



**Town of Surfside
Town Commission Meeting
AGENDA**

January 10, 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**
- G. Presentation of FIND Grant Reimbursement Check – Mr. Spencer Crowley**

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

B. Budget to Actual Summary as of October 31, 2016 – Guillermo Olmedillo, Town Manager

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

- 1. See Click Fix
- 2. Development Applications
- 3. Code Compliance Cases
- 4. Hawthorne Tot Lot Renovation and Fence Replacement
- 5. Community Center Butterfly Garden
- 6. December 2016 Significant Incidents/Arrests
- 7. New Police Officer
- 8. Police Events
- 9. Information Technology and TV Broadcasts

***D. Town Attorney’s Report – Linda Miller, Town Attorney**

E. Committee Reports – Guillermo Olmedillo, Town Manager

- October 27, 2016 Planning and Zoning Board Meeting Minutes
- November 2, 2016 Parks and Recreation Committee Minutes
- November 17, 2016 Planning and Zoning and Design Review Board Minutes

4. Ordinances

(Set for approximately 8:10 p.m.) (Note: Good and Welfare must begin at 8:15)

A. Second Reading Ordinances

1. **Temporary Moratorium on Cannabis Dispensing Businesses – Guillermo Olmedillo, Town Manager**

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA; ESTABLISHING A TEMPORARY MORATORIUM ON CANNABIS DISPENSING BUSINESSES AS FURTHER DEFINED HEREIN; PROVIDING FOR PENALTIES; PROVIDING FOR SEVERABILITY, A GENERAL REPEALER CLAUSE, AND AN EFFECTIVE DATE.

(Set for approximately 7:40 p.m.) (Note: Good and Welfare must begin at 8:15)

B. First Reading Ordinances

1. **Ordinance Amending Chapter 2 “Administration” Article VII “Code of Ethics”; Specifically Creating Section 2-227.1 “Honor code for Elected and Appointed Town Officials and Town Employees” – Mayor Daniel Dietch
*[Time Certain at 7:40 PM]***

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA AMENDING CHAPTER 2 “ADMINISTRATION” ARTICLE VII “CODE OF ETHICS”; SPECIFICALLY CREATING SECTION 2-227.1 “HONOR CODE FOR ELECTED AND APPOINTED TOWN OFFICIALS AND TOWN EMPLOYEES”; 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. Urging the Florida Legislature to Authorize a Tax Exemption for Residential Historic Properties Including Historic Condominium and Cooperative Properties – Commissioner Tina Paul

A RESOLUTION OF THE TOWN OF SURFSIDE, FLORIDA URGING THE FLORIDA LEGISLATURE TO AMEND SECTION 196.1961, FLORIDA STATUTES TO AUTHORIZE BY GENERAL LAW A PROPERTY TAX EXEMPTION FOR RESIDENTIAL HISTORIC PROPERTIES INCLUDING HISTORIC CONDOMINIUM AND COOPERATIVE PROPERTIES; DIRECTING THE TOWN CLERK TO TRANSMIT A COPY OF THIS RESOLUTION TO THE GOVERNOR, THE FLORIDA SENATE PRESIDENT, THE FLORIDA HOUSE SPEAKER, THE CHAIR AND MEMBERS OF THE MIAMI-DADE STATE LEGISLATIVE DELEGATION, THE FLORIDA SECRETARY OF STATE, THE EXECUTIVE DIRECTOR OF THE FLORIDA DEPARTMENT OF REVENUE, THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY AND THE FLORIDA LEAGUE OF CITIES, INC.; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR APPROVAL AND AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE.

B. Voluntary Collection Agreement with Airbnb, Inc. – Guillermo Olmedillo, Town Manager [Time Certain for 8:00PM]

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, APPROVING A VOLUNTARY COLLECTION AGREEMENT FOR RESORT TAX BETWEEN AIRBNB, INC. AND THE TOWN OF SURFSIDE; PROVIDING FOR APPROVAL; PROVIDING FOR AUTHORIZATION; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

C. Supporting the Biscayne Bay Coastal Wetlands Project – Guillermo Olmedillo, Town Manager

A RESOLUTION OF THE TOWN OF SURFSIDE, FLORIDA URGING THE U.S. ARMY CORPS OF ENGINEERS, THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION AND THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT TO TAKE ALL STEPS NECESSARY TO EXPEDITE AND COMPLETE THE CONSTRUCTION OF PHASE I OF THE BISCAYNE BAY COASTAL WETLANDS (“BBCW”) PROJECT; FURTHER URGING THE U.S. ARMY CORPS OF ENGINEERS, THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION AND THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT TO TAKE ALL STEPS NECESSARY TO EXPEDITE THE PLANNING OF PHASE II OF THE BBCW PROJECT PRIOR TO THE CURRENT SCHEDULED DATE OF 2021; DIRECTING THE TOWN CLERK TO TRANSMIT A COPY OF THIS RESOLUTION TO THE OFFICIALS STATED HEREIN; PROVIDING FOR AUTHORIZATION AND IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

D. Municipal Representation on the 2017-18 Florida Constitution Revision Commission – Mayor Daniel Dietch

A RESOLUTION OF THE TOWN OF SURFSIDE, FLORIDA URGING THE APPOINTMENT OF MUNICIPAL OFFICIALS TO THE 2017-18 FLORIDA CONSTITUTION REVISION COMMISSION; SUPPORTING THE PROTECTION OF MUNICIPAL HOME RULE; SUPPORTING THE POSITIONS OF THE FLORIDA LEAGUE OF CITIES, INC.; SUPPORTING THE APPOINTMENT OF FLORIDA LEAGUE OF CITIES PRESIDENT, BOCA RATON MAYOR SUSAN HAYNIE TO THE 2017-18 CONSTITUTION REVISION COMMISSION; DIRECTING THE TOWN CLERK TO TRANSMIT A COPY OF THIS RESOLUTION TO THE GOVERNOR, THE FLORIDA SENATE PRESIDENT, THE FLORIDA HOUSE SPEAKER, THE CHAIR AND MEMBERS OF THE MIAMI-DADE COUNTY STATE LEGISLATIVE DELEGATION, THE FLORIDA SECRETARY OF STATE, THE EXECUTIVE DIRECTOR OF THE FLORIDA DEPARTMENT OF REVENUE AND THE FLORIDA LEAGUE OF CITIES, INC.; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR APPROVAL AND AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE.

E. Big Belly Solar, Inc., Sole Source Lease Agreement – Guillermo Olmedillo, Town Manager [Time Certain at 9:05PM]

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA WAIVING THE BID PROCESS PURSUANT TO SECTION 3-13(6) OF THE TOWN OF SURFSIDE CODE OF ORDINANCES; AUTHORIZING THE TOWN MANAGER TO ENTER INTO A SOLE SOURCE CONNECT SERVICES AGREEMENT WITH BIG BELLY SOLAR, INC. FOR A TERM OF FIVE (5) YEARS EFFECTIVE APRIL 1, 2017 WITH SUBSEQUENT ONE (1) YEAR RENEWAL TERMS FOR THE SERVICE, INCLUDING SOFTWARE, EQUIPMENT, EQUIPMENT DELIVERY, INSTALLATION, CUSTOMER SERVICE AND EQUIPMENT MAINTENANCE, WARRANTY FOR DEFECTIVE PART REPLACEMENT AND REPAIR, SET UP AND TRAINING FOR TWELVE SOLAR TRASH AND RECYCLING COMPACTION CONTAINERS; APPROVING AND AUTHORIZING THE EXPENDITURE OF FUNDS IN THE AMOUNT OF \$15,040 FROM THE FISCAL YEAR 2016/2017 SOLID WASTE FUND, ACCOUNT NO. 403-4000-534-4403; PROVIDING FOR APPROVAL AND AUTHORIZATION; 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.

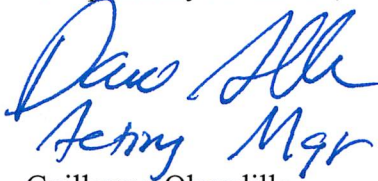
8. Unfinished Business and New Business

9. Mayor, Commission and Staff Communications

- A. Review of Surfside Parking Actions** – Guillermo Olmedillo, Town Manager
- B. Traffic Mitigation Program** – Guillermo Olmedillo, Town Manager
- C. Fund Balance Policies** – Mayor Daniel Dietch
- D. Piano's on Parade** – Mayor Daniel Dietch
- E. Proposed Ballot Item for November 2017** – Commissioner Michael Karukin

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.