



**Town of Surfside
Town Commission Meeting
AGENDA**

September 17, 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 – Page 1-12

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

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 23, 2013 Special Commission Meeting Minutes Page 13-28
August 5, 2013 Special Commission Meeting Minutes
August 13, 2013 Regular Commission Meeting Minutes

**B. Budget to Actual Summary as of June 30, 2013 – Donald Nelson, Finance Director
Page 29-31**

***C. Town Manager’s Report – Michael P. Crotty, Town Manager Page 32-56**

***D. Town Attorney’s Report – Linda Miller, Town Attorney Page 57-60**

***E. Projects Progress Report – Calvin, Giordano and Associates, Inc. Page 61-63**

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 64-73

- July 15, 2013 Parks and Recreation Committee Minutes
- July 25, 2013 Planning and Zoning Board Minutes

G. Florida Department of Transportation (FDOT) Sidewalk Café Lease Agreement (Revision) – Duncan Tavares, TEDACS Director Page 74-101

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.

H. Approval for Payment of Emergency Repairs to the A/C Units at Town Hall to Smart Air Systems Inc. – Joseph Kroll, Public Works Director Page 102-107

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, RATIFYING AFTER THE FACT THE EXPENDITURE TO SMART AIR SYSTEMS, INC. IN THE AMOUNT OF \$9,459.00 FOR THE EMERGENCY REPAIR OF THE CENTRAL AIR CONDITIONING UNITS LOCATED AT TOWN HALL; PROVIDING FOR APPROVAL; PROVIDING FOR AN EFFECTIVE DATE.

I. Fiber Optic Cable – Daniel Dietch, Mayor Page 108-110

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA (TOWN) AFFIRMING SUPPORT FOR THE INSTALLATION OF FIBER OPTIC CABLE FOR PUBLIC USE IN THE FLORIDA EAST COAST RAIL CORRIDOR; URGING ALL MUNICIPALITIES OF MIAMI-DADE COUNTY TO SUPPORT THE INSTALLATION OF FIBER OPTIC CABLE FOR PUBLIC USE IN THE FLORIDA EAST COAST RAIL CORRIDOR; PROVIDING FOR APPROVAL AND AUTHORIZATION; PROVIDING FOR AN EFFECTIVE DATE.

J. Constitution Week Proclamation – Mayor Daniel Dietch Page 111-112

K. Childhood Cancer Awareness Month Proclamation – Mayor Daniel Dietch Page 113-114

L. Golden Veterans Parade 50th Anniversary Commemoration – Mayor Daniel Dietch Page 115-117

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA (“TOWN”); EXPRESSING SUPPORT FOR THE NOVEMBER 8, 2013 MIAMI-DADE COUNTY MILITARY AFFAIRS BOARD “GOLDEN VETERANS PARADE 50TH ANNIVERSARY COMMEMORATION” COMMEMORATING THE 50TH ANNIVERSARY OF THE VIETNAM WAR; PROVIDING FOR AUTHORIZATION; 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)

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

B. First Reading Ordinances

1. **Ordinance Amending Future Land Use Element of the Comprehensive Plan**
– Nancy E. Stroud, Esq., Special Land Use Counsel [SET FOR TIME
CERTAIN AT 8:00PM] Page 118-123

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA AMENDING THE FUTURE LAND USE ELEMENT OF THE TOWN OF SURFSIDE COMPREHENSIVE PLAN BY AMENDING POLICY 1.1 TO DELETE PUBLIC SCHOOLS AS A USE IN POLICY 1.1 MODERATE DENSITY RESIDENTIAL/TOURIST LAND USE CATEGORY; ADDING POLICY 10.6 TO PROVIDE FOR LAND DEVELOPMENT REGULATIONS THAT ALLOW REASONABLE RELIEF FOR RELIGIOUS USES AND MAP FLU-8; PROVIDING A SEVERABILITY CLAUSE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; AND PROVIDING FOR AN EFFECTIVE DATE.

2. **Veterinary Clinics – Sarah Sinatra, Town Planner Page 124-131**

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA AMENDING CHAPTER 90 “ZONING” OF THE TOWN OF SURFSIDE CODE OF ORDINANCES AND SPECIFICALLY AMENDING SECTION SEC. 90-41(d) “REGULATED USES” ADDING VETERINARY OFFICE AS A CONDITIONAL USE; PROVIDING FOR INCLUSION IN THE CODE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; AND PROVIDING FOR AN EFFECTIVE DATE.

5. Resolutions and Proclamations

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

A. Community Rating System Consultant CRS Max – Rosendo Prieto, Building official Page 132-135

A RESOLUTION OF THE TOWN OF SURFSIDE, FLORIDA AUTHORIZING THE TOWN ADMINISTRATION TO RETAIN COMMUNITY RATING SYSTEM MAX CONSULTANTS (CRS MAX), INC. TO ASSIST THE TOWN IN REESTABLISHING ITS PARTICIPATION IN THE NATIONAL FLOOD INSURANCE PROGRAM'S COMMUNITY RATING SYSTEM; AUTHORIZING THE TOWN MANAGER AND TOWN ATTORNEY TO EXECUTE AN AGREEMENT FOR RETENTION OF CRS FOR CONSULTING SERVICES; AUTHORIZING THE APPROPRIATION AND EXPENDITURE FROM THE 2013/2014 FISCAL YEAR BUDGET NOT TO EXCEED \$15,000 FROM THE BUILDING SERVICES DEPARTMENT IN THE GENERAL FUND; PROVIDING FOR AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE.

B. Five Year Parks and Recreation Capital Plan – Tim Milian, Parks and Recreation Director Page 136-140

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA (“TOWN”) ACCEPTING THE PARKS AND RECREATION DEPARTMENT FIVE-YEAR CAPITAL PLAN; APPROVING THE PRIORITIES SET WITHIN THE CAPITAL PLAN; AND AUTHORIZING THE TOWN MANAGER TO TAKE NECESSARY ACTION TO COLLECT VOLUNTARY PROFFERS ASSOCIATED WITH THE CAPITAL PLAN; PROVIDING FOR AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE.

C. Awning and Sign Code Update – Sarah Sinatra, Town Planner Page 141-144

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA (“TOWN”) APPROVING CALVIN-GIORDANO & ASSOCIATES, INC. (CGA) WORK AUTHORIZATION NO. 73 (UPDATING AWNINGS AND SIGN CODE, CGA PROPOSAL NO. 13-5932) IN A TOTAL AMOUNT NOT TO EXCEED \$15,000; PROVIDING FOR AUTHORIZATION, 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. **Awards, Presentations and Recognition Meetings** – Commissioner Joe Graubart Page 145
- B. **Town Commission “Liaison” “Ex-Officio”** – Commissioner Marta Olchyk Page 146-147
- C. **Comparison of Code Compliance Processes “Notice of Violation” vs. “Civil Citation” for Enforcement of Town Code** – Joe Damian, Code Compliance Director Page 148-164
- D. **Town Manager Performance Evaluation** – Mayor Daniel Dietch Page 165-172

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.