

Town of Surfside Regular Town Commission Meeting AGENDA October 13, 2020 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 7:01 p.m.

B. Roll Call of Members

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

Present: Mayor Charles Burkett, Vice Mayor Tina Paul, Commissioner Charles Kesl, Commissioner Nelly Velasquez and Commissioner Eliana Salzhauer.

Also present were Interim Town Manager Jason Greene and Town Attorney Lillian Arango.

C. Pledge of Allegiance

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

Commissioner Salzhauer made the appointment of Elliot Kula to the Downtown Vision Advisory Committee. She also stated that the Commission needs to fill two alternate spots for the Planning and Zoning Board and would like to place it on a future agenda. She also stated that they need to make appointments to the Personnel Appeals Board.

Mayor Burkett stated possibly placing it in the Gazette in order to get more applicants.

Commissioner Salzhauer apologized to the residents for all the privacy violations they have had and commended the Mayor for his creative writing. She stated that she received complaints from residents of having individuals coming to their home without masks handing out pamphlets.

Mayor Burkett advised the Commission that they have an open microphone at the beginning of the meeting.

Commissioner Kesl spoke regarding removing item 90 (Town Pension Benefits for Non-Public Safety Employees) in order to get an opinion from the new Town Manager on that item which would also bring stability to the staff.

A motion was made by Commissioner Kesl to remove item 90 (Town Pension Benefits for Non-Public Safety Employees) from the discussion items, seconded by Commissioner Velasquez. The motion carried with a 5-0 vote.

Commissioner Velasquez stated that would bring stability to our staff and commented on the many staff members that are leaving.

Vice Mayor Paul wished everyone Happy Halloween and reminded everyone to go out and vote.

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

F. Community Notes – Mayor Charles W. Burkett

2. Quasi-Judicial Hearings

3. Consent Agenda (Set for approximately 7:30 p.m.)

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

Commissioner Salzhauer clarified to the residents what item 3J (FAA) was about, the reasoning for this item and they advocated on the residents' behalf.

Vice Mayor Paul gave additional background on item 3J (FAA) which has been in the works for the last two years and the excellent job the attorneys have done.

Vice Mayor Paul commented on approving the minutes with amendments.

Commissioner Kesl commented on the efficient work that the Commission has been doing and everything on the consent agenda is important but he called this vote because it is in order and proper use of our time.

Commissioner Salzhauer wanted to make sure that her amendments to the minutes were included as well as the importance of the MOU with Ruth K Broad and the efforts of making sure that the children of Surfside taxpayers are addressed.

Mayor Burkett commented on the item regarding combat pay for our Interim Town Manager and stated that he was giving an interim pay amount which brought it up to the appropriate pay and thanked Vice Mayor Paul for having that done.

- A. Minutes Sandra N. McCready, MMC, Town Clerk
 - August 11, 2020 Regular Town Commission Meeting Minutes
 - August 18, 2020 Special Town Commission Meeting Minutes
 - August 25, 2020 Special Town Commission Meeting Minutes
 - September 10, 2020 Regular Town Commission Meeting Minutes
 - September 15, 2020 Special Town Commission Meeting Minutes
 - September 15, 2020 First Budget Hearing Meeting Minutes
 - September 22, 2020 Second Budget Hearing Meeting Minutes

Approved on consent.

*B. Town Manager's Report – Jason Greene, Interim Town Manager

Approved on consent.

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

Approved on consent.

- D. Committee Reports Jason Greene, Interim Town Manager
 - March 2, 2020 Tourist Board Meeting Minutes
 - July 15, 2020 Budget Advisory Committee Meeting Minutes
 - July 20, 2020 Parks and Recreation Committee Meeting Minutes
 - August 3, 2020 Tourist Board Meeting Minutes
 - August 17, 2020 Parks and Recreation Committee Meeting Minutes

Approved on consent.

E. Acting Town Manager Proclamation and Pay Adjustment – Vice Mayor Tina

Approved on consent.

F. Memorandum of Understanding between the Town of Surfside and the Town of Bay Harbor Islands - Jason Greene, Interim Town Manager

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, APPROVING A MEMORANDUM OF UNDERSTANDING (MOU) BETWEEN THE TOWN OF SURFSIDE AND THE TOWN OF BAY HARBOR ISLANDS RELATING TO A SCHOOL ADDRESS

VERIFICATION PLAN CONTRIBUTION; PROVIDING FOR AUTHORIZATION; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Approved on consent.

G. Resolution Approving a Memorandum of Understanding (MOU) Between the Town of Surfside and the Florida State Lodge Fraternal Order of Police to Provide 1% Hazard Pay to First Responders- Jason Greene, Interim Town Manager

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, APPROVING A MEMORANDUM OF UNDERSTANDING (MOU) BETWEEN THE TOWN OF SURFSIDE AND THE FLORIDA STATE LODGE FRATERNAL ORDER OF POLICE TO PROVIDE 1% HAZARD PAY TO FIRST RESPONDERS; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Approved on consent.

H. Approval of Resolution – Acceptance of State Financial Assistance Grant - Florida Department of Law Enforcement (FDLE) Florida Incident-Based Reporting System (FIBRS) Implementation Grant Award - Jason Greene, Interim Town Manager

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, ACCEPTING A \$27,567.22 STATE FINANCIAL ASSISTANCE GRANT FROM THE FLORIDA DEPARTMENT OF LAW ENFORCEMENT (FDLE) FOR THE FLORIDA INCIDENT-BASED REPORTING SYSTEM (FIBRS) IMPLEMENTATION PROJECT; APPROVING THE GRANT AGREEMENT; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Approved on consent.

I. Budget Amendment - Jason Greene, Interim Town Manager

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, APPROVING BUDGET AMENDMENT NO. 1 FOR THE FISCAL YEAR 2021 BUDGET; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Approved on consent.

J. Resolution Urging the Federal Aviation Administration (FAA) to Modify and Redirect Flight Paths and Altitudes Imposed in the South-Central Florida Metroplex/Nextgen Air Transportation (Metroplex) to Mitigate Detrimental Impacts to the Town of Surfside and Surrounding Communities; Further Urging Support for Miami-Dade County's Proposed Resolution Requesting Data and Other Evidence Demonstrating the Benefits and Impacts of Metroplex – Vice Mayor Tina Paul

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF **URGING** SURFSIDE. FLORIDA, THE **FEDERAL** AVIATION ADMINISTRATION (FAA) TO MODIFY AND REDIRECT FLIGHT PATHS AND ALTITUDES IMPOSED IN THE SOUTH-CENTRAL **FLORIDA** METROPLEX/NEXTGEN AIR TRANSPORTATION (METROPLEX) TO MITIGATE DETRIMENTAL IMPACTS TO THE TOWN OF SURFSIDE AND FURTHER URGING SUPPORT FOR SURROUNDING COMMUNITIES: MIAMI-DADE COUNTY'S PROPOSED RESOLUTION REQUESTING DATA AND OTHER EVIDENCE FROM THE FAA DEMONSTRATING THE BENEFITS AND IMPACTS OF METROPLEX; PROVIDING FOR TRANSMITTAL; AND PROVIDING FOR AN EFFECTIVE DATE.

Approved on consent.

4. Ordinances

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

A. Second Reading Ordinances

(Set for approximately <u>N/A</u>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. Design Services for the Reconstruction of 96th Street Park- Jason Greene, Interim Town Manager

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA AUTHORIZING NEGOTIATIONS WITH THE HIGHEST-RANKED QUALIFIED FIRM, SAVINO & MILLER DESIGN STUDIO, PURSUANT TO RFQ NO. 2020-02 SEEKING DESIGN SERVICES FOR

RECONSTRUCTION OF 96TH STREET PARK; AND FURTHER AUTHORIZING, IF NECESSARY, NEGOTIATIONS WITH SUBSEQUENTLY RANKED QUALIFIED FIRMS, FOR THE AWARD OF A PROFESSIONAL SERVICES AGREEMENT FOR SUCH SERVICES; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

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

Vice Mayor Paul stated that this was part of the 5-year plan and at some point they should consider sending out a survey to the residents to know the expectations of this project.

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

B. Miami-Dade County Local Mitigation Strategy (LMS) Plan – Jason Greene, Interim Town Manager

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, ADOPTING THE MIAMI-DADE COUNTY LOCAL MITIGATION STRATEGY (LMS) 2020; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

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

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

C. Structural Plans Review Funding Authorization - Jason Greene, Interim Town Manager

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, AUTHORIZING THE EXPENDITURE OF FUNDS FOR STRUCTURAL PLAN REVIEW SERVICES TO M.T. CAUSLEY, LLC; PROVIDING FOR AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Town Clerk Sandra McCready read the title of the resolution 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.

D. Downtown Decorative Lighting - Jason Greene, Interim Town Manager

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, APPROVING THE PURCHASE, INSTALLATION AND MAINTENANCE OF PERMANENT LIGHTING FOR THE DOWNTOWN DISTRICT AND AUTHORIZING AN AGREEMENT WITH R&D ELECTRIC INC. FOR SUCH LIGHTING: FURTHER AUTHORIZING THE INSTALLATION AND MAINTENANCE OF SUPPLEMENTAL LIGHTING FOR PALM FRONDS, MONUMENT SIGNS AND POCKET PARKS AND AUTHORIZING AN **AGREEMENT** WITH MIAMI **CHRISTMAS LIGHTS** FOR SUPPLEMENTAL LIGHTING: FINDING THAT THE PURCHASES/WORK ARE EXEMPT FROM COMPETITIVE BIDDING PURSUANT TO SECTION 3-13(7)F OF THE TOWN CODE AS A PUBLIC WORKS OR UTILITIES **AUTHORIZING THE TOWN** PURCHASE FOR TOWN FACILITIES; MANAGER TO ENTER INTO **AGREEMENTS** FOR SUCH **PURCHASES/WORK:** PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

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

A motion was made by Vice Mayor Paul to discuss the Resolution, seconded by Commissioner Salzhauer.

Vice Mayor Paul asked Interim Town Manager Greene if these LED lights can change colors.

Interim Town Manager Greene stated that they are one color and the example on the agenda is from this vendor implementing this product on the 41st corridor in Miami Beach.

Vice Mayor Paul stated that initially she was not in favor of adding these additions and believes it would be a nice addition. She asked what is being approved.

Mayor Burkett stated they are approving whatever the Commission is asking to approve.

Vice Mayor Paul stated that she would approve having the monument signs.

Interim Town Manager Greene stated the recommendation is to approve the RED electric lighting system and implement for one year the monument Christmas lights and next year they could address it again.

Commissioner Salzhauer stated that the item approves the lighting and installation of lights for pocket parks, monument signs and palm fronds and believes the resolution needs to be amended unless the Commission would like

to spend an additional \$60,000.

Interim Town Manager Greene stated that the last whereas of the resolution speaks only about the \$15,000 for the monument signs.

Vice Mayor Paul asked if the monument signs could be colored lights.

Interim Town Manager Greene stated that the title listed on the agenda is an older version and the resolution is only for RED electric and the monument signs. He stated that the lights for the monument signs were purchased last year and it could be reviewed next year.

Commissioner Salzhauer asked Interim Town Manager Greene what is being approved.

Interim Town Manager Greene gave an explanation of the extension of the contract and the specifics of lights and advised the Commission that the Town does own the lights.

Commissioner Salzhauer asked if RED electric could do anything with the monument signs.

Interim Town Manager Greene stated that they could possibly do something but RED has not come back to them.

Commissioner Kesl gave clarification of the different types of lighting temperature and the lights we are getting for the trees and monument signs as well as the types of lighting. He also stated that the rope lighting does get yellow after some time.

Interim Town Manager Greene addressed comments made by the Commission regarding the type of material being used.

Commissioner Velasquez stated that she agrees with the daylight style of lighting because it gives it a nice contrast.

Commissioner Salzhauer asked Commissioner Kesl if this is something he would like to implement for the Town and if he is happy with the lighting.

Commissioner Kesl stated that he likes the warm lighting and it is more welcoming and is requesting 5,000k for lighting.

Interim Town Manager Greene stated that he does not know if that is a product that is available and they would have to start from the beginning if the Commission wants to change it to 5,000k.

Further discussion took place among the Commission regarding the different lighting, brightness, the existing product, what is available, the cost involved and warranty, as well as it being funded through Tourist Resort funding.

The following individual from the public spoke on the item: George Kousoulas stated that 4,000k would be best.

Commissioner Kesl commented on the lighting and that 4,000k is better and timing is crucial.

Vice Mayor Paul asked if the Commission would like to do the palm frond lighting instead of the monument lighting.

Commissioner Velasquez stated that she would like to leave it the way it currently is and believes this is a good deal.

Commissioner Salzhauer stated that since there are two different lighting temperatures you could not mix them and would like to see what RED is able to offer going forward before the contract is signed.

Interim Town Manager Greene commented that the budget and expenditure will be using additional funds and he will be bringing a budget amendment in November to cover the change. He commented on interest to request the unit cost in case there is an opportunity to purchase a structure from a different vendor adding it to the contract.

Commissioner Kesl spoke regarding the effects of underlighting for the palm fronds in different colors and it being added on later.

Mayor Burkett commented that the monies to pay for this are coming from the Tourist Fund and it is being redirected to Town events and believes it is a very wise expenditure.

Commissioner Velasquez stated that they have saved an enormous amount of money with events in different areas and Christmas is an important time of the year and incorporate both the palm fronds and the monument lighting.

Discussion took place among the Commission regarding adding the palm fronds to the contract and look at the cost.

Interim Town Manager Greene stated that they have a quote from Miami Christmas Lights and if the Commission gives their approval, they would move forward and a quote for the palm fronds which would be approximately \$28,000.

Commissioner Salzhauer commented on the different colors since there are two vendors and it is an additional cost especially when they let go of an employee

that made less than the cost for adding the palm fronds.

Vice Mayor Paul is in agreement in keeping the monument signs.

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

E. General Planning Services RFQ 2020-05 - Jason Greene, Interim Town Manager

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE. FLORIDA AUTHORIZING NEGOTIATIONS WITH THE ENGINEERING. **HIGHEST-RANKED** QUALIFIED FIRM, MARLIN PURSUANT TO RFQ NO. 2020-05 SEEKING GENERAL PLANNING SERVICES. AND **FURTHER AUTHORIZING.** IF NECESSARY. NEGOTIATIONS WITH SUBSEQUENTLY RANKED QUALIFIED FIRMS. FOR THE AWARD OF A PROFESSIONAL SERVICES AGREEMENT FOR SUCH SERVICES; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

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

Commissioner Salzhauer asked if Walter Keller would be assigned to our Town.

Interim Town Manager Greene stated that they will work with the Town Attorney to make sure that the language will be in the contract along with the termination clause.

Commissioner Salzhauer asked how soon will they be on board.

Interim Town Manager Greene stated that the contract has to be negotiated and by mid-November they could begin the transition.

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

F. Public Information Representative Contract with Pinzur Communications - Jason Greene, Interim Town Manager

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, APPROVING THE SECOND RENEWAL/AMENDMENT TO THE AGREEMENT WITH PINZUR COMMUNICATIONS, INC. FOR PUBLIC INFORMATION REPRESENTATIVE SERVICES; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

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

Commissioner Kesl stated that this contract saves the Town money and being able to find a solution on the communication front that everyone will be happy. He stated that he would still want an internal position.

Commissioner Velasquez stated that this position needs to be brought inhouse and believes that there are too many people doing the same job. She stated that they need to find someone with the talents and knowledge needed.

Commissioner Salzhauer agrees with Commissioner Kesl and stated that the Budget Advisory Committee also agreed with bringing these duties inhouse and there will be more consistency.

Vice Mayor Paul stated that a lot of the issues were pre-COVID and not being managed properly and accountability. She is looking forward to the new Town Manager coming in and streamlining a lot of things and the need for a graphic designer.

Commissioner Kesl stated that what they are lacking is someone who is in a director position with a communications and media background that would take care of a lot of issues they are encountering.

Mayor Burkett stated that he agrees with Commissioner Kesl with having someone inhouse and Pinzur has done a good job and if they can find someone inhouse and hire them if they are better.

A motion was made by Commissioner Kesl to approve the Resolution, Mayor Burkett passed the gavel and seconded the motion. The motion carried with a 5-0 vote.

G. Engineering Services for Abbott Avenue Drainage - 90th Street to 96th Street RFQ 2020-04 - Jason Greene, Interim Town Manager

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE. FLORIDA AUTHORIZING NEGOTIATIONS WITH THE HIGHEST-RANKED QUALIFIED FIRM. KEITH ENGINEERING. PURSUANT TO RFQ NO. 2020-04 SEEKING ENGINEERING SERVICES FOR THE STUDY AND DESIGN OF ABBOTT AVENUE DRAINAGE IMPROVEMENTS FROM 90TH STREET TO 96TH STREET, AND FURTHER AUTHORIZING, IF NECESSARY, **NEGOTIATIONS** WITH **SUBSEQUENTLY** QUALIFIED FIRMS, FOR THE AWARD OF A PROFESSIONAL SERVICES **AGREEMENT FOR** SUCH **SERVICES: PROVIDING FOR** IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

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

Vice Mayor Paul requested to defer the item due to not having time to review the item.

Commissioner Velasquez stated that people have been waiting for years and water has been going into their homes and they need a solution. She stated that residents have been waiting for this and it is a serious issue.

Commissioner Salzhauer stated that they have to address the flooding on Abbott Avenue and supports fixing the flooding.

Commissioner Kesl stated that this is a time sensitive issue and direction was given to Interim Town Manager Greene. He stated that Vice Mayor Paul spends her time reviewing the projects and he trusts her and knows where she is coming from. He commented on following up with projects and this issue needs to be addressed.

Mayor Burkett stated that he agrees with everything that was said. He asked IT Jose Feliz to place the newsletter on the screen.

Commissioner Salzhauer stated that she is against the slander Mayor Burkett made regarding her and his presentation has to be submitted in advance.

Mayor Burkett stated that he will be showing the flooding that is taking place and gave options to correct the problem.

Vice Mayor Paul responded to the comments made by Commissioner Velasquez. She stated that she understands how long residents have been waiting for this and she was not able to locate the presentation. She stated that she wants to make sure they are picking the correct firm and she has been working on this for several years.

Commissioner Salzhauer stated that what Mayor Burkett did is inappropriate and the rules are that he has to submit any presentation in advance and it is disrespectful to the residents and the rest of the Commission. She stated that it is important for Vice Mayor Paul to review the presentations and is fine with waiting.

Commissioner Kesl stated that he will be voting for this and basing his decision on his judgment and he does not have time to be able to fully understand everything that goes across his desk and trusts Interim Town Manager Greene's recommendation.

Commissioner Velasquez stated she was not attacking anyone, she just wanted the residents to get a resolution tonight to the problem of the flooding

on Abbott Avenue.

Mayor Burkett commented on the time allotted to each Commissioner to speak and if he feels that a presentation that shows raising the homes will help, he will show it.

Vice Mayor Paul stated she did not feel attacked and trusts and values Interim Town Manager Greene's recommendation and would still like to see the presentation. She stated if they would like to vote now, she will support the item.

Commissioner Salzhauer stated that Mayor Burkett must follow the rules and that was voted on as the new rules in the meetings. She asked Interim Town Manager Greene if he was part of the Committee.

Interim Town Manager Greene stated that it was not correct for him to be part of the evaluation committee but the Public Works Director as well as a resident, Ms. Deborah Cimadevilla, were part of the committee and this item will be brought back to the Commission.

Commissioner Salzhauer stated that she respects Vice Mayor Paul having more time but would like to move forward.

Commissioner Kesl stated that he will be voting for this item and does believe that a visual presentation is different from verbal and believes that there should be a timeline in submitting the visual presentations in advance due to the technical assistance needed.

Mayor Burkett stated that there will not be cancelled culture and interruptions during Commission meetings and if any of the Commissioners have a presentation, they have the right to do so.

Commissioner Velasquez stated she does not understand all this censorship and she did not vote for that rule. She stated that she respects Vice Mayor Paul's request and under any other circumstance she would support it but this is something that the residents have requested.

A motion was made by Commissioner Salzhauer to have an additional one minute discussion, seconded by Vice Mayor Paul. The motion failed with a 2-3 vote with Mayor Burkett, Commissioner Velasquez and Commissioner Kesl voting in opposition.

The following individuals from the public spoke on the item: Debby Cimadevilla George Kousoulas Jeff Rose

Joshua Epstein

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

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:

Joshua Epstein spoke regarding Mayor Burkett's actions and his actions were the same as a decade ago. He stated that Mayor Burkett's behavior is appalling and commented on his false narratives against Commissioner Salzhauer.

Jeffrey Platt stated that Vice Mayor Paul is doing a great job, Commissioner Kesl should have been at the last meeting to put something to rest, Commissioner Salzhauer should keep up the hard work and she is the voice of the people of this Town.

Ann Findlay spoke regarding the stop signs removed on 88th Street and many residents in the 3-block radius. She spoke regarding the safety issue with the speeding around that corner.

Mayor Burkett addressed the comments made by speaker Ann Findlay regarding the stop signs and folding signs were his idea and believes it is working.

Jeff Rose spoke regarding the great job Interim Town Manager Greene is doing and is upset that the Planning and Zoning Board Meeting for October was cancelled. He stated that it is not fair to the residents and his clients.

Mayor Burkett stated that we do not have a Town Planner due to him being offended because of disrespectful comments that were made.

Alicia Boymelgreen spoke regarding divisiveness and overstepping by the Mayor. She spoke regarding cleanup among the Town. She would like to request that legal matters be handled by the Town Attorney.

Mayor Burkett addressed the comments made by speaker Boymelgreen and read into the record an email he sent to Interim Town Manager Greene regarding offering a prayer at the beginning of the meetings.

Commissioner Kesl spoke regarding the process of addressing comments to public speakers and point of order.

Commissioner Salzhauer also commented that they cannot pick and choose who to respond to and they need to figure out if Good and Welfare will be a time to

engage with the speakers and equal treatment is not being given to the speakers. She asked what the format to address the speakers would be.

Town Attorney Arango addressed the comments made regarding agenda procedure on Good and Welfare and read the restriction which states that each Commissioner can weigh in to address comments made under Good and Welfare and each one has three minutes.

Commissioner Velasquez stated that it is not about picking and choosing because some are just commenting on comments made by Commissioners and does not agree with cancelling the October Planning and Zoning Board Meeting. She also addressed comments made by Alicia Boymelgreen.

Vice Mayor Paul addressed the procedure portion and stated that the Commission comment individually after all the public speakers under Good and Welfare speak.

Commissioner Kesl stated that what is happening now reinforces why they have rules and how things are being approached.

Mayor Burkett stated that he agrees with Vice Mayor Paul to reserve comments to the end and each Commissioner will have three minutes to address those comments at the end of Good and Welfare. He addressed the issue regarding the palms due to a resident complaining about it and we need to be fair to everyone. He stated that the County required the Town to remove the stop signs.

Commissioner Velasquez stated that the issue addressing the comments at the end is that they might forget what the resident stated or the resident might leave and feels that the Commission should be able to address the comments once that resident speaks. She stated that they need to discuss a traffic study for the stop signs in order to have the County place them back.

Carlos Planas spoke regarding his wife's position that was cut due to budget reductions.

Commissioner Salzhauer agrees with addressing the comments made by public speakers.

Vice Mayor Paul stated that it should be done fairly to respond to everyone.

A motion was made by Commissioner Velasquez to have a minute to address comments made by each speaker, seconded by Commissioner Kesl. The motion carried with a 5-0 vote.

George Kousoulas stated that speakers would stick around to see if their comments were answered. He spoke regarding the zoning in progress and that it will be

expiring soon. He spoke regarding hiring a new Town Planner and scheduling a dedicated meeting to discuss zoning.

Commissioner Kesl thanked George Kousoulas for bringing the issue back to perspective and stated that the rules define our common understanding of the issues at hand.

Mayor Burkett stated that looking back it is important to note that what is important is the subject and at times it is popular and sometimes it is not and no one has been prevented from talking. He stated that this Commission has been very open and they do not have people shutting others down.

Commissioner Salzhauer commented on the perception and many residents do not feel that they have been given the opportunity to have ample time to speak.

Vice Mayor Paul wanted to remind everyone that Good and Welfare is the time given to the residents and maybe they don't have the answers tonight but they need to acknowledge their concerns.

Mandyf Davenpourf spoke regarding the Commission Meetings and wanted to remind them that they are in this together and this is the time to listen to the residents.

Commissioner Velasquez asked Town Attorney Arango why we are not having a Planning and Zoning Board Meeting this month.

Town Attorney Arango stated that the single-family applications coming before the Board are quasi-judicial items and without a Town Planner, he cannot address comments from the applicants or owners and it is a quasi-judicial question.

Commissioner Salzhauer stated that as the liaison for the Planning and Zoning Board, they decided to start negotiations with another Planning Firm and the Board Members were surprised that some of the measurements were off and they were frustrated. She stated that it has nothing to do with her and Mr. Hickey was not happy with the comments made by the Board.

Town Planner James Hickey addressed the comments made by Commissioner Salzhauer that CGA was being changed out to a new company and some of the board members were frustrated but a couple were unhappy with the process that CGA was working through and it was not only the way he was being treated. It was also impacting the applicants and did not believe that it was the proper process. He also stated that if the items are quasi-judicial in nature, they have to be deferred to the Town Attorney.

Commissioner Kesl thanked Town Planner Hickey for his comments and he stated

to the residents that he would like to have answers to their questions.

Debby Cimadevilla asked for all residents to vote yes on November 3 for referendum number 1 regarding undergrounding utilities.

Fernanda Siqueira asked Mayor Burkett to stop the harassment of Commissioner Salzhauer, the Gazette, pamphlets and him being more positive.

Mayor Burkett addressed the comments made by speaker Fernanda Siqueira and stated if there is anything that is inaccurate, he will be happy to fix it. He stated that his job is to report what is taking place.

Commissioner Salzhauer thanked speaker Siqueira for her comments made regarding the harassment by Mayor Burkett and the personal attacks.

Vice Mayor Paul supports Commissioner Salzhauer and stated they were all elected to serve the people and personal attacks do not serve the people. She stated that they work better when they work together.

Commissioner Velasquez stated that no one walked the Town more during elections than herself and the Mayor and they campaigned for everyone. She also stated that everyone has the right to free speech.

Commissioner Kesl thanked speaker Siqueira for her comments and he supports everyone and commented on having rules and basic understanding of decorum.

Mayor Burkett stated that there is some nastiness going around and Commissioner Salzhauer filing ethics complaints against him and encouraging everyone to do the same. He stated that no one will cancel him.

Commissioner Salzhauer stated that she did not do anything until residents complained to her about his actions.

Commissioner Velasquez stated that Commissioner Salzhauer has told residents to file ethics complaints against herself and Mayor Burkett.

Commissioner Kesl stated that this is not the right forum to address grievances.

Vice Mayor Paul stated that they need to move on and do the job they are there for by representing the residents and all get along to move the Town business forward.

Mayor Burkett stated that rather than debate the facts on the merits, Commissioner Salzhauer prefers to shut everyone down and continues making faces and never addresses the bottom line. He invited Commissioner Salzhauer to write him a letter instead of the Ethics Board. He stated that the Ethics Board even advised Commissioner Salzhauer that there were no violations committed. He stated if she shows something he did wrong, he will fix it.

Joanna Hoffman stated that she is disgusted by our Mayor and he has been a terrible leader and belittles everyone as well as what he has sent out to the residents. She asked him to stop so they can move forward.

Mayor Burkett asked what is disgusting in the newsletter.

Ms. Hoffman stated why is he sending out newsletters when they are not in a campaign and being so combative during a pandemic.

Horace Henderson stated that what the Mayor sends out is very helpful and useful and anyone can opt out whenever they want to. He stated that Commissioner Salzhauer will not listen and the double finger is unacceptable.

Commissioner Salzhauer addressed the comments made by Mr. Henderson and it is hard to do her job serving the residents when the Mayor is doing the things he is doing.

Commissioner Velasquez addressed disrespecting the Mayor while interviewing the Town Manager and not allowing him to negotiate the Town Manager's contract. She stated that he is here for the best interest of the residents. She stated that it is disrespectful for her to go to residents for them to file ethics complaints.

Commissioner Kesl stated that this is not about choosing sides. He stated that everyone is entitled to their opinions and as long as there is a disclaimer than he is fine with it. He also stated that passing judgement on someone's path they choose is not his position.

Vice Mayor Paul stated that this is not about us and we need to get to work and would give her 44 seconds left to speaker Fernanda Sigueira.

Fernanda Siqueira stated that she is not against him and watched the beach ordinance meeting and read his email into the record. She stated that she never favored the hotels.

Mayor Burkett addressed the comments made by Fernanda Siqueira and that Commissioner Salzhauer favored more chairs on the beach.

Commissioner Salzhauer addressed the comments made regarding the beach chairs and it was 600 total beach chairs for the entire beach. She stated that the Mayor asked for almost 2,000 beach chairs and asked everyone to watch the last half-hour of the beach chair ordinance meeting. She stated that the Mayor advocated for cap and trade.

Mayor Burkett stated that Commissioner Salzhauer called him a fraud and that he lied and he stated that he has never called anyone a fraud and never called her

names because it is not professional. That is why we are losing good employees; we lost the Town Manager and the Town Planner.

Commissioner Kesl stated that its best to focus on the Town's interests and hold people accountable to honesty and all statements have nuances that are hard to prove if they are lies. He stated that they need to move to basic respect and take care of Town business.

Vice Mayor Paul addressed Mr. Planas' comments regarding the firing of his wife. She stated that she brought that up at the budget meeting and it is not under the Commission's purview and asked the Town Manager if her position was able to be reconsidered. She apologized to Mr. and Mrs. Planas.

Commissioner Velasquez also commented on Mrs. Planas' position and spoke regarding the budget cuts and she would like to see if she can be reinstated to her position and knows that it is up to the Town Manager.

Commissioner Salzhauer asked Town Attorney Arango if they are allowed to make this request.

Mayor Burkett asked Town Attorney Arango if it ispossible for a Commissioner to make such a motion and second.

Town Attorney Arango stated that the hiring and firing of employees is up to the Town Manager.

Mayor Burkett stated that possibly the motion should be to make that a recommendation to the Town Manager.

Commissioner Salzhauer commented on Mrs. Planas' position and there are rules of what they can and cannot do but there are laws in place. She stated these rules are in place and respects the Town Manager's position of hiring and firing of employees.

Vice Mayor Paul stated that she cannot second that motion because it violates the Charter. She asked if there was a reconsideration of her position. She cannot support a motion for something that they are not allowed to do. She spoke regarding the budget cuts that were made.

Commissioner Kesl stated that they are challenged by the structure they have. He spoke with Mrs. Planas regarding this and raised a flag that this does not look right and asked why her position was cut.

Commissioner Velasquez changed her motion for it to be a recommendation to the Town Manager to allow her to work and understands it is at the discretion of the Town Manager.

A motion was made by Commissioner Velasquez to recommend the Town Manager to reinstate Donna Planas to her position. The motion died for lack of a second.

Vice Mayor Paul addressed the comment of Commissioner Velasquez with her comment that they know where they stand.

Yoann Andreu stated how sad this is and the participation at the planning and zoning meetings.

Commissioner Kesl addressed the comments made by speakers and stated that he identifies with them. He commented on not seeing forward movement.

Vice Mayor Paul stated that Dana Brunet would like to speak about 88th Street. She addressed the comments made regarding decorum.

Town Clerk McCready stated that is an item on the agenda.

Vice Mayor Paul asked if she could give Ms. Brunet her time.

The following individual spoke:

Dana Brunet spoke regarding the 88th Street stop signs and would like a solution to this problem and the drivers speeding. She asked what the Town will be doing about this.

Commissioner Salzhauer addressed the comments made and stated that she would like to see themselves working together and getting along. She commented about the Mayor being manipulative with other Commissioners and it is very sad. She would implore him to stop it. She asked him to review what he writes in the Gazette.

Commissioner Velasquez stated that she hopes all the issues get taken care of and they will be able to move on and work for the residents and stop all this nonsense. She stated that all this bickering is unproductive and this is not the forum for this.

Mayor Burkett stated that Vice Mayor Paul is correct that its about decorum and he stated that the rules will be changed so the residents can speak. He addressed comments made by a speaker that by him handing out flyers he is disgusting. He also spoke regarding comments made by Commissioner Salzhauer about him and he being mentally ill. He addressed the comments made by Joshua Epstein calling him a liar. He further addressed comments made by Commissioner Salzhauer.

Mayor Burkett closed public comments.

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 of the COVID-19 Task Force and the numbers of individuals being infected. He asked Tourism Director Frank Trigueros to share about how the Town is prepared.

Tourism Director Frank Trigueros spoke regarding the COVID-19 Task Force and the meetings that took place. He gave the percentage of infections in Miami Dade County and it has increased. He commented on them following the CDC and County guidelines and best practices should be followed and continue to be vigilant.

The following individual from the public spoke: Jeff Rose

Vice Mayor Paul thanked Jeff Rose and the employees coming into Town to work. She spoke about the enforcement of wearing masks and the difference is not collecting fines until the pandemic is over.

Commissioner Salzhauer stated that there is confusion on what the rules are and everyone is to be wearing a mask. She discussed the walking path and asked the Town Manager how they could enforce the walking path.

Interim Town Manager Greene addressed the comments made by Commissioner Salzhauer and stated that they are still to wear masks and it will be enforced.

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

Commissioner Salzhauer asked if they are ending the meeting at 11:00 p.m. she would prefer to have her item remain at the top of the agenda and have it deferred to the next meeting.

Consensus was reached to defer this item to the next meeting and having it at the top of the agenda.

C. Permanent Digital Sign - Commissioner Nelly Velasquez

Commissioner Velasquez introduced the item and stated that this is to replace the ugly boards diagonal to Publix. She stated that this would be used to let the residents know of upcoming events and news. She stated that many different things could have been placed out for the residents that would save the Town money. She spoke about placing two digital signs. She is requesting the Commission approve this in order for the Town Manager to purchase the items.

Commissioner Salzhauer stated that she was under the impression that the Town had digital signs.

Commissioner Velasquez asked Interim Town Manager Greene to explain what these signs are.

Commissioner Salzhauer stated that is why it would have been helpful to have a picture of the signs and more information. She stated that maybe this item could be deferred to the next meeting and it could be brought back with pictures of the sign.

Commissioner Velasquez requested to bring back this item at the next meeting in order to bring more information.

Commissioner Kesl stated that this is something that will not distract traffic.

Vice Mayor Paul stated that this was approved with the previous Commission and her concern was the digital sign being distracting to traffic and if there is something else that can be used that are not the digital signs.

Mayor Burkett stated that they could come up with another design and placing it in two locations, decide how they should look and their placement. He stated that possibly the Commission could send Interim Town Manager Greene some ideas and locations.

Interim Town Manager Greene addressed the comments made and stated that it was budgeted in the FY 2019-2020 but that expired with this new budget. He will forward to Commissioner Velasquez the information for her to add to her memorandum and read it into the record.

Commissioner Velasquez had stated that this was brought to Interim Town Manager Greene a few months ago and it was removed during the budget cuts.

Interim Town Manager Greene stated that procedurally now that the item was discussed and it is by consensus to bring a resolution to amend the budget, have it removed and Commissioner Velasquez will work with the

new Town Manager and Director of Communications to bring it back to the Commission as a resolution.

Interim Town Manager Greene stated that the intention was to hire Andy Hyatt as the new Town Manager and his intention is to call a special meeting on 10/22/2020 at 7:00 pm to approve and execute the contract and it would be a one item agenda.

Vice Mayor Paul stated that her concern was the digital signs and would like to see alternatives to it and would like to see it come back with alternatives in place.

Commissioner Kesl stated that the monument sign represents messaging for the residents and should look systemically and what content should be on the sign.

Commissioner Velasquez stated that the digital signs should be able to be changed remotely from a computer in order to change the message. She asked what would happen with the sign once the Town no longer needs it.

Commissioner Salzhauer spoke regarding the important questions on the ballot and they are all in agreement that these ballot questions are important. She asked for all residents to go and vote.

A motion was made by Commissioner Velasquez to extend the meeting by 15 minutes, seconded by Commissioner Salzhauer. The motion carried with a 5-0 vote.

Commissioner Salzhauer continued explaining the ballot questions that will be on the ballot for the November election.

Commissioner Velasquez commented on the ballot questions and how many residents want the undergrounding of the powerlines and encouraged residents that are for undergrounding powerlines to vote yes.

Vice Mayor Paul encouraged everyone to go out and vote.

Mayor Burkett encouraged everyone to vote and that is why he will be handing out a pamphlet explaining the ballot questions and encouraged everyone to go out vote.

Commissioner Salzhauer stated that his newsletter is slandering her character and is not positive to the residents.

Mayor Burkett stated that his newsletter explains the issues in the Town and ballot questions.

- D. Resident Survey regarding Kayak Launch Vice Mayor Paul
- E. Amending Town Code Section 2-205 Conduct of Meetings; Agenda Mayor Charles W. Burkett
- F. Topper Selection for 4 x 4 Posts on Hardpack and Walking Path Jason Greene, Interim Town Manager
- G. Building Department Document Scanning- Jason Greene, Interim Town Manager
- H. Demolition by Neglect Mayor Charles W. Burkett
- I. Excessive Homeless Contribution made by the Former Commission Mayor Charles W. Burkett
- J. Free (hassle-free) downtown parking for residents Mayor Charles W. Burkett
- K. Records Retention Policy Mayor Charles W. Burkett
- L. Regulation of Short-Term Rentals Mayor Charles W. Burkett
- M. Quality Control & Quality Assurance Commissioner Charles Kesl
- N. Weiss Serota Contract Follow up Staff Report Jason Greene, Interim Town Manager
- O. Town Pension Benefits for Non-Public Safety Employees Mayor Charles W. Burkett
- P. Increase Lighting Plan Staff Report Jason Greene, Interim Town Manager
- Q. Lowering of Property Taxes and Water Bills Staff Report Jason Greene, Interim Town Manager
- R. Calvin Giordano Contracts Staff Report Jason Greene, Interim Town Manager
- S. FPL Solar Together Vice Mayor Tina Paul
- T. Climate Environmental Collective Revised Vice Mayor Tina Paul
- U. Interest Free Loans to Surfside Builders Granted by Former Mayor and Commission Mayor Charles W. Burkett
- V. Amending Town Code Section 2-237 Business Relationships Commissioner Eliana Salzhauer
- W. Beachwalk Trimming- Staff Report Jason Greene, Interim Town Manager
- X. Community Center Pool Deck Lighting Staff Report Jason Greene, Interim Town Manager
- Y. Community Center Second Floor Staff Report Jason Greene, Interim Town Manager
- Z. Designated (Painted) Walking Areas in the Residential District- Staff Report – Jason Greene, Interim Town Manager
- AA. Alternative Kayak Launches in Addition to the 96th Street Park -

- Mayor Charles W. Burkett
- **BB.** Comparison of 2006 Code to 2020 Code Staff Report Jason Greene, Interim Town Manager
- **CC. Stormwater Masterplan Staff Report –** Jason Greene, Interim Town Manager
- **DD. Amendment to the Tourist Board Ordinance** Commissioner Nelly Velasquez
- EE. Legally Defective Charter Amendment Vote in 2012 Mayor Charles W. Burkett
- FF. Purchase of Land for Parks Commissioner Nelly Velasquez
- GG. Traffic Control Devices on 88th Street and Hawthorne Avenue Commissioner Eliana Salzhauer
- HH. Cone of Silence/Secrecy Mayor Charles Burkett
- II. Taking Steps to Keep our Businesses Alive During COVID Mayor Charles Burkett

Items Completed or Removed from Previous Agendas

- A. Resolution Adopting an Amended Resiliency Reserve Policy Revision
- B. Resolution Approving the March 17, 2020 Town of Surfside Municipal Election
- C. Resolution Abolishing the Sustainability and Resiliency Committee
- D. Resolution Amending the Downtown Vision Advisory Committee
- E. Resolution Reauthorizing the Parks and Recreation Committee
- F. "Flash Your Lights"
- G. Mandatory Face Mask in the Town of Surfside
- H. Bandanas for Town Residents
- I. Commission Meeting Starting Time at 6:00pm
- J. Discussion Regarding Assistant Town Manager position and Action
- K. Photovoltaic RFP
- L. Facilities Review
- M. Kavak Launch
- N. Jacober Contract
- O. Zambelli Fireworks Manufacturing
- P. Small Business Survival Grant
- Q. Review of Amendment No. 2 to Update No. 5 Town of Surfside Emergency Measures
- R. Downtown Surfside Sidewalk Beautification Plans and Studies [Downtown Vision Advisory Committee to discuss]

- S. Sidewalk on N 95th St between Abbott and Byron
- T. Beach Raking
- **U.** Community Digital Signs
- V. Government Academy
- W. Various Tourism Related Events, Initiatives, and Destination Marketing
- X. Classification and Compensation Study
- Y. Flooding/ Drainage Improvements
- Z. Abbott Avenue Drainage
- AA. Police Body-Worn Camera System
- **BB.** Care ACT Fund
- CC. FY 2020 Budget Amendment
- **DD. Purchase of Additional Sewer Pump**
- EE. Planning and Zoning Board Membership Requirements
 Ordinance
- FF. Tourist Board Membership Requirement Ordinances
- GG. Resolution Renaming the Town's Higher Education Scholarships to be called the "Arya Gray Memorial Higher Education Scholarship"
- HH. Interlocal Shuttle System Report Update
 - II. Reconsideration of the Installation of Berms on 92nd
- JJ. Staffing Hiring Freeze
- KK. Undergrounding power lines Staff Report
- LL. Streamline Town Staffing
- MM. Brightview Agreement (FKA Luke's Landscape) Report and Follow up-Staff Report
- NN. Replacement Bins for Trash and Recycling Receptacles
 Throughout Town
- OO. Discussion and Action on Ballot Language for Undergrounding of Utilities
- PP. Potential Ballot Question P3/Lease or Sale of Town Property
- QQ. Charter Amendments to affirm the limit of pay for elected officials to a maximum of \$1 per year, term limits for elected officials of 3 consecutive terms, or any part thereof, for both Mayor & Commissioners, a prohibition on the sale or leasing of any Town property without a referendum & a prohibition against any loan or borrowing of any type, which would put the Town into debt for more than 10% of its annual property tax revenue and which could not be fully amortized within a total of 5 years and restore development protections in the charter
- RR. Star Cleaning Service (Street Sweeping)

- SS. New Zoning Code-Procedural and Notice Requirements
- TT. 92nd St Beach-end Improvements
- UU. Develop Capital Improvement Plan (CIP)
- VV. 10 Year Water Supply Plan
- WW. Various Parks & Recreation Related Events and Initiatives
- XX. CARES Act Funding Interlocal with Miami-Dade County Resolution
- YY. Repeal of Ordinance No. 17-1662 Beach Furniture Mayor Charles W. Burkett
- ZZ. Preservation of Eden Project located at 9300 Collins Avenue Removed by Mayor Burkett
- AAA. Speeding on Collins and Harding Removed by Mayor Burkett
- BBB. How are Zoning Protections Against Over-Development Were Gutted Removed by Mayor Burkett
- CCC. Amending Town Code Section 2-233 to include Non-for-Profit Removed by Mayor Burkett
- DDD. Procurement Expertise Removed by Commissioner Salzhauer
- EEE. Take Home Vehicles Removed by Commissioner Salzhauer
- FFF. Beach Raking Removed by Commissioner Salzhauer
- **GGG.** Speeding and Stop Signs Running Removed by Commissioner Salzhauer
- HHH. Draft Ordinance Amending the Definition of Lot Coverage Removed by Commissioner Salzhauer
 - III. Gazette Revenue and Funding Sources Removed by Mayor Burkett

10. Adjournment

A motion was made by Commissioner Kesl to adjourn the meeting without objection at 11:12 p.m. The motion received a second from Commissioner Velasquez. The motion carried with a 5-0 vote.

Accepted this 19th day of November, 2020.

Charles W. Burkett, Mayor

Attest:

Sandra N. McCready, MM Town Clerk