



**Town of Surfside
Town Commission Meeting
AGENDA
April 10, 2012
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. Officer of the Month Award for January, February and March 2012** – David Allen, Chief of Police
 - January 2012:** Sgt. Jose Valino, Officer Frank Colonna and Officer Donald McGavern
 - February 2012:** Officer Edward Carrasquillo and Officer Joseph Matthews
 - March 2012:** K-9 Kilo
- H. Employee of the Quarter Award to Jose Nodarse and Josvani Iglesias** – Bill Evans, Public Works Director

2. Quasi-Judicial Hearings (Set for approximately 7:20 p.m.) Page 1 - 187

Please be advised that the following items on the Agenda are Quasi-Judicial in nature. If you wish to object or comment upon an item, please complete a Public Speaker's Card indicating the agenda item number on which you would like to comment. You must be sworn before addressing the Board and you may be subject to cross-examination. If you refuse to submit to cross-examination, the Board will not consider your comments in its final deliberation. Please also disclose any Ex-Parte communications you may have had with any Commission member. Commission members must also do the same.

- *A. A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, ("TOWN") APPROVING A SITE PLAN APPLICATION, PURSUANT TO SECTION 90-41 ET SEQ. OF THE ZONING CODE TO PERMIT A SYNAGOGUE ON THE SITE, AND SUBMITTED BY YOUNG ISRAEL CONGREGATION., (THE "APPLICANT"), ALL ON THE PROPERTY LOCATED AT 9580 ABBOTT AVENUE DESCRIBED HEREIN; AND PROVIDING FOR AN EFFECTIVE DATE.**

** 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.*

3. Consent Agenda (Set for approximately 8:30 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. Minutes - March 13, 2012 Regular Town Commission Meeting Page 188-194**
- B. Budget to Actual Summary as of January 31, 2012 – Roger M. Carlton, Town Manager Page 195 - 196**
- *C. Town Manager’s Report (Points of Light) – Roger M. Carlton, Town Manager Page 197-214**
- *D. Town Attorney’s Report – Lynn M. Dannheisser, Town Attorney Page 215 - 219**
- *E. Projects Progress Report – Calvin, Giordano and Associates, Inc. Page 220 - 231**

4. Ordinances

(Set for approximately 9:00 p.m.) (Note: Good and Welfare must begin at 8:15)

A. Second Readings (Ordinances and Public Hearing)

- *1. Sidewalk Businesses – Duncan Tavares, TEDACS Director Page 232 - 251**

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA AMENDING CHAPTER 18 AND SPECIFICALLY DIVISION 3 “SIDEWALK BUSINESSES” AND SPECIFICALLY AMENDING SECTIONS 18-80, 18-81; AND CREATING SECTIONS 18-82, 18-83, 18-84, 18-85, 18-86, 18-87, 18-88, 18-89, 18-90, 18-91, 18-92, AND 18-93 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 use of sidewalks by restaurants]

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

B. First Readings Ordinances

5. Resolutions and Proclamations

(Set for approximately 9:15 p.m.) (Note: Depends upon length of Good and Welfare)

- *A. Fraternal Order of Police Local 135, Collective Bargaining Agreement – Year 2 Wage Re-opener – David Allen, Chief of Police (SET FOR TIME CERTAIN AT 7:15 PM) Page 252 - 281**

RESOLUTION OF THE TOWN COMMISSION FOR THE TOWN OF SURFSIDE, FLORIDA APPROVING AND RATIFYING THE FRATERNAL ORDER OF POLICE COLLECTIVE BARGAINING AGREEMENT – YEAR 2 WAGE RE-OPENER FOR THE COLLECTIVE BARGAINING AGREEMENT BETWEEN THE TOWN OF SURFSIDE AND THE FLORIDA STATE LODGE FRATERNAL ORDER OF POLICE (“AGREEMENT”) DATED OCTOBER 1, 2010 THROUGH SEPTEMBER 30, 2013; DIRECTING THE TOWN MANAGER TO EXECUTE SAME AND DO ALL THINGS NECESSARY TO IMPLEMENT THE TERMS OF THE AGREEMENT; AND PROVIDING FOR AN EFFECTIVE DATE.

- *B. Transfer of \$68,000.00 from the Resort Tax Fund balance to the Tourist Bureau Fiscal Year 2011-2012 budget – Duncan Tavares, TEDACS Page 282 - 285**

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, AUTHORIZING THE REAPPROPRIATION OF RESORT TAX FUND BALANCE (RESERVES) TO THE TOURIST BUREAU DEPARTMENT FY 2011-2012 BUDGET FOR THE LOGGERHEAD TURTLE ART SPECIAL EVENT PROJECT; AMENDING THE TOWN’S BUDGET FOR FISCAL YEAR 2011-2012; AND PROVIDING FOR AN EFFECTIVE DATE.

- *C. Grant of Authority to Town Clerk to Secure After-The-Fact Signatures for Previously Passed Legislation – Town Attorney, Lynn M. Dannheisser Page 286 - 288**

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, GRANTING THE TOWN CLERK THROUGH THE TOWN MANAGER AUTHORITY TO LOCATE, SECURE SIGNATURES, AND SECURE AFTER-THE-FACT SIGNATURES FOR LEGISLATION PREVIOUSLY LAWFULLY PASSED AND ADOPTED BUT NOT EXECUTED OR CODIFIED

TO PROCEED WITH SECURING THE SIGNATURES OF THE OFFICIALS IN OFFICE AT THE TIME OF THE LEGISLATION PASSAGE OR IN THE ALTERNATIVE TO SECURE AN AFTER-THE-FACT SIGNATURE FROM CURRENT OFFICIALS IN ORDER TO PROPERLY ISSUE AND CODIFY SUCH LEGISLATION; 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.

A. Presentation by Mr. Joseph Nabaka, FIU SWAT Club regarding Sale of Candy Flavored Tobacco Products to Children. **Page 289**

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

- *A. Classification and Compensation Study – Yamileth Slate-McCloud, Human Resources Director (SET FOR TIME CERTAIN AT 9:25 PM) Page 290 - 339**
- B. Gomez Barker Associates, End-of-Session Legislative Report – Fausto B. Gomez (SET FOR TIME CERTAIN AT 9:40 PM) Page 340 - 345**
- *C. Comprehensive Annual Financial Report (CAFR) – Roger M. Carlton, Town Manager (SET FOR TIME CERTAIN AT 9:50 PM) Page 346 - 354**
- *D. Island Community Initiative ALPR Project- David Allen, Chief of Police Page 355-447**
- *E. Charter Review Process – Vice Mayor Michael Karukin Page 448 - 462**
- *F. Hedges, Walls and Sight Lines and Code Compliance – Joe Damien, Code Compliance Director (SET FOR TIME CERTAIN AT 10:00 PM) Page 463 - 467**
- *G. Commission Priorities - Mayor Daniel Dietch Page 468 - 469**
- *H. Hatzala Emergency Medical Services (EMS) for the Town of Surfside – Commissioner Sheldon Lisbon Page 470**
- *I. Police Vehicle Lease Program – Phase II – David Allen, Chief of Police Page 471 - 472**
- *J. Student Scholarship Program – Mayor Daniel Dietch Page 473**

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.