



**Town of Surfside  
Town Commission Meeting**

**AGENDA  
May 8, 2012  
7 p.m.**

Town Hall Commission Chambers - 9293 Harding Ave, 2<sup>nd</sup> 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. Presentation from Mr. Stan Bershad, CLU – Roger M. Carlton, Town Manager  
(SET FOR TIME CERTAIN 7:15 PM)**
- H. Presentation from Representative Joseph A. “Joe” Gibbons – Roger M. Carlton,  
Town Manager Page 1-2 (SET FOR TIME CERTAIN 7:30 PM)**
- I. Presentation from Hatzala, Isaac Jaroslawicz, General Counsel – Commissioner  
Sheldon Lisbon Page 3 (SET FOR TIME CERTAIN 7:40PM)**

**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.**

*\* 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.*

- \*A. Minutes - March 13, 2012 Regular Commission Meeting Page 4-10  
March 21, 2012 Special Town Commission Meeting Page 11-12
- B. Budget to Actual Summary as of February 29, 2012 – Roger M. Carlton, Town Manager Page 13-14
- \*C. Town Manager’s Report (Points of Light) – Roger M. Carlton, Town Manager Page 15-43
- \*D. Town Attorney’s Report – Lynn M. Dannheisser, Town Attorney Page 44-48
- \*E. Projects Progress Report – Calvin, Giordano and Associates, Inc. Page 49-51
- \*F. Florida League of Cities City Spirit Award – Tim Milian, Parks and Recreation Director – Page 52
- G. Florida Recreation and Park Association (FRPA) Agency Excellence Award – Tim Milian, Parks and Recreation Director – Page 53

#### 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. Amending Chapter 18, Division 3 “Sidewalk Businesses” – Duncan Tavares, TEDACS Director Page 54-73

**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 8:30 p.m.) (Note: Good and Welfare must begin at 8:15)*

##### B. First Readings Ordinances

- \*1. Amending Section 2-176 Service Retirement Allowance and Clarify the Normal Retirement Date for Members who are Police Officers– Yamileth Slate-McCloud, Human Resources Director Page 74-79

**AN ORDINANCE AMENDING THE CODE OF THE TOWN OF SURFSIDE; RELATING TO THE RETIREMENT PLAN FOR EMPLOYEES OF THE TOWN OF SURFSIDE; AMENDING SECTION 2-176 OF THE CODE TO CLARIFY THE NORMAL**

**RETIREMENT DATE FOR POLICE OFFICERS UNDER THE PLAN; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.**

**5. Resolutions and Proclamations**

*(Set for approximately 8:40 p.m.) (Note: Depends upon length of Good and Welfare)*

- \*A. Amendment to Town Manager, Roger M. Carlton's Employment Agreement – Daniel Dietch, Mayor Page 80-91**

**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, APPROVING SECOND AMENDMENT TO EMPLOYMENT AGREEMENT BETWEEN TOWN MANAGER, ROGER M. CARLTON AND THE TOWN; AND PROVIDING AN EFFECTIVE DATE**

- \*B. Appointment of Members to the Town Planning and Zoning Board and Design Review Board – Lynn Dannheisser, Town Attorney Page 92-96 (Linked to item 9A)**

**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, APPOINTING MEMBERS OF THE TOWN PLANNING AND ZONING BOARD AND DESIGN REVIEW BOARD; PROVIDING FOR IMPLEMENTATION; AND, PROVIDING FOR AN EFFECTIVE DATE.**

- \*C. Reappoint Two Special Masters and Appoint Two Special Masters – Lynn Dannheisser, Town Attorney Page 97-113**

**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, RE-APPOINTING SPECIAL MASTERS AND RATIFYING TWO NEWLY APPOINTED SPECIAL MASTERS TO BE INCLUDED IN THE LIST; PROVIDING FOR AN EFFECTIVE DATE.**

- \*D. Proposed Bifurcation of Commission Meetings - Lynn Dannheisser, Town Attorney Page 114-117**

**RESOLUTION OF THE TOWN COMMISSION FOR THE TOWN OF SURFSIDE, FLORIDA, PROVIDING FOR THE BIFURCATION OF TOWN COMMISSION MEETINGS IN THE EVENT THAT THE TOWN HAS QUASI-JUDICIAL/ZONING MATTERS TO DISCUSS, PROVIDING FOR AN EFFECTIVE DATE.**

- \*E. Memorandum of Understanding between the Town of Surfside and Jewish Community Services of South Florida – Duncan Tavares, TEDACS Director Page 118-128**

**A RESOLUTION OF THE TOWN OF SURFSIDE, FLORIDA ACKNOWLEDGING THE PROGRAMMING BEING OFFERED BY JEWISH COMMUNITY SERVICES OF SOUTH FLORIDA TO THE RESIDENTS OF THE TOWN OF SURFSIDE.**

- \*F. Municipal Parking Structure(s) Feasibility Study – Roger M. Carlton, Town Manager Page 129-141**

**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA APPROVING A CONTRACT WITH THE FIRM OF RICH & ASSOCIATES, INC. FOR THE MUNICIPAL PARKING FEASIBILITY STUDY; AUTHORIZING TOWN OFFICIALS TO TAKE ALL STEPS NECESSARY TO CARRY OUT THE TERMS OF THIS RESOLUTION; AND PROVIDING FOR AN EFFECTIVE DATE.**

- \*G. Three Phase Work Authorization to include Traffic Calming, Seawall Inspection and Landscape Architecture – Bill Evans, Public Works Director Page 142-153**

**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA APPROVING WORK AUTHORIZATION NO. 53; A THREE PHASE WORK AUTHORIZATION TO INCLUDE TRAFFIC CALMING, SEAWALL INSPECTION AND LANDSCAPE ARCHITECTURE; AUTHORIZING THE TOWN MANAGER TO TAKE ANY NECESSARY ACTION AND 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.*

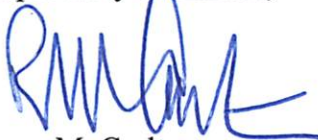
**8. Unfinished Business and New Business**

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

- \*A. Board and Committee Appointments – Roger M. Carlton, Town Manager Page 154-159 (Linked to item 5B)**
- \*B. Charter Review – Lynn Dannheisser, Town Attorney Page 160-161**
- \*C. Reconsideration of Item 9D of the April 10, 2012 Town Commission Meeting – Vice Mayor Michael Karukin Page 162-163**
- \*D. Report on Partial Refinance of \$16 million Regions Bank Water/Sewer/Storm Drainage Loan – Roger M. Carlton, Town Manager (TO BE DELIVERED SEPARATELY)**

**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.