



**Town of Surfside
Regular Town Commission Meeting
AGENDA
March 9, 2021
7 p.m.**

1. Opening

A. Call to Order

B. Roll Call of Members

C. Mayor and Commission Remarks – Mayor Charles W. Burkett

D. Agenda and Order of Business Additions, deletions and linkages

E. Community Notes – Mayor Charles W. Burkett

F. Senator Jason Pizzo - Mayor Charles W. Burkett

G. Presentation of the \$1.00 Salary to the Mayor and the Members of the Town Commission – Andrew Hyatt, Town Manager

H. FPL Update - Andrew Hyatt, Town Manager

2. Quasi-Judicial Hearings

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 that an item be removed from the Consent Agenda and discussed separately. If the public wishes to speak on a matter on the consent agenda they must inform the Town Clerk prior to the start of the meeting. They will be recognized to speak prior to the approval of the consent agenda.*

A. Minutes – Sandra N. McCreedy, MMC, Town Clerk (Pages 1-52)

- February 4, 2021 Zoning Workshop Meeting Minutes
- February 9, 2021 Regular Town Commission Meeting Minutes
- February 18, 2021 Zoning Workshop Meeting Minutes
- February 23, 2021 Special Town Commission Meeting Minutes

***B. Town Manager's Report – Andrew Hyatt, Town Manager (Pages 53 -62)**

***C. Town Attorney's Report** – Weiss Serota, Town Attorney (Pages 63-70)

D. Committee Reports - Andrew Hyatt, Town Manager (Pages 71 - 128)

- January 4, 2021 Tourist Board Meeting Minutes
- January 19, 2021 Budget Advisory Committee Meeting Minutes
- January 21, 2021 Special Planning and Zoning Board Meeting Minutes
- January 25, 2021 Parks and Recreation Committee Meeting Minutes
- January 28, 2021 Planning and Zoning Board Meeting Minutes
- February 11, 2021 Planning and Zoning Board Meeting Minutes

E. Limousine of South Florida, Inc. Municipal Bus Services Renewal – Andrew Hyatt, Town Manager (Pages 129 - 135)

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, APPROVING THE FOURTH AMENDMENT TO THE AGREEMENT WITH LIMOUSINES OF SOUTH FLORIDA, INC. FOR MUNICIPAL BUS SERVICES; AUTHORIZING THE TOWN MANAGER TO EXECUTE THE FOURTH AMENDMENT; PROVIDING FOR IMPLEMENTATION; AND 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 Reading Ordinances

(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 9:45 p.m.) (Note: Depends upon length of Good and Welfare)

A. Community Digital Signs Authorization to Expend – Andrew Hyatt, Town Manager (Pages 136 - 145)

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, APPROVING DON BELL SIGNS LLC, FOR THE INSTALLATION AND MAINTENANCE OF TWO COMMUNITY DIGITAL SIGNS; FINDING THAT THE WORK IS EXEMPT FROM COMPETITIVE BIDDING PURSUANT TO SECTION 3-13(7)F OF THE TOWN CODE AS A PUBLIC WORKS PURCHASE FOR TOWN FACILITIES; AUTHORIZING THE TOWN MANAGER TO ENTER INTO ANY NECESSARY AGREEMENT(S) FOR SUCH WORK; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

B. RFP 2020-03 Construction of Point Lake Subaqueous Water Main Crossing, RFP # 2020-03 Project Awarding - Andrew Hyatt, Town Manager (Pages 146 – 149)

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, SELECTING THE BID AND AWARDING A CONTRACT TO DAVID MANCINI & SONS, INC. FOR CONSTRUCTION OF THE POINT LAKE CANAL SUBAQUEOUS WATER MAIN CROSSING TO BISCAYA ISLAND; AUTHORIZING THE TOWN MANAGER TO NEGOTIATE AND ENTER INTO A CONTRACT FOR THE WORK IN ACCORDANCE WITH THE BID AND RFP NO. 2020-03; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

C. FY 2021 Budget Amendment Resolution No. 6 - Andrew Hyatt, Town Manager (Pages 150 – 154)

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, APPROVING BUDGET AMENDMENT NO. 6 TO THE FISCAL YEAR 2020/2021 BUDGET; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

D. Resolution Adopting a Civility Pledge by Town Officials – Vice Mayor Tina Paul (Pages 155 – 158)

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, ADOPTING A CIVILITY PLEDGE FOR ELECTED OFFICIALS ENGAGED IN PUBLIC DISCOURSE; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

E. Resolution Urging Governor Ron DeSantis to Increase Vaccine Allocations for Miami-Dade County – Vice Mayor Tina Paul (Pages 159 – 162)

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, URGING GOVERNOR DESANTIS TO INCREASE COVID-19 VACCINE ALLOCATIONS TO MIAMI-DADE COUNTY IN ORDER FOR THE TOWN AND OTHER LOCAL GOVERNMENTS IN MIAMI-DADE COUNTY TO MEET VACCINE DEMAND AMONG VULNERABLE COMMUNITY MEMBERS; PROVIDING FOR TRANSMITTAL; AND PROVIDING FOR AN EFFECTIVE DATE.

**6. Good and Welfare/ Public Comments from Residents
(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.

8. Unfinished Business and New Business

9. Mayor, Commission and Staff Communications

A. COVID-19 Task Force Update – Commissioner Charles Kesl

B. Amending Town Code Section 2-205 Conduct of Meetings; Agenda – Mayor Charles W. Burkett (Page 163 -179)

C. Demolition by Neglect - Mayor Charles W. Burkett (Page 180 - 182)

D. Excessive Homeless Contribution made by the Former Commission - Mayor Charles W. Burkett (Page 183)

E. Free (hassle-free) downtown parking for residents - Mayor Charles W. Burkett (Page 184 - 196)

F. Short-Term Rentals – Mayor Charles W. Burkett (Page 197)

G. Quality Control & Quality Assurance – Commissioner Charles Kesl (Page 198)

H. Increase Lighting Plan – Staff Report – Andrew Hyatt, Town Manager (Pages 199 - 227)

I. Lowering of Property Taxes and Water Bills – Staff Report – Andrew Hyatt, Town Manager (Page 228)

J. FPL Solar Together - Vice Mayor Tina Paul (Pages 229 - 232)

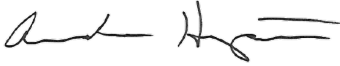
- K. Climate Environmental Collective Revised** - Vice Mayor Tina Paul ([Pages 233 - 235](#))
- L. Interest Free Loans to Surfside Builders Granted by Former Mayor and Commission** – Mayor Charles W. Burkett ([Page 236](#))
- M. Amending Town Code Section 2-237 Business Relationships** – Commissioner Eliana Salzhauer ([Pages 237 - 242](#))
- N. Community Center Pool Deck Lighting - Staff Report** – Andrew Hyatt, Town Manager ([Pages 243 - 244](#))
- O. Community Center Second Floor – Staff Report** - Andrew Hyatt, Town Manager ([Page 245](#))
- P. Designated (Painted) Walking Areas in the Residential District- Staff Report** – Andrew Hyatt, Town Manager ([Pages 246 - 248](#))
- Q. Alternative Kayak Launches in Addition to the 96th Street Park** – Mayor Charles W. Burkett ([Page 249](#))
- R. Stormwater Masterplan - Staff Report** – Andrew Hyatt, Town Manager ([Pages 250 - 251](#))
- S. Amend Tourist Board Ordinance** – Commissioner Nelly Velasquez ([Page 252](#))
- T. Legally Defective Charter Amendment Vote in 2012** – Mayor Charles W. Burkett ([Page 253](#))
- U. Traffic Control Devices on 88th & Hawthorne Avenue** – Commissioner Eliana Salzhauer ([Page 254](#))
- V. Cone of Silence/Secrecy** – Mayor Charles Burkett ([Page 255](#))
- W. License Plate Readers** – Mayor Charles W. Burkett ([Page 256](#))
- X. Cancel Culture in Surfside** - Mayor Charles W. Burkett ([Pages 257 - 263](#))
- Y. Permit Process** - Mayor Charles W. Burkett ([Pages 264 - 275](#))
- Z. High Water Bill** – Mayor Charles Burkett ([Pages 276 - 277](#))
- AA. Zoning Code Timetable** - Mayor Charles Burkett ([Page 278](#))
- BB. Kayak Survey Results** – Andrew Hyatt, Town Manager ([Page 279 – 280](#))
- CC. Zoning in Progress** – Mayor Charles Burkett ([Page 281](#))
- DD. Motorized Bikes on the Hardpack** - Mayor Charles Burkett ([Page 282](#))
- EE. Increased Commercial Airliner Flights over Surfside** - Mayor Charles Burkett ([Page 283](#))

Staff Reports

- A. Purchase of Land for Parks** – Commissioner Nelly Velasquez

10. Adjournment

Respectfully submitted,



Andrew Hyatt
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.



**Town of Surfside
Zoning Code Workshop – Single Family Area
MINUTES
February 4, 2021
6 p.m.**

1. Opening

A. Call to Order

Mayor Burkett called the meeting to order at 6:00 p.m.

B. Roll Call of Members

Town Clerk McCreedy called the roll with the following members present:

Present: Mayor Charles Burkett, Vice Mayor Tina Paul, Commissioner Charles Kesi (arrived at 6:06 pm), Commissioner Eliana Salzhauer (arrived at 6:03 pm), and Commissioner Nelly Velasquez (arrived at 6:24 pm).

Also present were Town Manager Andrew Hyatt, Town Attorney Lillian Arango and Town Attorney Tony Recio.

2. Introductory Statement and Background

Mayor Burkett gave an introductory statement and provided a background of the zoning code workshop.

Commissioner Salzhauer stated that she shares the vision of protecting Surfside from over development and disagrees that this was a unanimous vote on spending over \$100,000 on a new zoning code.

Mayor Burkett addressed the comments made by Commissioner Salzhauer and he said that he would go back to the votes on that subject and they are there to improve the code.

Commissioner Kesi stated that he would like to keep this simple and he would like to see what the issues are.

Vice Mayor Paul commented on the vote and the changes being unclear and spoke regarding the 2006 code and is not sure if she could support this.

3. Proposed Process

4. Overview of Code Layout

5. Presentation of Draft Code's Regulations Affecting Single Family

A. Lot Coverage

Town Attorney Recio gave a presentation on the proposed zoning code and its changes for the residential portion for lot coverage. He spoke regarding the practical difficulty variance and its limitations for existing homes. He discussed the H30B district as it pertains to lot coverage.

B. Height

Town Attorney Recio gave a presentation on the proposed zoning code and its changes for the residential portion for height. He stated that the height is measured from the crown of the road abutting the property to the roof. He spoke regarding the difference in measuring height as it pertains to a flat roof and a pitched roof. He stated not to discourage pitched roof. He stated the height limit being 30 feet and some pressures that might be considered. He discussed certain elevations in measuring crown of road.

Town Attorney Recio spoke regarding H30A, H30B and H30C height modifications and gave examples of cupolas, chimneys, flagpoles and similar architectural features.

C. Setbacks

Town Attorney Recio explained the setbacks and the amount of setback for the structures for the front and the rear. He discussed how it currently is written in the current code and this rewrite of the code has been made to simplify it.

i. Average Setbacks

Town Attorney Recio explained the average setbacks and lot coverage examples and this is discouraged in this code for typical interior lots.

ii. Encroachments

Town Attorney Recio discussed the setback encroachments in connection with single family and duplexes. He discussed that the Planning and Zoning Board has considered potential 24" encroachment be allowed for eaves of flat roofs provided they are no more than 6" vertical thickness, to maintain appropriate scale. He stated that George Kousoulas suggested side steps be allowed to project no more than 3 feet into a setback and no more than 18" above grade. He discussed the projections and encroachments on setback areas. He spoke regarding side yard steps and what the code currently allows.

D. Special Situations

Town Attorney Recio spoke regarding the special situations of the front of the lots and its impact on what your setbacks would be.

i. Corner Lots

Town Attorney Recio spoke regarding the special situations involving corner lots and their setbacks.

ii. Waterfront

Town Attorney Recio spoke regarding special situations on the waterfront lots and what Section 90-179(c) in the H30A district.

E. Accessory Structures

Town Attorney Recio spoke regarding the accessory structures and the key for this is the percentage of 20% in H30B of the area and goes up to 30% in H30A. He spoke regarding pools and sheds. He stated that this does not exempt the structure from other requirements.

F. Accessory Uses

Town Attorney Recio spoke regarding the accessory uses and home offices. He stated that it is unclear as to what the difference is from an

office to a den in your home. The current code allows a work vehicle. He spoke regarding commercial uses not being allowed in residential area.

G. Fences

Town Attorney Recio spoke regarding the fences and the maximum height and allowable capacity. He spoke regarding the street side yards and extend into the right of way.

H. Car Canopies

Town Attorney Recio spoke regarding the car canopies and if one wants them there is a process in order to have them approved and there is a height requirement.

I. Landscaping and Permeability

Town Attorney Recio spoke regarding the landscaping permeability, the impervious area, drainage and stated that the landscape code has been extensively revamped.

J. Nonconformities

Town Attorney Recio spoke regarding the nonconformities and explained what those are. He stated that is how they deal with the properties that do not meet the current requirement. He spoke regarding structures and those that are abandoned.

K. Lot Splitting and Lot Aggregation

Town Attorney Recio spoke regarding lot splitting, platted lots, and the unity of title as well as density.

L. Zoning Approval Procedures

Town Attorney Recio spoke regarding the four major portions of this code and stated that the Planning and Zoning Board required for all new construction and additions with minor exceptions for accessory structures.

i. Design Review

Town Attorney Recio discussed the design review and how it pertains to the Planning and Zoning Board.

ii. Variance

Town Attorney Recio discussed the three (3) types of variances and the approval would be valid for 12 months and may be extended by Town Commission for an additional 12 months for good cause.

iii. Special Exception

Town Attorney Recio discussed the nonconforming use and special exceptions and those not listed in the code. He discussed that approval needs to be a super majority and is valid for 12 months.

iv. Conditional Use

Town Attorney Recio spoke regarding the conditional use and the main ones are canopies in front of the houses.

M. Architecturally Significant Buildings

Town Attorney Recio spoke regarding the architecturally significant buildings and the designation of certain buildings.

N. Temporary Signs

Town Attorney Recio spoke regarding the provisions on construction in the single-family area and the concept was based on the City of Coral Gables and if the Commission does not like these they could go back.

Town Attorney Recio stated that they are not changing anything in the Short-Term Rentals except for this provision which entailed a registration period for short term rental properties. He stated that if they change the code, they will not open that new window.

Commissioner Eliana Salzhauer stated that at times they assume they have information and knowledge on areas they might not have expertise on. She spoke regarding lot coverage and she would like 40% lot coverage.

Commissioner Kesi commended Town Attorney Recio and stated that it should be the Town Planner addressing the Commission with the changes on the code. He spoke regarding the Town Charter and the requirements for density and intensity.

Commissioner Velasquez asked regarding the fences and are they only for the corner lots.

Town Attorney Recio stated that they are intended to be for corner lots.

Commissioner Velasquez asked regarding splitting of lots and can they turn the lots into two lots.

Town Attorney Recio stated that they could as long as it was plotted that way.

Commissioner Velasquez asked regarding the pet store and it would have to be a majority vote.

Town Attorney Recio stated that they have to go through an ordinance because there is no code pertaining to that specific subject to not have to change the code.

Commissioner Velasquez asked regarding the historic provision and she would prefer it to be for a certain area and not the entire town.

Commissioner Velasquez asked if there is an amount of time that the construction signs can stay on the property.

Town Attorney Recio stated that there is a provision that the signs do have to come down after a certain amount of time. He said it is 72 hours before the final inspection.

Commissioner Velasquez thanked Town Attorney Recio for the presentation and would like to meet with him before the next meeting to discuss her questions.

Vice Mayor Paul thanked Town Attorney Recio for his presentation and said that she did not see green initiatives or incentives for homeowners.

Town Attorney Recio answered Vice Mayor Paul regarding incentives and how to incentivize people and how it could be done.

Vice Mayor Paul stated that in the past they offered a waiver for the permitting fees. She asked regarding the different types of variances.

Town Attorney Recio explained the different variances and what they apply to and that there is a beneficial aspect to the variance.

Mayor Burkett discussed the size of the lots, lot coverage and commented on stripping beautiful houses in the neighborhood to become large homes. He spoke regarding green initiatives and if Vice Mayor Paul believed that they were already there and asked Town Attorney Recio if they were removed.

Town Attorney Recio stated that they were not intentionally removed from the old code.

Mayor Burkett stated that they used the old code and the new code and worked to improve the current code.

6. Public Comment

The following individuals from the public spoke:

Judith Frankel, Chair of the Planning and Zoning Board, went over different topics of the presentation and provided the outlook of the Board members from the Planning and Zoning Board.

Horace Henderson, Board Member of the Planning and Zoning Board, encouraged the Commission to push forward and discuss the difference of the two codes and all politics should be set aside and get this done.

James MacKenzie, Board Member of the Planning and Zoning Board, spoke regarding the process and he sees a lot of things that come before them and what strikes them the most is the new code and old code and 80% of the homes that originally were here and most of them are one story. He stated that the lots on the interior are small and spoke regarding the setbacks.

Jeff Rose spoke regarding the 2006 code and stated that workshops should have been back and forth from residents and spoke regarding lot coverage.

Joseph Sartiano spoke regarding fences, hedges and accessory swimming pools.

George Kousoulas spoke regarding the code and that it needs to be tailored.

Joshua Epstein spoke against this code and the process has been horrible.

Eli Ginsburg asked if they could get a copy of the presentation.

Jeff Rose spoke regarding multiple workshops.

Judith Frankel spoke regarding the corner lots and the rules that are in place, that the Town Planner should give his input and spoke regarding the signs

Horace Henderson spoke regarding the workshop and becoming familiar with the zoning code and the changes proposed.

George Kousalous spoke regarding the language of the zoning code and spoke regarding the building code as a companion commentary.

Eli Ginsburg stated that the presentation would be on the website and would suggest having the presentation in advance. He spoke regarding sea level rise. Joshua Epstein spoke regarding the changes on the zoning code and the hedges.

Joseph Sartiano spoke regarding corner lots.

Debbie Cimadevilla spoke regarding corner lots.

Horace Henderson spoke regarding conforming to the two codes.

Jeff Rose spoke regarding the importance of the zoning code.

Joshua Epstein addressed the money spent on this zoning code rewrite and the zoning in progress.

George Kousoulas spoke regarding the H30 zoning, the single-family code and how it relates to the new code and the old code.

Joseph Sartiano commented on driveways and landscaping and would like clarification on the regular landscaping on homes and what he needs to do in submitting plans in redoing the driveway and private area.

Jordan Wachtel spoke regarding the change of the code and the time it takes to obtain a permit and there should be a faster way.

Joshua Epstein spoke regarding Mayor Burkett muting speakers.

Jeff Rose stated that it is inappropriate in muting speakers. He asked Commissioner Velasquez and Commissioner Kesi in spending the money on the rewrite on the zoning code.

Horace Henderson spoke regarding the time to review the zoning changes and asked for them to get it done.

Eli Ginsburg spoke regarding the zoning in progress and the impact it has had on the residents.

Town Planner Keller addressed the comments made by public speaker Sartiano.

7. Question & Answer (based on public comment)

Commissioner Salzhauer addressed comments made by the public and believes they should go through the entire document line by line and for everyone to be able to understand and possibly this is an opportunity to simplify the code for everyone to understand. She would like to remove any workaround and the Commission should not have the ability to designate historical homes.

Commissioner Kesi spoke regarding the proposed process and spoke regarding being able to see an outline and having green initiatives and stated that they have to make it easier to understand.

Commissioner Velasquez stated that she believes that they need more than one workshop to be able to understand the changes and doing it step by step. She spoke regarding incentives of people coming to Florida for tax breaks and it only applies if this is your homestead. She stated that they need to have more workshops and be more direct on each section of the code.

Vice Mayor Paul thanked the Planning and Zoning Board Members but would like to hear from the Town Planner. She asked regarding lot splitting, the 3 zoning zones and why in two of the codes you could split the lots and the other code does not allow that to be done. She spoke regarding historically preserving older homes.

Mayor Burkett spoke regarding hedges and he does not think that it would be bad for the homes on the corner lots. He spoke regarding the setbacks and fencing. He stated regarding the lot aggregation and if someone wants to buy both lots and build a beautiful home, he does not have a problem with that but for those to come to maximize their investment and subdividing he does not agree.

Commissioner Salzhauer stated that she cannot understand why they are doing this and believes that they should've looked at what was wrong with the code and go from there to correct it.

Commissioner Kesi stated that at times they need to be lighthearted and spoke regarding the changes on the code and the new concepts and they need to look into the master plan.

Vice Mayor Paul stated that she would yield her time to the Town Planner and agreed with Chair Judith Frankel on how confusing the changes of the code are.

Town Planner Keller spoke regarding the zoning code changes and the issues revolving the zoning in progress and stated that the landscape code is very weak.

Commissioner Velasquez spoke regarding the zoning in progress and stated that individuals need to get together and read the zoning code and stop pointing the finger and fix what needs to get fixed.

Mayor Burkett addressed the comments made by Commissioner Salzhauer when it relates to flat roofs and the equipment are hidden on the flat roofs. He addressed comments made by the Town Commission and asked if they had a chance to read the zoning code.

Mayor Burkett asked Town Attorney Arango if he directed the Town Attorney to spend money to draft this code.

Town Attorney Arango addressed the comments and stated that the zoning in progress came up in three (3) different meetings and they have been taking direction from everyone and this has been going on since April.

Town Attorney Recio spoke regarding the zoning in progress language pertaining to the zoning repeal and voting on the zoning in progress has taken place three (3) times. He addressed the green initiatives and it is still in design progress.

Commissioner Kesi commented on the everyday activity of the Town and believes the systems should be better. He spoke regarding the process being challenging and the interpretation of the two codes.

Commissioner Salzhauer commented on overdevelopment, special groups, hedges and the new code being more restrictive on the residential portion.

Vice Mayor Paul spoke regarding the time line of the zoning changes, zoning in progress and spoke regarding taking the best of the 2006 code and coming up with a better code. She spoke regarding the resolution approving the expenditure for this zoning rewrite. She stated that she would like Town Planner Keller's opinion on this.

Commissioner Velasquez spoke regarding the complaints from the public on the proposed changes of the code, the privacy of those on the corner lots and those having a personal vendetta against the Mayor.

Mayor Burkett addressed the comments made by Commissioner Salzhauer and spoke regarding the insults from other Commissioners insulting the Town Manager who quit and the insults on the Town Planners who also quit due to Commissioner Salzhauer comments, complaints and insults.

Mayor Burkett stated for everyone to submit their comments to the Town Attorneys and then they will have another workshop for the residential portion and those comments will be addressed. He stated that they will continue to have the workshops to address the comments. He commented on the areas that needed to be addressed on the code in the commercial and residential area.

Commissioner Salzhauer stated that this has been a one-man crusade by the Mayor and how she can propose the change for the zoning and the methods of the way the Mayor would like to implement these changes are horrible.

Commissioner Kesi stated that he would like to move things forward and get things done.

Vice Mayor Paul spoke regarding certain things on the code that needs to be changed and does not think they should continue doing the zoning in progress.

Commissioner Velasquez commented on the constant arguing and nothing gets done. She stated that she wants to get this fixed.

Mayor Burkett stated that they were all put there for a job and everyone is responsible. He addressed comments made by other Commissioners. He stated that they should call it a night and continue with scheduling another workshop.

Commissioner Kesi commented on several things discussed that haven't been on the table and adopting more public spaces.

Vice Mayor Paul addressed the comments made by Commissioner Velasquez and Mayor Burkett and would like to move forward and would like Town Planner Keller to move forward with the code and making sure the residents are being satisfied.

Mayor Burkett asked Town Planner Keller if there is something to do to help the resident.

Town Planner Keller stated that fences are something that people have been asking him about and discussed the difference between both codes.

Town Attorney Arango stated what changes they would like to see for the fences.

Vice Mayor Paul stated that Town Planner Keller stated 6-foot fences.

Town Planner Keller stated that 6-foot fences would be better.

Mayor Burkett asked the Commissioner if Town Attorney Recio could change it to 6-foot fences.

Commissioner Salzhauer stated that they cannot piece meal this.

Mayor Burkett stated that Commissioner Salzhauer does not agree with the process.

Mayor Burkett asked Town Attorney Arango if they could direct Town Attorney Recio to make those changes.

Town Attorney Arango stated that by consensus they could make those changes.

Commissioner Salzhauer asked if it needs to be publicly noticed for the zoning in progress.

Town Attorney Arango stated that they will address the notice issue with the changes on the zoning in progress.

Town Planner Keller stated that many of the applications coming in are coming in incomplete. He spoke regarding the zoning reviews that don't have to go before the Planning and Zoning Board and many take an old survey and draw on it and things have to be in a certain way before it can be reviewed and approved.

Building Official Fernandez stated that he does not see a problem with the permitting process but does see an issue with the review of the zoning plans. He stated that when he goes to the office, he will review the pending plans that need to still be reviewed.

Vice Mayor Paul asked if the applicants are given guidelines as to the requirements.

Building Official Fernandez stated that they do give the information to the applicants to assist them.

Commissioner Kesi commented on the process and the challenges being faced and correcting an issue the Town Planner is experiencing.

Commissioner Salzhauer stated that it is not correct to sensor the public and stated that they voted to work with the new Town Planner to make changes to the code.

Commissioner Velasquez commented on moving forward and making the changes.

Mayor Burkett stated moving the ball forward and suggested everyone to submit the changes they suggest and address it at the next workshop. He spoke regarding sea level rise and raising homes and putting the ideas together.

Commissioner Kesi asked Town Attorney Recio if there is a clear list of bullet points of things that are unresolved.

Commissioner Velasquez spoke regarding the comments made by Commissioner Salzhauer regarding the \$100,000 spent on the zoning amendments. She commented on going through the code and explain it to the residents.

Further discussion took place among the Commission regarding the possible zoning code change, and the funding expended for this zoning code rewrite.

Vice Mayor Paul spoke regarding the next zoning meeting and going over the different changes on the proposed zoning code.

Town Attorney Arango stated that they are in a very difficult position and they have bent over backwards in doing what they have been requested to do. She stated that they have been through three (3) different planners and needs clear direction on what legal are to do from now on.

Mayor Burkett asked for consensus to put a list of 50 items that are significant changes on the code, send to the commissioners and have the commission add their changes.

Commissioner Salzhauer asked what the red line version would look like.

Town Attorney Recio stated that the red line version is very confusing and addressed the changes on the new code.

Mayor Burkett asked Town Attorney Recio and for the Commission to work with that draft in order to move the ball forward.

Commissioner Salzhauer would like Town Planner Keller to look at the current code and they are trying to prevent over development and what are the changes that they need to make.

8. Adjournment

The workshop adjourned at 10:23 p.m.

Accepted this _____ day of _____, 2021.

Charles W. Burkett, Mayor

Attest:

Sandra N. McCready, MMC
Town Clerk



**Town of Surfside
Regular Town Commission Meeting
MINUTES
February 9, 2021
7 p.m.**

Town Hall Commission Chambers - 9293 Harding Ave, 2nd Floor
Surfside, FL 33154

1. Opening

A. Call to Order

Mayor Burkett called the meeting to order at 7:03 p.m.

B. Roll Call of Members

Town Clerk McCreedy called the roll with the following members present:

Present: Mayor Charles Burkett, Vice Mayor Tina Paul, Commissioner Nelly Velasquez, Commissioner Charles Kesi and Commissioner Eliana Salzhauer (arrived at 7:05 pm)

Also present were Town Manager Andrew Hyatt and Town Attorney Lillian Arango.

C. Mayor and Commission Remarks – Mayor Charles W. Burkett

Mayor Burkett requested to defer the following items to the next meeting agenda: 9C (Amending Town Code Section 2-205 Conduct of Meetings; Agenda; 9F (Demolition by Neglect); 9G (Excessive Homeless Contribution made by the Former Commission; and 9I (Short-Term Rentals).

Commissioner Kesi asked for the following items to be handled by the Town Manager. Items 9D (Topper Selection for 4 x 4 Posts on Hardpack and Walking Path; 9E (Building Department Document Scanning) and 9V (Comparison of 2006 Code to 2020 Code – Staff Report).

Vice Mayor Paul asked for item 3E (FY 2021 Budget Amendment No. 5) to be pulled from the consent agenda and to be linked to item 5C (Abbott Street Engineering).

A motion was made by Commissioner Salzhauer to move item 9Z (Traffic Control Devices on 88th & Hawthorne Avenue) up on agenda to be able to discuss it tonight after item 9B (Discussion and Action Regarding Newly Implemented “Town Blog”, Surfside

Gazette and Social Media Guidelines), seconded by Vice Mayor Paul. The motion carried with a 5-0 vote.

D. Agenda and Order of Business Additions, deletions and linkages

E. Community Notes – Mayor Charles W. Burkett

F. Senator Jason Pizzo - Mayor Charles W. Burkett

Senator Jason Pizzo spoke regarding the legislative priorities and what the Commission's desire is for the priorities. He spoke regarding successfully getting enthusiasm with infrastructure, making changes and financial resources throughout the city and town. He spoke regarding Airbnb and giving the Town autonomy.

Commissioner Kesl stated that his priority is walkability and safety.

Commissioner Salzhauer stated that her priority is safety with the community and commented on the legislative priority and home rule.

Senator Jason Pizzo addressed the comment made by Commissioner Salzhauer. He mentioned to her the bills that have come before them and those that have died. He spoke regarding the bills that passed and he takes these legislative priorities and local home rule very serious. He spoke regarding the infrastructure and discussed what is taking place at the County and State level.

Vice Mayor Paul spoke regarding the septic tank, she opposes oil drilling because it affects our water supply.

Senator Jason Pizzo addressed the comments made by Vice Mayor Paul and stated that the biggest push back with single plastic use are on the retail side.

Mayor Burkett thanked Senator Jason Pizzo and stated that they have a great deal of flooding and believes placing bigger pumps in will help and he spoke regarding the Town working on a pilot program.

Further discussion took place regarding the pilot program and using legislative resources.

Commissioner Kesl commented on many issues that are strained including water and infrastructure.

Senator Jason Pizzo spoke regarding the comments made by the Commission and pulling available funds in order to address the necessity needed in the Town and spoke regarding raising homes in Surfside. He addressed the priorities the Town needs regarding infrastructure.

Commissioner Velasquez spoke regarding the undergrounding of powerlines.

Senator Jason Pizzo stated that everyone is paying for that already in their bill and stated that most of the municipalities will have their utilities underground.

Further discussion took place among the Commission and Senator Jason Pizzo regarding different legislative priorities and possible FPL rebates.

Commissioner Salzhauer asked if they can spend money to move up on the legislative list.

Senator Jason Pizzo stated that they can but not with his blessing and explained the procedure.

Vice Mayor Paul thanked Senator Pizzo and stated that she spoke to Christopher Perrera and stated that every three years they are to underground a certain amount of footage.

Commissioner Velasquez asked to have Town Manager Hyatt contact ATT and the cable companies to take out all the unused cables.

Commissioner Kesl thanked Senator Pizzo and appreciates the work he has done.

Mayor Burkett thanked Senator Jason Pizzo and invites him to come more often and followed up with the undergrounding of powerlines and what FPL was stating they would be doing.

Further discussion took place about different things that can be placed underground and the deadline for design, grants for raising homes, mask mandates, vaccines and the current supply issue at hand.

2. Quasi-Judicial Hearings

- 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 that an item be removed from the Consent Agenda and discussed separately. If the public wishes to speak on a matter on the consent agenda they must inform the Town Clerk prior to the start of the meeting. They will be recognized to speak prior to the approval of the consent agenda.*

A motion was made by Commissioner Kesl to approve the consent agenda including the amendments to the minutes, seconded by Commissioner Velasquez. Motion carried with a 5-0 vote.

A. Minutes – Sandra N. McCready, MMC, Town Clerk

- January 14, 2021 Regular Town Commission Meeting Minutes

Approved on consent.

***B. Town Manager's Report** – Andrew Hyatt, Town Manager

Approved on consent.

***C. Town Attorney's Report** – Weiss Serota, Town Attorney

Approved on consent.

D. Committee Reports - Andrew Hyatt, Town Manager

- September 9, 2020 Budget Advisory Committee Meeting Minutes
- December 7, 2020 Tourist Board Meeting Minutes
- December 17, 2020 Planning and Zoning Board Meeting Minutes
- December 21, 2020 Parks and Recreation Committee Meeting Minutes

Approved on consent.

E. FY 2021 Budget Amendment No. 5- Andrew Hyatt, Town Manager

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, APPROVING BUDGET AMENDMENT NO. 5 FOR THE FISCAL YEAR 2020/2021 BUDGET; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Town Clerk McCready read the title into the record.

This item was pulled from consent and discussed after item 5C (Abbott Street Engineering).

Jason Greene introduced the item.

A motion was made by Commissioner Kesl to approve the Resolution, seconded by Commissioner Velasquez. The motion carried with a 5- 0 vote.

F. Resolution Authorizing Law Enforcement Mutual Aid Agreement between the Town of Surfside and North Bay Village - Andrew Hyatt, Town Manager

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, APPROVING A VOLUNTARY COOPERATION AND OPERATIONAL ASSISTANCE MUTUAL AID AGREEMENT WITH NORTH BAY VILLAGE; PROVIDING FOR AUTHORIZATION; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Approved on consent.

4. Ordinances

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

A. Second Reading Ordinances

1. Ordinance to Allow Pet Grooming as Accessory Use to Pet Supplies-
Andrew Hyatt, Town Manager

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA AMENDING THE TOWN OF SURFSIDE CODE OF ORDINANCES BY AMENDING SECTION 90-41, "REGULATED USES", TO CHANGE THE LIST OF PERMITTED ACCESSORY USES TO ALLOW PET GROOMING AS ACCESSORY TO RETAIL PET SUPPLIES IN THE SD-B40 ZONING DISTRICT AND PROVIDING FOR RELATED REGULATIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

Town Clerk McCready read the title into the record.

A motion was made by Vice Mayor Paul to approve the Ordinance on second reading, seconded by Commissioner Salzhauer. The motion carried with a 5-0 vote.

Commissioner Kesl spoke regarding filling the vacancies and that there are laws and ordinances that need to be addressed with pets as it relates to the grooming. He spoke regarding the business having an entrance from the back parking lot and they need to adhere to the laws on the book and they will be enforced.

Town Attorney Arango asked Town Clerk McCready to confirm that this item conformed with the Planning and Zoning Board.

Town Clerk McCready confirmed that this item was approved at the Planning and Zoning Board.

Commissioner Velasquez asked Town Clerk McCready if this was advertised.

Town Clerk McCready stated that it was advertised in the Miami Herald.

(Set for approximately 9:00 p.m.) (Note: Good and Welfare must begin at 8:15)

B. First Reading Ordinances

5. Resolutions and Proclamations

(Set for approximately 9:45 p.m.) (Note: Depends upon length of Good and Welfare)

A. Legislative Priorities - Andrew Hyatt, Town Manager

A RESOLUTION OF THE MAYOR AND TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA APPROVING STATE LEGISLATIVE PRIORITIES FOR 2021; AUTHORIZING THE TOWN MANAGER AND TOWN OFFICIALS TO IMPLEMENT THE LEGISLATIVE PRIORITIES; AND PROVIDING FOR AN EFFECTIVE DATE.

Town Clerk McCready read the title into the record.

A motion was made by Vice Mayor Paul to approve the resolution as amended, oppose oil drilling at national reserves and all public lands, resort tax protection, change to bullet points and land acquisitions, seconded by Commissioner Kesl. The motion carried with 5-0 vote.

Commissioner Salzhauer commented on items 1-12, and decided that number 12 should be the number 1 in priority.

Commissioner Kesl commented to put these into bullet point format.

Town Manager Hyatt spoke regarding his conversation with Senator Pizzo and the lobbyist and addressed Commissioner Kesl's comments.

Vice Mayor Paul agreed with Commissioner Kesl in having bullet points and assisting the Town Manager with the list and adding new ones to the priority list. She stated that she feels that infrastructure is key, home rule being number 1 and number 2 being transportation.

Commissioner Velasquez agrees with Commissioner Kesl with the bullet point format.

Mayor Burkett commented on the priority lists and naming the park but it is in a corporate name and that it is not advantageous naming it under a corporation. He spoke regarding recommendations being proposed to talk about resources.

B. RFQ No. 2020-06 Continuing Engineering Services – Andrew Hyatt, Town Manager

1. KCI Technologies

A RESOLUTION OF THE MAYOR AND THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, APPROVING THE CONTINUING SERVICES AGREEMENT WITH KCI TECHNOLOGIES, INC. FOR PROFESSIONAL ENGINEERING SERVICES; AUTHORIZING THE TOWN MANAGER TO EXECUTE THE CONTINUING SERVICES AGREEMENT; AUTHORIZING THE TOWN MANAGER AND TOWN OFFICIALS TO TAKE

ALL ACTION NECESSARY TO IMPLEMENT THE CONTINUING SERVICES AGREEMENT; AND PROVIDING FOR AN EFFECTIVE DATE.

Town Clerk McCready read the title into the record.

Town Attorney Arango stated that they can read all the resolutions and make it one vote to approve all the resolutions as one.

A motion was made by Vice Mayor Paul to approve the resolution, seconded by Commissioner Velasquez. The motion carried with a 5-0 vote.

2. The Corradino Group

A RESOLUTION OF THE MAYOR AND THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, APPROVING THE CONTINUING SERVICES AGREEMENT WITH THE CORRADINO GROUP, INC. FOR PROFESSIONAL ENGINEERING SERVICES; AUTHORIZING THE TOWN MANAGER TO EXECUTE THE CONTINUING SERVICES AGREEMENT; AUTHORIZING THE TOWN MANAGER AND TOWN OFFICIALS TO TAKE ALL ACTION NECESSARY TO IMPLEMENT THE CONTINUING SERVICES AGREEMENT; AND PROVIDING FOR AN EFFECTIVE DATE.

Town Clerk McCready read the title into the record.

A motion was made by Vice Mayor Paul to approve the resolution, seconded by Commissioner Velasquez. The motion carried with a 5-0 vote.

3. Keith and Associates

A RESOLUTION OF THE MAYOR AND THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, APPROVING THE CONTINUING SERVICES AGREEMENT WITH KEITH AND ASSOCIATES, INC. FOR PROFESSIONAL ENGINEERING SERVICES; AUTHORIZING THE TOWN MANAGER TO EXECUTE THE CONTINUING SERVICES AGREEMENT; AUTHORIZING THE TOWN MANAGER AND TOWN OFFICIALS TO TAKE ALL ACTION NECESSARY TO IMPLEMENT THE CONTINUING SERVICES AGREEMENT; AND PROVIDING FOR AN EFFECTIVE DATE.

Town Clerk McCready read the title into the record.

A motion was made by Vice Mayor Paul to approve the resolution, seconded by Commissioner Velasquez. The motion carried with a 5-0 vote.

4. Kimley-Horn Associates

A RESOLUTION OF THE MAYOR AND THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, APPROVING THE CONTINUING SERVICES AGREEMENT WITH KIMLEY-HORN AND ASSOCIATES, INC. FOR PROFESSIONAL ENGINEERING SERVICES; AUTHORIZING THE TOWN MANAGER TO EXECUTE THE CONTINUING SERVICES AGREEMENT; AUTHORIZING THE TOWN MANAGER AND TOWN OFFICIALS TO TAKE ALL ACTION NECESSARY TO IMPLEMENT THE CONTINUING SERVICES AGREEMENT; AND PROVIDING FOR AN EFFECTIVE DATE.

Town Clerk McCready read the title into the record.

A motion was made by Vice Mayor Paul to approve the resolution, seconded by Commissioner Velasquez. The motion carried with a 5-0 vote.

5. CAP Government

A RESOLUTION OF THE MAYOR AND THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, APPROVING THE CONTINUING SERVICES AGREEMENT WITH C.A.P. GOVERNMENT, INC. FOR PROFESSIONAL ENGINEERING SERVICES; AUTHORIZING THE TOWN MANAGER TO EXECUTE THE CONTINUING SERVICES AGREEMENT; AUTHORIZING THE TOWN MANAGER AND TOWN OFFICIALS TO TAKE ALL ACTION NECESSARY TO IMPLEMENT THE CONTINUING SERVICES AGREEMENT; AND PROVIDING FOR AN EFFECTIVE DATE.

Town Clerk McCready read the title into the record.

A motion was made by Vice Mayor Paul to approve the resolution, seconded by Commissioner Velasquez. The motion carried with a 5-0 vote.

6. Alvarez Engineers

A RESOLUTION OF THE MAYOR AND THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, APPROVING THE CONTINUING SERVICES AGREEMENT WITH ALVAREZ ENGINEERING, INC. FOR PROFESSIONAL ENGINEERING SERVICES; AUTHORIZING THE TOWN MANAGER TO EXECUTE THE CONTINUING SERVICES AGREEMENT; AUTHORIZING THE TOWN MANAGER AND TOWN OFFICIALS TO TAKE ALL ACTION NECESSARY TO IMPLEMENT THE CONTINUING SERVICES AGREEMENT; AND PROVIDING FOR AN EFFECTIVE DATE.

Town Clerk McCready read the title into the record.

A motion was made by Vice Mayor Paul to approve the resolution, seconded by Commissioner Velasquez. The motion carried with a 5-0 vote.

7. Nova Consulting

A RESOLUTION OF THE MAYOR AND THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, APPROVING THE CONTINUING SERVICES AGREEMENT WITH NOVA CONSULTING, INC. FOR PROFESSIONAL ENGINEERING SERVICES; AUTHORIZING THE TOWN MANAGER TO EXECUTE THE CONTINUING SERVICES AGREEMENT; AUTHORIZING THE TOWN MANAGER AND TOWN OFFICIALS TO TAKE ALL ACTION NECESSARY TO IMPLEMENT THE CONTINUING SERVICES AGREEMENT; AND PROVIDING FOR AN EFFECTIVE DATE.

Town Clerk McCready read the title into the record.

A motion was made by Vice Mayor Paul to approve the resolution, seconded by Commissioner Velasquez. The motion carried with a 5-0 vote.

8. 300 Engineering Group

A RESOLUTION OF THE MAYOR AND THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, APPROVING THE CONTINUING SERVICES AGREEMENT WITH 300 ENGINEERING GROUP, P.A. FOR PROFESSIONAL ENGINEERING SERVICES; AUTHORIZING THE TOWN MANAGER TO EXECUTE THE CONTINUING SERVICES AGREEMENT; AUTHORIZING THE TOWN MANAGER AND TOWN OFFICIALS TO TAKE ALL ACTION NECESSARY TO IMPLEMENT THE CONTINUING SERVICES AGREEMENT; AND PROVIDING FOR AN EFFECTIVE DATE.

Town Clerk McCready read the title into the record.

A motion was made by Vice Mayor Paul to approve the resolution, seconded by Commissioner Velasquez. The motion carried with a 5-0 vote.

C. Abbott Street Engineering – Andrew Hyatt, Town Manager

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, APPROVING AN AGREEMENT WITH KEITH & ASSOCIATES, INC. FOR ENGINEERING PROFESSIONAL SERVICES FOR THE ABBOTT AVENUE DRAINAGE IMPROVEMENTS PROJECT FROM 90TH STREET TO 96TH STREET; PROVIDING FOR AUTHORIZATION AND IMPLEMENTATION; AUTHORIZING THE EXPENDITURE OF FUNDS; AND PROVIDING FOR AN EFFECTIVE DATE.

Town Clerk McCready read the title of the resolution into the record.

A motion was made by Commissioner Velasquez to approve the Resolution, seconded by Commissioner Kesi. The motion carried with a 5-0 vote.

Commissioner Velasquez spoke regarding the suggestions and obtaining other opinions and why they have to look at something they already denied.

Vice Mayor Paul commented on the Abbott Avenue study in 2018 and explained the recommendation received. She also stated that the previous Commission did not want to move forward and the Abbott Avenue drainage was added to the legislative priority list. She said that her concern is that this Commission wanted to look at another company to get a second opinion. She wanted to know from the engineering firm if the stormwater master plan addresses the issues with Abbott Avenue.

Commissioner Kesi spoke regarding direction given to Town staff to do the stormwater master plan and having the Town take care of this issue.

Commissioner Salzhauer commented on a flooding issue with Abbott Avenue. She stated that the stormwater master plan is very important and they need a comprehensive plan dealing with the flooding issue.

Mayor Burkett commented on the statements made by the Commission and having an accurate report.

Commissioner Velasquez stated her concern is the cost of the study.

A motion was made by Vice Mayor Paul to go around for another 2 minutes, seconded by Commissioner Kesi. The motion failed with a 2-3 vote with Commissioner Kesi, Commissioner Velasquez and Mayor Burkett voting in opposition.

The following individuals from the public spoke on the item:

Joshua Epstein
Debbie Cimadevilla
Diana Gonzalez
Jeff Rose

Commissioner Kesi addressed comments made by the speakers.

Vice Mayor Paul spoke regarding the stormwater master plan and regarding the master plan that is being used. She stated that she does not support paying for a study that was already paid for.

Assistant Town Manager Greene addressed the comments made by Vice Mayor Paul and brought some representatives from Keith Engineering to answer the questions and spoke regarding the contract with Keith Engineering for Abbott Avenue.

Steven Williams, Vice President of Engineering with Keith Engineering, addressed the questions and comments made by the Commission.

Discussion took place among the Commission and Mr. Williams regarding the cost of the stormwater plan, the timeline as well as raising homes and what is feasible.

Commissioner Velasquez spoke regarding the options and why it takes \$9,000 worth of work to look at this.

Assistant Town Manager Jason Greene addressed the comments on the report and summary made and asked Mr. Williams to elaborate and explain.

Vice Mayor Paul asked what can be done to fill in the missing parts on the RFP and add what was missing.

Mr. Williams addressed the comments made by Vice Mayor Paul.

Commissioner Kesl asked Mr. Williams if the corridor study would have to be added to the ICPR model.

Mr. Williams answered Commissioner Kesl's question.

Commissioner Salzhauer asked if the CGA study did not address this issue.

Mr. Williams answered Commissioner Salzhauer's question as to if it pertains to the stormwater.

Commissioner Salzhauer stated that she would like to save the funding. She responded to comments made by speakers. She spoke regarding homes going higher and raising those homes and that it must be in the code.

Mayor Burkett addressed the comments made by Commissioner Salzhauer regarding raising the homes.

Vice Mayor Paul addressed the CGA report and asked Mr. Williams how much of a difference can they expect from their reports.

Mr. Williams addressed the question by Vice Mayor Paul and evaluating report.

Further discussion took place among Vice Mayor Paul and Mr. Williams regarding the report and what type of solutions they will be providing.

Mayor Burkett agrees to pass this item in order to have more in-depth information.

Vice Mayor Paul asked how this will integrate into the stormwater master plan.

Mr. Williams stated that it will be integrated and pulled together with the Abbott Avenue one which looks into the feasibility of raising the streets or homes.

Assistant Town Manager Jason Greene spoke regarding the analysis, the stormwater utility and stated that you are required to have a stormwater master plan.

Vice Mayor Paul spoke regarding Mr. Williams having to review what CGA did and he will have to review the 2013 plan and the plan needs to be renewed.

6. Good and Welfare/ Public Comments from Residents (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.

The following individuals from the public spoke under good and welfare.

Jeff Rose thanked Senator Jason Pizzo. He spoke regarding walkability, and the undergrounding.

Joshua Epstein spoke regarding the residents being misled and supporting our employees and getting them the proper health insurance, they deserve.

Commissioner Salzhauer agreed with paying the employees a proper salary, giving them enough hours in order for them to get health benefits.

Vice Mayor Paul stated that they did a study that was recommended by the Human Resources Director. This was a compensation study to make sure that the employees are being paid the proper salary and due to COVID she agreed to cancel it but she would like to bring it back.

Commissioner Velasquez stated that they have to look at the amount of work in Surfside being done and stated that the reason for part-time employees is because there is not enough work to have them as fulltime employees.

Commissioner Kesi thanked the speakers and stated that their comments were constructive and spoke regarding the positions and putting the best organizational chart together.

Mayor Burkett addressed the comments made by the Commission regarding the classification and pay study.

Human Resources Director Slate-McCloud stated that they let 25 Parks and Recreation staff members go for two months and they rehired them as they reopened Parks and Recreation.

Vice Mayor Paul spoke regarding the classification and pay study and that the study was mostly completed and it is a good idea to recruit the best employees.

Human Resources Director Slate-McCloud gave the Commission the cost of the study and the outcome of the study. She advised the Commission on the cost that has been paid up to date.

Commissioner Velasquez stated that this should be at the Town Manager's discretion and that this is not something that should be taken away from the Town Manager.

The following individual from the public spoke:
Horace Henderson spoke regarding the support of the zoning code.

7. Town Manager and Town Attorney Reports

Town Manager and Town Attorney Reports have been moved to the Consent Agenda – Item 3.

8. Unfinished Business and New Business

9. Mayor, Commission and Staff Communications

A. COVID-19 Task Force Update – Commissioner Charles Kesl

Commissioner Kesl gave an update on the COVID-19 Task Force, individuals wearing masks and social distancing.

Town Manager Hyatt spoke regarding the mask mandate and staff handling enforcement the mask mandate.

Commissioner Velasquez spoke regarding outside dining with restaurants and trash left. She suggested having an area designated where all tables are pushed in the parking area until we are over COVID. She asked since this is handed to the Town Manager they will no longer be as part of the Commission.

Commissioner Kesl stated that since he has been the liaison, he would be happy to stay on. He commented on the statements made by Commissioner Velasquez regarding the restaurants and outdoor dining. He stated that as far as disbanding the task force, he is comfortable leaving it to the Town Manager.

Vice Mayor Paul wanted to thank Code Enforcement and Police Chief Yero for stepping ahead and handling the situation in the business district and other areas and has seen slight improvement.

Commissioner Salzhauer stated that she would like to keep the COVID Task Force and safety control.

Mayor Burkett thanked Police Chief Yero for the work they are doing.

The following individuals from the public spoke:

Jeff Rose asked if there are going to be in person meetings.

Joshua Epstein asked for the COVID Task Force to stay in place and outdoor dining.

Diana Gonzalez thanked the Police for the efforts they are doing and outdoor dining.

George Kousoulas addressed placing restaurant seating in the parking lanes.

Horace Henderson spoke regarding the COVID 19 task force.

Mayor Burkett shared information on COVID and gave some data and statistics.

Town Manager Hyatt stated that at the staff level they will continue working on this and be responsive to what needs to be done.

Vice Mayor Paul stated that she does want to continue with the COVID task force.

Commissioner Velasquez stated that she is fine with the COVID task force but would like to add this item to the end of the meeting in order to address other items on the agenda.

B. Discussion and Action Regarding Newly Implemented “Town Blog”, Surfside Gazette and Social Media Guidelines – Commissioner Eliana Salzhauer

Commissioner Salzhauer introduced the item and commented on the residents getting accurate information. She stated that social media has become a distraction. She stated there has been credibility and serious comments made on social media. She requested administration to address this issue. She would like to work together.

Vice Mayor Paul spoke about a particular Facebook page from Mayor Burkett. She asked Mayor Burkett regarding cancel culture.

Mayor Burkett addressed the comments made by Vice Mayor Paul as it pertains to cancel culture.

Commissioner Kesi stated that he is fine with what is in the Gazette because it has a disclaimer and gives permission for various publications that takes place.

Commissioner Velasquez commented on Commissioner Salzhauer misleading the residents.

A motion was made by Commissioner Salzhauer to have no social media platform and have the Town Attorney look at our social media policy and make it stronger.

Vice Mayor Paul spoke regarding cancel culture and asked the Mayor to explain what it meant.

Commissioner Kesl stated that he takes a very liberal view with what elected officials can say and the social media policy is fine the way it currently is.

A motion was made by Vice Mayor Paul to extend the meeting for 15 minutes, seconded by Commissioner Kesl. The motion failed with a 1-4 vote with Commissioner Kesl, Commissioner Velasquez, Commissioner Salzhauer and Vice Mayor Paul voting in opposition.

C. Amending Town Code Section 2-205 Conduct of Meetings; Agenda –
Mayor Charles W. Burkett

Item deferred to next Commission meeting.

D. Topper Selection for 4 x 4 Posts on Hardpack and Walking Path - Andrew Hyatt, Town Manager

Item deferred to next Commission meeting.

E. Building Department Document Scanning- Andrew Hyatt, Town Manager

Item deferred to next Commission meeting.

F. Demolition by Neglect - Mayor Charles W. Burkett

Item deferred to next Commission meeting.

G. Excessive Homeless Contribution made by the Former Commission - Mayor Charles W. Burkett

Item deferred to next Commission meeting.

H. Free (hassle-free) downtown parking for residents - Mayor Charles W. Burkett

Item deferred to next Commission meeting.

I. Short-Term Rentals – Mayor Charles W. Burkett

Item deferred to next Commission meeting.

J. Quality Control & Quality Assurance – Commissioner Charles Kesl

Item deferred to next Commission meeting.

K. Increase Lighting Plan – Staff Report – Andrew Hyatt, Town Manager

Item deferred to next Commission meeting.

L. Lowering of Property Taxes and Water Bills – Staff Report – Andrew Hyatt, Town Manager

Item deferred to next Commission meeting.

M. FPL Solar Together - Vice Mayor Tina Paul

Item deferred to next Commission meeting.

N. Climate Environmental Collective Revised - Vice Mayor Tina Paul

Item deferred to next Commission meeting.

O. Interest Free Loans to Surfside Builders Granted by Former Mayor and Commission – Mayor Charles W. Burkett

Item deferred to next Commission meeting.

P. Amending Town Code Section 2-237 Business Relationships – Commissioner Eliana Salzhauer

Item deferred to next Commission meeting.

Q. Beachwalk Trimming- Staff Report – Andrew Hyatt, Town Manager

Item deferred to next Commission meeting.

R. Community Center Pool Deck Lighting - Staff Report – Andrew Hyatt, Town Manager

Item deferred to next Commission meeting.

S. Community Center Second Floor – Staff Report - Andrew Hyatt, Town Manager

Item deferred to next Commission meeting.

T. Designated (Painted) Walking Areas in the Residential District- Staff Report – Andrew Hyatt, Town Manager

Item deferred to next Commission meeting.

U. Alternative Kayak Launches in Addition to the 96th Street Park – Mayor Charles W. Burkett

Item deferred to next Commission meeting.

V. Comparison of 2006 Code to 2020 Code – Staff Report – Andrew Hyatt, Town Manager

Item deferred to next Commission meeting.

W. Stormwater Masterplan - Staff Report – Andrew Hyatt, Town Manager

Item deferred to next Commission meeting.

X. Amend Tourist Board Ordinance – Commissioner Nelly Velasquez

Item deferred to next Commission meeting.

Y. Legally Defective Charter Amendment Vote in 2012 – Mayor Charles W. Burkett

Item deferred to next Commission meeting.

Z. Traffic Control Devices on 88th & Hawthorne Avenue – Commissioner Eliana Salzhauer

Item deferred to next Commission meeting.

AA. Cone of Silence/Secrecy – Mayor Charles Burkett

Item deferred to next Commission meeting.

BB. License Plate Readers – Mayor Charles W. Burkett

Item deferred to next Commission meeting.

CC. Cancel Culture in Surfside - Mayor Charles W. Burkett

Item deferred to next Commission meeting.

DD. Permit Process - Mayor Charles W. Burkett

Item deferred to next Commission meeting.

EE. High Water Bill – Mayor Charles Burkett

Item deferred to next Commission meeting.

FF. Zoning Code Timetable - Mayor Charles Burkett

Item deferred to next Commission meeting.

Staff Reports

A. Permanent Digital Sign - Andrew Hyatt, Town Manager

B. Purchase of Land for Parks – Commissioner Nelly Velasquez

10. Adjournment

The meeting adjourned at 11:07 p.m.

Accepted this _____ day of _____, 2021.

Charles W. Burkett, Mayor

Attest:

Sandra N. McCreedy, MMC
Town Clerk



**Town of Surfside
Zoning Code Workshop
Multifamily, Hotel and Commercial
MINUTES
February 18, 2021
6 p.m.**

1. Opening

A. Call to Order

Mayor Burkett called the meeting to order at 6:00 p.m.

B. Roll Call of Members

Town Clerk McCready called the roll with the following members present:

Present: Mayor Charles Burkett, Commissioner Charles Kesi and Vice Mayor Tina Paul (arrived at 6:04 pm)

Absent: Commissioner Eliana Salzhauer, and Commissioner Nelly Velasquez.

Also present were Town Manager Andrew Hyatt, Town Attorney Lillian Arango, Town Attorney Tony Recio, Town Planner Walter Keller and Building Official Ulises Fernandez (arrived at 6:14 pm).

2. Introductory Statement

Mayor Burkett gave an introductory statement and provided a background of the zoning code workshop. He stated that there have been discussions whether or not changes of the zoning code should be done and the cost entailed and the amount spent. He stated some of the arguments are frivolous and some are the Commissioners requesting to make changes to the 2010 code. He discussed with the Commission months ago that would mean to accept a 190-page document that no one can understand and was written by developers. They decided to take the code that did not bring hyper development in Surfside, the code written by residents for residents and they decided to use that code as the foundation for the new code. He spoke regarding the residential district changes and the commercial district changes as well. He would recommend since they have eight months of work done, he thinks they should put together the new code everyone wants to see.

Mayor Burkett wanted to bring to the Commission's attention a couple of pages on the agenda book on page 1 and 278 which includes policy questions.

3. Summary of major substantive changes that are new (i.e. not from either 2006 or current code)

Town Attorney Recio explained the redline of the current code and what has changed in the draft code in comparison from the old code to the new one. He explained the changes and how some of the changes are from the 2002 code. He also spoke regarding item number 4 which is the working list of items that the Commission and members of the public. He stated that these items would need policy direction in order to make the changes.

Commissioner Kesi thanked Town Attorney Recio and stated that the list is manageable and if something comes up, they can add to the running list. He spoke regarding the context on page 1 and how helpful it is. He asked how those came about and if it was based on discussion and recommendations.

Mayor Burkett gave the Commission the related information as it pertains to individual items and their related page numbers.

Vice Mayor Paul asked Town Attorney Recio regarding the red underlined language and was not sure how to read it and normally underlining means something new being added and is here tonight to hear from the public.

Town Attorney Recio stated that the red is new language from the 2006 code not from the current code. The green language is current code items moved to a new location.

Commissioner Kesi explained the language and editing of the draft presented which includes language changes. He asked if there are any other prefix to the edit key.

Town Attorney Recio explained that he highlighted each section in order for them to find the revisions easier.

Mayor Burkett asked Town Attorney Recio how he went about making the changes.

Town Attorney Recio continued explaining the summary of the substantiate changes to the code and how he went about making the changes to the code. He stated if it was relocated it will appear in dark green.

Item 1 (a) (Definitions – Section 90-2 – Acre) and (b) (Definitions – Section 90-2 – Aggregation) from the Town Attorney Summary:

Town Attorney Recio explained acreage as well as aggregation as defined in Section 90.2.

Vice Mayor Paul asked that how does aggregation affect things since it's been there for a long time.

Town Attorney Recio addressed the question by Vice Mayor Paul regarding the aggregation and this change to the code is adding another layer to that provision. This aggregation definition is requesting a review process if you are planning on aggregating the lots.

Mayor Burkett stated that the review process is determined by the Commission.

Commissioner Kesi stated that there were other areas of the code that were bypassed when it comes to that topic. He asked if someone can give an example of density.

Item 1 (c) (Definitions - Section 90-2-Architecturally Significant Building) and 22 (Architecturally Significant Buildings – Section 90-272) from the Town Attorney Summary:

Mayor Burkett spoke regarding the designation of historic and architecturally significant buildings.

Town Attorney Recio stated that the page relevant to that topic is page 268.

Vice Mayor Paul asked regarding the redline on pages 268 and 269 and what those changes are and she discussed regarding broken windows on some buildings.

Town Attorney Recio addressed the question by Vice Mayor Paul and stated that this language is new and based on the City of Miami Beach's Historic Code.

Mayor Burkett read into the record page 269. He asked Town Manager Hyatt to send Code Enforcement to look at the building which is open.

Further discussion took place among the Commission regarding designation of historic preservation of a building and architectural significance.

Town Attorney Recio went through the item and explained this section of the code as well as certain incentives for protecting the building. He spoke regarding modification of the property and this provision will give them more say as to the owner being able to do modifications.

Mayor Burkett asked Commissioner Kesi if he believes that the architecturally significance definition for buildings is a good thing.

Commissioner Kesi stated he does agree with that.

Town Attorney Recio explained the changes to the language regarding the architecturally significant building and what areas were struck through and added.

Item 1 (d) (Definitions - Section 90-2- Density) from the Town Attorney Summary:

Mayor Burkett spoke regarding density.

Town Attorney Recio explained the definition of net lot area.

Town Planner Keller stated that in zoning you normally deal with net acre and explained how that works.

Mayor Burkett read the definition into the record as well as the density allowed.

Town Planner Keller stated that the zoning code doesn't state exactly what the density of a parcel is and refers you to the comprehensive plan.

Mayor Burkett discussed the density like the Chateau and what type of buildings one wants to see on the lots that are still vacant. He would vote to keep the density as least as possible.

Vice Mayor Paul asked Town Planner Keller to look at the density and give recommendations as it pertains to the different zoning districts. She stated that the issue she kept seeing was the size of the one and two bedrooms and when you have a unit bigger than that size you are not compensated for and that is how you end up with more density. They need to look at the size of the unit.

Further discussion among the Commission and Town Planner Keller regarding the size of the buildings and density of those buildings. He stated that they do not have a good handle of the economic impact of the larger units.

Town Attorney Arango clarified the comprehensive plan and density.

Town Attorney Recio stated it is a 109 units per acre as per the comprehensive plan.

Vice Mayor Paul asked regarding page 11 that it refers to the comprehensive plan.

Mayor Burkett stated that he asked for this to be put in because it was old enough that they could use it to make sure that the buildings would not be denser.

Town Attorney Recio stated that the reference of 2004 is consistent with the Town Charter.

Item 1 (e) (Definitions - Section 90-2- Lot Coverage) from the Town Attorney Summary:

Mayor Burkett read the definition of lot coverage as stated in page 16.

The following individual from the public spoke:
George Kousoulas spoke regarding density of buildings.

Commissioner Kesl asked regarding intensity issue and stated those are very important factors.

Item 1 (f) (Definitions - Section 90-2- Public Schools) from the Town Attorney Summary:

Mayor Burkett asked if anyone had issues with that definition.

No members from the Commission had any issues with this section of the Code.

Item 1 (g) (Definitions - Section 90-2- Setbacks) from the Town Attorney Summary:

Mayor Burkett asked if anyone had issues with the definition of setbacks

No members from the Commission had any issues with this section of the Code.

Item 1 (h) (Definitions - Section 90-2- Suite-Hotel Room) from the Town Attorney Summary:

Mayor Burkett asked if it materially changed.

Town Attorney Recio stated that it does not, it specifies that a suite hotel room is one that has a kitchen.

Commissioner Kesl stated that he believes that smaller spaces with a modern module design is what the future is about because it can be moved easier.

Town Attorney Recio stated that if you want fewer is speaking to density, smaller is speaking to intensity. This is only for hotel rooms that want to have a kitchen they have to be a specific size.

Vice Mayor spoke regarding a tour she took of the Marriott and if they do not have a stove top does that still mean it is a kitchen.

Town Attorney Recio stated that it has to have a stove to cook.

Further discussion took place among the Commission regarding the actual meaning of kitchen in a hotel suite and the size requirement.

Mayor Burkett stated that what they do with this will determine how the hotels will interact with the rest of the community and the impact it will have on the hotels.

Commissioner Kesi stated that they need goals to attain and these things are measurable.

Mayor Burkett stated that his goal with this rewrite of the code is seeing better quality and not so much as quantity.

Item 2 (Vested Rights Provision – Former Section 90-5(11)) from the Town Attorney Summary:

Mayor Burkett read the definition into the record and asked if any Commissioners have any questions.

Town Attorney Recio explained why it was taken out for the purposes of this document and for policy discussion and whether they want to restate it in your code since it is understood already.

Mayor Burkett asked if Town Attorney Recio could show in the document where it is made clear.

Town Attorney Recio answered Mayor Burkett's question and gave an explanation as to the vested rights to property owners.

Mayor Burkett stated if they want to be explicit on what rights the property owners have and when it expires.

Commissioner Kesi would like to have that language stricken and stated that there are enough laws statewide that protects owners' property rights.

Vice Mayor Paul stated that her concern is with existing properties and they need to be protected.

Mayor Burkett stated that this is in respect to development rights.

Town Attorney Recio stated that it is essentially development rights and Vice Mayor Paul is referring to nonconforming rights.

The following individuals from the public spoke:

Graham Penn spoke regarding vested rights and Section 90-13 and that resolves the issue.

Jeff Rose spoke regarding vested rights.

George Kousoulas spoke regarding intent.

Joshua Epstein spoke regarding the demographics of Surfside.

Mayor Burkett asked if the public speaker Graham Penn's comments are relative to vested rights.

Town Attorney Recio stated that it would not harm but would eliminate an avenue but not all avenues as to vested rights.

Commissioner Kesi spoke regarding diversity and mixed-use environment.

Item 3 (Minimum Qualifications for Planning and Zoning Members – Former Section 90-15)) from the Town Attorney Summary:

Town Attorney Recio stated this is a consequence of the 2006 code and is not a subsequent change, think it should go back in which provides the makeup of the Board of having an engineer and architect.

Vice Mayor Paul commented on the changes made in 2016 because it was hard to obtain members with specific qualifications and is happy the way it currently is.

Mayor Burkett commented if the members of the Planning and Zoning Board should be specific job titles or residents at large.

Commissioner Kesi stated that they should be qualified but does not think it should be in the code and maybe reframe it for them to have expertise in certain areas.

Vice Mayor Paul stated that they should have some qualifications and could be amended if needed and ideally you do want to have architects and individuals with those qualifications.

Town Attorney Recio stated that currently in the code is noted as specific certification.

Further discussion took place regarding the certification of the members.

Vice Mayor Paul stated that she believes it should be left in as it is currently.

Commissioner Kesi stated if it would be up to him, he would leave it out but if it is that requirements are needed, he will be fine with leaving it in.

The following individuals from the public spoke:

Jeff Rose

Joshua Epstein

George Kousoulas

Judith Frankel

Item 5 (Home Office – Former Section 90-26)) from the Town Attorney Summary:

Town Attorney Recio stated that they got rid of this concept and there is no prohibition. Home office is more than just working from home.

Mayor Burkett asked if Vice Mayor Paul has any issue or comments with this portion. The question is if we want to regulate home office or leave it out of the code and deal with it in the future if needed.

Vice Mayor Paul commented to go more in depth.

Mayor Burkett asked Vice Mayor Paul asked to go through it and give Town Attorney Recio her suggestions.

Commissioner Kesl stated that he would look at quality of life and some businesses would not be conducive to having them in a home office.

Mayor Burkett suggested to put it back in and use the current code as a template and if someone wants to change it, they can address it at the next workshop.

The following individual from the public spoke:
Joshua Epstein

Item 7 (Conditional Use Procedures and List –Section 90-90) from the Town Attorney Summary:

Town Attorney Recio went through this section and it does not pertain to public schools and we do not have any say for public schools unless they are for building permits and life safety. This means it would go to the Town Commission for approval after going before the Planning and Zoning Board.

Mayor Burkett asked if they come from the old code.

Town Attorney Recio stated that some did and some did not and they just put them together.

Town Clerk McCready asked Town Attorney Recio if the portion of Section 90.90 of the notice required by the applicant is still a requirement.

Town Attorney Recio stated it is still required it was just moved.

Vice Mayor Paul asked Town Attorney Recio if this is from the current code and what are the changes to the current code.

Mayor Burkett stated it is a compilation from both codes.

Town Attorney Recio stated that currently it goes back and forth a lot and it made sense to lay it out to make it clearer. Whatever was a conditional use in either code, it remains a conditional use now and other changes like how long they are valid for it is now limited to 12 months instead of 24 months.

Further discussion took place regarding conditional uses by the Commission and Town Attorney Recio regarding what is allowed and what is not allowed and time frame allowed and how long you allow them to pull the permit.

Mayor Burkett suggested adding language if they are diligently working on the permit give them up to two years.

Town Attorney Arango asked if the 2006 code was stricter.

Town Attorney Recio stated that the 12 months was discussions that took place at Commission, the current code sets it at 24 months.

Commissioner Kesi stated that it should be 12 months because circumstances change.

Mayor Burkett agrees with Commissioner Kesi and leave it as it currently is and if in the future they would like to modify it they can.

The following individual from the public spoke:
George Kousoulas stated that they should leave it at 24 months because it takes a while to get a building permit, as well as financing.

Items 8 and 9 (Heightened Variance and Variance Procedures – Section 90-91 and Practical Difficulty Variance – Section 90-91.1) from the Town Attorney Summary:

Town Attorney Recio stated this was added and gave the definition and what variances are allowable.

Mayor Burkett stated that he is not a variance person and this was a compromise for those that really wanted to make an argument for a change. He recommends for it to be unanimous at the Town Commission but would be happy to remove it.

Vice Mayor Paul asked if this is from the 2006; and is not in favor of this.

Town Attorney Recio stated that it speaks about two different variances and explained the two variances.

Commissioner Kesi stated that he is totally against variances in Surfside.

Town Attorney Recio explained the different types of variances and their definition and loading requirements.

The following individuals from the public spoke:
George Kousoulas
Jeff Rose
Joshua Epstein

Commissioner Kesi asked regarding practical variances and heightened variances.

Mayor Burkett stated he is not a big fan of variances but there should be an outlet for those that have hardship and there needs to be a mechanism to control it by way of a majority vote by the Commission.

Vice Mayor Paul asked for clarification regarding where the heightened variance came about.

Town Attorney Recio stated that is a new subject.

Vice Mayor Paul spoke regarding a variance that Graham Penn was approved in 2009. She does not understand why they would add another variance and is not in favor of adding an extra variance.

Mayor Burkett stated that he would make it one variance and one variance policy and have them go before the Commission for approval.

Town Planner Keller addressed the comments made regarding the variances.

Item 10 (Special Exception Procedures and List – Section 90-92) from the Town Attorney Summary:

Town Attorney Recio spoke regarding conditional uses with specific approvals and gave the explanation on the special exceptions and gave the three kinds of exceptions and the uses that are not totally described in the code.

Mayor Burkett stated this is a safety valve for over development.

Town Attorney Recio also stated that if they are to combine density, they can only do 85% and it is in the current code and placed it into this one as a safety mechanism.

Commissioner Kesi stated that you still have a height restriction and it could be advantageous having a building of 20 units instead of 2 buildings of 10 units.

Further discussion took place among the Commission regarding aggregation of lots.

Mayor Burkett stated that special exceptions are like a variance but for three specific things and asked Town Attorney Recio how many Commissioners have to approve this or have a unanimous vote by the Commission.

Town Attorney Recio stated that it would have to be four Commissioners to approve.

Discussion took place among the Commission and Town Attorney Recio regarding nonconforming use and aggregation of lots.

Vice Mayor Paul asked from which code this comes from and she is not in favor of aggregation of lots.

Town Attorney Recio stated that on page 96, whatever is black is new language.

Mayor Burkett stated that this allows you to take a position if you want to let any type of development move forward.

Item 11 (a-c) (Hotel and Suite Hotel Permitted only in H120; Structured Parking not Permitted – see also former Section 90-49.4; and Pet Grooming as accessory to Pet Supplies) from the Town Attorney Summary:

Mayor Burkett stated this is the reason why he wanted to go back to the old code which includes ballrooms and hotels on the west side of Collins.

Town Attorney Recio went through hotels and suites permitted and it is only permitted on the east side of Collins.

Commissioner Kesi stated that hotels on the west side of Collins is not a bad thing but it has to do with the density and intensity of the hotel.

Vice Mayor Paul stated that on the past Commission they did state boutique hotels but you have a block that is designated historic and are they exempt from this.

Town Attorney Recio stated they are not expressly exempt if they have a hotel already operating. They can use it just cannot use it as a hotel because it is not a permitted use.

Further discussion took place among the Commission regarding restrictions on the hotels on the west side of Collins.

Mayor Burkett stated that he will get with Town Attorney Recio and come back with different language. He stated that they do prefer to see historic buildings instead of boutique hotels.

The following individual from the public spoke:

Kristofer Machado
George Kousoulas
Linen Nelson

Mayor Burkett asked speaker Kristofer Machado how changing the conforming use would change their insurance rates.

Kristofer Machado answered the question from Mayor Burkett regarding the problem with insurance and refinancing.

Commissioner Kesi commented if the project had initially variances approved.

Mayor Burkett stated that he would not like to see more parking garages built on the corridor.

Commissioner Kesl commented on the challenge on the parking garages and stopping the parking fund option.

Town Attorney Recio explained this item.

No discussion.

Item 12 (Increased Front and Rear Setbacks for Deep Lots – Condition 10 of Section 90-155) from the Town Attorney Summary:

Town Attorney Recio explained the item and the setback requirements.

Vice Mayor Paul commented on the item and the setback requirements and agrees with bigger setbacks but does not want to impose it.

The following individual spoke on the item:
George Kousoulas

Town Attorney Recio explained the changes.

Commissioner Kesl spoke regarding the increase in airspace, and second story bulkiness.

Mayor Burkett spoke regarding improvements to the code.

Item 14 (Rooftop Solar (Aesthetic Provisions) - Section 90-156) from the Town Attorney Summary:

Town Attorney Recio introduced the item and gave examples of direction of the solar panel and considering the esthetics involved.

Commissioner Kesl stated that he is not in agreement and believes they should encourage the use of solar panels.

Vice Mayor Paul asked if this makes it more difficult for people placing more solar panels.

The following individuals spoke on the item:
Jeff Rose
Joshua Epstein
George Kousoulas

Town Attorney Recio answered speaker Jeff Rose regarding the height requirement being three feet.

Mayor Burkett stated that solar panels are great and there are esthetic considerations as well as FPL has an initiative that they are building a solar farm and

one can subscribe or purchase an arm and you can bring the power in from that area.

Commissioner Kesl stated that a lot of the solar panels roll up.

Vice Mayor Paul elaborated on the solar farms and the last time she checked with FPL the wait list is full and is not a viable option.

Further discussion took place regarding solar panels, requirements on placement and permitting process.

Mayor Burkett stated that they will leave this as an open item to discuss further.

Item 15 (Setback Encroachments for Architectural Elements - Section 90-177(b)) from the Town Attorney Summary:

Town Attorney Recio introduced the item and spoke regarding some buildings needed an overhang of the roof.

Mayor Burkett stated that their concern is that some of the houses looked like they were on top of each other.

The following individuals from the public spoke:

George Kousoulas
Jeff Rose

Vice Mayor Paul stated if the Planning and Zoning Board recommended this then she is all for it.

Commissioner Kesl stated that he agrees with not allowing a projection out into the setback.

Item 16 (Clarification of Average Setbacks – Section 90-178) from the Town Attorney Summary:

Town Attorney Recio stated it is the same concept in the current code it is just explained differently. He explained the concept.

The following individual from the public spoke:

Jeff Rose

Item 17 (Front Yard Landscape, and Clarified Permeability Requirements – Sections 90-188 and 90-194) from the Town Attorney Summary:

Town Attorney Recio stated that comes out of the zoning in progress and it is minimum requirements for landscaping and permeability which is 50% of the area has to be permeable and 40% of the rear and 50% of the front yard.

Discussion took place among the Commission regarding the percentage of landscaping on the front yard and what permeable means and is allowable.

Commissioner Kesi spoke regarding the landscaping allowed and what Florida friendly landscaping meant.

Town Attorney Recio explained that pavers for permeable cannot be used and under the definition section of the code.

Town Planner Keller spoke regarding concrete and pavers are never counted as part of permeable.

Town Attorney Recio stated that they can define what Florida friendly plants are.

Discussion took place among the Commission regarding what types are considered Florida friendly plants and native plants.

Vice Mayor Paul stated she is for the Florida friendly landscaping but has concerns regarding existing homes and do not meet those requirements and have to redo their driveway there should be some assistance to them and artificial grass and believes that portion of the code should be redone. She feels if they currently have it when it comes to replace it, they should have to replace it with real grass.

Mayor Burkett asked Town Attorney Recio what the current proposed code states regarding artificial turf.

Town Attorney Recio stated that they need to have real landscaping and then if they want synthetic turf instead of pavers then it is allowed.

The following individuals spoke:

George Kousoulas
Jeff Rose

Item 18 (Lot Splitting - Section 90-191.2) from the Town Attorney Summary:

Town Attorney Recio stated that essentially if you have a platted lot you can't cut it anymore.

Mayor Burkett stated that is a given and the next level is if you have a larger house on another lot, do they want bigger houses in Surfside.

Vice Mayor Paul stated they have to consider what they are doing here and how many lots are being affected here and they need to respect the rights of the property owners. She stated that just because you split the lots doesn't mean you will end up with a bigger house.

Mayor Burkett stated no one is talking about splitting lots.

Vice Mayor Paul is not in favor of splitting the lots but it depends on the size of the lots.

Commissioner Kesi agrees with Vice Mayor Paul because of the impacts and spoke regarding the different designs of the homes and the sizes of the lots and homes.

The following individuals from the public spoke

Jeff Rose

George Kousoulas

Joshua Epstein

Mayor Burkett stated it is not about the platted lot but the house on the property. He strongly disagrees with the notion that people bought their houses in Surfside to cash out on the way out. He asked the Commission what do they want to see in their Town.

Vice Mayor Paul stated that she is not supportive of combining lots. If you split the lots you end up with smaller homes.

Town Attorney Recio stated that the adding of lots is aggregation of lots.

**Item 19 (Temporary Construction Signs in Single-Family – Section 90212(g))
from the Town Attorney Summary:**

Town Attorney Recio introduced the item and it is only for temporary construction sites only when a home is being built. It limits the sign size and height.

The following individuals from the public spoke:

Jeff Rose

Joshua Epstein

George Kousoulas

Commissioner Kesi asked Town Attorney Recio where the small sign idea came from.

Town Attorney Recio stated that this comes from a conversation back in September where the Mayor and himself had a discussion due to residents coming to the Mayor with concerns and they looked at Coral Gables sign requirement.

Commissioner Kesi stated that it should be consistent with real estate signs and believes Coral Gables signs are too small.

Vice Mayor Paul stated that they are considered temporary signs like political signs and they should be the same size to avoid discriminating against others. She believes the signs should be consistent and is fine with the code as it is currently.

Commissioner Kesl asked if the sign code was changed at any time.

Town Attorney Recio stated the sign code did change and there were a couple of rulings that affected the sign code which changed in the last five or six years. The current sign code is construction sign is 4 feet by 4 feet. In 2014 and 2018 change to the sign code.

Mayor Burkett asked the changes on the construction sign between those two changes.

Town Attorney Recio stated he would have to look into that.

Item 20 (Off-street Parking Requirements – Section 90-226) from the Town Attorney Summary:

Town Attorney Recio gave the requirements that were changed. The largest change was the parking trust fund and it was deleted. The parking space requirement was increased. He gave other highlights of the parking requirements.

Mayor Burkett commented on the item and explained how some buildings were built without enough parking and tandem parking.

Commissioner Kesl asked if there are limits on the rental policy and occupancy. He also asked how low they can go with the parking garage due to flooding.

Town Attorney Recio answered Commissioner Kesl's question and dwelling unit is to be occupied by a family and both are defined in the code. He stated that the parking garage construction is regulated by the building code and not by the zoning code.

Mayor Burkett stated that they are talking about off street parking.

Vice Mayor Paul asked if the language typed in black is new.

Town Attorney Recio stated that the language typed in black is what is in the existing code.

Vice Mayor Paul stated that she has always asked for more parking and then ride sharing came along and the Marriott's parking garage is never full.

Item 21 (Sidewalk Expansion on East Side of Collins – Section 90-256.2(1)) from the Town Attorney Summary:

Town Attorney Recio introduced the item and explained the expansion size of the sidewalk with additional landscaping.

The following individual spoke on the item:
George Kousoulas

Commissioner Kesi likes the idea and larger sidewalks are needed because it is dangerous to walk on those narrow sidewalks.

Item 22 (Architecturally Significant Buildings - Section 90-272) from the Town Attorney Summary:

This item was already discussed in conjunction with item 1(c).

4. Working list of open issues for discussion

This item was not discussed by the Town Commission.

5. Zoning in Progress

Town Attorney Recio discussed the zoning in progress procedure.

Vice Mayor Paul spoke regarding the ZIP and residents that have hit a huge road block due to the ZIP and she is not in favor of ZIP.

Mayor Burkett stated that they had a meeting to discuss this and it is obvious it can become a huge problem and need to find a way to fix this immediately.

Town Planner Keller spoke regarding ZIP and fences are a big issue and he will be meeting with Town Attorney Recio to see which ones can be resolved.

Mayor Burkett asked Town Planner Keller how long those cases have been waiting.

Town Planner Keller stated approximately three weeks to a month and one was a condominium that he had to do research on. He stated that as long as they meet the requirements they can be moved forward.

Mayor Burkett asked if ZIP is a problem moving them forward.

Town Planner Keller stated that ZIP is a problem and as soon as the new zoning code is approved it will help.

The following individual from the public spoke:
Jeff Rose

Vice Mayor Paul stated that what would be helpful if it could be more tailored to what is really needed because they cannot rush through the zoning code and if they need to keep ZIP longer then they need to.

Mayor Burkett asked which projects she considered smaller projects.

Vice Mayor Paul stated that there was one individual that they had to remove a door from the addition, people not being able to have their driveway done. She stated that the objective is to help them not make it harder for them but they can't rush through the code.

Commissioner Kesl stated that a house addition is not a small project and even a driveway has a process to go through.

Mayor Burkett discussed that everyone should be pulling into the same direction to get this finished and would like to entertain their thoughts. He spoke regarding extending the zoning in progress.

Town Attorney Recio addressed the ZIP, stated it will expire on 2/26 and it will go back to the old code but it will not affect what they are trying to do now or they can do another zip and bullet points or point to this draft and that would be the new ZIP.

Vice Mayor Paul asked for Town Planner Keller to weigh regarding ZIP.

Mayor Burkett stated that it is important to have the protection of the ZIP and they need to let Walter come up with those items and revisit those at the next commission meeting.

Town Attorney Recio stated that since the ZIP expires prior to the next commission meeting they can by consensus direct staff to renew the ZIP prior to 2/26 deadline.

Mayor Burkett stated the will have to call an emergency meeting to address the extension of the ZIP.

Mayor Burkett asked Town Clerk McCready and Town Attorney Arango to determine when they are to have the meeting.

6. Discussion of Regulations Affecting Multifamily, Hotel and Commercial

A. Zoning Districts

This item was not discussed by the Town Commission.

B. Key District Regulations

This item was not discussed by the Town Commission.

a. H30C and H40 Districts

- i. Uses**
- ii. Accessory Uses**
- iii. Setbacks, Lot Coverage, and Lot Area**
- iv. Height**
- v. Accessory Structures**

This item was not discussed by the Town Commission.

b. H120 Districts

- i. Uses**
- ii. Accessory Uses**
- iii. Lot Area Calculation**
 - 1. Density, Open Space, Setbacks**
- iv. Setbacks, Lot Coverage, and Lot Area**
- v. Height**
- vi. Accessory Structures**
- vii. Landscape Code Proposal to Expand Sidewalk**

This item was not discussed by the Town Commission.

c. SD-B40 Districts

- i. Uses**
- ii. Accessory Uses**
- iii. Setbacks, Lot Coverage, and Lot Area**
- iv. Height**
- v. Accessory Structures**

This item was not discussed by the Town Commission.

C. Parking and Loading

- a. Requirements**
- b. Elimination of Parking Trust Fee**

This item was not discussed by the Town Commission.

D. Roof decks

This item was not discussed by the Town Commission.

E. Lot Aggregation

This item was not discussed by the Town Commission.

F. Nonconforming Structures

This item was not discussed by the Town Commission.

G. Nonconforming Uses

This item was not discussed by the Town Commission.

H. Zoning Approval Procedures

- a. Design Review
- b. Site Plan
- c. Conditional Use
- d. Special Exception
- e. Variances

This item was not discussed by the Town Commission.

I. Modifications to site plans

This item was not discussed by the Town Commission.

7. Public Comment

Public comment was taken throughout the meeting and after each specific item.

8. Question & Answer (based on public comment)

Questions and Answers were addressed by the Commission after each specific item.

9. Adjournment

The workshop adjourned at 11:18 p.m.



**Town of Surfside
Special Town Commission Meeting
MINUTES
February 23, 2021
3 p.m.**

1. Opening

A. Call to Order

Mayor Burkett called the meeting to order at 3:15 p.m.

B. Roll Call of Members

Town Clerk McCready called the roll with the following members present:

Present: Mayor Charles Burkett, and Commissioner Nelly Velasquez.

Absent: Vice Mayor Tina Paul, Commissioner Eliana Salzhauer, and Commissioner Charles Kesl.

Also present were Town Manager Andrew Hyatt, Town Attorney Lillian Arango, and Town Attorney Tony Recio.

2. Zoning in Progress Extension - Andrew Hyatt, Town Manager

No presentation or comment due to meeting adjourning for lack of quorum.

3. Adjournment

The meeting adjourned at 3:15 p.m. for lack of quorum.

Accepted this ____ day of _____, 2021.

Charles W. Burkett, Mayor

Attest:

Sandra N. McCready, MMC
Town Clerk



TOWN MANAGER'S REPORT

MARCH 9, 2021

COMMUNITY PROGRAMS / INITIATIVES / ENHANCEMENTS

- I. SEE CLICK FIX REPORT – *Attachment “A”*
- II. SOCIAL MEDIA (NEXTDOOR) REPORT – *Attachment “B”*
- III. DEVELOPMENT APPLICATION PROCESS (2009 – PRESENT) – *Attachment “C”*
- IV. COMMUNITY SHUTTLE

Beginning Monday, March 1 at 7:30 am the service resumed operations at reduced passenger capacity with no more than 10 passengers on a shuttle at one time. Riders and drivers must wear face masks. Disinfecting is performed daily and additional cleanings are done throughout the day.

The shuttle operates: Monday – Friday starting at 7:30 am and on Saturdays from 8 am to 1:30 pm.

V. TOWN DEPARTMENTS

Code Compliance Division

A. Code Violation Cases: As of February, 24, 2021, the total number of active, open cases being managed is 183. Of these cases, 77 cases are still under investigation and are working towards compliance; 15 cases are on-hold; 21 cases are in the Special Master hearing queue; 4 cases are in post-hearing status; 29 code cases have been issued liens and remain unpaid; 37 code cases have service liens and remain unpaid. Properties with unpaid liens are sent reminder letters on a semi-annual basis.

B. Collected Civil Penalty Fines: Unresolved code compliance cases accrue fines until the code violation is resolved. After the violation is corrected, the property owners are notified to remit the fine amount due. In many cases, the fine amount is either paid,

resolved via a settlement agreement, or referred to the Town's Special Master for a hearing and potential reduction on the fine amount due.

The following is a summary by fiscal year of the fine amounts collected by the Town:

- FY 20/21: As of February, 24, 2021, 35 cases have paid/settle for a total collection of \$ 13,984.00
- FY19/20: As of September 25, 2020, 109 cases have paid/settled for a total collection of \$96,240
- FY 18/19: 143 cases paid/settled for a total collection of \$35,654

C. The Code Compliance Division has assisted the Finance Department by conducting 84 Code lien searches for the month of February, 2021.

D. The Code Compliance staff has continued to regularly distribute face masks throughout downtown to pedestrians and continued with enforcement of Covid-19 regulations regarding social distancing on commercial establishments.

Finance Department

Monthly Budget to Actual Summary as of January 31, 2021 – *Attachment "D"*

Police Department

A. Police Department Statistics (January 1 – January 24, 2021)

- Traffic Citations – 519
- Parking Citations – 515
- Arrests – 7
- Dispatch Events – 1,169
- Incident/Crime Reports - 53

B. Coronavirus (COVID-19) Update

The Surfside Police Department has maintained situational awareness of the COVID-19 Pandemic Incident in coordination with Local, State, and Federal partner Agencies and through continued contact and information sharing with the Miami-Dade County Office of Emergency Operations-Emergency Operations Center. Our Department strives to maintain operational readiness, public preparedness, safeguarding the community, and enforcement of laws-ordinances-governmental orders.

C. Coronavirus (COVID-19) Related Actions:

- Communications with Miami-Dade Emergency Operations Center
- Surfside Police Department personnel along with Code Enforcement personnel are conducting mask details in the Business District issuing warnings and enforcing compliance for mask violations

D. Police Events/Community Outreach

- The Mobile DMV will be rescheduled as soon as possible.
- The Surfside Police Department will host two community bloods drives on February 14th and February 24th, 2021 from 11:00 a.m. – 4:30 p.m. in the Town Hall municipal parking lot.

Respectfully submitted by:



Andrew E. Hyatt, Town Manager



MEMORANDUM

To: Andrew Hyatt, Town Manager

From: Malarie Dauginikas,
Community Services & Public Communications Director

Date: February 24, 2021

Subject: February Social Media (Nextdoor) Report

As part of the Town's communication strategy, Nextdoor is used to provide residents with helpful information especially amid the coronavirus crisis and to further address matters that are important to residents. Nextdoor is only one of several communication channels used to reach residents including the Town's at-risk seniors and most vulnerable communities.

February was a busy month across the Town's Nextdoor platform. Posts shared information on new COVID-19 vaccination sites, the 96th Street Park Zoom meeting, Police and Commission blood drives, as well as traffic and rip current alerts.

As of this month, the Nextdoor channel has 1,750 members, gaining 32 in February.

It is important to reiterate the Nextdoor platform is not a replica of the Town's website and Gazette and should not be viewed as such. To that end, information presented on Nextdoor often refers back to the Town's primary communication tools. The Town encourages residents to find information on the Town's website (www.townofsurfsidefl.gov) and/or by contacting the Town directly.

SeeClickFix Report

Requests filtered by request category that have been created 02/01/2021 - 02/28/2021

Request Category	Created in period	Closed in period	Average days to close
Police (Safety Concern)	2	2	0.5
Solid Waste (Residential) (PW)	2	1	0.1
Street lights (PW)	1	0	
Beach Patrol	1	0	
Parking Issue	1	0	

Requests filtered by request category that have been created 01/01/2014 - 02/28/2021 compared to 11/03/2006 - 12/31/2013

Request Category	Created in period	Closed in period	Closed in comparison period	Average days to close
96 Street Park (P & R)	11	11	0	2
Beach Issue	229	213	0	15.9
Code Compliance (Safety Concern)	105	104	0	20.8
Code Compliance (Violation)	177	174	0	17.7
Community Center (P & R)	11	9	0	8.1
Dog Stations (P & R)	15	15	0	3.1
Drainage/Flooding (PW)	42	34	0	17
Graffiti (PW)	5	3	0	17.5
Hawthorne Tot-Lot (P & R)	7	7	0	22.5
Other	286	273	0	15.3
Police (Safety Concern)	93	92	0	5.5
Pothole (PW)	6	6	0	18.4
Solid Waste (Commercial) (PW)	8	7	0	4.8
Solid Waste (Residential) (PW)	29	28	0	13.2
Street lights (PW)	72	60	0	83.2
Surfside Dog Park (P & R)	9	9	0	0.2
Utilities (Water/Sewer) (PW)	47	35	0	24.2
Barking Dog	12	12	0	13.2
Beach Patrol	6	5	0	2.1
Parking Issue	104	103	0	2.1
Construction Issues	46	41	0	13.7
Dead Animal	5	5	0	8.7

Last updated on 3/1/2021

DEVELOPMENT APPLICATION PROCESS (2009 - PRESENT)														
Application Date	Location	Project Description	Zoning Process				Density/Intensity		Variances		Building Permit			Construction Status
			DRG	P&Z	TC	Site Plan Extension	Allowed	Approved	Requested	Received	Application No.	Issuance	Status	
12/29/2009	9200 Collins Ave	Surfside Hotel - Proposed surfside hotel consisting of 183 hotel units, 4 stories and adjacent 3 stories garage	1/13/2010, 2/3/2010	2/25/2010	5/10/2011		242 units	175 units	None	None	13-377	1/13/2014	Issued	Completed
1/6/2010	9580 Abbott Ave	Young Israel - Construction of Jewish orthodox temple containing 371 seats and a maximum building height of 40 feet	1/20/2010, 2/2/2012	3/29/2012	4/10/2012		Negotiated settlement to determine buildable area and setbacks		Approved through Settlement agreement not variance. Settlement determined setbacks.		13-118	5/5/2014	Issued	Completed
5/4/2011	9449 & 9418 Collins Ave	Grand Beach-341 room hotel	5/18/2011, 6/15/2011	7/28/2011	9/13/2011		341 units	341 units	None	None	12-144	5/5/2012	Issued	Completed
7/17/2012	9379, 9365 & 9349 Collins Ave	Chateau Ocean Residences - Demolition of existing 92-room hotel; construction of 90-unit residential condominium building and accessory amenities	8/12/2012, 9/11/2012	12/4/2012	1/24/2013		325 units	85 units (however approximately 58 were built)	None	None	14-132	9/24/2014	Issued	Completed
Original submittal: 7/13/2012 Site plan amendment: 4/16/16	9011 Collins Ave	Surf Club - restoration of the famous surf club historic structure and for the construction of new improvements	7/31/2012, 8/23/2012, site plan amendment: 5/16/2016, 8/4/2016, 3/9/2017, 5/11/2017	Original site plan: 9/27/2012, site plan amendment: 8/31/2017	10/15/2012, site plan amendment: 10/10/2017		762 units	257 units	None	None	13-727	6/27/2014	Issued	Under Construction
7/20/2012	9450 Collins Ave	The Shul - New multiuse glass atrium and joining learning center (3 stories)	2/11/2013, 3/27/2013, 7/9/2013	2/27/2014	10/28/2014		3 story expansion of 8,558.9 square feet		None	None	14-509	11/12/2015	Issued	Under Construction
3/15/2015	201, 203, 205, 207, 209 & 215 88th St 8809 Harding Ave	Surfside Condo's - redevelopment of (7) parcels into single unified condo development	4/2/2015, 6/3/2015	8/27/2015	12/8/2015		65 units	28 units	None	None	16-569		Plans approved, waiting on GC	Pending selection of GC
8/12/2015 12/23/20 Site Plan Amendment	9133 Collins Ave & 9149 Collins Ave	Surf Club II - Redevelopment of property with a multi-family residential project and renovation of existing historic structure. Reduction of dwelling units and hotel rooms. Revisions to expand underground parking and revisions to balcony design	9/4/2015, 3/9/2017, 9/17/2017, 2/9/2021	12/7/2017 2/11/2021	2/13/2018 2021 Date To Be Scheduled	Site Plan Extension of approved by TC on 7/28 TC Meeting. Applicant requested extension of site plan due to FL Declaration of Emergency	199 units	Reduced to 31 condominium units, 26 hotel rooms	None	None			Has not applied for permit yet.	
Original submittal: 2/11/2016 Revised submittal: 5/31/18	9380, 9372, 9364, 9348, 9340, 9322, 9316 & 9300 Collins Ave	9300 Collins Ave - demolition of all existing improvements, construction of 3-story building	Original submittal: 3/10/2016, 4/27/2016 Revised submittal: 6/27/2018, 8/28/2018, 11/1/18	Original approval: 7/18/2016, Revised approval: 11/29/18	Original approval: 11/10/2016, Approved February 26, 2019.	Request submitted to extend approval due to emergency declaration (Hurricane Dorian)	250 units	Request is for 205 units	None	None	18-610		Has not applied for permit yet	
5/4/2016	8955 Collins Ave	Residential Condominiums	6/20/2016, 7/27/2016	10/27/2016	11/10/2016		110 units	16 units	None	None	16-602	12/26/2017	Issued	Under Construction
Oct-16	9116 Harding Ave	303 Surfside - 4 Townhouses	11/2/2016, 2/7/2017, 5/18/2017	6/27/2018	4/14/2018		8 units	4 units	None	None			Has not applied for permit yet	
5/19/2017	8995 Collins Ave	Surf House - site plan approval for expansion to existing multi-family building	6/19/2017, 8/24/2017, 9/28/2017	2/22/2018, 4/26/2018, 5/31/2018, approved on 10/27/19	Scheduled for 12/10/19		99 units	Current request has not been scheduled for commission yet. Request is for 34 units	3 requested: 1. Section 90-82. – Off-street loading requirements (Loading Space Size). 2. Section 90-91.2. – Required buffer landscaping adjacent to streets and abutting properties (Landscape Buffer). 3. Section 90.93(1b). - Open Space (Open Space Trees).				Has not applied for permit yet	
Original submittal: 10/26/2017	Abbott Lot	Unsolicited Proposal (P3)												Terminated
Original Submittal: 1/06/2015 Revised submittals: 8/01/2016, 12/23/2016, 03/09/2018, 10/29/2018 9/25/2020	8851 Harding Avenue	18 multi-family units	01/22/2015, 08/18/2016, 01/23/2017, 03/23/2018, 11/29/2018 Meeting Pending 2/25/2021	01/31/19 PZ recommended approval (Requires PZ Reconsider)	Denied by the Commission (requires reconsideration by TC) 2021 Date to be Scheduled		33 units	Request is for 18 units Updated Site Plan needs to be reviewed by new Town Planner. DRG and P&Z to be scheduled	1 requested: Section 90-82. – Off-street loading requirements (Loading Space Size). Not Required in 2021 Plan				Approved	Denied
7/3/2019	9580 Abbott Ave	Young Israel Variance Request to eliminate landscaping to provide for a handicapped accessible ramp	N/A	8/29/2019	10/29/19				1 requested: eliminate landscaping along the north side of the building				Approved	
1/7/2020	9340 Collins Avenue	Eden request to demolish and rebuild historic structure.	N/A	Deferred 1/30/20	Applicant withdrew the site plan					Withdrawn				Withdrawn by the applicant
1/7/2020	8926 Collins Avenue	Arte request to have FPL vault encroach into landscape buffer.	N/A	1/30/2020	2/11/2020				Landscape buffer				Approved	

TOWN OF SURFSIDE, FLORIDA
MONTHLY BUDGET TO ACTUAL SUMMARY
FISCAL YEAR 2020/2021
As of JANUARY 31, 2021
33.3% OF YEAR EXPIRED (BENCHMARK)

Agenda Item #

Page

1 of 3

March 9, 2021

GOVERNMENTAL FUNDS	ACTUAL	ANNUAL BUDGET	% BUDGET
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GENERAL FUND - 001

REVENUE	\$ 11,400,032	\$16,595,129	69%
EXPENDITURES	5,191,540	\$16,595,129	31%
Net Change in Fund Balance	6,208,492		
Fund Balance-September 30, 2020 (Unaudited)	18,286,748		
Fund Balance-January 31, 2021 (Reserves)	<u>\$ 24,495,240</u>		

A

TOURIST RESORT FUND - 102

REVENUE	\$ 873,714	\$2,939,353	30%
EXPENDITURES	1,047,528	\$2,939,353	36%
Net Change in Fund Balance	(173,814)		
Fund Balance-September 30, 2020 (Unaudited)	2,109,658		
Fund Balance-January 31, 2021 (Reserves)	<u>\$ 1,935,844</u>		

POLICE FORFEITURE FUND - 105

REVENUE	\$ 17,027	\$2,000	851%
EXPENDITURES	741	\$2,000	37%
Net Change in Fund Balance	\$ 16,286		
Fund Balance-September 30, 2020 (Unaudited)	168,289		
Fund Balance-January 31, 2021 (Reserves)	<u>\$ 184,575</u>		

TRANSPORTATION SURTAX FUND - 107

REVENUE	\$ 39,849	\$235,706	17%
EXPENDITURES	20,588	\$235,706	9%
Net Change in Fund Balance	19,261		
Fund Balance-September 30, 2020 (Unaudited)	442,856		
Fund Balance-January 31, 2021 (Reserves)	<u>\$ 462,117</u>		

BUILDING FUND - 150

REVENUE	\$ 245,164	\$1,068,035	23%
EXPENDITURES	312,669	\$1,068,035	29%
Net Change in Fund Balance	(67,505)		
Fund Balance-September 30, 2020 (Unaudited)	1,991,388		
Fund Balance-January 31, 2021 (Reserves)	<u>\$ 1,923,883</u>		

CAPITAL PROJECTS FUND - 301

REVENUE	\$ 1,976	\$2,980,448	0%
EXPENDITURES	81,500	\$2,980,448	3%
Net Change in Fund Balance	(79,524)		
Fund Balance-September 30, 2020 (Unaudited)	4,899,128		
Fund Balance-January 31, 2021 (Reserves)	<u>\$ 4,819,604</u>		

NOTES:

1) Many revenues for January 2021 are received in subsequent months (timing difference) and are recorded on a cash basis in the month received.

2) Expenditures include payments and encumbrances. An encumbrance is a reservation of a budget appropriation to ensure that there is sufficient funding available to pay for a specific obligation.

A. Includes \$2,000,000 available for hurricane/emergencies. The unaudited balance of \$16,286,748 is unassigned fund balance (reserves).

PROPRIETARY FUNDS	ACTUAL	ANNUAL BUDGET	% BUDGET
WATER & SEWER FUND - 401			
REVENUE	\$ 1,538,234	\$4,416,436	35%
EXPENDITURES	962,348	\$4,416,436	22%
Change in Net Position	575,886		
Unrestricted Net Position-September 30, 2020 (Unaudited)	(1,733,143)		
Unrestricted Net Position-January 31, 2021 (Reserves)	\$ (1,157,257)		
MUNICIPAL PARKING FUND - 402			
REVENUE	\$ 421,826	\$1,288,140	33%
EXPENDITURES	555,579	\$1,288,140	43%
Change in Net Position	(133,753)		
Unrestricted Net Position-September 30, 2020 (Unaudited)	1,293,993		
Unrestricted Net Position-January 31, 2021 (Reserves)	\$ 1,160,240		
SOLID WASTE FUND - 403			
REVENUE	\$ 542,435	\$1,917,932	28%
EXPENDITURES	718,437	\$1,917,932	37%
Change in Net Position	(176,002)		
Unrestricted Net Position-September 30, 2020 (Unaudited)	219,615		
Unrestricted Net Position-January 31, 2021 (Reserves)	\$ 43,613		
STORMWATER FUND - 404			
REVENUE	\$ 307,631	\$840,000	37%
EXPENDITURES	290,566	\$840,000	35%
Change in Net Position	17,065		
Unrestricted Net Position-September 30, 2020 (Unaudited)	3,205,050		
Unrestricted Net Position-January 31, 2021 (Reserves)	\$ 3,222,115		
FLEET MANAGEMENT FUND - 501			
REVENUE	\$ 286,604	\$863,307	33%
EXPENDITURES	283,939	\$863,307	33%
Change in Net Position	2,665		
Unrestricted Net Position-September 30, 2020 (Unaudited)	825,468		
Unrestricted Net Position-January 31, 2021 (Reserves)	\$ 828,133		



Jason D. Greene, Assistant Town Manager/CFO



Andrew Hyatt, Town Manager

Town of Surfside
Net Funds Historical Balances
Period 2017 - January 2021

FUND	9/30/2017	9/30/2018	9/30/2019	9/30/2020	1/31/2021	CAGR ^(a)
General	\$ 8,460,802	\$ 10,902,050	\$ 14,984,105	\$ 18,286,748	\$ 24,495,240	29.3%
Tourist Resort	469,880	356,313	1,640,525	2,109,658	1,935,844	65.0%
Police Forfeiture	164,933	159,527	105,725	168,289	184,575	0.7%
Transportation Surtax	388,363	263,292	328,377	442,856	462,117	4.5%
Building	1,742,910	2,760,673	2,563,517	1,991,388	1,923,883	-11.9%
Capital Projects	576,122	2,158,902	3,048,582	4,899,128	4,819,604	104.1%
Water & Sewer	(3,048,579)	(2,546,398)	(2,367,098)	(2,376,269)	(1,157,257)	-8.0%
Municipal Parking	811,013	943,315	1,198,948	1,293,993	1,160,240	16.9%
Solid Waste	429,743	601,201	641,636	219,615	43,613	-20.1%
Stormwater	3,264,379	3,203,878	3,200,132	3,205,050	3,222,115	-0.6%
Fleet Management	-	-	585,363	825,468	828,133	N/A
Total	\$ 13,259,566	\$ 18,802,753	\$ 25,929,812	\$ 31,065,924	\$ 37,918,107	30.0%

(a) - CAGR stands for Compound Average Growth Rate, and is a useful measure of growth over multiple time periods. It represents the growth rate of a Fund Balance from the initial time value to the ending balance if you assume that the fund has been compounding over a time period.



TOWN OF SURFSIDE
Office of the Town Attorney
 MUNICIPAL BUILDING
 9293 HARDING AVENUE
 SURFSIDE, FLORIDA 33154-3009
 Telephone (305) 993-1065

TO: Mayor and Town Commission

FROM: Lillian M. Arango, Town Attorney
Weiss Serota Helfman Cole & Bierman, P.L.

CC: Andrew Hyatt, Town Manager
Jason Greene, Assistant Town Manager

DATE: March 2, 2021

SUBJECT: Office of the Town Attorney Report for March 9, 2021 Regular Commission Meeting

This Firm attended/prepared and/or rendered advice for the following Commission meetings and workshops, and Board and Committee meetings during the past month:

February 1, 2021 – Virtual Tourist Board Meeting

February 4, 2021 – Virtual Zoning Code Workshop I

February 9, 2021 - Virtual Regular Town Commission Meeting

February 11, 2021 – Virtual Special Planning & Zoning Board Meeting

February 18, 2021 – Virtual Zoning Code Workshop II

February 23, 2021 – Special Town Commission Meeting

February 25, 2021 – Planning & Zoning Board Meeting

Members of the firm assisted with the agendas and drafted the resolutions and ordinances for These meetings in addition to drafting or assisting with the preparation of a number of the communications and reviewing, revising and, as appropriate, negotiating the legal requirements Of the relative agreements and supporting documents. Members of the Firm were instrumental in contacting Governor DeSantis early in the COVID-19 pandemic to seek approval by Emergency Order 20-69 for virtual commission meetings to ensure that the Town Commission could continue meeting and conducting essential Town business and implementing policy. The Firm assisted with the preparation and adoption of rules governing virtual meeting or communications media technology for public meetings during the COVID-19 health emergency, as required by Governor DeSantis' Executive Order 20-69, "Emergency Management - COVID-19 Local Government Public Meetings." The Firm has also assisted the Town with the preparation of numerous emergency measures or orders due to the COVID-19 health pandemic, and continues to assist the Town with COVID-19 related issues and documents. Most recently, the Firm prepared an Emergency Order to permit continuation of virtual public meetings for the Town Commission, boards and committees.

With the appointment of new Boards and Committee members, members of the Firm provided various orientation sessions to members regarding Sunshine Law, Public Records Law, Ethics and Board/Committee procedures. The Firm recently organized and hosted a Social Media and Government Communications: Legal and Ethical Considerations webinar with the Miami-Dade County Commission on Ethics and continues to support the Town Commission, Committees and staff with all ethical considerations and training.

Commission Support:

Attorneys of the firm have worked with members of the Town Commission to transition and address concerns and research specific issues and are always available, either in the office or by phone or email. The COVID-19 health pandemic has created additional challenges, and inhibited our ability to personally meet with members of the Town Commission. We appreciate your support as we continue our third year of service and work in implementing new policy directives.

Staff Support:

Members of the Firm continue to provide support to Town administration and staff during the COVID-19 health pandemic, and continue to address a variety of issues and assistance with the Town's response to the crisis. The Firm continues to provide information and orders issued by the State, the County and other municipalities in response to COVID-19.

As typical, members of the Firm continue to assist the Town administration and staff (including the new Town Manager), as well assist boards and committees, with application review, contract and agreement review, preparation of ordinances as directed by the Commission, procurement and purchasing, budgetary requirements and approval process, various solicitations for Town services and providers (RFQs and RFPs) and agreements, Police agreements and matters, IT related agreements, Code enforcement and interpretation, attendance at Special Master Hearings upon request, beach furniture operator permits and administration, ethics issues and requirements, police related issues and matters, vehicle purchases for Town Departments, building permit and enforcement issues, subpoenas and public records requests, research, litigation representation and support, oversight and case management, Town Code interpretation and application, labor, employee and pension matters, assistance with and response to Union Representation Certification Petition filed by AFSCME Florida Council 79 for Town civilian employees, and various procurements and service provider contracts for Town Departments, including CCNA engineering services.

Key Issues:

The workload has been diverse and has included specific issue support to every department. Key issues over the past year have included:

- Emergency Declaration and Emergency Measures and Orders related to the COVID-19 health pandemic.
- Contract Review Related to COVID-19 health pandemic.
- Repeal of Ch. 90 Zoning Code and Map and Adoption of New Zoning Code (2006 Code with modifications).
- Resolution Combatting Hate Due to COVID-19 Health Pandemic

- Resolutions Approving Interlocal Agreements with Miami-Dade County for Access to Exempt Information and Enforcement of Miami-Dade County Code
- Resolution for the Purchase of Police Body-Worn Cameras and Preparation of Agreement
- Resolution Regarding Nurse Initiative Ruth K. Broad
- Beach Furniture Ordinance and Regulations
- Rate Resolutions Solid Waste Assessment
- RFQs for Abbott Avenue Drainage, Planning Services and Engineering Services
- Resolutions Calling Special Election and Referendum for Undergrounding of Utilities, Restricting Sale, Lease or Exchange of Town Land, and Indebtedness Restrictions
- Resolution Approving Waste Connections for Recycling Services
- Resolution Approving Interlocal Agreement with Miami-Dade County CARES Act
- Resolution Approving Miami-DADE County Local Mitigation Strategy 2020 (LMS)
- Resolution Approving a MOU with the Florida State Lodge Fraternal Order of Police to Provide 1% Hazard Pay to First Responders Due to COVID-19
- Resolution Authorizing Negotiations with Highest Ranked Firm Pursuant to RFQ Seeking General Planning Services
- Resolution Authorizing Negotiations with the Highest-Ranked Qualified Firm Pursuant to RFQ 2020-04 Seeking Engineering Services for Abbott Avenue Drainage Improvements.
- Resolution Approving Purchase and Installation of Lighting Regarding Holiday and Downtown District
- Resolution Approving MOU with Bay Harbor Islands for School Address Verification Program
- Resolutions Approving Proposed and Final Millage Rates and Budget for FY 2020-2021
- Resolution Urging FAA Regarding Metroplex/NextGen Flight Paths
- Resolution Selecting and Awarding Contractors to provide General Landscape Maintenance Services, Additional On-Demand Services and Disaster Debris Recovery Serves, and corresponding agreements.
- Resolution Approving Agreement with Marlin Engineering, Inc. for General Planning Services.

- Resolution Adopting Program for Public Information (PPI) in connection with the National Flood Insurance Program
- Resolution Approving MOU with Florida Department of Highway Safety and Motor Vehicles Regarding Access to Biometric Facial Analysis System
- Resolution Approving FY 20-21 Police Forfeiture Fund Expenditures
- Assistance and Response to AFSCME Florida Council 79 Union Representation Certification Petition for Civilian Town Employees
- Resolution in Support of Closing Byron Avenue at 96 Street and/or Other Traffic Mitigation Measures
- Resolution Urging Bahamian Government to Ban Off Shore Oil Drilling
- Resolution Approving First Amendment to Agreement with PayByPhone Technologies for Mobile Payment Services for Town Parking Facilities
- Resolution Approving and Authorizing Expenditure of Funds to FPL for Binding Estimate on Undergrounding of Electric Distribution Facilities
- Resolution Certifying Election Results for November 3, 2020 Special Election on Three Referendum/Ballot Questions
- Resolutions Approving Budget Amendments No. 3 and No. 4
- Resolution Approving Interlocal Agreement with MDPD Regarding for 911 Answering Points
- Resolution Approving Police Mutual Aid Agreement with Bay Harbor Islands
- Resolution Approving Agreement with Savino Miller for Design of 96th Street Park, and corresponding Professional Services Agreement
- Resolution Approving Agreement with HPF Associates for Project Management Support Services for Undergrounding of FPL and Utilities Project, and corresponding Professional Services Agreement
- Resolution in Support of Closing Bay Drive at 96 Street and/or Other Traffic Mitigation Measures
- Resolution Approving Installation of Above Ground Fuel Storage Tank at Town Hall Facilities
- Resolution Approving Purchase of Four Police Vehicles and Equipment
- Resolution Approving Youth Tennis and Soccer Agreements

- Resolution Approving Diamond Brite Pool Resurfacing for Community Center Pool/Spa
- First Amendment to License Agreement with Waverly Acai for Farmer's Market
- Resolution Directing Manager to Coordinate and Schedule a Process for Proposed New Zoning Code
- Ordinance Permitting Pet Grooming Services as Accessory to Pet Retail in the SD-B40 District
- Resolutions Approving Eight (8) Continuing Services Agreements with Engineering Firms Pursuant to CCNA for Engineering Services
- Resolution Approving an Agreement with Keith and Associates for Study and Design of Abbott Avenue Drainage Improvements
- Resolution Approving Legislative Priorities 2021
- Resolution Amending Resolution 2020-2746 in Support of Closing Byron Avenue and Bay Drive and/or Traffic Mitigation Measures
- Resolution Approving Police Mutual Aid Agreement with North Bay Village
- Agreement with Cintas Uniforms for PW Department
- Agreements with Lexis-Nexis for Police Services
- RFP for Street Sweeping Services
- Resolution Selecting and Awarding Contract for Construction of Point Lake Subaqueous Water Main Crossing to Biscaya Island
- Resolution Adopting a Civility Pledge for Public Discourse By Elected Officials
- Resolution Approving Installation and Maintenance of Community Digital Signs with Don Bell, Inc.
- Resolution Urging Governor DeSantis Regarding Vaccine Allocations to Miami-Dade County and Town
- Zoning in Progress Extension and Continued Work on Revisions to Zoning Code

Litigation: New or supplemental information is provided for the following case:

Beach House Hotel, LLC vs. Town of Surfside, Case No. 2020-025405-CA-06 in the Circuit Court 11th Judicial Circuit, Miami-Dade County, Florida. On December 7, 2020, the Town was served with a Complaint for Declaratory Relief, Preliminary and Permanent Injunction in connection with the Town's Beach Furniture Ordinance. On December 23, 2020, the Town filed a Motion for Extension of Time to Respond to the Complaint for 30 days. An Executive Session pursuant to Section 286.011(8), F.S., was held with the Town Commission on January 22, 2021. The Town filed its Answer and Affirmative Defenses on February 4, 2021.

Village of Indian Creek, Florida, Town of Surfside, Florida and Charles Burkett, Petitioners, v. Federal Aviation Administration and Stephen M. Dickson, in his official capacity as Administrator, Federal Aviation Administration, Respondents. On December 14, 2020, Town, together with the Village of Indian Creek, filed a Petition for Review of Agency Order appealing the FAA's Finding of No Significant Impact and Record of Decision in connection with the proposed South-Central Florida Metroplex. The Town's special counsel participated in a Notice of Telephone Assessment Conference with the FAA on March 1, 2021.

Information on other pending litigation matters has or will be provided individually to members of the Town Commission, as needed.

Special Matters: Continued monitoring of new case law and legislation from Federal, State and County, including implementation of Town legislative priorities for the commencing 2021 Florida Legislative Session. Matters which we will continue to work on and anticipate in the upcoming months include, implementation of various policy directives from the Mayor and Town Commissioners, issues related to the COVID-19 health pandemic, including issuance and implementation of various emergency orders and measures, review of existing contracts for services related to the COVID-19 pandemic, implementation of beach furniture ordinance, short term rentals ordinance, review of revenue utility bonds and reduction of water/sewer rates, review and analysis of Resort Tax and Tourist Board legislation, procurement of professional services and contracts, appeal of FAA South-Central Florida Metroplex Finding of No Significant Impact and Record of Decision, review and monitoring of all Development Orders and approvals, police matters and agreements, implementation of agreements resulting from RFQs for Engineering Services, Abbott Avenue Drainage project, landscaping services, shuttle and transportation services and debris monitoring and management services, implementation of approved Referendum and Charter amendments, including undergrounding of utilities, various procurements and service or provider agreements for Town improvements, facilities and programs, assistance with and response to AFSCME Florida Council 79 Union Representation Certification Petition to unionize Town civilian employees, defense of beach furniture ordinance litigation, application to Miami-Dade County for the closure and/or other traffic mitigation measures for Byron Avenue and Bay Drive, assistance with kayak launch potential sites and acquisition, evaluation of process for enforcement and collection of Town liens, implementation of statutorily permitted private providers for building plan review and building inspections for commercial project, review of temporary storage facilities, inspections, and renewal of Zoning in Progress and continued review and policy implementation of revisions to Zoning Code.

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Town of Surfside

TOURIST BOARD MEETING MINUTES

January 4, 2021– 5:30 p.m.

Opening Items:

1. Call to Order/Roll Call

The meeting was called to order by Chair Herman at 5:32 p.m.

Present: Chair Lisa Herman
Vice Chair Eli Tourgeman
Board Member Ian Mavorah
Board Member Clara Diaz-Leal
Board Member Robert Lisman

Also present: Vice Mayor Tina Paul
Haydee Sera, Town Attorney
Andrew Hyatt, Town Manager
Evelyn Herbello, Deputy Town Clerk
Frank Trigueros, Tourism Manager

2. Agenda and Order of Business

3. Approval of Meeting Minutes: December 7, 2020

A motion was made by Vice Chair Tourgeman to approve the December 7, 2020 Tourist Board Meeting Minutes, seconded by Board Member Diaz-Leal. The motion carried with a 5-0 vote.

4. Resort Tax Collection

Tourism Manager Trigueros gave an update and stated that the last payments are being reconciled and he would have the report tomorrow and the amount collected is approximately \$2.5 million dollars. He stated that the Finance Department is finalizing the report.

5. DVAC Update

Tourism Manager Trigueros gave an update on previous meetings which included a recommendation to put together a downtown survey gauging attitudes towards the district. The final version is to be approved by the DVAC Chair prior to circulation with the assistance of Pinzur Communications after January 15, 2021. He also spoke about offering new parking incentives to alleviate vehicular congestion in the district. He stated that they will have a separate meeting with the Chair this week to discuss the issue. Art in public places was also mentioned, including the previous DVAC committee's efforts to recommend that the Town Commission work on an ordinance allowing public art to be displayed in Town. He spoke about a separate art initiative to set up a temporary art display at some of the vacant storefronts instead of installing up a traditional window covering.

Chair Herman asked if the sidewalk project included adding more turtles.

Tourism Manager Trigueros stated it was just more of the infrastructure and look of the sidewalk itself. He noted that additional Turtle Walk sculptures would be included for the Board's consideration in next month's marketing recovery plan draft.

Chair Herman asked about new openings and closures in the business district.

Tourism Manager Trigueros stated that there are a few openings on the horizon including a potential pet-grooming business.

Board Member Diaz-Leal asked if Orange Theory was still considering opening up.

Tourism Manager Trigueros stated that Orange Theory fitness opportunity fell through given the pandemic.

6. Public Relations Media Budget

Tourism Manager Trigueros introduced Rachel Pinzur and gave an update on the public relations portion of the tourism side and pitching surrounding Valentine's Day. He stated that they need a media budget to be able to pay for hosting journalists and media experiences in order to showcase Town businesses.

Rachel Pinzur gave an update on her media pitching and what is needed moving forward to promote Surfside as a family-friendly destination. She gave a rundown of the media opportunities currently interested in visiting Surfside. She stated that they need a budget to be able to accomplish this.

Tourism Manager Trigueros stated that they are looking to see how the Board feels regarding having a budget of approximately \$1,500 monthly in order to get this accomplished which still has to go before the Commission for approval.

Chair Herman asked what funds are left over from the events budget.

Tourism Manager Trigueros stated that those funds are solely for events and that any unused budget would be directed towards different events since that line item was already approved. The funding being requested is for marketing efforts and has to go before the Commission for approval.

Vice Chair Tourgeman recommended that the media budget be put into a presentation format and that it be presented back to the Tourist Board before presenting it to the Commission.

Chair Herman stated that she understands the need for a media budget and that some hotels will comp rooms, but others might not. She added that \$1,500 is not a lot to propose.

Board Member Diaz-Leal agreed with Vice Chair Tourgeman stating that it is best to be as specific as possible when approaching the Town Commission with the funding request and try and detail exactly what the \$1,500 will be used for.

Rachel Pinzur addressed the comments made by Board Member Diaz-Leal and Vice Chair Tourgeman and stated she will look at the breakdown from previous and what they will need in order to provide visiting journalists and influencers a well-rounded experience.

Tourism Manager Trigueros stated that it will be a bit tough to come up with the exact amount given that it depends on the media visit and what the partners want to comp or not. Media expenditures for a visit can vary widely and cannot be predicted months ahead of time since it depends on the media itinerary, which is different for each visit.

Chair Herman recommended coming up with a monthly amount for the time being even though every visit will be different.

Vice Mayor Paul stated that the \$1,500 a month comes to \$18,000 a year and believes it is better to present the annual figure in order to increase approval chances by the Town Commission.

Board Member Mavorah stated that if the budget is in line with past financial budgets and is reasonable, that he agrees with investment as long as the media considered is the appropriate target. He agrees that it is best to present the annual amount.

Board Member Lisman asked if there is a scenario that can be outlined that totaled that amount in the past.

Rachel Pinzur clarified with allotting an annual budget because there might be months that you use less and, in the summer, you might want to do a bigger push for the businesses. She spoke regarding possibly having a discretionary fund to go before the Commission. She spoke about vetting each journalist that comes in and see their past work.

The Board came to consensus of having an annual budget instead of a monthly budget and for Pinzur and Tourism Manager Trigueros to come back at the next meeting with the budget pitch in a presentation format.

7. Surfside Farmer's Market Sponsorship Request

Tourism Manager Trigueros gave an update on bringing back the Farmer's Market which was on hold due to COVID-19. Last year, the previous Tourist Board awarded market organizer Javier Valmana the same sponsorship amount he is requesting this year, \$3,000.

Javier Valmana introduced himself and requested the \$3,000 sponsorship in order to add sanitation stations, signage and other enhancements, so that attendees are aware of all safety regulations and also more comfortable given the addition of tables and umbrellas.

Chair Herman asked if they purchased the tables and chairs last year.

Javier Valmana stated that they did, but had to return them due to COVID-19.

Tourism Manager Trigueros spoke regarding the location of the market.

Vice Chair Tourgeman is in favor of the sponsorship, but believes that due the pandemic he does not believe it is the right time.

Board Member Diaz-Leal stated that anything outside seems to be doing pretty well and those individuals that do not want to be sitting this might be a good place for them to go and believes it might be better and bigger.

Chair Herman asked if there is a list of vendors that are willing to come back.

Javier Valmana commented on the different vendors that they had previously and some new vendors as well. He stated that it is a good idea to bring the market back since other markets in other areas are now reopen.

The following member from the public spoke:

Jeff Rose spoke regarding bringing back the food trucks as well while following the Miami-Dade County procedures.

Discussion took place regarding the exact location of the farmer's market and outdoor activities as well as the concern with spacing and a large enough area to accommodate the vendors.

Javier Valmana addressed the comments made by the Board members regarding the accommodations and spacing that entails crowds.

Board Member Diaz-Leal stated that they can place tape in order to have social distancing.

Vice Chair Tourgeman asked if some of the money can go to making signage to make sure everyone is keeping social distancing.

Vice Mayor Paul spoke regarding her experience with the Farmer's Market last year and the issue was the heat and that is why Javier Valmana requested the umbrellas which will help the comfort for the people attending and is fine with the tables as long as social distancing is observed.

Chair Herman asked Tourism Manager Trigueros if there are any signs that Javier Valmana use.

Tourism Manager Trigueros stated that he will work with Javier Valmana on signage.

A motion was made by Vice Chair Tourgeman to approve the \$3,000 scholarship to Javier Valmana and his Farmer's Market, seconded by Chair Herman. The motion carried with a 4-1 vote with Board Member Lisman voting in opposition.

8. Discussion Items:

A. Destination Recovery Marketing Plan Ideas

Tourism Manager Trigueros gave an update and stated that there will be a new Communications Director that will start on January 11, 2021 and she is very well versed in the area and savvy in business district. He stated he will share the recovery plan ideas with her prior to presenting at the next meeting.

Tourism Manager Trigueros gave a recap of some of the different ideas the Board Members suggested for the plan over the past few months:

- Chair Lisa Herman: Contests to increase community social media engagement; Paddletopia or kayak launch event.
- Vice Chair Eli Tourgeman: Promote Surfside as an environmentally conscious destination; produce print educational materials on maintaining beaches clean, turtle lighting.
- Clara Diaz-Leal: Diversify visitor profile; increase exposure in new markets; wellness angle.
- Ian Mavorah: Increase exposure for staycations and local market; leverage Surfside success stories like Jessica's from Serendipity; cruise stayovers (post COVID-19) Ian contests – community engagement.
- Robert Lisman: Native advertising. Experiential marketing. Will be reconnecting with Zac from the Aethyr agency to consider potential Turtle Walk downtown district passport idea.

Vice Chair Tourgeman asked regarding a pamphlet/brochure to educate the community and visitors on keeping the beaches clean and best practices for turtle lighting. Tourism Manager Trigueros responded that he has it in mind and will be discussing it with the new Communications Director starting next week.

Board Member Mavorah commented on contests, offering a recommendation to have residents submit ideas for next year's holiday banners.

Tourism Manager Trigueros stated that they will look into considering implementing the following year.

Vice Chair Tourgeman spoke regarding bringing some of the merchants to have an unofficial DVAC member.

Tourism Manager Trigueros stated that the Charter does not allow that but they could put together some type of outreach campaign to have more involvement in meetings from the business owners and hotels.

Vice Chair Tourgeman asked for that Charter stipulation to be looked into and does not believe that is accurate. He would like to recommend to go to the Commission to have some business individuals on the Board.

Town Clerk McCready stated that there should be a motion to have business owners as part of the DVAC. She reiterated what the resolution mentioned of the composition of the Committee approved by the Commission.

Tourism Manager Trigueros stated that they do have a business owner on DVAC, Chair Marianne Meischeld who is the manager at Pampaloni Silver.

Board Member Diaz-Leal stated that the issues were that many business owners were appointed to the committee in the past and never showed up to the meetings subsequently having to be removed.

Assistant Town Attorney Sera stated that Tourism Manager Trigueros was referring to DVAC Charter not the Town Charter. The motion is that the Town Commission to amend the DVAC Charter to provide that the Committee shall consist of five (5) voting members that are Surfside residents or business owners or operators. The Town Commission previously ruled that all Board and Committee members must be Surfside residents, no exceptions.

Vice Chair Tourgeman stated that he would like more than five (5) members on this committee and there should be an outreach done to encourage the business owners to participate.

Vice Mayor Paul asked Vice Chair Tourgeman if he believes it should be a Town Manager's Committee.

Vice Chair Tourgeman stated that he does believe it should go back to the Town Manager and be one of his committees.

A motion was made by Vice Chair Tourgeman to go to the Commission to amend the Downtown Vision Advisory Committee Charter to provide that the Committee shall consist of five (5) voting members that are surfside residents or business owners or operators. The motion died for lack of a second.

Tourism Manager Trigueros stated that they will do some outreach and put something together to have more participants at the March 2021 DVAC meeting.

B. Next Meeting: Monday, February 1, 2021 at 5:30 p.m.

Tourism Manager Trigueros advised the Board members of the next meeting date being February 1, 2021 at 5:30 p.m.

Consensus by the Board to hold the next meeting on February 1, 2021 at 5:30 p.m. via zoom.

9. Public Comment – 3-minute time limit each, please

There were no public speakers.

10. Adjournment

There being no further business to discuss before the Tourist Board, Vice Chair Tourgeman made a motion to adjourn the meeting at 6:52 p.m., seconded by Chair Lisman. The motion carried with a 5-0 vote.

Respectfully submitted:

Accepted this 1st day of March, 2021.



Lisa Herman, Chair

Attest:



Evelyn Herbello
Deputy Town Clerk



Town of Surfside

BUDGET ADVISORY COMMITTEE MEETING MINUTES

January 19, 2021 – 3:00 p.m.

1. Call to Order/Roll Call

Chair Goldberg called the meeting to order at 3:00 p.m.

Present: Chair Sheryl Goldberg, Committee Member Andrew Craven, Committee Member Lauren Bardos and Committee Member Diana Gonzalez (arrived at 3:25 p.m.)

Absent: Vice Chair Robert Cummings

Also present were Town Manager Andrew Hyatt, Assistant Town Manager Jason Greene, Town Attorney Lilian Arango, Commissioner Eliana Salzhauer, Parks and Recreation Committee Member Frank MacBride and Parks and Recreation Committee Chair Reta Logan.

2. Agenda and Order of Business

Chair Goldberg provided with her vision and goal of the Committee.

A motion was made by Committee Member Bardos to move future meetings to 4:00 p.m., seconded by Committee Member Craven. The motion carried with a 3-0 vote with Vice Chair Cummings and Committee Member Gonzalez absent.

3. Approval of Minutes: September 9, 2020 Budget Advisory Committee Meeting

A motion was made by Committee Member Craven to approve the September 9, 2020 Budget Committee Meeting Minutes, seconded by Chair Goldberg. The motion carried with a 3-0 vote with Vice Chair Cummings and Committee Member Gonzalez absent.

Commissioner Salzhauer introduced herself as the new Committee Liaison.

4. 2021 Budget Advisory Committee Meeting Dates

Deputy Town Clerk Herbello provided the 2021 dates for the Budget Advisory Committee meetings to start at 4:00 p.m.

A motion was made by Committee Member Bardos to approve the 2021 Budget Advisory Committee Meeting dates with start time of 4:00 p.m., seconded by Committee Member

Craven. The motion carried with a 3-0 vote with Vice Chair Cummings and Committee Member Gonzalez absent.

5. Budget Savings Presentation – Assistant Town Manager Jason Greene

Assistant Town Manager Greene gave an update and presentation on the item along with the annual recurring savings in the Town's budget.

Chair Goldberg thanked Assistant Town Manager Greene for the presentation and clarified the landscaping contract.

Assistant Town Manager Greene addressed the question from Chair Goldberg and stated that SFM will be a new landscape contractor along with the existing vendor Brightview.

6. Public Works Staffing/Project Discussion – Assistant Town Manager Jason Greene

Assistant Town Manager Greene gave an update and presentation on the item and spoke regarding the purchase of a new fuel tank which was approved at the last Commission meeting.

Public Works Director Stokes continued with the presentation and showed the organizational chart for the Public Works Department.

Chair Goldberg thanked Assistant Town Manager Greene and Public Works Director Stokes for their presentation and spoke regarding the wheelchair access available at the Town facility. She also is happy to see that they are looking at hiring an inhouse electrician and has no problem giving Public Works the manpower to keep the Town functioning.

Assistant Town Manager Greene stated that they are still working on this item and sending the information to the Commission. He also provided a synopsis of the process.

Committee Member Craven clarified the motion that has to be made adding the two positions to the Public Works Department.

Assistant Town Manager Greene clarified the process to Committee Member Craven.

Committee Member Gonzalez asked if there are some current positions/manpower that can be given to Public Works Director Stokes to help him.

Public Works Director Stokes stated this is to be proposed for next year's budget and there are duties that they can take over and these positions will help with completing the work.

The following member of the public spoke on the item:

Jeff Rose

A motion was made by Committee Member Craven supporting the updated organizational chart for the Public Works Department for consideration for FY 2022 budget, seconded by Committee Member Gonzalez. The motion carried with a 4-0 vote with Vice Chair Cummings absent.

7. Code Fine/Liens – Chair Sheryl Goldberg

Chair Goldberg presented the item and discussed the amount of fines pending and believes that this Committee can discuss and make a recommendation in making the process more productive and gave an example. She also discussed obtaining better pricing for landscape services.

Assistant Town Manager Greene stated that the way the special magistrate and the form the department handles the cases is not in the purview of this committee.

Chair Goldberg stated that there needs to be a better form of collecting these outstanding fines. These properties are being serviced and are not paying their fines.

Assistant Town Manager Greene spoke regarding the budgetary allocation of this item.

Further discussion among the Committee and Assistant Town Manager Greene took place on the process for collecting these outstanding fines.

Committee Member Craven stated that the process of collection is not in the purview of their duties as a Committee.

Assistant Town Manager Greene addressed the comments made by the Committee regarding the service liens. He stated that the item will come back on the next agenda in order for the Code Enforcement Manager to be at the meeting to discuss costs for service liens and potential budget savings.

Discussion continued regarding the collection of these fines that could assist with funding positions for other departments.

8. Code Revenues – Chair Sheryl Goldberg

This item was discussed in conjunction with item 7.

9. Business Tax, Parking/Traffic Citation Revenue – Chair Sheryl Goldberg

Assistant Town Manager Greene gave an update along with a presentation on the item and the revenues received and projected.

Chair Sheryl Goldberg stated that she wanted everyone to be aware of how the Town is doing and how COVID may or may not be impacting the Town's revenues.

Committee Member Bardos left the meeting at 4:20 p.m.

10. Parks and Recreation – Committee Member Diana Gonzalez

Committee Member Gonzalez asked if some of the activities have been limited due to COVID and would like more clarification on the programs.

Assistant Town Manager Greene stated that some of the programs are online and some are in person and requested Parks and Recreation Director Milian to send the Town Clerk to distribute to the Committee Members a list of all the programs being offered.

Parks and Recreation Director Milian stated that he can send out a list of all the programs they offer both in person and online. He stated that any resident that has questions on the programs can contact the Parks and Recreation Department as well as all the information being on the Town's website.

The following member of the public spoke on the item:

Frank MacBride, Parks and Recreation Committee Member clarified that all that information is on the Town's website, Publix bulletin board as well as posted at Town Hall and the Community Center.

Committee Member Craven stated that all the information is on the Gazette and the Town website.

Chair Goldberg asked if when they redo the 96th Street park will they be furloughing employees because the activities will be curtailed.

Parks and Recreation Director Milian stated that they are looking at possibly a year before the project breaks ground.

Assistant Town Manager Greene stated that will be a discussion that they can have for the budget of FY 2022.

Committee Member Craven suggested having the items on the Budget Advisory Committee agendas in an order where the Town staff will not have to stay too late.


11. Public Comments - (3-minute time limit per speaker)

No public comments.

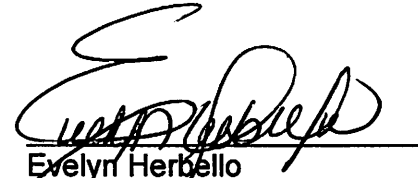
12. Adjournment

A motion was made by Committee member Craven to adjourn the meeting without objection at 4:46 p.m. The motion received a second from Chair Goldberg. The motion carried with a 4-0 with Vice Chair Cummings absent.

Accepted this 17 day of February, 2021.


Sheryl Goldberg, Chair
Budget Advisory Committee

Attest:


Evelyn Herbello
Deputy Town Clerk



**Town of Surfside
SPECIAL PLANNING & ZONING BOARD
AGENDA**

January 21, 2021 – 6:00 p.m.

1. Call to Order/Roll Call

Chair Frankel called the meeting to order at 6:02 p.m.

Present: Chair Judith Frankel, Board Member Fred Landsman (arrived at 6:04 pm), Board Member James MacKenzie, Board Member Ruben Bravo, Board Alternate Member Horace Henderson (arrived at 6:08 p.m.), and Board Alternate Member Michael Dranoff.

Absent: Vice Chair Oliver Sanchez.

Also, Present: Mayor Charles Burkett, Town Planner Walter Keller, Assistant Town Attorney Tony Recio and Town Manager Andrew Hyatt and Building Official Ulises Fernandez.

Town Clerk McCready advised the Board of a Special Planning and Zoning Board Meeting that will be scheduled for February 11, 2021 at 6:00 p.m. to address the backlog of applications.

2. Town Commission Liaison Report – Mayor Charles Burkett

Mayor Burkett spoke regarding the new zoning code rewrite and the combining the safety and security of the old code as well as the upcoming zoning workshops. He thanked the Board Members for their service.

3. Approval of Minutes – December 17, 2020

A motion was made by Board Member Landsman to approve the December 17, 2020 Planning and Zoning Board Meeting Minutes, seconded by Board Member Henderson. The motion carried with a 5-0 vote.

Town Attorney Recio read into the record the meeting information details and the quasi judicial statements.

The Town Attorney polled the Board Members and no one has had any communication with any of the applicants.

4. Applications:

A. 9248 Emerson Avenue – New Single Family Home

Town Planner Keller introduced the item and provided the staff recommendations as stated below:

Background: This application is a request to construct a new 2-story single family residence. The parcel is located in the H30B Zoning District with Emerson Avenue on the east and Bay Drive on the west. The average lot depth is 128± feet with a width of 50 feet. The Applicant indicates the lot size is 6,368 square feet (SF). The proposed airconditioned floor space totals 4,350 SF. An existing one-story single-family residence will be demolished in order to construct the new dwelling. An overhead view of the lot from the Miami Dade County Property Appraiser is provided on the following page.

Governing Codes: The Zoning in Progress requirements for a new 2-story single family dwelling are detailed in the following Zoning Codes:

2006 Code: Front yard landscape 50% minimum; Rear yard landscape 40%.

2020 Code: Base Flood Elevation +2; Pervious area 35% minimum; Street trees 2; Minimum 5 trees of two different species and 25 shrubs per lot; Residential Design Guidelines (building massing, decorative features, architectural style, wall materials and finishes; roof materials, types and slopes; windows and trims).

2006/2020 Codes: Maximum lot coverage 40%; Maximum height 30 ft; Front and rear setback 20 ft; Front setback permeability 50%.

Zoning in Progress: Maximum 40% lot coverage does not include uncovered steps and exterior balconies; uncovered terraces, patios, porches open on 2 sides; covered terraces, patios or porches open on 2 sides (these exemptions not to exceed 15% of the total footprint); second story lot coverage is limited to 32% of the lot area or 80% of the first floor area (whichever is less); lots greater than 112.5 feet in depth need to have front and rear yards combined to equal at least 36% of the lots depth; 20% of all landscaping must be Florida Friendly.

Staff Recommendation: Review of the application package submitted by the Applicant and review relative to code requirements indicates the Applicant complies with the 2006, the current Municode and the Zoning in Progress requirements and should be approved subject to the following minor comments:

- relocate the Emerson Avenue Sabal Palms onto the lot
- verify the accessory uses (pool, decks, steps, and terraces) do not exceed the 15% requirement.

Jeff Rose representing the applicant was sworn in and presented the project.

Louis Plotkin, applicant was sworn in and addressed the Board members and presented his project.

Chair Frankel closed public comment.

Board Member Mackenzie stated in respect to the house that Jeff Rose pays a lot of attention to the house and appears to meet everything as Town Planner Keller stated and that he is keeping the second floor façade. He asked regarding not seeing a fence and would like to see the fence coming into the project now and not seeing it come back at another time. He asked regarding the pool coming close to the property line on Bay Drive and the height of the soil and his intention would be for the project. He also addressed different concerns regarding the project.

Jeff Rose stated that they are not allowed to do the fence that way anymore.

Chair Frankel spoke regarding the water retainage and Building Official Fernandez could verify that.

Building Official Fernandez verified that all the water needs to stay in the property and stated that there is nothing in the Building Code that states that.

Town Planner Keller addressed the comments made by Board Member Mackenzie and stated that they are trying to simplify what the Board is given while still giving them the information needed.

Further discussion among the Board Members and the Town Planner regarding the pool and the site plan.

Jeff Rose addressed the comments and questions from the Board members.

Town Planner Keller stated that one of the issues in the Town is that the houses were built too low and the flooding control which pushes the houses above the crown of the road.

Building Official Fernandez addressed the comments made regarding the level of storage and the garage and stated FEMA's requirements and the certain exceptions that are allowed.

Discussion continued among the Board and the applicant regarding the lot coverage and the garage.

Board Member Bravo asked the applicant if this was a design build contract.

Jeff Rose, applicant stated that it was just a design for the home.

Further discussion took place among the Board Members and the applicant regarding the design of the project and the rainwater staying on the property.

Building Official Ulises Fernandez stated that it is important to clarify where you are measuring the height of the fence.

A motion was made by Board Member Mackenzie to approve the application with staff recommendations and conditions to include: fence height be measured from crown of the road; planner to take particular note with the landscaping and Bay Drive; there be an appropriate transition; impose a landscape architect to develop a landscape plan; when the plans are submitted to the Building Department that the Building Department pays attention to the plans to make certain that they meet the Miami-Dade Building Code requirements; Building Department oversee the plans for the drainage and make sure it meets the code, seconded by Board Member Henderson. The motion carried with a 5-0 vote with Vice Chair Sanchez absent.

B. 9157 Froude Avenue – Garage Conversion

Town Planner Keller introduced the item and provided the staff recommendations as stated below:

Background: This application is a request to approve a prior conversion of an existing garage into a 3rd bedroom. The parcel is located in the H30B Zoning District. In addition to this Memorandum, an Agenda Packet submitted by the Applicant with review by James Hickey, the former Town Planner is attached.

Governing Codes: The Zoning in Progress requirements for a garage conversion are detailed in the following Zoning Code sections:

2006 Code: 90-145(b)1(d) – allows for a garage conversion provided the garage door is replaced with a solid exterior wall with at least one window and with access internally from the main premises.

2008 Code: 90.41.4 – Also allows if an exterior door is no longer at grade level, stairs may be installed to comply with the Florida Building Code but must not extend more than 24 inches into the side or rear setbacks.

Current Municode: 90-50.1(1)(7) – further requires if the garage is at the front or primary corner of the property, landscaping should be along the base of the exterior wall.

Staff Recommendation: Review of the application package prepared by the former town planner and current planning staff review of the codes and Google Street View photo images of the property (see attached) indicates the Applicant complies with all the 2006, 2008 and the current Municode relative to a garage conversion and should be approved. Note, the removal of the rear sunroom was to resolve a code violation.

Board Member Landsman asked regarding the permitting and code violation after the fact and why it is coming to the Board for approval.

Town Planner Keller addressed the comments made by Board Member Landsman.

Town Attorney Recio addressed the code enforcement violations and advised the Chair that they have the ability to review this and they are looking at bringing this into full compliance.

Board Member Mackenzie spoke regarding the site plan and legalization notes that has to do with permitting records. He asked regarding the three (3) trash cans and the massing on the left of the house.

Chair Frankel stated that with garage conversions that occurs because they have a different roof and her concern is the finished floor level.

Further discussion took place regarding the project and the code violations and short term rules for rentals.

Board Member Landsman stated that as a Board they should not be making assumptions if the owner is going to rent the property. He stated that at the last meeting they made it clear that the owner is not present at the meeting.

Chair Frankel agrees with Board Member Landsman and spoke regarding the look of the windows and symmetry. She spoke regarding the two conditions of the previous Planner and what the Code states regarding landscaping. She stated that the elevation has to be brought up to the same as the house to meet the house floor level.

A motion was made by Board Member Henderson to reject the application, seconded by Board Member Bravo. The motion carried with a 4-1 vote with Chair Frankel voting in opposition and Vice Chair Sanchez absent.

C. 9165 Abbott Avenue – Garage Conversion and Addition

Town Planner Keller introduced the item and provided the staff recommendations as stated below:

Background: This application is a request to approve a 540 square foot (SF) addition to an existing single-family residence with additional renovations to the roof, exterior, windows and driveway. The parcel is located in the H30B Zoning District. The Applicant has provided a current survey and provided details on the improvements and proposed elevations. An overhead aerial photo from the Miami Dade County Property Appraiser and a Google Street View are provided on the following page.

Governing Codes: The Zoning in Progress requirements for the proposed improvements are detailed in the following Zoning Codes:

2006 Code: Front yard landscape 50% minimum; Rear yard landscape 40%.

2020 Code: Base Flood Elevation +2; Pervious area 35% minimum; Residential Design Guidelines (building massing, decorative features, architectural style, wall materials and finishes; roof materials, types and slopes; windows and trims).

2006/2020 Codes: Maximum lot coverage 40%; Maximum height 30 ft; Front and rear setback 20 ft; Front setback permeability 50%.

Zoning in Progress: Maximum 40% lot coverage does not include uncovered steps and exterior balconies; uncovered terraces, patios, porches open on 2 sides; covered terraces, patios or porches open on 2 sides (these exemptions not to exceed 15% of the total footprint).

Staff Recommendation: Review of the application package, aerial photos from the property appraiser, Google Street View and planning staff review of the codes indicates the Applicant generally complies with all the 2006, the current Municode and Zoning in Progress relative to the proposed improvements and should be approved subject to following comments.

- Provide calculations and worksheet verifying 50% landscape area in the front yard setback
- Provide calculations and worksheet verifying 40% landscape area in the rear yard setback
- Provide calculations and worksheet verifying building floor area is 40% or less of the lot size
- Provide information and material details on the driveway improvements
- Verify the accessory uses (pool, decks, steps, and terraces) do not exceed the 15% requirement
- Verify the maximum building height does not exceed 15 feet
- Verify the eaves on the new roof does not extend more than 8 inches into the side yard

Juan C. David, Architect for the applicant was sworn in and introduced the project to the Board.

The following individual from the public spoke:

George Kousoulas was sworn in and spoke on behalf of the applicant on the covered terrace issue.

Board Member Henderson asked Town Attorney Recio that since the information was provided late and if the item can be deferred. He asked Town Planner Keller that since he got the information late if he had time to verify with the code.

Town Planner Keller stated that most of this would apply but it was not added to the plans and in this case it was not submitted.

Board Member Henderson asked if they can defer it or if they have to deny or approve.

Town Attorney Recio stated that it can be deferred and what is being brought before them is the design portion.

Juan C. David, Architect stated that there were simple calculations and the information is with Town Planner Keller and if it could be approved with conditions.

George Kousoulas addressed the comments made by the Board.

Board Member Horace stated that he would like the concept that all the details are important and all the information provided beforehand.

Board Member Mackenzie stated that he likes the plan but stated that it is a matter of principle and that if they continue the trend of missing information constantly it goes back to this being a serious matter since they have to review the plans. He stated that he is not ready to move forward with this application at this time.

Board Member Bravo stated that they have been talking about these issues constantly and believes these plans need to be resubmitted.

Chair Frankel stated that the existing plans are acceptable it is the lack of information and details that they are concerned about.

Further discussion took place regarding the lack of information and the roles and responsibilities of the Board and being specific what they do as a Board.

Juan C. David, Architect addressed the comments made by the Board regarding the drainage and the front elevation.

Chair Frankel summarized the comments made by the Board and asked for those future applicants to submit all the information on time in order for the Town Planner to have enough time to review the plans.

Board Member Mackenzie stated that he would prefer to defer the application.

A motion was made by Board Member Landsman to approve the application provided that the calculation and details that are under review are verified and meet building code. The motion died for lack of a second.

A motion was made by Board Member Mackenzie to defer the item to the February 11, 2021 Special Planning and Zoning Board Meeting, seconded by Board Member Bravo. The motion carried with a 5-0 vote with Vice Chair Sanchez absent.

D. 9432 Byron Avenue – Garage Conversion and Internal

Town Planner Keller introduced the item and provided the staff recommendations as stated below:

Background: This application is a request to approve a conversion of an existing garage into a Den with bathroom. The parcel is located in the H30B Zoning District. The Applicant has provided an older survey but also took photographs which indicate the survey is still applicable. An overhead aerial photo from the Miami Dade County Property Appraiser is provided on the following page.

Governing Codes: The Zoning in Progress requirements for a garage conversion are detailed in the following Zoning Code sections:

2006 Code: 90-145(b)1(d) – allows for a garage conversion provided the garage door is replaced with a solid exterior wall with at least one window and with access internally from the main premises.

2008 Code: 90.41.4 – Also allows if an exterior door is no longer at grade level, stairs may be installed to comply with the Florida Building Code but must not extend more than 24 inches into the side or rear setbacks.

Current Municode: 90-50.1(1)(7) – further requires if the garage is at the front or primary corner of the property, landscaping should be provided along the base of the exterior wall.

Staff Recommendation: Review of the application package, aerial photos from the property appraiser, applicant photos and planning staff review of the codes indicates the Applicant complies with all the 2006, 2008 and the current Municode relative to a garage conversion and should be approved subject to installing a planter along the front of the new wall.

Venicius Souza, applicant was sworn in and presented the application and his project.

Chair Frankel asked regarding the parking garage and if there is sufficient space for two parking spaces.

Town Planner Keller responded to the comments made by Chair Frankel.

Further discussion took place regarding the specifics and requirements of this project and condition to maintain the divided look as well as the garage and drainage and make it a condition that the drainage pipes comply with the Code.

Board Member Mackenzie does not believe that the windows currently there are not hurricane impact windows.

A motion was made by Board Member Landsman to approve the application with staff recommendations, consistency with the windows, driveway conditions must meet the requirements set by the Code and the landscaping planter must have proper irrigation and drainage of the washer and dryer, seconded by Board Member Bravo. The motion carried with a 5-0 vote with Vice Chair Sanchez absent.

E. 9417 Carlyle Avenue – Garage Conversion

Town Planner Keller introduced the item and provided the staff recommendations as stated below:

Background: This application is a request for a garage conversion to provide a 220 square foot (SF) bedroom, bathroom and laundry area. The parcel is located in the H30B Zoning District. An overhead aerial from the Property Appraiser and a Google Street View are provided on the following pages.

Governing Codes: The Zoning in Progress requirements for a garage conversion are detailed in the following Zoning Code sections:

2006 Code: 90-145(b)1(d) – allows for a garage conversion provided the garage door is replaced with a solid exterior wall with at least one window and with access internally from the main premises.

2008 Code: 90.41.4 – Also allows if an exterior door is no longer at grade level, stairs may be installed to comply with the Florida Building Code but must not extend more than 24 inches into the side or rear setbacks.

Current Municode: 90-50.1(1)(7) – further requires if the garage is at the front or primary corner of the property, landscaping should be along the base of the exterior wall.

Staff Recommendation: Review of the application package and planning staff review of the codes and Google Street View photo images of the property (see attached) indicates the Applicant complies with all the 2006, 2008 and the current Municode relative to a garage conversion and should be approved subject to providing landscaping in front of the new wall or placing a planter with landscaping in front of the new wall.

Board Member Bravo asked regarding the style and frame.

Rogerio Vieira, property owner was sworn into the record and addressed questions from the Board.

A motion was made by Board Member Mackenzie to approve the application with staff recommendations and conditions of the driveway having two parking spaces and landscape requirements, seconded by Board Member Henderson. The motion carried with a 5-0 vote with Vice Chair Sanchez absent.

F. 400 93rd Street – Front Yard Fence

Town Planner Keller introduced the item and provided the staff recommendations as stated below:

Background: This application is a fence request for a corner lot. The parcel is located in the H30B Zoning District. The Applicant has provided a current survey and provided details on the proposed improvements. The lot is 112.5 feet long and 55 feet wide. An overhead aerial

photo from the Miami Dade County Property Appraiser and a Google Street View are provided on the following pages.

Discussions with the Applicant indicate a desire to create a fenced area for his children. Therefore a fence is proposed on the property line on Abbott Avenue following the corner radii and then northward on a line 12 feet from the 93rd Street right of way connecting to the house corner. The Applicant planted a hedge recently which is located in the public right-of-way of both Abbott Avenue and 93rd Street.

Gates are proposed on the 93rd Street property line for his walk, driveway access and access to the north side yard.

Governing Codes: The Zoning in Progress requirements for the proposed improvements are detailed in the following Zoning Codes:

2006 Code: No fence or wall can be constructed in a front yard or a corner lot in a side yard that abuts a right of way; no fence or wall can conflict with the vision clearances

2020 Code: A fence or ornamental wall may be placed within a front yard or primary corner yard if granted design review approval by the Planning and Zoning Board. Maximum height is 4 feet plus ½ foot for each 10 feet exceeding 50 feet

Staff Recommendation: Review of the application package, aerial photos from the Property Appraiser, Google Street View and planning staff review of the codes recommends the Planning and Zoning Board find a 4-foot high picket fence be approved on Abbott Avenue as proposed by the Applicant. It is also recommended the existing hedge be relocated in close proximity to the property line. The proposed 4- foot high gates on 93rd Street also be approved as requested by the Applicant provided they are located outside of the public right of way.

David Elmaleh, applicant was sworn into the record and provided a presentation of his project.

Board Member Landsman asked if this is an application the Board had previously seen and asked Town Planner Keller if the applicant has agreed to these conditions.

David Elmaleh, applicant agrees to the conditions and recommendations in reference to the fence.

Discussion took place among the Board members and the applicant regarding conforming to code, landscaping and the gates going across the property.

Further discussion took place regarding the hedges and the proper placement of those hedges.

Board Member Mackenzie stated that he does not feel comfortable approving this application.

A motion was made by Board Member Landsman to approve the application with staff recommendations; to exclude any of the gates along Abbott Avenue and 93rd Street; and moving the hedge to be in front of the fence to the property line, seconded by Chair Frankel. The motion carried with a 3-2 vote with Board Member Mackenzie and Board Member Bravo voting in opposition and Vice Chair Sanchez absent.

G. 9461 Harding Avenue – Door sign

Town Planner Keller introduced the item and provided the staff recommendations as stated below:

Matteas _____ representing the applicant was sworn in and presented the project.

Background: This application is a request to place a double door window signs. The parcel is located in the SD-B40 Zoning District. In addition to this Memorandum, an Agenda Packet submitted by the Applicant with review by James Hickey, the former Town Planner is attached.

Governing Codes: The Zoning in Progress requirements for window and door signs are detailed in the following Zoning Code sections:

2006 Code: 90-209(c)6(e) – Provides a window sign of 1.5 square foot (SF) for each window or door. In addition, the lettering is limited to 8 inches in height and the total area of the sign cannot exceed 20% of the window and or door area.

2008 Code: 90.71.1 – Also allows a window sign of 1.5 square foot (SF) for each window or door. In addition, the lettering is limited to 8 inches in height and the total area of the sign cannot exceed 20% of the window and or door area.

Current Municode: 90-73.a(3)c – The Code only limits the sign to not exceed 20% of the window or door area. Lettering is limited to 8 inches in height. Allowable material include painted gold leaf, silver leaf, silk-screened, cut or polished metal, cut or frosted vinyl and etched glass.

Staff Recommendation: The Applicant's proposed signs is not dimensioned in the application. Based on the more restrictive Code, it is recommended the sign be approved subject to the following conditions:

1. The size of the proposed door signs shall be limited to a maximum of 1.5 SF per the Code; and,
2. The sign lettering shall be 8 inches or less with the sign material consistent with **Sec. 90- 73.a(3)c**.

A motion was made by Board Member Landsman to approve the application with staff recommendations, seconded by Board Member Henderson. The motion carried with a 5-0 vote with Vice Chair Sanchez absent.

5. Next Meeting Date: January 28, 2021

Deputy Town Clerk Herbello advised the Board members of the next meeting date being January 21, 2021 at 6:00 p.m. and January 28, 2021 at 6:00 p.m.

6. Discussion Items:

A. Future Agenda Items

Chair Frankel stated that it is important to review the zoning code and prepare for the upcoming meeting.

The following individuals from the public spoke:

George Kousoulas spoke regarding the Board and architectural drawings and the relationships and lot coverage

Chair Frankel asked George Kousoulas to address the Board on the February 11, 2021 Meeting to assist with some of the concerns.

Jeff Rose spoke regarding the types of units they are looking for and what their thoughts were of what the right types of units they Board is looking for along Collins Avenue.

The Board Members addressed the comments made by the public speakers.

Chair Frankel commented on the hotels and believes there is room for both residential and hotels.

7. Adjournment:

A motion was made by Board Member Landsman to adjourn the meeting without objection at 10:02 p.m. The motion received a second from Board Member Henderson. The motion carried with a 5-0 vote with Vice Chair Sanchez absent.

Respectfully submitted,

Accepted this 25th day of February, 2021.


Judith Frankel, Chair

Attest:


Sandra McCready, MMC
Town Clerk



Town of Surfside

**PARKS & RECREATION COMMITTEE
MEETING**

MINUTES

January 25, 2021 at 7:00 p.m.

1. Call to Order/Roll Call

The meeting was called to order by Chair Logan at 7:03 p.m.

The following were present: Chair Retta Logan
Vice Chair Nicole Travis
Committee Member Frank MacBride, Jr.
Committee Member Marta Olchyk
Committee Member Janice Tatum (arrived at 7:15 pm)

Absent: Commissioner Nelly Velasquez

Also, present: Town Manager Andy Hyatt
Tim Milian, Parks and Recreation Director
Evelyn Herbello, Deputy Town Clerk

2. Agenda and Order of Business

3. Approval of Minutes: December 21, 2020

A motion was made by Vice Chair Travis to approve the December 21, 2020 Parks and Recreation Committee Meeting Minutes, seconded by Committee Member MacBride. The motion carried with a 4-0 vote with Committee Member Tatum absent.

4. 96th Street Park Project Update - Tim Milian, Parks and Recreation Director

Parks Director Milian gave an update of the project and advised the Committee that the architectural firm was selected and advised them of the upcoming meetings and spoke regarding the kayak launch.

Chair Logan asked regarding the project and the evaluation committee.

Parks and Recreation Director Milian addressed the comments made by Chair Logan and that the kick off meeting will be Wednesday and schedule the first outreach meeting sometime in February.

Discussion took place among the Committee members and the Parks and Recreation Director regarding the forum for the outreach and the zoom landscape for the upcoming meetings.

Committee Member MacBride asked what types of programs they are looking for besides the ones they currently have to move forward.

Parks and Recreation Director Milian addressed the comments made by Committee Member MacBride and gave him examples of the types of programs they are looking at having that includes Youth, Camps, Adult, Senior Programs and Special Events. He spoke regarding the recreational facilities at the park to help relieve some of the programming issues at the community center and adding multi-functional programs and expanding the park operations.

Committee Member MacBride suggested something that will assist residents with the zoom programs.

Further discussion took place among the Committee Members and Parks and Recreation Director Milian regarding different programs, zoom programs and what can be done to assist the residents with the different programs being offered.

Committee Member Olchyk asked how many people these programs could serve or hold in the new facility.

Parks and Recreation Director Milian stated that they have not determined how many they could hold in the new facility but if they go by square footage, to be functional, it has to accommodate the Fire Code.

Parks and Recreation Director Milian asked if the Committee should have an extra meeting. He stated that they could do a meeting to address the architectural firm and have a separate meeting to address the architectural design.

5. New Normal Update/Programming - Tim Milian, Parks and Recreation Director

Parks Director Milian gave an update of the new normal program and spoke regarding the COVID restrictions and Surfside Pool is one of 6 in Miami Dade County that are operational. He gave the hours of operation for the Town's facilities and the changes in hours based on programming restrictions.

Committee Member Tatum asked regarding the tot lot program.

Parks and Recreation Director Milian addressed the comments made by Committee Member Tatum regarding the fall/winter tot lot program. He spoke regarding different programs and Spring events coming up and accommodating families.

6. Pool/Slide and Water Tot Lot Maintenance for 2021 - Tim Milian, Parks and Recreation Director

Parks Director Milian gave an update of the item and its maintenance schedule for 2021. He spoke regarding the budgeting of the pool maintenance and they are shooting for February 16, 2021, they are signing the contracting and shutting the pool down in order to do the maintenance. They have the water slide open for recreational.

Committee Member Tatum asked regarding recreational swimming.

Parks and Recreation Director Milian addressed the comments made by Committee Member Tatum regarding the restriction when it comes to recreational swimming.

Committee Member MacBride asked regarding the tot lot maintenance.

Parks and Recreation Director Milian addressed the comments made by Committee Member MacBride. He stated that they are going to do maintenance of all the apparatus and will be a major overhaul. That the tot lot is the Water Playground located at the community center and not Hawthorne park.

Vice Chair Travis asked if the locker rooms were open.

Parks and Recreation Director Milian stated that they are still closed.

Further discussion took place among the Committee Members and Parks and Recreation Director Milian regarding the different closures of certain programs.

Committee Member MacBride asked how many survey results they received or completed on the kayak launch.

Parks and Recreation Director Milian stated that from what he heard was over 250 surveys the time he has checked but was sure a lot more had been received.

Town Manager Hyatt stated it was approaching 500 and they received a good number of responses.

Chair Logan spoke regarding the different number of submissions.

Vice Chair Travis also commented on the number of submissions and results.

Further discussion took place among the Committee Members regarding the seawall ownership and location.

Discussion took place to have the March 15, 2021 meeting strictly for the architectural design meeting if it fits into the Architectural time frame moving forward.

7. Public Comments - (3-minute time limit per speaker)

There were no public speakers.

8. Next Meeting: February 22, 2021

Parks and Recreation Director Milian advised the Committee of the next Parks and Recreation Committee Meeting date. Consensus was reached to have the next meeting on February 22, 2021 at 7:00 p.m.

9. Adjournment

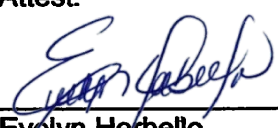
A motion was made by Committee Member MacBride to adjourn the meeting without objection at 7:46 p.m. The motion received a second from Committee Member Olchyk. The motion carried with a 5-0 vote.

Respectfully submitted:

Accepted this 22 day of February, 2021.


Retta Logan, Chair

Attest:



Evelyn Herbello
Deputy Town Clerk



**Town of Surfside
PLANNING & ZONING BOARD
MINUTES
January 28, 2021 – 6:00 p.m.**

1. Call to Order/Roll Call

Chair Frankel called the meeting to order at 6:02 p.m.

Present: Chair Judith Frankel, Board Member Fred Landsman (arrived at 6:05 pm), Board Member James MacKenzie, Board Member Ruben Bravo, Board Alternate Member Horace Henderson and Vice Chair Oliver Sanchez.

Absent: Board Alternate Member Michael Dranoff

Also, Present: Mayor Charles Burkett (arrived at 6:13 pm), Town Planner Walter Keller, Town Attorney Tony Recio and Town Manager Andrew Hyatt and Building Official Ulises Fernandez.

Chair Frankel advised the Board of the two Zoning Workshops on February 4 and February 18, 2021 and encouraged the Board Members to attend and participate in both workshops.

Town Clerk Sandra McCready advised the Board of the dates and times of the workshops stated to the Board that they will have preference in providing their input.

Chair Frankel spoke regarding the recommendations for the applications and to make sure that the Town staff is doing their job and providing their expertise.

Town Attorney Recio spoke regarding the orientation, the design guideline and stated that those guidelines are available online. He stated that these guidelines are the ones that need to be applied when looking at these applications. He stated that tonight they will play another role in recommending approval or denial on a proposed ordinance that already went to the Commission.

2. Town Commission Liaison Report – Mayor Charles Burkett

Mayor Burkett thanked all the members of the Board for their hard work and working on getting all the applications addressed with the extra meetings.

3. Applications:

Town Attorney Recio read the quasi-judicial statement into the record and polled the members of the Board.

All Board Members stated that they had no contact with any of the applicants.

Deputy Town Clerk Herbello confirmed advertisement of the items and swore in the speakers.

A. 924 88th Street – Amending Design Review Approval

Background: This application is a request to modify a previously approved single family site plan which is under construction. The parcel is located in the H30A Zoning District with a lot area of 15.570 square feet. In addition to this Memorandum, four exhibits submitted by the Applicant are attached.

The Planning and Zoning Board approved the two-story single family site plan in January 2017. The approved 2nd floor area included 4 building wall cut-outs, two on each side. A site plan modification is requested to remove the cut-outs and manage the average side setback area by utilizing areas where the second floor is set farther back from the front property line. While the second-floor square footage will increase, the second floor is 70.5 % of the ground floor square footage.

Governing Code: The Zoning in Progress requirements for this request are detailed in the following Zoning Code section:

Current Municode: 90-2 – The Code definition and illustrative example for setback (average) reports the average setback can be provided through a variety of ways and the builder has the option of building continuously along the average setback line without variation.

Staff Recommendation: The Applicant's proposed 2nd floor wall modification is consistent with the Code and should be approved.

Eddy Vazquez, architect for the project presented the application and spoke regarding the specifics of the project.

George Kousoulas, representing the applicant presented the project and went through the exhibits of the project.

Maria Tudi, neighbor spoke and wanted to ask George Kousoulas regarding the generators on the grass which is in front of her house and is there a way to put fences to not have to see the generators.

George Kousoulas addressed the comments made by Maria Tudi and stated that they are covered and they would love to place the equipment on the roof but due to code changes it cannot be done.

Eddy Vazquez, architect, addressed the concerns from Maria Tudi and stated that they have hedges around the air conditioner and generators.

Board Member Mackenzie asked what type of generator it was, how it would be maintained, and does it emit fumes.

Eddy Vasquez stated it would be a natural gas generator and he stated it is an emergency generator in the event of a hurricane or event. The generator would be serviced at least twice a year.

George Kousoulas stated that the Code states the times the generator can be turned on.

Vice Chair Sanchez asked regarding the equipment (generator and air conditioning units) stated that the neighbor that spoke and asked if the emergency equipment is on the west side of the house. He spoke regarding the noise level and asked if the balcony on the south side facing the water was covered.

Eddy Vazquez addressed the question from Vice Chair Sanchez regarding the location of the equipment and stated it was on the east side of the property.

George Kousoulas addressed the comments made by Vice Chair Sanchez regarding the covered balcony.

Vice Chair Sanchez asked if this property had any permitting extensions. He also asked if the new emailed version of the plans had changes made to them.

Town Planner Keller stated that he was not aware of any permitting extensions and stated that the documents emailed had additional elaborations.

Further discussion took place among the Board and Eddy Vasquez regarding the plans that were emailed which were additional elaborations and the different changes to the plans.

Board Member Bravo stated that he loves the house and asked what is in between the roof deck and generator.

Eddy Vazquez, architect stated that there is landscaping and on the side of the deck there is a wood louver that can be opened if they need to service the generator.

Board Member Bravo asked regarding the noise level on the roof deck.

Further discussion took place among the Board members and Eddy Vazquez regarding the roof deck, generator, landscaping and noise cancellation.

Board Member Mackenzie commented that the balcony that runs along the north façade in the floor plan shows it in line with the face of the west wall but the rendering shows a cantilever balcony and asked regarding the placement of the equipment.

Eddy Vazquez addressed the comments made by Board Member Mackenzie on the placement of the equipment.

Further discussion took place among the Board Members, Eddy Vazquez and George Kousoulas regarding the application and solution for placement of the equipment.

Mayor Burkett stated that he spoke to the owner and appreciates the comments and concerns of the neighbor of possibly having loud noise on the abutting property. He spoke to the owner and neighbor and stated that he is intending to having the noise equipment up on the roof in order to alleviate the noise level.

Discussion took place among the Board members regarding the elevation, reroofing, retiling and the air conditioning compressor being elevated above the terrace.

Chair Frankel addressed Mayor Burkett's comments and the review of the zoning code and the placement of the air conditioning unit.

Town Attorney Recio stated that right now the zoning in progress prohibits the height restrictions from being violated.

Board Member Landsman spoke regarding the placing of the location of the air conditioning unit and the changes being made.

The following individuals from the public spoke:

Maria Tudi spoke on the item and asked if they could build something that could hide the equipment.

Jeff Rose spoke regarding the setbacks and what George Kousoulas stated.

Loren Baum, general contractor on the project explained the placement of the equipment.

Discussion took place among the Board and Loren Baum regarding the project, it's specifics and setbacks.

Chair Frankel stated that she agrees with Board Member Henderson on articulation on the second floor.

A motion was made by Board Member Landsman to approve the application, the generator be obscured by the louver and landscaping as the builder and architect agreed, if the zoning code changes prior, they are able to change the permit to relocate the equipment to the roof as the zoning code allows, seconded by Vice Chair Sanchez. The motion carried with a 5-0 vote.

Board Member Bravo spoke regarding submitting for permits and the approval process as well as submitting for modifications.

B. 8835 Garland Avenue – Garage Conversion

Background: This application is a request to convert an existing garage to a home office and laundry room. The Applicant is also proposing major revisions to the front setback area with removal of the existing driveway and relocation of parking spaces and walkways utilizing concrete slabs and stones. The parcel is located in the H30B Zoning District on an interior lot fronting on Garland Avenue. An overhead aerial view from the Miami-Dade County Property Appraiser is provided on the following page with a Google Street View on page 3. In addition to this Memorandum, a package of photos, renovation plans, elevations, landscape plan and current survey was submitted by the Applicant.

Governing Codes: The Zoning in Progress requirements for lots in the H30B District are:

Each lot must provide 35% pervious area and 50% of front yards and 40% of rear yards must be landscaped, and 20% of the landscaped area must be Florida Friendly as defined in the current Zoning Code.

2006 Code: 90-145(b)1(d) – allows for a garage conversion provided the garage door is replaced with a solid exterior wall with at least one window and with access internally from the main premises.

Current Municode: 90-50.1(1)(7) – further requires if the garage is at the front or primary corner of the property, landscaping should be along the base of the exterior wall.

Applicant Package: A 14-page application package was submitted by the Applicant. A sealed Pool Plan was also submitted by the pool company which was prepared by a professional engineer. The proposed pool, spa and deck occupy a portion of the front yard setback area and some of the secondary corner. A ten-foot green area surrounds the pool deck. An existing hedge is located on the property line and the pool plan indicates a chain-link fence may be also occupying the property line. A current survey was not included in the package although the pool plan has sufficient information to analyze the characteristics of the proposed pool and deck.

Staff Recommendation: The proposed garage conversion and front yard driveway hardscape modifications can be approved subject to the following conditions:

Provide 50% landscape area in the front yard with 20% of the landscape area Florida Friendly per the Code.

Remove concrete pads and stones from the public right of way except for access to the parking spaces.

Provide calculations and worksheets on the landscape area and locations of Florida Friendly species.

The following individuals spoke on the item:

Adam Schucher the owner and applicant spoke on the item.

Richard Ramirez, representing the owner spoke on the item.

Chair Frankel stated she has no issue with the pack way as long as they are meeting all the requirements on landscaping and the right of way.

Vice Chair Sanchez spoke regarding the three (3) requests on this application and the windows being replaced. He spoke regarding the curb cuts being requested and the parking spaces.

Town Planner Keller stated they did include hurricane windows and new air conditioner. He stated that they are to have two parking spaces and addressed the questions from the Board.

Adam Schucher, applicant addressed the questions from the Board regarding the parking spaces.

Discussion took place among the Board and Mr. Schucher regarding the specifics of the application, greenspace and the other requirements.

A motion was made by Board Member Landsman to approve the application with staff recommendations stated by Town Planner, seconded by Board Member Bravo. The motion carried with a 5-0 vote.

C. 411 88th Street – Swimming Pool

Background: This application is a request for a front yard pool, spa and deck. The parcel is located in the H30B Zoning District on a corner lot fronting on Abbott Avenue with a secondary side corner on 88th Street. An overhead aerial view from the Miami-Dade County Property Appraiser is provided on the following page with two Google Street View photos on page 3. In addition to this Memorandum, a package of photos, pool plan and elevation survey was submitted by the Applicant.

Governing Codes: The Zoning in Progress requirements for a front yard pool are detailed in the following Zoning Code sections:

Current Municode: 90-54.2 – Accessory swimming pools and decks may occupy a primary (front) and secondary (corner) subject to providing a ten-foot setback.

Current Municode: 90-54.8 – All accessory swimming pools and fences located in the front yard setback shall be subject to review by the Planning and Zoning Board.

Current Municode: 90-56.2 & 3 – Allows fence or ornamental walls in the front yard or primary corner yard if granted design review approval by the Planning and Zoning Board. Further limits height for a lot wider than 50 feet a 4-foot height plus 1/2 foot for each 10 feet exceeding 50 feet.

Zoning in Progress: 50% of front yards must be landscaped and 20% of all landscape area must be Florida Friendly as defined by the Current Zoning Code.

Applicant Package: A 14-page application package was submitted by the Applicant. A sealed Pool Plan was also submitted by the pool company which was prepared by a professional engineer. The proposed pool, spa and deck occupy a portion of the front yard setback area and some of the secondary corner. A ten-foot green area surrounds the pool deck. An existing hedge is located on the property line and the pool plan indicates a chain-link fence may be also occupying the property line. A current survey was not included in the package although the pool plan has sufficient information to analyze the characteristics of the proposed pool and deck.

Staff Recommendation: The proposed front yard pool, spa and deck can be approved subject to the following conditions:

Provide calculations and worksheet verifying 50% of the front yard setback area is in landscaping on Abbott Avenue.

Adjust spa location and or reduce the size of the deck in order to comply with the 50 percent landscaping requirement for Abbott Avenue.

Provide calculations and worksheets on the size of the pool, spa and deck.

The chain-link fence is a prohibited fence in the front yard or secondary corner yard. Based on the front yard width (50 feet), a 4-foot-high fence can be approved.

Design approval of the Applicant's proposal and conditions by the Planning and Zoning Board.

Sylvio Martini, applicant spoke on the item and presented his project.

Chair Frankel explained the requirements of the recommendations on the parking, pool and fencing.

Town Planner Keller explained the recommendations regarding the parking garage and the front yard setback as well as the landscaping requirements.

Board Member Landsman asked regarding the pool being in the front yard and the setback.

Further discussion took place among the Board Members, the applicant and Building Official Fernandez regarding the front setback, fence, pool and debris going into the storm drains.

Chair Frankel asked Building Official Fernandez to put together the information from the City of Miami Beach.

Board Member Mackenzie asked Town Planner Keller regarding the pool and the setbacks.

Further discussion took place among the Board and the applicant regarding the pool and the requirements set.

Board Member Landsman stated that his posture during these meetings is to make things happen.

A motion was made by Board Member Mackenzie to approve the application with the staff recommendations; modify the water feature to accommodate the 50%, seconded by Board Member Landsman. The motion carried with a 5-0 vote.

D. 1221 Biscaya Drive – New Fence

Background: This application is a request for a front yard fence, 16-foot driveway gate and pedestrian gate on Biscaya Drive. The parcel is located in the H30A Zoning District adjacent to the Biscaya Drive bridge. An overhead aerial view from the Miami-Dade County Property Appraiser is provided on the following page with two Google Street View captures on page 3. In addition to this Memorandum, an Agenda Packet was submitted by the Applicant.

Governing Codes: The Zoning in Progress requirements for a front yard fence are detailed in the following Zoning Code sections:

2006 Code: Sec 90-163 – An ornamental fence, wall or hedge, not more than 5 feet in height may project into any side or rear yard. No fence, wall or ornamental fence shall be constructed in a front yard.

Current Municode: 90-56.2 & 3 – Allows fence or ornamental walls in the front yard or primary corner yard if granted design review approval by the Planning and Zoning Board. Further limits height for a lot wider than 50 feet a 4-foot height plus 1/2 foot for each 10 feet exceeding 50 feet.

Zoning in Progress: 50% of front yards must be landscaped and 20% of all landscape area must be Florida Friendly as defined in the Current Zoning Code.

Applicant Package: A seven-page presentation package was prepared by Swedroe Architects and a separate current survey was also provided. The Applicant is requesting a 5-foot-high aluminum and or wood fence complying with the 50% opacity requirement. The most recent discussions with the architect indicate a 4 ½ foot high black aluminum fence with 16-foot motorized gate with a 3-foot-wide pedestrian gate is desired. The architect's plan provides 605 square feet of landscape area in the front yard setback area.

Staff Recommendation: Recommend a 4 ½ foot black aluminum metal fence placed on the south property line of Biscayne Drive with a 16-foot-wide motorized driveway gate and a 3-foot-wide pedestrian gate be approved complying with the 50% opacity requirement.

The Applicant to provide 605 square feet of landscape area in the front yard setback area as depicted in the Applicant's package.

The Planning and Zoning Board gives design approval of the Applicant's proposal and conditions.

Board Member Mackenzie asked if they meet the 50% greenspace in the front yard.

Town Planner Keller addressed the comments made by Board Member Mackenzie and stated that they do meet the requirement of the set back.

Sebastian Guejman, applicant and owner of the house presented his project.

Laurie Swedroe, architect for the applicant introduced the project.

Board Member Bravo commented on the project and recommendations.

Board Member Mackenzie asked if he has to withdraw from this application would Mr. Henderson fill his spot because he worked with Laurie Swedroe's father.

Town Attorney Recio stated that the only way he could step away is if he has an actual conflict of interest.

Board Member Henderson asked if the documents received today were disseminated to the public.

Town Planner Keller spoke regarding stated that what was submitted today is a cleaner look as to what they are requesting today and he believes they are just clearer to see.

Vice Chair Sanchez spoke regarding safety in the waterfront property and caution with the public street.

Board Member Mackenzie asked if this is just a flat gate that runs along the edge of the property.

Laurie Swedroe stated that the gate will be fixed on the east side.

Sebastian Guejman stated the opening and closure of the gate.

Board Member Mackenzie asked if the owner would be able to compromise on the gates and stated that the fabric of the town is not to have all these fences.

Chair Frankel stated that there are ways to gate the property without closing out the street in that manner.

Town Planner Keller addressed the comments made by Chair Frankel regarding the gates and setbacks.

Building Official Fernandez stated that this is the front and not the side and does not believe we have a flexibility because the code speaks for itself.

Chair Frankel spoke regarding the 2006 code and spoke regarding using leeway with side yards.

Discussion took place among the Board and the applicant regarding the greenspace, gate and recommendations by the Town Planner.

Town Attorney Recio stated that the 2006 code states that you cannot have a fence in the front yard but will be permitted beyond the front setback.

A motion was made by Board Member Landsman to approve the application with staff recommendations, seconded by Vice Chair Sanchez. The motion failed with a 2-3 vote with Chair Frankel, Board Member Mackenzie and Board Member Bravo voting in opposition.

Chair Frankel advised the applicant to get with Town Planner Keller to review the recommendations and changes to be made in order for the applicant to come back for review and approval.

E. 9388 Abbott Avenue – Approval of Two Small Gates

Background: This application is a request for a Planning and Zoning Board Design Approval of a front yard and corner side yard gates Abbott Avenue (front yard) and on adjacent to 94th Street (primary corner side). Both of the gates were installed without permits and the property has been issued violations from the Town's Code Enforcement Division. A hearing date is scheduled for March 2021. The gates are not connected to a fence but are located on walks where the yard has a hedge on the border of the area and the house corner. The parcel is located in the H30B Zoning District. An overhead aerial view from the Miami-Dade County Property Appraiser is

provided on the following page with a Property Appraiser West View on page 3. In addition to this Memorandum, an Agenda Packet was submitted by the Applicant.

Governing Codes: The Zoning in Progress requirements for a front yard fence (or gate) are detailed in the following Zoning Code sections:

2006 Code: Sec 90-163 – An ornamental fence, wall or hedge, not more than 5 feet in height may project into any side or rear yard. No fence, wall or ornamental fence shall be constructed in a front yard.

Current Municode: 90-56.2 & 3 – Allows fence or ornamental walls in the front yard or primary corner yard if granted design review approval by the Planning and Zoning Board. Further limits height for a lot wider than 50 feet a 4-foot height plus 1/2 foot for each 10 feet exceeding 50 feet.

Zoning in Progress: 50% of front yards must be landscaped and 20% of all landscape area must be Florida Friendly as defined in the Current Zoning Code.

Applicant Package: A permit application was applied for on October 22, 2020. The application and three pages have been submitted for Planning and Zoning Board consideration. Originally, the Applicant submitted 2 partial copies of an outdated survey with locations of the gates. After review by planning staff, one of the survey copies was deleted since the gate locations did not align with the attached photos.

Staff Recommendation: The intersection configuration of the Abbott Avenue and 94th Street intersection has been modified to eliminate northbound and southbound traffic on Abbott Avenue south of 94th Street. A landscaped area closes Abbott Avenue at the front yard of this Applicant. While the submitted partial survey is outdated, it is still relevant for the front yard area and gate locations based on a review of the submitted photos and review of other aerial photos.

Recommend the application for Planning and Zoning Board design approval be granted based on the following conditions: Applicant to modify the existing gates to a height of 4 feet and locate the Abbott Avenue gate on the property line using a licensed contractor. Submit a sealed survey verifying the Abbott Avenue and 94th Street gate locations.

Rachel Snelatt, applicant spoke on her application/project and stated that this request is after the fact.

The following individual from the public spoke on the item:
Jeff Rose spoke in support of the applicant.

Vice Chair Sanchez reiterated the last speaker's comments and stated this is a unique situation.

Board Member Henderson asked if there are three gates because he only sees two (2) gates.

Rachel Sielatt stated that they received a violation for two (2) gates and the third gate was there when they purchased the house and it was broken and had it repaired.

Board Member Bravo stated that they only have to discuss the gate on Abbott Avenue.

Town Planner Keller stated that he only saw two (2) gates but you can see the third gate on the southeast corner.

Chair Frankel stated that she cannot say yes to the one on Abbott Avenue.

Further discussion took place among the Board regarding the gate and its location.

A motion was made by Board Member Landsman to extend the meeting to 10:30 pm, seconded by Board Member Bravo. The motion carried with a 5-0 vote.

Rachel Sielatt, applicant stated that she fears if they eliminate the gate on Abbott Avenue it would not look aesthetically pleasing.

Further discussion took place among the Board and the applicant regarding the gates, its style and other methods of setting the gate back.

Board Member Mackenzie suggested for the applicant to compromise as to oppose to a straight denial.

Board Member Bravo commented on the gate and understands what the applicant is talking about.

A motion was made by Board Member Bravo to approve the application and for the applicant to comply with the height and opacity, seconded by Board Member Landsman. The motion carried with a 3-2 vote with Board Member Mackenzie and Chair Frankel voting in opposition.

F. 9466 Harding Avenue – Sign

Background: This application is a request to place a permanent wall sign. The parcel is located in the SDB40 Zoning District. In addition to this Memorandum, an Agenda Packet submitted by the Applicant is attached.

Governing Codes: The Zoning in Progress requirements for a permanent wall sign are detailed in the following Zoning Code sections:

2006 Code: 90-209(c)1 – Provides a wall sign of 1 square foot (SF) for each 1 foot of frontage. In the Business District for stores with less than 25 feet of frontage, a 25 SF sign is allowed. This store front has 25 feet of frontage.

2008 Code: 90.71.1 – Also allows a wall sign of 1 square foot (SF) for each 1 foot of frontage. In the Business District for stores with less than 25 feet of frontage, a 25 SF sign is allowed. This store front has 25 feet of frontage.

Current Municode: 90-73.a(3b)(2) – The Code has further restrictions including requiring a ¼ inch to 2 inch offset from the wall to allow rain water to drain and limits illumination to white LEDs.

Staff Recommendation: The Applicant's proposed sign is 20 SF with white illumination. It is recommended the permanent wall sign be approved.

Mai (unintelligible) applicant appeared for any questions.

Board Member Bravo asked how bright is the sign and he asked Town Planner Keller to please place the brightness of the signs in his staff reports.

Board Member Mackenzie also requested to place the number of kelvins as well on the Town Planner's staff reports.

Mai (unintelligible) applicant stated the kelvins are 143.

Isela Sosa, representing the applicant addressed the illumination questions.

A motion was made by Vice Chair Sanchez to approve the application with staff recommendation, seconded by Board Member Landsman. The motion carried with a 5-0 vote.

G. 9507 Harding Avenue - Sign

Background: This application is a requesting approval for window signs, door sign and the removal of the prior occupant's wall sign. The parcel is located in the SD-B40 Zoning District. In addition to this Memorandum, an Agenda Packet submitted by the Applicant is attached.

Governing Codes: The Zoning in Progress requirements for window and door signs and removal of a wall sign are detailed in the following Zoning Code sections:

2006 Code: 90-209(c)6(e) – Provides a window sign of 1.5 square foot (SF) for each window or door. In addition, the lettering is limited to 8 inches in height and the total area of the sign cannot exceed 20% of the window and or door area.

Current Municode: 90-73.a(3)c – The Code only limits the sign to not exceed 20% of the window or door area. Lettering is limited to 8 inches in height. Allowable material includes painted gold leaf, silver leaf, silk-screened, cut or polished metal, cut or frosted vinyl and etched glass.

Current Municode: 90-72.a – The Code requires signs associated with the previous owner or lessee shall be removed within 30 days of transfer of ownership or cessation

of the prior business activity. Any visible holes shall be painted and filled. Sign structure can remain in place provided no identifying features of the prior business are visible.

Staff Recommendation: The Applicant's proposed window and door signs are not dimensioned in the application. Based on the more restrictive Code, it is recommended the signs be approved subject to the following conditions:

1. The size of the proposed sign shall be limited to a maximum of 1.5 SF per the Code; and,
2. The sign lettering be 8 inches or less and sign material comply with 90-73.a(3)c. The existing wall sign can be removed provided it is done per the Current Municode **Sec 90-72.a**.

Tim Fraleigh, applicant spoke on the item.

A motion was made by Board Member Bravo to extend the meeting for 15 minutes, seconded by Vice Chair Sanchez. The motion carried with a 5-0 vote.

Board Member Mackenzie requested as a condition of approval that when they remove the sign to clean up the wall.

Town Planner Keller stated that is required by the code.

Vice Chair Sanchez stated that if you put the sign up it should be the responsibility of the person that put the sign up to take it down.

A motion was made by Board Member Landsman to approve the application, seconded by Vice Chair Sanchez. The motion carried with a 5-0 vote.

4. Next Meeting Date: February 25, 2021

Deputy Town Clerk Herbello advised the Board members that the next meeting is the special meeting scheduled for February 11, 2021 at 6:00 p.m. and then the meeting following that one would take place on February 25, 2021 at 6:00 p.m.

5. Local Planning Agency Item

A. Ordinance to Allow Pet Grooming as Accessory Use to Pet Supplies

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA AMENDING THE TOWN OF SURFSIDE CODE OF ORDINANCES BY AMENDING SECTION 90-41, "REGULATED USES", TO CHANGE THE LIST OF PERMITTED ACCESSORY USES TO ALLOW PET GROOMING AS ACCESSORY TO RETAIL PET SUPPLIES IN THE SD-B40 ZONING DISTRICT AND PROVIDING FOR RELATED REGULATIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE

CODE; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

Town Attorney Recio read the title into the record, introduced the item and gave an explanation of the ordinance.

Board Member Henderson commented that Commissioner Velasquez had stated that there was a change to the ordinance from 800 feet to 1,200 feet.

Town Attorney Recio confirmed that it is a separation of 1,200 feet.

Board Member Henderson stated that he thought the condition would have to be conjoined with the veterinarian.

Town Attorney Recio stated that it has to be joined with a pet supply store.

Board Member Landsman asked regarding opening a business for baking supplies for pets.

Town Attorney Recio confirmed that there will be a business that sells baking supplies for pets.

Vice Chair Sanchez asked if with the 1,200-foot separation will there be an extra spot for another similar business.

Town Attorney Recio addressed the comments made by Vice Chair Sanchez.

A motion was made by Board Member Bravo to recommend the Town Commission to approve the Ordinance, seconded by Board Member Landsman. The motion carried with a 5-0 vote.

6. Discussion Items:

A. Future Agenda Items – Extra Meeting in February

Chair Frankel advised the Board regarding the two zoning workshops and for them to review the zoning codes prior to the workshop. She advised of the special February meeting.

Board Member Henderson wanted to thank the Mayor and Town Attorney for adding the Board's comments/suggestions into the code rewrite. He also asked Town Planner Keller how many applications are outstanding for permitting.

Town Planner Keller stated he does not have an exact amount and there are applications constantly coming in and there are some coming in for site plan amendments. He stated he probably has approximately 15-25 projects in the backlog.


7. Adjournment:

A motion was made by Board Member Landsman to adjourn the meeting without objection at 10:44 p.m. The motion received a second from Board Member Bravo. The motion carried with a 5-0 vote.

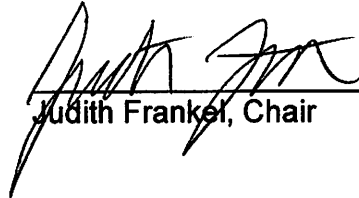
Respectfully submitted,

Accepted this 25th day of February, 2021.

Attest:



Sandra McCready, MMC
Town Clerk



Judith Frankel, Chair



**Town of Surfside
SPECIAL PLANNING & ZONING BOARD
MINUTES**

February 11, 2021 – 6:00 p.m.

1. Call to Order/Roll Call

Chair Frankel called the meeting to order at 6:02 p.m.

Present: Chair Judith Frankel, Board Member Fred Landsman (arrived at 6:05 pm), Board Member James MacKenzie, Board Member Ruben Bravo, Board and Vice Chair Oliver Sanchez; Alternate Board Member Horace Henderson (arrived at 6:11 pm and left the meeting at 6:11 pm)

Also, Present: Mayor Charles Burkett, Town Planner Walter Keller, Town Attorney Tony Recio and Town Manager Andrew Hyatt and Building Official Ulises Fernandez.

2. Town Commission Liaison Report – Mayor Charles Burkett

Mayor Burkett advised the board of their next zoning workshop on February 18, 2021 and stated that they will be able to get through the component.

Chair Frankel asked what timeline he sees will be taking place.

Mayor Burkett stated that they will be working as fast as they can and take care of the issues and narrow them.

Town Attorney Recio presented the quasi-judicial statement into the record.

Deputy Town clerk Herbello confirmed advertisement requirements.

Deputy Town Clerk Herbello swore in the public and applicants that will be speaking on the items.

Town Attorney Recio polled the Board Members.

The following Board Members stated that they did not have any communication with any of the applicants: Chair Frankel, Vice Chair Sanchez, Board Member Landsman and Board Member Bravo.

Board Member Mackenzie stated he was contacted by the architect and the applicant for 1221 Biscaya requesting a rehearing due to his application being previously denied.

3. Applications:

A. 9133 and 9149 Collins Avenue – Amendment to Site Plan

Town Planner Keller presented the item.

Background: This application is a request for a Site Plan Amendment to the approved development plans of the property commonly known as the Seaway Villas and Surf Club Apartments. This project is an aggregation of the two properties totaling 2.16 acres. The Surf Club Apartments 30 units will be demolished and the Seaway Villas with 28 units will be partially protected, renovated and major portions demolished. The Miami Dade Historic Preservation Board recommended approval of the redevelopment plan due to the restoration of the villas and landscaped courtyard which are an important feature of the site. The approved redeveloped site and 12 story structure includes 48 condo units and 31 hotel units. The partially protected and restored Seaway Villas will include 2 units and 1,100 square feet of restaurant and lounge. A total of 127 parking spaces were proposed in an underground garage using parking lifts.

A new architect of record has been engaged and a request for Site Plan Amendment presented. Proposed changes to the Site Plan include:

- A Density Reduction from 48 units and 29 hotel rooms to 31 units and 26 hotel rooms
- Expansion of the underground parking garage from 36,250 SF to 58,242 SF
- Balcony revisions to remove notches in the balcony design on the north and south levels
- Balcony revisions on the 11th floor level to be consistent with the lower floors
- The addition of decorative stone louvers and balconies on the 2nd and 3rd levels.

The proposed amendments in the density retain the general massing of the building. The expansion of the underground garage to approach the property limits is to reduce the number of parking spaces provided by lifts to allow for self-parking. The basis for the removal of the notches and other architectural revisions will be provided by the Applicant.

A series of architectural renderings indicate where the specific changes are proposed.

- Figure 1 – Comparison of Parking Garage – See Page 2
- Figure 2 – Comparison of Typical Floor – See Page 3
- Figure 3 – Comparison of 11th Floor – See Page 4
- Figure 4 – Comparison of West Elevation – See Page 5

Figure 1 illustrates the proposed changes to the parking garage (basement). The approved plan is depicted on the left and the proposed amendment is on the right. The parking garage size increases from 36,250 SF to 58,242 SF.

Figure 2 compares a typical floor. The approved plan is depicted on the left and the proposed amendment is on the right. The notches on the north and south portions of the building are removed in the proposed amendment. The notch on the east side of the building is retained.

Figure 3 provides a comparison of the 11th floor. The approved plan is depicted on the left and the proposed amendment is on the right. The notches on the north and south portions of the building are removed and revision in the balcony floor and ceiling are noted.

Figure 4 depicts the west elevation of the building with the 3:1 setback line for heights above 30 feet. The approved plan is depicted on the left and the proposed amendment is on the right.

The Applicant is proposing special construction techniques to protect the historic portions of the Seaway Villas. The Applicant should provide information on the proposed method.

The Design Review Group (DRG) met on Tuesday to discuss and review the proposed site plan amendments. The DRG was satisfied the impacts of the proposed site plan amendments reduce the impacts to public services and do not negatively impact the Town. A copy of the minutes of the DRG meeting is attached.

Staff Recommendation: Approve the proposed amendments to the approved plan of the Seaway Condo Acquisition LLC subject to complying with the 3:1 setback requirement above 30 feet in height and restoration improvements of the Seaway Villas and landscape courtyard consistent with the Miami Dade Historic Preservation Board's approval.

Alternate Board Member Henderson declared a conflict of interest on this item and recused himself at 6:11 p.m.

John Shubin, Esquire representing the applicant spoke regarding the project.

Ian DeMello, Esquire representing the applicant spoke regarding the project and provided a PowerPoint presentation.

Bill Thompson, developer for the applicant spoke regarding the application and project, as well as density reduction, the addition to the tower and the structural skeleton of the building.

Kurt Danwulf, architect representing the applicant spoke regarding the architectural improvement of the project and the privacy issue on the units. He also spoke regarding the balcony extension as well as it pertains to the code.

Discussion took place regarding the garage plan originally called for the use of parking lifts with all parking being through valet only. The expansion of the garage will allow for owners self-parking. The lifts allow for cars to be stacked vertically. The developer assured the Board that they are capable of constructing this expanded garage without damage to the historic structure to the north.

Town Attorney Recio clarified what is being done and it is not only a design review standard but it was a site plan application and what is before the Board tonight is an amendment to the site plan application which they are restricted by Section 92 and read the restrictions into the record.

Chair Frankel asked Town Planner Keller if he agrees with the applicant.

Town Planner addressed the setbacks, the side setbacks, the encroachments and there might need more work to be done but cannot say that there is an encroachment at this time.

Board Member Mackenzie asked Town Planner Keller if Florida Ratio is an issue and if the mass approved maxed out the ratio of the site.

Town Planner Keller stated that the massing of the approved building and this building is similar.

Board Member MacKenzie asked Town Planner Keller to go to page 3 of his report and spoke regarding the exhibit and adding FAR.

Town Planner Keller stated that he did not read anything on FAR and did not research on FAR and could not find it on this documentation.

Further discussion took place among the Board and Town Planner Keller regarding FAR, floor increases and historic preservation.

Board Member Bravo asked regarding if the balcony extended beyond the setback and would like to hear from Town Planner Keller. He asked regarding sustainability, LEED component and what LEED system they are pursuing and which grade and how this portion is developed for this project.

Town Planner Keller stated that there were LEED requirements on the project that the developer needs to address.

Board Member Bravo asked if a stormwater prevention plan is submitted with the application or do they have to wait for that information.

Town Planner Keller stated that they have provisions and they put in deep wells and the water then gets drained. They have 2 or 3 major well points in this building.

Vice Chair Sanchez commented on the prior approval process of this application and believed that the Town found themselves in a mess with the sand that was removed and who can answer the question of what they are doing with the sand.

Bill Thompson, architect for the applicant stated that they are doing soil mixing and bringing some clean sand in and they have an agreement with Miami Beach to bring the sand back and confirmed that the sand is not contaminated.

Further discussion took place among the Board Members and the applicant regarding the placement of the sand, underground parking and will the additional area be under the historic buildings that will have to be preserved.

Board Member Landsman asked what the time estimate from start to finish would be for this project.

Bill Thompson, architect for the applicant addressed the comment made and stated it would take approximately 2 ½ years from start to finish.

Board Member MacKenzie spoke regarding the lack of the setback.

Chair Frankel requested deferment and to have Town Planner Keller research that item.

Town Attorney Recio stated that the Board could make a recommendation to pull back the balcony.

A motion was made by Board Landsman to approve changes to the application, seconded Board Member MacKenzie. The motion carried with a 5-0 vote.

Building Official Fernandez spoke regarding the water pollution and sand issue and stated that it is up to Miami Dade County.

The following individuals from the public spoke:

George Kousoulas

Jeff Rose

B. 9165 Abbott Avenue – Garage Conversion and Addition

Town Planner Keller introduced the item and stated that the garage is being modified and some portion will be used for storage.

Background: This application is a request to approve a 540 square foot (SF) addition to an existing single-family residence with additional renovations to the roof, exterior, windows and driveway. The parcel is located in the H30B Zoning District. The Applicant has provided a current survey and provided details on the improvements and proposed elevations. An overhead aerial photo from the Miami Dade County Property Appraiser and a Google Street View are provided on the following page.

Governing Codes: The Zoning in Progress requirements for the proposed improvements are detailed in the following Zoning Codes:

2006 Code: Front yard landscape 50% minimum; Rear yard landscape 40%.

2020 Code: Base Flood Elevation +2; Pervious area 35% minimum; Residential Design Guidelines (building massing, decorative features, architectural style, wall materials and finishes; roof materials, types and slopes; windows and trims).

2006/2020 Codes: Maximum lot coverage 40%; Maximum height 30 ft; Front and rear setback 20 ft; Front setback permeability 50%.

Zoning in Progress: Maximum 40% lot coverage does not include uncovered steps and exterior balconies; uncovered terraces, patios, porches open on 2 sides; covered terraces, patios or porches open on 2 sides (these exemptions not to exceed 15% of the total footprint)

Staff Recommendation: Review of the application package, aerial photos from the property appraiser, Google Street View and planning staff review of the codes indicates the Applicant generally complies with all the 2006, the current Municode and Zoning in Progress relative to the proposed improvements and should be approved subject to following comments.

- Provide calculations and worksheet verifying 50% landscape area in the front yard setback
- Provide calculations and worksheet verifying 40% landscape area in the rear yard setback
- Provide calculations and worksheet verifying building floor area is 40% or less of the lot size
- Provide information and material details on the driveway improvements
- Verify the accessory uses (pool, decks, steps, and terraces) do not exceed the 15% requirement
- Verify the maximum building height does not exceed 15 feet
- Verify the eaves on the new roof does not extend more than 8 inches into the side yard

Juan David, architect for the project stated that they complied with the requirements as requested from the previous meeting.

The following members of the public spoke:
George Kousoulas

Board Member Bravo asked if they still have to comply with the two-car space.

Town Planner Keller stated that they do have to comply and will still leave the garage door to use for storage.

Chair Frankel stated that they do have two parking spots in the front.

A motion was made by Board Member Landsman to approve the application with staff recommendations, seconded by Board Member Bravo. The motion carried with a 5-0 vote.

C. 9573 Harding Avenue – Wall Sign

Town Planner Keller presented the item.

Background: This application is a request to place a permanent wall sign. Signs are also proposed for the windows and door. The parcel is located in the SD-B40 Zoning District. In addition to this Memorandum, an Agenda Packet submitted by the Applicant is attached.

Governing Codes: The Zoning in Progress requirements for a permanent wall sign and window/door signs are detailed in the following Zoning Code sections:

2006 Code: 90-209(c)1 – Provides a wall sign of 1 square foot (SF) for each 1 foot of frontage. In the Business District for stores with less than 25 feet of frontage, a 25 SF sign is allowed. This store front has 14 feet of frontage.

2008 Code: 90.71.1 – Also allows a wall sign of 1 square foot (SF) for each 1 foot of frontage. In the Business District for stores with less than 25 feet of frontage, a 25 SF sign is allowed. This store front has 14 feet of frontage.

Current Municode: 90-73.a(3b)(2) – The Code has further restrictions including requiring a ¼ inch to 2 inch offset from the wall to allow rain water to drain and limits illumination to white LEDs.

Current Municode: 90-73.a(3)c – The Code limits the window and door signs to not exceed 20% of the window or door area. Lettering is limited to 8 inches in height. Allowable material includes painted gold leaf, silver leaf, silk-screened, cut or polished metal, cut or frosted vinyl and etched glass. The proposed window and door signs are consistent with the Code.

Staff Recommendation: Recommend approval of the window and door signs. The Applicant's proposed wall sign is 21.3 SF. The illumination of the sign is not specified. It is recommended the permanent wall sign also be approved subject to the following condition:

- The sign shall be illuminated with white LEDs per the Code.

Chair Frankel asked if they met the illumination requirement.

Town Planner Keller could not find what they found regarding the illumination.

Chair Frankel asked if there is a backlit or do they have to have it shine on the back.

Further discussion took place regarding the illumination and how many candles or lumens.

Board Member Bravo stated that they have to comply with hurricane compliance.

Board Member Mackenzie is afraid that it will destroy the wall with the ripple effect of the sign.

Chair Frankel spoke regarding the black letter sign and they need information regarding the illumination.

Vice Chair Sanchez asked if the signs have to be illuminated.

Town Planner Keller stated that he does not know if they have to be illuminated and knows that the code requires white LED illuminated signs.

Board Member Mackenzie stated that they need Town Planner Keller to relate information to the applicant to have the proper information needed and would encourage the black awning to be removed.

Chair Frankel stated that they do not have purview over the awning at this time.

Further discussion took place regarding the awning and the vinyl on the glass.

A motion was made by Board Member Bravo to reject the application.

Board Member Bravo withdrew his motion.

A motion was made by Board Member Landsman to defer the item to the February 25, 2021 meeting in order for the applicant to have all requirements met. The motion died for lack of a second.

A motion was made by Board Member Landsman to defer this item indefinitely, seconded by Vice Chair Sanchez. The motion carried with a 4-1 vote with Board Member Bravo voting in opposition.

Board Member Mackenzie stated that applications should not be coming before them if they are not completely ready and they need to tighten up the ship if not then do not have a Planning and Zoning Board. He stated that their questions are not being addressed or answered and that is the obligation of the Town Planner.

Chair Frankel addressed the comments made by Board Member Mackenzie.

Town Planner Keller stated that he reviewed the original approval from the Town and the FAR.

The following members from the public spoke:
George Kousoulas
Jeff Rose

Town Attorney Recio commented on the qualification of the Board Members regarding the 2006 code and the reviews. He urged the Board for patience since they are applying two (2) codes, ZIP and working on a new code.

Board Member Bravo stated why he decided to be part of the board.

Chair Frankel asked Town Manager Hyatt regarding the sand issue and stated that it is a big issue and can they get the County and DEP involved and hopes that is on his radar moving forward.

4. Reconsideration of 1221 Biscaya Drive Motion by Board Member James Mackenzie

Town Planner Keller introduced the item.

Background: This application is a request for a front yard fence, 16-foot driveway gate and pedestrian gate on Biscaya Drive. The parcel is located in the H30A Zoning District adjacent to the Biscaya Drive bridge. An overhead aerial view from the Miami-Dade County Property Appraiser is provided on the following page with two Google Street View captures on page 3. In addition to this Memorandum, an Agenda Packet was submitted by the Applicant.

Governing Codes: The Zoning in Progress requirements for a front yard fence are detailed in the following Zoning Code sections:

2006 Code: Sec 90-163 – An ornamental fence, wall or hedge, not more than 5 feet in height may project into any side or rear yard. No fence, wall or ornamental fence shall be constructed in a front yard.

Current Municode: 90-56.2 & 3 – Allows fence or ornamental walls in the front yard or primary corner yard if granted design review approval by the Planning and Zoning Board. Further limits height for a lot wider than 50 feet a 4-foot height plus 1/2 foot for each 10 feet exceeding 50 feet.

Zoning in Progress: 50% of front yards must be landscaped and 20% of all landscape area must be Florida Friendly as defined in the Current Zoning Code.

Applicant Package: A seven-page presentation package was prepared by Swedroe Architects and a separate current survey was also provided. The Applicant is requesting a 5-foot-high aluminum and or wood fence complying with the 50% opacity requirement. The most recent discussions with the architect indicate a 4 ½ foot high black aluminum fence with 16-foot motorized gate with a 3-foot-wide pedestrian gate is

desired. The architect's plan provides 605 square feet of landscape area in the front yard setback area.

Staff Recommendation: Recommend a 4 ½ foot black aluminum metal fence placed on the south property line of Biscayne Drive with a 16-foot-wide motorized driveway gate and a 3-foot-wide pedestrian gate be approved complying with the 50% opacity requirement.

The Applicant to provide 605 square feet of landscape area in the front yard setback area as depicted in the Applicant's package.

The Planning and Zoning Board gives design approval of the Applicant's proposal and conditions.

Board Member Mackenzie stated that at the last meeting they rejected the application and was contacted by the owner in the interest of negotiating with the Board and stated the process of reconsideration.

A motion was made by Board Member Mackenzie to move forward with reconsideration, seconded Board Member Landsman. The motion failed with a 3-2 vote with Board Member Bravo, Vice Chair Sanchez and Chair Frankel voting in opposition.

Sebastian Guejmans, applicant spoke and clarified the misunderstandings on the application and why they contacted Board Member Mackenzie.

Chair Frankel explained to the applicant that they need new plans, they have to reapply with the new plans and it did not make sense to reopen with the existing plans. She advised the applicant that they also have to submit a new application with the new plans in the future.

Laurie Swedroe, architect for the applicant stated that the applicant will take the recommendations and they will reapply with a new application.

The following individual from the public spoke on the item:

Jeff Rose

George Kousoulas

Chair Frankel stated they need a planning and zoning meeting strictly for design review guidelines and prefers pools not to be at the front.

5. Next Meeting Date: February 25, 2021

Consensus was reached to have the next meeting on February 25, 2021.

6. Discussion Items:

A. Future Agenda Items

Board Member Bravo thanked Town Attorney Recio for addressing their concerns, as well as the green initiatives and solar panels are not being addressed.

Chair Frankel commented on requirements on LEED certification and LEED equivalencies in the code.

Board Member Bravo requested to look at what the City of Miami does and LEED certification takes priority over other projects.

Town Attorney Recio addressed the design guideline standards.

Board Member Landsman commented on the meeting last Thursday on the workshop and wanted to make a comment to relay a message to the Commission. He wanted to convey that it is very distressful politics at action among the commissioners and offer up suggestions, ideas, interactions and more often for it not to evolve into political pointing fingers. He suggested that in a public meeting and workshop to do some work and not forget what they did 6 months ago.

Vice Chair Sanchez would like more sprucing up with the design review group.

Town Attorney Recio stated that they can schedule an item addressing their comments and send to the Commission.

Chair Frankel encouraged for all the Board Members to take time to go through the zoning code, mark it up and make their comments and possibly Town Planner Keller to look at other municipalities which might be useful. She would like to have Town Planner Keller to give his opinion.

Town Planner Keller stated that one thing that might be helpful is to take it bit by bit and the changes to be made possibly by a separate ordinance as well as zoning guidelines making them via ordinances.

Chair Frankel asked that whatever is specific on the code can be added in the agenda for March.

Town Planner Keller spoke regarding design guideline standards.

Vice Chair Sanchez spoke regarding the guidelines and a little professional help from CGA could assist.

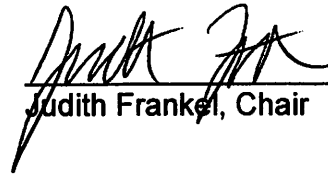
Board Member Landsman spoke regarding the backlog and to have as many completed and evaluated and for those applicants that have their applications complete for those to have priority. He is fine with having two (2) meetings a month until they catch up.

7. Adjournment:

A motion was made by Board Member Landsman to adjourn the meeting without objection at 8:56 p.m. The motion received a second from Board Member Bravo. The motion carried with a 5-0 vote.


Respectfully submitted,

Accepted this 25th day of February, 2021.



Judith Frankel, Chair

Attest:



Sandra McCready, MMC
Town Clerk



MEMORANDUM

ITEM NO. 3E

To: Honorable Mayor, Vice-Mayor and Members of the Town Commission

From: Andrew Hyatt, Town Manager

Date: March 9, 2021

Subject: Limousines of South Florida, Inc. Municipal Bus Services Renewal

The Town entered into an agreement with Limousines of South Florida, Inc. (LSF) for Municipal Bus Services in 2006 for a mini-bus service. This agreement was based on a competitively bid review process completed by Bal Harbour. Since then, the Surfside agreement was amended and extended in April 2010, November 2012 and February 2018. The Town shuttle has been shut down for about one year due to the on-going COVID-19 pandemic and is being restarted as of March 1.

This extension continues the existing contract for one (1) year under the previous terms and conditions established between LSF and the Town of Surfside. This extension will cover the Town until the new Surf-Bal-Bay Fixed Route Shuttle and On-demand service is implemented. The Town retains the right to terminate the agreement for any reason, upon ninety (90) advance notice.

Town Administration recommends approval of the attached Resolution to authorize the Town Manager to execute the renewal of the contract with Limousines of South Florida, Inc. for one additional year.

Reviewed by: JG

Prepared by: MD

RESOLUTION NO. 2021- _____

**A RESOLUTION OF THE TOWN COMMISSION OF THE
TOWN OF SURFSIDE, FLORIDA, APPROVING THE
FOURTH AMENDMENT TO THE AGREEMENT WITH
LIMOUSINES OF SOUTH FLORIDA, INC. FOR
MUNICIPAL BUS SERVICES; AUTHORIZING THE
TOWN MANAGER TO EXECUTE THE FOURTH
AMENDMENT; PROVIDING FOR IMPLEMENTATION;
AND PROVIDING FOR AN EFFECTIVE DATE.**

WHEREAS, on February 2, 2006, the Town of Surfside (the “Town”) entered into an Agreement with Limousines of South Florida, Inc. (“Contractor”) for Municipal Bus Services (“Agreement”), for mini-bus services within the Town and neighboring municipalities; and

WHEREAS, the Agreement was amended and extended by the First Amendment dated April 13, 2010, Contract Amendment No. 1 dated November 13, 2012 and by the Second Amendment dated November 15, 2017, which temporarily extended the term on a month-to-month basis; and

WHEREAS, on February, 13, 2018, the Town adopted Resolution No. 2018-2485, approving the Third Amendment to the Agreement to (1) extend the term of the Agreement for an additional three (3) year term through February 15, 2021, (2) amend the hourly rate for services consistent with the rates paid by the City of Aventura for similar bus services procured under Bid No. 14-09-15-2 and contract dated March 2, 2015, and (3) add or amend other provisions applicable to municipalities; and

WHEREAS, due to the COVID-19 health pandemic, service was suspended or discontinued and the parties now wish to resume operations as of March 1, 2021 with protections in place to ensure COVID-19 guidelines and safety precautions are taken; and

WHEREAS, the Town desires to further amend the Agreement by approving the Fourth Amendment to the Agreement, attached hereto as Exhibit “A” (the “Fourth Amendment”), in order to resume operations and extend the term of the Agreement for an additional one (1) year term through February 15, 2022; and

WHEREAS, the Town Commission finds that the Fourth Amendment is in the best interest and welfare of the Town and wishes to approve same in substantially the form attached hereto as Exhibit “A.”

NOW THEREFORE, BE IT RESOLVED BY THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA AS FOLLOWS:

Section 1. Recitals. That the above and foregoing recitals are true and correct and are hereby incorporated by reference.

Section 2. Approval and Authorization. The Fourth Amendment between the Town and Contractor, in substantially in the form attached hereto as Exhibit “A”, is hereby approved. The Town Commission authorizes the Town Manager to execute the Fourth Amendment on behalf of the Town, together with such non-substantive changes as may be approved by the Town Manager and Town Attorney for legal sufficiency.

Section 3. Implementation. The Town Manager and/or designee are authorized to take any and all action necessary to implement the purposes of this Resolution and the Fourth Amendment.

Section 4. Effective Date. This Resolution will become effective upon adoption.

PASSED AND ADOPTED on this 9th day of March, 2021.

Motion By: _____

Second By: _____

FINAL VOTE ON ADOPTION:

Commissioner Charles Kesl _____

Commissioner Eliana R. Salzhauer _____

Commissioner Nelly Velasquez _____

Vice Mayor Tina Paul _____

Mayor Charles W. Burkett _____

Charles W. Burkett, Mayor

Attest:

Sandra McCready, MMC
Town Clerk

Approved as to Form and Legal Sufficiency:

Weiss Serota Helfman Cole & Bierman, P.L.
Town Attorney

FOURTH RENEWAL/AMENDMENT TO AGREEMENT

TOWN OF SURFSIDE

AND

LIMOUSINES OF SOUTH FLORIDA, INC.

FOR MUNICIPAL BUS SERVICES

THIS FOURTH RENEWAL/AMENDMENT TO AGREEMENT (this "Fourth Amendment") is entered into as of March 1, 2021 by and between the **TOWN OF ,SURFSIDE, FLORIDA**, a Florida municipal corporation (hereinafter the "Town"), and **LIMOUSINES OF SOUTH FLORIDA, INC.**, a Florida corporation (hereinafter the "Contractor").

WHEREAS, the Town and Contractor entered into that certain Agreement for Municipal Bus Services dated February 2, 2006 (the "Agreement"), for mini-bus services within the Town and neighboring municipalities (the "Services"); and

WHEREAS, the Agreement was amended and extended by First Amendment dated April 13, 2010 and Contract Amendment No. 1 dated November 13, 2012, which extended the term of the Agreement through November 16, 2017; and

WHEREAS, the Town and Contractor temporarily extended the Term of the Agreement on a month-to month basis, commencing with the monthly term from November 16, 2017 through December 16, 2017 (the "Second Amendment"), and providing the Town with the option of additional month- to month renewals upon 10 days' advance written notice to Contractor; and

WHEREAS, the Town and Contractor extended the Term of the Agreement, commencing February 15, 2018, for an additional three (3) year term through February 15, 2021 (the "Third Amendment"); and

WHEREAS, due to the COVID-19 health pandemic, service was suspended or discontinued and the parties now wish to resume operations as of March 1, 2021 with protections in place to ensure COVID-19 guidelines and safety precautions are taken; and

WHEREAS, the Town and Contractor wish to extend the Term of the Agreement by one year, commencing February 15, 2021, through February 15, 2022, as set forth in Section 2 herein.

NOW, THEREFORE, for and in consideration of the mutual promises set forth herein, the parties do hereby agree as follows:

1. **Recitals Adopted.** The above recitals are true and correct and are incorporated herein by this reference. All initially capitalized terms used but not otherwise defined herein shall have the meaning ascribed thereto in the Agreement.

2. **Extension/Renewal of Term; Termination.** Section 12 (Term) of the Agreement is hereby amended to extend or renew the Term of the Agreement for an additional one (1) year term from February 15, 2021, through February 15, 2022. The Town shall have the right to terminate the Agreement without cause, and for any reason whatsoever, upon 90 days advance notice to the Contractor. In the event of such termination, the Town shall be obligated to the Contractor for the pro-rated fee compensation incurred to the termination date.

3. **Conflict; Amendment Prevails.** In the event of any conflict or ambiguity between the terms and provisions of this Fourth Amendment and the terms and provisions of the Agreement and any prior amendments, the terms and provisions of this Fourth Amendment shall control.

4. **Agreement Ratified.** Except as otherwise specifically set forth or modified herein, all terms and pricing in the Agreement are hereby ratified and affirmed and shall remain unmodified and in full force and effect in accordance with its terms.

IN WITNESS WHEREOF, the parties have executed this Fourth Amendment as of the date first set forth above.

TOWN:

TOWN OF SURFSIDE, FLORIDA, a Florida
municipal corporation

By: _____
Andrew Hyatt, Town Manager

Date Executed: _____

Attest:

Town Clerk

Approved as to Legal Form and
Legal Sufficiency:

Town Attorney

IN WITNESS WHEREOF, the parties have executed this Fourth Amendment as of the date first set forth above.

CONTRACTOR:

Witnesses:

LIMOUSINES OF SOUTH FLORIDA, INC., a
Florida corporation

By: _____

Print Name: _____

Name: _____

Title: _____

Date Executed: _____

Print Name: _____



MEMORANDUM

ITEM NO. 5A

To: Honorable Mayor, Vice-Mayor, and Members of the Town Commission

From: Andrew Hyatt, Town Manager

Date: March 9, 2021

Subject: Community Digital Signs Authorization to Expend

Two community digital signs were budgeted as part of the Fiscal Year 2020 budget. The approved locations were at the Community Center and at the 94th Street Parking Lot diagonal from Publix. At the May 2020 Commission Budget Visioning workshop, the Commission requested that this project not move forward.

At the October 13, 2020 Commission meeting, the Commission re-visited the topic based on Commissioner Velasquez's discussion item. Town Administration was directed to report back to Commission with an example/rendering of what the signs would look like and an estimated cost.

Town administration reached out to a vendor who designed and installed signage for the Town previously including the parking lot monument signs. See attached the renderings along with the current quote of \$48,687.00 which includes engineering, fabrication, and installation costs. Additional costs for installing an electrical hookup for both locations is estimated to be \$4,000. The Town would also need to execute a maintenance agreement that would start after one year from the installation date, at a cost of \$3,000.00 per year for four (4) additional years. The expected useful life of a LED is expected to between 12-15 years.

With the signs are facing a Florida Department of Transportation controlled road, the signs will have met the standard for permit exemption under State Statute Section 479.16:

- Signs owned by a municipality or a county located on the premises of such municipality or county which display information regarding:
 - Governmental services, activities, events, or entertainment
- For purposes of this section, the following types of messages are not considered information regarding governmental services, activities, events, or entertainment:
 - Messages that specifically reference any commercial enterprise
 - Messages that reference a commercial sponsor of any even
 - Personal messages
 - Political campaign messages

Though the purchase is exempt from competitive bidding per the Town's Purchasing Code section 3-13 (7) f, Town Administration is working to validate the cost through other vendors. Town Administration has been unable to find another vendor that can provide all required services including design, fabricating, installing, and maintaining a community digital sign.

Town Administration is requesting authorization to expend up to \$52,687.00 for the purchase and installation of two Community Digital Signs at the previously approved locations and to execute a maintenance agreement for four (4) additional years at a cost of \$12,000.00.

Reviewed by: AH/LA

Prepared by: JG

RESOLUTION NO. 2021 ____

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, APPROVING DON BELL SIGNS LLC, FOR THE INSTALLATION AND MAINTENANCE OF TWO COMMUNITY DIGITAL SIGNS; FINDING THAT THE WORK IS EXEMPT FROM COMPETITIVE BIDDING PURSUANT TO SECTION 3-13(7)F OF THE TOWN CODE AS A PUBLIC WORKS PURCHASE FOR TOWN FACILITIES; AUTHORIZING THE TOWN MANAGER TO ENTER INTO ANY NECESSARY AGREEMENT(S) FOR SUCH WORK; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town of Surfside (“Town”) budgeted and approved the installation and maintenance of two community digital signs at the Town Community Center and the 94th Street Parking Lot (“Work”); and

WHEREAS, on October 13, 2020, the Town Commission directed Town Staff to obtain quotes for the Work; and

WHEREAS, Town Staff has obtained two quotes from Don Bell Signs LLC (“Contractor”): (1) a quote in the amount of \$48,687.00 for the installation of the two community digital signs, attached hereto as Exhibit “A,” and (2) a quote in the amount of \$12,000 for the maintenance of the two community digital signs for four years, attached hereto as Exhibit “B,” for a total amount of \$60,687.00 (collectively, the “Quotation”); and

WHEREAS, additionally, in order to fully implement the Work, Town Staff will require supplemental services to install electrical hookups for the Work (the “Supplementary Work”) at an estimated cost of about \$4,000.00 (the “Estimate”), which will be performed by another vendor; and

WHEREAS, pursuant to Section 3-13(7)(f) of the Town’s Code, public works purchases or work for Town facilities are exempt from competitive bidding; and

WHEREAS, the Town Commission wishes to approve the Quotation from the Contractor for the Work, in substantially the forms attached hereto as Exhibits “A” and “B”, and authorize the Town Manager to enter into any necessary agreement(s) with the Contractor for the Work, as well as approve and authorize the Supplementary Work; and

WHEREAS, the Town Commission finds that this Resolution is in the best interests and welfare of the Town.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, AS FOLLOWS:

Section 1. Recitals Adopted. Each of the above stated recitals are hereby adopted, confirmed, and incorporated herein.

Section 2. Approval of Don Bell Signs LLC; Exemption from Competitive Bidding; Authorization to Town Manager. The Quotation from the Contractor for the Work, attached hereto as Exhibits “A” and “B,” in the total amount of \$60,687.00, and the Estimate for the Supplementary Work, in the amount of \$4000.00, are hereby approved and authorized. The Town Commission finds that, pursuant to Section 3-13(7)(f) of the Town’s Code, the selection and approval of the Quotation from the Contractor for the Work and the Estimate for the Supplementary Work to be performed by another vendor are exempt from competitive bidding. The Quotation, in substantially the form attached hereto as Exhibits “A” and “B,” is hereby approved, and the Town Manager is authorized to execute any necessary agreement(s) for the Work and the Supplementary Work, subject to approval by the Town Attorney as to form, content, and legal sufficiency.

Section 3. Implementation. The Town Manager and Town Officials are authorized to take any and all necessary action to implement the Work, the Supplementary Work, and the purposes of this Resolution.

Section 4. Effective Date. This Resolution shall be effective immediately upon adoption.

PASSED AND ADOPTED this 9th day of March, 2021.

FINAL VOTE ON ADOPTION:

Commissioner Charles Kesl	_____
Commissioner Eliana R. Salzhauer	_____
Commissioner Nelly Velasquez	_____
Vice Mayor Tina Paul	_____
Mayor Charles W. Burkett	_____

Charles W. Burkett, Mayor

ATTEST:

Sandra McCready, MMC, Town Clerk
Town Clerk

**APPROVED AS TO FORM AND LEGALITY FOR THE USE
AND BENEFIT OF THE TOWN OF SURFSIDE ONLY:**

Weiss Serota Helfman Cole & Bierman, P.L.
Town Attorney



365 Oak Place
Port Orange, FL 32127
800-824-0080
Fx: 386-763-4762

ADVERTISING DISPLAY SYSTEM PURCHASE AGREEMENT

"Customer":

Project:

License: Florida ES#0000146

Prepared by:

Date:

/20

Contract:

Don Bell Signs, LLC, (the "Company") Will Supply Labor, Materials & Necessary Equipment to Perform the Following for the "Customer":

Specifications and customer approved print # _____ as of _____ hereby becomes a part of this contract (if applicable and is attached hereto).

SALES PRICE: \$ _____
(One of the following boxes must be checked)

A. The project attaches to and becomes a part of Real Property and is not subject to Florida Sales Tax

B. The project is considered Tangible Personal Property and Florida Sales Tax is not included in the Sales Price

C. The project has BOTH Real Property and Tangible Personal Property. Florida Sales Tax breakdown is needed above

Customers outside of Florida are responsible for the payment of applicable sales tax in their appropriate state.

The cost of permits, permit acquisition and engineering fees will be added to the sales price, unless specified above. All changes and/or modifications made to the referenced customer approved prints or scope of work will incur applicable material and labor charges specific to the change. All overdue invoices shall bear interest at 1.5% per month.

Terms: Down Payment Percentage: _____ Down Payment Due: \$ _____

Balance due upon completion.

Down Payment is non-refundable

This proposal does not include changeable copy letters (unless specified above) or de-energizing of overhead power lines where applicable. Additional foundation costs incurred as a result of abnormal soil conditions; rock, caliche, water intrusion and/or underground obstructions including utilities will be billed additional to the amount of this contract. Should the permit issuing entity revoke or rescind the permit for any reason beyond our control, after the aforementioned display has been built and their action or the action of the CUSTOMER prevents completion of the installation, the CUSTOMER is still obligated to the terms of this contract. **IT IS EXPRESSLY AGREED AND UNDERSTOOD THAT PRIMARY ELECTRIC SERVICE, PHONE LINES, COMMUNICATION LINES AND HOOK UPS ARE THE CUSTOMER'S RESPONSIBILITY. THE CONTRACT BALANCE OF PAYMENT BECOMES DUE AND PAYABLE UPON INSTALLATION OF THE SIGN DISPLAY.** (In the event, however, that electrical and/or phone service is not in place at the time of display installation a ten (10%) percent retainage may be held by Customer until such service is installed. In no event may such retainage holdback exceed forty five (45) days from date of display installation). **IF THIS CONTRACT INCLUDES AN ELECTRONIC MESSAGE CENTER OR TIME AND TEMPERATURE DISPLAY, CUSTOMER AGREES TO INSTALL, AT CUSTOMER'S EXPENSE, PRIMARY ELECTRICAL SURGE SUPPRESSION AND DISPLAY GROUNDING DEVICES SPECIFIED BY THE COMPANY.**

The Company warrants this display to be free of defects in material and/or workmanship for a period of one year from the installation date. **THERE ARE NO WARRANTIES MADE BY THE COMPANY EXCEPT AS EXPRESSLY SET FORTH HEREIN. WARRANTIES OF MERCHANTABILITY & FITNESS FOR A PARTICULAR PURPOSE ARE EXPRESSLY EXCLUDED.** All work will be completed in a workmanlike manner. All agreements are contingent upon strikes, accidents or delays beyond the control of the Company. Our workers are fully covered by workman's compensation insurance.

This Agreement shall be construed and interpreted under and according to the laws of the State of Florida. The parties to this Agreement consent to the exclusive jurisdiction and venue of the courts of the State of Florida in the County of Volusia in connection with any and all actions arising out of this Agreement. In the event that there is any litigation concerning this Agreement, the prevailing party, in such litigation, shall be entitled to recover it's attorney's fees, costs, and expenses incurred in connection with the litigation at trial court, appellate court or bankruptcy court.

This Agreement, along with any exhibits, appendices, addendums, schedules, and amendments hereto, encompasses the entire agreement of the Parties and supersedes all previous understandings and agreements between the Parties, whether oral or written. The Parties hereby acknowledge and represent by affixing their hands and seals hereto, that said Parties have not relied on any representation, assertion, guarantee, warranty, collateral contract or other assurance, except those set out in the Agreement made by or on behalf of any other party or any other person or entity whatsoever, prior to the execution of this Agreement. The Parties hereby waive all rights and remedies, at law or in equity, arising or which may arise as the result of a party's reliance on such representation, assertion, guarantee, warranty, collateral contract or other assurance, provided that nothing herein contained shall be construed as a restriction or limitation of said party's right to remedies associated with the gross negligence, willful misconduct of fraud or any person or party taking place prior to, or contemporaneously with, the execution of this Agreement.

In the event the sign display cannot be installed due to any delay for causes beyond the control of COMPANY or is not installed due to CUSTOMER'S request, the Contract Balance shall become immediately due and payable, less the cost for installation. CUSTOMER will be responsible for storage charges in the amount of 1/2 of 1 percent of the purchase price per month until installed. In the event of any default or failure of performance hereunder by COMPANY, including but not limited to a breach of this agreement or the direct, active negligence or other wrongful act or omission of COMPANY generating a cause of action in favor of CUSTOMER, COMPANY's liability shall be limited to the total amount of the payments actually made by CUSTOMER to COMPANY hereunder as of the time of the accrual of such cause of action. In no event shall COMPANY have any liability or legal responsibility to CUSTOMER or to any third person, whether for damage to person or property, business or economic damages, damages to products, goods or any other thing or legal or property right or interest, in excess of such amounts actually paid by CUSTOMER to COMPANY hereunder as of the time such cause of action accrues. CUSTOMER hereby indemnifies COMPANY, holds COMPANY harmless, and shall defend at its own expense and thereafter satisfy and discharge from its own funds and resources, any and all such claims against the COMPANY arising of, from or through its actions or inactions or the products, services or materials taken, delivered or installed by the COMPANY, its agents or its independent contractors pursuant to this contract, whether made by or on behalf of itself, its employees, agents, privies, successors or assigns, or any third person, for all time and anywhere in the world.

Customer Signature _____

Accepted by _____

Customer Name/Title _____

DBS Officer _____

Please Print

Please Print

Date

Date

A Notice to Proceed from the CUSTOMER will bind the terms and conditions of this contract

Page 141

Scope of Work

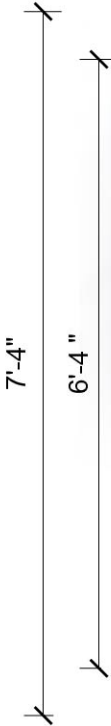
Don Bell Signs to fabricate & install:
(1) Single faced Electronic Message Display as shown.

Notes:

All hardware to be non-corrosive.
Graphic depictions on electronic message centers are for presentation purposes only.

Landscaping by others.

FIELD SURVEY REQUIRED



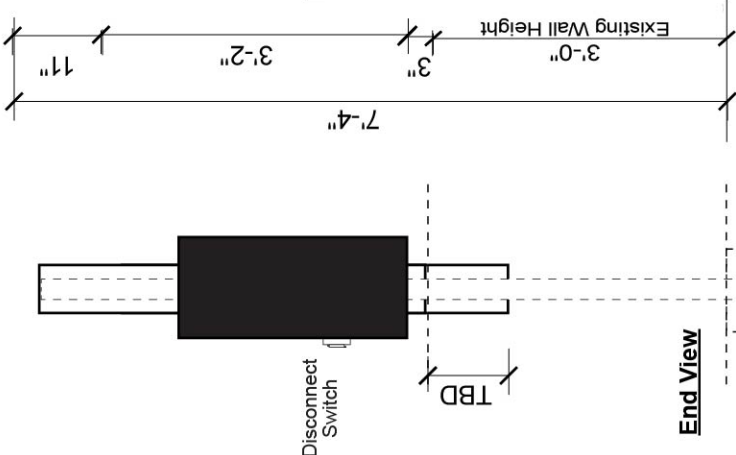
Electronic Message Display

NTS

Construction:
Aluminum w/ med. sand texture paint: white, satin

Electronic Message Display:
S/F aluminum cabinet w/ required filler painted Black.
10mm Full Color LED
Matrix: 96 x 224
Active Area: 3'-1 13/16" x 7'-4 3/16"
Communication: Wireless

Circular Logo
Construc: 1/8" alum
curved to close match curve in wall.
Digitally printed vinyl overlay
(Vectorized Art file to be supplied by customer), stud mtd flush to wall.



Footing to fit
between palm trees
(inside to inside 83" +-) Field Survey Req'd

Elevation of S/F Electronic Message Display
Scale: 1/2" = 1'-0"

(1) Required
23.5 Sq. Ft. (EMC copy area)

Location: 94TH & Hardy



Existing Convex Wall

Bushes to be removed by others as required in area new sign will be installed

End View

ALL SIGNS WITH ELECTRICAL COMPONENTS TO BE MARKED PER NEC 600.4 (A)
SIGNS TO BE LISTED & INSTALLED PER NEC SECTION 600.3
PRIMARY DISCONNECT SWITCH (ACTUAL LOCATION VARYS)
SWITCH AMPERE RATING SHALL BE NOT LESS THAN TWICE THE AMPERE RATING AS POWER SUPPLIES OR BALLASTS PER NEC 404.14 & 600.6 (B)
PRIMARY ELECTRIC BY OTHERS

Electrical Requirements:
() 20amp circuit(s) @ 120 V

ETL Acct. #115459
UL 48 Listed Signage
All Sign Components shall be UL listed and Recognized in the SAM Manual
All Wiring shall be at least 90° C rated

Font(s): _____

Note: This design pending engineering.



DESIGN #: **2100060**
DATE: **01.27.20**
DRAWN BY: **SS**

Revisions / Date / Initials

ETL Acct. #115459
UL 48 Listed Signage
All Sign Components shall be UL listed and Recognized in the SAM Manual
All Wiring shall be at least 90° C rated

ACCOUNT #115459
US
120 Volt
277 Volt

SHEET 1

Town of Surfside

STREET 9301 Collins Ave
CITY Town of Surfside FL
SALES REP Diana Grunderman
SCALE As Noted
FILE NAME
PROGRAM Adobe Illustrator CC
FONTS USED
CUSTOMER APPROVAL DATE

Note: Photo Cell or Timer by others

PRIMARY ELECTRIC BY OTHERS.

This design (except registered or existing trademarks) is the property of DON BELL SIGNS LLC and shall not be reproduced or copied in whole or in part without the written permission of the above named owner.



365 OAK PLACE
PORT ORANGE, FL 32127
800-824-0080

Scope of Work

Don Bell Signs to fabricate & install:
(1) Single faced Electronic Message Display as shown.

Notes:

All hardware to be non-corrosive.
Graphic depictions on electronic message centers are for presentation purposes only.

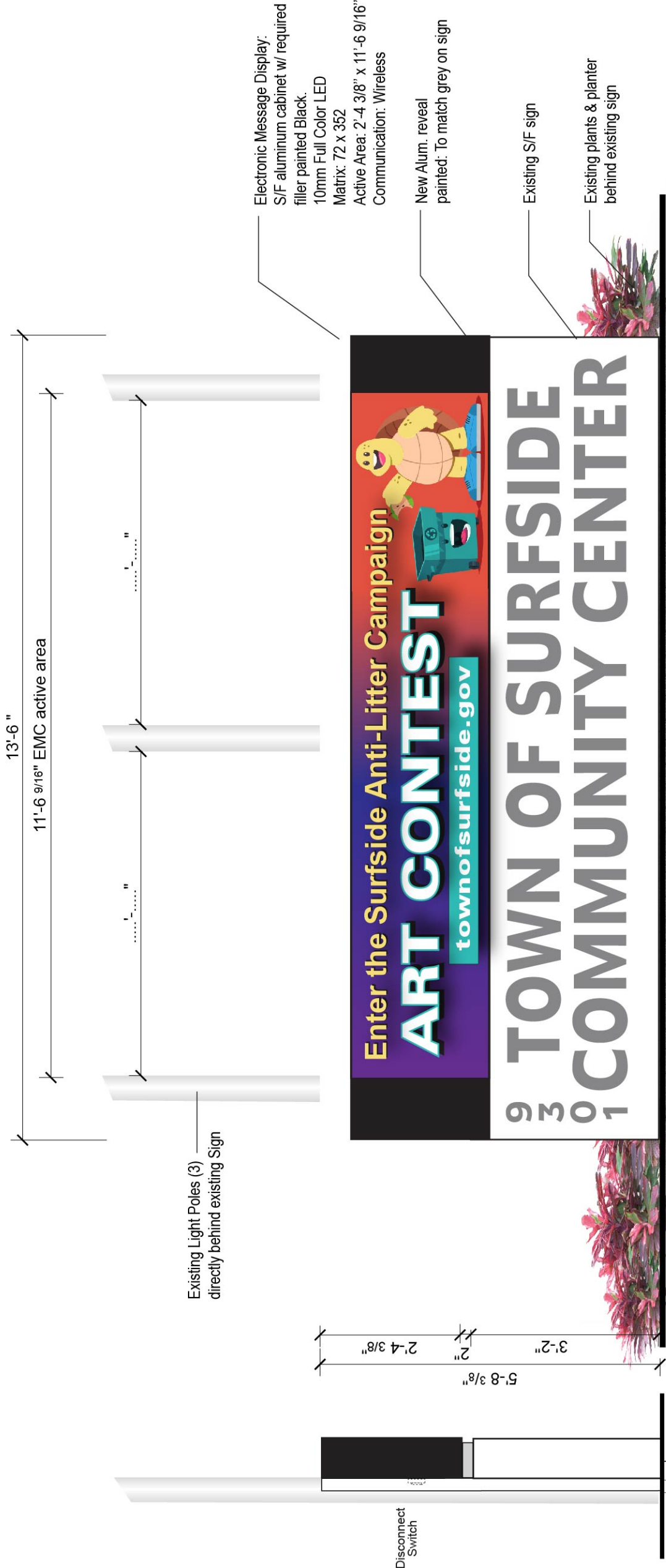
Landscaping by others.

FIELD SURVEY REQUIRED



Existing Sign & flag poles

NTS



Location: 9301 Collins Ave.

Elevation of S/F Electronic Message Display

Scale: 1/2" = 1'-0"

(1) Required

23.5 Sq. Ft. (copy area)

New Footings (x 2) to fit between existing flag poles
Field Survey Req'd



DESIGN #: 2100060

DATE: 01.27.20

DRAWN BY: SS

Revisions / Date / Initials

ETL Acct. #115459
UL 48 Listed Signage
All Sign Components shall be UL listed and Recognized in the SAM Manual
All Wiring shall be at least 90° C rated

ACCOUNT #115459
us
120 Volt
277 Volt

SHEET 2

Town of Surfside

STREET 9301 Collins Ave
CITY Town of Surfside FL
SALES REP Diana Gruderman
SCALE As Noted
FILE NAME
PROGRAM Adobe Illustrator CC
TONES USED
CUSTOMER APPROVAL DATE

Note: Photo Call or Timer by others

This design (except registered or existing trademarks) is the property of DON BELL SIGNS LLC and shall not be reproduced or copied in whole or in part without the written permission of the above named owner.



365 OAK PLACE
PORT ORANGE, FL 32127
800-824-0080

Electrical Requirements:
() 20amp circuit(s) @ 120 V

Note: This design pending engineering.



365 OAK PLACE • PORT ORANGE, FLORIDA 32127
PHONE: 386-788-8084 • 800-824-0080 • FAX: 386-767-7331

Date _____ Number _____
Customer _____
Street/P.O. Box _____
City/State _____

ELECTRICAL MAINTENANCE AGREEMENT

This agreement is hereby made and entered into this _____ day of _____, 20____ between Don Bell Signs, LLC hereinafter referred to as COMPANY and _____ hereinafter referred to as CUSTOMER with respect to that Display System described in paragraph 1 below. **The CUSTOMER and the COMPANY hereby agree to the terms and conditions set out below:**

TERM AND PAYMENT - This agreement is for a period of _____ months effective _____, 20____ The CUSTOMER agrees to pay the COMPANY the sum of \$_____ plus applicable state of Florida use tax per month, due and payable on the first day of each month following the effective date of this agreement as consideration for the COMPANY agreeing to provide maintenance for the Display System as provided herein below. All payments not received by the tenth day of the month in which due shall bear late charge interest at the rate of 1 ½ % per month. CUSTOMERS outside of the state of Florida are responsible for payment of all applicable taxes in the State where display is installed.

1. **The Company) agrees to provide electrical maintenance as set forth in paragraph 2 below on the Display System described as follows:**

In the event more than one display is covered by this agreement, Schedule "A" is hereby attached and is part of this agreement with each display individually noted as to description, location, and monthly payment due.

2. **The COMPANY will supply labor, materials & necessary equipment to supply the following maintenance (as applicable) on the Above described Display System(s):**

- Replacement of fluorescent or incandescent lamps, sockets, & wiring
- Replacement or repair of neon tubes
- Replacement or repair of flashers
- Replacement of ballast or transformers
- Replacement or repair of revolving units
- Repair message center or time & temperature, lampbanks, LED modules, cable, drivers, and control mechanisms
- Replace bulbs or LED pixels on the electronic display
- Repair or replacement of the message display control system

SPECIAL PROVISIONS: _____

3. **THE COMPANY SHALL NOT BE RESPONSIBLE FOR ANY OF THE FOLLOWING:**
- Maintenance of wiring from the display to the source, time clocks or their control devices, or fixture power junctions or control panels.
 - Repairs or replacement caused by vandalism, fire, lighting or other acts of God, civil disturbances, CUSTOMER or CUSTOMER employee negligence or vehicle accident or damage due to normal wear and tear.
 - Repainting, repair, or replacement of any metal or plastic components of the sign display(s) or supporting structures unless specifically included in paragraph 2 under "Special Provisions".
 - Providing or replacing letters for use on changeable copyreader boards.
 - Replacement of bulbs or LED's, unless at least 3% of the pixels are out.
 - Storage of CUSTOMER's old display system that is removed and replaced by our new product. COMPANY's policy is to dispose of all and any old parts, control devices, or control panels.

4. During the term, hereof the COMPANY shall be the exclusive provider of maintenance to the Display System and the CUSTOMER shall neither perform maintenance on the Display System nor allow any other person or entity to perform maintenance on the Display System.
5. The CUSTOMER upon written notice to COMPANY may cancel the maintenance on one or more displays covered by this agreement and if such an event were to occur shall pay the COMPANY as liquidated damages, fifty percent (50%) of the sum of the monthly payments due for maintenance on the Display Systems that would accrue through the unexpired portion of this agreement. Said sum agreed upon is a reasonable estimate of the actual loss that would be suffered by the COMPANY in the event of such cancellation. Both parties agree that COMPANY'S actual damages are not readily susceptible to precise calculation, and that the liquidated damages provision herein stated accordingly represents a reasonable, good faith effort to approximate such damages in advance, and is not intended to, and does not, constitute a penalty.
6. The occurrence of any of the following shall constitute default of the CUSTOMER and shall entitle COMPANY to pursue all legal remedies set forth in this agreement:
 1. CUSTOMER ceasing to remain in business
 2. CUSTOMER insolvency
 3. CUSTOMER bankruptcy
 4. CUSTOMER failure to render monthly payment when due
 5. CUSTOMER breach of the terms of this agreement

In the event of default by CUSTOMER, the COMPANY shall have the right to terminate this agreement by written notice to the CUSTOMER and it is hereby agreed that in any such event the CUSTOMER shall pay to the COMPANY upon demand of the liquidated damages as provided for under paragraph 6 above. In the event of default by CUSTOMER, COMPANY may withhold service without incurring any liability to customer for credit, claim or counterclaim of any nature for any period of non-service until such time as the default is cured.

7. This Agreement shall be binding upon the successors, assigns, and legal representatives of both parties. This Agreement is not valid until signed by an officer of COMPANY and a representative of CUSTOMER. No amendment or change to this Agreement shall be valid unless mutually agreed upon by both parties in writing. This agreement is the entire agreement between the parties concerning the maintenance for the Display System described in paragraph 1, and supersedes any prior written or verbal agreements between the parties dealing with this subject matter. This agreement may be assigned by COMPANY but shall not be assigned by CUSTOMER without the prior written consent of COMPANY.
8. This Agreement shall be construed and interpreted under and according to the laws of the State of Florida. The parties to this agreement consent to the exclusive jurisdiction and venue of the courts of the State of Florida in the County of Volusia in connections with any and all actions arising out of this Agreement. In the event that there is any litigation concerning this Agreement, the prevailing party in such litigation shall be entitled to recover its attorney's fees, cost and expenses incurred in connection with the litigation at the trial and appellate levels and in bankruptcy, including fees and costs incurred to prove the amount of and reasonableness of the COMPANY's attorneys fees and costs.
9. CUSTOMER hereby grants to the COMPANY a security interest and lien on the advertising sign display and all component parts thereof to secure the payment of all amounts due hereunder to the COMPANY. CUSTOMER understands and agrees that this agreement is cross collateralized and cross defaulted with the Lease Agreement between the COMPANY and CUSTOMER with respect to the Display System. All obligations of CUSTOMER under this agreement are secured by the security interest granted to COMPANY under said Lease Agreement. Any breach of this agreement by CUSTOMER shall be deemed a breach of said Lease Agreement and any breach of said Lease Agreement shall be deemed a breach of this agreement. Nothing herein shall interfere with COMPANY's right to enforce its lien against the Display System granted by this Agreement in accordance with Chapter 713, Florida Statutes.
10. This agreement is made on the express understanding that there are no express or implied warranties other than those expressly continued in this agreement. Specifically, without limitation, there are no warranties that the goods shall be merchantable or fit for any particular use or purpose.
11. Additional Provisions:

ACCEPTED BY: DON BELL SIGNS, LLC **ACCEPTED BY:** _____
By: _____ **Customer:** _____
Accepted By: _____ **BY:** _____
Title: _____ **Date:** _____ **Title:** _____ **Date:** _____



MEMORANDUM

ITEM NO. 5B

To: Honorable Mayor, Vice-Mayor and Members of the Town Commission

From: Andrew Hyatt, Town Manager

Date: March 9, 2021

Subject: Construction of Point Lake Subaqueous Water Main Crossing, RFP # 2020-03 Project Awarding

The Town was awarded a matching grant by the Florida Department of Environmental Protection (FDEP), for the construction of Point Lake Subaqueous Water Main crossing in Biscaya Isles for matching funds of up to \$124,000.00.

On February 11, 2021, the Town of Surfside held the bid opening for RFP 2020-03, "Construction of Point Lake Canal Subaqueous Water Main Crossing". A total of 4 (four) contractors submitted pricing as shown in Table A – "Bid Letting" below:

Item Number	Company Name	Proposed Cost
1	JVA Engineering Contractor, Inc.	\$411,559.25
2	David Mancini & Sons, Inc.	\$271,391.00
3	Equix Energy Services LLC	\$573,801.00
4	R.P. Utility & Excavation Corp.	\$457,180.60

After confirming the qualifications of all bidders, David Mancini & Sons, Inc was determined to be the lowest responsible pricing at a total proposed cost of \$271,391.00.

The Town budgeted \$226,000.00 for project construction under the Water & Sewer Fund. The difference of \$45,391.00 will require a budget amendment.

The Town administration recommends the Town Commission approve to proceed with contracting with the lowest responsible bidder, David Mancini & Sons, Inc, for the total amount of \$271,391.00.

Reviewed by: JG

Prepared by: HG

RESOLUTION NO. 2021-_____

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, SELECTING THE BID AND AWARDING A CONTRACT TO DAVID MANCINI & SONS, INC. FOR CONSTRUCTION OF THE POINT LAKE CANAL SUBAQUEOUS WATER MAIN CROSSING TO BISCAYA ISLAND; AUTHORIZING THE TOWN MANAGER TO NEGOTIATE AND ENTER INTO A CONTRACT FOR THE WORK IN ACCORDANCE WITH THE BID AND RFP NO. 2020-03; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town of Surfside (the “Town”) desires to construct the Point Lake Canal Subaqueous Water Main Crossing to Biscaya Island (“Work”); and

WHEREAS, on December 10, 2020, the Town issued Request for Proposal No. 2020-03 (“RFP”) requesting bids from firms for the Work; and

WHEREAS, in response to the RFP, David Mancini & Sons, Inc. (“Contractor”) submitted a bid for the performance of the Work in the amount of \$271,391.00, which was ranked as the lowest responsible bid (“Bid”); and

WHEREAS, the Town Commission desires to select the Contractor’s Bid and authorize the Town Manager to negotiate and execute a contract with the Contractor for the Work in accordance with the Bid and the terms, conditions, and technical specifications of the RFP (“Contract”); and

WHEREAS, the Town Commission finds that this Resolution is in the best interest and welfare of the Town and its residents.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, AS FOLLOWS:

Section 1. Recitals. Each of the above-stated recitals are hereby adopted, confirmed, and incorporated herein.

Section 2. Selection of Contractor and Award of Contract. The Town Commission hereby selects the Contractor's Bid for the Work and awards the Contractor a Contract for the Work, in accordance with the Bid and the terms, conditions, and technical specifications of the RFP, for a total not to exceed amount of \$271,391.00.

Section 3. Town Manager Authorized to Negotiate and Execute a Contract. The Town Manager is hereby authorized to negotiate and execute a Contract for the Work with the Contractor, in accordance with the Bid and the terms, conditions, and technical specifications of the RFP, subject to approval by the Town Attorney as to form, content, and legal sufficiency.

Section 4. Implementation. That the Town Manager and Town Officials are hereby authorized to take any and all actions which are necessary to implement the Work, the Contract for the Work, and the purposes of this Resolution.

Section 5. Effective Date. This Resolution shall be effective immediately upon adoption.

PASSED AND ADOPTED this ____ day of March, 2021.

Motion By: _____

Second By: _____

FINAL VOTE ON ADOPTION:

Commissioner Charles Kesl _____

Commissioner Eliana R. Salzhauer _____

Commissioner Nelly Velasquez _____

Vice Mayor Tina Paul _____

Mayor Charles W. Burkett _____

Charles W. Burkett, Mayor

ATTEST:

Sandra McCready, MMC
Town Clerk

**APPROVED AS TO FORM AND LEGALITY FOR THE USE
AND BENEFIT OF THE TOWN OF SURFSIDE ONLY:**

Weiss Serota Helfman Cole & Bierman, P.L.
Town Attorney



MEMORANDUM

ITEM NO. 5C

To: Honorable Mayor, Vice-Mayor and Members of the Town Commission

From: Andrew Hyatt, Town Manager

Date: March 9, 2021

Subject: FY 2021 Budget Amendment Resolution No. 6

The State of Florida, the Charter of the Town of Surfside, and sound financial management practices require monitoring of the Town's budgetary condition. Budget requirements include maintaining a balanced budget and a prohibition against entering into encumbrances for which there is not sufficient appropriation.

The Town Commission monitors the budget to actual summary at the fund level monthly on each agenda. The Town Manager is authorized by the Charter to make adjustments within funds so long as the appropriation for each fund is not exceeded. The purpose of this budget amendment is for the Town Commission to amend the FY 2021 annual budget and to recognize changes in revenues and expenditures that differ from the adopted budget. The attached document represents the amendment that ensures compliance with State law, Town Charter, and sound financial management practices.

Staff has reviewed FY 2021 actual revenues and expenditures and recommends a change to the FY 2021 annual budget is as follows:

TOURIST RESORT FUND (Attachment A)

The Tourist Resort Fund is being amended to:

1. Appropriate \$56,800 from current year reserves for marking initiatives for the Tourist Board Destination Recovery Plan Spring/Summer/Fall 2021.

CAPITAL PROJECTS FUND (Attachment A)

The Capital Projects Fund is being amended to:

1. Appropriate \$25,000 from fund balance available from completed projects for the purchase and installation of a community digital sign at 94th Street;
2. Appropriate \$28,000 available from available current year project balances for the purchase and installation of a community digital sign at the Community Center.

WATER AND SEWER FUND (Attachment A)

The Water and Sewer Fund is being amended to:

1. Appropriate \$58,225 from current year reserves for additional funding for construction of the Biscaya Island Water Main Crossing.

Reviewed by: JG/LA

Prepared by AM

RESOLUTION NO. 2021-_____

**A RESOLUTION OF THE TOWN COMMISSION OF THE
TOWN OF SURFSIDE, FLORIDA, APPROVING BUDGET
AMENDMENT NO. 6 TO THE FISCAL YEAR 2020/2021
BUDGET; PROVIDING FOR IMPLEMENTATION; AND
PROVIDING FOR AN EFFECTIVE DATE.**

WHEREAS, on September 22, 2020, the Town of Surfside (the “Town”) Commission adopted Resolution No. 2020-2716 approving the budget for Fiscal Year 2020/2021 and establishing revenues and appropriations for the Town; and

WHEREAS, the Water and Sewer Fund is being amended to appropriate \$45,391.00 for the Construction of Point Lake Subaqueous Water Main Crossing Project; and

WHEREAS, an increase to the budgeted revenue and expenditure estimate is required for the Water and Sewer Fund to comply with Florida Statutes and the Town's commitment to sound budgeting practices, where budgeted expenditures may not exceed anticipated revenues; and

WHEREAS, the Town Commission desires to amend the Fiscal Year 2020/2021 budget by amending the Water and Sewer Fund as set forth in Attachment “A” attached hereto; and

WHEREAS, the Town Commission finds that this Resolution is in the best interest and welfare of the residents of the Town.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, AS FOLLOWS:

Section 1. **Recitals.** That each of the above-stated recitals are hereby adopted, confirmed, and incorporated herein.

Section 2. **Approving Budget Amendment No. 6.** The Town Commission approves Budget Amendment No. 6 to the fiscal year budget 2020/2021, as provided for in Attachment “A” attached hereto.

Section 3. **Implementation.** The Town Manager and/or his designee are directed to take any and all action necessary to accomplish this Budget Amendment No. 6 and the purposes of this Resolution.

Section 4. **Effective Date.** This Resolution shall take effect immediately upon its adoption.

PASSED AND ADOPTED on this 9th day of March, 2021.

Motion By: _____

Second By: _____

FINAL VOTE ON ADOPTION:

Commissioner Charles Kesl _____

Commissioner Eliana R. Salzhauer _____

Commissioner Nelly Velasquez _____

Vice Mayor Tina Paul _____

Mayor Charles W. Burkett _____

Charles W. Burkett, Mayor

Attest:

Sandra McCready, MMC
Town Clerk

Approved as to Form and Legal Sufficiency:

Weiss Serota Helfman Cole & Bierman, P.L.
Town Attorney

**TOWN OF SURFSIDE
BUDGET AMENDMENT
ATTACHMENT A**

Fiscal Year 2021
BA No. 6
Fund Nos. 102 Tourist Resort Fund
301 Capital Projects Fund
401 Water and Sewer Fund

3/9/2021

Account Number	Account Description	Justification	Original/ Adjusted Budget	Increase	Decrease	Adjusted Budget
SPECIAL REVENUE FUNDS:						
RESORT TAX FUND						
EXPENDITURES						
102-8000-552-99-10	Contingency / Reserve	Appropriate funds for 2021 marketing initiatives	\$ 260,860		\$ 56,800	\$ 204,060
102-8000-552-48-10	Promotional Activities-Marketing & Advertising	Marketing initiatives - Tourist Board Destination Recovery Plan Spring/Summer/Fall 2021	\$ -	\$ 56,800		\$ 56,800
TOTAL	RESORT TAX FUND EXPENDITURES			\$ 56,800	\$ 56,800	

CAPITAL PROJECTS FUND						
REVENUES						
301-590-392-00-00	Reappropriated Fund Balance	Appropriate funds for community digital sign at 94th Street from completed project balances	\$ 2,980,448	\$ 25,000		\$ 3,005,448
TOTAL	CAPITAL PROJECTS FUND REVENUES			\$ 25,000	\$ -	
EXPENDITURES						
301-4400-539-63-20	Beach Walking Path	Appropriate available project funds to community digital sign at Community Center	\$ 102,076		\$ 28,000	\$ 74,076
301-4400-539-64-10	Machinery & Equipment	Community digital signs	\$ -	\$ 53,000		\$ 53,000
TOTAL	CAPITAL PROJECTS FUND EXPENDITURES			\$ 53,000	\$ 28,000	

ENTERPRISE FUNDS:						
WATER AND SEWER FUND						
EXPENDITURES						
401-9900-536-99-10	Contingency Reserve	Appropriate funds for the Biscaya Island Water Main project	\$125,740		\$58,225	\$67,515
401-9900-536-63-20	Water Improvements other than Building	Biscaya Island Water Main crossing project award - additional funding.	\$ 242,603	\$ 58,225		\$ 300,828
TOTAL	WATER AND SEWER FUND EXPENDITURES			\$ 58,225	\$58,225	



**Town of Surfside
Town Commission Meeting**

Town Hall Commission Chambers - 9293 Harding Ave, 2nd Floor
Surfside, FL 33154

MEMORANDUM

Agenda #:

Date: March 9, 2021

From: Vice Mayor Tina Paul

Subject: Resolution adopting a Civility Pledge by Town Officials

Objective – To enact thoughtful discussion and debate of governmental issues facing the Town of Surfside with a pledge to conduct all public discourse in a civil manner with a focus on governmental issues and not personal issues by elected officials when engaging in all forms of public communication.

Consideration – The Town Commission has been in office for one of its two-year term. During that year public meetings have on occasion included unnecessary and improper displays of temper and other actions causing dismay to the citizens and residents in attendance and those observing via electronic means and have led to many solicitations for codes of conduct to be enacted to ensure an improved public meeting process for all involved.

This process can be improved by enacting a civility pledge so that public discourse and communication focuses on governmental issues and not personal issues. The pledge will further ensure that the elected officials treat one another with respect and courtesy and extend the same behavior and attitude toward citizens, residents and observers of such public discourse, and extend the same behavior toward the elected officials and Town staff of the Town of Surfside.

Recommendation – Accept and implement this Civility Pledge to improve relations among the Mayor and Town Commission toward one another, the public, and Town staff to ensure civility at public meetings and when utilizing Town resources or communications.

RESOLUTION NO. 2021-_____

**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF
SURFSIDE, FLORIDA, ADOPTING A CIVILITY PLEDGE FOR
ELECTED OFFICIALS ENGAGED IN PUBLIC DISCOURSE;
PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN
EFFECTIVE DATE.**

WHEREAS, in Florida, county and municipal governments feature elected legislative and representative bodies known as commissions and councils, that meet regularly in public in accordance with state public meeting laws to conduct business, govern collectively and administer as necessary; and

WHEREAS, public meetings have on occasion included unnecessary and improper displays of temper and other actions causing dismay to the elected officials, town staff and residents in attendance and those observing via electronic means and have led to many solicitations for codes of conduct to be enacted to ensure an improved and efficient public meeting process for all involved; and

WHEREAS, elected officials, citizens and residents now routinely communicate and engage in public dialogue via electronic communications such as social media posts and public discourse has upon occasion included unnecessary and improper displays of temper and other actions causing dismay to the elected officials, citizens and residents; and

WHEREAS, one means for this improvement is a civility pledge, wherein the Mayor and the Town Commission of the Town of Surfside (“Town”) adopt the pledge toward one another, toward the public, and toward staff with an understanding that the public and staff will further abide by the same pledge and in doing so ensure a civil discourse at public meetings or when communicating utilizing Town resources or communication means; and

WHEREAS, the Town wishes to adopt a civility pledge so that public discourse and communication focuses on the governmental issues and not personal issues, and to ensure that the elected officials treat one another with respect and courtesy and extend the same behavior and attitude toward citizens, residents and observers of such public discourse; and

WHEREAS, the result of this pledge and its enactment will be the promotion of thoughtful debate and discussion of legislative issues facing the Town and that in setting this public example there will be more deliberative, thoughtful and issue-based consideration of the matters before the Town Commission, and that better policies will result along with a more informed electorate; and

WHEREAS, the Town Commission is committed to the practice of civility in government and wishes to adopt a pledge of civility to be adhered to by all elected officials of the Town.

**NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND TOWN
COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, AS FOLLOWS:**

Section 1. Recitals Adopted. The above recitals are true and correct and incorporated into the Resolution by this reference.

Section 2. Adoption of Civility Pledge. The Mayor and Town Commission hereby adopt the following civility pledge:

“To my colleagues and to all those whom I represent and serve, I pledge to conduct all public discourse at public meetings and when communicating utilizing Town resources or communications, with fairness, integrity, and civility in all actions taken and all public discourse made by me as a public servant. Furthermore, I pledge to promote and act with courtesy and respect towards all members of the Commission, Town staff, and the public, and ask the public to do the same toward the Commission, each other, and toward Town staff. I will be respectful of my colleagues, even when we disagree. I will direct all comments toward the issues and will avoid personal attacks towards my colleagues and the public.”

This civility pledge will be communicated to all those in attendance at public meetings including the elected officials, staff and audience, both physically in attendance and virtually.

Section 3. Implementation. The Mayor and Town Commission have adopted a civility pledge and do hereby commit to its full enforcement for all public discourse.

Section 4. Effective Date. This Resolution shall take effect immediately upon adoption.

PASSED AND ADOPTED on this _____ day of March, 2021.

Motion By: _____

Second By: _____

FINAL VOTE ON ADOPTION:

Commissioner Charles Kesl _____

Commissioner Eliana R. Salzhauer _____

Commissioner Nelly Velasquez _____

Vice Mayor Tina Paul _____

Mayor Charles W. Burkett _____

Charles W. Burkett, Mayor

Attest:

Sandra McCready, MMC
Town Clerk

Approved as to Form and Legal Sufficiency:

Weiss Serota Helfman Cole & Bierman, P.L.
Town Attorney



**Town of Surfside
Town Commission Meeting**

Town Hall Commission Chambers - 9293 Harding Ave, 2nd Floor
Surfside, FL 33154

MEMORANDUM

Agenda #:

Date: March 9, 2021

From: Vice Mayor Tina Paul

**Subject: Resolution Urging Governor Ron DeSantis to Increase Vaccine
Allocations for Miami-Dade County**

Objective – Support the efforts to combat Covid-19 by urging Governor Ron DeSantis to increase the Covid-19 Vaccine allocations for Miami-Dade County in order for municipalities to meet the demand for vaccines among vulnerable community members.

Consideration – On March 1, 2021, Governor Ron Desantis issued Executive Order 21-47 amending the priority list of population groups eligible to receive the Covid-19 vaccine during Phase One of the Florida Covid-19 Vaccination Plan.

Miami-Dade County has a significantly high percentage of residents over the age of 65 and lacks an adequate supply of vaccines to fully vaccinate its most vulnerable populations in an urgent manner. The County has the highest number of Covid-19 cases and deaths in the State of Florida, equaling 20% of the overall numbers, yet the County has only received 11% of the allocated vaccines. It is urgent that Governor Ron DeSantis allocate more vaccines to our area to meet the demands for vaccines among vulnerable community members.

Recommendation – Approve this Resolution urging Governor Ron DeSantis to increase the Covid-19 Vaccine allocations for Miami-Dade County to meet the demand for Vaccines among our vulnerable community members.

RESOLUTION NO. 2021-_____

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, URGING GOVERNOR DESANTIS TO INCREASE COVID-19 VACCINE ALLOCATIONS TO MIAMI-DADE COUNTY IN ORDER FOR THE TOWN AND OTHER LOCAL GOVERNMENTS IN MIAMI-DADE COUNTY TO MEET VACCINE DEMAND AMONG VULNERABLE COMMUNITY MEMBERS; PROVIDING FOR TRANSMITTAL; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on March 1, 2020, the Governor of Florida issued Executive Order Number 20-51 directing the State Health Officer and Surgeon General to declare a Public Health Emergency due to the discovery of COVID-19/Novel Coronavirus (“COVID-19”) in Florida; and

WHEREAS, on March 12, 2020, the Town of Surfside (“Town”) adopted Resolution No. 2020-2676, declaring a State of Emergency due to COVID-19; and

WHEREAS, the Town continues to respond to the threats posed by COVID-19 in order to protect the public health, safety, and welfare of its residents, businesses, employees and visitors; and

WHEREAS, on March 1, 2021, Governor Ron DeSantis issued Executive Order 21-47 (the “Executive Order”), amending Executive Order 20-315 to modify the Phase One COVID-19 Vaccine priority list to include the following vulnerable population groups: long-term care facility residents and staff; persons 65 years of age and older; health care personnel with direct patient contact; K-12 school employees 50 years of age and older; sworn law enforcement officers 50 years of age and older; and firefighters 50 years of age and older (collectively, the “Vulnerable Community Members”); and

WHEREAS, people over 65 years old are among the most at risk for COVID-19 complications and account for over 10% of the population in Miami-Dade County (the “County”), representing nearly half a million people, many of whom reside in the Town; and

WHEREAS, the County remains the county with the highest number of positive COVID-19 cases and deaths, accounting for approximately 20% of the overall numbers in the State of Florida, yet the County has only received 11% of the allotted vaccines; and

WHEREAS, the Town urges Governor DeSantis to increase the allocation and speed of vaccine distribution to the County and the Town in order to meet vaccine demand among Vulnerable Community Members; and

WHEREAS, the Town Commission finds that this Resolution is in the best interest and welfare of the residents of the Town.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, AS FOLLOWS:

Section 1. **Recitals.** That each of the above-stated recitals are hereby adopted, confirmed, and incorporated herein.

Section 2. **Urging Governor to Increase Vaccine Allocations to the County and Town.** The Town Commission hereby urges Governor DeSantis to increase the weekly COVID-19 vaccine allocation to the County in order for the Town and other local governments in the County to meet vaccine demand among Vulnerable Community Members.

Section 3. **Transmittal.** That the Town Commission hereby directs the Town Clerk to transmit a copy of this Resolution to Governor Ron DeSantis on behalf of the State of Florida, the County Legislative Delegation, and the County League of Cities.

Section 4. **Effective Date.** This Resolution shall take effect immediately upon its adoption.

PASSED AND ADOPTED on this 9th day of March, 2021.

Motion By: _____

Second By: _____

FINAL VOTE ON ADOPTION:

Commissioner Charles Kesl _____

Commissioner Eliana R. Salzhauer _____

Commissioner Nelly Velasquez _____

Vice Mayor Tina Paul _____

Mayor Charles W. Burkett _____

Charles W. Burkett, Mayor

Attest:

Sandra McCready, MMC
Town Clerk

Approved as to Form and Legal Sufficiency:

Weiss Serota Helfman Cole & Bierman, P.L.
Town Attorney



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March 9
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Date: September 19, 2020
Prepared by: Mayor
Subject: Amending Town Code, Conduct of meetings

Objective: Reduce codified restrictions on speech by residents and add procedures for elected officials.

Consideration: Commission to discuss

Recommendation: Adoption

ORDINANCE NO. 17 - _____

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA AMENDING ARTICLE VI. - “RULES OF PROCEDURE FOR TOWN MEETINGS”; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR CONFLICTS AND PROVIDING FOR AN EFFECTIVE DATE.

1 **WHEREAS**, Section 20 of the Town of Surfside Charter provides that the Town Commission
2 of the Town of Surfside shall fix its rules of procedure; and

3 **WHEREAS**, the Town Commission adopted rules of procedure which have been
4 incorporated into Article, VI, Chapter 2 of the Town Code of Ordinances; and

5 **WHEREAS**, the Town Commission desires to amend Article VI. – “Rules of Procedure for
6 Town Meetings;” and

7 **WHEREAS**, the amendments to the ordinance do not conflict with the provisions in Section
8 2-151 Personnel Appeals Board Section, 2-185 Pension Board, Section 70-124 Resort Tax Board
9 or Sections 90-15, 90-16, 90-17, 90-18 of the Zoning Code for Planning and Zoning and Design
10 Review Board members; and

11 **WHEREAS**, the Town Commission held its first public reading on September 18, 2017 and
12 recommended approval of the proposed amendments to the Code of Ordinances having complied
13 with the notice requirements by the Florida Statutes; and
14

15 **WHEREAS**, the Town Commission has conducted a second duly noticed public hearing on
16 these regulations as required by law on October 10, 2017 and further finds the proposed change to
17 the Code necessary and in the best interest of the community.
18

19 **NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COMMISSION OF THE**
20 **TOWN OF SURFSIDE, FLORIDA:**
21

22 **Section 1. Recitals.** The above Recitals are true and correct and are incorporated herein by
23 this reference:
24

25 **Section 2. Town Code Amended.** Article VI. – “Rules of Procedure for Town Meetings”
26 of the Surfside Town Code of Ordinances are hereby amended and shall read as follows¹:

27 **ARTICLE VI. - RULES OF PROCEDURE FOR TOWN MEETINGS**
28

¹Additions to the text are shown in underline. Deletions are shown in ~~strikethrough~~. Additions made after first reading are shown in double underline. Deletions made after first reading are shown in ~~double-strikethrough~~.

29 Sec. 2-201. - Rules of procedure for the town commission and town boards and committees.

30 *Rule 2.01 Governing rules; amendment.* Except as may be provided in the Charter, the
31 Town of Surfside Code, Florida laws or by these rules as set forth in this Article^{ordinance},
32 questions of order, the methods of organization and the conduct of business of the town
33 commission and town boards and committees and to the extent there is no conflict, the town
34 commission, and town boards and committees shall be governed by Robert's Rules of Order
35 ~~Mason's Manual of Legislative Procedure (2010 Edition)~~. Once enacted, and except as already
36 amended by the provisions contained herein, these rules may be amended by ~~two-thirds~~ majority
37 vote of the entire town commission.

38 Sec. 2-202. - Officers.

39 *Rule 3.01 Presiding officer.* The ~~mayer~~Mayor shall preside at all meetings of the town
40 commission at which he or she is present. In the absence of the ~~mayer~~Mayor, the vice
41 ~~mayer~~Mayor shall act as ~~mayer~~Mayor. In the absence of both the ~~mayer~~Mayor and vice
42 ~~mayer~~Mayor, the town commission shall select one of its members as a temporary presiding
43 officer. The presiding officer shall preserve strict order and decorum at all meetings of the
44 commission. A majority vote of the members present shall govern and conclusively determine all
45 questions of order not otherwise covered. The presiding officer has the power, among other
46 things, to recognize a speaker, secure and retain the floor for the speaker and keep order during
47 the time the floor is taken subject to Robert's ~~Mason's~~ Rules and to the rules contained in this
48 article.

49 *Rule 3.02 Clerk.* The town clerk shall act as clerk of the commission. The clerk of the
50 commission shall call the roll, prepare the minutes and shall be custodian of the records and shall
51 certify all ordinances and resolutions adopted by the commission, and perform such other duties
52 as required by the Town Charter.

53 *Rule 3.03 Town attorney.* The town attorney, or such member of the office of the town
54 attorney as may be designated, shall be available to the commission at all meetings: the town
55 attorney shall act as parliamentarian, and shall advise and assist the presiding officer in matters
56 of parliamentary law.

57 *Rule 3.04 Sergeant-at-arms.* The town police chief, or such other town official or employee
58 as the chief may designate, shall be the sergeant-at-arms of the town commission meeting, at the
59 request of the presiding officer or the town manager. The sergeant-at-arms shall carry out all
60 orders and instructions given by the presiding officer or the town manager for the purpose of
61 maintaining order and decorum at the meetings.

62 Sec. 2-203. - Meetings.

63 *Rule 4.01 Regular Meetings.*

64 (a) The commission shall hold regular meetings in accordance with its Charter or, if the Charter
65 provision is amended, in accordance with an ordinance duly adopted by the commission, as
66 may be amended from time to time.

- (1) All regular and zoning meetings shall be held irrespective of whether or not any particular commission member (including the ~~Mayor~~Mayor) may be able to attend unless otherwise agreed by a majority of the commission. Such meetings shall be held in the commission chambers at 9293 Harding Avenue, Surfside, Florida 33154, or such location as may be approved by a majority of the commission members present and shall be open to the public and all news media.
- (2) Regular meetings may be otherwise postponed or canceled by resolution or motion adopted at a regular meeting by a majority of the commission members present.
- (3) No meeting shall continue beyond 11:00 p.m. unless there is an emergency, which is presented to the Commission, which is then followed with by a vote of the majority of the members of the commission present, the commission agrees to extend the meeting beyond this time.
- (4) Workshops may be scheduled at the request of the Mayor, town manager, the town attorney or a majority of the commission at any time, provided appropriate notice is given.
- (b) Zoning matters shall be scheduled as part of regular town commission meetings unless otherwise decided by the commission.
- (c) The second reading (public hearing) of the annual budget ordinance or resolution shall be considered at a meeting at which the said budget ordinance or resolution and the levy of the millage are the only items on the agenda.

Rule 4.02 Special meetings; emergency meetings.

- (1a) Special meetings. A special meeting of the commission may be called by the Mayor, a majority of the members of the ~~Mayor~~, town commission or the town manager. The clerk shall forthwith serve either verbal or written notice upon each member of the commission stating the date, hour and place of the meeting and the purpose for which such meeting is called; and no other business shall be transacted at that meeting, other than that described in the aforementioned notice. At least twenty-four (24) ~~hours notice~~ hour's' notice must elapse between the time the clerk receives notice in writing and the time the meeting is to be held.
- (2b) Emergency meetings. An emergency meeting of the town commission may be called by the ~~Mayor, mayor~~Mayor in accordance with prescriptions of the town charter whenever in his or her opinion an emergency exists that requires immediate action by the commission. Whenever such emergency meeting is called, the ~~M~~mayorMayor shall notify the clerk who shall forthwith serve either verbal or written notice upon each member of the commission, stating the date, hour and place of the meeting and the purpose for which it is called, and no other business shall be transacted at that meeting, other than that described in the aforementioned notice. At least 24 hours shall elapse between the time the clerk receives notice of the meeting and the time the meeting is to be held.
- (3e) If after reasonable diligence, it is impossible to give notice to each commissioner, such failure shall not affect the legality of the meeting if a quorum is present. The minutes of each special or emergency meeting shall show the manner and method by which notice of

such special or emergency meeting was given to each member of the commission, or shall show a waiver of notice. All special or emergency meetings shall be open to the public and shall be held and conducted in the Commission Chambers, Town Hall, 9293 Harding Avenue, Surfside, Florida 33154, or other suitable location within the Town of Surfside, Florida. Minutes thereof shall be kept by the town clerk.

(4d) No special or emergency meeting shall be held unless notice thereof is given in compliance with the provisions of this rule, or notice thereof is waived by a majority of the entire membership of the commission and in accordance with the town charter.

Rule 4.03 Electronic files presented at public meetings. Electronic files to be presented at public meetings in the Town of Surfside must be provided to the town clerk by noon on the business day prior to the scheduled meeting.

Sec. 2-204. – Boards, cCommittees, sub-committees and ad hoc committees.

Rule 5.01 Boards, ccontinuing committees, sub-committees and ad hoc committees. There may be continuing committees, sub-committees and ad hoc committees of the town commission created by resolution as the town commission deems necessary to conduct the business of the town appropriately and in accordance with the town charter. Such committees and all Town Boards to the extent these provisions do not conflict with other governing procedures or requirements specific to a particular Board, shall be governed by these rules of procedure and shall be subject to the Florida sunshine and public records laws. Each member of the town commission shall appoint one (1) member to each committee. All appointments are at the will of the appointing member of the town commission and may be removed at any time by the appointing member of the town commission. Members of committees shall be appointed to serve until the expiration of the committee or to the end of the appointing member of the town commission's term.

(a+) *Continuing committees and sub-committee committees.* Continuing committees and sub-committees shall exist until abolished by the town commission or shall have a sunset provision.

(b2) *Ad hoc committees.* The expiration date for each ad hoc committee shall be designated at the time of formation, or the ad hoc committee shall expire when the ad hoc committee reports to the commission that its designated goal or goals have been accomplished.

(c3) All continuing committees, sub-committees and ad hoc committees shall abide by the following procedures:

(1)a- *Mission statement.* A mission statement shall be developed by the town commission.

(2)b- *Public meetings.* All meetings and business of any committee, sub-committee or ad hoc committee shall comply with the Florida Statutes including that all committee meetings shall be open to the public at all times, noticed, and minutes of the meetings shall be taken and retained in the office of the town clerk. All committee members shall be subject to the State of Florida, Miami-Dade County and Town of Surfside Conflict of Interest and Code of Ethics Ordinance.

(3)e- *Agenda.* The committee chairperson shall prepare the agenda for the committee meeting with the assistance of the committee staff liaison. ~~In the chairperson's absence,~~

~~the vice chairperson shall prepare the agenda.~~ Any committee member may propose additional agenda items at any time. Items proposed after the agenda is distributed may only be heard under "New Business" and upon an affirmative vote of the majority of the committee. Each agenda shall also include a section for public comment.

~~(4)d.~~ *Public appearances and requests.* Any person may appear before any committee during the public comment portion of the meeting.

~~(5)e.~~ *Quorum.* A majority of the appointed members of the committee shall constitute a quorum. ~~shall be 50 percent plus one of the committee members.~~ Provided there is a quorum, a majority of those present and voting shall be required to adopt any motion or take any action.

~~(6)~~ *Failure to obtain a quorum.*

a. If, 48 hours prior to a regular meeting, the clerk has not received confirmation of attendance from a sufficient number of committee members to constitute a quorum, the meeting shall be canceled for lack of a quorum.

b. Should no quorum attend any meeting within 15 minutes after the hour appointed for the meeting, the presiding member or the town clerk may adjourn the meeting. The names of the members present at such meeting shall be recorded in the minutes.

~~(7)f.~~ *Voting.* Each committee member shall be entitled to one vote. The committee shall act as a body in making its decisions. No committee member present at a meeting may abstain from voting unless the committee member possesses a conflict of interest, as provided in either the Florida Statutes or the Miami-Dade County Code of Ethics and submits the appropriate form to the town clerk.

~~(8)g.~~ *Attendance.* In the event that a committee member fails to attend three regularly scheduled meetings in any one calendar year, the committee member may be removed from the committee and the town commission will be notified of the vacancy.

~~(9)h.~~ *Appointments, vacancies and resignations.* Each person appointed to a committee, sub-committee or ad hoc committee shall be appointed by the town commission in the following manner:

a1. The ~~mayer~~ Mayor and each member of the town commission shall appoint one member to each committee.

b2. Should any appointee resign or be removed during the term of the committee, sub-committee or ad hoc committee, the appointing commissioner may select another appointee in accordance with the procedure outlined as follows:

Upon notification of the vacancy of an at-large member, the town clerk shall notify the town commission, or in the case of an individual appointment, the town commissioner responsible for the appointment with a copy to the remainder of the town commission, in writing. The town commission shall establish a deadline for the submission of letters of interest to serve on the committee at a commission meeting.

~~1.(i)~~ Any person who wishes to serve on a committee and who meets the qualifications of office as set forth in this code and in the resolution creating or re-authorizing

the committee, shall submit his or her name and committee application available from the town clerk or on the town website ~~together with a letter of interest~~ to the town clerk ~~by the deadline established by the town commission~~. Thereafter, the town clerk shall provide the appointing town commissioner or the entire town commission, as applicable, with the names and submitted material(s) ~~letters of interest~~.

~~2.(ii)~~ Nominations and appointments to fill the vacancy shall be made at a town commission meeting. Appointments to fill a mid-term vacancy shall only be made for the remainder of the term of the committee member being replaced.

~~(10)i-~~ *Reappointment.* Committee, sub-committee or ad hoc committee members shall be eligible for reappointment and shall hold office until their successors have been duly appointed and qualified.

~~(11)j-~~ *Residency requirement.* Committee, sub-committee or ad hoc committee members shall be registered qualified electors of Miami-Dade County, Florida, whose legal residence is in the Town of Surfside.

~~(12)k-~~ *Compensation.* All committee, sub-committee or ad hoc committee members shall serve without compensation and shall not otherwise obtain direct or indirect financial gain from their service on a committee.

~~(13)l-~~ *Oath requirement.* All committee, sub-committee or ad hoc committee members shall be required to subscribe to an oath or affirmation to be administered by and filed with the town clerk, swearing to support, protect and defend the Constitution and laws of the United States and of the State of Florida, the Charter and all ordinances of the Town of Surfside and Miami-Dade County, and in all respects to faithfully discharge their duties.

~~(14)m-~~ *Financial disclosure requirement/standards of conduct.* If required by law, committee members shall file appropriate annual financial disclosure forms. All committee members shall be subject to the standards of conduct for public officers and employees set by federal, state, county or other applicable ethics or conflicts of interest laws.

~~(15)n-~~ *Officers and elections.* Except as provided otherwise in the resolution creating or re-authorizing a committee, each committee shall elect a chairperson, and vice-chairperson ~~and secretary~~ at the first committee meeting.

~~(16)o-~~ *Records.* Minutes of all committee meetings shall be prepared by the town administration and shall be available for public inspection. The minutes shall be forwarded to each committee member for review and shall be approved by the committee at a public meeting. Once approved, the meeting minutes shall be forwarded to the town clerk for filing. ~~Attendance and absences must be recorded and submitted to the town clerk along with the minutes.~~ The ~~chair~~secretary of a committee, sub-committee or ad hoc committee, working with the staff liaison, shall prepare a final report summarizing the committee's activities, accomplishments, challenges and recommendations during the term. Such report shall be presented for review and approval by the committee no later than the last meeting of the term, and to be submitted to the town clerk for transmittal to the town

commission ~~which shall be presented~~ at the first a regular town commission meeting after the election.

Rule 5.02 Town commission liaison; appointment and definition.

(a1) *Appointment:* The ~~mayer~~Mayor shall designate and appoint one member of the town commission as the liaison to each board, committee and subcommittee of the town commission.

(b2) *Definition:* The town commission liaison is defined as a nonvoting member of a board, committee or sub-committee who communicates the activities of the board, committee or subcommittee to the town commission. The liaison's role is limited to responding to questions posed by members of the board, committee or subcommittee to which the liaison serves. All remarks from the liaison shall be addressed to the chair who serves as the presiding officer.

Sec. 2-205. - Conduct of meetings; agenda.

Rule 6.01 Call to order. Promptly at the hour set for each meeting, the ~~mayer~~Mayor and the members of the town commission, the town attorney, the town manager and the town clerk shall take their regular stations in the commission chambers. The presiding officer shall take the chair and shall call the town commission to order immediately. In the absence of the presiding officer, the town clerk shall then determine whether a quorum is present and in that event shall call for the election of a temporary presiding officer. Upon the arrival of the presiding officer, the temporary presiding officer shall relinquish the chair upon the conclusion of the business immediately before the commission.

Rule 6.02 Roll call. The town clerk shall call the roll of the members, and the names of those present shall be entered in the minutes. In the event the roll call reflects the absence of any member on official town business that fact shall be noted in the minutes. Any town commissioner who intends to be absent from town commission meeting shall notify the town clerk of the intended absence as soon as convenient.

Rule 6.03 Participation by physically absent member of the town commission; town board or committee. ~~shall be permitted, but a town board or committee, shall not be permitted.~~ A member of the town commission shall be permitted to participate and/or vote telephonically, by virtual video or other electric means, provided that a physical quorum of the town commission is present. ~~A but, a town board or committee shall not be is not~~ permitted to participate and/or vote telephonically, by virtual video -and/or by interactive video.

Rule 6.04 Quorum. A majority of the members of the town commission then in office shall constitute a quorum. No ordinance, resolution or motion shall be adopted by the town commission without the affirmative vote of the majority of all the members present.

Rule 6.05 Failure to attain a quorum. Should no quorum attend within 15 minutes after the hour appointed for the meeting of the commission, the presiding officer or the town clerk may adjourn the meeting. The names of the members present ~~and their action~~ at such meeting shall be recorded in the minutes by the town clerk.

Rule 6.06 Agenda.

- (a) *Order of business.* There shall be an official agenda for every meeting of the commission which shall determine the order of business conducted at the meeting.

(1) The order of business shall be as follows:

(a) order of business

a. call to order,

b. roll call of members,

c. pledge of allegiance,

d. agenda/order of business (additions/deletions),

e. special presentations,

(b) public comment on agenda items

(b) quasi-judicial hearings

(c) consent agenda at the pleasure of the commission, approval of minutes, town manager, town attorney reports

(d) ordinances,

(e) resolutions

(f) good and welfare shall be heard at a time certain at 8:15 p.m.

(g) unfinished business and new business

(h) ~~mayor~~ Mayor, town commission and staff communications.

- (2) Items shall be considered in the order in which they are placed on the agenda unless a majority of the commissioners determines to deviate from the printed agenda.

~~(3) The public may comment on all agenda items portion of the meeting. shall be not be restricted to discussion on agenda items which are not scheduled for public hearing. Each speaker shall be given no more than three minutes to address the agenda speak and shall try to end on time as a courtesy to the residents and other participants wishing to also speak on the item. unless by vote of a majority of the members of the commission present, it is agreed to extend the time frames.~~

- (3) The good and welfare portion of the agenda set for 8:15 p.m. shall provide for public comment on any items related to Town business or any matter within the scope of the jurisdiction of the town commission, whether or not included on the agenda for the meeting. shall be restricted to discussion on subjects not already specifically scheduled on the agenda. In no event shall this portion of the agenda be allotted more than 45 minutes with each speaker to be given no more than three minutes, unless by vote of a majority of the members of the commission present, it is agreed to extend the time frames. Likewise, members of the town commission shall be restricted to speaking three minutes each unless an extension is granted in the same manner as set forth in the prior sentence. The rules of

section 2-207(e) as set forth hereinbelow shall be observed during this portion of the agenda.

- (43) The town commission shall not take action upon any matter, proposal, or item of business which is not listed upon the official agenda, unless it is approved at the meeting by a majority of the entire commission, which shall have first consented to the matter for consideration. No ordinance, resolution or other matter listed on the agenda for public hearing, or the vote thereon, may be deferred until a later time unless a majority of the entire town commission shall vote in favor of such deferral.

(b) *Authority to place items on agenda.*

~~(12) Ordinances, Resolutions and Ordinances~~ may be prepared and scheduled on the agenda at the direction of the town commission, a town commissioner with the support of the majority of the commissioners present at a town commission meeting, or by Mayor, the town manager, town attorney or town clerk.

~~(21) All other matters.~~ Matters, other than ~~resolutions or~~ ordinances, may be placed on the agenda by any member of the town commission, the town manager, the town attorney and the town clerk. ~~Members of the town commission may, at a town commission meeting, direct the town manager or the town attorney to prepare an resolution or ordinance for placement on the agenda for the following agenda.~~

~~(32) Deadline.~~ In no event may any town commissioner place an item on an agenda unless all materials for the item are provided to the town clerk by 12:00 noon seven working days prior to the meeting date unless approved by the Town Manager. Any complete item provided after 12:00 noon seven working days prior to the meeting date shall be distributed to the commission with a "7-day cover memo" and shall be added to the agenda only if a majority of the commissioners present consent to the addition of the item to the agenda.

- (c) *Approval of minutes.* All minutes shall be summary in nature. A copy of such completed minutes shall be placed on a regular agenda and may only be approved by a majority of the members of the town commission, and upon such approval shall become the official minutes.

Rule 6.07 Ordinances, resolutions, motions, contracts.

- (a) *Preparation and enactment of ordinances.* The town attorney shall prepare ordinances and resolutions. Ordinances may be introduced, listed by title and shall be read by title only before consideration by the town commission on first reading. At public hearing, each ordinance shall be voted on individually by a call of the roll. Only resolutions and motions may be enacted by voice vote calling for "ayes" or "no" on the question.

- (b) *Approval by town attorney.* All ordinances, resolutions and contract documents, before presentation to the town commission, shall have been reduced to writing and reviewed for form and legality by the town attorney. ~~Ordinances, resolutions and contract documents, in their final form as approved by the Town Commission shall be have been approved as to form and legality by the town attorney prior to execution.~~

342 (c) *Introduction and sponsorship.* Ordinances, resolutions and other matters and subjects requiring
343 action by the town commission may be introduced and sponsored by the ~~mayor~~Mayor or any
344 member of the town commission, ~~except that either the~~ The town manager, the town attorney or
345 town clerk may present ordinances, resolutions and other matters or subjects to the town
346 commission for consideration, and any commissioner may assume sponsorship thereof by
347 moving that such ordinance, resolution, matter or subject be adopted in accordance with law;
348 otherwise they shall not be considered.

349 (d) *Sunset.* There is no requirement for any ordinance to contain a sunset provision.

350 (e) *Zoning exception.* The provisions of this Rule 6.06 shall not be applicable to zoning resolutions
351 which shall be governed exclusively by the Zoning Code.

352 ~~(f) *No commission jurisdiction.* Prior to the commission's considering any resolution over which~~
353 ~~the commission does not have substantive jurisdiction, including resolutions expressing the~~
354 ~~commission's intent or opinion, a preliminary vote shall be taken to determine whether it is~~
355 ~~appropriate for the commission to consider such resolution. Unless the commission, by a two-~~
356 ~~thirds vote of the members present, agrees to consider the resolution, the resolution shall be~~
357 ~~deemed to have failed. If the commission agrees to consider the resolution, the resolution shall~~
358 ~~be heard after all other resolutions sponsored by commissioners have been addressed by the~~
359 ~~commission. If the commission decides to discuss such resolution, the resolution shall require~~
360 ~~a two-thirds affirmative vote of the commissioners present in order to be passed. The provisions~~
361 ~~of this ordinance shall not apply to resolutions relating to state or federal legislative priorities.~~

362 *Rule 6.08 Statement of fiscal impact required for ordinances; exceptions.* Prior to the second
363 reading of any ordinance, the town manager shall prepare a written statement setting forth the
364 fiscal impact, if any, of the proposed ordinance. No ordinance shall be considered on second
365 reading if the statement of fiscal impact is not submitted with the ordinance as part of the agenda.
366 The provisions of this rule shall not apply to any emergency ordinance or any budget ordinance
367 or resolution.

368 *Rule 6.09 Limitation on agenda items.* No commissioner shall sponsor or cosponsor a total
369 of more than three ordinances for first reading and three resolutions at any commission meeting.
370 This provision shall not be applied to ordinances or resolutions which are intended to correct
371 scrivener's errors.

372 Sec. 2-206. - Public participation.

373 *Rule 7.01 Persons authorized on the dais.* No person, except town officers or their
374 representatives, shall be permitted on the dais unless authorized by the presiding officer or a
375 majority of the town commission.

376 *Rule 7.02. Citizens presentations; public hearings.*

377 (a) *Citizens' presentations.* Any citizen ~~may request may request shall be entitled shall be entitled~~
378 ~~to be placed on the official agenda of a regular meeting of the town commission and be heard~~
379 ~~concerning any matter within the scope of the jurisdiction of the town commission outside of~~
380 ~~Good and Welfare. Only members of the town commission and the town manager may place~~
381 ~~a citizen on the official agenda.~~

(b) *Public hearings.* Any citizen shall be entitled to speak on any matter appearing on the official agenda under the section "public hearings."

(c) *Public discussion on agenda items.* ~~No citizen shall be entitled~~Citizens shall be permitted to address the town commission on any matter listed on or added to the official agenda which is not scheduled for public hearing, discussion or debate. ~~except during Public Comment on Agenda Items unless the item is opened for public comment and the speaker recognized by the Chair~~Good and Welfare. When the town commission considers an agenda item that is open for public hearing, discussion or debate that is not a public hearing and on which the public comment is either unanimously in favor or unanimously against the item's passage, input from members of the public shall be limited to no more than three minutes on any given item, unless an extension is granted by a majority of the members of the town commission.

Rule 7.03 Registration of speakers.

(a) Registration of speakers ~~shall be required~~shall be encouraged. The town clerk shall prepare appropriate registration cards. The cards shall include a place for the speaker to provide his/her name, address, lobbyist registration status which may be verified by the town clerk prior to speaking, and the agenda item on which he or she is speaking ~~if registration is required on a particular agenda item.~~

(b) For any single agenda item, and except for zoning, no more than one-half hour per side shall be allocated to speakers from the public. The presiding officer shall limit the time of each individual speaker in order to insure compliance with this rule.

Rule 7.04 Addressing commission, manner, time. Each person, other than ~~salaried~~ members of the town staff, who addresses the town commission shall step up to a podium and shall give the following information in an audible tone of voice for the minutes:

(a) Name;

(b) Address;

(c) Whether the person speaks on his or her own behalf, a group of persons, or a third party; if the person represents an organization, the person shall also indicate the number of members in the organization, the annual dues paid by the members, the date of the most recent meeting of the organization's board or governing council, and whether the view expressed by the speaker represents an established policy of the organization approved by the board or governing council, if requested; if the person is speaking on behalf of a group, s/he shall be required to register as a lobbyist if required by that ordinance and shall state for the record: (i) Compensation, if any, (ii) whether the person or any immediate family member has a personal financial interest in the pending matter, other than as set forth in (i) if requested.

Unless further time is granted by the town commission and with the sole exception of zoning items which shall not have a prescribed time limit unless imposed by the chair in accordance with the advice of the town attorney, the statement shall be limited to the times prescribed herein. All remarks shall be addressed to the town commission as a body and not to any member thereof. No person, other than the ~~mayor~~Mayor, members of the town commission and the person having the floor shall be permitted to enter into any discussion, either directly or through a member of the

commission, without the permission of the presiding officer. No question shall be asked of any member of the town commission except through the presiding officer.

Rule 7.05 Decorum. Any person making ~~impertinent or~~ slanderous remarks ~~or who becomes boisterous~~ while addressing the town commission shall be warned. If after the warning, the behavior continues, ~~—said person shall be~~ barred from further appearance before the town commission by the presiding officer for the duration of the meeting, unless permission to continue or again address the town commission is granted by the majority vote of the town commission members present. ~~No clapping, applauding, h~~Heckling or verbal outbursts in support or opposition to a speaker or his or her remarks shall not be permitted. ~~Signs or placards may be disallowed in the town commission chambers by the presiding officer. Persons exiting the town commission chambers shall do so quietly.~~

Sec. 2-207. - Rules of debate.

Rule 8.01 Rules of debate.

- (a) *Questions under consideration.* When a motion is presented and seconded, it is under consideration and no other motion shall be received thereafter, except to adjourn, to lay on the table, to postpone, or to amend until the question is decided. These motions shall have preference in the order in which they are mentioned. A motion to adjourn and a motion to lay on the table shall be decided without debate. Final action upon a pending motion may be deferred until a date certain by a majority of the members present.
- (b) *As to the presiding officer.* The ~~mayer~~Mayor, as presiding officer, may vote on but shall not move or second an item of debate. The presiding officer, however, upon relinquishing the chair, may move or second an item, ~~vote,~~ subject only to such limitations as are by these rules imposed upon all members.
- (c) *Getting the floor, improper references to be avoided.* Every member desiring to speak for any purpose shall address the presiding officer, ~~and upon recognition, shall be confined to the question under debate avoiding all personalities and indecorous language.~~
- (d) *Interruption; call to order; appeal a ruling of the chair.* A member once recognized shall not be interrupted when speaking unless it is a call to order or as herein otherwise provided. If a member be called to order, the member shall cease speaking until the question of order is determined by the presiding officer, and if in order, the member shall be permitted to proceed. Any member may appeal to the town commission from the decision of the presiding officer upon a question of order when, without debate, the presiding officer shall submit to the town commission the question, "Shall the decision of the chair be sustained?" and the town commission shall decide by a majority vote.
- (e) *~~Time limit for~~Consent agenda debate.* The presiding officer shall open for public comment on any items on the consent agenda, prior to commission consideration of the consent agenda. There shall be no dDebate on any motion pertaining to an item on the consent agenda, however, any member of the town commission may pull an item from the consent agenda for consideration shall be limited to three minutes. After three minutes of debate the item shall be removed from the consent agenda, if any, and placed on the regular town commission agenda.

~~The discussion by the town commission on any one item shall not exceed one half hour or unless an extension is granted by a majority of votes of the town commission.~~

- (f) *Privilege of closing debate.* Any town commission member (including the presiding officer) shall have the privilege of closing the debate by making a motion to that effect and provided it is affirmed by vote of a majority of the town commission present.

- (g) *Method of voting.* After the debate is closed, and/or the motion is restated if necessary, the presiding officer shall call for a vote on the motion. Voting shall be by roll call or voice vote, or paper ballot (at the decision of the majority of the commission in certain circumstances) depending on whether the ballot is on an ordinance or resolution or motion. Ordinances require a roll call vote by calling the names of the members of the town commission in rotating order, provided that the ~~V~~ice-mayorMayor shall vote next to last and alphabetically by surname, except that the names shall be rotated after each roll call vote, if requested, so that the commissioner who voted first on a preceding roll call shall vote last upon the next subsequent matter; provided, however, that the presiding officer, if a member of the town commission, shall always cast the last vote.

The town clerk shall call the roll, tabulate the votes, and announce the results. The vote upon any resolution, motion or other matter may be by voice vote as previously noted, provided that the presiding officer or any commissioner may require a roll call to be taken upon any resolution or motion.

- (h) *Explanation of vote; conflicts of interest.* There shall be no discussion by any town commissioner voting, and the town commissioner shall vote yes or no. Any town commissioner, upon voting, may give a brief statement to explain his or her vote. A town commissioner shall have the privilege of filing with the clerk a written explanation of his or her vote. Any town commissioner with a conflict of interest on a particular matter shall refrain from voting or otherwise participating in the proceedings related to that matter and must leave the commission chambers until the consideration of that matter is concluded and file the proper form with the town clerk.

- (i) *Tie votes.* Whenever action cannot be taken because the vote of the town commissioners has resulted in a tie, the status quo shall continue in effect and the proposed ordinance, resolution or motion that produced the tie vote shall be removed from the agenda without prejudice to its reintroduction on a de novo basis at a later time, ~~provided that in zoning and other quasi-judicial matters when action on a resolution results in a tie vote, such resolution matter shall be carried over to the next regularly scheduled meeting for the consideration of such quasi-judicial matters unless the town commission designates a different time for such reconsideration.~~

- (j) *Vote change.* Any town commissioner may change his or her vote before the next item is called for consideration, or before a recess or adjournment is called, whichever occurs first, but not thereafter. In this case, the town clerk shall call back the vote and verify the outcome for the presiding officer.

- (k) *No motion or second.* If an agenda item fails to receive a motion or second, it shall be removed from the agenda and shall be reintroduced only in accordance with the renewal provisions of Rule 8.01(m).

(l) *Reconsideration.* An action of the town commission may be reconsidered only at the same meeting at which the action was taken, or, if not, at the next meeting thereafter a motion to reconsider may be made only by a town commissioner who voted on the prevailing side of the question and must be concurred in by a majority of those present at the meeting. ~~A motion to reconsider shall not be considered unless at least the same number of town commissioners is present as participated in the original vote, or upon affirmative vote of two thirds of those commissioners present.~~ Adoption of a motion to reconsider shall rescind the action reconsidered.

(m) *Renewal.* Once action is taken on a proposed ordinance or resolution neither the same matter nor its repeal or rescission may be brought before the town commission again for a three-month period following the said action unless application for renewal by three commissioners is first submitted to the presiding officer. Should an ordinance or resolution be proposed that raises the same previously resolved matter, or its repeal or rescission, in different or modified form during the three-month period, the presiding officer may declare the proposal out of order.

(n) *Adjournment.* A motion to adjourn shall always be in order and decided without debate.

(o) *Suspension of the rules.* No rule of procedure adopted by the town commission shall be suspended except by an affirmative vote of a majority ~~two-thirds~~ of the members of the town commission present.

Sec. 2-208. - Additional ordinances prescribing town commission procedure.

Rule 9.01 Representation of Town of Surfside. ~~Whenever the~~ The presiding officer ~~town commission may, with the consent of the designee, designate a member(s) of the town commission to represent the town commission at such meetings, conferences or other occasions as deemed~~ deems it necessary or desirable that by the town commission, shall be represented at meetings, conferences or other occasions involving other governmental entities, agencies, officials or groups, or non-governmental organizations, or departments, agencies or officials of the town government, the presiding officer may designate members of the town commission to represent the town commission at such meetings, conferences or other occasions, with the consent of the designee. A designation must be ratified by a majority of the members of the town commission then present ~~may disapprove any such appointment.~~ Such representative(s) shall have no power to act for or on behalf of the town commission, or to make any commitment or binding obligation on behalf of the town commission or the town. Such representatives shall report to the town commission with regard to such meeting, conference or other occasion.

Rule 9.02 Noncompliance with procedural rules. If a procedural rule pursuant to this Article VI. — "Rules of Procedure for Town Meetings" is not complied with as a result of either mistake, inadvertence or excusable neglect, as those terms are defined by law, by either the presiding officer or the parliamentarian, then the validity of the underlying substantive ordinance, resolution, motion or other action shall in no way be affected thereby, and the failure of compliance with said procedural rule shall not be the basis for any person or party to challenge any ordinance, resolution or other action.

Sec. 2-209. - Amendment to rules of procedure for town meetings.

Once adopted, changes to these rules may be made as changes to any other ordinance are made by a majority vote and after two readings of the amendatory ordinance.

Secs. 2-210—2-225. - Reserved.

Section 3. Severability. If any section, sentence, clause or phrase of this ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this ordinance.

Section 4. Inclusion in the Code. It is the intention of the Town Commission, and it is hereby ordained that the provisions of this Ordinance shall become and made a part of the Town of Surfside Code of Ordinances, that the sections of this Ordinance may be renumbered or re-lettered to accomplish such intentions; and the word “Ordinance” may be changed to “Section” or other appropriate word.

Section 5. Conflicts. Any and all Ordinances and Resolutions or parts of Ordinances or Resolutions in conflict herewith are hereby repealed.

Section 6. Effective Date. This ordinance shall become effective upon adoption.

PASSED and ADOPTED on first reading this 18th day of September, 2017.

PASSED and ADOPTED on second reading this 10th day of October, 2017.

On Final Reading Moved by: _____

On Final Reading Second by: _____

FINAL VOTE ON ADOPTION:

Commissioner Daniel Gielchinsky _____

Commissioner Michael Karukin _____

Commissioner Tina Paul _____

Vice ~~Mayor~~ Mayor Barry Cohen _____

~~Mayor~~ Mayor Daniel Dietch _____

Daniel Dietch, ~~Mayor~~ Mayor

ATTEST:

584 _____
585 Sandra Novoa, MMC, Town Clerk

586
587 **APPROVED AS TO FORM AND LEGALITY FOR THE USE**
588 **AND BENEFIT OF THE TOWN OF SURFSIDE ONLY:**

589
590 _____
591 Weiss Serota Helfman Cole and Bierman, P.A.
592 Town Attorney



**Town of Surfside
Town Commission Meeting
March 9, 2021
7:00 pm**

Town Hall Commission Chambers - 9293 Harding Avenue, 2nd Floor
Surfside, FL 33154

Date: September 19, 2020

Prepared by: Mayor

Subject: Demolition by neglect

Objective: Introduce a new ordinance to prevent property owners from allowing their properties to deteriorate.

Consideration: Commission to discuss

Recommendation: Adoption

Item 13.
COMMITTEE MEMORANDUM

TO: Land Use and Sustainability Committee

FROM: Jimmy L. Morales, City Manager

DATE: May 6, 2020

TITLE: **DISCUSSION: ESTABLISHMENT OF PENALTIES FOR PROPERTY OWNERS ENGAGING IN DEMOLITION BY NEGLECT**

ACTION REQUESTED:

Conclude the item and recommend that the City Commission adopt the attached ordinance.

ADMINISTRATION RECOMMENDATION:

Discuss the item and recommend that the City Commission adopt the attached ordinance.

HISTORY:

On July 17, 2019, at the request of Commissioner Ricky Arriola, the City Commission referred the discussion item to the Land Use and Development Committee (Item C4 O). The item was discussed at the September 18, 2019 LUDC meeting, and continued to the October 30, 2019 meeting with the following direction:

1. The administration and City Attorney's office will research and provide recommendations regarding a process for imposing proportional fines, development and use reductions, and building registrations.
2. The administration will bring a discussion item to the October 8, 2019 meeting of the Historic Preservation Board for recommendations on posting unsafe structures on the city's website.

On October 30, 2019, the item was discussed and continued to the December 2, 2019 LUDC, with the following direction:

1. The administration and the City Attorney will further evaluate the recommendations noted in the LUDC memo regarding proportional fines and building registry, as well as creating a process for as-built drawings of contributing structures.
2. Recommend that the City Commission refer the proposed amendment to chapter 118, article X, pertaining to a presumption clause, to the Planning Board.
3. The addresses of properties that have both an active unsafe structures violation and have been referred to the Miami-Dade County Unsafe Structures Board by the Building Official will be posted on the City website. This list shall be posted within the Building Department webpage, and the Planning Department webpage shall contain a direct link.

The December 2, 2019 LUDC meeting was cancelled, and the item was moved to the January 21, 2020 agenda of the newly created Land Use and Sustainability Committee. On January 21, 2020 the item was continued to the February 18, 2020 LUSC meeting. On February 18, 2020 the item was continued to March 17, 2020. The March 17, 2020 was cancelled and the item was moved to the May 6, 2020 LUSC agenda.

ANALYSIS:

PLANNING AND LEGAL ANALYSIS

On October 8, 2019, the Historic Preservation Board discussed the matter and recommended that the City begin the process of posting the addresses of properties that have an active unsafe structures violation and have been referred to the Miami-Dade County Unsafe Structures Board by the Building Official on the City website. The Board also recommended that this information be available on either the Building Department or Planning Department page.

As indicated on October 30, 2019, planning staff and the City Attorney's office have researched and discussed other options to address demolition by neglect in historic districts. The following is an update and summary of these efforts:

1. Fines. The way properties are currently fined is general and not specific to the size of the building. The administration and the City Attorney's office have researched the concept of proportional fines and it appears that it is not pre-empted under State law. The administration and the City Attorney are exploring potential amendments that would result in more proportional fines for larger buildings.
2. Building Registry. The Building Department is researching and evaluating a method to establish a building registry process.

UPDATE

The ordinance pertaining to the presumption clause, as previously recommended by the Land Use and Development Committee, is pending before the City Commission and scheduled to be adopted on May 13, 2020. Additionally, a list of unsafe buildings has been posted on the City website, with a direct link from the planning department webpage.

About as-built drawings, as indicated previously, there are a couple of different options; each, however, has a budget impact and would need to be part of a budget enhancement for FY 2021. These include hiring an architectural firm or local University to do built drawings based upon available archival plans and a field assessment. Another potential option would be laser scanning and point cloud files that are then rendered. In those instances where a contributing building is proposed to be replaced or substantially modified, the Architect of record already puts together a detailed set of as-built drawings. Given the current limited need for such drawings on an emergency basis, as well as the potential cost of computer software required, the administration recommends that such a process not move forward at this time.

The administration has reviewed a model building registry ordinance from the City of Riviera Beach, as well as an updated list of abandoned commercial properties, which is color coded based on priority. Also included in the list of properties is the number of stories and the square footage to assist with determining appropriate, proportional fees. The attached draft ordinance, which amends chapter 58 of the City Code, and creates a building registry process specific to Miami Beach. The following is a summary of the key points of the proposed ordinance:

- Terms specific to the proposed Abandoned and Vacant Properties Registry have been defined.
- Division 4 has been created within chapter 58, establishing an Abandoned and Vacant Properties Registry.
- Applicability: All properties within a locally designated historic district are subject to the Abandoned and Vacant Properties Registry. A property must register within 15 days of becoming abandoned or vacant.
- Detailed registration requirements have been developed. This includes a nonrefundable annual registration fee in the amount of two hundred dollars (\$200) per property, as well as a nonrefundable annual fee of thirty cents (\$0.30) per square foot shall be paid for any building or structure that exceed three (3) stories. This tiered approach to assessing fees will have a greater impact on larger structures, which are typically more vulnerable to demolition by neglect.
- A responsibility for compliance section is established, requiring that is the responsibility of the owner to maintain the property in accordance with the provisions in this article.

The administration believes that the proposal herein will create a fair and transparent process for tracking at risk properties within the City's local historic district. Additionally, it will allow for the City to proactively monitor the conditions of the structures, and better enforce the demolition by neglect section of the City Code.

The one section of the legislation that still needs to be worked out is the administering City department for the registry. The administration is discussing this internally, and it is anticipated that this piece of the legislation will be ready for first reading.

Applicable Area

Citywide

Is this a "Residents Right to Know" item, pursuant to City Code Section 2-14?

Yes

Does this item utilize G.O. Bond Funds?

No

Departments

Planning

ATTACHMENTS:

Description	Type
<input type="checkbox"/> Draft ORD - Building Registry	Memo



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March 9

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RESOLUTION NO. 14 - 2251

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, AMENDING THE FEES TO BE ASSESSED PER PARKING SPACE PROVIDED IN SECTION 90-77 OF THE TOWN CODE WHICH ESTABLISHED A TRUST FUND TO BE ENTITLED THE "TOWN OF SURFSIDE DOWNTOWN PARKING TRUST FUND; REPEALING ALL OTHERS; PROVIDING FOR AUTHORIZATION AND APPROVAL; PROVIDING AN EFFECTIVE DATE.

WHEREAS, Section 90-77 of the Town of Surfside Code of Ordinances established a trust fund to be entitled the "Town of Surfside Downtown Parking Trust Fund" to be maintained and administered by the Town Manager; and

WHEREAS, Resolution No. 10-1991 adopted on December 14, 2010, approved a per parking space fee; and

WHEREAS, the Town has caused to be completed a study of the costs to the Town of providing parking spaces, and has determined that the prior established per space fee is outdated and no longer reflects the actual costs of providing for a single structured off-street parking space; and

WHEREAS, the Town Commission of the Town of Surfside finds it is in the public interest to adopt a Downtown Parking Trust Fund per parking space fee of thirty-eight thousand dollars (\$38,000).

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, THAT:

Section 1. Recitals. That the above and foregoing recitals are true and correct and are incorporated herein by reference.

Section 2. Approval and Adoption. The Town Commission approves and adopts the Downtown Parking Trust Fund per parking space fee of thirty-eight thousand dollars (\$38,000) for the Town of Surfside that may be payable in accordance with the terms set forth in Sec. 90-77 of the Town of Surfside Code of Ordinances.

Section 3. Repeal of Prior Fees. All other per space parking fees established under Section 90-77 of the Surfside Code of Ordinances are hereby repealed.

Section 4. Authorization. The Town Commission authorizes the Town Manager and Town Attorney to do whatever is necessary to effectuate the terms of this Resolution.

Section 5. Effective Date. This Resolution shall become effective immediately upon its adoption.

PASSED and **ADOPTED** on this 12th day of August, 2014.

Motion by Commissioner Olchyk, Second by Vice Mayor Tourgeman.

FINAL VOTE ON ADOPTION

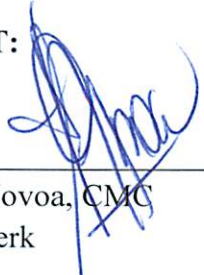
Commissioner Barry R. Cohen
Commissioner Michael Karukin
Commissioner Marta Olchyk
Vice Mayor Eli Tourgeman
Mayor Daniel Dietch

Yes
Absent
Yes
Yes
Yes




Daniel Dietch, Mayor

ATTEST:



Sandra Novoa, CMC
Town Clerk

**APPROVED AS TO FORM AND
LEGAL SUFFICIENCY FOR THE TOWN OF SURFSIDE ONLY:**



Linda Miller, Town Attorney

MIAMI BEACH

Miami Beach failed to collect \$19 million in developer fees for parking

By Joey Flechas

jflechas@MiamiHerald.com

SEPTEMBER 16, 2014 07:06 PM, UPDATED SEPTEMBER 18, 2014 03:21 PM



Officials at Miami Beach City Hall have uncovered past mismanagement of a program that allows developers who can't provide on-site parking to pay the city a fee for every space they can't provide. The city could have collected nearly \$19 million. JOEY FLECHAS *MIAMI HERALD STAFF*

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04:14

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In Miami Beach, a town known for its scarcity of parking, city staffers have failed to collect nearly \$19 million in fees from developers — fees that were supposed to be used to improve the city's parking facilities.

City administrators uncovered the problem, which stretches back 25 years, through an eight-month internal review, the results of which were released Tuesday. Administrators will present the findings of the internal investigation to the City Commission Wednesday evening.

Since January, the city's planning department has reviewed processes and procedures in the "fee in

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Pharrell just dropped \$30 million on sweet ‘quarantine’ digs in Coral Gables: report

That fee, currently set at \$35,000 per space, is supposed to go toward improving the city’s parking facilities. An annual fee is also charged if a change to an existing property requires more parking, like if a restaurant adds more tables. That fee is set at \$700 per year for as long as that use remains.

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According to a memo sent Tuesday afternoon to the City Commission, the review uncovered issues with billing, accounting and inspection of properties in the program, which led to the city leaving \$18.9 million on the table over the course of the past 20 years. It started with reviewing a sample of 25 accounts in the program at the beginning of this year. The pool ballooned to about 180 accounts after staffers kept finding problems.

The news comes about a week after the Miami Herald reported that [past Miami Beach administrators failed to collect \\$2.7 million in water and sewer connection fees from several hotels and condos](#). It does not appear there is any connection between the two instances of mismanagement.

Officials reviewing the parking fee program also found that the city did little or nothing after three previous internal audits revealed some of the management issues in 1997, 2003 and 2010.

“Management responses for corrective action did not have completion dates and there is no evidence that significant and deliberate steps were taken by any of the departments involved to establish the appropriate checks and balances to prevent recurrence or initiate invoicing of recurring fees to prevent further loss,” reads the memo, prepared by Deputy Planning Director Carmen Sanchez and Assistant City Manager Joe Jimenez.

The one-time fee has increased incrementally over the years. In many cases, records show past planning officials agreed to bill property owners at previous lower rates without explanation. In

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financial system.

The review is ongoing.

“Staff has conducted extensive research and has had to reconstruct the history for most of the accounts evaluated,” reads the memo. “As new details come to light and additional information is received the estimated receivable amount may change to include other projects identified at a future date.”

The history of poor management came to light to city officials earlier this year, when Sanchez, hired in late 2013, and Jimenez, who joined the city in May 2013, initiated a review of the program. The current administration has already put some checks and balances in place to fix the problems.

According to the memo, the planning department has invoiced 34 recurring accounts for the current fiscal year, and will start invoicing all active accounts for the upcoming fiscal year, starting Oct. 1. The city has updated its permitting software to keep records of what is charged and owed, hired staff to manage special revenue accounts like the parking impact fee program and, from now on, building permits or certificates of use will not be issued until the fee has been paid.

City administrators did not want to comment for this story before presenting their findings to the City Commission. Administrators will ask the City Commission for direction on how to proceed with uncollected money from current businesses and ones that have closed but still have outstanding balances.

Follow [@joeflech](#) on Twitter.

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SEPTEMBER 17, 2014 8:21 PM

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SEPTEMBER 07, 2014 2:59 PM

MIAMI-BEACH

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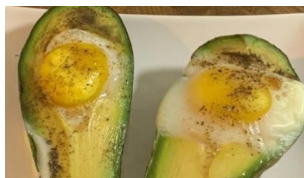
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Big crowds at Miami Beach parks, marinas on first weekend of reopening



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Brooks Koepka, the American golfer, is born.

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UPDATED MAY 01, 2020 10:22 PM

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UPDATED MAY 02, 2020 06:29 PM

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MIAMI-DADE COUNTY

After six weeks of lockdown, Miamians enjoy first

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Page 191



Saturday brought crowds at Miami-Dade County marinas and parks, which opened Wednesday after weeks of being closed due to coronavirus. At Blackpoint Marina, hundreds of cars lined up to go boating and fishing.

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MIAMI BEACH

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MIAMI BEACH

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UPDATED MAY 01, 2020 05:05 PM



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MIAMI BEACH

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UPDATED MAY 01, 2020 04:41 PM



MIAMI BEACH

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UPDATED MAY 01, 2020 04:31 AM



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TOWN OF SURFSIDE
BUILDING & ZONING DEPARTMENT/ HOURS 9:00AM - 4:00PM
9293 HARDING AVENUE
SURFSIDE, FL 33154
(305) 361-4863

 Permit Number 14-00000509 Date 11/12/15
 Property Address 9540 GB COLLINS AVE
 PARCEL NUMBER: 2 -3-6-0 -0 /3 /ADM6
 FOLIO NUMBER: 1422350070200
 Permit description NEW BUILDINGS-COMMERCIAL
 Property Zoning MULTI-FAMILY
 Permit valuation 13687447

Owner

 SHUL OF BAL HARBOUR
 9540 COLLINS AVENUE
 SURFSIDE FL 33154

Contractor

 A.V.I CONTRACTORS, INC.
 1442 BLUE JAY CIRCLE
 ATT: VINCENT MISH
 FT. LAUDERDALE FL 33327
 (954) 557-6249

--- Structure Information 000 000 SOCIAL HALL AND LEARNING CENTER
 Construction Type CONCRETE BLOCK
 Occupancy Type COMMERCIAL
 Roof Type BUILT-UP
 Flood Zone AE AT 9 FEET
 Sign Type CONSTRUCTION SIGN
 Fence Type CONSTRUCTION FENCE

 Permit NEW COMMERCIAL BLDG/ADDT, ETC
 Additional desc . . . 1&3 STORIES/SOCIAL HALL/CENTER
 Permit Fee 195766.77 Plan Check Fee00
 Issue Date 11/12/15 Valuation 0
 Expiration Date . . . 5/10/16

Qty	Unit Charge	Per	Extension
		BASE FEE	195766.77

 Special Notes and Comments
 SEPARATE PERMITS MUST BE PULLED FOR THE
 FOR WINDOWS; ROOF; PAVING & CURB CUTS;
 ELECTRICAL; MECHANICAL; PLUMBING; POOL
 FENCE; SIGNS; FIRE & LAWN SPRINKLER
 SYSTEMS; NO CERTIFICATE OF OCCUPANCY
 WILL BE ISSUED UNTIL TEMPORARY STRUCTURE
 USED INCIDENTAL TO THE CONSTRUCTION OF
 THE PRIMARY STRUCTURE HAVE BEEN REMOVED

0094G/1-20-93/AE-8

 Other Fees COUNTY PERMIT FEE 8212.80
 STRUCTURAL ENGINEER FEES 1000.00

Fee summary	Charged	Paid	Credited	Due
Permit Fee Total	195766.77	195766.77	.00	.00
Plan Check Total	.00	.00	.00	.00

TOWN OF SURFSIDE
BUILDING & ZONING DEPARTMENT/ HOURS 9:00AM - 4:00PM
9293 HARDING AVENUE
SURFSIDE, FL 33154
(305) 861-4863

Permit Number	14-00000509		Page	2
Other Fee Total	9212.80	9212.80	Date	11/12/15
Grand Total	204979.57	204979.57		.00
				.00

BUILDING DEPARTMENT CLERK: 

AUTHORIZED SIGNATURE: 



9293 Harding Avenue
Surfside, FL 33154

TOWN OF SURFSIDE

03/23/14 02:10 PM

14-509

PERMIT NO.

APPLICATION NO.

BUILDING PERMIT APPLICATION

2010 FLORIDA BUILDING CODE IN EFFECT

AMOUNT DUE

PERMIT TYPE: (Check one)

☐ Structural ☐ Mechanical ☐ Electrical ☐ Plumbing ☐ Other ☐ Roof

JOB ADDRESS: 9540 COLLINS AVE.

OWNER'S NAME: THE SHUL OF BAY HARBOR INC.

OWNER'S ADDRESS: 9540 COLLINS AVE.

CITY: SURFSIDE FL. PHONE# 305.868.1411 FAX #

FEE SIMPLE TITLE HOLDER'S NAME:

ADDRESS:

CONTACT PERSON: YANKIE ANDRUSIER PHONE# 347.723.2731

EMAIL ADDRESS: YANKIE@ownersrepofmiami.com

CONTRACTOR: A.V.I. Contractors, Inc. (11/10/15)

MAIL ADDRESS: 2771 Executive Park Drive Suite 2

CITY: Weston STATE FL. ZIP CODE: 33331

PHONE # 954-557-6249 FAX # 954-217-1818 EMAIL: Vincent@AviContractorsInc.com

CERT COMPETENCY: CGC 1508145 STATE REGISTRATION:

LOT BLOCK PRESENT USE: PROPOSED USE: Synagogue

FOLIO NUMBER: SUBDIVISION:

NO. OF STORIES: 3 OFFICES: FAMILIES: BEDROOMS: BATHS:

TYPE OF WORK: ADD ☐ NEW ☐ ALTER ☐ REPAIR ☐ REPLACE ☐ OTHER ☐

VALUE OF WORK: (Total all Trades): \$13,687,447.00 SQ. FT. (TOTAL) LINEAR FEET

DESCRIBE WORK: ONE AND THREE STORIES SOCIAL HALL AND LEARNING CENTER

ARCHITECT/ENGINEER'S NAME: SCHAPIRO ASSOCIATES

ADDRESS: 1150 KANE CONCOURSE, BAY HARBOR, FL 33154

PHONE# 305.866.7324 FAX# 305.866.7474 EMAIL: jame@schapiroassociates.com

MORTGAGE LENDER NAME:

Ext. 212



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March 9, 2021

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Objective: Make assessments for Proposals to gain a full understanding of its impacts over time and define measurable goals to track over time for success. This ensures projects are well thought out with clearly defined goals. It shows value, and in turn encourages better investments with future proposals. A business and operational standard in setting goals is to make sure they are specific, measurable, achievable, relevant and time-based (“S.M.A.R.T”).

Consideration: Proposal assessments include or may include:

COSTS: Short term, long term. Direct, indirect.

IMPACTS: Budget, environmental, staff and support

FEASIBILITY: Does this fit and can it work.

RISK: What could happen negatively, how impactful and what will be response

ORGANIZATION: changes, areas to improve

RESOURCES: Map out all resources internal and external

Any project proposal will also define its goals through defining what will be tracked on a “dashboard” and assessed and reported on over time. The Value Proposition, if adopted, will hold the project and its leaders accountable to value.

This may sound overwhelming, but once adopted it becomes quite clear that it is helpful and brings a common set of principles for everyone to work with. It means assessments are less subjective and open to interpretation and criticism which can change over time as circumstances change.

Recommendation: Using S.M.A.R.T goals is critical to show objective value to everyone, from Town Manager to members of the Commission, to Town staff members, to most importantly taxpaying residents. SMART is an acronym that stands for **Specific, Measurable, Achievable, Relevant and Time-based**. Each element of the SMART framework works together to create a goal that is carefully planned, clear and trackable. Work with the Town Manager and staff to develop a recommendation for implementation of S.M.A.R.T goals. Assessments and requirements can be rolled out so as to not overwhelm the systems and workflow of Town governance. The team will actually set SMART goals for defining success for the project and rollout itself. It will speak for itself, while practicing what it preaches.

Commissioner Kesl is looking for two or more co-sponsors to get support and traction for the Objective. Inform the Town Manager if you are interested.



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To: Honorable Mayor, Vice-Mayor and Members of the Town Commission,
From: Guillermo Olmedillo, Town Manager
Date: June 23, 2020
Subject: Increase Lighting Plan

At the March 24, 2020 Special Commission Meeting, Town Administration was directed to provide a plan for the increase of residential street lighting.

Please find attached requested report being provided with this communication.

Reviewed by: HG/RS

Prepared by: HG



Town of Surfside Public Works Department Safer Walkability- Increased Lighting Plan

Update as of March 30th, 2020

COMMISSION DIRECTION

Create safer walkability in residential streets

LIGHTING INCREASE PLAN

Town determined based on resident concerns and field survey that lighting within the residential area is one of various deficiencies that impedes with safer walkability practices.

(Completed)

STUDY

Compose objective study to determine deficiencies in the existing lighting system

(Completed)

COMMISSION DIRECTION

Provide results of study to Town Commission with recommendations

(Completed / In progress)

DATA COLLECTION

Collect proposed lighting fixture pole data for FPL to provide cost of implementation

(April 2020)

COST

Provide collected data to FPL for agency to compose cost estimate of project

(May 2020)

COMMISSION DIRECTION

Provide all gathered pricing, recommendations and documents to the Town Commission for final direction to move forward with an agreement with FPL for the installation of additional lights. Discuss options and funding source

(June 2020)

AGREEMENT

Produce an agreement with FPL for legal review based on Town Commission direction

July 2020

IMPLEMENTATION

Implement with FPL the scope outlined in the agreement

(TBD)



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To: Honorable Mayor, Vice-Mayor and Members of the Town Commission

From: Guillermo Olmedillo, Town Manager

Date: February 28th, 2020

Subject: Analysis for Determination of Additional Lighting Locations in Residential Areas within the Town of Surfside

The Town of Surfside, in an effort to address pedestrian safety and promote walkability within the Town, recently partnered with Florida Power and Light (FPL) to upgrade all residential street lighting from high pressure sodium bulbs to Light Emitting Diodes (LED). The lighting upgrade project was completed in January 2020 with a total of 236 fixtures changed. After the conversion, the Public Works Department performed various nightly walkthroughs to evaluate the outcome of the conversion. As a result, a 33% increase in illumination per fixture was obtained. This determination was made by comparison of photometrics of both the new LED lighting and high-pressure sodium bulbs. Photometrics is the measurement of lighting. For the comparisons made, photometric data used was the surface coverage of lighting onto asphalt surface from both fixtures, before and after conversion.

Illumination is not uniform throughout the Town. Even after the FPL conversion project, various “dark” areas exist that continue to remain a hazard. The Town administration will proceed to perform an analysis on illumination deficiencies still present. In order to eliminate subjectivity in the determination of the location and number of new light fixtures and or poles to have uniform illumination at the pedestrian level, the Town administration will prepare an analysis that incorporates the following:

1. Use the technical specifications of the equipment in place already obtained from FPL.
2. Use the information that the Town has already collected on the location of light fixtures including previous lighting data.
3. Draw the area illuminated from each lighting fixture, using the technical specifications already obtained.
4. Produce a map (GIS or similar) with the proposed locations of new lights and or poles.

5. Propose a plan to add lights where pedestrian level lighting does not have uniform illumination and deficiencies determined

The proposed plan allows for a non-subjective determination of areas in need of additional lighting. The proposed plan will provide hazard areas based on existing and collected data. An alternative plan to have individuals estimate where additional illumination should go based on visual interpretation can lead to subjective results. The Town administration will move forward with the presented plan of analysis as per Town Commission direction. The results will be reported to the Town Commission through an update.

Reviewed by

Prepared by

TOWN OF SURFSIDE

Public Works Department

“Residential Street Lighting Photometric Analysis and Recommendations”

February 26, 2020

9293 HARDING AVENUE,
SURFSIDE, FL 33154
PHONE: (305) 861-4863

Prepared By:



Public Works Department



TABLE OF CONTENTS

INTRODUCTION	3
OBJECTIVE	4
METHODOLOY	5
ANALYSIS	6
RECOMMENDATION AND CONCLUSION	15

ATTACHMENTS

- Appendix A – “Town of Surfside Street Light Inventory”- 1 Page
- Appendix B – “Product Specification Photometrics”- 3 Pages
- Appendix C – “Street Light Photometric” - 2 Pages
- Appendix D – “Proposed Street Lights Map”. - 1 Page



INTRODUCTION

The Town of Surfside is a coastal community within Miami-Dade County with approximately 5,844 residents based on 2017 population figures. The Town has various districts which include commercial high-rise, commercial retail and residential single family. Each of these districts has lighting infrastructure provided by different agencies. **Table A** – “*Lighting Inventory by Responsible Authority*” below outlines the total quantity of light fixtures per district and the responsible party for lighting maintenance:

Item Number	District	Responsible Party	Total # of Fixtures	Type of Fixture
1	Residential	FP&L	243	LED
2	Downtown Surfside	Town of Surfside	24	LED
3	A1A & Harding Ave	Miami-Dade County	62	High Pressure Sodium
4	Beach Ends	FP&L / Town of Surfside	11	HPS and LED

Table A – “*Lighting Inventory by Responsible Authority*”

Table A – “*Lighting Inventory by Responsible Authority*” is composed based on a Geographical Information System (GIS) mapping composed in 2018 by Town Engineer of Record (EOR), Calvin Giordano and Associates (CGA) and confirmed by the Town’s Public Works Department. The GIS map titled “Town of Surfside Street Light Inventory” can be found in **Appendix A** – “*Town of Surfside Street Light Inventory*”.

In late 2019, the Town of Surfside Commission approved the conversion of High-Pressure Sodium lights (HSP) throughout the residential area to Light Emitting Diode (LED) with the objective of minimizing operating costs for night-time illumination of public right of way and increase effectiveness of illumination. The lighting upgrade project was completed in January 2020 with a total of 236 fixtures changed. After the conversion, the Public Works Department performed various nightly walkthroughs to evaluate the outcome of the conversion. As a result, a 33% increase in illumination per fixture was obtained. This determination was made by comparison of photometrics of both the new LED lighting and high-pressure sodium bulbs. Photometrics is the measurement of lighting. For the comparisons made, photometric data used was the surface coverage of lighting onto asphalt surface from both fixtures, before and after conversion. The photometrics of the previous high sodium pressure bulbs (HPS) and recently installed LED fixtures can be found in **Appendix B** – “*Product Specification Photometrics*”.

Currently, Florida Department of Transportation (FDOT) is working with Miami-Dade County (MDC) and is scheduled to convert a portion of street lights on A1A and Harding Avenue for fiscal year 2021-2022 to LED. Additionally, the Town of Surfside converted all Town maintained street lights to LED already. During the February 2020 Town Commission meeting, the Town Commission gave direction to the Town Manager to proceed with performing a street lighting analysis in order to determine where additional lights are needed.



OBJECTIVE

Increase the quantity of residential street lighting fixtures with locations non-subjectively selected with the purpose to create safer walkability by increasing illumination during evening hours.

Illumination is not uniform throughout the Town. Even after the conversion project within the residential area, various “dark” areas exist that continue to remain a hazard for walkability during night-time hours. **Picture A** – “*Photograph of Dickens Avenue and 92nd street*” below shows the composition of dark areas and light areas as they pertain to a residential street block within the Town.



Picture A – “*Photograph of Dickens Avenue and 92nd street*”

The Town Administration performed an analysis based on information gathered and field visits in order to increase the quantity of residential street lighting fixtures with locations non-subjectively selected with the purpose of creating safer walkability by increasing illumination



during evening hours. Furthermore, a **Recommendation and Conclusion** section is provided in this analysis report to assist with Town Commission direction decision.

METHODOLOGY

In order to eliminate subjectivity in the determination of the location and number of new light fixtures to have uniform illumination at the pedestrian level, the analysis by Town administration incorporated the following items:

- Use the technical specifications of the equipment in place already obtained from FPL. This involved the comparison of photometric charts of both HPS bulbs and LED fixtures which are included in **Appendix B** – *“Product Specification Photometric”*.
- Use the information that the Town has already collected on the location of light fixtures including previous lighting data in order to overlay photometric chart data onto existing GIS maps provided in **Appendix A** – *“Town of Surfside Street Light Inventory”*.
- Draw the area illuminated from each lighting fixture, using the technical specifications already obtained onto in **Appendix A** – *“Town of Surfside Street Light Inventory”* in order to create **Appendix C** – *“Street Light Photometric”*.
- Produce a map (GIS or similar) with the proposed locations of new lights and or poles after item number 1, item number 2 and item number 3 have been evaluated. **Appendix D** – *“Proposed Street Lights Map”*.

Based on the findings, Table **C** – *“Recommendation Table”* was composed which incorporates the findings of the analysis and makes various illumination goals depending on the number of lighting fixtures proposed. This analysis does not include cost figures or cost estimates.



ANALYSIS

The analysis for residential street light photometric is provided in this section. The analysis is based on the proposed methodology that was presented to the Town Commission during the February 2020 Town Commission General Meeting.

Use the technical specifications of the equipment in place already obtained from FPL. This involved the comparison of photometric charts of both HPS bulbs and LED fixtures which are included in **Appendix B – “Product Specification Photometrics”**.

Both photometric data for high pressure sodium bulbs and LED fixtures were compared side by side. Two distances were obtained for each lighting system; these are the longitudinal distance and width distance. Longitudinal distance is referring to the distance on each side of the fixture and width distance is the distance in front of the fixture. Both distances vary depending on the height of the fixture installation. Based on the information gathered from product specification photometrics, **Table B – “Lighting Coverage by Fixture”** below was composed to present findings.

Item Number	Type of Fixture	Longitudinal Distance (Feet)	Width Distance (Feet)	Finding Source
1	High Pressure Sodium	50	40	Field Measurement
2	High Pressure Sodium	70	50	Specification Sheet
3	LED	85	40	Field Measurement
4	LED	75	20	Specification Sheet

Table B – “Lighting Coverage by Fixture”

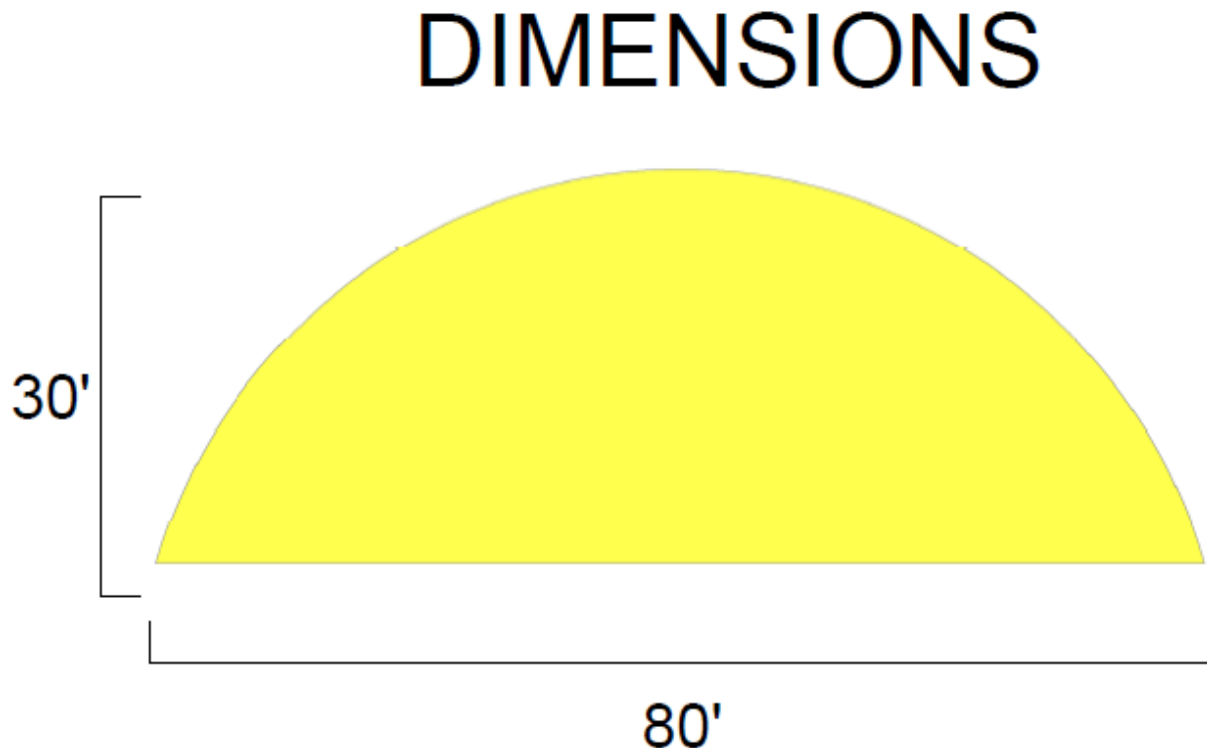
Table B – “Lighting Coverage by Fixture” also presents field measurements of each fixture as there was a difference in field conditions to product specification conditions. The difference was the height of installation. The Town of Surfside has fixtures installed higher than presented in product specification by a total of 5 feet with a margin of error of 3 feet. Based on findings, an average of both measurements was taken and presented in **Table C – “Lighting Coverage by Fixture Average”** as shown below:

Item Number	Type of Fixture	Longitudinal Distance (Feet)	Width Distance (Feet)	Finding Source
1	High Pressure Sodium	60	45	Average
2	LED	80	30	Average

Table C – “Lighting Coverage by Fixture Average”



It is worth noting that the figures present are the effective lighting of each light based on their design intent. Each fixture covers areas greater than shown in **Table B** – “*Lighting Coverage by Fixture*” but these areas are dimmer and not effective lighting areas. Secondly, **Appendix B** – “*Product Specification Photometrics*” provides photometrics in a disformed shape which resembles a dis-figured circle. For the purpose of this analysis, the photometric impact area was averaged and converted to a defined semi-circle. **Picture B** – “*Photometric Impact Area*” below presents the averaged fixture coverage area that was used for the analysis.



Picture B – “*Photometric Impact Area*”

Picture B – “*Photometric Impact Area*” will be referred to as the illumination zone for the remainder of the analysis. It was used as an overlay onto residential street maps in order to determine areas that are not receiving effective illumination coverage. Furthermore, there is a 6-foot to 8-foot offset from above ground utility poles to light figure (light source) which is due to the arm length of each lighting fixture. This distance was taken into consideration. Lastly, non-effective lighting behind each lighting fixture was not taken into account. This is because these areas are not considered walkable areas and are of private property majority. Additionally, measurements of these areas illumination by LED lighting fixtures is difficult due to private property lighting distortion.



Use the information that the Town has already collected on the location of light fixtures including previous lighting data in order to overlay photometric chart data onto existing GIS maps provided in **Appendix A** – “Town of Surfside Street Light Inventory”. Draw the area illuminated from each lighting fixture, using the technical specifications already obtained onto in **Appendix A** – “Town of Surfside Street Light Inventory” in order to create **Appendix C** – “Street Light Photometric”.

Appendix A – “Town of Surfside Street Light Inventory” was used to assess the areas currently obtaining illumination and compared to the areas not receiving. Based on findings, there are currently an average of 3.00 lighting fixtures per block. Page 2 of **Appendix A** – “Town of Surfside Street Light Inventory”, lays out a typical section of a Town block. A Town block from street to street along the same avenue in the residential area is approximately 525 linear feet. Based on the average amount of lights, a total of 240 linear feet out of the entire 525 linear feet of a typical block has illumination. Therefore, it was determined that the average lighting per typical block is approximately 45%. **Diagram A** – “Typical Lighting Per Block Diagram”, below creates a visual representation of the 45% illumination of an average typical roadway.



Diagram A – “Typical Lighting Per Block Diagram”

In **Diagram A** – “Typical Lighting Per Block Diagram”, the entire strip represents a typical block along an avenue from street to street. For example, Garland Ave from 89th Street to 90th Street. The yellow sections represent the illumination zone. The black sections represent the areas where minimal to no illumination is present. Since this is an average representation of actual field conditions, it has been simplified for analysis purposes. As previously stated, even though the average coverage per existing LED fixture is 40 feet each way (80 feet total), the fading effect of each fixture may add additional coverage. The fading effect is the dimming of the illumination as the distance from the point of origin increases. The fading effect distance was not used in the analysis because it is not considered optimal illumination. The following pictures provide a reality perspective to **Diagram A** – “Typical Lighting Per Block Diagram”.



Picture C – “Town of Surfside Night-time Aerial on 02-21-2020”



Picture D – “Town of Surfside Night-time Aerial on 02-21-2020 “



Produce a map (GIS or similar) with the proposed locations of new lights and or poles after item number 1, item number 2 and item number 3 have been evaluated. **Appendix D** – “Proposed Street Lights Map”.

Propose a plan to add lights where pedestrian level lighting does not have uniform illumination and deficiencies determined.

During the evaluation of all information, it was determined that 45% of the single-family residential areas right of way within the Town are illuminated. This is based on the lighting illumination per street as an average. Prior to determining locations of additional lights, various variables needed to be considered. The considerations are as follows:

- Number of existing above ground utility poles existing
- Number of existing above ground utility poles with transformers
 - a. Accessibility to transformers if a proposed pole does not have one
 - b. Capacity of transformer
- Location of street where poles are located and if cross alternation can take place (each side of the street)
- Illumination percentage goal

45% existing illumination was based on 3 lighting fixtures per block average. In order to increase illumination, new lighting fixtures need to be added. The current infrastructure allows for additional lighting fixtures since poles either have a transformer or, are within the proximity of a pole with a transformer. To be within the proximity, the nearest pole with transformer needs to be within 2 poles distance. The current lighting fixture spread alternates with every other pole having a fixture. On average, a residential block has 6 poles and 2 transformers.

Based on two neighborhoods surveyed with optimal lighting, 90% illumination was the targeted percentage goal. 90% allows for illumination visibility throughout as lighting transition from one lighting fixture to the next. The 2 neighborhoods surveyed had the same single-family residential style as Town of Surfside. The neighborhoods were as follows:

- North Bay Village – Single Family Residential Area
- Normandy Isle, Miami Beach Single Family Residential Area

Appendix D – “Proposed Street Lights Map” proposes a total of 133 new fixtures along street blocks in the residential area in order to achieve 90% illumination. This figure breaks



down to an additional 3 fixtures per Town block. In the creation of **Appendix D** – “*Proposed Street Lights Map*”, some Town blocks have proposed 2 additional lighting fixtures and other more than 3 additional lighting fixtures. Even though the average is 3 additional light fixtures per block, some have proposed less since there is an intersection pole that provides block illumination. All proposed locations have an existing pole so only fixture and connection to a transformer are needed. For the most part, all transformers have the capacity for additional lighting fixture. Transformer capacities need to be confirmed with FP&L. The following pictures show areas within Miami-Dade County (MDC) with 90% illumination. The same logic for determination of light percentage in Town of Surfside as used to determine illumination percentages in these areas.



Picture E – “North Bay Village Night-time Aerial on 02-21-2020”



Picture F – “Normandy Isles Night-time Aerial on 02-21-2020”



Picture G – “Normandy Isles Night-time Aerial on 02-21-2020”



RECOMMENDATION AND CONCLUSION

The analysis was based on 90% illumination which is the maximum number of lighting fixtures to existing poles. **Table C** – “*Recommendation Table*” presents the number of additional fixtures with respective illumination percentage for various options. Refer to table below:

Item number	Number of Additional Lights (Overall)	Average Additional Lights per Block	Illumination Percentage	Comments
1	0	3	45%	No Change
2	89	4	60%	N/A
3	112	5	76%	N/A
4	133	6	90%	Appendix D

Table C – “*Recommendation Table*”

At this time, there is no cost estimate for each of the recommendations of **Table C** – “*Recommendation Table*”. Cost estimate will involve coordination with Florida Power and Light (FP&L). Currently, the provided recommendations are based on using existing pole infrastructure. Based on Town Commission direction, a cost estimate can be composed for proposed recommendation options. Any cost estimates pertaining to light fixtures operated by another agency need to be coordinated. In this case, cost estimate needs to be coordinated with Florida Power and Light (FPL).

Some additional considerations include:

- How will additional lighting fixtures in the Right of Way impact the quality of life of residents.
 - Light infiltration into private property
- Other options for increase walkability safety
 - Mid-level pedestrian lighting options
 - Alternative walking options such as sidewalks
 - Enhancing other infrastructure options such as;
 - Thermoplastic striping of roadway markings
 - Roadway Lighting options which include ground and signage lighting

This report was composed using the existing infrastructure present to add additional lighting fixtures to gain an increase in illumination percentage. The proposed locations of the lighting fixtures were based on existing locations of above ground utility poles.





Appendix A




“Town of Surfside Street Light Inventory”

1 Page

Legend

-  City Boundary
-  Parcels

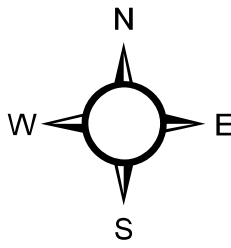
Owner

-  Surfside
-  FPL
-  Miami-Dade County



Town of Surfside Street Light Inventory

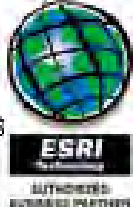
Print Date: 11/7/2018



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Appendix B

“Product Specification Photometric”

3 Pages

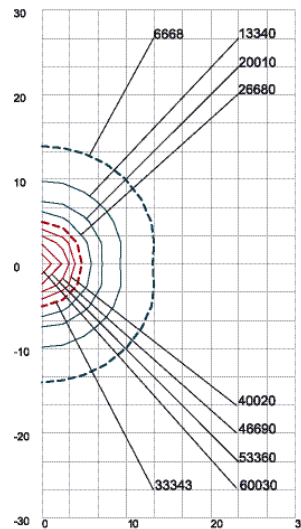
Photometric Data

E-17 High Pressure Sodium

BK No.	Lamp Watts	Description	Rated Life	Initial Lumens	Mean Lumens	CRI	CCT(K)
112	35	35W/E-17/HPS/MED/Clear	24,000	2,250	2,025	20	2,100
113	35	35W/E-17/HPS/MED/Diffuse	24,000	2,150	1,935	20	2,100
104	50	50W/E-17/HPS/MED/Clear	24,000	4,000	3,600	21	2,100
105	50	50W/E-17/HPS/MED/Diffuse	24,000	3,800	3,420	21	2,100
108	70	70W/E-17/HPS/MED/Clear	24,000	6,300	5,670	21	2,100
109	70	70W/E-17/HPS/MED/Diffuse	24,000	5,860	5,270	21	2,100
120	100	100W/E-17/HPS/MED/Clear	24,000	9,500	8,550	21	2,100
121	100	100W/E-17/HPS/MED/Diffuse	24,000	8,800	7,920	21	2,100
122	150	150W/E-17/HPS/MED/Clear	24,000	16,000	14,400	21	2,100
123	150	150W/E-17/HPS/MED/Diffuse	24,000	15,000	13,500	21	2,100

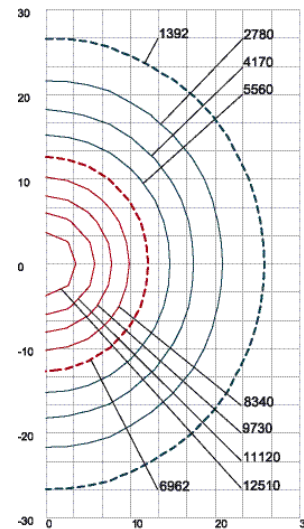
Lumen & Candela Conversion Multipliers	
100W	.60
70W	.40
50W	.25
35W	.14

NARROW SPOT



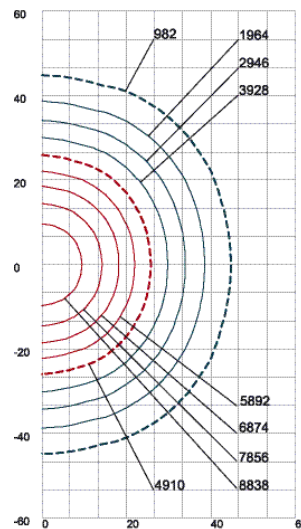
B-K FILENAME : TY11-150-NS-HPS CLEAR-ITL-IES
 Lamp: 150W Clear B-17 High Pressure Sodium
 IES Beam Type: 24 x 2V
 Max. Candela: 6668 at 0°H 0°V
 Beam Spread (at 50% Max CD): 33343 at 10°H 10°V
 Field Spread (at 10% Max CD): 6668 at 26°H 26°V
 Total Lumens: 3237

SPOT



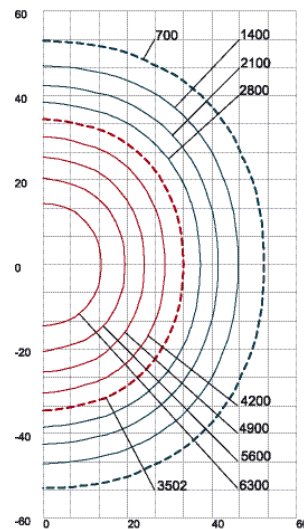
B-K FILENAME : TY11-150-SP SPECULAR-HPS CLEAR-ITL-IES
 Lamp: 150W Diffuse B-17 High Pressure Sodium
 IES Beam Type: 4H x 4V
 Max. Candela: 13924 at 0°H 0°V
 Beam Spread (at 50% Max CD): 6962 at 24°H 26°V
 Field Spread (at 10% Max CD): 1392 at 51°H 53°V
 Total Lumens: 3859

FLOOD

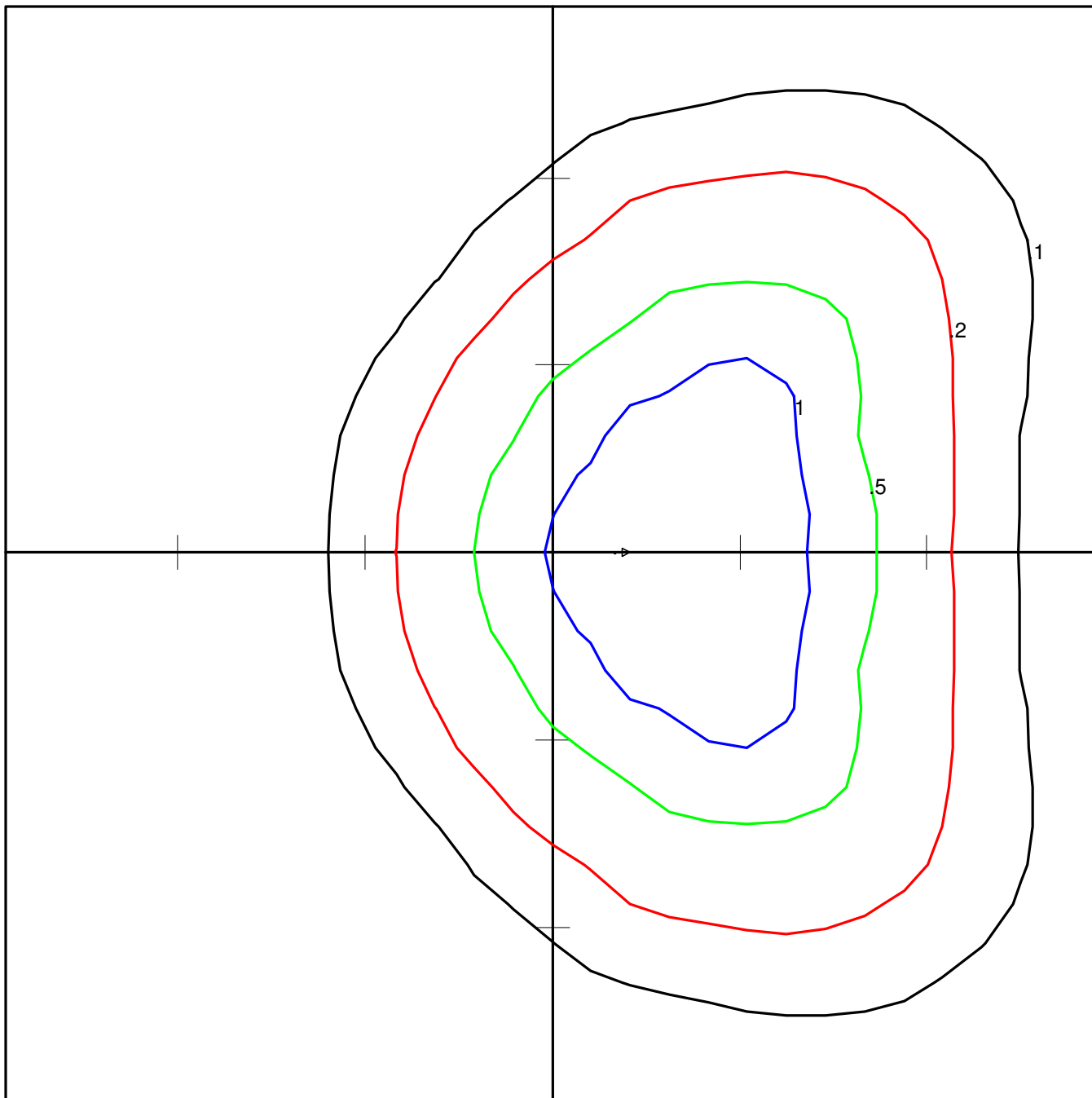


B-K FILENAME : TY11-150-FL-HPS COATED-ITL-IES
 Lamp: 150W Diffuse B-17 High Pressure Sodium
 IES Beam Type: 5H x 5V
 Max. Candela: 982 at 0°H 0°V
 Beam Spread (at 50% Max CD): 4910 at 52°H 52°V
 Field Spread (at 10% Max CD): 982 at 90°H 90°V
 Total Lumens: 3237

WIDE FLOOD



B-K FILENAME : TY11-150-WF-HPS COATED-IES
 Lamp: 150W Diffuse B-17 High Pressure Sodium
 IES Beam Type: 8H x 8V
 Max. Candela: 7004 at 0°H 0°V
 Beam Spread (at 50% Max CD): 3502 at 67°H 68°V
 Field Spread (at 10% Max CD): 700 at 105°H 106°V
 Total Lumens: 8569



Cree, Inc
 RSW-A-HT-3ME-5L-30K7-UL-xxxx
 Formed BMC housing, prismatic plastic lens, white inner
 reflector
 24 white LEDs

Horizontal Footcandles
 Scale: 1 Inch = 20 Ft.
 Light Loss Factor = 1.00
 Lumens Per Lamp = N.A. (absolute photometry)
 Luminaire Lumens = 5000
 Mounting Height = 24.00 Ft
 Maximum Calculated Value = 1.74 Fc
 Arrangement: Single
 Arm Length = 8 Ft



Appendix C




“Street Light Photometric”

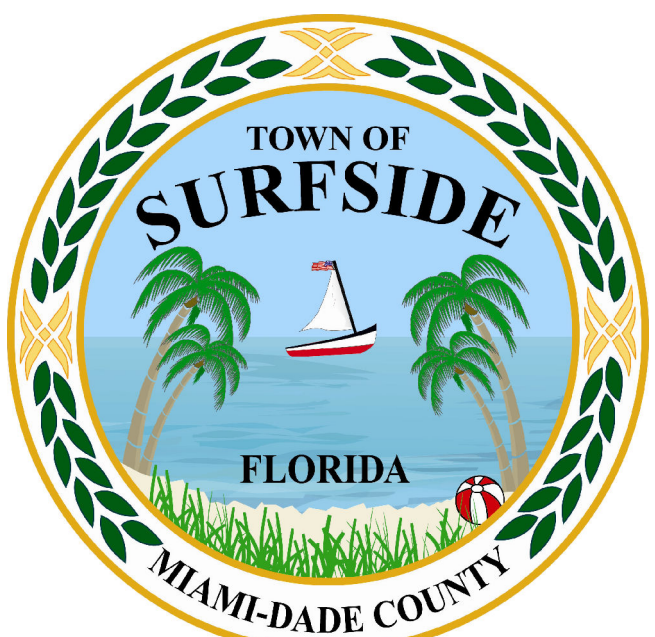
2 Pages

Legend

-  City Boundary
-  Parcels
-  Illumination Zones

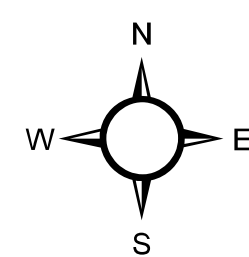
Owner (Count)

-  Surfside (83)
-  FPL (243)
-  Miami-Dade County (68)

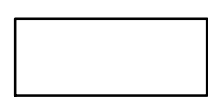


Town of Surfside Street Light Inventory

Print Date: 2/3/2020



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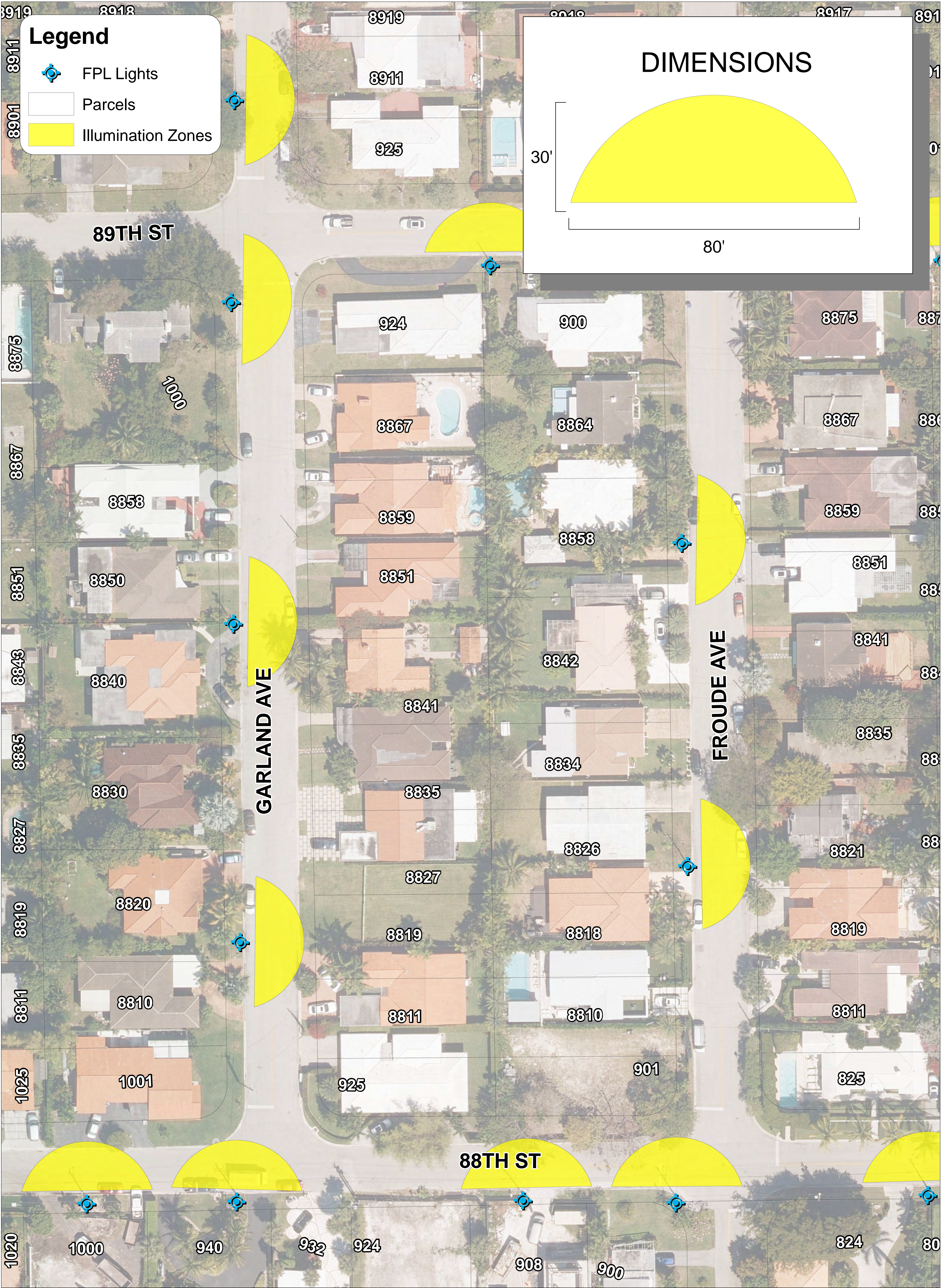
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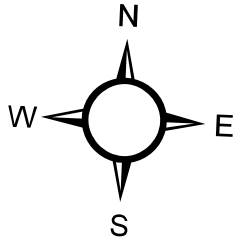


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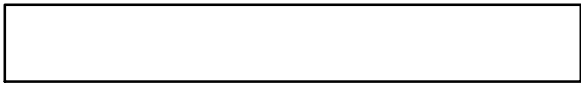


**Town of Surfside
Block 19
Street Light Photometrics**

Print Date: 2/5/2020



75



Feet



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Appendix D

“Proposed Street Lights Map”

1 Page

Legend

- City Boundary
- Parcels
- FPL Illumination Zones
- Proposed Illumination Zones

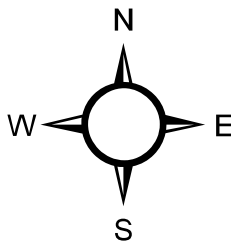
Owner (Count)

- Proposed (133)
- Surfside (83)
- FPL (243)
- Miami-Dade County (68)



Town of Surfside
Street Light Inventory

Print Date: 2/18/2020



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Feet

1 inch = 200 feet



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To: Honorable Mayor, Vice-Mayor and Members of the Town Commission,
From: Guillermo Olmedillo, Town Manager
Date: April 21, 2020
Subject: Lowering of Property taxes and Water Bills

At the March 24, 2020 Special Commission Meeting, Town Administration was directed to provide information on lowering property taxes and water bills.

April 14 through April 21, the Town's Finance Director has meet with the Commissioners to discuss the state of the Town's finances including the financial position of the Town's General Fund and Water & Sewer Fund. With the budget season starting, the Commission will have the opportunity to provide policy direction which forms the basis of the Town's Budget. On June 1, 2020, the Town will receive the Miami-Dade Property Appraiser Assessment Roll Estimate which will help guide the Town's Administration toward the goal of lowering the financial impact to Town residents.

Reviewed by: GO

Prepared by: JDG



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March 9

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Thank you for your interest FPL SolarTogetherSM
The program is fully subscribed and the waitlist is closed.

The SolarTogetherSM program is an easy and affordable option for customers to share in the economic and environmental benefits of Florida based large-scale solar while receiving monthly bill credits on their FPL bill.

At this time, the Commercial, Industrial and Governmental portion of the program is fully subscribed. And, due to overwhelming interest, the waitlist has reached maximum subscription and is closed. We will continue to find new and innovative ways to bring even more solar to Florida and will announce future program opportunities.

Reduce your energy costs while achieving your sustainability goals



Benefits

- Offset up to 100 percent of your energy usage (subject to availability)
- Renewable Energy Credits (RECs) are retired on your behalf
- Receive bill credits immediately



Economics

- Simple payback between 5-7 years
- Fixed monthly subscription rate
- Escalating bill credits
- No maintenance, operational or insurance costs



Terms

- No upfront cost
- No long term contract
- Subscription is transferable to another store or location
- Subscription cannot be sold or transferred to another customer

How the program works

1. Determine your subscription share by selecting the amount of energy you wish to offset – up to 100% of your energy usage can come from solar
2. Calculate your monthly subscription cost based on the fixed subscription rate of \$6.76/kW multiplied by your subscription share
3. Estimate your monthly subscription credit based on your subscription share multiplied by the amount of solar energy produced multiplied by the subscription credit rate

100 kW subscription example



FPL SolarTogether Subscription

100 kW subscription share
x \$6.76/kW fixed subscription rate

Your Monthly Subscription Cost

\$676



Solar Energy Produced

190 hrs per month
x 100 kW subscription share

19,000 kWh solar energy



Subscription Credit

19,000 kWh solar energy produced
x \$0.03405/kWh subscription credit rate/kWh

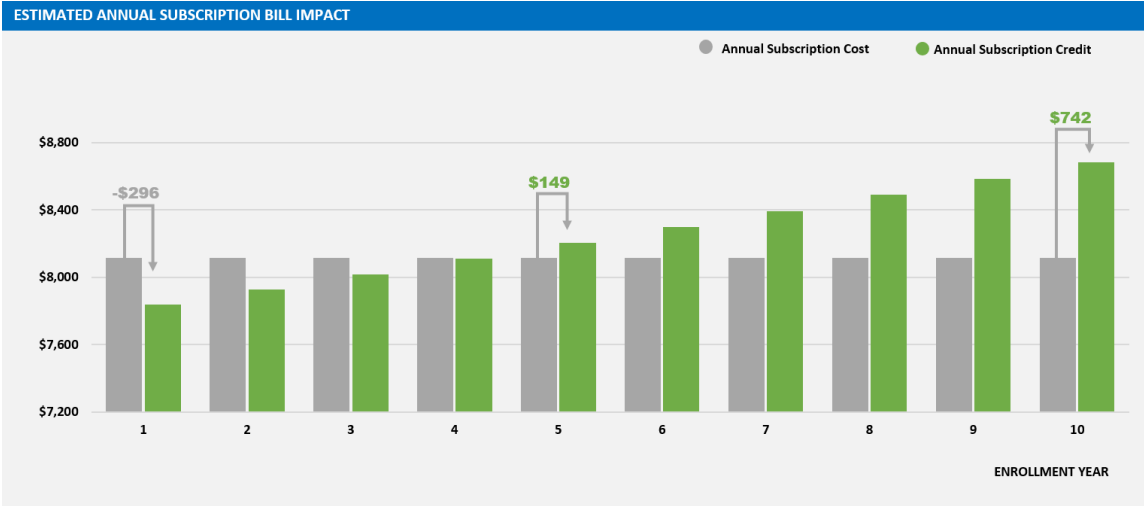
Your Monthly Bill Credit

\$647

That means you get solar energy for just \$29 for the month!*

* Illustrative examples presented here for discussion purposes only, program charges and credits will be established per the Florida PSC approved tariff.

And over time, the annual benefits are forecasted to exceed the costs.



The graph above shows the estimated bill impact over a ten-year period for a 100 kW subscription example. While the annual subscription cost remains the same year after year, due to the fixed nature of the subscription rate, the annual subscription credit grows annually. In the first year of a 100 kW subscription, program participation would cost approximately \$296, which is the difference between the subscription cost of \$8,112 and the credit of \$7,816. By year five, the annual subscription remains \$8,112 and the credit grows to \$8,261, so the credit exceeds subscription cost by \$149. By year ten, the cost of the subscription is still \$8,112 and the credit is now \$8,854 for the year, increasing the credit difference by \$742.

Have Questions?

View our frequently asked questions (<https://www.fpl.com/energy-my-way/solar/solartogether-res/faq.html>).



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Agenda #:

Date: May 5, 2020

From: Vice Mayor Tina Paul

Subject: Climate Environmental Collective - revised

Objective – Establish a Climate Environmental Collective to deal with climate change as it relates to health, economics, new technologies, and infrastructure innovations for coastal Issues and develop communication campaigns that keep the public informed and promote a strong and healthy town.

Consideration – At the April 14, 2020 Special Town Commission meeting, a decision to abolish the Sustainability and Resiliency Committee was made by the Commission with the decision to include a Sustainability and Resiliency board member on all Town Boards and Committees. While this approach is progressive, the concern of many residents for issues facing a coastal community as a result of Climate Change remains a priority.

The question is, do we want to be progressive or become more radical in our approach?

We've witnessed the triumph of environmental activist Greta Thunberg, who has gained international recognition as a teenager promoting awareness of the reality that humanity is facing an existential crisis arising from climate change. Instead of forming a Task Force or Board or Committee, the Climate Environmental Collective will consist of individuals who work together on ideas and solutions without relying on internal hierarchies.

We can benefit from persons with experience that may include: an Environmental Engineer or Specialist, Water Researcher, Health Practitioner, Marine or Atmospheric Scientist, Oceanographer, Biologist, Economist, Information Technology or Coder, and Graphic Artist. Membership will be diverse and inclusive of residents with all levels of expertise or enthusiasm for Surfside's environment.

The Town Manager recently hired a Resiliency Officer who has been working on specific projects from the previous commission. The new Sustainability members on Town Boards and Committees will work on issues with each Board and Committee; the Climate Environmental Collective can compliment their work. Environmental issues need to be approached as a whole, to assure genuine consideration of climate change, sea-level rise, carbon footprint, renewable energy and green infrastructure strategies with an additional focus on public health. The Collective's meetings do not need paid Consultant experts, or to be televised, and only require a meeting place and minimum staff assistance. It is essential for this Collective to be recognized as an integral part of the Town.

Recommendation – Approve the Climate Environmental Collective because Climate Change and Sea Level Rise is today and if we wait, it will be too late. We are living through Covid-19 now and as a Zoonotic disease it is a direct result of Climate Change and deforestation. The actions needed to combat this pandemic are the same actions we need to confront Climate change. This issue has never been more important, adding a Collective to present ideas and solutions at a minimal cost can actually be invaluable.

LOGO - *Climate Enviromental Collective*





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Date: 10-5-2020

Prepared by: Commissioner Eliana Salzhauer

Subject: Amending Town Code Sec. 2-233 & 2-237

Objective: The Current Town Code contains loopholes in **Sec. 2-233. - Conflict of interest** and **Sec. 2-237. - Disclosure of business relationships**

The goal of amending this section is to ensure that all Town Business is conducted with full transparency and integrity. Two (2) recommended changes are outlined below.

Consideration: Relationships that influence decisions can be based on more than a financial stake. Leadership roles and relationships in the nonprofit world can similarly influence outcomes. It is important for Elected Officials and Board Members to disclose ALL relationships to persons and issues coming before them, including those based on unpaid service at a nonprofit.

Please review Surfside Town Code Sections 2-233 & 2-237 at the following links for background***

Sec. 2-233. - Conflict of interest.

https://library.municode.com/fl/surfside/codes/code_of_ordinances?nodeId=PTIICO_CH2A_D_ARTVIICOET_S2-233COIN

Sec. 2-237. - Disclosure of business relationships.

https://library.municode.com/fl/surfside/codes/code_of_ordinances?nodeId=PTIICO_CH2A_D_ARTVIICOET_S2-237DIBURE

Recommendations:

1) To amend Section 2-233 (6) as follows, to include the disclosure of employees and officers their direct or indirect interest in any NONPROFIT business relationship.

(6) Employees and officers shall disclose to the town clerk, upon a form created by the town clerk, any direct or indirect interest in any for profit **(or non-profit)** business relationship and any interest in real property which the employees and officers hold with any other employee or officer;



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2) To amend Section 2-237 (a) (1) to include (g) an additional definition of the term “Business Relationship” that recognizes the unique and material influence of serving together in a leadership role at a nonprofit.

(g) The member of the town commission, town board or committee serves in a nonprofit or volunteer capacity on another Board or Committee with the interested person.

*****The relevant sections of the Town Code are excerpted below to facilitate discussion:**

Sec. 2-233. - Conflict of interest.

[SHARE LINK TO SECTIONPRINT SECTIONDOWNLOAD \(DOCX\) OF SECTIONSEMAIL SECTIONCOMPARE VERSIONS](#)

To avoid misunderstandings and conflict of interests, which could arise, the following policy will be adhered to by employees and officers of the town. This policy is in accordance with F.S. § 112.311 et seq., code of ethics for public officers and employees.

(1)

Employees and officers shall not accept any gifts, favors, or services that may reasonably tend to improperly influence them in the discharge of their official duties;

(2)

Employees and officers shall not use or attempt to use their position to secure special privileges or exemptions for themselves or others;

(3)

Employees and officers shall not accept employment or engage in any business or professional activity, which they may reasonably expect, would require or induce them to disclose confidential information acquired by them by reason of their official position;

(4)

Employees and officers shall not disclose confidential information gained by reason of their official position, nor shall they otherwise use such information for their personal gain or benefit;

(5)

Employees and officers shall not have personal investment in any enterprise, which will create a conflict between their private interest and the public interest;

(6)



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Employees and officers shall disclose to the town clerk, upon a form created by the town clerk, any direct or indirect interest in any for profit business relationship and any interest in real property which the employees and officers hold with any other employee or officer;

(7)

In addition to the foregoing, town commissioners shall disclose to the town clerk, upon a form created by the town clerk, any direct or indirect interest in non-homesteaded real property located within the town within 30 days upon purchasing said property. (Upon the passage of this article, the town commissioners shall have 30 days from the effective date, to file disclosure.) Thereafter, the town commissioners will be required to file the real property disclosure in accordance with this sub-paragraph (7) on a yearly basis along with his/her Form 1. However, if for any reason the town clerk does not receive same, s/he shall, in writing and via certified mail, request such official who has failed to file the required disclosure to do so. Thereafter, failure to make this filing, within ten days from receipt of the clerk's notice, shall result in the same penalties as failure to file a Form 1 disclosure as required by the county and state.

(Ord. No. 1474, § 2, 4-10-07)

Sec. 2-237. - Disclosure of business relationships.

[SHARE LINK TO SECTIONPRINT SECTIONDOWNLOAD \(DOCX\) OF SECTIONEMAIL SECTIONCOMPARE VERSIONS](#)

(a)

Definitions. For purposes of this section, the following words, terms and phrases shall have the meanings as indicated below:

(1)

Business relationship. A member of the town commission or a town board has a business relationship with an applicant, Interested Person or entity if any of the following exist:

a.

The member of the town commission or town board or committee has any ownership interest, directly or indirectly, in excess of one percent in the entity.

b.

The member of the town commission, town board or committee is a partner, co-shareholder or joint venturer with the interested person in any business venture.

c.



March 9, 2021

The entity or interested person is a client of the member of the town commission, town board or committee, or a client of another professional working for the same employer as the member of the town commission, town board or committee.

d.

The member of the town commission, town board or committee is a client of the entity or the interested person.

e.

The entity or interested person is a customer of the member of the town commission, town board or committee (or his or her employer) and transacts more than five percent of the business in a given calendar year of the member of the town commission, town board or committee (or his or her employer) or more than \$25,000.00 of business in a given calendar year; or

f.

The member of the town commission, town board or committee is a customer of the entity or the interested person and transacts more than five percent of the business in a given calendar year of the entity or interested person or more than \$25,000.00 of business in a given calendar year.

(2)

Applicant. Any individual or entity requesting action of the town and all persons representing such individual or entity (including, but not limited to, all attorneys, architects, engineers and lobbyists), and any individual who, directly or indirectly, owns or controls more than five percent of any such entity requesting action of the town.

(3)

Interested person. Any person who speaks for or against any resolution or ordinance before the town commission or for or against any matter before any town board or committee who has a direct financial interest in the action (including, but not limited to, vendors, bidders and proposers), except that owner-occupied residential property owners shall not be deemed to have a direct financial interest in zoning and/or land use decisions that may affect their property or the value thereof.

(b)

Disclosure of business relationships.

(1)

Time of disclosure. Except as prohibited by law, each member of the town commission or any town board or committee shall disclose the existence of any business relationship of



March 9, 2021

which he or she is aware that he or she has, or has had within the prior 24-month period, with any applicant or interested person, at the time that the applicant or interested person appears before the town commission, town board or committee.

(2)

Disclosure subsequent to action taken. Except as prohibited by law, if a member of the town commission or any town board or committee learns, within 30 days after action is taken in connection with any applicant or interested person appearing before the town commission or town board or committee, that he or she had a business relationship with any applicant or interested person who appeared before the town commission or town board or committee, he or she shall disclose such business relationship in writing to the town clerk that was not disclosed at the initial meeting.

(3)

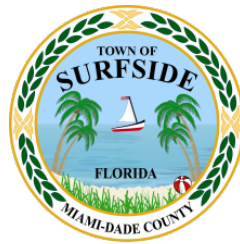
Establishment of business relationship after appearance. Except as prohibited by law, if a member of the town commission or any town board or committee establishes a business relationship with any applicant or interested person within 12 months after the applicant or interested person appeared before the town commission or town board or committee, the member of the town commission or town board or committee shall disclose such business relationship in writing to the town clerk.

(4)

Abstention. In any situation where a member of the town commission or town board or committee discloses a business relationship under this section, the member may abstain from voting or acting on an item because of the appearance of a possible conflict of interest.

(5)

Failure to disclose. If any member of the town commission or town board or committee believes that another member has willfully failed to make a disclosure required under this section, he or she may submit evidence supporting the alleged failure to disclose to the town manager, who shall place the item on the next available regular town commission agenda. If three or more members of the town commission determine that an accused town commissioner willfully failed to make the required disclosure, the accused town commissioner shall be deemed to be censured. If three or more members of the town commission determine that an accused member of a town board or committee has willfully failed to make a required disclosure, the accused board or committee member shall be removed from the board or committee. The town commission has primary jurisdiction to



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March 9, 2021

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enforce this section and no such authority is conferred on the Miami-Dade Commission on Ethics and Public Trust to investigate alleged failures to disclose business relationships under this section.

([Ord. No. 19-1695](#), ;s 2, 3-12-19)



MEMORANDUM

ITEM NO. 9N

To: Honorable Mayor, Vice-Mayor and Members of the Town Commission

From: Jason Greene, Interim Town Manager

Date: September 10, 2020

Subject: Community Center Pool Deck Lighting

As requested at a prior Commission meeting, the Parks and Recreation Department has looked into an engineering firm to assist in the feasibility and basic design criteria to purchase portable or permanent pool deck lighting. This analysis would include a review of all Florida Building Code (FBC) and Town of Surfside Code of Ordinances covering turtle protection, and the Florida Department of Environmental Protection (DEP) and Florida Fish and Wildlife Commission (FWC) guidelines. Please note that a recommendation by RC Engineering, Inc. was that feasibility study would have a very low possibility of a positive outcome. Please see attached (Item A).

Additional annual operational costs would include additional staff, utilities, and pool chemicals. The estimated cost for temporary LED lights would be approximately \$60,000. The estimated cost for permanent pool deck lighting to include LED lights would be approximately \$255,000. This cost does not include engineering fees, feasibility fees, or permitting cost.

Pool deck lighting has been an agenda item numerous times for review and recommendation by the Parks and Recreation Committee. Based on the cost along with minimum public demand for lights/night swim for the months of November through March, the Committee's recommendation was to not move forward. Also included in the committee's recommendation was the storage, setup and breakdown issues with portable lighting.

The staff is requesting direction from the Town Commission to move forward with the process.

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Pool Lighting
Surfside, Florida
2020-05-06
RC Engineering Inc.
David Rice PE

Requirements:

Florida Building Code (FBC)

454.1.4.2 Lighting

454.1.4.2.1 Outdoor Pool Lighting

3 footcandles at pool water surface and pool
wet deck and underwater lighting ½ watt per sq. ft.

454.1.4.2.3 Underwater Lighting

Underwater lighting can be waived if 15 footcandles
At pool water surface and pool wet deck.

Surfside Code of Ordinance, Article VI,

Lighting Regulations for Marine Turtle Protection

Section 34.84 Lighting Standards for Coastal Construction Activities

Conclusion:

The Florida Building Code (FBC) and the Surfside Code of Ordinance covering turtle protection sets very strict requirements for installing outside pool lighting at a beach. A feasibility study would have to be performed to determine if the outside pool lighting is possible. The cost for a feasibility study would be based on hourly rates. The total cost for a feasibility study could easily exceed \$5,000.00.



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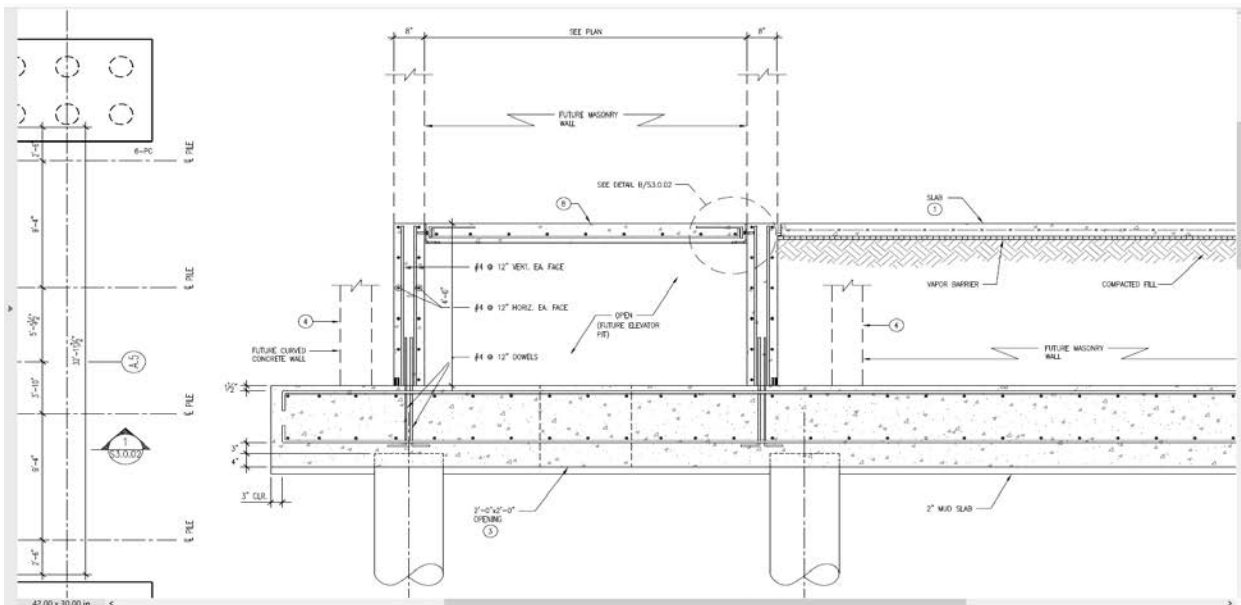
To: Honorable Mayor, Vice-Mayor and Members of the Town Commission

From: Guillermo Olmedillo, Town Manager

Date: May 12, 2020

Subject: Community Center Second Floor

The Town of Surfside Community Center was designed and constructed under the provisions of the Florida Building Code 3rd Edition (2007) including consideration for a second story according to the approved structural plans specifically sheet S3.0.02. An elevator pit and section of the roof structure not continuous or poured separately from the rest of the roof slab. This portion of the slab that was pinned in place to be removed at some future time to accommodate an elevator shaft. These two elements were left in the design and constructed accordingly to allow said future second story. This area is now known as "Fish Bowl". No other elements have been found on the approved plans or records. Nothing in the design and construction of the Community Center precludes a second story from being designed and built at some future date. Note the present code in-force is the Florida Building Code 6th Edition (2017). Aforementioned details taken from sheet S3.0.02 of the approved plans below.



Reviewed by: MR/RP

Prepared by: MR/RP



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To: Honorable Mayor, Vice-Mayor and Members of the Town Commission

From: Jason Greene, Interim Town Manager

Date: August 25, 2020

Subject: Designated (Painted) Walking Areas in the Residential District

At the April 16th, 2020 Special Commission Meeting, Town Administration was directed to provide a plan to create designated (painted) pedestrian areas in the single-family residential district. The Town Administration reviewed implemented plans in nearby municipalities to determine available options and related costs.

Due to width limitations of residential roadways and the shared purpose of roadways for vehicular circulation, parking, pedestrian and non-motorized vehicles, the Town Commission should consider creating only one designated (painted) walking areas along the roads. In addition, the Town Commission should also give direction indicating the streets to be considered. The minimum allowed sidewalk width for the American Disability Act (ADA) purposes is 36-inches. For purposes of the designated (painted) walking area, a 5-foot width is considered for use which is a typical residential concrete sidewalk width.

A typical Town block within the residential area is approximately 240-feet wide from west to east and 635-feet long from north to south. For purposes of pricing, a typical unit block will be considered as 875-feet which includes the combination of 240-feet wide from west to east and 635-feet long from north to south. For example, a typical block with proposed designated (painted) walking area can be Carlyle Avenue from 90th Street to 91st Street (northern) and Carlyle Avenue to Dickens Avenue along 91st street (eastern).

Picture A – “Typical Unit Block” below outlines a visual representation of a typical unit block and proposed pathway along one side of street and avenue.



Picture A – “Typical Unit Block”

The Town reviewed previous projects by City of Miami Beach, Bay Harbor Islands and obtained private market pricing from vendors in order to determine a unit cost per typical block. As a result, **Table A – “Cost Options”** below was composed in order to provide cost options for various designated walking areas in the residential district:

Option Number	Description of Option	Cost per Linear Feet	Total Cost Per Block	Town-wide Implementation Cost
1	White Line Shared Lane	\$2.50	\$2,187.50	\$135,625.00
2	Green Cover Shared Lane	\$45.00	\$39,375.00	\$2,441,250.00

Table A – “Cost Options”

Attachment A – “Visual Representations” provides a visual representation of each option as installed in actual locations and provides further description of each option. Due to existing roadway conditions and right of way encroachments, options are limited to the ones presented.

In order to implement any type of additional shared lanes, Miami-Dade County would need to approve the proposed design since the roadways are under county jurisdiction. The application process requires an application along with corresponding documents such as engineered drawings. An engineer of record will be required for the composition of the documents. The Town currently has an open Request for Qualifications (RFQ) for ongoing engineering services. Based on the Town Commission direction and the results from the RFQ, an engineer of record can be picked to develop the documents required for County approval.

The Town Administration recommends that the Town Commission discuss the proposed options provided. Based on direction on 1) the streets to be impacted and 2) selection of one of the two eligible layouts, the Town administration will work with a qualified engineer after a contract is executed with an engineering firm via the current RFQ process in order to process the application and documentation required by Miami-Dade County.

Reviewed by: JG

Prepared by: HG




OPTION A - WHITE SHARED LANE

White shared lane samples were installed as part of a previous project within the Town of Surfside. In installed samples, the white shared lanes are of pavement paint material. The cost option is priced as thermoplastic marking which creates a reflection during night time and has a longer duration life.



OPTION B - GREEN COVER SHARED LANE

This option is typical of bicycle and shared use lanes. Shared use lanes are depicted by two arrows above bicycle icon. The option can be encountered along Byron Ave between 85th Street to 87th Street within the City of Miami Beach. The material is a proprietary material only applied by a limited amount of contractors. The bicycle icon can be removed or changed to a pedestrian similar to Option A.

<div> <div>LAST REVISION</div> <div>05/19/2020</div> </div>	<div> <div>DESCRIPTION:</div> <div>OPTIONS FOR SHARED LANES</div> </div>	<div> <div>TOWN OF SURFSIDE</div> <div>  </div> </div>	<div> <div>PAINTED LANES OPTIONS</div> </div>	<div> <div>SCALE:</div> <div>N.T.S.</div> </div>	<div> <div>SHEET</div> <div>1 of 1</div> </div>
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To: Honorable Mayor, Vice-Mayor and Members of the Town Commission

From: Guillermo Olmedillo, Town Manager

Date: June 23, 2020

Subject: Stormwater Master Plan

At the April 28th, 2020 Special Commission Meeting, Town Administration was directed to report back to the Commission regarding the Town's statutory requirement for a Stormwater Master Plan. The following information relates to the requirements and uses for Stormwater Master Plan.

- If a municipality operates a stormwater utility (such as the Town does), a stormwater management program is required by FS 403.0891, which includes stormwater master plan for planning and improvement purposes per Rule 62-40.431(3)(d), Florida Administrative Rules. The County requires that National Pollution Discharge Elimination System (NPDES) regulations and best management practices are followed for water quality, which is a stormwater management program, not a stormwater master plan.
- The difference – A Stormwater Master Plan is a planning tool; the management program is a compliance tool.
 - The Stormwater Master Plan considers and models existing flooding areas (often identified by staff and residents) and future conditions (such as sea level rise) in order to:
 - Develop solutions to improve the flooding level of services (LOS)
 - Establish Future goals and regulations.
 - Recommend a capital improvement program that is both technically sound and financially supportable.
 - Provide a foundation for future policy decisions.
 - Incorporate and update the stormwater management plan in order to comply with state and federal National Pollutant Discharge Elimination System (NPDES) regulations.
- Most local governments have a Stormwater Master Plan and update it every 5-10 years to keep it current since it establishes the Capital Improvement Program (CIP) and helps stay in compliance with NPDES requirements.

The Town did commission the completion of portions of the plan (ICPR model) in 2008 as part of the infrastructure rehabilitation project but did not commission the completion of a complete Stormwater Master Plan.

To address the Commissions inquiries regarding costs of the plan, we have compiled the data on Stormwater Master Plan costs from other jurisdictions. These plans were publicly bid and not completed by CGA; they were completed by other engineering firms.

	SqMiles	Price	Year	Years ago	Avg CPI increase	Adjusted CPI Price	\$/SQ Mi
Port Ft Pierce	0.04	\$ 188,663.00	2018	2	2.50%	\$198,214.06	\$5,663,258.98
Bal Harbour Village	0.38	\$ 136,675.00	2014	6	2.50%	\$158,501.10	\$417,108.15
Golden Beach	0.32	\$ 168,800.00	2000	20	2.50%	\$276,598.46	\$864,370.17
Surfside	0.56	\$ 175,980.00	2020	0	2.50%	\$175,980.00	\$314,250.00
Key Biscayne	1.25	\$ 293,000.00	2011	9	2.50%	\$365,916.85	\$292,733.48

Reviewed by: JG/LA

Prepared by: CG



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Date: October 5, 2020

Prepared by: Commissioner Nelly Velasquez

Subject: Amend Tourist Board Ordinance

Objective: To ensure the proper spending of all Tourist funds by the tourist board.

Consideration: tourist board ordinance

Recommendation: Amend current Tourist Board Ordinance



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Date: 10-5-2020
Prepared by: Commissioner Eliana Salzhauer
Subject: Traffic Control Devices on 88th & Hawthorne Avenue

Objective: Give direction to Town Manager regarding the implementation, replacement, and/or removal of Surfside traffic signage that was not authorized by the County in advance.

Consideration: A resident complaint led to the County requesting removal of Surfside-specific traffic control signage. To comply with County directive, a Stop sign was removed from the corner of 88th & Hawthorne. Many residents have expressed their displeasure with this change and are concerned that the Stop sign removal presents a severe safety hazard. The Commission should discuss how to proceed in replacing such signage and how to handle future County directives.

Recommendation: Discuss options and give direction to Town Manager & Town Attorney.



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Date: December 8, 2020
Prepared by: Mayor
Subject: Cancel Culture in Surfside

Objective: Reaffirm Surfside's commitment to open and transparent government

Consideration: That Surfside's elected official promote and encourage more speech and transparency, and stand against those who would silence opposing views.

Recommendation: Surfside Commission resolves to condemn Cancel Culture and those who promote it.

SURFSIDE

Officials fed up with 'Mayor's View'

■ Surfside's mayor Charles Burkett and town commissioners squabble over the mayor's criticisms in the town's newsletter.

BY ANGEL L. DOVAL
adoval@MiamiHerald.com

Surfside Mayor Charles Burkett will no longer get to publish his monthly column in the town newsletter after several commissioners criticized the column as overly political.

At a Feb. 10 meeting, the attempt to create guidelines for the Surfside Town Gazette — and eliminate Burkett's "Mayor's View" column — sparked fireworks.

After a heated argument pitting Burkett against Commissioner Steven Levine, the commission voted 4-1 to eliminate the column from the newsletter among other changes to the town publica-

tion. Burkett was the dissenting vote.

Levine said the mayor was "politicizing the Gazette" and called him "an assassinator" for his strong opinions and sharp chastisements of commissioners in print. At one point, Levine pounded his left fist on the dais.

In February's newsletter, Burkett wrote that he asked the commission to think carefully about calls to eliminate his or any elected official's ability to reach out to residents through the Gazette.

"I know I'm not the most popular person with my friends on the Commission right now . . . but I also know that silencing any voice on this commission would probably not be a great idea for any elected official to undertake," he wrote.

Levine and Commissioner Elizabeth Calderon also



BURKETT



LEVINE

objected to the price of the newsletter. It costs \$3,013 per month to publish 3,800 copies with an average of 12 pages per issue.

In an interview, Burkett told The Miami Herald that "this is not about policy, not about money. It's about the commission," he said.

Burkett and commissioners have clashed publicly over the town's proposed community center.

"They're not happy about what I'm writing. I'm informing the electorate about what is going on at these meet-

'They're not happy about what I'm writing. I'm informing the electorate about what is going on at these meetings.'

— CHARLES BURKETT, mayor of Surfside

ings," Burkett said.

The debate began when commissioners Levine and Calderon opened discussion on Gazette policies and guidelines. "These views just don't belong in the newsletter," Levine said at the meeting. "You are making the commissioners and the town look bad in the eyes of the residents and our visitors."

Burkett responded by saying that he has the right to write what he wants and that the commissioners have always been allowed to have their say in the newsletter.

Calderon suggested trimming the Gazette. "We can

save some money if we reduce the size of the newsletter by two pages," she said.

Levine responded: "The mayor is using up two pages so we can eliminate those."

He also told the mayor that his column could continue — online. "And you know what? It's free."

Burkett isn't happy about being relegated to the town website.

"And all the talk about using the website is garbage," he said. "The newsletter is already on the Web. And when they describe what I write as 'political,' well everything we do is political."

Site: www.dying2live.com.

Greetings from Canada:

You seem to have hit a nerve, by your courage to open the eyes of concerned Christians worldwide, and have brought the truth about what really is going on, in the Holy Land.

We will study your site thoroughly, and please don't let WND or Debka File discourage you, they are just Jewish propaganda media, who thrive on their own egos and arrogance, and promote hate news at the expense of God fearing freedom loving human beings.

There are 13 million Jews in the world, who threaten 6 billion humans' lives, with a nuclear holocaust, in order to expand their territory and dominate the middle east +.

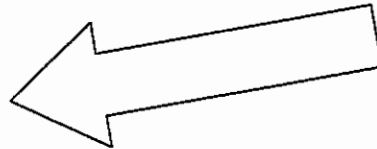
Israelis are not Jews and Jews do not represent Israel lawfully. Jews are occupying God's Land without God's permission. The Holy Bible shows us that Jews and Israel are two different Kingdoms, separated by King Rehoboam in 930 BC, and the the word JEW, which means Judah and Judaism, shows up in 2Kings16:5-6 [740 BC], FOR THE FIRST TIME. If God wanted the Jews to rule over Israel , our Holy Scriptures would say so, but Bible says the opposite and many American Politicians and Religious leaders have been hoodwinked.

I hope you continue your campaign for JUSTICE, and if I can help, let me know.

A. Deacon

Beautiful. God Bless You.

Peter A. Sahwell



Site: www.bmjournals.com

Peter A. Sahwell post on the General Medical Journal website:

Peter A. Sahwell,
consultant
private business
33154

Send response to
journal:
Re: It's Hard to Argue
with Facts

Whatever one thinks of Israel or Palestine, and forget about the rest of the Arab World, which is a human rights disaster and also has nothing to do with the propositions Dr. Summerfield puts forth, there can be no doubt that the Israeli military has deliberately savaged Palestinian society. Two years ago when the Israelis reoccupied most of the West Bank, there were innumerable reports of IDF personnel breaking into the offices of all manner of human services and cultural agencies and destroying written records, computer hard drives, and anything else that a people uses to record its own existence. Just two weeks ago, an IDF officer emptied his revolver into the lifeless body of a school girl, some 23 shots in all. And that's not an isolated incident. Women give birth in agony at checkpoints while IDF soldiers sit around doing nothing. Now there may be perfectly good hearted and progressive Israeli doctors and other citizens of that country who treat Palestinians humanely, but the structural injustice and inhumanity of the Israeli government and military toward the Palestian people, which started with European jews driving 700,000 Palestinians from their homes and literally razing some 420 of their villages in 1947-48, continues to this day. The documentation is endless and nauseating. There will be no peace until justice is done.

Competing interests: None declared

Published: Tuesday, April 23, 2002 - Miami Herald
Section: Editorial
Page: 6B
ISRAEL CREATED THROUGH TERRORISM

Memo: IN RESPONSE

As a Palestinian American and a Christian, I was doubly offended by Joyce Starr's April 11 column, Stop pogrom against Israel.

My grandfather was buried alive in Jerusalem's King David Hotel in 1946 when the Irgun Tzevai Leumi blew up the building in one of many acts of Zionist terrorism.

Few people realize the terror that accompanied the theft of Palestinian land that was the basis of the creation of the state of Israel. The massacre of Palestinian villagers in Deir Yassin and the hanged bodies of two British soldiers booby-trapped with hand grenades are two other notable atrocities. Palestinians were terrorized out of their homes, and half of all the Palestinian villages were quickly bulldozed out of existence, some 480 in all.

As a Christian, I recoil at the desecration of the Church of the Nativity by Israeli soldiers and am saddened by the Christian fundamentalists who yearn for Jews to crowd into Israel in fulfillment of their skewed reading of Scripture.

It should be the task of Christians worldwide to speak out against the insane violence being perpetrated by Israeli Prime Minister Ariel Sharon.

This is a man who was condemned even by his own government as responsible for the slaughter of Palestinian women and children in the Sabra and Shatila refugee camps, and who is currently under indictment in Belgium for crimes against humanity.

PETER SAHWELL
Surfside

Responses to Sahwell's letter:

Posted on Thu, Apr. 25, 2002

Not culpable

Peter Sahwell's April 23 letter states that Ariel Sharon ``was condemned even by his own government as responsible for the slaughter of Palestinian women and children in the Sabra and Shatila refugee camps."

This isn't the case. Both the Israeli investigation and a New York court found that Lebanese Christian forces, not Sharon, perpetrated the massacre.

The Kahan Commission did reprimand him for not stopping the massacre once word leaked out. However, no evidence ever was produced that Sharon knew in advance that Christian militants were going to kill Muslim civilians as well as Muslim terrorists known to be in the camps.

As Menachem Begin said at the time: ``Christians kill Muslims, and everyone blames the Jews."

DAVID HOSTYK

Hollywood

Posted on Fri, Apr. 26, 2002

British role in Mideast tragedies

IN RESPONSE

In his April 23 letter, *Israel created through terrorism*, Peter Sahwell wrote of the bombing of the King David Hotel as an example of ``Zionist terrorism."

It is interesting to note that in the 1940s the King David Hotel was the British military headquarters, not a civilian target.

It is fascinating to note that the "Jewish terrorists" were called to the King David before the explosion so that everyone could evacuate the building.

Unfortunately, the British responded by barring the doors and refusing to let people leave because they were indignant that a Jew should dictate to his majesty's government.

Sahwell's anger might be better directed toward the British, not only for the death of his grandfather but for their treatment of the Arabs, particularly in Jenin. Following the assassination of a British district commissioner by a Palestinian in Jenin in the summer of 1938, British authorities decided that a large portion of the town should be blown up as punishment.

On Aug. 25, 1938, a British convoy brought 4,200 kilos of explosives to Jenin for that purpose. According to a recently declassified British report, in that operation and on other occasions, Arabs were forced to drive "mine-sweeping taxis" ahead of British vehicles where Palestinian terrorists were believed to have planted mines, in order to reduce British casualties.

Last, the letter's headline is misleading -- unless one considers the United Nations's vote that created the state of Israel an act of terrorism.

RABBI KALMAN PACKOUZ

Miami Beach

Most recently, Sahwell criticized a column in the Miami Herald about Yasser Arafat.

Arafat didn't err

The Herald's Nov. 12 editorial *Death of Yasser Arafat* was one-sided. Three Israeli prime ministers, including the current one, engaged in terrorist acts. Also, the editorial repeats the belief that Arafat rejected a great opportunity at Camp David. In fact, the offer was a West Bank crisscrossed with roads under Israeli control, Israeli-controlled water resources and scattered Israeli Defense Force outposts.

The editorial calls the West Bank and Gaza Strip "disputed territories." Historically, the only countries using the term have been Israel and the United States. Ariel Sharon in 2003 finally uttered the truth when he told the Knesset, ``You may not like the word, but what's happening [in the West Bank and Gaza Strip] is occupation."

Some of Sahwell's more "local" writings

HERE'S HOPING MAYOR'S

RESPITE IS SHORT-LIVED

Editor,

Surfside Mayor Paul Novack deserves better. After years of honest and outstanding service in a county and state where politicians generally are slimeballs, he regrettably is not seeking reelection.

One can only hope this respite from elected office will be short-lived and that he comes back to a leadership position in county government or the School Board, or maybe even back to lead Surfside.

One cause of Mayor Novack exiting the stage at this time no doubt stems from the abuse heaped upon him by the Friends of Surfside Cats.

In a country that spends \$30 billion annually on pet care, yet allows one-quarter of its children to live in poverty, where many people have such a warped view of animals that they throw birthday parties for them, dress them up in cute outfits, and send them to spas, Friends of Surfside Cats typifies this sense of confused priorities.

Jay Senter, one of the group's main supporters, who doesn't even live in Surfside, wrote a Dec. 7. letter to Neighbors in which he waxed emotionally and nauseatingly about PeeWee, Bippy, Boppy, Ding-a-Ling (I'm not making this up) and all the other cute, frolicking feral cats.

That such a truly minor issue as feral cat colonies is used as a club to help drive one of Florida's only progressive public servants from continuing in office is irresponsible.

PETER SAHWELL

Surfside

SURFSIDE

RESIDENTS LOVE TOWN'S

CURRENT SENSE OF SELF

Editor,

Last week's obligatory negative letter about Surfside came care of real estate broker Marion Ott (*Cheapest is not always the best, Surfside, Aug. 8*).

You have to hand it to them, the forces of disgruntlement learned after the 2002 election at least to take the trouble of feigning interest in the town.

Apart from their generally whining tone, these carping letters show little sense of Surfside as a community of human beings; they do, however, betray their authors' wide-ranging obsession with property values.

What is lacking in the orchestrated wave of vituperation against former Mayor Paul Novack and current Mayor Tim Will is any positive value placed on building a healthy community.

Whereas Novack and Will have been part of and created numerous initiatives that relate to children and place a high priority on people, their opponents evince no passion about or have no new ideas concerning our youth or our elderly, or anyone for that matter except themselves and their sacred property.

Ms. Ott positively gushes about Miami Shores with its neat lawns and trees. Forget that most Shores residents probably couldn't afford their houses now, or that their children won't be able to afford to live there.

She also mentions Bal Harbour and Golden Beach, two little fantasylands that bring nothing to the table with regard to building or sustaining a middle-class community, even one as increasingly small and beleaguered as Surfside's.

My lawn is 90 percent weeds, and I have two plastic pink flamingos in front of my house. I hope we don't turn into the Stepford-like image of a real town that Ms. Ott and her ilk long for so desperately.

PETER A. SAHWELL

Surfside

Sahwell uses an email address andalus@mindspring.com. "Andalus" is the term used for Southern Spain by the Arabs who conquered and ruled that region for nearly 800 years. Sahwell claims he is Palestinian. Why then does he use this "handle" in communications? Does he feel a kinship to Arabs who conquer land? Could it be related to the fact that Spain has become a hide-out for many Al-Qaeda terrorists?

There are simply too many unanswered questions about Peter Sahwell.

Could Peter Sahwell be dangerous?



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CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

05/19/2020

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER JOHN M BROWN INSURANCE AGENCY INC 21750 Hardy Oak Blvd Ste 104 San Antonio TX 78258-4946		CONTACT NAME: Marianna Morandi PHONE (A/C, No, Ext): 888-973-0016 FAX (A/C, No): 773-657-2010 E-MAIL ADDRESS: marianna@farmerbrown.com															
INSURED MF7 Services Corp 100 Bayview Dr Apt 1930 Sunny Isles Beach FL 33160-4743		<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th style="text-align: left;">INSURER(S) AFFORDING COVERAGE</th> <th style="text-align: left;">NAIC #</th> </tr> <tr> <td>INSURER A: AIX Specialty Insurance Company</td> <td>12833</td> </tr> <tr> <td>INSURER B:</td> <td></td> </tr> <tr> <td>INSURER C:</td> <td></td> </tr> <tr> <td>INSURER D:</td> <td></td> </tr> <tr> <td>INSURER E:</td> <td></td> </tr> <tr> <td>INSURER F:</td> <td></td> </tr> </table>		INSURER(S) AFFORDING COVERAGE	NAIC #	INSURER A: AIX Specialty Insurance Company	12833	INSURER B:		INSURER C:		INSURER D:		INSURER E:		INSURER F:	
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COVERAGES

CERTIFICATE NUMBER:

REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY	Y	N	SIZGL1003B233094	04/05/2020	04/05/2021	EACH OCCURRENCE	
	<input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR						\$ 1,000,000	
	GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:						\$ 50,000	
							\$ 5,000	
	AUTOMOBILE LIABILITY						PERSONAL & ADV INJURY	
	<input type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> NON-OWNED AUTOS ONLY						\$ 1,000,000	
	UMBRELLA LIAB						GENERAL AGGREGATE	
	EXCESS LIAB						\$ 2,000,000	
	<input type="checkbox"/> OCCUR <input type="checkbox"/> CLAIMS-MADE <input type="checkbox"/> DED <input type="checkbox"/> RETENTION \$						PRODUCTS - COMP/OP AGG	
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY						\$ 2,000,000	
	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y / N	N / A					
							COMBINED SINGLE LIMIT (Ea accident)	
							\$	
							BODILY INJURY (Per person)	
							\$	
							BODILY INJURY (Per accident)	
							\$	
							PROPERTY DAMAGE (Per accident)	
							\$	
							PER STATUTE	
							OTH-ER	
							E.L. EACH ACCIDENT	
							\$	
							E.L. DISEASE - EA EMPLOYEE	
							\$	
							E.L. DISEASE - POLICY LIMIT	
							\$	

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

CERTIFICATE HOLDER

CANCELLATION

Town of Surfside Building Department 9293 Harding Avenue, Surfside FL 33154	<p>SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.</p> <p>AUTHORIZED REPRESENTATIVE</p>
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COVERAGES

CERTIFICATE NUMBER:

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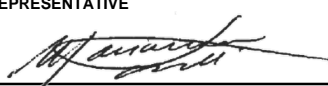
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A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:	Y	N	SIZGL1003B233094	04/05/2020	04/05/2021	EACH OCCURRENCE \$ 1,000,000
	DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 50,000						
	MED EXP (Any one person) \$ 5,000						
	PERSONAL & ADV INJURY \$ 1,000,000						
							GENERAL AGGREGATE \$ 2,000,000
							PRODUCTS - COMP/OP AGG \$ 2,000,000
							\$
	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> NON-OWNED AUTOS ONLY						COMBINED SINGLE LIMIT (Ea accident) \$
							BODILY INJURY (Per person) \$
							BODILY INJURY (Per accident) \$
							PROPERTY DAMAGE (Per accident) \$
							\$
	UMBRELLA LIAB <input type="checkbox"/> OCCUR EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED <input type="checkbox"/> RETENTION \$						EACH OCCURRENCE \$
							AGGREGATE \$
							\$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y / N	N / A				<input type="checkbox"/> PER STATUTE <input type="checkbox"/> OTH-ER E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

CERTIFICATE HOLDER

CANCELLATION

Carlisle on the Ocean 9195 Collins Ave Surfside, FL 33154	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE 
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JOB COPY

TOWN OF SURFSIDE

APPROVED _____ Permit No. 20-736-BC
Address 9195 COLLINS Ave #1013

Planning & Zoning Board _____ Date _____
Building Official [Signature] _____ Date 7.12.10
Chief Electrical Inspector _____ Date _____
Chief Plumbing Inspector _____ Date _____
Chief Mechanical Inspector _____ Date _____
Structural Engineer _____ Date _____
Public Works Director _____ Date _____



TOWN OF SURFSIDE
9293 HARDING AVENUE
SURFSIDE, FLORIDA 33154

PLAN REVIEW COMMENTS WORKSHEET

Job Address: 9195 Collins Ave. - Unit #305	Permit No: 20-121	Processor: U. Fernandez	Date: Dec. 10, 2020
---	--------------------------	--------------------------------	----------------------------

Note:

The following comments are based on a review conducted to the extent that the information on the plans allow. More comments may arise after these comments have been addressed.

Comments:

1. All corrections to be done on originals no ink corrections accepted. Cloud and date all corrections and make reference.
2. Provide list of response to comments. (Answer Sheet) showing location of each correction (sheet number).
3. Please show on plans current Florida Building Code 2017 (6th Edition).
4. Determine on plans level of alteration as per **FBC Existing Building.**
5. Please provide a clear and proper Scope of Work and indicate all work being performed.
6. Please provide proper Floor Plan to scale, show all interior wall divisions and label each room.
7. Please specify on plans if Plumbing fixtures are to be replaced in their same location.
8. Please show compliance with **FBC 1207 (Sound Transmission).**
9. This review has been conducted to the extent that the information on the plans allow. Further comments may follow.



TOWN OF SURFSIDE
9293 HARDING AVENUE
SURFSIDE, FLORIDA 33154

PLAN REVIEW COMMENTS WORKSHEET

DATE: 11.16.20 NAME OF THE JOB: _____

ADDRESS: 9195 Collins Ave TYPE OF CONSTRUCTION: PLBG

① DERM

② PLANS LACK CLARITY. PROVIDE 2 SETS OF PLANS AS PER THE FLORIDA BUILDING CODE, 2017, BLDG. SECTION 107.1, 107.2.1.

③ ~~SHOW LOCATION OF BATHROOMS ON PLANS.~~

④ ~~PROVIDE A SCOPE OF WORK FOR PLBG ON PLANS~~

RCL

11/16/20

Contractor

① DERM

② PLANS LACK CLARITY. PROVIDE PLANS NOT WRITTEN IN INK, SEE FBC 2017, BLDG, 107.1 107.2.1

RCL

11/23/20

Bob

305-216-9276

③ DERM

RCL 12.9.20



9293 Harding Avenue
Surfside, FL 33154

PERMIT NO.

APPLICATION NO.

AMOUNT DUE

BUILDING PERMIT APPLICATION

2017 FLORIDA BUILDING CODE IN EFFECT

PERMIT TYPE: (Check one)

☐ Structural ☐ Mechanical ☐ Electrical ☐ Plumbing ☐ Other ☐ Roof

JOB ADDRESS: 9195 Collins Ave, unit 1013, Surfside, FL 33154			
OWNER'S NAME: A AND M TEAM			
OWNER'S ADDRESS: 7900 TATUM WATERWAY DR #108, Miami Beach, FL 33141			
CITY: Miami Beach		PHONE# (240) 421-6466	FAX #
FEE SIMPLE TITLE HOLDER'S NAME:		ADDRESS:	
CONTACT PERSON: MARINA KOSTIC		PHONE# (240) 421-6466	
EMAIL ADDRESS: mkostic.2020@gmail.com			
CONTRACTOR: FLAVIENNE SANT ANNA M ANASTACIO			
MAIL ADDRESS: 100 Bayview DR #1930			
CITY: Sunny Isles Beach		STATE FL	ZIP CODE: 33160
PHONE # (786) 780-7766		FAX #	EMAIL: m7services@gmail.com
CERT COMPETENCY: DOPR		STATE REGISTRATION: FL CGC1527388	
LOT	BLOCK	PRESENT USE:	PROPOSED USE:
FOLIO NUMBER: 14-2235-043-0940		SUBDIVISION:	
NO. OF STORIES	OFFICES:	FAMILIES:	BEDROOMS:
TYPE OF WORK:		BATHS:	
ADD <input type="checkbox"/>		NEW <input type="checkbox"/>	
ALTER <input type="checkbox"/>		REPAIR <input type="checkbox"/>	
REPLACE <input checked="" type="checkbox"/>		OTHER <input type="checkbox"/>	
VALUE OF WORK: (Total all Trades): \$6,000		SQ. FT. (TOTAL)	
DESCRIBE WORK:		LINEAR FEET	
REMOVE AND INSTALL TILE FLOORING, EXCEPT BALCONY AND BATHROOM.			
ARCHITECT/ENGINEER'S NAME			
ADDRESS:			
PHONE#		FAX#	EMAIL
MORTGAGE LENDER NAME:			

MORTGAGE LENDER'S ADDRESS:

Application is hereby made to obtain a permit to do the work and installations as indicated. I certify that no work or installation has been effected prior to the issuance of said permit and that all work be performed to meet the standards of all laws regulating construction in DADE COUNTY and the TOWN OF SURFSIDE whether specified in this application and accompanying plans or not. I understand that a separate permit must be secured for ELECTRICAL, PLUMBING, WELLS, POOLS, FURNACES, BOILERS, HEATERS, TANKS, AIR CONDITIONERS, etc. The information provided herein by the Applicant is not evaluated for issuance of a Certificate of Use. The City reserves the right to deny or condition any proposed use of the property pursuant to provisions of the City's Code of Ordinances.

Initial this Page: _____

OWNER'S AFFIDAVIT: I certify that all information provided is accurate, and that all work will be performed in compliance with all applicable laws regulating construction and zoning. No work has been commenced prior to the issuance of the permit applied with this application, and all work will be done as indicated in the Application and all accompanying document and plans.

NOTICE: In addition to the requirements of this permit, there may be additional restrictions applicable to this property that may be found in the public records of the county, and there may be additional permits required from other governmental entities such as water management districts, state or federal agencies.

WARNING TO OWNER: YOUR FAILURE TO RECORD A NOTICE OF COMMENCEMENT MAY RESULT IN YOUR PAYING TWICE FOR IMPROVEMENTS TO YOUR PROPERTY. A NOTICE OF COMMENCEMENT MUST BE RECORDED AND POSTED ON THE JOB SITE BEFORE THE FIRST INSPECTION. IF YOU INTEND TO OBTAIN FINANCING, CONSULT YOUR LENDER OR AN ATTORNEY BEFORE COMMENCING WORK OR RECORDING A NOTICE OF COMMENCEMENT.

CONTRACTOR:

(Print Name): FLAVIENNE SANTANNA

SIGNATURE Flavienne Santana

STATE OF

FLORIDA

COUNTY OF Broward

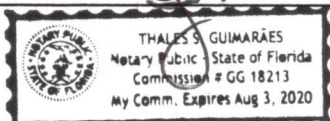
Sworn to (or affirmed) and subscribed before me

this 20th day of May, 20 20

by FLAVIENNE SANTANNA

NOTARY:

SEAL:



Personally known _____

OR Produced Identification _____

Type of Identification Produced _____

OWNER:

(Print Name): MARINA KOSTIC

SIGNATURE: Marina Kostic

STATE OF FLORIDA

COUNTY OF DADE

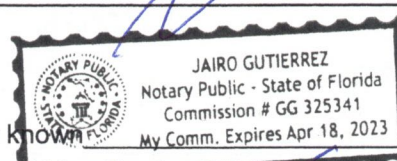
Sworn to (or affirmed) and subscribed before me

this 22 day of May, 20 20

by MARINA KOSTIC

NOTARY:

SEAL:



Personally known _____

OR Produced Identification _____

Type of Identification Produced Maryland Driver's License

The Permit is not valid until signed by an authorized representative of the TOWN OF SURFSIDE BUILDING DEPT. and all fees are paid.

ACCEPTED BY _____

AUTHORIZED BY _____



OFFICE OF THE PROPERTY APPRAISER

Summary Report

Generated On : 5/20/2020

Property Information	
Folio:	14-2235-043-0940
Property Address:	9195 COLLINS AVE UNIT: 1013 Surfside, FL 33154-3155
Owner	A AND M TEAM LLC
Mailing Address	7900 TATUM WATERWAY DR 108 MIAMI BEACH, FL 33141 USA
PA Primary Zone	3000 MULTI-FAMILY - GENERAL
Primary Land Use	0407 RESIDENTIAL - TOTAL VALUE : CONDOMINIUM - RESIDENTIAL
Beds / Baths / Half	1 / 1 / 0
Floors	0
Living Units	1
Actual Area	Sq.Ft
Living Area	720 Sq.Ft
Adjusted Area	720 Sq.Ft
Lot Size	0 Sq.Ft
Year Built	1965



Assessment Information			
Year	2019	2018	2017
Land Value	\$0	\$0	\$0
Building Value	\$0	\$0	\$0
XF Value	\$0	\$0	\$0
Market Value	\$236,600	\$225,353	\$225,353
Assessed Value	\$123,943	\$112,676	\$102,433

Benefits Information				
Benefit	Type	2019	2018	2017
Non-Homestead Cap	Assessment Reduction	\$112,657	\$112,677	\$122,920
Note: Not all benefits are applicable to all Taxable Values (i.e. County, School Board, City, Regional).				

Short Legal Description	
CARLISLE ON THE OCEAN CONDO	
UNIT 1013	
UNDIV 0.69832%	
INT IN COMMON ELEMENTS	
OFF REC 20196-4139	

Taxable Value Information			
	2019	2018	2017
County			
Exemption Value	\$0	\$0	\$0
Taxable Value	\$123,943	\$112,676	\$102,433
School Board			
Exemption Value	\$0	\$0	\$0
Taxable Value	\$236,600	\$225,353	\$225,353
City			
Exemption Value	\$0	\$0	\$0
Taxable Value	\$123,943	\$112,676	\$102,433
Regional			
Exemption Value	\$0	\$0	\$0
Taxable Value	\$123,943	\$112,676	\$102,433

Sales Information			
Previous Sale	Price	OR Book-Page	Qualification Description
11/06/2019	\$100	31697-2956	Corrective, tax or QCD; min consideration
10/02/2019	\$274,900	31672-2065	Qual by exam of deed
03/01/2004	\$257,000	22168-1008	Sales which are qualified
03/01/2003	\$189,700	21120-2846	Sales which are qualified

The Office of the Property Appraiser is continually editing and updating the tax roll. This website may not reflect the most current information on record. The Property Appraiser and Miami-Dade County assumes no liability, see full disclaimer and User Agreement at <http://www.miamidade.gov/info/disclaimer.asp>

Version:

SIMILAR PRODUCTS

Whisper Mat So...
\$135.00/ piece

Whisper Mat So...
\$139.99/ piece

FloorMuffler 1...
\$17.99/ piece

Sentinel Eco U...
\$41.99/ piece

Eco Ultra Quie...
\$69.99/ piece

Protecto Wrap...
\$38.00/ piece

Whisper Mat Underlayment

Size: 150 SQ FT | SKU: 954205535

\$129.00 / piece

Miami Gardens's everyday low price!



HOW MUCH DO YOU NEED?

QUANTITY OF PIECES

-	1	+
---	---	---

1 piece = 150 SQ FT | \$129.00

PICKUP OR DELIVERY

☐

Pick up in store - FREE

This item can be picked up **TODAY** (local time)

51 pieces in stock - Miami Gardens

Check Other Stores

☐

Have it Delivered - Charges May Vary

FREE In-Store Pickup

Contact Us

ADD TO CART

ADD TO MY PROJECT LIST

PRODUCT DETAILS

SOUND CONTROL AND MOISTURE RESISTANT MEMBRANE FOR ENGINEERED HARDWOOD, PARQUET AND LAMINATE FLOORING

Whisper Mat® HW is a peel and stick non-permeable sheet membrane, which reduces impact and airborne sound transmissions. Designed for use with engineered wood plank, wood parquet and laminate floors. Used where sound-control is required, specified or desired.


Whisper Mat HW combines sound absorption properties with moisture resistant properties making this an excellent system to enhance flooring installation performance.

- FEATURES & BENEFITS
- Sound reduction ratings:
 - 6" concrete floor: IIC 51 STC 52
 - Sound transmission reduction: Delta IIC 22
 - Protects flooring from subfloor moisture/vapor emissions
 - Easy, installer friendly installation
 - Commercial and residential applications
 - Approved over radiant heated subfloors
 - Uniquely thin system (1/8")
 - Contact Protecto Wrap for additional testing information


BLOGS & VIDEOS

INSTALL & PRODUCT DOCUMENTS


YOU MAY ALSO LIKE




EZ Foam Underlayment
Size: 100sqft. 4ft. x 25ft.
\$26.99 / piece



Eco Ultra Quiet Premium Acoustical Underlayment
Size: 450sqft. 6ft. x 75ft.
\$297.00 / piece




Floor Muffler LVT UltraSeal Floor Underlayment
Size: 100sqft.
\$0.22 / sqft



Roberts Silicone Vapor Shield Underlayment for Wood Floors
Size: 200sqft. 33.5in. x 72ft.
\$14

Contact Us



12mm Cork Underlayment Sheets
Size: 150sqft.
\$269.99 / piece

TOP RECOMMENDATIONS



**Town of Surfside
Town Commission Meeting
March 9, 2021
7:00 pm**

Town Hall Commission Chambers - 9293 Harding Avenue, 2nd Floor
Surfside, FL 33154

Date: 12/31/2020

Prepared by: Mayor

Subject: High Water Bill

Objective: To reduce water bills by removing the burden of paying the millions of loans incurred by the former administration from water users only.

Consideration: ? No idea what this means.

Recommendation: Pass the plan to rebate the costs of the loan payments to water bill payers.



Town of Surfside

Charles W Burkett
1332 Biscaya Drive
Surfside FL 33154

For payments or questions:
9293 Harding Avenue
Surfside Florida 33154

Mon - Fri 9:00 AM - 5:00 PM
Phone: 305-861-4863

**FAILURE TO RECEIVE THE BILL DOES NOT EXCUSE SERVICE
DISCONNECTION AND ADDITIONAL FEES.**

SERVICE ADDRESS: 1332 Biscaya Dr

RATE CLASS: RESIDENTIAL

ACCOUNT NUMBER	05-05050-00
BILLING DATE	12/18/20
LAST BILL AMOUNT	\$621.93
YOUR LAST PAYMENT	-\$621.93
ADJUSTMENTS	\$0.00
BALANCE FORWARD	\$0.00
CURRENT CHARGES	\$483.90
TOTAL AMOUNT DUE	\$483.90
DATE DUE	01/26/2021

SERVICE	SERVICE PERIOD	DAYS	METER NUMBER	MULT	UNITS	CURRENT	PREVIOUS	USAGE
Water	09/25/20 - 11/25/20	61	16980382			420	407	13
Sprinkler	09/25/20 - 11/25/20	61	16999817			1733	1706	27

DETAIL OF CHARGES

IMPORTANT INFORMATION

Service	Consumption	Charge	Total
WA BASE METER CHARGE		\$83.83	
WA COUNTY TAX		\$8.19	
WA USAGE LEVEL 1 (0 12,000 GAL)	13	\$52.65	\$144.67
TOTAL WATER			
SP BASE METER CHARGE		\$55.13	
SP COUNTY TAX		\$9.87	
SP USAGE LEVEL 1 (0 12,000 GAL)	27	\$109.35	\$174.35
TOTAL SPRINKLER			
SW COUNTY TAX		\$7.40	
SW BASE FIXED CHARGE	1	\$11.00	
SW SERVICE CHARGE BASED ON WATER CONSUMPTION	13	\$112.32	\$130.72
TOTAL SEWER			
STORMWATER UTILITY		\$34.16	\$34.16
TOTAL STORMWATER			

Important Notice from the Town of Surfside Utility Department:

The Town of Surfside will be implementing the final Utility rate increase for customers effective for meter readings occurring after October 1, 2020, as per Resolution 17-2467 and 17-2468 adopted on November 14, 2017. The rate increase will assist in recovering the cost of providing utility services, promote equity in utility rates, encourage water conservation throughout Town, and improve the Town's water and sewer infrastructure. For more information please contact 305-861-4863.

PLEASE DETACH AND RETURN BOTTOM PORTION IF PAYING BY MAIL. PLEASE DO NOT STAPLE OR FOLD. PLEASE WRITE YOUR ACCOUNT NUMBER ON YOUR CHECK.



9293 Harding Avenue
Surfside Florida 33154

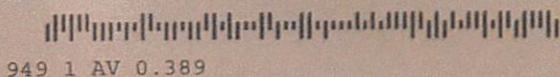
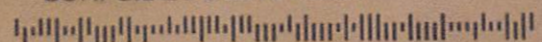
ADDRESS SERVICE REQUESTED

BILL DATE	ACCOUNT NUMBER	DATE DUE
12/18/20	05-05050-00	01/26/2021
CYCLE #	SERVICE ADDRESS	TOTAL DUE
001	1332 Biscaya Dr	\$483.90

Amount Enclosed \$ _____

Please remit and make checks in US funds payable to:

TOWN OF SURFSIDE
9293 HARDING AVENUE
SURFSIDE FL 33154-3009



949 1 AV 0.389

CHARLES W BURKETT
1332 BISCAYA DR
SURFSIDE FL 33154-3318





**Town of Surfside
Town Commission Meeting
March 9, 2021
7:00 pm**

Town Hall Commission Chambers - 9293 Harding Avenue, 2nd
Floor Surfside, FL 33154

Date: 1/20/21

Prepared by: Mayor

Subject: Zoning code timetable

Objective: Discussion regarding the direction, costs and needed review schedule related to the repeal and reconstruction of the old zoning code.

Recommendation: Create a schedule for community and P&Z board input workshops to review, comment and make suggestions on the updated zoning code framework presented at the last Commission meeting.



MEMORANDUM

ITEM NO. 9BB

To: Honorable Mayor, Vice-Mayor and Members of the Town Commission

From: Andrew Hyatt, Town Manager

Date: March 9, 2021

Subject: Kayak Launch Survey Results

In late 2020, the Town Commission directed staff to create a survey to gauge resident interest in a community kayak launch. The Commission provided suggested questions to prompt resident responses in regards to overall interest and possible launch locations. The survey ran from December 1, 2020 – February 1, 2021 and was shared with residents on the Town's website, in eblasts, and mailed in the January 2021 Gazette.

The Town received a total of 637 submissions, including 50 mailed entries. Surfside residents support having a resident-only kayak launch in the Town, with the most common location suggestion being the 96th Street Park.

All submissions, both mailed and web, were tallied for the following overall results (highest tallies in bold):

- Would you be interested in a kayak launch in Surfside?
 - **Yes: 524**
 - No: 110
- Do you support the purchase of vacant land by the Town to facilitate this initiative?
 - **Yes: 419**
 - No: 205
- Should the kayak launch be limited to Surfside residents only?
 - **Yes: 495**
 - No: 111

- Would you like the space to include fishing?
 - **Yes: 322**
 - No: 295
- Would you like the space to include outdoor fitness equipment?
 - **Yes: 321**
 - No: 294
- Would you like the space to include a facility with restrooms?
 - **Yes: 311**
 - No: 301

Over the years, adding a kayak launch to the Town's recreation amenities has been brought up through various channels and continues to capture interest from residents. Town Administration is seeking direction from the Town Commission on how to proceed.

Full data from the survey results is available upon request in the Town Clerk's Office.



**Town of Surfside
Town Commission Meeting
March 9, 2021
7:00 pm**

Town Hall Commission Chambers - 9293 Harding Avenue, 2nd Floor
Surfside, FL 33154

Date: 2/24/21

Prepared by: Mayor

Subject: Zoning in progress

Objective: To discuss the removal of the zoning in progress

Recommendation: Reinstate the Zoning in progress



9DD

**Town of Surfside
Town Commission Meeting
March 9, 2021
7:00 pm**

Town Hall Commission Chambers - 9293 Harding Avenue, 2nd Floor
Surfside, FL 33154

Date: 2/2/2021

Prepared by: Mayor

Subject: Motorized bikes on the hardpack

Objective: To propose a ban of motorized bikes on the hardpack and/or walking path.

Recommendation: Pass an ordinance banning motorized bikes on hardpack and/or walking path.



9EE

**Town of Surfside
Town Commission Meeting
March 9, 2021
7:00 pm**

Town Hall Commission Chambers - 9293 Harding Avenue, 2nd Floor
Surfside, FL 33154

Date: 3/1/2021

Prepared by: Mayor

Subject: Increased commercial airliner flights over Surfside

Objective: Invite our County representative to advise on what steps are and can be taken to address the increase in noise related to increase in commercial flights over Surfside.

Recommendation: Take the recommended steps to reduce the increase in flights over Surfside.