



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

**Tuesday, May 10, 2022  
7:00 PM**

Commission Chambers - 9293 Harding Avenue  
Surfside, FL 33154

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

***Rule 6.05 Agenda. The good and welfare portion of the agenda set for 8:15 p.m. shall be restricted to discussion on subjects not already specifically scheduled on the agenda for discussion and debate. In no event shall this portion of the agenda be allotted more than 45 minutes with each speaker to be given no more than three minutes, unless by vote of a majority of the members of the commission present, it is agreed to extend the time frames. Likewise, commission members shall be restricted to speaking three minutes each unless an extension is granted in the same manner as set forth in the prior sentence.***

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

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

***\* Denotes agenda items as "must haves" which means there will be significant impacts if the item is not addressed tonight. If these items have not been heard by 10 p.m., the order of the agenda will be changed to allow them to be heard.***

1. **Opening**
  - 1A. **Call to Order**
  - 1B. **Roll Call of Members**
  - 1C. **Pledge of Allegiance**
  - 1D. **Mayor and Commission Remarks**
  - 1E. **Agenda and Order of Business** Additions, deletions and linkages
  - 1F. **National Public Safety Telecommunicator Week 04/11/22 – 04/17/22** - Mayor Shlomo Danzinger  
[Proclamation Certificate Coins and Key to the Town Request Telecommunicator 2022.doc](#)  
[National Public Safety Telecommunicator Proclamation.pdf](#)
  - 1G. **Financial Audit Presentation** - Andrew Hyatt, Town Manager
  - 1H. **CTS Update** - Andrew Hyatt, Town Manager
2. **Quasi-Judicial Hearings**
3. **Consent Agenda**
  - 3A. **Approval of Minutes** - Town Clerk Sandra N. McCready, MPA, MMC  
[2022-04-12 Budget Workshop Town Commission Meeting Minutes.pdf](#)  
[2022-04-12 Regular Town Commission Meeting Minutes.pdf](#)  
[2022-04-12 Special Town Commission Meeting - Quasi Judicial Minutes.pdf](#)  
[2022-04-27 Special Town Commission Meeting Minutes.pdf](#)
  - 3B. **Committee Reports**  
[2022-03-07 Tourist Board Meeting Minutes.pdf](#)  
[2022-03-31 Planning and Zoning Board Meeting Minutes.pdf](#)
  - 3C. **Miami Dade County and Town of Surfside Interlocal Agreement for National Pollutant Discharge Elimination System Permit No. FLS000003 for period of October 1, 2022 to September 30, 2027** - Andrew Hyatt, Town Manager

**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, APPROVING AN INTERLOCAL AGREEMENT BETWEEN MIAMI-DADE COUNTY AND CO-PERMITTEES NAMED IN THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMIT NO.FLS000003 FOR POLLUTION IDENTIFICATION AND CONTROL SERVICES IN MUNICIPAL SEPARATE STORM SEWER SYSTEMS (MS4S); PROVIDING FOR AUTHORIZATION AND IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.**

[Resolution NPDES.docx](#)  
[Interlocal Agreement](#)  
[Interlocal Agreement Signature Sheet](#)

**3D. Independent External Audit Reengagement** - Andrew Hyatt, Town Manager

**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, APPROVING AN ENGAGEMENT LETTER WITH MARCUM LLP FOR FINANCIAL AUDITING SERVICES FOR FISCAL YEAR ENDING SEPTEMBER 30, 2022; PROVIDING FOR AUTHORIZATION; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.**

[Reso Approving Engagement of Marcum Auditors 2022.DOCX](#)  
[Surfside 2022 Eng Ltr.pdf](#)

**3E. Abolishing Town of Surfside Budget Advisory Committee** - Andrew Hyatt, Town Manager

**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, ABOLISHING THE TOWN OF SURFSIDE BUDGET ADVISORY COMMITTEE; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.**

[Reso Abolishing Budget Advisory Committee TA v2.DOCX](#)

**3F. Amending the Downtown Vision Advisory Committee (DVAC) Charter** - Andrew Hyatt, Town Manager

**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, ABOLISHING THE DOWNTOWN VISION ADVISORY COMMITTEE; ESTABLISHING A DOWNTOWN VISIONING TASKFORCE; ADOPTING A CHARTER AND ORGANIZATIONAL STRUCTURE FOR THE TASKFORCE; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.**

[Resolution DVAC.docx](#)  
[Downtown Visioning Taskforce \(May 2022\).pdf](#)

**3G. Nurse Enhancement Initiative for School Year 2022/2023 - Andrew Hyatt, Town Manager**

**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, APPROVING AMENDMENT NO. 5 TO THE MEMORANDUM OF UNDERSTANDING BETWEEN THE TOWN OF SURFSIDE, THE CITY OF MIAMI BEACH, NORTH BAY VILLAGE, TOWN OF BAY HARBOR ISLANDS, BAL HARBOUR VILLAGE, AND THE MIAMI BEACH CHAMBER EDUCATION FOUNDATION, INC. TO FUND A NURSE ENHANCEMENT INITIATIVE FOR SCHOOL YEAR 2022/2023 FOR RUTH K. BROAD BAY HARBOR K-8 CENTER; PROVIDING FOR AUTHORIZATION AND IMPLEMENTATION OF THE AMENDMENT TO THE MOU; AND PROVIDING FOR AN EFFECTIVE DATE.**

[Resolution Approving MOU - Amend. No. 5 to MOU School Nurse Initiative 22.23.DOCX](#)  
[Nurse Amendment #5 Municipalities School Year 22-23.pdf](#)

**4. Ordinances**

**Second Reading**

**First Reading**

**4B1. Nonhabitable Understory - Commissioner Marianne Meischeid**

**AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA AMENDING THE TOWN OF SURFSIDE CODE OF ORDINANCES BY AMENDING SECTION 90-2. - "DEFINITIONS" TO AMEND THE DEFINITION OF "STORY" AND TO CREATE A DEFINITION OF "NONHABITABLE UNDERSTORY;" CREATING A NEW SECTION 90-49.5. - "NONHABITABLE UNDERSTORY" TO REGULATE NONHABITABLE UNDERSTORIES IN LOW-RISE RESIDENTIAL DISTRICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.**

[Photo 8950 Irving UnderstoryFront.pdf](#)  
[Photo 8950 Irving Understory Light Air.pdf](#)  
[Ordinance Re Nonhabitable Understory - First Reading - 5-4-22.pdf](#)

**5. Resolutions and Proclamations**

**5A. Reimbursement and Intent to Issue Bond Resolution - Andrew Hyatt, Town Manager**

**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, INDICATING THE OFFICIAL INTENT OF THE TOWN TO ISSUE TAX-EXEMPT GENERAL OBLIGATION BONDS OR NOTES IN THE AMOUNT OF UP TO \$40,000,000 TO FINANCE THE COSTS OF UNDERGROUNDING OF UTILITIES AND TO USE A PORTION OF THE PROCEEDS OF SUCH BONDS OR NOTES TO REIMBURSE EXPENDITURES PAID OR INCURRED PRIOR TO THE DATE OF ISSUANCE THEREOF; AND PROVIDING FOR AN EFFECTIVE DATE.**

[Reimbursement Resolution of Intent GO Bonds \(5-2022\).DOCX](#)

**5B. Authorization to Execute Project Agreement with KCI Technologies, Inc. and Expend Funds for Undergrounding of Utilities Services (Phase II) - Completion of Bid Documents (100% Plans and Technical Specifications) - Andrew Hyatt, Town Manager**

**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, APPROVING A PROJECT AGREEMENT WITH KCI TECHNOLOGIES, INC. FOR UNDERGROUNDING OF UTILITIES - PHASE II 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.**

[Reso Approving KCI PSA For Phase II.DOCX](#)  
[Project Agreement - KCI Tech - Undergrounding of Utilities Phase 2-FY22.pdf](#)

**5C. Authorization to Expend Funds and Amend Agreement with HPF Associates, Inc. for Continued Project Administration of Phase II of Town Utilities Undergrounding Project - Andrew Hyatt, Town Manager**

**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, APPROVING A FIRST AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT WITH HPF ASSOCIATES, INC. FOR PROJECT MANAGEMENT SUPPORT SERVICES IN CONNECTION WITH PHASE II OF THE UNDERGROUNDING OF UTILITIES PROJECT; FINDING THAT THE SERVICES ARE EXEMPT FROM PROCUREMENT PURSUANT TO SECTION 3-13(2) OF THE TOWN CODE; AUTHORIZING INCREASED EXPENDITURE OF FUNDS FOR THE SERVICES; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.**

[Reso Approving First\\_Amendment to PSA with HPF - Phase II Services \(1\).docx](#)  
[First Amendment to HPF PSA for Phase II Utilities Underground Project.DOC](#)  
[HPF Associates, Inc. Proposal](#)

**5D. FY 2022 Budget Amendment Resolution No. 5 - Andrew Hyatt, Town Manager**

**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, APPROVING BUDGET AMENDMENT NO. 5 FOR THE FISCAL YEAR 2022 BUDGET; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.**

[Reso Approving Budget Amendment No. 5.docx](#)  
[FY2022\\_Budget\\_Amendment\\_No.\\_5.pdf](#)

**6. Good and Welfare**

**7. Town Manager and Town Attorney Reports**

**7A. Town Manager's Report - Andrew, Hyatt, Town Manager**  
[2022-05 May Town Manager's Report.pdf](#)

**7B. Town Attorney's Report**  
[Town Attorneys Report.DOCX](#)

**8. Unfinished Business and New Business**

**9. Mayor, Commission and Staff Communications**

**9A. Amendment to Section 54-78 - Prohibited Noises - Mayor Shlomo Danzinger**

**9B. FY 2023- 2027 Five-Year Financial Forecast and Proposed Fund Balance Policy - Andrew Hyatt, Town Manager**  
[Fund Balance Policy - 2022.pdf](#)

**9C. New High School at Haulover Park - Vice Mayor Jeffrey Rose**

**9D. 24-inch Projections of Sills, Cornices, and Ornamental Features - Vice Mayor Jeffrey Rose**

**9E. Zoning Code Ambiguities and Inconsistencies - Vice Mayor Jeff Rose**

**9F. Revision to Code Section 90-57 - "Marine Structures" - Commissioner Fred Landsman**  
[Ordinance No. 2022-1718-Ordinance-Marine Structures-Construction of Docks.pdf](#)

**10. Adjournment**

Respectfully submitted,

Andrew Hayatt  
Town Manager

THIS MEETING IS OPEN TO THE PUBLIC. IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT OF 1990, ALL PERSONS THAT ARE DISABLED; WHO NEED SPECIAL ACCOMMODATIONS TO PARTICIPATE IN THIS MEETING BECAUSE OF THAT DISABILITY SHOULD CONTACT THE OFFICE OF THE TOWN CLERK AT 305-861-4863 EXT. 226 NO LATER THAN FOUR DAYS PRIOR TO SUCH PROCEEDING.

IN ACCORDANCE WITH THE PROVISIONS OF SECTION 286.0105, FLORIDA STATUTES, ANYONE WISHING TO APPEAL ANY DECISION MADE BY THE TOWN OF SURFSIDE COMMISSION, WITH RESPECT TO ANY MATTER CONSIDERED AT THIS MEETING OR HEARING, WILL NEED A RECORD OF THE PROCEEDINGS AND FOR SUCH PURPOSE, MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE WHICH RECORD SHALL INCLUDE THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED.

AGENDA ITEMS MAY BE VIEWED AT THE OFFICE OF THE TOWN CLERK, TOWN OF SURFSIDE TOWN HALL, 9293 HARDING AVENUE. ANYONE WISHING TO OBTAIN A COPY OF ANY AGENDA ITEM SHOULD CONTACT THE TOWN CLERK AT 305-861-4863. A COMPLETE AGENDA PACKET IS ALSO AVAILABLE ON THE TOWN WEBSITE AT [www.townofsufsidefl.gov](http://www.townofsufsidefl.gov).

TWO OR MORE MEMBERS OF OTHER TOWN BOARDS MAY ATTEND THIS MEETING.

THESE MEETINGS MAY BE CONDUCTED BY MEANS OF OR IN CONJUNCTION WITH COMMUNICATIONS MEDIA TECHNOLOGY, SPECIFICALLY, A TELEPHONE CONFERENCE CALL. THE LOCATION 9293 HARDING AVENUE, SURFSIDE, FL 33154, WHICH IS OPEN TO THE PUBLIC, SHALL SERVE AS AN ACCESS POINT FOR SUCH COMMUNICATION.