



**Town of Surfside  
Town Commission Meeting  
October 12, 2010  
7 p.m.**

Town Hall Commission Chambers - 9293 Harding Ave, 2<sup>nd</sup> Fl  
Surfside, FL 33154

**AGENDA**

(Revised 10-11-10 added 5E, 5F, 8A, 8B, 8C)

**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. Community Notes** – Mayor Daniel Dietch
- G. Special Presentation** – The Honorable Sally Heyman, Miami Dade County Commissioner
- H. Oath of Office** - Roger M. Carlton, Interim Town Manager By: Merrett R. Stierheim
- I. Special Presentation – Marisol Rodriguez, Employee of the Quarter** – presented by: Martin Sherwood, Finance Director
- J. Special Presentation – Police Officer of the Month-** Officer Craig Lovellette (July, 2010) and Rory Alberto, Frank Colonna, Joseph Matthews (September, 2010) presented by: Chief David Allen
- K. Special Presentation** – Downtown Improvements Master Plan – Scarlet Tenen, Chairman, Planning and Zoning Board
- L. Projects Progress Report** – Calvin, Giordano & Associates, Inc.
- M. 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** – September 14, 2010 Regular Commission Meeting

B. Monthly Budget to Actual Summary - Martin Sherwood, Finance Support Services Department Head

C. Resolution related to Let's Move Campaign – Mayor Daniel Dietch  
**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, SUPPORTING POLICES THAT FOCUS ON HEALTH, WELLNESS, CONTINUING EDUCATION AND HEALTHIER LIFESTYLES IN ALL COMMUNITES.**

D. Mutual Aid Agreement with Miami Gardens – 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 WITH THE CITY OF MIAMI GARDENS, FLORIDA POLICE DEPARTMENT AND THE TOWN OF SURFSIDE POLICE DEPARTMENT.**

E. Mutual Aid Agreement with Golden Beach – 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 WITH THE TOWN OF GOLDEN BEACH, FLORIDA POLICE DEPARTMENT AND THE TOWN OF SURFSIDE POLICE DEPARTMENT.**

#### 4. Ordinances and Public Hearings

##### A. Second Readings (Ordinances)

1. **Proposed Water and Sewer Utility Rate Adjustment** – Martin Sherwood, Finance Support Services Department Head

**AN ORDINANCE OF THE TOWN OF SURFSIDE, FLORIDA AMENDING CHAPTER 78 “UTILITIES” INCLUDING ESTABLISHING AMONG OTHER THINGS NEW SERVICE CHARGES WHICH SHALL BE EFFECTIVE BEGINNING FISCAL YEAR 2010-2011; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.**

2. **Regulated Uses** – Lynn Dannheisser, Town Attorney and Karen Friedman and Shelley Eichner, Calvin, Giordano and Associates

**AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA AMENDING CHAPTER 90 AND SPECIFICALLY SECTION 90-41 “REGULATED USES” OF THE TOWN OF SURFSIDE CODE OF ORDINANCES TO ALLOW PARKING AS A USE WHEN SUBORDINATE TO A MAIN USE IN ALL DISTRICTS; PROVIDING FOR INCLUSION IN THE CODE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; AND PROVIDING FOR AN EFFECTIVE DATE.**

**3. Off Street Parking Design Standards** – Lynn Dannheisser, Town Attorney and Karen Friedman, Town Planner

**AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA AMENDING CHAPTER 90, DIVISION 1. OFF-STREET PARKING, SECTION 90-82 “DESIGN STANDARDS” OF THE TOWN OF SURFSIDE CODE OF ORDINANCES TO CLARIFY THE STANDARDS USED FOR VEHICULAR QUEUING, ACCESS TO STATE ROADWAYS; AND ON-SITE CIRCULATION; PROVIDING FOR INCLUSION IN THE CODE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.**

**B. First Readings (Public Hearings on Ordinances)**

**1. Update Capital Improvements Element** – Shelley Eichner, Calvin, Giordano & Associates

**AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, ADOPTING THE ANNUAL UPDATE TO THE CAPITAL IMPROVEMENTS ELEMENT WITHIN THE TOWN’S COMPREHENSIVE PLAN IN ACCORDANCE WITH SECTION 163.3177, FLORIDA STATUTES; PROVIDING FOR SEVERABILITY, CONFLICT, INCLUSION IN THE COMPREHENSIVE PLAN AND AN EFFECTIVE DATE.**

**2. Municipal Parking Lot** – Karen Friedman, Town Planner

**AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA AMENDING CHAPTER 90 “ZONING,” ARTICLE IV. “DISTRICT REGULATIONS” SECTION 90-41. “REGULATED USES” TO ALLOW SURFACE PARKING LOTS TO BE LOCATED IN ANY ZONING DISTRICT; AMENDING ARTICLE VII “OFF-STREET PARKING AND LOADING,” DIVISION 1 “OFF-STREET PARKING,” SECTION 90-77 “OFF-STREET PARKING REQUIREMENTS” AND SECTION 90-82. “DESIGN STANDARDS” OF THE TOWN OF SURFSIDE CODE OF ORDINANCES TO ADD A PROVISION RELATIVE TO MUNICIPAL SURFACE PARKING AND DESIGN STANDARDS; 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**

A. Communications Committee – Roger M. Carlton, Interim Town Manager  
**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, CREATING AN AD HOC COMMUNICATIONS COMMITTEE TO STUDY CURRENT COMMUNICATION SYSTEMS AND PROPOSE IMPROVEMENTS AND REPORT BACK TO THE TOWN COMMISSION.**

B. Code Enforcement Committee – Roger M. Carlton, Interim Town Manager  
**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, CREATING AN AD HOC COMMITTEE TO STUDY THE CURRENT CODE ENFORCEMENT PROGRAM AND TO IDENTIFY OPPORTUNITIES AND MAKE RECOMMENDATIONS FOR THE FUTURE AND TO REPORT BACK TO THE TOWN COMMISSION.**

C. Expenditure of Forfeiture Funds – Police Chief David Allen  
**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, PROVIDING FOR THE FISCAL YEAR 2010/2011 POLICE CONFISCATION FUND EXPENDITURE IN THE AMOUNT OF FORTY-FIVE THOUSAND (\$45,000) TO BE FUNDED BY PROCEEDS OF CONFISCATED FUNDS.**

D. Parking Lot Lease, Lot 18, Block 4, Altos Del Mar No.5 – Assistant Police Chief John DiCenso  
**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA APPROVING THE AGREEMENT WITH NORMAN ATKIN FOR THE SIX MONTH LEASE OF LOT 18, BLOCK 4, ALTOS MAR NO. 5, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK8, PAGE 92 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA; AUTHORIZING THE TOWN MANAGER AND TOWN ATTORNEY TO IMPLEMENT THE TERMS AND CONDITIONS OF THE AGREEMENT; AUTHORIZING THE TONW MANAGER TO EXPEND POLICE DEPARTMENT FUNDS; AUTHORIZING THE TOWN MANAGER TO EXECUTE THE AGREEMENT; AND PROVIDING FOR AN EFFECTIVE DATE.**

E. Joint Meeting between Planning and Zoning Board and Town Commission – Roger Carlton, Interim Town Manager  
**A RESOLUTION OF THE TOWN OF SURFSIDE, FLORIDA, CALLING FOR A JOINT MEETING BETWEEN TOWN COMMISSION AND PLANNING AND ZONING BOARD TO CREATE A PROCESS TO IDENTIFY THE ISSUES TO BE RECONSIDERED IN THE ZONING CODE (ORDINANCE NO. 10-1558); AUTHORIZING \_\_\_\_\_ TO ENTER INTO NEGOTIATIONS WITH THE PETITION COMMITTEE CHALLENGING ORDINANCE NO. 10-1558; AUTHORIZING THE TOWN MANAGER AND TOWN ATTORNEY TO DO**

**ALL THINGS NECESSARY TO EFFECTUATE THE TERMS OF THIS RESOLUTION; PROVIDING FOR AN EFFECTIVE DATE.**

F. Revise previously approved AECOM agreement to reflect proper name – Roger Carlton, Interim Town Manager

**A RESOLUTION OF THE TOWN COMMISISON OF THE TOWN OF SURFSIDE, FLORIDA, AUTHORIZING THE TOWN TO ENTER INTO AN ADDENDUM AS TO A NAME CHANGE ONLY WITH AECOM TECHNICAL SERVICE, INC. FOR ARCHITECTURAL SERVICES FOR SURFSIDE COMMUNITY CENTER, AUTHORIZING THE FUNDS TO PAY FOR; AND PROVIDING FOR AN EFECTIVE 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's Report**

**Commission Requests**

Discussion of new log-in, assignments and follow-up system

Agenda After Action: all direction given during Town Commission meetings will be annotated to the agenda and assignment and due dates will be posted on the Town's website.

**Town Clerk**

Expanded duties

Establishment of Communications Ad Hoc Committee

**Finance**

The Finance Director will discuss the expense report for August 2010 and the Manager will explain how this report will be upgraded for September 2010 to give a more complete disclosure of the state of the Town's budget in relation to actual expenses and revenues. There will also be a report on the status of financing for the water/sewer/storm drainage project.

**Building/Code Enforcement**

There will be a report on progress being made with closing out FEMA/Flood Elevation issues. We will be calling the first meeting of the Code Enforcement

Committee after adoption of the resolution on the October Town Commission agenda.

**Parks and Recreation**

The Manager will report on the expanded role of the Parks and Recreation Director in the Community Center Construction Oversight team as well as plans to ensure opening on schedule.

**Public Works**

There will be a report on a new special program to clean street ends and a cooperative program with the Parking Unit to expand cleaning of lots and downtown streets.

**Police**

The Manager will make a brief report on the status of negotiations with Fraternal Order of Police Local 135. There will also be a report on the status of implementation of the red light camera program and a report on implementation of the multi-space meters.

**Tourist Bureau**

There will be a brief report on the Manager's meeting with the Tourist Board. Duncan Tavares and the Manager will also report on the status of disposition of the collection of library materials. There will also be a report on the cooperative program with Florida Atlantic University recommended by Scarlet Tenen, chair of the Planning and Zoning Board, regarding a survey of the downtown area.

**Calvin Giordano & Associates**

The Manager is in the process of reviewing historical billings, performance of all segments of the work and alternatives. We have opened proposals for architectural and engineering services and will report on a new approach in November.

- B.** Town Attorney's Report
- C.** Petition Received by Town Clerk 8-30-2010 – Debra Eastman, MMC Town Clerk
- D.** Update on Code Enforcement Amnesty Program – Michael Garcia, Code Enforcement

**8. Unfinished Business and New Business**

**A. Bal Harbour Amendments to Future Land Use Plan** – Roger Carlton, Interim Town Manager

**B. Miami Dade Public Library System Library Card Reimbursement** - Roger Carlton, Interim Town Manager

**C. November 2, 2010 Charter Change Informational Piece Draft** – Roger Carlton, Interim Town Manager

**9. Mayor, Commission and Staff Communications**

**A. Committee Appointments** – Vice Mayor Joe Graubart, Commissioner Michael Karukin – Communication Ad Hoc Committee

**B. Discussion** – Commissioner Edward Kopelman - Change of land use from “Institutional” to “Commercial” for property located at 501 96<sup>th</sup> Street, Bal Harbour, Florida.

**C. Reschedule November Commission Meeting** - Mayor Daniel Dietch

**D. Special Recognition** – Mayor Daniel Dietch

**E. Photo/Film Permit Program** – Mayor Daniel Dietch

**10. Adjournment**

Respectfully submitted,

Roger M. Carlton  
Town Manager

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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](http://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.