



**Town of Surfside
Town Commission Meeting
AGENDA**

**February 11, 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** – Mayor Daniel Dietch
- E. Agenda and Order of Business** Additions, deletions and linkages
- F. Community Notes** – Mayor Daniel Dietch
- G. Presentation on Nurse Initiative** – Michael P. Crotty, Town Manager [SET FOR TIME CERTAIN 7:30PM] Page 1-12

2. Quasi-Judicial Hearings (None)

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

All items on the consent agenda are considered routine or status reports by the Town Commission and will be approved by one motion. Any Commission member may request, 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 – January 14, 2014 Regular Town Commission Meeting Page 13-22**
- B. Budget to Actual Summary as of November 30, 2013 – Donald Nelson, Finance Director Page 23-25**
- *C. Town Manager’s Report – Michael P. Crotty, Town Manager Page 26-50**
- *D. Town Attorney’s Report – Linda Miller, Town Attorney Page 51-55**
- *E. Projects Progress Report – Calvin, Giordano and Associates, Inc. Page 56-58**
- F. Committee Reports – Michael P. Crotty, Town Manager Page 59-84**

- November 26, 2013 DVAC Meeting Minutes
- December 16, 2013 Parks and Recreation Committee Minutes
- December 19, 2013 Planning and Zoning Board Meeting Minutes
- January 06, 2014 Charter Review Board Meeting Minutes
- January 06, 2014 Tourist Board Meeting Minutes
- January 21, 2014 Charter Review Board Meeting Minutes

- G. Fraternal Order of Police Collective Bargaining Agreement – Yamileth Slate-McCloud, Human Resources Director Page 85-165**

RESOLUTION OF THE TOWN COMMISSION FOR THE TOWN OF SURFSIDE, FLORIDA APPROVING AND RATIFYING THE COLLECTIVE BARGAINING AGREEMENT BETWEEN THE TOWN OF SURFSIDE AND THE FLORIDA STATE LODGE FRATERNAL ORDER OF POLICE (FOP) DATED OCTOBER 1, 2013 THROUGH SEPTEMBER 30, 2016 ATTACHED HERETO AS ATTACHMENT “B.” DIRECTING THE TOWN MANAGER TO EXECUTE THE AGREEMENT ON BEHALF OF THE TOWN; AUTHORIZING THE TOWN MANAGER TO TAKE ALL ACTIONS NECESSARY TO IMPLEMENT THE TERMS OF THE AGREEMENT; AND PROVIDING FOR AN EFFECTIVE DATE.

4. Ordinances

(Set for approximately 7:45 p.m.) (Note: Good and Welfare must begin at 8:15)

A. Second Readings (Ordinances and Public Hearing)

- 1. Garage Door Modification – Sarah Sinatra, Town Planner Page 166-170**

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 ALLOW FOR THE INSTALLATION OF TWO CAR GARAGE DOORS; PROVIDING FOR INCLUSION IN THE CODE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

2. Side Setback Ordinance – Sarah Sinatra, Town Planner Page 171-174

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA AMENDING CHAPTER 90 “ZONING”, AND SPECIFICALLY AMENDING SECTION 90-45 “SETBACKS”; PROVIDING FOR INCLUSION IN THE CODE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

3. Ordinance prohibiting the sales of live animals in Surfside – Commissioner Michelle Kligman Page 175-182

AN ORDINANCE OF THE TOWN OF SURFSIDE, FLORIDA AMENDING CHAPTER 90 “ZONING” OF THE TOWN OF SURFSIDE CODE OF ORDINANCES AND SPECIFICALLY AMENDING SECTION 90.41 “REGULATED USES” PROHIBITING THE SALE OF LIVE ANIMALS AS A PERMITTED USE; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

4. **Ordinance Amending Future Land Use Element of the Comprehensive Plan**
– Nancy E. Stroud, Esq., Special Land Use Counsel [SET FOR TIME
CERTAIN 8:45PM] Page 183-189

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA AMENDING THE FUTURE LAND USE ELEMENT OF THE TOWN OF SURFSIDE COMPREHENSIVE PLAN BY AMENDING POLICY 1.1 TO DELETE PUBLIC SCHOOLS AS A USE IN POLICY 1.1 MODERATE DENSITY RESIDENTIAL/TOURIST LAND USE CATEGORY; ADDING POLICY 10.6 TO PROVIDE FOR LAND DEVELOPMENT REGULATIONS THAT ALLOW REASONABLE RELIEF FOR RELIGIOUS USES AND MAP FLU-8; PROVIDING A SEVERABILITY CLAUSE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

5. **Business Improvement District Authorization** – Duncan Tavares, TEDACS
Director Page 190-195

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA AUTHORIZING THE CREATION OF A SPECIAL OR BUSINESS NEIGHBORHOOD IMPROVEMENT DISTRICT BY THE ENACTMENT OF A SEPARATE ORDINANCE FOR EACH; PROVIDING FOR INCLUSION IN THE CODE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE.

(Set for approximately 7:45 p.m.) (Note: Good and Welfare must begin at 8:15)

B. First Reading Ordinances

**1. Ordinance Amending Chapter 54 Prohibited and Restricted Noises –
Commissioner Joe Graubart Page 196-205**

AN ORDINANCE OF THE TOWN OF SURFSIDE, FLORIDA AMENDING CHAPTER 54 “PROHIBITED NOISES”; SPECIFICALLY AMENDING SECTIONS 54-78 “PROHIBITED NOISES”, 54-79 “RESTRICTED NOISES—CLASSIFIED; ENUMERATED”; AND DELETING SECTIONS 54-80 “SAME—WHEN CONSIDERED ENCLOSED”, 54-81 “SAME—DIVISION OF YEAR INTO PERIODS FOR PURPOSE OF CONTROL”, 54-82 “SAME—WHEN PROHIBITED”, AND 54-83 “SAME—PROHIBITED NEAR HOTELS AND APARTMENTS DURING PERIOD NO. 1”, BY REVISING THE HOURS FOR CONTROLLING PROHIBITED AND RESTRICTED NOISES; PROVIDING FOR INCLUSION IN THE CODE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

**2. Planning and Zoning Board Membership – Linda Miller, Town Attorney
Page 206-216**

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA AMENDING CHAPTER 90 “ZONING” SPECIFICALLY AMENDING SECTIONS 90-15 “MEMBERSHIP/QUORUM, MINIMUM QUALIFICATIONS, OFFICERS, TERMS OF OFFICERS, VACANCIES, GENERAL REGULATIONS, RECOMMENDATIONS, EXPENDITURES, INDEBTEDNESS”, 90-16 “MEETINGS: BOARD YEAR; TIMEFRAME; LOCATION”, 90-17 “POWERS AND DUTIES”, 90-18 “DESIGN REVIEW BOARD”, 90-19 “SINGLE-FAMILY AND TWO-FAMILY DEVELOPMENT REVIEW PROCESS”, 90-20 “DEVELOPMENT REVIEW REQUIREMENTS FOR SUBMITTALS OTHER THAN SINGLE-FAMILY AND TWO-FAMILY”, 90-23 “CONDITIONAL USES”, AND 90-70 “SIGN PERMITS”, ESTABLISHING THE DESIGN REVIEW BOARD AND RESPONSIBILITIES OF SUCH BOARD; CHANGING MEMBERSHIP REQUIREMENTS OF THE PLANNING AND ZONING BOARD; ALLOWING FOR AN APPEAL OF DESIGN REVIEW BOARD DECISION; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

3. Electric Vehicle Car Charging Station – Sarah Sinatra, Town Planner Page 217-223

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA AMENDING CHAPTER 90 “ZONING”, AND SPECIFICALLY AMENDING SECTION 90.2 “DEFINITIONS”; SECTION 90-41 “REGULATED USES”; SECTION 90-71.2 “H30C, H40, MU AND H120 DISTRICTS”; AND SECTION 90-77 “OFF-STREET PARKING REQUIREMENTS”; TO ALLOW FOR THE INSTALLATION OF ELECTRIC VEHICLE CAR CHARGING STATIONS; PROVIDING FOR INCLUSION IN THE CODE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

4. Amendments to the Chapter 70 Article IV “Resort Tax” Ordinance – Duncan Tavares, TEDACS Director [TIME CERTAIN 7:45PM] Page 224-240

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA AMENDING CHAPTER 70 “TAXATION” AND SPECIFICALLY AMENDING SECTIONS 70-109 “IMPOSITION; AMOUNT”, SECTION 70-124 “COMPOSITION; APPOINTMENT; VACANCIES; COMPENSATION; REMOVAL FROM OFFICE, ETC.”, SECTION 70-125 “ORGANIZATION”, SECTION 70-126 “POWER AND DUTIES”, AND CREATING SECTION 70-128 “BUDGET AND EXPENDITURE OF FUNDS” OF THE TOWN OF SURFSIDE CODE OF ORDINANCES PROVIDING FOR INCLUSION IN THE CODE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

5. Resolutions and Proclamations

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

A. Canvassing Board Appointment – Linda Miller, Town Attorney [ITEM WILL BE DELIVERED ON FEBRUARY 11, 2014 AFTER QUALIFYING PERIOD HAS EXPIRED]

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, APPOINTING THE CANVASSING BOARD FOR THE GENERAL MUNICIPAL ELECTION TO BE HELD MARCH 18, 2014; DESIGNATING AN ALTERNATE; ESTABLISHING A QUORUM AND PROVIDING 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. “Mini Turtles” – Vice Mayor Karukin Request – Duncan Tavares, TEDACS Director Page 241-252**
 - B. 96TH Street Park Report (VERBAL) – Tim Milian, Parks and Recreation Director**
 - C. Beach Management Agreement – Tim Milian, Park and Recreation Director Page 253-255**
 - D. Stop Signs at Crosswalks/Sidewalks – Commissioner Joe Graubart Page 256-257**
 - E. Dock Projection Discussion – Sarah Sinatra, Town Planner Page 258-260**

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.