

RESOLUTION NO. 2023- 3234

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, ACCEPTING PUBLIC HEARING COMMENTS RELATING TO THE ESTABLISHMENT OF AN ON-DEMAND TRANSIT SERVICE TO REPLACE THE EXISTING TOWN SHUTTLE SERVICE AND USE OF TRANSPORTATION SURTAX PROCEEDS FOR THE SERVICE; CONFIRMING PUBLIC COMMENT PERIOD; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town of Surfside (the “Town”) currently operates a shuttle service (the “Shuttle”) utilizing its share of Citizens Independent Transportation Trust (“CITT”) surtax proceeds; and

WHEREAS, the Town is considering the replacement of the Shuttle with a locally operated on-demand public transportation service (the “Services”); and

WHEREAS, pursuant to Section 212.055(1)(d), Florida Statutes, transportation surtax proceeds may be used for the Services where a trip is not greater than five miles in distance; and

WHEREAS, Section 29-124 of the Miami-Dade County (“County”) Code of Ordinances further allows eligible municipalities to use their municipal share of CITT surtax proceeds for the provision of the Services; and

WHEREAS, in order to utilize CITT surtax proceeds for the provision of the Services, the Town must execute an interlocal agreement with the County governing the Services after holding a duly noticed public hearing that provides the community an opportunity to voice their opinion concerning the proposed Services; and

WHEREAS, on October 26, 2023, the Town published a public hearing notice (in English and Spanish), in the Miami Herald advising the public that the Town would hold

a public hearing on November 14, 2023, for the purpose of obtaining public comments on the potential establishment of the Services to replace the Shuttle; and

WHEREAS, in order to elicit public comments and provide the public a meaningful opportunity to participate in the decision over the replacement of the Shuttle and use of CITT surtax proceeds for the Services, the Town held a duly noticed public hearing on November 14, 2023; and

WHEREAS, the Town Commission confirms its desire to receive additional public comment and input relating to the establishment of the Services to replace the Shuttle up until the next Town Commission Meeting on December 12, 2023; and

WHEREAS, an interlocal agreement with the County relating to the use of CITT surtax proceeds for the Services shall be considered at the December 12, 2023, Town Commission Meeting; and

WHEREAS, the Town Commission finds that this Resolution is in the best interest and welfare of the Town.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, AS FOLLOWS:

Section 1. Recitals. The above-stated recitals are true and correct and are incorporated herein by this reference.

Section 2. Accepting Public Comments. The Town Commission hereby accepts the public comments made prior to and/or at the duly noticed public hearing held at the November 14, 2023, Town Commission Meeting.

Section 3. Confirming Public Comment Period. The Town Commission hereby confirms its desire to receive additional public comment and input relating to the

establishment of the Services to replace the Shuttle. An interlocal agreement with the County for the use of CITT surtax proceeds for the Services shall be considered at the December 12, 2023, Town Commission Meeting.

Section 4. Effective Date. This Resolution shall become effective immediately upon adoption.

PASSED AND ADOPTED this 14th day of November, 2023.

Motion By: Vice Mayor Rose
Second By: Commissioner Landsman

FINAL VOTE ON ADOPTION:

Commissioner Fred Landsman	<u>Yes</u>
Commissioner Marianne Meisheid	<u>Absent</u>
Commissioner Nelly Velasquez	<u>Yes</u>
Vice Mayor Jeffrey Rose	<u>Yes</u>
Mayor Shlomo Danzinger	<u>Yes</u>

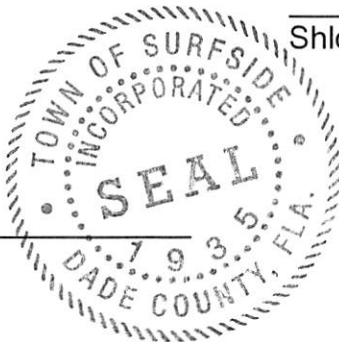


Shlomo Danzinger, Mayor


ATTEST:



Sandra McCready, MMC
Town Clerk



APPROVED AS TO FORM AND LEGALITY FOR THE USE AND BENEFIT OF THE TOWN OF SURFSIDE ONLY:



Weiss Serota Helfman Cole & Bierman, P.L.
Town Attorney



TOWN OF SURFSIDE PUBLIC HEARING NOTICE

TOWN OF SURFSIDE ON-DEMAND TRANSPORTATION SERVICE

TUESDAY, NOVEMBER 14, 2023, AT 6:00 P.M.

Town Hall
9293 Harding Avenue, Surfside, Fl

The Town of Surfside is seeking to establish a mobile-based, on-demand transportation service. The proposed on-demand transportation service will replace the existing shuttle service, and consists of one (1) six (6) passenger electric vehicle operating in the area designated in the image below during designated hours, and, possibly an additional vehicle of same make and model within the same fiscal year. The proposed on-demand transportation service has an anticipated start date of March, 2024.

We are seeking public input on the proposed on-demand transportation service at a public hearing which will be held at 6:00 pm on Tuesday, November 14, 2023, at Town Hall Commission Chambers, 9293 Harding Avenue, Surfside, Fl 33154.

If you have comments or concerns regarding the proposed on-demand transportation service, please contact Irina Mocanu, Chief of Staff, at (305) 993-1052 or imocanu@townofsurfsidefl.gov.



TOWN OF SURFSIDE AVISO DE AUDIENCIA PUBLICA

PUEBLO DE SURFSIDE - BAJO DEMANDA SERVICIO DE TRANSPORTE

MARTES 14 DE NOVIEMBRE DEL 2023 A LAS 6:00 P.M.

Ayuntamiento
9293 Harding Avenue, Surfside, Fl 33154

El Municipio de Surfside desea establecer un servicio de transporte público que se utiliza bajo demanda (al-solicitarlo). El servicio de transporte consistirá de un (1) vehículo eléctrico con capacidad de seis (6) pasajeros con operaciones en el área especificada en la imagen a continuación durante las horas designadas con una fecha de inicio anticipada de Marzo 2024 y la posibilidad de agregar otro vehículo del mismo modelo en el mismo año fiscal. Este programa reemplazará el programa de autobús de enlace, conocido como "Shuttle". Estamos buscando la opinión del público sobre el servicio de transporte propuesto en una audiencia pública que se llevará a cabo en el Ayuntamiento del Municipio de Surfside a las 6:00 pm el Martes, 14 de Noviembre del 2023.

Si tiene comentarios o inquietudes con respecto al servicio de transporte a pedido propuesto, comuníquese con Irina Mocanu, Jefa de Personal al (305) 993-1052 or imocanu@townofsurfsidefl.gov



19 people from China and 3 from Ecuador arrive in Keys migrant landing

BY DAVID GOODHUE
dgoodhue@miamiherald.com

Nineteen people from China and three from Ecuador arrived in the Florida Keys in what federal officials called a human-smuggling incident. The migrants came ashore in Key Largo shortly before 2 a.m. Monday, according to Monroe County Sheriff's Office calls-for-service logs. The Florida Highway Patrol, which said its troopers helped U.S. Border Patrol

agents catch the arrivals, said the incident happened near mile marker 109. That would mean the migrants arrived on County Road 905, also known as Card Sound Road, which runs along a long, remote stretch of wooded land north of the business and residential area of Key Largo. Agents with Homeland Security Investigations are investigating the landing and declined to provide details. A law-enforcement source said the peo-

THE FLORIDA HIGHWAY PATROL SAID ITS TROOPERS HELPED U.S. BORDER PATROL AGENTS CATCH THE ARRIVALS NEAR MILE MARKER 109.

ple were dropped off from a boat that has not been found. The highway patrol said its troopers were called to the area "at the request of U.S. Border Patrol to set up a secure perimeter and to assist in the apprehension of the suspects." There is a much a high-

er number of EHP troopers assigned to the Keys than normal because of an executive order that Gov. Ron DeSantis issued in January in reaction to a surge in maritime migration, mostly from Cuba and Haiti. The order, which has been extended several

times, sent troopers, state fish and wildlife police, Florida Department of Law Enforcement agents and Florida National Guard troops to the island chain. The influx in police and Guard troops, combined with stepped-up Coast Guard and other federal agency patrols off the Keys, worked to significantly reduce landings from their peak during the Christmas season. But migrant boats and smugglers are still getting through. On Sunday, Border Patrol agents said they took into custody three people who landed in Islamorada in the Upper Keys on a small, home-made wooden boat with "La Flecha" (The Arrow) painted on the hull. Homeland Security Investigations is asking anyone with information about Monday's landing to call the agency's tip line at 866-347-2423.

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FROM PAGE 9A

HIALEAH

approval of four council members, the lawsuit states.

Later, the lawsuit states, then-Interim City Attorney Elsa I. Jaramila-Velez told Calvo that he could not request that an item be added to the agenda of a council meeting "because it was not discussed with the mayor in advance."

Implementing a policy that prohibits council members, including Calvo, from speaking to any department head or city employee without going through the mayor.

According to a memorandum from the mayor's office dated Sept. 1, 2022, "any request of a member of our council to any city department head or administrator for assistance with an event or situation (including consent needed) must be requested in writing to the Office of the Mayor." Calvo's lawsuit asks for a judge to render the mayor's policies invalid and issue a permanent injunction to block them. The goal of this lawsuit is to create govern-

ment transparency for residents and councilors and other politicians in the future, Calvo said. The mayor, who learned of the lawsuit on Tuesday during a break in a City Council session, told el Nuevo Herald he had "no comment" on the complaint. "I am not going to play this political game," said Bovo, who acts as Hialeah's strong mayor, overseeing the government's day-to-day operations.

Hialeah City Attorney Rafael Suarez Rivas also declined to comment. One of Calvo's lawyers, Britany Quintana, told el Nuevo Herald that the mayor, the city attorney and the city clerk are wrongly interpreting the city's code by preventing or limiting the councilman from carrying out investigations, presenting issues on the agenda and meeting with Hialeah managers.

"Calvo has received information and documents in the past. We don't understand why the policy changes now. He could review public records without paying or hiding confidential information. What we want is to have access to that information," Quintana



Hialeah Mayor Esteban 'Steve' Bovo Jr., left, walks by Councilman Bryan Calvo during a council meeting Tuesday. Bovo said he had no comment about Calvo's lawsuit against him. "I am not going to play this political game."

whom were elected in 2021. They have clashed publicly over various issues, including the creation of a redevelopment agency, the budget and increasing water-service fees. In a statement sent Wednesday to el Nuevo Herald by the mayor's press officer, Gina Romero, she said "the facts speak for themselves, the Mayor will not comment and the City will prove that this is a cheap political act." The lawsuit follows another legal complaint

involving Hialeah politicians. This year, former Mayor Carlos Hernández was sued by relatives of Councilman Jesús Tundidor over a 2019 raid on his nightclub, Bellas Cabaret. According to the lawsuit, the raid occurred because Tundidor decided to run for office without Hernández's approval. Nor is Calvo's lawsuit the first time a mayor and councilman have faced off in court over the division of power. In the 1970s, Mayor Dale G. Bennett sued a group of councilmen known as the Ferocious Five. The litigation was over legislation that Bennett believed had improperly curtailed his powers, according to stories published at the time by the Miami Herald. One of the councilmen, Raúl Martínez, who would go on to beat Bennett to become mayor, said the councilmen also sued. In Calvo's case, José Smith, a special magistrate for the city of North Miami, warned after reading the Hialeah code that "Councilman Calvo should be allowed to have the ability to place items in the agenda. The mayor does not have the author-

ity to prohibit it, particularly if the Council finds that it is reasonable and serves a legislative public purpose."

"To suggest otherwise could potentially stop the Council from governing," said Smith, who previously was a Miami Beach city commissioner, as well as the city attorney for the cities of Miami Beach and North Miami Beach.

Regarding Calvo's public-records request about the 911 call center, however, Smith believes the code supports the mayor's actions. "It is my legal opinion that the individual Council Members are not authorized to conduct investigations, unless a majority of the legislative body approves such investigation."

Smith said the Miami-Dade Commission on Ethics and Public Trust might see the better sense for Calvo's claim. "It's easier, faster and less expensive," he said, adding that judges do not like to get involved in power struggles.

Verónica Egoi Brito
305-376-2664, VerEgoi

Miami Herald

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