



## **Town of Surfside**

### **TOURIST BOARD MEETING AGENDA**

**July 1, 2019 – 5:30 p.m.**

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

**The following also applies to all Boards and Committees:**

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

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

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

**Opening Items:**

- 1. Call to Order/Roll Call**
- 2. Welcome – Chair Barbara Cohen**
- 3. Approval of Meeting Minutes: June 3, 2019**
- 4. A/R (Resort Tax)**

**Discussion Items:**

- 5. Turtle Table and Banners- Lindsay Fast, Tourism Director**

- 6. Holiday Lights Proposal Options from Miami Christmas Lights – Lindsay Fast, Tourism Director**
- 7. Downtown Vision Advisory Committee’s Ideas for Art in Public Places & Instagrammable Moments – Lindsay Fast, Tourism Director**
- 8. Next Tourist Board Meeting: Monday, August 5, 2019 at 5:30pm**
- 9. Public Comment – 3-minute time limit each, please**
- 10. Adjournment**

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

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

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

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



## **Town of Surfside**

### **TOURIST BOARD MEETING MINUTES**

**June 3, 2019 – 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 5:34 p.m.

Present: Chair, Barbara Cohen  
Vice Chair, Jeff Lehman  
Board Member, Jennifer Brilliant  
Board Member, Charles Kesl

Absent Board Member, Neil Goodman

Also present: Lindsay Fast, Tourism Director  
Duncan Tavares, Assistant Town Manager  
Haydee Sera, Town Attorney  
Michael Karukin, Town Commission Liaison  
Frantza Duval, Recording Clerk

**2. Welcome – Chair Barbara Cohen**

Chair Barbara Cohen welcomed everyone to the Tourist Board meeting.

**3. Approval of Meeting Minutes: May 6, 2019**

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

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

Report was provided and there were no questions.

**Discussion Items:**

**5. RFP 2019-01 Holiday Lights for the Town of Surfside - Lindsay Fast, Tourism Director**

Tourism Director Fast presented the item and introduced Miami Christmas Lights to present.

Kurt Stange representing Miami Christmas Lights provided a presentation of each option of the project to the members of the Tourist Board.

Mr. Stange answered questions from members of the Board upon completion of his presentation.

The following members of the public spoke on this item:

Sasha Plutno

Tourism Director Fast stated that the other company was scheduled to present at 6:30pm and asked the Board to advance to the next item and they will come back to this item once the other company is ready to present.

The following presentation occurred after completion of item 7.

Joe Campbell representing Christmas Designers presented their project options to the Board. He provided some visual examples of the lighting that will be used if they were to be selected.

Mr. Campbell answered questions from the Board during the presentation.

There was some discussion among the Board members relating to the two companies that presented.

Board Member Brilliant asked the Board to consider the cost of both companies. Tourism Director Fast stated that the maximum budgeted amount for this project is about \$90,000. Chair Barbara Cohen asked how much the cost was the previous year. Tourism Director Fast stated \$82,000.

Board Member Kesl stated that he will be okay with any of the companies. He likes all the design but would not go with the first turtles. He further stated that he likes the turtles versus the art deco design.

Board Member Brilliant stated she likes the turtle design from the second proposer but that her favorite design was the one with the chandeliers from the first proposer. She clarified that she liked everything but the chandeliers on that design. She is not convinced that the version with the flowers will look nice once they have been installed. She would prefer it to look clean and classic. She stated that if the Board decides to go with a turtle design, she prefers the design from the second proposers.

Vice Chair Lehman stated that they should not be lighting the fronds because it is bad for the trees. He stated that he liked the rose design but he is shy based on how they presented art deco and how it came out because it did not look how it was supposed to. He stated that he would go back to something simpler which will be the elegant chandelier design without the chandelier. He stated that it seems that the Board is leaning toward Miami Christmas Lights.

Chair Barbara Cohen stated that she liked the turtle design from the second proposers.

Board Member Kesl asked the Board about their feeling of spending more money to explore the design it good, better or best design options.

Board Member Brilliant would like to see more about the design they will be choosing and the prices of what they will be choosing.

Vice Chair Lehman believes that the first step should be selecting a company they can work with.

Board Member Kesl made a motion to choose Christmas Designers for the turtle concept. To begin with the good proposal and consider the better. Motion died for a lack of second.

Vice Chair Lehman made a motion to go with the first company Miami Christmas Lights. Board Member Brilliant seconded the motion.

Vice Chair Lehman stated that he likes the "Elegant Rose" and the "Champagne Chandeliers" concepts without the chandeliers and that this company has the capability to do what it is what the Board wants.

The motion carried 4-0 with Board Member Goodman absent.

Board Member Brilliant likes the Chandelier concept without the chandelier. She likes the palms fronds and other features from the design.

Some discussion took place between the Board (inaudible at times) regarding the different options from Miami Christmas Lights.

Vice Chair Lehman made a motion to go with the Champagne Chandelier concept without the chandeliers but would like to get a price on that. The motion received a second from Board Member Brilliant and the motion carried 4-0.

**6. National Travel and Tourism Week Recap – Anything but Advertising + Lindsay Fast, Tourism Director**

Tourism Director Fast provided a presentation and gave an overview of what the Tourism Department did during National Travel and Tourism Week. She spoke about the postcard that was also provided based on the Board's recommendation. She provided statistics from the website, the post and the blog.

**7. Paddletopia Recap – Sara Liss, Friday Beach + Lindsay Fast, Tourism Director**

Sara Liss provided a presentation regarding Paddletopia. She stated that the event achieved full potential thanks to the good weather. She showed photographs taken during the event.

There were some questions from the Board regarding the influencers that attended the event and how they promoted Paddletopia.

Tourism Director Fast provided an overview of the stats from the webpages social media outlets and also provided a side-to-side comparison with stats from 2018 versus the 2019 events. She stated that Paddletopia was a successful second annual event.

There were some comments and discussion amongst the members of the Board.

At this time the board continued with item 6 and the presentation from Christmas Designers.

**8. Israel Innovation Expo Recap – Lindsay Fast, Tourism Director**

Chair Barbara Cohen stated that she attended the event and she thought that it went very well and was impressed with the venue's capability.

Tourism Director Fast provided an overview of the event with some statistics collected during the two-day event.

Chair Barbara Cohen added that Mayor Dietch did a fine job in his welcoming speech.

**9. Capital Improvements with Tourist Board Funds – Charles Kesl, Tourist Board Member**

Board Member Kesl presented his item to the board and provide the following ideas for the Board to brainstorm:

- Directional signage for people to know where to go and where offices and places of interest are located;
- Make Surfside more walkable friendly;
- Signage to provide some education to the residents and tourist;
- Event sign to provide residents and guest with events information;
- Tourist Kiosk to provide tourists with information;
- Tourism office clearly marked;
- Visit Surfside website link should be placed on the top of the Town of Surfside's webpage so it's more visible;
- Art installation on street ends;
- A permanent floating dock accessible to the public;
- Events at the Community Center pool or on the tennis courts;
- Pop up stores;
- Partnering with environmental outreach companies, photographer, etc.
- Better lighting which may be a more permanent solution to the Town.

Chair Barbara Cohen stated that there was a lot of information in the presentation and the Board should take the time to review and she would like to continue with the rest of the agenda. The Board agreed.

**10. Budget Ideas and Requests for Fiscal Year 2019 / 2020 – Lindsay Fast, Tourism Director**

Tourism Director Fast presented the item.

Vice Chair Lehman had some questions that were addressed by Tourism Director Fast. He offered to provide Tourist Board Director Fast with how the budget is presented in the City of Miami Beach.

Assistant Town Manager Tavares encouraged the Board to request what they would like to see if it is different from what is being currently presented to them.

Vice Chair Lehman mentioned financial performance on a month to month basis from October to September with a comparison of what they projected and to a comparison to the previous year.

Commission Liaison Karukin spoke about the budget process and how it works. He also stated that the Board may request more information if that is the desire of the Board. He suggested requesting last years proposed budget to compare it with the adopted budget. He also mentioned that a matrix might be best so that the Board can see the various vendors and what they are involved in.

There was a lengthy discussion on this item.

More information will be provided by the Tourism Director.

**11. Next Tourist Board Meeting: Monday, July 1, 2019 at 5:30pm**

Next Tourist Board meeting is scheduled for Monday, July 1, 2019.

**12. Public Comment – 3-minute time limit each, please**

There were no public comments.

**13. Adjournment**

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

The meeting adjourned at 8:27 p.m.

Respectfully submitted:

Accepted this \_\_\_\_\_ day of \_\_\_\_\_, 2019

\_\_\_\_\_  
Barbara Cohen, Chair

Attest:

\_\_\_\_\_



Sandra Novoa, MMC  
Town Clerk

<b>TOWN OF SURFSIDE RESORT TAX CUMULATIVE REPORT</b>			
	FY 2017-2018*	FY 2018-2019^	% change
2% FOOD/BEVERAGE	\$ 546,855	\$ 717,981	24%
4% ROOM/BOARD TAX	\$ 1,718,367	\$ 2,088,991	18%
4% SHORT TERM RENTAL	\$ 12,345	\$ 13,382	8%
<b>TOTAL</b>	<b>\$ 2,277,567</b>	<b>\$ 2,820,354</b>	<b>19%</b>

\*as of 06/29/2018

^as of 06/24/2019

BUDGET TO ACTUAL		34% to Tourist Bureau	66% to Comm Center
Current Receivables	\$ 2,820,354	\$ 958,920	\$ 1,861,434
Budgeted Estimations	\$ 2,930,000	\$ 996,200	\$ 1,933,800
% to budget		96%	

ITEM	MEETING	NOTES/OUTCOME	NEXT STEPS	TENTATIVE SCHEDULE	COMPLETE
<b>TOURIST BOARD DISCUSSION ITEMS / DIRECTION GIVEN</b>					
Holiday Lights RFP	1-Jul	Requested adjustments to the proposal from Maimi Christmas Lights	Make RFP recommendation at July 1 Tourist Board Meeting		
<b>ON UPCOMING COMMISSION AGENDA</b>					
Holiday Lights RFP	1-Jul		Final approval for RFP 2019-01 to be made		
<b>ON FUTURE COMMISSION AGENDA</b>					
<b>COMPLETED</b>					
Year in Review FY 2017/18	October 8, 2018 TB Meeting		NONE	NA	Complete
VISIT FLORIDA Conference Recap presentation	October 8, 2018 TB Meeting		NONE	NA	Complete
Marketing Plan presentation	October 22 special TB meeting		NONE	NA	Complete
SFCA Recap presentation	November 14, 2018 TB Meeting		NONE	NA	Complete
Budget Tracker	November 14, 2018 TB Meeting	Notate any sponsorships that come from any budget line other than contingency. Included in Dec Agenda Packet	NONE	NA	Complete
Adjusted Sponsorship form	January 07, 2019 TB Meeting		NONE	NA	Complete
Historian Report	January 07, 2019 TB Meeting		Was able to accommodate a 3rd tour within the events budget line	NA	Completed
Israel Innovation Expo Sponsorship	November 14, 2018 TB Meeting	Signed agreement stipulating free resident admission and working with a minimum of 2 local businesses	NONE	NA	Completed
DVAC Appointment Recommendations	12-Feb-19	Charter Resolution was approved by Town Commission 1/8, and Committee appointments were made 2/12/19.	NONE	NA	Completed
Code of Ethics Ordinance Enhancements and Amendment	12-Feb-19	Approved at second reading	NONE	NA	Completed
Beach Renourishment Pop-Up Beach	11-Mar-19	Board requested alternatives to what was presented for Ocean Terrace		1-Apr-19	Completed
LGBTQ Tourism Forum Recap	7-Jan-19	Board Requested more information and cost of GM/CVB Sensitivity Training for Hotels & Local Businesses		Feb 4th	Completed
National Travel & Tourism Week	5/6/2019				Completed

Option 1



MIAMI CHRISTMAS LIGHTS 



Renderings are concept only. Actual production may deviate from art

Qty: 8 pieces per park



MIAMI CHRISTMAS LIGHTS 

Renderings are concept only. Actual production may deviate from art

# Option 1 Quote with Light Swag



# ESTIMATE

Miami Christmas Lights  
1330 West Ave - Suite 2012  
Miami Beach, FL 33139

Ph: 305.432.2225  
info@miamichristmaslights.com  
miamichristmaslights.com

Customer Information	Proposal Information
Town of Surfside Lindsay East 9293 Harding Ave Surfside, FL 33154 Ph: 305-864-0722 Em: lfast@townofsurfsidefl.gov Budget: \$ 80,000.00	Estimate #: 19 -105 Proposal Date: 06/19/2019 Decision Date: 04/23/2019 Desired Install Date: Desired Removal Date: Contract Expire Date: 2021 Deposit Method:

Item	Qty	Price	Total
Wrap 77 Medjool palms along Harding ave from 96th t to 94ths and at Veterans Park. Wrap an additional 54 trees along hoarding ave.	1	\$ 38,000.00	\$ 38,000.00
Wrap top 18" of 77 Medjool palms with intense Warm White LED "crown" of lights along Harding ave from 96th t to 94ths and at Veterans Park.	77	\$ 300.00	\$ 23,100.00
Decorate 4 monuments with elegant, art decor inspired illuminated sign enhancer.	4	\$ 3,750.00	\$ 15,000.00
Ground Lights -Each pocket part gets 30 strands of elegant lighting to blanket over the bushes on the ground.	8	\$ 900.00	\$ 7,200.00
Skyline Swags 4 skyline strings of light swags will float over Harding's Avenue in the night sky.	1	\$ 15,200.00	\$ 15,200.00
Decorate 8 pocket parks with elegantly illuminated acrylic spheres complimented with twinkle lights through the ground foliage of the park.	64	\$ 150.00	\$ 9,600.00
		Sub Total	\$ 108,100.00
		- Discount	\$ 0.00
		Adjustment	\$ 0.00
		<b>Grand Total</b>	<b>\$ 108,100.00</b>
		<b>DEPOSIT AMOUNT DUE</b>	<b>\$ 54,050.00</b>

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

#### Power

Outlet Location:  
Circuit Breaker Location:  
Integrated Timers: Yes Timer Hours: N/A  
Other Notes: TBD

#### 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. Agreement expires after 2021 season.**

Name: \_\_\_\_\_ Signature: \_\_\_\_\_  
Date: \_\_\_\_\_

Option 2





Qty: 8 pieces per park



MIAMI CHRISTMAS LIGHTS 

Renderings are concept only. Actual production may deviate from art

## Option 2 without Light Swag



Miami Christmas Lights  
1330 West Ave - Suite 2012  
Miami Beach, FL 33139

# ESTIMATE

Ph: 305.432.2225  
info@miamichristmaslights.com  
miamichristmaslights.com

### Customer Information

Town of Surfside  
Lindsay Fast  
9293 Harding Ave  
Surfside, FL 33154  
Ph: 305-864-0722  
Em: lfast@townofsurfsidefl.gov  
Budget: \$ 80,000.00

### Proposal Information

Estimate #: 19 -106  
Proposal Date: 06/19/2019  
Decision Date: 04/23/2019  
Desired Install Date:  
Desired Removal Date:  
Contract Expire Date: 2021  
Deposit Method:

Item	Qty	Price	Total
Wrap 77 Medjool palms along Harding ave from 96th t to 94ths and at Veterans Park. Wrap an additional 54 trees along hoarding ave.	1	\$ 38,000.00	\$ 38,000.00
Wrap top 18" of 77 Medjool palms with intense Warm White LED "crown" of lights along Harding ave from 96th t to 94ths and at Veterans Park.	77	\$ 300.00	\$ 23,100.00
Decorate 4 monuments with elegant, art decor inspired illuminated sign enhancer.	4	\$ 3,750.00	\$ 15,000.00
Ground Lights - Each pocket park is covered with 30 strands of lights on the ground.	8	\$ 900.00	\$ 7,200.00
Decorate 8 pocket parks with elegantly illuminated acrylic spheres complimented with twinkle lights through the ground foliage of the park.	64	\$ 150.00	\$ 9,600.00
		Sub Total	\$ 92,900.00
		- Discount	\$ 0.00
		Adjustment	\$ 0.00
		<b>Grand Total</b>	<b>\$ 92,900.00</b>
		<b>DEPOSIT AMOUNT DUE</b>	<b>\$ 46,450.00</b>

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

### Power

Outlet Location:  
Circuit Breaker Location:  
Integrated Timers: Yes Timer Hours: N/A  
Other Notes: TBD

### 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.** Agreement expires after 2021 season.

Name: \_\_\_\_\_ Signature: \_\_\_\_\_  
Date: \_\_\_\_\_

Option 3 Additional Spheres



Qty: 16 pieces per park



\*\*renderings are concept only. Actual production may deviate from art.\*\*

MIAMI CHRISTMAS LIGHTS 




MIAMI CHRISTMAS LIGHTS 

“\*renderings are concept only. Actual production may deviate from art.”

## Option 3 Quote Additional Spheres



**MIAMI CHRISTMAS LIGHTS**



# ESTIMATE

Ph: 305.432.2225  
 info@miamichristmaslights.com  
 miamichristmaslights.com

Miami Christmas Lights  
 1330 West Ave - Suite 2012  
 Miami Beach, FL 33139

Customer Information	Proposal Information
Town of Surfside Lindsay Fast 9293 Harding Ave Surfside, FL 33154 Ph: 305-864-0722 Em: lfast@townofsurfsidefl.gov Budget: \$ 80,000.00	Estimate #: 19 -107 Proposal Date: 06/19/2019 Decision Date: 04/23/2019 Desired Install Date: Desired Removal Date: Contract Expire Date: 2021 Deposit Method:

Item	Qty	Price	Total
Wrap 77 Medjool palms along Harding ave from 96th t to 94ths and at Veterans Park. Wrap an additional 54 trees along hoarding ave.	1	\$ 38,000.00	\$ 38,000.00
Wrap top 18" of 77 Medjool palms with intense Warm White LED "crown" of lights along Harding ave from 96th t to 94ths and at Veterans Park.	77	\$ 300.00	\$ 23,100.00
Decorate 4 monuments with elegant, art decor inspired illuminated sign enhancer.	4	\$ 3,750.00	\$ 15,000.00
Ground Lights	8	\$ 900.00	\$ 7,200.00
Decorate 8 pocket parks with elegantly illuminated acrylic spheres complimented with twinkle lights through the ground foliage of the park.	96	\$ 100.00	\$ 9,600.00
Sub Total			\$ 92,900.00
- Discount			\$ 0.00
Adjustment			\$ 0.00
<b>Grand Total</b>			<b>\$ 92,900.00</b>
<b>DEPOSIT AMOUNT DUE</b>			<b>\$ 46,450.00</b>

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**

**Power**

Outlet Location:  
 Circuit Breaker Location:  
 Integrated Timers: Yes Timer Hours: N/A  
 Other Notes: TBD

**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. Agreement expires after 2021 season.**

Name: \_\_\_\_\_ Signature: \_\_\_\_\_  
 Date: \_\_\_\_\_



Miami Christmas Lights  
 1330 West Ave - Suite 2012  
 Miami Beach, FL 33139

Ph: 305.432.2225  
 info@miamichristmaslights.com  
 miamichristmaslights.com

**Customer Information**

Town of Surfside  
 Lindsay Fast  
 9293 Harding Ave  
 Surfside, FL 33154  
 Ph: 305-864-0722  
 Em: lfast@townofsurfsidefl.gov  
 Budget: \$ 80,000.00

**Proposal Information**

Estimate #: 19 -110  
 Proposal Date: 06/21/2019  
 Decision Date: 04/23/2019  
 Desired Install Date:  
 Desired Removal Date:  
 Contract Expire Date: 2021  
 Deposit Method:

Item	Qty	Price	Total
7 Fronds per 77 Palms	539	\$ 50.00	\$ 26,950.00
		Sub Total	\$ 26,950.00
		- Discount	\$ 0.00
		Adjustment	\$ 0.00
		<b>Grand Total</b>	<b>\$ 26,950.00</b>
		<b>DEPOSIT AMOUNT DUE</b>	<b>\$ 13,475.00</b>

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**

**Power**

Outlet Location:  
 Circuit Breaker Location:  
 Integrated Timers: Yes Timer Hours: N/A  
 Other Notes: TBD

**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. Agreement expires after 2021 season.**

Name: \_\_\_\_\_ Signature: \_\_\_\_\_  
 Date: \_\_\_\_\_



Miami Christmas Lights  
 1330 West Ave - Suite 2012  
 Miami Beach, FL 33139

Ph: 305.432.2225  
 info@miamichristmaslights.com  
 miamichristmaslights.com

**Customer Information**

Town of Surfside  
 Lindsay Fast  
 9293 Harding Ave  
 Surfside, FL 33154  
 Ph: 305-864-0722  
 Em: lfast@townofsurfsidefl.gov  
 Budget: \$ 80,000.00

**Proposal Information**

Estimate #: 19 -113  
 Proposal Date: 06/21/2019  
 Decision Date: 04/23/2019  
 Desired Install Date:  
 Desired Removal Date:  
 Contract Expire Date: 2021  
 Deposit Method:

Item	Qty	Price	Total
9 Fronds per 77 Palms	693	\$ 50.00	\$ 34,650.00
		Sub Total	\$ 34,650.00
		- Discount	\$ 0.00
		Adjustment	\$ 0.00
		<b>Grand Total</b>	<b>\$ 34,650.00</b>
		<b>DEPOSIT AMOUNT DUE</b>	<b>\$ 17,325.00</b>

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**

**Power**

Outlet Location:  
 Circuit Breaker Location:  
 Integrated Timers: Yes Timer Hours: N/A  
 Other Notes: TBD

**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. Agreement expires after 2021 season.**

Name: \_\_\_\_\_ Signature: \_\_\_\_\_  
 Date: \_\_\_\_\_





# MEMORANDUM

**To:** Members of the Downtown Vision Advisory Committee

**From:** Lindsay Fast, Tourism Director

**Date:** June 20, 2019

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

---

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

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

Please find the following attachments herein for consideration:

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

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

Reviewed by

Prepared by

# ATTACHMENT A

## ARTICLE VII. - WORKS OF ART IN PUBLIC PLACES

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

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

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

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

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

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

(Ord. No. 2001-14, § 1, 11-27-01)

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

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

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

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

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

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

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

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

(Ord. No. 2001-14, § 1, 11-27-01)

Sec. 2-144. - Written guidelines.

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

(Ord. No. 2001-14, § 1, 11-27-01)

Sec. 2-145. - Ownership and upkeep.

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

(Ord. No. 2001-14, § 1, 11-27-01)

Sec. 2-146. - Personnel.

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

(Ord. No. 2001-14, § 1, 11-27-01)

Secs. 2-147—2-149. - Reserved.

## ATTACHMENT B

### ARTICLE XVI. - ART IN PUBLIC PLACES

#### Sec. 62-654. - Purpose and intent.

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

(Ord. No. 13657, § 2, 1-12-17)

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

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

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

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

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

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

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

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

Sec. 62-656. - City commission.

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

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

(Ord. No. 13657, § 2, 1-12-17)

Sec. 62-657. - Conflicts of interest.

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

(Ord. No. 13657, § 2, 1-12-17)

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

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

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



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

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

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

(Ord. No. 13657, § 2, 1-12-17)

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

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

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

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

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

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

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

(Ord. No. 13657, § 2, 1-12-17)

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

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

(Ord. No. 13657, § 2, 1-12-17)