



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

SUPPLEMENTAL

**April 9, 2019
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. Miami- Dade County Fire Rescue 2018 Annual Report Presentation – Miami-Dade County Fire Chief Dave Downey**
- H. Presentation of the Town Commission Annual Salary - Guillermo Olmedillo, Town Manager**
- I. Arbor Day Proclamation Presentation - Mayor Daniel Dietch**
- J. Municipal Clerks Appreciation Week Presentation to Town Clerk Sandra Novoa, MMC - Mayor Daniel Dietch**

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

- March 12, 2019 Regular Town Commission Meeting Minutes

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

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

D. Committee Reports – Guillermo Olmedillo, Town Manager

- February 25, 2019 Parks and Recreation Committee Minutes
- February 28, 2019 Planning and Zoning Board Minutes

E. Approval to Modify the Parking Meter Rate to a Variable Rate Based System – Guillermo Olmedillo, Town Manager

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA APPROVING AN ON-STREET VARIABLE PARKING RATE IN THE BUSINESS DISTRICT ON HARDING AVENUE FOR WEEKDAYS; PROVIDING FOR AUTHORIZATION AND IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

F. Resolution in Opposition to House Bill 1383 and Senate Bill 1720, Bert J. Harris Act – Guillermo Olmedillo, Town Manager

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, OPPOSING FLORIDA HOUSE BILL 1383 AND SENATE BILL 1720 RELATING TO PROPERTY RIGHTS AND BERT J. HARRIS ACT CLAIMS; PROVIDING FOR TRANSMITTAL; AND PROVIDING FOR AN EFFECTIVE DATE.

G. Arbor Day Proclamation Presentation and Resolution - Guillermo Olmedillo, Town Manager

A RESOLUTION OF THE TOWN OF SURFSIDE ADOPTING A PROCLAMATION HONORING THE IMPORTANCE OF TREES FOR THE TOWN OF SURFSIDE'S COMMUNITY AND ENVIRONMENT AND ENCOURAGING THE PLANTING OF TREES; PROCLAIMING APRIL 26, 2019 IN THE TOWN OF SURFSIDE AS "ARBOR DAY"; PROVIDING APPROVAL AND AUTHORIZATION; PROVIDING FOR AN EFFECTIVE DATE.

H. Municipal Clerks Appreciation Week Proclamation Approval - Mayor Daniel Dietch

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

B. First Reading Ordinances

1. Florida Friendly Landscape – Guillermo Olmedillo, Town Manager

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, AMENDING ARTICLE VIII, "LANDSCAPE REQUIREMENTS," OF CHAPTER 90, "ZONING," OF THE TOWN'S CODE OF ORDINANCES BY ESTABLISHING FLORIDA-FRIENDLY LANDSCAPE REQUIREMENTS; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

2. **Ordinance Amending Chapter 34 “Environment” of The Town’s Code of Ordinances to Create Section 34-15, Within a New Division 5, “Sunscreen Products,” to Prohibit the Sale of Sunscreen Products Containing Oxybenzone or Octinoxate, or Both – Mayor Daniel Dietch**

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, AMENDING CHAPTER 34 “ENVIRONMENT” OF THE TOWN’S CODE OF ORDINANCES TO CREATE SECTION 34-15, WITHIN A NEW DIVISION 5, “SUNSCREEN PRODUCTS,” TO PROHIBIT THE SALE OF SUNSCREEN PRODUCTS CONTAINING OXYBENZONE OR OCTINOXATE, OR BOTH; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; 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. **Tree Giveaway - Guillermo Olmedillo, Town Manager**

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA APPROVING AN EXPENDITURE FOR PURCHASE OF TREES FROM LUKE’S LANDSCAPING IN CONNECTION WITH THE TOWN’S TREE GIVEAWAY PROGRAM; AUTHORIZING AN EXPENDITURE NOT TO EXCEED \$30,250.00; PROVIDING FOR AUTHORIZATION AND IMPLEMENTATION OF THE AGREEMENT; AND PROVIDING FOR AN EFFECTIVE DATE.

- B. **Autism Awareness Month and AHCA’s Proposal to Cut Funding for ABA Services – Vice Mayor Daniel Gielchinsky**

A RESOLUTION OF THE TOWN OF SURFSIDE, FLORIDA URGING THE STATE OF FLORIDA GOVERNOR AND THE LEGISLATURE TO REJECT CERTAIN PROPOSALS PROVIDING FOR A REDUCTION IN APPLIED BEHAVIORAL ANALYSIS (“ABA”) SERVICES FOR AUTISTIC PERSONS BY THE AGENCY FOR HEALTH CARE ADMINISTRATION (“AHCA”); RECOGNIZING APRIL AS AUTISM AWARENESS MONTH IN THE TOWN OF SURFSIDE; PROVIDING FOR TRANSMITTAL; 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.

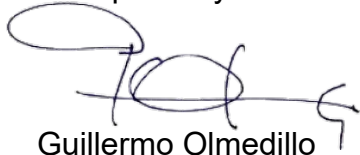
8. Unfinished Business and New Business

9. Mayor, Commission and Staff Communications

- A. Beach Renourishment Presentation Update [Verbal] –** Guillermo Olmedillo, Town Manager
- B. Code Compliance Resources and Process –** Guillermo Olmedillo, Town Manager
- C. EpiPen Policy Discussion –** Commissioner Tina Paul
- D. Miami-Dade County Environmental Enhancement and Education Grant Opportunity –** Mayor Daniel Dietch
- E. Town Hall Meeting Recap - 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.



**Town of Surfside
Town Commission Meeting
April 9, 2019
7:00 pm**

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

Date: March 29, 2019
Prepared by: Daniel Dietch, Mayor
Subject: Town Hall Meeting Recap

Objective: To seek direction from the Town Commission whether to post and distribute the enclosed Mayor's Town Hall Meeting Recap on the Town Website and via the Town e-notification system.

Consideration: Historically, concerns have been raised by residents and elected officials regarding the use of Town resources to distribute information that originates from a single member of the Town Commission. In an abundance of caution, the issue of posting and distributing a recap of the Mayor's Town Hall Meeting from this past March is being brought to the Town Commission for discussion and direction.

Recommendation: For the Town Commission to direct the Town Manager to post and distribute the enclosed Mayor's Town Hall Meeting Recap on the Town Website and via the Town e-notification system.

Enclosure



TOWN OF SURFSIDE

9293 HARDING AVENUE
SURFSIDE, FLORIDA 33154
(305) 861-4863 • FAX: (305) 861-1302
WWW.TOWNOFSURFSIDEFL.GOV

OFFICE OF THE MAYOR

Dear Surfsiders,

Thank you for attending my most recent Town Hall Meeting, held on Tuesday, March 19th, 2019. It is important to me to host these informal roundtable conversations on a regular basis in order to better understand the community matters that most concern you and to bring them back to my colleagues on the Town Commission for discussion.

To open the meeting, I asked the simple question: ***What kind of community do you want to live in?*** The responses shared by the attendees were diverse and passionate.

Similar to my last Town Hall Meeting, enclosed below you'll find a recap of the additional topics we discussed during the course of the meeting:

Overdevelopment - What does it mean to you?

- I'm acutely aware of and sensitive to residents' concerns about overdevelopment in Surfside. Therefore, I wanted to hear varying viewpoints on the matter with the goal of defining the term so that specific strategies can be explored to address the concerns.
- Clearly, overdevelopment means different things to different people and in many cases, it is simply a feeling. Some examples used to describe overdevelopment included commercial projects on multiple lots, new hotels and other non-residential projects.
- Concerns were raised about "construction fatigue," with recent and planned hotel projects referenced. Concerns were also raised about approved multi-family projects being replaced by hotel projects. Others referenced the pace of development.
- Some residents feel the addition of hotels threatens the small town community feel of our town while one resident cited that Surfside was once home to 17 motels.
- It is important to correct a misconception that the Zoning Code allows for "larger, unnecessary" development. Our Zoning Code, which was changed from a prescriptive code to a quasi-form based code in 2008, has **not** changed density, intensity or height limitations. While building length allowances east of Harding Avenue were initially increased in tandem with greater setbacks, increased parking



- The Zoning Code specifically helps to preserve Surfside's unique and charming small town feel. The Zoning Code allows for design, creativity, better quality buildings, and a more dynamic relationship between buildings and public spaces.
- The idea of a development moratorium was suggested.
- Concerns of increased traffic were also raised. Some residents said the addition of hotels in Surfside has led to an increase in vehicular traffic, which in turn raises safety risks for pedestrians, particularly children. The recently approved Eden Hotel project was specifically mentioned as an example.
- One resident stated that Surfside receives flow-through traffic from the south and north, and traffic is to be expected.
- There was a general consensus in the meeting that Surfside residents also contribute to the safety concerns. Accordingly, it is important to adhere to the speed limit and to drive with caution.

Beach Chairs

- The beach chair matter has been ongoing for years. While there is no perfect solution, the Town Commission is committed to balancing the needs and desires of our community that include single-family property owners, multi-family property owners, business property owners and the general public and has established reasonable regulations based on protecting the health, safety and welfare of all residents and visitors.
- It was encouraging to hear during the meeting that there is an overall consensus that the beach chair situation has improved over the past few months.
- Concerns were raised about the number of beach chairs that are being stored in the hard pack area of the beach, and the Grand Beach Hotel was cited as an example. Residents should be aware the hard pack is generally on private property.

Transparency, Civic Engagement and Trust in Elected Officials

- Lately, there has been an undercurrent of distrust directed at your elected officials. I addressed this matter in my opening [remarks](#) at the March 2019 Commission Meeting. If you are concerned about a specific issue, if something does not seem right to you, or if you have an unconfirmed suspicion, please inquire with your elected officials directly. We are here to serve you and need to know when there is an issue in order to resolve it.
- If you are uncomfortable engaging your elected officials, links to the FBI, State Attorney's Office and the County Ethics Commission are provided on the Town's website.
- The best way to stay informed is to participate at meetings and workshops. All are encouraged to attend, share your viewpoints and concerns, be a part of the community conversation and contribute to the solutions.
- Using outlets like SeeClickFix and Nextdoor can be beneficial for seeking input from other residents and to acknowledge concerns. However, there is often more to the "story."
- Keep in mind that Surfside's elected officials are Surfside residents as well. What happens in our Town affects all of us, and we should all work to preserve the unique spirit of our community.

Additionally, I would like to take this opportunity to invite Surfsiders to participate in the National Mayor's Challenge for Water Conservation from April 1, 2019 through April 30, 2019. *My Water Pledge* is a friendly competition between cities across the country to see which communities can achieve the goal of being the most water-wise. Cities with the highest percentage of residents participating in the challenge are eligible to win a wide array of prizes. I encourage Surfside residents to make the pledge at [My Water Pledge](#).

I also want to congratulate the Surfside Police Department on its recent three-year re-accreditation by the Commission for Florida Law Enforcement Accreditation, Inc. (CFA). Led by Chief Julio Yero, the Police Department underwent a strenuous re-accreditation process with months of hard work and dedication. Their commitment to public safety and upholding the integrity of the community is unrivaled. As a reminder, the department provides free security assessments of residents homes. Please call (305) 861-4862 for further information.

Thank you once again for your participation at the March Town Hall meeting. I look forward to the next Town Hall Meeting. In the meantime, I encourage each of you to think about *What kind of community you want to live in?* Feel free to e-mail me at ddietch@townofsurfsidefl.gov.

Regards,

A handwritten signature in blue ink, appearing to read "Dan Dietch", with a stylized flourish at the end.

Daniel Dietch, Mayor

Town of Surfside