



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

**Tuesday, February 14, 2023
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 6.06 (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 Remarks - Mayor Shlomo Danzinger

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

1F. Community Notes - Mayor Shlomo Danzinger

2. Quasi-Judicial Hearings

2A. 303 Surfside Boulevard - Acting Town Manager Hector Gomez

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, APPROVING/DENYING A SITE PLAN APPLICATION TO PERMIT THE DEVELOPMENT OF PROPERTY LOCATED AT 9116 HARDING AVENUE AND 303 SURFSIDE BOULEVARD, SURFSIDE, FLORIDA, FOR A MULTIFAMILY RESIDENTIAL DEVELOPMENT CONSISTING OF UP TO 6 TOWNHOUSE DWELLING UNITS AND UP TO 14 PARKING SPACES; PROVIDING FOR CONDITIONS; PROVIDING FOR VIOLATION OF CONDITIONS; PROVIDING FOR A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

[Planning and Zoning Board Staff Review from 12.15.22](#)

[Site Plans and Application for 303 Surfside Blvd.](#)

[Reso Approving Site Plan with Conditions.DOCX](#)

2B. 9100 Collins Avenue - Market Hall - Acting Town Manager Hector Gomez

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, [APPROVING/DENYING] A SITE PLAN AMENDMENT APPLICATION FOR PROPERTY GENERALLY LOCATED AT 9100 COLLINS AVENUE, SURFSIDE, FLORIDA, TO MODIFY THE DESIGN AND USES APPROVED FOR 9100 COLLINS AVENUE PURSUANT TO RESOLUTION NOS. 13-Z-06 AND 17-Z-2458; RETAINING ALL OTHER ASPECTS OF THE PREVIOUS APPROVALS; PROVIDING FOR ADDITIONAL CONDITIONS; PROVIDING FOR VIOLATION OF CONDITIONS; PROVIDING FOR A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

[Attachment A - Staff Memo to Planning and Zoning Board 12.15.22](#)

[Attachment B - 9100 Collins Avenue Agenda Packet.pdf](#)

[Resolution Site Plan.DOCX](#)

3. Consent Agenda

All items on the consent agenda are considered routine or status reports by the Town Commission and will be approved by one motion. Any Commission member

may request that an item be removed from the Consent Agenda and discussed separately. If the public wishes to speak on a matter on the consent agenda they must inform the Town Clerk prior to the start of the meeting by completing a speaker card. They will be recognized to speak prior to the approval of the consent agenda.

- 3A. Approval of Minutes** - Sandra N. McCready, MMC, Town Clerk
[January 10, 2023 Special Town Commission Meeting Minutes.pdf](#)
[January 10, 2023 Regular Town Commission Meeting Minutes.pdf](#)
[January 31, 2023 Joint Town Commission and Planning and Zoning Board Meeting Minutes.pdf](#)
- 3B. Parks and Recreation Special Event Vendor, Premier Bounce N Slide Party Rentals, LLC Contract and Expenditure Approval** - Hector Gomez, Acting Town Manager

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, APPROVING AN AGREEMENT WITH PREMIER BOUNCE N SLIDE PARTY RENTALS, LLC FOR THE TOWN'S PARKS AND RECREATION SPECIAL EVENTS IN AN AMOUNT NOT TO EXCEED \$62,000 FOR FISCAL YEAR 2023; AUTHORIZING THE TOWN MANAGER TO EXECUTE AN AGREEMENT FOR THE SERVICES; FINDING THAT THE SERVICES ARE EXEMPT FROM COMPETITIVE BIDDING PURSUANT TO SECTION 3-13(7)(D) OF THE TOWN CODE; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

[Resolution Approving Premier Bounce N Slide Agreement - Parks and Recreation Premier Bounce N Slide Party Rental.DOCX](#)

- 3C. FY 2023 Budget Amendment Resolution No. 4** - Hector Gomez, Acting Town Manager

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, APPROVING BUDGET AMENDMENT NO. 4 FOR THE FISCAL YEAR 2023 BUDGET; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

[Resolution Approving Budget Amendment No.4.DOCX](#)
[Attachment A - FY2023 Budget Amendment No 4.pdf](#)

- 3D. Approving a Multi Year Agreement for the Purchase of Public Records Request Management Software and Services from JustFOIA.** - Sandra N. McCready, MMC, Town Clerk

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, APPROVING A MULTI-YEAR AGREEMENT FOR THE PURCHASE OF PUBLIC RECORDS REQUEST MANAGEMENT SOFTWARE AND SERVICES FROM JUSTFOIA, INC. TO FACILITATE THE TOWN'S REVIEW AND COMPLETION OF PUBLIC RECORDS; FINDING THAT THE PURCHASE IS EXEMPT FROM COMPETITIVE BIDDING PURSUANT TO SECTION 3-13(7)(j) OF THE TOWN CODE; AUTHORIZING THE TOWN MANAGER TO EXECUTE AN AGREEMENT FOR THE SOFTWARE AND SERVICES; PROVIDING FOR

IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

[Resolution Approving JustFOIA Agreement](#)

[Exhibit A - JustFOIA Agreement](#)

4. Ordinances

Second Reading

4A1. Planning and Zoning Ordinance Change - Single Curb Cut width expansion on lots less than 100 feet in width - Hector Gomez, Acting 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 90.61.1(c) OF ARTICLE V. – DESIGN STANDARDS OF CHAPTER 90 OF THE TOWN CODE OF ORDINANCES, TO MODIFY THE PERMITTED WIDTH OF CURB CUTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

[Exhibit A.DOCX](#)

[Curb Specifications.pdf](#)

[Ordinance Curb Cuts - 2nd Reading.DOCX](#)

First Reading

4B1. Ordinance Amending Seawall Height - Hector Gomez, Acting Town Manager

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, AMENDING SECTIONS 90-60 “CONSTRUCTION NEXT TO SEA WALLS” AND 90-63 “MISCELLANEOUS ELEVATIONS FOR SEA WALLS, AND GROINS” OF CHAPTER 90, “ZONING,” OF THE TOWN CODE TO MODIFY THE MINIMUM ELEVATION OF SEA WALLS AND ESTABLISH OTHER CRITERIA; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

[Attachment A: Zoning Code Sections on Seawall Heights.docx](#)

[Attachment B: Regional Seawall Height Comparison Report by Nova Consulting Ordinance - Height of Sea Wall.DOCX](#)

5. Resolutions and Proclamations

If the public wishes to speak on a matter on this section of the agenda, they must inform the Town Clerk by completing a speaker card and they will be recognized to speak prior to the approval of any resolution..

5A. Verge Aero Proposal for July 4, 2023 Drone Show Event - Hector Gomez, Acting Town Manager

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, APPROVING AN AGREEMENT WITH VERGE INC. FOR FOURTH OF

JULY DRONE LIGHT SHOW SERVICES; AUTHORIZING THE TOWN MANAGER TO NEGOTIATE AND ENTER INTO THE AGREEMENT FOR THE SERVICES; FINDING THAT THE SERVICES ARE EXEMPT FROM COMPETITIVE BIDDING PURSUANT TO SECTION 3-13(7)(C) AND 3-13(17)(D) OF THE TOWN CODE; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

[Resolution Approving Drone Show for Fourth of July Event](#)

[Exhibit A - Verge Aero Drone Quote.pdf](#)

[Exhibit B - Agreement with Verge Aero - 4th of July](#)

5B. Resolution in Support of HB 269 (2023) - Shlomo Danzinger, Mayor

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, SUPPORTING HOUSE BILL 269 RELATING TO PUBLIC NUISANCES AND ENHANCED CRIMINAL PENALTIES FOR PERSONS WHO COMMIT CERTAIN VIOLATIONS WHILE EVIDENCING RELIGIOUS OR ETHNIC ANIMUS; URGING THE FLORIDA LEGISLATURE TO APPROVE HOUSE BILL 269; PROVIDING FOR TRANSMITTAL; AND PROVIDING FOR AN EFFECTIVE DATE.

[HB269.pdf](#)

[Resolution Supporting HB 269](#)

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

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

7B. Town Attorney's Report - Town Attorney Lillian Arango

[Town Attorney's Report.DOCX](#)

8. Unfinished Business and New Business

9. Mayor, Commission and Staff Communications

9A. Town Manager Job Description - Hector Gomez, Acting Town Manager

[Town Manager Job Description](#)

10. Adjournment

Respectfully submitted,

Hector R. Gomez
Acting Town Manager

THIS MEETING IS OPEN TO THE PUBLIC. IN ACCORDANCE WITH THE AMERICANS WITH

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

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

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

TWO OR MORE MEMBERS OF THE TOWN COMMISSION AND/OR TOWN BOARDS MAY ATTEND THIS MEETING.

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