



**Town of Surfside
Town Commission Meeting
April 13, 2010
7 p.m.**

Town Hall Commission Chambers - 9293 Harding Ave, 2nd Fl
Surfside, FL 33154

AGENDA

REVISED 4-12-2010

1. Opening

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- A. Call to Order**
 - B. Roll Call of Members**
 - C. Pledge of Allegiance**
 - D. Mayor's Remarks** – Mayor Daniel Dietch
 - E. Agenda and Order of Business** (Additions, Deletions)
 - F. Special Presentations**
 - 1. Police Officer of the Month** – Chief David Allen
 - 2. Employee of the Quarter** – Tim Milian, Director of Parks and Recreation
 - 3. Barbara Cohen** – Census Update
 - 4. Heather Oppenheimer** – Baynanza April 17, 2010
 - G. Community Notes** – Mayor Daniel Dietch
 - H. Community Center Update** - Calvin, Giordano & Associates, Inc.

2. Quasi-Judicial Hearings

3. Consent Agenda

All items on the consent agenda are considered routine by the Town Commission and will be approved by one motion. There will be no separate discussion of these items unless a Commissioner so requests, in which event, the item will be moved to the main agenda under the appropriate heading for consideration.

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

- A. Minutes** – Town Commission Meeting Minutes March 9, 2010
Town Commission Induction Meeting March 17, 2010
Town Commission Workshop April 1, 2010
- B. Monthly Budget to Actual Summary** - Martin Sherwood, Finance Support Services
Department Head
- C. Projects Progress Report** – Calvin, Giordano & Associates, Inc.
- D. Resolution Certifying Election Results** – Debra Eastman, Town Clerk

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA CERTIFYING AND DECLARING THE RESULTS OF THE TOWN OF SURFSIDE GENERAL MUNICIPAL ELECTION HELD ON MARCH 16, 2010 FOR THE ELECTION OF MAYOR AND FOUR (4) TOWN COMMISSIONERS; AND PROVIDING FOR AN EFFECTIVE DATE.

- E. Proposed Mutual Aid Agreement with the City of Coral Gables Police Department – 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 CITY OF CORAL GABLES POLICE DEPARTMENT.

4. Ordinances and Public Hearings

A. Second Readings (Ordinances)

1. Regulated Use Ordinance – Town Planner, Sarah Sinatra and Town Attorney, Lynn Dannheisser

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA AMENDING CHAPTER 90 AND SPECIFICALLY SECTION 90-2 “DEFINITIONS” AND ARTICLE IV SECTION 90-41 “REGULATED USES” OF THE TOWN OF SURFSIDE CODE OF ORDINANCES PROVIDING FOR INCLUSION IN THE CODE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

[This Ordinance amends the zoning code to permit massage therapy services as a permitted use but only in connection with a spa facility or an established beauty salon that allows other such services and not as a stand-alone facility. It also reiterates that unless a use is specifically permitted by the Code, it is prohibited.]

2. First Readings (Public Hearings on Ordinances)

A. RLUIPA Ordinance – Lynn Dannheisser, Town Attorney

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA AMENDING CHAPTER 90 “ZONING” AND SPECIFICALLY ARTICLE IV “DISTRICT REGULATIONS”; AMENDING SECTION 90-41 “REGULATED USES” OF THE TOWN OF SURFSIDE CODE OF ORDINANCES PROVIDING FOR INCLUSION IN THE CODE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

[This Ordinance creates an exemption to the requirement that all Places of Public Assembly be located on the second floor for newly constructed single purpose buildings located within the commercial zoning district SD-B40.]

**B. Landscape Ordinance – Lynn Dannheisser, Town Attorney
AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA AMENDING CHAPTER 90 “ZONING” AND SPECIFICALLY ARTICLE VIII “LANDSCAPE REQUIREMENTS”; AMENDING SECTIONS 90-92, 90-94, 90-95 OF THE TOWN OF SURFSIDE CODE OF ORDINANCES PROVIDING FOR INCLUSION IN THE CODE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.**

[This ordinance exempts the SD-B40 from the recent increase in landscaping requirements.]

**C. Construction Fencing Ordinance – Sarah Sinatra, Town Planner
AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA AMENDING CHAPTER 90 “ZONING” AND SPECIFICALLY AMENDING SECTION 90-56 “FENCES, WALLS AND HEDGES”; CREATING 90-56.1 “CONSTRUCTION FENCING” OF THE TOWN OF SURFSIDE CODE OF ORDINANCES PROVIDING FOR INCLUSION IN THE CODE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.**

[This Ordinance provides specific construction fencing requirements for single family properties which limits fences to wood pickets and framed plywood or chain link with canvass. It also requires the posting of a bond and provisions for landscape buffers for multi-family and non-residential properties.]

**D. Notice Requirement for Site Plan Approval – Lynn Dannheisser, Town Attorney
AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA AMENDING CHAPTER 90 “ZONING” AND SPECIFICALLY AMENDING SECTION 90-35 “PLANNING AND ZONING BOARD; APPLICATIONS FOR SPECIAL EXCEPTIONS, ZONING CHANGES, CONDITIONAL USES AND VARIANCES; RULES OF PROCEDURE” TO PROVIDE THAT NOTICE WILL BE REQUIRED FOR SITE PLAN APPROVAL AND ALL NOTICES SHALL BE AT APPLICANT’S COST; OF THE TOWN OF SURFSIDE CODE OF ORDINANCES PROVIDING FOR INCLUSION IN THE CODE; REPEALING ALL ORDINANCES**

**OR PARTS OF ORDINANCES IN CONFLICT HEREWITH;
AND PROVIDING FOR AN EFFECTIVE DATE.**

[This Ordinance imposes a new requirement for notice of site plan approvals to be posted and otherwise given in the same manner as other zoning and land use applications.]

5. Resolutions and Proclamations

A. Proposed Strike Force – 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 MEMORANDUM OF UNDERSTANDING FOR VOLUNTARY COOPERATION AND OPERATIONAL ASSISTANCE WITH THE BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND EXPLOSIVES.

B. Sod and other incidental repair work at 96th Street Park – Tim Milian, Director of Parks and Recreation

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, WAIVING THE BID PROCESS PURSUANT TO SECTION 3-13(3) OF THE TOWN OF SURFSIDE CODE OF ORDINANCES, APPROVING REPLACEMENT OF SOD AND OTHER INCIDENTAL REPAIR WORK AT 96TH STREET PARK TO BE PROVIDED BY COUNTRY BILL'S LAWN MAINTENANCE; PIGGYBACKING ON CITY OF NORTH MIAMI BID #12-06-07, AUTHORIZING EXECUTION OF PURCHASE ORDERS; AND PROVIDING FOR AN EFFECTIVE DATE.

C. Adoption of Committee Rules – Lynn Dannheisser, Town Attorney

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA APPROVING AND ADOPTING UPDATED RULES AND PROCEDURES FOR COMMITTEES CREATED BY THE TOWN COMMISSION; AND PROVIDING FOR AN EFFECTIVE DATE.

D. Amendment to Community Shuttle Bus Service Contract – Fernando Rodriguez, Director of Public Works

A RESOLUTION OF THE TOWN COMMISSION FOR THE TOWN OF SURFSIDE, FLORIDA, APPROVING THE AMENDMENT TO THE AGREEMENT BETWEEN THE TOWN OF SURFSIDE, FLORIDA AND LIMOUSINES OF SOUTH FLORIDA, INC.; AUTHORIZING THE TOWN OFFICIALS TO IMPLEMENT THE TERMS AND CONDITIONS OF THE AMENDMENT TO THE AGREEMENT; AUTHORIZING THE TOWN MANAGER TO EXPEND BUDGETED FUNDS; AUTHORIZING THE TOWN MANAGER TO EXECUTE THE AGREEMENT; AND PROVIDING FOR AN EFFECTIVE DATE.

6. Good and Welfare

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

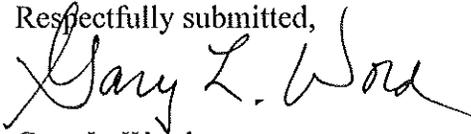
8. Unfinished Business and New Business

9. Mayor, Commission and Staff Communications

- A. Mayor's remarks on Agenda Discussion Items – Mayor Daniel Dietch
 - B. Charter Changes – Commissioner Michael Karukin
 - C. Committee Appointments – Debra Eastman, Town Clerk
 - D. Discussion of Televising Workshops – Commissioner
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10. Adjournment

Respectfully submitted,



Gary L. Word,
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.