



**Town of Surfside
Regular Town Commission Meeting
AGENDA**

**Tuesday, July 12, 2022
7:00 PM**

Commission Chambers - 9293 Harding Avenue
Surfside, FL 33154

Rule 7.05 Decorum. Any person making impertinent or slanderous remarks or who becomes boisterous while addressing the commission shall be barred from further appearance before the commission by the presiding officer, unless permission to continue or again address the commission is granted by the majority vote of the commission members present. No clapping, applauding, heckling or verbal outbursts in support or opposition to a speaker or his or her remarks shall be permitted. Signs or placards may be disallowed in the commission chamber by the presiding officer. Persons exiting the commission chambers shall do so quietly.

Rule 6.05 Agenda. The good and welfare portion of the agenda set for 8:15 p.m. shall be restricted to discussion on subjects not already specifically scheduled on the agenda for discussion and debate. 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, commission members shall be restricted to speaking three minutes each unless an extension is granted in the same manner as set forth in the prior sentence.

Any person who received compensation, remuneration or expenses for conducting lobbying activities is required to register as a lobbyist with the Town Clerk prior to engaging in lobbying activities per Town Code Sec. 2-235. "Lobbyist" specifically includes the principal, as defined in this section, as well as any agent, officer or employee of a principal, regardless of whether such lobbying activities fall within the normal scope of employment of such agent, officer or employee. The term "lobbyist" specifically excludes any person who only appears as a representative of a not-for-profit community-based organization for the purpose of requesting a grant without special compensation or reimbursement for the appearance; and any person who only appears as a representative of a neighborhood, homeowners or condominium association without compensation for the appearance, whether direct or indirect or contingent, to express support of or opposition to any item.

Per Miami Dade County Fire Marshal, the Commission Chambers has a maximum capacity of 99 people. Once this capacity has been reached, people will be asked to watch the meeting from the first floor.

1. Opening

1A. Call to Order

1B. Roll Call of Members

1C. Pledge of Allegiance

1D. Mayor and Commission Remarks - Mayor Shlomo Danzinger

1E. Agenda and Order of Business Additions, deletions and linkages

1F. Community Notes - Mayor Shlomo Danzinger

1G. CTS Update

1H. Presentation of Certificate of Completion from the Institute for Elected Municipal Officials (IEMO) to Mayor Shlomo Danzinger - Town Manager Andrew Hyatt

[Mayor Danzinger IEMO Certificate.pdf](#)

2. Quasi-Judicial Hearings

Please be advised that the following items on the agenda are quasi-judicial in nature. If you wish to object or comment upon an item, please complete a Public Speaker's Card indicating the agenda item number on which you would like to comment. You must be sworn before addressing the Town Commission and you may be subject to cross-examination. If you refuse to submit to cross-examination, the Town Commission will not consider your comments in its final deliberation. Please also disclose any ex-parte communications you may have had with any members of the Town Commission. Town Commission members must also do the same.

2A. 9173 Froude Avenue - Walter Keller, PE, AICP, Town Consultant Planner

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA; [APPROVING/DENYING] A VARIANCE APPLICATION FOR PROPERTY GENERALLY LOCATED AT 9173 FROUDE AVENUE, SURFSIDE, FL, FOR A PRACTICAL DIFFICULTY VARIANCE PURSUANT TO SECTION 90-36(1)b OF THE TOWN'S CODE OF ORDINANCES TO ALLOW LOT COVERAGE OF 42.3% WHERE SECTION 90-49 OF THE TOWN'S CODE OF ORDINANCES LIMITS LOT COVERAGE TO 40% OF THE LOT AREA; PROVIDING FOR CONDITIONS; ADDRESSING VIOLATIONS OF CONDITIONS; PROVIDING FOR A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

[Request for Deferral - Quasi-Judicial 9173 Froude Ave.pdf](#)

[Resolution Approving Variance - 9173 Froude - 6-2-22.pdf](#)

[9173 Froude Avenue Agenda Packet.pdf](#)

3. Consent Agenda

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 by completing a speaker card. They will be recognized to speak prior to the approval of the consent agenda.

- 3A. Approval of Minutes** - Sandra McCreedy, MMC, Town Clerk
[06-14-2022 Town Commission Workshop Meeting Minutes.pdf](#)
[06-14-2022 Regular Town Commission Meeting Minutes.pdf](#)
[06-16-2022 Special Town Commission -Quasi Judicial Hearing Meeting Minutes.pdf](#)
[06-28-2022 Special Town Commission Meeting Minutes.pdf](#)

- 3B. Committee and Board Minutes**
[05-26-2022 Planning and Zoning Board Meeting Minutes.pdf](#)

- 3C. School Resource Officer for School Year 2022/2023** - Andrew Hyatt, Town Manager

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, APPROVING THE MEMORANDUM OF UNDERSTANDING (MOU) BETWEEN THE TOWN OF SURFSIDE, THE VILLAGE OF BAL HARBOUR, AND THE TOWN OF BAY HARBOR ISLANDS, TO FUND THE COST OF A SCHOOL RESOURCE OFFICER FOR THE RUTH K. BROAD K-8 CENTER SCHOOL; AUTHORIZING THE EXPENDITURE OF FUNDS; PROVIDING FOR AUTHORIZATION AND IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

[2022 School Resource Officer SRO MOU Bay Harbor Bal Harbour Surfside.docx](#)
[Resolution Approving MOU for School Resource Officer TAv2.docx](#)

- 3D. Authorization to Award Disaster Debris Removal Services to DRC Emergency Services per RFP 2022-03 Disaster Debris Removal Services Evaluation Committee Recommendation** - Andrew Hyatt, Town Manager

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, SELECTING AND AWARDING AN AGREEMENT TO DRC EMERGENCY SERVICES, LLC FOR DISASTER DEBRIS REMOVAL SERVICES PURSUANT TO RFP NO. 2022-03; PROVIDING FOR AUTHORIZATION; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

[Disaster Debris Removal Services Contract](#)
[Resolution Selecting and Awarding DRC Emergency Services Disaster Debris Removal Contract.DOCX](#)

- 3E. Approval and Acceptance of Grant Agreement with the State of Florida Department of Environmental Protection (FDEP) for Matching Grant Towards Surfside's Collins Avenue Water Main Replacement Design Phase Project** - Andrew Hyatt, Town Manager

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, APPROVING AND ACCEPTING A MATCHING GRANT FROM THE

FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION (FDEP) FOR THE SURFSIDE COLLINS AVENUE WATER MAIN REPLACEMENT DESIGN PHASE PROJECT: APPROVING THE GRANT AGREEMENT; PROVIDING FOR AUTHORIZATION; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

[Surfside's Collins Avenue Water Main Replacement Design Phase Grant Agreement](#)

[NOVA Engineering Proposal for Scope of Services](#)

[Reso FDEP Grant - Collins Ave Water Main Replacement.docx](#)

- 3F. First Amendment to SFM Services, Inc. Agreement for Additional Landscape Right of Way and Beach End Services - Andrew Hyatt, Town Manager**

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, APPROVING A FIRST AMENDMENT TO THE AGREEMENT WITH SFM SERVICES, INC. FOR COMPREHENSIVE LANDSCAPE MAINTENANCE AND RELATED SERVICES; AUTHORIZING THE TOWN MANAGER TO EXECUTE THE FIRST AMENDMENT; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

[SFM Services, Inc. Additional Services Pricing Agreement](#)

[Reso Approve First Amendment SFM Services - Additional Landscape Services.docx](#)

[First Amendment with SFM Services - Additional Landscape Services.doc](#)

- 3G. Parking Rate Adjustments - Andrew Hyatt, Town Manager**

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

[Resolution Ratify Amendment to Off Street Parking Rates and Time Limitation.DOCX](#)

4. Ordinances

Second Reading

- 4A1. Amending the Town of Surfside Code of Ordinances by Amending Section 90-57. - "Marine Structures", to Amend Regulations for Construction of Docks, Pier and Moorings on Waterfront Lots. - Fred Landsman, Commissioner**

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA AMENDING THE TOWN OF SURFSIDE CODE OF ORDINANCES BY AMENDING SECTION 90-57. - "MARINE STRUCTURES", TO AMEND REGULATIONS FOR CONSTRUCTION OF DOCKS, PIERS AND MOORINGS ON WATERFRONT LOTS TO MODIFY ALLOWABLE DOCK PROJECTIONS INTO WATERWAYS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

4A2. Ordinance Amending Section 54-78 of Code - Prohibited Noises - Shlomo Danzinger, Mayor

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, AMENDING THE TOWN OF SURFSIDE CODE OF ORDINANCES BY AMENDING SECTION 54-78. - “PROHIBITED NOISES” RELATING TO PERMITTED HOURS OF OPERATION FOR PERSONAL OR RESIDENT LANDSCAPING EQUIPMENT AND OTHER NOISE-PRODUCING MECHANICAL DEVICES; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

[Prohibited Noises Ordinance.docx](#)

4A3. 24 Inch Setback Encroachment Clarification - Jeffrey Rose, Vice Mayor

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA AMENDING THE TOWN OF SURFSIDE CODE OF ORDINANCES BY AMENDING SECTION 90-47. - “YARDS, GENERALLY ALLOWABLE PROJECTIONS” TO CLARIFY ALLOWANCES FOR PROJECTIONS INTO REQUIRED SETBACKS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

[Surfside 24 inch Setback Encroachment 2nd reading.docx](#)

First Reading

4B1. 50% Lot Coverage for 1-Story Homes - Shlomo Danzinger, Mayor

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, AMENDING THE TOWN OF SURFSIDE CODE OF ORDINANCES BY AMENDING SECTION 90-2. - “DEFINITIONS” TO REVISE THE DEFINITION FOR “LOT COVERAGE,” AND SECTION 90-49. – “LOT STANDARDS” TO INCREASE THE MAXIMUM LOT COVERAGE ALLOWED FOR SINGLE-STORY HOMES THAT DO NOT EXCEED 22 FEET IN HEIGHT TO 50%; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

[Ordinance Amending Maximum Lot Coverage for Single Story Homes.docx](#)

4B2. Amendments to the Town Code to Allow Operation of Landscaping Equipment and Other Noise-Producing Mechanical Devices (such as Leaf Blowers) During Permitted Hours - Shlomo Danzinger, Mayor

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, AMENDING THE TOWN OF SURFSIDE CODE OF ORDINANCES BY AMENDING SECTION 54-78(15) – “PROHIBITED NOISES” AND SECTION 66-7 - “DISPOSAL OF GRASS CUTTINGS AND HEDGE TRIMMINGS” TO ALLOW OPERATION OF LANDSCAPING EQUIPMENT AND OTHER NOISE-PRODUCING MECHANICAL DEVICES DURING PERMITTED HOURS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE;

PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.
[3L13620-Ord Prohibited Noises Landscaping Equipment TA v2.DOCX](#)

- 4B3. Ordinance to Increase the Minimum Percentage of Florida Friendly Landscaping Required to 40% - Fred Landsman, Commissioner**

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, AMENDING SECTIONS 90-90 AND 90-95 OF ARTICLE VIII, "LANDSCAPE REQUIREMENTS," OF CHAPTER 90 OF THE TOWN CODE OF ORDINANCES, TO INCREASE FLORIDA-FRIENDLY LANDSCAPING IN THE PVIOUS AREAS OF SINGLE FAMILY AND DUPLEX DWELLINGS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.
[Ordinance Amending FL Friendly Landscape Ordinance New Construction.DOCX](#)

- 4B4. Amending the Town Code Relating to the Location and Requirements for Ground-Level and Rooftop Mechanical Equipment - Commissioner Fred Landsman**

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, AMENDING THE TOWN CODE OF ORDINANCES BY AMENDING SECTION 90-47.3 RELATING TO THE LOCATION AND REQUIREMENTS FOR GROUND-LEVEL MECHANICAL EQUIPMENT AND CREATING SECTION 90-67.3 RELATING TO THE LOCATION AND REQUIREMENTS FOR ROOFTOP MECHANICAL EQUIPMENT, ON PROPERTIES IN THE H30A AND H30B ZONING DISTRICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.
[Ordinance Ground and Rooftop Mechanical Equipment H30A and H30B.docx](#)

5. Resolutions and Proclamations

If the public wishes to speak on a matter on this section of the agenda, they must inform the Town Clerk by completing a speaker card and they will be recognized to speak prior to the approval of any resolution..

- 5A. Solid Waste Services Special Assessment Preliminary Rate Resolution - Town Manager, Andrew Hyatt**

A RESOLUTION OF THE TOWN OF SURFSIDE, FLORIDA, RELATING TO SOLID WASTE MANAGEMENT SERVICES, INCLUDING COLLECTION, DISPOSAL AND RECYCLING OF RESIDENTIAL SOLID WASTE IN THE TOWN OF SURFSIDE, FLORIDA; ESTABLISHING THE ESTIMATED ASSESSMENT RATE FOR SOLID WASTE SERVICE ASSESSMENTS AGAINST ASSESSED PROPERTY LOCATED WITHIN THE TOWN OF SURFSIDE, FLORIDA, FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2022; DIRECTING THE PREPARATION OF AN UPDATED ASSESSMENT ROLL; AUTHORIZING A PUBLIC HEARING AND DIRECTING THE PROVISION OF NOTICE THEREOF; AND PROVIDING FOR AN EFFECTIVE DATE.

5B. Solid Waste Commercial Rate Adjustment - Town Manager, Andrew Hyatt

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, APPROVING AND ADOPTING AN INCREASE IN COMMERCIAL SOLID WASTE RATES; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

[Resolution Approving and Adopting an Increase in Commercial Solid Waste Rates.doc](#)

[NEW RATE STRUCTURE FOR COMMERCIAL SOLID WASTE REMOVAL-FY23.docx](#)

5C. Champlain Towers South Collapse Investigation - Additional Authorization to Expend - Andrew Hyatt, Town Manager

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, APPROVING AND AUTHORIZING EXPENDITURE OF FUNDS TO KCE STRUCTURAL ENGINEERS PC FOR CONTINUED ENGINEERING ANALYSIS AND DESTRUCTIVE TESTING INVESTIGATION TO DETERMINE THE CAUSE OF THE CHAMPLAIN TOWERS SOUTH (CTS) BUILDING COLLAPSE NOT TO EXCEED THE AMOUNT OF \$850,000.00; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

[Champlain Towers South Collapse Memo - CTS Supplemental service fee request.pdf](#)

[Reso Authorizing Expenditure to KCE Structural - CTS Investigation.docx](#)

5D. Authorization to Proceed with Contracting and Authorize Expenditures with Engineering Pool Firm The Corradino Group for a Town-Wide Traffic Study - Andrew Hyatt, Town Manager

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, APPROVING A PROJECT AGREEMENT WITH THE CORRADINO GROUP, INC. TO PROVIDE TRAFFIC ENGINEERING SERVICES FOR THE 2022 TOWNWIDE TRAFFIC STUDY PROJECT PURSUANT TO THE CONTINUING SERVICES AGREEMENT FOR PROFESSIONAL ENGINEERING SERVICES; AUTHORIZING THE EXPENDITURE OF FUNDS; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

[2022 Traffic Study Scope of Services](#)

[Resolution Approving Project Agreement with Corradino Group - 2022 Townwide Traffic Study.docx](#)

[Project Agreement - Corradino Group - 2022 Townwide Traffic Study.DOCX](#)

5E. FY 2022 Budget Amendment Resolution No. 7 - Andrew Hyatt, Town Manager

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, APPROVING BUDGET AMENDMENT NO. 7 FOR THE FISCAL YEAR 2022 BUDGET; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

[FY2022 Budget Amendment No. 7.pdf](#)

6. **Good and Welfare**
7. **Town Manager and Town Attorney Reports**
 - 7A. **Town Manager's Report** - Andrew Hyatt, Town Manager
[2022-07 July Town Manager's Report.pdf](#)
 - 7B. **Town Attorney Report** - Lillian M. Arango, Town Attorney
[3L13059-Town Attorney Report July 12, 2022.DOCX](#)
8. **Unfinished Business and New Business**
9. **Mayor, Commission and Staff Communications**
 - 9A. **Update on Improving Walkability and Pedestrian Safety within Residential Area** - Andrew Hyatt, Town Manager
 - 9B. **Turtle Friendly Lighting on the Beach Walking Path within Dune Limits and Reviewed Options for Implementation** - Andrew Hyatt, Town Manager
[Turtle Friendly Lighting on Walking Path Pictures](#)
 - 9C. **Month of June to be Declared Pride Month** - Vice-Mayor Rose
 - 9D. **Town Policy on Flying Flags** - Andrew Hyatt, Town Manager
 - 9E. **Upgrade to Surfside Street Signs** - Shlomo Danzinger, Mayor
[Surfside Street Sign Upgrade.pdf](#)
 - 9F. **Discussion to Hold a Public Forum Regarding the New Laws Affecting Condominiums and HOA's.** - Commissioner Marianne Meisheid
[City of Aventura.PNG](#)
10. **Adjournment**

Respectfully submitted,

Andrew Hayatt
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.