3/4/16/2019	LEGAL FEES FOR FEB 2019 /PERIOD 3/1/19-3/4/16/2019	0.00	0.00	3,909.00	3/1/19-3/4/16/2019	Y 110114		PROFESSIONAL SERVICES	5/6/2019	3,909.00	0.00	0.00	0.00	3,909.00	3,909.00
215210	LEGAL FEES FOR FEB 2019 /PERIOD 3/1/19-3/4/16/2019	LEGAL FEES FOR FEB 2019 /PERIOD 3/1/19-3/4/16/2019	0.00	0.00	297.00	3/1/19-3/4/16/2019	Y 110114		PROFESSIONAL SERVICES	5/6/2019	297.00	0.00	0.00	0.00	297.00	297.00
215211	LEGAL FEES FOR FEB 2019 /PERIOD 3/1/19-3/4/16/2019	LEGAL FEES FOR FEB 2019 /PERIOD 3/1/19-3/4/16/2019	0.00	0.00	375.00	3/1/19-3/4/16/2019	Y 110114		PROFESSIONAL SERVICES	5/6/2019	375.00	0.00	0.00	0.00	375.00	375.00
216027	LEGAL FEES APRIL 1-30, 2019	LEGAL FEES APRIL 1-30, 2019	0.00	0.00	3,736.50	5/14/2019	Y 110380		PROFESSIONAL SERVICES	6/4/2019	3,736.50	0.00	0.00	0.00	3,736.50	3,736.50
216028	LEGAL FEES APRIL 1-30, 2019	LEGAL FEES APRIL 1-30, 2019	0.00	0.00	1,311.50	5/14/2019	Y 110380		PROFESSIONAL SERVICES	6/4/2019	1,311.50	0.00	0.00	0.00	1,311.50	1,311.50
216029	LEGAL FEES APRIL 1-30, 2019	LEGAL FEES APRIL 1-30, 2019	0.00	0.00	29,615.66	5/14/2019	Y 110380		PROFESSIONAL SERVICES	6/4/2019	29,615.66	0.00	0.00	0.00	29,615.66	29,615.66
216030	LEGAL FEES APRIL 1-30, 2019	LEGAL FEES APRIL 1-30, 2019	0.00	0.00	1,075.00	5/14/2019	Y 110380		COST RECOVERY	6/4/2019	1,075.00	0.00	0.00	0.00	1,075.00	1,075.00
216031	LEGAL FEES APRIL 1-30, 2019	LEGAL FEES APRIL 1-30, 2019	0.00	0.00	1,200.00	5/14/2019	Y 110380		COST RECOVERY	6/4/2019	1,200.00	0.00	0.00	0.00	1,200.00	1,200.00
216032	LEGAL FEES APRIL 1-30, 2019	LEGAL FEES APRIL 1-30, 2019	0.00	0.00	925.00	5/14/2019	Y 110380		COST RECOVERY	6/4/2019	925.00	0.00	0.00	0.00	925.00	925.00

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Posting Date Range 01/01/2019 - 12/31/2019

Payable Number	Description	Units	Price	Amount	Post Date	1099 Account Number	Payment Number	Account Name	Payment Date	Amount	Shipping Dist Amount	Tax	Discount	Net	Payment
216033	LEGAL FEES APRIL 1-30, 2	0.00	0.00	925.00	5/14/2019	001-1500-514-31-10	Y 110380	PROFESSIONAL SERVICES	6/4/2019	7,014.47	925.00	0.00	0.00	7,014.47	7,014.47
	LEGAL FEES APRIL 1-30, 2	0.00	0.00	5,948.00	6/19/2019	001-1500-514-31-10	Y 110380	PROFESSIONAL SERVICES	6/4/2019	5,948.00	0.00	0.00	0.00	5,948.00	5,948.00
	LEGAL FEES APRIL 1-30, 2	0.00	0.00	1,066.47	6/19/2019	001-1500-514-31-10	Y 110380	PROFESSIONAL SERVICES	6/4/2019	1,066.47	0.00	0.00	0.00	1,066.47	1,066.47
216034	LEGAL FEES APRIL 1-30, 2	0.00	0.00	575.00	6/19/2019	001-1500-514-31-10	Y 110380	PROFESSIONAL SERVICES	6/4/2019	575.00	0.00	0.00	0.00	575.00	575.00
217140	LEGAL FEES FOR MAY 201	0.00	0.00	50.00	6/19/2019	001-1500-514-31-10	Y 110844	PROFESSIONAL SERVICES	7/26/2019	50.00	0.00	0.00	0.00	50.00	50.00
217141	LEGAL FEES FOR MAY 201	0.00	0.00	4,207.72	6/19/2019	001-1500-514-31-10	Y 110844	PROFESSIONAL SERVICES	7/26/2019	4,207.72	0.00	0.00	0.00	4,207.72	4,207.72
217142	LEGAL FEES FOR MAY 201	0.00	0.00	2,250.00	6/19/2019	001-1500-514-31-10	Y 110844	PROFESSIONAL SERVICES	7/26/2019	2,250.00	0.00	0.00	0.00	2,250.00	2,250.00
217144	LEGAL FEES FOR MAY 201	0.00	0.00	12.00	6/19/2019	001-1500-514-31-10	Y 110844	PROFESSIONAL SERVICES	7/26/2019	12.00	0.00	0.00	0.00	12.00	12.00
217145	LEGAL FEES FOR MAY 201	0.00	0.00	29,612.50	6/19/2019	001-1500-514-31-10	Y 110844	PROFESSIONAL SERVICES	7/26/2019	29,612.50	0.00	0.00	0.00	29,612.50	29,612.50
217146	LEGAL FEES FOR MAY 201	0.00	0.00	1,675.00	6/19/2019	001-220-90-10	Y 110844	COST RECOVERY	7/26/2019	1,675.00	0.00	0.00	0.00	1,675.00	1,675.00
217147	LEGAL FEES FOR MAY 201	0.00	0.00	1,145.50	6/19/2019	001-1500-514-31-10	Y 110844	PROFESSIONAL SERVICES	7/26/2019	1,145.50	0.00	0.00	0.00	1,145.50	1,145.50
217149	LEGAL FEES FOR MAY 201	0.00	0.00	575.00	6/19/2019	001-1500-514-31-10	Y 110844	PROFESSIONAL SERVICES	7/26/2019	575.00	0.00	0.00	0.00	575.00	575.00
218462	LEGAL FEES FOR JUNE 20	0.00	0.00	221.30	6/30/20	001-1500-514-31-10	Y 111192	PROFESSIONAL SERVICES	9/6/2019	221.30	0.00	0.00	0.00	221.30	221.30
218463	LEGAL FEES FOR JUNE 20	0.00	0.00	272.00	6/30/20	001-1500-514-31-10	Y 111192	PROFESSIONAL SERVICES	9/6/2019	272.00	0.00	0.00	0.00	272.00	272.00
218464	LEGAL FEES FOR JUNE 20	0.00	0.00	1,000.00	6/30/20	001-1500-514-31-10	Y 111192	PROFESSIONAL SERVICES	9/6/2019	1,000.00	0.00	0.00	0.00	1,000.00	1,000.00
218465	RETAINER SERVICES JUNI	0.00	0.00	29,612.50	6/1/19 - 6/30/20	001-1500-514-31-10	Y 111192	PROFESSIONAL SERVICES	9/6/2019	29,612.50	0.00	0.00	0.00	29,612.50	29,612.50
218466	LEGAL FEES FOR JUNE 20	0.00	0.00	375.00	6/1/19 - 6/30/20	001-220-90-10	Y 111192	COST RECOVERY	9/6/2019	375.00	0.00	0.00	0.00	375.00	375.00
218467	LEGAL FEES FOR JUNE 20	0.00	0.00	750.50	6/1/19 - 6/30/20	001-1500-514-31-10	Y 111192	PROFESSIONAL SERVICES	9/6/2019	750.50	0.00	0.00	0.00	750.50	750.50
218468	LEGAL FEES FOR JUNE 20	0.00	0.00	575.00	6/1/19 - 6/30/20	001-1500-514-31-10	Y 111192	PROFESSIONAL SERVICES	9/6/2019	575.00	0.00	0.00	0.00	575.00	575.00
218469	LEGAL FEES FOR JUNE 20	0.00	0.00	840.00	6/1/19 - 6/30/20	001-1500-514-31-10	Y 111192	PROFESSIONAL SERVICES	9/6/2019	840.00	0.00	0.00	0.00	840.00	840.00

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Payable Number	Description	Units	Price	Amount	Post Date	1099 Account Number	Account Name	Payment Date	Amount	Shipping Dist Amount	Tax	Discount	Net	Payment
219594	LEGAL FEES FOR JUNE 2019	0.00	0.00	840.00	8/29/2019	001-1500-514-31-10	PROFESSIONAL SERVICES	9/19/2019	1,057.90	840.00	0.00	0.00	1,057.90	1,057.90
219595	GENERAL LABOR 07/2019	0.00	0.00	1,057.90	8/29/2019	001-1500-514-31-10	PROFESSIONAL SERVICES	9/19/2019	1,057.90	1,057.90	0.00	0.00	1,057.90	1,057.90
219596	POLICE MATTERS 07/2019	0.00	0.00	129.00	8/29/2019	001-1500-514-31-10	PROFESSIONAL SERVICES	9/19/2019	129.00	129.00	0.00	0.00	129.00	129.00
219597	MONTHLY RETAINER 7/2019	0.00	0.00	29,634.00	8/29/2019	001-1500-514-31-10	PROFESSIONAL SERVICES	9/19/2019	29,634.00	29,634.00	0.00	0.00	29,634.00	29,634.00
219598	LAND USE RECOVER - EDEN	0.00	0.00	450.00	8/29/2019	001-220-90-10	COST RECOVERY	9/19/2019	450.00	450.00	0.00	0.00	450.00	450.00
219599	LEGAL FEE FOR JULY 2019 PERIOD 7/1/2019-8/29/2019	0.00	0.00	4,266.50	8/29/2019	001-1500-514-31-10	PROFESSIONAL SERVICES	9/19/2019	4,266.50	4,266.50	0.00	0.00	4,266.50	4,266.50
219600	SUSTAINABILITY & RESILIENCY COMMITTEE 7/2019	0.00	0.00	537.50	8/29/2019	001-1500-514-31-10	PROFESSIONAL SERVICES	9/19/2019	537.50	537.50	0.00	0.00	537.50	537.50
219601	SURF CLUB 7/2019	0.00	0.00	200.00	8/29/2019	001-1500-514-31-10	PROFESSIONAL SERVICES	9/19/2019	200.00	200.00	0.00	0.00	200.00	200.00
219879	POLICE MATTERS 7/2019	0.00	0.00	3,436.00	9/12/2019	001-1500-514-31-10	PROFESSIONAL SERVICES	9/19/2019	3,436.00	3,436.00	0.00	0.00	3,436.00	3,436.00
220398	PROFESSIONAL SERVICES RENDERED AUG-19 9/17/2019	0.00	0.00	2,986.20	9/17/2019	001-1500-514-31-10	PROFESSIONAL SERVICES	9/30/2019	2,986.20	2,986.20	0.00	0.00	2,986.20	2,986.20
220399	POLICE MATTERS AUG-19	0.00	0.00	228.60	9/17/2019	001-1500-514-31-10	PROFESSIONAL SERVICES	9/30/2019	228.60	228.60	0.00	0.00	228.60	228.60
220400	PROFESSIONAL SERVICES FOR CODE ENFORC/9/17/2019	0.00	0.00	1,182.50	9/17/2019	001-1500-514-31-10	PROFESSIONAL SERVICES	9/30/2019	1,182.50	1,182.50	0.00	0.00	1,182.50	1,182.50
220401	MONTHLY RETAINER FOR LEGAL SERVICES AL 9/17/2019	0.00	0.00	29,770.12	9/17/2019	001-1500-514-31-10	PROFESSIONAL SERVICES	9/30/2019	29,770.12	29,770.12	0.00	0.00	29,770.12	29,770.12
220402	LAND USE COST REC. YOUNG ISRAEL-ADA RAM 9/30/2019	0.00	0.00	3,700.00	9/30/2019	001-220-90-10	COST RECOVERY	9/30/2019	3,700.00	3,700.00	0.00	0.00	3,700.00	3,700.00
220403	LAND USE COST RECOVER. KRIEG, DAVID & BELLA 9/17/2019	0.00	0.00	930.00	9/17/2019	001-220-90-10	COST RECOVERY	9/30/2019	930.00	930.00	0.00	0.00	930.00	930.00
220404	LAND USE COST RECOVER. EDEN SURFSIDE AUG 9/17/2019	0.00	0.00	250.00	9/17/2019	001-220-90-10	COST RECOVERY	9/30/2019	250.00	250.00	0.00	0.00	250.00	250.00
220405	SPECIAL PROJECTS	0.00	0.00	450.00	9/17/2019	001-1500-514-31-10	PROFESSIONAL SERVICES	9/30/2019	450.00	450.00	0.00	0.00	450.00	450.00
220406	LITIGATION	0.00	0.00	3,276.00	9/17/2019	001-1500-514-31-10	PROFESSIONAL SERVICES	9/30/2019	3,276.00	3,276.00	0.00	0.00	3,276.00	3,276.00
220407	SOLIMAR COND-CHALLENGE UTI. FEES LITIG 9/17/2019	0.00	0.00	5,640.00	9/17/2019	001-1500-514-31-10	PROFESSIONAL SERVICES	9/30/2019	5,640.00	5,640.00	0.00	0.00	5,640.00	5,640.00

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Payable Number	Description	Units	Price	Amount	Post Date	1099 Account Number	Payment Number	Account Name	Payment Date	Amount	Shipping Dist Amount	Tax	Discount	Net	Payment
220408	PREPARATION OF RESPONSE TO AUDIT LETTE	0.00	0.00	250.00	9/30/2019	001-1500-514-31-10	Y 111432	PROFESSIONAL SERVICES	9/30/2019	250.00	0.00	0.00	0.00	250.00	250.00
221976	SEPT-19 PROFESSIONAL SERVICES	0.00	0.00	2,043.50	9/30/2019	001-1500-514-31-10	Y 112048	PROFESSIONAL SERVICES	12/9/2019	2,043.50	0.00	0.00	0.00	2,043.50	2,043.50
221977	SEP-19 POLICE MATTERS	0.00	0.00	4,601.25	9/30/2019	001-1500-514-31-10	Y 112048	PROFESSIONAL SERVICES	12/9/2019	4,601.25	0.00	0.00	0.00	4,601.25	4,601.25
221978	SEPT-19 MONTHLY RETAINER	0.00	0.00	29,676.58	9/30/2019	001-1500-514-31-10	Y 112048	PROFESSIONAL SERVICES	12/9/2019	29,676.58	0.00	0.00	0.00	29,676.58	29,676.58
221979	SEPT-19 COST RECOVERY 8995 COLLINS AVE.	0.00	0.00	430.00	9/30/2019	001-220-90-10	Y 112048	COST RECOVERY	12/9/2019	430.00	0.00	0.00	0.00	430.00	430.00
221980	SEPT-19 COST RECOVERY 9300-9380 COLLINS	0.00	0.00	1,000.00	9/30/2019	001-220-90-10	Y 112048	COST RECOVERY	12/9/2019	1,000.00	0.00	0.00	0.00	1,000.00	1,000.00
221981	SEPT-19 LITIGATION	0.00	0.00	939.50	9/30/2019	001-1500-514-31-10	Y 112048	PROFESSIONAL SERVICES	12/9/2019	939.50	0.00	0.00	0.00	939.50	939.50
221982	SEPT-19 SOLIMAR CONDO STORMWATER FEE	0.00	0.00	150.00	9/30/2019	001-1500-514-31-10	Y 112048	PROFESSIONAL SERVICES	12/9/2019	150.00	0.00	0.00	0.00	150.00	150.00
222955	OCT-19 PROFESSIONAL SERVICES	0.00	0.00	3,086.50	12/5/2019	001-1500-514-31-10	Y 112127	PROFESSIONAL SERVICES	12/18/2019	3,086.50	0.00	0.00	0.00	3,086.50	3,086.50
222956	OCT-19 POLICE MATTERS	0.00	0.00	135.95	12/5/2019	001-1500-514-31-10	Y 112127	PROFESSIONAL SERVICES	12/18/2019	135.95	0.00	0.00	0.00	135.95	135.95
222957	OCT-19 MONTHLY RETAINER	0.00	0.00	29,702.95	12/5/2019	001-1500-514-31-10	Y 112127	PROFESSIONAL SERVICES	12/18/2019	29,702.95	0.00	0.00	0.00	29,702.95	29,702.95
222958	OCT-19 LAND USE COST RECOV. YOUNG ISR	0.00	0.00	1,525.00	12/5/2019	001-220-90-10	Y 112127	COST RECOVERY	12/18/2019	1,525.00	0.00	0.00	0.00	1,525.00	1,525.00
222959	OCT-19 LAND USE RECOVERY KRIGER, VARIA	0.00	0.00	850.00	12/5/2019	001-220-90-10	Y 112127	COST RECOVERY	12/18/2019	850.00	0.00	0.00	0.00	850.00	850.00
222960	OCT-19 LAND USE COST RECOV. SAMUEL FR	0.00	0.00	675.00	12/5/2019	001-220-90-10	Y 112127	COST RECOVERY	12/18/2019	675.00	0.00	0.00	0.00	675.00	675.00
222961	OCT-19 LAND USE COST RECOV. 8995 COLLIN	0.00	0.00	450.00	12/13/2019	001-220-90-10	Y 112127	COST RECOVERY	12/18/2019	450.00	0.00	0.00	0.00	450.00	450.00
222962	OCT-19 PROFESSIONAL SERVICES LITIGATION	0.00	0.00	2,529.50	12/5/2019	001-1500-514-31-10	Y 112127	PROFESSIONAL SERVICES	12/18/2019	2,529.50	0.00	0.00	0.00	2,529.50	2,529.50
222963	OCT-19 SPECIAL LITIGATION SOLIMAR CONDO	0.00	0.00	7,650.50	12/5/2019	001-1500-514-31-10	Y 112127	PROFESSIONAL SERVICES	12/18/2019	7,650.50	0.00	0.00	0.00	7,650.50	7,650.50
223550	NOV-19 PROFESSIONAL SERVICES	0.00	0.00	1,604.00	12/12/2019	001-1500-514-31-10	Y 112198	PROFESSIONAL SERVICES	12/23/2019	1,604.00	0.00	0.00	0.00	1,604.00	1,604.00
223551	NOV-19 POLICE MATTERS	0.00	0.00	1,934.50	12/12/2019	001-1500-514-31-10	Y 112198	PROFESSIONAL SERVICES	12/23/2019	1,934.50	0.00	0.00	0.00	1,934.50	1,934.50

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Payable Number	Description	Units	Price	Amount	Post Date	1099 Account Number	Payment Number	Account Name	Payment Date	Amount	Shipping	Tax	Discount	Net	Payment
NOV-19 POLICE MATTERS		0.00	0.00	1,934.50	12/12/2019	001-1500-514-31-10		PROFESSIONAL SERVICES	12/23/2019	1,934.50	0.00	0.00	0.00	29,612.50	29,612.50
NOV-19 MONTHLY RETAINER		0.00	0.00	29,612.50	12/12/2019	001-1500-514-31-10		PROFESSIONAL SERVICES	12/23/2019	29,612.50	0.00	0.00	0.00	29,612.50	29,612.50
NOV-19 PROFFESIONAL SERVICES		0.00	0.00	725.00	12/12/2019	001-1500-514-31-10		PROFESSIONAL SERVICES	12/23/2019	725.00	0.00	0.00	0.00	725.00	725.00
NOV-19 PROFFESIONAL S		0.00	0.00	725.00	12/12/2019	001-1500-514-31-10		PROFESSIONAL SERVICES	12/23/2019	725.00	0.00	0.00	0.00	1,042.50	1,042.50
DEC-19 SPECIAL LITIGATION SOLIMAR UTILIT		0.00	0.00	1,042.50	12/12/2019	001-1500-514-31-10		PROFESSIONAL SERVICES	12/23/2019	1,042.50	0.00	0.00	0.00	1,042.50	1,042.50
DEC-19 SPECIAL LITIGATIC		0.00	0.00	1,042.50	12/12/2019	001-1500-514-31-10		PROFESSIONAL SERVICES	12/23/2019	1,042.50	0.00	0.00	0.00	1,042.50	1,042.50
LEGAL FEES FEBRUARY 2019		0.00	0.00	50.00	3/18/2019	001-1500-514-31-10		PROFESSIONAL SERVICES	4/8/2019	50.00	0.00	0.00	0.00	50.00	50.00
LEGAL FEES FEBRUARY 2C		0.00	0.00	50.00	3/18/2019	001-1500-514-31-10		PROFESSIONAL SERVICES	4/8/2019	50.00	0.00	0.00	0.00	50.00	50.00
<b>Vendors: (1) Total 01 - Vendor Set 01:</b>										<b>485,923.86</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>485,923.86</b>	<b>485,923.86</b>
<b>Vendors: (1) Report Total:</b>										<b>485,923.86</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>485,923.86</b>	<b>485,923.86</b>



**Town of Surfside  
Town Commission Meeting  
October 13, 2020  
7:00 pm**

Town Hall Commission Chambers - 9293 Harding Avenue, 2<sup>nd</sup> Floor  
Surfside, FL 33154

**Date: September 19, 2020**

**Prepared by: Mayor**

**Subject: Town Pension Benefits for Non-Public Safety Employees**

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**Objective:** To review the last minute change immediately preceding the March 2020 election and propose changes for new employees.

**Consideration:** Discuss with Commission

**Recommendation:** TBA



# MEMORANDUM

<b>ITEM NO.</b> 9P
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**To:** Honorable Mayor, Vice-Mayor and Members of the Town Commission  
**From:** Guillermo Olmedillo, Town Manager  
**Date:** June 23, 2020  
**Subject:** Increase Lighting Plan

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At the March 24, 2020 Special Commission Meeting, Town Administration was directed to provide a plan for the increase of residential street lighting.

Please find attached requested report being provided with this communication.

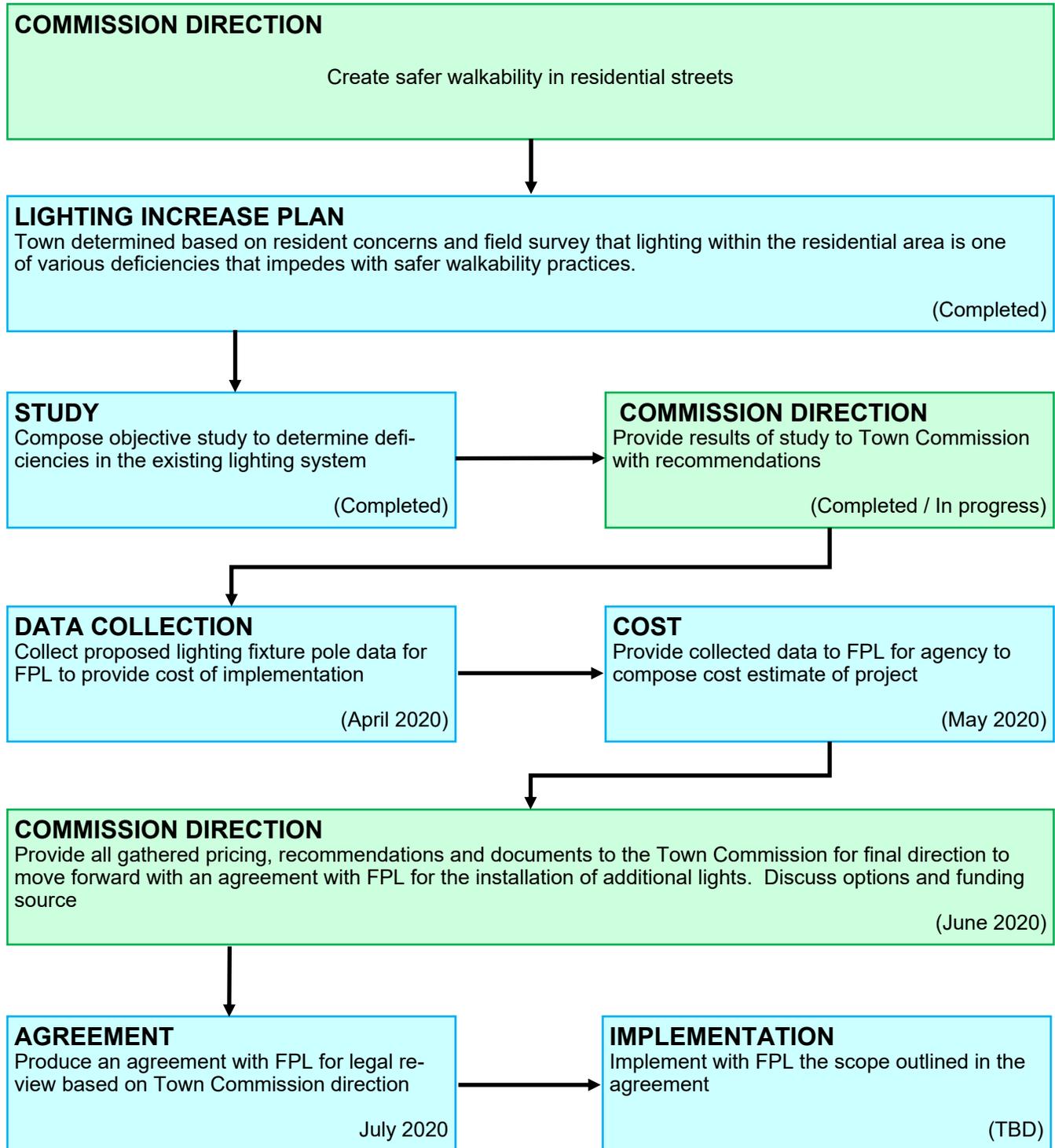
Reviewed by: HG/RS

Prepared by: HG



# Town of Surfside Public Works Department Safer Walkability- Increased Lighting Plan

Update as of March 30th, 2020





# MEMORANDUM

ITEM NO.

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

**From:** Guillermo Olmedillo, Town Manager

**Date:** February 28<sup>th</sup>, 2020

**Subject:** Analysis for Determination of Additional Lighting Locations in Residential Areas within the Town of Surfside

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The Town of Surfside, in an effort to address pedestrian safety and promote walkability within the Town, recently partnered with Florida Power and Light (FPL) to upgrade all residential street lighting from high pressure sodium bulbs to Light Emitting Diodes (LED). The lighting upgrade project was completed in January 2020 with a total of 236 fixtures changed. After the conversion, the Public Works Department performed various nightly walkthroughs to evaluate the outcome of the conversion. As a result, a 33% increase in illumination per fixture was obtained. This determination was made by comparison of photometrics of both the new LED lighting and high-pressure sodium bulbs. Photometrics is the measurement of lighting. For the comparisons made, photometric data used was the surface coverage of lighting onto asphalt surface from both fixtures, before and after conversion.

Illumination is not uniform throughout the Town. Even after the FPL conversion project, various “dark” areas exist that continue to remain a hazard. The Town administration will proceed to perform an analysis on illumination deficiencies still present. In order to eliminate subjectivity in the determination of the location and number of new light fixtures and or poles to have uniform illumination at the pedestrian level, the Town administration will prepare an analysis that incorporates the following:

1. Use the technical specifications of the equipment in place already obtained from FPL.
2. Use the information that the Town has already collected on the location of light fixtures including previous lighting data.
3. Draw the area illuminated from each lighting fixture, using the technical specifications already obtained.
4. Produce a map (GIS or similar) with the proposed locations of new lights and or poles.

5. Propose a plan to add lights where pedestrian level lighting does not have uniform illumination and deficiencies determined

The proposed plan allows for a non-subjective determination of areas in need of additional lighting. The proposed plan will provide hazard areas based on existing and collected data. An alternative plan to have individuals estimate where additional illumination should go based on visual interpretation can lead to subjective results. The Town administration will move forward with the presented plan of analysis as per Town Commission direction. The results will be reported to the Town Commission through an update.

Reviewed by

Prepared by

# **TOWN OF SURFSIDE**

**Public Works Department**

## **“Residential Street Lighting Photometric Analysis and Recommendations”**

**February 26, 2020**

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

Prepared By:



Public Works Department



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## ATTACHMENTS

- Appendix A – *“Town of Surfside Street Light Inventory”*- 1 Page
- Appendix B – *“Product Specification Photometrics”*- 3 Pages
- Appendix C – *“Street Light Photometric”* - 2 Pages
- Appendix D – *“Proposed Street Lights Map”*. - 1 Page



## INTRODUCTION

The Town of Surfside is a coastal community within Miami-Dade County with approximately 5,844 residents based on 2017 population figures. The Town has various districts which include commercial high-rise, commercial retail and residential single family. Each of these districts has lighting infrastructure provided by different agencies. **Table A – “Lighting Inventory by Responsible Authority”** below outlines the total quantity of light fixtures per district and the responsible party for lighting maintenance:

Item Number	District	Responsible Party	Total # of Fixtures	Type of Fixture
1	Residential	FP&L	243	LED
2	Downtown Surfside	Town of Surfside	24	LED
3	A1A & Harding Ave	Miami-Dade County	62	High Pressure Sodium
4	Beach Ends	FP&L / Town of Surfside	11	HPS and LED

**Table A – “Lighting Inventory by Responsible Authority”**

**Table A – “Lighting Inventory by Responsible Authority”** is composed based on a Geographical Information System (GIS) mapping composed in 2018 by Town Engineer of Record (EOR), Calvin Giordano and Associates (CGA) and confirmed by the Town’s Public Works Department. The GIS map titled “Town of Surfside Street Light Inventory” can be found in **Appendix A – “Town of Surfside Street Light Inventory”**.

In late 2019, the Town of Surfside Commission approved the conversion of High-Pressure Sodium lights (HSP) throughout the residential area to Light Emitting Diode (LED) with the objective of minimizing operating costs for night-time illumination of public right of way and increase effectiveness of illumination. The lighting upgrade project was completed in January 2020 with a total of 236 fixtures changed. After the conversion, the Public Works Department performed various nightly walkthroughs to evaluate the outcome of the conversion. As a result, a 33% increase in illumination per fixture was obtained. This determination was made by comparison of photometrics of both the new LED lighting and high-pressure sodium bulbs. Photometrics is the measurement of lighting. For the comparisons made, photometric data used was the surface coverage of lighting onto asphalt surface from both fixtures, before and after conversion. The photometrics of the previous high sodium pressure bulbs (HPS) and recently installed LED fixtures can be found in **Appendix B – “Product Specification Photometrics”**.

Currently, Florida Department of Transportation (FDOT) is working with Miami-Dade County (MDC) and is scheduled to convert a portion of street lights on A1A and Harding Avenue for fiscal year 2021-2022 to LED. Additionally, the Town of Surfside converted all Town maintained street lights to LED already. During the February 2020 Town Commission meeting, the Town Commission gave direction to the Town Manager to proceed with performing a street lighting analysis in order to determine where additional lights are needed.



## OBJECTIVE

Increase the quantity of residential street lighting fixtures with locations non-subjectively selected with the purpose to create safer walkability by increasing illumination during evening hours.

Illumination is not uniform throughout the Town. Even after the conversion project within the residential area, various “dark” areas exist that continue to remain a hazard for walkability during night-time hours. **Picture A** – “*Photograph of Dickens Avenue and 92<sup>nd</sup> street*” below shows the composition of dark areas and light areas as they pertain to a residential street block within the Town.



**Picture A** – “*Photograph of Dickens Avenue and 92<sup>nd</sup> street*”

The Town Administration performed an analysis based on information gathered and field visits in order to increase the quantity of residential street lighting fixtures with locations non-subjectively selected with the purpose of creating safer walkability by increasing illumination



during evening hours. Furthermore, a **Recommendation and Conclusion** section is provided in this analysis report to assist with Town Commission direction decision.

## METHODOLOGY

In order to eliminate subjectivity in the determination of the location and number of new light fixtures to have uniform illumination at the pedestrian level, the analysis by Town administration incorporated the following items:

- Use the technical specifications of the equipment in place already obtained from FPL. This involved the comparison of photometric charts of both HPS bulbs and LED fixtures which are included in **Appendix B** – *“Product Specification Photometric”*.
- Use the information that the Town has already collected on the location of light fixtures including previous lighting data in order to overlay photometric chart data onto existing GIS maps provided in **Appendix A** – *“Town of Surfside Street Light Inventory”*.
- Draw the area illuminated from each lighting fixture, using the technical specifications already obtained onto in **Appendix A** – *“Town of Surfside Street Light Inventory”* in order to create **Appendix C** – *“Street Light Photometric”*.
- Produce a map (GIS or similar) with the proposed locations of new lights and or poles after item number 1, item number 2 and item number 3 have been evaluated. **Appendix D** – *“Proposed Street Lights Map”*.

Based on the findings, **Table C** – *“Recommendation Table”* was composed which incorporates the findings of the analysis and makes various illumination goals depending on the number of lighting fixtures proposed. This analysis does not include cost figures or cost estimates.



## ANALYSIS

The analysis for residential street light photometric is provided in this section. The analysis is based on the proposed methodology that was presented to the Town Commission during the February 2020 Town Commission General Meeting.

Use the technical specifications of the equipment in place already obtained from FPL. This involved the comparison of photometric charts of both HPS bulbs and LED fixtures which are included in **Appendix B – “Product Specification Photometrics”**.

Both photometric data for high pressure sodium bulbs and LED fixtures were compared side by side. Two distances were obtained for each lighting system; these are the longitudinal distance and width distance. Longitudinal distance is referring to the distance on each side of the fixture and width distance is the distance in front of the fixture. Both distances vary depending on the height of the fixture installation. Based on the information gathered from product specification photometrics, **Table B – “Lighting Coverage by Fixture”** below was composed to present findings.

Item Number	Type of Fixture	Longitudinal Distance (Feet)	Width Distance (Feet)	Finding Source
1	High Pressure Sodium	50	40	Field Measurement
2	High Pressure Sodium	70	50	Specification Sheet
3	LED	85	40	Field Measurement
4	LED	75	20	Specification Sheet

**Table B – “Lighting Coverage by Fixture”**

**Table B – “Lighting Coverage by Fixture”** also presents field measurements of each fixture as there was a difference in field conditions to product specification conditions. The difference was the height of installation. The Town of Surfside has fixtures installed higher than presented in product specification by a total of 5 feet with a margin of error of 3 feet. Based on findings, an average of both measurements was taken and presented in **Table C – “Lighting Coverage by Fixture Average”** as shown below:

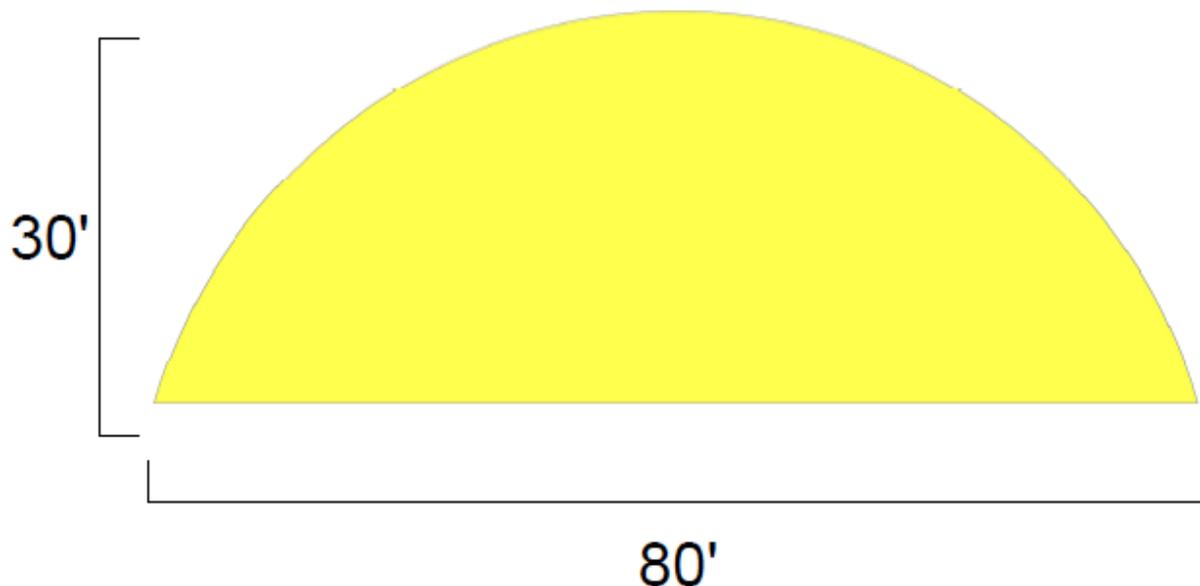
Item Number	Type of Fixture	Longitudinal Distance (Feet)	Width Distance (Feet)	Finding Source
1	High Pressure Sodium	60	45	Average
2	LED	80	30	Average

**Table C – “Lighting Coverage by Fixture Average”**



It is worth noting that the figures present are the effective lighting of each light based on their design intent. Each fixture covers areas greater than shown in **Table B** – “*Lighting Coverage by Fixture*” but these areas are dimmer and not effective lighting areas. Secondly, **Appendix B** – “*Product Specification Photometrics*” provides photometrics in a disformed shape which resembles a dis-figured circle. For the purpose of this analysis, the photometric impact area was averaged and converted to a defined semi-circle. **Picture B** – “*Photometric Impact Area*” below presents the averaged fixture coverage area that was used for the analysis.

## DIMENSIONS



**Picture B** – “*Photometric Impact Area*”

**Picture B** – “*Photometric Impact Area*” will be referred to as the illumination zone for the remainder of the analysis. It was used as an overlay onto residential street maps in order to determine areas that are not receiving effective illumination coverage. Furthermore, there is a 6-foot to 8-foot offset from above ground utility poles to light figure (light source) which is due to the arm length of each lighting fixture. This distance was taken into consideration. Lastly, non-effective lighting behind each lighting fixture was not taken into account. This is because these areas are not considered walkable areas and are of private property majority. Additionally, measurements of these areas illumination by LED lighting fixtures is difficult due to private property lighting distortion.



Use the information that the Town has already collected on the location of light fixtures including previous lighting data in order to overlay photometric chart data onto existing GIS maps provided in **Appendix A** – “Town of Surfside Street Light Inventory”. Draw the area illuminated from each lighting fixture, using the technical specifications already obtained onto in **Appendix A** – “Town of Surfside Street Light Inventory” in order to create **Appendix C** – “Street Light Photometric”.

**Appendix A** – “Town of Surfside Street Light Inventory” was used to assess the areas currently obtaining illumination and compared to the areas not receiving. Based on findings, there are currently an average of 3.00 lighting fixtures per block. Page 2 of **Appendix A** – “Town of Surfside Street Light Inventory”, lays out a typical section of a Town block. A Town block from street to street along the same avenue in the residential area is approximately 525 linear feet. Based on the average amount of lights, a total of 240 linear feet out of the entire 525 linear feet of a typical block has illumination. Therefore, it was determined that the average lighting per typical block is approximately 45%. **Diagram A** – “Typical Lighting Per Block Diagram”, below creates a visual representation of the 45% illumination of an average typical roadway.



**Diagram A** – “Typical Lighting Per Block Diagram”

In **Diagram A** – “Typical Lighting Per Block Diagram”, the entire strip represents a typical block along an avenue from street to street. For example, Garland Ave from 89<sup>th</sup> Street to 90<sup>th</sup> Street. The yellow sections represent the illumination zone. The black sections represent the areas where minimal to no illumination is present. Since this is an average representation of actual field conditions, it has been simplified for analysis purposes. As previously stated, even though the average coverage per existing LED fixture is 40 feet each way (80 feet total), the fading effect of each fixture may add additional coverage. The fading effect is the dimming of the illumination as the distance from the point of origin increases. The fading effect distance was not used in the analysis because it is not considered optimal illumination. The following pictures provide a reality perspective to **Diagram A** – “Typical Lighting Per Block Diagram”.



**Picture C** – *“Town of Surfside Night-time Aerial on 02-21-2020”*



**Picture D** – *“Town of Surfside Night-time Aerial on 02-21-2020 “*



Produce a map (GIS or similar) with the proposed locations of new lights and or poles after item number 1, item number 2 and item number 3 have been evaluated. **Appendix D** – “Proposed Street Lights Map”.

Propose a plan to add lights where pedestrian level lighting does not have uniform illumination and deficiencies determined.

During the evaluation of all information, it was determined that 45% of the single-family residential areas right of way within the Town are illuminated. This is based on the lighting illumination per street as an average. Prior to determining locations of additional lights, various variables needed to be considered. The considerations are as follows:

- Number of existing above ground utility poles existing
- Number of existing above ground utility poles with transformers
  - a. Accessibility to transformers if a proposed pole does not have one
  - b. Capacity of transformer
- Location of street where poles are located and if cross alternation can take place (each side of the street)
- Illumination percentage goal

45% existing illumination was based on 3 lighting fixtures per block average. In order to increase illumination, new lighting fixtures need to be added. The current infrastructure allows for additional lighting fixtures since poles either have a transformer or, are within the proximity of a pole with a transformer. To be within the proximity, the nearest pole with transformer needs to be within 2 poles distance. The current lighting fixture spread alternates with every other pole having a fixture. On average, a residential block has 6 poles and 2 transformers.

Based on two neighborhoods surveyed with optimal lighting, 90% illumination was the targeted percentage goal. 90% allows for illumination visibility throughout as lighting transition from one lighting fixture to the next. The 2 neighborhoods surveyed had the same single-family residential style as Town of Surfside. The neighborhoods were as follows:

- North Bay Village – Single Family Residential Area
- Normandy Isle, Miami Beach Single Family Residential Area

**Appendix D** – “Proposed Street Lights Map” proposes a total of 133 new fixtures along street blocks in the residential area in order to achieve 90% illumination. This figure breaks



down to an additional 3 fixtures per Town block. In the creation of **Appendix D** – “Proposed Street Lights Map”, some Town blocks have proposed 2 additional lighting fixtures and other more than 3 additional lighting fixtures. Even though the average is 3 additional light fixtures per block, some have proposed less since there is an intersection pole that provides block illumination. All proposed locations have an existing pole so only fixture and connection to a transformer are needed. For the most part, all transformers have the capacity for additional lighting fixture. Transformer capacities need to be confirmed with FP&L. The following pictures show areas within Miami-Dade County (MDC) with 90% illumination. The same logic for determination of light percentage in Town of Surfside as used to determine illumination percentages in these areas.



Picture E – “North Bay Village Night-time Aerial on 02-21-2020”



Picture F – “Normandy Isles Night-time Aerial on 02-21-2020”



Picture G – “Normandy Isles Night-time Aerial on 02-21-2020”



## RECOMMENDATION AND CONCLUSION

The analysis was based on 90% illumination which is the maximum number of lighting fixtures to existing poles. **Table C** – “*Recommendation Table*” presents the number of additional fixtures with respective illumination percentage for various options. Refer to table below:

Item number	Number of Additional Lights (Overall)	Average Additional Lights per Block	Illumination Percentage	Comments
1	0	3	45%	No Change
2	89	4	60%	N/A
3	112	5	76%	N/A
4	133	6	90%	Appendix D

**Table C** – “*Recommendation Table*”

At this time, there is no cost estimate for each of the recommendations of **Table C** – “*Recommendation Table*”. Cost estimate will involve coordination with Florida Power and Light (FP&L). Currently, the provided recommendations are based on using existing pole infrastructure. Based on Town Commission direction, a cost estimate can be composed for proposed recommendation options. Any cost estimates pertaining to light fixtures operated by another agency need to be coordinated. In this case, cost estimate needs to be coordinated with Florida Power and Light (FPL).

Some additional considerations include:

- How will additional lighting fixtures in the Right of Way impact the quality of life of residents.
  - Light infiltration into private property
- Other options for increase walkability safety
  - Mid-level pedestrian lighting options
  - Alternative walking options such as sidewalks
  - Enhancing other infrastructure options such as;
    - Thermoplastic striping of roadway markings
    - Roadway Lighting options which include ground and signage lighting

This report was composed using the existing infrastructure present to add additional lighting fixtures to gain an increase in illumination percentage. The proposed locations of the lighting fixtures were based on existing locations of above ground utility poles.



## **Appendix A**

### *“Town of Surfside Street Light Inventory”*

1 Page

# Legend

 City Boundary

 Parcels

## Owner

 Surfside

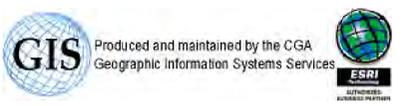
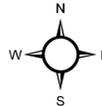
 FPL

 Miami-Dade County



# Town of Surfside Street Light Inventory

Print Date: 11/7/2018





## Appendix B

*“Product Specification Photometric”*

3 Pages

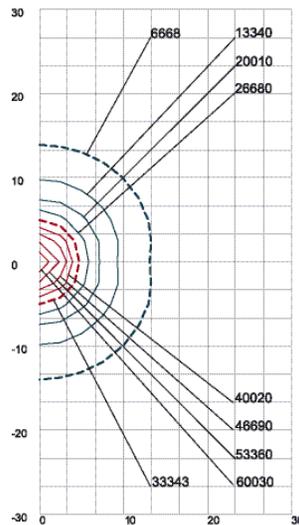
# Photometric Data

## E-17 High Pressure Sodium

BK No.	Lamp Watts	Description	Rated Life	Initial Lumens	Mean Lumens	CRI	CCT(K)
112	35	35W/E-17/HPS/MED/Clear	24,000	2,250	2,025	20	2,100
113	35	35W/E-17/HPS/MED/Diffuse	24,000	2,150	1,935	20	2,100
104	50	50W/E-17/HPS/MED/Clear	24,000	4,000	3,600	21	2,100
105	50	50W/E-17/HPS/MED/Diffuse	24,000	3,800	3,420	21	2,100
108	70	70W/E-17/HPS/MED/Clear	24,000	6,300	5,670	21	2,100
109	70	70W/E-17/HPS/MED/Diffuse	24,000	5,860	5,270	21	2,100
120	100	100W/E-17/HPS/MED/Clear	24,000	9,500	8,550	21	2,100
121	100	100W/E-17/HPS/MED/Diffuse	24,000	8,800	7,920	21	2,100
122	150	150W/E-17/HPS/MED/Clear	24,000	16,000	14,400	21	2,100
123	150	150W/E-17/HPS/MED/Diffuse	24,000	15,000	13,500	21	2,100

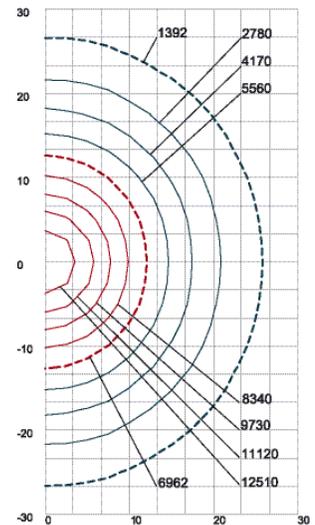
Lumen & Candela Conversion Multipliers	
100W	.60
70W	.40
50W	.25
35W	.14

**NARROW SPOT**



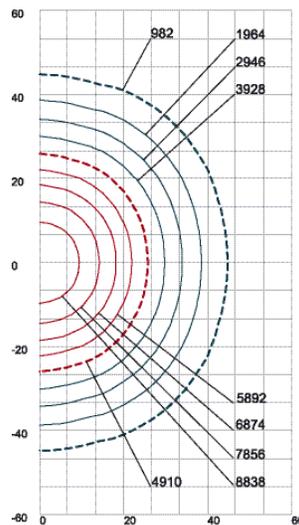
B-K FILENAME : TY11-150-NS-HPS CLEAR-ITLIES  
 Lamp: 150W Clear B-17 High Pressure Sodium  
 IES Beam Type: 24 x 2V  
 Max. Candela: 6668 at 0°H 0°V  
 Beam Spread (at 50% Max CD): 33343 at 10°H 10°V  
 Field Spread (at 10% Max CD): 6668 at 28°H 28°V  
 Total Lumens: 3237

**SPOT**



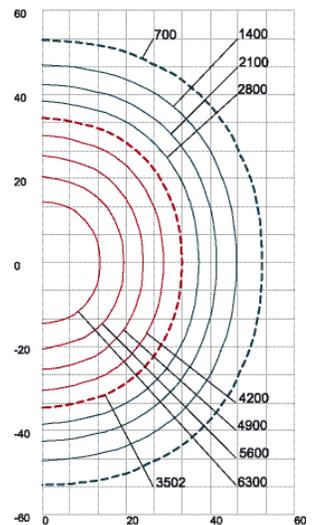
B-K FILENAME : TY11-150-SP SPECULAR-HPS CLEAR-ITLIES  
 Lamp: 150W Diffuse B-17 High Pressure Sodium  
 IES Beam Type: 44 x 4V  
 Max. Candela: 1392 at 0°H 0°V  
 Beam Spread (at 50% Max CD): 6962 at 24°H 25°V  
 Field Spread (at 10% Max CD): 1392 at 51°H 53°V  
 Total Lumens: 3859

**FLOOD**



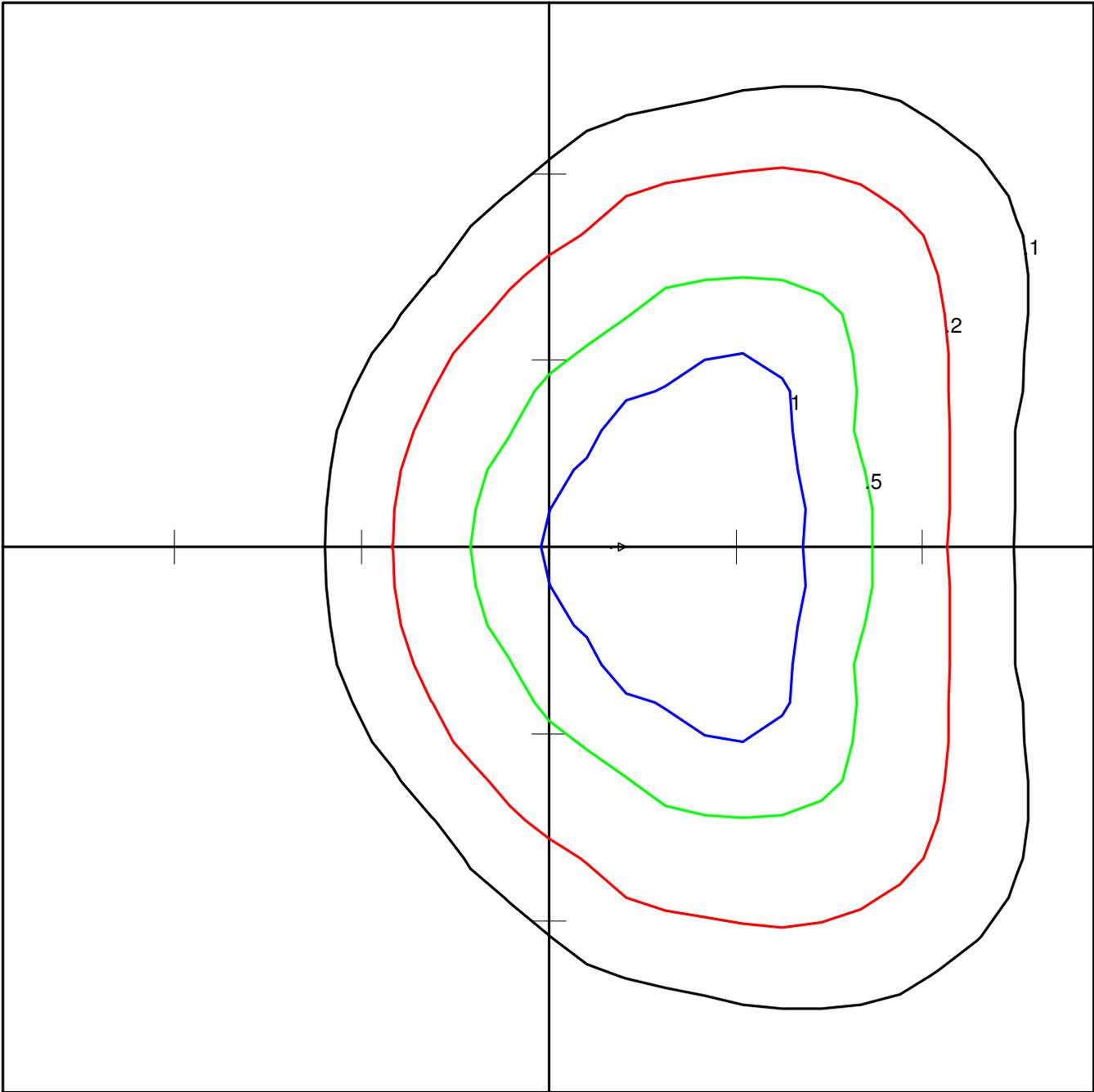
B-K FILENAME : TY11-150-FL-HPS COATED-ITLIES  
 Lamp: 150W Diffuse B-17 High Pressure Sodium  
 IES Beam Type: 54 x 5V  
 Max. Candela: 982 at 0°H 0°V  
 Beam Spread (at 50% Max CD): 4910 at 52°H 52°V  
 Field Spread (at 10% Max CD): 982 at 90°H 90°V  
 Total Lumens: 3237

**WIDE FLOOD**



B-K FILENAME : TY11-150-WF-HPS COATED-ITLIES  
 Lamp: 150W Diffuse B-17 High Pressure Sodium  
 IES Beam Type: 84 x 6V  
 Max. Candela: 700 at 0°H 0°V  
 Beam Spread (at 50% Max CD): 3502 at 67°H 66°V  
 Field Spread (at 10% Max CD): 700 at 105°H 106°V  
 Total Lumens: 5559

**Photometric Toolbox**



Cree, Inc  
 RSWS-A-HT-3ME-5L-30K7-UL-xxxx  
 Formed BMC housing, prismatic plastic lens, white inner  
 reflector  
 24 white LEDs

Horizontal Footcandles  
 Scale: 1 Inch = 20 Ft.  
 Light Loss Factor = 1.00  
 Lumens Per Lamp = N.A. (absolute photometry)  
 Luminaire Lumens = 5000  
 Mounting Height = 24.00 Ft  
 Maximum Calculated Value = 1.74 Fc  
 Arrangement: Single  
 Arm Length = 8 Ft



## Appendix C

*“Street Light Photometric”*

2 Pages

# Legend

-  City Boundary
-  Parcels
-  Illumination Zones

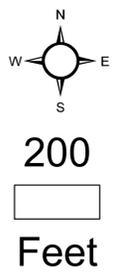
## Owner (Count)

-  Surfside (83)
-  FPL (243)
-  Miami-Dade County (68)



# Town of Surfside Street Light Inventory

Print Date: 2/3/2020

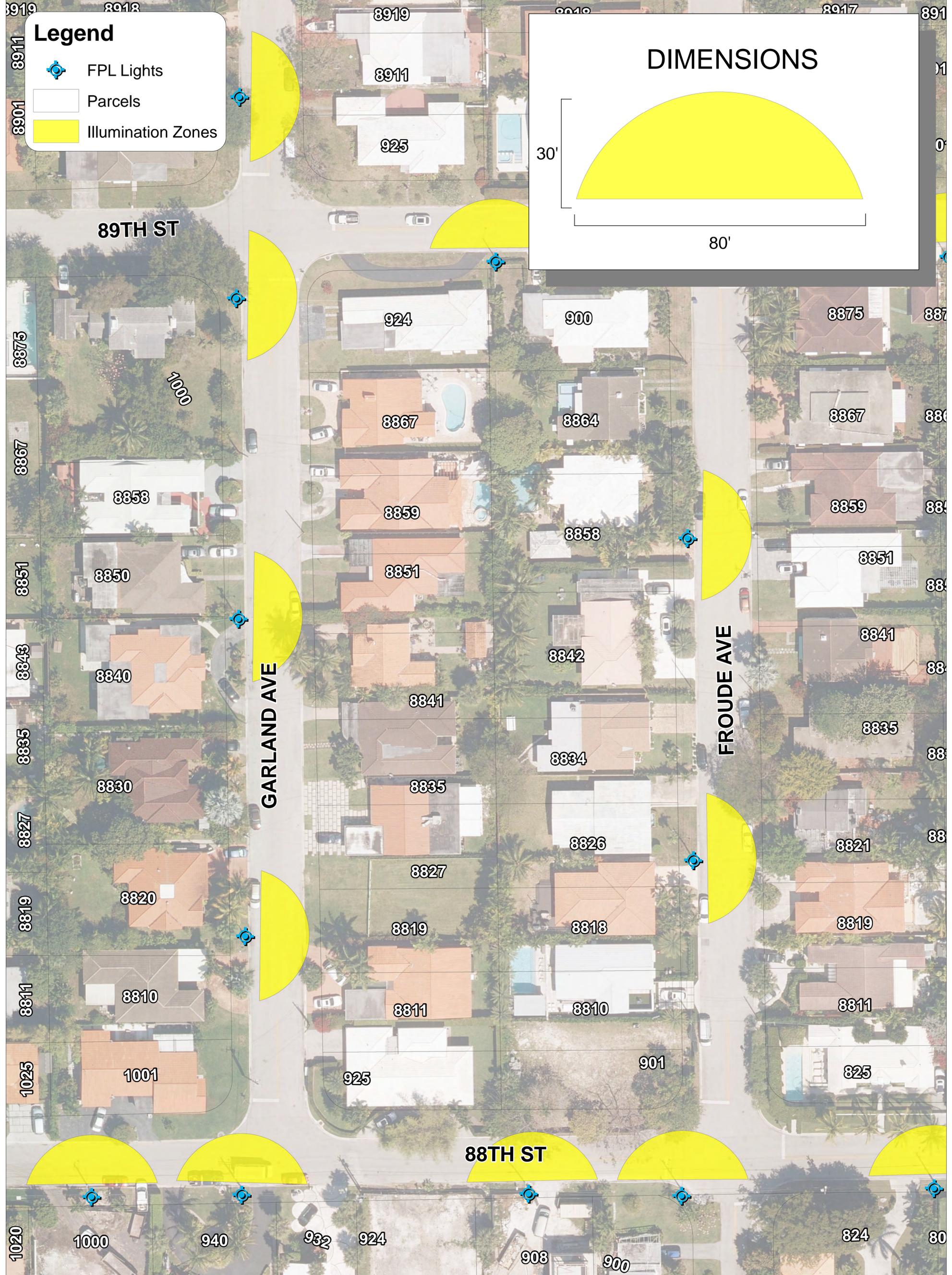
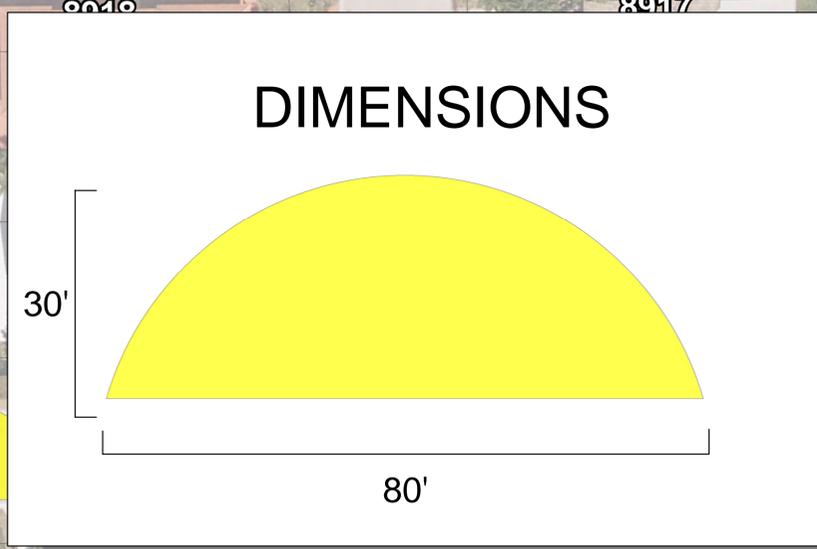


 Produced and maintained by the CGA  
 Geographic Information Systems Services 

 Calvin, Giordano & Associates, Inc.  
 EXCEPTIONAL SOLUTIONS<sup>SM</sup>

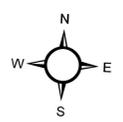
# Legend

-  FPL Lights
-  Parcels
-  Illumination Zones



## Town of Surfside Block 19 Street Light Photometrics

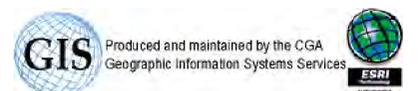
Print Date: 2/5/2020



75



Feet





## Appendix D

*“Proposed Street Lights Map”*

1 Page

# Legend

-  City Boundary
-  Parcels
-  FPL Illumination Zones
-  Proposed Illumination Zones

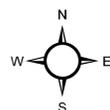
# Owner (Count)

-  Proposed (133)
-  Surfside (83)
-  FPL (243)
-  Miami-Dade County (68)



# Town of Surfside Street Light Inventory

Print Date: 2/18/2020



400



Feet

1 inch = 200 feet



Produced and maintained by the CGA  
Geographic Information Systems Services



Calvin, Giordano & Associates, Inc.  
EXCEPTIONAL SOLUTIONS<sup>SM</sup>



# MEMORANDUM

ITEM NO. 9Q

**To:** Honorable Mayor, Vice-Mayor and Members of the Town Commission  
**From:** Guillermo Olmedillo, Town Manager  
**Date:** April 21, 2020  
**Subject:** Lowering of Property taxes and Water Bills

---

At the March 24, 2020 Special Commission Meeting, Town Administration was directed to provide information on lowering property taxes and water bills.

April 14 through April 21, the Town's Finance Director has meet with the Commissioners to discuss the state of the Town's finances including the financial position of the Town's General Fund and Water & Sewer Fund. With the budget season starting, the Commission will have the opportunity to provide policy direction which forms the basis of the Town's Budget. On June 1, 2020, the Town will receive the Miami-Dade Property Appraiser Assessment Roll Estimate which will help guide the Town's Administration toward the goal of lowering the financial impact to Town residents.

Attached is the Town's financial position presentation given to the Commissioners.

Reviewed by: GO

Prepared by: JDG

# FINANCE ORIENTATION

April 2020



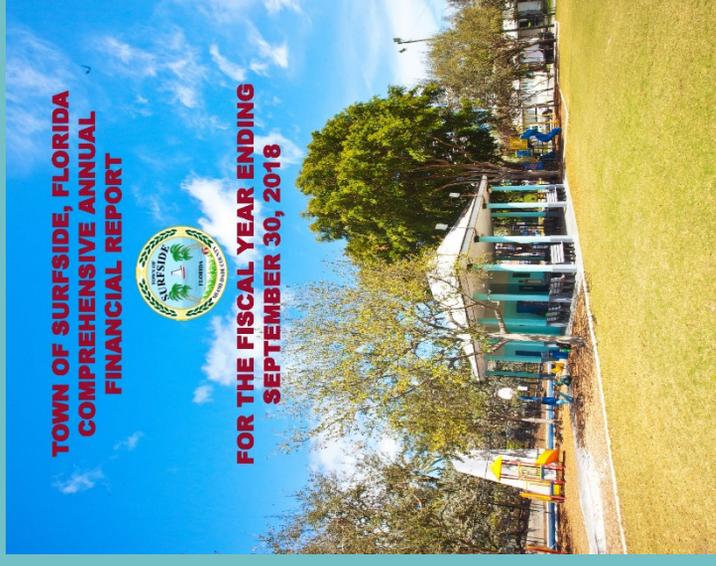
## Surfside Finance Department

# Financial Reporting

Page 335

Fiscal Year = October 1<sup>st</sup>  
thru September 30<sup>th</sup>

- Comprehensive Annual Financial Report (CAFR)
- Government Finance Officers Association (GFOA)
  - Certificate of Achievement for Excellence in Financial Reporting Program
  - <https://www.gfoa.org/best-practices>



# Other Reports

- **Florida Department of Finance**
  - Annual Financial Report (AFR)
- **Florida Auditor General**
  - Local Government Audit Report
- **State and/or Federal Single Audit Report**
- **Office of the Citizens' Independent Transportation Trust**
  - Audit every 5 years
  - Reporting quarterly and annually
- **Federal and State Law Enforcement**
  - Police Forfeiture funds
- **Local Highway Finance Report**
  - State revenue sharing

# Fund Accounting

## What is a Fund?

- A fund is like having a different checking account for different purposes



## Types of Funds



Governmental



Proprietary



Fiduciary



Internal  
Service

# Governmental Funds



## General Fund

Accounts for revenues including property taxes, sales taxes, and fines, as well as expenditures like Police and General Government

## Special Revenue Funds

Used for revenue sources that can only be used for a specific purpose (ex. Building, Resort Taxes)

## Capital Project Fund

Accounts for major capital construction or acquisition of major assets

# Other Funds

## Proprietary Funds

- Government services that are financed in whole or in part by fees paid by those who benefit from the services



## Fiduciary Fund

- Used when a government unit acts as a trustee or agent



## Internal Service Fund

- Accounts for cost of maintaining Town's fleet



# Balance Sheet - Reserves

- The Town is in good financial position
- General Fund (2019 UNAUDITED)
  - \$2.0M assigned fund balance (Hurricane Reserve)
  - New Resiliency Reserve created in FY 2020
  - \$13.0M unrestricted fund balance
- Other governmental funds (Restricted or Assigned)
  - Building Fund \$2.6M
  - Capital Projects Fund \$3.0M
  - Tourist Resort \$1.6M
  - Other (Trans./Police) \$435k
- Enterprise funds (Restricted)
  - Water & Sewer (\$1.5M)
  - Stormwater \$3.2M
  - Parking \$1.2k
  - Solid Waste \$655k

# Unassigned General Fund Reserves

<b>Fiscal Year</b>	<b>Amount</b>	<b>Increase</b>	<b>Increase</b>
2009	\$ 7,178,552		
2010	\$ 867,867	\$ (6,310,685)	-87.9%
2011	\$ 1,958,783	\$ 1,090,916	125.7%
2012	\$ 3,121,636	\$ 1,162,853	59.4%
2013	\$ 3,151,275	\$ 29,639	0.9%
2014	\$ 4,204,273	\$ 1,052,998	33.4%
2015	\$ 3,722,284	\$ (481,989)	-11.5%
2016	\$ 5,170,003	\$ 1,447,719	38.9%
2017	\$ 6,460,802	\$ 1,290,799	25.0%
2018	\$ 8,902,050	\$ 2,441,248	37.8%
2019	\$ 12,983,069	\$ 4,081,019	45.8%

# General Fund Reserves compared to Property Tax Revenues

<b>Fiscal Year</b>	<b>Reserves</b>	<b>Revenues</b>	<b>% Ratio</b>
2009	\$ 7,178,552	\$ 6,325,721	113.5%
2010	\$ 867,867	\$ 5,323,728	16.3%
2011	\$ 1,958,783	\$ 5,619,494	34.9%
2012	\$ 3,121,636	\$ 5,264,387	59.3%
2013	\$ 3,151,275	\$ 5,257,726	59.9%
2014	\$ 4,204,273	\$ 5,660,551	74.3%
2015	\$ 3,722,284	\$ 6,526,267	57.0%
2016	\$ 5,170,003	\$ 7,276,466	71.1%
2017	\$ 6,460,802	\$ 8,167,329	79.1%
2018	\$ 8,902,050	\$ 9,626,611	92.5%
2019	\$ 12,983,069	\$ 12,835,787	101.1%

# Enterprise Funds Unrestricted Reserves

Page 343

Fiscal Year	Water & Sewer	Stormwater	Solid Waste	Parking
2009	\$ 448,793	\$ (77,137)	\$ (128,427)	\$ 2,526,724
2010	\$ 440,000	\$ 40,626	\$ 82,210	\$ 2,043,034
2011	\$ 1,674,603	\$ 188,302	\$ 207,462	\$ 1,385,581
2012	\$ (2,949,483)	\$ (161,489)	\$ 228,437	\$ 1,258,325
2013	\$ (5,261,333)	\$ 2,520,512	\$ 227,274	\$ 1,066,574
2014	\$ (3,501,884)	\$ 3,838,412	\$ 116,662	\$ 1,000,355
2015	\$ (2,705,871)	\$ 4,051,768	\$ 340,391	\$ 1,089,165
2016	\$ (1,489,769)	\$ 3,626,325	\$ 245,941	\$ 1,111,941
2017	\$ (3,048,579)	\$ 1,456,556	\$ 429,743	\$ 811,013
2018	\$ (2,546,398)	\$ 3,203,878	\$ 601,201	\$ 943,315
2019	\$ (1,477,313)	\$ 3,200,646	\$ 655,448	\$ 1,185,311
2020	\$ (1,136,724)	\$ 3,034,923	\$ 432,957	\$ 1,108,943

# Debt

- **No General Obligation, Capital Leases, or Pension Obligation debt**
  - **Utility System Revenue Bond Series 2011**
    - Improvements to facilities for the water, sewer, and stormwater systems
    - \$16M issued
    - \$7.3M outstanding as of September 30, 2019
    - Final payment – 2026
  - **Clean Water State Revolving Loan**
    - Improvements to facilities for the sewer and stormwater systems
    - \$9.31M issued
    - \$6.86M outstanding as of September 30, 2019
    - Final payment – 2033
- \*all debt serviced with water, sewer, & stormwater funds**

# Budgeting

FISCAL YEAR 2020



# Budget Glossary

**Budget:** A plan of financial activity for a specified period of time (fiscal year) indicating all planned revenues and expenses for the budget period.

- **Millage:** Derived from a Latin word "millesimum" meaning "thousandth," with 1 mill being equal to 1/1,000th of a currency unit. As used in relation to property tax, 1 mill is equal to \$1 in property tax, which is levied per every \$1,000 of a property's determined taxable value.
- **Taxable Valuation:** This is the amount determined by the Property Appraiser after any discounts and/or exemptions have been applied to the assessed valuation. This reduced figure is the one against which governments may levy a tax.

# Budget Process

- Budget development and management is a year-round process.
- Budget preparation begins in February-March and is designed to assist the Town's management in the development of short-term and long-term strategies to meet legal and policy directives as well as perceived wishes of the community including the various advisory boards and committees.
- The policy directives of the Town of Surfside's Town Commission are the principal focus of each budget process.
- Government Finance Officers Association (GFOA) Distinguished Budget Presentation Award



# Budget Timeline

Page 348.

- **March** Initiate Budget Development Process
- **April** Distribute budget package to Department Directors
- **April** Budget Goals and Objectives Workshop with Town Commission to set budget priorities
- **April-May** Budget Retreat – Town Manager and Department Directors
- **May** Departments submit budget requests. Meetings with Town Manager to review all requests
- **June 1<sup>st</sup>** Miami-Dade Property Appraiser Assessment Roll Estimate
- **June** Town Commission Budget Workshop

# Budget Timeline

- **July 1<sup>st</sup>** “Certification of Taxable Value” received from the Property Appraiser
- **Early July** Proposed Budget submitted to Town Commission
- **Mid-July** Town Commission meets to set tentative property millage rates
- **Early Aug** Notify Property Appraiser - proposed millage rate, etc.
- **July-Aug** Proposed Budget finalized based on Town Commission budget discussion and final taxable value
- **Sept**
  - First and second public hearings
  - Adopt millage rates
  - Adopt operating and capital budgets

\*Florida Statute precludes local governments from conducting its budget hearings on the same date as Miami-Dade County and the Miami-Dade County School Board

# Budget Components

## General Fund

- General Government
- Public Safety
- Physical Environment
- Streets
- Non-Community Center Parks & Recreation

## Special Revenue Funds

- Building Services
- Tourist
- Transportation
- Police Forfeiture

## Capital Projects Fund

- Physical Environment

## Enterprise Funds

- Water & Sewer
- Stormwater
- Solid Waste
- Parking

## Internal Service Fund

- Fleet Management

# Special Revenue Funds – What do you get?

**Page 351**

## **Transportation Fund**

- Generated through the Miami-Dade County half-penny sales surtax
- Use of the funds include a Community Bus Service as well as sidewalk replacements, bus stop maintenance, etc.
- **Police Forfeiture**
- Funded through forfeitures, seizures, and confiscations related to criminal activity
- Use of the funds is restricted to crime prevention initiatives

## • **Building Fund**

- Account for the building department activities
- Revenues are collected from development activity to fund building department operations

# Special Revenue Funds – What do you get?

- **Tourist Resort Fund**

**Page 352**

- Generated from taxes placed on certain types of private enterprise – food and beverage sales and accommodations
- Sixty-six percent (66%) of total revenues allocated for the cost of operating the Community Center and collection of resort tax
- Pursuant to Chapter 67-930 of State of Florida law, and further defined in the Town’s Ordinance No. 11-1574, a minimum of 34% of the resort tax revenue must be used to promote the Town as a tourist destination
- The expenditure of these funds is governed by the Tourist Bureau Board
- Used to fund the other initiatives, also enjoyed by residents:
  - Annual holidays lights on Harding Avenue
  - Popular events, including Third Thursdays, First Fridays, Paddletopia, Bootcamp & Brews, History Tours, and more

**Community Center Budget is ~\$2.2M in Fiscal Year 2020**

**This funding provides property tax relief as these operations are no longer supported by the General Fund**

# Property Values

## Taxable Property

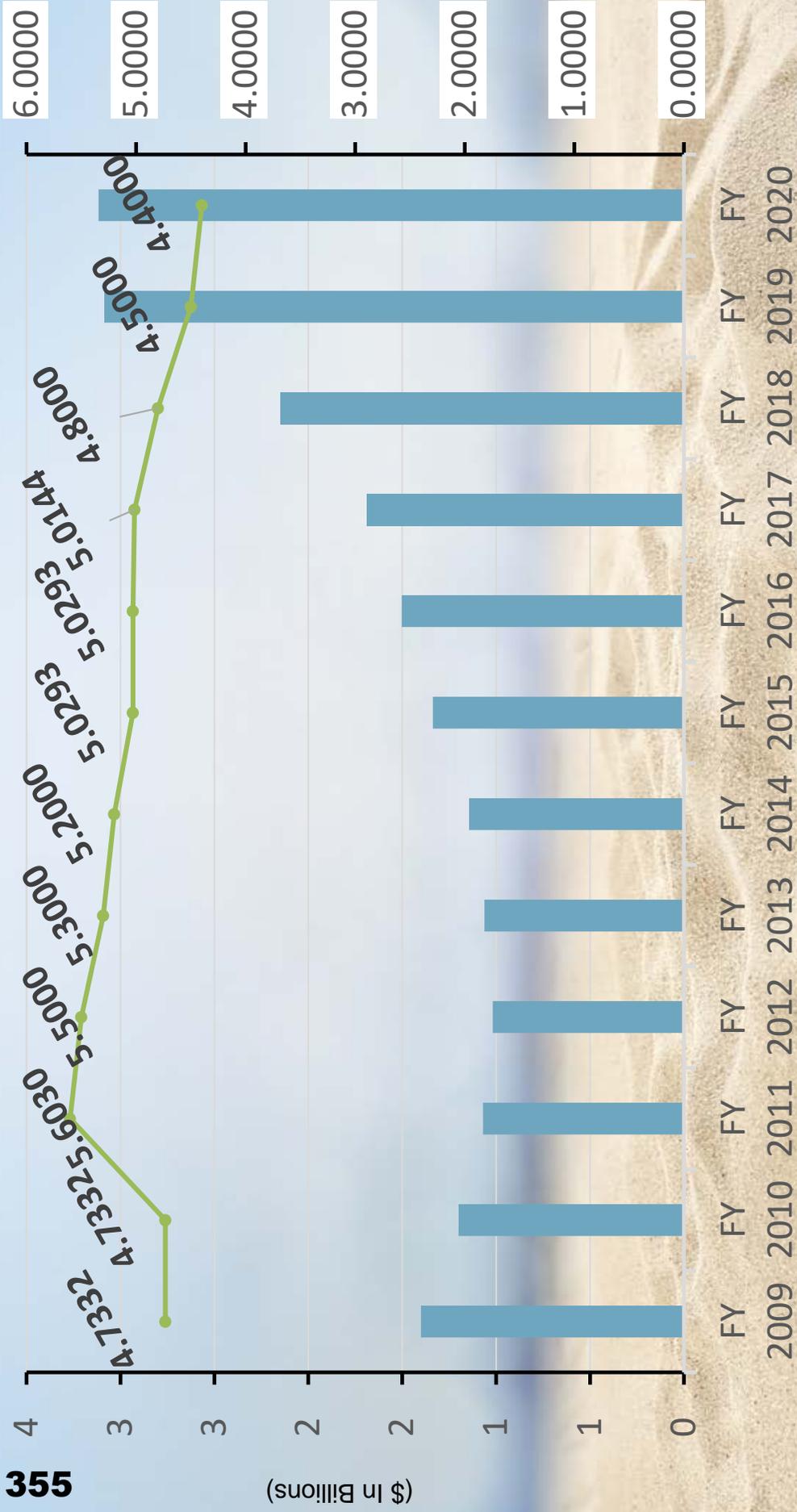
Fiscal Year	Millage Rate	Value	Value Increase	% Increase
2009	4.7332	\$ 1,531,669,419		
2010	4.7332	\$ 1,283,401,231	\$ (248,268,188)	-16.2%
2011	5.6030	\$ 1,062,959,623	\$ (220,441,608)	-17.2%
2012	5.5000	\$ 1,017,658,274	\$ (45,301,349)	-4.3%
2013	5.3000	\$ 1,062,214,226	\$ 44,555,952	4.4%
2014	5.2000	\$ 1,144,071,250	\$ 81,857,024	7.7%
2015	5.0293	\$ 1,336,876,007	\$ 192,804,757	16.9%
2016	5.0293	\$ 1,502,755,220	\$ 165,879,213	12.4%
2017	5.0144	\$ 1,689,439,338	\$ 186,684,118	12.4%
2018	4.8000	\$ 2,150,458,492	\$ 461,019,154	27.3%
2019	4.5000	\$ 3,086,020,534	\$ 935,562,042	43.5%
2020	4.4000	\$ 3,116,633,395	\$ 30,612,861	1.0%

# Property Taxes

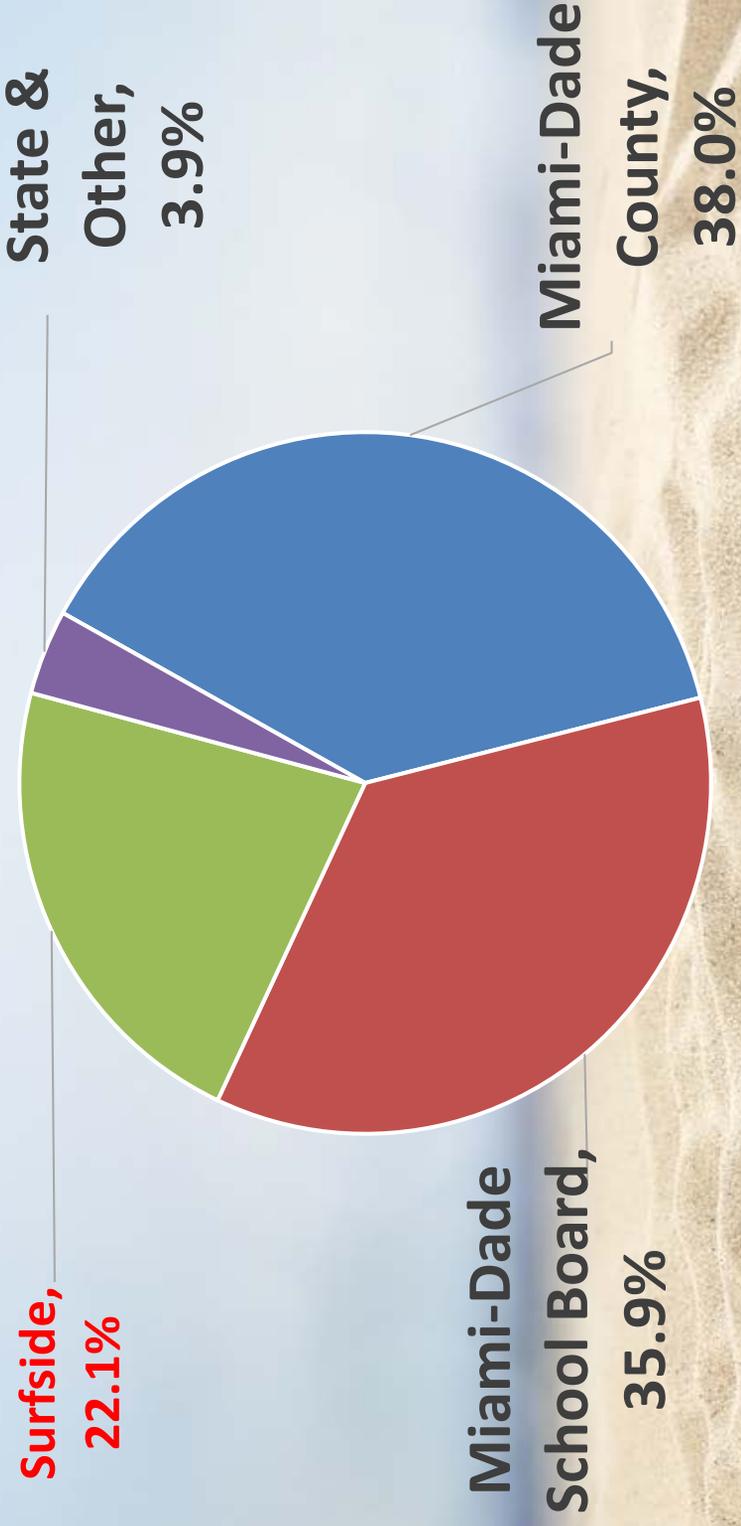
Fiscal Year	Millage Rate	Taxable Property Value	Property Taxes Collected	% Increase
2009	4.7332	\$ 1,531,669,419	\$ 6,325,721	
2010	4.7332	\$ 1,283,401,231	\$ 5,323,728	-15.8%
2011	5.6030	\$ 1,062,959,623	\$ 5,619,494	5.6%
2012	5.5000	\$ 1,017,658,274	\$ 5,264,387	-6.3%
2013	5.3000	\$ 1,062,214,226	\$ 5,257,726	-0.1%
2014	5.2000	\$ 1,144,071,250	\$ 5,660,551	7.7%
2015	5.0293	\$ 1,336,876,007	\$ 6,526,267	15.3%
2016	5.0293	\$ 1,502,755,220	\$ 7,276,466	11.5%
2017	5.0144	\$ 1,689,439,338	\$ 8,167,329	12.2%
2018	4.8000	\$ 2,150,458,492	\$ 9,626,611	17.9%
2019	4.5000	\$ 3,086,020,534	\$ 12,835,787	33.3%
2020	4.4000	\$ 3,116,633,395	\$ 13,027,528	1.5%

# TAXABLE VALUES & MILLAGE RATES

## 10 YEARS

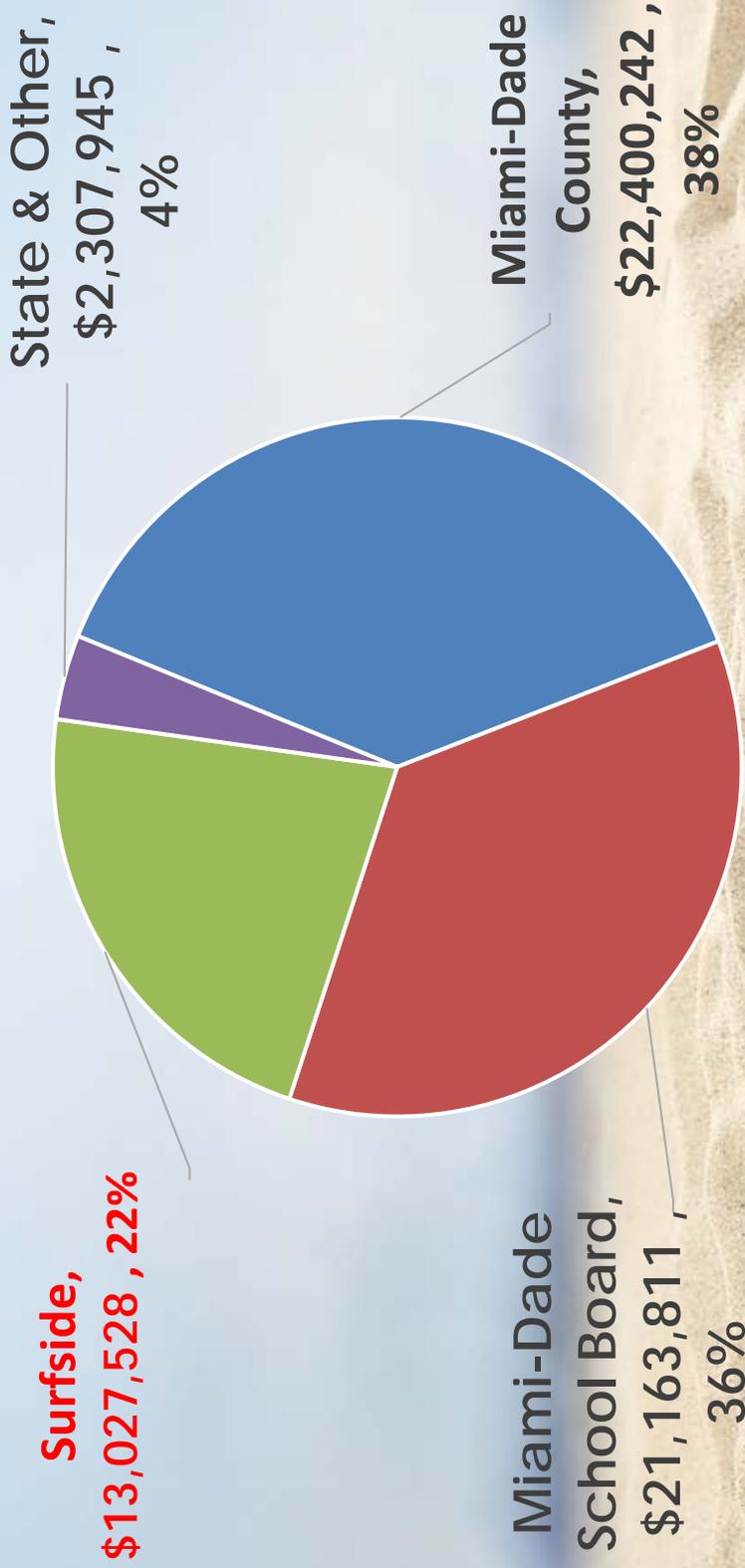


# HOW MUCH OF YOUR TAX BILL GOES TO THE TOWN?



**77.9% of Surfside property taxes go to other entities**

# Property Tax Distribution 2019 Millage Rates



**\$45.9M of the \$58.9M in Surfside property taxes go to other entities**

# Property Taxes Millage Rates

Fiscal Year      Surfside      County      Miami-Dade School Board

2009      4.7332      5.1229      7.7970

2010      4.7332      5.1229      7.9950

2011      5.6030      5.8725      8.2490

2012      5.5000      5.0900      8.0050

2013      5.3000      4.9885      7.9980

2014      5.2000      5.1255      7.9770

2015      5.0293      5.1169      7.9740

2016      5.0293      5.1169      7.6120

2017      5.0144      5.0669      7.3220

2018      4.8000      5.0669      6.9940

2019      4.5000      5.1313      6.7330

2020      4.4000      5.1449      7.1480

# Fiscal Year 2020 General Fund Revenues & Expenditures

\$16.5M Projected Revenues

78.7% Ad Valorem

9.0% Franchise / Utility  
 6.7% Intergov/ Charges for Services  
 5.6% Other



44.2% Public Safety

36.9% General Government

10.4% Physical Environment  
 8.5% Other

\$14.4M Projected Expenditures

\$2.1M added to General Fund Reserves

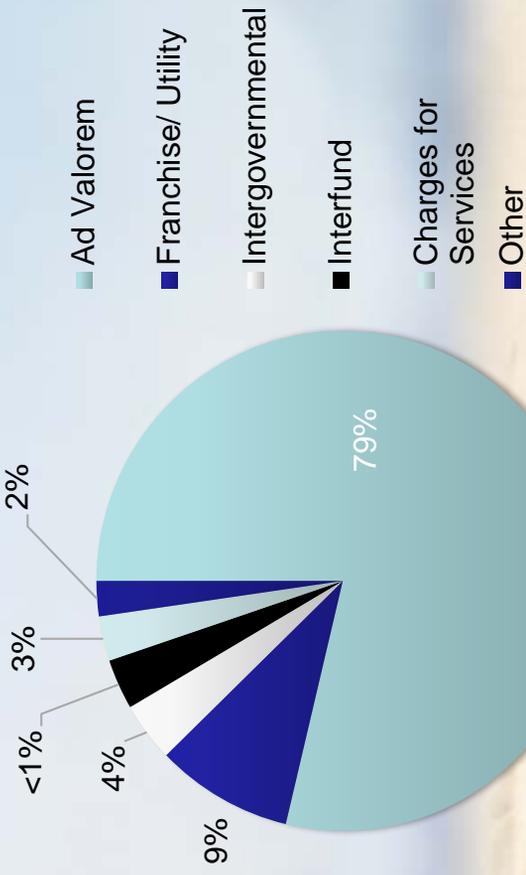


# Revenues Forecast General Fund

## \$16.5 Million

- Ad Valorem \$13.0 Million
- Franchise/Utility \$1.5 Million
- Intergovernmental \$637,500
- Interfund \$539,000
- Charges for Services \$478,700
- Other \$376,500

FY 2020 General Fund Revenues

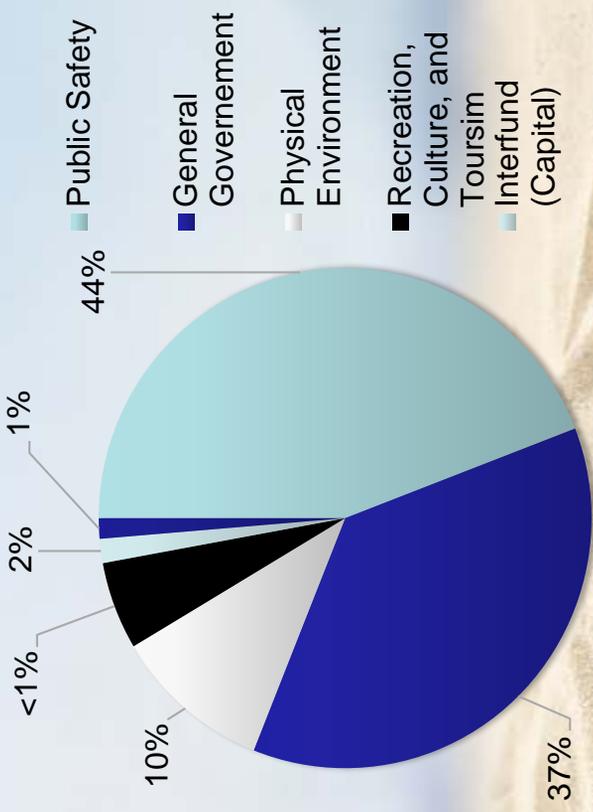


# General Fund Expenditures

## \$14.4 Million

- Public Safety \$6.4 Million
- General Government \$5.3 Million
- Physical Environment \$1.5 Million
- Recreation/Community \$819,932
- Interfund (Capital) \$225,000
- Streets \$190,331

FY 2020 General Fund Expenditures



# Enterprise Funds – Water & Sewer

- The Town operates its Water and Sewer System and funds the operations, maintenance, administration, debt service, and infrastructure renewal and replacement needs through user fees and available reserves.
- The Town has issued bonds to pay for a portion of its water and sewer capital project and the debt service is repaid through the system's net revenues.
  - Town water is purchased from Miami-Dade County at wholesale rates and transmitted through Town owned water lines.
  - Wastewater (sewer) runs through the Town's collection system and is discharged under an agreement with the City of Miami Beach.
  - The Water and Sewer division also performs functions related to billing and collection for the services provided.
  - General Town administrative support provides services for Water and Sewer operations such as: oversight, finance, payroll, human resources, benefits and pension management, and the provision of office space.

# Fiscal Year 2020 Water & Sewer Fund Revenues & Expenditures

\$4.4M Projected Revenues

50% Water      47% Sewer      3% Grant



53% Operating Costs

\*81% of the Operating Costs are direct past throughs

\*75% of the all expenses are debt service and pass throughs

30% Debt Service

11% Personnel Costs      7% Other

\$4.1M Projected Expenditures

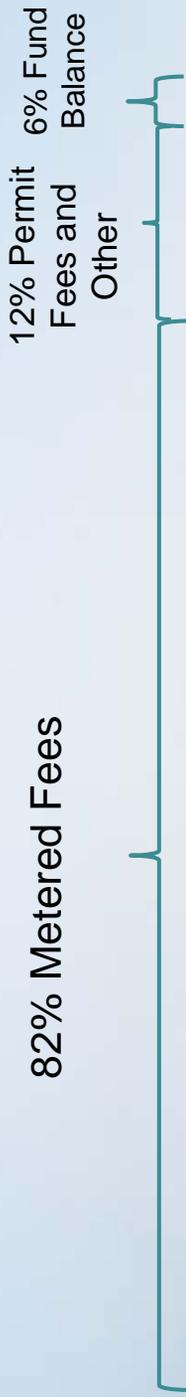
\$340,000 added to Reserves – FY 19 FY end balance = **(\$1.4M)**

# Enterprise Funds – Parking

- The Town operates its own municipal parking enterprise fund. The Town currently operates several parking lots and on-street parking spaces to provide parking throughout Town and convenient access to the Harding Avenue business district.
- Municipal Parking operations are under the supervision of the Public Safety Department.
  - The Town provides these services with Parking Division in-house staff and contracts with a private company for collection from parking meters.
  - Parking citation revenue is allocated to the General Fund.
  - General Town administrative support provides services for Municipal Parking operations such as: oversight, finance, payroll, human resources, benefits and pension management, and the provision of office space.

# Fiscal Year 2020 Parking Fund Revenues & Expenditures

\$1.3M Projected Revenues



45% Operating Costs

44% Personnel Costs

11% Other Costs

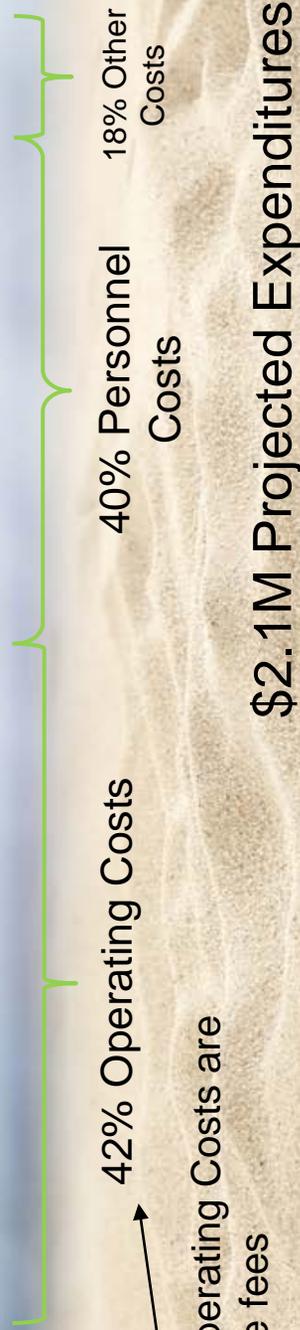
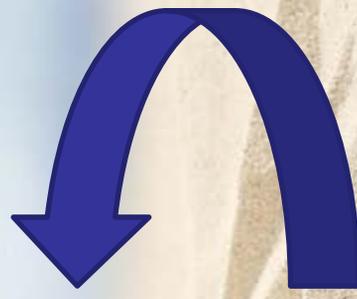
\$1.3M Projected Expenditures

# Enterprise Funds – Solid Waste

Page 366

- The Solid Waste Fund accounts for the cost of operating and maintaining collection and disposal services for Town residents and commercial businesses/properties.
- Solid waste collection and disposal services are provided by the Town for garbage, bulk trash, and vegetation.
- The Town provides in-house collection and disposal of recyclable materials for residential properties.
- Solid waste collection charges for residential property are billed by Miami- Dade County on the real property tax notice as a non-ad valorem assessment. The residential property assessment of \$318.67 for garbage/recycle is assessed for FY 2020. Variable rates are charged for multi-family units and commercial properties. The Town is in the process of evaluating commercial rates.
- General Town administrative support provides services for Solid Waste operations such as: oversight, finance, payroll, human resources, benefits and pension management, and the provision of office space.

# Fiscal Year 2020 Solid Waste Fund Revenues & Expenditures



\*57% of Operating Costs are tipping-type fees

\$222,000 reduction in Reserves – FY 19 FY end balance = \$655,000

# Enterprise Funds – Stormwater

- The Stormwater Utility Fund accounts for the cost of operating and maintaining the Town's stormwater drainage system in accordance with the Environmental Protection Agency National Pollutant Discharge Elimination System (NPDES) permit.
- The Town is in the process of developing a Stormwater Master Plan which should be updated at 5 year to properly document new projects and to adapt with future conditions. (On Hold)
- The Town contracts out many of the stormwater related functions.
  - Include planning, developing, testing, maintaining, and improving the management of waters resulting from storm events.
  - Vacuum truck services as well as a street sweeping program to maintain the stormwater infrastructure are funded.
  - General Town administrative support provides services for stormwater operations such as: oversight, finance, payroll, human resources, benefits and pension management, and the provision of office space.

# Fiscal Year 2020 Stormwater Fund Revenues & Expenditures



\$166,000 reduction in Reserves – FY 19 FY end balance = \$3.2M

# Contact Info

- Website: <https://townofsursidefl.gov/departments-services/finance>
- Jason D. Greene, CGFO, CFE, CPFIM, CICA  
jgreene@townofsursidefl.gov





# MEMORANDUM

ITEM NO. 9R

**To:** Honorable Mayor, Vice-Mayor and Members of the Town Commission  
**From:** Guillermo Olmedillo, Town Manager  
**Date:** June 9, 2020  
**Subject:** Calvin Giordano Contracts

---

At the May 12, 2020 Commission Meeting, the Commission has requested a report on the Calvin Giordano contracts laying out the options and a recommendation for each service area.

## Planning Services

At the May 14, 2020 Special Commission meeting on Planning & Zoning, the Commission provided direction to both prepare RFQ for Planning department services as soon as possible and advertise a new in-house planner.

## General Engineering Consultant (GEC) Services

At the May 26, 2020 Special Commission meeting, the Commission provided direction to:

- Prepare RFQ as soon as possible for Architecture, Engineering and Surveying Services per Consultants' Competitive Negotiation Act (CCNA), section 287.055, Florida Statutes to select a pool of engineering firms that will be pre-qualified.
- Prepare RFQ as soon as possible for engineering services including Abbott drainage option vetting, design, permitting, RFP preparation, construction inspections, and project management per Consultants' Competitive Negotiation Act (CCNA), section 287.055, Florida Statutes

## Information Technology (pending direction)

- Option #1 – No change
  - Continue with services as provided
- Option #2 – Bring Multi-media Specialist in-house
  - Develop cost for an in-house Multi-media specialist
  - CGA services to remain until such time as new staff are hired and transition complete

- Option #3 – Build new In-house Information Technology Department (all staff)
  - Develop cost for an in-house Information Technology Department
  - CGA to remain until such time as new staff are hired and transition complete
- Option #4 – Re-procure services now
  - Prepare RFQ as soon as possible for Information Technology consultants
  - CGA to remain until such time as a vendor is under contract and transition complete

The Administration recommends option #1 Information Technology.

Reviewed by: GO/LA

Prepared by: JDG

**IT Services Contract – CGA number 17-9175**

**Monthly Fee:** \$11,031.31

**Potential Additional Fees:** \$238.29 per broadcasting event – including setup, AV during meeting, posting after the meeting is over. Average Commission Meetings are 4 hours (30 min setup, 3-hour meeting, 30 min broadcasting of video)

After hours or weekend services (Police Department Emergencies/ Downtime to background check servers) \$101.34/hour only at Town request.

**Staff assigned to contract:** Jose Feliz, Support Specialist Full Time dedicated to the Town of Surfside  
Eric Wells, Network Administrator Part Time dedicated to the Town of Surfside- as needed oversight, assistance and PTO coverage.

Adrian Santaella, Media Specialist Part Time (contract states 15.5 hours per month) dedicated to the Town of Surfside as needed for website updates.

**Monthly Fee hours dedicated per month:**

170 hours

**Monthly Fee Brief scope of work:**

Desktop support for all Town Staff including the Police Department, including:

- Maintain and trouble shoot all servers, computers, software, printers, scanners, phone systems at all locations
- Specifying, purchasing and setup of all new IT equipment for staff and PD
- Maintaining uptime on servers, Police Department USA Software and FDLE
- Troubleshooting Tyler ERP Software
- Upgrading Town equipment as needed, including Data Center, Data Domain, Backup Systems and Servers
- Specifying, procuring and managing installation of security systems including door strikers, locks and cameras
- Recording and Broadcasting all Public Meetings
- Closed Caption for Channel 663 and Video Streaming
- Hosting the Town Website, ensuring Website ADA Compliance and up to 20 hours of Website posts and updates
- Parks & Recreation RecTrac software upgrade implementation
- Managing NetMotion and AT&T to integrate GPS on all Town equipment such as Laptops as a theft deterrent/tracking system.
- Managing Surveillance Cameras for PD, Town Hall, Abbott Lot, 96th Park and Community Center.
- Keeping SCALA up to date (Town Broadcasting)

**Calendar year 2019 costs:** \$272,688

*\*For additional information on calendar year 2019 tasks including projects see attached supplemental*

**Information Technology CGA Payments by task for Calendar Year 2019**

---

	<u>CY 2019</u>	
	Paid	
Information Technology		
General Services		
Monthly IT retainer	130,290	48%
Extra Services		
After hours extra time	16,646	6%
Broadcasting support	10,553	4%
Projects		
ERP Implementation Support	115,200	42%
	<u>272,688</u>	<u>100%</u>



**Town of Surfside  
Town Commission Meeting**

Town Hall Commission Chambers - 9293 Harding Ave, 2<sup>nd</sup> Floor  
Surfside, FL 33154

**DISCUSSION ITEM MEMORANDUM**

**Agenda #:**

**Date:** April 24, 2020

**From:** Vice Mayor Tina Paul

**Subject:** FPL Solar Together Program

---

**Objective** – Enroll all Town of Surfside municipal properties in the FPL SolarTogether program.

**Consideration** – In March 2020, the Florida Public Service Commission approved the FPL SolarTogether program. As the largest community solar program in the United States, SolarTogether removes traditional barriers such as large upfront costs, long-term commitments and has no penalties for unsubscribing. It allows for all FPL customers to go 100% solar with no rooftop installation, maintenance or required insurance.

At the April 21, 2020 Special Commission Meeting, the Commission voted to end CGA Work Authorization No. 117, from July 2019 for Engineering Services for Design-Build Photovoltaic System at the Surfside Community Center.

Surfside has always actively pursued clean energy and environmental initiatives therefore; participating in the FPL SolarTogether program at all Town Facilities will continue these efforts while affording the Town long-term savings.

The FPL SolarTogether program is currently fully subscribed and the waitlist has also been filled.

**Recommendation** – Direct the Town Manager or designee to contact our Customer Advisor Jose Triana for information on enrolling in the next sign-up for FPL's SolarTogether program.



Thank you for your interest FPL SolarTogether<sup>SM</sup>  
 The program is fully subscribed and the waitlist is closed.

The SolarTogether<sup>SM</sup> program is an easy and affordable option for customers to share in the economic and environmental benefits of Florida based large-scale solar while receiving monthly bill credits on their FPL bill.

At this time, the Commercial, Industrial and Governmental portion of the program is fully subscribed. And, due to overwhelming interest, the waitlist has reached maximum subscription and is closed. We will continue to find new and innovative ways to bring even more solar to Florida and will announce future program opportunities.

## Reduce your energy costs while achieving your sustainability goals



### Benefits

- Offset up to 100 percent of your energy usage (subject to availability)
- Renewable Energy Credits (RECs) are retired on your behalf
- Receive bill credits immediately



### Economics

- Simple payback between 5-7 years
- Fixed monthly subscription rate
- Escalating bill credits
- No maintenance, operational or insurance costs



### Terms

- No upfront cost
- No long term contract
- Subscription is transferable to another store or location
- Subscription cannot be sold or transferred to another customer

## How the program works

1. Determine your subscription share by selecting the amount of energy you wish to offset – up to 100% of your energy usage can come from solar
2. Calculate your monthly subscription cost based on the fixed subscription rate of \$6.76/kW multiplied by your subscription share
3. Estimate your monthly subscription credit based on your subscription share multiplied by the amount of solar energy produced multiplied by the subscription credit rate

## 100 kW subscription example



**FPL SolarTogether Subscription**

100 kW subscription share  
 x \$6.76/kW fixed subscription rate

**Your Monthly Subscription Cost**

**\$676**



**Solar Energy Produced**

190 hrs per month  
 x 100 kW subscription share

**19,000 kWh solar energy**



**Subscription Credit**

19,000 kWh solar energy produced  
 x \$0.03405/kWh subscription credit rate/kWh

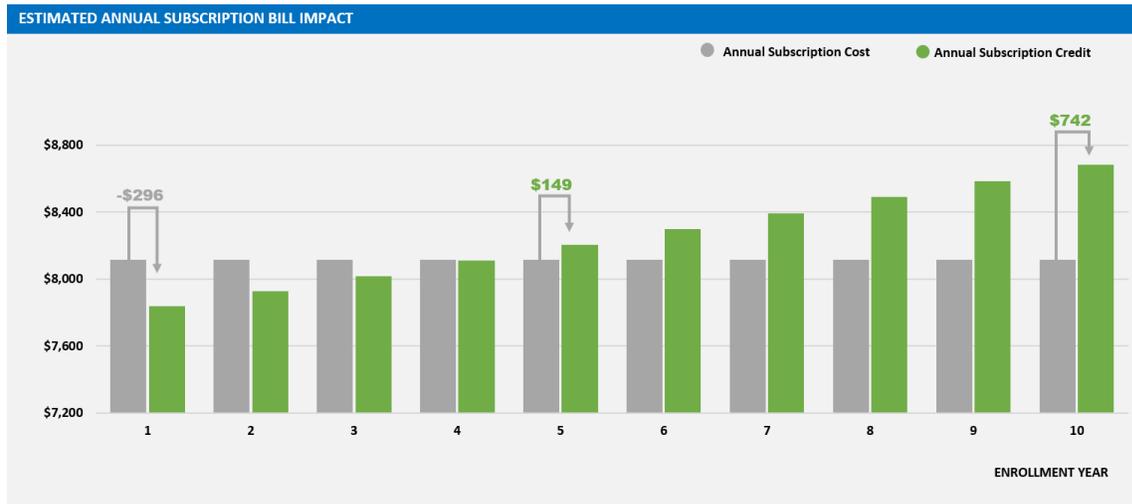
**Your Monthly Bill Credit**

**\$647**

That means you get solar energy for just **\$29** for the month!\*

\* Illustrative examples presented here for discussion purposes only, program charges and credits will be established per the Florida PSC approved tariff.

And over time, the annual benefits are forecasted to exceed the costs.



The graph above shows the estimated bill impact over a ten-year period for a 100 kW subscription example. While the annual subscription cost remains the same year after year, due to the fixed nature of the subscription rate, the annual subscription credit grows annually. In the first year of a 100 kW subscription, program participation would cost approximately \$296, which is the difference between the subscription cost of \$8,112 and the credit of \$7,816. By year five, the annual subscription remains \$8,112 and the credit grows to \$8,261, so the credit exceeds subscription cost by \$149. By year ten, the cost of the subscription is still \$8,112 and the credit is now \$8,854 for the year, increasing the credit difference by \$742.

## Have Questions?

View our frequently asked questions (<https://www.fpl.com/energy-my-way/solar/solartogether-res/faq.html>).



**Town of Surfside  
Town Commission Meeting**

Town Hall Commission Chambers - 9293 Harding Ave, 2<sup>nd</sup> Floor  
Surfside, FL 33154

**DISCUSSION ITEM MEMORANDUM**

**Agenda #:** 9T

**Date:** May 5, 2020

**From:** Vice Mayor Tina Paul

**Subject:** Climate Environmental Collective - revised

---

**Objective** – Establish a Climate Environmental Collective to deal with climate change as it relates to health, economics, new technologies, and infrastructure innovations for coastal Issues and develop communication campaigns that keep the public informed and promote a strong and healthy town.

**Consideration** – At the April 14, 2020 Special Town Commission meeting, a decision to abolish the Sustainability and Resiliency Committee was made by the Commission with the decision to include a Sustainability and Resiliency board member on all Town Boards and Committees. While this approach is progressive, the concern of many residents for issues facing a coastal community as a result of Climate Change remains a priority.

The question is, do we want to be progressive or become more radical in our approach?

We've witnessed the triumph of environmental activist Greta Thunberg, who has gained international recognition as a teenager promoting awareness of the reality that humanity is facing an existential crisis arising from climate change. Instead of forming a Task Force or Board or Committee, the Climate Environmental Collective will consist of individuals who work together on ideas and solutions without relying on internal hierarchies.

We can benefit from persons with experience that may include: an Environmental Engineer or Specialist, Water Researcher, Health Practitioner, Marine or Atmospheric Scientist, Oceanographer, Biologist, Economist, Information Technology or Coder, and Graphic Artist. Membership will be diverse and inclusive of residents with all levels of expertise or enthusiasm for Surfside's environment.

The Town Manager recently hired a Resiliency Officer who has been working on specific projects from the previous commission. The new Sustainability members on Town Boards and Committees will work on issues with each Board and Committee; the Climate Environmental Collective can compliment their work. Environmental issues need to be approached as a whole, to assure genuine consideration of climate change, sea-level rise, carbon footprint, renewable energy and green infrastructure strategies with an additional focus on public health. The Collective's meetings do not need paid Consultant experts, or to be televised, and only require a meeting place and minimum staff assistance. It is essential for this Collective to be recognized as an integral part of the Town.

**Recommendation** – Approve the Climate Environmental Collective because Climate Change and Sea Level Rise is today and if we wait, it will be too late. We are living through Covid-19 now and as a Zoonotic disease it is a direct result of Climate Change and deforestation. The actions needed to combat this pandemic are the same actions we need to confront Climate change. This issue has never been more important, adding a Collective to present ideas and solutions at a minimal cost can actually be invaluable.

LOGO - *Climate Enviromental Collective*





**Town of Surfside  
Town Commission Meeting  
October 13, 2020  
7:00 pm**

Town Hall Commission Chambers - 9293 Harding Avenue, 2<sup>nd</sup> Floor  
Surfside, FL 33154

**Date: September 19, 2020**

**Prepared by: Mayor**

**Subject: Interest Free Loans to Surfside Builders Granted by Former Mayor and Commission**

---

**Objective:** To provide a presentation on the apparently corrupt arrangement between the former Commission and builders in Town related to interest free, multi-decade loans at the expense of Surfside taxpayers.

**Consideration:** Discuss with Commission

**Recommendation:** TBD

RESOLUTION NO. 14 - 2251

**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, AMENDING THE FEES TO BE ASSESSED PER PARKING SPACE PROVIDED IN SECTION 90-77 OF THE TOWN CODE WHICH ESTABLISHED A TRUST FUND TO BE ENTITLED THE "TOWN OF SURFSIDE DOWNTOWN PARKING TRUST FUND; REPEALING ALL OTHERS; PROVIDING FOR AUTHORIZATION AND APPROVAL; PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, Section 90-77 of the Town of Surfside Code of Ordinances established a trust fund to be entitled the "Town of Surfside Downtown Parking Trust Fund" to be maintained and administered by the Town Manager; and

**WHEREAS**, Resolution No. 10-1991 adopted on December 14, 2010, approved a per parking space fee; and

**WHEREAS**, the Town has caused to be completed a study of the costs to the Town of providing parking spaces, and has determined that the prior established per space fee is outdated and no longer reflects the actual costs of providing for a single structured off-street parking space; and

**WHEREAS**, the Town Commission of the Town of Surfside finds it is in the public interest to adopt a Downtown Parking Trust Fund per parking space fee of thirty-eight thousand dollars (\$38,000).

**NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, THAT:**

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

**Section 2. Approval and Adoption.** The Town Commission approves and adopts the Downtown Parking Trust Fund per parking space fee of thirty-eight thousand dollars (\$38,000) for the Town of Surfside that may be payable in accordance with the terms set forth in Sec. 90-77 of the Town of Surfside Code of Ordinances.

**Section 3. Repeal of Prior Fees.** All other per space parking fees established under Section 90-77 of the Surfside Code of Ordinances are hereby repealed.

**Section 4. Authorization.** The Town Commission authorizes the Town Manager and Town Attorney to do whatever is necessary to effectuate the terms of this Resolution.

**Section 5. Effective Date.** This Resolution shall become effective immediately upon its adoption.

**PASSED** and **ADOPTED** on this 12<sup>th</sup> day of August, 2014.

Motion by Commissioner Olchyk, Second by Vice Mayor Tourgeman.

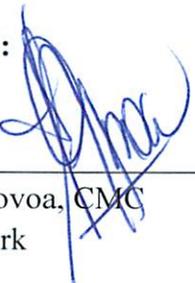
**FINAL VOTE ON ADOPTION**

Commissioner Barry R. Cohen  
Commissioner Michael Karukin  
Commissioner Marta Olchyk  
Vice Mayor Eli Tourgeman  
Mayor Daniel Dietch

Yes  
Absent  
Yes  
Yes  
Yes

  
\_\_\_\_\_  
Daniel Dietch, Mayor

**ATTEST:**

  
\_\_\_\_\_  
Sandra Novoa, CMC  
Town Clerk

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

  
\_\_\_\_\_  
Linda Miller, Town Attorney

MIAMI BEACH

# Miami Beach failed to collect \$19 million in developer fees for parking

By Joey Flechas

[jflechas@MiamiHerald.com](mailto:jflechas@MiamiHerald.com)

SEPTEMBER 16, 2014 07:06 PM, UPDATED SEPTEMBER 18, 2014 03:21 PM



Officials at Miami Beach City Hall have uncovered past mismanagement of a program that allows developers who can't provide on-site parking to pay the city a fee for every space they can't provide. The city could have collected nearly \$19 million. JOEY FLECHAS MIAMI HERALD STAFF



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04:14 Powered by [Trinity Audio](#)

In Miami Beach, a town known for its scarcity of parking, city staffers have failed to collect nearly \$19 million in fees from developers — fees that were supposed to be used to improve the city's parking facilities.

City administrators uncovered the problem, which stretches back 25 years, through an eight-month internal review, the results of which were released Tuesday. Administrators will present the findings of the internal investigation to the City Commission Wednesday evening.

Since January, the city's planning department has reviewed processes and procedures in the "fee in

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## Pharrell just dropped \$30 million on sweet ‘quarantine’ digs in Coral Gables: report

That fee, currently set at \$35,000 per space, is supposed to go toward improving the city’s parking facilities. An annual fee is also charged if a change to an existing property requires more parking, like if a restaurant adds more tables. That fee is set at \$700 per year for as long as that use remains.

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According to a memo sent Tuesday afternoon to the City Commission, the review uncovered issues with billing, accounting and inspection of properties in the program, which led to the city leaving \$18.9 million on the table over the course of the past 20 years. It started with reviewing a sample of 25 accounts in the program at the beginning of this year. The pool ballooned to about 180 accounts after staffers kept finding problems.

The news comes about a week after the Miami Herald reported that [past Miami Beach administrators failed to collect \\$2.7 million in water and sewer connection fees from several hotels and condos](#). It does not appear there is any connection between the two instances of mismanagement.

Officials reviewing the parking fee program also found that the city did little or nothing after three previous internal audits revealed some of the management issues in 1997, 2003 and 2010.

“Management responses for corrective action did not have completion dates and there is no evidence that significant and deliberate steps were taken by any of the departments involved to establish the appropriate checks and balances to prevent recurrence or initiate invoicing of recurring fees to prevent further loss,” reads the memo, prepared by Deputy Planning Director Carmen Sanchez and Assistant City Manager Joe Jimenez.

The one-time fee has increased incrementally over the years. In many cases, records show past planning officials agreed to bill property owners at previous lower rates without explanation. In

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financial system.

The review is ongoing.

“Staff has conducted extensive research and has had to reconstruct the history for most of the accounts evaluated,” reads the memo. “As new details come to light and additional information is received the estimated receivable amount may change to include other projects identified at a future date.”

The history of poor management came to light to city officials earlier this year, when Sanchez, hired in late 2013, and Jimenez, who joined the city in May 2013, initiated a review of the program. The current administration has already put some checks and balances in place to fix the problems.

According to the memo, the planning department has invoiced 34 recurring accounts for the current fiscal year, and will start invoicing all active accounts for the upcoming fiscal year, starting Oct. 1. The city has updated its permitting software to keep records of what is charged and owed, hired staff to manage special revenue accounts like the parking impact fee program and, from now on, building permits or certificates of use will not be issued until the fee has been paid.

City administrators did not want to comment for this story before presenting their findings to the City Commission. Administrators will ask the City Commission for direction on how to proceed with uncollected money from current businesses and ones that have closed but still have outstanding balances.

Follow @joeflech on Twitter.

RELATED STORIES FROM MIAMI HERALD

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MIAMI-BEACH

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SEPTEMBER 07, 2014 2:59 PM

MIAMI-BEACH

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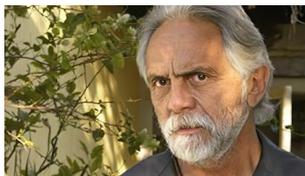
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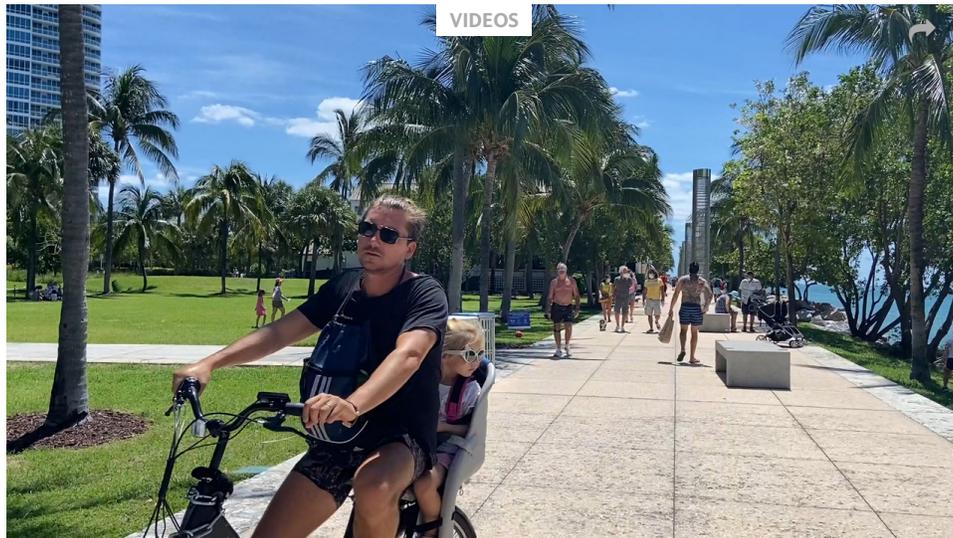
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Big crowds at Miami Beach parks, marinas on first weekend of reopening



Food distributions help Miami Beach families

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TRENDING STORIES

After six weeks of lockdown, Miamians enjoy first weekend of reopened parks, marinas

UPDATED 9 HOURS 35 MINUTES AGO

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UPDATED MAY 02, 2020 02:06 PM

Biden, Warren: There's no oversight of coronavirus relief — because that's what

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THIS DAY IN HISTORY

1990

Brooks Koepka, the American golfer, is born.

3 MAY

THIS DAY IN HISTORY

Royal Caribbean falsely blames CDC for keeping crew trapped on its ships, agency says

UPDATED MAY 01, 2020 10:22 PM

After refusing for weeks, Florida releases nursing home records, showing flurry of deaths

UPDATED MAY 02, 2020 06:29 PM

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MIAMI-DADE COUNTY

After six weeks of lockdown, Miamians enjoy first

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Saturday brought crowds at Miami-Dade County marinas and parks, which opened Wednesday after weeks of being closed due to coronavirus. At Blackpoint Marina, hundreds of cars lined up to go boating and fishing.

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MIAMI BEACH

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UPDATED MAY 01, 2020 09:00 PM



MIAMI BEACH

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UPDATED MAY 01, 2020 05:05 PM



REAL ESTATE NEWS

### Instagram sensation Gianluca Vacchi lists his Miami Beach home for \$10.9M

UPDATED MAY 01, 2020 03:30 PM



MIAMI BEACH

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UPDATED MAY 01, 2020 04:41 PM



MIAMI BEACH

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UPDATED MAY 01, 2020 04:31 AM



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ACCEPT COOKIES

TOWN OF SURFSIDE  
 BUILDING & ZONING DEPARTMENT/ HOURS 9:00AM - 4:00PM  
 9293 HARDING AVENUE  
 SURFSIDE, FL 33154  
 (305) 361-4863

Permit Number . . . . . 14-00000509 Date 11/12/15  
 Property Address . . . . . 9540 GB COLLINS AVE  
 PARCEL NUMBER: 2 -3-6-0 -0 /3 /ADM6  
 FOLIO NUMBER: 1422350070200  
 Permit description . . . . . NEW BUILDINGS-COMMERCIAL  
 Property Zoning . . . . . MULTI-FAMILY  
 Permit valuation . . . . . 13687447

Owner

SHUL OF BAL HARBOUR  
 9540 COLLINS AVENUE  
 SURFSIDE FL 33154

Contractor

A.V.I CONTRACTORS, INC.  
 1442 BLUE JAY CIRCLE  
 ATT: VINCENT MISH  
 FT. LAUDERDALE FL 33327  
 (954) 557-6249

--- Structure Information 000 000 SOCIAL HALL AND LEARNING CENTER  
 Construction Type . . . . . CONCRETE BLOCK  
 Occupancy Type . . . . . COMMERCIAL  
 Roof Type . . . . . BUILT-UP  
 Flood Zone . . . . . AE AT 9 FEET  
 Sign Type . . . . . CONSTRUCTION SIGN  
 Fence Type . . . . . CONSTRUCTION FENCE

Permit . . . . . NEW COMMERCIAL BLDG/ADDT, ETC  
 Additional desc . . . . . 1&3 STORIES/SOCIAL HALL/CENTER  
 Permit Fee . . . . . 195766.77 Plan Check Fee . . . . . .00  
 Issue Date . . . . . 11/12/15 Valuation . . . . . 0  
 Expiration Date . . . . . 5/10/16

Qty	Unit Charge	Per	Extension
		BASE FEE	195766.77

Special Notes and Comments  
 SEPARATE PERMITS MUST BE PULLED FOR THE  
 FOR WINDOWS; ROOF; PAVING & CURB CUTS;  
 ELECTRICAL; MECHANICAL; PLUMBING; POOL  
 FENCE; SIGNS; FIRE & LAWN SPRINKLER  
 SYSTEMS; NO CERTIFICATE OF OCCUPANCY  
 WILL BE ISSUED UNTIL TEMPORARY STRUCTURE  
 USED INCIDENTAL TO THE CONSTRUCTION OF  
 THE PRIMARY STRUCTURE HAVE BEEN REMOVED

0094G/1-20-93/AE-8

Other Fees . . . . .	COUNTY PERMIT FEE	8212.80
	STRUCTURAL ENGINEER FEES	1000.00

Fee summary	Charged	Paid	Credited	Due
Permit Fee Total	195766.77	195766.77	.00	.00
Plan Check Total	.00	.00	.00	.00

TOWN OF SURFSIDE  
BUILDING & ZONING DEPARTMENT/ HOURS 9:00AM - 4:00PM  
9293 HARDING AVENUE  
SURFSIDE, FL 33154  
(305)861-4863

---

Permit Number . . . . .	14-00000509		Page	2
Other Fee Total	9212.80	9212.80	Date	11/12/15
Grand Total	204979.57	204979.57		.00
				.00

---

BUILDING DEPARTMENT CLERK: \_\_\_\_\_

AUTHORIZED SIGNATURE: \_\_\_\_\_





TOWN OF SURFSIDE

03/23/14 02:10PM

14-509

PERMIT NO.

APPLICATION NO.

AMOUNT DUE

## BUILDING PERMIT APPLICATION

2010 FLORIDA BUILDING CODE IN EFFECT

PERMIT TYPE: (Check one)

- Structural   
  Mechanical   
  Electrical   
  Plumbing   
  Other   
  Roof

JOB ADDRESS: 9540 COLLINS AVE						
OWNER'S NAME: THE SHUL OF BAY HARBOUR INC.						
OWNER'S ADDRESS: 9540 COLLINS AVE.						
CITY: SURFSIDE FL.	PHONE# 305.868.1411 FAX #					
FEE SIMPLE TITLE HOLDER'S NAME:	ADDRESS:					
CONTACT PERSON: YANKIE ANDRUSIER PHONE# 347.723.2731						
EMAIL ADDRESS: YANKIE@ownersrepofmiami.com						
CONTRACTOR: A.V.I. Contractors, Inc. (11/10/15)						
MAIL ADDRESS: 2771 Executive Park Drive Suite 2						
CITY: Weston	STATE FL. ZIP CODE: 33331					
PHONE # 954-557-6249	FAX # 954-217-1818 EMAIL: Vincent@AviContractorsInc.com					
CERT COMPETENCY: CGC 1508145	STATE REGISTRATION:					
LOT	BLOCK	PRESENT USE:	PROPOSED USE: Synagogue			
FOLIO NUMBER:		SUBDIVISION:				
NO. OF STORIES: 3	OFFICES:	FAMILIES:	BEDROOMS: BATHS:			
TYPE OF WORK:	ADD <input type="checkbox"/>	NEW <input type="checkbox"/>	ALTER <input type="checkbox"/>	REPAIR <input type="checkbox"/>	REPLACE <input type="checkbox"/>	OTHER <input type="checkbox"/>
VALUE OF WORK: (Total all Trades):	\$13,687,447.00	SQ. FT. (TOTAL)	LINEAR FEET			
DESCRIBE WORK:	ONE AND THREE STORIES SOCIAL HALL AND LEARNING CENTER					
ARCHITECT/ENGINEER'S NAME	SCHAPIRO ASSOCIATES					
ADDRESS:	1150 KANE CONCOURSE, BAY HARBOUR, FL 33154					
PHONE# 305.866.7324	FAX# 305.866.7474	EMAIL jame@schapiroassociates.com				
MORTGAGE LENDER NAME:						

Ext. 212



**Town of Surfside  
Town Commission Meeting  
October 13, 2020  
7:00 pm**

Town Hall Commission Chambers - 9293 Harding Avenue, 2<sup>nd</sup> Floor  
Surfside, FL 33154

**Date:** 10-5-2020  
**Prepared by:** Commissioner Eliana Salzhauer  
**Subject:** Amending Town Code Sec. 2-233 & 2-237

---

**Objective:** The Current Town Code contains loopholes in **Sec. 2-233. - Conflict of interest** and **Sec. 2-237. - Disclosure of business relationships**

The goal of amending this section is to ensure that all Town Business is conducted with full transparency and integrity. Two (2) recommended changes are outlined below.

**Consideration:** Relationships that influence decisions can be based on more than a financial stake. Leadership roles and relationships in the nonprofit world can similarly influence outcomes. It is important for Elected Officials and Board Members to disclose ALL relationships to persons and issues coming before them, including those based on unpaid service at a nonprofit.

**Please review Surfside Town Code Sections 2-233 & 2-237 at the following links for background\*\*\***

Sec. 2-233. - Conflict of interest.

[https://library.municode.com/fl/surfside/codes/code\\_of\\_ordinances?nodeId=PTIICO\\_CH2A\\_D\\_ARTVIICOET\\_S2-233COIN](https://library.municode.com/fl/surfside/codes/code_of_ordinances?nodeId=PTIICO_CH2A_D_ARTVIICOET_S2-233COIN)

Sec. 2-237. - Disclosure of business relationships.

[https://library.municode.com/fl/surfside/codes/code\\_of\\_ordinances?nodeId=PTIICO\\_CH2A\\_D\\_ARTVIICOET\\_S2-237DIBURE](https://library.municode.com/fl/surfside/codes/code_of_ordinances?nodeId=PTIICO_CH2A_D_ARTVIICOET_S2-237DIBURE)

**Recommendations:**

**1)** To amend Section 2-233 (6) as follows, to include the disclosure of employees and officers their direct or indirect interest in any NONPROFIT business relationship.

(6) Employees and officers shall disclose to the town clerk, upon a form created by the town clerk, any direct or indirect interest in any for profit **(or non-profit)** business relationship and any interest in real property which the employees and officers hold with any other employee or officer;



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Surfside, FL 33154

2) To amend Section 2-237 (a) (1) to include (g) an additional definition of the term “Business Relationship” that recognizes the unique and material influence of serving together in a leadership role at a nonprofit.

(g) The member of the town commission, town board or committee serves in a nonprofit or volunteer capacity on another Board or Committee with the interested person.

**\*\*\*The relevant sections of the Town Code are excerpted below to facilitate discussion:**

**Sec. 2-233. - Conflict of interest.**

**[SHARE LINK TO SECTIONPRINT SECTIONDOWNLOAD \(DOCX\) OF SECTIONEMAIL SECTIONCOMPARE VERSIONS](#)**

To avoid misunderstandings and conflict of interests, which could arise, the following policy will be adhered to by employees and officers of the town. This policy is in accordance with F.S. § 112.311 et seq., code of ethics for public officers and employees.

(1)

Employees and officers shall not accept any gifts, favors, or services that may reasonably tend to improperly influence them in the discharge of their official duties;

(2)

Employees and officers shall not use or attempt to use their position to secure special privileges or exemptions for themselves or others;

(3)

Employees and officers shall not accept employment or engage in any business or professional activity, which they may reasonably expect, would require or induce them to disclose confidential information acquired by them by reason of their official position;

(4)

Employees and officers shall not disclose confidential information gained by reason of their official position, nor shall they otherwise use such information for their personal gain or benefit;

(5)

Employees and officers shall not have personal investment in any enterprise, which will create a conflict between their private interest and the public interest;

(6)



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Surfside, FL 33154

Employees and officers shall disclose to the town clerk, upon a form created by the town clerk, any direct or indirect interest in any for profit business relationship and any interest in real property which the employees and officers hold with any other employee or officer;

(7)

In addition to the foregoing, town commissioners shall disclose to the town clerk, upon a form created by the town clerk, any direct or indirect interest in non-homesteaded real property located within the town within 30 days upon purchasing said property. (Upon the passage of this article, the town commissioners shall have 30 days from the effective date, to file disclosure.) Thereafter, the town commissioners will be required to file the real property disclosure in accordance with this sub-paragraph (7) on a yearly basis along with his/her Form 1. However, if for any reason the town clerk does not receive same, s/he shall, in writing and via certified mail, request such official who has failed to file the required disclosure to do so. Thereafter, failure to make this filing, within ten days from receipt of the clerk's notice, shall result in the same penalties as failure to file a Form 1 disclosure as required by the county and state.

**(Ord. No. 1474, § 2, 4-10-07)**

**Sec. 2-237. - Disclosure of business relationships.**

**[SHARE LINK TO SECTIONPRINT SECTIONDOWNLOAD \(DOCX\) OF SECTIONEMAIL SECTIONCOMPARE VERSIONS](#)**

(a)

*Definitions.* For purposes of this section, the following words, terms and phrases shall have the meanings as indicated below:

(1)

*Business relationship.* A member of the town commission or a town board has a business relationship with an applicant, Interested Person or entity if any of the following exist:

a.

The member of the town commission or town board or committee has any ownership interest, directly or indirectly, in excess of one percent in the entity.

b.

The member of the town commission, town board or committee is a partner, co-shareholder or joint venturer with the interested person in any business venture.

c.



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The entity or interested person is a client of the member of the town commission, town board or committee, or a client of another professional working for the same employer as the member of the town commission, town board or committee.

d.

The member of the town commission, town board or committee is a client of the entity or the interested person.

e.

The entity or interested person is a customer of the member of the town commission, town board or committee (or his or her employer) and transacts more than five percent of the business in a given calendar year of the member of the town commission, town board or committee (or his or her employer) or more than \$25,000.00 of business in a given calendar year; or

f.

The member of the town commission, town board or committee is a customer of the entity or the interested person and transacts more than five percent of the business in a given calendar year of the entity or interested person or more than \$25,000.00 of business in a given calendar year.

(2)

*Applicant.* Any individual or entity requesting action of the town and all persons representing such individual or entity (including, but not limited to, all attorneys, architects, engineers and lobbyists), and any individual who, directly or indirectly, owns or controls more than five percent of any such entity requesting action of the town.

(3)

*Interested person.* Any person who speaks for or against any resolution or ordinance before the town commission or for or against any matter before any town board or committee who has a direct financial interest in the action (including, but not limited to, vendors, bidders and proposers), except that owner-occupied residential property owners shall not be deemed to have a direct financial interest in zoning and/or land use decisions that may affect their property or the value thereof.

(b)

*Disclosure of business relationships.*

(1)

*Time of disclosure.* Except as prohibited by law, each member of the town commission or any town board or committee shall disclose the existence of any business relationship of



**Town of Surfside  
Town Commission Meeting  
October 13, 2020  
7:00 pm**

Town Hall Commission Chambers - 9293 Harding Avenue, 2<sup>nd</sup> Floor  
Surfside, FL 33154

which he or she is aware that he or she has, or has had within the prior 24-month period, with any applicant or interested person, at the time that the applicant or interested person appears before the town commission, town board or committee.

(2)

*Disclosure subsequent to action taken.* Except as prohibited by law, if a member of the town commission or any town board or committee learns, within 30 days after action is taken in connection with any applicant or interested person appearing before the town commission or town board or committee, that he or she had a business relationship with any applicant or interested person who appeared before the town commission or town board or committee, he or she shall disclose such business relationship in writing to the town clerk that was not disclosed at the initial meeting.

(3)

*Establishment of business relationship after appearance.* Except as prohibited by law, if a member of the town commission or any town board or committee establishes a business relationship with any applicant or interested person within 12 months after the applicant or interested person appeared before the town commission or town board or committee, the member of the town commission or town board or committee shall disclose such business relationship in writing to the town clerk.

(4)

*Abstention.* In any situation where a member of the town commission or town board or committee discloses a business relationship under this section, the member may abstain from voting or acting on an item because of the appearance of a possible conflict of interest.

(5)

*Failure to disclose.* If any member of the town commission or town board or committee believes that another member has willfully failed to make a disclosure required under this section, he or she may submit evidence supporting the alleged failure to disclose to the town manager, who shall place the item on the next available regular town commission agenda. If three or more members of the town commission determine that an accused town commissioner willfully failed to make the required disclosure, the accused town commissioner shall be deemed to be censured. If three or more members of the town commission determine that an accused member of a town board or committee has willfully failed to make a required disclosure, the accused board or committee member shall be removed from the board or committee. The town commission has primary jurisdiction to



**Town of Surfside  
Town Commission Meeting  
October 13, 2020  
7:00 pm**

Town Hall Commission Chambers - 9293 Harding Avenue, 2<sup>nd</sup> Floor  
Surfside, FL 33154

enforce this section and no such authority is conferred on the Miami-Dade Commission on Ethics and Public Trust to investigate alleged failures to disclose business relationships under this section.

( [Ord. No. 19-1695](#), ;s 2, 3-12-19)



# MEMORANDUM

ITEM NO. 9W

**To:** Honorable Mayor, Vice-Mayor and Members of the Town Commission  
**From:** Guillermo Olmedillo, Town Manager  
**Date:** August 11<sup>th</sup>, 2020  
**Subject:** Beachwalk Trimming

---

At the April 7<sup>th</sup> 2020 Special Commission Meeting, Town Administration was directed to provide a plan for the trimming of sea grapes (*COCCOLOBA UVIFERA*) located along the dune preserve areas within the Town of Surfside extents. Currently, the service is performed by Town Landscape Contractor as an additional service not included in maintenance contract. In order to obtain the best possible pricing, the Public Works Department contacted various contractors in order to obtain proposals for services.

After confirming with the Florida Department of Environmental Protection (FDEP), no permit is required for the trimming of sea grapes as long as certain maintenance requirements are met. The Department (FDEP) will exempt maintenance of sea grapes seaward of the Coastal Construction Control Line from the permitting requirements of Chapter 161, Florida Statutes, when the maintenance will not damage or destroy the plant. The Department (FDEP) has determined that the maintenance will not destroy the plant when following the guidelines listed below:

**Shrub(s):**

- Less than 72" in height.
  - No more than one third of the leaf mass of each plant may be removed in a single pruning event or in a single year

**Trees(s):**

- 6' in height, or more.
  - No more than one third reduction in the height of each tree annually,
  - Provided there is no more than one third of the leaf mass removed, annually.
  - Pruning shall not result in plant being reduced to less than six feet in height.

A total of three landscape contractors provided proposals for the trimming of all dune area sea grapes as per provided FDEP guidelines. The companies and their respective proposals were as follows:

1. Brightview Landscaping, \$10,452.00
2. Green Republic, LLC., \$35,200.00
3. Superior Landscaping, \$15,644.05

After reviewing all proposals submitted, Town Administration recommends contracting services with Brightview Landscaping for a total amount of \$10,452.00 for the trimming of existing sea grapes along dune area within Town of Surfside extents as per FDEP guidelines. Funding source for project is Ground Maintenance Account # 001-5000-539-5404. The account has \$16,250.00 allocated for sea grape maintenance.

Reviewed by: RS/HG

Prepared by: HG

Green Republic, LLC  
 15495 Sw 117th St  
 Miami, FL 33196 US  
 7865537381  
 raul@greenrepubliclandscaping.com  
 www.greenrepubliclandscaping.com

# Estimate

ADDRESS
Town of Surfside FL 9293 HARDING AVENUE SURFSIDE, FL 33154

SHIP TO
Town of Surfside FL 9293 HARDING AVENUE SURFSIDE, FL 33154

ESTIMATE #	DATE	
1207	05/07/2020	

DATE	ACTIVITY	DESCRIPTION	QTY	RATE	AMOUNT
	<b>MISCELLANEOUS</b>	86 to 96 and Collins trimming of 33% of seagrapes	80	440.00	35,200.00

Price includes trimming of Seagrapes no more than 33%.  
 No more than 1/3 reduction in the height  
 Pruning.  
 No more than 1/3 leaf mass removal.

**TOTAL** **\$35,200.00**

Accepted By

Accepted Date

## Proposal for Extra Work at Surfside

Property Name	Surfside	Contact	Hector Gomez
Property Address	9293 Harding Ave Surfside, FL 33154	To	Town of Surfside
		Billing Address	9293 Harding Ave Surfside, FL 33154
		Customer PO#	FY2000232
Project Name	Sea grape trimming along Hard Pack MAY AND SEPTEMBER		
Project Description	Trim all lower branches to allow visibility under Sea Grape trees for Surfside Police Department		

### Scope of Work

QTY	UoM/Size	Material/Description	Unit Price	Total
52.00	HOUR	Arbor Crew- 3 Man Crew	\$201.00	\$10,452.00
1.00	EACH	ALL SEA GRAPE TREES TO BE TRIMMED IN MAY AND SEPTEMBER TO ALLOW FOR VISIBILITY UNDER TREE CANOPY	\$0.00	\$0.00

For internal use only

SO# 7208552  
JOB# 353900077  
Service Line 300

**Total Price** \$10,452.00

**THIS IS NOT AN INVOICE**

This proposal is valid for 60 days unless otherwise approved by BrightView Landscape Services, Inc.  
2711 SW 36 St, Dania Beach, FL 33312 ph. (954) 431-1111 fax

## TERMS & CONDITIONS

- The Contractor shall recognize and perform in accordance with written terms, written specifications and drawings only, contained or referred to herein. All materials shall conform to bid specifications.
- Work Force:** Contractor shall designate a qualified representative with experience in landscape maintenance/construction upgrades or when applicable in tree management. The workforce shall be competent and qualified, and shall be legally authorized to work in the U.S.
- License and Permits:** Contractor shall maintain a Landscape Contractor's license, if required by State or local law, and will comply with all other license and permit requirements of the City, State and Federal Governments, as well as all other requirements of law.
- Taxes:** Contractor agrees to pay all applicable taxes, including sales tax where applicable on material supplied.
- Insurance:** Contractor agrees to provide General Liability Insurance, Automotive Liability Insurance, Worker's Compensation Insurance, and any other insurance required by law or Client/Owner, as specified in writing prior to commencement of work. If not specified, Contractor will furnish insurance with \$1,000,000 limit of liability.
- Liability:** Contractor shall indemnify the Client/Owner and its agents and employees from and against any third party liabilities that arise out of Contractor's work to the extent such liabilities are adjudicated to have been caused by Contractor's negligence or willful misconduct. Contractor shall not be liable for any damage that occurs from Acts of God are defined as those caused by windstorm, hail, fire, flood, earthquake, hurricane and freezing, etc. Under these circumstances, Contractor shall have the right to renegotiate the terms and prices of this agreement within sixty (60) days. Any illegal trespass, claims and/or damages resulting from work requested that is not on property owned by Client/Owner or not under Client/Owner management and control shall be the sole responsibility of the Client/Owner.
- Subcontractors:** Contractor reserves the right to hire qualified subcontractors to perform specialized functions or work requiring specialized equipment.
- Additional Services:** Any additional work not shown in the above specifications involving extra costs will be executed only upon signed written orders, and will become an extra charge over and above the estimate.
- Access to Jobsite:** Client/Owner shall provide all utilities to perform the work. Client/Owner shall furnish access to all parts of jobsite where Contractor is to perform work as required by the Contract or other functions related thereto, during normal business hours and other reasonable periods of time. Contractor will perform the work as reasonably practical after the owner makes the site available for performance of the work.
- Invoicing:** Client/Owner shall make payment to Contractor within fifteen (15) days upon receipt of invoice. In the event the schedule for the completion of the work shall require more than thirty (30) days, a progress bill will be presented by month end and shall be paid within fifteen (15) days upon receipt of invoice.
- Termination:** This Work Order may be terminated by the either party with or without cause, upon seven (7) work days advance written notice. Client/Owner will be required to pay for all materials purchased and work completed to the date of termination and reasonable charges incurred in demobilizing.
- Assignment:** The Owner/Client and the Contractor respectively, bind themselves, their partners, successors, assignees and legal representative to the other party with respect to all covenants of this Agreement. Neither the Owner/Client nor the Contractor shall assign or transfer any interest in this Agreement without the written consent of the other provided, however, that consent shall not be required to assign this Agreement to any company which controls, is controlled by, or is under common control with Contractor or in connection with assignment to an affiliate or pursuant to a merger, sale of all or substantially all of its assets or equity securities, consolidation, change of control or corporate reorganization.
- Disclaimer:** This proposal was estimated and priced based upon a site visit and visual inspection from ground level using ordinary means, at or about the time this proposal was prepared. The price quoted in this proposal for the work described, is the result of that ground level visual inspection and therefore our company will not be liable for any additional costs or damages for additional work not described herein, or liable for any incidents/accidents resulting from conditions, that were not ascertainable by said ground level visual inspection by ordinary means at the time said inspection was performed. Contractor cannot be held responsible for unknown or otherwise hidden defects. Any corrective work proposed herein cannot guarantee exact results. Professional engineering, architectural, and/or landscape design services ("Design Services") are not included in this Agreement and shall not be provided by the Contractor. Any design defects in the Contract Documents are the sole responsibility of the Owner. If the Client/Owner must engage a licensed engineer, architect and/or landscape design professional, any costs concerning these Design Services are to be paid by the Client/Owner directly to the designer involved.

- Cancellation:** Notice of Cancellation of work must be received in writing before the crew is dispatched to their location or Client/Owner will be liable for a minimum travel charge of \$150.00 and billed to Client/Owner.

The following sections shall apply where Contractor provides Customer with tree care services:

- Tree & Stump Removal:** Trees removed will be cut as close to the ground as possible based on conditions to or next to the bottom of the tree trunk. Additional charges will be levied for unseen hazards such as, but not limited to concrete brick filled trunks, metal rods, etc. If requested mechanical grinding of visible tree stump will be done to a defined width and depth below ground level at an additional charge to the Client/Owner. Defined backfill and landscape material may be specified. Client/Owner shall be responsible for contacting Underground Service Alert to locate underground utility lines prior to start of work. Contractor is not responsible damage done to underground utilities such as but not limited to, cables, wires, pipes, and irrigation parts. Contractor will repair damaged irrigation lines at the Client/Owner's expense.
- Waiver of Liability:** Requests for crown thinning in excess of twenty-five percent (25%) or work not in accordance with ISA (international Society of Arboricultural) standards will require a signed waiver of liability.

### Acceptance of this Contract

Contractor is authorized to perform the work stated on the face of this Contract. Payment will be 100% due at time of billing. If payment has not been received by BrightView within fifteen (15) days after billing, BrightView shall be entitled to all costs of collection, including reasonable attorneys' fees and it shall be relieved of any obligation to continue performance under this or any other Contract with Client/Owner. Interest at a per annum rate of 1.5% per month (18% per year), or the highest rate permitted by law, may be charged on unpaid balance 30 days after billing.

NOTICE: FAILURE TO MAKE PAYMENT WHEN DUE FOR COMPLETED WORK ON CONSTRUCTION JOBS, MAY RESULT IN A MECHANIC'S LIEN ON THE TITLE TO YOUR PROPERTY

### Customer

#### Property Manager

Signature

Title

Hector Gomez

May 06, 2020

Printed Name

Date

### BrightView Landscape Services, Inc. "BrightView"

#### Account Manager, Senior

Signature

Title

Victor Perez

May 06, 2020

Printed Name

Date

Job #: 353900077 Proposed Price: \$10,452.00  
SO # 7208552



# MEMORANDUM

ITEM NO. 9X

**To:** Honorable Mayor, Vice-Mayor and Members of the Town Commission  
**From:** Jason D. Greene, Interim Town Manager  
**Date:** September 10, 2020  
**Subject:** Community Center Pool Deck Lighting

---

As requested at a prior Commission meeting, the Parks and Recreation Department has looked into an engineering firm to assist in the feasibility and basic design criteria to purchase portable or permanent pool deck lighting. This analysis would include a review of all Florida Building Code (FBC) and Town of Surfside Code of Ordinances covering turtle protection, and the Florida Department of Environmental Protection (DEP) and Florida Fish and Wildlife Commission (FWC) guidelines. Please note that a recommendation by RC Engineering, Inc. was that feasibility study would have a very low possibility of a positive outcome. Please see attached (Item A).

Additional annual operational costs would include additional staff, utilities, and pool chemicals. The estimated cost for temporary LED lights would be approximately \$60,000. The estimated cost for permanent pool deck lighting to include LED lights would be approximately \$255,000. This cost does not include engineering fees, feasibility fees, or permitting cost.

Pool deck lighting has been an agenda item numerous times for review and recommendation by the Parks and Recreation Committee. Based on the cost along with minimum public demand for lights/night swim for the months of November through March, the Committee's recommendation was to not move forward. Also included in the committee's recommendation was the storage, setup and breakdown issues with portable lighting.

The staff is requesting direction from the Town Commission to move forward with the process.

Reviewed by: JG

Prepared by: TM

**SUPERIOR**

LANDSCAPING & LAWN SERVICE, INC.

P.O. Box 35-0095 · Miami · FL · 33135-0095  
Office (305) 634-0717 · Fax (305) 634-0744  
www.superiorlandscaping.com

Proposal  
Date

25194  
5/12/2020

**Customer/Billing Information**

Town of Surfside Public Work Dept.  
9293 Harding Ave  
Surfside FL 33154  
305-209-2270  
Hector Gomez

**Job Site Information**

Surfside Sea Grapes

33154

**Job Description**

This proposal consist of the following services:

The Town of Surfside to trim all the Sea Grapes in the Dune area as per FDEP guidelines below:

- \* (80) Trees
- \* 6' in height, or more
- \* No more than one third reduction in the height of each tree annually
- \* Provided there is no more than one third of the leaf mass removed, annually
- \* Pruning shall not result in plant being reduced to less than six feet in height
- \* The Sea Grapes are located on the walking path behind the Surf Club project from 88th Street to 96th Street. On Average, trees are approximately 8'-12' in height.
- \* Clean up and removal of all debris generated by this work

**Total Price     \$     15,644.05**

If an item or service is not specifically detailed or included in the proposal provided then it is excluded and has not been not considered for pricing

**Thank you for your consideration of this proposal. If you have any questions, please contact     Julio Lumbi     at (305) 634-0717**

**Guarantee:** Superior Landscaping & Lawn Service, Inc. is not liable or responsible for any loss, repair or replacement of any of the above mentioned due to high winds, hail, lightning storms, heavy rains, vandalism, floods, heat, construction, insect plagues or infestation, inadequate irrigation, tornadoes, hurricanes or other Acts of God.

**ACCEPTANCE OF PROPOSAL**

WHEREFORE, Contractor and Owner, or Owner's Agent, have accepted the scope and terms of this proposal. Owner or Owner's Agent gives express permission to Contractor to enter said property and confirms that it is clear from any hidden danger or defects.

**Owner or Owner's Agent**

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_  
Date: \_\_\_\_\_

**Contractor:**

Superior Landscaping & Lawn Service, Inc.  
By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_  
Date: \_\_\_\_\_

**Thank you for your business!**

**Pool Lighting**  
**Surfside, Florida**  
**2020-05-06**  
**RC Engineering Inc.**  
**David Rice PE**

**Requirements:**

Florida Building Code (FBC)

454.1.4.2 Lighting

454.1.4.2.1 Outdoor Pool Lighting

3 footcandles at pool water surface and pool wet deck and underwater lighting ½ watt per sq. ft.

454.1.4.2.3 Underwater Lighting

Underwater lighting can be waived if 15 footcandles At pool water surface and pool wet deck.

Surfside Code of Ordinance, Article VI,

Lighting Regulations for Marine Turtle Protection

Section 34.84 Lighting Standards for Coastal Construction Activities

**Conclusion:**

The Florida Building Code (FBC) and the Surfside Code of Ordinance covering turtle protection sets very strict requirements for installing outside pool lighting at a beach. A feasibility study would have to be performed to determine if the outside pool lighting is possible. The cost for a feasibility study would be based on hourly rates. The total cost for a feasibility study could easily exceed \$5,000.00.

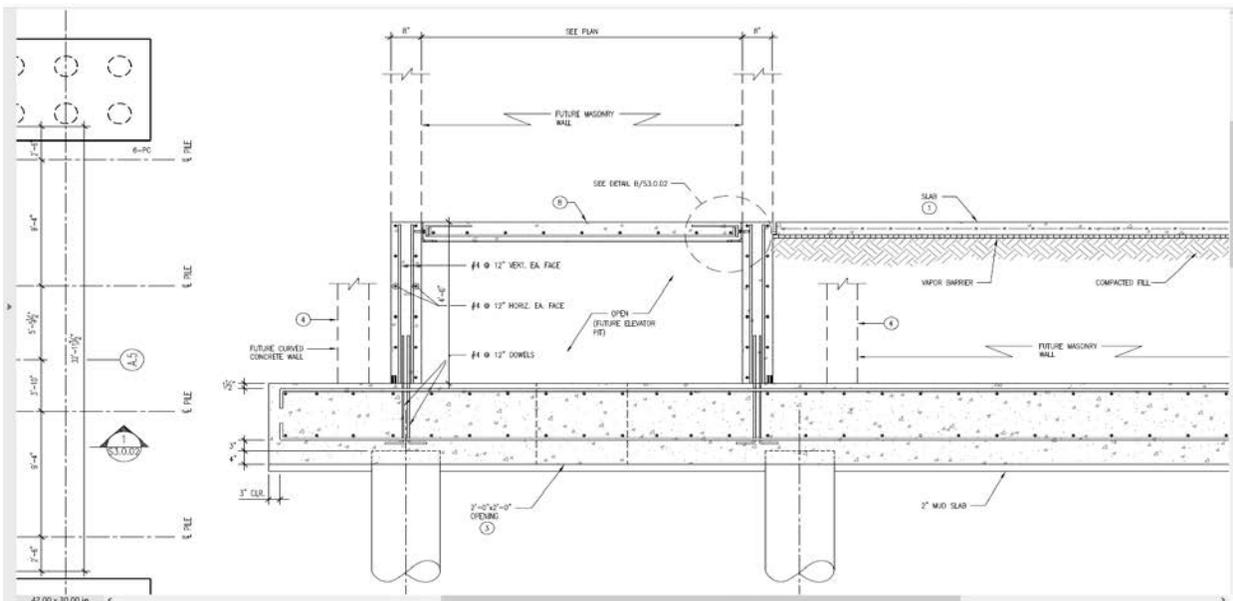


# MEMORANDUM

ITEM NO. 9Y

**To:** Honorable Mayor, Vice-Mayor and Members of the Town Commission  
**From:** Guillermo Olmedillo, Town Manager  
**Date:** May 12, 2020  
**Subject:** Community Center Second Floor

The Town of Surfside Community Center was designed and constructed under the provisions of the Florida Building Code 3<sup>rd</sup> Edition (2007) including consideration for a second story according to the approved structural plans specifically sheet S3.0.02. An elevator pit and section of the roof structure not continuous or poured separately from the rest of the roof slab. This portion of the slab that was pinned in place to be removed at some future time to accommodate an elevator shaft. These two elements were left in the design and constructed accordingly to allow said future second story. This area is now known as "Fish Bowl". No other elements have been found on the approved plans or records. Nothing in the design and construction of the Community Center precludes a second story from being designed and built at some future date. Note the present code in-force is the Florida Building Code 6<sup>th</sup> Edition (2017). Aforementioned details taken from sheet S3.0.02 of the approved plans below.



Reviewed by: MR/RP

Prepared by: MR/RP



# MEMORANDUM

ITEM NO. 9Z

**To:** Honorable Mayor, Vice-Mayor and Members of the Town Commission  
**From:** Jason D. Greene, Interim Town Manager  
**Date:** August 25, 2020  
**Subject:** Designated (Painted) Walking Areas in the Residential District

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At the April 16<sup>th</sup>, 2020 Special Commission Meeting, Town Administration was directed to provide a plan to create designated (painted) pedestrian areas in the single-family residential district. The Town Administration reviewed implemented plans in nearby municipalities to determine available options and related costs.

Due to width limitations of residential roadways and the shared purpose of roadways for vehicular circulation, parking, pedestrian and non-motorized vehicles, the Town Commission should consider creating only one designated (painted) walking areas along the roads. In addition, the Town Commission should also give direction indicating the streets to be considered. The minimum allowed sidewalk width for the American Disability Act (ADA) purposes is 36-inches. For purposes of the designated (painted) walking area, a 5-foot width is considered for use which is a typical residential concrete sidewalk width.

A typical Town block within the residential area is approximately 240-feet wide from west to east and 635-feet long from north to south. For purposes of pricing, a typical unit block will be considered as 875-feet which includes the combination of 240-feet wide from west to east and 635-feet long from north to south. For example, a typical block with proposed designated (painted) walking area can be Carlyle Avenue from 90<sup>th</sup> Street to 91<sup>st</sup> Street (northern) and Carlyle Avenue to Dickens Avenue along 91<sup>st</sup> street (eastern).

**Picture A** – “Typical Unit Block” below outlines a visual representation of a typical unit block and proposed pathway along one side of street and avenue.



Picture A – “Typical Unit Block”

The Town reviewed previous projects by City of Miami Beach, Bay Harbor Islands and obtained private market pricing from vendors in order to determine a unit cost per typical block. As a result, **Table A – “Cost Options”** below was composed in order to provide cost options for various designated walking areas in the residential district:

Option Number	Description of Option	Cost per Linear Feet	Total Cost Per Block	Town-wide Implementation Cost
1	White Line Shared Lane	\$2.50	\$2,187.50	\$135,625.00
2	Green Cover Shared Lane	\$45.00	\$39,375.00	\$2,441,250.00

**Table A – “Cost Options”**

**Attachment A – “Visual Representations”** provides a visual representation of each option as installed in actual locations and provides further description of each option. Due to existing roadway conditions and right of way encroachments, options are limited to the ones presented.

In order to implement any type of additional shared lanes, Miami-Dade County would need to approve the proposed design since the roadways are under county jurisdiction. The application process requires an application along with corresponding documents such as engineered drawings. An engineer of record will be required for the composition of the documents. The Town currently has an open Request for Qualifications (RFQ) for ongoing engineering services. Based on the Town Commission direction and the results from the RFQ, an engineer of record can be picked to develop the documents required for County approval.

The Town Administration recommends that the Town Commission discuss the proposed options provided. Based on direction on 1) the streets to be impacted and 2) selection of one of the two eligible layouts, the Town administration will work with a qualified engineer after a contract is executed with an engineering firm via the current RFQ process in order to process the application and documentation required by Miami-Dade County.

Reviewed by: JG

Prepared by: HG



**OPTION A - WHITE SHARED LANE**

White shared lane samples were installed as part of a previous project within the Town of Surfside. In installed samples, the white shared lanes are of pavement paint material. The cost option is priced as thermoplastic marking which creates a reflection during night time and has a longer duration life.



**OPTION B - GREEN COVER SHARED LANE**

This option is typical of bicycle and shared use lanes. Shared use lanes are depicted by two arrows above bicycle icon. The option can be encountered along Byron Ave between 85th Street to 87th Street within the City of Miami Beach. The material is a proprietary material only applied by a limited amount of contractors. The bicycle icon can be removed or changed to a pedestrian similar to Option A.

LAST  
REVISION  
05/19/2020

DESCRIPTION:  
OPTIONS FOR SHARED LANES



TOWN OF SURFSIDE

PAINTED LANES OPTIONS

SCALE:  
N.T.S.

SHEET  
1 of 1



**Town of Surfside  
Town Commission Meeting  
October 13, 2020  
7:00 pm**

Town Hall Commission Chambers - 9293 Harding Avenue, 2<sup>nd</sup> Floor  
Surfside, FL 33154

**Date: September 19, 2020**

**Prepared by: Mayor**

**Subject: Alternative Kayak Launches in addition to the 96<sup>th</sup> Street Park.**

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**Objective:** To provide a framework to discuss where and how to implement potential additional water access points in Surfside as long as there is neighborhood support for the location.

**Consideration:** Discuss with Commission

**Recommendation:** TBD

**To:** Honorable Mayor, Vice-Mayor and Members of the Town Commission  
**From:** Guillermo Olmedillo, Town Manager  
**Date:** April 14, 2020  
**Subject:** Comparison of 2006 code to 2020 code

---

The attached tables describe the differences between the 2006 code and the 2020 code per zoning district. The most significant changes from the 2006 code are summarized below:

1. Single family district requires additional setbacks for second story and limits the square footage of a second story based on the percentage of the first story.
2. Single family homes have a 10-foot base flood elevation requirement versus 8 feet in 2006 in keeping with FEMA requirements.
3. Single family lot coverage (what can be seen under roof from above) currently has certain exclusions, such as patios. Previously, anything under roof qualified as lot coverage.
4. Multifamily properties on the east side of Harding Avenue can have a length up to 90 feet if there is a 17-foot gap in the façade. Previously, the requirement was a maximum of 50 feet with the option to go up to 100 feet with a 25-foot recess.
5. Multifamily properties on the west side of Collins Avenue can have a length up to 250 feet if there is a 17-foot gap in the façade versus 150 feet, however hotels are limited to 150 feet in length.
6. Significant landscape requirements for multifamily and hotel uses were added.
7. Height is limited by the Charter and has not been changed in any district. It should be noted that the increase in base flood elevation means that the first habitable floor is higher now than prior to 2006. However, height is measured from the crown of the road to the top of the building and therefore the increase in base flood elevation has not increased overall height.
8. Minimum window openings, design features and wall plane elevation changes were added to all zoning districts.

Single family waterfront lots		RS-1 (2006 Code)	H30A (2020 Code)
Height	Principal Building	30 ft	30 ft
	Accessory	12 ft	12 ft
Height	Stories	2	2
	Base Flood Elevation	8 ft	10 ft
Lot	Lot Width (Min)	50 ft	50 ft
	Lot area / dwelling (Min)	8,000 sq ft	8,000 sq ft
Lot	Lot Coverage (Max)	40%	40%
	Minimum FI Area (Min)	2,500 sq ft	No minimum, changed to a maximum square footage for 2 <sup>nd</sup> floors
Setbacks (Min)	Primary	20 ft	20 ft
	Interior side	5 ft	5 ft
Setbacks (Min)	Interior side for lots over 50 ft in width	10% of frontage	10% of the frontage
	Second floor interior side setbacks	No additional setbacks required	An average of 5 – 10 additional feet depending on the size of the 2 <sup>nd</sup> story, not to exceed 80% of the first
Pervious Area (Min)	Rear	20 ft	20 ft
	Secondary (corner only)	10 ft	10 ft
Pervious Area (Min)		50% of front yard and 40% of rear yard to be landscaped.	35% minimum pervious area for total lot. 50% of front yard and 20% of rear yard to be landscaped.

Single family interior lots		RS-2 (2006 Code)	H30B (2020 Code)
Height	Principal Building	30 ft	30 ft
	Accessory	12 ft	12 ft
Height	Stories	2	2
	Base Flood Elevation	8 ft	10 ft
Lot	Lot Width (Min)	50 ft	50 ft
	Lot area / dwelling (Min)	5,600 sq ft	5,600 sq ft
Lot	Lot Coverage (Max)	40%	40%
	Minimum FI Area (Min)	1,800 sq ft	No minimum, changed to a maximum square footage for 2 <sup>nd</sup> floors
Setbacks (Min)	Primary	20 ft	20 ft
	Interior side	5 ft	5 ft
Setbacks (Min)	Interior side for lots over 50 ft in width	10% of frontage	10% of the frontage
	Second floor interior side setbacks	No additional setbacks required	An average of 5 – 10 additional feet depending on the size of the 2 <sup>nd</sup> story, not to exceed 80% of the first
Pervious Area (Min)	Rear	20 ft	20 ft
	Secondary (corner only)	10 ft	10 ft
Pervious Area (Min)		50% of front yard and 40% of rear yard to be landscaped.	35% minimum pervious area for total lot. 50% of front yard and 20% of rear yard to be landscaped.

		RD-1 (2006 Code)			H30C (2020 Code)
Determination	Single family	Two-family	Multi-Family	Zoning District	
Height (Max)	Principal Building	30 ft	30 ft	30 ft	
	Accessory	12 ft	12 ft	12 ft	
Lot	Stories	2	2	2	
	Lot Width (Min)	50 ft	50 ft	50 ft	
	Lot area / dwelling (Min)	5,000 sq ft	2,500 sq ft	2,000 sq ft	
	Lot Coverage (Max)	Not Specified	Not Specified	Not Specified	
Setbacks (Min)	Minimum FI Area (Min)	1,800 sq ft	950 Sq ft	Based on use	
	Primary	20 ft	20 ft	20 ft	
Maximum frontage	Interior side	5 ft	5 ft	6 ft minimum or 10% of the total interior frontage up to 15 ft, whichever is greater	
	Interior side for lots over 50 ft in width	10% of frontage	10% of frontage	6 ft minimum or 10% of the total interior frontage up to 15 ft, whichever is greater	
Pervious Area (Min)	Rear	20 ft	20 ft	10 ft	
	Secondary (corner only)	10 ft, 15 ft on east west lots	10 ft, 15 ft on east west lots	10 ft	
Pervious Area (Min)	100 feet with 25 foot recesses or 50 feet without recesses	100 feet with 25 foot recesses or 50 feet without recesses	100 feet with 25 foot recesses or 50 feet without recesses	90 feet subject to 3 conditions; and equivalency	
	50% of the front setback, 40% of rear setback	50% of the front setback, 40% of rear setback	50% of the front setback, 40% of rear setback	20%	

		RM-1 (Old Code)		H40 (2020 Code)	
	Determination	Multi Family	Hotel & Motel	Width is ≤ 50 ft	Width is > 50 ft
Height (Max)	Principal Bldg	40 ft	40 ft	40 ft	40 ft
	Accessory	Not Specified	Not Specified	12 ft	12 ft
	Stories	3	3	1 and 2 family = 2 MF and Hotel = 3	1 and 2 family = 2 MF and Hotel = 3
Lot	Lot Width (Min)	75 ft	100 ft	50 ft	50 ft
	Lot area / dwelling (Min)	750 Sq ft	400 Sq ft	Not Specified	Not Specified
	Lot Coverage (Max)	Not Specified	Not Specified	Not Specified	Not Specified
	Minimum FI Area (Min)	Based on use	Based on Use	Not Specified	Not Specified
Setbacks (Min)	Primary*	20ft	20 ft	20 ft; 25 ft for portions above 30 feet; except historic bldgs.	20 ft; 25 ft for portions above 30 feet; except historic bldgs.
	Interior side	7 ft	7 ft	6 ft minimum or 10% of the total interior frontage up to 15 ft, whichever is greater	7 ft minimum or 10% of the total interior frontage up to 15 ft, whichever is greater
	Interior side for lots over 50 ft in width	10% of frontage	10% of frontage	6 ft minimum or 10% of the total interior frontage up to 15 ft, whichever is greater	7 ft minimum or 10% of the total interior frontage up to 15 ft, whichever is greater
	Rear	10ft	20 ft	10 ft	10 ft
Maximum frontage	Secondary (corner only)	10ft	10 ft	10 ft	10 ft
		150ft with 25 foot recesses or 75 feet without recesses	150ft with 25 foot recesses or 75 feet without recesses	150 ft for hotels, 150 ft, or up to 250 ft with equivalent gaps of 17 ft in width for multi-family	150 ft for hotels, 150 ft, or up to 250 ft with equivalent gaps of 17 ft in width for multi-family
Pervious Area (Min)		50% of the front setback, 40% of rear setback	50% of the front setback, 40% of rear setback	50% of the front setback plus 20% of overall site	50% of the front setback plus 20% of overall site

\*2006 code identified the "primary" front setback on a corner lot as the shorter of the two streets. This was modified in the current code to add that if the parcel is on Collins or Harding, that frontage becomes the primary front setback, regardless if the Collins or Harding portion of the lot is shorter. This to provide greater setbacks on Collins and Harding.

		RT-1 (2006 Code)		H120 (2020 Code)	
<u>Determination</u>		<u>Multi-Family</u>	<u>Hotel and Motel</u>	<u>Zoning District</u>	
Height (Max)	Principal Building	120 ft	120 ft	120 ft	
	Accessory	Not Specified	Not Specified	12 ft	
Lot	Stories	12	12	12	
	Lot Width (Min)	100 ft	150 ft	50 ft	
	Lot area / dwelling (Min)	400 Sq ft	Not Specified	Not Specified	
	Lot Coverage (Max)	Not Specified	Not Specified	Not Specified	
	Minimum FI Area (Min)	Based on use	Based on use	Based on use	
Setbacks (Min)	Primary	40 ft	40 ft	40 ft	
	Interior side	10 ft, additional side setbacks when the building exceeds 30 feet in height.	10 ft, additional side setbacks when the building exceeds 30 feet in height.	10% of the frontage, no less than 10 feet, additional side setbacks when the building exceeds 30 feet in height.	
	Rear	30 ft	30 ft	30 ft	
	Secondary (corner only)	20 ft	20 ft	10% of the lot frontage, no less than 20 feet	
Maximum frontage	150 ft	150 ft	150 ft		
Pervious Area (Min)	50% of the front setback	50% of the front setback	20%		



# MEMORANDUM

ITEM NO. 9CC

**To:** Honorable Mayor, Vice-Mayor and Members of the Town Commission  
**From:** Guillermo Olmedillo, Town Manager  
**Date:** June 23, 2020  
**Subject:** Stormwater Master Plan

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At the April 28<sup>th</sup>, 2020 Special Commission Meeting, Town Administration was directed to report back to the Commission regarding the Town's statutory requirement for a Stormwater Master Plan. The following information relates to the requirements and uses for Stormwater Master Plan.

- If a municipality operates a stormwater utility (such as the Town does), a stormwater management program is required by FS 403.0891, which includes stormwater master plan for planning and improvement purposes per Rule 62-40.431(3)(d), Florida Administrative Rules. The County requires that National Pollution Discharge Elimination System (NPDES) regulations and best management practices are followed for water quality, which is a stormwater management program, not a stormwater master plan.
- The difference – A Stormwater Master Plan is a planning tool; the management program is a compliance tool.
  - The Stormwater Master Plan considers and models existing flooding areas (often identified by staff and residents) and future conditions (such as sea level rise) in order to:
    - Develop solutions to improve the flooding level of services (LOS)
    - Establish Future goals and regulations.
    - Recommend a capital improvement program that is both technically sound and financially supportable.
    - Provide a foundation for future policy decisions.
    - Incorporate and update the stormwater management plan in order to comply with state and federal National Pollutant Discharge Elimination System (NPDES) regulations.
- Most local governments have a Stormwater Master Plan and update it every 5-10 years to keep it current since it establishes the Capital Improvement Program (CIP) and helps stay in compliance with NPDES requirements.

The Town did commission the completion of portions of the plan (ICPR model) in 2008 as part of the infrastructure rehabilitation project but did not commission the completion of a complete Stormwater Master Plan.

To address the Commissions inquiries regarding costs of the plan, we have compiled the data on Stormwater Master Plan costs from other jurisdictions. These plans were publicly bid and not completed by CGA; they were completed by other engineering firms.

	SqMiles	Price	Year	Years ago	Avg CPI increase	Adjusted CPI Price	\$/SQ Mi
Port Ft Pierce	0.04	\$ 188,663.00	2018	2	2.50%	\$198,214.06	\$5,663,258.98
Bal Harbour Village	0.38	\$ 136,675.00	2014	6	2.50%	\$158,501.10	\$417,108.15
Golden Beach	0.32	\$ 168,800.00	2000	20	2.50%	\$276,598.46	\$864,370.17
Surfside	0.56	\$ 175,980.00	2020	0	2.50%	\$175,980.00	\$314,250.00
Key Biscayne	1.25	\$ 293,000.00	2011	9	2.50%	\$365,916.85	\$292,733.48

Reviewed by: JG/LA

Prepared by: CG



**Town of Surfside  
Town Commission Meeting  
October 13, 2020**

**7:00 pm**

Town Hall Commission Chambers - 9293 Harding Avenue, 2<sup>nd</sup> Floor  
Surfside, FL 33154

Date: October 5, 2020  
Prepared by: Commissioner Nelly Velasquez  
Subject: Amend Tourist Board Ordinance

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**Objective:** To ensure the proper spending of all Tourist funds by the tourist board.

**Consideration:** tourist board ordinance

**Recommendation:** Amend current Tourist Board Ordinance



**Town of Surfside  
Town Commission Meeting  
October 13, 2020  
7:00 pm**

Town Hall Commission Chambers - 9293 Harding Avenue, 2<sup>nd</sup> Floor  
Surfside, FL 33154

**Date: September 19, 2020**

**Prepared by: Mayor**

**Subject: Legally Defective Charter Amendment Vote in 2012**

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**Objective:** To provide a presentation on the legally defective Charter Amendment vote in 2012 and the options to address same.

**Consideration:** Discuss with Commission

**Recommendation:** TBD



**Town of Surfside  
Town Commission Meeting  
October 13, 2020  
7:00 pm**

Town Hall Commission Chambers - 9293 Harding Avenue, 2<sup>nd</sup> Floor  
Surfside, FL 33154

Date: October 5, 2020  
Prepared by: Commissioner Nelly Velasquez  
Subject: Purchase of land for parks

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**Objective:** Give direction to Town Manager to identify available land throughout town and bring to commission recommendations.

**Consideration:** Expand the parks.

**Recommendation:** various locations



**Town of Surfside  
Town Commission Meeting  
October 13, 2020  
7:00 pm**

Town Hall Commission Chambers - 9293 Harding Avenue, 2<sup>nd</sup> Floor  
Surfside, FL 33154

**Date:** 10-5-2020  
**Prepared by:** Commissioner Eliana Salzhauer  
**Subject:** Traffic Control Devices on 88<sup>th</sup> & Hawthorne Avenue

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**Objective:** Give direction to Town Manager regarding the implementation, replacement, and/or removal of Surfside traffic signage that was not authorized by the County in advance.

**Consideration:** A resident complaint led to the County requesting removal of Surfside-specific traffic control signage. To comply with County directive, a Stop sign was removed from the corner of 88<sup>th</sup> & Hawthorne. Many residents have expressed their displeasure with this change and are concerned that the Stop sign removal presents a severe safety hazard. The Commission should discuss how to proceed in replacing such signage and how to handle future County directives.

**Recommendation:** Discuss options and give direction to Town Manager & Town Attorney.



9HH

**Town of Surfside  
Town Commission Meeting  
October 13, 2020  
7:00 pm**

Town Hall Commission Chambers - 9293 Harding Avenue, 2<sup>nd</sup> Floor  
Surfside, FL 33154

**Date: September 19, 2020**

**Prepared by: Mayor**

**Subject: Cone of Silence/Secrecy**

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**Objective:** To provide a presentation on the corrupt results of this rule exercised by the former elected officials, and what to do to ensure it never happens again.

**Consideration:** Discuss with Commission

**Recommendation:** TBD



**Town of Surfside  
Town Commission Meeting  
October 13, 2020  
7:00 pm**

Town Hall Commission Chambers - 9293 Harding Avenue, 2<sup>nd</sup> Floor  
Surfside, FL 33154

**Date:** September 19, 2020  
**Prepared by:** Mayor  
**Subject:** Taking Steps to Keep our Businesses Alive During COVID

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**Objective:** To provide a presentation on the options available for helping our downtown businesses, and then to get the Commission's input.

**Consideration:** Discuss with Commission

**Recommendation:** TBD