



**Town of Surfside
Regular Town Commission Meeting
AGENDA
SUPPLEMENTAL No. 1
June 8, 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. Financial Audit Presentation – Andrew Hyatt, Town Manager**
 - G. Proclamation Approval and Presentation for Code Compliance Appreciation Week - Mayor Charles W. Burkett (Page 1)**
- 2. Quasi-Judicial Hearings – N/A**
- 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 2-25)**
 - *B. Town Manager’s Report – Andrew Hyatt, Town Manager (Pages 26-45)**
 - *C. Town Attorney’s Report – Weiss Serota, Town Attorney (Pages 46-55)**
 - D. Committee Reports - Andrew Hyatt, Town Manager (Pages 56-102)**

- February 25, 2021 Planning and Zoning Board Meeting Minutes
- March 25, 2021 Planning and Zoning Board Meeting Minutes
- April 12, 2021 Special Parks and Recreation Committee Meeting Minutes
- April 19, 2021 Parks and Recreation Committee Meeting Minutes

E. Resolution Authorizing Memorandum of Understanding between the Town of Surfside and Florida Department of Law Enforcement - Andrew Hyatt, Town Manager (Pages 103-117)

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, APPROVING A MEMORANDUM OF UNDERSTANDING BETWEEN THE TOWN OF SURFSIDE AND THE FLORIDA DEPARTMENT OF LAW ENFORCEMENT RELATING TO INVESTIGATIONS OF INCIDENTS INVOLVING THE USE OF DEADLY FORCE BY LAW ENFORCEMENT OFFICERS; PROVIDING FOR AUTHORIZATION; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

F. Resolution to Modify the Time Limits for Off-Street Parking (Municipal Lots) – Andrew Hyatt, Town Manager (Pages 118-120)

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, RATIFYING AN AMENDMENT TO THE OFF-STREET VARIABLE PARKING RATE AND TIME LIMITATION SCHEDULE FOR MUNICIPAL PARKING LOTS; PROVIDING FOR AUTHORIZATION AND IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

G. Independent External Audit Reengagement - Andrew Hyatt, Town Manager (Pages 121-138)

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, APPROVING AN ENGAGEMENT LETTER WITH MARCUM LLP FOR FINANCIAL AUDITING SERVICES FOR FISCAL YEAR ENDING SEPTEMBER 30, 2021; PROVIDING FOR AUTHORIZATION; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

**H. Town Hall Chiller Coils Emergency Repair - Andrew Hyatt, Town Manager
(Pages 139-146)**

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, APPROVING EMERGENCY REPAIR WORK FOR THE TOWN HALL AIR CONDITIONING SYSTEM'S CHILLER AND COILS REPLACEMENT FROM SMART AIR SYSTEMS, INC.; FINDING THAT THE WOTK IS EXEMPT FROM COMPETITIVE BIDDING PURSUANT TO SECTION 3-13(7)(F) OF THE TOWN CODE AS A PUBLIC WORKS PURCHASE FOR TOWN FACILITY REPAIR WORK; AUTHORIZING THE TOWN MANAGER TO ENTER INTO A PURCHASE ORDER FOR SUCH WORK; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

**I. Structural Plans Review Approval of Project Agreement with Alvarez Engineers, Inc. and Authorization to Expend - Andrew Hyatt, Town Manager
(Pages 147-156)**

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, APPROVING A PROJECT AGREEMENT WITH ALVAREZ ENGINEERS, INC. FOR STRUCTURAL PLAN REVIEW SERVICES PURSUANT TO THE CONTINUING SERVICES AGREEMENT FOR PROFESSIONAL ENGINEERING SERVICES; PROVIDING FOR AUTHORIZATION AND IMPLEMENTATION; AUTHORIZING THE EXPENDITURE OF FUNDS; AND PROVIDING FOR AN EFFECTIVE DATE.

J. FY 2021 Budget Amendment Resolution No. 9 - Andrew Hyatt, Town Manager

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, APPROVING BUDGET AMENDMENT NO. 9 FOR THE FISCAL YEAR 2020/2021 BUDGET; 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. Hamsa-Hamsa (Surf-N-Sides) Concession Agreement – Andrew Hyatt, Town Manager (Pages 157-167)

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA APPROVING RENEWAL OF THE TERM OF THE AGREEMENT FOR FOOD AND BEVERAGE CONCESSION SERVICES WITH HAMSA HAMSA, LLC D/B/A SURF-N-SIDES FOR FOOD AND BEVERAGE CONCESSION SERVICES AT THE SURFSIDE COMMUNITY CENTER; AUTHORIZING THE TOWN MANAGER TO EXECUTE A SECOND AMENDMENT TO THE AGREEMENT FOR THE SERVICES; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

B. Vice Mayor Tina Paul Resolution Correction – Mayor Charles Burkett (Pages 168-172)

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, DECLARING THE TOWN'S COMMITMENT TO CULTIVATING AN INCLUSIVE COMMUNITY TO ENSURE THE RIGHTS OF ALL CITIZENS WILL BE PROTECTED AND RESPECTED BY CONDEMNING HATE AND EXTREMISM; PROVIDING FOR DECLARATIONS; AND PROVIDING FOR AN EFFECTIVE DATE.

C. Censure Resolution - Mayor Charles Burkett (Pages 173-176)

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, APPROVING CENSURE DIRECTED TOWARDS COMMISSIONER ELIANA SALZHAUER; FINDING THAT COMMISSIONER SALZHAUER'S BEHAVIOR IS UNACCEPTABLE AND THAT SHE MUST MAINTAIN ORDER, DECORUM, CIVILITY AND RESPECT; 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

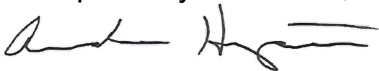
- A. Safety/Traffic/Transportation Update** – Andrew Hyatt, Town Manager (Pages 177 – 179)
- B. Ending Option to Contribute to Parking Fund in Lieu of having Required Parking in Building Plans** – Commissioner Charles Kesl (Pages 180-183)
- C. Demolition by Neglect** - Mayor Charles W. Burkett (Pages 184-186)
- D. Excessive Homeless Contribution made by the Former Commission** - Mayor Charles W. Burkett (Page 187)
- E. Lowering of Property Taxes and Water Bills – Staff Report** – Andrew Hyatt, Town Manager (Page 188)
- F. Climate Environmental Collective Revised** - Vice Mayor Tina Paul (Pages 189-191)
- G. Interest Free Loans to Surfside Builders Granted by Former Mayor and Commission** – Mayor Charles W. Burkett (Page 192)
- H. Amending Town Code Section 2-237 Business Relationships** – Commissioner Eliana Salzhauer (Pages 193-198)
- I. Community Center Pool Deck Lighting - Staff Report** – Andrew Hyatt, Town Manager (Pages 199-200)
- J. Community Center Second Floor – Staff Report** - Andrew Hyatt, Town Manager (Page 201)
- K. Designated (Painted) Walking Areas in the Residential District- Staff Report** – Andrew Hyatt, Town Manager (Pages 202-204)
- L. Stormwater Masterplan - Staff Report** – Andrew Hyatt, Town Manager (Pages 205-206)
- M. Amend Tourist Board Ordinance** – Commissioner Nelly Velasquez (Page 207)
- N. Legally Defective Charter Amendment Vote in 2012** – Mayor Charles W. Burkett (Page 208)
- O. Cone of Silence/Secrecy** – Mayor Charles Burkett (Page 209)
- P. License Plate Readers** – Mayor Charles W. Burkett (Page 210)
- Q. Cancel Culture in Surfside** - Mayor Charles W. Burkett (Pages 211-217)
- R. Permit Process** - Mayor Charles W. Burkett (Pages 218-229)
- S. High Water Bill** – Mayor Charles Burkett (Pages 230-231)
- T. Zoning Code Timetable** - Mayor Charles Burkett (Page 232)

- U. Kayak Survey Results – Andrew Hyatt, Town Manager (Pages 233-234)**
- V. Zoning in Progress – Mayor Charles Burkett (Page 235)**
- W. Increased Commercial Airliner Flights over Surfside - Mayor Charles Burkett (Page 236)**
- X. Purchase of Electric Vehicles - Mayor Charles Burkett (Page 237)**
- Y. One-way automatic gate at 96th Street and Bay Drive - Mayor Charles Burkett (Page 238)**
- Z. Draconian Fines for Residents - Mayor Charles Burkett (Pages 239-245)**
- AA. Surfside’s Brand Name, Miami’s Uptown Beach Town – Mayor Charles Burkett (Page 246)**
- BB. Daylight Plane Requirement for New Construction – Commissioner Charles Kesl (Pages 247-249)**
- CC. Six Month Performance Evaluation of Town Manager Andrew Hyatt - Mayor Charles Burkett (Pages 250-251)**
- DD. Abandoned Sports Equipment on Streets, Unmarked Unattended – Commissioner Charles Kesl (Pages 252 – 253)**

Staff Reports

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.townofsufsidefl.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.