



**Town of Surfside
Town Commission Meeting
AGENDA
June 10, 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. 2014 Hurricane Preparedness – Chief of Police David Allen**

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** – May 13, 2014 Regular Town Commission Meeting
May 14, 2014 Special Commission Meeting – Community Dialogue –
Community Center Expansion
May 22, 2014 Budget Workshop
May 22, 2014 Joint Workshop – Town Commission and Planning and
Zoning Board
- B. Budget to Actual Summary as of March 31, 2014** – Donald Nelson, Finance
Director
- *C. Town Manager’s Report** – Michael P. Crotty, Town Manager
- *D. Town Attorney’s Report** – Linda Miller, Town Attorney
- *E. Projects Progress Report** – Calvin, Giordano and Associates, Inc.
- F. Committee Reports** – Michael P. Crotty, Town Manager
- March 17, 2014 Parks and Recreation Committee Minutes
 - March 24, 2014 Downtown Vision Advisory Committee Minutes
 - April 28, 2014 Planning and Zoning Board Minutes
- G. Proclamations**
1. Toni Carraway – Mayor Daniel Dietch
 2. Jannet Dennard – Mayor Daniel Dietch
 3. Margarita Reyes - Mayor Daniel Dietch
 4. Estela Egozi Berry – Mayor Daniel Dietch
- H. 4th of July Fireworks** – Tim Milian, Parks and Recreation Director

**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF
SURFSIDE, FLORIDA, APPROVING AN AFTER-THE-FACT
AGREEMENT WITH ZAMBELLI FIREWORKS MANUFACTURING CO.
FOR EXHIBITION AND DISPLAY OF FIREWORKS; APPROVING THE
EXPENDITURE OF \$4,000.00 FROM THE RESORT TAX FUND,
ACCOUNT NO. 102-8000-552-48-10 AND \$8,000.00 FROM THE GENERAL
FUND, PARKS & RECREATION DEPARTMENT, ACCOUNT NO. 001-6000-
572-4810; PROVIDING FOR AN EFFECTIVE DATE**

4. Ordinances

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

A. Second Readings (Ordinances and Public Hearing)

1. **An Ordinance Amending the Civil Penalty Provisions of Chapter 90 (Zoning Code) by Repealing Civil Penalty Provisions Contained Therein - Joe Damien, Code Compliance Director [LINKED TO ITEMS 4A2 AND 5C]**

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA AMENDING CHAPTER 90 "ZONING" OF THE CODE OF THE TOWN TO AMEND ALL SECTIONS REFERENCING FINE AMOUNTS FOR CODE VIOLATIONS; SPECIFICALLY AMENDING SECTIONS 90-41.1 "SHORT TERM RENTAL OF SINGLE FAMILY DWELLINGS, TWO-FAMILY DWELLINGS, MULTI-FAMILY DWELLINGS AND TOWNHOMES"; 90-49.2 "AWNINGS AND CANOPIES"; 90-56 "FENCES, WALLS AND HEDGES"; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

2. **An Ordinance Amending the Civil Penalty Provisions of the Town Code (less Chapter 90) by Repealing Civil Penalty Provisions Contained Therein - Joe Damien, Code Compliance Director [LINKED TO ITEMS 4A1 AND 5C]**

AN ORDINANCE OF THE TOWN OF SURFSIDE, FLORIDA AMENDING SECTIONS OF THE CODE RELATING TO FINES AND PENALTIES FOR VIOLATIONS OF CERTAIN PROVISIONS; SPECIFICALLY AMENDING; CHAPTER 1 "GENERAL PROVISIONS" SECTION 1-8 "PENALTY FOR VIOLATIONS"; CHAPTER 10 "ANIMALS" SECTION 10-27 "PENALTY"; CHAPTER 14 "BUILDINGS AND BUILDING REGULATIONS" SECTIONS 14-31 "REQUIRED ROOFING MATERIALS," 14-51 "ESTABLISHED," AND 14-55 "VACANT LOTS OR BUILDINGS"; CHAPTER 15 "CODE ENFORCEMENT" SECTIONS 15-6 "CIVIL INFRACTIONS AND PENALTIES," 15-11 "CIVIL PENALTIES AND RELATED TERMS CONSTRUED," AND 15-18 "VIOLATIONS; SCHEDULE OF CIVIL PENALTIES"; CHAPTER 18 "BUSINESSES" SECTIONS 18-85 "CIVIL FINES AND PENALTIES; DENIAL OF FUTURE PERMITS TO REPEAT VIOLATORS," AND 18-88 "PERMITTED AREAS; CONDITIONAL PERMIT; TOWN MANAGER'S RIGHT TO REMOVE SIDEWALK CAFÉS"; CHAPTER 34 "ENVIRONMENT"

SECTIONS 34-71 “VACANT LOTS,” AND 34-80 “PROHIBITIONS ON LITTER; CIVIL FINES FOR VIOLATIONS; ENFORCEMENT; APPEALS; LIENS”; CHAPTER 42 “FLOODS” SECTION 42-64 “PENALTIES [SIC] FOR VIOLATION”; AND CHAPTER 70 “TAXATION” SECTIONS 70-32 “DELINQUENCIES; ADDITIONAL PENALTIES” AND 70-36 “HEARING WHEN THE RECEIPT HOLDER FAILS TO COMPLY WITH NOTICE OR WHEN REQUESTED BY AGGRIEVED APPLICANT/RECEIPT HOLDER”; PROVIDING FOR INCLUSION IN THE CODE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.”

3. **Dock Projection Ordinance (Dock on Biscayne Bay) – Sarah Sinatra, Town Planner**

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA AMENDING CHAPTER 90 “ZONING” OF THE CODE OF THE TOWN TO AMEND SECTION 90-57 “MARINE STRUCTURE” TO EXTEND THE LENGTH OF THE DOCK PROJECTION INTO BISCAYNE BAY AND TO PROVIDE FOR A COURTESY NOTIFICATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR CONFLICTS; 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. **Solar Panels – Sarah Sinatra, Town Planner**

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA AMENDING CHAPTER 90 “ZONING”; AND SPECIFICALLY AMENDING SECTION 90.2 “DEFINITIONS”; AMENDING SECTION 90-19.7 TO EXEMPT ROOFTOP PHOTOVOLTAIC SOLAR SYSTEMS FROM PLANNING AND ZONING BOARD REVIEW AND TO FOLLOW DESIGN GUIDELINES; AND CREATING SECTION 90-50.3 “ROOFTOP PHOTOVOLTAIC SOLAR SYSTEMS” TO PROVIDE REGULATIONS OF ROOFTOP PHOTOVOLTAIC SOLAR SYSTEMS; PROVIDING FOR SEVERABILITY; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR INCLUSION IN THE SURFSIDE CODE OF ORDINANCES, AND PROVIDING FOR AN EFFECTIVE DATE.

5. Resolutions and Proclamations

(Set for approximately 9:15 p.m.) (Note: Depends upon length of Good and Welfare)

- A. Resolution Adopting Civil Fine Schedules, Administrative Fees, and Abatement Costs for Code Violations – Joe Damien, Code Compliance Director [LINKED TO ITEMS 4A1 AND 4A2]**

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE FLORIDA, AMENDING THE SCHEDULE OF CIVIL PENALTIES AND ADMINISTRATIVE FEES TO BE ASSESSED FOR VIOLATION OF THE CODE OF THE TOWN OF SURFSIDE, AS PROVIDED IN CHAPTER 1 “GENERAL PROVISIONS”, SPECIFICALLY SECTION 1-8 “PENALTY FOR VIOLATIONS”, AND CHAPTER 15 “CODE ENFORCEMENT” SPECIFICALLY SECTION 15-18 “VIOLATIONS; SCHEDULE OF CIVIL PENALTIES”; REPEALING ALL OTHERS; PROVIDING FOR AUTHORIZATION AND APPROVAL; PROVIDING AN EFFECTIVE DATE.

- B. Resolution re: Moratorium on the Downtown Parking Trust Fund (“PTF”) –Commissioner Michael Karukin [SET FOR TIME CERTAIN 7:30PM]**

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, CONSIDERING THE NEED FOR A MORATORIUM ON THE OPTION TO USE THE PARKING TRUST FUND FOR OFF-STREET PARKING AS APPLIED TO ANY PROPOSED DEVELOPMENT WHICH HAS NO COMPLETE APPLICATION PENDING; REQUESTING THAT THE PLANNING AND ZONING BOARD MAKE RECOMMENDATIONS REGARDING MODIFICATIONS TO THE PARKING TRUST FUND OPTION AND REGARDING SUCH MORATORIUM; DIRECTING THE TOWN CLERK TO PUBLISH A NOTICE OF ZONING IN PROGRESS AS APPLIED TO ANY PROPOSED DEVELOPMENT WHICH HAS NO COMPLETE APPLICATION PENDING; 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, 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. Discussion on Operating Hours of Grand Beach Skybar (Verbal) – Commissioner Michael Karukin**
- B. Condition of the Plans Scanning Machine – Commissioner Marta Olchyk**
- C. Enforcement of Allowing Dogs in the Narrow Walk Path – Commissioner Marta Olchyk**
- D. Town Hall: Roof, Air Conditioning Issues and Remediation – Joseph Kroll, Public Works Director**
- E. Approval of Budget Schedule for FY 14/ 15 – Donald Nelson, Finance Director**
- F. Community Center Expansion – Outreach and Planning Initiative – Michael P. Crotty, Town Manager**
- G. Sand Update after Town Hall Meeting – Michael P. Crotty, Town Manager [ITEM TO BE DELIVERED SEPARATLY DUE TO THE TOWN HALL MEETING BEING HELD ON MONDAY, JUNE 2, 2014] [SET FOR TIME CERTAIN 8:30 PM]**
- H. Environmental Stewardship Policies and Procedures – Mayor Daniel Dietch**
- I. 88th Annual Florida League of Cities (FLC) Conference Voting Delegate – Sandra Novoa, Town Clerk**

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.townofsursidefl.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.