



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

Tuesday, January 9, 2024

6:00 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 6.06 (a)3 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 Remark - Mayor Shlomo Danzinger

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

1F. Community Notes - Mayor Shlomo Danzinger

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. 9300 Collins Avenue - New 87-unit Multi-Family Building - Hector Gomez, Town Manager

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, [APPROVING/DENYING] A SITE PLAN APPLICATION TO PERMIT THE DEVELOPMENT OF PROPERTY LOCATED AT 9300 COLLINS AVENUE, SURFSIDE, FLORIDA, FOR A MULTIFAMILY RESIDENTIAL DEVELOPMENT CONSISTING OF UP TO EIGHTY-SEVEN (87) RESIDENTIAL DWELLING UNITS AND 184 PARKING SPACES; PROVIDING FOR CONDITIONS; APPROVING THE TERMINATION OF A COVENANT OF RESTRICTIONS AFFECTING THE PROPERTY; PROVIDING FOR VIOLATION OF CONDITIONS; PROVIDING FOR A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

[Attachment A - Zoning Table](#)

[Attachment B - Bougainvillea Apartments Historic Designation Documents](#)

[Attachment C - Letter of Determination regarding Mixed-use and Underground Parking Garage](#)

[Attachment D - DRG Meeting Memo](#)

[9300 Collins Site Plan packet 12.22.23](#)

[9300 Collins Avenue Resolution with Exhibits](#)

[9300 Collins Avenue Supplemental Packet.pdf](#)

2B. 9300 Collins Avenue - Religious Land Use Relief - Hector Gomez, Town Manager

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, [APPROVING/DENYING] A REQUEST FOR RELIEF SUBMITTED BY 9300 COLLINS OWNER, LLC UNDER The Religious Land Use and

Institutionalized Persons Act of 2000, 42 U.S.C. Sec. 2000cc et seq. ("RLUIPA") and the Florida Religious Freedom Restoration Act of 1998 ("RFRA") PURSUANT TO SECTION 90-99 OF THE TOWN CODE TO ALLOW A RELIGIOUS USE AT THE PROPERTY LOCATED AT 9300 COLLINS AVENUE, SURFSIDE, FLORIDA; PROVIDING FOR CONDITIONS; PROVIDING FOR VIOLATION OF CONDITIONS; PROVIDING FOR A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

[Attachment A: Religious Land Use Request Form](#)

[Attachment B: Letter of Intent -- Religious Land Use Relief](#)

[Religious Land Use Relief Map.pdf](#)

[Reso Religious Use Request - 9300 Collins Avenue.docx](#)

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 N. McCready, MMC, Town Clerk
[December 12, 2023 Regular Town Commission Meeting Minutes](#)

3B. Board and Committee Reports/Minutes - Sandra N. McCready, MMC, Town Clerk
[November 27, 2023 Parks and Recreation Committee Meeting Minutes.pdf](#)

3C. Authorizing of a Mutual Aid Agreement Between the City of Hialeah and the Town of Surfside Police Department - Hector Gomez, Town Manager

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

[MAA 2023 COH and Town of Surfside.pdf](#)

[Reso Approving Police Mutual Aid Agreement with City of Hialeah](#)

3D. Authorization to Expand on Video Surveillance and Recording Camera System for Parking Lots Located at Town Hall Lot and 94 Street Lot - Hector Gomez, Town Manager

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, APPROVING THE PURCHASE AND INSTALLATION OF VIDEO SURVEILLANCE EQUIPMENT, RECORDING CAMERA SYSTEMS, AND RELATED SOFTWARE SUBSCRIPTION LICENSES FROM STREAMLINE VOICE & DATA INC. FOR THE PARKING LOTS LOCATED ON HARDING AVENUE; FINDING THAT THE PURCHASE IS EXEMPT FROM COMPETITIVE

BIDDING PURSUANT TO SECTION 3-13(7)F OF THE TOWN CODE AS A PUBLIC WORKS PURCHASE FOR EQUIPMENT AND SERVICES RELATED TO TOWN FACILITIES; AUTHORIZING THE TOWN MANAGER TO NEGOTIATE AND EXECUTE AN AGREEMENT FOR THE PURCHASE AND/OR OTHER AGREEMENTS AS MAY BE APPROVED BY THE TOWN MANAGER AND TOWN ATTORNEY; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

[Resolution Approving Surveillance Camera Equipment Purchase from Streamline Voice for Harding Avenue Parking Lots.pdf](#)
[Exhibit A - Parking Lots Surveillance System Proposal](#)

3E. FY 2024 Budget Amendment Resolution No. 3 - Hector Gomez, Town Manager

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, APPROVING BUDGET AMENDMENT NO. 3 FOR THE FISCAL YEAR 2024 BUDGET; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

[Resolution Approving Budget Amendment No. 3](#)
[Attachment A - FY2024 Budget Amendment No. 3](#)

3F. Authorizing the Town Manager to Execute the Interlocal Agreement with Miami-Dade County, Governing the Provision of On-Demand Transit Services - Hector Gomez, Town Manager

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, APPROVING AN INTERLOCAL AGREEMENT WITH MIAMI-DADE COUNTY FOR ON-DEMAND TRANSPORTATION SERVICES; AUTHORIZING THE TOWN MANAGER TO enter into THE INTERLOCAL AGREEMENT; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

[Resolution Approving MDC ILA for On-Demand Transportation Services](#)
[Exhibit A - ILA with Miami Dade County.pdf](#)

4. Ordinances

Second Reading

4A1. Update Town Code Section 70-41 and 70-42 to Increase Local Business Taxes as Allowed by State Statute - Hector Gomez, 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 70-41 "LOCAL BUSINESS TAX SCHEDULE" AND SECTION 70-42 "BUSINESS NOT NAMED IN SCHEDULE" TO INCREASE LOCAL BUSINESS TAX RATES; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

[Business Tax Ordinance - Business Impact Estimate.pdf](#)
[Ordinance Amending Sec. 70-41 Local Business Tax Rates](#)
[Attachment "A" - Schedule of Fees](#)

4A2. Ordinance Amending Chapter 54 - Offenses and Miscellaneous Provisions, Camping Prohibited - Hector Gomez, Town Manager

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, AMENDING THE TOWN OF SURFSIDE CODE OF ORDINANCES BY AMENDING CHAPTER 54, "OFFENSES AND MISCELLANEOUS PROVISIONS," ARTICLE III, "OFFENSES INVOLVING PUBLIC PEACE AND ORDER," BY ADDING SECTION 54-67 ENTITLED "CAMPING PROHIBITED"; MAKING FINDINGS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

[Ordinance Amending Chapter 54 - Offenses and Miscellaneous Provisions - Camping Prohibited - Second Reading](#)

First Reading

4B1. Permit Fees for Condominium Recertification and Special Assessments - Hector Gomez, Town Manager

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, AMENDING THE TOWN OF SURFSIDE CODE OF ORDINANCES BY AMENDING CHAPTER 14, "BUILDINGS AND BUILDING REGULATIONS," ARTICLE II, "BUILDING CODE," SECTION 14-29, "PERMIT FEES," TO PROVIDE FOR A 20% REDUCTION OF BUILDING PERMIT FEES FOR ANY CONSTRUCTION ACTIVITY RELATING TO CONDOMINIUM BUILDING RECERTIFICATION OR ANY NECESSARY STRUCTURAL AND/OR LIFE SAFETY REPAIRS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

[Ordinance Amending Sec.14-29 Permit Fees for Building Recertification](#)

4B2. Stormwater Retention and Drainage in H30A and H30B - Hector Gomez, Town Manager

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, AMENDING THE TOWN OF SURFSIDE CODE OF ORDINANCES BY AMENDING DIVISION 2. - STORMWATER MANAGEMENT REQUIREMENTS, OF ARTICLE II. – STORMWATER DRAINAGE MANAGEMENT” OF CHAPTER 34 – “ENVIRONMENT” PROVIDING FOR STORMWATER RETENTION ON-SITE FOR ALL NEW SINGLE-FAMILY HOMES; AMENDING SECTION 90-56 – “FENCES, WALLS AND HEDGES” TO ESTABLISH RETENTION WALL STANDARDS FOR NEW SINGLE-FAMILY HOMES; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

[Ordinance On-Site Retention of Stormwater and Retention Wall Standards](#)

4B3. Code Amendment for Submerged Lands and Pointe Lake Development - Hector Gomez, Town Manager

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, AMENDING THE TOWN OF SURFSIDE CODE OF ORDINANCES BY

AMENDING SECTIONS 14-102 AND 14-103, OF DIVISION 3. – “INDIAN CREEK BULKHEAD LINES”, OF ARTICLE IV. – “BULKHEAD LINES”, OF CHAPTER 14 – “BUILDINGS AND BUILDING REGULATIONS”, AMENDING SECTION 90-60.3 OF THE CODE, AND CREATING SECTION 90-60.6 OF THE CODE, TO EXPRESSLY PROHIBIT DEVELOPMENT AND CONSTRUCTION OF ANY STRUCTURES WITHIN POINT LAKE, EXCEPT FOR MARINE STRUCTURES PERMITTED BY THE CODE; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

[Ordinance No Development on Point Lake](#)

5. Resolutions and Proclamations

If the public wishes to speak on any matters in this section of the agenda, they must inform the Town Clerk by completing a speaker card and they will be recognized to speak at the beginning of this section.

5A. Awarding Contract to Keith Engineering for the Surfside Memorial - Hector Gomez, Town Manager

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, APPROVING AN AGREEMENT WITH KEITH & ASSOCIATES, INC. FOR DESIGN SERVICES RELATED TO THE SURFSIDE MEMORIAL PURSUANT TO REQUEST FOR QUALIFICATIONS (RFQ) NO. 2023-02 AND REQUEST FOR PROPOSALS (RFP) NO. 2023-04; PROVIDING FOR AUTHORIZATION; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

[Attachment A - KEITH Proposal for the Surfside Memorial.pdf](#)

[Attachment B - Surfside Memorial Proposed Schedule - 12-18-23 - Final.pdf](#)

[Resolution Approving Agreement with Keith for Design of Surfside Memorial](#)

[Professional Services Agreement - Keith - Surfside Memorial Design Services RFQ 2023-02.docx](#)

[KEITH Proposal for the Surfside Memorial.pdf](#)

5B. Town of Surfside Sister City Resolution and Key to the Town Request - Shlomo Danzinger, Mayor

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, ESTABLISHING A SISTER CITY RELATIONSHIP WITH THE CITY OF HIALEAH, FLORIDA, TO PROMOTE EDUCATIONAL, INFORMATIONAL, CULTURAL AND ECONOMIC EXCHANGES; AUTHORIZING THE TOWN MANAGER TO NEGOTIATE AND ENTER INTO A SISTER CITIES MEMORANDUM OF UNDERSTANDING WITH THE CITY OF HIALEAH; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

[Key to the Town Request Form - Mayor Bovo.pdf](#)

[Resolution Establishing Sister City Relationship with Hialeah](#)

5C. Town Commission Selection of Conceptual Design Plan and Advancement to Design Development with Kimley-Horn & Associates, Inc. for the Surfside Boulevard Beautification Project from Bay Drive to Harding Avenue - Hector

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Gomez, Town Manager

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, APPROVING THE SELECTION OF A CONCEPTUAL DESIGN PLAN AND ADVANCEMENT TO DESIGN DEVELOPMENT WITH KIMLEY-HORN & ASSOCIATES, INC. FOR THE SURFSIDE BOULEVARD BEAUTIFICATION PROJECT FROM BAY DRIVE TO HARDING AVENUE; PROVIDING FOR AUTHORIZATION OF DESIGN DEVELOPMENT AND IMPLEMENTATION; AUTHORIZING THE EXPENDITURE OF FUNDS; AND PROVIDING FOR AN EFFECTIVE DATE.

[Reso Selecting and Approving Conceptual Design Plan Surfside Blvd Beautification Project](#)

[Attachment A - Concept A & B](#)

[Attachment B - Full Layout](#)

6. **Good and Welfare (Set for approximately 8:15 p.m.)**
Public comments for subjects or items not on the agenda.
7. **Town Manager and Town Attorney Reports**
 - 7A. **Town Manager's Report** - Hector Gomez, Town Manager
[January Town Manager's Report](#)
 - 7B. **Town Attorney's Report** - Lilly Arango, Town Attorney
[Town Attorney's Report](#)
8. **Unfinished Business and New Business**
9. **Mayor, Commission and Staff Communications**
 - 9A. **Amendment to 90-74. - "Temporary Signs" to allow for creativity** - Shlomo Danzinger
 - 9B. **Investigation Report Findings** - Hector Gomez, Town Manager
 - 9C. **ITB 2023-05 Abbott Avenue Pump Station Project Bid Opening Results and Recommendation** - Hector Gomez, Town Manager
[Attachment A - Bid Opening Sheet](#)
[Attachment B - Estimate of Probable Cost](#)
 - 9D. **92nd Street Park Discussion** - Vice Mayor Jeff Rose
 - 9E. **Bert Harris Act** - Vice Mayor Jeff Rose
 - 9F. **Establishment of the Surfside Youth Advisory Council** - Shlomo Danzinger, Mayor
 - 9G. **Roofing Requirements** - Shlomo Danzinger, Mayor
10. **Adjournment**

Respectfully submitted,

Hector R. Gomez
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 THE TOWN COMMISSION AND/OR 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.