



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

Tuesday, October 10, 2023

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

1G. Red Ribbon Week Proclamation - Mayor Shlomo Danzinger

[Red Ribbon Week Request - Oct 2023.pdf](#)

[Red Ribbon Week - Oct 2023.pdf](#)

1H. National Community Planning Proclamation - Shlomo Danzinger, Mayor

[National Community Planning Month Request - Oct 2023.pdf](#)

[National Community Planning Month - Oct 2023.pdf](#)

2. Quasi-Judicial Hearings

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. McCreedy, MMC, Town Clerk

[September 12, 2023 Special Town Commission Meeting Minutes-First Budget Hearing.pdf](#)

[September 12, 2023 Regular Town Commission Meeting Minutes.pdf](#)

[September 27, 2023 Final Budget Hearing-Special Commission Meeting Minutes.pdf](#)

[September 27, 2023 Special Town Commission Meeting-Quasi Judicial Hearing Meeting Minutes.pdf](#)

3B. Board and Committee Minutes - Sandra N. McCreedy, Town Clerk

[August 7, 2023 Tourist Board Meeting Minutes.pdf](#)

[August 21, 2023 Parks and Recreation Committee Meeting Minutes.pdf](#)

3C. Approval and Acceptance of a State-funded Grant Agreement between the State of Florida Department of Commerce and the Town of Surfside for the Downtown Alleyway Surfside Project - Hector Gomez, Town Manager

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, APPROVING AND ACCEPTING A STATE-FUNDED GRANT AGREEMENT WITH THE FLORIDA DEPARTMENT OF COMMERCE (FDOC) FOR THE DOWNTOWN ALLEYWAY SURFSIDE PROJECT; PROVIDING FOR AUTHORIZATION; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

[Resolution Approving Grant from FDOC Downtown Alleyway Surfside Project Exhibit A - Agreement with the FDOC.pdf](#)

3D. FY 2024 Budget Amendment Resolution No. 1 - Hector Gomez, Town Manager

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, APPROVING BUDGET AMENDMENT NO. 1 FOR THE FISCAL YEAR 2024 BUDGET; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

[Resolution Approving Budget Amendment No. 1 for FY 2024 Attachment A - FY2024 Budget Amendment No. 1](#)

3E. Resolution authorizing Mutual Aid Agreement between the City of Sweetwater Police Department 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 SWEETWATER; PROVIDING FOR AUTHORIZATION; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

[Resolution Approving Mutual Aid Agreement - City of Sweetwater Exhibit A - Mutual Aid Agreement - Surfside](#)

3F. Approval of Lease Agreement with Dell Financial Services for Town Operating Desktops, Laptops & Monitors - Hector Gomez, Town Manager

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, APPROVING AN AGREEMENT WITH DELL MARKETING, L.P. FOR THE LEASE OF OPERATING DESKTOPS, LAPTOPS, COMPUTER MONITORS, AND OTHER RELATED COMPUTER ACCESSORIES IN AN AMOUNT NOT TO EXCEED \$166,708.20 UTILIZING THE TERMS AND CONDITIONS OF THE STATE OF FLORIDA PARTICIPATING ADDENDUM TO THE NATIONAL ASSOCIATION OF STATE PROCUREMENT OFFICIALS COOPERATIVE PROCUREMENT PROGRAM (NASPO) MASTER AGREEMENT NO. MNWNC-108; AUTHORIZING THE TOWN MANAGER TO NEGOTIATE AND EXECUTE AN AGREEMENT FOR THE LEASE OF THE COMPUTER EQUIPMENT; FINDING THAT THE LEASE OF THE COMPUTER EQUIPMENT IS EXEMPT FROM COMPETITIVE BIDDING PURSUANT TO SECTION 3-13(3) OF THE TOWN CODE; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

[Reso Approving Lease of Computer Equipment with Dell Exhibit A - Dell Financial Services LLC Lease Term Agreement \(Laptops, Desktops](#)

& Peripheral Equipment)
Exhibit B - State of Florida Dell Original Participating Addendum
Exhibit B - State of FL Contract Amendment No. 1 thru No. 6

- 3G. Ratification of Deductive Change Orders and Authorization to Expend for Additive Change Orders Pertaining to 96 Street Park Construction - Hector Gomez, Town Manager**

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, RATIFYING THE ISSUANCE OF CHANGE ORDERS NO. 1 AND NO. 2 PROVIDING FOR DIRECT PURCHASE OF MATERIALS AND EQUIPMENT, AND APPROVING CHANGE ORDER REQUESTS NO. 3 AND NO. 4 PROVIDING FOR AN INCREASE IN THE CONTRACT PRICE FOR DESIGN CHANGES, RELATED TO THE CONTRACT FOR CONSTRUCTION WITH LUNACON ENGINEERING GROUP, CORP. FOR THE 96TH STREET PARK PROJECT;; AUTHORIZING THE TOWN MANAGER TO EXECUTE THE CHANGE ORDERS TO THE CONTRACT FOR CONSTRUCTION; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Resolution Approving Four Change Orders to Lunacon Construction Contract
Exhibit A - Change Order # 01 (Executed)
Exhibit B - Change Order # 02 (Executed)
Exhibit C - Change Order #3
Exhibit D - Change Order #4

- 3H. Supplemental Fees for Architectural and Engineering Services Related to the Tennis Community Center Project - Hector Gomez, Town Manager**

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, APPROVING AN AMENDMENT TO THE PROJECT AGREEMENT WITH THE CORRADINO GROUP, INC. FOR ADDITIONAL PROFESSIONAL ENGINEERING BUILDING DESIGN AND PERMITTING SERVICES FOR THE TENNIS RECREATION CENTER BUILDING IMPROVEMENT PROJECT; PROVIDING FOR AUTHORIZATION; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Resolution Approving Additional Service Revision w Corradino for Tennis Center Building Impr Project
Exhibit A - First Amendment Project Agreement with Corradino Group Inc for Tennis Center Building Improvements Project
Exhibit B - The Corradino Group Proposal 09/5/2023
Exhibit C - Fee Breakdown

- 3I. Authorization to Execute Project Agreement with Kimley-Horn and Associates, Inc. and Expend Funds for Design and Engineering Services for the Town's Utilities Undergrounding Project - Hector Gomez, Town Manager**

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, APPROVING A PROJECT AGREEMENT WITH KIMLEY-HORN AND ASSOCIATES, INC. FOR UTILITIES UNDERGROUNDING DESIGN AND

ENGINEERING SERVICES PURSUANT TO THE CONTINUING SERVICES AGREEMENT FOR PROFESSIONAL ENGINEERING SERVICES; PROVIDING FOR AUTHORIZATION AND IMPLEMENTATION; AUTHORIZING THE EXPENDITURE OF FUNDS; AND PROVIDING FOR AN EFFECTIVE DATE.

[Resolution Approving Project Agreement with Kimley Horn for Design Engineering Services - Utilities Undergrounding Project.pdf](#)

[Attachment A - Kimley Horn Design Services Proposal.pdf](#)

[Attachment B - Project Agreement-Design and Engineering for Utilities Undergrounding Project](#)

4. Ordinances

Second Reading

- 4A1. Pension Ordinance Extending DROP Participation for Non-Union Members from 60 to 72 Months to be Consistent with FOP Benefits - Hector Gomez, Town Manager**

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, AMENDING CHAPTER 2. – ADMINISTRATION, ARTICLE V. – EMPLOYEE BENEFITS, DIVISION 2. - PENSION PLAN, OF THE TOWN OF SURFSIDE CODE OF ORDINANCES REGARDING THE RETIREMENT PLAN FOR EMPLOYEES OF THE TOWN OF SURFSIDE; AMENDING SECTION 2-193 OF THE TOWN CODE TO EXTEND PARTICIPATION IN THE DROP PLAN FOR CURRENT AND FUTURE GENERAL AND SENIOR MANAGEMENT DROP MEMBERS WHO ARE NOT COVERED BY A COLLECTIVE BARGAINING AGREEMENT; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

[Pension Ordinance - DROP Extension Non-Union.docx](#)

[Attachment A- Actuarial Impact Statement.pdf](#)

- 4A2. Ordinance Amending Section 90-41 Regulated Uses - Arcades - 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 90-41, “REGULATED USES”, TO PERMIT COIN OR CREDIT OPERATED AMUSEMENT DEVICES AND ARCADES; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

[Ordinance Amending Section 90-41 Regulated Uses - Arcades](#)

- 4A3. Business District Setbacks and Lot Standards to Preserve the Integrity of the SD-B40 District - Hector Gomez, Town Manager**

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA AMENDING THE TOWN OF SURFSIDE CODE OF ORDINANCES TO PRESERVE THE INTEGRITY OF THE SD-B40 DISTRICT BY AMENDING SECTIONS 90-45, “SETBACKS” AND 90-49, “LOT STANDARDS”, TO PROVIDE FOR ENHANCED SETBACKS FOR RESIDENTIAL PROJECTS IN THE SD-B40

~~ZONING DISTRICT, AND A MAXIMUM LOT AREA AND MAXIMUM LOT WIDTH WITHIN THE SD-B40 DISTRICT, AND PROVIDE FOR A SPECIAL EXCEPTION PROCESS TO REDUCE SUCH LIMITATIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.~~

[Ordinance To Preserve SD-B40 Neighborhood - Second Reading Version.DOCX](#)

First Reading

- 4B1. Creation of New Capital Improvement Projects Chapter within the Town Code**
- Hector Gomez, Town Manager

AN ORDINANCE OF THE TOWN OF SURFSIDE, FLORIDA, AMENDING THE CODE OF ORDINANCES BY ADOPTING CHAPTER 73, "CAPITAL IMPROVEMENT PROJECTS," PROVIDING FOR A DEFINITION OF TOWN "CAPITAL IMPROVEMENT PROJECTS"; AND ESTABLISHING THE METHOD FOR PLANNING, BUDGETING, AND IMPLEMENTING SUCH PROJECTS; AND PROVIDING FOR SEVERABILITY, CONFLICTS, CODIFICATION AND AN EFFECTIVE DATE.

[Ordinance Creating Capital Improvement Projects Department](#)

- 4B2. Update to Water Shortage Regulations Section of the Town Code to be Consistent with Miami-Dade County and South Florida Water Management District** - Hector Gomez, Town Manager

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, AMENDING ARTICLE VI. - "WATER SHORTAGE REGULATIONS" OF CHAPTER 78 - "UTILITIES," OF THE TOWN'S CODE OF ORDINANCES TO INCORPORATE APPLICABLE MIAMI-DADE COUNTY PERMANENT YEAR-ROUND LANDSCAPE IRRIGATION RESTRICTIONS AND PROVIDE FOR ENFORCEMENT BY THE TOWN; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

[Ordinance Amending Section 78-100 Adopting Enforcement of MDC 32-8.2](#)

[TAv2.DOCX](#)

[Attachment A - SFWMD Letter dated July 20 2023](#)

[Attachment B - Sec. 32.8.2 - Permanent year round landscape irrigation restrictions](#)

- 4B3. Ordinance Amending Citizen Presentation Rules** - 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 2-206 "PUBLIC PARTICIPATION" RELATING TO CITIZENS PRESENTATIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

[Ordinance Amending Sec. 2-206 Re Citizens Presentations](#)

- 4B4. Amending Sec. 14-28. - Issuance of Building Permits and Amending Sec. 62-1. - Garage Sales to Simplify Town Permitting Requirements for Non-Essential Permits - 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 14-28, "ISSUANCE OF BUILDING PERMITS," AND SECTION 62-1, "GARAGE SALES," TO SIMPLIFY AND REVISE THE TOWN'S NON-CRITICAL PERMITTING REQUIREMENTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

[Ordinance Amending Section 14-28 and 62-1 Relating to Low Value Building Permits and Garage Sales](#)

- 4B5. Amending Chapter 72 of the Town Code to Address Utilities Lines Undergrounding for Future Communication Improvements - 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 72 "TELECOMMUNICATIONS", SECTION 72-28 "DEFINITIONS," SECTION 72-31 "PLACEMENT OR MAINTENANCE OF A COMMUNICATIONS FACILITY IN PUBLIC RIGHTS-OF-WAY", AND SECTION 72-35 "EXISTING COMMUNICATIONS FACILITIES IN PUBLIC RIGHTS-OF-WAY" TO REQUIRE UNDERGROUNDING OF ALL NEW COMMUNICATIONS LINES WITHIN THE TOWN'S BOUNDARIES; PROVIDING FOR SEVERABILITY; PROVIDING FOR SEVERABILITY; INCLUSION IN THE CODE; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

[Ordinance Amending Ch. 72 Telecommunications Right-of-Way Ordinance for Undergrounding](#)

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. Town Legislative Priorities for Florida Legislative Session - Hector Gomez, Town Manager**

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, APPROVING BUDGET AMENDMENT NO. 1 FOR THE FISCAL YEAR 2024 BUDGET; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

[Resolution Approving Legislative Priorities 2024 Attachment A - Legislative priorities FY2024](#)

- 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
[2023-10 October Town Manager's Report.pdf](#)

7B. Town Attorney's Report
[October 2023 Town Attorney Report](#)

8. Unfinished Business and New Business

9. Mayor, Commission and Staff Communications

9A. Formal Complaints regarding Commissioner Nelly Velasquez - Hector Gomez, Town Manager

9B. Tourism Board Approved Collins Avenue Monument Sign for Town Commission Review and Approval - Hector Gomez, Town Manager
[Attachment A - Tourist Board Selection, Monument Sign](#)
[Attachment B - Monument Sign Proposal Plus Town Seal](#)
[Attachment C - Don Bell Updated Estimate](#)
[Attachment D - Additional Sign Designs](#)
[Attachment E - Estimate for Additional Designs](#)

9C. Dune Resiliency Project Update - Hector Gomez, Town Manager
[Attachment A - Presentation](#)

9D. Permit Fees for Condominium Recertification and Special Assessments - Commissioner Meisheid

9E. Village of Indian Creek Septic to Sewer Conversion Project - Hector Gomez, Town Manager

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.townofsurfsidefl.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.