



**Town of Surfside
Town Commission Meeting
AGENDA**

November 18, 2014

7 p.m.

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

1. Opening

- A. Call to Order**
- B. Roll Call of Members**
- C. Pledge of Allegiance**
- D. Mayor and Commission Remarks** – Vice Mayor Eli Tourgeman
- E. Agenda and Order of Business** Additions, deletions and linkages
- F. Community Notes** – Vice Mayor Eli Tourgeman

2. Quasi-Judicial Hearings

Please be advised that the following items on the Agenda are Quasi-Judicial in nature. If you wish to object or comment upon an item, please complete a Public Speaker's Card indicating the agenda item number on which you would like to comment. You must be sworn before addressing the Town Commission and you may be subject to cross-examination. If you refuse to submit to cross-examination, the Town Commission will not consider your comments in its final deliberation. Please also disclose any Ex-Parte communications you may have had with any members of the Town Commission. Town Commission members must also do the same.

A. 801- 88th Street Variance – Sarah Sinatra, Town Planner **Page 1-18**

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN SURFSIDE, FLORIDA CONSIDERING THE APPLICATION OF 801-88th STREET TO PERMIT A VARIANCE FROM THE REQUIREMENTS OF SECTION 90-54.5 OF THE TOWN OF SURFSIDE CODE OF ORDINANCES; TO CONNECT A DETACHED GARAGE TO THE HOME TO ALLOW THE EXISTING SINGLE FAMILY HOME TO CONVERT THE GARAGE TO ADDITIONAL LIVING SPACE; PROVIDING FOR RECOMMENDATION OF APPROVAL; PROVIDING FOR AN EFFECTIVE DATE.

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, during item 1E Agenda and Order of Business, that an item be removed from the Consent Agenda and discussed separately.

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

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

- A. **Minutes – Sandra Novoa, CMC, Town Clerk Page 19 - 30**
October 14, 2014 Regular Commission Meeting
- B. **Budget to Actual Summary as of August 30, 2014 – Donald Nelson, Finance Director Page 31 - 34**
- *C. **Town Manager’s Report – Michael P. Crotty, Town Manager Page 35 - 48**
- *D. **Town Attorney’s Report – Linda Miller, Town Attorney Page 49 - 53**
- *E. **Projects Progress Report – Calvin, Giordano and Associates, Inc. Page 54 - 55**
- F. **Committee Reports – Michael P. Crotty, Town Manager Page 56 - 59**

- September 30, 2014 Planning and Zoning Board Meeting Minutes

- G. **Expenditure of Forfeiture Funds for Fiscal Year 2014-2015 – David Allen, Chief of Police Page 60 - 64**

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, PROVIDING FOR THE FISCAL YEAR 2014/2015 POLICE CONFISCATION FUND EXPENDITURE IN THE AMOUNT OF \$83,300.00 FROM THE FORFEITURE FUND TO SUPPORT CRIME PREVENTION INITIATIVES, COMMUNITY-BASED PROGRAMS AND LAW ENFORCEMENT EQUIPMENT; PROVIDING FOR AUTHORIZATION AND APPROVAL; PROVIDING FOR AN EFFECTIVE DATE.

- H. **Mutual Aid Agreement between the Village of Indian Creek Public Safety Department and the Town of Surfside Police Department – David Allen, Chief of Police Page 65 - 75**

A RESOLUTION OF THE TOWN OF SURFSIDE, FLORIDA ACKNOWLEDGING THE MUTUAL AID AGREEMENT BETWEEN THE TOWN OF SURFSIDE POLICE DEPARTMENT AND THE VILLAGE OF INDIAN CREEK PUBLIC SAFETY DEPARTMENT; AUTHORIZING THE TOWN MANAGER AND CHIEF OF POLICE TO EXECUTE AND IMPLEMENT THE TERMS AND CONDITIONS OF THE MUTUAL AID AGREEMENT; AND PROVIDING FOR AN EFFECTIVE DATE.

- I. Mutual Aid Agreement between the City of Miami Beach Police Department and the Town of Surfside Police Department- David Allen, Chief of Police Page 76 - 85**

A RESOLUTION OF THE TOWN OF SURFSIDE, FLORIDA ACKNOWLEDGING THE VOLUNTARY COOPERATION AND OPERATIONAL ASSISTANCE MUTUAL AID AGREEMENT BETWEEN THE TOWN OF SURFSIDE, FLORIDA AND THE CITY OF MIAMI BEACH, FLORIDA; AUTHORIZING THE TOWN MANAGER AND CHIEF OF POLICE TO EXECUTE AND IMPLEMENT THE TERMS AND CONDITIONS OF THE MUTUAL AID AGREEMENT; AND PROVIDING FOR AN EFFECTIVE DATE.

- J. Mutual Aid Agreement between the Village of Miami Shores Police Department and the Town of Surfside Police Department – David Allen, Chief of Police Page 86 - 96**

A RESOLUTION OF THE TOWN OF SURFSIDE, FLORIDA ACKNOWLEDGING THE MUTUAL AID AGREEMENT BETWEEN THE TOWN OF SURFSIDE, FLORIDA AND THE MIAMI SHORES VILLAGE, FLORIDA; AUTHORIZING THE TOWN MANAGER AND CHIEF OF POLICE TO EXECUTE AND IMPLEMENT THE TERMS AND CONDITIONS OF THE MUTUAL AID AGREEMENT; AND PROVIDING FOR AN EFFECTIVE DATE.

4. Ordinances

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

A. Second Readings (Ordinances and Public Hearing)

- 1. An Ordinance Amending Town Code Section 90-52 “Required Clearances” and Striking Town Code Section 90-92 “Sight Triangles and Clearances” – Joe Damien, Code Compliance Director Page 97 - 103**

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA AMENDING CHAPTER 90 “ZONING” AMENDING CODE SECTION 90-52 “REQUIRED CLEARANCES” AND STRIKING CODE SECTION 90-92 “SIGHT TRIANGLES AND CLEARANCES”; PROVIDING FOR INCLUSION IN THE CODE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

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

B. First Reading Ordinances

1. **10% Windows for Each Story – Sarah Sinatra, Town Planner Page 104 - 108**

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA AMENDING CHAPTER 90 “ZONING”, AND SPECIFICALLY AMENDING SECTION 90-50 “ARCHITECTURE AND ROOF DECKS” TO MODIFY THE CODE TO REQUIRE A 10% WINDOWS PER FAÇADE OF A SINGLE FAMILY HOME PER STORY; PROVIDING FOR INCLUSION IN THE CODE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

2. **Single Family District Paint Colors – Sarah Sinatra, Town Planner Page 109 - 113**

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA AMENDING CHAPTER 90 “ZONING”, AND SPECIFICALLY AMENDING SECTION 90-50 “ARCHITECTURE AND ROOF DECKS” TO LIMIT THE PERMITTED COLORS IN THE H30A AND H30B ZONING DISTRICTS TO THE FOUR LIGHTEST COLORS ON A COLOR SWATCH; PROVIDING FOR INCLUSION IN THE CODE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

3. **Ordinance Amending Section 2-235 “Lobbying” – Sandra Novoa, CMC, Town Clerk Page 114 - 118**

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, AMENDING SECTION 2-235 “LOBBYING”; CLARIFYING THE DEFINITION OF A LOBBYIST; SPECIFICALLY AMENDING SECTION 2-235 (2) “LOBBYIST REGISTRATION, FEES, RENEWAL AND WITHDRAWAL”; REQUIRING ALL LOBBYIST WITHIN THE SAME FIRM WHO REPRESENT THE SAME PRINCIPAL TO REGISTER, PAY FEE AND FILE EXPENDITURE REPORT;

PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR SEVERABILITY; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

5. Resolutions and Proclamations

(Set for approximately N/A p.m.) (Note: Depends upon length of Good and Welfare)

- A. A Resolution Strongly Urging the Miami Dade County Historic Preservation Board (“Board”) to Grant a Six Month Deferral for Designation of Any and All Properties in the Town of Surfside as Historic Structures or Districts – Vice Mayor Tourgeman Page 119 - 135**

A RESOLUTION OF THE TOWN OF SURFSIDE STRONGLY URGING THE MIAMI-DADE COUNTY HISTORIC PRESERVATION BOARD (“BOARD”) TO GRANT A SIX MONTH DEFERRAL FOR DESIGNATION OF ANY AND ALL PROPERTIES IN THE TOWN OF SURFSIDE AS HISTORIC STRUCTURES OR DISTRICTS; TO ALLOW THE TOWN TIME TO PREPARE CRITERIA TO HELP GUIDE FUTURE DEVELOPMENT INTO THE DESIRED DEVELOPMENT PATTERN AND TO ANALYZE AND TO STUDY THE IMPACT TO THE TOWN; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE.

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

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

7. Town Manager and Town Attorney Reports

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

All items on the Consent Agenda are considered routine or status reports by the Town Commission and will be approved by one motion. Any Commission member may request, during item 1E Agenda and Order of Business, that an item be removed from the consent agenda and discussed separately.

8. Unfinished Business and New Business

9. Mayor, Commission and Staff Communications

- A. **Solid Waste Rates** – Donald Nelson, Finance Director/Joseph Kroll, Public Works Director **Page 136 - 156**
- B. **Harding Avenue Business District Bench Sponsorship** – Duncan Tavares, TEDACS Director **157 - 165**
- C. **Bal Harbour Village Sanitary Sewer Force Main** – Donald Nelson, Finance Director **Page 166 - 221**
- D. **Request to Increase Lot Coverage Percentage** – Commissioner Barry Cohen **Page 222**
- E. **Possible dates for a rescheduled Joint Meeting of the Town Commission and Tourist Board** – Duncan Tavares, TEDACS Director **Page 223**
- F. **Status Update on Beach Related Items** – Michael P. Crotty, Town Manager **[TIME CERTAIN 8:30 PM] Page 224 - 231**
- G. **Donation in the amount of \$500 to Ruth K. Broad Carnival Ride** – Michael P. Crotty, Town Manager **[Verbal] Page 232 – 233**

10. Adjournment

Respectfully submitted,



Michael P. Crotty
Town Manager

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

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

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

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

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