



**Town of Surfside
Town Commission Meeting
June 8, 2010
7 p.m.**

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

AGENDA

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)**
- F. Special Presentations**
 - 1. Miami Beach Senior High School Exemplary Student Recognition, Alexander Rennert**
 - 2. Nautilus Jr High School Exemplary Student Recognition – Cora Coleman**
 - 3. The Honorable County Commissioner, Sally A. Heyman**
 - 4. Census Update, Barbara Cohen**
 - 5. Downtown Beautification Improvements, Fernando Rodriguez, Director of Public Works**
- 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 Workshop May 5, 2010**
- B. Monthly Budget to Actual Summary - Martin Sherwood, Finance Support Services Department Head**
- C. Projects Progress Report – Calvin, Giordano & Associates, Inc.**

4. Ordinances and Public Hearings

A. Second Readings (Ordinances)

1. 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 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 in order to avoid making every property in the district non-conforming.]

2. Base Flood Level Elevations – Lynn Dannheisser, Town Attorney

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA AMENDING CHAPTER 42 AND SPECIFICALLY SUBSECTIONS (1) AND (2) OF SECTION 42-92 “SPECIFIC STANDARDS” OF THE TOWN OF SURFSIDE CODE OF ORDINANCES RELATED TO BASE FLOOD LEVEL ELEVATIONS; PROVIDING FOR INCLUSION IN THE CODE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

[This ordinance changes the definition of substantial improvement relating to the 50% rule.]

B. First Readings (Public Hearings on Ordinances)

1. Re-adoption of Zoning Code (Ordinance 08-1491) Lynn Dannheisser, Town Attorney

AN ORDINANCE OF THE TOWN OF SURFSIDE, FLORIDA AMENDING CHAPTER 90”ZONING” OF THE CODE OF SURFSIDE, FLORIDA BY REPEALING AND REPLACING CHAPTER 90 ENTITLED “ZONING” IN IT’S ENTIRETY; ADOPTING A NEW CHAPTER 90 ENTITLED “ZONING” INCLUDING ADOPTION OF AN OFFICIAL TOWN ZONING MAP FOR ALL DISTRICTS; PROVIDING FOR REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

[This ordinance re-adopts 2008 ordinance plus all changes to date]

2. Proposed Franchise Agreement Renewal-Florida Power & Light – Martin Sherwood, Finance Support Services Department Head
AN ORDINANCE GRANTING TO FLORIDA POWER & LIGHT COMPANY, ITS SUCCESSORS AND ASSIGNS, A NON-EXCLUSIVE ELECTRIC FRANCHISE, IMPOSING PROVISIONS AND CONDITIONS RELATING THERETO, PROVIDING FOR MONTHLY PAYMENTS TO THE TOWN OF SURFSIDE, AND PROVIDING FOR AN EFFECTIVE DATE.

[This ordinance approves a thirty year non exclusive franchise Agreement with FP & L]

3. Parking Trust – Lynn Dannheisser, Town Attorney
AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA AMENDING CHAPTER 90 “ZONING,” ARTICLE VII “OFF-STREET PARKING AND LOADING,” DIVISION 1 “OFF-STREET PARKING,” SECTION 90-77 “OFF-STREET PARKING REQUIREMENTS” OF THE TOWN OF SURFSIDE CODE OF ORDINANCES REGARDING OFF-STREET PARKING COMPLIANCE FOR THE SD-B40 ZONING DISTRICT; 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 an alternate means to comply with off-street parking requirements in the downtown business district by payment of a mitigation fee into a parking trust fund.]

5. Resolutions and Proclamations

A. Appointing Planning and Zoning Board – Lynn Dannheisser, Town Attorney
A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, APPOINTING MEMBERS OF THE PLANNING AND ZONING BOARD; PROVIDING FOR IMPLEMENTATION; AND, PROVIDING FOR AN EFFECTIVE DATE.

B. Solar Lights/Handicap Ramps/Pads Construction on Harding Avenue – Fernando Rodriguez, Director of Public Works
A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, AUTHORIZING THE CONSTRUCTION OF SOLAR LIGHTS, HANDICAP RAMPS AND PADS ALONG HARDING AVENUE, AUTHORIZING THE TOWN MANAGER TO EXECUTE ALL PURCHASE ORDERS OR OTHER REQUIRED DOCUMENTATION; AUTHORIZING THE FUNDING FROM THE CAPITAL PROJECTS FUND; AND PROVIDING FOR AN EFFECTIVE DATE.

C. Retention of Genovese, Joblove & Battista, P.A. for Special Assessment Liens –
Lynn Dannheisser, Town Attorney

**A RESOLUTION OF THE TOWN COMMISSION FOR THE TOWN OF
SURFSIDE, FLORIDA, APPROVING AN AGREEMENT WITH GENOVESE
JOBLOVE & BATTISTA, P.A. TO ASSIST THE TOWN OF SURFSIDE WITH
THE COLLECTION OF VARIOUS SPECIAL ASSESSMENT LIENS;
PROVIDING FOR AN EFFECTIVE DATE.**

D. Proposed Mid-Year Budget Amendment Resolution – Martin Sherwood, Finance
Support Services Department Head

**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF
SURFSIDE, FLORIDA, AMENDING THE ANNUAL APPROPRIATIONS
RESOLUTIONS ADOPTED FOR THE FISCAL YEAR OCTOBER 1, 2009 TO
SEPTEMBER 30, 2010; FOR THE PURPOSE OF AMENDING THE CURRENT
YEAR'S GENERAL FUND BUDGET DOWNWARD AND CAPITAL PROJECTS
FUND UPWARD; AND OTHER BUDGETARY ADJUSTMENTS REQUIRED TO
THE FISCAL YEAR ENDED SEPTEMBER 30, 2010 BUDGET; 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

A. Town Manager Report

B. Town Attorney Report

C. Schedule R. Meyers, Executive Director, Commission On Ethics for lecture on
Sunshine Public Records and Records

8. Unfinished Business and New Business

9. Mayor, Commission and Staff Communications

A. Status of report on the Lily Pad and Carlisle – Commissioner Marta Olchyk

B. Beach Walk – Commissioner Marta Olchyk

C. Surfside Color Guard Participation in Military Funerals – Vice Mayor Joe Graubart

D. Short Term Rentals – Vice Mayor Joe Graubart

E. Sharing Municipal Services - Commissioner Kopelman

F. Downtown Revitalization – Mayor Daniel Dietch

G. Committee Appointments – Mayor and Town Commission

H. FEMA – Code Enforcement – Vice Mayor Joe Graubart

I. Website Adhoc Committee - Mayor Daniel Dietch

J. Code Enforcement Committee – Mayor Daniel Dietch

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.