



**Town of Surfside
Town Commission Meeting
July 12, 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. Employees of the Quarter** **Tim Milian, Paul Gioia, Bill Evans** – Roger M. Carlton, Town Manager
- H. Police Officer of the Month** **Antonio Mesa** -David Allen, Chief of Police

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, 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.

- A. Budget to Actual Summary as of April 30, 2011** – Martin Sherwood, Finance Director **Page 1-2**
- *B. Town Manager’s Report (Points of Light)** – Roger M. Carlton, Town Manager **Page 3-11**
- *C. Town Attorney’s Report** – Lynn M. Dannheisser, Town Attorney **Page 12-16**
- D. Projects Progress Report** – Calvin, Giordano and Associates, Inc. **Page 17-19**
- E. Miami-Dade Fire Rescue Report** – Roger M. Carlton, Town Manager **Page 20-32**
- F. Beautification Committee Meeting June 13, 2011 Notes-** Commissioner Marta Olchyk **Page 33-34**

**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.*

4. Ordinances

(Set for approximately 8:00 p.m.) (Note: Good and Welfare must begin at 8:15)

A. Second Readings (Ordinances and Public Hearing)

***1. Repeal of Moratorium – Lynn M. Dannheisser, Town Attorney Page 35-72**

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, REPEALING ORDINANCE 2011-1571 “TEMPORARY MORATORIUM ON THE PROCESSING OF SITE PLANS, BUILDING PERMITS, AND THE ISSUANCE OF CERTIFICATES OF USE OR OCCUPANCY FOR NON- RETAIL, NON-RESTAURANT USES FOR THE PROPERTIES GENERALLY LOCATED BETWEEN 96TH AND 94TH STREET AND HARDING AVENUE” AS WAS FURTHER DELINEATED IN THE MAP ATTACHED AS EXHIBIT “A” TO ORDINANCE 2011-1571; REPEALING ALL ORDINANCES IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE.

[This Ordinance repeals the moratorium on downtown uses that are non-retail, non restaurant and acknowledges a package of recommendations from the Downtown Vision Advisory Committee.]

***2. Special Events Permit – Lynn M. Dannheisser, Town Attorney Page 73-80**

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA CREATING CHAPTER 35 “EVENTS” AND ARTICLE I “SPECIAL EVENTS” AND SPECIFICALLY CREATING SECTIONS 35-1 “PERMITS FOR SPECIAL EVENTS”, SECTION 35-2 “EXEMPTIONS”; SECTION 35-3 “ENFORCEMENT AND SPECIAL EVENTS RECYCLING”; AND 35-4 “COORDINATION WITH TOWN POLICE DEPARTMENT” 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 requires the issuance of permits for special events in order to regulate and address issues such as additional policing, imposition of bonds or insurance coverage, traffic and noise.]

***3. Vacant Storefronts - – Lynn M. Dannheisser, Town Attorney Page 81-88**

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA AMENDING THE TOWN OF SURFSIDE CODE OF ORDINANCES BY AMENDING CHAPTER 14 BUILDINGS AND BUILDING REGULATIONS; SECTION 14-52 COMMERCIAL

STANDARDS ESTABLISHED RELATING TO THE APPEARANCE OF VACANT STOREFRONTS; 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 for the installation of regulated window coverings in vacant storefronts designed to give an appealing and uniform appearance.]

- *4. Newsracks – Lynn M. Dannheisser, Town Attorney Page 89-98**
AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA AMENDING CHAPTER 14 “BUILDINGS AND BUILDING REGULATIONS” AND SPECIFICALLY ARTICLE III “PROPERTY MAINTENANCE STANDARDS”; CREATING SECTION 14-57 “NEWSRACKS ON PUBLIC RIGHTS-OF-WAY” 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 regulates the size, placement and appearance of newsracks throughout the Town for aesthetic and safety purposes.]

- *5. Retirement Plan Opt Out – Roger M. Carlton, Town Manager Page 99-103**
AN ORDINANCE AMENDING THE CODE OF THE TOWN OF SURFSIDE; RELATING TO THE RETIREMENT PLAN FOR EMPLOYEES OF THE TOWN OF SURFSIDE; AMENDING SECTION 2-171 OF THE CODE TO REVISE THE DEFINITION OF EMPLOYEE TO PERMIT CHARTER OFFICERS TO OPT OUT OF THE PLAN; AMENDING SECTION 2-174 TO CREATE A MECHANISM FOR CHARTER OFFICERS TO OPT OUT OF THE PLAN; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.

[This Ordinance permits Charter Officers to opt out of the Town’s pension plan. Both Charter Officers have previously contractually opted out. This codifies a situation already in place.]

B. First Readings Ordinances
NONE

- 5. Resolutions and Proclamations (*Set for approximately 9:00 p.m.*) (*Note: Depends upon length of Good and Welfare*)**

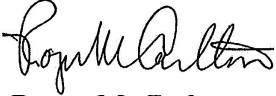
- A. Proposed Ad-Valorem Budget Millage for Fiscal Year 2011-2012 – Roger M Carlton, Town Manager Page 104-109** (Note, the Miami-Dade Property Appraiser has recently announced the final value of a mill and additional information has come in since the budget workshop which will be discussed when this item comes up.)
A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, DETERMINING A PROPOSED OPERATING MILLAGE RATE, DETERMINING THE CURRENT YEAR ROLLED-BACK RATE; ESTABLISHING THE DATE, TIME AND PLACE FOR THE FIRST AND SECOND PUBLIC HEARINGS AS REQUIRED BY LAW; DIRECTING THE TOWN CLERK TO FILE SAID RESOLUTION WITH THE PROPERTY APPRAISER OF MIAMI-DADE COUNTY PURSUANT TO THE REQUIREMENTS OF FLORIDA STATUTES AND THE RULES AND REGULATIONS OF THE DEPARTMENT OF REVENUE FOR THE STATE OF FLORIDA; AND PROVIDING FOR AN EFFECTIVE DATE.
- B. Expansion of Gambling Initiative –Mayor Daniel Dietch Page 110-112**
A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, OPPOSING ANY INITIATIVE TO AMEND FLORIDA’S CONSTITUTION TO ALLOW CASINO GAMBLING IN SURFSIDE; 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, 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 (Set for approximately 9:15 p.m.)**
NONE
- 9. Mayor, Commission and Staff Communications (Set for approximately 9:30 p.m.)**
- A. Community Center Fee Structure for Non Residents – Commissioner Marta Olchyk Page 113**
- B. Collins Avenue Sewer Main Project Traffic Management Plan- Roger M. Carlton, Town Manager and Assistant Police Chief John Di Censo Page 114-173**
- C. End of Session Report- Fausto Gomez, Legislative Consultant Page174-184 (SET FOR TIME CERTAIN AT 7:30PM)**

D. Streetscape –Tree lined – Tree Canopy for 88th, 95th streets and Surfside Boulevard Vice Mayor Joe Graubart Page 185

E. Contributions/Donations/Gifts accepted by the Town of Surfside- Vice Mayor Joe Graubart Page 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.