



**Town of Surfside  
Town Commission Meeting  
SUPPLEMENTAL # 2**

**May 15, 2013  
7 p.m.**

Town Hall Commission Chambers - 9293 Harding Ave, 2<sup>nd</sup> 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 Beach 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  N/A  p.m.) (Note: Good and Welfare must begin at 8:15)*

**B. First Reading Ordinances**

**5. Resolutions and Proclamations**

*(Set for approximately 8:30 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**

**A 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 94<sup>th</sup> 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 94<sup>TH</sup> 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 94<sup>TH</sup> STREET PARKING LOT TO LUKES' LANDSCAPING, INC. DBA LUKES-SAWGRASS LANDSCAPE FOR A PROPOSAL TO LANDSCAPE THE ABBOTT AVENUE AND 94<sup>TH</sup> 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. 4<sup>th</sup> of July Fireworks – Tim Milian, Parks and Recreation Director Page 258-264**

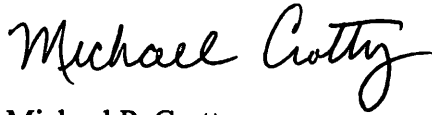
**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, APPROVING THE EXPENDITURE FOR ZAMBELLI FIREWORKS MANUFACTURING CO. FOR EXHIBITION AND**

**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
  - E. Rising Sea Levels** - Commissioner Michelle Kligman
  - 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
  - J. Harding Avenue Streetscape Design Presentation** – Duncan Tavares, TEDACS Director **(TIME CERTAIN 9:00 PM) (Updated Memo)**
  - K. Code Enforcement and Hedges** – Commissioner Michelle Kligman

## 10. Adjournment

Respectfully submitted,



Michael P. Crotty  
Town Manager

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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](http://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

**Date:** May 15, 2013

**Subject:** Harding Avenue Streetscape

**Background:** The Town has \$400,000 committed from The Surf Club redevelopment and \$250,000 from the Chateau developers as voluntary proffers for this project. These funds are part of the development processes tied to each property and are not presently paid to the Town.

Santec, formerly C3TS, the Town Commission approved architectural/engineering firm, has worked on the streetscape design utilizing the Town's approved contract and pricing list with Lukes-Sawgrass Landscape (Lukes) for some of the identified costs.

The project team, spearheaded by the Town Manager with the TEDACS Director acting as coordinator, includes a number of representatives from Santec as well as Town Staff from the Public Works, Building and Planning Departments. While communication via email and phone is ongoing, this team has met, and will continue to meet through project completion, a minimum of every two weeks since March 7, 2013. These meetings are challenging due to the existing vacancies within the three most important departments charged with the oversight of this process.

By Town Commission reviewing this item at the May 15, 2013 Town Commission Meeting, the project can remain on track for a late fall completion. This will coincide with the opening of the Grand Beach Surfside.

**Analysis:** Late last week the estimated budget was \$260,000 over the committed proffers. Initially it was thought that an alternative design recommendation would be necessary to come within budget. Royal Palms, while a stately substitute for Medjool palms and a substantial budgetary savings, could potential create a liability for the Town due to the way the palms shed. Lukes has since contacted the Medjool grower in California and has secured a substantially lower price if he purchases the palms in a larger bulk order than this project requires. Lukes is committed to coordinate this project with others that he is working on to secure that lower price for Surfside.

The Downtown Vision Advisory Committee, Planning & Zoning as well as representatives from the downtown property owners have seen the proposed design and have unanimously supported moving the project forward as presented. The project is \$22,000 over the proffered budget when the contingency and professional services are factored in (Attachment A).

However there are some unresolved challenges moving forward. FPL has not responded to the scope of work and there may be an impact on the overall cost. Permit fees have yet to be determined and there is a number of buildings downtown where the trees will impact the existing awnings that will need to be addressed at a presently unknown cost.



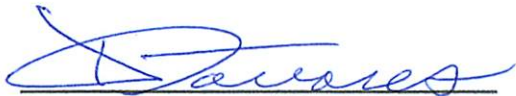
**Budget Impact:** To complete the project this year, and prior to receiving the associated voluntary proffers, the Town would utilize funding from the Fiscal Year 12/13 Capital Improvements account within the General Fund. Once the proffers are received they would be deposited against any existing expenses related to the project.

The timeline for the Town to receive the voluntary proffers is as follows:


*The Surf Club:* \$200,000 presented to the Town upon the awarding of the streetscape project  
\$200,000 upon completion of the project  
*Chateau:* \$50,000 June 30, 2013  
\$100,000 September 30, 2013  
\$100,000 December 31, 2013

**Staff Impact:** Existing staff will continue to coordinate with Santec and Lukes-Sawgrass Landscape to complete the project.

**Recommendation:** Staff is seeking Town Commission approval of the design concept and direction on the additional cost considerations.



Duncan Tavares, TEDACS Director



Michael P. Crotty, Town Manager

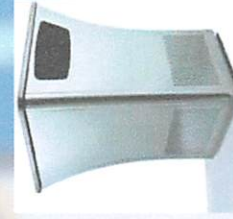
Probable Cost Estimate  
Original Scope of Work  
Medjool Palms Main



Accent Trees      Main Tree



Standard Bench



Standard Litter and Recycle



Item	Quantity	Cost (Each)	Total Cost	Remaining Cont.
<b>Total Project Budget</b>			<b>\$650,000.00</b>	<b>\$650,000.00</b>
Professional Fees		\$57,500.00	\$57,500.00	\$592,500.00
Contingency (10%)		\$59,250.00	\$59,250.00	\$533,250.00
<b>Relocation of existing trees. To a site elsewhere in the City (By Supplier)</b>	75	\$0.00	\$0.00	\$533,250.00
<b>Reconfiguration of existing irrigation system (Dripper Pipe System)</b>	1	\$20,000.00	\$20,000.00	\$513,250.00
Expansion of planting pits (From 3'x3' to 5'x5')	69	\$100.00	\$6,900.00	\$506,350.00
Medjool Palms (Main Tree)	69	\$5,250.00	\$362,250.00	\$144,100.00
Up Lighting for palm trees (LED, 2 per palm, +receptacle)	138	\$750.00	\$103,500.00	\$40,600.00
<b>Contingency Adjusted</b>		0%		
<b>Contingency Remaining</b>	1	<b>\$59,250.00</b>	<b>\$59,250.00</b>	<b>\$99,850.00</b>
<b>General Planting (shrubs, accent palms, etc.)</b>	1	\$65,000.00	\$65,000.00	\$34,850.00
<b>"Pocket Parks" (including cutting, patching, and new concrete)</b>	8	\$2,000.00	\$16,000.00	\$18,850.00
<b>Benches for Pocket Parks (two per park) Basic line</b>	16	\$1,310.00	\$20,960.00	<b>-\$2,110.00</b>
<b>Trash Cans Basic line</b>	12	\$1,230.00	\$14,760.00	<b>-\$16,870.00</b>
<b>Recycle Cans Basic line</b>	4	\$1,320.00	\$5,280.00	<b>-\$22,150.00</b>
<b>TOTAL COSTS (Not Including Professional Fees)</b>			<b>\$614,650.00</b>	<b>-\$22,150.00</b>

FPL has not responded as to this scope of work and to see how it will impact overall costs.

Estimate of Probable Cost prepared by Rosenberg Gardner Design



Harding Avenue Streetscape Improvements

SurfsideGreenway

Presentation

