Town of Surfside
Town Commission Meeting
August 9, 2011
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. **Certificate of Appreciation, Intern Michelle Garcia**
   H. **Marilyn Stevens, Partnership and Data Services Specialist, U. S. Census Bureau,** Duncan Tavares Tourism, Economic Development & Community Services Director (Set for 7:20 p.m.)

2. **Quasi-Judicial Hearings (None)**

3. **Consent Agenda** ***(Set for approximately 7:35 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** - Town Commission Meeting – June 14, 2011 **Page 1-22**
      Town Commission Budget Workshop – June 23, 2011 **Page 23-33**
      Town Commission Meeting – July 12, 2011 **Page 34-51**
   B. **Budget to Actual Summary as of May 31, 2011** – Martin Sherwood, Finance Director **Page 52-53**
   *C. **Town Manager's Report (Points of Light)** – Roger M. Carlton, Town Manager **Page 54-66**
   *D. **Town Attorney's Report** – Lynn M. Dannheisser, Town Attorney **Page 67-77**

E. **Projects Progress Report** – Calvin, Giordano and Associates, Inc. **Page 78-81**
*F. **FDOT License Agreement** – Bill Evans, Director of Public Works **Page 82-85**

4. **Ordinances**

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

A. **Second Readings (Ordinances and Public Hearing)**

NONE

B. **First Readings Ordinances**
(Set for approximately 8:00 p.m.) (Note: Good and Welfare must begin at 8:15)

*1. **Litter Ordinance** – Roger M. Carlton, Town Manager **(linked with Item 9H)**
AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA AMENDING CHAPTER 34 "ENVIRONMENT" BY ADDING ARTICLE V "LITTER" AND SPECIFICALLY CREATING SECTIONS 35-78 "DEFINITIONS", SECTION 35-79 "UNFINISHED, VACANT, UNOCCUPIED OR CLOSED STRUCTURES, CONSTRUCTION SITES OR VACANT LOTS; MAINTENANCE PROCEDURES REQUIRED OF OWNERS"; AND SECTION 35-80 "PROHIBITIONS ON OWNERS"; AND SECTION 35-80 "PROHIBITIONS ON LITTER; CIVIL FINES FOR VIOLATIONS; ENFORCEMENT; APPEALS; LIENS" OF THE TOWN OF SURFSIDE CODE OF ORDINANCES; DELETING CHAPTER 2. "ADMINISTRATION" ARTICLE I. SECTION 54-2 ENTITLED "DISTRIBUTION OF HANDBILLS"; PROVIDING FOR INCLUSION IN THE CODE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE. Page 86-93

5. **Resolutions and Proclamations**
(Set for approximately8:20 p.m.) (Note: Depends upon length of Good and Welfare)

*A. **Ric Man Agreement Addendum Number One** – Bill Evans, Director of Public Works **Page 94-96**
A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, APPROVING AN AFTER-THE-FACT ADDENDUM NUMBER ONE TO THE STANDARD FORM AGREEMENT BETWEEN THE TOWN OF SURFSIDE AND RIC-MAN INTERNATIONAL, INC. FOR THE INFRASTRUCTURE REHABILITATION PROJECT; PROVIDING FOR AN EFFECTIVE DATE.

*B. **Interlocal Agreement with Sunny Isles Beach for Street Sweeper** – Bill Evans, Director of Public Works **Page 97-100**
A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA ("TOWN") AUTHORIZING THE TOWN TO ENTER INTO AN INTERLOCAL AGREEMENT WITH THE CITY OF SUNNY ISLES

BEACH, FLORIDA TO SWEEP THE TOWN'S STREETS; AUTHORIZING THE TOWN MANAGER AND TOWN ATTORNEY TO DO ALL THINGS NECESSARY TO IMPLEMENT THE TERMS OF THE AGREEMENT; AND PROVIDING FOR AN EFFECTIVE DATE.

***C. Interlocal Agreement with Sunny Isle Beach for Expanded Shuttle Bus Service** – Bill Evans, Director of Public Works **Page 101-103**
A RESOLUTION OF THE TOWN COMMISSION FOR THE TOWN OF SURFSIDE, FLORIDA ("TOWN"), AUTHORIZING AND DIRECTING THE TOWN MANAGER AND TOWN CLERK TO ENTER INTO AN INTERLOCAL AGREEMENT WITH THE CITY OF SUNNY ISLES BEACH, FLORIDA ("SUNNY ISLES BEACH") TO PROVIDE SHUTTLE BUS TRANSPORTATION SERVICES TO THE RESIDENTS OF THE TOWN AND FOR THE TOWN TO PROVIDE SHUTTLE BUS SERVICE TO THE RESIDENTS OF SUNNY ISLES BEACH WITH THE PICKUPS AND DROPOFFS ON A DESIGNATED LOCATION ON 96TH STREET; PROVIDING FOR AN EFFECTIVE DATE.

***D. Memorandum of Understanding with Bal Harbour for the Construction of the Sewer Force Main Pipe** – Roger M. Carlton, Town Manager **Page 104-106**
[To be delivered under separate cover]
A RESOLUTION OF THE TOWN OF SURFSIDE, FLORIDA ("TOWN"), ADOPTING A MEMORANDUM OF UNDERSTANDING ("MOU") BETWEEN THE TOWN AND BAL HARBOUR VILLAGE, FLORIDA ("BAL HARBOUR"); AUTHORIZING THE TOWN MANAGER TO TAKE ANY AND ALL STEPS NECESSARY TO EXECUTE THE NECESSARY DOCUMENTS TO CARRY OUT THE INTENT AND PURPOSE OF THIS RESOLUTION; AND PROVIDING FOR AN EFFECTIVE DATE.

***E. Agreement with (not for profit corporation) to use Town-owned Land for a Community Garden** – Roger M. Carlton, Town Manager **Page 107**
[To be delivered under separate cover]

F. Mutual Aid Agreement with Medley Police Department – Police Chief David Allen
A RESOLUTION OF THE TOWN COMMISSION FOR THE TOWN OF SURFSIDE, FLORIDA, AUTHORIZING AND DIRECTING THE TOWN MANAGER AND TOWN CLERK TO EXECUTE A MUTUAL AID AGREEMENT FOR VOLUNTARY COOPERATION AND OPERATIONAL ASSISTANCE WITH THE TOWN OF MEDLEY, FLORIDA POLICE DEPARTMENT. Page 108-117

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 ***(Set for approximately 9:15 p.m.)***

A. Surfside Spice Culinary Event June 26, 2011 Video- Roger M. Carlton, Town Manager (verbal)

***B. Community Center Guest Policy** – Tim Milian, Parks and Recreation Director **Page 118-120**

***C. Solid Waste Charges on Property Tax Bill Fiscal Year 2012-2013** – Roger M. Carlton, Town Manager **Page 121-127**

***D. Summer Studies Report** – Roger M. Carlton, Town Manager (verbal)

***E. Water, Sewer, Stormwater/Collins Force Main Report on Community Meeting And Discussions with Miami Beach -** Roger M. Carlton, Town Manager (verbal)

***F. 9501 Collins Avenue, LLC Right of First Refusal (Discussion Item)** – Roger M. Carlton, Town Manager and Lynn Dannheisser, Town Attorney **Page 128-157**

***G. Deco Bike Rental Station** – Duncan Tavares, Tourism, Economic Development and Community Services Director **Page 158-184**

***H. Feral Cats – Roger M. Carlton, Town Manager** (linked to Item 4B1) **Page 185-186**

10. Adjournment

Respectfully submitted,

Roger M. Carlton
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.