



**Town of Surfside
Regular Town Commission Meeting
AGENDA**

SUPPLEMENTAL NO. 1

December 11, 2018

7 p.m.

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

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

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

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

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

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

1. Opening

- A. Call to Order**
- B. Roll Call of Members**
- C. Pledge of Allegiance**
- D. Mayor and Commission Remarks** – Mayor Daniel Dietch
- E. Agenda and Order of Business** Additions, deletions and linkages
- F. Community Notes** – Mayor Daniel Dietch
- G. Public Pension Standards Award for Funding and Administration 2018** – Mayor Daniel Dietch – Page 1
- H. Town Lobbyist Fausto Gomez Legislative Priorities** – Guillermo Olmedillo, Town Manager [*Linked to Item 9B*]
- I. Alfred B. Cooper Garage Proclamation Presentation** – Mayor Daniel Dietch – Page 2
- J. Hector I. Perez Café Proclamation Presentation** – Mayor Daniel Dietch – Page 3

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 Novoa, MMC, Town Clerk – Page 4 - 30

- November 13, 2018 Town Commission Workshop Minutes
- November 13, 2018 Regular Town Commission Meeting Minutes

***B. Town Manager’s Report** – Guillermo Olmedillo, Town Manager – Page 31 - 69

Amendment to Attachment “C”

***C. Town Attorney’s Report** – Weiss Serota, Town Attorney – Page 70 - 73

D. Committee Reports – Guillermo Olmedillo, Town Manager – Page 74 - 78

- October 15, 2018 Parks and Recreation Committee Meeting Minutes
- October 25, 2018 Planning and Zoning Board Meeting Minutes

E. Resolution Authorizing Mutual Aid Agreement between the City of Sweetwater Police Department and the Town of Surfside Police Department – Guillermo Olmedillo, Town Manager – Page 79 - 91

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, APPROVING THE VOLUNTARY COOPERATION AND OPERATIONAL ASSISTANCE MUTUAL AID AGREEMENT BETWEEN THE TOWN OF SURFSIDE, FLORIDA AND SWEETWATER FLORIDA FOR POLICE VOLUNTARY COOPERATION AND OPERATIONAL ASSISTANCE; PROVIDING FOR AUTHORIZATION AND IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE

F. Approval to Procure Police Mobile Laptop Computers - Guillermo Olmedillo, Town Manager – Page 92 - 113

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, AUTHORIZING AND APPROVING THE LEASING OF LAPTOPS AND SOFTWARE FOR THE POLICE DEPARTMENT AND EXPENDITURE OF FUNDS NOT TO EXCEED \$139,527.00; FINDING THAT THE PURCHASE IS EXEMPT FROM PROCUREMENT PURSUANT TO SECTION 3-13(3) OF THE TOWN CODE; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

G. Parks and Recreation Department Replacement Hybrid Vehicle - Guillermo Olmedillo, Town Manager – Page 114 - 119

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, AUTHORIZING AND APPROVING THE PURCHASE OF A 2019 TOYOTA RAV 4 HYBRID FOR THE PARKS AND RECREATION DEPARTMENT AND EXPENDITURE OF FUNDS NOT TO EXCEED \$25,983.00 FROM THE FISCAL YEAR 2018/2019 BUDGET; FINDING THAT THE PURCHASE IS EXEMPT FROM PROCUREMENT PURSUANT TO SECTION 3-13(3) OF THE TOWN CODE; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

- H. Resolution Authorizing the Voluntary Cooperation Mutual Aid Agreement between the South Florida Financial Crimes Strike Force and the Town of Surfside Police Department – Guillermo Olmedillo, Town Manager – Page 120 - 159**

A RESOLUTION OF THE TOWN OF SURFSIDE, FLORIDA APPROVING THE SOUTH FLORIDA FINANCIAL CRIMES STRIKE FORCE VOLUNTARY COOPERATION MUTUAL AID AGREEMENT FOR THE TERM COMMENCING SEPTEMBER 1, 2018 THROUGH SEPTEMBER 2021; 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. After-the-Fact Approval of Alfred B. Cooper Garage and Hector I. Perez Café Proclamations – Guillermo Olmedillo, Town Manager – Page 160 – 163**

- J. Temporary Easement for 2019 Beach Renourishment Project – Guillermo Olmedillo, Town Manager**

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, APPROVING A TEMPORARY EASEMENT AGREEMENT WITH MIAMI-DADE COUNTY FOR EQUIPMENT STAGING IN CONNECTION WITH BEACH RENOURISHMENT, EROSION CONTROL AND HURRICANE PROTECTION PROJECT; PROVIDING FOR AUTHORIZATION AND IMPLEMENTATION OF THE AGREEMENT; AND PROVIDING FOR AN EFFECTIVE DATE.

4. Ordinances

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

A. Second Reading Ordinances

- 1. Aggregated Single-Family Lots - Guillermo Olmedillo, Town Manager – Page 164 - 182**

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

2. Lobbyist Registration Exemption for Representatives of Single-Family Property Owners – Guillermo Olmedillo, Town Manager – Page 183 - 186

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA AMENDING SECTION 2-235 – “LOBBYING” TO PROVIDE EXEMPTION FROM THE LOBBYIST REGISTRATION REQUIREMENTS FOR REPRESENTATIVES OF SINGLE-FAMILY PROPERTY OWNERS IN CERTAIN SITUATIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

3. Corner Lot Fences - Guillermo Olmedillo, Town Manager – Page 187 - 192

AN ORDINANCE OF THE TOWN OF SURFSIDE, FLORIDA AMENDING SECTION 90-56.5 “MODIFICATION OF SECONDARY FRONTAGE FENCE AND ORNAMENTAL WALL REGULATIONS” OF “CHAPTER 90 ZONING” OF THE TOWN OF SURFSIDE CODE OF ORDINANCES TO ADDRESS FENCE AND SHRUB REQUIREMENTS IN THE H30A AND H30B ZONING DISTRICTS; PROVIDING FOR REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

4. Ordinance Amending Section 34-11, ‘Prohibition on Distribution, Sale or Use of Plastic Straws,’ to Clarify the Definition of Plastic Straw and Provide for Reasonable Accommodations - Guillermo Olmedillo, Town Manager – Page 193 - 198

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, AMENDING SECTION 34-11, “PROHIBITION ON DISTRIBUTION, SALE OR USE OF PLASTIC STRAWS” OF THE TOWN’S CODE OF ORDINANCES TO CLARIFY THE DEFINITION OF PLASTIC STRAW AND PROVIDE FOR REASONABLE ACCOMMODATIONS; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

5. Reasonable Accommodation Procedure - Guillermo Olmedillo, Town Manager – Page 199 - 206

AN ORDINANCE OF THE TOWN OF SURFSIDE, FLORIDA CREATING SECTION 90-100 “REASONABLE ACCOMMODATION PROCEDURES” OF “CHAPTER 90 ZONING” OF THE TOWN OF SURFSIDE CODE OF ORDINANCES TO PROVIDE REASONABLE ACCOMMODATION PROCEDURES FOR DISABLED PERSONS UNDER THE FAIR HOUSING ACT AND AMERICANS WITH DISABILITIES ACT; PROVIDING FOR REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

6. Beach Furniture Ordinance - Guillermo Olmedillo, Town Manager *[ITEM HAS BEEN DEFERRED TO JANUARY 22, 2019 AT 7:00PM OR AS SOON THEREAFTER]*

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA AMENDING ARTICLE II. – “PUBLIC BEACHES” OF CHAPTER 86 “WATERWAYS” OF THE TOWN OF SURFSIDE CODE PERTAINING TO BEACH FURNITURE; PROVIDING FOR REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

(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. Airbnb Resolution – Vice Mayor Daniel Gielchinsky – Page 207 - 217

A RESOLUTION OF THE TOWN OF SURFSIDE, FLORIDA CONDEMNING ANTI-SEMITISM ACTS BY AIRBNB AND DEMANDING COMPLIANCE WITH NON-DISCRIMINATION REQUIREMENTS; AND 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 that an item be removed from the consent agenda and discussed separately.

8. Unfinished Business and New Business

A. Street Lighting in Residential District – Vice Mayor Daniel Gielchinsky – Page 218

9. Mayor, Commission and Staff Communications

A. Board/Committee Appointments – Sandra Novoa, MMC, Town Clerk
- Sustainability Committee – Mayor Daniel Dietch

B. Legislative Priorities – Guillermo Olmedillo, Town Manager [*Linked to Item 1H*] - Page 219 - 221

C. Downtown Vision Advisory Committee – Guillermo Olmedillo, Town Manager – Page 222 - 223

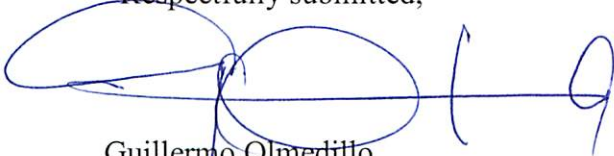
D. Code of Ethics Ordinance Enhancements and Amendments – Mayor Daniel Dietch – Page 224 - 230

E. Abbott Avenue Drainage Improvements – Guillermo Olmedillo, Town Manager – Page 231 - 235

F. Byron Avenue Traffic Congestion – Guillermo Olmedillo, Town Manager – Page 236

10. Adjournment

Respectfully submitted,



Guillermo Olmedillo
Town Manager

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

IN ACCORDANCE WITH THE PROVISIONS OF SECTION 286.0105, FLORIDA STATUTES, ANYONE WISHING TO APPEAL ANY DECISION MADE BY THE TOWN OF SURFSIDE

COMMISSION, WITH RESPECT TO ANY MATTER CONSIDERED AT THIS MEETING OR HEARING, WILL NEED A RECORD OF THE PROCEEDINGS AND FOR SUCH PURPOSE, MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE WHICH RECORD SHALL INCLUDE THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED.

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

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

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