



**Town of Surfside
Town Commission Meeting
AGENDA**

**September 9, 2014
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. Introduction of Bay Harbor Islands Language Arts After School Program – Bay Harbor Islands Council Member Joshua Fuller Page 1**

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** – Sandra Novoa, CMC, Town Clerk **Page 2-17**
August 12, 2014 – Regular Town Commission Meeting Minutes
August 13, 2014 – Special Town Commission Meeting Minutes
- B. Budget to Actual Summary as of June 30, 2014** – Donald Nelson, Finance Director
Page 18-21
- *C. Town Manager’s Report** – Michael P. Crotty, Town Manager **Page 22-36**
- *D. Town Attorney’s Report** – Linda Miller, Town Attorney **Page 37-42**
- *E. Projects Progress Report** – Calvin, Giordano and Associates, Inc. **Page 43-44**
- F. Committee Reports** – Michael P. Crotty, Town Manager **Page 45-91**

- June 19, 2014 Pension Board Meeting Minutes
- June 26, 2014 Planning & Zoning Board Minutes
- July 7, 2014 Community Center Expansion Meeting Minutes
- July 7, 2014 Parks and Recreation Committee Meeting Minutes
- July 7, 2014 Tourist Board Meeting Minutes
- July 21, 2014 Sand Committee Meeting Minutes
- July 29, 2014 Sand Committee Meeting Minutes
- August 5, 2014 Sand Committee Meeting Minutes

- G. Expenditure of Forfeiture Funds** – David Allen, Chief of Police **Page 92-96**

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, PROVIDING FOR THE FISCAL YEAR 2013/2014 POLICE CONFISCATION FUND EXPENDITURE IN THE AMOUNT OF \$7,757.60 FROM THE FORFEITURE FUND FOR THE PURCHASE OF ADOBE ACROBAT XI STANDARD LICENSES FOR THE NEW PATROL LAPTOPS; PROVIDING FOR AUTHORIZATION AND APPROVAL; PROVIDING FOR AN EFFECTIVE DATE.

H. Mutual Aid Agreement between the School Board of Miami Dade County by and through the Miami Dade Schools Police Department and the Town of Surfside Police Department – David Allen, Chief of Police Page 97-107

A RESOLUTION OF THE TOWN OF SURFSIDE, FLORIDA ACKNOWLEDGING THE LAW ENFORCEMENT MUTUAL AID AGREEMENT FOR VOLUNTARY COOPERATION AND OPERATIONAL ASSISTANCE BETWEEN THE SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA MIAMI-DADE SCHOOLS POLICE DEPARTMENT AND THE TOWN OF SURFSIDE POLICE DEPARTMENT; AUTHORIZING THE TOWN MANAGER AND CHIEF OF POLICE TO EXECUTE AND IMPLEMENT THE TERMS AND CONDITIONS OF THE MUTUAL AID AGREEMENT; AND PROVIDING FOR AN EFFECTIVE DATE.

I. Mutual Aid Agreement between Miami Dade County and the Town of Surfside for the Multi-Agency Gang Task Force – David Allen, Chief of Police Page 108-117

A RESOLUTION OF THE TOWN OF SURFSIDE, FLORIDA ACKNOWLEDGING THE MUTUAL AID AGREEMENT BETWEEN MIAMI-DADE COUNTY AND THE TOWN OF SURFSIDE FOR THE MULTI-AGENCY GANG TASK FORCE; AUTHORIZING THE TOWN MANAGER AND CHIEF OF POLICE TO EXECUTE AND IMPLEMENT THE TERMS AND CONDITIONS OF THE MUTUAL AID AGREEMENT; AND PROVIDING FOR AN EFFECTIVE DATE.

J. Resolution – Authorizing Agreement with HSWMR for Toxicological, Environmental and Health Assessment Services – Michael P. Crotty, Town Manager Page 118-121

RESOLUTION OF THE TOWN OF SURFSIDE, FLORIDA AUTHORIZING THE TOWN ADMINISTRATION TO RETAIN HAZARDOUS SUBSTANCE AND WASTE MANAGEMENT RESEARCH, INC. (“HSWMR”) TO ASSIST THE TOWN IN THE EVALUATION OF POTENTIAL ENVIRONMENTAL AND HEALTH RISKS RELATED TO THE BEACH SAND IN SURFSIDE, FLORIDA; AUTHORIZING THE TOWN MANAGER TO EXECUTE AN AGREEMENT FOR RETENTION OF HSWMR FOR THE TOXICOLOGY EVALUATION OF THE SURFSIDE BEACH SAND; AUTHORIZING THE APPROPRIATION AND EXPENDITURE FROM THE 2013/2014 FISCAL YEAR BUDGET NOT TO EXCEED \$38,000.00 FROM THE GENERAL FUND, NON-DEPARTMENTAL ACCOUNT NO. 001-7900-590-3110; PROVIDING FOR AUTHORIZATION; PROVIDING FOR AN EFFECTIVE DATE.

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. Massing – Sarah Sinatra, Town Planner Page 122-129

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA AMENDING THE TOWN OF SURFSIDE CODE OF ORDINANCES BY AMENDING CHAPTER 90 ZONING; SECTION 90-51 MAXIMUM FRONTAGE OF BUILDINGS, SPECIFICALLY AMENDING SECTION 90-51.1 TO LIMIT THE HEIGHT OF THE 270 FOOT LONG PLATFORM TO 30 FEET IN HEIGHT AND LIMIT THE TOWERS TO 150 FEET IN LENGTH; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR SEVERABILITY; 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 9:00 p.m.) (Note: Depends upon length of Good and Welfare)

A. Historic Preservation – Vice Mayor Eli Tourgeman Page 130-135

RESOLUTION OF THE TOWN OF SURFSIDE URGING THE MIAMI-DADE COUNTY HISTORIC PRESERVATION BOARD (“BOARD”) TO GRANT A SIX MONTH DEFERRAL FOR DESIGNATION OF ANY AND ALL PROPERTIES IN THE TOWN OF SURFSIDE AS HISTORIC STRUCTURES OR DISTRICTS; TO PROVIDE THE TOWN AN OPPORTUNITY TO WORK WITH THE BOARD’S STAFF; TO ALLOW THE TOWN TIME TO ANALYZE PREPARATION OF ZONING CRITERIA; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE.

B. Employee Health Benefits Contract Renewal for FY 14-15 – Yamileth Slate-McCloud, Human Resources Director Page 136-168

A RESOLUTION OF THE TOWN COMMISSION FOR THE TOWN OF SURFSIDE, FLORIDA, APPROVING THE GROUP HEALTH AND DENTAL PLAN WITH UNITED HEALTHCARE PLAN AND TERM LIFE INSURANCE, ACCIDENTAL DEATH, SHORT TERM DISABILITY, AND LONG TERM DISABILITY WITH MUTUAL OF OMAHA (“THE PROVIDERS”); PROVIDING FOR AUTHORIZATION; PROVIDING FOR AN EFFECTIVE DATE.

C. Approval to Award Phase II of 95th Street Improvements from the Bulkhead East to the Hard Pack – Joseph Kroll, Public Works Director Page 169-177

RESOLUTION OF THE TOWN COMMISSION FOR THE TOWN OF SURFSIDE, FLORIDA DESIGNATING THE TOWN TO ACT AS ITS OWN CONTRACTOR TO COMPLETE PHASE 2 OF THE 95th STREET END IMPROVEMENTS; AUTHORIZING THE PHASE II IMPROVEMENTS IN THE AMOUNT OF \$85,252.55 FROM THE SPECIAL PROJECTS ACCOUNT NO. 301-44-541-6310 WITH SAID FUNDS AVAILABLE FROM THE VOLUNTARY PROFFERS; PROVIDING FOR APPROVAL AND AUTHORIZATION; PROVIDING FOR AN EFFECTIVE DATE.

D. Calvin, Giordano & Associates, Inc. (CGA) Engineering Services Contract Approval – Joseph Kroll, Public Works Director Page 178-229

A RESOLUTION OF THE TOWN OF SURFSIDE, FLORIDA, AWARDED A CONTRACT FOR PROFESSIONAL GENERAL ENGINEERING SERVICES BY CALVIN, GIORDANO & ASSOCIATES, INC. (“CGA”) TO ACT AS THE TOWN’S ENGINEERING FIRM TO PROVIDE PROFESSIONAL GENERAL ENGINEERING SERVICES PER THE REQUEST FOR QUALIFICATIONS NO. 2014-002 (THE “RFQ”) ATTACHED HERETO AS ATTACHMENT “A”; PROVIDING FOR IMPLEMENTATION AND AUTHORIZATION OF AGREEMENT; AND PROVIDING FOR AN EFFECTIVE DATE.

**E. FY 13/14 Proposed Budget Amendment Resolution – Donald Nelson,
Finance Director Page 230-237**

RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, AMENDING THE ANNUAL BUDGET RESOLUTION ADOPTED FOR FISCAL YEAR OCTOBER 1, 2013 TO SEPTEMBER 30, 2014; FOR THE PURPOSE OF AMENDING THE ANNUAL BUDGET IN THE GENERAL FUND, CAPITAL PROJECT FUND, RESORT TAX FUND, TRANSPORTATION FUND, POLICE FORFEITURE FUND, WATER & SEWER FUND, STORMWATER FUND, PARKING FUND, AND SOLID WASTE FUND; AND OTHER ADJUSTMENTS TO THE BUDGET FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2014; PROVIDING FOR AN EFFECTIVE DATE.

F. Extension of American Traffic Solutions, Inc. Agreement (Red Light Camera Safety Program) for Three Years – David Allen, Chief of Police Page 238-241

RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, AUTHORIZING THE TOWN TO ENTER INTO A THIRD AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT BETWEEN AMERICAN TRAFFIC SOLUTIONS, INC. (“ATS”) AND THE TOWN OF SURFSIDE; AUTHORIZING THE TOWN MANAGER TO DO ALL THINGS NECESSARY TO IMPLEMENT THE TERMS OF THE THIRD AMENDMENT; 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. **Policy Regarding Walking Dogs on the Narrow Walk Path (Upper Beach Walking Path) – Commissioner Marta Olchyk Page 242-244**
- B. **Historical Preservation**
 - 1. Discussion on Historical Presentation – Commissioner Marta Olchyk **Page 245**
 - 2. Demolition Permit Information – Rosendo Prieto, Building Official **Page 246**
- C. **Report on Eruv (FDEP Authorization) – Rosendo Prieto, Building Official Page 247-249**
- D. **Medical Marijuana –Michael P. Crotty, Town Manager Page 250-251**
- E. **Solid Waste Rate Structure (Verbal Report and Request for Workshop on September 23, 2014)– Donald Nelson, Finance Director and Joseph Kroll, Public Works Director**
- F. **Surfside Seawall Replacement Project Bid Value Engineering – Chris Giordano, CGA Page 252-254**
- G. **Salary for Commission Members (Verbal) – Vice Mayor Eli Tourgeman**
- H. **Discussion on Future Meetings and Consideration of Rescheduling the September 11 Special Meeting on Presentation of Sand Report (Verbal) – Michael P. Crotty, Town Manager**
- I. **Zoning in Progress for Service Uses in the Business District – Vice Mayor Eli Tourgeman Page 255**

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 THAT ARE DISABLED; WHO NEED SPECIAL ACCOMMODATIONS TO PARTICIPATE IN THIS MEETING BECAUSE OF THAT DISABILITY SHOULD CONTACT THE OFFICE OF THE TOWN CLERK AT 305-861-4863 EXT. 226 NO LATER THAN FOUR DAYS PRIOR TO SUCH PROCEEDING.

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.