



**Town of Surfside
Town Commission Meeting
AGENDA
August 13, 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

2. Quasi-Judicial Hearings

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 in before addressing the Town Commission and you may be subject to cross-examination. If you refuse to submit to cross-examination, the Town Commission will not consider your comments in its final deliberation. Please also disclose any Ex-Parte communications you may have had with any Commission member. Town Commission members must also do the same.

A. Request of Owner of Property located at 8859 Carlyle Avenue Page 1-12

The applicant at 8859 Carlyle Avenue is requesting a side setback variance.

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, CONSIDERING THE APPLICATION OF 8859 CARLYLE AVENUE TO PERMIT A SIDE SET BACK VARIANCE FROM THE REQUIREMENTS OF SECTION 90-45 OF THE TOWN OF SURFSIDE CODE OF ORDINANCES TO ALLOW THE EXISTING SINGLE FAMILY HOME TO ADD AN ADDITION TO THE FIRST FLOOR AND ADD A SECOND STORY TO THE EXISTING SINGLE FAMILY HOME; PROVIDING FOR AN EFFECTIVE DATE.

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 – July 16, 2013 Regular Commission Meeting Minutes Page 13-24

**B. Budget to Actual Summary as of May 31, 2013 – Donald Nelson, Finance Director
Page 25-27**

***C. Town Manager’s Report (Points of Light) – Michael P. Crotty, Town Manager
Page 28-60**

***D. Town Attorney’s Report – Linda Miller, Town Attorney Page 61-64**

***E. Projects Progress Report – Calvin, Giordano and Associates, Inc. Page 65-67**

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) Page 68-87

- June 17, 2013 Parks and Recreation Advisory Committee Minutes

- June 27, 2013 Planning and Zoning Board Meeting Minutes

- July 1, 2013 Tourist Board Meeting Minutes

- July 11, 2013 Tourist Board Workshop Minutes

G. Appointment of Special Masters – Linda Miller, Town Attorney Page 88-95

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA (“TOWN”), RATIFYING FIRST TIME APPOINTMENTS OF SPECIAL MASTERS; PROVIDING FOR AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE

H. Florida Department of Transportation (FDOT) Sidewalk Café Lease Agreement (Revision) – Duncan Tavares, TEDACS Director Page 96-123

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA REQUESTING THAT THE FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT) GRANT THE TOWN A PUBLIC PURPOSE LEASE ON A1A/HARDING AVENUE FROM 94RD STREET TO 96TH STREET, WHERE THE TOWN PROPOSES TO ISSUE PERMITS FOR SIDEWALK CAFES; AUTHORIZING TOWN OFFICIALS TO TAKE ALL STEPS NECESSARY TO CARRY OUT THE TERMS OF THIS RESOLUTION; AND PROVIDING FOR AN EFFECTIVE DATE.

I. Reformation of Current Student Loan System – Commissioner Michelle Kligman Page 124-127

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA (“TOWN”) AFFIRMING SUPPORT FOR THE MIAMI-DADE COUNTY BOARD OF COMMISSIONERS RESOLUTION NO. R-637-13 URGING THE U.S. CONGRESS AND THE U.S. DEPARTMENT OF EDUCATION TO REFORM THE CURRENT STUDENT LOAN SYSTEM; URGING THE U.S. CONGRESS TO RESTORE THE 3.4 PERCENT (3.4%) INTEREST RATE ON SUBSIDIZED FEDERAL STUDENT LOANS; PROVIDING FOR AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE.

4. Ordinances

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

A. Second Readings (Ordinances and Public Hearing)

1. Deferred Retirement Option Plan (“DROP”) – Yamileth Slate-McCloud, Human Resources Director and Michael P. Crotty, Town Manager Page 128-133

AN ORDINANCE AMENDING THE CODE OF THE TOWN OF SURFSIDE; RELATING TO THE RETIREMENT PLAN FOR EMPLOYEES OF THE TOWN OF SURFSIDE; AMENDING SECTION 2-193 OF THE CODE TO PERMIT ALL MEMBERS ELIGIBLE FOR NORMAL RETIREMENT TO PARTICIPATE IN THE DROP; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.

2. **Hardpack Easement – Linda Miller, Town Attorney Page 134-140**

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA AMENDING CHAPTER 90 SECTION 90-60 “CONSTRUCTION ADJACENT TO BULKHEAD LINES” SUBSECTION 90-60.1 OF THE TOWN OF SURFSIDE CODE OF ORDINANCES REQUIRING NO PERMIT SHALL BE ISSUED FOR THE REPAIR, EXTENSION, ALTERATION OR REPLACEMENT OF ANY HABITABLE, FULLY-ENCLOSED STRUCTURE EAST OF THE OCEAN BULKHEAD LINE; NO PERMIT SHALL BE ISSUED FOR THE CONSTRUCTION OF ANY HABITABLE, FULLY ENCLOSED STRUCTURE CLOSER THAN 20 FEET TO THE WEST OF THE OCEAN BULKHEAD LINE; ALL PROPERTIES EAST OF THE OCEAN BULKHEAD LINE WILL BE REQUIRED TO PROVIDE AN ACCESS EASEMENT TO THE TOWN GRANTING THE PERPETUAL USE OF THE HARDPACK TO THE PUBLIC; PROVIDING FOR INCLUSION IN THE CODE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

3. **Trellises – Sarah Sinatra, Town Planner Page 141-145**

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA AMENDING CHAPTER 90 “ZONING” SPECIFICALLY SECTION 90-19 “SINGLE-FAMILY AND TWO-FAMILY DEVELOPMENT PROCESS” TO ADD “TRELLISES” LOCATED IN THE REAR OR INTERIOR SIDE YARD TO ITEMS NOT SUBJECT TO PLANNING & ZONING BOARD REVIEW; PROVIDING FOR INCLUSION IN THE CODE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

4. Required Carport Standards – Sarah Sinatra, Town Planner Page 146-150

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA AMENDING CHAPTER 90 “ZONING”, AND SPECIFICALLY AMENDING SECTION 90-58 “CARPORT CANOPIES” FOR CONSISTENCY WITH DRIVEWAY REGULATIONS AND CONSTRUCTION STANDARDS; PROVIDING FOR INCLUSION IN THE CODE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

5. Metal Roofs – Sarah Sinatra, Town Planner Page 151-154

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA AMENDING CHAPTER 90 “ZONING” SPECIFICALLY SECTION 90-50 “ARCHITECTURE AND ROOF DECKS” TO EXCLUDE METAL ROOFS FROM PLANNING & ZONING BOARD REVIEW; PROVIDING FOR INCLUSION IN THE CODE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE

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

B. First Reading Ordinances

5. Resolutions and Proclamations

(Set for approximately N/A p.m.) (Note: Depends upon length of Good and Welfare)

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. **Awards, Presentations and Recognition Meetings** – Commissioner Joe Graubart
Page 155
- B. **Veterinary Clinics** – Sara Sinatra, Town Planner [TIME CERTAIN 7:30 PM]
Page 156-163

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.