

Town of Surfside Town Commission Meeting

SUPPLEMENTAL #1

May 15, 2013 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. Oath of Office of Town Manager Michael P. Crotty by ICMA Vice-President Lee Feldman, ICMA-CM (Fort Lauderdale City Manager)
- H. Proclamation to Ms. Kernithia Jones-Nabors, Ruth K. Broad K-8 Center Mayor Daniel Dietch Page 1
- I. Proclamation to Ms. Carmen Villanueva, Ruth K. Broad K-8 Center Mayor Daniel Dietch Page 2
- J. Proclamation in Memoriam to the Family of Dr. Rosann Sidener, Miami Beah Senior High School Commissioner Joe Graubart Page 3

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** April 9, 2013 Regular Commission Meeting Minutes **Page 4-13** April 23, 2013 Special Commission Meeting Minutes **Page 14-16**
- **B. Budget to Actual Summary as of February 28, 2013** Donald Nelson, Finance Director **Page 17-19**
- *C. Town Manager's Report (Points of Light) Michael P. Crotty, Town Manager Page 20-60
- *D. Town Attorney's Report Linda Miller, Interim Town Attorney Page 61-65
- *E. Projects Progress Report Calvin, Giordano and Associates, Inc. Page 66-68
- F. Committee Reports Michael P. Crotty, Town Manager (Note: Vice Mayor Karukin has requested that Committee minutes appear on the Consent Agenda. The most recent approved minutes have been included)
 - February 25, 2013 DVAC Meeting Minutes **Page 69-71**
 - March 18, 2013 Parks and Recreation Committee Meeting Minutes Page 72-74
- G. Mayor's Climate Action Pledge Mayor Daniel Dietch Page 75-162

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA ("TOWN"); ENDORSING THE MAYORS' CLIMATE ACTION PLEDGE; AFFIRMING SUPPORT FOR THE SOUTHEAST FLORIDA REGIONAL CLIMATE CHANGE COMPACT; AGREEING TO CONSIDER IMPLEMENTING THE REGIONAL CLIMATE ACTION PLAN IN WHOLE OR IN PART AS APPROPRIATE FOR EACH MUNICIPALITY; AND URGING ALL MAYORS OF MIAMI-DADE COUNTY TO SUPPORT THE MAYORS' CLIMATE ACTION PLEDGE; PROVIDING FOR AN EFFECTIVE DATE.

H. Emergency Operation Plan Update – David Allen, Chief of Police Page 163-167

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA ("TOWN") ACCEPTING THE UPDATES TO THE TOWN EMERGENCY OPERATIONS PLAN APPROVED BY MIAMI-DADE COUNTY; PROVIDING FOR AN EFFECTIVE DATE.

I. Expenditure of Forfeiture Funds for the Purchase of Special Equipment – David Allen, Chief of Police Page 168-172

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, PROVIDING FOR THE FISCAL YEAR 2012/2013 POLICE CONFISCATION FUND EXPENDITURE IN THE AMOUNT OF \$2,000.00 FROM THE FORFEITURE FUND TO PURCHASE BREECHING TOOLS AND LESS THAN LETHAL CHEMICAL AGENTS FOR THE POLICE DEPARTMENT; PROVIDING FOR AN EFFECTIVE DATE

J. Mutual Aid Agreement between the North Bay Village Police Department and the Town of Surfside Police Department – David Allen, Chief of Police Page 173-193

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 FOR OPERATIONAL ASSISTANCE IN LAW ENFORCEMENT AND EMERGENCIES WITH THE CITY OF NORTH BAY VILLAGE POLICE DEPARTMENT; AND PROVIDING FOR AN EFFECTIVE DATE.

K. Pool Tot Lot Repairs – Tim Milian, Parks and Recreation Director Page 194-198

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA ("TOWN") APPROVING THE AGREEMENT WITH NAUMANN NATURE SCAPES, INC.; ACCEPTING AND APPROVING PARTIAL EXPENDITURE OF REPAIRS FOR THE COMMUNITY CENTER WATER PLAYGROUND FROM THE GENERAL FUND, PARKS & RECREATION DEPARTMENT; PROVIDING FOR AN EFFECTIVE DATE.

4. Ordinances

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

- A. Second Readings (Ordinances and Public Hearing)
 - 1. Corner Clearance Ordinance Sarah Sinatra, Town Planner

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA AMENDING CHAPTER 90 "ZONING" AMENDING CODE SECTION 90-52 "REQUIRED CLEARANCES" AND STRIKING CODE SECTION 90-92 "SIGHT TRIANGLES AND CLEARANCES"; PROVIDING FOR INCLUSION IN THE CODE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

{Ordinance has been deferred to the June 11, 2013 Regular Town Commission meeting at 7:00 PM}

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

B. First Reading Ordinances

5. Resolutions and Proclamations

(Set for approximately <u>8:30</u> p.m.) (Note: Depends upon length of Good and Welfare)

A. Memorandum of Understanding with Town of Surfside Community Dog Park Incorporated – Duncan Tavares, TEDACS Director Page 199-222

RESOLUTION **OF** THE **TOWN OF** SURFSIDE, **FLORIDA ACKNOWLEDGING** THE MEMORANDUM **OF** UNDERSTANDING ("MOU") BETWEEN THE TOWN OF SURFSIDE AND THE TOWN OF SURFSIDE COMMUNITY DOG PARK INC. TO ACT AS STEWARDS OF THE SURFSIDE PAWS UP PARK; AUTHORIZING THE TOWN MANAGER TO EXECUTE AND IMPLEMENT THE TERMS AND CONDITIONS OF THE MOU; AND PROVIDING FOR AN EFFECTIVE DATE.

AND

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, AUTHORIZING EXPENDITURE NOT TO EXCEED \$16,083.81. TO LUKES' LANDSCAPING, INC. DBA LUKES-SAWGRASS LANDSCAPE FOR A PROPOSAL ON THE SURFSIDE PAWS UP PARK PROJECT; PROVIDING FOR AUTHORIZATION; PROVIDING FOR AN EFFECTIVE DATE.

B. Sympathy Resolution and \$250 Donation to a Scholarship Fund – Rosann Sidener, Miami Beach High School Principal – Commissioner Joe Graubart Page 223-231

A RESOLUTION OF THE TOWN OF SURFSIDE; APPROVING A DONATION OF \$250.00 TOWARDS ESTABLISHMENT OF AN EDUCATIONAL SCHOLARSHIP FUND IN HONOR OF DR. ROSANN SIDENER; THE DONATION WILL BE FUNDED FROM THE GENERAL FUND ACCOUNT NO. 001-1000-511-5290; PROVIDING APPROVAL AND AUTHORIZATION; PROVIDING FOR AN EFFECTIVE DATE.

C. Abbott and 94th Street Parking Improvements – Michael P. Crotty, Town Manager Page 232-249

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, AUTHORIZING AN EXPENDITURE NOT TO EXCEED \$46,891.43 FOR THE RENOVATION OF THE ABBOTT AVENUE PARKING LOT AND \$22,315.00 FOR RENOVATION OF THE 94TH STREET PARKING LOT, TO LYNX CONSTRUCTION LLC. FOR A WORK ORDER ON THE PARKING LOT IMPROVEMENT PROJECT; PROVIDING FOR AUTHORIZATION; PROVIDING FOR AN EFFECTIVE DATE.

AND

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, AUTHORIZING AN EXPENDITURE NOT TO EXCEED \$63,585.50 FOR THE ABBOTT AVENUE PARKING LOT AND \$38,051.70 ON THE 94TH STREET PARKING LOT TO LUKES' LANDSCAPING, INC. DBA LUKES-SAWGRASS LANDSCAPE FOR A PROPOSAL TO LANDSCAPE THE ABBOTT AVENUE AND 94TH STREET PARKING LOTS; APPROVING AND AUTHORIZING EXPENDITURES FROM THE MUNICIPAL PARKING FUND; PROVIDING FOR AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE.

D. Resolution to Authorize Expenditure of \$10,000.00 for Cost Estimate – Donald Nelson, Finance Director Page 250-257

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, AUTHORIZING THE APPROPRIATION AND EXPENDITURE OF \$10,000.00 FROM THE CAPITAL PROJECTS FUND ACCOUNT NO. 301-4400-541-3125 FOR FY 2012/2013 TO FLORIDA POWER & LIGHT FOR A REVISED UNDERGROUNDING BINDING COST ESTIMATE; PROVIDING FOR AN EFFECTIVE DATE.

E. 4th of July Fireworks – Tim Milian, Parks and Recreation Director Page 258-264

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, APPROVING THE EXPENDITURE FOR ZAMBELLI FIREWORKS MANUFACTURING CO. FOR EXHIBITION AND

DISPLAY OF FIREWORKS; APPROVING THE EXPENDITURE OF \$4000.00 FROM THE RESORT TAX FUND, ACCOUNT NO. 102-8000-552-48-10 AND \$8000.00 FROM THE GENERAL FUND, PARKS & RECREATION DEPARTMENT, ACCOUNT NO. 001-6000-572-4810; 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. Short Term Parking Meters 15-30 Minutes Commissioner Joe Graubart Page 265-266
- B. Commercial Vehicles Parking Michael P. Crotty, Town Manager Page 267-268
- C. Saturday (weekend) Commercial Landscape Maintenance and "Gardeners" Commissioner Joe Graubart Page 269
- **D.** Water and Sewer Project and Drainage Commissioner Michelle Kligman (Commission Communication)
- E. Rising Sea Levels Commissioner Michelle Kligman (Commission Communication)
- F. Construction Worker Parking Program Commissioner Joe Graubart Page 270
- G. Comprehensive Plan Text Amendment Shelley Eichner, Town Planner Page 271-289 (TIME CERTAIN 7:45 PM)
- H. Town-wide Traffic Study Public Outreach Michael P. Crotty, Town Manager Page 290-291
- I. Calendar for FY 13/14 Budget Process Michael P. Crotty, Town Manager (Budget Process Schedule)
- J. Harding Avenue Streetscape Design Presentation Duncan Tavares, TEDACS Director (TIME CERTAIN 9:00 PM) (Memo)
- K. Code Enforcement and Hedges Commissioner Michelle Kligman (Commission Communication)

10. Adjournment

Respectfully submitted,

Michael P. Crotty 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.



Town of Surfside Commission Communication

Agenda Item # 9D

Agenda Date: May 15, 2013

From: Commissioner Michelle Kligman

To: Mayor, Vice Mayor, Members of the Commission & Town Residents

Subject: Water & Sewer Project and Drainage

Background:

The Project got underway in August 2011 with an expected completion date of 15 months plus extensions for weather delays. There were three potential bonuses for substantial completion in the South, Central and North areas of town. The first two bonuses were earned and the third was not.

The residents have expressed frustration at the delays associated with this project, as well as the perception that the flooding we have incurred as of lately, should not have occurred because of the upgrades to the system. A discussion regarding project update and flooding in the area is warranted.



Town of Surfside Commission Communication

Agenda Item # 9E

Agenda Date: May 15, 2013

From: Commissioner Michelle Kligman

To: Mayor, Vice Mayor and Member of the Commission and Town Residents

Subject: Beach Erosion

Background:

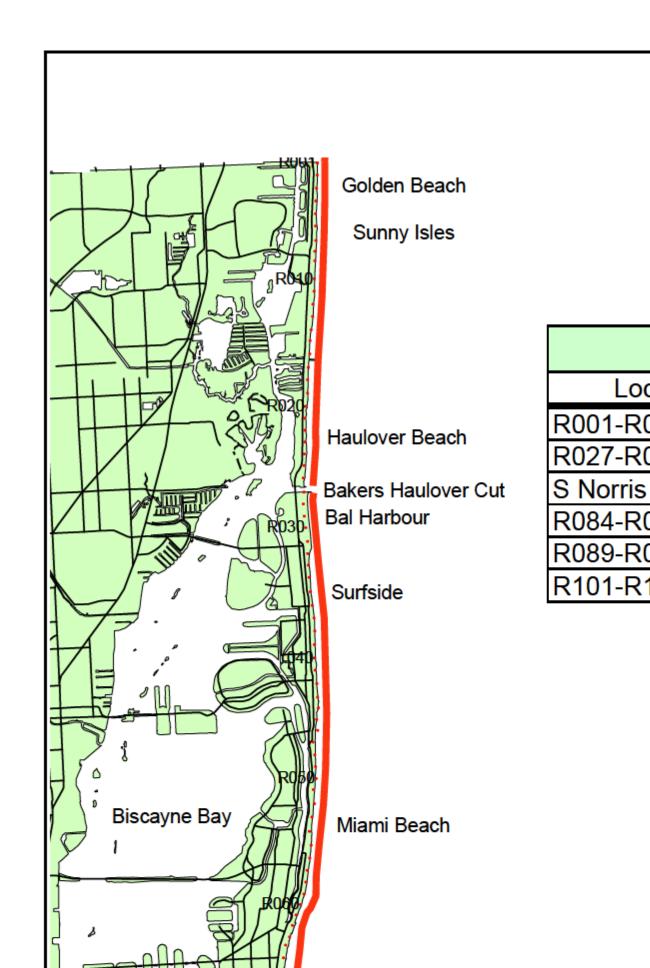
Critically eroded area is a segment of the shoreline where natural processes or human activity have caused or contributed to erosion and recession of the beach or dune system to such a degree that upland development, recreational interests, wildlife habitat, or important cultural resources are threatened or lost. Critically eroded areas may also include peripheral segments or gaps between identified critically eroded areas which, although they may be stable or slightly erosional now, their inclusion is necessary for continuity of management of the coastal system or for the design integrity of adjacent beach management projects.

It is important to note, that for an erosion problem area to be critical, there must exist a threat to or loss of one of four specific interests – upland development, recreation, wildlife habitat, or important cultural resources. Many areas have significant historic or contemporary erosion conditions, yet the erosion processes do not currently threaten public or private interests. These areas are therefore designated as noncritically eroded areas and require close monitoring in case conditions become critical.

In contrast, in some areas the erosion processes are not particularly significant except to the extent that adjacent public or private interests may be threatened. Whether erosion is critical results from the existence of a threat to interests in

need of protection. Lacking any threat an erosion condition is not a critical problem.

I was appointed to the Intergovernmental Coastal Oceans Task Force (ICOTF). An update and discussion regarding the implications for the Town of Surfside is warranted.



Loc

Town of Surfside 2013/2014 Proposed Budget

BUDGET PREPARATION CALENDAR

Distribution of Department Budget Package to

Department Directors March 22 (Friday)

Submission of Department Budget Requests

to Finance Department April 4 (Thursday)

Department Budget Meetings with the

Town Manager April 21 – May 1

Miami-Dade Property Appraiser Estimated

Taxable Value May 31 (Friday)

2013/14 Proposed Budget Completed June 21 (Friday)

Miami-Dade Property Appraiser Certified

Taxable Value July 1 (Monday)

Town Commission Budget Workshop July 2 (Tuesday 4:00pm)

Regular Meeting on Proposed Budget July 16 (Tuesday 7:00pm)

(Preliminary Millage Rate Adoption)

Special Commission Meeting July 23 (Tuesday 7:00pm)

(Additional meeting date on Budget if

Necessary)

Notice for First Public Hearing through TRIM

notice sent by Property Appraisers' Office August 23 (Friday)

First public hearing setting Proposed Millage

and Proposed Budget (5:01 PM) September *

Budget Summary and Notice of Hearing

Published September *

Public hearing to set Final Millage and Final

Budget (5:01 PM) September *

Fiscal Year 2013/14 Begins October 1 (Tuesday)

^{*}Dates to be determined based on Public Hearing Dates of Miami-Dade County and the Dade County School Board.

Memorandum

To: Michael Crotty / Town Manager

From: Duncan Tavares / TEDACS Director

Date: 5/10/2013

Re: Harding Avenue Streetscape Presentation for Town Commission Meeting

Wednesday May 15, 2013

Attached is the Harding Avenue Streetscape rendering that was presented to DVAC on April 22, 2013 and Planning & Zoning on April 25, 2013.

Upon pricing out the plan, it became apparent that the Medjool date palms requested by the Town would bring the project in over the \$650,000 budgeted from the voluntary proffers provided by the The Surf Club and Chateau developers.

Staff has requested that Santec, the approved firm working on the streetscape, also provide an alternative streetscape design that will include a different, less expensive, stately tree (Royal Palms).

The Town Commission will now have two alternative plans, with pricing, to review before making a decision.

Due to this requested additional presentation, the item was not able to be completed in time for the Commission Agenda production and will not be available until Monday May 13, 2013.

By keeping it on the Town Commission Agenda for May 15, 2013, the aim to keep this initiative on track for a late fall completion will remain.





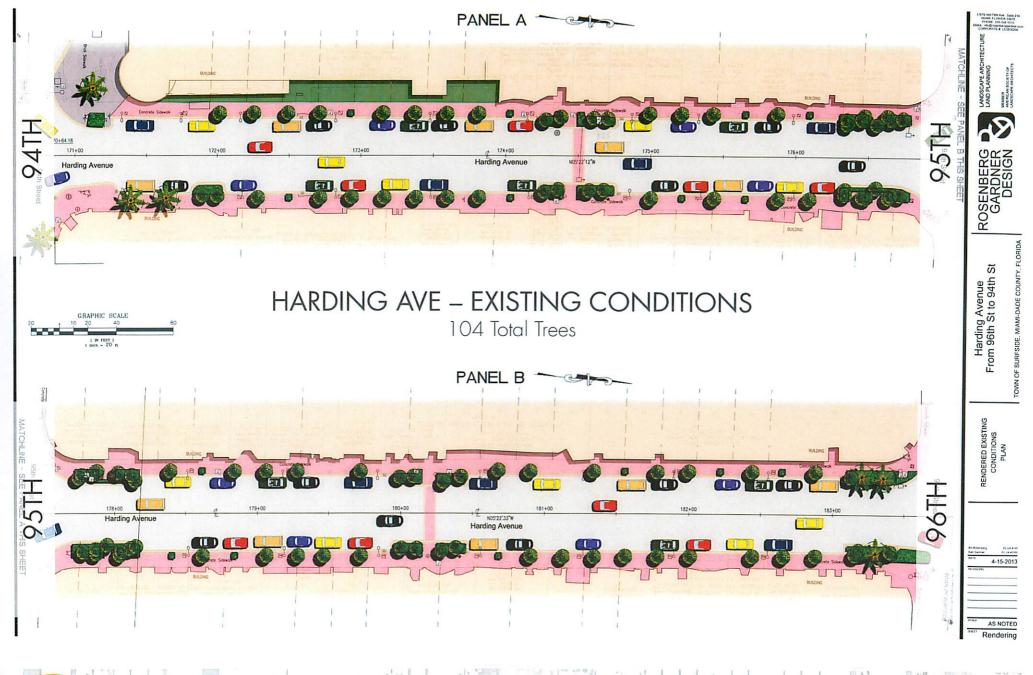
SurfsideGreenwa

Harding Avenue Streetscape Improvements

Surfside Greenway Presentation

April 2013 Stanter

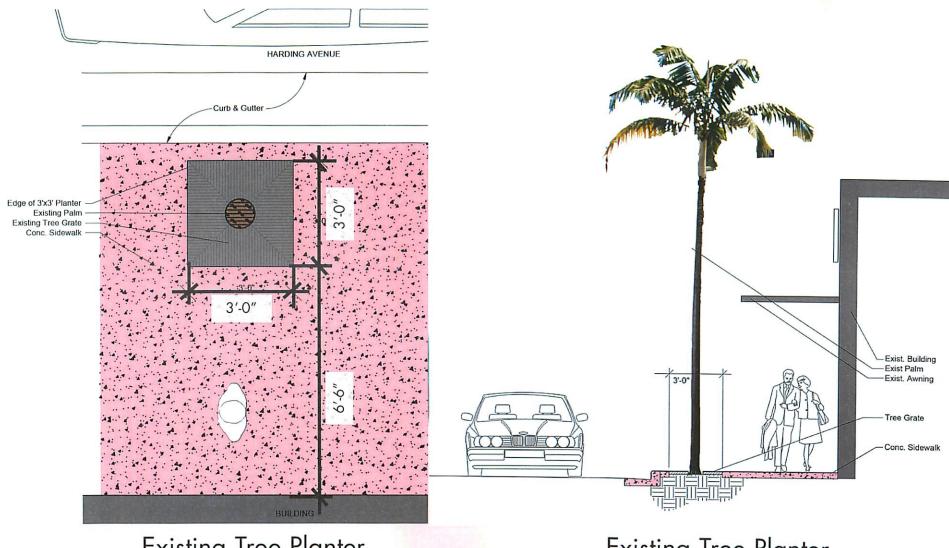






Harding Avenue Streetscape Improvements Surfside**Greenway**





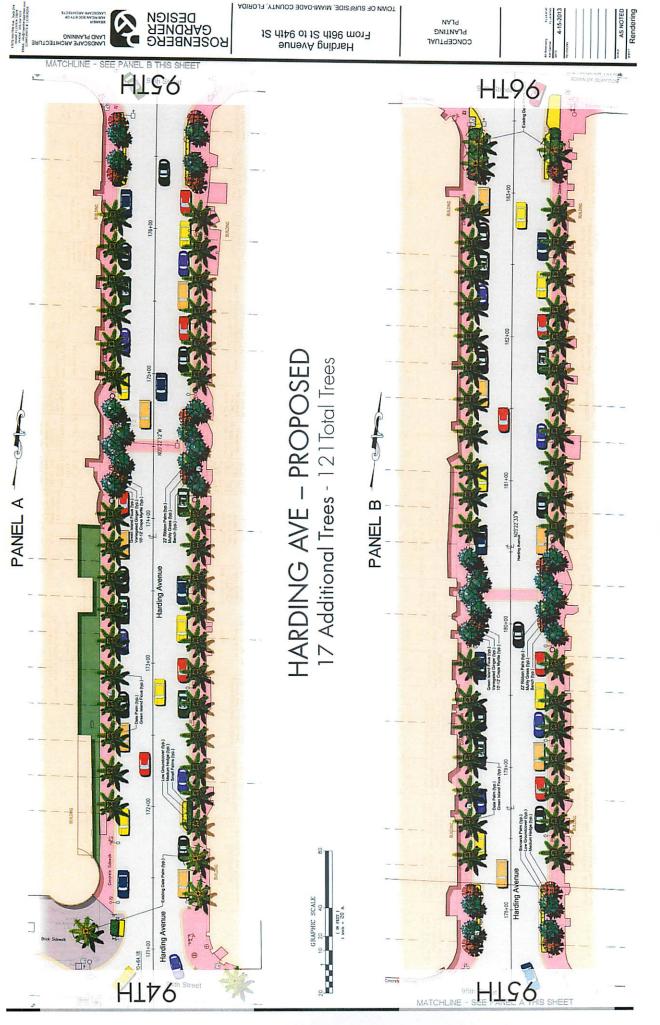
Existing Tree Planter Plan

Existing Tree Planter Elevation



Harding Avenue Streetscape Improvements
Surfside Greenway

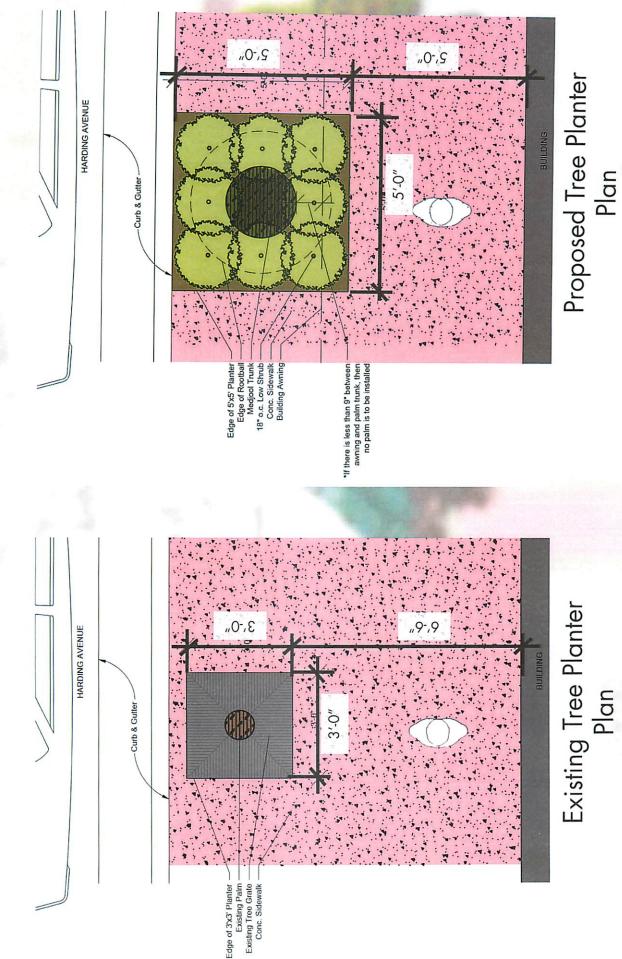




Harding Avenue Streetscape Improvements









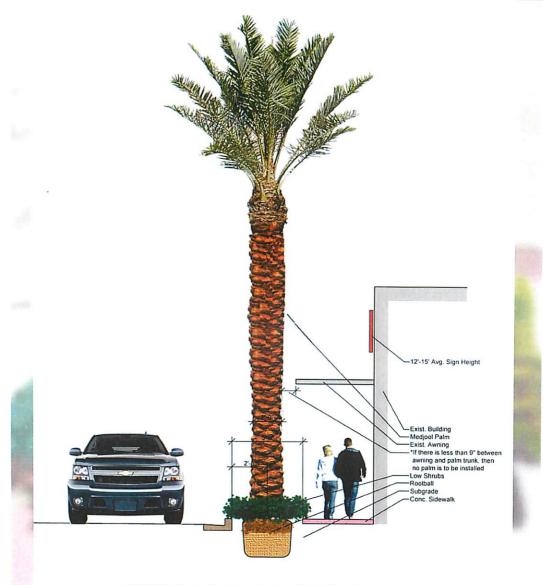
urfsideGreenway Presentation





SHRUB INSTALLATION DETAIL

Existing Tree Planter Elevation



TYPICAL DATE PALM ELEVATION

SCALE: N.T.S.

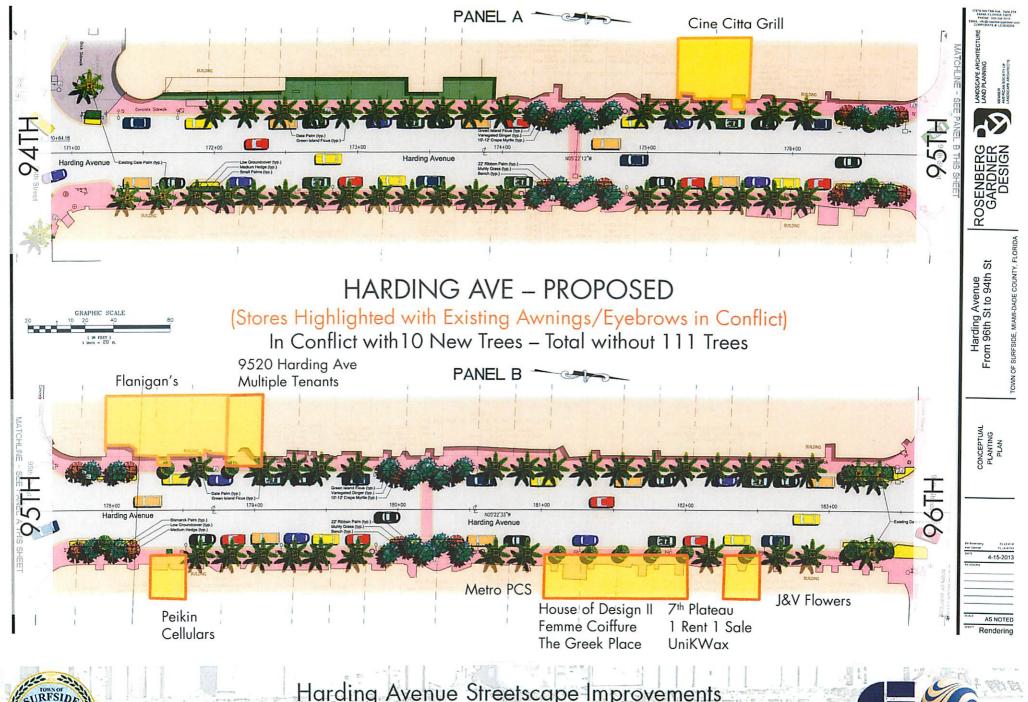
Proposed Tree Planter Elevation



Harding Avenue Streetscape Improvements
SurfsideGreenway





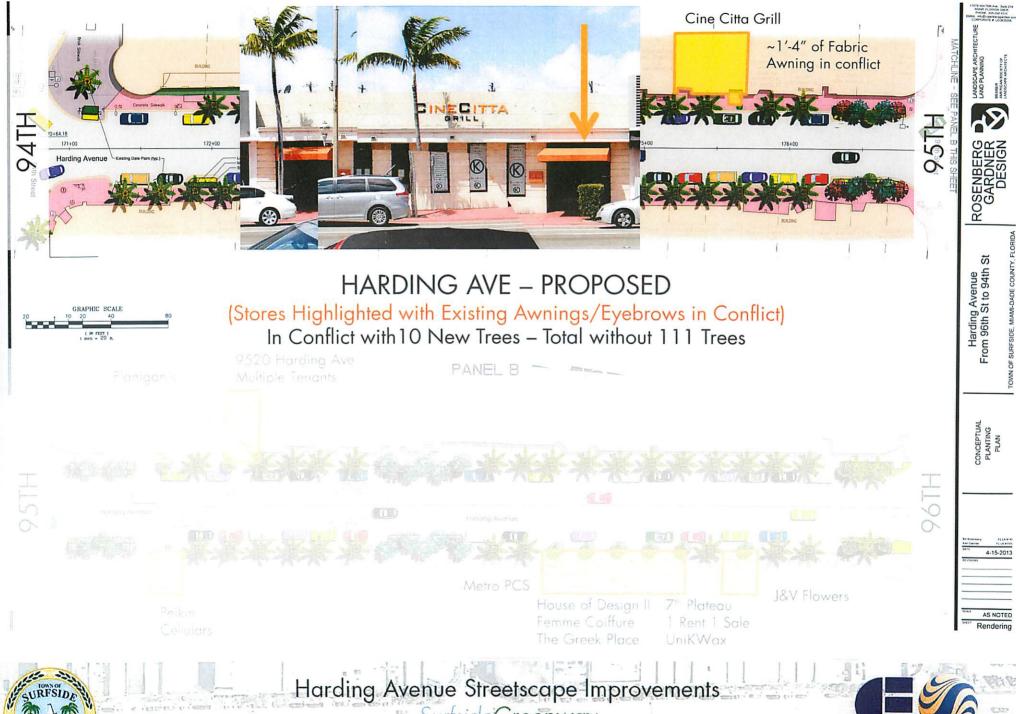




Harding Avenue Streetscape Improvements

Surfside Greenway



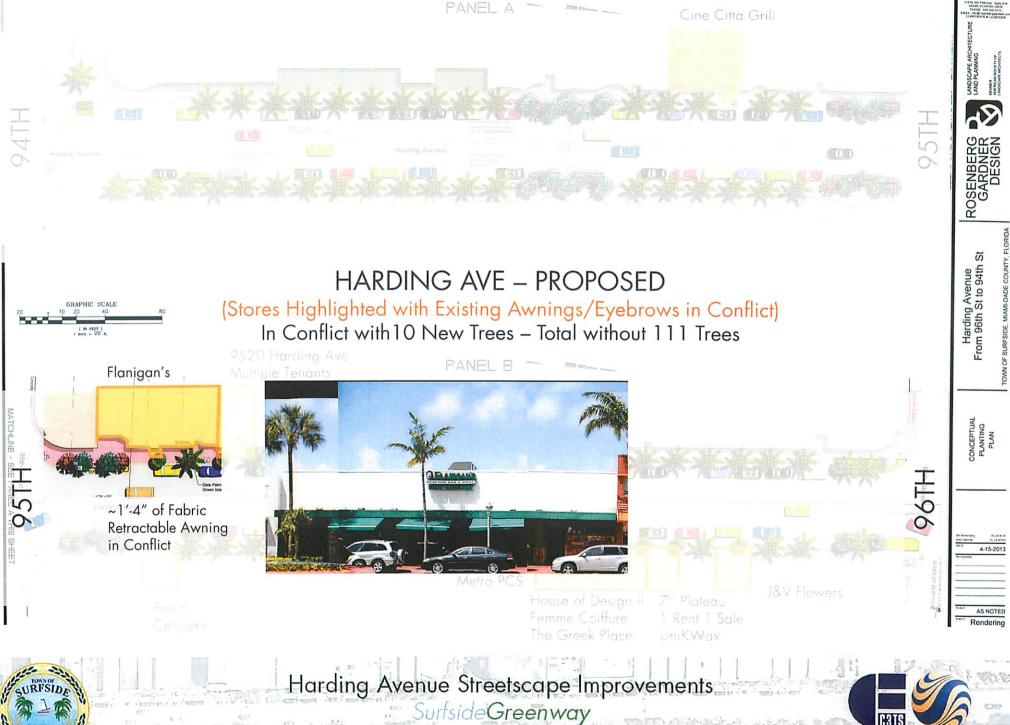


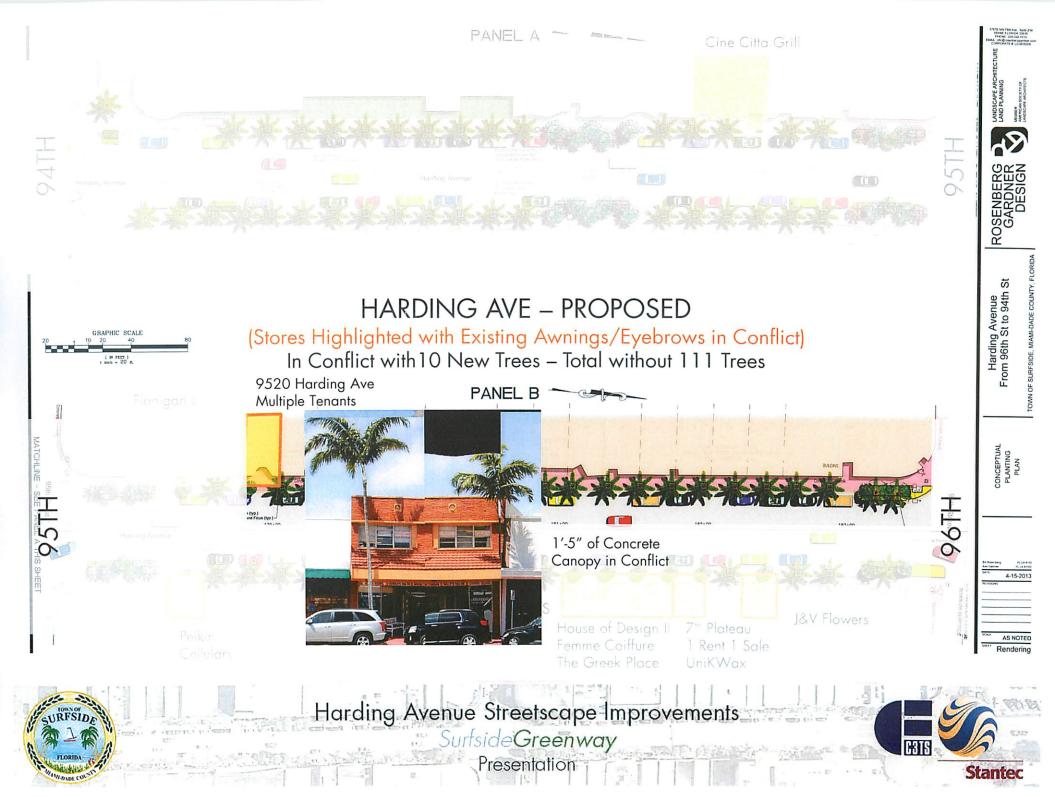


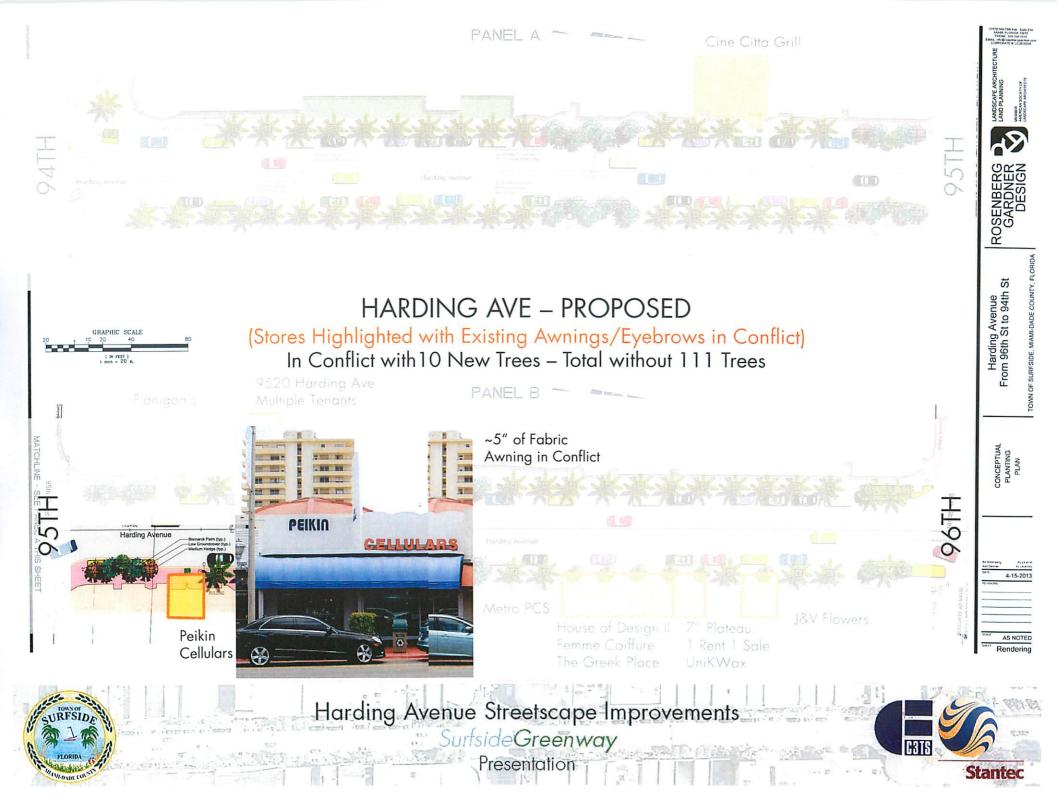
Surfside Greenway

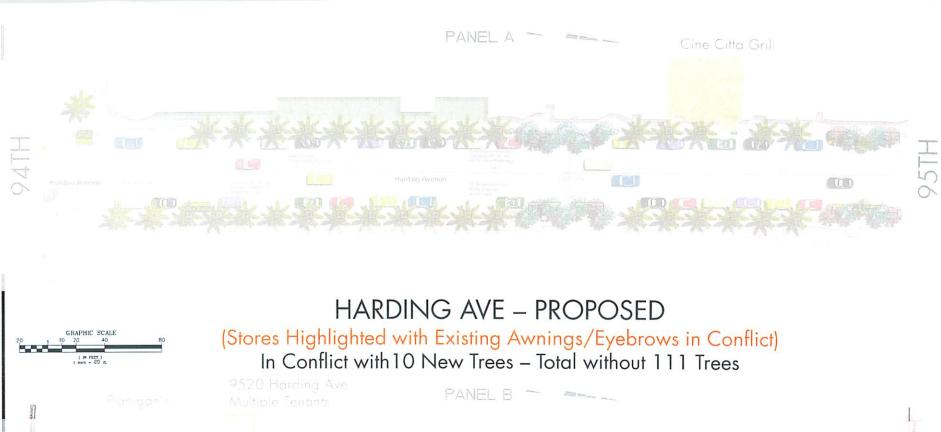












FEMMI metroPCS

~12" of Concrete Canopy in Conflict

Metro PCS The Greek Place UniKWax

House of Design II Femme Coiffure



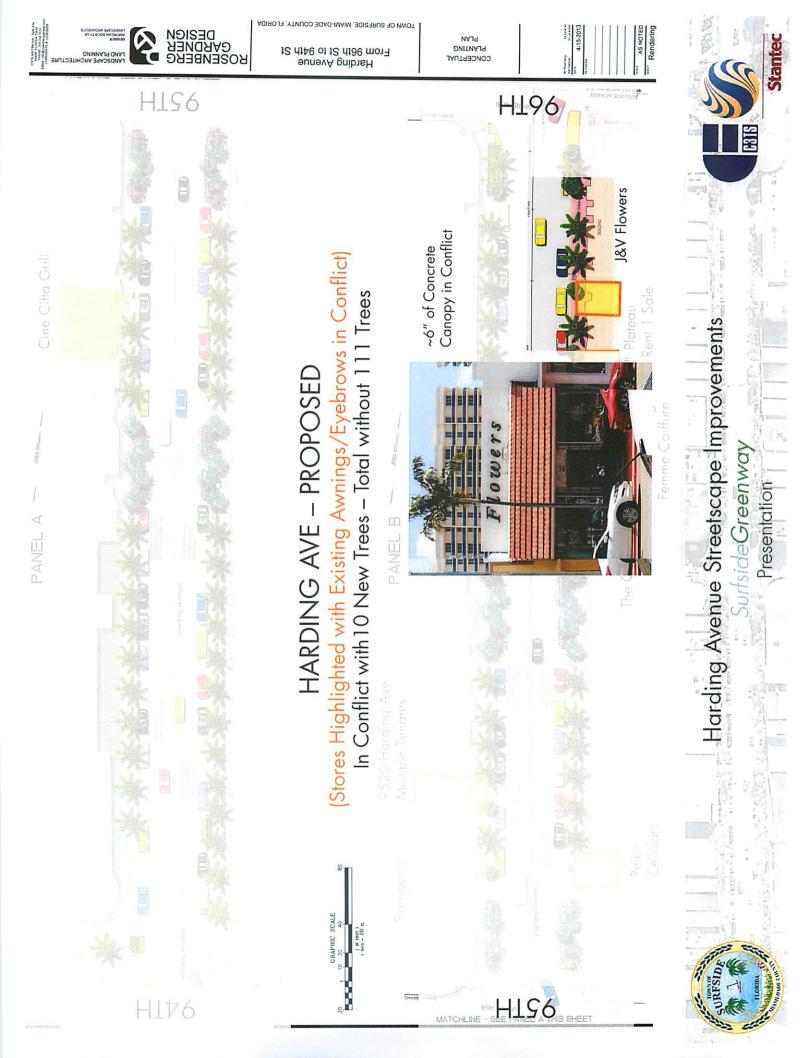
Harding Avenue Streetscape Improvements

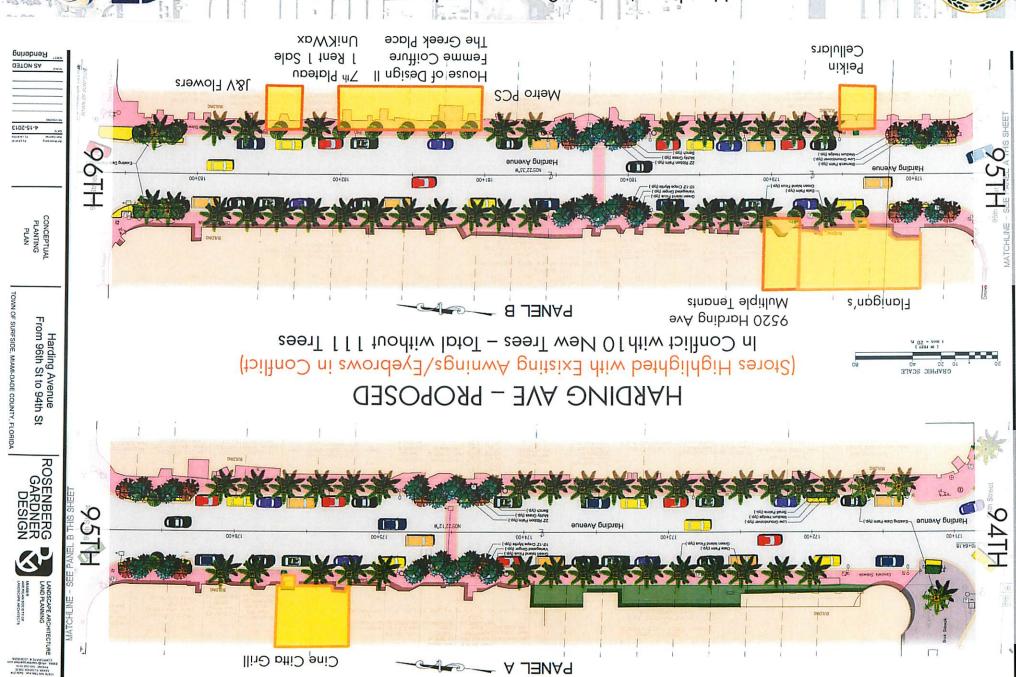
Surfside**Greenway**



Harding Avenue Streetscape Improvements

sideGreenway



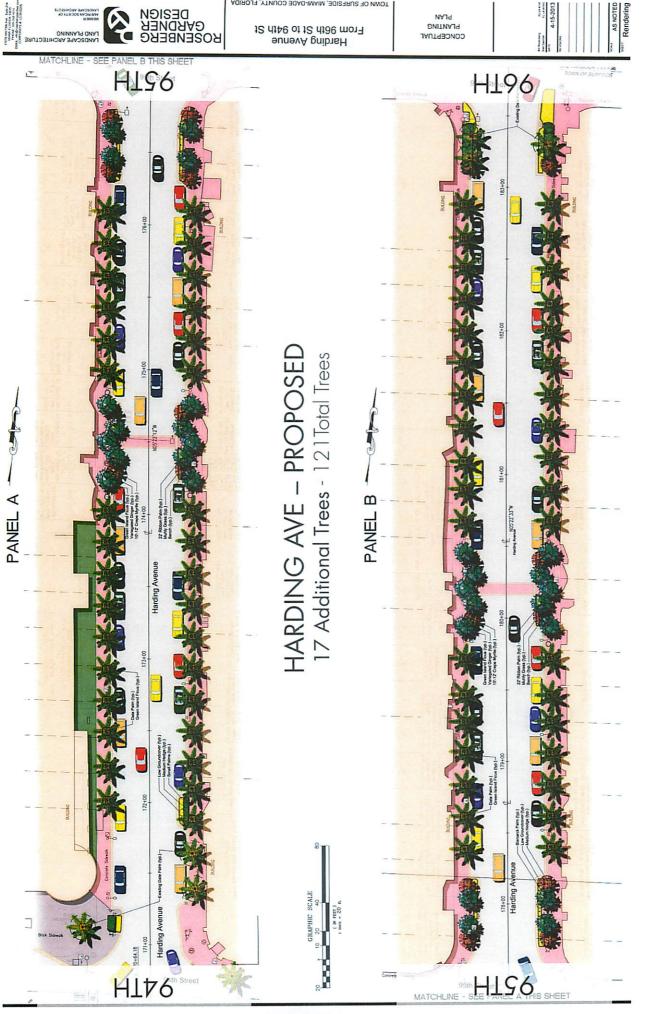




Harding Avenue Streetscape Improvements

Surfside Greenway

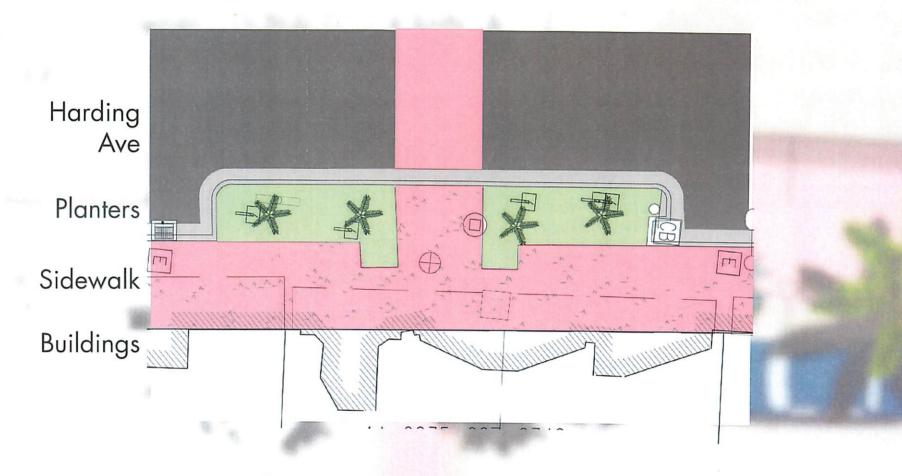




Harding Avenue Streetscape-Improvements

sideGreenway



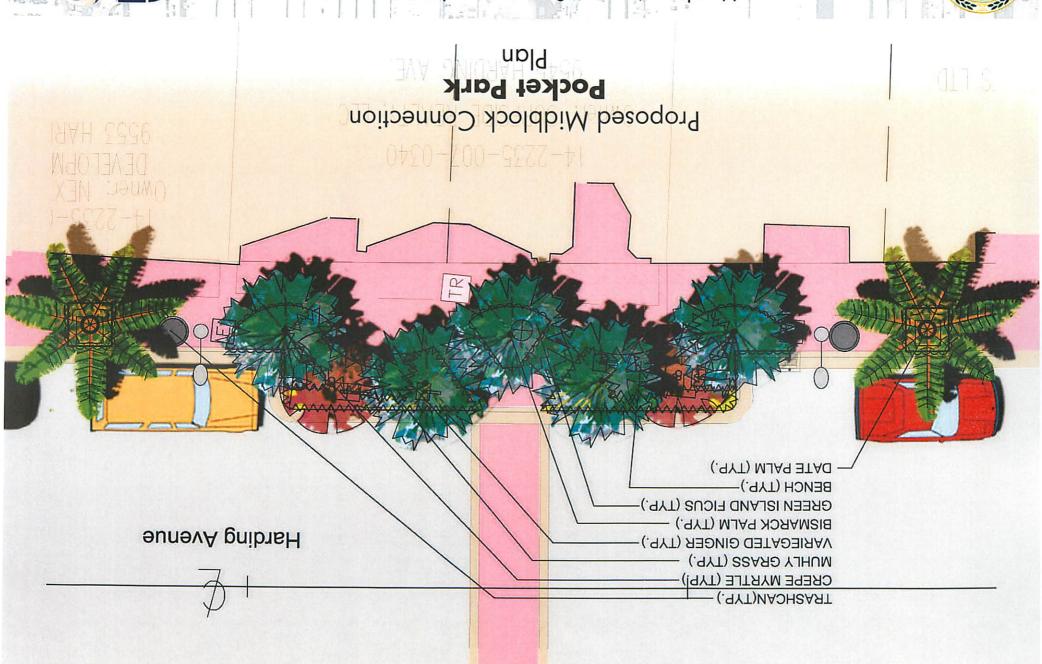


Existing Midblock Connection Plan



Harding Avenue Streetscape Improvements
Surfside Greenway
Presentation







Harding Avenue Streetscape Improvements

Surfside Greenway
Presentation

















New Street Furniture



Harding Avenue Streetscape Improvements

Surfside Greenway

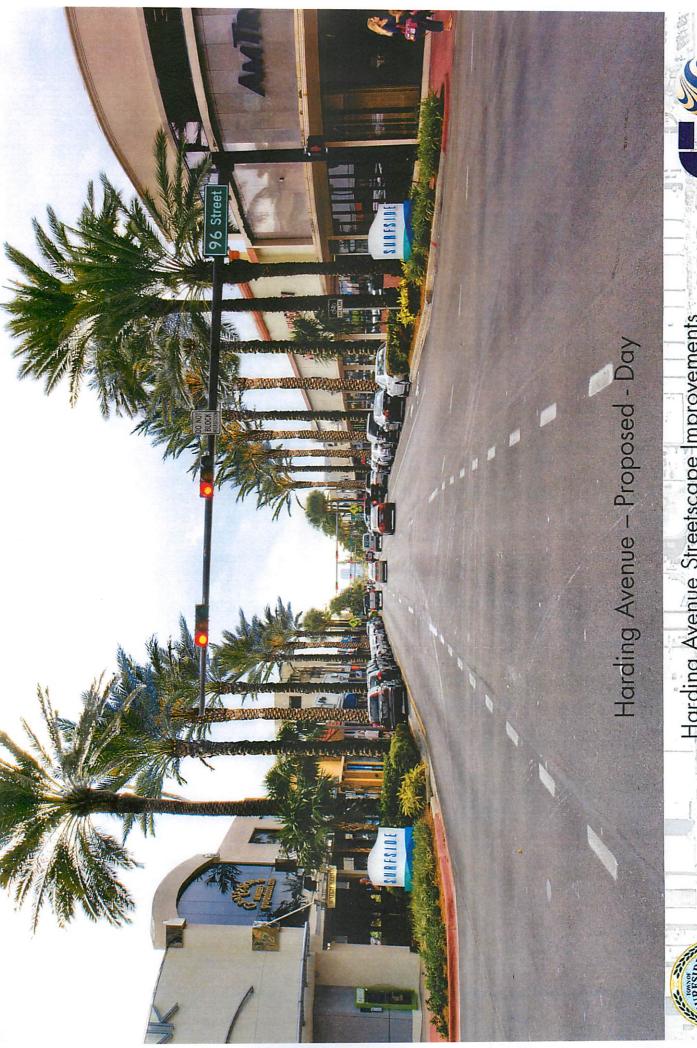






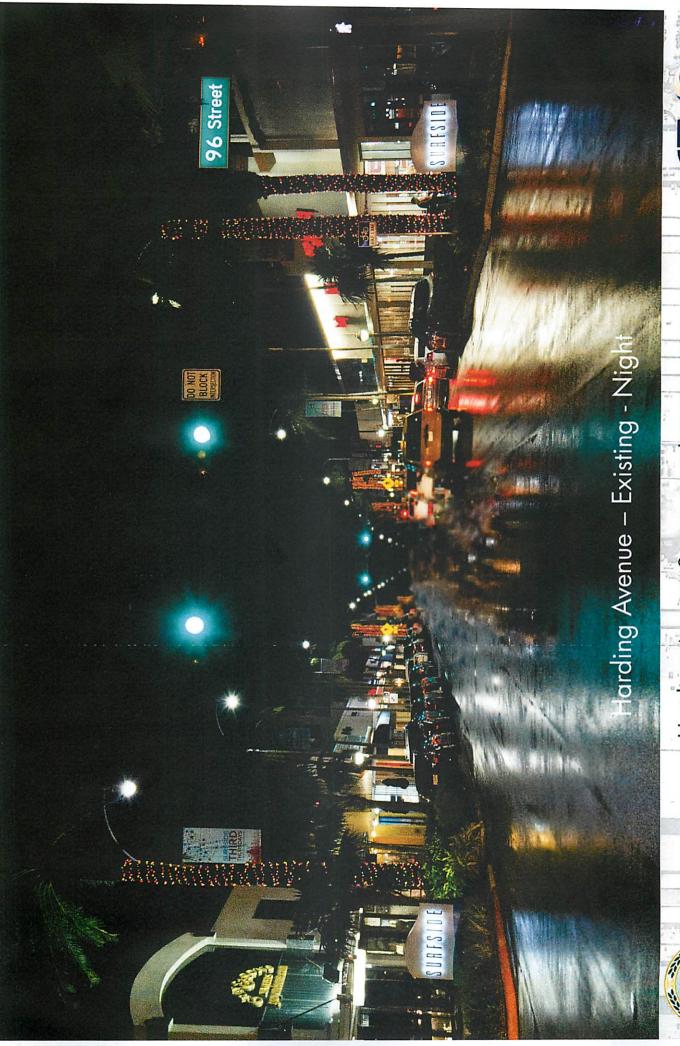






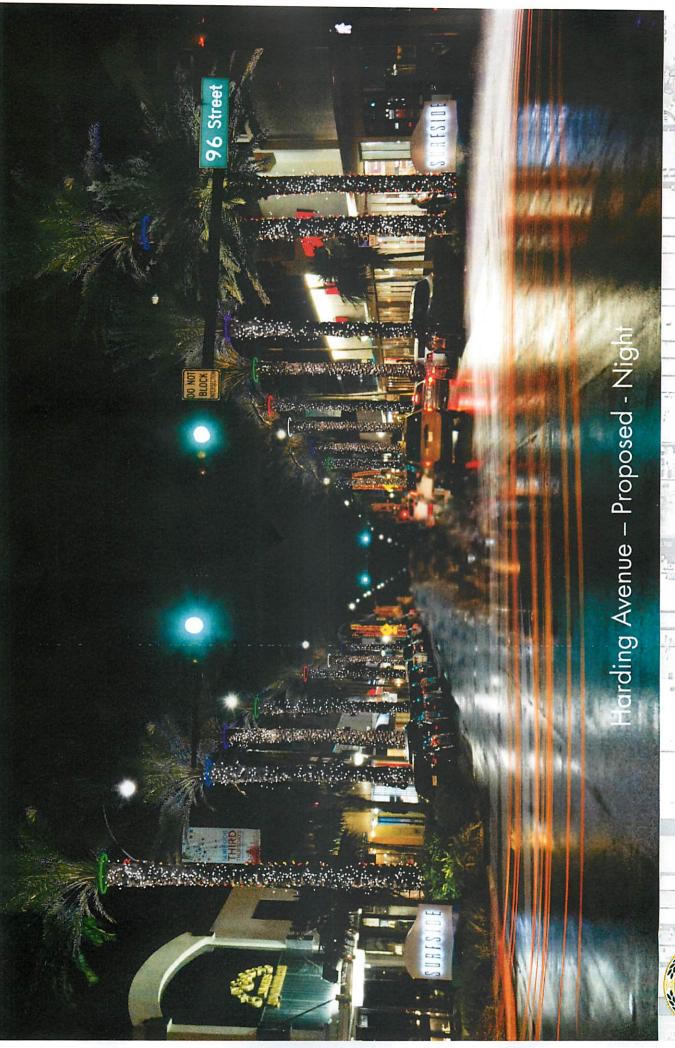






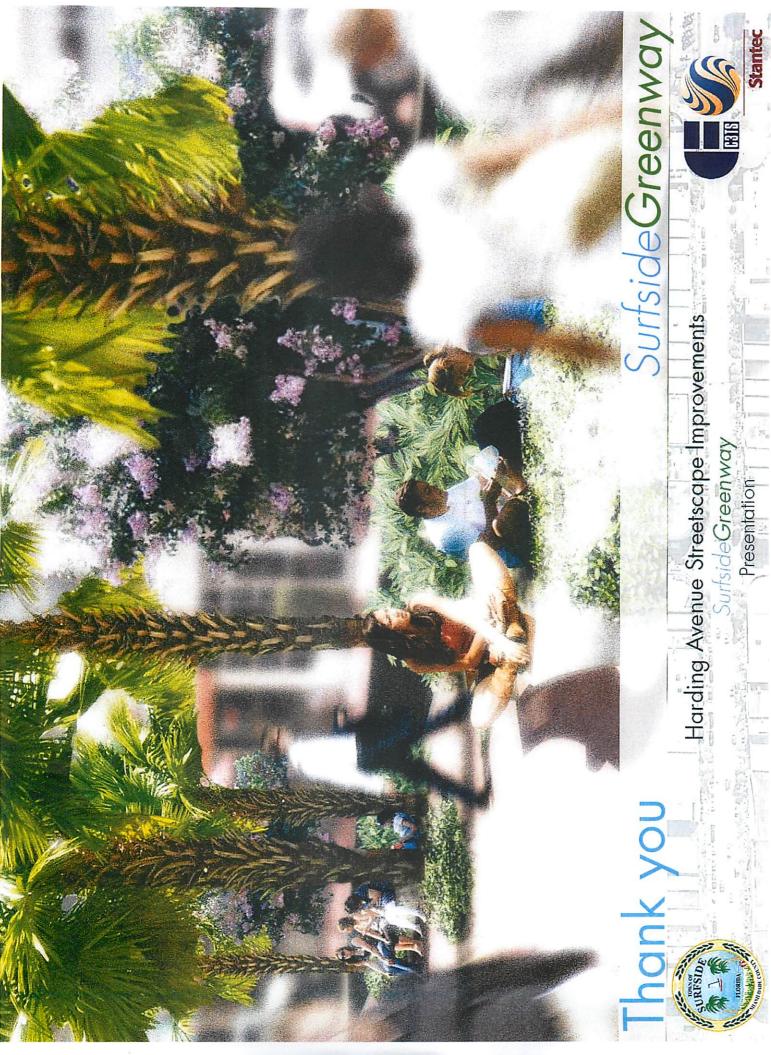












Harding Avenue Streetscape-Improvements
SurfsideGreenway
Presentation





Town of Surfside Commission Communication

Agenda Item # 9K

Agenda Date: May 15, 2013

From: Commissioner Michelle Kligman

To: Mayor, Vice Mayor, Members of the Commission & Residents of the Town of Surfside

Subject: Code Enforcement: Hedges & Sight Triangle

Background:

To date, there have been approximately fourteen (14) amendments to ordinances related to fences, walls, hedges and sight triangle in the Town of Surfside. According to the Code Compliance Director, there are approximately 200 corner properties in the single family district. To date, 22 courtesy notices for hedge height violations (in sight triangles) have been issues, 19 civil violation notices for the same have been issued and approximately 50 more properties may be in violation.

There are many residents that have expressed concern regarding the code, as it relates solely to this issue. Fl. Statute 162 gives cities the right to create a code department and states that code enforcement is there to protect the "health, safety, and welfare" of all citizens. The Town has taken the position that, in particular to corner lots, the height of the hedges presents a safety issue. At the same time, residents have expressed frustration regarding what they perceive to be there right to privacy being violated.

It's my understanding that a petition is being circulated to implore the Commission to give this issue more time and consideration via a workshop/public meeting. I am proposing that Town Planners and Code Compliance, in collaboration with the Town Attorney, review how other similar municipalities have addressed this issue and provide reasonable options for this Commission's consideration. In addition, that a public meeting/workshop be scheduled to discuss these options.