



**Town of Surfside
Town Commission Meeting
AGENDA**

SUPPLEMENTAL No. 1

February 14, 2012

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. Presentation to Commissioner Ted Kopelman – Mayor Daniel Dietch**
- H. Presentation from Miami Dade County Commissioner Sally Heyman – Mayor Daniel Dietch (SET FOR TIME CERTAIN AT 7:30PM)**
- I. Officer of the Year award – David Allen, Chief of Police**
- J. Police Civilian of the Year – David Allen, Chief of Police**
- K. Citizen Recognition of Dr. Shaw and Eli Tourgeman – David Allen, Chief of Police**
- L. Recognition of Larry Feder for his contributions to the Holiday Toy Drive – David Allen, Chief of Police**

2. Quasi-Judicial Hearings (None)

3. Consent Agenda (Set for approximately 7:45 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 - January 17, 2012 Regular Commission Meeting Page 1-11
January 23, 2012 Special Commission Meeting Page 12-14
- B. Budget to Actual Summary as of November 30, 2011 – Roger M. Carlton, Town Manager Page 15-16
- *C. Town Manager’s Report (Points of Light) – Roger M. Carlton, Town Manager Page 17-49 Attachment to POL # 27
- *D. Town Attorney’s Report – Lynn M. Dannheisser, Town Attorney Page 50-53
- *E. Projects Progress Report – Calvin, Giordano and Associates, Inc. Page 54-56

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

B. First Readings Ordinances

- *1. Sidewalk Businesses – Duncan Tavares, TEDACS Director Page 57-76

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 sidewalk cafes]

5. Resolutions and Proclamations

(Set for approximately 8:45 p.m.) (Note: Depends upon length of Good and Welfare)

- *A. A Resolution of the Mayor and Town Commission Permanently Extending the Provisions Contained in Resolution 11-1997 and 11-2043 that Provide

for Police Officers to Enforce Certain Provisions of the Town Code – Joe Damien, Code Compliance Director Page 77-80

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA (“TOWN”) APPROVING THE PERMANENT EXTENSION OF THE PROVISIONS CONTAINED IN RESOLUTION 11-1997 AND 11-2043 THAT PROVIDE FOR CODE ENFORCEMENT OFFICERS, WHO MAY INCLUDE LAW ENFORCEMENT OFFICERS, TO ADDRESS CODE VIOLATIONS FOR SECTION 90-79 “RESTRICTED AND PROHIBITED PARKING”, SECTION 74-01 “COMMERCIAL VEHICLES IN RESIDENTIAL AREA”; SECTION 54-02 “HANDBILL DISTRIBUTION”; SECTION 54-63 “SIDEWALK OR STREET OBSTRUCTION”; SECTION 54-78 “PROHIBITED NOISES”; SECTION 14-29 “CONSTRUCTION WORK WITHOUT PERMIT”; SECTION 10-28 “LEASH LAWS”; SECTION 10-32 “FECAL DISPOSAL”; SECTION 10-33 “DOGS ON THE BEACH”; SECTION 10-36 “BARKING OR VICIOUS DOGS”; SECTIONS 34-78 THROUGH 34-80 “LITTER ORDINANCE”; AND PROVIDING FOR AN EFFECTIVE DATE.

B. Resolution in Sympathy to the family of Jack Stevens, a Downtown Vision Advisory Committee Member – Roger M. Carlton, Town Manager Page 81-82

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, EXPRESSING SYMPATHY TO THE FAMILY OF JACK STEVENS, A LONG TIME PROPERTY OWNER IN DOWNTOWN SURFSIDE AND AN ACTIVE MEMBER OF THE DOWNTOWN VISION ADVISORY COMMITTEE.

*C. Executive Recruitment of Finance Director – Roger M. Carlton, Town Manager Page 83-135 Supplemental Commission Communication

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, APPROVING AN EXPENDITURE FROM THE GENERAL FUND FOR AN EXECUTIVE RECRUITING FIRM FOR SELECTION OF A FINANCE DIRECTOR; AUTHORIZING AN EXPENDITURE NOT TO EXCEED \$25,000; 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. Discussion of 4th of July Events – Tim Milian, Parks and Recreation Director Page 136**
- *B. Update on Candidate Forum (Verbal) – Roger M. Carlton, Town Manager**
- C. Surfside Ballot question(s) for the upcoming United States Presidential election of 2012; to be held on Tuesday, November 6, 2012 regarding multi-level parking garage(s) and the location(s) – Vice Mayor Joe Graubart Page 137**
- D. Soft Drinks/Soda Vending Machine at 96th Street Park – Vice Mayor Joe Graubart Page 138 - 140**
- E. Resort Tax Update – Duncan Tavares, TEDACS Director Page 141-142**
- F. Ratification of the Fraternal Order of Police Local 135, Collective Bargaining Agreement– Yarnileth Slate-McCloud, Human Resources Director (Verbal Report)**

10. Adjournment

Respectfully submitted,



Roger M. Carlton
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.