



**Town of Surfside
Town Commission Meeting
AGENDA**

December 10, 2013

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

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 Commission and you may be subject to cross-examination. If you refuse to submit to cross-examination, the Commission will not consider your comments in its final deliberation. Please also disclose any Ex-Parte communications you may have had with any Commission member. Commission members must also do the same.

A. Carmona Veterinary Corporation – Sarah Sinatra, Town Planner Page 1-26

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, APPROVING A CONDITIONAL USE APPLICATION, PURSUANT TO SECTION 90-41 ET SEQ. OF THE ZONING CODE TO PERMIT A VETERINARY OFFICE TO BE OPERATED ON THE PROPERTY LOCATED AT 9530 HARDING AVENUE SUBMITTED BY CARMONA VETERINARY CORPORATION, SUBJECT TO CERTAIN CONDITIONS, AND AS LEGALLY DESCRIBED IN EXHIBIT "A"; PROVIDING FOR AUTHORIZATION; AND 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 – November 12, 2013 Regular Town Commission Meeting Page 27-38

B. Budget to Actual Summary as of September 30, 2013 – Donald Nelson, Finance Director Page 39-41

***C. Town Manager’s Report – Michael P. Crotty, Town Manager Page 42-66**

***D. Town Attorney’s Report – Linda Miller, Town Attorney Page 67-70**

***E. Projects Progress Report – Calvin, Giordano and Associates, Inc. Page 71-72**

F. Committee Reports – Michael P. Crotty, Town Manager Page 73-97

- September 12, 2013 - Pension Board Minutes
- October 2, 2013 – Planning and Zoning Board Minutes
- October 21, 2013 - Parks And Recreation Committee Minutes
- October 28, 2013 – Downtown Vision Advisory Committee Minutes
- November 4, 2013 – Downtown Vision Advisory Committee Minutes

G. Resolution Surfside General Election – Sandra Novoa, Town Clerk Page 98-100

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, PROVIDING FOR HOLDING A GENERAL MUNICIPAL ELECTION UNDER THE DATE OF MARCH 18, 2014 FOR THE ELECTION OF MAYOR AND ALL FOUR COMMISSIONERS OF THE TOWN OF SURFSIDE; PROVIDING FOR AN EFFECTIVE DATE.

H. Proposed Mutual Aid Agreement and Joint Declaration with the City of North Miami Beach Police Department – Chief David Allen Page 101-111

A RESOLUTION OF THE TOWN COMMISSION FOR THE TOWN OF SURFSIDE, FLORIDA, AUTHORIZING AND DIRECTING THE TOWN MANAGER AND TOWN CLERK TO EXECUTE A JOINT DECLARATION AND MUTUAL AID AGREEMENT FOR OPERATIONAL ASSISTANCE IN LAW ENFORCEMENT, EMERGENCIES AND ROUTINE LAW ENFORCEMENT SERVICES WITH THE CITY OF NORTH MIAMI BEACH POLICE DEPARTMENT; AND PROVIDING FOR AN EFFECTIVE DATE.

I. Proclamation to the Youth Environmental Alliance (YEA) – Mayor Daniel Dietch Page 112-113

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA SUPPORTING BEACH DUNE RESTORATION AND PROCLAIMING JANUARY 1, 2014 AS THE “TOWN OF SURFSIDE RE-NOURISH THE BEACH DAY”; PROVIDING FOR AUTHORIZATION; 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 Readings (Ordinances and Public Hearing)

1. Capital Improvement Element Update – Sarah Sinatra, Town Planner Page 114-131

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, ADOPTING THE 2013 ANNUAL UPDATE TO THE CAPITAL IMPROVEMENTS ELEMENT WITHIN THE TOWN’S COMPREHENSIVE PLAN IN ACCORDANCE WITH SECTION 163.3177, FLORIDA STATUTES; PROVIDING FOR SEVERABILITY AND CONFLICT; PROVIDING FOR INCLUSION IN THE COMPREHENSIVE PLAN; AND PROVIDING FOR AN EFFECTIVE DATE.

2. Construction Fences – Sarah Sinatra, Town Planner Page 132 - 141

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA AMENDING CHAPTER 90 “ZONING” AND SPECIFICALLY AMENDING SECTION 90-56.1.B. “CONSTRUCTION FENCING” OF THE TOWN OF SURFSIDE CODE OF ORDINANCES TO PERMIT CONSTRUCTION FENCING MATERIALS; 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 7:45 p.m.) (Note: Good and Welfare must begin at 8:15)

B. First Reading Ordinances

1. Garage Door Modification – Sarah Sinatra, Town Planner Page 142 - 146

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 147 - 150

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 151 - 154**

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

5. Resolutions and Proclamations

(Set for approximately 8:30 p.m.) (Note: Depends upon length of Good and Welfare)

- A. **Authorization to Enter into Agreement with Florida Inland Navigation District for the Seawall Replacement Project – Michael P. Crotty, Town Manager Page 155 - 189**

RESOLUTION OF THE TOWN COMMISSION FOR THE TOWN OF SURFSIDE, FLORIDA AUTHORIZING THE TOWN TO ENTER INTO AN AGREEMENT WITH FLORIDA INLAND NAVIGATION DISTRICT AND APPROVING AN EXPENDITURE NOT TO EXCEED \$494,445. FOR THE SURFSIDE SEAWALL REPLACEMENT, PROJECT NO. DA-SU-13-149; THE EXPENDITURE IS MATCHING GRANT FUNDING RECEIVED FROM FLORIDA INLAND NAVIGATION DISTRICT; AUTHORIZING THE APPROPRIATION AND EXPENDITURE OF FUNDS FROM THE GENERAL FUND RESERVE FROM THE 2013/2014 FISCAL YEAR BUDGET NOT TO EXCEED \$494,445 TO THE STORMWATER FUND-SURFSIDE SEAWALL REPLACEMENT ACCOUNT NO. 404-5500-538.63.30; PROVIDING FOR APPROVAL AND AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE.

- B. Approval to enter into an agreement for crosswalk installation at 93rd/Harding Avenue and 94th/Abbot with Paveway Systems, Inc – Joseph Kroll, Public Works Director Page 190 - 194**

A RESOLUTION OF THE TOWN OF SURFSIDE, FLORIDA AUTHORIZING THE TOWN ADMINISTRATION TO RETAIN PAVEWAY SYSTEMS INC. TO INSTALL A STAMPED ASPHALT CROSSWALK AT THE INTERSECTION OF 93RD STREET AND HARDING AVENUE AND AT THE INTERSECTION OF 94TH STREET AND ABBOTT AVENUE; AUTHORIZING THE TOWN MANAGER AND TOWN ATTORNEY TO EXECUTE AN AGREEMENT WITH PAVEWAY SYSTEMS, INC; AUTHORIZING THE APPROPRIATION AND EXPENDITURE FROM THE 2013/2014 FISCAL YEAR BUDGET NOT TO EXCEED \$19,700 FROM THE MUNICIPAL TRANSPORTATION FUND; PROVIDING FOR AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE.

- C. Plastic Bag Ban Legislation – Mayor Daniel Dietch Page 195 - 197**

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA IN SUPPORT OF LEGISLATION RESTRICTING THE USE OF PLASTIC SHOPPING BAGS, OR IN THE ALTERNATIVE TO REPEAL THE BAN ON LOCAL AND STATE REGULATION OF THE USE OF PLASTIC SHOPPING BAGS; PROVIDING FOR AUTHORIZATION; 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. **Town of Surfside 2014 Legislative Priorities**– Michael P. Crotty, Town Manager [SET FOR TIME CERTAIN 8:45 PM] **Page 198 - 203**
- B. **2014 Meeting Calendar Schedule** – Michael P. Crotty, Town Manager **Page 204**
- C. **Early Voting and the March 18, 2014 General Election** – Sandra Novoa, Town Clerk **Page 205**
- D. **Updated Code Compliance Priorities Recommendations** – Joe Damien, Code Compliance Director **Page 206 - 229**
- E. **Communications between Commissioner Graubart and Silvia Coltrane from Transacta Lanai Developers** – Commissioner Joe Graubart **Page 230 - 233**
- F. **Construction Hours** – Commissioner Joe Graubart **Page 234 - 236**

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 ARE DISABLED; WHO NEED SPECIAL ACCOMMODATIONS TO PARTICIPATE IN THIS MEETING BECAUSE OF THAT DISABILITY SHOULD CONTACT THE OFFICE OF THE TOWN CLERK AT 305-893-6511 EXT. 226 NO LATER THAN FOUR DAYS PRIOR TO SUCH PROCEEDING. HEARING IMPAIRED PERSONS MAY CONTACT THE TDD LINE AT 305-893-7936.

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.