



**Town of Surfside
Town Commission Meeting
AGENDA**

September 12, 2017

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 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.

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**

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 that an item be removed from the Consent Agenda and discussed separately.

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

A. Minutes – Sandra Novoa, MMC, Town Clerk

- **July 11, 2017 Budget Meeting Minutes**
- **July 11, 2017 Special Commission Meeting – Quasi-Judicial Hearing Minutes**
- **July 11, 2017 Regular Commission Meeting Minutes**

***B. Town Manager’s Report – Guillermo Olmedillo, Town Manager**

1. See Click Fix
2. Interlocal Shuttle Update
3. Development Application Status
4. Miami-Dade County League of Cities Meeting
5. Code Compliance
6. Finance
7. Information Technology
8. Police Department

***C. Town Attorney’s Report – Weiss Serota, Town Attorney**

D. Committee Reports – Guillermo Olmedillo, Town Manager

- May 2, 2017 Pension Board Meeting
- June 29, 2017 Sustainability Subcommittee Meeting Minutes
- June 29, 2017 Planning and Zoning and Design Review Board Meeting Minutes

E. Strategic Miami Area Rapid Transit (SMART) Plan Resolution – Guillermo Olmedillo, Town Manager

A RESOLUTION OF THE TOWN COMMISSIONER OF THE TOWN OF SURFSIDE, FLORIDA ENDORSING AND SUPPORTING THE EXPANSION OF THE NEW STARTS TRANSIT PROGRAM (NSTP) TO FACILITATE FUNDING FOR THE STRATEGIC MIAMI AREA RAPID TRANSIT (SMART) PLAN; PROVIDING FOR IMPLEMENTATION; 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 Reading Ordinances

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

B. First Reading Ordinances

- 1. Pension Ordinance adopting Chapter 185 minimum benefits for police officers along with other changes to the ordinance – Guillermo Olmedillo, Town Manager**

AN ORDINANCE AMENDING CHAPTER 2, ARTICLE V, DIVISION 2 OF THE CODE OF THE TOWN OF SURFSIDE REGARDING THE RETIREMENT PLAN FOR EMPLOYEES OF THE TOWN OF SURFSIDE; AMENDING SECTION 2-171 OF THE TOWN CODE TO CLARIFY THE DEFINITION OF THE TERM SENIOR MANAGEMENT EMPLOYEE; AMENDING SECTION 2-175(d) OF THE TOWN CODE TO PROVIDE FOR ONE ACTUARIAL BUYBACK CALCULATION TO DETERMINE THE COST OF MILITARY OR PRIOR LAW ENFORCEMENT SERVICE; AMENDING SECTION 2-176(b) OF THE TOWN CODE TO PROVIDE FOR EARLY RETIREMENT FOR POLICE MEMBERS AT AGE 50 WITH TEN YEARS OF SERVICE; AMENDING SECTION 2-176(c)(2) OF THE TOWN CODE TO PROVIDE FOR A TEN YEAR CERTAIN AND LIFE BENEFIT AS THE NORMAL FORM OF BENEFIT FOR POLICE MEMBERS; AMENDING SECTION 2-177(c) OF THE TOWN CODE TO PROVIDE FOR OPTIONAL FORMS OF BENEFITS FOR POLICE MEMBERS; AMENDING SECTION 2-178(a) OF THE TOWN CODE TO PROVIDE FOR MINIMUM DEATH BENEFITS FOR POLICE MEMBERS; AMENDING SECTION 2-189(e)(2)a. AND (e)(4) OF THE TOWN CODE TO PROVIDE FOR MINIMUM DISABILITY BENEFITS

**FOR POLICE MEMBERS; PROVIDING FOR SEVERABILITY;
PROVIDING FOR CODIFICATION; AND PROVIDING AN
EFFECTIVE DATE.**

2. Crossover of the Dune – Sarah Sinatra, Town Planner

**AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF
SURFSIDE, FLORIDA AMENDING CHAPTER 90 “ZONING”,
SECTION 90-37 “SPECIAL EXCEPTIONS,” TO PROVIDE A SPECIAL
EXCEPTION APPROVAL PROCESS AND RELATED CRITERIA FOR
DUNE CROSSOVERS; AND BY AMENDING SECTION 90-60
“CONSTRUCTION ADJACENT TO BULKHEAD LINES” TO PERMIT
DUNE CROSSOVERS ONLY IF APPROVED BY SPECIAL
EXCEPTION; PROVIDING FOR SEVERABILITY; PROVIDING FOR
INCLUSION IN THE CODE; PROVIDING FOR CONFLICTS; AND
PROVIDING FOR AN EFFECTIVE DATE.**

**3. Amending Article VI. – “Rules of Procedure for Town Meetings” -
Guillermo Olmedillo, Town Manager**

**AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF
SURFSIDE, FLORIDA AMENDING ARTICLE VI. - “RULES OF
PROCEDURE FOR TOWN MEETINGS”; PROVIDING FOR
SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE;
PROVIDING FOR CONFLICTS AND PROVIDING FOR AN
EFFECTIVE DATE.**

**4. Water, Sewer and Stormwater Rate Adjustment – Guillermo Olmedillo,
Town Manager**

**AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF
SURFSIDE, FLORIDA, AMENDING CHAPTER 78 “UTILITIES” OF
THE TOWN CODE; PROVIDING FOR CODIFICATION; PROVIDING
FOR SEVERABILITY; PROVIDING FOR CONFLICTS; PROVIDING
FOR INCORPORATION OF RECITALS; 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. Four Year Staggered Terms for the Town Commission and Retain Two Year Term for the Mayor – Commissioner Michael Karukin

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, CALLING FOR A MARCH 20, 2018 TOWN OF SURFSIDE SPECIAL ELECTION, FOR THE PURPOSE OF SUBMITTING TO THE ELECTORATE OF THE TOWN OF SURFSIDE, FLORIDA, A PROPOSED AMENDMENT TO THE TOWN CHARTER CONCERNING SECTION 5 - "NUMBER; SELECTION; TERM", SECTION 8 -"PRESIDING OFFICERS", AND SECTION 105 - "GENERAL AND SPECIAL ELECTIONS OF COMMISSION MEMBERS", AS PRESENTED IN A BALLOT QUESTION ON AMENDMENTS TO THE TOWN CHARTER "ESTABLISHING FOUR-YEAR STAGGERED TERMS FOR COMMISSIONERS AND RETAINING MAYOR'S TWO- YEAR TERM" COMMENCING WITH TOWN'S GENERAL ELECTION IN 2020; PROVIDING FOR THE TOWN CLERK TO UTILIZE THE SERVICES OF MIAMI-DADE COUNTY SUPERVISOR OF ELECTIONS FOR THE SPECIAL ELECTION; PROVIDING FOR CHARTER AMENDMENT ELECTION PROCEDURES AND RELATED DETAILS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

B. Employee Health Benefits Contract Renewal for FY 2017-2018 – Guillermo Olmedillo, Town Manager

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, APPROVING GROUP HEALTH INSURANCE COVERAGE WITH AETNA, DENTAL AND VISION COVERAGE WITH GUARDIAN, AND TERM LIFE INSURANCE, ACCIDENTAL DEATH, SHORT TERM DISABILITY, AND LONG TERM DISABILITY WITH MUTUAL OF OMAHA; TERMINATING THE PRIOR PAYMENT AGREEMENT WITH THE TOWN'S INSURANCE BROKER, ADAMS BENEFIT, AND ACCEPTING THE PAYMENT TERMS WITH ADAMS BENEFIT INCORPORATED AS PART OF THE AETNA FEE ARRANGEMENT; PROVIDING FOR APPROVAL AND AUTHORIZATION; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

- C. Tyler Technologies ERP Software System - Guillermo Olmedillo, Town Manager**

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, AWARDED RFP NO. 2015-001 FOR A TURN KEY ENTERPRISE RESOURCE PLANNING SOFTWARE SOLUTION TO TYLER TECHNOLOGIES, INC.; APPROVING A SOFTWARE AS A SERVICE AGREEMENT WITH TYLER TECHNOLOGIES, INC. FOR A FIVE YEAR INITIAL TERM IN AN AMOUNT NOT TO EXCEED \$556,285; PROVIDING FOR APPROVAL AND AUTHORIZATION; PROVIDING FOR IMPLEMENTATION; AND PROVIDING AN EFFECTIVE DATE.

- D. Beach Renourishment Funding Urging Resolution – Mayor Daniel Dietch**

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, URGING THE FLORIDA LEGISLATURE TO APPROPRIATE FUNDS FOR BEACH RENOURISHMENT PROJECTS; SUPPORTING SENATE BILL 174; PROVIDING FOR TRANSMITTAL; PROVIDING FOR AUTHORIZATION; PROVIDING FOR INCORPORATION OF RECITALS; AND PROVIDING FOR AN EFFECTIVE DATE.

- E. Fulfillment of Amortized Cost for Recycling Containers as per Interlocal Agreement – Guillermo Olmedillo, Town Manager**

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA AUTHORIZING THE EXPENDITURE FROM THE 2016-2017 FISCAL YEAR BUDGET IN THE TOTAL AMOUNT OF \$16,041.60; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

- F. Request to Release Covenant Restricting Property Use for 200 96th Street (the “Property”) – Guillermo Olmedillo, Town Manager**

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, APPROVING THE RELEASE OF A COVENANT BURDENING 200 96TH STREET; VERIFYING THE PROPERTY STATUS SUBSEQUENT TO RELEASE OF THE COVENANT; PROVIDING FOR RESTORATION OF THE PROPERTY; PROVIDING FOR IMPLEMENTATION; 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

9. Mayor, Commission and Staff Communications

- A. Walkability and Pedestrian Improvements Trial Update** – Guillermo Olmedillo, Town Manager
- B. Discussion Regarding Regulation of Medical Marijuana Dispensaries** – Guillermo Olmedillo, Town Manager
- C. Elimination of the Sustainability Sub Committee and transferring responsibility to Planning and Zoning (P&Z) Board** – Commissioner Michael Karukin
- D. Design Review Board Vacancy (Verbal)** – Sandra Novoa, MMC, Town Clerk
- E. Texting While Driving Urging Resolution** – Mayor Daniel Dietch

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.